15 C C d

THE Statutes at Large,

IN
PARAGRAPHS,
AND
SECTIONS or NUMBERS,
Beginning with the
Reign of King James I.
And Continued to the Sixth and Seventh Years of the
Reign of King William III.
Carefully Examined by the
Rolls of Parliament.

With an Alphabetical TABLE.

VOL. II.

LONDON,
Printed by *Charles Bill*, and the Executrix of *Thomas Newcomb*, deceas'd; Printers to the Queens moſt Excellent Majeſty;
And by the Aſſigns of *Richard Atkins* and *Edward Atkins*, Eſqrs.
MDCCVI.

THE STATUTES AT LARGE, IN Paragraphs, and Sections or Numbers.

Beginning with the Reign of King JAMES I.

And Continued to this preſent Time.

VOL. II.

Anno Regni JACOBI *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ,*

VIZ.

Angliæ, Franciæ & Hiberniæ primo, & Scotiæ triceſimo ſeptimo.

AT the Parliament begun and holden at Weſtminſter the Nineteenth day of March, in the Firſt Year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland King, Defender of the Faith, &c. and of Scotland the ſeven and thirtieth, and there continued until the ſeventh day of July, 1604. and then Prorogued until the ſeventh of February next following; To the high pleaſure of Almighty God, and the weal publick of this Realm, were Enacted as followeth.

CAP. I.

A moſt joyful and juſt Recognition of the immediate, lawful and undoubted Succeſſion, Deſcent, and Right of the Crown.

GReat and manifold were the benefits (moſt Dread and moſt Gracious Sovereign) wherewith Almighty God bleſſed this Kingdom and Nation by the happy Union and Conjunction of the two Noble Houſes of York and Lancaſter, thereby preſerving this Noble Realm, formerly torn, and almoſt waſted with long and miſerable Diſſention, and bloudy Civil War, (2) but more ineſtimable and unſpeakable bleſſings are thereby poured upon us, becauſe there is derived and grown from and out of that Union of thoſe two Princely Families, a more famous and greater Union (or rather a re-uniting) of two mighty, famous and ancient Kingdoms (yet anciently but one) of England and Scotland, under one Imperial Crown, in your moſt Royal Perſon, who is Lineally, Rightfully, and Lawfully deſcended of the body of the moſt excellent Lady Margaret, eldeſt daughter of the moſt renowned King Henry the Seventh, and the High and Noble Princeſs Queen Elizabeth his Wife, eldeſt daughter of King Edward the Fourth; the ſaid Lady Margaret being the eldeſt Siſter of King Henry the Eighth, Father of the High and Mighty Princeſs of famous memory, Elizabeth late Queen of England:

Crown, Raſt. 41. A Recognition that the Crown of England is lawfully deſcended unto King James, his Progeny, and Poſterity. The benefits enſuing by the conjunction of the Houſes of York and Lancaſter. The uniting of England and Scotland in the Kings perſon. Co. Inſt. 4 par. 345

II. In conſideration whereof, albeit we your Majeſties loyal and faithful Subjects, of all eſtates and degrees, with all poſſible and publick Joy and Acclamation, by open Proclamations within few hours after the deceaſe of our late Sovereign Queen, acknowledging thereby with one full voice of Tongue and Heart, That your Majeſty was our only, lawful and rightful Liege Lord and Sovereign, by our unſpeakable and general rejoycing and applauſe at your Majeſties moſt happy Inauguration and Coronation, by the affectionate deſire of Infinite numbers of us, of all degrees, to ſee your Royal Perſon, and by all poſſible outward means have endeavoured to make demonſtration of our inward love, zeal and devotion to your moſt excellent Majeſty, our undoubtful rightful Liege Sovereign Lord and King: (2) yet as we cannot do it too often, or enough, ſo can there be no means or way ſo fit, both to ſacrifice our unfeigned and hearty thanks to Almighty God, For bleſſing us with a Sovereign adorned with the rareſt gifts of mind and body, in ſuch admirable peace and quietneſs,

The acknowledgment of the Kings Title, and the love of his Subjects, ſhewed by ſeveral means.

neſs, and upon the knees of our hearts to agnize our moſt conſtant faith, obedience and loyalty to your Majeſty, and your Royal Progeny, as in this high Court of Parliament, where all the whole body of the Realm, and every particular member thereof, either in perſon or by repreſentation (upon their own free elections) are by the Laws of this Realm deemed to be perſonally preſent.

Several cauſes that have bound all Subjects to the love and obedience of the King.

III. To the acknowledgment whereof to your Majeſty, we are the more deeply bounden and obliged, as well in regard of the extraordinary care and pains which with ſo great wiſdom, knowledge, experience and dexterity, your Majeſty (ſithence the Imperial Crown of this Realm deſcended to you) have taken for the continuance and eſtabliſhment of the bleſſed peace both of the Church of England, in the true and ſincere Religion, and of the Common-wealth by due and ſpeedy adminiſtration of Juſtice, as in reſpect of the gracious care and inward affection which it pleaſed you on the firſt day of this Parliament ſo lively to expreſs by your own words, ſo full of high wiſdom, learning and virtue, and ſo repleat with Royal and thankful acceptation of all our faithful and conſtant endeavours, which is, and ever will be to our ineſtimable conſolation and comfort.

Cauſes of thankſgiving to God for the King and his Progeny.

IV. We therefore your moſt humble and loyal Subjects, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, do from the bottom of our hearts yield to the divine Majeſty all humble thanks and praiſes, not only for the ſaid unſpeakable and ineſtimable benefits and bleſſings above mentioned, but alſo that he hath further enriched your Highneſs with a moſt Royal Progeny, of moſt rare and excellent gifts and forwardneſs, and in his goodneſs is likely to encreaſe the happy number of them: (2) And in moſt humble and lowly manner do beſeech your moſt excellent Majeſty, that (as a memorial to all Poſterities, amongſt the Records of your High Court of Parliament for ever to endure, of our loyalty, obedience, and hearty and humble affection) (3) it may be publiſhed and declared in this high Court of Parliament, and enacted by authority of the ſame, That we (being bounden thereunto both by the Laws of God and Man) do recognize and acknowledge (and thereby expreſs our unſpeakable joys) That immediately upon the diſſolution and deceaſe of Elizabeth late Queen of England, The Imperial Crown of the Realm of England, and of all the Kingdoms, Dominions and Rights belonging to the ſame, did by inherent birth-right, and lawful and undoubted ſucceſſion, deſcend and come to your moſt excellent Majeſty as being lineally, juſtly, and lawfully, next and ſole Heir of the Bloud Royal of this Realm, as is aforeſaid, (4) and that by the goodneſs of God Almighty, and lawful right of deſcent, under one Imperial Crown, your Majeſty is of the Realms and Kingdoms, of England, Scotland, France and Ireland, the moſt potent and mighty King, and by Gods goodneſs, more able to protect and govern us your loving Subjects in all peace and plenty, then any of your noble Progenitors; (5) And thereunto we moſt humbly and faithfully do ſubmit and oblige our ſelves, our heirs and poſterities for ever, until the laſt drop of our bloods be ſpent: and do beſeech your Majeſty to accept the ſame, as the firſt-fruits in this high Court of Parliament, of our loyalty and faith to your Majeſty, and your Royal Progeny and Poſterity for ever: (6) Which if your Majeſty ſhall be pleaſed (as an argument of your gracious Acceptation) to adorn with your Majeſties Royal Aſſent, without which it can neither be compleat and perfect nor remain to all poſterity, according to our moſt humble deſire, (as a memorial of your Princely and tender affection towards us) we ſhall add this alſo to the reſt of your Majeſties unſpeakable and ineſtimable benefits.

Immediately upon Queen Elizabeths death, the Crown of England, &c. deſcended to the King by lawful birthright and deſcent.

CAP. II.

England, and Scotland, Raſt, 1.

An Act authorizing certain Commiſſioners of England, to treat with Commiſſioners of Scotland, for the weal of both Kingdoms. 3 Jac. 3. 4 Jac. 1. 22 Car. 2. cap. 9.

Co. Inſt. 4. part 347.

CAP. III.

An Act againſt the diminution of the poſſeſſions of Archbiſhopricks and Biſhopricks, and avoiding of dilapidations of the ſame.

Eccleſiaſtical perſons 6. All aſſurances made to the King, of the Lands of Biſhops ſhall be void. By the Stat. of An. 1 El. 19. no Biſhop can make any leaſe of his land but for 21 years, or three lives to a ſubject.

1 Roll. 162. 198.

Whereas all the Archbiſhopricks and Biſhopricks within this Realm of England, were in ancient times founded by his Majeſties moſt noble Progenitors, Kings of this Realm, and in reſpect thereof, his Majeſty is lawful and rightful Patron of all and every of the ſame: (2) and where alſo by the Laws and Statutes of this Realm, no Archbiſhop or Biſhop can make any Conveyance, Aſſurance or Eſtate whatſoever, of any honors, caſtles, manors, lands, tenements or hereditaments, parcel of the poſſeſſions of the Archbiſhoprick or Biſhoprick, or united, appertaining or belonging to any of the ſame, to any Subject whatſoever, whereby any Eſtate ſhould or might paſs from any Archbiſhop or Biſhop, other then for term of xxi. years, or three lives, with ſuch reſervations of Rent, and in ſuch manner and form, as by the Laws and Statutes are provided: (3) His moſt excellent Majeſty underſtanding that divers perſons have with great ſuit and importunity ſought to fruſtrate the true end and intent of the ſaid good Laws and Statutes in that behalf, of his Chriſtian and Princely Piety and Care, minding ſo to Patronize and protect the ſaid poſſeſſions from alienation or diminution, as that the ſame may according to the true intent of the Founders, remain and continue in ſucceſſion to the Archbiſhops and Biſhops of this Realm, and their ſucceſſors, for the better maintenance of Gods true Religion, keeping of hoſpitality, and avoiding of dilapidations, and thereby for ever hereafter to avoid all ſuits and importunities for or concerning any of the ſaid poſſeſſions, hath out of his own meer and godly motion, and of his bleſſed diſpoſition for the publick good, without all regard of any private reſpect, vouchſafed, and is pleaſed, That it may be enacted, and eſtabliſhed by his Majeſty, by and with the aſſent of the Lords Spiritual and Temporal and the Commons in this preſent Parliament aſſembled;

No Biſhop ſhall aſſure his land to the King.

Co. l. 10. f. 58. l. 11. f. 71.

II. And be it enacted and eſtabliſhed by the authority of the ſame, That every Archbiſhop and Biſhop within this Realm, and their and every of their ſucceſſors, ſhall be from and after the end of this preſent Seſſion of Parliament, for ever wholly and utterly diſabled in Law, to make, do, levy or ſuffer any Act or Acts, thing or things, whereby, or by means whereof, any of the ſaid honors, caſtles, manors, lands, tenements or hereditaments, or any part of them, or any of them, ſhall or may be aliened, aſſured, given, granted, demiſed, charged, or in any ſort conveyed to our ſaid Sovereign Lord the King, his Heirs or Succeſſors: (2) And that all alienations, aſſurances, gifts, grants, leaſes, charges and conveyances whatſoever, from and after the end of this preſent Seſſion of Parliament, to be done, ſuffered or made to our ſaid Sovereign Lord the King, his Heirs or Succeſſors, by any Archbiſhop or Biſhop, or their or any of their Succeſſors, of or out of any of the ſaid poſſeſſions, or of or out of any part or parcel of them or any of them, and all and every confirmation and confirmations of the ſame, ſhall be from and after the end of this preſent Seſſion of Parliament, utterly void and of none effect, to all intents, conſtructions and purpoſes; Any former Law, Statute, Act, Ordinance or other matter or thing to the contrary notwithſtanding. Co. Inſt. 44. a.

CAP. IV.

An Act for the due execution of the Statutes againſt Jeſuits, Seminary Prieſts, Recuſants.

3 Inſt. 178.

Jeſuits 14. Statutes made in the Reign of Queen Elizabeth, ſhall be put in execution.

In what caſe a Recuſants heir ſhall be charged, in what not.

Going into Seminaries.

For the better and more due execution of the Statutes heretofore made, as well againſt Jeſuits, Seminary Prieſts, and other ſuch like Prieſts, as alſo againſt all manner of Recuſants, (2) Be it ordained and enacted by authority of this preſent Parliament, That all and every the Statutes heretofore made in the Reign of the late Queen of famous memory, Elizabeth, as well againſt Jeſuits, Seminary Prieſts, and other Prieſts, Deacons, Religious and Eccleſiaſtical perſons whatſoever, made, ordained or profeſſed, or to be made, ordained or profeſſed by any authority or juriſdiction derived, challenged or pretended from the See of Rome, as thoſe which do in any wiſe concern the withdrawing of the Kings Subjects from their due obedience, and the Religion now profeſſed, and the taking of the Oath of obedience unto the Kings Majeſty, his Heirs and Succeſſors, together with all thoſe made in the ſaid late Queens time againſt any manner of Recuſants, ſhall be put in due and exact execution.

2 Bulſt. 324. A Recuſant conforming himſelf, ſhall be diſcharged.

II. Provided nevertheleſs, and be it enacted by the authority of this preſent Parliament, That if any that is or ſhall be a Recuſant, ſhall ſubmit or reform him or her ſelf, and become obedient to the Laws and Ordinances of the Church of England, and repair to the Church, and continue there during the time of the Divine Service and Sermons, according to the true meaning of the Statutes in that behalf, in the ſaid late Queens time made and provided, That then every ſuch perſon for and during ſuch time as he or ſhe ſhall ſo continue in ſuch conformity and obedience, ſhall from thenceforth be freed and diſcharged of and from any the penalties and loſſes which the ſame perſon might otherwiſe ſuſtain and bear, in reſpect or by reaſon of ſuch perſons Recuſancy:

III. And if any Recuſant ſhall hereafter die, his heir being no Recuſant, That in every ſuch caſe, every ſuch heir ſhall be freed and diſcharged of all and ſingular the penalties, charges and incumbrances happening upon him or her, in reſpect or by reaſon of his or her Anceſtors Recuſancy: (2) And if at the deceaſe of any ſuch Recuſant, his heir ſhall happen to be a Recuſant, and after ſhall become conformable and obedient to the Laws and Ordinances of the Church of England, and repair to the Church, and continue there during the time of the Divine Service and Sermons, according to the intent and true meaning of the ſaid Statutes and Ordinances in that behalf made, as is aforeſaid, and alſo ſhall take the Oath of Supremacy in ſuch ſort as that Oath is expreſſed in one Act of Parliament made in the Firſt year of the Reign of our late Sovereign Lady Queen Elizabeth, before the Archbiſhop or Biſhop of the Dioceſs, That in every ſuch caſe, every ſuch heir ſhall be freed and diſcharged of all and ſingular the penalties, charges and incumbrances happening unto him or her in reſpect or by reaſon of any of his or her Anceſtors Recuſancy.

A Recuſants heir within age at the time of his Anceſtors death.

IV. Provided always, and be it enacted by authority of this preſent Parliament, That if the heir of any Recuſants ſhall happen to be within the age of ſixteen years at the time of the deceaſe of his or her Anceſtor, and ſhall after his or her ſaid age of ſixteen years, become or be a Recuſant, that in every ſuch caſe, any ſuch heir ſhall not be freed or diſcharged of all or any of the penalties, charges and incumbrances happening upon him or her, in reſpect or by reaſon of any of his or her Anceſtors Recuſancy, until he or ſhe ſhall ſubmit or reform him or her ſelf, and become obedient to the Laws and Ordinances of the Church of England, and repair to the Church, and continue there during the time of Divine Service and Sermons, according to the intent and true meaning of the ſaid Statutes and Ordinances in that behalf, as is aforeſaid, and ſhall take the ſaid Oath of Supremacy in manner and form afore expreſſed, and yet nevertheleſs, from and after ſuch Submiſſion and Oath had and taken, every ſuch heir ſhall be freed and diſcharged of all and ſingular the penalties, charges and incumbrances happening upon him or her in reſpect, or by reaſon of any of his or her Anceſtors Recuſancy.

23 El. 1. A third part of his living ſhall remain clear to a Recuſant.

V. And be it further enacted by the authority of this preſent Parliament, That where any ſeiſure ſhall be had of the two parts of any lands, tenements, hereditaments, leaſes or farms, for the not payment of the xx. l. due and payable for each month, according to the Statute in that caſe lately made and provided, That in every ſuch caſe, every ſuch two parts ſhall according to the extent thereof, go towards the ſatisfaction and payment of the xx. l. due and payable for each month, and unpaid by any ſuch Recuſant, (2) And that the third part thereof ſhall not be extended or ſeized by the Kings Majeſty, his Heirs or Succeſſors, for not payment of the ſaid xx. l. payable for each month forfeited or loſt by any ſuch Recuſant: (3) And where any ſuch ſeizure ſhall be had of the two parts of the lands, tenements, hereditaments, leaſes or farms of any ſuch Recuſant, as is aforeſaid, and ſuch Recuſant ſhall die, (the debt or duty, by reaſon of his Recuſancy, not paid, ſatisfied or diſcharged) that in every ſuch caſe, the ſame two parts ſhall continue in his Majeſties poſſeſſion, until the reſidue or remainder of the ſaid debt or duty be thereby or otherwiſe paid, ſatisfied, or diſcharged: (4) And that his Majeſty, his Heirs or Succeſſors, ſhall not ſeize or extend any third part deſcending to any ſuch Heirs, or any part thereof, either by reaſon of the Recuſancy of his or her Anceſtors, or the Recuſancy of any ſuch Heir.

The two parts of a Recuſants lands, after his death, ſhall remain in the Kings hands until he be ſatisfied of the arrearages.

None ſhall go, or ſend any other to a Seminary, &c. 3 Jac. 5. 3 Car. 2.

VI. And be it further enacted by the authority of this preſent Parliament, That all and every perſon and perſons under the Kings obedience, which at any time (after the end of this Seſſion of Parliament) ſhall paſs or go, or ſhall ſend, or cauſe to be ſent, any Child, or any other perſon under their or any of their government, into any the parts beyond the Seas, out of the Kings obedience, to the intent to enter into, or be reſident in any Colledge, Seminary, or Houſe of Jeſuits, Prieſts, or any other Popiſh Order, Profeſſion or Calling whatſoever, or repair in or to any the ſame, to be inſtructed, perſwaded or ſtrengthened in the Popiſh Religion, or in any ſort to profeſs the ſame; Every ſuch perſon ſo ſending, or cauſing to be ſent, any Child or other perſon, beyond the Seas to any ſuch purpoſe or intent, ſhall for every ſuch offence, forfeit to his Majeſty, his Heirs and Suceſſors, the ſum of C. li. (2) And every ſuch perſon ſo paſſing or being ſent beyond the Seas to any ſuch intent and purpoſe, as is aforeſaid, ſhall by authority of this preſent Act, as in reſpect of him or her ſelf only, and not to or in reſpect of any of his Heirs or Poſterity, be diſabled and made incapable to inherit, purchaſe, take, have or enjoy any manors, lands, tenements, annuities, profits, commodities, hereditaments, goods, chattels, debts, duties, legacies, or ſums of Money, within this Realm of England, or any other his Majeſties Dominions: (3) And that all and ſingular eſtates, terms, and other intereſts whatſoever hereafter to be made, ſuffered or done, to or for the uſe or behoof of any ſuch perſon or perſons, or upon any truſt or confidence, mediately or immediately, to or for the benefit or relief of any ſuch perſon or perſons, ſhall be utterly void and of none effect, to all intents, conſtructions and purpoſes.

They which be in Seminaries, ſhall return. 27 El. 2.

VII. And be it further enacted by the authority aforeſaid, That if any perſon born within this Realm, or any the Kings Majeſties Dominions, be at this preſent in any Colledge, Seminary, Houſe or Place in any parts beyond the Seas (to the end to be inſtructed or ſtrengthened in the Popiſh Religion) which ſhall not make return into this Realm, or ſome of his Majeſties Dominions, within one year next coming after the end of this Seſſion of Parliament, and ſubmit himſelf, as is aforeſaid, ſhall be in reſpect of himſelf only, and not to or in reſpect of any of his Heirs or Poſterity, utterly diſabled and uncapable to inherit, have or enjoy any manors, lands, tenements, hereditaments, goods, chattels, debts, or other things aforeſaid, within this Realm, or any other his Majeſties Dominions. (2) Provided always, That if any Perſon or Child ſo paſſing, ſent, ſending, or now being beyond the Seas, as aforeſaid, to ſuch intent as is before mentioned, ſhall after become comformable and obedient unto the Laws and Ordinances of the Church of England, and ſhall repair to the Church, and there remain and be, as is aforeſaid, and continue in ſuch conformity according to the true intent and meaning of the ſaid Statutes and Ordinances; That in every ſuch caſe, every ſuch Perſon and Child, for and during ſuch time as he or ſhe ſhall continue in ſuch conformity and obedience, ſhall be freed and diſcharged of all and every ſuch diſability and incapacity as is before mentioned.

A remedy for ſuch as do return into the Realm, and become conformable to the Laws.

No woman or child ſhall paſs over the Seas without licence. 5 Jac. 5. Sect. 16. N. 1.

VIII. And be it further enacted by the authority of this preſent Parliament, That no woman, nor any child under the age of xxi. years (except Sailers or Ship-boys, or the Apprentice or Factor of ſome Merchant in Trade of Merchandize) ſhall be permitted to paſs over the Seas (except the ſame ſhall be by licence of the King, his Heirs or Succeſſors, or of ſome ſix or more of the Kings Privy Council, thereunto firſt had under their hands) (2) upon pain that the Officers of the Port that ſhall willingly or negligently ſuffer any ſuch to paſs, or ſhall not enter the names of ſuch paſſengers licenſed, ſhall forfeit his Office, and all his goods and chattels, (3) and upon pain that the Owner of any Ship or Veſſel that ſhall wittingly or willingly carry any ſuch over the Seas without licence, as aforeſaid, ſhall forfeit his Ship or Veſſel, and all the Tackle: (4) and every Maſter or Mariner of or in any Ship or Veſſel offending, as aforeſaid, ſhall forfeit all their goods, and ſuffer impriſonment by the ſpace of twelve months, without bail or mainpriſe.

The forfeiture of thoſe who do ſuffer them to paſs.

The forfeiture for being or keeping a School-maſter contrary to this Act.

IX. And be it further enacted by the authority aforeſaid, That no perſon after the Feaſt of St. Michael the Archangel next, ſhall keep any School, or be a School-maſter, out of any the Univerſities or Colledges of this Realm, except it be in ſome publick or free Grammar School, or in ſome ſuch Noblemans or Noblewomans, or Gentlemans or Gentlewomans Houſe as are not Recuſants, or where the ſame School-maſter ſhall be ſpecially licenſed thereunto by the Archbiſhop, Biſhop, or Guardian of the Spiritualties of that Dioceſs, (2) upon pain that as well the School-maſter, as alſo the party that ſhall retain or maintain any ſuch School-maſter, contrary to the true intent and meaning of this Act, ſhall forfeit each of them, for every day ſo wittingly offending, xl. s. (3) The one half of all the penalties and ſums of money before mentioned to be forfeited, to be to the King, his Heirs and Succeſſors, the other to him or them that ſhall or will ſue for the ſame, in any the Courts of Record in Weſtminſter, by action of debt, bill, plaint or information, in which no eſſoin, protection or wager of Law ſhall be allowed. 27 El. 2. 23 El. 1. 29 El. 6. 35 El. 1, & 2. 1 El. 1. 5 El. 1.

CAP. V.

An Act to prevent the overcharge of the People by Stewards of Court-Leets and Court-Barons.

Leets 16. The Steward of a Court ſhall take no benefit of the profits thereof. How the profits and perquiſites of Courts Baron and Leets have been collected. Oppreſſions done to many for the private gain of Stewards of Courts

Whereas the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and other his Highneſs Subjects of this Realm of England and Wales, have in divers places of the ſame, many Franchiſes, Juriſdictions, Priviledges and Liberties to keep Court-Leets or Court-Barons, for the true adminiſtration of Juſtice, and to the puniſhing and ſuppreſſing of offences; The profits and perquiſites of which Courts have heretofore been uſed to be levied and collected by the Bayliff or other Miniſter of ſuch Court, and by him accounted for to his Highneſs Progenitors, or other Lords or Ladies of ſuch Courts and Manors, and as of right it ought ſo to be: (2) But now by reaſon of the great increaſe of people, the ſaid profits and perquiſites of Courts are grown to be of a better yearly value then in ancient times it hath been, divers that are now Stewards of ſuch Courts have heretofore in their own names, or in the names of ſome other to their uſe, obtained and gotten divers Grants of all the profits and perquiſites of ſuch Courts whereof they are Stewards, whereby many of his Majeſties Subjects are unjuſtly vexed, and by grievous Fines and Amerciaments, unduly puniſhed, greatly to the wronging and Impoveriſhing the Tenants and Inhabitants where ſuch Stewards are, proceeding out of a greedy deſire to make and obtain an undue and extraordinary gain to themſelves: (3) It is therefore by the Authority of this preſent Parliament eſtabliſhed and enacted, that no Steward, Deputy-Steward, or other under Steward of any the Courts aforeſaid, ſhall directly or indirectly, in his own name, or in the name of any other, from and after the expiration of one year next after the end of the Seſſion of this preſent Parliament, take, receive, or make benefit to his own uſe, in money, goods, or any other thing to the value of Twelve pence, or more, by virtue or colour of any Demiſe or Grant hereafter to be made of any the Profits, or Perquiſites, or Amerciaments of any ſuch Courts whereof they are Steward, which rightfully ſhall belong to the Lords of the ſame, (4) upon pain that every Steward offending contrary to the tenor of this preſent Act of Parliament, ſhall for every ſuch his offence, forfeit the ſum of Forty pounds, and to be diſabled ever after to be Steward of ſuch Court, or of any other; (5) the one half of the forfeiture to be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, the other half to any of his Majeſties Subjects that ſhall complain in any of his Highneſs Courts of Record, by Action of Debt, Bill, Plaint or Information; in which Suit, no Eſſoin, Protection, Wager of Law, or other dilatory Plea ſhall be allowed.

A Steward of a Court ſhall not take benefit by the profit of the ſame Court.

CAP. VI.

An Act made for the explanation of the Statute made in the Fifth year of the late Queen Elizabeths Reign concerning Labourers.

Whereas by an Act made in the Parliament holden at Weſtminſter in the Fifth year of the Reign of the late Queen Elizabeth of famous memory, Entituled, An Act touching divers Orders for Artificers, Labourers, Servants of Huſbandry, and Apprentices, it was provided and enacted by the Authority of the ſame Parliament, for the declaration and limitation what wages Servants, Labourers, and Artificers, either by the year, or day, or otherwiſe, ſhould have and receive, that the Juſtices of Peace of every Shire, Riding, or Liberty within the Limits of their ſeveral Commiſſions, or the more part of them, being then reſident within the ſame, and the Sheriff of that County, if he conveniently may, and every Mayor, Bayliff, or other head-Officer, within any City or Town Corporate, wherein is any Juſtice of Peace within the limits of the ſaid City or Town Corporate, and of the ſaid Corporation, ſhould before the tenth day of June next coming, and afterwards ſhould yearly at every general Seſſions firſt to be holden and kept after Eaſter, or at ſome time convenient within ſix weeks next following every of the ſaid Feaſts of Eaſter, aſſemble themſelves together, (2) and they ſo aſſembled, calling unto them ſuch diſcreet and grave perſons of the ſaid County, or of the ſaid City or Town Corporate, as they ſhall think meet, and conferring together, reſpecting the plenty or ſcarcity of the time, and other circumſtances neceſſarily to be conſidered, ſhould have authority by virtue thereof, within the limits or precincts of their ſeveral Commiſſions, to limit, rate and appoint the wages as well of ſuch and ſo many of the ſaid Artificers, Handicraftſmen, Huſbandmen, or any other Labourer, Servant or Workman, whoſe wages in times paſt hath been by any Law or Statute rated and appointed, (3) and alſo the wages of all the Labourers, Artificers, Workmen or Apprentices of Huſbandry which have not been rated, as they the ſame Juſtices, Mayors, or head-Officers within their ſeveral Commiſſions or Liberties ſhould think meet by their diſcretions to be rated, limited or appointed, by the year, or by the day, week, month, or otherwiſe, with meat and drink, or without meat and drink, (4) and what wages every Workman ſhould take by the great for Mowing, Reaping, or Threſhing of Corn and Grain, and for Mowing and Making of Hay, or for Ditching, Paling, Railing or Hedging by the Rod, Pearch, Lugge, Yard, Pole, Rope, or Foot, and for any other kind of reaſonable labours or ſervice, (5) and ſhould yearly before the twelfth day of July next after the ſaid aſſeſſment and rate ſo appointed and made, certifie the ſame ingroſſed in Parchment, with the conſiderations and cauſes thereof, under their Hands and Seals, into the Queens moſt honourable Court of Chancery, to the end that Proclamation ſhould be made in the name of the Queens Majeſty, her Heirs and Succeſſors, for obſerving of the ſame Rates, in ſuch ſort, manner and form as in the ſaid Act more at large is declared.

Juſtices of Peace 66. Rating of the wages of Artificers, Labourers, &c. according to the Stat. of 5 El. 4. The penalty of a Clothier refuſing to obey the aſſeſſment.

A rehearſal of the ſaid Stat.

Rating of wages by the year, day, week, or month, or by the great.

II. And whereas the ſaid Act hath not, according to the true meaning thereof been duly put in execution, whereby the rates of wages for poor Artificers, Labourers, and other perſons whoſe wages was meant to be rated by the ſaid Act, have not been rated and proportioned according to the plenty, ſcarcity, neceſſity, and reſpect of the time, which was politickly intended by the ſaid Act, (2) by reaſon that ambiguity and queſtion hath riſen and been made, whether the rating of all manner of Artificers, Work-men and Work women, his and their wages, other then ſuch as by ſome Statute and Law have been rated, or elſe ſuch as did work about Huſbandry, ſhould or might be rated by the ſaid Law, foraſmuch as the ſaid Law hath been found beneficial to the Commonwealth:

A queſtion moved upon the Stat. of 5 El. 4. whoſe wages the Juſtices may rate.

III. Be it enacted by authority of this preſent Parliament, That the ſaid Statute, and the authority by the ſame Statute given to any perſon or perſons, for aſſeſſing and rating of wages, and the authority to them in the ſaid Act committed, ſhall be expounded and conſtrued, and ſhall by force of this Act give authority to all perſons having any ſuch authority to rate wages of any Labourers, Weavers, Spinſters, and Work-men or Work-women whatſoever, either working by the day, week, month, year, or taking any work at any perſon or perſons hand whatſoever, to be done in great or otherwiſe.

Labourers, Weavers, Spinſters, and Workmens wages may be rated by the Juſtices.

IV. And whereas in divers Shires within this Realm, the Juſtices of Peace have not uſually kept their general Seſſions in one place of the Shire together, but the general Seſſions have been kept in ſeveral places for ſeveral Diviſions, by reaſon whereof, the moſt part of the Juſtices of Peace coming not together, norating of wages could be well made in the ſaid Shire where ſuch general Seſſions have been uſed; and for other reſpects,

V. Be it enacted by authority of this preſent Parliament, That the Juſtices of Peace, or

Rates of wages where Seſſions be kept in ſeveral parts of the Shire.

the more part of them, reſtant in any Shire, or in any Riding, Liberty or Diviſion where ſuch Seſſions have been uſually ſeverally kept, ſhall at any general Seſſions of the Peace to be holden for the ſame Shire, Diviſion, Riding, or Liberty, or at ſuch time of rating of Wages as is limited by the ſaid Act made in the fifth year of her Majeſties Reign, have as full authority and power to rate all manner of Wages to be rated within ſuch Shire, and within the limits of ſuch Diviſion, in any ſuch Shire, Riding or Liberty, as if the ſame were done in the general Seſſions for the ſaid County, or by the moſt part of the Juſtices meeting for the rating of Wages by the ſaid Act of the fifth year of the late Queen, for the Wages mentioned in the ſame Act.

Proclamations ſhall be made by the Sheriff of the rates of wages.

VI. And be it further enacted, That after the rates made for Wages, and engroſſed in Parchment, under the hands and ſeals of them having authority to rate the ſame, it ſhall and may be lawful to the Sheriff of the ſaid County, or to the Mayor or chief Officer or Officers of any City or Town-corporate, to cauſe Proclamation to be made of the ſeveral rates ſo rated, in ſo many places within their authorities, as to them ſhall ſeem convenient, and as if the ſame had been ſent down Printed by the Lord Chancellor or Keeper, after declaration thereof to his Majeſty, and certificate of the ſame into the Kings moſt honourable Court of Chancery: (2) And that every perſon and perſons ſhall be bound to obſerve the ſaid rates in giving and receiving wages, upon the pains and puniſhments mentioned in the ſaid Act, to be recovered, or puniſhment inflicted, as in the ſaid Act is mentioned.

The forfeiture of a Clothier not paying the wages rated to his Workmen.

VII. And furthermore, be it enacted by the authority aforeſaid, That if any Clothier or other, ſhall refuſe to obey the ſaid order, rate, and aſſeſſments of wages, as aforeſaid, and ſhall not pay ſo much or ſo great wages to their Weavers, Spinſters, work-men or work-women, as ſhall be ſo ſet down, rated and appointed, according to the true meaning of this Act; that then every Clothier, and other perſon and perſons ſo offending, ſhall forfeit and loſe for every ſuch offence to the party grieved, Ten ſhillings: (2) And that if the ſaid offence and offences of not paying ſo much or ſo great wages to their ſaid work-men, work-women, and others, ſhall be confeſſed by the offender, or that the ſame ſhall be proved by two ſufficient and lawful witneſſes before the Juſtices of Peace in their Quarter Seſſions of the Peace, the Juſtices of Aſſiſe in their Seſſions, or before any two Juſtices of the Peace, whereof one to be of the Quorum; That then every ſuch perſon ſhall forthwith ſtand and be in Law convicted thereof: (3) which ſaid forfeiture of Ten ſhillings ſhall be levied by diſtreſs and ſale of the offenders Goods, by Warrant from the ſaid Juſtices before whom any ſuch conviction ſhall be had; which ſale ſhall be good in Law againſt any ſuch offender or offenders.

The rates of wages need not to be certified into the Chancery, but proclaimed in the County.

VIII. And be it further enacted, That no perſon or perſons ſhall incur any danger or penalty for not making certificate unto the Kings moſt honourable Court of the Chancery, of any rates of wages appointed to be certified by the ſaid Act made in the ſaid fifth year of the ſaid late Queen, ſo as the ſame be proclaimed according to the true intent of this Law; (2) but the ſaid rates ingroſſed in Parchment, and ſealed, as aforeſaid, ſhall, if the ſame be in any Shire, be kept by the Cuſtos Rotulorum of the ſaid County, amongſt the Records in his cuſtody for the ſaid Shire, and in any City or Town-corporate, amongſt the Records of the ſaid City or Town-corporate. (3) This Act to continue until the end of the next Parliament.

The continuance of this Act.

A Clothier being a Juſtice of Peace, ſhall be no rater of wages for Spinſters.

IX. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That no Clothier being a Juſtice of Peace in any Precinct or Liberty, ſhall be any rater of any wages for any Weaver, Tucker, Spinſter, or any other Artizan that dependeth upon the making of Cloth: (2) And in caſe there be not above the number of two Juſtices of Peace within ſuch Precinct or Liberty, but ſuch as are Clothiers; That in ſuch caſe, the ſame wages ſhall be rated and aſſeſſed by the major part of the Common Council of ſuch Precinct or Liberty, and ſuch Juſtice and Juſtices of Peace (if any there be) as are not Clothiers. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 5 El. 4. 39 El. 12.

CAP. VII.

An Act for the continuance and explanation of the Statute made in the Thirty ninth year of the Reign of the late Queen Elizabeth, Entituled, An Act for puniſhment of Rogues, Vagabonds, and Sturdy Beggars.

Vagabonds 2. Who ſhall be adjudged Vagabonds: Their puniſhment and uſage 39 Eliz. 4. 14 Car. 2. c. 12.

Whereas by a Statute made in the Thirty ninth year of the Reign of the late Queen Elizabeth, there was an Act made, Entituled, An Act for puniſhment of Rogues, Vagabonds, and Sturdy Beggars, it was enacted, That all perſons calling themſelves Scholars, going about begging; (2) All Sea-faring men pretending loſs of their Ships or Goods on the Sea, going about the Country begging; (3) All idle perſons going about in any Country, either begging, or uſing any ſubtil Craft, or unlawful Games or Plays, or feigning themſelves to have knowledge in Phyſiognomy, Palmeſtry, or other like crafty Science, or pretending that they can tell Deſtinies, Fortunes, or ſuch other like fantaſtical Imaginations; (4) All perſons that be, or utter themſelves to be Proctors, Procurors, Patent gatherers, or Collectors for Goals, Priſons, or Hoſpitals; (5) All Fencers, Bearwards, common Players of Enterludes, and Minſtrels wandring abroad (other then Players of Enterludes belonging to any Baron of this Realm, or any other honourable Perſonage of greater degree, to be authorized to Play under the Hand and Seal of Arms of ſuch Baron or Perſonage) (6) ſhall be taken, adjudged and deemed as Rogues, Vagabonds and Sturdy Beggars, and ſhall ſuffer ſuch pain and puniſhment as in the ſaid Act is in that behalf appointed, as by the ſame Act more at large is declared: (7) Sithence the making of which Act, divers doubts and queſtions have been moved and grown by diverſity of opinions taken in and upon the letter of the ſaid Act: (8) For a plain declaration whereof, Be it declared and enacted, That from henceforth no authority to be given or made by any Baron of this Realm, or any other honourable Perſonage of greater degree, unto any other perſon or perſons, ſhall be available to free or diſcharge the ſaid perſons, or any of them, from the pains and puniſhment of the ſame Statute.

No Licence given by any Baron, ſhall avail Players in Enterludes.

II. And whereas in the ſaid Statute there is a Proviſo contained, That the ſaid Statute, nor any thing therein contained, ſhall extend to any ſuch Glaſs-men as ſhall be of good behaviour, and ſhall travel in or through any County without begging, having licence for their travelling, under the Hands and Seals of three Juſtices of the Peace of the ſame County where they travel, whereof one to be of the Quorum, as by the Statute more at large appeareth: (2) By reaſon of which liberty, many notorious Rogues and Vagabonds, and evil diſpoſed perſons have undertaken, and do profeſs the Trade of Glaſs-men, and by colour thereof, do travel up and down divers Counties of this Realm, and do commit many pickeries, petty felonies, and other miſdemeanours:

Glaſſmen ſhall be puniſhed as Rogues.

III. For the avoiding of which inconvenience, Be it eſtabliſhed and enacted by the authority of this preſent Parliament, That from and after two months next after the end of this preſent Seſſion of Parliament, all ſuch perſon and perſons as ſhall wander up and down the Countrey to ſell Glaſſes, ſhall be adjudged, deemed and taken as Rogues and Vagabonds, and ſhall ſuffer the like pain and puniſhment in every degree, as is appointed to be inflicted upon Rogues, Vagabonds and Sturdy Beggars, by the intent and true meaning of the ſaid Statute made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, and ſhall be ſet down, limited and appointed by this preſent Act; any thing in the ſaid Statute of the nine and thirtieth year of her ſaid Reign to the contrary thereof in any wiſe notwithſtanding.

A puniſhment inflicted by the Statute of 39 Eliz. 4. to dangerous Rogues.

IV. And whereas by the ſaid Statute made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, it was further enacted, That if any of the ſaid Rogues ſhall appear to be dangerous to the inferior ſort of the people where they ſhall be taken, or otherwiſe be ſuch as will not be reformed of their roguiſh kind of life, That in every ſuch caſe, it ſhall be lawful to the Juſtices of the Peace of the ſame limit where any ſuch Rogue ſhall be taken, to commit that Rogue to the houſe of Correction, or to the Goal of the County, there to remain until the next Quarter Seſſions to be holden in that County; (2) and then ſuch of the Rogues ſo committed, as by the Juſtices of Peace then and there preſent, or the moſt part of them, ſhall be thought fit not to be delivered, ſhall or may lawfully by the ſame Juſtices, or the moſt part of them, be baniſhed out of the Realm, and all other the Dominions thereof, and at the charges of that County, ſhall be conveyed into ſuch parts beyond the Seas, as ſhall be at any time hereafter for that purpoſe aſſigned by the Privy Council unto the ſaid Queen Elizabeth, her Heirs and Succeſſors, or by any ſix or more of them, whereof the Lord Chancellor, or Lord Keeper of the great Seal, or Lord Treaſurer for the time being, to be one, (3) or otherwiſe be adjudged perpetually to the Gallies of this Realm, as by the ſaid Juſtices or the more part of them ſhall be thought fit or expedient: (4) And if any ſuch Rogues ſhall return (being baniſhed as aforeſaid) again into any part of this Realm, or Dominions of Wales, without lawful licence or warrant ſo to do, That in every ſuch caſe, ſuch offence ſhall be Felony, and the party offending therein, ſuffer death as in caſe of Felony: (5) The ſame Felony to be heard and determined in that County of this Realm or Wales, in which the offender ſhall be apprehended, as by the ſaid Statute more at large appeareth; (6) Which branch of the ſaid Statute is taken to be ſomewhat defective, for that the ſaid Rogues having no mark upon them to be known by, notwithſtanding ſuch Judgment of Baniſhment, may return or retire themſelves into ſome other parts of this Realm where they are not known, and ſo eſcape the due puniſhment which the ſaid Statute did intend to inflict upon them:

A dangerous Rogue ſhall be marked with a hot burning Iron on the left ſhoulder.

V. For remedy whereof, Be it ordained and enacted, That ſuch Rogues as ſhall after the end of two months next after the end of this Seſſion of Parliament, be adjudged, as aforeſaid, incorrigible or dangerous, ſhall alſo by the judgment of the ſame Juſtices, or the more part of them then preſent, in their open Seſſions of the Peace, be branded on the left ſhoulder with an hot burning Iron of the breadth of an Engliſh Shilling, with a great Roman R upon the Iron, and the branding upon the ſhoulder to be ſo throughly burned, and ſet on upon the ſkin and fleſh, that the letter R be ſeen and remain for a perpetual mark upon ſuch Rogue during his or her life, (2) and thereupon be ſent by the ſame Juſtices, to the place of his dwelling, if he have any; if not, then to the place where he laſt dwelt by the ſpace of a year, if that can be known by his confeſſion or otherwiſe; and if that cannot be known, then to the place of his birth, there to be placed in labour as a true ſubject ought to do; (3) and after ſuch puniſhment of any ſuch Rogue, as aforeſaid, if any Rogue ſo puniſhed ſhall offend again, in begging or wandring contrary to the ſaid Statute, or this preſent Act, That then in every ſuch caſe, the party ſo offending ſhall be judged a Felon, (4) and ſhall ſuffer as in caſes of Felony, without benefit of Clergy, the ſame Felony to be tried in the County where any ſuch offender ſhall be taken.

Every perſon ſhall apprehend a Rogue, and carry him to the next Conſtable or Tythingman.

VI. And be it further enacted by the authority aforeſaid, That after two months next after the end of this preſent Seſſion of Parliament, every perſon or perſons ſhall apprehend, or cauſe to be apprehended, ſuch Rogues, Vagabonds and Sturdy Beggars, as he or they ſhall ſee or know to reſort to their houſes to beg, gather or receive any alms, and him, her, or them, ſhall carry, or cauſe to be carried to the next Conſtable or Tythingman, (2) upon pain to forfeit for every default, ten ſhillings, to be levied and imployed in manner and form, and upon ſuch like proof and conviction, as penalties and forfeitures are to be levied and imployed by the ſaid Statute of the nine and thirtieth year of the ſaid late Queen: (3) And in default of any ſuch levy, then to be levied and imployed by the Lord of the Leet, or his Officer, where ſuch offence ſhall be committed, in ſuch manner as the perſon authorized by the ſaid Statute, might or ſhould have levied and imployed the ſame.

Conſtables or Tythingmen ſhall puniſh Rogues.

VII. And be it further enacted, That if ſuch Conſtable or Tythingman do not cauſe the ſaid Rogues, Vagabonds and Sturdy Beggars to be puniſhed according to the form ſet down in the ſaid Act made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, and to be conveyed according to the purport of the ſaid Act, That then the ſaid Conſtable or Tythingman ſhall forfeit and loſe the ſum of twenty ſhillings for every default, to be levied and imployed in manner and form as in the ſaid Statute is ſet forth and declared.

A continuance of the Act of 39 El. 4 and of this Statute.

VIII. And be it further enacted by the authority aforeſaid, That the ſaid Statute made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, with the alterations,

tions, explanations and proviſions herein mentioned and contained, ſhall continue and ſtand in force as long as this preſent Act ſhall be and remain in force and ſtrength.

IX. Provided alſo, That this preſent Act ſhall continue but until the end of the next Parliament.

John Dutton of Dutton in the County of Cheſter.
34 Eliz. 9. Sect. 27. N. 1.

X. Provided further, That this Act or any thing therein contained, or any authority thereby given, ſhall not in any wiſe extend to diſinherit, prejudice or hinder John Dutton of Dutton in the County of Cheſter Eſquire, his heirs or aſſigns, for, touching or concerning any liberty, priviledge, preheminence and authority, juriſdiction or inheritance, which the ſaid John Dutton now lawfully uſeth or hath, or lawfully may or ought to uſe, within the County Palatine of Cheſter, and the County of the City of Cheſter, or either of them, by reaſon of any ancient Charters of any Kings of this Land, or by reaſon of any preſcription, or lawful uſage or title whatſoever.

CAP. VIII.

An Act to take away the benefit of Clergy for ſome kind of Man-ſlaughter.

Murder 7.
Clergy 2.
Clergy taken from him that doth ſtab another having not a Weapon drawn.
1 Bulſtr. 87.
Godbol: 154. pl. 204.
Stiles 86. 468.

TO the end that ſtabbing and killing men on the ſudden, done and committed by many inhumane and wicked perſons, in the time of their rage, drunkenneſs, hidden diſpleaſure, or other paſſion of mind, contrary to the commandment of Almighty GOD, and the common peace and tranquillity of this Realm, may from henceforth be reſtrained through fear of due puniſhment to be inflicted on ſuch cruel and bloudy malefactors, who heretofore have been thereunto emboldened, by preſuming on the benefit of Clergy:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That every perſon and perſons which after one month next enſuing the end of this preſent Seſſion of Parliament, ſhall ſtab or thruſt any perſon or perſons, that hath not then any weapon drawn, or that hath not then firſt ſtriken the party which ſhall ſo ſtab or thruſt, ſo as the perſon or perſons ſo ſtabbed or thruſt, ſhall thereof die within the ſpace of ſix months then next following, although it cannot be proved that the ſame was done of malice forethought, yet the party ſo offending, and being thereof convicted by verdict of twelve men, confeſſion or otherwiſe, according to the Laws of this Realm, ſhall be excluded from the benefit of his or their Clergy, and ſuffer death as in caſe of wilful murder.

Killing another in defence of himſelf, by miſfortune, in preſerving the Peace, or due puniſhment.

III. Provided always, That this Act, or any thing therein contained, ſhall not extend to any perſon or perſons which ſhall kill any perſon or perſons ſe defendendo, or by miſfortune, or in any other manner then as aforeſaid; (2) nor ſhall extend to any perſon or perſons which in keeping and preſerving the Peace, ſhall chance to commit Manſlaughter, ſo as the ſaid Manſlaughter be not committed wittingly, willingly and of purpoſe, under pretext and colour of keeping the Peace; (3) nor ſhall extend to any perſon or perſons which in chaſtiſing or correcting his Child or Servant, ſhall beſides his or their intent and purpoſe, chance to commit Manſlaughter. (4) This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. IX.

An Act to reſtrain the inordinate haunting and tipling in Inns, Alehouſes, and other Victualling-houſes.

Alehouſes 6.
The true and principal uſe of Inns and Alehouſes.
1 Bulſtr. 109.

3 Inſt. 200. 201.

WHereas the ancient, true and principal uſe of Inns, Alehouſes, and Victualling-houſes, was for the Receit, Relief and Lodging of wayfaring people travelling from place to place, and for ſuch ſupply of the wants of ſuch people as are not able by greater quantities to make their proviſion of Victuals, and not meant for Entertainment and Harbouring of lewd and idle people to ſpend and conſume their money and their time in lewd and drunken manner:

The forfeiture of an Alehouſe-keeper permitting one to continue unlawful drinking in his houſe.
7 Jac. 10.
1 Car. 4.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if after fourty days next enſuing after the end of this preſent Seſſion of Parliament, any Innkeeper, Victualler or Alehouſe-keeper within this Realm of England, or the Dominions of Wales, do permit or ſuffer any perſon or perſons inhabiting and dwelling in any City, Town Corporate, Market Town, Village or Hamlet within this Realm of England, or Dominion of Wales, where any ſuch Inn, Alehouſe or Tipling-houſe is or ſhall be, to remain or continue drinking or tipling in the ſaid Inn, Victualling-houſe, Tipling-houſe or Alehouſe, (2) other then ſuch as ſhall be invited by any Traveller, and ſhall accompany him only during his neceſſary abode there; (3) and other then Labouring and Handicraftſmen in Cities and Towns Corporate, and Market Towns, upon the uſual working days, for one hour at dinner time, to take their Diet in an Alehouſe; (4) and other then Labourers and Workmen, which for the following of their work by the day, or by the great, in any City, Town Corporate, Market Town or Village, ſhall for the time of their ſaid continuing in work there, Sojourn, Lodge or Victual in any Inn, Alehouſe or other Victualling-houſe, (5) other then for urgent and neceſſary occaſions to be allowed by two Juſtices of Peace, That then every ſuch Innkeeper, Victualler or Alehouſe-keeper, ſhall for every ſuch offence, forfeit and loſe the ſum of Ten ſhillings of currant money of England, to the uſe of the Poor of the Pariſh where ſuch offence ſhall be committed; (6) the ſame offence being viewed and ſeen by any Mayor, Bayliff or Juſtice of Peace within their ſeveral limits, or proved by the oath of two witneſſes, to be taken before any Mayor, Bayliff, or any other head-Officer, or any one or more Juſtice or Juſtices of the Peace, who by virtue of this Act, ſhall be authorized to miniſter the ſaid oath to any perſon or perſons that can or will juſtifie the ſame, being within the limits of their ſaid Commiſſion.

The prices of Ale and Beer ſold in an Inn or Alehouſe.

III. And be it further enacted by the authority aforeſaid, That if any Innkeeper, Alehouſe-keeper or Victualler, ſhall at any time utter or ſell leſs then one full Ale quart of the beſt Beer or Ale for a peny, and of the ſmall, two quarts for one peny, That then every ſuch Inn-keeper, Alehouſe-keeper or Victualler, ſhall forfeit for every ſuch offence being duly proved in manner above limitted, the ſum of Twenty Shillings of lawful money of England, to the uſe abovesaid; (2) All and every the ſaid penalties to be levied by the Conſtables or Churchwardens of the Pariſh or Pariſhes where the offence or offences ſhall be committed, by way of diſtreſs to be taken and detained for the ſaid forfeitures, and for default of ſatiſfaction within ſix days next enſuing, the ſame then to be preſently appriſed and ſold, and the ſurpluſage or remainder over and above, to be delivered to the party of whom the diſtreſs was taken, (3) and for want of ſufficient diſtreſs, the party or parties offending to be by the Mayor, Bayliff, or other head-Officer, or Juſtice or Juſtices aforeſaid, committed to the common Goal, there to remain until the ſaid penalty or penalties be truly paid.

IV. And be it further enacted by the authority aforeſaid, That if the Conſtables or Churchwardens do neglect their duty in levying, or do not levy the ſaid ſeveral penalties, or in default of diſtreſs or diſtreſſes, from time to time do neglect to certifie the ſame default of diſtreſs, by the ſpace of twenty days then next enſuing, to the Mayor, Bayliff, or other head-Officer, or Juſtice of Peace within whoſe Juriſdiction the offence is commited, Then every perſon and perſons ſo offending, ſhall forfeit for every ſuch default, the ſum of Fourty ſhillings of currant money of England, to the uſe of the poor of the Pariſh where ſuch offence ſhall be committed, (2) to be levied by way of diſtreſs of the offenders goods, by Warrant from any one or more Juſtice or Juſtices of the Peace, Mayor, Bayliff, or other head-Officer within the limits of their Juriſdictions reſpectively, under his or their Hand and Seal, to be taken and detained for the ſaid forfeitures, for the ſpace of ſix days then next enſuing: Within which time if payment be not made, the ſame goods to be preſently appriſed and ſold, and the ſurpluſage and remainder over and above (if any be) to be delivered to the party of whom the diſtreſs was taken; (3) and for want of ſuch ſufficient diſtreſs, the Conſtable, Churchwarden or Churchwardens ſo offending, to be by the Mayor, Bayliff, or other head-Officer, Juſtice or Juſtices of Peace, committed to the common Goal, there to remain until the ſaid penalty or penalties be truly paid; (4) for all which penalties which ſo ſhall be levied by the ſaid Conſtables or Churchwardens, they the ſaid Conſtables and Churchwardens ſhall be accomptable to their Succeſſors and other the Pariſhioners, in ſuch ſort as they uſually be in other Church-reckonings or accompts: (5) And for all forfeitures to be levied by reaſon of any neglect of the Conſtables or Churchwardens, thoſe ſhall be accomptable, who by force of any Warrant or Precept do levy the ſame, or upon the enlargement of the perſons committed, do receive the ſame.

The Penalty of the Conſtables or Churchwardens omitting their duty.

The Conſtables and Churchwardens account.

V. And be it further enacted, That all other Laws and Statutes touching Inn-keepers, Victuallers, and Alehouſe-keepers, ſhall ſtill remain in their former force, and be put in due execution. (2) This Act to continue to the end of the firſt Seſſion of the next Parliament.

12 H. 7. 2.
5 & 6 Ed. 6. 25.
The continuance of this Statute.

VI. Provided always, and be it enacted by the authority of this preſent Parliament, That the correction and puniſhment of ſuch as ſhall offend againſt this Act, or any part thereof, within either of the two Univerſities of this Realm, or the Precincts or Liberties of the ſame, ſhall be done upon the offenders, and Juſtice ſhall be miniſtred in this behalf, according to the intent and true meaning of this Law, by the Governors, Magiſtrates, Juſtices of the Peace, or other principal Officers of either of the ſame Univerſities, to whom in other caſes the adminiſtration of Juſtice, and correction and puniſhment of offenders by the Laws of this Realm and their ſeveral Charters doth belong or appertain, and that no other within their Liberties, for any matter concerning this Law contrary to their ſeveral Charters, do intermeddle, (2) and that all penalties and ſums of money to be forfeited or loſt by force of this Act, within either of the Univerſities, or the Liberties or Precincts of the ſame, ſhall be levied by the Officers or Miniſters of either of the ſaid Univerſities, to be from time to time in that behalf appointed by the Vice-chancellors thereof for the time being reſpectively, (3) and that all powers and authorities either of impriſonment or otherwiſe before given or appointed by this Act, ſhall by the Governors, Magiſtrates and principal Officers abovesaid, or either of the ſaid Univerſities, be duly executed and done within either of the ſaid Univerſities, and the Liberties and Precincts of the ſame, according to the true intent and meaning of this Act. 21 Jac. 7. made perpetual.

Offences committed within Univerſities.

CAP. X.

An Act for the better Execution of Juſtice.

Foraſmuch as all exactions, extortions and corruptions are odious, and prohibited in all well governed Common-weals, (2) Be it enacted, That no perſon to whom any order or cauſe ſhall be committed or referred by any of the Kings Judges, or Courts at Weſtminſter, or any other Court, ſhall directly or indirectly, or by any art, ſhift, colour or device, have, take, or receive any money, fee, reward, covenant, obligation, promiſe, agreement, or any other thing, for his Report or Certificate by writing, or otherwiſe, (3) upon pain of the forfeiture of C. li. for every ſuch Report or Certificate, and to be deprived of his Office and Place in the ſame Court; (4) the one moiety of the ſaid forfeitures to be to our Sovereign Lord the King, his Heirs and Succeſſors, the other moiety to the party grieved which will ſue for the ſame, at any time during the ſaid Suit, or within one year after the ſame cauſe diſcontinued or decreed; and in his default of ſuch Suit, to him or them that will ſue for the ſame, by Original Writ, Bill, Plaint, or Information, in his Majeſties High Court of Star-chamber, or in any his Majeſties Courts of Record at Weſtminſter, in which Suit, by Writ, Bill, Plaint, or Information, no Wager of Law, Eſſoin, Priviledge, Superſedeas, Protection, or any other delay ſhall be ſuffered or admitted.

Juſtice 2.
Nothing ſhall be taken for the Report of a Cauſe referred by any Court.

II. Provided nevertheleſs, That it ſhall be lawful for the Clerk to take for his pains for writing of every ſuch Report or Certificate, xii. d. for the firſt ſide, and ii. d. for every ſide after,

The Clerks fee for writing a Report.

after and no more, upon pain to forfeit Ten ſhillings for every peny taken over and above the ſaid ſum, to be had and recovered, as aforeſaid.

CAP. XI.

An Act to reſtrain all perſons from Marriage until their former Wives and former Husbands be dead.

Matrimony 8. Felony to marry a ſecond huſband or a wife, the former being living. 1 Edw 6. 12. Sect. 16 N. 1.

3 Inſt. 88. Cro. El. 94. 461. March 101.

FOraſmuch as divers evil diſpoſed perſons being married, run out of one County into another, or into places where they are not known, and there become to be married, having another huſband or wife living, to the great diſhonour of God, and utter undoing of divers honeſt mens children and others; (2) Be it therefore enacted by the Kings Majeſty, with the conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, That if any perſon and perſons within his Majeſties Dominions of England and Wales, being married, or which hereafter ſhall marry, do at any time after the end of the Seſſion of this preſent Parliament, marry any perſon or perſons, the former wife being alive, that then every ſuch offence ſhall be felony, and the perſon and perſons ſo offending ſhall ſuffer death as in caſes of felony; (3) And the party and parties ſo offending, ſhall receive ſuch and the like proceeding, trial and execution in ſuch County where ſuch perſon or perſons ſhall be apprehended, as if the offence had been committed in ſuch County where ſuch perſon or perſons ſhall be taken or apprehended.

The huſband or wife being abſent ſeven years from the other.

II. Provided always, That this Act nor any thing therein contained, ſhall extend to any perſon or perſons whoſe huſband or wife ſhall be continually remaining beyond the Seas by the ſpace of ſeven years together, or whoſe huſband or wife ſhall abſent him or her ſelf the one from the other by the ſpace of ſeven years together, in any part within his Majeſties Dominions, the one of them not knowing the other to be living within that time.

To what perſons this Statute ſhall not extend.

III. Provided alſo, and be it enacted by the authority aforeſaid, That this Act nor any thing herein contained, ſhall extend to any perſon or perſons that are or ſhall be at the time of ſuch marriage divorced by any ſentence had or hereafter to be had in the Eccleſiaſtical Court, (2) or to any perſon or perſons where the former marriage hath been or hereafter ſhall be by ſentence in the Eccleſiaſtical Court, declared to be void and of no effect; Nor to any perſon or perſons for or by reaſon of any marriage had or made, or hereafter to be had or made within age of conſent.

No corruption of bloud, loſs of dower or inheritance.

IV. Provided alſo, That no attainder for this offence made felony by this Act, ſhall make or work any corruption of bloud, loſs of dower, or diſinheriſon of heir or heirs.

CAP. XII.

An Act againſt Conjuration, Witchcraft, and dealing with evil and wicked Spirits.

Conjuration 1. The penalty for practiſing of Invocation or Conjuration, &c.

BE it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Statute made in the fifth year of the Reign of our late Sovereign Lady of moſt famous and happy memory, Queen Elizabeth, Entituled, An Act againſt Conjurations, Inchantments, and Witchcrafts, be from the Feaſt of St. Michael the Archangel next coming, for and concerning all offences to be committed after the ſame Feaſt, utterly repealed.

Conjuration or Invocation, whereby any perſon is killed or lamed. Codice 9. Tit. 18. Leg. 5.

Savill 134. 3 Inſt. 45. 128. Cro.Car.141. 2 Roll 343.

II. And for the better reſtraining the ſaid offences, and more ſevere puniſhing the ſame, Be it further enacted by the authority aforeſaid, That if any perſon or perſons, after the ſaid Feaſt of Saint Michael the Archangel next coming, ſhall uſe, practiſe or exerciſe any Invocation or Conjuration of any evil and wicked Spirit; (2) or ſhall conſult, covenant with, entertain, employ, feed, or reward any evil and wicked Spirit, to or for any intent or purpoſe; (3) or take up any dead man, woman or child, out of his, her, or their grave, or any other place where the dead body reſteth, or the skin, bone, or any other part of any dead perſon, to be employed or uſed in any manner of Witchcraft, Sorcery, Charm, or Inchantment; (4) or ſhall uſe, practiſe, or exerciſe any Witchcraft, Inchantment, Charm, or Sorcery, (5) whereby any perſon ſhall be killed, deſtroyed, waſted, conſumed, pined or lamed in his or her body, or any part thereof; (6) That then every ſuch offender or offenders, their aiders, abetters, and counſellers, being of any the ſaid offences duly and lawfully convicted and attainted, ſhall ſuffer pains of death as a felon or felons, (7) and ſhall loſe the priviledge and benefit of Clergy, and Sanctuary.

Declaring by Witchcraft, where any thing is hidden, procuring unlawful love, &c.

III. And further, to the intent that all manner of practice, uſe or exerciſe of Witchcraft, Inchantment, Charm or Sorcery, ſhould be from henceforth utterly avoided, aboliſhed and taken away, (2) Be it enacted by the authority of this preſent Parliament, That if any perſon or perſons ſhall from and after the ſaid Feaſt of St. Michael the Archangel next coming, take upon him or them by Witchcraft, Inchantment, Charm or Sorcery, to tell or declare in what place any treaſure of gold or ſilver ſhould or might be found or had in the earth or other ſecret places, (3) or where goods or things loſt or ſtoln, ſhould be found or become; (4) or to the intent to provoke any perſon to unlawful love, (5) or whereby any cattel or goods of any perſon ſhall be deſtroyed, waſted or impaired, (6) or to hurt or deſtroy any perſon in his or her body, (7) although the ſame be not effected and done; That then all and every ſuch perſon and perſons ſo offending, and being thereof lawfully convicted, ſhall for the ſaid offence ſuffer impriſonment by the ſpace of one whole year, without bail or mainpriſe, and once in every quarter of the ſaid year, ſhall in ſome Market Town, upon the Market day, or at any ſuch time as any Fair ſhall be kept there, ſtand openly upon the Pillory by the ſpace of ſix hours, and there ſhall openly confeſs his or her error and offence.

The ſecond offence felony.

IV. And if any perſon or perſons being once convicted of the ſame offences, as is aforeſaid, do eftſoons perpetrate and commit the like offence, that then every ſuch offender being of any the ſaid offences the ſecond time lawfully and duly convicted and attainted, as is aforeſaid, ſhall ſuffer pains of death as a felon or felons, (2) and ſhall loſe the benefit and priviledge of Clergy and Sanctuary: (3) Saving to the wife of ſuch perſon as ſhall offend in any thing contrary to this Act, her title of dower; (4) and alſo to the heir and ſucceſſor of every ſuch perſon, his or their titles of Inheritance, ſucceſſion and other rights, as though no ſuch attainder of the anceſtor or predeceſſor had been made.

No forfeiture of dower or inheritance,

V. Provided always, That if the Offender in any the caſes aforeſaid, ſhall happen to be a Peer of this Realm, then his Trial therein to be had by his Peers, as it is uſed in caſes of Felony or Treaſon, and not otherwiſe. Cok. pla. fol. 1.

Trial of a Peer of the Realm,

C A P. XIII.

An Act for new Executions to be ſued againſt any which ſhall hereafter be delivered out of Execution by priviledge of Parliament, and for diſcharge of them out of whoſe cuſtody ſuch perſons ſhall be delivered.

FOraſmuch as heretofore doubt hath been made, if any perſon being arreſted in Execution, and by priviledge of either of the Houſes of Parliament, ſet at liberty, whether the party at whoſe Suit ſuch Execution was purſued, be for ever after barred and diſabled to ſue forth a new Writ of Execution in that caſe:

Execution 4. An Execution againſt him who is diſcharged by priviledge of Parliament.

II. For the avoiding of all further doubt and trouble which in like caſes may hereafter enſue, Be it enacted by the Kings moſt excellent Majeſty, by the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, That from henceforth the party at or by whoſe Suit ſuch Writ of Execution was purſued, his executors or adminiſtrators, after ſuch time as the priviledge of that Seſſion of Parliament in which ſuch priviledge ſhall be ſo granted ſhall ceaſe, may ſue forth and execute a new Writ or Writs of Execution, in ſuch manner and form as by the Law of this Realm he or they might have done if no ſuch former Execution had been taken forth or ſerved; (2) And that from henceforth no Sheriff, Bayliff, or other Officer from whoſe arreſt or cuſtody any ſuch perſon ſo arreſted in Execution, ſhall be delivered by any ſuch priviledge, ſhall be charged or chargeable with or by any Action whatſoever, for delivering out of Execution any ſuch priviledged perſon ſo as is aforeſaid, by ſuch priviledge of Parliament ſet at liberty; Any Law, Cuſtom, or Priviledge heretofore to the contrary notwithſtandiug.

He ſhall never be charged, out of whoſe cuſtody ſuch priſoner ſhall be delivered.

III. Provided always, That this Act or any thing therein contained, ſhall not extend to the diminiſhing of any puniſhment to be hereafter by cenſure in Parliament inflicted upon any perſon which hereafter ſhall make or procure to be made any ſuch arreſt as is aforeſaid. Dyer fol. 59.

Cenſure inflicted upon any that ſhall arreſt a Parliament man.

C A P. XIV.

A remedy for a Freeman of London to recover a debt not exceeding Fourty ſhillings owing to him by another inhabiting within the ſaid City or the Liberties: A penalty if the Debtor do not appear before the Commiſſioners upon warning, or if the Creditor or Debtor do not perform their Order, or if the Creditor being a Freeman of London, do ſue any other Freemen, out of the ſame City for a debt under Fourty ſhillings. EXP. 3 Jac. 15.

Debt, Raſt. 6.

C A P. XV.

An Act for the better relief of the Creditors againſt ſuch as ſhall become Bankrupts.

FOr that fraud and deceits, as new diſeaſes, daily increaſe amongſt ſuch as live by buying and ſelling, to the hinderance of Traffick and mutual Commerce, and to the general hurt of the Realm, by ſuch as wickedly and wilfully become Bankrupts; (2) And for that the deſcription of a Bankrupt in former Statutes is not ſo fully expreſſed, nor the power given thereby to the Commiſſioners for Bankrupts ſo large as is meet, in ſuch caſes of deceit, to prevent the deceitful actions of Bankrupts:

Bankrupts 1. An expoſition and addition to the Statute of Bankrupts, made 13 El. 7. 34 H. 8. 5.

II. For Remedy whereof, Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every ſuch perſon and perſons uſing, or that ſhall uſe the Trade of Merchandiſe, by way of bargaining, exchange, bartry, cheviſance, or otherwiſe in groſs, or by retail, or ſeeking his, her, or their Trade of living by buying and ſelling, and being a Subject born of this Realm or any the Kings Dominions, or Denizen, who at any time ſithence the firſt day of this preſent Parliament, or at any time hereafter ſhall depart the Realm, (2) or begin to keep his or her houſe or houſes, or otherwiſe to abſent him or her ſelf, or take Sanctuary, (3) or ſuffer him or her ſelf willingly to be arreſted for any debt, or other thing not grown or due for money delivered, wares ſold, or any other juſt or lawful cauſe, or good conſideration or purpoſes, (4) or hath or will ſuffer him or her ſelf to be outlawed, or yield him or her ſelf to priſon, (5) or willingly or fraudulently hath or ſhall procure him or her ſelf to be arreſted, or his or her goods, money or chattels, to be attached or ſequeſtred, (6) or depart from his or her dwelling-houſe, (7) or make or cauſe to be made any fraudulent grant or conveyance of his, her, or their lands, tenements, goods or chattels, (8) to the intent, or whereby his, her, or their Creditors, being Subjects born as aforeſaid, ſhall or may be defeated or delayed for the recovery of their juſt and true debts, (9) or being arreſted for debt, ſhall after his or her arreſt, lie in priſon ſix months or more upon that arreſt, or upon any other arreſt or detention in priſon for debt, and lie in priſon ſix months upon ſuch arreſt or detentions, (10) ſhall be accompted and adjudged a Bankrupt to all intents and purpoſes.

Who ſhall be adjudged a Bankrupt.

III. And be it further enacted by the authority of this preſent Parliament, That the like Commiſſions, Orders, Benefits and Remedies which are and be provided and limited by the ſaid former Act of Parliament (made in 13 nuper Eliz. Reginæ) againſt any Bankrupts therein deſcribed, or for or concerning his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandiſes and debts, or any of them, ſhall be had, purſued, taken and expounded againſt ſuch perſon and perſons that are herein expreſſed to be Bankrupts, his, her, and their lands, tenements, hereditaments, fees and annuities, offices, goods, chattels, wares, merchandiſes and debts, in ſuch like manner and form as the ſame ought or might have been, if the perſons herein deſcribed to be Bankrupts, had been deſcribed to be Bankrupts according to the intent of the ſaid former Statute.

1 Bulſtr. 134. The like Commiſſions, Orders, Benefits, and Remedies as be provided for Bankrupts by the Statute of 13 El. 7. 2 Bulſtr. 26.

IV. And

New Creditors partakers with the former.

Hob. 287. Hutt 37, 42.

IV. And that it ſhall be lawful for any of the Creditors of the ſaid Bankrupt within four months after any ſuch Commiſſion ſhall be ſued forth, and until diſtribution ſhall be made by the ſaid Commiſſioners for the payment of the Bankrupts debt, as in ſuch caſe hath been uſed, to partake and joyn with the other Creditors that ſhall ſue forth any ſuch Commiſſion, for ſatiſfaction and payment of his, her, or their debts, to him or them owing, without any hinderance, let, or diſturbance of any of the ſame Commiſſioners, or of any of the other Creditors of any ſuch Bankrupts, the ſame Creditors ſo coming in, to contribute to the charges of the ſaid Commiſſion; (2) and that if the Creditors come not in within four months, then the Commiſſioners to have power to diſtribute.

A Bankrupt conveying his lands or goods to others, or transferring his debts into other mens names.

Stiles 283.

V. Be it further enacted, That if any perſon which hereafter is or ſhall be a Bankrupt, by intent of this Statute, ſhall convey or procure, or cauſe to be conveyed to any of his Children, or other perſon or perſons, any Manors, Lands, Tenements, Hereditaments, Offices, Fees, Annuities, Leaſes, Goods, Chattels, or transfer his debts into other mens Names, (2) except the ſame ſhall be purchaſed, conveyed, or transferred for or upon marriage of any of his or her Children, both the parties married being of the years of conſent, or ſome valuable conſideration, (3) ſhall be in the power and authority of the Commiſſioners in this behalf to be appointed, or the more part of them, to bargain, ſell, grant, convey, demiſe, or otherwiſe to diſpoſe thereof, in as ample manner, as if the ſaid Bankrupt had been actually ſeiſed or poſſeſſed thereof, or the debts were in his own name of the like Eſtate or Intereſt to his or their own uſe, at ſuch time as he or ſhe became Bankrupt; (4) And that every ſuch Grant, Bargain, Sale, Conveyance, and Diſpoſition of the ſaid Commiſſioners, or of the greater part of them, ſhall be good and available to all intents, conſtructions and purpoſes in the Law, againſt the offender or offenders, his heirs, executors, adminiſtrators and aſſigns, and ſuch Children and perſons as ſhall be ſubject to this Statute, and againſt all other perſon and perſons claiming by, from or under ſuch offender or offenders, or ſuch ſaid other perſons, to whom ſuch Conveyance ſhall be made by the ſaid Bankrupt, or by his means or procurement.

In what caſe he that doth withdraw himſelf ſhall be proclaimed a Bankrupt.

VI. And for that the practices of Bankrupts of late are ſo ſecret and ſo ſubtil, as that they can very hardly be found out or brought to light; (2) And for that the former Statute, giving power to the Commiſſioners to examine others then the Bankrupts, hath not fully or ſufficiently authorized them to examine the ſaid Bankrupt upon Oath: (3) For remedy whereof, Be it further enacted by the authority of this preſent Parliament, That the ſaid Commiſſioners may call before them, or the greater part of them, the ſaid Bankrupt; (4) and if upon lawful warning left or made in writing at three ſeveral times at the dwelling-place or houſe where the ſaid Bankrupt, his Wife or Family, for the moſt part of his abode, did lodge or remain within one year next before he, ſhe, or they became Bankrupt, the ſaid Bankrupt ſhall not appear before the ſaid Commiſſioners, or the greater part of them, That then and from thenceforth it ſhall be lawful for the greater number of the ſaid Commiſſioners to appoint to proclaim the ſaid party a Bankrupt, at ſuch publick place or places where the ſaid Commiſſioners or the greater part of them ſhall think meet, warning him, her, or them to appear before them upon the ſaid Commiſſion, at ſome time appointed; (5) And that if upon five ſeveral Proclamations made in ſome publick place, the party offending appear not before the ſaid Commiſſioners, and yield his, her, or their bodies to them, or ſome of them, the ſaid Commiſſioners, or the greater part of them, ſhall or may award a Warrant to ſuch fit perſon or perſons as they think meet, to apprehend the body and bodies of the ſaid offender and offenders, and to bring him, her, or them ſo offending, before the ſaid Commiſſioners, whereſoever the ſaid party or parties offending may be found, in place priviledged or not, to be examined by the ſaid Commiſſioners, or the greater part of them.

A Bankrupt apprehended which upon warning refuſeth to appear.

The examination of a Bankrupt.

VII. And that it ſhall be lawful for the ſaid Commiſſioners, or the greater part of them, to examine the ſaid offender or offenders, upon ſuch Interrogatories touching the Lands, Tenements, Goods, Chattels, Debts, Bills, Bonds, Books of Account, and ſuch other things, as may tend to diſcloſe his, her, or their Eſtate, or their ſecret Grants, Conveyances, and eloyning of his, her, or their Lands, Tenements, Goods, Money and Debts, as they ſhall think meet.

A Bankrupt refuſing to anſwer.

VIII. And that if therein the offender or offenders ſhall refuſe to be examined, or to anſwer fully to every Interrogatory to him to be miniſtred by the ſaid Commiſſioners or the greater part of them, it ſhall be lawful for the ſaid Commiſſioners or the greater part of them, to commit the ſaid offender or offenders to ſome ſtrait or cloſe impriſonment, there to remain until he, ſhe, or they ſhall better conform him, or her ſelf.

The puniſhment of a Bankrupt committing perjury.

IX. And that if upon his, her, or their examination, it ſhall appear that he, ſhe, or they have committed any wilful or corrupt perjury, tending to the hurt or damage of the Creditors of the ſaid Bankrupt, to the value of Ten pounds of lawful money of England, or above, the party ſo offending ſhall or may thereof be indicted in any of the Kings Majeſties Courts of Record, and being lawfully convicted thereof, ſhall ſtand upon the Pillory in ſome publick place by the ſpace of two hours, and have one of his ears nailed to the Pillory and cut off.

X. And whereas by the former Statute made in the ſaid thirteenth year of the Reign of the late Queen Elizabeth, the Commiſſioners for Bankrupts have power given them to ſend for ſuch perſon or perſons as the Creditors ſhall know, ſuppoſe, or ſuſpect to have, detain or keep any part of the Money, Goods, Chattels, or Debts of the ſaid offender or offenders, or to be indebted to the ſaid offender or offenders, to be examined by the ſaid Commiſſioners, as by the ſame Statute appeareth, but have not good means or remedy by impriſonment or other penalty to procure the perſon ſo ſent for by them to appear before them, nor having appeared before them, to make anſwer upon his Oath, to ſuch Interrogatories as ſhall be miniſtred unto him by the ſaid Commiſſioners, for and upon the ſpecialty, certainty, true declaration and knowledge of ſuch Lands, Tenements, Hereditaments, Goods, Debts, or other things of any ſuch offender or offenders, as be, or ſhall be, or which ſhall be ſuſpected to be in his cuſtody, uſe or poſſeſſion, or in the cuſtody, uſe or poſſeſſion of any other to his knowledge, and of all debts owing to or for the benefit of ſuch offender or offenders, by himſelf or any other to his knowledge, (2) ſo as many times a great part of the offender or offenders Lands, Tenements, Hereditaments, Goods, Chattels or Debts, which by the true intent of the ſaid Statute ſhould be employed to the ſatisfaction of the Creditors of the offender or offenders, are concealed or detained in the hands of ſuch perſon and perſons as refuſe to come, or being come, refuſe to be ſworn before the ſaid Commiſſioners, to be examined in that behalf, to the great encouragement of all Bankrupts and their wicked confederates and acceſſaries, and to the great hindrance of the juſt remedies of the Creditors of the ſaid Bankrupts, for their true and juſt Debts to them owing: (3) For remedy whereof, be it further enacted by the authority aforeſaid, That if any perſon or perſons being known, ſuppoſed or ſuſpected to have or detain any part of the Lands, Tenements or Hereditaments, Goods, Chattels or Debts of the ſaid Bankrupt, or to be indebted to or for the benefit of the ſaid Bankrupt, ſhall after lawful warning to the ſaid perſon or perſons given, to come before the ſaid Commiſſioners, or the greater part of them, to be examined according to the intent of the ſaid Statute, refuſe to come, or ſhall not come before the ſaid Commiſſioners at the time appointed, having no lawful impediment (ſuch as ſhall be limited and allowed of by the ſaid Commiſſioners, or the more part of them, and which ſhall be then ſignified or made known to the ſaid Commiſſioners, at the time of their aſſembly) (4) or that any ſuch perſon or perſons having knowledge or warning of any other aſſembly or meeting of the ſaid Commiſſioners again, ſhall not come and appear before them at ſuch time as he or ſhe lawfully may come, having no ſuch lawful impediment as ſhall be then made known to the ſaid Commiſſioners, and by them admitted and allowed of as aforeſaid; (5) or being come before them, ſhall refuſe to be ſworn, and to make anſwer to ſuch Interrogatories as ſhall be miniſtred unto him or them according to the true intent and meaning of the ſaid Statute made in the ſaid thirteenth year of the Reign of our ſaid Sovereign Lady Queen Elizabeth, or of this preſent Act; (6) That then it ſhall be lawful for the ſaid Commiſſioners, or for the greater part of them, to commit to ſuch Ward and Priſon as to them or to the greater part of them ſhall be thought meet, all ſuch perſon and perſons as ſhall ſo refuſe to be ſworn, and make anſwer to ſuch Interrogatories as ſhall be ſo miniſtred as aforeſaid, (7) and alſo to direct their Warrants to ſuch perſon or perſons as to them or to the greater part of them ſhall be thought meet, to apprehend and arreſt ſuch perſon or perſons as ſhall refuſe to appear before them as aforeſaid, and to bring him, her or them before the ſaid Commiſſioners, or the greater part of them, to be examined as aboveſaid, (8) and upon his, her or their refuſal to come, or to be examined before the ſaid Commiſſioners as aforeſaid, to commit the ſaid party ſo refuſing, to ſuch Priſon as the ſaid Commiſſioners, or the greater part of them ſhall think meet, there to remain without Bail or Mainpriſe, until ſuch time as the ſaid perſon ſo refuſing to come, or to be ſworn to anſwer before the ſaid Commiſſioners, ſhall ſubmit him or her ſelf to the ſaid Commiſſioners, and be by them examined, according to the true intent of the ſaid Statute, and of this preſent Act.

Examination of ſuch as have Bankrupts goods, or be indebted unto them.

The puniſhment of ſuch as will not appear or not ſwear to anſwer to Interrogatories.

XI. Provided always, That ſuch Witneſſes as ſhall be ſo ſent for, ſhall have ſuch Coſts and Charges as the Commiſſioners in their diſcretion ſhall think fit; the ſame Charges to be rateably born by the Creditors of the ſaid Bankrupt, according to the proportion of each of their ſeveral Debts: (2) And if any perſon or perſons, other then the Bankrupt, either by ſubornation, unlawful procurement, ſiniſter perſwaſion or means of any others, or by his own act, conſent or agreement, ſhall wilfully and corruptly commit any manner of wilful perjury by his diſpoſition to be taken before the ſaid Commiſſioners, or the greater part of them, as aforeſaid, That then the party or parties ſo offending, and all and every perſon and perſons that ſhall unlawfully and corruptly procure any ſuch unlawful, wilful and corrupt perjury, ſhall and may therefore be Indicted in any of the Kings Majeſties Courts of Record, (3) and after his or their conviction thereof, ſhall incur ſuch forfeiture, and receive and ſuffer ſuch pains and puniſhment as are limited by the Statute made concerning Perjury, in the fifth year of the Reign of our late Sovereign Lady Queen Elizabeth.

Witneſſes allowed their coſts.

The penalty of others beſide the Bankrupt committing perjury.

5 Eliz 9.

XII. And be it further enacted, That all and every ſum and ſums of money which ſhall be forfeited by force of this preſent Act, ſhall be ſued for and recovered by the ſaid Creditors only, or any of them that will ſue for the ſame, by Action of Debt, Bill, Plaint or information, in any of the Kings Majeſties Courts of Records, and the ſum or ſums of money ſo recovered, the Charges of Suit being deducted, ſhall be diſtributed and divided towards the payment of the ſaid Creditors of the Bankrupt.

Who ſhall recover the forfeitures, and how they ſhall employ them.

XIII. And for that the power and authority given to the Commiſſioners of Bankrupts touching the Debts due to the ſaid Bankrupt, is not ſo full and perfect, as that the full benefit thereof in due courſe, might be employed to the uſe of the Creditors, as was intended: (2) For remedy therefore, be it further enacted by the authority aforeſaid, That the Commiſſioners of Bankrupts, or the greater part of them, ſhall have power to grant and aſſign, or otherwiſe to order or diſpoſe all or any of the Debts due or to be due, to and for the benefit of the ſaid Bankrupt, by what perſon or perſons ſoever, or in what manner and form ſoever, to the uſe of the Creditors of the ſaid Bankrupt, according to the true intent of the ſaid former recited Statute of Bankrupts, (3) and that the ſame grant, aſſignment or diſpoſition of the ſaid Debts in form aforeſaid, to be made by the ſaid Commiſſioners, or the greater part of them, ſhall ſo veſt the property, right and intereſt of the ſaid Debt and Debts in the perſon or peſons of him, her or them to whom it ſhall be granted, aſſigned or ordered by the ſaid Commiſſioners, or the greater part of them, as fully to all intents and purpoſes, as if the ſaid Bill, Bond, Bonds, Statutes, Recognizances, Judgment or Contract whereupon the ſaid Debt or Debts, Deed or Deeds ſhall ariſe or grow, had been made to or with, or for the ſaid perſon or perſons to whom the ſame ſhall be ſo granted, aſſigned or diſpoſed by the ſaid Commiſſioners; (4) and that after ſuch grant, aſſignment or diſpoſition made of the ſaid Debts, that neither the Bankrupt, nor any other to whom any ſuch Debt ſhall be due, ſhall have

The authority of Commiſſioners touching debts due to a Bankrupt.

The remedy for the Creditor to recover a Bankrupts Debt aſſigned to him by the Commiſſioners

power to recover the ſame, nor to make any releaſe or diſcharge thereof, (5) neither ſhall the ſame be attached as the Debt of the Bankrupt, or ſuch ſaid other perſon or perſons to whom the ſame ſhall be due, by any other perſon or perſons, according to the Cuſtom of the City of London, or otherwiſe, (6) but that the party or parties to whom the ſame Debt ſhall be aſſigned, ſhall have like remedy to recover the ſame, as fully and lawfully, in the name or names of the perſon or perſons to whom the ſame ſhall be ſo granted, aſſigned or ordered by the ſaid Commiſſioners, in all reſpects and purpoſes, as the party himſelf might have had; Any Law, Statute, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

XIV. Provided always, That no Debtor of the Bankrupt be hereby endangered for the payment of his or their Debt, truly and bona fide, to any ſuch Bankrupt, before ſuch time as he ſhall underſtand or know, that he is become a Bankrupt.

Commiſſioners ſhall declare to the Bankrupts how they have beſtowed his lands and goods.

XV. Provided alſo, and be it further enacted, That ſuch of the ſaid Commiſſioners as ſhall put the ſaid Commiſſion in execution, ſhall upon lawful requeſt to them made by the ſaid Bankrupt, not only make a true declaration to the ſaid Bankrupts, of the employing and beſtowing of his, her, or their ſaid Lands, Tenements and Hereditaments, Offices, Fees, Goods, Wares, Money, Chattels and Debts which ſhall be paid and ſatisfied to their ſaid Creditors, as is in like caſe limited and appointed by the ſaid former Statute made in the ſaid thirteenth year of the ſaid late Queens Majeſties Reign, but alſo make payment of the overplus of the ſame, if any ſuch ſhall be, to the ſaid Bankrupts, their executors, adminiſtrators and aſſigns; (2) and that the ſaid Bankrupts, after the full ſatisfaction of the ſaid Creditors, ſhall have full power and authority to recover and receive the reſidue and remainder of the debts to them owing; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

The Commiſſioners Plea in an Action brought againſt them.

XVI. Be it further enacted, That if any Action of Treſpaſs, or other Suit ſhall happen hereafter to be brought againſt any Commiſſioner authorized by the Statute made in Decimo tertio of our late Sovereign Lady Queen Elizabeth, for Bankrupts, or any other perſon or perſons having authority by virtue, or under the Commiſſion authorizing the ſaid Commiſſioner for the doing or executing of any matter by force of the ſaid Statute, or this preſent Statute, That the Defendant or Defendants in any ſuch Action or Suit, may plead Not guilty, (2) or otherwiſe juſtifie, That the act or thing whereof the Plaintiff or Plaintiffs complained, was done by authority of the ſaid Act made in the thirteenth of Elizabeth, or in this preſent Act reſpectively, (3) without expreſſing or rehearſal of any other matter of circumſtance contained in either of the ſaid Acts, and without enforcing him or them to ſue forth their Commiſſion authorizing the ſaid act or thing; (4) whereunto the Plaintiff ſhall be admitted to reply, That the Defendant did the Fact ſuppoſed in the Declaration, of his own wrong, without any ſuch cauſe alledged by the ſaid Defendant; whereupon the Iſſue in ſuch Action ſhall be joyned to be tried by the verdict of twelve men, (5) and upon the trial of that Iſſue, the whole matter to be given on both parties in evidence, according to the very truth of the ſame; (6) and if Verdict upon ſuch Iſſue ſhall paſs for the Defendant, the Defendant to have his Coſts.

The Commiſſioners ſhall proceed to execution, though the Bankrupt die.

XVIII. Provided always, and be it further enacted, That after any Commiſſion of Bankrupts hereafter ſued forth, and dealt in by the Commiſſioners, the offendor happen to die before the Commiſſioners ſhall diſtribute the Goods, Lands, and Debts of the offendors, or any of them, by force of the aforeſaid Statute of the thirteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, and this Statute or either of them, That then nevertheleſs the ſaid Commiſſioners ſhall and may in that caſe proceed in execution, in and upon the ſaid Commiſſion, for and concerning the offenders Goods, Lands, Tenements, Hereditaments and Debts, in ſuch ſort as they might have done if the party offender were living. St. 21 Jac. 19

CAP. XVI.

An Act concerning Wherrimen and Watermen.

Boatmen 13. What Apprentice or Servant a wherriman may take: his age.

FOraſmuch as it hath often happened, that divers and ſundry people paſſing by Water upon the River of Thames between Windſor and Graveſend, have been put in great hazard and danger of the loſs of their lives and goods, and many times have periſhed and been drowned in the ſaid River, through the unskilfulneſs or want of knowledge or experience in the Wherrimen or Watermen that did tranſport and carry them and their ſaid goods from place to place upon the ſaid River, in Wherries, Tiltboats and Barges: (2) And for that hitherto there hath not been any ſufficient proviſion had and made for remedy herein, Be it now enacted and eſtabliſhed by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth no Wherriman or Waterman that now is, or that hereafter ſhall be, and ſhall row upon the ſaid River of Thames, and ſhall tranſport or carry any Paſſengers or Goods in any Wherries, Tiltboats or Barges, (other then Weſtern Barges, Milboats, and all other Veſſels ordinarily ſerving for other uſes then the carrying of Paſſengers) ſhall retain or take any ſervant or apprentice to ſerve him as a Waterman upon the ſaid River, unleſs the ſaid Wherriman or Waterman that ſo ſhall retain, take or have any ſuch ſervant, ſhall have been apprentice to a Wherriman or Waterman by the ſpace of five years before ſuch retaining: (3) And further, That no Wherriman or Waterman that now is, or that hereafter ſhall be upon the ſaid River of Thames, ſhall retain, have, keep or take any perſon or perſons to ſerve him to row upon the ſaid River, as his apprentice, unleſs the ſaid perſon ſo to be retained or to become an apprentice, ſhall then be of the age of xviii. years at the leaſt, and ſhall be ratained or bound to his Maſter to ſerve upon the ſaid River, for and during the term of ſeven years at the leaſt, (4) upon pain that every perſon or perſons doing the contrary, ſhall from time to time for every ſuch offence forfeit the ſum of ten pounds of lawful Engliſh money, the one half whereof ſhall be unto our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and the other half unto any perſon or perſons that will ſue for the ſame in any of the Courts of Record of our ſaid Sovereign Lord the King, his Heirs or Succeſſors,

Which Watermen only may retain Servants or Apprentices, and what ſort of perſons they may retain.

by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Eſſoin, Protection, or other delay ſhall be admitted or allowed.

Wherrimens ſons except.

II. Provided always, That this Act, nor any thing therein contained, ſhall extend to the ſon or ſons which now are, or hereafter ſhall be, of any Wherriman or Waterman, aboveſaid (being of the age of ſixteen years at the leaſt, and of convenient growth and ſtrength) that formerly hath been, or that hereafter ſhall be trained and brought up in rowing, or have or hath accuſtomed to row upon the ſaid River, and there have uſed or ſhall uſe to tranſport or carry Paſſengers from place to place; (2) but that all and every ſuch ſon or ſons ſhall and may from time to time from henceforth, be admitted and allowed to ſerve, and may ſerve upon the ſaid River, and there tranſport or carry Paſſengers from place to place as an Apprentice, as heretofore they have done; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

The Watermens Orders ſhall be read twice in the year.

III. And be it further enacted and eſtabliſhed by the authority aforeſaid, That the eight Overſeers or Rulers of the Society or Company of Wherrimen or Watermen that now are, and that from time to time hereafter ſhall be, from henceforth twice in every year, that is to ſay, upon the firſt day of September, and upon the firſt day of March, ſhall openly read and publiſh, or cauſe openly to be read and publiſhed in the Hall or place of their common Aſſembly, where they uſually either have, or hereafter ſhall appoint to aſſemble and meet together, all and every the Conſtitutions and Orders already made by them, or that at any time hereafter ſhall be made by the Overſeers and rulers for the good or better ordering or government of the ſaid Wherrimen or Watermen, (2) upon pain that every of them ſhall from time to time for every ſuch offence forfeit to our ſaid Sovereign Lord the King, his Heirs and Succeſſors, the ſum of Six pound thirteen ſhillings and four pence of lawfull Engliſh money, the one half whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other half thereof unto any perſon or perſons that will ſue for the ſame in any of the Kings Courts of Record, by Action of Debt, Suit, Bill, Plaint or Information, wherein no Wager of Law, Eſſoin, or other delay ſhall be admitted or allowed. 2 & 3 Ph. & Mar. 16.

CAP. XVII.

An Act for the better execution of former Laws touching the making of Hats and Felts, and and for the more reſtraint of unskilful and deceivable Workmanſhip there uſed, to the wrong of all the ſorts of people in this Realm.

Hats 4. None ſhall make Felts or Hats, but which hath been Apprentice.

A rehearſal of the Statute of 8 Eliz. 11.

Whereas in the Parliament by Prorogation holden at Weſtminſter the laſt day of September, in the eighth year of the Reign of the late Queen Elizabeth, Queen of England, there was made one Statute, Entituled, An Act for the true making of Hats and Caps; by one Branch whereof it was enacted, That no perſon or perſons, by him or her ſelf, or any other, ſhould after the Feaſt of the Nativity of St. John Baptiſt then next coming, make or work any Felt or Hat, of or with any foreign Wooll or Stuff, unleſs ſuch perſon ſhould firſt have been Apprentice or Covenant-ſervant to ſuch Myſtery of Hat and Felt-making, by the ſpace of ſeven years at the leaſt, (2) upon pain to forfeit all ſuch Hats or Felts as he ſhould make or cauſe to be made, while he worketh contrary to the form of the ſaid Act, and Five pounds in money for every month that he ſhould ſo continue, as by the ſaid Act (amongſt divers other things therein contained) more plainly may appear: (3) Foraſmuch as by the ſaid Act, no part of the forfeitures or penalties for ſuch as ſet up and do exerciſe the ſaid Art of Hat and Felt-making, and have not been Apprentice or Covenant-ſervant thereunto by the ſpace of ſeven years, (4) nor no penalty nor forfeiture at all for taking of Apprentices or Covenant-ſervants contrary to the tenor of the ſaid Act, is given or appointed to any common perſon that would ſue for the ſame; (5) The execution of the ſaid Act hath been wholly neglected, and the ſame in theſe two Branches have been likewiſe tranſgreſſed, and divers perſons that never were Apprentices to the ſaid Art, and ſome that have ſerved but only ſome few years therein, have taken upon them to ſet up and exerciſe the ſaid Act, and retained great number of Apprentices, who daily go away from their Maſters, and before their terms be ended, and being unskilful, do make and put to ſale great quantities of Hats and Felts very falſly and deceitfully made and wrought, to the great damage of his Majeſties moſt loving Subjects:

Who ſhall have the forfeiture accrued by the Stat. of 8 [illegible] 11. and this Stat.

II. For reformation whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after fourty days next enſuing the end of this preſent Seſſion of Parliament, the moiety or one half part of all and every the forfeitures and penalties contained in the ſame former Act, that ſhall ariſe or grow due after the end of the ſaid fourty days next enſuing the end of this Seſſion of Parliament, and alſo the moiety or one half part of all and every the forfeitures and penalties hereafter limited and appointed in and by this preſent Act, ſhall be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other moiety or half part thereof to ſuch perſon or perſons as will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, to be commenced or brought, or proſecuted in any Court of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed for the Defendant.

Who only may be Feltmakers, and who their ſervants, and how many.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons from and after the ſaid fourty days, ſhall make, or cauſe to be made any Felt or Hat, of, or with any Wooll or Stuff whatſoever, unleſs he or they ſhall have firſt ſerved as Apprentices in the foreſaid Trade or Art of Felt-making during the ſpace of ſeven years at the leaſt; neither ſhall they retain or ſet to work in the ſaid Art any other perſon or perſons then Journeymen that have lawfully ſerved in that Art, and Apprentices lawfully bound in the ſaid Trade or Art, nor above the number of two Apprentices at one time, nor thoſe for any leſs term then ſeven years, (2) upon pain to forfeit Five pound for every month that he ſhall continue offending contrary to the true meaning of this Act, to be recovered to the uſes and in manner aforeſaid.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons from and

No ſtranger ſhall be ſet on work in making of Hats.

after the ſaid fourty days, ſhall retain or ſet on work in the ſaid Art of Hat or Felt-making, any perſon or perſons born out of his Majeſties Realms and Dominions of England, Scotland, and Ireland, upon pain to forfeit Five pound for every month wherein ſuch perſon or perſons ſhall ſo offend contrary to the meaning of this Act, to be recovered to the uſes, and in manner and form aforeſaid.

Hat-makers ſons.

V. Provided always, That nothing in this Act, or in the ſaid former Act contained, ſhall extend to charge any perſon or perſons lawfully exerciſing the ſaid Art, with any pain or forfeiture for ſetting or uſing his or their own natural ſon or ſons to the making or working of Hats or Felts, in his or their own houſe or houſes, ſo as every ſuch ſon or ſons be bound by Indenture or Apprenticehood for the term of ſeven years at the leaſt, which term ſhall not be to expire before he ſhall be of the full age of twenty two years; Any thing aboveſaid to the contrary notwithſtanding.

Felt-makers at the time of this Stat. and their ſervants, may ſo continue.

VI. Provided always, and be it enacted by the authority aforeſaid, That every Felt-maker that now is, and by the ſpace of one year laſt paſt before the beginning of this preſent Parliament, was a maker or worker of Felts, and being an Houſholder, and all ſuch as now are Apprentices, Covenant-ſervant or Journeyman in the ſame Art or Myſtery of Felt-making (ſo as the ſame Apprentice ſerve the reſidue of ſeven years at the leaſt) ſhall or may, during ſuch perſons natural life, continue making of Hats and Felts, albeit the ſame were not bound Apprentice to the ſame Art for the ſpace of ſeven years; Any thing in this Act, or elſewhere to the contrary notwithſtanding.

CAP. XVIII.

An Act for avoiding of deceit in ſelling, buying or ſpending corrupt or unwholſom Hops.

Hops 1. The penalty for bringing into this Realm corrupted Hops, or for brewing with them.

Cok. Inſt. 4 part. 263.

FOrasmuch as of late great frauds and deceits are generally practiſed and uſed by Foreigners, Merchants, Strangers, and others in foreign parts beyond the Seas, in the falſe packing of all foreign Hops brought into this Realm of England from foreign parts, by way of Merchandiſe here to be uttered and ſold with leaves, ſtalks, powder, ſand, ſtraw, and with loggets of wood, droſs, and other ſoil in very many ſacks of Hops, for increaſe of the weight thereof, ſelling the ſame together for ſo much money as the Hops are ſold for, to the enriching of themſelves by deceit: (2) By means of which falſe packing of foreign Hops, the Subjects of this Realm have been of late years abuſed and deceived unto the value of Twenty thouſand pounds yearly at the leaſt, beſides the danger of the Subjects healths, for that in many ſacks of foreign Hops there is not found ſcarce one third part to be good and clean Hops, the reſt being droſs and ſoil:

Several falſehoods practiſed by ſtrangers in packing of Hops.

II. For reformation whereof, Be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Foreigner, Stranger, native Engliſhman, Denizen, Merchant, or any other perſon or perſons whatſoever, do at any time or times from or after the Feaſt of St. Michael the Archangel next coming after the end of this preſent Seſſion of Parliament, bring, or cauſe to be brought into this Realm of England, out from any other foreign Realm or Dominions from beyond the Seas, any Hops being deceitfully or corruptly unclean, corrupt, or mixt with any powder, duſt, droſs, ſand, or any other ſoil whatſoever, that every perſon ſo offending therein contrary to this Act, ſhall forfeit the ſame Hops ſo brought into this Realm.

The forfeiture for brewing Ale or Beer to be ſold, with corrupt or mingled Hops.

III. And for the better avoiding of the danger of ſickneſs by uſing of the falſe packed, unclean and corrupt Hops, (2) Be it therefore further enacted by the authority aforeſaid, That if any Brewer of Beer or Ale, or any other peeſon which ſhall buy the ſame Hops ſo brought from beyond the Seas, or growing within this Realm, and ſhall employ and ſpend the ſame about the making or brewing of Beer or Ale to be ſold, being unclean, corrupt or mixt with any powder, duſt, droſs, ſand, or any other ſoil whatſoever, every perſon ſo offending therein contrary to the intent of this Act, ſhall in like ſort forfeit for the ſame offence, the value of thoſe Hops ſo bought, employed or ſpent in brewing; (3) the one moiety of all which forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, the other moiety thereof to him or them that will ſeiſe the ſame, or ſue for the ſame by Bill, Plaint, Information, or Action of Debt in any of the Kings Courts of Record; in which no Eſſoin, Protection, or Wager of Law ſhall be allowed, &c.

IV. This Act to continue to the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XIX.

An Act for the well Garbling of Spices.

Spicery. 1.

WHereas heretofore great deceits and abuſes have been committed in uttering, ſelling, and putting to ſale of ſundry ſorts of unclean, corrupt and mingled Spices, Drugs, Wares, and other Merchandiſes garbleable, to the jeopardy of his Majeſties perſon, and of his Subjects uſing the ſame in their meats; drinks, and other needful occaſions, and to the great deceit, loſs, and hindrance of ſuch his Majeſties Subjects as ſhall buy the ſame. (2) For remedy whereof, Be it ordained and enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the laſt day of September next enſuing the end of this Seſſion of Parliament, all Spices, Wares, Drugs, and other Merchandiſes garbleable; that is to ſay, Pepper, Cloves, Mace, Nutmegs, Cinamon, Ginger, Long-pepper, Worm-ſeeds, Cummin-ſeeds, Anni-ſeeds, Coliander-ſeeds, Bynny-pepper, Almonds, Dates, Galls, Gums of all ſorts and kinds garbleable, Spikenard, Galingal, Turmerick, Setwall, Caſſia Fiſtula, Guinny-pepper, Seny, Barberies, Rice, Erius, Staviſaker, Calamus, Fencrick, Caſſia Lignum, Grains, Carroway-ſeeds, and all other Spices, Drugs, Wares, and other Merchandiſes that have been uſually garbled, or ought to be garbled, cleanſed, ſevered, ſorted or divided in the City of London,

The penalty if Spices be not garbled and ſealed: Or be mixed with other things.

Spices ſhall be garbled and ſealed before they be ſold.

London and the Liberties thereof, ſhall for the Fees uſually allowed in that behalf, be ſufficiently cleanſed, ſevered, garbled and divided, and afterwards ſealed by the Garbler thereunto appointed for the time being, or by his ſufficient Deputy or Deputies, Servant or Servants, before that the ſame or any part thereof ſhall be ſold, (3) upon pain of forfeiture of all and every ſuch Spices, Drugs, Wares, and other Merchandizes, or the value thereof which ſhall be ſold.

Spices mixed after the garbling thereof, ſhall be forfeited.

II. And be it furthermore enacted by authority aforeſaid, That if any the ſaid Spices, Drugs, Wares, and other Merchandiſes ſhall be mixed with any Garbles, matter or thing whatſoever, after ſuch time as the ſame ſhall be firſt garbled, ſeparated and divided by the Garbler thereunto appointed, or by his ſufficient Deputy or Deputies, Servant or Servants, and ſealed as aforeſaid, That then the ſaid Spices, Drugs, Wares and other Merchandiſes, or the value thereof ſhall be wholly forfeited.

Searching for Spices to be garbled.

III. And be it further enacted by the authority aforeſaid, That for the better and more true executing of this Act, it ſhall and may be lawful to and for the ſaid Garbler of Spices, Drugs and Merchandiſes within the ſaid City of of London, and Liberties thereof for the time being, and to and for his Deputy or Deputies, Aſſignee or Aſſignees, by virtue of this Act, at all and every time and times, in the day-time to enter into any Shops, Warehouſes, or Cellers within the ſaid City or Liberties thereof, wherein any ſuch Drugs, Spices, Wares or Merchandiſes bought or ſold, or mixed contrary to the true meaning hereof, which have been accuſtomed to be garbled, ſhall be, or ſhall be ſuſpected to be, and there to view, ſee and ſearch the ſame; (2) And if he or they ſhall find any ſuch Spices, Drugs, Wares or Merchandiſes there ungarbled, which have been accuſtomed to be garbled; then, and ſo often it ſhall be lawful to and for the ſaid Garbler, and his Deputy or Deputies, Aſſignee or Aſſignees, to garble, or cauſe his or their Servants to garble and make clean the ſame: (3) The one moiety of all forfeitures in this Act mentioned, to be to our ſaid Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame by action of debt, bill plaint or information, to be proſecuted in any Court or Courts of Record within the Realm of England; in which Suit, no Eſſoin, Protection, Wager of Law, Writ or Priviledge, or Injunction ſhall be allowed.

The forfeitures.

Spices brought in, and after traſported ungarbled.

IV. Provided always, and be it enacted by authority of this preſent Parliament, That if any Merchant, or any perſon or perſons (other than Merchants alien, or made or to be made Denizen) ſhall bring any Spices, Drugs, or other Merchandiſes that be garbleable within this Realm, and ſhall not offer the ſame to ſale, or ſell the ſame within this Realm; but ſhall bona fide, and without fraud or covin reſerve or retain the ſame unſold, to be tranſported again out of the Realm, and ſhall tranſport the ſame, within eight months, to be accounted from his firſt landing or arrival with ſuch Spices, Drugs, or other Merchandiſes garbleable by the proviſion and intention of this Act; that ſuch Spices, Drugs and Merchandiſes ſo to be tranſported, ungarbled, and not ſold within this Realm, no penalty mentioned in this Statute ſhall be forfeited or incurred by any perſon or perſons (other than Merchants Alien or Denizen as aforeſaid;) any thing herein before contained to the contrary in any wiſe notwithſtanding

CAP. XX.

An Act for redreſs of certain abuſes and deceits uſed in Painting.

Painters 1. A Plaiſterer ſhall not uſe the Occupation of a Painter in London.

Incorporated by Qu. Eliz.

Who only may occupy that Myſtery.

Whereas the Art or Myſtery of Painters is an ancient Art and Myſtery, and hath time out of mind been an ancient Company and Fellowſhip within the City of London, (2) and of late upon due conſiderations, the Freemen of the ſaid City of that Faculty, Art or Myſtery (by Letters Patents under the great Seal of England, dated at Weſtminſter the xix. day of July in the xxiii. year of the Reign of Queen Elizabeth) were incorporate by the name of Maſter, Wardens and Commonalty of the Freemen of the Art and Myſtery of Painters, commonly called Painters Stainers within the City of London, and the Suburbs and Liberties of the ſame City: (3) And furthermore, by the ſaid Letters Patents it is prohibited, enjoyned and commanded, that no perſon or perſons, of whatſoever eſtate, degree or condition they were, ſhould uſe, exerciſe or occupy the ſaid Art or Myſtery of Painters, commonly called Painters Stainers, or any work or works, colour or colours, painting or paintings in the ſaid Art or Myſtery occupied, unleſs ſuch perſon or perſons before that time had been brought up and inſtructed, or ſhould from that time forwards be brought up and inſtructed by or with ſome one perſon of the ſaid Art or Myſtery, as an Apprentice, by the ſpace of ſeven years at the leaſt:

Searching of Painting work, and ſeizing the deceitful.

II. And whereas for the avoiding of deceit to be uſed in the ſaid Art and Myſtery of Painting, the ſaid late Queen by the foreſaid Letters Patents, did Grant unto the ſaid Maſter and Wardens, and to their Succeſſors, That they ſhould have full power and authority for ever, to make, or cauſe to be made due ſearch of all and ſingular the works, colours, paintings, and other things whatſoever to the ſaid Art or Myſtery of Painting in any wiſe appertaining, or touching or concerning the ſame, as well upon the Freemen of the ſaid Myſtery, as upon any perſon or perſons whatſoever, ſelling, making, or working the ſame within the City of London, or the Liberties or Suburbs of the ſame; (2) And the ſaid works, colours and paintings whatſoever, ſo deceitfully made, to ſeize and take away, and the Offendors therein to puniſh and correct, as by the ſame Letters Patents more at large it doth and may appear:

Plaiſterers do uſe the art of Painters Stainers.

III. And whereas the Plaiſterers within the City of London, of old time uſing nothing but lathing, dawbing, plaiſtering, and liming, did, and yet do procure thereby for themſelves and their Families a convenient living and maintenance: (2) Yet not ſatisfied with that reaſonable living that they do make of their ſaid proper faculties and trades wherewith and wherein they have been brought up as Apprentices, have now of late uſed and practiſed the Art and Myſtery of Painters Stainers, as well with Oyl colours, as Size-colours, and that ſince the making of the ſaid Letters Patents more uſually then in former times they have uſed or did; (3) whereby not only many of the ſaid Art and Myſtery of Painters, who have well and honeſtly as Apprentices to the ſame, ſerved for the ſpace of ſeven years and upwards, and by their labours and induſtries have attained to the full and perfect ſkill and knowledge thereof, are not only diſabled to get any competent living thereby, for the relief of themſelves, their poor Wives and Children, but alſo for that the ſaid Plaiſterers, not having been trained up in the ſaid Art or Myſtery of Painting, neither can or do make any ſuch good work, or ſuch ſure and perfect colours, as other having been trained up in the ſame Trade, and Apprentices thereunto, and yet utter the ſame for good and perfect colours, and being no Freemen of the ſaid Company of Painters Stainers, eſcape therefore unpuniſhed, to the great abuſe and deceit of his Majeſties moſt loving Subjects, and whereby the ſaid Art or Myſtery of Painting is likely in ſuch ſort in ſhort time to decay, as that there will not be ſufficient Workmen of ſkill in and about the ſaid City to ſerve in the ſaid Art his Majeſty, or any other his Majeſties Subjects;

No Plaiſterer ſhall uſe the art of a Painter Stainer in London, &c.

IV. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That from and after the xxix. day of September, which ſhall be in the year of our Lord God, 1606 next coming after the end of this preſent Seſſion of Parliament, No manner of perſon or perſons, being or pretending to be a Plaiſterer, or hereafter to become or to be a Plaiſterer, or being, or which ſhall be a ſervant, or ſet on work by any Plaiſterer, ſhall uſe, exerciſe, or ſet up the Art, Myſtery, or manual Occupation of a Painter, commonly called a Painter Stainer, or any part thereof, in the City of London, or the Liberties or Suburbs of the ſame; or ſhall within the places aforeſaid make any manner of work or works, or lay any manner of colour or colours, painting or paintings whatſoever, in the ſaid Art or Myſtery of Painters Stainers aforeſaid, at any time heretofore occupied or uſed, unleſs he or they be or ſhall be the ſervant or ſervants, Apprentice or Apprentices of a Painter, otherwiſe called a Painter Stainer, or have ſerved, or ſhall ſerve as an Apprentice, or as Apprentices, by the ſpace of ſeven years at the leaſt to a Painter, otherwiſe called a Painter Stainer; (2) Upon pain that every ſuch perſon and perſons as ſhall hereafter do or offend contrary to the true intent and meaning of this preſent Act, ſhall forfeit for every time that he or they ſhall ſo do or offend, the ſum of Five pounds of lawful money of England; (3) the one moiety of all which forfeitures ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of the Kings Majeſties Courts of Record, by action of debt, bill, plaint or information: in which ſaid ſuit, no eſſoin, protection, or wager of Law ſhall be admitted or allowed for the ſaid Defendant; any Law, Uſage, or Cuſtom heretofore had or uſed to the contrary thereof in any wiſe notwithſtanding.

The forfeiture of an offendor.

What things a Plaiſterer may uſe in his work.

V. Provided nevertheleſs, That it ſhall and may be lawful to and for any of the Company of Plaiſterers, or their ſervants or apprentices, to lay and uſe whiting, blacking, red lead, red oaker, yellow oaker, and ruſſet mingled with ſize only, and not with oyl; This preſent Act, or any thing therein contained to the contrary notwithſtanding.

The day-wages of a Painter.

VI. Provided alſo, That no Painter or Painters ſervant or apprentice, ſhall have or take above fifteen pence by the day, for laying of any flat colour whatſoever, mingled or mixed with oyl or ſize, upon any Timber, Stone, Iron or Lead.

CAP. XXI.

An Act againſt Brokers.

Brokers 1. Sale of Goods purloyned in London, &c. ſhall not alter the property.

The manner to preſent and allow of Brokers in London.

Foraſmuch as of long and ancient time by divers hundred years there have been uſed within the City of London and Liberties thereof, certain Freemen of the City, to be ſelected out of the Companies and Myſteries whereof they are free and members, and the ſame perſons to be preſented at leaſt by ſix approved and known honeſt perſons of the ſame Myſtery, to the Lord Mayor of London for the time being, and to the Aldermen his Brethren, and to be recommended by ſuch preſentors to be perſons for their known approved honeſty, integrity and faithfulneſs, perſons meet for to be Broker or Brokers, and upon ſuch relation made to the Mayor and Aldermen, and partly by their own knowledge and diligent enquiries made of the ſaid perſons, and of their honeſt fame, report, fidelity and ſkill, have been thereupon admitted, allowed and approved by the Lord Mayor of the City, and Aldermen in the Court of Aldermen, to be Brokers within the ſaid City and Liberties of the ſame, and have taken their corporal Oaths before the ſaid Mayor and Aldermen, from time to time, as they were ſo preſented and admitted, to uſe and demean themſelves uprightly and faithfully between Merchant Engliſh and Merchant Strangers, and Tradeſmen, in the contriving, making and concluding Bargains and Contracts to be made between them concerning their Wares and Merchandizes to be bought and ſold, and contracted for within the City of London, and moneys to be taken up by exchange between ſuch Merchant and Merchants, and Tradeſmen; and theſe kind of perſons ſo preſented, allowed and ſworn to be Brokers, as aforeſaid, have had and born the name of Brokers, and been known, called, and taken for Brokers, and dealing in Brokerage or Brokery; (2) who never of ancient time uſed to buy and ſell Garments, Houſhold-ſtuff, or to take pawns and bills of ſale of Garments and Apparel, and all things that come to hand for money, laid out and lent upon uſury, or to keep open Shops, and to make open Shews, and an open Trade, as now of late years hath and is uſed by a number of Citizens, aſſuming unto themſelves the name of Brokers and Brokerage, as though the ſame were an honeſt and lawful Trade, Myſtery or Occupation, terming and naming themſelves Brokers, whereas in truth they are not, abuſing the true and honeſt ancient name and Trade of Broker and Brokerage:

The differences between the ancient and preſent Brokers.

The abuſe of Brokerage in theſe later years.

II. And foraſmuch as many Citizens Freemen of the City, being men of Manual Occupations, and Handicraftſmen, and others inhabiting and remaining near the City and Suburbs of the ſame, have left and given over, and daily do leave and give over their Handy and Manual Occupations, and have and do daily ſet up a Trade of buying and ſelling, and taking to pawn of all kind of worn apparel, whether it be old, or little worſe for wearing, Houſhold-ſtuff, and Goods, of what kind ſoever the ſame be of, finding thereby that the ſame is a more idle and eaſier kind of Trade of living, and that there ariſeth and groweth to them a more ready, more great, more profitable, and ſpeedier advantage and gain, then by their former Manual Labours and Trade did or could bring them:

III. And foraſmuch as the ſaid counterfeit Brokers, and Pawn-takers upon Uſury, or otherwiſe for ready money, are grown of late to many hundreds within the City of London, and other places next adjoyning to the City and Liberties of the ſame, and are like to increaſe to far greater multitudes, being Friperers, and no Brokers, nor exerciſing of any honeſt and lawful Trade, and within the memory of many yet living, ſuch kind of perſons Tradeſmen, were very few, and of ſmall number:

Friperers and no Brokers.

IV. And foraſmuch as there are not any Garments, Apparel, Houſhold-ſtuff, or other goods of any kind whatſoever the ſame be of, either being ſtollen or robbed from any, or badly, or unlawfully purloyned or come by, but theſe kind of upſtart Brokers, under colour and pretence they be Freemen of the ſaid City of London, or inhabiting in Weſtminſter, where they pretend to have the like overt Market as the City of London, and thereby preſuming to be lawful for them to uſe and ſet up the ſame idle and needleſs Trades, being the very means to uphold, maintain and imbolden all kind of lewd and bad perſons, to rob and ſteal, and unlawfully to get, and come by true mens goods, knowing and finding, that no ſooner the ſame goods can be ſtollen, or unlawfully come by, but that they ſhall and may preſently utter, vent, ſell and pawn the ſame to ſuch kind of new upſtart Brokers, for ready money: (2) For remedy whereof, and for the avoiding of the ſaid miſchiefs and inconveniencies, and for repreſſing and aboliſhing of the ſaid idle and needleſs Trades, and upſtart Brokers, and the avoiding of Thefts, Robberies and Felonies, and bad people, and for the repreſſing of ſuch kind of nouriſhers and aiders of Thieves and bad people, and for the defence of honeſt and true mens Properties and Intereſts in their Goods.

By what means upſtart Brokers do come by theſe goods.

The inconveniences enſuing by upſtart Brokers.

V. Be it enacted and declared by our Sovereign Lord the King, with the aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Sale, Exchange, Pawn or Mortgage of any Jewel, Plate, Apparel, Houſhold-ſtuff, or other Goods, of what kind, nature or quality ſoever the ſame ſhall be of, and that ſhall be wrongfully or unjuſtly purloyned, taken, robbed or ſtollen from any perſon or perſons, or Bodies politick, and which at any time hereafter ſhall be ſold, uttered, delivered, exchanged, pawned or done away within the City of London, or Liberties thereof, or within the City of Weſtminſter in the County of Middleſex, or within Southwark in the County of Surrey; or within two miles of the ſaid City of London, to any Broker or Brokers, or Pawn-takers, by any way or means whatſoever, directly or indirectly, ſhall work or make any change or alteration of the property or intereſt, of and from any perſon and perſons, or body politick, from whom the ſame Jewels, Plate, Apparel, Houſhold-ſtuff or Goods were, or ſhall be wrongfully purloyned, taken, robbed or ſtollen; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

The ſale of goods wrongfully gotten ſhall not alter the property of them.

VI. And for the better maintaining of true and honeſt dealing, and for the eſchewing and avoiding of falſhood, fraud and deceit, in ſuch kind of Brokers and Pawn-takers,

VII. Be it therefore enacted and eſtabliſhed by the like authority, that if any perſon or perſons, or bodies politick, from whom any Jewels, Plate, Apparel Houſhold-ſtuff, or any kind of goods whatſoever, ſhall be wrongfully purloyned, taken, ſtollen or robbed, ſhall require and demand of any ſuch Broker or Pawn-taker, to declare whether any ſuch goods be come to his or their poſſeſſions, and to declare, ſhew and manifeſt the ſame, and how and by what means he had them, or came by the ſame, and how, when, and to whom he hath delivered, conveyed, or beſtowed or imployed the ſame, and that ſuch Broker, upon any ſuch requeſt and demand to be made, ſhall deny and refuſe to diſcloſe, tell or manifeſt the ſame truly and juſtly, ſhall forfeit unto the true Owner or Owners of ſuch Jewels, Plate, Apparel, Houſhold-ſtuff, and other goods, from whom the ſame were wrongfully purloyned, taken, ſtollen or robbed, double the value thereof that ſhall be denied and refuſed to be diſcloſed, told and manifeſted as aforeſaid; The ſame double value to be recovered by the true Owner or Owners of ſuch goods, from whom the ſame were wrongfully purloyned, taken, robbed or ſtollen, to be recovered by action of Debt, Bill or Plaint, in any of the Kings Majeſties Courts of Record at Weſtminſter, or within the City of London, in which no Eſſoin, Wager of Law, or Protection ſhall be allowed.

A Broker upon requeſt, ſhall declare what goods be come to his hands.

VIII. Provided always, That this Act, nor any thing therein contained, ſhall not be prejudicial or hurtful to the ancient Trade of Brokers within the City of London, uſing and exerciſing the ancient Trade of Brokers between Merchant and Merchant, or other Traders or Occupiers within the ſaid City, and the Liberties of the ſame, being ſelected as aforeſaid.

The ancient Trade of Brokers.

CAP. XXII.

An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the Cutting of Leather.

Whereas the Laws and Statutes formerly eſtabliſhed and made for the true and juſt tanning, currying, and working of Leather, have not taken that good effect which was expected, as well for that divers of the ſaid Statutes did not ſufficiently provide for the redreſs of thoſe deceits and abuſes which have been, and are commonly practiſed by the Tanners, Curriers, and workers of Leather, (2) as for that other of the ſame Statutes have been too ſharp and rigorous, tying and binding the perſons occupying the ſeveral Myſteries or Trades aforeſaid, to divers inconveniencies, and ſundry matters and things impoſſible for them to perform; by reaſon of which too much ſtrictneſs and rigour, the ſame Statutes have not been put in execution, but have been in effect wholly diſpenſed withall: (3) To the intent therefore that a reaſonable and indifferent courſe for the true and well tanning, currying and working of Leather, may be from henceforth eſtabliſhed and appointed, and yet the perſons uſing and occupying the ſeveral Crafts and Myſteries aforeſaid, may not be further or more ſtrictly bound, reſtrained or limited, then the neceſſary regard of the Commonwealth,

Leather 1. The Duty of Tanners, Curriers, Shoemakers, and of others cutting of Leather. The cauſes that former Statutes made againſt the abuſes of Tanners, Curriers, &c. have not been performed.

and general commodity of all ſorts of Subjects within this Realm requireth:

The penalty for gaſhing or watering of a hide, or ſelling a rotten hide.

II. Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Feaſt of St. Bartholomew the Apoſtle next coming, no Butcher by himſelf, or by any other perſon, ſhall gaſh, ſlaughter or cut any hide of any Ox, Bull, Steer or Cow, in flaying thereof, or otherwiſe, whereby the ſame ſhall be impaired or hurt, upon pain of forfeitue for every hide ſo gaſhed, ſlaughtered and cut, xx d. (2) And that no Butcher ſhall water any hide, except only in the months of June, July and Auguſt, nor ſhall offer or put to ſale any hide being putrified and rotten, upon pain of forfeiture for every hide ſo watered, and for every hide ſo putrified and rotten, and offered or put to ſale, iii. s. and iv. d.

Killing of Calves under five weeks old.

III. And be it further enacted by the authority aforeſaid, That no Butcher or other perſon or perſons, after the Feaſt of St. Bartholomew next coming, ſhall kill any Calf to ſell, being under five weeks old, upon pain to forfeit for every Calf ſo to be killed and ſold, vi. s. and viii. d.

No Butcher ſhall be a Tanner.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons occupying the craft or myſtery of a Butcher, ſhall after the Feaſt of St. Battholomew the Apoſtle next coming, occupy or uſe by himſelf, or any other perſon or perſons, the feat, craft or myſtery of a Tanner, during the time that he ſhall uſe the craft or occupation of a Butcher, upon pain of forfeiture of vi. s. viii. d. for every day that he ſhall ſo uſe the feat, craft or myſtery of a Tanner.

Who may be a Tanner.

V. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall from and after the Feaſt of St. Bartholomew next coming, tan any leather, or ſhall uſe, take, or have any profit, gain or commodity, of or by the ſaid craft or myſtery of tanning of leather, except ſuch perſon or perſons as had a Tan-houſe at the beginning of this preſent Seſſion of Parliament, and did then occupy the myſtery of tanning of leather, (2) and except ſuch as have been, or hereafter ſhall be brought up, inſtructed or taught as apprentices, or covenant or hired ſervants for that purpoſe, by the ſpace of ſeven years, in the myſtery of tanning of Leather; (3) and except the wife, and ſuch ſon or ſons of a Tanner as hath been brought up, and hath uſed the myſtery of tanning of leather by the ſpace of four years, or the ſon or daughter of a Tanner, or ſuch perſon who ſhall marry ſuch wife or daughter, to whom he hath, or ſhall leave a Tanhouſe and Fats, (4) upon pain of forfeiture of all ſuch Leather by him or them ſo tanned, or whereof he or they ſhall receive any profit or commodity by tanning, or the juſt value thereof.

No Tanner ſhall be a Cutter of leather.

VI. And be it further enacted by the authority aforeſaid, That no perſon or perſons uſing the myſtery of tanning of Leather by himſelf, or by any other perſon or perſons, from and after the ſaid Feaſt of St. Bartholomew, ſhall, during the time that he ſhall uſe the ſaid myſtery, occupy or uſe the craft or myſtery of a Shoomaker, Currier, Butcher, or of any other Artificer, uſing or exerciſing cutting or working of Leather, (2) upon pain to forfeit and loſe all and every ſuch hide and hides, skin and skins ſo by them or any of them wrought or tanned, during the time that he ſhall uſe the myſtery or craft of tanning aforeſaid, or the juſt value thereof.

Cro. Car. 587

Who may buy rough hides, or Calves skins.

VII. And be it further enacted by the authority aforeſaid, That no perſon or perſons after the Feaſt of St. Bartholomew next coming, ſhall bargain, buy, make any contract for, or beſpeak any rough hide, or Calveskin in the hair, but only ſuch perſon or perſons as by virtue of this Act may lawfully uſe the craft or myſtery of tanning of Leather, and ſhall tan the ſame, or ſuch perſon or perſons which ſhall tan the ſame, (except ſalt hides for the neceſſary uſe of Ships) (2) upon pain to forfeit and loſe all and every ſuch hides and skins ſo bought, or the juſt value thereof: (3) And that no Tanner or other perſon or perſons, ſhall foreſtall any hides coming towards any Fair or Market, nor ſhall buy any hide any other where then in open Fair or Market, unleſs it be of ſuch perſon or perſons as ſhall kill the ſame Beaſt whereof the ſaid hide ſhall be, for the proviſion of his or their own houſe or houſes, (4) upon pain of forfeiture for every hide ſo foreſtaled or bought contrary to the true meaning of this preſent Act, vi. s. viii. d.

Foreſtalling of Hides.

Who may buy tanned Leather not wrought.

VIII. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall or may after the Feaſt of the Nativity of our Lord God next coming, buy, ſell, bargain, beſpeak, or take promiſe to have, exchange, or put away any tanned leather, not wrought and converted into made wares, but only ſuch perſon and perſons as will and ſhall work and convert the ſame Leather into made wares, upon pain of forfeiture of the Leather ſo bought, ſold, exchanged, or put away, or the value thereof.

Buying Leather at Leaden-Hall in London.

IX. Provided always, and be it enacted by the authority aforeſaid, That all and every Artificer, and other perſon or perſons uſing to convert tanned Leather into made wares, as well ſtrangers born, as others, may lawfully buy all kind of tanned Leather, to make or convert the ſame into made wares, at Leaden-Hall in London, upon every Munday, the ſame being firſt duly ſearched, ſealed and regiſtred, as is hereafter limitted.

Sadlers and Girdlers may ſell their necks, &c.

X. Provided alſo, That the Sadlers and Girdlers may ſell their necks, ſhreds of tanned Leather red, without incurring any pain of forfeiture for the ſame.

How hides ſhall be uſed in tanning.

XI. And be it further enacted by the authority aforeſaid, That after the Feaſt of St. Barthomew next coming, no perſon or perſons whatſoever, which ſhall after the ſaid Feaſt occupy or uſe by him or themſelves, or by any other perſon or perſons, the craft or myſtery of tanning of Leather, ſhall ſuffer any hide or skin to lie in the limes till the ſame be over-limed, nor ſhall put any hides or skins into any Tan-fats, before the lime be well and perfectly ſokened and wrought out of them, and every of them; (2) nor ſhall uſe, imploy, occupy, or put by themſelves, or by any other perſon or perſons, any thing or ſtuff in or about the workmanſhip or tanning of Leather, but only Aſh bark, Oak-bark, Tapwort, Malt, Meal, Lime, Culver-dung, or Hen dung; (3) nor ſhall willingly ſuffer, his or their Leather to be laid, or to hang, or to lie wet in any Froſt, until the ſame be Frozen; (4) nor ſhall dry or parch the ſaid Leather with the heat of the fire, or of the Summer Sun, (5) nor ſhall tan, or cauſe to be tanned any hide or skin being putrified or rotten by long lying, either before the putting of it into to the Limes, or after in the water or liquor, or by any other means: (6) Nor ſuffer the hides for utter ſole Leather to lie in the Woozes any leſs time than twelve months at the leaſt: (7) Nor the hides for upper Leathers in the like Woozes any leſs time than nine months at the leaſt: (8) Nor ſhall negligently work the hides in the Woozes, but ſhall renew and make ſtrong their Woozes, as often as ſhall be requiſite: (9) Nor ſhall after the ſaid Feaſt of Saint Bartholomew, put to ſale any tanned hide or ſkin, which ſhall be after the ſaid Feaſt wrought and tanned in any other ſort than by this Statute is limited and appointed; (10) upon pain of forfeiture of every Ox-hide, Bull-hide, Steer-hide, Cow-hide, or ſkin tanned or wrought, and offered to be put to ſale, contrary to the true meaning of this preſent Act, or the juſt value thereof.

XII. And foraſmuch as much damage hath redounded to the Commonwealth, by reaſon that divers Tanners for their private lucre have uſed to convert to Sole-leather ſuch hides as are altogether inſufficient for that uſe; which hides they do raiſe in the workmanſhip by divers mixtures, thereby making the ſame to ſeem very ſtrong and ſubſtantial leather, whereas the ſame doth in the wearing prove hollow, deceitful, and altogether unprofitable for the Commonwealth:

XIII. Be it enacted by the authority aforeſaid, That no perſon or perſons, uſing, or which hereafter ſhall uſe the craft or myſtery of tanning of leather, ſhall after the Feaſt of Saint Bartholomew next coming, raiſe with any mixtures any hide, to be imployed and converted to backs, bend leather, clouting leather, or any other ſole-leather, except the ſame hides be for largeneſs, ſtate and growth, fit and ſufficient for that uſe and purpoſe, the ſame to be tried by the Triers hereafter in this preſent Act to be appointed, (2) upon pain of forfeiture of all ſuch hides which ſhall be raiſed and converted to ſole-leather, contrary to the true meaning of this preſent proviſion.

Raiſing of hides with mixtures.

XIV. And be it further enacted by the authority aforeſaid, That from the Feaſt of Saint Bartholomew next coming, no perſon or perſons whatſoever, ſhall put, or cauſe to be put to ſale, exchange, or otherwiſe depart with any kind of tanned leather red, and unwrought, but in open Fair or Market in the places therefore commonly accuſtomed, and therefore prepared, unleſs the ſame leather have been before lawfully ſearched and ſealed in ſome open Fair or Market, or other place lawfully appointed to and for the ſearching and ſealing of leather; (2) Nor ſhall after the ſaid Feaſt, offer to put to ſale any tanned leather red and unwrought, before the ſame be ſearched and ſealed according to the Laws and Order of this Statute hereafter mentioned, (3) upon pain of forfeiture for every hide or piece of leather ſo ſold, exchanged, or otherwiſe departed with, contrary to the true meaning of this Act, ſix ſhillings eight pence, and for every dozen of Calves-ſkins or Sheep-ſkins, three ſhillings four pence, and the hide or hides, ſkin or ſkins, and leather in any otherwiſe ſold, exchanged or bought, or the value thereof.

Sale of tanned leather red and unwrought.

XV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons uſing, or which ſhall uſe the myſtery or faculty of tanning, ſhall at any time or times hereafter, offer or put to ſale any kind of leather which ſhall be inſufficiently, or not throughly tanned, or which ſhall not then have been after the tanning thereof well and throughly dried, ſo that the ſame by the Triers of leather lawfully appointed according to this preſent Act, for the time being, ſhall be found to be inſufficiently, or not throughly tanned, or not throughly dried as aforeſaid, That then all and every ſuch perſon and perſons ſo offending, ſhall forfeit and loſe ſo much of his or their ſaid leather as ſhall be found inſufficiently, and not throughly tanned, or not throughly dried as aforeſaid; That is to ſay, the whole hide, back or ſkin, or other piece of leather, if the whole be inſufficiently or not throughly tanned, or not throughly dried: (2) And if the whole hide, back, ſkin or other piece of leather be not ſufficiently, or not throughly tanned, or not throughly dried, then only ſo much of the hide, back, ſkin, or other piece of leather as ſhall be inſufficiently or not throughly tanned, or not throughly dried; the ſame to be cut out by the overſight, diſcretion and direction of the Triers hereafter in this Act to be appointed, upon the Oaths of the ſaid Triers.

Leather not ſufficiently tanned or dried.

XVI. And whereas divers Tanners for greedineſs of gain, do overmuch haſten the tanning of their leather, and for that purpoſe do uſe divers crafty and ſubtile practiſes, ſometime laying their leather in their Fats, ſet in their old Tanhils, where it may be tanned in the hot Woozes, taking unkind heat in the ſame hill, and ſometimes by putting of hot Woozes into their Tan-fats where the ſame hides of leather lie, by which and other like fraudulent practices they make their leather to ſeem both fair and well, and ſufficiently tanned, within a very ſhort ſpace:

Crafty means to overhaſten the tanning of leather.

XVII. For reformation whereof, Be it enacted by the authority aforeſaid, That after the ſaid Feaſt of Saint Bartholomew next coming, no perſon or perſons ſhall ſet their Fats in Tanhills, or other places, where the Woozes or Leather that ſhall be put to tan in the ſame, ſhall, or may take any unkind heats, or ſhall put any leather into any hot or warm Woozes, or ſhall tan any hide, Calve-ſkin or Sheep-ſkin, with any hot or warm Woozes whatſoever, (2) upon pain that every perſon ſo offending ſhall forfeit for every ſuch offence ten pounds, and ſhall alſo for every ſuch offence ſtand upon the Pillory three ſeveral Market-days in the Market-town next to the place where the ſaid offence ſhall be committed.

Leather ſhall not take unkind heats.

XVIII. And foraſmuch as bark is of late become very dear and ſcarce, which happeneth partly by reaſon that divers perſons do ingroſs and buy gaeat quantities thereof, and then do ſell the ſame again at exceſſive and unreaſonable prices, and partly by the unſeaſonable felling of Oak out of the barking time:

XIX. Be it enacted by the authority aforeſaid, That no perſon or perſons ſhall regrate, ingroſs, or get into their hands by buying, contracting or promiſe-taking, any Oaken bark, before it be ſtripped, or after, to the intent to ſell the ſame again, (2) upon pain of forfeiture of all ſuch barks ſo by him or them regrated, ingroſſed or bought, contrary to the true meaning of this preſent branch, or the full value thereof.

There ſhall be no regrating or ingroſſing of Oaken bark.

XX. And

At what time Oaken trees to be barked ſhall be felled.

XX. And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall from and after the ſaid Feaſt of Saint Bartholomew next coming, fell, or cauſe to be felled any Oaken Trees meet to be barked, where Bark is worth two ſhillings a Cart load, over and above the charges of barking and pilling, (Timber to be imployed to or for the neceſſary and needful building and reparations of Houſes, Ships or Mills, only excepted) but between the firſt day of April, and the laſt day of June, upon pain of forfeiture of every ſuch Oaken Tree ſo felled, or double the value thereof.

When Purveyors ſhall fell Timber.

No taking of lops.

XXI. And for the better preſerving of Timber, which by the takers of Timber is ſpoiled through the greedy deſire of gain of the lops, tops, or barks of Timber-trees; Be it therefore enacted by the authority aforeſaid, That no taker or takers, purveyor or purveyors of Timber, or his or their deputy or deputies, ſhall fell, or cauſe to be felled for the uſe of the Kings Majeſty, his Heirs or Succeſſors, any Oaken Timber-tree or trees meet to be barked, but in barking time, (trees to be felled for the needful and neceſſary building or repairing of any his Majeſties Houſes or Ships only excepted) (2) Or ſhall in any wiſe take or receive any manner of profit, gain or commodity by any lops, tops, or bark of any trees, to be taken by them, or any of them, (3) Or ſhall in any wiſe take, carry away, give, ſell, or diſpoſe from the Owner, any more of any tree to be taken as is aforeſaid, than only the Timber, of the ſame tree or trees, to be uſed and beſtowed, or imployed only in, upon or about the Kings Majeſties Buildings or Ships, (4) upon pain of forfeiture to the party grieved, for every tree, and for the lops, tops, and bark of every tree taken contrary to the meaning of this article, fourty ſhillings; (5) And that it ſhall be lawful to the party of whom ſuch tree or trees ſhall be taken, or to any other for and in his name, to take, retain, withhold and keep to himſelf all the bark, lop or top of ſuch tree or trees, any Commiſſion or other matter whatſoever notwithſtanding.

Currying of leather.

The Curriers forfeiture for miſuſing of leather.

XXII. And foraſmuch as no Leather can be ſo well tanned, but it may be marred in the currying, Be it therefore enacted by the authority aforeſaid, That from and after the Feaſt of Saint Michael the Archangel, next coming, no perſon or perſons ſhall curry any kind of Leather in the houſe of any Shoomaker, or other perſon, but only in his own houſe ſituate in a Corporate or Market-Town, (2) nor ſhall curry any kind of Leather, except it be well and perfectly tanned, (3) nor ſhall after the ſaid Feaſt of Saint Bartholomew, curry any hide or skin being not throughly dry, after his wet ſeaſon, in which wet ſeaſon he ſhall not uſe any ſtale, urine, or any other deceitful or ſubtile mixture, thing, way or means to corrupt or hurt the ſame; (4) Nor ſhall curry any leather meet for utter ſole leather, with any other ſtuff than with hard Tallow, nor of any leſs of that then the leather will receive; (5) Nor ſhall curry any kind of leather meet for over-leather, and inner ſoles, but with good and ſufficient ſtuff being freſh and not ſalt, and throughly liquored till it can receive no more; (6) Nor ſhall burn or ſcald any hide or leather in the currying; (7) Nor ſhall ſhave any leather too thin; Nor ſhall gaſh or hurt any leather in the ſhaving, or by any other means, (8) but ſhall work the ſame ſufficiently in all points and reſpects, upon pain of forfeiture for every ſuch offence or acts done contrary to the true meaning of this article (other than in gaſhing or hurting in ſhaving) ſix ſhillings eight pence, and the value of every ſuch skin or hide marred by his evil workmanſhip; (9) and for every offence to be done againſt this article, in gaſhing or hurting by ſhaving, double ſo much to the party grieved, as the leather ſhall be impaired thereby, by the judgment of the Wardens of the Curriers, and the Warden of the Company whereof the party grieved ſhall be.

Who ſhall curry leather in or near London.

XXIII. And be it further enacted That no Cordwayner, Shoomaker, or other perſon or perſons dwelling or inhabiting within the City of London or the Liberties of the ſame, or dwelling within three miles of the ſaid City, and Occupying wet curried leather in his Art or Occupation, ſhall put, or cauſe to be put any leather to be curried, but to ſuch perſon or perſons as be, or ſhall be free of the Company of the Curriers of the City of London, upon pain of forfeiture of all ſuch curried leather, or the value thereof.

Curried Leather ſhall be ſearched and ſealed.

XXIV. And be it further enacted, That no perſon or perſons ſhall by any means occupy, or put in any made wares within the City of London, or three miles of the ſame City, any curried leather, before the ſame ſhall be ſearched and allowed by the Wardens of the Curriers of London, for the time being, or ſuch perſons as they ſhall thereto aſſign, and be ſealed with a Seal therefore to be prepared, (2) upon pain that every Shoomaker, and other Artificer, Cutter of leather, offending againſt this article, ſhall forfeit for every hide or skin otherwiſe curried or imployed as is aforeſaid, ſix ſhillings eight pence, and the value of every ſuch hide or skin.

A Currier ſhall not be Tanner, Shoomaker, Butcher, &c.

XXV. And be it further enacted, That no perſon occupying the Feat or Myſtery of a Currier, ſhall uſe or exerciſe the Feat or Myſtery of a Tanner, Cordwayner, Shoomaker, Butcher, or other Artificer uſing cutting of leather, during the time that he ſhall ſo uſe or occupy the Myſtery of a Currier, (2) upon pain of forfeiture of ſix ſhillings and eight pence for every hide or skin that he ſhall curry, during the time that he ſhall occupy or uſe any of the Myſteries aforeſaid, contrary to the meaning of this article.

Within what time Leather ſhall be curried.

XXVI. And further be it enacted, That no Currier or Curriers ſhall after the ſaid Feaſt of Saint Bartholomew, refuſe to curry any leather to him or them for that purpoſe brought, by any ſuch Artificer as is or ſhall be a cutter of leather, the ſame Artificer or his ſervant bringing with him or them good and ſufficient ſtuff, as is before mentioned, for the perfect liquoring of the ſame leather, and that the ſaid leather in the preſence of the ſaid Artificers, Cutters of leather, his ſervant or ſervants (if he or they will be preſent) ſhall be liquored and curried in all things and degrees perfectly; And if he or they will not be preſent, it ſhall nevertheleſs be likewiſe liquored and curried in his or their abſence perfectly, with as convenient ſpeed as may be, not exceeding eight days in Summer, and ſixteen days in Winter, after he ſhall or may take it in hand, (2) upon pain to forfeit to the party grieved, for every hide or piece of leather not in this manner curried, and well and ſpeedily dreſſed, x. s.

Curried Leather ſhall be ſearched and ſealed.

XXVII. And be it further enacted by the authority aforeſaid, That the Wardens of the Curriers for the time being, or ſuch perſons as they ſhall aſſign and appoint, ſhall from time to time, ſearch and try all ſuch curried leather as ſhall be brought to any of their Company to be curried, and ſhall with a Seal therefore to be prepared, with convenient ſpeed, not exceeding one day after the currying and requeſt made, ſeal ſuch leather as they ſhall find ſufficiently curried, (2) taking for every hide ſo ſealed, after the rate of a peny for the Dicker, and for every ſix dozen of Calves skins, one peny, and not above, to be paid by the Currier: (3) upon pain of forfeiture for every hide which ſhall not be ſearched and ſealed as is aforeſaid, vi. s. viii. d.

The Cordwayners duty in making of boots, ſhoes, buskins, ſlippers, &c.

XXVIII. And foraſmuch as leather well tanned and curried, may by the negligence, deceit, or evil workmanſhip of the Cordwayner or Shoomaker, be uſed deceitfully, to the hurt of the occupier or wearer thereof, (2) Be it further enacted by the authority aforeſaid, That no perſon or perſons which after the ſaid Feaſt of Saint Bartholomew next coming, ſhall occupy the myſtery or occupation of a Cordwayner or Shoomaker, ſhall make or cauſe to be made any Boots, Shoes, Buskins, Startops, Slippers or Pantofles, or any part of them of Engliſh leather wet curried, (other than Deer-skins, Calve-skins or Goat-skins, made and dreſſed, or to be made or dreſſed like unto Spaniſh leather) but of leather well and truly tanned and curried in manner and form aforeſaid, or of leather well and truly tanned only, and well and ſubſtantially ſewed with good thread, well twiſted and made, and ſufficiently waxed, with wax well roſened, and the ſtitches hard drawn with hand-leathers, as hath been accuſtomed, without mixing or mingling over-leathers, that is to ſay, part of the over-leather being of Neats leather, part of Calves-leather; (3) Nor ſhall put into any Shoes, Boots, Buskins, Startops, Slippers or Pantofles, any leather made of a Sheep-skin, Bull-hide or Horſe-hide; (4) Nor in the upper leather of any Shoes, Startops, Slippers or Pantofles, or into the neather part of any Boots (the inner part of the Shoe only excepted) any part of any hide from which the ſole leather is cut, called the wombs, neck, ſhank, flank, powle or cheek, (5) nor ſhall put in the utter ſole any other leather than the beſt of the Ox or Steer-hide, (6) nor into the inner ſole any other leather than the wombs, neck, powle or cheek, nor in the treſwels of the double ſole Shoes, other then the flanks of the hides aforeſaid; (7) Nor ſhall make, or put to ſale in any year between the laſt of September, and the twentieth of April, any Shoes, Boots, Buskins, Startops, Slippers or Pantofles, meet for any perſon to wear exceeding the age of four years, wherein ſhall be any dry Engliſh leather, other than Calve-skins or Goat-skins, made or dreſſed, or to be made or dreſſed like unto Spaniſh leather, or any part thereof: (8) Nor ſhall ſhew, to the intent to put to ſale, any Shoes, Boots, Buskins, Startops, Slippers or Pantofles, upon the Sunday, (9) upon pain of forfeiture for every pair of Shoes, Boots, Buskins, Startops, Slippers and Pantofles, made, ſold, ſhewed, or put to ſale contrary to the true meaning of this Act, three ſhillings and four pence, and the juſt and full value of the ſame.

No ſale, or ſhewing of boots, ſhoes, &c. upon the Sunday.

XXIX. And be it further enacted for the true execution of this Statute, That the Maſter and Wardens of the ſeveral Myſteries of Cordwayners, Curriers, Girdlers and Sadlers of the City of London for the time being, by what name or names ſoever they be incorporated or intituled, or the more part of the ſaid Maſter and Wardens of every the ſaid ſeveral myſteries, upon pain to forfeit forty pounds for every year, that they make default, the one half thereof to be to the Kings Majeſty, his Heirs and Succeſſors, and the other half to him or them that will ſue for the ſame, (2) ſhall by virtue of this Act four times in the year at the leaſt, that is to ſay, once every quarter of the year, or oftner if need require, as they ſhall think good, make true ſearch and view of and for all Boots, Shoes, Buskins, and other wares and things whatſoever made of tanned leather, in all and every houſe and houſes, place and places, priviledged or not priviledged, as well within the City of London and Suburbs thereof, as in every other place within three miles of the ſame City, where any Shoomaker, Sadler, Girdler, Currier, or other Artificer uſing, cutting, working or dreſſing of leather, doth or ſhall dwell, or occupy any of the occupations of cutting, working or dreſſing of leather, whether the ſame Boots, Shoes, Wares, Stuff, and other things be made of tanned leather, and be wrought according to the purport, effect and true meaning of this Statute, or not: (3) And that it ſhall and may be lawful to and for the ſaid ſeveral Maſters and Wardens of the ſaid ſeveral myſteries which ſhall be for the time being, to take, ſeize, and carry away to their ſeverall Common Halls, all ſuch Boots, Shoes, Wares, Stuff, or other things which the ſaid ſeveral Maſters and Wardens ſhall find in their ſeveral ſearches inſufficiently made, curried or wrought.

Wares made of tanned leather in or near London ſhall be ſearched.

Wares of leather that be inſufficient, may be ſeized and carried away.

XXX. Provided always, That none of the ſeveral Maſters and Wardens of the ſaid ſeveral Companies of Cordwayners, Curriers, Girdlers or Sadlers, ſhall ſearch any perſon or perſons, but ſuch as uſe and exerciſe the myſtery or occupation of the ſaid Maſter and Wardens, (2) and that the Coachmakers dwelling within the ſaid City of London, or three miles from the ſame, ſhall be under the ſurvey and ſearch of the Maſter and Wardens of the Company of the Sadlers of London.

Who may ſearch and be ſearched.

XXXI. And be it further enacted, That the ſaid Mayor of the City of London, and the Aldermen for the time being, upon like pain of forty pounds likewiſe to be levied and imployed, ſhall likewiſe yearly appoint eight of the moſt ſubſtantial, honeſt, and expert perſons, being freemen of ſome of the Companies of Cordwayners, Curriers, Sadlers or Girdlers within the City of London, whereof one ſhall be a ſealer, and keep a Seal for the ſealing of leather, to be prepared, who ſhall alſo be ſworn before the ſaid Mayor and Aldermen for the time being, to do their Office truly; (2) Which ſaid ſearchers and ſealers ſhall view and ſearch all and every tanned hide, ſkin or leather, which ſhall be brought as well to the Market of Leaden-hall, as to any other lawful Fair or Market therefore uſually appointed within three miles of the ſaid City, whether the ſame be ſufficiently and throughly tanned, and throughly dried, according to the purport and true meaning of this Statute, or no; (3) And finding it ſufficiently and throughly tanned, and throughly dried, in ſuch manner and form as by this Statute is appointed, ſhall ſeal the ſame with the ſaid Seal.

Sellers of leather ſhall be appointed by the Mayor, &c. of London and their authority.

XXXII. And be it further enacted by the authority aforeſaid, That all Mayors, Bailiffs,

and

Searching and ſealing of leather in all other parts of the Realm.

and other Head-officers for the time being, in all other Cities, Boroughs, and Market-towns of this Realm, and all Lords of Liberties, Fairs and Markets out of the Circuit or compaſs of the ſaid three miles, ſhall upon like pain of fourty pounds likewiſe to be levied and imployed, every year that they make default therein, appoint and ſwear yearly two, three, or more perſons, of the moſt honeſt and skilful men within their ſeveral Offices or Liberties, by their diſcretion to ſearch and view within the precinct of their ſeveral Offices, Liberties and authorities, (2) which ſhall as often as they ſhall think good, or need ſhall be, make like ſearch within their limits, and ſhall have a mark or ſeal prepared for that purpoſe: And that the ſaid ſearchers or one of them, ſhall keep the ſame ſeal or mark, and with the ſame ſhall ſeal and mark ſuch leather as they ſhall find ſufficient, and no other: (3) And if the ſaid ſearchers, or any of them do find any leather ſold or offered to be ſold, or brought to be ſearched or ſealed, which ſhall be tanned, wrought, converted, or uſed contrary to the true intent and meaning of this Statute, or any leather inſufficiently curried, or any Boots, Shoes, Bridles, or any other thing made of tanned or curried leather, inſufficiently tanned, curried or wrought, contrary to any proviſion in this preſent Act, it ſhall be lawful to the ſaid ſearchers, or any of them, to ſeize all ſuch Leather, Shoes, or other wares made of Leather, (4) and to retain the ſame in their cuſtody, until ſuch time as the ſame be tried by ſuch Triers, and in ſuch manner and form, as is hereafter in this Statute appointed.

Six Triers of leather ſhall be appointed in London,

XXXIII. And to the end there may be an indifferent and equal courſe eſtabliſhed, for the triing of all ſuch Leather, Boots, Shoes, and other wares made of Leather, as ſhall be ſeized by virtue of this Act; (2) be it enacted by the authority aforeſaid, That the Mayor of the City of London for the time being, within ſix days after notice to him given of any ſeizure made of any Leather, red or unwrought, within the juriſdiction of the ſaid City, or three miles diſtant from the ſame, either by the Owner or Owners, or by the Seizers of the ſaid Leather; ſhall elect and appoint ſix honeſt and expert men, whereof there ſhall be of the better ſort of the Company of Cordwainers of London two, of the better ſort of the Curriers of London two, and other two of the better ſort of Tanners uſing Leaden-Hall Market, who ſhall be no Kin or of Affinity to the ſaid Owner or Owners: (3) who upon their corporal Oaths to be taken before the ſaid Mayor, ſhall on the ſecond or third Market-day at the fartheſt, to be holden upon the Munday for leather next after the ſaid ſeizure, in the afternoon of the ſame day (to the intent the Owner or Owners may conveniently be preſent) enquire, ſtraitly examine and try whether the ſaid leather ſo ſeized ſhall be ſufficient and ſerviceable or not, according to the intent and true meaning of this preſent Act.

Triers of tanned leather in other places.

XXXIV. And be it further enacted, That every other Mayor, Bailiff, or other Head-officer or Lord of Liberty, or his ſufficient deputy out of the ſaid compaſs of the ſaid three miles, within whoſe precincts or liberties any ſuch ſeizure of any kind of tanned leather, red or curried, or of ſhoes, boots, or other wares, made of tanned leather, ſhall happen to be, ſhall with all convenient ſpeed after notice unto him given of any ſuch ſeizure, appoint ſix honeſt and expert men to try whether the ſame leather, boots, ſhoes or other ware ſo ſeized, be ſufficient and according to the true intent of this Statute, or not, the ſame tryal to be made openly upon ſome Market-day, and within fifteen days at the furtheſt next after ſuch ſeizure made, upon the Oaths of the ſaid Triers.

The forfeiture of chief Officers for not appointing of Triers.

XXXV. And be it further enacted by the authority aforeſaid, That if the ſaid Mayor of the City of London for the time being or any other Mayor, Bailiff, or other Head-officer of any other City, Borough, Corporate or Market-town, or any Lord of any Liberty, Fair or Market, ſhall make default in the nomination or appointment of any the aforeſaid Triers to be nominated and appointed in ſuch manner and form as is before ordained, That then every ſuch Mayor, Bailiff, or other Head-officer, or Lord of Liberty, Fair or Market, making ſuch default, ſhall forfeit and loſe for every ſuch default five pounds, the one moiety thereof ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other half to him or them that will ſue for the ſame, in any of the Kings Majeſties Courts of Record, by Bill, Plaint, Information, or otherwiſe: (2) And that the ſaid perſons ſo elected and appointed for the trial of the ſaid leather, ſhoes, boots, or other wares made of tanned leather, ſo to be ſeized as aforeſaid, ſhall proceed and do their duties therein without delay, according to the true intent and meaning of this preſent Act, (3) upon pain that every of them making default herein, ſhall for every ſuch ſeveral default forfeit and pay five pounds.

The ſearchers and ſealers of leather ſhall be changed yearly in London.

XXXVI. And be it further enacted, That four of the ſaid ſearchers and ſealers ſo to be appointed within the ſaid City of London as aforeſaid, ſhall be at the end of every year changed and removed, and ſo many new choſen in their rooms and places; (2) And that no perſon or perſons ſhall remain, continue, or be in the ſaid Office of ſearching or ſealing of leather within the ſaid City of London, above the ſpace of two year together; (3) and he or they which ſhall ſerve or be imployed in the ſaid Office of Searching and ſealing of leather two years, ſhall not in the ſaid office be choſen, ſerve or imployed again, until the end of three years at the leaſt then next following, (4) upon pain that every perſon offending or doing the contrary, ſhall forfeit and loſe for every month that he ſhall ſo contrarily uſe and exerciſe the ſaid Office, ten pounds.

The forfeiture of a ſearcher or ſealer omitting his duty, or taking of bribes.

XXXVII. And be it further enacted by the authority aforeſaid, That if any ſearcher or ſealer of leather ſhall refuſe with convenient ſpeed to ſeal any leather ſufficiently tanned, wrought and uſed, according to the true meaning of this preſent Act, or do allow, that which ſhall be inſufficient, That then every ſearcher and ſealer ſhall forfeit for every ſuch offence forty ſhillings: (2) And further, That if any ſearcher of leather ſhall receive any Bribe, or exact any other Fee for the execution of his ſaid Office, then is by this preſent Statute limited, for the ſearching ſealing, and regiſtring of leather, That then every ſuch ſearcher or ſealer ſo offending ſhalll forfeit for every ſuch offence twenty pounds: (3) And that if any perſon or perſons duly elected, according to the true meaning of this preſent Act, to and for the execution of the ſaid office of ſearching or ſealing of leather refuſe to execute the ſaid office, that then the ſaid perſon or perſons ſo refuſing ſhall forfeit and pay ten pounds.

XXXVIII. And

Leather brought to Leaden-Hall, to be viewed and regiſtred.

XXXVIII. And be it further enacted by the authority aforeſaid, That all red tanned leather which ſhall be brought into the City of London, or within three miles compaſs from the ſame, whether it be to be ſold, or be bought beforehand or no, ſhall be brought to Leaden-Hall, before it be houſed in his or their own houſes, and there viewed whether it hath been ſearched or ſealed, or no, and ſhall alſo be regiſtred by the ſearchers to be appointed, as is aforeſaid, with half ſuch fees to be paid for ſuch of the ſaid tanned Leather as ſhall be bought out of the ſaid City of London, or three miles compaſs from the ſame, and ſhall be duly ſearched and ſealed before it be brought within the ſaid City, as is hereafter expreſſed for Leather to be ſold in Leaden-Hall, (2) upon pain that every perſon houſing, or not bringing his Leather to Leaden-Hall, as is aforeſaid, ſhall forfeit for every hide or ſkin, ſix ſhillings eight pence. (3) Provided, That this Article ſhall not extend to any Leather to be bought in Bartholomew Fair, or Southwark Market, being ſearched, ſealed and regiſtred according to the true meaning of this Act.

Leather bought in Bartholomew Fair, or Southwark Market

Searching and ſealing of leather in or near London.

XXXIX. And be it alſo further enacted by the authority aforeſaid, That no tanned Leather ſhall be ſold within the City of London, or three miles diſtant from the ſame, before the ſame have been ſearched and ſealed by the ſearchers and ſealers by virtue of this Act to be appointed to and for the ſearching and ſealing of Leather within the ſaid City, and three miles diſtant from the ſame, upon pain of forfeiture of all ſuch tanned Leather otherwiſe ſold, or the full value thereof.

The penalty for denying of ſearch or ſeizing of inſufficient wares.

XL. And alſo be it further enacted, That if any perſon will after the ſaid Feaſt of St. Bartholomew, next coming, wilfully withſtand or deny any ſuch ſearch to be made, according to te tenour of this Act, as is aforeſaid, or will not ſuffer the ſaid ſeveral Maſters and Wardens of the ſeveral Companies of Cordwainers, Curriers, Girdlers or Sadlers, or other ſearchers ſo appointed, to enter into his or their houſe or houſes, or other place to view and ſearch at their will and pleaſure, all manner of tanned Leather, and all manner of ſhoes, boots, mails, ſaddles, coach-coverings and harneſs, and all manner of wares wrought and made, or to be wrought and made of Leather, and to ſeize and carry away all ſuch Leather, ſhoes and wares as they ſhall find inſufficiently tanned, curried or wrought, or made of ill ſtuff; That then all and every ſuch perſon or perſons ſo denying and withſtanding, and not ſuffering the ſaid Maſters and Wardens and Searchers, or any of them ſo appointed for the time being, to enter and make ſearch, and ſeize as is aforeſaid, ſhall loſe and forfeit for every time ſo denying and withſtanding, five pounds.

Regiſtring of leather ſold and bought, and the fees thereof.

XLI. And be it further enacted, That ſuch perſon and perſons as hereafter ſhall be aſſigned and appointed ſearchers and ſealers of tanned Leather, by virtue of this Act, ſhall within the limits and precincts of every of the ſearches, keep one Book or Regiſter, wherein they ſhall enter all ſuch bargains as ſhall be made for Leather, hides, or ſkins, by any perſon or perſons during and by all the time of the Fair or Market, being thereunto required by the buyer or the ſeller, and alſo the prices of ſuch Leather bought and ſold, with the names and dwelling-places of the buyer and ſeller, (2) taking for the ſearching, ſealing and regiſtring of every ten hides, backs, or buts of Leather, with the necks, wombs and dibbings, or other pieces of offal cut off from the ſaid backs or buts of Leather, of the ſeller of every ſuch ten hides, backs or butts of Leather ſo entred, two pence, and ſo after the rate; and for every ſix dozen of calves ſkins or ſheep ſkins, two pence, and of the buyer, after the ſame rate, and no more, greater, or other ſum or ſums of money to be paid for ſearching, ſealing, or entring of any tanned leather.

The penalty for ſelling of tanned Leather not regiſtred. 4 Jac. 6.

XLII. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall after the ſaid Feaſt of St. Bartholomew next coming, ſell, exchange, or put away, or cauſe to be ſold, exchanged or put away, any manner of tanned Leather, red and unwought, except he or they regiſter or cauſe to be regiſtred the ſaid tanned Leather, and every part and parcel thereof, and the price thereof, (2) upon pain of forfeiture of the value of the Leather ſo ſold, exchanged or put away and not Regiſtred.

The penalty for buying of Leather not ſealed or regiſtred.

XLIV. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful to or for any perſon or perſons to buy any tanned Leather before the ſame ſhall be ſearched and ſealed, nor to carry, or cauſe to be carried out of the Fair or Market, any Leather, till it be regiſtred as aforeſaid, (2) upon pain to forfeit the ſaid Leather, or the value thereof, ſo bought, and not ſearched and ſealed, or carried away and not Regiſtred.

The penalty of the Currier or Cordwainer omitting his duty.

XLIV. And be it further enacted by the authority afareſaid, That if any Currier within the ſaid City of London, or three miles compaſs of the ſame, after the ſaid Feaſt of St Bartholomew next coming, do curry any Leather inſufficiently tanned, or after the ſaid Feaſt do not curry ſuch leather as he doth or ſhall curry, ſubſtantially and well, accordiug to the meaning and purport of this Act: (2) or if any Shoemaker, Cordwainer or Cobler within the City of London, or three miles compaſs of the ſame, after the ſaid Feaſt of S. Bartholomew next, put any tanned Leather into any ſhoes, boots, buskins, ſtartops, ſlippers, pantofles, or other things made of tanned Leather, which ſhall not be well and perfectly tanned, according to the purport and true meaning of this Act; (3) or after the ſaid Feaſt do put any curried Leather into any boots, buskins, ſtartops ſhoes, ſlippers, pantofles, or other things made of Leather which ſhall not be well and ſufficiently tanned and curried, and alſo ſealed as is aforeſaid; (4) or do make boots, buskins, ſhoes, ſtartops, ſlippers, pantofles, or other things made of Engliſh tanned Leather, in any other manner then is above ſpecified and ordained: (5) Or if any Shoemaker, Sadler, or other Artificer uſing, cutting or working of Leather, dg make any wares of any tanned Leather inſufficiently tanned, or of tanned or curried Leather, being not ſufficiently tanned and curried as aforeſaid, (6) or do not make their wares belonging to their ſeveral occupations, ſufficiently and ſubſtantially; (7) That then every perſon ſo offending, ſhall forfeit for every ſuch ſeveral offence or default, the ſaid wares, and the juſt value thereof.

XLV. Provided always, and be it enacted, That no manner of perſon or perſons ſhall after the ſaid Feaſt of S. Bartholomew, utter or ſell, or cauſe to be uttered or ſold within

No ſelling of wares in London, but in open ſhop, fair or market.

the ſaid City of London, or within three miles compaſs of the ſame, any manner of wares appertaining to the craft or myſtery of any Artificer uſing cutting of Leather, but only in open ſhop, common Fair or Market, whereby the ſaid Wardens may have the true ſearch of the ſame, (2) upon pain of forfeiture of all ſuch wares ſo ſold, and ten ſhillings for every time.

All cutters of leather in or near London, ſhall be under ſearch.

Who ſhall have the money forfeited by this Statute.

How the wares made of tanned leather forfeited in London, ſhall be diſtributed.

How the wares made of tanned leather forfeited in other places, ſhall be diſtributed.

XLVI. Provided alway, and be it enacted, that all and every perſon and perſons whatſoever, now being, or that hereafter ſhall be free of the ſaid City of London, of what Company ſoever, and all foreiners, Engliſh, or aliens and ſtrangers born, dwelling or inhabiting, or which hereafter ſhall dwell or inhabit within the City of London, or three miles compaſs of the ſame, as well within places privileged as not privileged, uſing or exerciſing any Manual occupation of cutting or working of leather into made wares, ſhall be under the ſurvey and ſearch of the Maſters and Wardens of ſuch Companies of the ſaid City of London, as the Artificers commonly uſing the ſame Myſtery or Occupation, being Freemen of the City of London, and of the ſame Company, be, touching or concerning only their ware and ſtuff made of or with leather, in like manner and form as other Freemen of the ſame Company be or ſhall be, (2) and ſhall contribute and pay to the ſaid ſeveral Maſters and Wardens of the ſaid ſeveral Companies for the time being, within the ſaid City, as the Artificers uſing the ſame Myſtery, being Freemen of the ſaid City, and of the ſame ſeveral Companies, ſhall contribute and pay; the ſame to be recovered by diſtreſs or action of debt, in any of the Kings Majeſties Courts of Record; in which no wager of Law for the defendant to be allowed: (3) All which pains, penalties and forfeitures aforeſaid, of ſums of money aforeſaid, (except ſuch pains, and penalties and forfeitures, as are before, or hereafter by this Act ſhall otherwiſe be diſpoſed) ſhall be divided into three equal parts; one part whereof ſhall be to our Sovereign Lord the King, his heirs and Succeſſors; and another part to him or them that ſhall firſt ſue for the ſame in any of the Courts of Record of the Kings Majeſty, his heirs and Succeſſors, by action of debt, bill, plaint or information, or otherwiſe; In which ſuit no wager of Law or Eſſoin ſhall be admitted or allowed; and the third part thereof ſhall go to the City, Borough, Town, or Lord or Lords of Liberties where the offence ſhall be committed or done: (4) And all ſuch leather, ſhoes, boots, buſkins, ſtartops, ſlippers, pantofles, wares, ſtuff, or other things whatſoever made of tanned leather, or curried leather, which ſhall be ſeized by virtue of this Act, and ſhall be found by the Tryers to be appointed as is aforeſaid, or by the Maſters and Wardens of the ſeveral Companies aforeſaid, to be inſufficient, ſhall be forfeited and diſtributed as hereafter followeth: That is to ſay, Such leather or ſtuff ſo ſeized within the City of London, or within three miles compaſs of the ſame, to be brought to Guild-Hall in London, there to be prized by indifferent perſons, and the value thereof to be divided into three parts, whereof one part to be to the firſt ſeizer or ſeizers of the ſaid unlawful ſtuff, and another part to the uſe of the Chamber of London, and the other part to be diſtributed to the poor folks as well being within the new Hoſpital of S Bartholomews in London, as to ſuch poor houſholders as ſhall be inhabiting within the City of London, or the circuit aforeſaid, at the diſcretions of ſuch perſons as the Mayor of the ſaid City, and four Aldermen of the ſame for the time being, ſhall appoint for the ſame: (5) And that all ſuch leather, boots, ſhoes, ſaddles, wares, ſtuff, and things made of or with leather as is aforeſaid, which ſhall be found within any other City, Borough, Town or place within this Realm, out of the ſaid City of London, and three miles compaſs, unſufficiently wrought, tanned or curried as is aforeſaid, and ſhall be ſeized and tried to be forfeited in manner and form aforeſaid, ſhall be brought to the common Hall of every ſuch City, Borough and Town, or to ſome convenient and open place to be appointed by the Lord of the Liberty or his Deputty, where no common Hall is, there to be prized as is aforeſaid: (6) One part of the ſaid value thereof to be diſpoſed unto the poor, and in other deeds of charity in thoſe parts, after the diſcretion of the Mayors, Bayliffs, Headboroughs, and Lords of Liberties; Another part to be delivered to the Mayors, Bayliffs, and other Head-Officers of any City, Borough or town-corporate, to the uſe of the Commonalty of ſuch City, Borough or Town corporate; and where no ſuch Officers be, then to the Lord or Lords of the Liberty where any ſuch forfeiture ſhall be committed, or ſeizure had; And the third part to the ſeizor or ſeizors of ſuch leather, ſtuff or wares inſufficiently tanned, curried or wrought, as is aforeſaid, for his and their pains.

Forfeited ware ſhall not be ſold to him that will ſell it again.

XLVII. Provided always, That no perſon to whom any ſuch unlawful leather or ſtuff ſhall be given by this Act, ſhall give or ſell any ſuch leather or ſtuff to any perſon or perſons that ſhall ſell the ſame, upon pain that the buyer ſhall forfeit for every parcel of ſuch unlawful leather or ſtuff to be ſold contrary to the true meaning of this laſt clauſe, three ſhillings four pence.

The authority of the Officers in Oxford and Cambridge for ſearch of leather, reſerved.

XLVIII. Provided always, That this Act, nor any thing therein contained, ſhall not in any wiſe be prejudicial or hurtful to the Chancellors, Vicechancellors, Proctors, Taxors and Scholars, their Officers, Miniſters, Aſſigns or Farmors of the Univerſities of Oxford and Cambridge, or any of them, of, for or concerning the authority of ſearch of tanned leather, or any of the forfeitures of the ſame, which they lawfully had, or might have had before the making of this preſent Act; ſo as they do in all things obſerve ſuch order in, about, or for ſearching, ſealing and regiſtring of leather, as by this Act is preſcribed aud appointed, upon the pain therein contained; any thing therein contained to the contrary notwithſtanding.

What ſhall be reputed leather

XLIX. And for the avoiding of all ambiguities and doubts which may and do grow upon the definition and interpretation of this word Leather, (2) It is enacted and declared by theſe preſents, That the hides and ſkins of Ox, Steer, Bull, Cow, Calf, Deer red and fallow, Goats and Sheep, being tanned or tawed, and every ſalt Hide, is, ſhall be, and ever hath been reputed and taken Leather.

L. And for the better execution of this Act, Be it further enacted, That all Juſtices of Aſſiſe, Juſtices of Gaol-delivery, Juſtices of Peace, and Stewards of Franchiſes, Leets and Law days, within their ſeveral juriſdictions and liberties, and Mayor of London for the time being within the ſaid City, and within three miles compaſs of the ſaid City, and all other Mayors, Bayliffs, and other Head-officers of Cities, Boroughs and Towns, within their ſeveral juriſdictions, liberties, precincts, offices and authorities, ſhall enquire of all the premiſſes in their Seſſions, Leet or Law-day, and hear or determine the ſame, and alſo by their diſcretions examine all perſons ſuſpected to offend this Act, or any parcel thereof.

Which Officers may inquire of, and puniſh the offences aforeſaid.

LI. And be it further enacted, That where any Manor, Liberty or Franchiſe immediately appertaineth to the Kings Majeſty, his heirs or Succeſſors, the Steward for the time being of every ſuch Manor, Liberty and Franchiſe, ſhall have the like authorities, powers, juriſdictions and advantages, and alſo ſhall bear and pay all the like pains, penalties and forfeitures, as are given, appointed, limited, or laid by this Statute to or upon the Lords of Liberties and Franchiſes, as in this Statute is expreſſed.

The ſtewards authority of a Manor of the Kings.

LII. And be it further enacted, That all currying and dreſſing of Leather, commonly called Dry currying, and frizing, ſhall be conſtrued to be dreſſing and currying of the manner of Spaniſh Leather, of what colour ſoever it be; And that to all Artificers (other than Shoomakers yearly between the laſt of September, and the twentieth of April) it ſhall be lawful to uſe all kinds of Leather dreſſed and curried in that manner of dry currying, and frizing, as they lawfully might before the making of this Act, ſo that the ſame Leather ſo to be uſed, be well and ſufficiently tanned, according to the form preſcribed in this Act, and alſo well and ſubſtantially dreſſed, curried and frized, in the manner of dry curring and frizing abovesaid.

Dry currying and Fryzing of Leather, and who may uſe it.

LIII. And be it enacted by the authority aforeſaid, That this Act and every part thereof, ſhall be conſtrued and adjudged to extend to Wales, as amply as it doth to this Realm, to all intents, conſtructions and purpoſes.

This Act ſhall extend to Wales.

LIV. And foraſmuch as (notwithſtanding the good Laws, and great penalties in that behalf provided) great quantities of Leather are daily tranſported out of this Realm, and eſpecially by the negligence and corruption of Controllers, Cuſtomers, Searchers and all their deputies, (2) Be it therefore enacted by the authority aforeſaid, That if any Leather wrought, cut, or unwrought, to the intent to be ſold or bartered, ſhall hereafter unlawfully be tranſported, or purpoſed to be tranſported into the parts beyond the Sea, from and out of any port, haven, or creek of this Realm, or Wales, Every Controller, Cuſtomer, Surveyor, Collector of Tonnage and Poundage, and the Searchers, and the Deputy of any of them, or any other perſons hearing and knowing by any ways, of any Leather meant to be tranſported from any place within his office, and do not his beſt endeavour to ſeize the ſame, or being tranſported, do not diſcloſe or cauſe to be diſcloſed the ſame within forty days next after ſuch knowledge, or hearing of the ſame, in ſome Court of Record, ſo as the offender may be puniſhed according to the Laws in that caſe provided, ſhall for the firſt offence committed againſt this article, forfeit an hundred pounds; (3) and for the ſecond offence ſhall forfeit his Office.

The forfeiture of Cuſtomers, &c. ſuffering Leather to be tranſported, and not to ſeize or diſcloſe it.

18 Eliz. 8.

LV. And be it further enacted, That every Cuſtomer, Officer or Officers Deputy that ſhall make any falſe Certificate of the arrival of any Leather in any port, creek, or place of this Realm, ſhall forfeit for every ſuch offence, an hundred pounds.

LVI. Provided alway, That neither this Act, nor any article, expoſition, or thing therein contained ſhall extend to any Scottiſh hides to be brought into the Town of Berwick out of the Realm of Scotland, being regiſtred in a Book therefore to be kept by ſuch perſon or perſons as the Mayor of the ſaid Town for the time being ſhall thereunto name and appoint, with the name and ſirname of the buyer and ſeller, to the intent the Engliſh hides might be known from the Scottiſh, but that the Inhabitants of the ſaid Town of Berwick may ſend, carry and tranſport ſuch Scottiſh Hides, as they lawfully might tranſport before the making of this Act.

This Act ſhall not extend to Scottiſh Hides brought to Berwick.

LVII. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time hereafter procure or obtain any Grant, or Letters Patents, purporting to give licence or authority to any perſon or perſons to diſpence with, or tolerate any offence againſt any clauſe, proviſion or article in this preſent Act, That then and immediately from and after ſuch Letters Patents, or Grant obtained, all and every ſuch clauſes, articles and proviſions, ſo by the ſaid Letters Patents or Grant authorized or licenſed to be diſpenced with, or tolerated as aforeſaid, ſhall be utterly repealed, void, and of none effect; any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding: (2) This Act to endure until the end of the next Seſſion of the next Parliament.

Licences to diſpence with the offences prohibited by this Act, ſhall be void.

Continued until the end of the next Seſſion of Parliament.

LVIII. And be it further enacted by the authority aforeſaid, That as well one Statute made in the fifth year of the reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act concerning Tanners, Curriers, and other Artificers occupying cutting of Leather, as all former Statutes, and every part or parts of any former Statute or Statutes thereby repealed, ſhall from henceforth be utterly repealed for ever. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

A repeal of the Stat. of 5 El. 8. and of all former Statutes repealed by the ſame.

CAP. XIII.

An Act for the preſervation of the Fiſhing in the Counties of Somerſet, Devon and Cornwall, and for the relief of Balkers, Conders and Fiſhermen, againſt malicious Suits.

Whereas the Trade of Fiſhing for Herrings, Pilchards, and Sean Fiſh, within the Counties of Somerſet, Devon and Cornwall, is and of late time hath been very great and profitable, as well to divers of the Fiſhermen and Inhabitants which dwell near the Sea-coſts within the ſaid Counties, as in the Cities of London and Exeter, and elſewhere within the Realm of England and the Dominions thereof: (2) And whereas alſo for the neceſſary uſe of the taking of the ſaid Herrings, Pilchards, and other Sean fiſh, divers perſons within the ſaid Counties, called Balcors Huors, Condors, Directors, or Guidors at the Fiſhing times for the ſaid Herrings, Pilchards, and other Sean Fiſh within the ſaid

Fiſhers. 21. To what end Barcors, Condors and Directors did watch upon Hills in Fiſhing time.

Counties, time out of mind have uſed to watch and attend upon the high hills and grounds near adjoyning to the Sea-coaſts within the ſaid Counties, for the diſcovery and giving notice to the Fiſhermen and Inhabitants near adjoyning, when the ſaid Herrings, Pilchards, and Sean fiſh come towards or near the Sea-coaſts there, and for the guiding and directing of the Fiſhermen in their Boats upon the Sea-coaſts, for the taking of the ſaid Herrings, Pilchards, and other Sean fiſh.

Suits commenced againſt Balcors, Condors and fiſhers for entering into the grounds of others.

II. And whereas alſo now of late divers perſons having lands, tenements and hereditaments near adjoyning to the Sea-coaſts within the ſaid Counties where the ſaid Fiſhing places for the taking of the ſaid Herrings, Pilchards, and other Sean-fiſh are, have brought their actions of treſpaſs at the Common Law, as well in the high Courts of Record at Weſtminſter, as in inferiour Courts within the ſaid Counties, not only againſt ſuch Balcors, Huors, Condors, Directors and Guidors, but alſo againſt ſuch Fiſhermen and other perſons, for breaking of their Cloſe, as have attended their Seans or Nets, for the drawing or carrying of the ſaid Fiſh on land or ſhore, and have recovered againſt them coſts and damages, to their great loſs and expences, (2) by reaſon whereof, ſuch Watchmen, Balcors, Huors, Condors, Directors and Guidors, and ſuch other perſons as heretofore have attended the ſaid Seans and Fiſhing, have forborn to enter into or go upon the lands, tenements and hereditaments near adjoyning to ſuch Fiſhing places within the ſaid Counties, for the watching or diſcovery of the ſaid Herrings, Pilchards, and other Sean fiſh, or to balk, hue, cond, or direct, or to attend the Seans or Nets, as heretofore they have done, and will likewiſe forbear the ſame hereafter, if proviſion be not had and made, that they may lawfully enter into and upon ſuch lands, tenements and hereditaments as do lie near or adjoyning to the ſaid Sea-coaſts, and places of Fiſhing as aforeſaid, for their watching, balking, directing and attending of the Seans, as is aforeſaid;

Balcors, Condors and Fiſhers may enter into the grounds of others to take or diſcover Fiſh.

III. For remedy whereof, and for the maintenance of the ſaid Trade of Fiſhing, which doth ſo greatly tend to the profit of many of the Inhabitants within the ſaid Counties, and others, (2) Be it therefore Enacted by our Sovereign Lord the King, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That it ſhall and may be lawful at all time and times hereafter, to and for all and every ſuch Watchmen, Balcors, Huors, Condors, Directors and Guidors, and all ſuch Fiſhermen and other perſons as ſhall neceſſarily attend the ſaid Seans, or Nets as aforeſaid, at the times of fiſhing for Herrings, Pilchards, and other Sean fiſh within the ſaid Counties, where ſuch Fiſh ſhall hereafter be taken, to enter and go into and upon any lands, tenements and hereditaments which do lie or adjoyn near unto any ſuch fiſhing places, and fit, convenient and neceſſary to watch and walk in, or to draw and carry the ſaid Fiſh on ſhore, and there to watch for the ſaid Fiſh, and to balk, hue, cond, direct and guide the Fiſhermen which ſhall be upon the ſaid Sea and Sea-coſts for the taking of the ſaid Fiſh, and to draw or carry the ſaid Fiſh on land or ſhore; any Law, Uſage, or Cuſtom to the contrary in any wiſe notwithſtanding.

The Plea for a Condor, Balcor, or Fiſher in an Action of treſpaſs brought againſt him.

IV. And be it further enacted by the authority aforeſaid, That if any action of treſpaſs, or other Suit ſhall at any time hereafter happen to be attempted and brought againſt any perſon or perſons, for entering and going on the Land for watching of the ſaid Fiſh, or for balking, huing, conding, directing or guiding of the ſaid Fiſhermen in their Boats upon Sea or Sea-coaſt, for the taking of the ſaid Fiſh, or for the landing of the ſaid Fiſh as aforeſaid, by authority of this preſent Act, the defendants or defendant in any ſuch Action or ſuit ſhall and may plead Not guilty for any thing doing by virtue of this Act: (2) And upon the trial of that Iſſue, the whole matter to be given on both parties in evidence, according to the very truth of the ſame; (3) And after ſuch Iſſue tryed for the defendant or defendants, or non-ſuit of the plaintiff or plaintiffs after appearance, the ſame defendant or defendants to recover his or their damages, by reaſon of his or their wrongful vexation in that behalf, with coſts alſo in that behalf ſuſtained, (4) and that to be aſſeſſed by the ſame Jury that ſhall try the ſame Iſſue; Or elſe by Writ to enquire of the damages as the cauſe ſhall require, (5) for which coſts and damages ſuch defendant ſhall and may by virtue of this Act take and ſue forth ſuch execution as the fendant in a Replevin may do.

C A P. XXIV.

An Act againſt the deceitful and falſe making of Mildernix and Powle-Davies, whereof Sail-clothes for the Navy and other Shipping are made.

Mildernix 1.

Who only ſhall make Mildernix or Powle-Davies.

Firſt made in France, and after learned and practiced in England.

Mildernix made in England neither of good ſtuff, nor well weaved.

Whereas the Clothes called Mildernix and Powle-Davies, whereof Sail-clothes and other furniture for the Navy and Shipping are made, were heretofore altogether brought out of France, and other parts beyond the Seas, and the skil and art of making and weaving of the ſaid clothes never known nor uſed in England, until about the xxxii. year of the reign of the late Queen of famous memory Queen Elizabeth, about what time, and not before, the perfect art and skil of making and weaving of the ſaid clothes was attained unto, and ſithence practiſed and continued in this Realm, to the great benefit and commodity thereof:

II. And whereas of late many of the Kings Majeſties Subjects, not trained nor brought up in the ſaid Art, nor any ways skilful therein, have notwithſtanding, upon deſire of gain, made and weaved, or cauſed to be made and weaved many clothes, in likeneſs and ſhew of Mildernix and Powle-Davies, but in truth neither made of ſuch ſtuff as the ſaid Mildernix and Powle-Davies are, and ought to be made of, nor ſo well driven or weaved, nor yet of that length nor breadth as the true clothes called Mildernix and Powle-Davies are and ought to be; (2) inſomuch that the ſaid Clothes do yearly and daily grow worſe and worſe, and are made more thinner, ſleighter and meaner then heretofore they have been, to the great deceit and hurt of all his Highneſs loving Subjects that are to uſe and imploy the ſame about the ſails and other furniture of their Ships and ſailing Veſſels, and to the great damage of his Highneſs Navy, the chiefeſt ſtrength of this Realm (next unto God and his Highneſs) and within ſhort time like utterly to overthrow the art and trade of making Cloth of that kind within this Realm; whereupon his Highneſs ſaid Subjects, as well the makers as the uſers of the ſaid Clothes are much hurt and impoveriſhed through the deceitfulneſs, unſkilfulneſs and ignorance of the Weavers and makers of the ſaid Clothes.

III. For remedy and redreſs whereof, Be it enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons, reſiant, inhabitant or dwelling within this Realm, ſhall at any time after the firſt day of Auguſt next coming, make, weave or cauſe to be made and weaved any ſuch Cloth or Clothes for ſails, or furniture of Ships, or other ſailing Veſſels, called, termed or known by the name or names of Mildernix and Powle-Davies, or any of them, but ſuch as now do uſe the ſame, or any of their ſervants, or ſuch as ſhall hereafter be Apprentices, and trained and brought up in the Trade and Art of making of the ſaid Clothes, by the ſpace of ſeven years together at the leaſt; nor ſhall ſet any man to work in the making or weaving of any ſuch Clothes, being not a workman trained up before the firſt day of Auguſt next coming, in the ſaid Art or Myſtery, (2) upon pain that every ſuch perſon offending or doing the contrary, ſhall forfeit and loſe for every default xx. s. for every month.

Of what ſtuff, goodneſs, length and breadth Mildernix and Powle-Davies ſhall be made.

IV. And further, That no perſon or perſons from and after the ſaid firſt day of Auguſt, ſhall make or weave tye ſaid Clothes of any other ſtuff then of good and ſufficient Hemp, nor of any leſs length then xxxiij. yards, nor any leſs breadth then three quarters of a yard: (2) Nor that the Weaver or other perſon or perſons, ſhall ſell or offer to ſell any of the ſaid Clothes, before the ſtuff be well beaten, ſcowred, bleached, and the Cloth well driven with a braſen or Iron Shuttle; (3) upon pain that every perſon offending or doing the contrary herein, ſhall forfeit and loſe for every ſuch piece of Cloth woven, made or ſold contrary to the form of this Act, five ſhillings.

Who ſhall have the forfeitures.

V. And be it further enacted by the authority aforeſaid, That the one moyety of the benefit of all the forfeitures and penalties in this Act contained, ſhall come and be unto the Kings moſt excellent Majeſty, his Heirs and Succeſſors, and the other moyety thereof unto ſuch as will ſue for the ſame in any the Kings Majeſties Courts, by bill, plaint, action of debt, information or otherwiſe; in which actions, ſuits, plaints or informations, no wager of Law, eſſoin or protection ſhall be allowed.

CAP. XXV.

An Act for continuing and reviving of divers Statutes, and for Repealing of ſome others.

Ships. 21 H. 8. 12.

BE it enacted by authority of this preſent Parliament, That an Act made in the xxj. year of the Reign of the late King Henry the Eighth, entituled, an Act for the true making of Cables, Halſers and Ropes.

Cattel. 24 H. 8. 9.

II. And that an Act made in the xxiv. year of the Reign of the ſaid King Henry the Eighth, entituled, an Act againſt the killing of young Beaſts, called Weanlings.

Cattel. 3 & 4 Ed. 6. 19.
Victual. 3 & 4 Ed. 6. 21.

III. And that two Acts made in the Parliament holden at Weſtminſter by Prorogation, the iv. day of November, and continued until the firſt day of February next after, in the iij. and iv. years of the Reign of the late King Edward the Sixth; the one concerning the buying and ſelling of Rother Beaſts and Cattel; the other entituled, An Act for the buying and ſelling of Butter and Cheeſe.

Fiſh. 1 El. 17.

IV. And that one Act made in the Firſt year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act for preſervation of Spawn and Fry of Fiſh.

Merchants. 5 El. 7.

V. And that one Act made in the v. year of the Reign of the late Queen Elizabeth, entituled, an Act for avoiding divers foreign Wares made by Handicraftſmen beyond the Seas.

Fiſh. 5 El. 5.

VI. And ſo much of one other Act made the ſame year, entituled, an Act touching certain politick conſtitutions made for the maintenance of the Navy, as is not Repealed by any later Statute, nor doth concern the tranſportation of Herring or other Sea-fiſh, nor freedom of Cuſtom, Subſidy or Tonnage for the ſame, nor tranſportation of Corn; together with all and every other additions, explanations and alterations made thereunto, or thereof or of any part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and now ſtanding in force.

Games. 8 El. 10.

VII. And that an Act made in the eighth year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act for Bowyers, and the prices of Bows.

Purveyors. [illegible]
Eccleſiaſtical perſons. 13 El. 20.
Leaſes. 13. El. 21.

VIII. And that three Acts made in the Thirteenth year of her ſaid late Majeſties Reign: One entituled, an Act, That Purveyors may take Grain, Corn and Victuals, within five miles of Cambridge and Oxford, in certain caſes: (2) another, an Act againſt frauds defeating remedies for Dilapidations: (3) The third, an Act touching Leaſes of Benefices and other Eccleſiaſtical Livings with Cure, together with all and every explanations, additions and alterations thereof, or of any of them made by ſeveral Statutes of the xiv. xviij. and xlviij. year of her ſaid late Majeſties Reign.

Ways. 18. El. 20.

IX. And that an Act made the in Eighteenth year of her ſaid Majeſties Reign, entituled, an Act for the repairing and amending of Bridges and High-ways near unto the City of Oxford.

Poor. 18 El. 3.

X. And ſo much of another Act made ſame the Eighteenth year, entituled, an Act for ſetting the Poor on work, and avoiding of idleneſs, as concerneth Baſtards begotten out of lawful Matrimony.

Franchiſes. 27 El. not printed.
Corn. 27. El. 14.
Corn. 3 & 4 Ed. 6. 19.
39. El. 16.
Sewers. 27 El. 24.

XI. And that two Acts made in the xxvij. year of her ſaid Majeſties Reign; The one entituled, an Act for the good government of the City or Borough of Weſtminſter; (2) The other, an Act for reviving of a former Statute for the true making of Malt; (3) Together alſo with an Act made in the xxxix. year of her ſaid Majeſties Reign, entituled, an Act to reſtrain the exceſſive making of Malt: (4) And a third Act made in the ſaid xxvij. year of her ſaid Majeſties Reign, entituled, an Act for keeping the Sea-banks and Sea-works in the County of Norfolk.

Meaſures. 31 El. 8.

XII. And two Acts made in the xxxj. year of her ſaid Majeſties Reign; The one entituled,

Franchiſe.
31 El. & 23 El. not printed.

An Act for the true guaging of Veſſels brought from beyond the Seas, converted by Brewers for the utteranee and ſale of Ale and Beer: (2) The other, An Act for reviving and enlarging of a Statute made in the xxiij. year of her ſaid Majeſties Reign, for the relief of the City of Lincoln.

Pope.
23 El. 1.
Drapery.
35 El. 10.
Merchants.
45 El. 11.

XIII. And that three Acts made in the xxxv. year of her ſaid Majeſties Reign, one entituled, An Act to retain the Queens Majeſties Subjects in their due obedience: (2) Another for reformation of divers abuſes in Clothes, called Devonſhire Kerſies or Dozens, according to a Prolamation of the xxxiv. year of her ſaid Majeſties Reign: (3) The third, an Act for the bringing in of Clapboards from the parts of beyond the Seas, and the reſtraining of tranſporting of Wine Cask, for the ſparing and preſerving of Timber within the Realm.

Husbandry.
39 El. 1.

XIV. And the ſeveral Acts hereafter mentioned, made in the xxxix, year of her ſaid Majeſties Reign, that is to ſay, an Act entituled, an Act againſt the decaying of Towns and houſes of Husbandry,

Husbandry.
39 El. 52.
43 El. 9.

XV. An Act entituled, an Act for the maintenance of Husbandry and Tillage; together with ſuch explanations and proviſions as thereunto are added by the Statute made in the xliij. year of her ſaid Majeſties Reign.

Fiſh.
39 El. 10.
Fiſh.
23 El. 4.

XVI. An Act entituled, an Act for the increaſe of Mariners, and for maintenance of the Navigation, Repealing a former Act made in the xxiij. year of her ſaid Majeſties Reign, bearing the ſame title.

Apprentice.
39 El. 12.
5 El. 4.

XVII. An Act entituled, An Act for explanation of the Statute made in the fifth year of her ſaid Majeſties Reign concerning Labourers.

Drapery.
39 El. 14.

XVIII. An Act entituled, an Act prohibiting the bringing into this Realm of foreign Cards for Wooll.

Poor.
39 El. 17.

XIX. An Act entituled, an Act againſt lewd and wandring perſons, pretending to be Soldiers or Mariners.

Poor.
39 El. 4.
[illegible] 4.

XX. An Act entituled, an Act for puniſhing of Rogues, Vagabonds and ſturdy Beggars, (2) with this proviſion to be annexed thereunto by authority of this preſent Parliament, That the ſaid laſt mentioned Act nor any thing therein contained, ſhall impeach, avoid, prejudice or reſtrain ſuch liberty and inheritance, as John Dutton of Dutton in the County of Cheſter Eſquire, and his anceſtors (whoſe heir he is) have lawfully uſed and exerciſed, in allowing Minſtrels in the County Palatine, and County of the City of Cheſter, and for government of Minſtrels there, and keeping a Court yearly for that purpoſe.

Poor.
43. El. 3.

XXI. And that the ſeveral Acts hereafter mentioned, made in the xliij. year of the Reign of the ſaid late Queen Elizabeth, that is to ſay, an Act entituled, an Act for the neceſſary relief of Souldiers and Mariners.

Suits.
43 El. 6.

XXII. An Act entituled, an Act to avoid trifling and Frivolous Suits in Law in her Majeſties Courts at Weſtminſter.

Poor.
43 El. 2.
21 Jac, 28.

XXIII. An Act entituled, an Act for the relief of the poor, with this addition, viz. Be it enacted, That all perſons to whom the Overſeers of the poor ſhall according to this Act, bind any children Apprentices, may take and receive, and keep them as Apprentices; Any former Statute to the contrary notwithſtanding.

Drapery.
43 El. 10.
Certiorari.
34 El. 5.
All the foreſaid Statutes continued until the end of the firſt Seſſion of the next Parliament. EXP.

XXIV. An Act entituled, an Act for the true making an working of Woollen Clothes.

(2) An Act entituled, An Act to prevent Perjury and Subornation of Perjury, and unneceſſary expences in Suits in Law, (3) ſhall be continued and remain in force until the end of the firſt Seſſion of the next Parliament.

XXV. Provided nevertheleſs, That ſo much of every of the ſaid Acts as by any new Act made in this Seſſion of Parliament, ſhall be altered or repealed, ſhall ſtand diſcontinued.

Corn.
When Grain may be tranſported.
ALT. 21 Jac. 28.
3 Car. 4.

XXVI. Provided alſo, and be it further enacted by the authority of this preſent Parliament, That when the prices of Corn or Grain exceed not the rates hereafter following, at the times, havens and places where and when the ſame Corn or Grain ſhall be ſhipped or loaded, viz. The quarter of Wheat at ſix and twenty ſhillings eight pence; the quarter of Rye, Peaſe and Beans, at fifteen ſhillings; the quarter of Barley or Malt, at fourteen ſhillings of currant Engliſh money, that then it ſhall be lawful for all and every perſon and perſons, being Subjects of the Kings Majeſty, his Heirs or Succeſſors, to tranſport of his own, (2) and to buy and tranſport any of the ſaid Corn and Grain unto any parts beyound the Seas in amity with his Majeſty, to ſell as Merchandize, in Ships, Crayers or other Veſſels, whereof any Engliſh born Subject or Subjects then ſhall be the Owner or Owners; Any Law, Uſage or Statute to the contrary hereof notwithſtanding: And that the Kings Majeſty, his Heirs and Succeſſors ſhall have and receive by the Cuſtomers and Officers of his Ports, for the Cuſtom or Poundage of every quarter of Wheat, to be tranſported by force of this Statute, two ſhillings; of every quarter of other Grain, ſixteen pence: Which ſaid ſeveral ſums ſo to be had and taken as Cuſtom or Poundage, to be in full ſatisfaction of all manner of Cuſtom or Poundage, for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken for tranſporting of any ſuch manner of Corn or Grain.

The Kings Cuſtom and Poundage of Corn tranſported.

Corn.
R. 3. Jac. 21.

XXVII. Provided always, and be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors may at all times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realm, or in any of the Counties of the Realm, where any Port-towns are, command, That no perſon ſhall by virtue of this Act tranſport or convey any manner of Grain out of his Highneſs Dominions, generally, or out of any ſpecial Ports, to be in the ſame Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any perſon to carry out any ſuch Grain, contrary to the tenor of the ſame Proclamation, upon ſuch pains and forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that behalf; This Act or any thing therein contained to the contrary notwithſtanding.

XXVIII. Pro-

XXVII. Provided alſo, and be it enacted, That no perſon or perſons ſhall incur any penalty for want of length, breadth or weight of Welſh Cottons, under the price of xv. pence the yard, or ij.s. the goad, ſo as they be not mixt with hair or other deceitful ſtuff; (2) Nor for any others above that price, except they be mixt as aforeſaid, or ſhall ſhrink above the rate of half a yard in vij. yards of length, or weigh leſs then xiv. ounces the yard, or hold not full three quarters of a yard broad.

Drapery. St. 3. Jac. 17.

XXIX. And alſo be it enacted, That an Act made in the fifth year of the Reign of the ſaid late Queen Elizabeth, for puniſhment of perjury, ſhall be revived and continued until the end of the firſt Seſſion of the next Parliament. 21 Jac. 28. Sect. 8. N. 1.

Oath. 5 Eliz. 9.

XXX. And that one Act made in the xiv. year of the Reign of the late Queen Elizabeth, entituled, an Act againſt the deceit of Under-collectors of the Tenths and Subſidies of the Clergy.

Firſt-fruits. 14 Eliz. 7.

XXXI. And one other Act made in the xxvij. year of the Reign of the ſaid late Queen, entituled, an Act for the explanation of the Statute made in the xiij. year of the Reign of the ſaid late Queen, entituled, an Act to make the lands, tenements, goods and chattels of Tellers, Receivers, &c. liable to the payment of their debts; (2) ſhall from the end of this preſent Seſſion of Parliament be revived and ſtand in force; any repeal heretofore made thereof, or of any of them to the contrary notwithſtanding.

Accomptant. 27 El. 3. 13 Eliz. 4.

XXXII. And that ſo much of one Act made in the xiv. year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act for the Puniſhment of Vagabonds, and for the relief of the poor and impotent, as concerneth the taxing, levying receiving and employing of Goal-money ſhall be revived from henceforth, and ſtand and continue until the end of the firſt Seſſion of the next Parliament.

Poor. 14 El. 5.

XXXIII. And be it alſo further enacted by the authority aforeſaid, That the Statute made in the xxvij. year of the ſaid Queen Elizabeth, entituled, an Act for the mainenance of the Piere and Cob of Lyme Regis in the County of Dorset, ſhall be continued and ſtand in force and ſtrength, for and during the ſpace of ten years next enſuing the firſt day of this preſent Parliament, and from thence to the end of the next Seſſion of Parliament.

Sewers. 27 El. not printed.

XXXIV. And be it alſo enacted by the authority of this preſent Parliament, That ſo much of all Statutes as concerneth abjured perſons, and ſanctuaries, or ordering or governing of perſons abjured or in ſanctuaries, made before the xxxv. year of the late Queen Elizabeths Reign, ſhall alſo ſtand repealed and be void.

Sanctuary. St. 21 Jac. 28. Sanctuaries extinct.

XXXV. And alſo, that an Act made in the xxij. year of the Reign of King Edward the Fourth, againſt Fulling of Hats, Bonnets and Caps in Fulling-mills.

Apparel. 22 Ed. 4. 5.

XXXVI. And an Act made in the the iij. year of King Henry the Eighth, entituled, an Act concerning the making of Caps and Hats.

Apparrel. 3 H. 8. 15.

XXVII. And an Act made in the xxi. year of King Henry the Eighth, entituled, an Act limiting the price of Hats and Caps brought from beyond the Seas.

Apparel. 21 H. 8. 9.

XXXVIII. And an Act made in the vij. year of King Edward the Sixth, entituled, an Act for the the true Fulling and Thicking of Caps.

Apparel. 7 Ed. 6. 8.

XXXIX. And an Act made in the firſt year of Queen Mary, entituled, an Act for the ſale of Hats and Caps made beyond the Seas.

Apparel. 1 M. 11.

XL. An act made in the iv. year of King Henry the Fourth, That Patten-makers ſhould make no Pattens nor Clogs of Timber called Aſp; Together with an Act made in the fourth year of King Edward the fourth, That Patten-makers might make Pattents or Clogs of ſuch piece of Timber called Aſp, as was not convenient or ſufficient for Shafts.

Wood 4 H. 5. 3.
Wood. 4 Ed. 4. 9.

XLI. And an Act made in the xv. year of King Richard the Second, touching Girdlers garniſhing their Girdles with white Metal.

Metal. 15 R. 2. 11.

XLII. And an Act made in the xv. year of King Edward the Sixth, entituled, an Act againſt Pedlars and Tinkers.

Poor. 5 & 6 Ed. 6. 21.

XLIII. And ſo much of an Act made in the vij. year of the Reign of the ſaid King Edward the Sixth, entituled, an Act made to avoide the great and exceſſive prices of Wines, as doth concern the ſelling of Wine at certain prices, or forbidding or reſtraining the having of Wines in mens houſes.

Wine, 7. Ed. 6. 5.

XLIV. And an Act made in the iv. year of King Edward the fourth, That no Stranger or Alien ſhould buy any Engliſh Horns unwrought; and that the Wardens of the Horners ſhould have power to ſearch all manner of Wares pertaining to their Myſtery in London, and xxiv. miles on every ſide of it.

Trades. 4 Ed. 4. 8.

3 Inſt. 199. XLV. And that an Act made in the xxiv. year of the late King Henry the Eighth, for reformation in exceſs of Apparel; together with another Act bearing the ſame Title, made in the firſt and ſecond years of the Reign of the late King Philip and Queen Mary, and all other Acts heretofore made concerning Apparrel.

Apparel. 24 H. 8. 13. All Statutes that concern Apparel, repealed.

XLVI. And an Act made in the iv. and v. years of the late King Philip and Queen Mary, for the having and keeping of Horſe, armour and weapon.

Wars. 4 & 5 P. & M. 2.

XLVII. And a Statute made in the v. year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, an Act touching Tanners, Curriers, Shooe-makers and other Artificers occupying the cutting of Leather; (2) ſhall likewiſe henceforth be repealed and void.

Leather, 5 El. 8.

XLVII. And be it further enacted by the authority of this preſent Parliament, That an Act made in the firſt year of the Reign of Queen Mary, entituled, an Act for the repeal of certain Statutes made in the time of King Edward the Sixth, ſhall ſtand repealed and void.

Continuance. 1 M. 2. The 15 laſt Statutes repealed.

XLIX. And that an Act made in the Seſſion of Parliament holden upon prorogation at Weſtminſter, the iv. day of November, in the ij. year of the Reign of the late King Edward the Sixth, and there continued and kept to the xiv. day of March, in the iij. year of the ſaid late Kings Reign, entituled, an Act to take away all poſitive Laws made againſt the Marriage of Prieſts.

Marriage. Marriage of Prieſts.

L. And an Act made in the Seſſion of Parliament holden upon prorogation at Weſtminſter the xxiij. day of January, in the v. year of the Reign of the ſaid King Edward the Sixth, and there continued and kept until the xv. day of April, in the Sixth year of his Reign, entituled,

Eccleſiaſtical perſons. 2 & 3 Ed. 6. 21, & 4 & 5. Ed. 6. 12, made perpetual.

An

The children of Eccleſiaſtical perſons ſhall be legitimate and inheritable.

An Act made for decaration of a Statute made for the Marriage of Prieſts, and for the legitimation of their children, (2) ſhall ſtand revived, and be in force for ever, the ſaid Act of Repeal notwithſtanding: (3) And the children of Eccleſiaſtical perſons in the ſaid Act mentioned, ſhall be and continue legitimate and inheritable, to all intents and purpoſes, in ſuch ſort as children of Lay perſons do enjoy and may inherit; Any Canon or Conſtitution to the contrary notwithſtanding.

CAP. XXVI.

An Act for the continuance and due obſervation of certain Orders for the Exchequer, firſt ſet down and eſtabliſhed by virtue of a Privy Seal from the late Queen Elizabeth.

Exchequer 5. A confirmation of certain Orders before made for the Exchequer.

MOſt humbly pray your excellent Majeſty, your moſt loving and faithful Subjects, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That whereas the late Queen Elizabeth in the xiij. year of her happy Reign, out of her Princely Grace and meer motion, by her gracious Privy Seal, to the then Lord Treaſurer, Chancellor and Barons of her Majeſties Exchequer directed, did authorize and command them to ſet down and eſtabliſh certain Orders touching the awarding of Proceſs, diſcharge without pleading, diſcharge of Iſſues, and the Rates of Fees, within the Office of the Lord Treaſurers Remembrancer in the Exchequer: by virtue of which her Royal Commandment upon grave deliberation, and with the privity and conſent of her Majeſties then learned Councel thereunto called, divers Orders, being moſt honourable and agreeable to Juſtice, were conceived and eſtabliſhed, which Orders be to this Bill annexed:

Certain iſſues forfeited, ſhall be remitted.

II. May it pleaſe your moſt excellent Majeſty, for the eſtabliſhment, continuance and furtherance of her ſaid Majeſties then moſt gracious intention, and of your Majeſties moſt aboundant Grace and favourable inclination to the good and eaſe of your Highneſs Subjects, That it may be enacted, and by the authority of this preſent Parliament, Be it enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That all manner of Iſſues loſt and forfeited, or hereafter to be loſt and forfeited, which by the true intent of the ſame late Queens moſt gracious privy Seal, and the ſaid Orders hereunto annexed, ought to be remitted and diſcharged againſt her ſaid Majeſty, be, and at all times for ever hereafter ſhall be accordingly by virtue of this preſent Act, clearly diſcharged and acquitted againſt your Majeſty, your Heirs and Succeſſors.

The forfeiture of him that offends contrary to the ſaid Orders.

III. And be it further enacted by the authority aforeſaid, That if the Lords Treaſurers Remembrancer for the time being, or any of his Clerks, ſhall from and after the laſt day of this preſent Seſſion of Parliament, award any Proceſs, exact any Pleading, or take any Fees, or otherwiſe in any point demean him or themſelves contrary to the true meaning of any the ſaid Orders, that then for every ſuch offence which the ſaid Lord Treaſurers Remembrancer or his Deputy, or any of his or their Clerks ſhall commit, the perſon ſo offending, (2) or in caſe any ſuch perſon ſo offending be unable to ſatisfie, the Lord Treaſurers Remembrancer himſelf ſhall forfeit and loſe the ſum of twenty pounds, (3) whereof the one moiety to be to your Majeſty, your Heirs and Succeſſors, and the other moiety to the party grieved, to be ſued for within two years of the offence committed, by action of debt, bill, plaint or information, in any your Majeſties Courts of Record at Westminster; wherein no eſſoin, protection, wager of Law or priviledge ſhall be allowed.

The Orders ſet down for reſpect of Homage.

IV. The Orders ſet down for reſpect of Homage, by the right honourable Sr. William Cecil of the honourable Order of the Garter, Knight, Baron of Burghley, Lord Treaſurer of England, and Maſter of the Court of Wards and Liveries, Sr. Walter Mildmay Knight, Chancellor and Vice-Treaſurer of her Highneſs Court of the Exchequer, Sr. Edward Saunders Knight, Lord chief Baron of the ſaid Court, and other the Barons of the ſame, calling unto them Gilbert Gerrard Eſq; her Majeſties Attorney General, and Thomas Bromley Eſq; her Highneſs Sollicitor General, and made the fifteenth day of June, in the year of our Lord God, One thouſand five hundred threeſcore and thirteen, and in the fifteenth year of the Reign of our Sovereign Lady Elizabeth, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, &c. According to her Majeſties Privy Seal to the ſaid Treaſurer and Barons in that behalf directed, and witneſſed under their hands as followeth:

Fines ſtreated out of the Common pleas.

V. Firſt, That no Proceſs, Ad faciend. Homagium & Fidelitatem, or Ad faciend. Fidelitatem, or any Writ of Scire facias, Capias or Diſtreſs, from the Fines ſtreated out of the Court of Common Pleas, ſhall go out of the Treaſurers Remembrancers Office, upon any ſuppoſal, upon pain by former Laws and Statutes limited, and by the Orders of the ſaid Court in that caſe provided, but upon a good and juſt ground, (2) and the ſame ſhall be vouched in every of the ſaid Proceſſes, according to the book, term, year, roll and record thereof, that it may be certainly found: (3) And yet if any known Record remaining in that Office, it may appear the ſame Tenure have been traverſed, then the ſaid Proceſſes to be diſcharged by the ſaid traverſe without pleading.

Proceſs upon the firſt ſtreat of the original.

VI. 2. Upon the Streat of the Original of the Chancery, of the firſt Grants of any lands or tenements holden in Chief, or by Knights Service, or Soccage in Chief, or of any Licence of alienation, Pardon of alienation, Ouſter le maine, general or ſpecial Livery or Inrolment of any of them, Proceſs ſhall be made only for the ſervice due thereupon, (2) and the parties upon the ſame ſhall be admitted without pleading, as it hath been accuſtomed, to make their Fine for reſpect of Homage, or do their fealty forthwith, whenſoever they will appear, and pray to be received for the ſame, paying the Charges of their ſaid Fine, as hereafter is appointed.

Upon a Writ the firſt tenant returned, Mort or Nihil habet.

VII. 3. Where the firſt Tenant in any ſuch Writ from the ſaid Original or ſuch Inrolment, is returned by the Sheriff, Mort or Nihil Habet, then ſhall go out according to the ancient courſe of the ſaid Court, a Diſtring. tenent. againſt the Tenants of the ſame lands, to the Sheriff to do their ſervice due to the King, and to ſhew their entry into the ſame; (2) who returning the name of the Tenant of the Lands in the Writ, there ſhall go Proceſs then every Term againſt the ſaid new Tenants to do their ſaid ſervice, and alſo to ſhew their entry, and they to loſe iſſues thereupon, until they come in, and make their fine for reſpect of homage or fealty, or do their fealty upon the ſame, according to the ancient courſe of the Exchequer.

VIII. 4. To avoid the charges of pleading, upon ſhewing of any mans entry, it ſhall be lawful for every perſon that by force of any Licence of Alienation, doth come to any Lands or Tenements holden in Chief, aſſured to him in Fee-ſimple, Fee-tail general or ſpecial, or for term of life, by any manner of conveyance in Law from the party in the firſt Original or Inrolment of the ſame, to bring the ſame Licence and Conveyance to the ſaid Treaſurers Remembrancer, and thereupon the ſaid Barons of the Exchequer, or the ſaid Treaſurers Remembrancer finding the ſaid Licence of Alienation to be good and agreeable to the aſſurance thereupon made, and likewiſe agreeable to and from the ſaid Original, and from and with all the Vouchers of the ſame, the party to whom ſuch Licence of Alienation is made, ſhall be received to Inroll the ſaid Licence only, and to make his fine thereupon for reſpect of homage, without any further pleading, or other ſhewing of his title for the ſame: (2) And likewiſe whoſoever ſhall enter into any Lands by Livery general, ſpecial, or Ouſter le maine, bringing the ſame and the Schedule of his Livery with him, he ſhall be received to like Inrolment, and making of his fine without pleading.

A mean to avoid the charge of pleading in certain caſes.

Inrolling a Livery or Ouſter le maine.

IX. 5. Likewiſe, whoſo that hath a Licence of Alienation of lands and tenements, holden in Chief, which thereby are aſſured unto him by fine, the ſame perſon may alſo bring in his ſaid Licence and Aſſurance thereupon, to be examined as before in the fourth Article is mentioned, and the ſame agreeing together, and alſo agreeing from and with the Original, and from and with the Vouchers of the ſame, then the party to be diſcharged without pleading.

A Licence of Alienation of lands aſſured by fine.

X. 6. Where any Writ of Reverſion ſhall be made upon any Record for Lands or tenements wherein the Prince is in Reverſion, if it do appear by any ſufficient matter of Record within the Court, that the Grant or Record whereupon the ſaid Writ of Reverſion is made, is clearly avoided or determined, In ſuch caſe the party upon ſhewing forth of ſuch Record, ſhall be diſcharged without pleading.

Writ of Reverſion.

XI. 7. Where there be two manors or mo, or other lands and tenements of one name in one County, and the one holden of the Prince in chief, or by Knights ſervice, and the other not, In ſuch caſes where the matter ſhall ſo appear of Record, the party that hath the manors or Lands ſo not holden, ſhall be diſcharged of the Proceſs without pleading, and the Iſſues thereupon loſt, to be ſaved.

The manors of one name in one County:

XII. 8. The Iſſues loſt by her Majeſties Subjects, which her Highneſs of her gracious favour and goodneſs, hath appointed by her Majeſties Privy Seal to be diſcharged, be as followeth, viz.

Which be the Iſſues loſt that ſhall be diſcharged.

XIII. All Iſſues loſt or to be loſt, upon any that are or ſhall be returned Tenants of Lands which they have not, ſhall be now diſcharged, though they have other lands within the ſhire that could not ſo have been before the ſaid Privy Seal was granted.

Some returned tenants of lands which they have not.

XIV. All Iſſues loſt or to be loſt, upon any Heirs or Ward being within the age, or in cuſtody, or committed to any, ſhall be now as before diſcharged, that were wont to remain while the Heir come to full age.

Iſſues loſt upon an heir or ward within age.

XV. All Iſſues loſt or to be loſt, upon the Committees of any Wards lands by Leaſe, as returned Tenant thereof, ſhall be now diſcharged, that otherwiſe ſhould have been paid by the ſaid Committees, if they had any lands or tenements, goods or Chattels within the ſaid County.

The committees of wards by leaſe.

XVI. All Iſſues loſt or to be loſt upon any lands in the Queens Majeſties hands, by Extent or otherwiſe, ſhall be now diſcharged, that otherwiſe could not have been by the courſe of the Court.

Lands in the Queens hands by extent.

XVII. All Iſſues loſt or to be loſt upon the Farmers and Tenants of any lands for life, years, or at will, ſhall be now diſcharged, that were wont to pay them being returned Tenants thereof by the Sheriffs, if they had any lands or goods within the ſhire.

Iſſues loſt by tenants for life, years, or at will.

XVIII. All Iſſues loſt or to be loſt upon tenants of lands in Chief by Extent, ſhall be now as afore diſcharged, and could not ſo have been before, but were always leviable upon the lands.

Lands of tenants in chief.

XIX. All Iſſues loſt or to be loſt by ſundry other vexations, as well by untrue Returns and miſ-returns of Sheriffs and Under-ſheriffs, ſhall or may be diſcharged, moderated or otherwiſe ordered, as the Court will think meet, that were infinite before, and could not be diſcharged, but the party was driven to take his remedy againſt the Sheriff.

Iſſues loſt by the Sheriffs exation.

XX. All Iſſues loſt or to be loſt upon any former grant of lands and tenements in Chief, that are afterward given or not to be holden in Chief, ſhall be now diſcharged by this Privy Seal, and could no way have been remitted, until the ſecond Grant hath been laid and pleaded.

Lands holden in chief and after by another tenure.

XXI. All Iſſues loſt or to be loſt by any perſon returned in any Jury in the Exchequer, or in any Attaint or Jury in the Kings Bench or Common Pleas at Weſtminſter, or in any Jury before the Juſtices of Aſſiſe in any Court within the Realm, which at the time of their appearance appointed, were beyond Sea in her Majeſties ſervice, or by ſpecial Licence in writing, or were or ſhall be in priſon, or in Ordinary of her Majeſties Chamber or Houſhold, and bound to their perſonal attendance there, ſhall be now diſcharged clear, that before could by no means be holpen.

Iſſues loſt by Jurors.

XXII. Rata finium pro homag. tenent. Dominæ Reginæ per unum annum integrum reſpectuand. cum feod. Rememorat. Theſaur. & pro intrac. finium cum record. inde fact. ac pro feod. Attorn. pro eodem anno integro exhibit. Parliament.

Valor terrarum.	Fines reginæ.	Feod. Rem. Theſ.	Pro intrac.	Pro feod. Attorn.	
Li. Li. A C. ad. lx.	s. x.	d. xx.	d. v.	By ſome	d. ix.
Li. Li. A lx. ad xxx.	marc. dim.	d. xx.	d. iv.	By ſome	d. xx.
Li. Li. A xxx. ad xx.	s. v.	d. xx.	d. iv.	By ſome	d.
Li. Li. A xx. ad xv.	d. xl.	d. xx.	d. iv.		s. xl.
Li. Li. A xv. ad x.	s. ii.	d. xx.	d. iv.	By ſome voluntary Annuities for all matters.	s. xx. s. d. xii. iv.
Li. marc. A x. ad x.	d. xx.	d. xx.	d. iv.		s. x.
marc. s. A x. ad C.	d. xii.	d. xii.	d. iv.		s. d. vi. viii.
s. s. AC. ad. lx.	d. viii.	d. viii.	d. iv.	These never loſe Iſſues, but have their Fines paid whether they come or come not.	s. v.
s. A lx. & infr.	d. iv.	d. iv.	d. iv.		

XXIII. Item, That the ſaid Fines ſhall be paid after the ſaid Rate exhibited to the Parliament Houſe, and not otherwiſe

Charges for vexation by a Writ upon a ſuppoſal.

(2) According to the ſaid Treaſurers Remembrancers own offer for himſelf and the Clerks of his Office, It is ordered, That he himſelf ſhall pay every Subjects charges as by the Court of Exchequer ſhall be ſet and ordered, that ſhall be vexed by any Writ upon a ſuppoſal, and not upon a good and juſt ground vouched and ſet down in every Writ as before is declared.

Iſſues loſt after the ordinary fine paid for reſpite of homage.

XXIV. The Clerks of the ſaid Treaſurers Remembrancers Office, ſhall pay all Iſſues that any of her Majeſties Subjects ſhall loſe after he hath paid his ordinary Fine for reſpect of Homage to any of them for any lands or tenements, and ſo may be proved by any of their Acquittances, W. Burleigh, Walter Myldemaie, Edward Sanders, George Frevile, John Birche. Ex per G. Gerrad. Thomas Bromley. Ex. per John Osbourne, xvij. Novemb. 1601.

Proceſs awarded for the preſervation of the tenures of the Crown,

XX.V. Provided always nevertheleſs, and be it enacted by theſauthority aforeſaid, if in caſe it ſhall be thought fit, for the true knowledge and preſervation of the Tenures appertaining to the Crown, and ſo ordered in the open Court of Exchequer, that Proceſs ſhould Iſſue out of the ſaid Court againſt any, That in every ſuch caſe, the ſaid Treaſurers Remembrancer, or any his Clerks, may ſend out the ſaid Proceſs, without incurring any the penalties of this Act: In which caſe, no ſuch Tenure appearing to the Court, the party ſhall be cleary diſmiſſed, without any manner of pleading, or paying any Fees at all.

CAP. XXVII.

An Act for the better execution of the intent and meaning of former Statutes, made againſt ſhooting in Guns, and for the preſervation of the Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Hares in the Snow.

Pheaſants 6. Penalties for deſtroying of Pheaſants, Partridges, Pigeons, Hares.
11 H 7. 17.
23 El. 10
32 H 8. 8.
13. R. 2. 13.
19. H. 7. 11.

FOraſmuch as there be divers good and neceſſary Laws and Statutes which do inflict and impoſe divers great and heavy penalties, puniſhments and forfeitures upon ſuch as ſhould with any Guns, Nets, Croſs-bows, or other Inſtruments or Engines, ſpoil or deſtroy the Game of Pheaſants, Partridges, Hearn, Mallard, and ſuch like, and upon ſuch as kill or deſtroy Hares with Hare-pipes, Cords or other Engines, or ſhould kill any Hare by tracing and courſing them with Dogs in the Snow; (2) And nevertheleſs of late years, the ſeveral Games above mentioned, have been more exceſſively and outragiouſly ſpoiled and deſtroyed, than hath been in former ages, eſpecially by the vulgar ſort, and men of ſmall worth, making a trade and a living of the ſpoiling and deſtroying of the ſaid Games, who are not of ſufficiency to pay the ſaid penalties in the ſaid Statutes mentioned, nor to anſwer the coſts and charges of any that ſhould inform and proſecute againſt them in any of his ſaid Majeſties Courts of Record at Weſtminſter, upon any of the ſaid penal Laws and Statutes, (3) by reaſon whereof few Suits have been attempted upon the ſaid Laws, and for the ſaid forfeitures, whereby the good thereby meant and hoped hath not ſucceeded, and thereby great ſcarcity of the ſaid Games in all, or in the moſt parts of this Realm hath followed, and preſently is, and ſo is like to be, if ſome remedy be not in that behalf provided:

II. Be it therefore enacted by the authority of this preſent Parliament, That all and every perſon and perſons, which from and after the firſt day of Auguſt next following, ſhall ſhoot at, kill or deſtroy with any Gun, Croſs-bow, Stone-bow or Long-bow, any Pheaſant, Partridge, Houſe-dove or Pidgeon, Hearn, Mallard, Duck, Teal, Widgeon, Grouſe, Heathcock, Moregame, or any ſuch Fowl, or any Hare; (2) Or after the firſt day of Auguſt, ſhall take, kill or deſtroy any Pheaſant, Partridge, Houſe-dove or Pidgeon, with Setting-dogs and Nets or with any manner of Nets, Snares, Engines or Inſtruments whatſoever, or ſhall take the Eggs of any Pheaſant, Partridge or Swans out of the Neſts, or willingly break, ſpoil or deſtroy the ſame in the Neſt; (3) Or after the ſaid firſt day of Auguſt, ſhall trace or courſe any Hares in the Snow, or at any time take or deſtroy any Hares with any Hare-pipes, Cords, or with any ſuch Inſtruments or other Engines; (4) And the ſame offence or offences being proved, by the confeſſion of the party, or by the teſtimony of two ſufficient witneſſes upon Oath before two or more Juſtices of Peace of the ſame County, City or Town-corporate wherein the offence ſhall be committed, or the party offending apprehended, ſhall be by the ſaid Juſtices of Peace, for every ſuch offence, committed to the common Goal of the ſaid County, City or Town-corporate where the offence ſhall be committed, or the parties apprehended, there to remain for three months without bail or mainpriſe, unleſs that the ſaid offender do, or ſhall forthwith upon the ſaid conviction, pay or cauſe to be paid, to the Churchwardens of the ſaid Pariſh where the ſaid offence ſhall be committed, or the party apprehended, to the uſe of the poor of the ſaid Pariſh, the ſum of xx. s. for every Pheaſant, Partridge, Houſe-Dove, Pidgeon, Hearn, Mallard, Duck, Teal, Widgeon, Grouſe, Heathcock, Moregame, or any ſuch Fowl, and for every Egg of Pheaſant, Partridge or Swans, and for every Hare which any and every ſuch perſon and perſons ſo offending, and convicted as aforeſaid, ſhall take, kill or willingly deſtroy, contrary to the true purport and true meaning of this Statute; (5) or after one month after his commitment, together with two ſufficient Sureties, become bound by Recognizance in the ſum of xx. li. apiece to the Kings Majeſties uſe, his Heirs and Succeſſors, with condition that he the ſaid party ſo offending, ſhall not at any time hereafter ſhoot at, kill, take or deſtroy any of the ſaid Games before mentioned, by any of the means aforeſaid: (6) Which ſaid Recognizances ſhall be taken by any two or more Juſtices of Peace of the ſaid County, City or Town-corporate where the offender ſhall be impriſoned, as aforeſaid, and ſhall be returned to the then next Quarter Seſſions, and there to remain of Record, as other Recognizances taken for the peace.

III. And for the better preſervation of Deer, Hares and other the Games aforeſaid, Be it further enacted by the authority aforeſaid, That all and every perſon and perſons which from or after the ſaid firſt day of Auguſt, ſhall have or keep any Greyhound for courſing of Deer or Hare, or Setting-Dog or Dogs, (2) or Net or Nets, to take Pheaſants or Partridges, (3) (except ſuch perſon or perſons which ſhall be ſeized in their own right, or in the right of their Wives, of lands, tenements or hereditaments, of the clear yearly value of x l. by the year, or more, over and above all charges and repriſes of ſome eſtate of Inheritance; (4) Or of lands, tenements or hereditaments in his own right, or in the right of his Wife, for term of life or lives, of the yearly value of xxx. li. over and above all charges and repriſes; (5) Or be poſſeſt of Goods or Chattels to the full value of CC. li. to his own uſe; (6) Or be the ſon or ſons of any Knight, or of any Baron of Parliament, or of ſome perſon of higher degree, or the ſon and heir apparent of any Eſquire,) (7) and being thereof convicted as aforeſaid, ſhall by the ſaid Juſtices of the Peace be committed and impriſoned in manner and form as in and by this preſent Act before is expreſſed, ſpecified and declared: Except ſuch perſon and perſons ſo offending, and thereof convicted, as aforeſaid, do forthwith pay or cauſe to be paid to the Churchwardens of the ſaid Pariſh where the ſaid offence ſhall be committed, or the party apprehended, to the uſe of the poor of the ſaid Pariſh, the ſum of forty ſhillings of good and lawful money of England.

The penalty for keeping of a Grey-hound a Setting-dog, with Nets to take Pheaſants, &c.

IV. And be it further enacted by the authority aforeſaid, That every perſon and perſons which at any time after the ſaid firſt day of Auguſt, ſhall ſell, or buy to ſell again, any Deer, Hare, Partridge or Pheaſant, (except Partridge and Pheaſants reared and brought up in houſe or houſes, or brought from beyond the Seas) ſhall forfeit for every Deer ſo bought and ſold, xl. s. for every Hare, x. s. and for every Partridge, x. s. and for every Pheaſant ſo bought and ſold, xx. s. (2) Of all which forfeitures, the one moyety ſhall be to him that will Sue for the ſame by bill of indictment or information, and the other moyety to the Poor of the Pariſh where the ſaid offence or offences ſhall be committed.

The penalty for ſelling, or buying to ſell again, Deer, Hare, Partridge or Pheaſant.

V. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall or may after the ſaid firſt day of Auguſt, be puniſhed by force of any former Statute or Law, for any of the ſaid offences, for which by force of this Law, any puniſhment ſhall be inflicted: (2) And that all Juſtices of Aſſiſe in their ſeveral Circuits, and all Juſtices of the Peace in their general Quarter Seſſions, and any two Juſtices of Peace, or more together out of any Seſſions, ſhall and may by force of this preſent Act, have full power and authority to examine, hear, puniſh and determine all offences to be committed againſt this preſent Statute, and to adminiſter Oath as aforeſaid, and perform and execute all and every Act and thing fit or requiſite for the due execution of this preſent Act.

No puniſhment by any former law where it is inflicted by this.

Which officers may hear and determine theſe offences.

VI. Provided always, That it ſhall and may be lawful for every perſon or perſons which have or ſhall have free Warren, and to and for every Lord of a manor, and to every Free-holder which is, or ſhall be ſeiſed in his own right or in the right of his Wife, of lands, tenements or hereditaments to the clear yearly value of ten pounds or more by the year, over and above all charges and repriſes of ſome Eſtate of Inheritance, (2) or of lands, tenements or hereditaments, in his own right, or in the right of his Wife, for term of life or lives, of the yearly value of thirty pounds, over and above all charges and repriſes, (3) or be, or which ſhall be worth in goods or chattels, two hundred pounds, (4) by him or themſelves, or by his or their menial ſervants (ſufficiently authorized from his or their Maſter for that purpoſe) (5) to take Pheaſants and Partridges in the day-time only with Nets, in and upon his and their own, or his and their Maſters free Warren, Manor and Freehold, or on any part of them, betwixt the Feaſt of S. Michael the Archangel, and the Feaſt of the Birth of our Lord God yearly; Any thing in his Law to the contrary notwithſtanding.

Who may take Pheaſants and Partridges with Nets, and when. Rep. 7 Jac. 11.

VII. And

Licence to ſhoot in a gun for Hawks-meat.

VII. And be it alſo further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for every perſon and perſons keeping any Hawk or Hawks, which at the general quarter Seſſions of the County (where he and they ſhall dwell) ſhall be licenſed to ſhoot hail ſhot in Hand-guns or Birding-pieces, at Crow, Cough, Pye, Rook, Ring-dove, Jey or ſmaller Birds, for Hawks-meat only, to ſhoot and kill Hawks-meat, according to the ſaid licence only, (2) ſo that ſuch party ſo to be licenſed, do at the ſame quarter Seſſions wherein he ſhall be licenced, become bound to the Kings Majeſty by Recognizance in twenty pounds, not to ſhoot at any the Fowl or Game, of which ſhooting is prohibited by this Law; (3) And ſo that he or they ſhall not ſhoot in any Hand-gun or other gun, within ſix hundred paces of any Hernery, nor within one hundred paces of any Pigeon-houſe, nor in any Park, Foreſt or Chaſe, whereof the party ſo licenſed, or his Maſter is or ſhall not be the owner, keeper or governour, (4) for which licence and Recognizance the Clerk of the Peace is to take only twelve pence, and no more.

Continuance of this Statute.

(5) This Law to continue to the end of the firſt Seſſion of the next Parliament. 3 Car 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XXVIII.

Berwick, Raſt. 2.

A confirmation of the Kings Letters Patents bearing date at Weſtminſter 30 die Aprilis, Anno 2 Regis Jacobi, granted to the Mayor, Bayliffs and Burgeſſes of the Borough of Berwick upon Tweed, and of the franchiſes, liberties and cuſtoms of the ſaid Borough. PR. St. 22. Eliz. 4. 8.

CAP. XXIX.

Fiſh-days 6.

To what ſorts of fleſh, Licences to eat fleſh in Lent ſhall not extend. What ſort of fleſh ſhall not be killed in Lent to be put to ſale. EXP. St. 5 El. 5. 35 El. 7.

CAP. XXX.

Radipol, Raſt. 1.

The Inhabitants of Melcomb Regis, in the County of Dorſet, within the Dioceſs of Briſtol, may at their own coſts build a Church upon the ground where the Chappel now ſtandeth, and the grounds adjoyning convenient to receive the Inhabitants of Radipol, and incloſe the waſte grounds adjoyning, to make a Church-yard for a place of burial; After which Church is builded, it ſhall be called the Parochial Church of Radipol; and the new parſon of Radipol, and his Succeſſors, ſhall be Parſons thereof: And the old Pariſh Church of Radipol ſhall be but a Chappel of eaſe: And the Patron of the old Pariſh Church of Radipol ſhall be a Patron of the new. A new Manſion Houſe in Melcomb Regis aſſigned to the ſaid Parſon and his Succeſſors for ever. PR.

CAP. XXXI.

An Act for the charitable relief and ordering of perſons infected with the Plague.

Plague 1. Several proviſions made for thoſe that be infected with the Plague.

Inſt. 9

FOraſmuch as the Inhabitants of divers Cities, Boroughs, Towns-corporate, and of other Pariſhes and Places being viſited with the Plague, are found to be unable to relieve the poorer ſort of ſuch people ſo infected, who of neceſſity muſt be by ſome charitable courſe provided for, leſt they ſhould wander abroad, and thereby infect others: (2) And foraſmuch as divers perſons infected with that diſeaſe, and others inhabiting in houſes and places infected, as well poor people and unable to relieve themſelves, that are carefully provided for, as others which of themſelves are of ability, being commanded by the Magiſtrate or Officer of or within the place where the infection ſhall be, to keep their houſes, or otherwiſe to ſeparate themſelves from company, for the avoiding of further infection, do notwithſtanding very dangerouſly and diſorderly miſ-demean themſelves:

Taxing the inhabitants for relief of the ſick of the Plague.

II. Be it therefore enacted by the authority of this preſent Parliament, That the Mayor, Bayliffs, Head-officers, and Juſtices of Peace of every City, Borough, Town-corporate, and places priviledged, where any Mayor and Bayliffs, Head-officers or Juſtices of Peace are or ſhall be, or any two of them, ſhall have power and authority from time to time to tax and aſſeſs all and every Inhabitant, and all houſes of habitation, lands, tenements and hereditaments within the ſaid City, Borough, Town-corporate and places priviledged, or the liberties or precincts thereof, at ſuch reaſonable taxes and payments as they ſhall think fit for the reaſonable relief of ſuch perſons infected, or inhabiting in houſes and places infected in the ſame Cities, Boroughs and Towns-corporate and places priviledged, (2) and from time to time to levy the ſame taxes of the goods of every perſon refuſing or neglecting to pay the ſaid taxes, by Warrant under the hand and ſeal of the Mayor and Bayliffs, and Head-officers aforeſaid, or two ſuch Juſtices of Peace, to be directed to any perſon or perſons for the execution thereof.

The penalty of any party taxed refuſing to pay and having no goods.

III. And if the party to whom ſuch Warrant is or ſhall be directed, ſhall not find any goods to levy the ſame, and the party taxed ſhall refuſe to pay the ſame tax, That then upon return thereof, the ſaid Mayor, Bayliffs, Head-officers or Juſtices of Peace, or to any two of them, ſhall by like Warrant under their hands and ſeals, cauſe the ſame perſon ſo taxed to be Arreſted, and committed to the Gaol, without bail or mainpriſe, until he ſhall ſatisfie the ſame taxation and the arrearages thereof.

A proviſion if the inhabitants of the town infected be not able to relieve the ſick.

IV. And if the Inhabitants of any ſuch City, Borough, Town-corporate or place priviledged, ſhall find themſelves unable to relieve their ſaid poor infected perſons, and others as aforeſaid, That then upon Certificate thereof by the Mayor, Bayliffs, Head-officers and other the ſaid Juſtices of Peace, or any two of them, to the Juſtices of Peace of the County of or near to the ſaid City, Borough, Town-corporate, or priviledged place ſo infected, or any two of them to be made, the ſaid Juſtices of or near the ſaid County, or any two of them, ſhall or may tax and aſſeſs the Inhabitants of the County within five miles of the ſaid place infected, at ſuch reaſonable weekly taxes and rates as they ſhall think fit to be levied by Warrant from any ſuch two Juſtices of Peace of or near the County, by ſale of goods, and in default thereof, by impriſonment of the body of the party taxed, as aforeſaid.

A proviſion if the infection ſhall be where there are no Juſtices of Peace.

V. And if any ſuch infection ſhall be in any Borough, Town-corporate or priviledged place, where there are or ſhall be no Juſtices of Peace, or in any Village or Hamlet within any County, That then it ſhall and may be lawful for any two Juſtices of Peace of the ſaid County wherein the ſaid place infected is or ſhall be, to tax and aſſeſs the Inhabitants of the ſaid County, within five miles of the ſaid place infected, at ſuch reaſonable weekly taxes and rates as they ſhall think fit for the reaſonable relief of the ſaid places infected, to be levied by Warrant from the ſaid Juſtices of Peace of the ſame County, by ſale of goods, and in defaul thereof, by impriſonment of the body of the party ſo taxed as aforeſaid: (2) The ſame taxes made by the ſaid Juſtices of Peace of the County, for the relief of ſuch Cities, Boroughs, Towns-corporate, and places priviledged, where there are no Juſtices of Peace, to be diſpoſed as they ſhall think fit; and where there are Juſtices of Peace, then in ſuch ſort as to the Mayors, Bailiffs, Head-Officers, and Juſtices of Peace there, or any two of them ſhall ſeem fit and convenient.

VI. All which taxes and rates made within any ſuch City, Borough, Town-corporate or place priviledged, ſhall be certified at the next quarter Seſſions to be holden within the ſaid City, Borough, Town-corporate or place priviledged; (2) And the ſaid taxes and rates made within any part of the ſaid County, ſhall in like ſort be certified at the next quarter Seſſions, to be holden in and for the ſaid County; (3) and that if the Juſtices of Peace at ſuch quarter Seſſions reſpectively, or the more part of them ſhall think it fit the ſaid tax or rate ſhould continue, or be enlarged or extended to any other parts of the County, or otherwiſe determined, then the ſame to be ſo enlarged extended or determined, encreaſed or taxed and levied in manner and form aforeſaid, as to the ſaid Juſtices at the quarter Seſſions reſpectively ſhall be thought fit and convenient: (4) And every Conſtable and other Officer that ſhall wilfully make default in levying ſuch money as they ſhall be commanded by the ſaid Warrant or Warrants, ſhall forfeit for every ſuch offence ten ſhillings, to be employed on the charitable uſes aforeſaid.

The taxes aſſeſſed ſhall be certified at the next quarter Seſſions.

The forfeiture of Officers making default to levy the money aſſeſſed.

VII. And be it further enacted, That if any perſon or perſons infected, or being or dwelling in any houſe infected, ſhall be by the Mayor, Bailiffs, Conſtable or other Head-Officer of any City, Borough, Town-corporate, priviledged place or Market-town, or by any Juſtice of Peace, Conſtable, Headborough, or other Officer of the County (if any ſuch infection be out of any City, Borough, Town-corporate, priviledged place or Market-town) commanded or appointed as aforeſaid, to keep his or their houſe, for avoiding of further infection, and ſhall notwithſtanding wilfully and contemptuouſly diſobey ſuch direction and appointment, offering and attempting to break out, and go abroad, and to reſiſt, or going abroad and reſiſting ſuch keepers or watchmen as ſhall be appointed as aforeſaid, to ſee them kept in, That then it ſhall be lawful for ſuch Watchmen, with violence to inforce them to keep their houſes: And if any hurt come by ſuch enforcement to ſuch diſobedient perſons, that then the ſaid keepers, watchmen and any other their aſſiſtants, ſhall not be impeached therefore: (2) And if any infected perſon, as aforeſaid, ſo commanded to keep houſe, ſhall contrary to ſuch commandment wilfully and contemptuouſly go abroad, and ſhall converſe in company, having any infectious Sore upon him uncured, That then ſuch perſon and perſons ſhall be taken, deemed and adjudged as a Felon, and to ſuffer pains of death, as in caſe of Felony: (3) But if ſuch perſon ſhall not have any ſuch Sore found about him, then for his ſaid offence, to be puniſhed as a Vagabond in all reſpects ſhould or ought to be, by the Statute made in the xxxix. year of the Reign of our late Sovereign Lady Queen Elizabeth, for the puniſhment of Rogues and Vagabonds; aud further to be bound to his or their good behaviour for one whole year.

An infected perſon commanded to keep his houſe, diſobeyeth.

39 El. 2.
Co. Inſt, 3 par. 90.

VIII. Provided, That no attainder of Felony by virtue of this Act, ſhall extend to any attainder or corruption of Blood, or forfeiture of any goods, chattels, lands, tenements or hereditaments.

IX. And be it further enacted by the authority aforeſaid, That it ſhall be lawful for Juſtices of Peace, Mayors, Bailiffs and other Head-Officers aforeſaid, to appoint within their ſeveral limits, ſearchers, watchmen, examiners, keepers and buriers, for the perſons and places reſpectively infected as aforeſaid, and to miniſter unto them Oaths for the performance of their Offices of ſearchers, examiners, watchmen, keepers and buriers, and give them other directions, as unto them for the preſent neceſſity ſhall ſeem good in their diſcretions; (2) And this Act to continue no longer than until the end of the firſt Seſſion of the next Parliament.

Attendants ſhall be appointed upon the infected.

The continuance of this Act.

X. Provided always, and be it enacted by the authority of this preſent Parliament, That no Mayors, Bayliffs, Head-Officers, or any Juſtice of Peace, ſhall by force or pretext of any thing in this Act contained, do or execute any thing before mentioned, within either the Univerſities of Cambridge or Oxford, or within any Cathedral Church or the Liberties or Precincts thereof, in this Realm of England, or within the Colledges of Eaton or Wincheſter, (2) But that the Vice-Chancellor of either the Univerſities for the time being, within either of the ſame reſpectively, and the Biſhop and Dean of every ſuch Cathedral Church, or one of them, within ſuch Cathedral Church, and the Provoſt or Warden of either of the ſaid Colledges within the ſame, ſhall have all ſuch power and authority, and ſhall do and execute all and every ſuch act and acts, thing and things in this Act before mentioned, within their ſeveral Precincts and Juriſdictions abovesaid, as wholly, abſolutely and fully, to all intents and purpoſes, as any Mayor, Bailiffs, Head-Officers or Juſtices of Peace, within their ſeveral Precincts and Juriſdictions may elſewhere by force of this Act do and execute. 3 Car. 4 Continued until the end of the firſt Seſſion of the next Parliament. So by 17 Car. 1. cap. 4. is yet in force.

The Univerſities, Cathedral Churches, Eaton, Wincheſter Colledge.

CAP. XXXII.

Car. 2. c. 27.

From the end of this Seſſion of Parliament during ſeven years and no longer, there ſhall be paid by the Maſter or Owner of every Ship, Veſſel or Crayer (ſaving of Lime Regis in the County of Dorſet) whereof any of the Kings Subjects ſhall be Owners, or part Owners, of the burden of twenty Tuns or upward, for every Voyage loading or diſcharging within this Realm, or to, or from any foreign Countrey beyond the Seas, and paſſing to or from London, or from, to or by Dover, or coming into the Harbour there (not having a Cocquet teſtifying his payment before) three pence for every Tun of the burthen of every ſuch Veſſel, &c. Except Veſſels loaden with Sea-coals or Grindſtones; and for every Chaldron of Sea-coals or Grindſtones, i. d. ob. which ſhall be paid to the Cuſtomer, Collector of Cuſtoms or Subſidies, or their Deputies, &c. Exp.

Dover, Raſt. 5.

CAP. XXXIII.

An Act of a Subſidy of Tonnage and Poundage.

IN their moſt humble wiſe ſhew unto your moſt excellent Majeſty, your loyal and obedient Subjects and Commons in this your preſent Parliament aſſembled, That where as well your noble great Grandfather of worthy memory, King Henry the Seventh, the noble King of famous memory Henry the Eighth, the late King of worthy memory, King Edward the Sixth,

Cuſtoms 1. A Subſidy granted to the King of Tonnage, Poundage, wools, &c.

What Subſidies the Kings of this Realm have had, and for what cauſes.

the late Queen Mary, and the late renowned Sovereign Lady Queen Elizabeth, as other your right noble and famous Progenitors, Kings of this your Realm of England, time out of mind, have had and enjoyed unto them by authority of Parliament, for the defence of this your Realm, and the keeping and ſafeguard of the Seas for the entercourſe of Merchandize, ſafely to come into and paſs out of the ſame, certain ſums of money, named Subſidies, of all manner of Goods and Merchandize, coming in or going out of the ſame your Realm; (2) And foraſmuch as we your ſaid poor Commons, undoubtedly and moſt aſſuredly do truſt, and have ſure confidence in your Majeſties good favour and will towards us your ſaid Commons, in, and for the keeping and ſure defending of the Seas againſt all perſons, intending, or that ſhall intend the diſturbance of us your ſaid Commons, in the entercourſe, and the invading of this your Realm, to our moleſtation, unquieting and loſs, which at any time cannot be born without the great exceſs and intolerable coſts, charges and expences of your Majeſty, which is not when need ſhall require in ſuch caſes to be lacked at any time, but rather we your ſaid Commons wiſhing that ſuch furniture of all things may be had in readineſs from time to time when neceſſity ſhall require; (3) for the ſpeedy indelayed proviſion and help, for the ſuppreſſing of ſuch inconveniences, diſturbances and invaſions, humbly deſire your moſt excellent Majeſty, benignly and favourably to take, accept and receive theſe our poor grants hereafter enſuing, as granted of true hearts and good wills which we bear unto your Highneſs, towards your ſaid great coſts, charges and expences which may be expended and laid out by your Majeſty for the cauſes aforeſaid, when need ſhall require, as the firſt fruits of our good wills and hearts towards your Highneſs, although the ſame do, or hereafter ſhall nothing in effect countervail the ſame your great charges, nor yet we your ſaid poor Commons able fully to gratifie your Highneſs by any means; (4) yet nevertheleſs we your ſaid Commons, by the advice and conſent of the Lords Spiritual and Temporal in this your preſent Parliament aſſembled, and by the authority of the ſame, to the intent aforeſaid, Do give and grant to you our Supreme Liege Lord and Sovereign, one Subſidy called Tonnage, that is to ſay, of every Tun of Wine that is or ſhall come into this Realm or any your Majeſties Dominions by way of Merchandize, the ſum of three ſhillings, and ſo after that rate; (5) And of every Tun of ſweet Wines, as well Malmſey as other, that is or ſhall come into this Realm by any Merchant-alien, three ſhillings, and ſo after the rate over and above the three ſhillings above mentioned; (6) And of every Awm of Rheniſh Wine that is or ſhall ſo come in, twelve pence: (7) And alſo one other Subſidy called Poundage, that is to ſay, of all manner of Goods and Merchandize of every Merchant, Denizen and Alien, carried or to be carried out of this Realm, or any your Majeſties Dominions, or to be brought into the ſame by way of Merchandize, of the value of every twenty ſhillings of the ſame Goods and Merchandize, twelve pence, and ſo after the rate; (8) And of every twenty ſhillings value of Tin and Pewter Veſſel carried out of this Realm by every or any Merchant-alien, twelve pence, over and above the twelve pence aforeſaid: (9) Except and foreprized out of this grant of Subſidy of Poundage, all manner of Woollen Cloth made or wrought, or which ſhall be made or wrought within this Realm of England, and by every, or any Merchant-denizen, and not born alien, carried or to be carried out of this your ſaid Realm; (10) And all manner of Woolls, Wooll-fells, Hides and Backs of Leather, that is or ſhall be carried out of this your ſaid Realm; (11) And all Wines not before limited to pay Subſidy or Tonnage; (12) and all manner of freſh Fiſh and beſtial coming, or that ſhall come into the ſame your Realm.

Exceptions out of the Subſidy of Poundage.

A Subſidy of the goods of Aliens born.

II. And further we your ſaid poor Commons, by the advice, aſſent and authority aforeſaid, do give and grant unto you our ſaid Liege Lord and Sovereign for the cauſes aforeſaid, one other Subſidy, that is to ſay, of every Merchant born Denizen, of and for every ſack of Wooll, thirty three ſhillings four pence; (2) And of and for every two hundred and fourty Wooll-fells, thirty three ſhillings four pence; (3) And of and for every laſt of Hides and Backs, three pounds ſix ſhillings eight pence, and ſo after the ſame rate, for every leſs or greater quantity for any the ſame Merchandize more or leſs; (4) And of every Merchant-ſtranger not born Denizen, of and for every Sack of Wooll, three pound ſix ſhillings eight pence; (5) And of and for every two hundred forty Wooll-fells, three pound ſix ſhillings eight pence; (6) And for every Laſt of Hides and Backs, three pound thirteen ſhillings four pence; (7) And ſo of all the ſaid Woolls, Wooll-fels, Hides and Backs, and of every of them after the rate: (8) To have, take, enjoy and perceive the Subſidies aforeſaid, and every of them, and every part and parcel of them, to your Highneſs, from the eighteenth day of March laſt paſt, during your life natural.

The penalty if the ſaid Subſidy be not paid. 1 Roll. 383.

III. And that it may be further enacted by the authority aforeſaid, That if any Wines, Goods or other Merchandize, whereof any the Subſidies aforeſaid, are, or ſhall be due, ſhall at any time hereafter be ſhipped, or put into any Boat or other Veſſel, to the intent to be carried into the parts beyond the Seas, or elſe be brought from the parts beyond the Seas, into any Port of this Realm, or other your Majeſties Dominions, by way of Merchandize, and unſhipped to be laid on Land, the Subſidy, Cuſtom and other Duties due, or to be due for the ſame, not payed or lawfully tendred to the Collector thereof, or his Deputy, with the conſent and agreement of the Comptroller and Surveyor there, or one of them at the leaſt, not agreed with for the ſame in the Cuſtom-houſe, according to the true meaning of this Act, That then from the ſaid eighteenth day of March laſt paſt, all the ſame Wine, Goods and Merchandize whatſoever, ſhall be forfeit to your Highneſs during the time aforeſaid, the one moiety of the rate thereof to your Highneſs, and the other moiety to him or them that will ſeize the ſame, or ſue for the ſame: (2) And that it may pleaſe your Highneſs, that all Merchants, as well Denizens as Strangers, coming into this your Realm, be well and honeſtly intreated and demeaned for ſuch things as Subſidy by this Act is granted for, as they were in the time of your ſaid Noble Progenitors and Predeceſſors, without oppreſſion to them to be done, paying the Subſidies aforeſaid.

Merchants ſtrangers ſhall be well intreated.

A proviſion for them whoſe goods be taken by Pirates, or periſhed on the Se.

IV. And be it further enacted by the authority aforeſaid, That if any Goods or Merchandizes as aforeſaid, of any Merchant being born Denizen, after the ſaid eighteenth day of March during the term of this Grant, hath been, or ſhall be taken by any Enemies or Pirates upon the

Sea, or periſhed in any Ship or Ships, that ſhall happen to be taken or periſhed, within the time of the ſaid Grant, whereof the Subſidies and other Duties aforeſaid, are or ſhall be duly paid or agreed for, as aforeſaid, and that duly proved before the Treaſurer of England, or Chief Baron of the Exchequer, for the time being, by the examination of the ſame Merchants, if they be alive, or of their executors or adminiſtrators, if they be dead, or by two credible witneſſes at the leaſt, ſworn, or other reaſonable witneſs and proof ſworn, then the ſame Merchant or Merchants, his or their executors or adminiſtrators, ſhall or may newly ſhip in the ſame Port where the Goods and Merchandize aforeſaid were or ſhall be accuſtomed, ſo much other Merchandize or Goods as the ſame Goods and Merchandize that are, or ſhall be loſt as aforeſaid, ſhall amount unto, in cuſtom, without paying any thing for the ſame, (2) ſo as the ſame proof be recorded and allowed of in the Court of Exchequer, and certified to the Collectors of the Cuſtom of the Port where the ſame Wares and Merchandizes are to be newly ſhipped without Cuſtom, as aforeſaid: (3) And further, that every Merchant Denizen that ſhall hereafter ſhip any Wooll, Wooll-fells, Hides, or any other Goods or Merchandize, in any Carrick or Gally, ſhall pay to your Majeſty all manner of Cuſtoms, and all the Subſidies aforeſaid, as any Alien born out of the Realm.

The Cuſtom of goods ſhipped in Carricks or Gallies.

V. Provided always, That it ſhall and may be lawful to all and every of the Subjects of our Sovereign Lord the King, at his and their will and pleaſure, to carry and tranſport out of this Realm, in the Ships or other Veſſels of any the Subjects aforeſaid, all and every kind of Herrings, or other Sea-fiſh to be taken upon the Seas, by any the Subjects aforeſaid, from or out of any Port or Harbour of this Realm, to any place out of the Kings Dominions, without paying of any Cuſtom, Subſidy or Poundage-money for the ſame Herrings and Fiſh ſo carried or tranſported, during this preſent Grant of Subſidy of Tonnage and Poundage; any thing before contained to the contrary notwithſtanding. EXP.

Shipping of Herrings.

Anno Regni JACOBI *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ*, viz. *Angliæ, Franciæ, & Hiberniæ tertio, & Scotiæ tricesſimo nono.*

AT the ſecond Seſſion of Parliament begun and holden by Prorogation at Weſtminſter, the Fifth day of November, in the Third year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland King, Defender of the Faith, &c. and of Scotland the nine and thirtieth: And there continued until the ſeven and twentieth of May (And from this ſecond Seſſion of Parliament, ending the ſaid ſeven and twentieth of May, the ſaid Parliament was Prorogued until the eighteenth of November next following, 1606.) To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

CAP. I.

An Act for a Publick Thankſgiving to Almighty God every year on the Fifth day of November.

Sacraments 3. Yearly Prayer ſhall be made for the delivery of the King, &c. from the Gun-powder Treaſon.

The bleſſings of England by the King and his Progeny.

The Gun-powder Treaſon conſpired to have been effected 5 Nov. An. Dom. 1605.

FOraſmuch as Almighty God hath in all ages ſhewed his Power and Mercy in the miraculous and gracious deliverance of his Church, and in the Protection of Religious Kings and States; (2) And that no Nation of the earth hath been bleſſed with greater benefits than this Kingdom now enjoyeth, having the true and free profeſſion of the Goſpel under our moſt gracious Sovereign Lord King JAMES, the moſt great, learned and religious King that ever Reigned therein, enriched with a moſt hopeful and plentiful Progeny, proceeding out of his Royal Loyns, promiſing continuance of this happineſs and profeſſion to all poſterity: (3) the which many malignant and develiſh Papiſts, Jeſuits and Seminary Prieſts much envying and fearing, conſpired moſt horribly, when the Kings moſt excellent Majeſty, the Queen, the Prince, and all the Lords Spiritual and Temporal, and Commons ſhould have been aſſembled in the Upper-houſe of Parliament upon the Fifth day of November, in the year of our Lord, 1605. ſuddenly to have blown up the ſaid whole Houſe with Gun-powder: (4) An invention ſo inhumane, barbarous and cruel, as the like was never before heard of, and was (as ſome of the principal Conſpirators thereof confeſs) purpoſely deviſed and concluded to be done in the ſaid Houſe, that where ſundry neceſſary and religious Laws for preſervation of the Church and State were made, which they falſly and ſlanderouſly term cruel Laws, enacted againſt them and their Religion, both place and perſons ſhould be all deſtroyed and blown up at once, (5) which would have turned to the utter ruine of this whole Kingdom, had it not pleaſed Almighty God, by inſpiring the Kings moſt excellent Majeſty with a Divine Spirit, to interpret ſome dark phraſes of a Letter ſhewed to his Majeſty above and beyond all ordinary conſtruction, thereby miraculouſly diſcovering this hidden Treaſon not many hours before the appointed time for the execution thereof: (6) Therefore the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and all his Majeſties faithful and loving Subjects, do moſt juſtly acknowledge this great and infinite Bleſſing to have proceeded meerly from GOD his great mercy, and to his moſt holy Name do aſcribe all honour, glory and praiſe: (4) And to the end this unfeigned Thankfulneſs may never be forgotten, but be had in a perpetual remembrance, that all ages to come may yield praiſes to his Divine Majeſty for the ſame, and have in memory THIS JOYFUL DAY OF DELIVERANCE:

How the Treaſon was diſcovered.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, The Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters in every Cathedral and Pariſh Church, or other uſual Place for Common Prayer, within this Realm of England and the Dominions of the ſame, ſhall always upon the Fifth day of November ſay Morning Prayer, and give unto Almighty God thanks for this moſt happy deliverance: (2) And that all and every perſon and perſons inhabiting within this Realm of England and the Dominions of the ſame, ſhall always upon that day diligently and faithfully reſort to the Pariſh Church or Chappel accuſtomed, or to ſome uſual Church or Chappel where the ſaid Morning Prayer, Preaching or other Service of God ſhall be uſed, and then and there to abide orderly and ſoberly du-

Thanks ſhall be given to God in every Church yearly upon the Fifth day of November.

ring the time of the ſaid Prayers, Preaching, or other Service of God there to be uſed and miniſtred.

The Miniſter ſhall give warning of the day the Sunday before.

III. And becauſe all and every perſon may be put in mind of his duty, and be then better prepared to the ſaid holy Service, be it enacted by authority aforeſaid, That every Miniſter ſhall give warning to his Pariſhioners publickly in the Church at Morning-Prayer, the Sunday before every ſuch Fifth day of November, for the due obſervation of the ſaid day: And that after Morning-Prayer or Preaching upon the ſaid Fifth day of November, they read publickly, diſtinctly and plainly this preſent Act.

CAP. II.

An Act for the Attainder of divers Offenders in the late moſt barbarous, monſtrous, deteſtable, and damnable Treaſons.

Attainder, Raſt. 13. Certain perſons attainted of high treaſon, for conſpiring to blow up with Gun-powder the Parliament Houſe. Treaſons practiſed in the time of Queen Elizabeth.

IN moſt humble manner beſeechen your moſt excellent Majeſty, your moſt loyal, faithful and true hearted Subjects, The Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That whereas Arthur Creſwel Jeſuit, who at the time of his profeſſion to be a Jeſuit, took upon him the name of Joſeph Creſwel, Oſwald Teſmond, Jeſuit, and Thomas Winter late of Huddington in the County of Worceſter, Gentleman, the laſt day of June, in the Four and fortieth year of the late Queen Elizabeth of famous memory, at Valedolid within the Kingdom of Spain, and at divers other days within the ſame Four and fortieth year of the ſaid late Queen, at Valedolid aforeſaid, and elſewhere within the ſame Kingdom of Spain, by the means, procurement and privity of Robert Catesby, late of Aſhby in the County of Northampton, Eſquire, Francis Treſham late of Ruſhton in the ſaid County of Northampton, Eſquire, and Henry Garnet, Jeſuit, (aſſuming upon him to be Superior of the Jeſuits within this Realm of England) and others, being all natural born Subjects of this Realm, did traiterouſly and againſt the Duty of their Allegiance, move and incite Philip, then, and yet King of Spain, then being at open enmity and hoſtility with the ſaid late Queen, with force to invade this Kingdom of England, and to joyn with the Papiſts and diſcontented perſons within this Realm of England, to depoſe and overthrow the ſame late Queen, of, and from her Crown, and of, and from her Royal Eſtate, Title and Dignity, and to ſuppreſs and aboliſh the true Religion of Almighty God truly and ſincerely profeſſed within this Kingdom, and to reſtore the Superſtitious Romiſh Religion within the ſame, and to bring this ancient, famous and moſt renowned Kingdom to utter ruine and miſerable captivity under foreign Power: (2) And for that the greateſt impediment unto the ſame Invaſion, would be the want of help of good Horſes, the ſaid Thomas Winter, the rather to encourage the ſame King thereunto, was to offer to the ſame King on the behalf of the Papiſts of England, to give him aſſiſtance preſently upon the Landing of his Forces, with One thouſand five hundred, or Two thouſand Horſes; (3) and that for their better accompliſhing thereof, he ſhould move the ſame King to furniſh the Papiſts of England with a good ſum of money, partly to be employed to provide and furniſh the Horſes, and partly in Penſions, to be imployed upon ſome ſuch as were to be prepared for that Service: (4) All which the ſaid Thomas Winter did relate to the ſaid King of Spain, who (the ſaid Kingdoms of England and Spain then ſtanding in hoſtility) took that offer in very good part, ſaying, That he would reſpect and account of the Catholicks of England (meaning the Papiſts) as of his own Caſtilians, and thereupon agreed that he would make Invaſion, and ſet foot in England about the Spring then next following, and would by way of exchange ſend over unto the Papiſts of England, One hundred thouſand Crowns, to be paid at two days agreed upon; all which particulars are extant in the Confeſſion of ſome of the chief Offenders: At which time ſundry Papiſts of England did extraordinarily furniſh themſelves by the traiterous and wicked perſwaſion and means of ſundry Jeſuits, both with Horſe and Armour.

To what intent the Treaſons were practiſed.

The King of Spains anſwer to the Traitors motion.

II. But before theſe things could be effected, Almighty GOD called the ſaid late Queen to his Mercy: Immediately after whoſe deceaſe, that is to ſay, in the ſame month of March wherein ſhe departed out of this World, Chriſtopher Wright, late of London, Gentleman, was employed by the ſaid Robert Catesby, Francis Treſham, Henry Garnet and others, into Spain, to negotiate with the ſaid King of Spain, by the means of the ſaid Creſwel the Jeſuit, and others, to proceed in that Invaſion, which the ſaid Thomas Winter had before negotiated with him: (2) And afterward on the two and twentieth day of June, in the Firſt year of your Majeſties Reign over this Realm of England, Sir William Stanley Knight, Hugh Owen Eſquire, William Baldwin Jeſuit, and others, did by and with the traiterous procurement, and the conſent of the Offenders aforeſaid, from and out of Flanders in the parts beyond the Seas, under the Government of the Archduke, traiterouſly employ and ſend Guy Fawks, late of London, Gentleman, unto the ſaid King of Spain, to negotiate with him on the behalf of the ſaid Papiſts of England, for Invaſion to be had againſt this Realm of England, to the ſame effect as was committed to the ſaid Chriſtopher Wright, as aforeſaid: And the ſaid Guy Fawks and Chriſtopher Wright, though they had all the furtherance of the ſaid Creſwel the Jeſuit that he could give, yet finding no ſuch entertainment with the ſaid King, who (as by the ſequel appeareth) grew into deteſtation with the ſaid Propoſitions and Negotiations, as they expected or deſired: But being wholly diſappointed of all their hopes concerning that matter, the ſaid Robert Catesby, and divers other perſons within this Realm, did ſend over the ſaid Thomas Winter into the ſaid Countrey of Flanders, to procure the ſaid Guy Fawks, a natural born Subject of this Realm, and yet a moſt traiterous, deſperate and bloudy minded perſon, then ſerving as a Souldier in the Low-countries, to come over unto this Realm, and by, and with the traiterous conſpiracy and conſent of the ſaid Henry Garnet, Oſwald Teſmond, John Gerrard and other Jeſuites, and Thomas Pearcy late of London, Eſquire, John Wright late of London, Gentleman, the ſaid Chriſtopher Wright, Francis Treſham, Robert Winter, late of Huddington aforeſaid, Eſquire, John Graunt late of Norbrook in the County of Warwick, Eſquire, Ambroſe Rookwood, late of Stanningfield in the County of

Practiſers in Flanders of invaſion of this Realm.

The King of Spain deteſted the Treaſon.

The practiſers of the Gunpowder Treaſon, and their wicked intent.

Suffolk Eſquire, Everard Digby late of Gotehuſt in the County of Buckingham Knight, Robert Keys late of London Gentleman, and Thomas Bates late of London Yeoman, to undertake the execution of the moſt wicked, barbarous, execrable, and abominable Treaſon that ever could enter into the heart of the moſt wicked man, by blowing up with Gun-powder the Houſe of Parliament, at ſuch time as your moſt excellent Majeſty, and your deareſt Conſort the Queen, and the moſt noble Prince Henry, together with the Lords Spiritual and Temporal, the Judges of the Realm, and the Knights, Citizens and Burgeſſes of Parliament ſhould be in the Parliament Houſe aſſembled, (for which moſt traiterous and barbarous purpoſe there were ſecretly laid in a Vault or Cellar under the Parliament Houſe, thirty ſix Barrels of Gun-powder, or thereabouts) to the utter overthrow and ſubverſion of the whole State of this flouriſhing and renowned Kingdom, if God of his infinite mercy had not moſt miraculouſly, by your Majeſties bleſſed direction, diſcovered the ſame, in finding out the ſaid Barrels of Gun-powder in the ſaid Vault or Cellar, but few hours before the time appointed for the execution thereof: (3) All which moſt heinous, horrible and damnable Treaſons are moſt manifeſt and apparent by the voluntary Confeſſions and Acknowledgments of the Offenders themſelves: Of which moſt barbarous, bloudy, and deteſtable Treaſon for conſpiring and preparing to blow up the ſaid Parliament Houſe with Gun-powder, the ſaid Robert Winter, Thomas Winter, Guy Fawks, Robert Keyes, Ambroſe Rookwood, John Graunt, and Thomas Bates, have been lately indicted, and during this preſent Seſſion of Parliament, arraigned, convicted by Verdict, and thereupon attainted: (4) And the ſaid Sir Everard Digby Knight, hath likewiſe been indicted, and during this preſent Seſſion of Parliament convicted and attainted by his own confeſſion of Record upon his Arraignment, according to the Laws of this your Majeſties Realm, as by the Records of their ſeveral Indictments and Attainders it doth and may more plainly appear: (5) And for the which Offences the ſaid Sir Everard Digby, Robert Winter, Thomas Winter, Guy Fawks, Ambroſe Rookwood, John Graunt, Robert Keyes, and Thomas Bates, have ſuffered pains of death according to their demerits: (6) And the ſaid Robert Catesby, Thomas Pearcy, John Wright, and Chriſtopher Wright, were lately ſlain in open Rebellion, by them and other the ſaid moſt wicked Traitors, moved and ſtirred within divers parts and Counties of this Realm, ſhortly after the ſaid diſcovery of their ſaid moſt deteſtable and damnable Treaſon, in conſpiring and preparing to blow up the ſaid Parliament Houſe, as aforeſaid: (7) And the ſaid Hugh Owen doth (of purpoſe, and for fear of condign puniſhment according to his demerits) reſide and keep himſelf beyond the Seas, by means whereof he cannot in reſpect of ſuch his voluntary abſence, be arraigned, and publickly by due trial of Law, upon apparent teſtimony and proof againſt him, be proceeded withall for his moſt heinous and abominable Treaſons: (8) And the ſaid Francis Treſham being likewiſe one of the ſaid moſt deteſtable Traitors, and being apprehended and impriſoned in the Tower of London, having by ſundry his Examinations confeſſed himſelf a principal Traitor in all the ſaid moſt wicked and abominable Treaſons, died in the ſaid Tower, during the time of his ſaid impriſonment, and before he could be indicted of the ſaid Treaſon:

Certain of the Traitors put to death.

Some ſlain in the field.

Hugh Owen.

Francis Treſham.

III. It may therefore pleaſe your Majeſty, of your bleſſed care and diſpoſition to and for the continuance of Gods true Religion and Service, and for the preſervation and ſafety of your moſt excellent Majeſty, and the gracious Queen, the moſt noble Prince, and the reſt of your Royal Progeny, and for the entire love, favour, and hearty affection that your Majeſty hath always heretofore born, and yet beareth to the Common-wealth and ſafety of this your Realm of England, (to the end that all others may hereafter fear to enter into any cogitation to attempt the like barbarous and deteſtable Treaſons,) That all and every the Convictions and Attainders of the ſaid Robert Winter, Thomas Winter, Guy Fawks, Ambroſe Rookwood, John Graunt, Robert Keyes, Thomas Bates, and Sir Everard Digby, may be approved and confirmed; And be the ſame approved and confirmed by the authority of this preſent Parliament: (2) And that it may be further enacted by the authority aforeſaid, That as well the ſaid Robert Winter, Guy Fawks, Ambroſe Rookwood, John Graunt, Robert Keyes, Thomas Bates, and Sir Everard Digby, as alſo the ſaid Robert Catesby, Thomas Pearcy, John Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, and every of them, for the moſt abominable and deteſtable Treaſon, in conſpiring and preparing the blowing up of the ſaid Parliament Houſe, ſtand and be adjudged, and by authority of this preſent Act, convicted and attainted of High Treaſon: (3) and that ſuch and ſo many of the ſaid Offenders and perſons as are attainted by the courſe of the Common Laws of this Realm, as is aforeſaid, ſhall loſe and forfeit to to your Majeſty, and to your Heirs and Succeſſors, all and every ſuch their Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fees, Annuities, and all other their Hereditaments, Goods, Chattels, Debts, and other things of whatſoever names, natures, or qualities they be, which they the ſaid Offenders and perſons already attainted, by the courſe of the Common Laws of this Realm, as is aforeſaid, or any of them had, or any other perſon or perſons, to their or any of their uſe or uſes, had the day of the ſaid ſeveral Treaſons ſpecified in the ſeveral Indictments whereupon they have been attainted, by them or any of them committed, perpetrated or done, as is aforeſaid, or at any time ſithence:

The convictions and attainders of the Traitors confirmed.

The forfeiture of the Offenders.

IV. And that the ſaid Robert Catesby, Thomas Pearcy, John Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, ſhall forfeit and loſe to your Majeſty, your Heirs and Succeſſors, all and every ſuch their Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fees, Annuities, and all other their Hereditaments, Goods, Chattels, Debts, and other things, of whatſoever names, natures, or qualities they be, which they the ſaid Robert Catesby, Thomas Pearcy, John Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, or any of them had, or any other perſon or perſons to their or any of their uſe or uſes had, the days and times of their ſaid ſeveral Treaſons, by them and every of them committed, perpetrated and done as is aforeſaid; That is to ſay, the ſaid Robert Catesby, Thomas Pearcy, John Wright, and Chriſtopher Wright,

The forfeiture of certain of the Traitors which were not arraigned.

From what days their ſeveral forfeitures ſhall have relation.

Wright, the twentieth day of May, in the ſecond year of your Majeſties Reign of England, France, and Ireland, and of Scotland the ſeven and thirtieth, or at any time ſithence, The ſaid Hugh Owen the twentieth day of May laſt paſt, or at any time after, And the ſaid Francis Treſham the fourteenth day of October laſt, or any time ſince: (2) And that all and ſingular ſuch Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Offices, Fees, Annuities, and all other Hereditaments, Goods, Chattels, Debts, and other the Premiſſes of all and ſingular the ſaid Offenders, as by the Laws and Statutes of this Realm, or by force of this Act of Parliament are or ſhall be forfeited to your Majeſty, ſhall be deemed, veſted, and judged to be in the actual and real poſſeſſion of your Majeſty, without any Office or Inquiſition thereof hereafter to be taken or found: (3) Saving to all and every perſon and perſons, Bodies politick and corporate, and to their Heirs, Succeſſors and Aſſigns of every of them, other than the ſaid perſons attainted, and other than the ſaid Offenders before by this Act attainted, and their Heirs, and the Heirs of every of them, claiming any thing in the ſaid Manors, Meſſuages, Lands, Tenements, and other the Premiſſes, or any part thereof, only as Heir or Heirs, and all and every other perſon and perſons claiming, or having any thing in the premiſſes, or any part thereof, to their uſes, or to the uſe of any of them, (4) All ſuch Eſtate, Right, Title, Uſe, Poſſeſſion, Intereſt, Reverſion, Remainder, Entry, Condition, Fees, Offices, Rents, Annuities, Leaſes, Commons, Action, Suit, Petition, Execution, and all other Hereditaments, and all actions and means to recover or obtain the ſame whatſoever, which they or any of them had or ought to have in the premiſſes, or any part thereof, at or before the ſaid ſeveral Treaſons by the ſaid ſeveral Offenders reſpectively committed or done, in as large and ample manner to all intents and purpoſes, as if this Act had never been had or made; any thing therein contained to the contrary thereof notwithſtanding:

All the lands and goods of the Traitors attainted, ſhall be in the actual poſſeſſion of the King.

A ſaving the right of others.

V. And alſo all ſuch Eſtate, Right, Title, Uſe, Poſſeſſion, Intereſt, Reverſion, Remainder, Entry, Conditions, Fees, Offices, Rents, Annuities, Commons, and all other Commodities and Hereditaments whatſoever, which they or any of them (except the perſons before excepted) now have, or at any time hereafter ſhall or may have, only by virtue of any lawful Conveyance or Limitation made before the ſame ſeveral Treaſons committed or done, for which the ſaid Offenders have been attainted, or are by this act Attainted, in as large and ample manner to all intents and purpoſes, as if this Act had never been had or made; this Act, or any thing therein contained to the contrary thereof notwithſtanding.

Goods, Chattels or Debts of the Traitors given, releaſed, or diſcharged before the fifth of Novemb. laſt.

VI. Provided always, That this Act, or any thing therein contained, ſhall not extend to give the Kings Highneſs, his Heirs or Succeſſors, any benefit or commodity of, or to any Goods, Chattels or Debts that were any of the ſaid perſons, at the Common Law, or by this Act attainted, at the time of the ſeveral Treaſons by them done and committed, and by them or any of them lawfully and juſtly, without fraud or covin, given, granted, bargained, releaſed, or diſcharged before the fifth day of November laſt paſt, but that all and every ſuch perſon and perſons to whom any lawful Bargain, Gift, Grant, Releaſe, or Diſcharge hath been made, as is aforeſaid, ſhall and may have, hold and enjoy the ſame, and be acquitted and diſcharged thereof, in ſuch and like manner and form to all intents and purpoſes, as though this Act had never been had or made.

CAP. III.

England and Scotland. Raſt. 2.

An Act declaratory, explaining the branch of an Act made in the Firſt Seſſion of this Parliament, entituled, An Act Authoriſing certain Commiſſioners in the Realm of England, to treat with the Commiſſioners of Scotland, for the weal of both Kingdoms. 4 Jac. 1.

CAP. IV.

An Act for the diſcovering and repreſſing of Popiſh Recuſants.

Crown, Raſt 17. 3 Inſt. 178. 198.

FOraſmuch as it is found by daily experience, that many his Majeſties Subjects, that adhere in their hearts to the Popiſh Religion, by the infection drawn from thence, and by the wicked and deviliſh counſel of Jeſuits, Seminaries, and other like perſons dangerous to the Church and State, are ſo far perverted in the point of their Loyalties and due Allegiance unto the Kings Majeſty, and the Crown of England, as they are ready to entertain and execute any treaſonable Conſpiracies and Practices, as evidently appears by that more than barbarous and horrible attempt to have blown up with Gun-powder the King, Queen, Prince, Lords and Commons in the Houſe of Parliament aſſembled, tending to the utter ſubverſion of the whole State, lately undertaken by the Inſtigation of Jeſuits and Seminaries, and in advancement of their Religion, by their Scholars taught and inſtructed by them to that purpoſe, which attempt by the only goodneſs of Almighty God was diſcovered and defeated: (2) And where divers perſons popiſhly affected, do nevertheleſs, the better to cover and hide their falſe hearts, and with the more ſafety to attend the opportunity to execute their miſchievous deſigns, repair ſometimes to Church, to eſcape the penalty of the Laws in that behalf provided:

Some popiſhly affected to repair to the Church.

II. For the better diſcovery therefore of ſuch perſons, and their evil actions to the Kings Majeſty, and the State of this his Realm, to the end that being known, their evil purpoſes may be the better prevented, (2) Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every Popiſh Recuſant convicted, or hereafter to be convicted, which heretofore hath conformed him or her ſelf, or which ſhall hereafter conform him or her ſelf, and repair to the Church, and continue there during the time of Divine Service, according to the Laws and Statutes in that behalf made and provided, ſhall within the firſt year next after the end of this Seſſion of Parliament, (if he or ſhe be conformed as aforeſaid, before the end of this Seſſion of Parliament) or within the firſt year next after that he or ſhe ſhall after this Seſſion of Parliament ſo conform him or her ſelf, and repair to Church as aforeſaid, and after the ſaid firſt year, ſhall once in every year following at the leaſt, receive the bleſſed Sacrament of the Lords Supper, in the Church of that Pariſh where he or ſhe ſhall moſt uſually abide, or be within the ſaid year, wherein by the true meaning of this Statute, he or ſhe ought to receive.

III. And if there be no ſuch Pariſh Church, then in the Church next adjoyning to the place of his or her ſuch moſt uſual abode: (2) And if any Recuſant ſo conformed, ſhall not receive the ſaid Sacrament of the Lords Supper accordingly, he or ſhe ſhall for ſuch not receiving, loſe and forfeit for the firſt year, twenty pounds, and for the ſecond year for ſuch not receiving, forty pounds, and for every year after, for ſuch not receiving, threeſcore pounds, until he or ſhe ſhall have received the ſaid Sacrament as is aforeſaid: (3) And if after he or ſhe ſhall have received the ſaid Sacrament as is aforeſaid, and after ſhall eftſoons at any time offend in not receiving the ſaid Sacrament as is aforeſaid, by the ſpace one whole year, That in every ſuch caſe, the perſon ſo offending, ſhall for every ſuch offence loſe and forfeit threeſcore pounds of lawful Engliſh money, (4) the one moiety to be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him that will ſue for the ſame; (5) and to be recovered in any of the Kings Courts of Record at Weſtminſter, or before Juſtices of Aſſiſe or general Goal-delivery, or before Juſtices of the Peace at their general Quarter Seſſions, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Cro. Jac. 365.

The forfeiture of a conformed Recuſant, which doth not receive the Sacrament of the Lords Supper yearly.

IV. And be further enacted by the authority of this preſent Parliament, That the Churchwardens and Conſtables of every Town, Pariſh or Chappel, for the time being, or ſome one of them, or if there be none ſuch, then the chief Conſtables of the Hundred where ſuch Town, Pariſh or Chappel is or ſhall be, or one of them, as well in places exempt, as not exempt, ſhall once in every year preſent the monthly abſence from Church of all and all manner of Popiſh Recuſants within ſuch Towns and Pariſhes, (2) and ſhall preſent the names of every of the Children of the ſaid Recuſants, being of the age of nine years and upwards, abiding with their ſaid Parents, and as near as they can, the age of every of the ſaid Children, as all the names of the Servants of ſuch Recuſants, at the General or Quarter Seſſions of that Shire, Limit, Diviſion or Liberty.

Preſenting the monthly abſence from Church of a Recuſant.

A Recuſants children and ſervants.

V. And be it further enacted by the authority aforeſaid, That all ſuch preſentments ſhall be accepted, entred and recorded in the ſaid Seſſions by the Clerk of the Peace, or Town-Clerk for the time being, or his Deputy, without any Fee to be had, asked or taken for the ſame: (2) And in default of ſuch preſentment to be made, the ſaid Church-wardens, Conſtables, or High Conſtables reſpectively, ſhall for every ſuch default forfeit twenty ſhillings; (3) and in default of ſuch accepting, entring and recording without Fee, as aforſaid, the ſaid Clerk of the Peace, or Town-Clerk, ſhall for every ſuch offence, forfeit and loſe forty ſhillings.

The preſentments recorded.

VI. And that upon every preſentment of ſuch monthly abſence, as aforeſaid, whereupon ſuch party ſo preſented, ſhall after happen to be indicted and convicted (not being for the ſame abſence before preſented) Then the ſaid Churchwardens, Conſtables, or High Conſtables, reſpectively, ſo making ſuch preſentments, ſhall have a reward of forty ſhillings, (2) to be levied out of the Recuſants Goods and Eſtate, in ſuch manner and form as by the more part of the ſaid Juſtices ſhall be by Warrant under their Hands and Seals, then and there ordered and appointed.

The reward of the Church-wardens and Conſtables.

VII. And be it further enacted by the authority aforeſaid, That the Juſtices of Aſſiſe and Goal-delivery at their Aſſiſes, and the ſaid Juſtices of Peace at any of their ſaid Seſſions, ſhall have power and authority by virtue of this Act, to enquire, hear and determine of all Recuſants and Offences, as well for not receiving the Sacrament aforeſaid, according to the meaning of this Law, as for not repairing to Church, according to the meaning of former Laws, in ſuch manner and form as the ſaid Juſtices of Aſſiſe and Goal-delivery do, or may now do by former Laws, in caſe of Recuſancy for not repairing to Church, (2) and alſo ſhall have power at their Aſſiſes and Goal-delivery, and at the Seſſions (in which any Indictment againſt any perſon, either for not repairing to Church according to former Laws, or not receiving the ſaid Sacraments according to this Law, ſhall be taken) to make Proclamation, by which it ſhall be commanded, that the body of every ſuch Offendor ſhall be rendred to the Sheriff of the ſame County, or Bailiff, or other Keeper of the Goal of the Liberty, before the next Aſſiſes and general Goal-delivery, or before the next general or quarter Seſſions reſpectively to be holden for the ſaid Shire, Limit, Diviſion or Liberty; (3) And if at the ſaid next Aſſiſes and general Goal-delivery or Seſſions, the ſame Offender ſo proclaimed, ſhall not make appearance of Record, That then upon every ſuch default recorded, the ſame ſhall be a ſufficient conviction in the Law of the ſaid Offence whereof the party ſhall ſtand indicted as aforeſaid, as if upon the ſame Indictment, a trial by verdict thereupon had proceeded, and been found againſt him or her, and recorded.

Which Officers ſhall enquire of offenders.

The effect of the Proclamation.

Conviction of a Recuſant.

VIII. And be it further enacted, That every Offender in not repairing to Divine Service, but forbearing the ſame, contrary to the Statutes in that behalf made and provided, that hereafter ſhall fortune to be thereof once convicted, ſhall in ſuch of the Terms of Eaſter and Michaelmas as ſhall be next after ſuch conviction, pay into the Receipt of the Exchequer after the rate of twenty pounds for every month which ſhall be contained in the Indictment, whereupon ſuch conviction ſhall be, (2) and ſhall alſo for every month after ſuch conviction, without any other indictment or conviction, forfeit twenty pounds, and pay into the Receipt of the Exchequer aforeſaid, at two times in the year, That is to ſay, in every Eaſter and Michaelmas Term, as much as then ſhall remain unpaid, after the rate of twenty pounds for every month after ſuch conviction, (3) except in ſuch caſes where the King ſhall and may by force of this Act refuſe the ſame, and take two parts of the Lands, Tenements, Hereditaments, Leaſes and Farms of ſuch Offender, till the ſaid party being indicted for not coming to Church, contrary to former Laws, ſhall conform himſelf and come to Church, according to the meaning of the Statute in that behalf made and provided.

The penalty of a convicted Recuſant.

29 Eliz. 6.

IX. And that every conviction recorded for any Offence before mentioned, ſhall from the Juſtices before whom the record of ſuch conviction ſhall be remaining, be certified into the Kings Majeſties Court of Exchequer, before the end of the Term following ſuch conviction

Every conviction ſhall be certified into the Exchequer.

29 Eliz. 6.

in ſuch convenient certainty for the time, and other circumſtances, as the Court of Exchequer may thereupon award out Proceſs for the ſeizure of the Lands and Goods of every ſuch Offender, as the cauſe ſhall require, (2) And if default ſhall be made in any part of any payment aforeſaid, contrary to the form herein before limited, that then and ſo often, the Kings Majeſty, his Heirs and Succeſſors, ſhall and may by Proceſs out of the ſaid Exchequer, take, ſeize and enjoy all the Goods, and two parts as well of all the Lands, Tenements, Leaſes and Farms of ſuch Offender, as of all other the Lands, Tenements and Hereditaments liable to ſeizure, or to the penalties aforeſaid, by the true meaning of this Act, leaving the third part only of the ſame Lands, Tenements and Hereditaments, Leaſes and Farms, to and for the maintenance and relief of the ſaid Offender, his Wife, Children and Family.

The Stat. of 23 El. 1. touching a Recuſants monthly forfeiture.

X. And whereas by an Act made in the Seſſion of Parliament holden by prorogation at Weſtminſter, in the three and twentieth year of the Reign of the late Queen Elizabeth, Entituled, An Act to retain the Subjects of the ſaid late Queen in their due obedience, It was amongſt other things Enacted by authority of the ſaid Parliament, That every perſon above the age of ſixteen years, which ſhould not repair to ſome Church, Chappel, or uſual place of Common Prayer, but forbear the ſame contrary to the tenor of a Statute made in the firſt year of the Reign of the ſaid late Queen, for the Uniformity of Common Prayer, and being thereof lawfully convicted, ſhould forfeit to the ſaid Queen, for every month after the end of the ſaid Seſſion of Parliament which he or ſhe ſhould forbear, twenty pounds of lawful Engliſh money, as in and by the ſaid Act of Parliament more at large appeareth:

How by the Statute of 29 Eliz. 6. the Queen ſhould recover forfeitures due to her by Recuſants.

XI. And whereas afterward by another Act of Parliament of the ſaid Queen, it was further enacted by the authority of the ſaid Parliament (amongſt other things) how and when the ſaid payments of the ſaid twenty pounds ſhould be made, and that if default ſhould be made in any part of any payment of the ſaid twenty pounds, contrary to the form in the ſaid laſt ſpecified Statute limited, that then, and ſo often, the ſaid Queen ſhould and might by Proceſs out of her Highneſs Exchequer, take, ſeize and enjoy all the Goods, and two parts as well of all the Lands, Tenements and Hereditaments, Leaſes and Farms of ſuch Offender, as of all other the Lands, Tenements and Hereditaments liable to ſuch ſeizure, or to the penalties aforeſaid, by the true meaning of the ſaid Act of Parliament, leaving the third part only of the ſame Lands, Tenements and Hereditaments, Leaſes and Farms, to and for the maintenance and relief of the ſame Offender, his Wife, Children and Family, as in and by the laſt ſpecified Statute more at large alſo may appear: (2) Now foraſmuch as the ſaid penalty of twenty pounds monthly, is a greater burden unto men of ſmall living, then unto ſuch as are of better ability, and do refuſe to come unto Divine Service as aforeſaid, who rather then they will have two parts of their Lands to be ſeized, will be ready always to pay the ſaid twenty pounds according to the Limitation of the ſaid Statutes, and yet retain the reſidue of their Livings and Inheritance in their own hands, being of great yearly value, which they do for the moſt part imploy (as experience hath taught) to the maintenance of Superſtition and Popiſh Religion, and to the relief of Jeſuits, Seminaries, Popiſh Prieſts, and other dangerous perſons to the State: (3) Therefore to the intent hereafter the penalty for not repairing to Divine Service, might be inflicted in better proportion upon men of great ability, (4) Be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors, ſhall from and after the Feaſt of Saint Michael the Archangel next coming after the end of this Seſſion of Parliament, have full power and liberty to refuſe the penalty of twenty pounds a month, though it be tendered ready to be paid according to the Law, and thereupon to ſeize and take to his own uſe, and the uſes, intents and purpoſes hereafter limited, two parts in the three to be divided, as well of all the Lands, Tenements and Hereditaments, Leaſes and Farms that at the time of ſuch ſeizure ſhall be, or afterward ſhall come to any the ſaid Offenders, in not coming to Church, or any other to his or her uſe, or in truſt for him or her, or at his or her diſpoſition, or whereby or wherewith, or in conſideration whereof, ſuch Offender or his Family, or any of them ſhall be relieved, maintained or kept, as of all other Lands, Tenements and Hereditaments in any wiſe, or at any time liable to ſuch ſeizure, or to the penalties aforeſaid, and the ſame to retain to his own, and other uſes, intents and purpoſes hereafter in this Act appointed, till every ſuch offender ſhall conform him or her ſelf reſpectively as aforeſaid, in lieu and full recompence of the twenty pounds monthly, that during his ſuch ſeizure and retainer ſhall incur; any thing in the ſaid Statutes, or any of them, or any other Statute to the contrary in any wiſe notwithſtanding: (5) Saving to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and all and every perſon and perſons, bodies politick and corporate, their Heirs and Succeſſors, (other then the ſaid Offendor, his or her Heirs, and all claiming to his or their uſe, or in truſt for him or them, or at his or their will or diſpoſition) all and all manner of Leaſes, Rents, Conditions, and other Rights and Titles whatſoever had, made and done (Bona fide) and without fraud and covin, before ſuch ſeizure.

The King may refuſe xx. li. a month, and take two parts of a Recuſants lands. Lane 106. Godbolt 216. pl. 309.

Saving the right of others.

A Recuſants manſion-houſe ſhall be reſerved to him. The Kings two parts ſhall not be demiſed to a Recuſant.

XII. Provided always, and be it Enacted by the authority aforeſaid, That the Kings Majeſty, his Heirs and Succeſſors, ſhall not take into his two parts, but leave to ſuch Offender his chief Manſion-houſe, as part of his third part, and ſhall not Demiſe, Leaſe, nor put over the ſaid two parts, nor any part thereof to any Recuſant, nor to or for the uſe of any Recuſant: (3) And that whoſoever ſhall take the ſame in Leaſe, or otherwiſe of his Majeſty, his Heirs and Succeſſors, ſhall give ſuch ſecurity not to commit, nor ſuffer waſte to be committed in or upon any the ſaid premiſſes, as by the Court of Exchequer ſhall be allowed ſufficient.

XIII. And for the better trial how his Majeſties Subjects ſtand affected in point of their loyalty and due obedience, (2) Be it alſo enacted by the authority aforeſaid, That from and after the end of this preſent Seſſion of Parliament, it ſhall be lawful to and for any Biſhop in his Dioceſs, or any two Juſtices of Peace, whereof one of them to be of the Quorum, within the limits of their Juriſdiction, out of the Seſſions, to require any perſon of the age of eighteen years or above, being, or which ſhall be convict or indicted of or for any Recuſancy, other then Noble men or Noble women, for not repairing to Divine Service, according to the Laws of this Realm, (3) or which ſhall not have received the ſaid Sacrament twice within the year then next paſt, Noble men and Noble women excepted, (4) or any perſon paſſing in or through the Countrey, Shire or Liberty, and unknown, except as is laſt before excepted, that being examined by them upon Oath ſhall confeſs, or not deny himſelf or her ſelf to be a Recuſant, or ſhall confeſs or not deny that he or ſhe had not received the Sacrament twice within the year then laſt paſt, to take the Oath hereafter following upon the holy Evangeliſts: (5) Which ſaid Biſhop, or two Juſtices of the Peace, ſhall certifie in Writing ſubſcribed with his or their Hands at the next General or Quarter Seſſions for that Shire, Limit, Diviſion or Liberty within which the ſaid Oath ſhall be ſo taken, the Chriſtian-name, Sirname, and place of abode of every perſon which ſhall ſo take the ſaid Oath; which Certificate ſhall be there recorded by the Clerk of the Peace, or Town-Clerk, and kept amongſt the Records of the ſaid Seſſions.

Who are compellable to take the Oath.

Certificate of the name of him which taketh the Oath.

XIV. And be it further enacted, That if any ſuch perſon or perſons, other then Noblemen, or Noble women, ſhall refuſe to anſwer upon Oath to ſuch Biſhop, or Juſtices of Peace examining him or her, as aforeſaid, or to take the ſaid Oath ſo duly tendred unto him or her by ſuch Biſhop, or two ſuch Juſtices of Peace, out of Seſſions, that then the ſaid Biſhop or Juſtices of Peace ſhall and may commit the ſame perſon to the common Goal, there to remain without bail or mainpriſe, until the next Aſſiſe, or General or Quarter Seſſions to be holden for the ſaid Shire, Diviſion, Limit or Liberty, (2) where the ſaid Oath ſhall be again in the ſaid open Aſſiſes or Seſſions required of ſuch perſon, by the ſaid Juſtices of Aſſiſe, or Juſtices of Peace then and there preſent, or the greater number of them: (3) And if the ſaid perſon or perſons, or any other perſon whatſoever, other then Noble men or Noble women, of the age of eighteen years or above, ſhall refuſe to take the ſaid Oath being tendered unto him or her by the Juſtices of Aſſiſe and Goal-delivery, in their open Aſſiſes, or the Juſtices of Peace, or the greater part of them, in their ſaid General or Quarter Seſſions, every perſon ſo refuſing, ſhall incur the danger and penalty of Præmunire, mentioned in the Statute of Præmunire made in the xvj. year of the Reign of King Richard the Second, (4) except women covert, who upon refuſal of the ſaid Oath, ſhall be by the ſaid Juſtices of Aſſiſe in their open Aſſiſe, or Juſtices of Peace in their General or Quarter Seſſions, for the ſaid Offence, committed only to the Common Goal, there to remain without bail or mainpriſe, till they will take the ſaid Oath,

Refuſal of the Oath.
1 Bulitr. 199.

The penalty of Premunire.
Co. pla. fo. 334.
A woman covert.

The Tenure of which Oath hereafter followeth:

The form of the Oath of Obedience.

XV. I A. B. do truly and ſincerely acknowledge, profeſs, teſtifie, and declare in my conſcience before God and the World, That our Sovereign Lord King JAMES, is lawful and rightful King of this Realm and of all other his Majeſties Dominions and Countries; and that the Pope neither of himſelf, nor by any authority of the Church or See of Rome, or by any other means with any other, hath any power or authority to depoſe the King, or to diſpoſe any of his Majeſties Kingdoms or Dominions, or to authoriſe any Foreign Prince to invade or annoy him, or his Countries, or to diſcharge any of his Subjects of their Allegiance and Obedience to his Majeſty, or to give licence or leave to any of them to bear Arms, raiſe Tumults, or to offer any violence or hurt to his Majeſties Royal Perſon, State or Government, or to any of his Majeſties Subjects within his Majeſties Dominions.

(2) Alſo I do ſwear from my heart, That notwithſtanding any Declaration or Sentence of Excommunication, or deprivation made or granted, or to be made or granted by the Pope or his Succeſſors, or by any authority derived, or dretended to be derived from him or his See, againſt the ſaid King, his Heirs or Succeſſors, or any Abſolution of the ſaid Subjects from their Obedience: I will bear Faith and true Allegiance to his Majeſty, his Heirs and Succeſſors, and him and them will defend to the uttermoſt of my Power, againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt his or their Perſons, their Crown and Dignity, by reaſon or colour of any ſuch Sentence or Declaration, or otherwiſe, and will do my beſt endeavour to diſcloſe and make known unto his Majeſty, his Heirs and Succeſſors, all Treaſons and traiterous Conſpiracies, which I ſhall know or hear of to be againſt him or them.

(3) And I do further ſwear, That I do from my heart abhor, deteſt and abjure, as impious and heretical, this damnable Doctrine and Poſition, That Princes which be excommunicated or deprived by the Pope, may be depoſed or murdered by their Subjects, or any other whatſoever.

(4) And I do believe, and in my Conſcience am reſolved, That neither the Pope, nor any other perſon whatſoever, hath power to abſolve me from this Oath, or any part thereof, which I acknowledge by good and full Authority to be lawfully miniſtred unto me, and do renounce all Pardons and Diſpenſations to the contrary.

(5) And theſe things I do plainly and ſincerely acknowledge and ſwear, according to theſe expreſs words, by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any Equivocation, or mental Evaſion, or ſecret Reſervation whatſoever: And I do make this Recognition and Acknowledgment heartily, willingly, and truly, upon the true Faith of a Chriſtian. So help me God.

(6) Unto which Oath ſo taken, the ſaid perſon ſhall ſubſcribe his or her Name or Mark.

No Indictment of a Recuſant ſhall be reverſed for default of form.
Palmer 41.

11 Co. 132.
Co. li. 11. f. 8.

XVI. And be it further enacted by the authority aforeſaid, That no Indictment or Indictments had or found, or hereafter to be had or found againſt any perſon or perſons, for not repairing to ſome Church or Chappel, or uſual place of Common Prayer, but abſenting him or her ſelf by the ſpace of one month, contrary to the Laws and Statutes in that behalf provided, or for not receiving the ſaid Sacrament contrary to this preſent Law, Nor any Proclamation, Utlary, or other proceeding thereupon, ſhall at any time hereafter be avoided, diſcharged or reſerved, by reaſon of any default in form, or lack of form, or other defect whatſoever (other than by direct Traverſe to the point of not coming to Church, or not receiving the ſaid Sacrament) whereof ſuch perſon or perſons hath been or ſhall be indicted, but the ſame Indictment ſhall ſtand in force, and be proceeded upon; any ſuch default of form, or other defect whatſoever notwithſtanding.

XVII. Pro-

He that conformeth himſelf, may traverſe an Indictment.

XVII. Provided always, That if any perſon or perſons ſo indicted, or to be indicted, ſhall at any time hereafter ſubmit and conform him or her ſelf, and become obedient to the Laws of the Church of England, and repair to the Pariſh Church of his or her moſt abiding; and if there be none ſuch, then to the Church next adjoyning to his or her ſuch dwelling, and there hear Divine Service, according to the true meaning of the Statute in that behalf made and provided, and there publickly receive the ſaid Sacrament, according to the Laws of this Realm of England now eſtabliſhed; That then every ſuch perſon and perſons ſo indicted, ſhall and may from thenceforth be admitted and allowed to avoid, diſcharge, reverſe and undo the ſaid Indictment and Indictments, and all proceedings thereupon, in ſuch manner and form as if this preſent Act had not been had nor made; any thing herein contained to the contrary in any wiſe notwithſtanding.

He ſhall take the Oath which goeth out of the Realm to ſerve a foreign Prince.
3 Inſt. 80.

XVIII. And foraſmuch as it is found by late experience, That ſuch as go voluntarily out of this Realm of England, to ſerve foreign Princes, States or Potentates, are for the moſt part perverted in their Religion and Loyalty by Jeſuites and Fugitives, with whom they do there converſe, (2) Be it therefore enacted by the authority aforeſaid, That every Subject of this Realm that after the tenth day of June next coming, ſhall go or paſs out of this Realm to ſerve any foreign Prince, State or Potentate, or ſhall after the ſaid tenth day of June paſs over the Seas, and there ſhall voluntarily ſerve any ſuch foreign Prince, State or Potentate, not having before his or their going or paſſing as aforeſaid, taken the Oath aforeſaid, before the Officer hereafter appointed, ſhall be a Felon.

A Gentleman, Captain or Lieutenant ſerving a foreign Prince, ſhall be bound to the King, &c.

XIX. And that if any Gentleman or perſon of higher degree, or any perſon or perſons which hath born, or ſhall bear any Office or Place of Captain, Lieutenant, or any other Place, Charge or Office in Camp, Army or Company of Souldiers, or Conduct of Souldiers, ſhall after go or paſs voluntarily out of this Realm, to ſerve any ſuch foreign Prince, State or Potentate, or ſhall voluntarily ſerve any ſuch Prince, State or Potentate, before that he and they ſhall become bound by Obligation, with two ſuch Sureties as ſhall be allowed of by the Officers, which are hereafter by this Act limited to take the ſame Bond, unto our Sovereign Lord the Kings Majeſty, his Heirs or Succeſſors, in the ſum of twenty pounds of currant Engliſh money at the leaſt, with Condition to the effect following, ſhall be a Felon.

The Tenor of which Condition followeth, viz.

XX. That if the within bounden, &c. ſhall not at any time then after be reconciled to the Pope or See of Rome, nor ſhall enter into, or conſent unto any Practice, Plot or Conſpiracy whatſoever againſt the Kings Majeſty, his Heirs and Succeſſors, or any his or their Eſtate and Eſtates, Realms or Dominions; but ſhall within convenient time after knowledge thereof had, reveal and diſcloſe to the Kings Majeſty, his Heirs and Succeſſors, or ſome of the Lords of his or their Honourable Privy Council, all ſuch Practices, Plots and Conſpiracies; That then the ſaid Obligation to be void.

Who ſhall take the Obligation, and adminiſter the Oath.

XXI. And that for the due execution of this Branch of this preſent Law, it ſhall and may be lawful to and for the Cuſtomer and Controller of every Port, Haven or Creek, or one of them, and their and either of their Deputy or Deputies, and none other, to receive and accept all and every ſuch Bond and Obligation to and for the uſes aforeſaid, and to miniſter and give the Oath aforeſaid, according to the true intent of this Statute (taking for ſuch Bond ſix pence, and no more, and for the ſaid Oath no Fee at all) (2) Which ſaid Cuſtomer and Controller ſhall regiſter and certifie all and every ſuch Bond and Oath ſo taken, into the Court of Exchequer at Weſtminſter once every year, upon pain of five pounds for every Bond not ſo certified, and twenty ſhillings for every Oath not ſo certified.

Forfeiture for not regiſtring and certifying.

(3) Provided always, That this laſt mentioned Branch ſhall not extend to any perſon or perſons which are already gone, or ſhall go beyond the Seas to ſerve any foreign Prince, State or Potentate, before the tenth day of June next coming, for his ſaid going or paſſing before the ſaid tenth day of June.

Putting in practice to abſolve or withdraw any from obedience, or to reconcile them to the Pope.
Stat. 23 Eliz. 1.

XXII. And further be it enacted by the authority aforeſaid, That if any perſon or perſons at any time after the ſaid tenth day of June, ſhall either upon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Majeſty, his Heirs or Succeſſors, put in practice to abſolve, perſwade, or withdraw any of the Subjects of the Kings Majeſty, or of his Heirs and Succeſſors of this Realm of England, from their natural obedience to his Majeſty, his Heirs or Succeſſors, (2) or to reconcile them to the Pope or See of Rome, or to move them or any of them to promiſe Obedience to any pretended Authority to the See of Rome, or to any other Prince, State or Potentate; that then every ſuch perſon, their procurers, counſellors, aiders and maintainers, knowing the ſame, ſhall be to all intents adjudged Traitors, and being thereof lawfully convicted, ſhall have judgment, ſuffer and forfeit as in caſes of High Treaſon.

Being withdrawn or reconciled.

XXIII. And if any ſuch perſon as aforeſaid, at any time after the ſaid tenth day of June, ſhall be either upon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Majeſty, his Heirs or Succeſſors, willingly abſolved or withdrawn, as aforeſaid, or willingly reconciled, or ſhall promiſe obedience to any ſuch pretended Authority, Prince, State or Potentate, as aforeſaid; That every ſuch perſon and perſons, their procurers and counſellers, aiders and maintainers, knowing the ſame, ſhall be to all intents adjudged Traitors, and being thereof lawfull convicted, ſhall have judgment, ſuffer and forfeit as in caſes of High Treaſon.

A reconciled perſon taking the Oath.

XXIV. Provided nevertheleſs, That the laſt mentioned Clauſe of this Branch, or any thing therein contained, ſhall not extend, or be taken to extend to any perſon or perſons whatſoever, which ſhall hereafter be reconciled to the Pope or See of Rome, as aforeſaid (for and touching the point of ſo being reconciled only) that ſhall return into this Realm, and thereupon within ſix days next after ſuch return, before the Biſhop of the Dioceſs, or two Juſtices of Peace (jointly or ſeverally) of the County where he ſhall arrive, ſubmit himſelf to his Majeſty and his Laws, and take the Oath ſet forth by Act in the firſt year of the Reign of the late Queen Elizabeth (commonly called the Oath of Supremacy) as alſo the Oath before ſet down in this preſent Act; (2) which ſaid Oaths the ſaid Biſhop and Juſtices reſpectively ſhall have power and authority by this preſent Act to miniſter to ſuch perſon as aforeſaid: (3) And the ſaid Oaths ſo taken, the ſaid Biſhop and Juſtices before whom the ſaid Oaths ſhall be ſo taken reſpectively, ſhall certifie at the next general or quarter Seſſions of the Peace to be holden within the ſaid Shire, Limit, Diviſion or Liberty wherein ſuch perſon as aforeſaid ſhall ſubmit himſelf, and take the ſaid Oaths as aforeſaid, upon pain of every one neglecting to certifie the ſame as aforeſaid, the ſum of Fourty pounds.

XXV. And be it further enacted, That all and every perſon and perſons that ſhall offend contrary to this preſent branch of this Statute, ſhall be indicted, tried, and proceeded againſt, by and before the Juſtices of Aſſize and Goal-delivery of that County for the time being, or before the Juſtices of the Court of Kings Bench, and be there proceeded againſt according to the Laws and Statutes of this Realm againſt Traitors, as if the ſaid offence had been committed in the ſame County where ſuch perſon or perſons ſhall be ſo taken; Any Law, Cuſtom, or Statute to the contrary in any wiſe notwithſtanding.

Where the trial ſhall be.

12 Co. 93. Hull. 131.

XXVI. Provided always, That if any Peer of this Realm ſhall happen to be indicted of any offence made Treaſon by this Act, he ſhall have his Trial by his Peers, as in other like caſes of Treaſon is accuſtomed.

Peers.

XXVII. And be it further enacted, That if any Subject of this Realm, at any time after one month next after the end of this preſent Seſſion of Parliament, ſhall not reſort or repair every Sunday to ſome Church, Chappel, or ſome other uſual place appointed for Common Prayer, and there hear Divine Service, according to the Statute made in that behalf, in the firſt year of the Reign of the late Queen Elizabeth, that then it ſhall and may be lawful to and for any one Juſtice of Peace of that Limit, Diviſion or Liberty wherein the ſaid party ſhall dwell, upon proof unto him made of ſuch default by confeſſion of the party, or oath of witneſs, to call the ſaid party before him; (2) and if he or ſhe ſhall not make a ſufficient excuſe, and due proof thereof, to the ſatisfaction of the ſaid Juſtice of Peace, That it ſhall be lawful for the ſaid Juſtice of Peace to give Warrant to the Churchwarden of the ſaid Pariſh wherein the ſaid party ſhall dwell, under his Hand and Seal, to levy Twelve pence for every ſuch default, by diſtreſs and ſale of the goods of every ſuch Offender, rendring to the ſaid Offender the overplus of the money raiſed of the ſaid goods ſo to be ſold: (3) And that in default of ſuch diſtreſs, it ſhall and may be lawful for the ſaid Juſtice of Peace to commit every ſuch Offender to ſome Priſon within the ſaid Shire, Diviſion Limit or Liberty wherein ſuch Offender ſhall be inhabiting, until payment be made of the ſaid ſum or ſums ſo to be forfeited; (4) which forfeiture ſhall be imployed to and for the uſe of the poor of that Pariſh wherein the Offender ſhall be reſident or abiding at the time of ſuch offence committed.

The forfeiture for not repairing to Church weekly.

XXVIII. Provided, That no man be impeached upon this Clauſe, except he be called in queſtion for his ſaid default, within one month next after the ſaid default made.

XXIX. And that no man being puniſhed according to this branch, ſhall for the ſame offence be puniſhed by the forfeiture of Twelve pence, upon the Law made in the firſt year of the late Queen Elizabeth.

Within what time the Offender ſhall be impeached.

But once puniſhed for one offence.

XXX. And becauſe in one Act of Parliament, begun and holden at Weſtminſter in the five and thirtieth year of the late Queen Elizabeth, Entituled, An Act to retain the Queens Majeſties Subjects in their due obedience, There are two branches contained, the firſt beginning thus: (And for that every perſon having a Houſe or Family, is in duty bounden to have eſpecial regard of the good government and ordering of the ſame) and ſo forth to the next clauſe, beginning thus, (Provided nevertheleſs, That this Act ſhall not in any wiſe extend to puniſh or impeach any perſons for relieving &c. ending with theſe words, Any thing in this Act contained to the contrary notwithſtanding) which ſaid two Branches or Clauſes are found defective:

A repeal of two branches of the Statute of 35 Eliz. 1. Sect. 8. N. 1.

XXXI. Be it therefore enacted, That the ſaid two Branches or Clauſes, of the ſaid Act, and no more, ſhall be by authority of this preſent Parliament, utterly repealed and made void.

XXXII. And in lieu thereof be it enacted, That every perſon and perſons which after one month next after the end of this preſent Seſſion of Parliament, ſhall willingly maintain, retain, relieve, keep, or harbour in his or their houſe, any ſervant, ſojourner or ſtranger, who ſhall not go to, or repair to ſome Church or Chappel, or uſual place of Common Prayer, to hear Divine Service, but ſhall forbear the ſame by the ſpace of one month together, not having a reaſonable excuſe contrary to the Laws and Statutes of this Realm, ſhall forfeit Ten pounds for every month that he, ſhe, or they ſhall ſo relieve, maintain, retain, keep or harbour any ſuch ſervant, ſojourner, eſtranger in his or their houſe, ſo forbearing as aforeſaid.

Relieving or keeping a Recuſant in his houſe.

XXXIII. And that every perſon which ſhall within the time aforeſaid, retain or keep in his, her, or their ſervice, fee or livery, any perſon or perſons, which ſhall not go to, or repair to ſome Church, Chappel, or uſual place of Common Prayer, to hear Divine Service, but ſhall forbear the ſame by the ſpace of one month together, ſhall for every month, he, ſhe, or they ſhall ſo retain, keep or continue in his, her, or their ſervice, fee or livery, any ſuch perſon or perſons ſo forbearing as aforeſaid, knowing the ſame, Ten pounds, the ſame penalties to be recovered and employed in manner and form hereafter following.

Retaining a Recuſant in his ſervice, fee, or livery.

XXXIV. Provided nevertheleſs, That this Act ſhall not in any wiſe extend to puniſh or impeach any perſon or perſons, for maintaining, retaining, relieving, keeping or harbouring his, her or their Father or Mother, wanting, without fraud or covin, other habitation, or ſufficient maintenance, or the Ward of any ſuch perſon, or any perſon that ſhall be committed by authority to the cuſtody of any by whom they ſhall be ſo relieved, maintained or kept; Any thing in this Act to the contrary notwithſtanding.

The father, mother, ward, &c. perſon committed by authority.

XXXV. And be it further enacted by authority of this preſent Parliament, That upon any lawful

Breaking a houſe to take a Recuſant excommunicate.

lawful Writ, Warrant or Proceſs awarded to any Sheriff or other Officer, for the taking or apprehending of any Popiſh Recuſant, ſtanding excommunicated for ſuch Recuſancy, it ſhall be lawful for ſuch Sheriff, or other Officer authorized in that behalf, if need be, to break open any houſe wherein ſuch perſon excommunicate ſhall be, or to raiſe the power of the County, for the apprehending of ſuch perſon, and the better execution of ſuch Warrant, Writ or Proceſs.

In what Courts the offences ſhall be heard and determined.

XXXVI. And be it further enacted, That all and every offence to be committed or done againſt this preſent Act, ſhall and may be enquired of, heard and determined before the Juſtices of the Kings Bench, Juſtices of Aſſiſe and Goal-delivery, in their ſeveral Aſſiſes and Goal-deliveries; (2) And all offences, other then Treaſon, ſhall be enquired, heard and determined before the Juſtices of Peace in their general or quarter Seſſions to be holden within the Shire, Diviſion, Limit or Liberty wherein ſuch offence ſhall happen.

Attainder of Felony, no forfeiture of Dower, or corruption of bloud.

3 Inſt. 178

XXXVII. Provided always, and be it enacted by the authority aforeſaid, That any attainder of Felony made Felony by this Act, as is aforeſaid, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, or be any bar for the recovery of the ſame, nor ſhall make or work any corruption of bloud], or diſheriſon of any the heir or heirs of any ſuch perſon or perſons ſo attainted; This Act, or any thing therein contained, to the contrary in any wiſe notwithſtanding.

The plea to an Action brought for doing any thing by force of this Statute.

XXXVIII. And be it further enacted, That if any Action or Actions ſhall at any time hereafter be commenced or brought againſt any perſon or perſons doing, committing, or commanding any act or thing for or concerning the execution of this preſent Statute, or any article or clauſe therein contained, That then every Defendant in ſuch Action or Actions, may plead the general iſſue, and be received to maintain the ſame by any evidence that ſhall prove his doings and proceedings warrantable by this Law.

The authority of the Eccleſiaſtical Court reſerved.

XXXIX. Provided always, That neither this Act, nor any thing therein contained, ſhall extend to take away or abridge the authority or juriſdiction of the Eccleſiaſtical Cenſures, for any cauſe or matter but that the Commiſſioners of his Majeſty, his Heirs and Succeſſors, in cauſes Eccleſiaſtical, for the time being, and the Archbiſhops, Biſhops, and other Eccleſiaſtical Judges may do and proceed, as before the making of this Act they lawfully did or might have done; Any thing in this Act to the contrary in any wiſe notwithſtanding.

No forfeiture for the wives offence.

XL. Provided always, and be it enacted, That no perſon ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, which ſhall happen for his wives offence in not receiving the ſaid Sacrament during her marriage, nor that any woman ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, for any ſuch offence of not receiving, which ſhall happen during her marriage.

Who may take the Oath of a Noble-man or woman.
Co. pl. f. 434.

XLI. Provided alſo, and be it enacted by authority of this preſent Parliament, That in all cauſes where any Biſhop or Juſtices of the Peace may by force of this Act require and take of any Subject the Oath above mentioned, That the Lords of the Privy Council for the time being, or any ſix of them, whereof the Lord Chancellor, Lord Treaſurer, or the Principal Secretary for the time, to be one, ſhall have full power and authority by force of this Act, at any time or times, to require and take the ſaid Oaths before mentioned, of any Noble-man or Noble-woman (then being above the age of eighteen years;) (2) And if any ſuch Noble-man or Noble-woman (other then women married) ſhall refuſe to take ſuch Oath or Oaths, That in every ſuch caſe, ſuch Noble-man or Noble-woman ſhall incur the pain and danger of a Præmunire.

Who ſhall take the Oath in the Cinque-ports.

XLII. Provided alſo, and be it enacted by authority of this Parliament, That where any perſon or perſons ſhall go or paſs out of the Cinque-ports, or any member thereof, to any parts beyond the Seas, to ſerve any foreign Prince, State or Potentate; That in every ſuch caſe, the Lord Warden of the Cinque-ports for the time being, or any perſon by him in that behalf appointed or to be appointed, ſhall have full power and authority by virtue hereof, to take the Bond, and miniſter the Oath to ſuch paſſengers, as is above mentioned.

CAP. V.

An Act to prevent and avoid dangers which may grow by Popiſh Recuſants.

Recuſants 60.

3 Inſt. 178

Whereas divers Jeſuits, Seminaries and Popiſh Prieſts daily do withdraw many of his Majeſties Subjects from the true Service of Almighty God, and the Religion eſtabliſhed within this Realm, to the Romiſh Religion, and from their loyal obedience to his Majeſty, and have of late ſecretly perſwaded divers Recuſants and Papiſts, and encouraged and emboldened them to commit moſt damnable Treaſons, tending to the overthrow of Gods true Religion, the deſtruction of his Majeſty and his Royal Iſſue, and the overthrow of the whole State and Commonwealth, if God of his goodneſs and mercy had not within few hours before the intended time of the execution thereof, revealed and diſcloſed the ſame; (2) Wherefore to diſcover and prevent ſuch ſecret damnable Conſpiracies and Treaſons as hereafter may be put in ure by ſuch evil diſpoſed perſons, if remedy be not therefore provided, (3) Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſuch perſon as ſhall firſt diſcover to any Juſtice of Peace, any Recuſant or other perſon which ſhall entertain or relieve any Jeſuit, Seminary, or Popiſh Prieſt, or ſhall diſcover any Maſs to have been ſaid, and the perſons that were preſent at ſuch Maſs, and the Prieſt that ſaid the ſame, or any of them, within three days next after the offence committed, and that by reaſon of ſuch diſcovery any of the ſaid offenders be taken and convicted or attainted, That then the perſon which hathmade ſuch diſcovery, ſhall not only be freed from the danger and penalty of any Law for ſuch offence, if he be an offender therein, but alſo ſhall have the third part of the forfeiture of all ſuch ſums of money, goods, chattels and debts which ſhall be forfeited by ſuch offence, (ſo as the ſame total forfeiture exceed not the ſum of One hundred and fifty pounds; (4) and if it exceed the ſum of

The reward of him which diſcovereth a Prieſt or Maſs.
2 Roll 437.

of one hundred and fifty pounds, the ſaid perſon ſo diſcovering the ſaid offence, ſhall have the ſum of fifty pounds only for every ſuch diſcovery:) (5) And ſuch perſon ſo diſcovering the ſame, after conviction of the offender, ſhall have a Certificate from the Judges or Juſtices of Peace before whom ſuch conviction ſhall happen, to be directed to the Sheriff or other Officer of the ſame County, limit or place, that ſhall ſeize the goods, or levy the ſaid forfeiture, commanding the ſaid Sheriff or other Officer to pay the ſame accordingly to him that ſo diſcovered the ſame, out of the moneys to be levied by virtue of the ſaid forfeitures; which warrant and payment ſhall be effectual in the Law for that purpoſe, and a ſufficient diſcharge in that behalf for the Sheriff, or other Officer upon his account.

A Recuſant ſhall not come to the Court.

II. And whereas the repair of ſuch evil affected perſons to the Court, or to the City of London, may be very dangerous to his Majeſties perſon, and may give them more liberty to meet, conſult and plot their treaſons and practices againſt the State, then if they ſhould be reſtrained and confined unto their private houſes in the Countrey: (2) For remedy hereof, Be it enacted by the authority aforeſaid, That no Popiſh Recuſant convicted, or to be convicted, ſhall come into the Court or Houſe where the Kings Majeſty, or his heir apparent to the Crown of England ſhall be, unleſs he be commanded ſo to do by the Kings Majeſty, his heirs and ſucceſſors, or by Warrant in Writing from the Lords and others of the moſt honourable Privy Council of the Kings Majeſty, his heirs and Succeſſors, or any of them, (3) upon pain to forfeit for every time ſo offending, one hundred pounds, the one moiety to the Kings Majeſty, his heirs and Succeſſors, the other moiety to him that will diſcover and ſue for the ſame, by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Recuſants ſhall depart from London.

III. And that all Popiſh Recuſants indicted or convicted and all other perſons which have not repaired to ſome uſual Church or Chappel, and there hear Divine Service, but have forborn the ſame by the ſpace of three months laſt paſt, contrary to the Laws and Statutes of this Realm, dwelling, abiding or remaining within the City of London or the Liberties thereof, or within ten miles of the ſaid City, ſhall within three months next after the end of this Seſſion of Parliament, depart from the ſaid City of London, and ten miles compaſs of the ſame, (2) and alſo ſhall deliver up their names to the Lord Mayor of London, in caſe ſuch Recuſant do dwell or remain within the ſaid City of London or the Liberties thereof: (3) And in caſe the ſaid Recuſant do dwell or remain in any other County within ten miles of the ſame City, then the ſaid Recuſant ſhall deliver up his or her name to the next Juſtice of Peace within ſuch County where the ſaid Recuſant ſhall ſo dwell or remain, within fourty days after the end of this Seſſion of Parliament, (4) upon pain that every perſon offending herein, ſhall forfeit to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, the ſum of one hundred pounds; the one moiety whereof ſhall be to the Kings Majeſty, his Heirs and Succeſſors, the other moiety to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

IV. And that all Popiſh Recuſants, which ſhall hereafter come, dwell or remain within the ſaid City of London, or the Liberties thereof, or within ten miles of the ſaid City, which now are, or hereafter ſhall be indicted or convicted of ſuch Recuſancy, or which ſhall at any time hereafter not repair, unto ſome uſual Church or Chappel, and there hear Divine Service, but ſhall forbear the ſame by the ſpace of three months, contrary to the Laws and Statutes, of this Realm, ſhall within ten days after ſuch Indictment, or Conviction, depart from the ſaid City of London, and ten miles compaſs of the ſame, and alſo ſhall deliver up their names to the Lord Mayor of London for the time being, in caſe ſuch Recuſant ſhall dwell or remain within the ſaid City of London or the Liberties thereof; (2) and in caſe the ſaid Recuſant ſhall dwell or remain in any other County within ten miles of the ſaid City, then the ſaid Recuſant ſhall deliver up his or her name to the next Juſtice of Peace within ſuch County where the ſaid Recuſant ſhall ſo dwell or remain, within the ſaid ten days next after ſuch Indictment or conviction, (3) upon pain that every perſon offending herein ſhall likewiſe forfeit to our ſaid Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, the like ſum of an hundred pounds; the one moiety whereof ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed.

Tradeſmen and dwellers in London.

V. Provided always, That ſuch perſon or perſons as now uſe any trade, myſtery or manual occupation within the ſaid City of London, or within ten miles of the ſame, and ſuch as have or ſhall have their only dwelling within the ſaid City, or ten miles compaſs of the ſame, not having any other dwelling or place of abode elſewhere, ſhall or may remain and continue in ſuch place within the ſaid City, or ten miles of the ſame, as they have dwelled, inhabited or remained in by the ſpace of three months next before this preſent Seſſion of Parliament; Any thing herein contained to the contrary notwithſtanding.

35 Eliz. 2.

VI. And whereas by a Statute made at Weſtminſter in the five and thirtieth year of the Reign of Qu. Elizabeth, Entituled, An Act for the reſtraining of Popiſh Recuſants to ſome certain place of abode, it was amongſt other things ordained and enacted, That every Popiſh Recuſant then or after convicted for not repairing to Church, Chappel, or uſual place of Common Prayer, having any certain place of dwelling and abode within this Realm, ſhould within the time limited by the ſaid Statute, repair to their place of uſual dwelling and abode, or not having any certain place of dwelling or abode within this Realm, ſhould likewiſe within the time limited by the ſaid Statute, repair to the place where ſuch perſon was born, or where the father or mother of ſuch perſon ſhould be dwelling, and not at any time remove or paſs above five miles from thence, under the pains in the ſaid Statute limited and provided; (2) which Statute by reaſon of ſundry Licences given unto ſuch Recuſants, under colour of a Proviſo in the ſaid Statute contained, hath not wrought that good effect in the Commonwealth as was hoped: (3) Be it therefore enacted and ordained by this preſent Parliament,

A Recuſant confined.

and by the authority of the ſame, That the ſaid Statute made in the ſaid five and thirtieth year of the ſaid Queen Elizabeth, for and concerning the confining of the ſaid Recuſants, under the pains and penalties therein contained, ſhall by this Act, and by the authority of the ſame, be confirmed, and be hereafter put in due execution, according to the tenor, true intent and meaning of the ſaid Statute in that behalf made: (4) And that the Proviſo in the ſaid Statute contained, giving power to grant Licence or Licences, unto the ſaid Recuſants, to go and travel from or out of the compaſs of the ſaid five miles, ſhall be from and after the end of this preſent Seſſion of Parliament, utterly repealed and void; Any thing in the ſaid Statute to the contrary notwithſtanding.

A repeal of a Proviſo contained in the Statute of 35 El. 2 touching licence to Recuſants.

VII. Provided nevertheleſs, and be it further enacted by this preſent Parliament, and by the authority of the ſame, That it ſhall and may be lawful for the Kings moſt excellent Majeſty, his Heirs and Succeſſors, or three or more of his Majeſties moſt honourable Privy Council, or for three or more of the Privy Council of his Heirs and Succeſſors, in writing under the hands of the ſaid Privy Councellors, to give Licence to every ſuch Recuſant to go and travel out of the compaſs of the ſaid five miles, for ſuch time, as in the ſaid Licence is contained, for their travelling, attending, and returning, and without any other cauſe to be expreſſed within the ſaid Licence: (2) And if any of the perſons which are ſo confined, by virtue of the ſaid Statute, as is aforeſaid, ſhall have neceſſary occaſion or buſineſs to go and travel out of the compaſs of the ſaid five miles, That then, and in every ſuch caſe, upon Licence in writing in that behalf to be gotten, under the Hands and Seals of four of the Juſtices of Peace of the ſame County, Limit, Diviſion or place next adjoyning to the place of abode of ſuch Recuſant, with the privity and aſſent in writing, of the Biſhop of the Dioceſs, or of the Lieutenant, or of any Deputy-Lieutenant of the ſame County reſiding within the ſaid County or Liberty, under their Hands and Seals; (3) In every of which Licence or Licences in writing ſo to be had and made, ſhall be ſpecified and contained both the particular cauſe of the ſaid Licence, and the time how long the ſaid party licenſed ſhall be abſent, in travelling, attending, and returning: (4) It ſhall and may thereupon be lawful for every ſuch perſon ſo licenſed, to go and travel about ſuch their neceſſary buſineſs, and for ſuch time only for their travelling, attending, and returning, as ſhall be compriſed in the ſaid Licence, the ſaid party ſo licenſed firſt taking his corporal Oath before the ſaid four Juſtices of the Peace, or any of them (who ſhall have authority by virtue of this Act to miniſter the ſame) that he hath truly informed them of the cauſe of his Journey, and that he ſhall not make any cauſeleſs ſtays: (5) And that all and every Licence hereafter to be made in this behalf, contrary to the tenor, effect and true meaning of this Statute, ſhall be utterly void, fruſtrate and of none effect; any thing in the ſaid former Act, or in this Act to the contrary notwithſtanding. (6) And every perſon ſo confined, which ſhall depart or go above five miles from the place whereunto he is or ſhall be confined, not having ſuch Licence, and not having taken ſuch Oath as aforeſaid, ſhall incur the pain and penalty, and forfeit as a Recuſant convicted, and paſſing or going above five miles from the ſaid place whereunto he is or ſhall be confined by the ſaid Statute of Triceſimo quinto Elizabethæ, ſhould do.

Licence to a Recuſant confined.

Cro. Jac. 3

The effect of a Licence to be granted by four Juſtices of Peace.

A Recuſant diſabled to practiſe certain offices and functions.

VIII. And be it further enacted by the authority aforeſaid, That no Recuſant convict ſhall at any time after the end of this Seſſion of Parliament, practiſe the Common Law of this Realm as a Councellor, Clerk, Attorney or Solicitor in the ſame, nor ſhall practiſe the Civil Law as Advocate or Proctor, (2) nor practiſe Phyſick, nor uſe or exerciſe the Trade or Art of an Apothecary, (3) nor ſhall be Judge, Miniſter, Clerk or Steward, of or in any Court, or keep any Court, nor ſhall be Regiſter or Town-Clerk, or other Miniſter or Officer in any Court, (4) nor ſhall bear any Office or Charge, as Captain, Lieutenant. Corporal, Sergeant, Ancient-bearer, or other Office in Camp, Troop, Band or Company of Souldiers; nor ſhall be Captain, Maſter, Governour, or bear any Office of Charge, of or in any Ship, Caſtle or Fortreſs of the Kings Majeſties, his Heirs and Succeſſors, (5) but be utterly diſabled from the ſame: (6) And every perſon offending herein, ſhall alſo forfeit for every ſuch offence, One hundred pounds; the one moiety whereof ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

No Recuſant ſhall be a publick Officer.

IX. And be it alſo enacted by the authority aforeſaid, That no Popiſh Recuſant convict, nor any having a wife being a Popiſh Recuſant convict, ſhall at any time after the end of this Seſſion of Parliament, or any Popiſh Recuſant hereafter to be convict, or having a wife which hereafter ſhall be a Popiſh Recuſant convict, at any time after his or her conviction, ſhall exerciſe any publick Office or Charge in the Commonwealth, but ſhall be utterly diſabled to exerciſe the ſame by himſelf, or by his Deputy, (Except ſuch husband himſelf, and his children which ſhall be above the age of nine years abiding with him, and his ſervants in houſehold, ſhall once every month at the leaſt, not having any reaſonable excuſe to the contrary, repair to ſome Church or Chappel uſual for Divine Service, and there hear Divine Service; (2) And the ſaid husband, and ſuch his children and ſervants as are of meet age, receive the Sacrament of the Lords Supper, at ſuch times as are limitted by the Laws of this Realm, and do bring up his ſaid children in true Religion.)

A woman married Recuſant, Stat. 7 Jac. 6.

X. And be it alſo enacted by the authority aforeſaid, That every married woman, being, or that ſhall be a Popiſh Recuſant convict, (her husband not ſtanding convicted of Popiſh Recuſancy) which ſhall not conform her ſelf, and remain conformed, but ſhall forbear to repair to ſome Church or uſual place of Common Prayer, and there to hear Divine Service and Sermon, if any then be, and within the ſaid year receive the Sacrament of the Lords Supper, according to the Laws of this Realm, by the ſpace of one whole year next before the death of her ſaid husband, ſhall forfeit and loſe to the Kings Majeſty, his Heirs and Succeſſors, the iſſues and profits of two parts of her Joynture, and two parts of her Dower, in three parts to be divided during her life, of or out of any the lands, tenements or hereditaments, which are or were her ſaid husbands, and alſo diſabled to be Executrix or

Adminiſtratrix of her ſaid husband, and to have or demand any part or portion of her ſaid late husbands goods or chattels, by any law, cuſtom, or uſage whatſoever.

A Recuſant ſhall be as excommunicated. 2 Bulſtr. 155.

XI. And be it further Enacted by the authority aforeſaid, That every Popiſh Recuſant which is or ſhall be convicted of Popiſh Recuſancy, ſhall ſtand and be reputed to all intents and purpoſes diſabled, as a perſon lawfully and duly excommunicated, and as if he or ſhe had been ſo denounced and excommunicated according to the Laws of this Realm, until he or ſhe ſo diſabled ſhall conform him and her ſelf, and come to Church, and hear Divine Service, and receive the Sacrament of the Lords Supper, according to the Laws of this Realm, and alſo take the Oath appointed and preſcribed in one other Act made this preſent Seſſion of Parliament, Entituled, An Act for the better diſcovering and repreſſing of Popiſh Recuſants: (2) And that every perſon and perſons ſued or to be ſued by ſuch perſon ſo to be diſabled, ſhall and may plead the ſame in diſabling of ſuch Plaintiff, as if he or ſhe were excommunicated by ſentence in the Eccleſiaſtical Court.

Latch. 172. 277.

What Actions a Recuſant may proſecute.

XII. Provided nevertheleſs, That it ſhall and may be lawful for any ſuch perſon ſo diſabled, for and notwithſtanding any thing in this Law contained, to ſue or proſecute any Action or Suit, for or concerning only ſuch of his or her lands, tenements, leaſes, rents, annuities, and hereditaments, or for the iſſues and profits thereof, which are not to be ſeized, or taken into the Kings hands, his Heirs or Succeſſors, by force of any Law, for or concerning his or her Recuſancy, or any part thereof.

Recuſants marriages by Prieſts, &c.

XIII. And for that popiſh Recuſants are not uſually married, nor their children chriſtened, nor themſelves buried according to the Law of the Church of England, but the ſame are done ſuperſtitiouſly by Popiſh perſons in ſecret, whereby the days of their marriages, births and burials cannot be certainly known, (2) Be it further Enacted by authority of this preſent Parliament, That every man being, or which ſhall be a Popiſh Recuſant convicted, and who ſhall be hereafter married otherwiſe then in ſome open Church or Chappel, and otherwiſe then according to the Orders of the Church of England, by a Miniſter lawfully authorized, ſhall be utterly diſabled and excluded to have an Eſtate of Freehold into any the lands, tenements and hereditaments of his Wife, as tenant by the Courteſie of England: (3) And that every woman being, or which ſhall be a Popiſh Recuſant convicted, and who ſhall be hereafter married in other form then as aforeſaid, ſhall be utterly excluded and diſabled, not only to claim any dower of the inheritance of her Husband, whereof ſhe may be endowable, or any joynture of the lands and hereditaments of her Husband, or any of his Anceſtors, but alſo of her widows eſtate, and Frank-bank in any cuſtomary lands whereof her Husband died ſeized, and likewiſe be diſabled and excluded to have or enjoy any part or portion of the goods of her ſaid Husband, by virtue of any Cuſtom of any County, City or Place where the ſame ſhall lie or be: (4) And if any ſuch man ſhall be married with any woman contrary to the intent and true meaning of this Act, which woman hath or ſhall have no lands, tenements, or hereditaments, whereof he may be entituled to be Tenant by the Courteſie, then ſuch man ſo marrying as aforeſaid, ſhall forfeit and loſe C. li. the one half thereof to be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

The baptiſm of Recuſants children.

XIV. And that every Popiſh Recuſant which ſhall hereafter have any child born, ſhall within one month next after the birth thereof, cauſe the ſame child to be baptized by a lawful Miniſter, according to the Laws of this Realm, in the open Church of the ſame Pariſh where the child ſhall be born, or in ſome other Church near adjoyning, or Chapel where Baptiſm is uſually adminiſtred: Or if by infirmity of the child it cannot be brought to ſuch place, then the ſame ſhall within the time aforeſaid, be baptized by the lawful Miniſter of any of the ſaid Pariſhes or Places aforeſaid, (2) upon pain that the father of ſuch child, if he be living by the ſpace of one month next after the birth of ſuch child, or if he be dead within the ſaid month, then the mother of ſuch child ſhall for every ſuch offence forfeit C. li. of lawful money of England; one third part whereof to be to the Kings Majeſty, his Heirs and Succeſſors, one other third part to the Informer, or him that will ſue for the ſame, and the other third part to the poor of the ſaid Pariſh, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

The forfeiture for burying Recuſants not excommunicate, out of the Church or Church-yard.

XV. And if any Popiſh Recuſant, man or woman, not being excommunicate, ſhall be buried, in any place, other then in the Church or Church-yard, or not according to the Eccleſiaſtical Laws of this Realm, That the Executors or Adminiſtrators of every ſuch perſon ſo buried, knowing the ſame, or the party that cauſeth him to be ſo buried, ſhall forfeit the ſum of xx. li. the one third part whereof ſhall be to our Sovereign Lord the King, the other third part to the Informer, or him or them that will ſue for the ſame, and the other third part to the poor of the Pariſh, where ſuch perſon died, to be recovered by Action of Debt, Bill, Plaint, or Information in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

ob. 73.
Roll. 105.

The forfeiture of children departing the Realm. 1 Jac. 4. Sect. 8. N. 1.

XVI. And be it further enacted by this preſent Parliament, That if the children of any Subject within this Realm (the ſaid children not being Souldiers, Mariners, Merchants, or their Apprentices, or Factors) to prevent their good education in England, or for any other cauſe, ſhall hereafter be ſent or go beyond Seas, without Licence of the Kings Majeſty, or ſix of his honourable Privy Council (whereof the principal Secretary to be one) under their Hands and Seals, That then all and every ſuch child and children ſo ſent, or which ſhall ſo go beyond the Seas, ſhall take no benefit by any gift, conveyance, deſcent, deviſe, or otherwiſe, of or to any lands, tenements, hereditaments, leaſes, goods or chattels, until he or they being of the age of xviii. years. or above, take the Oath mentioned in an Act of Parliament made this preſent Seſſion, Entituled, An Act for the better diſcovering and repreſſing of Popiſh Recuſants, before ſome Juſtice of Peace of the County, liberty, or limit where ſuch parent of ſuch children as ſhall be ſo ſent, did and ſhall inhabit or dwell: (2) And that in the mean time the next of his or her kin, which ſhall be no Popiſh Recuſant, ſhall have and enjoy the ſaid lands, tenements, hereditaments, leaſes, goods and chattels ſo given, conveyed, deſcended, or deviſed, until ſuch time as the perſon ſo ſent or gone beyond the Seas, ſhall conform him or her ſelf, and take the aforeſaid Oath, and receive the Sacrament of the Lords Supper: (3) And after ſuch Oath taken, and conforming of himſelf, and receiving the Sacrament of the Supper of the Lord, he or they which have ſo received the profits of the ſaid land, tenements, hereditaments, goods and chattels, or any of them, ſhall make account of the profits ſo received, and in reaſonable time make payment thereof, and reſtore the value of the ſaid goods to ſuch perſon as ſhall ſo conform him or her ſelf, as aforeſaid: (4) And that all ſuch perſons as ſhall ſend the ſaid child or children over Seas, without licence as aforeſaid (unleſs the ſaid child or children be Merchants, or their Apprentices or Factors, Mariners or Souldiers) ſhall forfeit C. li. to be divided, had and recovered in three equal parts, whereof the one third part ſhall be to the King, his Heirs and Succeſſors, the other third part to ſuch as ſhall ſue for the ſame, and the other third part to the poor of ſuch Pariſh where ſuch offendor doth inhabit or remain, by Action of Debt, Bill, Plaint, or Information in any the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed.

The forfeiture of him which ſendeth his child beyond the Sea.
1 Jac. 4.
3 Car. 2.

The forfeiture of the perſons gone beyond Sea.

XVII. And for that many Subjects of this Realm, being neither Merchants, nor their Factors, nor Apprentices, Souldiers, nor Mariners, are of late gone beyond the Seas without licence, and are not as yet returned, (2) Be it further enacted by the authority of this preſent Parliament, That if any of the ſaid perſons ſo gone beyond the Seas without licence, which are not yet returned, ſhall not within ſix months next after their return into this Realm, then being of the age of eighteen years or more, take the Oath above ſpecified before ſome Juſtice of Peace of the County, Liberty, or Limit where ſuch perſon ſhall inhabit or remain, that then every ſuch offendor ſhall take no benefit by any gift, conveyance, deſcent, deviſe, or otherwiſe, of, or to any lands, tenements, hereditaments, goods or chattels, until he or they being of the ſaid age of eighteen years or above, take the ſaid Oath: (3) And that likewiſe in the mean time the next of kin to the perſon ſo offending, which ſhall be no Popiſh Recuſant, ſhall have and enjoy the ſaid lands, tenements, hereditaments, goods and chattels ſo given, conveyed, deſcended or deviſed, until ſuch time as the perſon ſo offending ſhall conform himſelf, and take the aforeſaid Oath, and receive the ſaid Sacrament of the Lords Supper: (4) And after ſuch conforming, taking of the ſaid Oath, and receiving of the ſaid Sacrament, he or they that ſhall have ſo received the profits of the ſaid lands, tenements, hereditaments, goods and chattels, ſhall make account of the profits ſo received, and in reaſonable time make payment thereof, and of the value of ſuch goods and chattels, to ſuch perſon as ſhall ſo conform him or her ſelf as aforeſaid.

A Recuſant ſhall not preſent to a Benefice nor grant an Advowſon.

XVIII. And be it further enacted by the authority of this preſent Parliament, That every perſon or perſons that is or ſhall be a Popiſh Recuſant convict, during the time that he ſhall be or remain a Recuſant, ſhall from and after the end of this preſent Seſſion of Parliament, be utterly diſabled to preſent to any Benefice with Cure or without Cure, Prebend, or any other Eccleſiaſtical living, or to collate or nominate to any Free-School, Hoſpital or Donative whatſoever, and from the beginning of this preſent Seſſion of Parliament, ſhall likewiſe be diſabled to grant any avoidance to any Benefice, Prebend, or other Eccleſiaſtical Living.

The Chancellor and Scholars of Oxford ſhall preſent to a Recuſants Benefice.
Jones 17.

Hob. 118
Coke l. 10
l. 95.

XIX. And that the Chancellor and Scholars of the Univerſity of Oxford, ſo often as any of them ſhall be void, ſhall have the preſentation, nomination, collation and donation of and to every ſuch Benefice, Prebend, or Eccleſiaſtical Living, School, Hoſpital and Donative, ſet, lying, and being in the Counties of Oxford, Kent, Middleſex, Suſſex, Surrey, Hampſhire, Berkſhire, Buckinghamſhire, Glouceſterſhire, Worceſterſhire, Staffordſhire, Warwickſhire, Wiltſhire, Somerſetſhire, Devonſhire, Cornwall, Dorſetſhire, Herefordſhire, Northamptonſhire, Pembrokeſhire, Caermarthenſhire, Brecnokſhire, Monmouthſhire, Cardiganſhire, Montgomeryſhire, the City of London, and in every City and Town being a County of it ſelf, lying, and being within any of the limits or precincts of any of the Counties aforeſaid, or in, or within any of them, as ſhall happen to be void during ſuch time as the Patron thereof ſhall be and remain a Recuſant convict, as aforeſaid.

Cok. l. 10
f. 75.

The Chancellor and Scholars of Cambridge.

XX. And that the Chancellor and Scholars of the Univerſity of Cambridge, ſhall have the preſentation, nomination, collation and donation of and to every ſuch Benefice, Prebend or Eccleſiaſtical Living, School, Hoſpital and Donative, ſet, lying and being in the Counties of Hartfordſhire, Bedfordſhire, Cambridgeſhire, Huntingtonſhire, Suffolk, Norfolk, Lincolnſhire, Rutlandſhire, Leiceſterſhire, Darbyſhire, Nottingamſhire, Shropſhire, Cheſhire, Lancaſhire, Yorkſhire, the County of Durham, Northumberland, Cumberland, Weſtmerland, Radnorſhire, Denbighſhire, Flintſhire, Carnarvonſhire, Angleſeyſhire, Merionethſhire, Glamorganſhire, and in every City and Town being a County of it ſelf, lying within any of the limits or precincts of any of the Counties laſt before mentioned, or in or within any of them, as ſhall happen to be void during ſuch time as the Patron thereof ſhall be and remain a Recuſant convict, as aforeſaid.

None ſhall be preſented which hath another Benefice.

XXI. Provided, That neither of the ſaid Chancellors nor Scholars of either of the ſaid Univerſities, ſhall preſent or nominate to any Benefice with Cure, Prebend, or other Eccleſiaſtical Living, any ſuch perſon as ſhall then have any other Benefice with Cure of Souls: And if any ſuch preſentation or nomination ſhall be had or made of any ſuch perſon ſo beneficed, the ſaid preſentation or nomination ſhall be utterly void; Any thing in this Act to the contrary notwithſtanding.

A Recuſant ſhall not be Executor or Adminiſtrator.

XXII. Moreover, becauſe Recuſants convict are not thought meet to be executors or adminiſtrators to any perſon or perſons whatſoever, nor to have the education of their own children, much leſs of the children of any other of the Kings Subjects, nor to have the marriage of them, (2) Be it therefore enacted by the authority aforeſaid, That ſuch Recuſants convicted, or which ſhall be convicted at the time of the death of any Teſtator, or at the time of the granting

ting of any Adminiſtration, ſhall be diſabled to be Executor or Adminiſtrator by force of any Teſtament hereafter to be made, or Letters of Adminiſtration hereafter to be granted, nor ſhall have the Cuſtody of any Child, as Guardian in Chivalry, Guardian in Soccage, or Guardian in Nurture of any Lands, Tenements, or Hereditaments, being Freehold or Copyhold but ſhall be adjudged diſabled to have any ſuch Wardſhip, or Cuſtody of any ſuch child, or of their lands, tenements or hereditaments, being Freehold or Copyhold as aforeſaid.

A Recuſant ſhall be no Guardian.

Who ſhall have the Wardſhip.

XXIII. And that for the better education and preſervation of the ſaid children, and of their eſtates, the next of the kin to ſuch child or children, to whom the ſaid lands, tenements or hereditaments of ſuch child or children cannot lawfully deſcend, who ſhall uſually reſort to ſome Church or Chappel, and there hear Divine Service, and receive the holy Sacrament of the Lords Supper Twice in the year next before, according to the Laws of this Realm, ſhall have the cuſtody and education of the ſame child, and of his ſaid lands and tenements, being holden in Knights Service, until the full age of the ſaid Ward of one and twenty years, and of his ſaid lands, tenements and hereditaments being holden in Soccage, as a Guardian in Soccage; (2) and of the ſaid lands, tenements and hereditaments holden by Copy of Court-roll of any Manor, ſo long as the cuſtom of the ſaid Manor ſhall permit and allow the ſame, (3) and in every of the ſaid caſes ſhall yield an account of the profits thereof to the ſaid Ward, as the caſe ſhall require.

The Kings Ward.

XXIV. And that if at any time hereafter, any of the Wards of the Kings Majeſty, or any other, ſhall be granted or ſold to any Popiſh Recuſant convict, ſuch grant or ſale ſhall be utterly void and of none effect.

Popiſh Books

XXV. And be it further enacted by the authority of this preſent Parliament, That no perſon or perſons ſhall bring from beyond the Seas, nor ſhall print, ſell, or buy any Popiſh Primers, Ladies Pſalters, Manuals, Roſaries, Popiſh Catechiſms, Miſſals, Breviaries, Portals, Legends, and Lives of Saints, containing ſuperſtitious matter, printed or written in any Language whatſoever, nor any other ſuperſtitious Books printed or written in the Engliſh Tongue, (2) Upon pain of forfeiture of forty ſhillings for every ſuch Book; One third part thereof to be to the Kings Majeſty, his Heirs and Succeſſors; one other third part to him that will ſue for the ſame; and the other third part to the poor of the Pariſh where ſuch Book or Books ſhall be found, to be recovered by Action of debt, bill, plaint or Information in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, protection or wager of Law ſhall be admitted or allowed, and the ſaid Books to be burned.

Juſtices may ſearch for books printed, &c.

XXVI. And that it ſhall be lawful for any two Juſtices of Peace within the limits of their Juriſdiction or Authority, and to all Mayors, Bailiffs, and chief Officers of Cities and Towns-corporate in their Liberties from time to time, to ſearch the houſes and lodgings of every Popiſh Recuſant convict, or of every perſon whoſe Wife is or ſhall be a Popiſh Recuſant convict, for Popiſh Books and Reliques of Popery: (2) And that if any Altar, Pix, Beads, Pictures, or ſuch like Popiſh Reliques, or any Popiſh Book or Books, ſhall be found in their or any of their cuſtody, as in the opinion of the ſaid Juſtices, Mayor, Bailiff, or chief Officer as aforeſaid, ſhall be thought unmeet for ſuch Recuſant as aforeſaid, to have or uſe the ſame, ſhall be preſently defaced and burnt, if it be meet to be burned: (3) And if it be a Crucifix, or other Relique of any price, the ſame to be defaced at the general Quarter Seſſions of the Peace, in the County where the ſame ſhall be found, and the ſame ſo defaced to be reſtored to the owner again.

A Crucifix defaced.

A Recuſants Armour.

XXVII. And be it alſo enacted by the authority aforeſaid, That all ſuch Armour, Gun-powder and Munition, of whatſoever kinds, as any Popiſh Recuſant convict within this Realm of England, hath or ſhall have in his houſe or houſes, or elſe where, or in the hands or poſſeſſion of any other at his or their diſpoſition, ſhall be taken from ſuch Popiſh Recuſants or others which have or ſhall have the ſame to the uſe of ſuch Popiſh Recuſant, by Warrant of four Juſtices of Peace at their general or Quarter Seſſions to be holden in the ſame County where ſuch Popiſh Recuſant ſhall be reſident (other then ſuch neceſſary weapons, as ſhall be thought fit by the ſaid four Juſtices of Peace to remain and be allowed for the defence of the perſon or perſons of ſuch Recuſant, or for the defence of his, her or their houſe or houſes) and that the ſaid Armour and Munition ſo taken, ſhall be kept and maintained at the coſts of ſuch Recuſants, in ſuch places as the ſaid four Juſtices of Peace at their ſaid Seſſions of the Peace ſhall ſet down and appoint.

The forfeiture of a Recuſant not delivering his Armour.

XXVIII. And be it further enacted by the authority aforeſaid, That if any ſuch Recuſant having, or which ſhall have any ſuch Armour, Gun-powder and Munition, or any of them, or if any other perſon or perſons which ſhall have any ſuch Armour, Gun-powder and Munition, or any of them to the uſe of any ſuch Recuſant, ſhall refuſe to declare or manifeſt unto the ſaid Juſtices of the Peace or any of them, what Armour he, ſhe, or they have, or ſhall have, or ſhall let, hinder, or diſturb the delivery thereof to any of the ſaid Juſtices, or to any other perſon or perſons authorized by their Warrant to take and ſeize the ſame, then every ſuch perſon ſo offending contrary to this Statute in this behalf, ſhall forfeit and loſe to the Kings Majeſty, his Heirs and Succeſſors, his and their ſaid Armour, Gun-powder, and Munition, and ſhall alſo be impriſoned by Warrant of or from any Juſtices of Peace of ſuch County, by the ſpace of three months, without bail or mainpriſe.

A Recuſant ſhall maintain his Armour.

XXIX. And yet nevertheleſs, be it enacted by the authority aforeſaid, That notwithſtanding the taking away of ſuch Armour, Gun-powder and Munition, the ſaid Popiſh Recuſant ſhall and may be charged with the maintaining of the ſame, and with the buying, providing, and maintaining of Horſe, and other Armour and Munition, in ſuch ſort as other his Majeſties ſubjects from time to time ſhall be appointed and commanded, according to their ſeveral abilities and qualities, and that the ſaid Armour and munition, at the charge of ſuch Popiſh Recuſant, for them, and as their own proviſion of Armour and Munition, ſhall be ſhewed at every Muſter, ſhew or uſe of Armour to be had or made within the ſaid County.

Eccleſiaſtical Cenſures.

XXX. Provided always, that neither this Act nor any thing therein contained, ſhall extend to take away or abridge the authority or Juriſdiction of the Eccleſiaſtical cenſures, for any cauſe or matter, but that the Commiſſioners of his Majeſty, his Heirs and Succeſſors, in cauſes Eccleſiaſtical, for the time being, Archbiſhops, Biſhops, and other Eccleſiaſtical Judges may do, and proceed as before the making of this Act they lawfully did or might have done; Any thing in this Act to the contrary in any wiſe notwithſtanding.

CAP. VI.

An Act to enable all his Majeſties loving Subjects of England and Wales, to trade freely into the Dominions of Spain, Portugal, and France.

Merchants 2 All Merchants Trade into Spain, Portugal and France. The King granted a Charter of Incorporation to certain Merchants to trade into Spain, &c.

The ſeveral inconveniences that would enſue if the ſaid Charter ſhould take effect.

WHereas divers Merchants have of late obtained from the Kings moſt excellent Majeſty, under the Great Seal of England, a large Charter of Incorporation for them and their Company to Trade into the Dominions of Spain and Portugal, and are alſo moſt earneſt Suitors to obtain the like from his ſaid Majeſty for France, whereby none but themſelves and ſuch as they ſhall think fit, as being meer Merchants, ſhall take benefit of the ſaid Charter, diſabling thereby all others his Majeſties loving Subjects of this Realm of England and Wales, who during and at all time of her late Majeſties Wars, were in divers reſpects greatly charged for the defence of their Prince and Countrey, and therefore ought indifferently to enjoy all the benefits of this moſt happy Peace; (2) And alſo debarring them from the free enlargement of common Traffick into thoſe Dominions, which others his Majeſties Subjects of his Realms of Scotland, and Ireland do enjoy, (3) to the manifeſt impoveriſhing of all Owners of Ships, Maſters, Mariners, Fiſhermen, Clothiers, Tuckers, Spinſters, and many thouſands of all ſorts of Handicraftſmen, beſides the decreaſe of his Majeſties Cuſtoms, Subſidies, and other Impoſitions, and the ruine and decay of Navigation, together with the abating of the prices of our Woolls, Cloth, Corn, and ſuch like commodities ariſing and growing within this his ſaid Majeſties Realm of England, and the inhancing of all French and Spaniſh commodities, by reaſon of the inſufficiency of the Merchants, they being few in number, and not of ability to keep the great number of our Ships and Sea-faring men awork, and to vent the great ſtore of Commodities which this his Majeſties Dominion of England doth yield, (4) and by means that all Owners and Mariners, with divers others (if theſe Incorporations ſhould continue) ſhall be cut off from their ordinary means of maintenance, and preſerving their Eſtates; and finally, by reaſon that all French and Spaniſh commodities ſhall be in a few mens hands: (5) In reſpect whereof, as alſo for many other manifold inconveniences growing thereby, much hurt and prejudice muſt needs redound to all his Majeſties loving Subjects of this his Highneſs Realm of England, if reformation for the prevention of ſo great an evil be not had in due time: (6) For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, The Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for all his Majeſties Subjects of this his Highneſs Realm of England and Wales, from henceforth at all times, to have free liberty to Trade into and from the Dominions of Spain, Portugal and France, in ſuch ſort and in as free manner as was at any time accuſtomed ſithence the beginning of this his Highneſs moſt happy Reign in this his Realm of England, and at any time before the ſaid Charter of Incorporation was granted, paying to the Kings moſt excellent Majeſty, his Heirs and Succeſſors, all ſuch Cuſtoms and other duties as by the Laws and Statutes of this Realm ought to be paid and done for the ſame: The ſaid Charter of Incorporation, or any other Charter, Grant, Act, or any thing elſe heretofore made or done, or hereafter to be done, to the contrary in any wiſe notwithſtanding.

All the Kings Subjects may trade into, and from Spain, Portugal and France.

None reſtrained by Law may depart the Realm without Licence.

II. Provided always, That this Act, or any thing therein contained, ſhall not be in force to enable or give liberty to any perſon or perſons to go over Sea without Licence, who by the Laws and Statutes of this Realm, or by any Statute hereafter to be made, ſhall be reſtrained from going beyond the Seas without Licence; Any thing to the contrary notwithſtanding. 1 H. 4. 17. 4 Jac 9.

CAP. VII.

An Act to reform the multitudes and miſdemeanours of Atturneys and Solicitors at Law, and to avoid unneceſſary Suits and Charges in Law.

Atturney 15.

An Atturney ſhall have a Ticket of the money which he giveth for fees, &c

A bill of charges.

An Atturney delaying his Clients ſuit, or demanding more then is due.

FOr that through the abuſe of ſundry Atturneys and Solicitors by charging their Clients with exceſſive fees and other unneceſſary demands, ſuch as were not, ne ought by them to have been employed or demanded, whereby the Subjects grow to be overmuch burthened, and the practice of the juſt and honeſt Sergeant and Councellor at Law greatly ſlandered: and for that to work the private gain of ſuch Atturneys and Solicitors, the Client is oftentimes extraordinarily delayed: (2) Be it enacted by the authority of this preſent Parliament, That no Atturney, Solicitor, or ſervant to any, ſhall be allowed from his Client or Maſter, of or for any fee given to any Sergeant or Councellor at Law, or of or for any ſum or ſums of money given for Copies to any Clerk or Clerks, or Officers in any Court or Courts of Record at Weſtminſter, unleſs he have a Ticket ſubſcribed with the hand and name of the ſame Sergeant or Councellor, Clerk or Clerks, or Officers aforeſaid, teſtifying how much he hath received for his fee, or given or paid for Copies, and at what time, and how often: (3) And that all Atturneys and Solicitors ſhall give a true bill unto their Maſters or Clients, or their Aſſigns, of all other charges concerning the Suits which they have for them, ſubſcribed with his own hand and name, before ſuch time as they or any of them ſhall charge their Clients with any the ſame fees or charges: (4) And that if the Atturney or Solicitor do or ſhall willingly delay his Clients Suits to work his own gain, or demand by his Bill any other ſums of money, or allowance upon his accompt of any money which he hath not laid out or diſburſed, That in every ſuch caſe, the party grieved ſhall have his Action againſt ſuch Atturney or Solicitor, and to recover therein coſts and treble damages, and the ſaid Atturney and Solicitor ſhall be diſcharged from thenceforth from being an Atturney or Solicitor any more.

II. And to avoid the infinite numbers of Solicitors and Atturneys, Be it enacted by the authority of this preſent Parliament, That none ſhall from henceforth be Admitted Atturneys in any the Kings Courts of Record aforeſaid, but ſuch as have been brought up in the ſame Courts, or otherwiſe well practiſed in ſoliciting of cauſes, and have been found by their dealings to be skilful and of honeſt diſpoſition: (2) and that none be ſuffered to ſolicite any cauſe or cauſes in any the Courts aforeſaid, but only ſuch as are known to be men of ſufficient and honeſt diſpoſition: (3) And that no Atturney ſhall admit any other to follow any ſuit in his name, upon pain that both the Atturney and he that followeth any ſuch ſuit in his name, ſhall each of them forfeit for ſuch offence, twenty pound; The one moiety whereof to our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to the party grieved to be recovered in any the ſaid Courts of Record aforeſaid, by original writ of debt, bill, plaint, or information, wherein no manner of eſſoin, wager of Law, or protection ſhall be allowed: And that the Atturney in ſuch caſe ſhall be excluded from being an Atturney for ever thereafter.

Who only ſhall be Atturneys or Solicitors.

No following of a Suit in anothers name.

CAP. VIII.

An Act to avoid unneceſſary delays of Executions.

o. Jac. 401.
n. 265.
Roll. 329,
Roll. 140.

Foraſmuch as his Highneſs Subiects are now more commonly withholden from their juſt Debts, and often in danger to loſe the ſame, by means of Writs of Error, which are more commonly ſued than heretofore they have been, (2) Be it therefore enacted by the authority of this preſent Parliament, That from and after the end of this preſent Seſſion of Parliament, no Execution ſhall be ſtayed or delayed upon or by any Writ of Error, or Superſedeas thereupon to be ſued, for the reverſing of any Judgment given, or to be given in any Action or Bill of Debt upon any ſingle Bond for Debt, (3) or upon any Obligation, with condition for the payment of money only, (4) or upon any Action or Bill of Debt for Rent, or upon any Contract (5) ſued in any of his Highneſs Courts of Record at Weſtminſter, or in the Counties Palatine of Cheſter, Lancaſter, or Durham, or in his Highneſs Courts of great Seſſions in any of the twelve Shires of Wales, (6) unleſs ſuch perſon or perſons in whoſe name or names ſuch Writ of Error ſhall be brought, with two ſufficient Sureties, ſuch as the Court (wherein ſuch Judgment is or ſhall be given) ſhall allow of, ſhall firſt before ſuch ſtay made, or Superſedeas awarded, be bound unto the party for whom any ſuch Judgment is or ſhall be given, by Recognizance to be acknowledged in the ſame Court, in double the ſum adjudged to be recovered by the ſaid former Judgment, to proſecute the ſaid Writ of Error with effect, and alſo to ſatisfie and pay (if the ſaid Judgment be affirmed) all and ſingular the Debts, Damages and Coſts, adjudged or to be adjudged upon the former Judgment; and all Coſts and Damages to be alſo awarded for the ſame delaying of Execution.

Execution 5. In what caſes only execution ſhall be ſtayed upon the ſuit of a Writ of Error.

2 Bulſtr. 53, 284. Moor 853. pl. 1165.

.o. Car. 16.

(7) This Act to have continuance to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. made perpetual. 16 & 17 Car. 2. cap. 8.

Continuance of this ſtatute.

CAP. IX.

An Act for the relief of ſuch as lawfully uſe the Trade and Handicraft of Skinners.

Whereas the ſaid Artizan Skinners before the one and twentieth year of the late Queen, were at liberty, and uſually did tranſport into the Eaſt-land Countreys, Cony-skins, and Lamb-skins called Morkins, of the growth of this Kingdom, being in great requeſt in thoſe Countries, without contradiction: In which xxi. year of her Majeſties Reign, the Eaſt-land Merchants procured a Charter from her Majeſty, in which is contained a prohibition therein, that none but they the Merchants of thoſe Countries, might tranſport any merchandizes thither: (2) Sithence which time the ſaid Artizan Skinners have by colour of thoſe Letters Patents been reſtrained from tranſportation, and thereupon did for the maintenance of them and their poor families, apply themſelves to their handy labours, and to provide and buy within this Realm, as well of Petty Chapmen as others, the ſaid skins within this Kingdom: (3) and the ſurpluſage over and above ſuch as they wrought into Manufactures, they ſold to the ſaid Merchants that had gotten the ſaid Letters Patents for tranſportation aforeſaid, (4) by reaſon whereof the ſaid Artizan Skinners, with their wives and families lived in good manner, and maintained many thouſands, both Tawers and other Workmen, and very many of them were Subſidy-men, and men that paid many duties in good ſort, (5) untill of late time that divers Merchants and others, for their own private gain, do by themſelves, their Factors and Servants, in diſorderly and unmerchant-like manner, buy, foreſtall, ingroſs and provide the ſaid Commodities, and ſo draw the whole Trade into their own hands, and work the ſame in their own houſes, and not contented therewith, do likewiſe ſell and retail the ſaid skins here again unto other Merchant-ſtrangers, whereby they do deprive the ſaid Artizan Skinners both from buying, ſelling and tranſportation, and thereupon the whole Trade of Artizan Skinners is utterly impoveriſhed generally throughout England.

Merchants 20. Queen 's Charter to the Eaſt-land Merchants, that none but they ſhould tranſport merchandize thither.

By what means the Artizan Skinners lived.

II. Be it therefore enacted by our Sovereign Lord the Kings Majeſty, by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons after the end of three months next enſuing after the end of this preſent Seſſion of Parliament, uſing the Trade of Merchandize, or any other, ſhall dreſs or cauſe to be dreſſed, in his or their houſe or houſes, or by any workman appointed by them for that purpoſe (thoſe workmen not being Artizan Skinners, and uſing the Trade of Artizan Skinners) any of the black Cony-skins of this Kingdom, (2) nor ſhall tranſport or carry beyond the Seas, nor cauſe to be tranſported or carried beyond the Seas, nor ſhall pack, ſhip or lade, to the intent to tranſport or carry beyond the Seas, any black Cony-skins of the breed of this Realm, unleſs the ſame skins ſhall firſt be tawed, and duly and perfectly wrought, dreſſed and packed within this Realm, by thoſe that are Artizan Skinners, or Tawers unto the ſaid Artizan Skinners, according to the Science, Art and Faculty of the Artizan Skinners, (3) upon pain of forfeiture of ſuch skins ſo packed, ſhipped, laden and tranſported, contrary to this Act, or the juſt and full value thereof.

Merchants ſhall not dreſs black Cony-skins nor tranſport them undreſſed.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons uſing or exerciſing the Trade of a Merchant, ſhall after the end of the ſaid three months next en-

How many Cony-skins at the leaſt, a Merchant muſt buy and ſell at one time.

ſuing after the end of this preſent Seſſion of Parliament, buy, bargain or contract for, or cauſe to be bought, bargained or contracted for, any Cony-skins, or Lamb-skins, commonly called Morkins, of the breed of this Realm, or being within this Realm, under the number of one thouſand black Cony-skins, or three thouſand gray Cony-skins, or two thouſand Lamb-skins called Morkins, at a time, and thoſe not to be bought or contracted for, in or by parcels, but to be contracted for, bargained and delivered at one time intirely together, and not by parcels, (except it be to the Artizan Skinners) (2) nor ſhall utter or ſell the ſame again, nor any part thereof, to any perſon or perſons within this Realm in ſmall parcels: That is to ſay, under the number of one thouſand black-Cony-skins, and three thouſand of gray Cony-skins, and two thouſand Morkins at a time, unleſs it be to the Artizan Skinner, (3) upon pain of forfeiture of the ſaid skins, or the full value of the ſame.

Who only a Skinner may take to be his Apprentice or Journeyman.

IV. And be it further enacted by the authority aforeſaid, That after the end of the ſaid three months next enſuing after the end of this preſent Seſſion of Parliament, no perſon or perſons ſhall take, retain or keep any Servant, Journeyman or Apprentice, to ſerve or work with him therein, except the ſaid perſon ſo uſing or ſetting up the ſaid Trade, Myſtery or Occupation, have ſerved ſeven years at the leaſt as an Apprentice therein, and do uſe the Trade and Handicraft of a Skinner, (2) upon pain of forfeiture of the double value of all ſuch skins or furs as ſhall be dreſſed or wrought by ſuch perſon or perſons, his or their Servants, Journeymen or Apprentices, contrary to the intent of this Act.

Who ſhall recover the forfeiture, and by what means.

V. And be it enacted by the authority aforeſaid, That all forfeitures and penalties, which by force of this Act ſhall ariſe or grow, ſhall be divided and diſtributed in manner and form following, that is to ſay, the one moiety of the ſaid penalties and forfeitures afore-mentioned, ſhall be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors; and the other moiety thereof to ſuch perſon or perſons as ſhall ſeize the ſaid skins or furs ſo forfeited, or ſhall ſue for the ſame penalties and forfeitures, by action of debt, bill, plaint or information, in any Court of Record: In which ſuits no eſſoin, protection, or wager of Law ſhall be allowed.

The continuance of the Statute.

VI. This Act to endure until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. X.

An Act for the Rating and Levying of the Charges for conveying Malefactors and Offenders to Goal.

Priſons 7. At whoſe charge an offendor ſhall be conveyed to Goal.

Whereas his Majeſties honeſt and loving Subjects are much charged and burthened in conveying Felons, and other Malefactors and Offendors againſt his Majeſties Laws and Statutes, unto the Goal, puniſhable by impriſonment there, the ſaid Felons and other Malefactors and Offendors, having goods and chattels of their own, whereby to defray the ſame charge themſelves, to the great encouragement of ſuch Malefactors and Offendors in their ſaid wicked and bad courſes, and to the diſcouragement of his Majeſties ſaid honeſt and loving Subjects in proſecuting the ſaid Malefactors and Offendors to be puniſhed according to their demerits: (2) Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every perſon and perſons whatſoever, that from and after the end of this preſent Seſſion of Parliament, ſhall be committed to the common or uſual Goal within any County or Liberty within this Realm, by any Juſtice or Juſtices of the Peace, for any offence or miſdemeanour, to any ſuch Goal, That the ſaid perſon or perſons ſo to be committed as aforeſaid, having means or ability thereunto, ſhall bear their own reaſonable charges for ſo conveying or ſending them to the ſaid Goal, and the charges alſo of ſuch as ſhall be appointed to guard them to ſuch Goal, and ſhall ſo guard them thither: (3) And if any ſuch perſon or perſons ſo to be committed as aforeſaid, ſhall refuſe at the time of their commitment and ſending to the ſaid Goal, to defray the ſaid charges, or ſhall not then pay or bear the ſame, That then ſuch Juſtice or Juſtices of the Peace ſhall and may by writing under his or their Hand and Seal, or Hands and Seals, give Warrant to the Conſtable or Conſtables of the Hundred, or Conſtable or Tithingman of the Tithing or Townſhip where ſuch perſon or perſons ſhall be dwelling and inhabit, or from whence he or they ſhall be committed as aforeſaid, or where he or they ſhall have any goods within the County or Liberty, to ſell ſuch and ſo much of the goods and chattels of the ſaid perſons ſo to be committed, as by the diſcretion of the ſaid Juſtice or Juſtices of the Peace, ſhall ſatisfie and pay the charges of ſuch his or their conveying and ſending to the ſaid Goal, the appraiſment to be made by four of the honeſt Inhabitants of the Pariſh or Tithing where ſuch goods or chattels ſhall remain and be, and the overplus of the money which ſhall be made thereof, to be delivered to the party to whom the ſaid goods ſhall belong.

How the charges ſhall be levied, if the priſoner refuſe to pay them.

If the offendor be not able to bear his charges, the Pariſhioners ſhall do it.

II. And be it further enacted by the authority aforeſaid, That if the ſaid perſon or perſons ſo to be committed as aforeſaid, ſhall not have, or be known to have any Goods or Chattels which may be ſold for the purpoſe aforeſaid, within the County or Liberty, That then an indifferent tax or aſſeſſment ſhall be made by the Conſtables and Church wardens, and two or three other the honeſt inhabitants of the Pariſh, Townſhip or Tithing where the ſaid offendor or offendors, ſhall be taken or apprehended, the ſaid taxation being allowed under the Hand of one or more Juſtice or Juſtices of the Peace, if there be ſuch Conſtables or Churchwardens there inhabiting; and in default of them, by four of the principal Inhabitants of the ſaid Pariſh, Townſhip or Tithing where ſuch offendors ſhall be taken or apprehended: (2) And if any ſo taxed or or aſſeſſed, ſhall refuſe to pay their ſaid taxation, then the Juſtice or Juſtices of Peace by whom the ſaid offendors ſhall be committed to priſon as aforeſaid, or any other Juſtice of Peace near adjoyning, ſhall and may give Warrant as aforeſaid, to the Conſtable, Tithingman or other Officer, there to diſtrain the goods of any ſo aſſeſſed, which ſhall refuſe to pay the ſame, and to ſell the ſame; (3) and that ſuch perſon or perſons ſo authorized, ſhall have full power and authority ſo to diſtrain, and by appraiſement of four ſubſtantial Inhabitants of the ſaid place, to ſell a ſufficent quantity of the goods and chattels of the ſaid perſon ſo refuſing,

The remedy if any perſon taxed refuſe to pay.

fuſing, for the levying of the ſaid Taxation; And if any overplus of money come by the ſale thereof, the ſame to be delivered to the perſon or perſons, owner or owners thereof.

The defendant's plea in an Action brought for any thing done by force of this Act.

III. And be it enacted by the authority of this preſent Parliament, That if any action of treſpaſs or other ſuit ſhall happen to be attempted or brought againſt the perſon or perſons for taking of any diſtreſs, making of any ſale, or any other act by authority of this preſent Act, the defendant or defendants in any ſuch action or ſuit, ſhall and may either plead Not guilty, or otherwiſe make avowry, cognizance or juſtification for the taking of the ſaid diſtreſſes, making of ſale, or other act by virtue of this Act (2) alledging in ſuch avowry, cogniſance or juſtification, that the ſaid diſtreſs, ſale, treſpaſs, or other thing whereof the plaintiff or plaintiffs complained, was done by authority of this Act, and according to the tenour, purport and effect of this Act, without any expreſſing or rehearſal of any other matter of circumſtance contained in this preſent Act: (3) To which avowry, cogniſance or juſtification the plaintiff ſhall be admitted to reply, That the defendant did take the ſaid diſtreſs, made the ſaid ſale, or did any other act or treſpaſs ſuppoſed in his declaration, of his own wrong, without any ſuch cauſe alledged by the ſaid defendant; whereupon the iſſue in every ſuch action ſhall be joyned to be tryed by verdict of twelve men, and not otherwiſe, accuſtomed in other perſonal actions, (4) and upon the tryal of that iſſue, the whole matter to be give on both parties in evidence, according to the very truth of the ſame; (5) And after ſuch iſſue tried for the defendant, or non-ſuit of the plaintiff after appearance, the ſaid defendant to recover treble damages by reaſon of his wrongful vexation in that behalf, with coſts alſo on that part ſuſtained, and that to be aſſeſſed by the ſame Jury or Writ, to enquire of the damages as the ſame ſhall require: (6) This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The defendant ſhall recover treble damages and coſts of Suits.

The continuance of this Act.

CAP. XI.

An Act for Tranſportation of Beer over the Seas.

Corn 6. When Beer may be tranſported by any perſon, and to what place. 1 Jac. 25.

Whereas by a Statute made in the firſt year of the Reign of our now moſt gracious Sovereign Lord King James, it is lawful to tranſport over the Seas Barley or Malt, when the common price thereof ſhall not exceed the prices in the ſaid Statute limited; (2) by which ſaid Act it is lawful for every perſon and perſons, being Subjects of the Kings Majeſty, his Heirs and Succeſſors, to tranſport of his own, and to buy and tranſport unto any Port beyond the Seas in amity with his Majeſty, to ſell as merchandiſe, in Ships, Crayers or other Veſſels, whereof any Engliſh born Subject or Subjects then ſhall be owner or owners, any Barley or Malt, when the price of every ſuch Quarter of Barley or Malt exceeds not at the times, havens and places where and when the ſame ſhall be ſhipped or laden, the ſum of fourteen ſhillings currant Engliſh money, paying to the Kings Majeſty, his Heirs and Succeſſors, for the Cuſtom and Poundage of every ſuch Quarter of Barley and Malt ſo tranſported, the ſum of Sixteen pence, in full ſatisfaction of all manner of Cuſtom and Poundage for the ſame; (3) Now for that the tranſporting of Beer, the Cuſtom and Poundage that will grow due to the Kings Majeſty for the ſame Beer will be much greater then when the Barley or Malt whereof the ſaid Beer is made, and tranſported, and alſo that the Navy and Mariners of this Realm will be the more increaſed, for that one Ship or Boat load of Barley or Malt will, if the ſame be brewed out into Beer, make four ſeveral Ships or Boats load of the ſame burthen of Beer to be tranſported: (4) The Tillage likewiſe of this Realm will be cheriſhed and encreaſed, by reaſon of the more ſpeedy and often vent of the Beer then of Barley or Malt; (5) And alſo by the brewing of ſuch Malt into Beer within this Realm to be tranſported, divers Port Towns will be greatly comforted and relieved, many of his Majeſties Subjects thereby employed and ſet on work, and the Trades of Coopers and Brewers will be thereby better enabled to live and maintain themſelves, their Wives, Children and Families:

The ſeveral benefits ariſing by the tranſporting of Beer more then of Malt.

At what time Beer may be tranſported by any perſon.

II. Be it therefore Enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That at all times from and after the Feaſt of Pentecoſt which ſhall be in the year of our Lord God 1607, it ſhall and may be lawful for all and every perſon and perſons, to tranſport of his own, or to buy and tranſport, or cauſe to be bought and tranſported, any Beer with the Caſk, unto any place or places beyond the Seas in amity and league with his Majeſty, his Heirs or Succeſſors, to ſell as merchandiſe or otherwiſe, in Ships, Crayers, or other Veſſels, when the price of every Quarter of Malt at the times, havens and places when and where the ſame ſhall be ſhipped and loaden, exceed not the ſum of xvi. s. Currant Engliſh money; any ordinance, law or ſtatute to the contrary thereof in any wiſe notwithſtanding: (2) And that the Kings Majeſty, his Heirs and Succeſſors, ſhall have and receive by the Cuſtomers, Comptrollers and Officers of his Ports where ſuch Beer ſhall be ſo ſhipped or loaden to be tranſported, the ſum of Eight ſhillings ſix pence for Impoſt, and Eighteen pence for Cuſtom, to be paid by every Subject of the Kings Majeſty, his Heirs and Succeſſors, for every Ton of Beer ſo to be tranſported: (3) And likewiſe the ſum of Ten ſhillings for impoſt, and Two and twenty pence half-peny for Cuſtom, to be paid by every Stranger, (4) which ſhall be in full ſatisfaction of all manner of Cuſtom, Poundage, Impoſt, or other duties whatſoever for the ſame Beer; Any Conſtitution, Order, Law, Statute or Cuſtom heretofore made, uſed or taken for tranſporting of any ſuch Beer, to the contrary in any wiſe notwithſtanding.

What Impoſt and Cuſtom ſhall be paid for Beer tranſported.

35 Eliz. 11. 1 Jac. 25.

III. Provided nevertheleſs, and be it further enacted and declared, That this Act nor any thing therein contained, ſhall extend to repeal or make void any clauſe, article or proviſion contained in any former Law now in force, touching the bringing in of Clapboard, Caſk or Shaffoldboard, but that every ſuch branch, article, clauſe or proviſion, as extend as well unto all and every tranſportation or tranſportations, made lawful and warranted by virtue of this Act, or otherwiſe; Any thing contained in this Act to the contrary notwithſtanding.

(2) This Act to continue but to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The continuance of this Act

CAP.

CAP. XII.

An Act for the better preſervation of Sea-fiſh.

Fiſh 23. The forfeiture for ſetting up of a new Wear or for deſtroying the ſpawn or fry of Fiſh. Cauſes of the deſtruction of the brood of Fiſh.

Foraſmuch as it is certainly known by daily experience, that the brood of Sea-fiſh is ſpawned and lieth in ſtill waters, where it may have reſt to receive nouriſhment, and grow to perfection, and that it is there deſtroyed by Wears, Draw-nets, and nets with Canvas, or like Engines in the middle or boſom of them, in Harbours, Havens and Creeks within this Realm, to the great damage and hurt of Fiſhermen, and hindrance of the Common-wealth, for that every Wear near the main Sea, taketh in twelve hours ſomtimes the quantity of five buſhels, ſometimes ten, ſometimes twenty or thirty buſhels of the brood of Sea-fiſh; and alſo thoſe which uſe Draw-nets, Nets with Canvas, or Engines in the midſt of them, do, every day they fiſh, deſtroy the brood of all ſorts of Fiſh aforeſaid, in great multitudes:

II. For reformation whereof, Be it enacted by the authority of this preſent Parliament, That every perſon and perſons that from and after the five and twentieth day of July next enſuing this Seſſion of Parliament, ſhall erect or ſet up any new Wear or Wears along the Sea-ſhore, or in any Haven, Harbour or Creek, or within five miles of the mouth of any Haven or Creek, or ſhall willingly take, deſtroy or ſpoil any ſpawn, fry, or brood of any Sea-fiſh in any Wear or other Engine or Device whatſoever, ſhall forfeit for every time ſo erecting, ſetting up, taking, deſtroying or ſpoyling contrary to this Act, the ſum of ten pounds of good and lawful money of England, the one half to the Kings Majeſty, his Heirs or Succeſſors, and the other half to him that will ſue for the ſame: (2) And that every perſon which after the firſt day of October next enſuing this Seſſion of Parliament, in any Haven, Harbour, Creek, or within five miles of the mouth of any Haven, Harbour or Creek of the Sea, ſhall fiſh with any Draw-net or Drag-net under three inches meaſh, viz. an inch and an half from knot to knot, except for the taking of Smoulds in Norfolk only, or with any net with Canvas, or other engine or device, whereby the Spawn, fry or brood of Sea-fiſh may be deſtroyed, ſhall forfeit ſuch Net, and alſo forfeit for every time ſo doing, Ten ſhillings of lawful money of England, the one half to the uſe of the poor people of the City, Town Corporate, Borough, Market Town, Pariſh or Liberty where the offence or offences ſhall be committed, and the other half to the perſon that will ſue for the ſame; (3) the ſaid forfeitures to be levied to the uſes aforeſaid, by the Mayor Bailiff, or other Head-officer of every City, Borough or Town-corporate, and by Warrant of one or more Juſtices of Peace, it ſhall be lawful for the Conſtables and Churchwardens of every Market Town, Pariſh or Liberty within which any ſuch offences ſhall be done, by way of diſtreſs and ſale of the offendors Goods, rendring to them the ſurpluſage, according to the order of former Statutes in ſuch caſes of forfeitures ordained.

The forfeiture for fiſhing with certain Nets and Engines.

Examined by the Parliament Roll.

What ſort of Fiſh may be taken with the Nets prohibited.

III. Provided always, That this Act, or any thing therein contained, ſhall not extend to puniſh any perſon or perſons for uſing any Net or Nets of leſſer meaſh then is by this Statute appointed, only for taking of Herring, Pilchards, Sprats or Lavidnian; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Angleſey.

IV. Provided further, That this Act ſhall not extend to the Iſle and County of Angleſey.

CAP. XIII.

An Act againſt unlawful Hunting, Stealing of Deer and Coneys.

Foreſts 9. Juſtice of Peace 34. Certain offences for which the Statute of 5 El. 21. hath not provided puniſhment.

Whereas ſince the making of the Statute of Quinto Elizabethæ, cap. 21. there have been divers Grounds incloſed, and uſed and kept for the preſervation and maintenance of Deer and Coneys; (2) and whereas there is not by the ſaid Statute of Quint. Eliz. neither by any other Act now in force, any ſufficient remedy provided againſt ſuch malefactors and evil diſpoſed perſons, as ſhall chaſe, hunt or kill any the Deer or Coneys within ſuch Grounds ſithence the ſaid Statute of Quinto Elizabethæ incloſed and kept, and uſed for the maintenance and preſervation of the ſaid Game, as aforeſaid, or any former Grounds which have been ſithence the making of the ſaid Statute, in any part altered: (3) By reaſon whereof many riots, manſlaughters, miſchiefs, and other inconveniencies have been daily committed and done, and like to be committed and done, if circumſpect remedy be not hereunto provided:

The penalty for breaking a Park or Warren, or for hunting of Deer or Coneys. ALT. 7 Jac, 13. 13 Car. 2. cap. 1.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, after the Feaſt of St. James the Apoſtle next enſuing, ſhall in the night time, or by day, wrongfully or unlawfully break or enter into any Park impalled, or any other ſeveral Grounds encloſed with wall, pale or hedge, and uſed or kept for the keeping, breeding or cheriſhing of any Deer or Coneys, and wrongfully or unlawfully ſhall hunt, drive or chaſe out, or take, kill or ſlay any Deer or Coneys within any ſuch impaled Park, or cloſed Ground with pale, wall, or other encloſure as aforeſaid, againſt the will, mind or pleaſure of the owners, occupiers or poſſeſſioners of the ſame, not having lawful title or authority ſo to do, and thereof ſhall be lawfully convicted at the Suit of our Sovereign Lord the King, his Heirs or Succeſſors, or the party grieved, ſhall ſuffer impriſonment of his or their bodies by the ſpace of three months, (2) and alſo ſhall yield and pay to the party grieved, his treble damages and coſts, to be aſſeſſed and rated by the Juſtices before whom he or they ſhall be convicted, after the ſaid three months expired, (3) and ſhall find ſufficient ſureties for his and their good abearing againſt the King, his Heirs and Succeſſors, and all his liege people, for the ſpace of ſeven years after, or elſe ſhall remain and continue ſtill in priſon without bail or mainpriſe, until ſuch time as he or they ſo offending, ſhall find ſufficient ſureties during the ſaid time and ſpace of ſeven years.

Which Juſtices may hear and determine the offences aforeſaid.

III. And be it likewiſe enacted by the authority aforeſaid, That the Juſtices of Oyer and Terminer, Juſtices of Aſſiſe in their Circuits, and Juſtices of Peace and Goal delivery in their Seſſions, ſhall by virtue hereof, have power and authority to enquire, hear and determine all and ſingular the ſaid offences, by examination of the offendors, and to make and award Proceſs thereupon, as well upon Indictments taken before them, as by Bill of complaint, Information,

mation, or any other Action; In which Suit or Action no Eſſoin, Wager of Law or Protection ſhall be allowed.

IV. And be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to the party grieved, to ſue and take his further Remedy againſt all and every ſuch offendor and offendors, for his loſs and damages, and to recover the treble value of the ſame in that behalf, as well before the Juſtices of Oyer and Terminer, Juſtices of Aſſiſe in their Circuits, and Juſtices of the Peace and Goal-delivery in their Seſſions, or elſewhere, in any other the Kings Majeſties Courts of Record at Weſtminſter; (2) And that upon true ſatisfaction of the ſaid treble damages to the party grieved, or upon the contention or acknowledgment thereof by the ſaid party offending, before the Juſtices in open Seſſions holden for the County wherein the ſame offence ſhall be committed, it ſhall be at the liberty of the ſaid party grieved, to whom the ſaid offence is committed, to releaſe at his pleaſure the ſuretiſhip of the good behaviour, at any time within the ſaid ſeven years or before; Any thing in this preſent Act before mentioned or declared to the contrary notwithſtanding.

The remedy of the party grieved.

In what caſe the ſuretiſhip of the good behaviour may be releaſed by the party grieved.

V. And be it alſo further enacted by the authority aforeſaid, That if any perſon or perſons not having any manors, lands, tenements or hereditaments, of the clear yearly value of forty pounds, or not worth in goods or chattels, the ſum of two hundred pounds, ſhall uſe any Gun, Bow, or Croſs-bow, to kill any Deer or Coneys, or ſhall keep any Buckſtall or Engine, Hayes, Gate-nets, Purſe-nets, Ferrets or Coney-dogs, except ſuch perſon or perſons as ſhall have any Grounds imparked with pale, or incloſed with wall or hedge, as aforeſaid, uſed for the keeping, breeding or cheriſhing of any Deer or Coneys, the increaſing of which ſaid Coneys, ſhall amount to the clear yearly value of fourty ſhillings to be letten at the leaſt, or Keepers or Warreners in their Parks, Warrens or Grounds, belonging to their charge, That then any perſon having lands, tenements or hereditaments of the clear yearly value of One hundred pounds in Fee-ſimple, Fee-tail, or for life, in his own right, or in the right of his wife, may take from the perſon or poſſeſſion of ſuch malefactor or malefactors, and to his own uſe for ever keep ſuch Guns, Bows, Croſs-bows, Buckſtalls or Engine, Hayes, Gate-nets, Purſe-nets, Ferrets and Coney-dogs.

The penalty for ſhooting with Gun or Bow. at Deer or Coneys, or for keeping of Engines.

VI. And be it further enacted by the authority aforeſaid, That if any perſon or perſons at any time hereafter, ſhall fortune to be bound before any the Juſtices before mentioned, to the King his Heirs or Succeſſors, for his or their good abearing for ſeven years, according to the tenour of this Act; And the ſame party or parties ſo bound, ſhall afterward within the ſaid ſeven years come before the Juſtices of the Peace of the ſaid County where the ſaid offence was committed, or ſome of them, in open Quarter Seſſions, and there in the ſaid Seſſions confeſs and acknowledge his or their ſaid offence or offences, and that he or they is or are ſorry therefore, and ſatisfie the party or parties grieved, according to the tenour of this Act, That then the ſame Juſtices before whom the ſaid confeſſion ſhall be ſo made, ſhall and may have power and authority by vertue of this Act, in the ſame open Seſſions, or in any other Seſſions afterwards to be holden before the ſaid Juſtices in the ſaid County, within the ſaid term of ſeven years, if it ſhall ſeem good to their diſcretions, to diſcharge the ſaid Recognizance and Bond ſo taken, and alſo the ſaid party and parties ſo bound; This Act, or any thing therein contained to the contrary thereof notwithſtanding.

In what caſe the Juſtices may diſcharge the ſuiter of good abearing.

VII. Provided always, That this Act, or any thing therein contained, do not extend to any park or incloſed ground, hereafter to be made and uſed for Deer or Coneys, without the Grant or Licence of our Sovereign Lord the King, his Heirs or Succeſſors.

A Park or Warren made without the Kings Licence.

VIII. Provided always, and be it further enacted, That this Act, nor any thing therein contained, ſhall extend to any offence or offences concerning the hunting, chaſing or killing of Deer or Coneyes, which ſhall be done or committed in the day-time, but only to ſuch offences as ſhall be hereafter done or committed in the night-time only; Any thing in this Act contained to the contrary thereof notwithſtanding. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 17 Car. 1. cap. 4. Continued.

Offences committed in the night only.

This Proviſo for Deer.

REP. 7 Jac. 13.

CAP. XIV.

An Act for the explanation of the Statute of Sewers.

Foraſmuch as the Walls, Ditches, Banks, Gutters, Sewers, Gates, Cawſeys, Bridges, Streams and Water-courſes in and about the City of London, where no paſſage of Boats is uſed, having their courſe and fall into the River of Thames, where it doth uſually ebb and flow, and is uſed for free paſſage of Boats to the Sea, are already by the Commiſſioners of Sewers appointed to be ſurveyed, reformed and amended where need ſhall require, and are as needful and meet to be ſurveyed, reformed and amended, from noyance of the ſaid River of Thames, by the Commiſſioners of Sewers, as thoſe Rivers, Streams and Water-courſes where the water doth uſually ebb or flow, (2) and where more uſual paſſage of Boats hath been, and yet are not under the ſurvey, correction and amendment of the Commiſſion of Sewers, nor of the Statute made for Sewers in the three and twentieth year of the Reign of King Henry the Eighth, or of any other Statute made for Sewers, as the ſame ſhould have been, if the hurts, noyſances and inconveniences now by dayly experience felt and found in thoſe places, had been ſeen and conſidered of:

Sewers 20. Water-courſes falling into the Thames within two miles of London, ſhall be ſubject to the Commiſſion of Sewers.

Stat. 23 H. 8. 12. 25. H. 8. 10. 3 Ed. 6. 8. 13 El. 9.

II. For reformation whereof be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Walls, Ditches, Banks, Gutters, Sewers, Gates, Cawſeys, Bridges, Streams and Water-courſes, within the limits of two miles of and from the City of London, which Waters have their courſe, and fall into the River of Thames, ſhall from henceforth be to all intents, conſtructions and purpoſes as fully ſubject to the Commiſſion of Sewers, and to all the Statutes made for Sewers, and to all penalties in the ſame Statutes, and in every of them contained, as if the ſame places near to the ſaid City of London, had been particularly named in the ſaid Statute of Sewers, or that therein the Water had ebbed, flowed, and therein free paſſage with Boats and Barges to the Sea had been heretofore uſed; Any thing in the ſaid Statutes, or elſewhere, to the contrary in any wiſe notwithſtanding.

CAP. XV.

An Act for the recovering of ſmall Debts, and for the relieving of Poor Debters in London.

Debts 2.

Whereas by virtue of divers Acts of Common Council made within the City of London, the Lord Mayor and Aldermen of the ſame City, for the relief of poor Debters dwelling within the ſaid City, have accuſtomed monthly to aſſign two Aldermen and twelve diſcreet Commoners to be Commiſſioners, and ſit in the Court of Requeſts, commonly called the Court of Conſcience, in the Guildhall of the ſame City, there to hear and determine all matters of Debt not amounting to the ſum of xl. s. to be brought before them: (2) And whereas at the Seſſions of Parliament holden at Weſtminſter, the nineteenth day of March, in the firſt year of the Reign of our Sovereign Lord the Kings Majeſty that now is, for the further relief of ſuch poor Debters, and more perfect eſtabliſhing of the ſaid Court, there was made and provided an Act, entituled, An Act for recovery of ſmall Debts, and relieving of poor Debters in London: (3) And whereas ſince the making of the ſaid Act, divers perſons intending to ſubvert the good and charitable intent of the ſame, and taking hold of ſome doubtful and ambiguous words therein, do wreſt the ſame for their own lucre and gain, to the avoiding the Juriſdiction of the ſaid Court, contrary to the godly meaning of the ſaid Act:

Stat. 1 Jac. 14.

A mean for a Citizen of London to recover of another there a ſmall debt.

Cro.Car.

II. For the remedy whereof, and to the intent that ſome more full and ample proviſion may be made for the relief of ſuch poor Debters, (2) Be it enacted by the Authority of this preſent Parliament, That every Citizen and Freeman of the City of London, and every other perſon and perſons inhabiting, or that ſhall inhabit within the ſaid City or the Liberties thereof, being a Tradeſman, Victualler, or a labouring man, which now have, or hereafter ſhall have any debt or debts owing unto him or them, not amounting to fourty ſhillings, by any Citizen, or by any other perſon or perſons being a Victualler, Tradeſman, or labouring man, inhabiting, or that ſhall inhabit within the ſaid City or the Liberties thereof, ſhall or may cauſe ſuch Debter or Debters to be warned or ſummoned by the Beadle or Officer of the ſaid Court of Requeſts for the time being, by Writing to be left at the dwelling houſe of ſuch Debter or Debters, or by any other reaſonable warning or notice to be given to the ſaid Debter or Debters, to appear before the Commiſſioners of the ſaid Court of Requeſts, holden in the Guildhall of the ſaid City: (3) And that the ſaid Commiſſioners, or any three of them or more, ſhall have power and authority by virtue of this Act, from time to time, to ſet down ſuch order or orders between ſuch party or parties plaintiff, and his or their ſuch Debter or Debters defendants, touching ſuch Debts, not amounting to the value of xl. s. in queſtion before them, as they ſhall find to ſtand with equity and good conſcience: (4) All ſuch their order or orders to be Regiſtred in a Book, as they have been accuſtomed, and as well the Party Plaintiff, as the Debter or Defendant, to obſerve, perform and keep the ſame in all points.

The Commiſſioners may miniſter an Oath to the Plaintiff. Defendant or Witneſs.

III. And that for the more due proceeding herein, it ſhall be lawful for the ſaid Commiſſioners, or any three or more of them, to miniſter an oath to the Plaintiff or Defendant, and alſo to ſuch witneſſes as ſhall be produced on each party, if the ſame Commiſſioners, or any three of them or more ſhall ſo think it meet.

A Creditor ſuing in another Court ſhall pay coſts, and recover none.

IV. And be it further enacted by the authority aforeſaid, That if any action of debt, or action upon the caſe upon any Aſſumpſit for the recovery of any debt, to be ſued or proſecuted againſt any the perſon or perſons aforeſaid, in any of the Kings Courts at Weſtminſter, or elſewhere out of the ſaid Court of Requeſts, it ſhall appear to the Judge or Judges of the Court where ſuch Action ſhall be ſued or proſecuted, that the Debt to be recovered by the Plaintiff in ſuch Action doth not amount to the ſum of xl. s. and the Defendant in ſuch Action ſhall duly prove either by ſufficient Teſtimony, or by his own Oath, to be allowed by any the Judge or Judges of the ſaid Court where ſuch Action ſhall depend, that at the time of the commencing of ſuch Action, ſuch Defendant was inhabiting and reſiant in the City of London or the Liberties thereof, as above, That in ſuch caſe the ſaid Judge or Judges ſhall not allow to the ſaid Plaintiff any coſts of ſuit, but ſhall award that the ſame Plantiff ſhall pay ſo much ordinary coſts to the Party Defendant, as ſuch Defendant ſhall juſtly prove before the ſaid Judge or Judges, it hath truly coſt him in defence of the ſaid Suit.

The penalty for refuſing to appear or to obey the order made by the Commiſſioners

V. And be it further enacted, That if any ſuch Plaintiff or Creditor, Defendant or Debter, after warning given to him or them, in manner and form before in this Act mentioned, by the ſaid Officer of the ſaid Court of Requeſts, ſhall without ſome juſt or reaſonable cauſe of excuſe, refuſe to appear in the ſaid Court before the ſaid Commiſſioners, or ſhall not perform ſuch order as the ſaid Commiſſioners or any three or more of them ſhall ſet down for or concerning ſuch Debts as aforeſaid, That then it ſhall be lawful for the ſaid Court, or any other of the Sergeants at Mace of the ſaid City, by order of the ſaid Commiſſioners, or any three or more of them, to commit ſuch party or parties to priſon, into one of the Counters of the ſaid City, there to remain until he or they ſhall perform the order of the ſaid Commiſſioners in that behalf.

Debts for rent, or by reaſon of a Teſtament or Matrimony.

VI. Provided alway, That this Act, or any thing therein contained, ſhall not extend to any Debt for any Rent upon any Leaſe of Lands or Tenements, or any other real Contracts, nor to any other Debt that ſhall ariſe by reaſon of any cauſe concerning a Teſtament or Matrimony, or any thing concerning or properly belonging to the Eccleſiaſtical Court, albeit the ſame ſhall be under xl. s. Any thing before contained to the contrary in any wiſe notwithſtanding.

A repeal of the Statute of 1 Jac. 14.

VII. And be it enacted by the authority aforeſaid, That the ſaid Act made in the firſt year of the Kings Majeſties Reign, be from the end of this Seſſion of Parliament, for and concerning any order to be made in the ſaid Court of Requeſts, after the end of this Seſſion of Parliament, utterly repealed.

CAP.

CAP. XVI.

An Act for the repeal of one Act made in the fourteenth year of Queen Elizabeths Reign concerning the Length of Kerſies.

Drapery 15. The length and weight of Ordinary and Sorting Kerſies.

Several inconveniences enſuing upon the ſtatute of 14 El. 10. provided for the length of Kerſies.

Whereas in the Parliament holden at Weſtminſter in the fourteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, one Act, entituled, An Act to reform the exceſſive length of Kerſies, was made, intending thereby to have reſtrained them to the length of eighteen yards or under; (2) immediately upon the making of which Act, by reaſon of the ſaid Law, it hath ſithence fallen out, many clothing Towns, as well within the County of Southampton, as in divers other Counties within this Realm of England, who were then in trade with Merchant-ſtrangers, and others uſing the Trade of Tranſporting of Kerſies by way of Merchandize beyond the Seas, grew ſuddenly out of Trade, and in great decay for that the ſaid Merchants would no longer buy of the Clothiers any of their ſeed Kerſies wanting their old accuſtomed meaſure of four and twenty yards or thereabouts, they the ſaid Merchants being by the like cuſtom or uſage in trade with other Merchants for the ſaid Kerſies of the ſaid meaſure and length, to the great impoveriſhment and ruine of divers ancient Towns, and of thouſands of poor people who were wont by them to be ſet on work and maintained, and to the great loſs of our ſaid Sovereign Lady Queen Elizabeth, and of the Kings Majeſty that now is, in their Cuſtoms and Subſidies, which in and by the ſaid former venting and trading of the ſaid Kerſies, did and would continually acrew and grow due for the ſame:

A repeal of the ſtat. of 14 El. 10.

II. Be it therefore enacted by the authority of this preſent Parliament, That the ſaid Act of the fourteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act to reform the exceſſive lengths of Kerſies, be from henceforth clearly and abſolutely repealed.

The length and weight of ordinary Kerſies.

Sorting Kerſies.

III. Provided always, and be it enacted, by authority of this preſent Parliament, That Kerſies called ordinary Kerſies, ſhall not exceed the length of four and twenty yards to be meaſured by the yard and inch, (2) and that every ordinary Kerſie of the length of four and twenty yards aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dryed, ſhall weigh eight and twenty pounds and one half pound at the leaſt: (3) And that Kerſies called Sorting Kerſies, ſhall not exceed the length aforeſaid, and that every Sorting Kerſie of the length of four and twenty ſuch yards as aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh thirty two pounds and one half pound at the leaſt: (4) and that every Kerſie of a ſhorter length, then four and twenty ſuch yards as aforeſaid, ſhall weigh proportionably to the aforeſaid weight, that is to ſay, Every ordinary Kerſie after the rate of one pound and three ounces weight for every yard that the ſame ſhall contain in length, and every Sorting Kerſie after the rate of one pound three ounces and one half ounce in weight, for every yard that the ſame ſhall contain in length.

The forfeiture for exceeding in length, or wanting in weight.

IV. And if it happen that any Kerſie or Kerſies, hereafter to be made, ſhall either exceed the ſaid length of four and twenty ſuch yards as aforeſaid, or ſhall not weigh according to the reſpective rates and proportions aforeſaid, then every perſon or perſons that ſhall make, or cauſe the ſame to be made for ſale, ſhall forfeit and loſe for every yard of ſuch Kerſies, exceeding the length of four and twenty ſuch ſaid yards, the ſum of five ſhillings only, and no more: (2) And for every pound weight that ſhall be wanting according to the proportions before reſpectively limited, ſhall forfeit two ſhillings for every pound, and no more; Any former Laws or Statutes limiting or appointing any other or greater penalty or forfeiture to the contrary thereof in any wiſe notwithſtanding; (3) The one moiety of the ſaid ſums, penalties and forfeitures to be to the Kings Majeſty, his heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of his Majeſties Courts of Record at Weſtminſter, by Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed or admitted.

The Cuſtom and Subſidy for a piece of Kerſie.

V. Provided further, and be it enacted by the authority aforeſaid, That every perſon and perſons ſelling or trading in any ſuch Kerſie or Kerſies, ſhall pay unto the Kings Majeſty for every piece of Kerſie containing four and twenty yards, as much in Cuſtom and Subſidy, ratably as ſuch perſon or perſons ſhould and ought to pay unto his Majeſty for one piece and a third part of a piece containing eighteen yards. St. 5. & 6. Ed. 6. 6.

CAP. XVII.

An Act concerning Welſh Cottons.

Drapery 19. 1 Jac. 25.

Whereas in a Statute made at the firſt Seſſion of Parliament holden at Weſtminſter, in the firſt year of his Majeſties Reign, amongſt other things it was provided and enacted, That no perſon or perſons ſhould incur any penalty for want of length, breadth or weight of Welſh Cottons, under the price of fifteen pence the yard, and two ſhillings the goad, ſo as they be not mixed with hair, or other deceitful ſtuff, nor for any other above that price, except they be mixt as aforeſaid, or ſhall ſhrink above half a yard in twelve yards of length, or weigh leſs then fourteen ounces the yard, and hold not full three quarters of a yard broad, as by the ſame Statute appeareth; (2) which Proviſo in the conſtructions of divers perſons doth not preſerve ſuch as make or ſell courſe Welſh Cottons, from the penalty and danger of not adding or affixing a Seal to contain the length, breadth or weight of the ſaid Cottons with affiction of a Seal is needleſs when there is no length, breadth or weight preſcribed for them: (3) And moreover, for that in all antecedent Ages, the ſaid Cottons being commonly uſed for Lynings, were never ſeized as forfeited for want of the Seal of the Makers put unto them, nor uſed to be ſearched or tryed by water, but only by the Buyer: (4) Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon or perſons ſhall incur any penalty for want of any content-Seal to contain the breadth, length or weight of any Welſh Cottons: (5) And that no

No penalty for want of Seal of Welſh Cottons.

Welſh Cottons ſhall not be ſearched or tried.

Welſh Cottons ſhall at any time or times hereafter be ſearched or tried in the water by any perſon or perſons, other than by the Buyer thereof, (6) upon pain to forfeit for every ſuch offence by the party who ſhall make any ſuch ſearch or trial contrary to the intent of this Statute, five pounds of lawful money of England, the one moiety thereof to the Kings Majeſty, his Heirs and Succeſſors, the other moiety to the party grieved, to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed. Stat. 21 Jac. 28. 3 Car. 4.

CAP. XVIII.

An Act for the bringing in of a freſh Stream of running Water to the North part of the City of London.

Havens, Kalt. 17.

For that it is found very convenient and neceſſary to have a freſh ſtream of running water to be brought to the North parts of the City of London, from the Springs of Chadwel and Amwel, and other Springs in the County of Hartford not far diſtant from the ſame, which upon view is found very feſible, and like to be profitable to many: It is therefore enacted by the Kings moſt excellent Majeſty, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall be lawful to the Lord Mayor, Commonalty and Citizens of the City of London, and their Succeſſors, at any time or times hereafter, to begin and continue the laying out of ſuch convenient limits of ground for the making of the French for the ſaid River at the breadth of ten foot and not above, as to them and their Deputies and Workmen, with the allowance of the Commiſſioners hereafter mentioned, or any ſeven of them, ſhall be ſeen convenient and meet for the ſame; (2) And in that place that they ſhall find to be moſt apt and meet for that purpoſe, to have and take for the purpoſe abovesaid, the uſe and liberty of ſuch and ſo much ground, as ſhall contain ten foot in breadth, and not above, during and by all the length as the ſaid new Channel, Cut or River, ſhall paſs for the conveying of the ſaid Water from the ſaid Springs to the City of London, leaving the Inheritance of the new Cut in the Owners thereof.

A new trench may be made to convey the water from Chadwel and Amwel to London. 4 Jac. 12.

II. And that the ſaid Mayor, Commonalty and Citizens of London, and their Succeſſors for ever, for the conſideration hereafter expreſſed, ſhall have liberty to dig the ſame ground to be imployed for the ſaid River or New-Cut, not exceeding ten foot in breadth alongſt all the ſaid whole length of the ſaid River or New-Cut, and from time to time for ever to maintain and preſerve the ſame, and to lay the Earth there digged or to be digged on either ſide of the ſame River or New-Cut, in ſuch places as ſhall be thought meet for that purpoſe, (2) and to have free paſſage to and from the ſaid New-Cut or River, with Men, Horſes, Carts and Carriages at all times convenient, and in places convenient for making of the ſame New-Cut or Trench, and for the preſerving of the ſame, and of the Banks thereof from time to time for ever, to the intent that no part of the ſaid Stream be at any time after the making of the New-Cut, without the conſent of the Mayor, Commonalty and Citizens of London, turned or conveyed out of the ſame New-Cut or Water-courſe.

The Mayor &c. of London may make and maintain the New-Cut.

III. In conſideration whereof, the Mayor, Commonalty and Citizens of London, and their Succeſſors, ſhall make ſuch ſatisfaction or compoſition to and with the Lords, Owners and Occupiers of the ſame grounds through which the New-Cut or River ſhall be made, and with all ſuch perſon and perſons as ſhall ſuſtain any damage, loſs or hinderance in their Mills ſtanding upon any of the Rivers or Streams from which the Water ſhall be taken through the ſaid New-Cut or River, as ſhall be to the contentment of the Lords, Owners and Occupiers of the ſaid Grounds and Mills, (2) and in default of their agreement by mutual aſſent, ſuch ſatisfaction or recompence as ſhall be limited and appointed by the Commiſſioners to be aſſigned for that purpoſe, according to the intent of this Statute, by the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, by Commiſſion under the Great Seal of England, or by any nine of them, whereof four of them to be Citizens of the City of London.

Satisfaction ſhall be made to the owners of the ground where the new-Cut is made.

IV. And for the better effecting of the premiſſes, and for the due rating of the value of the things to be compounded for by the true intent of this Statute, (if the parties ſhall not agree) Be it enacted by the authority of this preſent Parliament, That at the requeſt and charges of the Mayor Commonalty and Citizens of London, Commiſſion or Commiſſions under the Great Seal of England, ſhall be granted to ſuch perſons as the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, ſhall nominate and appoint, whereof four ſhall be of the County of Middleſex, four of the County of Eſſex, and four of the County of Hartford, and four of the City of London, and every of them having Lands and Tenements of the clear yearly value of forty pounds at the leaſt: (2) Which ſixteen, or any nine of them, whereof two to be of the City of London, ſhall have power to order and ſet down what rate or rates, ſum or ſums of money ſhall be paid by the Mayor, Commonalty and Citizens of London, to the Lords, Owners and Occupiers of the Grounds and Soil, and Mills, for which compoſition is to be made by the intent of this Act, if the parties cannot of themſelves agree, and in what manner the ſame ſhall be paid, (3) and that for the recovery of ſuch money as ſhall be ordered and ſet down by the ſaid Commiſſioners or any nine of them, whereof two to be of the City of London, the party or parties to whom the ſame money ſhall be due to be paid by the true intent of the ſaid Order, ſhall or may recover the ſame againſt the ſaid Mayor and Commonalty of London, by Action of Debt in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Sixteen Commiſſioners ſhall be appointed, and what their authority ſhall be.

V. Provided always, and be it enacted, That if in the New-Cut there happen any breaches, inundations or hurts, the Mayor, Commonalty and Citizens of London, ſhall from time to time ſtop the breaches at their own charges, and ſufficiently maintain them from time to time, and make ſufficient recompence to the party grieved for the damage ſuſtained by the ſame breaches riſing by their default, to be recovered by Action of the Caſe grounded upon this Statute.

The breaches or inundations in the new-cut ſhall be ſtopped by the Mayor, &c. of London.

VI. And be it further enacted by the authority aforeſaid, That the Mayor, Commonalty, and Citizens of London, and their Succeſſors for ever, ſhall make and maintain at their Coſts and Charges from time to time, convenient Bridges and Ways for the paſſage of the Kings Subjects, and their Cattel and Carriages, over or through the ſaid New-Cut or River, in places meet and convenient.

Bridges and paſſages over and through the new Cut.

VII. And further be it enacted, That until or before a full agreement with the Lords, Owners and Occupiers of the premiſſes be had, or that ſuch order and means be deviſed and agreed upon by the Commiſſioners, by the Lord Chancellor, or Lord Keeper of the great Seal of England to be nominated and appointed, or the more part of them, as ſhall ſeem meet for the due effecting of the premiſſes, and the ſaid Commiſſion returned into the high Court of Chancery, it ſhall not be lawful to the ſaid Lord Mayor, Commonalty and Citizens, to put the ſaid digging, trenching, or new cutting of the ſaid new River from the ſaid Springs in execution, nor to cut or take in any ground for paſſage of water from the ſaid Springs or any of them, by force of this Statute, ; Any thing in this Act to the contrary notwithſtanding.

Nothing ſhall be done until the owners of the ground be agreed with.

VIII. And be it further enacted by the authority aforeſaid, That after ſuch time as there ſhall be a New Cut, Stream or River brought from the Springs aforeſaid, or any of them, to the City of London, that for the better maintenance and preſervation of the ſaid River, or New-Cut, and of all the Water therein running, to be brought to the City of London, the ſame ſhall be ſubject to the Commiſſion of Sewers, and to the Laws and Statutes made for Sewers, as fully to all intents and purpoſes, as if the ſame River or New-Cut had been expreſly mentioned in the ſaid Statutes of Sewers to be under the Survey of the ſaid Commiſſioners.

The new Cut brought to London, ſhall be ſubject to Commiſſion of Sewers.

IX. Provided nevertheleſs, and be it enacted, That all ſuch things as ſhall be done at any time hereafter, for the ſcouring, cleanſing, amending, and conſervation of the ſaid new River or Cut, ſhall be at the only coſt and charges of the Mayor, Citizens and Commonalty of the City of London: (2) And that all Fines and Amerciaments which ſhall be impoſed by virtue of the ſaid Commiſſion of Sewers, for any wilful annoyances and offences which ſhall be at any time hereafter committed to the hurt or prejudice of the ſaid new River or Cut, or any thing thereunto appertaining, ſhall be to the only uſe, benefit and behoof of the ſaid Mayor, Commonalty and Citizens of London, and their Succeſſors for ever. PR. ALT. 4 Jac. 12.

The cleanſing and conſervation of the new River ſhall be at the coſts of the Mayor, &c.

CAP. XIX.

Who ſhall be charged with the repairing and maintaining of the High-way leading from Kingſtone to None-ſuch. PR. EXP. Stat. 21 Jac. 28.

High-ways, Raſt. 9.

CAP. XX.

How paſſage may be made by water from London to Oxford. PR. REP. 21 Jac. 32.

Havens, Raſt. 18.

CAP. XXI.

An Act to reſtrain the abuſes of Players.

For the preventing and avoiding of the great abuſe of the holy Name of God, in Stage-plays, Enterludes, May-games, Shews, and ſuch like, (2) Be it enacted by our Sovereign Lord the Kings Majeſty, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if at any time or times after the end of this preſent Seſſion of Parliament, any perſon or perſons do or ſhall in any Stage-play, Enterlude, Sew, May-game or Pageant, jeſtingly or prophanely ſpeak, or uſe the holy Name of God, or of Jeſus Chriſt, or of the holy Ghoſt, or of the Trinity, which are not to be ſpoken, but with fear and reverence, ſhall forfeit for every ſuch offence by him or them committed, ten pounds: (3) The one moiety thereof to the Kings Majeſty, his Heirs and Succeſſors, the other moiety thereof to him or them that will ſue for the ſame in any Court of Record at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Players 8. The penalty of Players on Stage, &c. profanely abuſing the Name of God.

CAP. XXII.

An Act for the paving of Drury lane, and the Town of St. Giles in the Fields, in the County of Midleſex. PR. EXP.

CAP. XXIII.

An Act for the new making up, and keeping in reparation of Chepſtow-Bridge.

In all humble manner ſhewen and inform your moſt excellent Majeſty, the Inhabitants of the greateſt part of South-Wales, That whereas a certain great Bridge of Wood, called Chepſtow Bridge, was of late ſtanding over the Water or River of Wye, which parteth the Counties of Monmouth, and Glouceſter, being the meeteſt and moſt neceſſary paſſage and high-way leading into the parts of South-Wales, and out of the ſame to London, Briſtol, and other parts of England, (2) And whereas alſo at a Parliament holden at Weſtminſter, in the eighteenth year of the Reign of the late Queen Elizabeth of famous memory, It was enacted, That the Shire or County of Glouceſter, and the Shire and County of Monmouth ſhould ſtand for evermore chargeable for the maintenance, repairing amending, and new making of the aforeſaid Bridge, when, and as often as need ſhould require, viz. every of them for ſuch part and moiety as lay to the middle of the ſtream of the aforeſaid water of Wye, on the ſides of the Lordſhip of Chepſtow in the County of Monmouth, and the Lordſhip of Tyddenham in the County of Glouceſter: (3) And that for the aſſeſſment, rating, collection, gathering, and imploying of the Moneys thereupon to be ſpent, ſuch form and order ſhould be obſerved, as was appointed by an Act made in xxii. year of King Henry the Eighth, entituled, An Act concerning repairing and amending of Bridges in High-wayes: (4) And that for the more ſpeedy performance of the premiſſes, It was alſo enacted, That if the Juſtices of Peace of the foreſaid Shires of Glouceſter or Monmouth, or any of them, did make any default in not appointing, executing and obſerving the order appointed by the ſaid Act for the aſſeſſment, Collection, and imployment of the Money ſo to be collected according to the meaning of the ſaid Act, by the ſpace of three months next after the ſaid Seſſion of Parliament holden in the ſaid eighteenth year of the ſaid late Qeeen Elizabeth, That then they and every of them (being reſident and inhabiting in the ſaid Shires) ſhould forfeit for

Bridges, Raſt. 10.

The effect of the Stat. of 18 Eliz. 18. touching repair of Chepſtow Bridge.

22 H. 8. 5.

ſuch default, the ſum of ten pounds a piece, to be recovered before the then Queens Majeſties Council in the Marches of Wales, by information, to be imployed to and for the uſe and reparation of the foreſaid Bridge:

The imperfections of the Statute of 18 El. 17.

II. Foraſmuch as the ſaid Act made in the ſaid xviij. year of the ſaid late Queen, is ſithence found to be ſo defective and inſufficient, as well in the power given thereby to Juſtices of the Peace of the ſaid Counties, for the aſſeſſing and rating of the inhabitants thereof, and for collecting of money towards the ſaid Bridge, as alſo in the means for recovery of the penalties thereby impoſed upon Juſtices of Peace of the ſaid Counties, for the default in taking order in the premiſſes, as that thereby no ſuch remedy, benefit and order for the maintenance and reparation of the ſaid Bridge could be effected, as was intended to be provided by the ſame: And for that by reaſon thereof, the Juſtices of Peace of either the ſaid Counties, neglecting to take order for the maintenance and reparation of the ſaid Bridge, the ſame is of late broken, fallen down, and quite carried away with the ſtream of the ſaid water, whereby the ſaid paſſage and highway is utterly taken away, to the great charge, grief, noyance, and hurt of a great multitude of the Kings Majeſties Subjects travelling thoſe parts.

A repeal of the Statute of 18 Eliz. 17. made touching Chepſtow Bridge.

III. And for that alſo the ſaid Bridge cannot be new made, erected, or kept in reparation, without ſome other and more effectual Law or Proviſion to be ordained by Parliament in that behalf; (2) Be it therefore enacted by the King our Sovereign Lord, and by the conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act or Ordinance made in the ſaid xviij. year of the late Queen Elizabeth, for the repairing of the ſaid Bridge, be from henceforth utterly repealed and adnulled, void and of none effect.

Which Counties ſhall ſtand charged for the making and repairing of Chepſtow Bridge.

IV. And be it further enacted by the authority aforeſaid, That the ſaid Shire or County of Glouceſter, and the Shire or County of Monmouth, ſhall for evermore ſtand chargeable reſpectively and ſeverally, for the erecting, building, new making up, and continual reparation and maintenance of the ſaid Bridge, when, and as often as need ſhall require, *viz.* The ſaid County of Glouceſter, from the midſt of the ſaid Bridge, or from the place where the midſt of the ſaid Bridge ſtood in the ſaid River, for that part or moiety of the ſaid Bridge which lieth on that ſide unto the Lordſhip of Tyddenham; (2) And the ſaid County of Monmouth, from the midſt of the ſaid Bridge, or from the place where the midſt of the ſaid Bridge ſtood in the ſaid River, for that part or moiety thereof which lieth on that ſide, unto the Lordſhip of Chepſtow: (3) And that the Juſtices of Peace, or any four of them in either of the ſaid Counties, whereof one to be of the Quorum, ſeverally and reſpectively ſhall have power and authority by this Act, to tax, aſſeſs, and rate all and every the Inhabitants of the ſaid ſeveral Counties of Glouceſter and Monmouth, ſeverally and reſpectively, as well within Liberties as without, to ſuch reaſonable ſum and ſums of money, from time to time, as to the ſaid Juſtices, or any four of them, in either of the ſaid Counties ſeverally and reſpectively, whereof one to be of the Quorum, ſhall be thought fit, needful and convenient for the building, new making up, and erecting of the ſaid Bridge, and for the continual reparation thereof: (4) And after ſuch taxation made the ſaid Juſtices, or any four of them in either of the ſaid Counties, whereof one to be of the Quorum, within the limits of their Authorities, Commiſſions and Diviſions, ſhall cauſe the names and Sums of every particular perſon in either of the ſaid Counties ſo by them taxed, to be written in ſeveral Rolls Indented, and ſhall alſo have Power and Authority to Appoint Collectors of every Hundred, in either of of the ſaid Counties, ſeverally and reſpectively, within the limits of their ſaid Authorities, Commiſſions and Diviſions, for the ſeveral collection of all ſums of money by them taxed: (5) Which Collectors in either of the ſaid Counties, receiving ſeveral parts of the ſaid Rolls indented, under the hands and Seals of the ſaid Juſtices, or any four of them within the limits of their authorities and Commiſſions, whereof one to be of the Quorum, ſhall have power and authority to collect and receive all the particular ſums of money therein contained, and to diſtrain every ſuch Inhabitant as ſhall be taxed, and refuſe to make payment thereof, in his Lands, Goods and Chattels, and to ſell ſuch Diſtreſſes, and of the ſale thereof retain and receive all the money taxed, and the reſidue (if the diſtreſſes be better) to deliver to the Owner thereof: (6) And that the ſame Juſtices or four of them, in either of the ſaid Counties, whereof one to be of the Quorum, within the limits of their Commiſſions and Authorities, ſhall alſo have power to name and appoint four ſufficient perſons out of the ſaid ſeveral Counties, to be Surveyors from time to time as need ſhall require, to ſurvey and ſet forward the work for building and repairing of the ſaid Bridge, *viz.* Two to be Surveyors of the ſaid County of Glouceſter, and two to be Surveyors of the County of Monmouth, into whoſe hands the ſaid Collectors of the ſaid Counties, ſeverally and reſpectively, ſhall pay the ſums of money by them levied and collected, to be imployed for the building, erecting and repairing of the ſaid Bridge from time to time, as need ſhall require, and ſhall make Rolls indented, to be ſubſcribed interchangeably between them and the ſaid Surveyors in either County reſpectively, mentioning the times and payment thereof: (7) And that the ſaid Collectors or Surveyors, and every of them and the Executors and Adminiſtrators of every of them from time to time, when they ſhall be thereunto required, ſhall make true Declarations and Accompts in Writing, to the Juſtices of Peace in either of the ſaid Counties wherein they are appointed Collectors or Surveyors, or to any four of them, whereof one to be of the Quorum, of the Receipts, Payments, Imployments and Expences of all the ſums of money by them in that behalf received or beſtowed: (8) And if they, or any of them ſhall refuſe ſo to do, or to pay (without delay to the uſe aforeſaid) ſuch part thereof as ſhall be found to remain in their hands, to ſuch perſon or perſons as by any four of the ſaid Juſtices of Peace in either County, at their Quarter Seſſions reſpectively, ſhall be nominated or appointed in that behalf, That then the ſaid Juſtices of Peace, or any four of them, in either of the ſaid Counties, whereof one to be of the Quorum, from time to time by their diſcretions, ſhall have power and authority within the limits of their Commiſſions and Diviſions, to make Proceſs againſt the ſaid Collectors and Surveyors, and every of them, and the

The Juſtices ſhall tax the Inhabitants of the Counties of Glouceſter and Monmouth.

Collectors ſhall be appointed in every Hundred of both the Counties

The Collectors authority.

Surveyors ſhall be appointed, and their authority.

The Collectors and Surveyors ſhall make account to the Juſtices.

the Executors and Adminiſtrators of every of them, by Attachment, or Capias under their Seals for their apprehenſion, returnable at the General Seſſions of Peace in either of the ſaid Counties, and if they appear, then to compel them to account and pay as is aforeſaid; or elſe if they or any of them refuſe ſo to do, then to commit ſuch of them as ſhall ſo refuſe, to ward, there to remain without bail or mainpriſe, until their ſaid Declaration and Accompt be truly made, and until they make payment of ſuch money as ſhall appear to be by them, detained and not employed: (9) And that the ſaid Juſtices of Peace, or any four of them in either of the ſaid Counties reſpectively, ſhall take order that one part of all the ſeveral Rolls, containing all taxations, collections and accompts of every of the ſaid Collectors and Surveyors, from time to time in either of the ſaid Counties (being ſubſcribed as well by the ſaid Juſtices, as alſo by the ſaid Collectors and Surveyors) may remain and be ſafely kept amongſt the Records of the General Seſſions of the Peace in either of the ſaid Counties reſpectively, whereby it may always appear how much money is taxed, collected, and implyed from time to time in that behalf.

The penalty of the Collectors or Surveyors refuſing to account or to pay that which they have received.

V. And be it alſo enacted by the authority aforeſaid, That every of the Juſtices of Peace of the ſaid County of Monmouth from time to time (being reſident and inhabiting in the ſaid County) and alſo every of the ſaid Juſtices of Peace of the ſaid County of Glouceſter, (being reſident and inhabiting in the ſaid County, or within the County of the City of Glouceſter) omitting or neglecting the due execution of this Statute, according to the power and direction thereby to them given (after requeſt made in that behalf by any two the Inhabitants in either of the ſaid Counties reſpectively) ſhall forfeit and loſe the ſum of five pounds apiece, monthly for every month, (after the expiration of eight weeks next enſuing the end of this preſent Seſſion of Parliament) in which no aſſeſſment, collection, implyment of money, or other effectual proceeding towards the building of the ſaid Bridge ſhall be by them done or uſed, or procured to be done or uſed, according to the intent and true meaning of this Act, until the ſaid Bridge be fully, firmly and ſufficiently made up, built and erected, and afterward ſhall loſe and forfeit fourty ſhillings a piece for every monthly negligence or default by them committed, after like requeſt made in that behalf, in not taking order for reparation thereof from time to time, as neceſſity ſhall require, in manner as by this Act is preſcribed and limited.

The forfeiture of the Juſtices of Peace omitting their duties.

VI. And be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to and for every ſuch perſon and perſons, as well in the ſaid County of Glouceſter, as alſo in the ſaid County of Monmouth, as by the ſaid Juſtices of Peace, or any four of them, in either of the ſaid Counties reſpectively (whereof one to be of the Quorum, in each County) in their general Seſſions of the Peace ſhall be nominated and appointed in that behalf, to ask, receive, and take of any of the Kings Majeſties Subjects of South-Wales, of the City of Briſtol, or any other perſon or perſons travelling by that way or paſſage where the ſaid Bridge is to be built (any Act or Statute to the contrary in any wiſe notwithſtanding) all ſuch ſum and ſums of money or Benevolence, as they or any of them without compulſion, will willingly give towards the building and erecting of the ſaid Bridge, until the ſame be fully built and erected, (2) and that true Accompts upon Oath ſhall be made and delivered by every of the ſaid perſons monthly of all ſuch ſum or ſums as ſhall be ſo received or collected, and that the money thereupon due, ſhall be by every of them likewiſe monthly paid over unto any two of the Juſtices of Peace reſpectively in either of the ſaid Counties, wherein they were ſo nominated and appointed, whereof one to be of the Quorum, by ſeveral Writings indented, to be ſubſcribed interchangeably between the ſaid Juſtices and the ſaid Accomptants, (3) upon pain that every of the ſaid perſons ſhall forfeit and loſe fourty ſhillings for every default by them committed in not making ſuch accompt and payment, (4) and the ſaid money ſo received, to be by the ſaid Juſtices reſpectively diſpoſed and imployed toward the building of the ſaid Bridge; (5) and that ſuch parts of the ſaid writings of accoompts and payments as ſhall be from time to time delivered to the ſaid Juſtices in either County, ſhall remain and be kept amongſt the Records of the Seſſions of the Peace in either of the ſaid Conties reſpectively, whereby it may appear how much is given and received towards the ſaid Bridge, (6) and as well the perſons to be appointed in either of the ſaid Counties for receiving the ſaid Gifts and Benevolence, as alſo to the Collectors and Surveyors aforementioned in either County, ſhall and may have ſuch reaſonable allowance towards their pains and ſervices in the premiſſes, as by the more part of the Juſtices of Peace at their Quarter Seſſions reſpectively, in either of the ſaid Counties, ſhall be ordered and ſet down under their Hands in that behalf.

Asking of benevolence towards the building of the Bridge.

Allowance of the askers of benevolence, Collectors and Surveyors for their pains.

VII. And moreover, Be it enacted by the authority aforeſaid, That if the ſaid Juſtices of Peace in either of the ſaid Counties, or any of them, or any other to his or their uſe, have, or hath heretofore had, or received any ſum or ſums of money given, taxed, or collected, or ſhall at any time hereafter take, or receive any money given, taxed or collected towards the erecting and new-making of the ſaid Bridge, or the reparation thereof, and ſhall and do detain the ſame in any part thereof in his or their hands, and do not imploy it towards the building or reparation of the ſaid Bridge with all convenient ſpeed, upon requeſt to him or them in that behalf made; That then every ſuch Juſtice of Peace, or other perſon ſo offending, for every ſuch default or offence, ſhall forfeit and loſe the ſum of fourty pounds: (2) And if any of the ſaid Juſtices of Peace, or any other perſon or perſons whatſoever, which hath had or gotten, or hereafter ſhall have or get into his hands any money, given, rated, received or collected, for or towards the building or reparation of the ſaid Bridge, ſhall conceal, detain, or convert the ſame to his or their own uſes, and ſhall refuſe to make payment thereof, to be imployed accordingly upon requeſt made in that behalf; that then it ſhall and may be lawful for any perſon or perſons to ſue the party or parties (detaining ſuch money) in the high Court of Chancery, or any Court of Equity by Engliſh Bill, for recovery thereof, (3) and the ſame being recoverd by Decree or Order of that Court, ſhall be imployed towards the building or repairing of the ſaid Bridge by direction of the ſaid Court, and that

The forfeit of a Juſtice of Peace detaining any of the money collected.

ſuch allowance or coſts ſhall be ordered by the ſaid Court to be paid to ſuch as ſhall ſo ſue for the ſame, towards his or their charges beſtowed therein, as ſhall be thought meet and convenient.

By what means the forfeitures ſhall be recovered, and how they ſhall be imployed.

VIII. And be it likewiſe enacted by the authority aforeſaid, That all and every of the ſaid forfeitures herein before mentioned, ſhall and may be recovered againſt the ſaid Juſtices of Peace, or other perſon ſo offending, and every or any of them, by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Wager of Law, or Protection ſhall be admitted or allowed: (2) And that every of the ſaid forfeitures which ſhall be recovered, being divided into four parts, one part thereof ſhall remain and be to the uſe of ſuch perſon or perſons as ſhall ſue, complain, or inform for the ſame, toward his or their charges therein, and the other three parts thereof after ſuch recovery, ſhall be imployed and beſtowed towards the making and repairing of the ſaid Bridge from time to time, by direction and order of the Court wherein the ſame ſhall be recovered. PR.

CAP. XXIV.

Bridges, Raſt. 11.

The Bridge over the River of Severn, near adjoyning to the Town of Upton upon Severn in the County of Worceſter, ſhall be wholly made, builded and finiſhed within the ſpace of three years after the end of this Seſſion of Parliament, by the inhabitants of the County of Worceſter, &c. PR. EXP.

CAP. XXV.

Taxes, Raſt. 46.

A Confirmation of four Subſidies of four ſhillings in the pound, granted to the King by the Clergy. EXP.

CAP. XXVI.

Ibid. 46.

Three entire Subſidies and ſix Fifteens granted to the King by the Temporalty. EXP.

CAP. XXVII.

Pardon, Raſt. 49.

A confirmation of the Kings general and free Pardon, except &c. EXP.

Anno Regni JACOBI *Regis, Angliæ, Scotiæ, Franciæ, & Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ quarto, & Scotiæ quadrageſſimo.*

AT the Parliament begun and holden at Weſtminſter by prorogation the eighteenth day of November, in the Fourth year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France, and Ireland, King, Defender of the Faith, &c. and of Scotland the Fortieth: And there continued until the fourth day of July, 1607. And then prorogued until the ſixteenth day of November following; To the high pleaſure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

CAP. I.

An Act for the utter abolition of all memory of Hoſtility, and the dependance thereof between England and Scotland, and for the repreſſing of occaſions of diſorders, and diſorders in time to come.

England and Scotland, Raſt. 3.
A repeal of Hoſtile Laws, and of hoſtility between England and Scotland.
A repeal of the Stat. of 5. R. 2. reſtraining paſſage over the Sea.
Letters of Mart. 4 H. 5. 7.
Croſs-bows, Hand-guns. 33. H. 8. 6

FOr the honour, weal and good of theſe two mighty, famous, and ancient Kingdoms of England and Scotland, and for the furtherance and advancement of the happy Union already begun in his Majeſties Royal perſon, (2) Be it enacted by the Kings moſt excellent Majeſty with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That one Act made in the fourth year of the Reign of King Henry the fifth, whereby it is enacted, That Letters of Mart or Repriſal be granted againſt the people of Scotland, in caſe where the Subjects of England have been ſpoiled, and have complained, and not received redreſs, ſhall for ſo much thereof as ſo concerneth the people of Scotland, be utterly repealed and made void.

II. And alſo that one Proviſo contained in an Act made the three and thirtieth year of the Reign of King Henry the eighth, by which Proviſo the Kings Majeſties Subjects inhabiting within twelve miles of the borders of Scotland, are allowed and permitted to uſe Croſs-bows, Hand-guns, Hackbuts or Demihakes, or to uſe and keep in his or their houſes or elſewhere, any ſuch Croſs-bows, Hand-guns, Hackbuts and Demehakes, for ſo much of the ſaid Proviſo as ſo concerneth ſuch as ſhall inhabit within twelve miles of the ſaid late borders, ſhall be utterly repealed and made void.

Armour, Victuals. 7 R. 2. 16.

III. And be it further enacted by the authority aforeſaid, That theſe the Statutes hereafter following, That is to ſay, one Act made in the ſeventh year of the Reign of Richard the Second, whereby it is enacted, That no Armour, Victual, or other refreſhment be carried into Scotland, upon pain of ſeiſure or forfeiture.

March Law. 31 H. 6. 3.

IV. And one other Act made in the one and thirtieth year of the Reign of King Henry the ſixth, whereby it is enacted, That March Law be not uſed out of the Circuit of the Counties of Northumberland, Cumberland and Weſtmerland, or the Town of Newcaſtle.

Scottiſhmen. 7 H. 7. 7.

V. And one other Statute made in the ſeventh year of the Reign of King Henry the Seventh, whereby it is enacted, That Scottiſhmen ſhould avoid out of the Realm of England within a time prefixed.

23 H. 8. 16. Horſes 1 Eliz. 7.

VI. And one other Statute made in the xxxiii. year of the Reign of King Henry the eighth. And a like Statute made in the firſt year of the Reign of the late Queen Elizabeth, whereby the conveying of Horſes out of England into Scotland is made felony.

Lands let to Scottiſhmen. 2 & 3 P. & M. 1. 23 Eliz. 4.
A repeal of the former nine Statutes.

VII. And one other Statute made in the ſecond and third years of the Reign of King Philip and Queen Mary.

VIII. And the like Statute made in the xxiv. year of the Reign of the late Queen Elizabeth, whereby it is enacted, That no Lands or Tenements be let to Scottiſhmen upon the borders, (2) ſhall be utterly abrogated, repealed, and made Void: (3) And if there had appeared any other Statute of this Realm of England, wherein any thing is ordained, enacted or eſtabliſhed, expreſly and by name againſt Scottiſhmen, as enemies, or Scotland, as an enemy Countrey to the Kings of this Realm, or the State of the ſame, We ſhould for ſo much of them as had ſo concerned Scottiſhmen, or Scotland, have utterly abrogated and adnulled the ſame; ſeeing all enmity and hoſtility of former times between the two Kingdoms and People is now happily taken away, and under the Government of his Majeſty, as under one Parent and Head, turned into fraternity and brotherly friendſhip.

IX. Provided

This repeal ſhall take no effect until other Statutes made in Scotland be repealed.

IX. Provided nevertheleſs, and be it enacted by the authority of this preſent Parliament, That none of the articles, branches or clauſes aboveſaid, in this Act before contained and expreſſed, ſhall take effect, or be in force, or in any wiſe be deemed and expounded to take effect, or to be in force, to any intent, conſtruction or purpoſe, until theſe Acts of Parliament of the Realm of Scotland hereafter following; That is to ſay, One Act made in the time of James the firſt, King of Scotland, by which it was enacted, That all perſons remaining in England without the Kings Licence, did commit Treaſon.

Remaining in England without the Kings licence.

X. One other Act made in the time of the ſaid King James the firſt, whereby any aſſurance with Engliſh men, for taking protection from them for Lands or Goods, is Treaſon.

XI. One other Act of the ſame Kings time, inhibiting all buying and ſelling of Engliſh Goods forbidden under pain of eſcheat.

XII. One other Act made in the time of James the ſecond King of Scotland, That none ſhould paſs into England in time of War, without Licence under pain of Treaſon.

XIV. One other Act made in the Reign of the ſaid King James the ſecond, That no Engliſh man come into Scotland without conduct, & that no Scottiſhman ſit under aſſurance with them.

XV. One other Act of the ſame Kings time, That no Scottiſhmen ſupply Berwick and Roxburgh, under the pain of Treaſon.

XVI. One other Act made in the time of the ſaid King James the ſecond, That all men be ready for defence of the Realm againſt England.

XVII. Two Acts made in the time of James the third, King of Scotland, for reſiſting King Edward the fourth.

XVIII. One other Act made in the time of the ſaid King James the third, concerning the upholding of Berwick, and Gariſons upon the borders.

XIX. One Act made in the Reign of Mary late Queen of Scotland, by which it was enacted, That Scottiſhmen are charged to leave aſſurances with Engliſhmen.

XX. One other Act made in the time of the ſaid Queen Mary concerning aſſured Scottiſhmen aſſiſting the Engliſh Army.

XXI. One Act made in the Parliament of Scotland in the time of the moſt happy Reign of our moſt gracious Sovereign Lord the King that now is, containing, That the Scotiſh borderers are diſcharged to marry Engliſh borderers daughters.

The Parliament of Scotland ſhall repeal all their hoſtile Laws.

XXII. And laſtly, one other Act made in the time of our Sovereign Lord the King, injoyning the Warden to put in a bill, the names of all Engliſhmen that occupy Land in Scotland, and ſeek redreſſes according to the Treaties, (2) ſhall by Act of Parliament of the ſaid Realm of Scotland, be utterly repealed, fruſtrate and made void; (3) and until alſo the ſaid Parliament of the Realm of Scotland ſhall by their ſaid Act, make as full and ample Declaration concerning their clear intention and deſire of repeal of all other hoſtile Laws of their part, not before mentioned, if they were known, as on the one part of this Realm of England hath been in this preſent Act made and expreſſed.

A repeal of the Stat. of 5 R. 2. touching the reſtraint of paſſage over the Sea.

XXIII. And be it further enacted by the authority aforeſaid, That one Act made in the fifth year of King Richard the ſecond, concerning the reſtraint of paſſage of his Majeſties Subjects out of this Realm, and every Ordinance, Proviſion, Article or Clauſe therein contained, ſhall be from henceforth utterly repealed.

None ſhall be troubled for any wrong done before the death of Queen Elizabeth by the Laws of the Borders.

XXIV. And be it further enacted by authority of this preſent Parliament, That no perſon or perſons whatſoever, ſubject of either Realm, ſhall be puniſhed, ſued, delivered or demanded, or any way troubled, or called in queſtion for life, member, damage, recompence, reſtitutions, or other ſatisfactions whatſoever, for or by reaſon of any offences, ſpoils, wrongs or treſpaſſes, (before the deceaſe of the ſaid late Queen Elizabeth of famous memory) which were determinable by the Laws or Conſtitutions of the Borders within the Courts and Juriſdictions of the late Wardens or otherwiſe, which purported Actions of hoſtility by Sea or Land, by him or them committed, or whereunto he or they were acceſſaries before or after ſuch offence or fact committed, or privy or aiding to the ſame, or for, or in reſpect whereof he or they were or are pledges, or otherwiſe by any ways or means whatſoever anſwerable or chargeable, or elſe ſtand charged or chargeable with any promiſe, contract, bill, bond, bills filed, ſentence, decree, or other aſſurances given or taken for the ſame only, or for ſo much only of ſuch other aſſurances as was given, or is in force for that, and for no other.

Evil Cuſtoms ſettled, be not preſently to be extirpate.

XXV. And foraſmuch as no abolition of hoſtile Laws, or of the memory of hoſtility, or of Suits and controverſies thereupon depending, can preſently and at once extirpate and reform thoſe inveterate evil cuſtoms and diſorders, as well of feuds and blood, as of theft, and ſpoils, wherewith the worſt ſort of inhabitants, near the limits of both Realms, were infected and inured, although by his Majeſties inceſſant care and Princely policy, thoſe parts be already reduced to a more civil and peaceable eſtate then could in ſo ſhort time have been expected; (2) and whereas experience teacheth, that the Malefactors of either Realm, having committed their offences in the other Realm, do forthwith fly and eſcape many times into their own Countrey, thereby to purchaſe their impunity, to the great and manifeſt grievances of the one Realm, and the diſhonour of the other:

The difference of the Laws, trials and proceedings in caſes of life, between the Juſtice of England and Scotland.

XXVI. And whereas in regard ſome difference and inequality in the laws, Trials and Proceedings in caſes of Life, between the Juſtice of the Realm of England, and that of the Realm of Scotland, it appeareth to be moſt convenient for the contentment and ſatiſfaction of all his Majeſties Subjects, to proceed with all poſſible ſeverity againſt ſuch offenders in their own Countrey, according to the Laws of the ſame whereunto they are born and inheritable, and by and before the natural born Subjects of the ſame Realm, if they ſhall be there apprehended:

Trials of felonies committed by Engliſhmen in Scotland.

XXVII. Be it therefore enacted by the authority aforeſaid, That all offences of conjurations, witchcraft, and dealing with evil and wicked ſpirits, murder, manſlaughter, felonious burning of houſes and Corn, burglary, robbing of houſes by day, robbery, theft, the deteſtable vice of Buggery committed with mankind or beaſt, and Rape heretofore done and committed ſince his Majeſties coming to the Crown of England, or hereafter to be done or committed by any of his Majeſties natural born Subjects of this Realm of England, or the Dominions of the ſame, within the Realm of Scotland, or the Dominions thereof, and the acceſſaries of and to the ſame, ſhall be from henceforth enquired of, heard and determined before his Majeſties Juſtices of Aſſize, or his Commiſſioners of Oyer and Terminer, or Goal-delivery, being natural born Subjects within this Realm of England, and none other, by good and Lawful men of the Counties of Cumberland, Northumberland, Weſtmerland or any of the ſaid Counties at the election of the ſaid Juſtices of Aſſizes, or Commiſſioners, in like manner and form to all intents and purpoſes (the alterations hereafter in this Act expreſſed, only excepted) as if ſuch offences had been done and committed within the ſame Shire where they ſhall be ſo enquired of, heard and determined as is aforeſaid; (2) All which trials for the better diſcovery of the truth, and for the better information of the conſciences of the Jury and Juſtices, there ſhall be allowed unto the party ſo arraigned, the benefit of ſuch witneſſes only to be examined upon Oath, that can be produced for his better clearing and juſtification, as hereafter in this Act permitted and allowed.

Witneſs allowed to the party arraigned.

The proſecutor and witneſſes ſhall be bound to give evidence.

XXVIII. And be it further enacted by the authority aforeſaid, That every Juſtice of Peace of the Counties aforeſaid, unto whom complaint ſhall be made, ſhall have full power and authority by virtue of this Act, to bind over by recognizance in a convenient ſum taken to his Majeſties uſe, as well the party proſecuting, as any witneſſes which he ſhall deſire to produce (ſo as the ſaid witneſſes may have their reaſonable charges firſt tendred unto them) to proſecute and give in evidence before ſuch his Majeſties Juſtices as aforeſaid, as the caſe ſhall require.

The acceſſary ſhall be tried, though the principal be not convicted or attainted.

XXIX. And be it further enacted by the authority aforeſaid, That every Commander, Procurer, Counceller, Abetter, Comforter, Receiver, or other acceſſary of or to any of the offenders or offences aforeſaid, ſo committed in Scotland, as aforeſaid, offending within the Realms of England or Scotland, ſhall be proceeded withall, indicted, tried, judged and executed without delay, notwithſtanding the principals or any of them be not convicted or attainted; (2) and that no ſuch offender, either acceſſary or principal, ſhall be allowed the benefit of his Clergy, nor admitted to his peremptory challenge of above the number of five: (3) And that every indictment of any of the offences aforeſaid, ſo committed as aforeſaid, ſhall be judged of as good force in Law, notwithſtanding the words (Contra pacem, coronam & dignitatem noſtras) be omitted as if the ſaid words had been therein contained.

The words contra pacem, &c. omitted in an indictment.

Of how much freehold every Juror returned to try an offender ſhall be.

XXX. And be it further enacted, That no Sheriff, Under-Sheriff, or other Miniſter to whom it appertaineth, ſhall return any Juror to enquire of, or try any of the offences aforeſaid, ſo committed as aforeſaid, except every ſuch Juror ſhall have Freehold in poſſeſſion to the value of five pounds by the year, in the County where ſuch enquiry and trial ſhall be, (2) upon pain to forfeit for every Juror that ſhall be returned contrary to this Act, the ſum of fourty pounds, the one moiety to the Kings Majeſty, his heirs and ſucceſſors, the other to the party that will ſue for the ſame, by action of debt, bill, plaint or information, in any of his Majeſties Courts at Weſtminſter, wherein no eſſoign, protection or wager of Law ſhall be allowed; and that the offender ſhall and may challenge any Juror that ſhall paſs upon his life, for want of ſuch Freehold as aforeſaid.

Challenge for want of freehold.

What an Engliſhman committing a felony in Scotland, ſhall forfeit, and what not.

XXXI. Provided always, and be it enacted by the authority aforeſaid, That no natural ſubject of his Majeſty of the Realm of England, or of the Dominions of the ſame, ſhall for any the offences aforeſaid committed within the Realm of Scotland, or for being acceſſary to the ſame forfeit any lands, Tenements or Hereditaments, either Free, Copy or Cuſtomary hold, neither ſhall the blood of ſuch offender be corrupted nor the wife loſe her Dower, yet nevertheleſs the ſaid offenders ſhall forfeit to his Majeſty, his heirs and Succeſſors, their goods, chattels and credits whatſoever.

A like Act ſhall be made in Scotland.

XXXII. And foraſmuch as it is intended, That an Act like unto this ſhall be ordained in the Realm of Scotland, for the trial and puniſhment of offenders, being his Majeſties natural born ſubjects of the ſame Realm, which ſhall commit any of the offences aforeſaid, within the Realm of England, or the Dominions thereof, and ſhall after eſcape or return back into Scotland.

Binding of the complainant and witneſſes to give evidence againſt any offender in Scotland.

XXXIII. Be it therefore enacted by the authority aforeſaid, That upon complaint made by any his Majeſties ſubjects of the Realm of England, to any of the Juſtices of Aſſize, Commiſſioners of Oyer and Terminer, or Gaol-delivery, or Juſtice of Peace, within the precincts of their ſeveral Commiſſions reſpectively, being natural born ſubjects within the Realm of England, concerning any ſuch offence committed by any of his ſubjects of the Realm of Scotland, within the Realm of England, in caſe where the offender is returned into the Realm of Scotland as is aforeſaid, the ſaid Juſtice or Commiſſioner ſhall have full power and authority to bind over as well the ſaid party complaining or proſecuting, as any witneſſes that he ſhall deſire to produce, (ſo as their reaſonable charges be firſt tendred unto them) by Recognizance in a convenient ſum to his Majeſties uſe, to proſecute and give in evidence within the Realm of Scotland, (2) wherein if default ſhall be made, and the ſame proved by Certificate or otherwiſe, before the Lord Treaſurer, Chancellor, and Barons of the Exchequer, or any of them in the Exchequer-chamber, and a Decree there made that the ſame Recognizance ſhall ſtand forfeited, then the Court of Exchequer ſhall thereupon proceed for the levying of the Debt of the ſaid Recognizance, as if it were adjudged forfeited by the courſe of the common Law.

Scottiſh men coming into England to give evidence againſt offenders ſhall be free from arreſts.

XXXIV. And be it further enacted by the authority aforeſaid, That on the other part, every of his Majeſties Subjects of the Realm of Scotland, either party grieved, or witneſs, which ſhall proſecute in any the caſes aforeſaid within the Realm of England, and thereby ſhall have occaſion to make his repair hither, either voluntarily, or by the like bond as is before expreſſed, on the part of the Realm of England, ſhall have and enjoy priviledge and immunity from all manner of Arreſts, concerning all offences, or other cauſes, as well capital as others, committed, done or occaſioned, before he ſhall ſo come into England as aforeſaid (except Treaſon or wilful Murder,) ſo long as he or they ſhall be neceſſarily going, coming or abiding within the Realm of England, for the proſecution of the ſaid Offenders.

XXXV. Provided nevertheleſs, That every ſuch offence ſo committed as aforeſaid, ſhall be laid and alledged in the Indictment or other Declaration, to be done and committed in the Realm of Scotland, according to the truth of the Fact, and not in the Counties where the trial is limited, to be had and made as aforeſaid; Any thing in this Act formerly contained to the contrary notwithſtanding.

The offence ſhall be alledged in the Indictment, where it is done.

XXXVI. Provided alſo, and be it further enacted, That if any his Majeſties Subjects of the Realm of Scotland, ſhall be proceeded with and tried in the Realm of Scotland, upon the proſecution of any party grieved, and upon evidence in open Court for any offence done or committed within the Realm of England, that no ſuch perſon ſhall be eftſoons called in queſtion, or proceeded with for the ſame Fact within the Realm of England, but that it ſhall be lawful for every ſuch perſon to plead or alledge for himſelf upon his Arraignment, that he was formerly lawfully acquitted, convicted, or attainted of the ſame offence within the Realm of Scotland, and that thereupon all further proceeding ſhall ſtay, until the Court have ſufficiently informed themſelves by Certificate from the Realm of Scotland, or by any other good ways and means, of the truth of the ſaid allegations; which if they ſhall find true, the ſaid perſon ſhall be forthwith diſcharged of all further impeachment or proceeding.

He that is once tried ſhall not be eftſoons called in queſtion for the ſame offence.

XXXVII. And be it further enacted by the authority aforeſaid, That no natural born Subject of the Realm of England or the Dominion of the ſame, ſhall for any high Treaſon, Miſpriſion, or Concealment of high Treaſon, petty Treaſon, or any other whatſoever offence or cauſe committed within Scotland, be ſent out of England, where he is apprehended, to receive his trial, until ſuch time as both Realms ſhall be made one in Laws and Government, which is the thing ſo much deſired, as that wherein the full perfection of the bleſſed Union already begun in his Majeſties Royal perſon conſiſteth: (2) And becauſe there is too great reaſon to fear, that the partiality and corruptions of many that live in thoſe parts, through their long and evil courſe of life, cannot but produce much and frequent perjury at ſuch trials as aforeſaid, If the Jury in their proceeding do not uſe great wiſdom and circumſpection, in which reſpect it is moſt juſt and neceſſary to provide as well that the Guilty ſhall not eſcape, as that the innocent ſhall not be condemned:

No Engliſh man ſhall be ſent out of England to receive his trial in Scotland.
ALT. 7 Jac. 1.
14 Car. 2. Cap. 22.

XXXVIII. Be it therefore provided, and be it enacted by the authority aforeſaid, That in all ſuch trials, the Jurors then and there ſworn, or the greater part of them (who in reſpect of the great truſt and charge which muſt now be laid upon them, are by virtue of this act, as before appeareth, to be perſons of better condition and quality then the Law required heretofore for Jurors in trials of like offences) ſhall have in their power and election, according to their conſcience and diſcretion upon their Oaths, to receive and admit only ſuch ſufficient good and lawful witneſſes upon their Oaths, either for or againſt the party arraigned, as ſhall not appear to them, or the greater part of them to be unfit and unworthy to be witneſſes in that caſe, either in regard of their hatred and malice, or their favour and affection, either to the party proſecuting, or to the party arraigned, or of their former evil life and converſation.

The Jurors may allow or reject the witneſſes.

XXXIX. Provided alſo, and be it further enacted, That if the offender in any the caſes aforeſaid ſhall be a Peer of the Realm, then his Trial therein ſhall be by his Peers, as is uſed in caſes of Felony or Treaſon, and not otherwiſe.

Trial of a Peer by his Peers.

CAP. II.

An Act for the true making of Woollen Cloth.

FOr the avoiding of many inconveniences happening to his Highneſs Subjects exerciſing the Myſtery and Trade of making and working of Woollen Clothes of divers names and natures, and that the Buyers of ſuch Clothes may have true and juſt commerce without fraud or deceit, it pleaſeth his moſt excellent Majeſty, with the conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, that it be enacted, (2) and by the authority of the ſame it is enacted, That from and after fourſcore days next after the end of this Seſſion of Parliament, every long broad Cloth and Clothes which ſhall be made of dyed wools and mingled colours, within any the Shires of Kent, York, or at the Town of Reading, or elſewhere of like making, ſhall contain in length at the water, every piece being throughly wet, between thirty and four and thirty yards, every yard, yard and inch of the Standard and no more, and in breadth ſix quarters and a half of a yard at the leaſt within the liſts, by the whole length of the ſame Cloth: (3) and that every piece of the ſame Cloth being well ſcoured, thicked, milled, and fully dried, ſhall be in weight eighty ſix pounds at the leaſt.

Drapery 129.
Of what length breadth and weight ſeveral ſorts of Clothes made in divers Counties of this Realm ſhall be.
Putting of flocks or lambs wooll in Cloth.
5 Ed. 6. 6.

II. And that every white Cloth which ſhall be made within the Cities of Worceſter, Coventry, and Hereford, commonly called, Long Worceſters, or elſewhere of like making, ſhall contain in length being wet, between thirty and thirty three ſuch ſaid yards and inches as is aforeſaid, and ſhall be in breadth ſeven quarters throughout all the whole Cloth, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh ſeventy eight pounds at the leaſt.

The length, breadth, and weight of long Worceſters.
5 Ed. 6. 6.
4 & 5 P. & M. 5.

III. And that all and every long coloured Clothes, commonly called Plunkets, Azures, and Blues, and long white Clothes, which ſhall be made in any of the Shires of Suffolk, Norfolk, and Eſſex, or elſewhere of like making, ſhall contain in length being wet, between twenty nine and thirty two ſuch ſaid yards and inches as is aforeſaid, and ſhall be in breadth ſix quarters and one half quarter within the liſts at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh eighty pounds at the leaſt: (2) And that all and every ſhort Clothes coloured, and ſhort white Clothes, commonly called Sorting Clothes, which ſhall be made in any of the Shires laſt before mentioned, or elſewhere of like ſort and making, ſhall contain being wet, in length between twenty three and twenty ſix ſuch ſaid yards and inches as is aforeſaid, and in breadth throughout the whole piece, ſix quarters within the

Plunkets, Azures, Blues, and long white clothes.

The length, breadth, and weight of ſorting Clothes.
5 Ed. 6. 6.
4 & 5 P. & M. 5.

the liſt at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty four pounds the Cloth at the leaſt.

The length, breadth, and weight of fine ſhort Suffolks.

The length, breadth, and weight of Handywarps.

Coloured cloth made in Wiltſhire, and Somerſetſhire.

Short cloth made of dyed wooll in Yorkſhire.

A half piece called Dozens.

IV. And that all and every ſhort Clothes coloured, and ſhort white Clothes, commonly called fine ſhort Suffolks, which ſhall be made in the Shires laſt before mentioned, or elſewhere of like making ſhall contain being wet, in length, between three and twenty and ſix and twenty ſuch ſaid yards and inches as is aforeſaid, and in breadth throughout the whole piece, ſix quarters and a half within the liſts at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty four pounds the Cloth at the leaſt: (2) and that every ſuch ſorting ſhort Cloth ſhall be differenced from the ſaid fine Clothes laſt before mentioned, by a blew ſelvege or edging on both liſts: (3) And that every white Cloth which ſhall be made within the ſame mentioned Shires, or elſewhere of like making, commonly called Handywarps, ſhall contain in length between twenty nine and thirty two ſuch ſaid yards and inches as is aforeſaid, and in breadth ſeven quarters, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſeventy ſix pounds at the leaſt: (4) And that all broad Plunkets, Azures, Blews, and other coloured Cloth which ſhall be made within the Shires of Wiltſhire and Somerſetſhire, or elſewhere of like making, ſhall contain being throughly wet, between twenty ſix and twenty eight ſuch yards and inches as is aforeſaid, and in breadth ſix quarters and a half within the liſts, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty eight pounds the Cloth at the leaſt: (5) and that every Cloth commonly called ſhort Clothes, which ſhall be made of dyed wools, and mingled colours, within the County of York, or elſewhere of like making, ſhall contain in length being throughly wet, between twenty three and twenty five ſuch yards, and inches as is aforeſaid, and in breadth ſix quarters and a half between the liſts, and being clean ſcowred, thicked, milled, and fully dryed, ſhall weigh ſixty ſix pounds the Cloth at the leaſt, (6) and every half piece thereof, commonly called Dozens, to be made and wrought after the ſame rate in every reſpect.

The length, breadth, and weight of broad liſted whites and reds.

The length, breadth, and weight of narrow liſted whites and reds.

V. And that all broad liſted whites and reds which ſhall be made in any of the Counties of Wiltſhire, Glouceſterſhire, Oxfordſhire, and the Eaſtern limits of Somerſetſhire, or elſewhere of like making, commonly called ſorting-pack broad liſted Clothes, ſhall contain in length being wet, between twenty ſix and twenty eight ſuch yards and inches as is aforeſaid, and ſhall be in breadth ſix quarters and a half throughout the whole Cloth at the leaſt, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh every piece of the ſame Cloth ſixty four pounds the Cloth at the leaſt: (2) And that all narrow-liſted whites and reds which ſhall be made in Wiltſhire, Glouceſterſhire, Oxfordſhire, and the Eaſtern limits of Somerſetſhire, or elſewhere of like making, commonly called Sorting-pack Clothes, ſhall contain in length being wet, between twenty ſix and twenty eight ſuch yards and inches as is aforeſaid, and ſhall be in breadth within the liſts, ſix quarters and a half throughout the whole Cloth at the leaſt, and liſted with narrow liſts, as hath been accuſtomed for Sorting-pack Clothes, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh every piece being white, ſixty one pounds at the leaſt, and being red, ſhall weigh ſixty pounds the piece at the leaſt.

The length, breadth, and weight of fine clothes with plain liſts.

VI. And that every fine Cloth with plain liſts made in the Counties of Wiltſhire, Glouceſterſhire, Somerſetſhire, and Oxfordſhire, or elſewhere of like making, ſhall contain in length between twenty nine and thirty two ſuch ſaid yards and inches as is aforeſaid, and in breadth ſix quarters and a half between the liſts throughout the whole Cloth, and being clean ſcowred, thicked, milled and fully dried, ſhall weigh ſeventy two pounds at the leaſt.

Clothes having ſtopped liſts.

Broad Clothes called Tauntons, Bridgwaters, and Dunſters.

Broad and narrow clothes made in Yorkſhire.

VII. And that all and every Clothes, having ſtop liſts and not plain liſts, ſhall contain in length between thirty and thirty three of ſuch ſaid yards and inches as is aforeſaid, and in breadth ſeven quarters within the liſts, throughout the whole Cloth, and in weight ſeventy eight pounds at the leaſt, as all Worceſter Clothes are limited: (2) And that every broad Cloth commonly called Tauntons, Bridgewaters, and Dunſters, made in the Weſtern parts of Somerſetſhire, or elſewhere, of like making, ſhall contain being throughly wet, between twelve and thirteen ſuch ſaid yards and inches as is aforeſaid, and in breadth ſeven quarters of a yard at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh thirty pounds the Cloth at the leaſt; (3) and every narrow Cloth of like ſort and making within the ſaid County of Somerſetſhire, or elſewhere, ſhall contain in length being throughly wet, between twenty four and twenty five ſuch yards and inches as aforeſaid, and in breadth one yard within the liſts at the leaſt, and liſted with a narrow liſt, and well ſcowred, thicked, milled, and fully dried, ſhall weigh thirty pounds apiece at the leaſt, and the half Cloth thereof to be of a proportionable length and weight, and of like breadth as aforeſaid: (4) And that all ſuch like broad Clothes and narrow Clothes laſt before mentioned, made within the County of York, into whites and reds, the broad Cloth to hold the ſame lengths, breadth and weight, but the narrow cloth to be allowed by this Statute to contain between ſeventeen and eighteen yards of like meaſure, breadth, and in weight proportionable as aforeſaid.

Devonſhire Kerſies called Dozens.

Check Kerſies, ſtraights and plain gray.

Ordinary Peniſtones or Foreſt whites.

Sorting Peniſtones.

VIII. And that all Devonſhire Kerſies called Dozens, ſhall contain in length at the water, between twelve and thirteen ſuch ſaid yards and inches as is aforeſaid, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh thirteen pounds the cloth at the leaſt: (2) And all clothes, called Check-Kerſies, Straights, and plain Grays, ſhall contain in length at the water, between ſeventeen and eighteen ſuch ſaid yards and inches as aforeſaid, and in breadth one yard at the leaſt by all the length, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh twenty four pounds the piece at the leaſt: (3) And all Clothes called Ordinary Peniſtones, or Foreſt whites, ſhall contain in the length in the water, between twelve and thirteen ſuch ſaid yards and inches as is aforeſaid, and in breadth five quarters and a half, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh twenty eight pounds the piece at the leaſt: (4) And that all Peniſtones, called Sorting Peniſtones, ſhall contain in length in the water, between thirteen and fourteen ſuch yards and inches, and ſhall be in breadth ſix quarters and a half, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh thirty five pounds the peace at the leaſt.

Cog-ware, Kendal, and Carpt-meals.

IX. And be it likewiſe enacted by the authority aforeſaid, That all Cog-ware, Kendal, and Carpt meals, ſhall from henceforth be made in ſuch ſort as ſhall beſt pleaſe the buyer, and ſhall not be ſearched, or ſealed, or be ſubject to any other penalty than ſuch as was impoſed thereon before the nine and thirtieth year of our Soveraign Lady Queen Elizabeth, ſo as they ſhrink not above one yard for every twenty yards.

The length and weight of waſhers, or waſh-whites.

There ſhall be no rowing, or raiſing of cloth.

There ſhall be no different rowing, raiſing fulling or ſhearing of the liſts of Clothes.

X. And be it enacted by the authority aforeſaid, That all Kerſies, called Waſhers, or Waſh-whites, made within the Counties of York, Lancaſter, or elſewhere of like making, ſhall contain in length of the water, being half thicked, between ſeventeen and eighteen yards of the meaſure aforeſaid, and being quarter thicked, ſhall contain between eighteen and nineteen ſuch yards and inches as is aforeſaid, and being clean ſcowred, and fully dryed, ſhall weigh ſeventeen pounds the piece at the leaſt, (2) and that no Clothworker, Sheereman, or Fuller, ſhall raiſe or row, or cauſe to be raiſed or rowed any kind of Clothes or Kerſies in or with any oyls, gooſe-greaſe, ſwines-greaſe or any ſuch like thing of any kind of greaſes, or oyls, but ſhall ſhear the ſame Cloth, Kerſie, plain and ſtraight, without laying in or on any of the aforeſaid oyls, gooſe-greaſe, ſwines-greaſe, or any other liquid or moiſt thing, but only upon the edge of the ſhears with ſemet or oyls, upon pain to forfeit for every time ſo doing contrary to the true meaning of this Statute, thirteen ſhillings four pence: (3) And that no Clothworker, Shearman, or Fuller, ſhall raiſe, full, or row or ſhear the liſts and ſides of Clothes and Kerſies, better then the middeſt, but ſhall work all alike, (4) upon pain of forfeiting for every Cloth, Kerſie, plain and ſtraight, done contrary to the true meaning of this Statute, thirteen ſhillings four pence.

There ſhall be no cutting of wooll from the backſides of Cloth.

XI. And that no Cloth-worker, or any other perſon or perſons whatſoever, ſhall have or uſe for the cutting or taking away the wooll from the backſides of any Cloth or Kerſies, any knife or Knives, rubſter or rubſters, pumiſtone, or any other device whatſoever, but only to ſhear the ſame backſide with a pair of ſhears, (2) on pain of forfeiting for every piece wherein or whereupon the ſame ſhall be ſo done, the ſum of thirteen ſhillings four pence.

There ſhall be no blowing, ſpouting or bedewing any cloth on the ſides near the liſts.

The forfeiture for blowing, ſpouting, &c. of a cloth for encreaſe of weight.

XII. And be it further enacted by the authority of this preſent Parliament, That no Clothworker, Shearman, or Fuller, or any other perſon or perſons whatſoever, ſhall from and after the Feaſt of S. John Baptiſt next enſuing the end of this preſent Seſſion of Parliament, blow, ſpout, or bedew any kind of broad Cloth or Kerſie on the ſides and edges near the liſts thereof with any water, or other liquid or moiſt thing whatſoever, whereby the edges or ſides of any Cloth or Kerſie may make ſhew to be better then it is in the ridge, creſt, or midſt thereof, (2) upon pain to forfeit for every ſuch offence the ſum of thirteen ſhillings four pence of lawful money of England: (3) And if any perſon or perſons ſhall blow, ſpout, wet or bedew, or cauſe to be blowed, ſpouted, wet or bedewed with any liquid or moiſt thing, any kind of Cloth or Kerſie of whatſoever countrey, making, or name, for increaſe of weight, thereby to deceive the Buyers or Searchers, ſuch perſon or perſons ſhall forfeit and loſe for every ſuch offence the ſum of forty ſhillings of like lawful money of England.

Agreement for the dying, dreſſing, ſhearing and rowing of Cloth.

XIII. And be it further enacted by the authority aforeſaid, That all the ſaid white Clothes, and coloured Clothes, which by this preſent Act are not limited and appointed to be wrought, dreſſed and ſhorn, ſhall have allowance and abatement for the dying, dreſſing, rowing, and ſhearing thereof, for every ſuch ſaid ſhort broad woollen Clothes, four pounds in weight and no more, and the long Clothes five pounds and no more, and ſo after the rate in all and every the ſame half woollen Cloth, Kerſie and other the ſaid woollen Cloth.

Into what kind of Clothes only flocks, thrums, and lambs wooll may be put.

Rep. 21 Jac. 18.

XIV. Be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons lawfully exerciſing the trade or art of a Clothier, or making of Clothes, to make flocks, thrums, and lambs wool, into Cloth of one only kind of making, which ſhall contain in length, being throughly wet, between twelve and thirteen ſuch yards and inches as is aforeſaid, and in breadth one yard at the leſt within the liſts, and being clean ſcowred, thicked milled, and fully dryed, ſhall weigh fifteen pounds a piece at leaſt.

The means to know Cloth made of flocks, thrums, &c.

The penalty of putting of any hair flocks, &c. into any other Cloth.

XV. And for the better and more eaſie diſtinction and knowledge of every ſuch Cloth, from Cloth made of perfect wool, every Cloth made of flocks, thrums, and lambs wooll, ſhall have the one liſt wholly of black yarn, and on the other ſide a ſelvage only: (2) And that from henceforth no perſon or perſons ſhall put any hair, flocks, thrums, or any yarn made of lambs wooll or other deceivable thing or things, in or upon any other broad woollen Cloth, half Cloth, Kerſie, Frize, Dozen, Bays, Peniſtone, Cotton, Taunton Cloth, Bridgewater, Dunſter Coton, or other Cloth of what nature, kind, and name ſoever, made to be ſold, and ſold, not being made and liſted with ſuch black liſt and ſelvage as aforeſaid (3) upon pain to forfeit every ſuch of the ſaid woollen Cloth, half Cloth, Kerſie, Frize, Dozen, Peniſtone, Cotton, and other woollen Cloth, of what nature, kind, and name ſoever, other then ſuch as ſhall be liſted and made as aforeſaid, whereunto or upon which any ſuch hair, flocks, thrums, yarn of lambs wooll, or other deceivable thing ſhall be put or uſed, or the value thereof.

Places where flannel, wadnals and coverlets be made.

XVI. Provided always, in ſuch Towns, Places and Counties, where Flannel, Wandals, and Coverlets, or Blankets, are uſualy made, the ſame may be made in ſuch ſort as heretofore hath been lawfully uſed and accuſtomed; This Statute or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The forfeiture where the cloth is longer than is appointed.

XVII. And if any the ſaid broad woollen Clothes, or half Cloth, or any other kind of woollen Clothes, Dozens, Cottons, or other ſorts of woollen Cloth before mentioned in this preſent Act, of what nature, kind, or name ſoever they be of, made to be ſold, and ſold, ſhall be more in length than is therefore reſpectively limited and appointed in this preſent Act, then every perſon or perſons ſelling the ſame, ſhall forfeit and pay for every yard and inch exceeding the length ſo appointed, the ſum of ten ſhillings, and no more.

The forfeiture where the cloth wanteth weight.

XVIII. And if any ſuch Cloth ſhall not weigh proportionably for every ſuch yard and inch to the ſeveral and reſpective weight to them ſo limited and appointed, then the ſaid perſon and perſons ſelling the ſame, ſhall forfeit and loſe for every pound weight that ſhall be wanting

ing above two pounds, the ſum of ten ſhillings and no more; Any former Law or Statute to the contrary thereof in any wiſe notwithſtanding.

The forfeiture if the Cloth do want breadth.

XIX. And if any ſuch Cloth before mentioned, not exceeding the ſeveral lengths to them by this Statute limited or appointed, and holding the ſeveral and reſpective weight limited and appointed, do yet fortune to want of the juſt breadth limited or appointed, then the ſaid perſon or perſons ſelling the ſame, ſhall forfeit and loſe for every Cloth falling narrow thorow the whole Cloth, twenty ſhillings, and throughout the half Cloth, ten ſhillings and under half the Cloth, five ſhillings, and no more; Any former Laws or Statutes inflicting other or greater penalty or penalties, to the contrary thereof in any wiſe notwithſtanding.

The forfeiture if the Cloth be of leſs length than the ſeal doth purport.

XX. And if any Cloth or Clothes, of any the names, natures, or making aforeſaid, which by this Statute, or any clauſe or article therein or any other Statute now in force, and not repealed, ſhall upon due and convenient trial, within convenient time after ſale thereof, in preſence of the party that ſold the ſame, or other perſon or perſons by him appointed, if he or they will be preſent at the ſearch and trial thereof, or if he or they will not be preſent having reaſonable notice, then in his or their abſence to be found to be of leſs length than the ſeal or ſeals thereon fixed at the time of the ſale thereof, do purport; Then the owner, or perſon or perſons ſelling the ſame, ſhall forfeit and loſe to the Merchant, Draper, or other perſon or perſons that ſhall have bought the ſame, for ſo much as ſhall be wanting of the length ſpecified in the ſeal or ſeals of the ſaid Cloth, after the rate of ſix ſhillings eight pence for every yard over and beſides the true value of ſo much of the ſaid Cloth or Clothes, as ſhall be found wanting of the length certified by the ſaid ſeal or ſeals, and no more; Any former Law or Statute, inflicting other or greater penalty, to the contrary thereof in any wiſe notwithſtanding.

A repeal of all Statutes concerning the length, breadth and weight of clothes, or forfeitures.

XXI. And be it further enacted by the authority of this preſent Parliament, That all and every branch, clauſe, and ſentence in any former Statute, whereby any other length, breadth, or weight of the Clothes before mentioned, or any of them, or any other penalty or forfeiture concerning the length, breadth, or weight of the aforeſaid Clothes, or any of them, or any other offence by this Act intended to be reformed, is limited, or whereby any penalty or forfeiture for the offences in this bill mentioned, or any of them, are given to any other perſon or perſons that in and by the Statute is limited and intended, ſhall be from henceforth utterly repealed and made void.

Cloth ſearched by Overſeers, ſhall not be ſearched, tried, or watered again but by the buyer thereof.
39 Eliz. 20.
43 Eliz. 10.

XXII. And be it further enacted by the authority of this preſent Parliament, That none of the Clothes aforeſaid, which by the Laws and Statutes of this Realm ought to be ſealed, of what name, nature or quality ſoever they be of, being ſealed by the Overſeers authorized as well by the Statute made in the nine and thirtieth year of the Reign of our late ſaid Sovereign Lady Queen Elizabeth, entituled, An Act againſt the deceitful ſtretching and tentering of Northern Cloth, as alſo by a Statute made in the three and fortieth year of her ſaid Reign, entituled, An Act for the true working and making of woollen Cloth, ſhall afterward be ſearched, tried or watered by any other perſon or perſons whatſoever, but only by the Merchant or Draper, or other perſon to whom the ſame ſhall be ſold: (2) And that if any woollen Cloth, upon the ſearch by the Searchers or Overſeers of the Cities, counties, towns or places where the Cloth is made, ſhall be found either to exceed the length, or to want of the weight by this Statute limited, the ſaid Searchers or Overſeers finding and certifying the ſaid overlength and the weight that ſhall want, or ſuch of them, wherein the offence ſhall happen to have been committed, by his or their ſeal or ſeals, ſhall have the one moiety of all ſuch penalties and forfeitures, as by the Statute are given, limited, and appointed for exceſs of length, or want of weight, and no other perſon or perſons; (3) And ſhall and may ſue for and recover the ſame by Action of debt, bill, plaint, or information, in any of his Majeſties Courts of Record at Weſtminſter, wherein no eſſoin, protection or wager of Law ſhall be allowed; and our Sovereign Lord the Kings Majeſty, his heirs and Succeſſors ſhall have the other moiety.

Where the Searchers or Overſeers ſhall take ſome benefit by the forfeitures,

The forfeiture where Clothes be faulty, and not ſo certified by the Overſeer.

XXIII. And alſo if any woollen Cloth or Clothes, of any the natures, names, or makings aforeſaid, ſhall after ſuch ſearch in the Countrey or other place aforeſaid, be found to be faulty in any thing not certified, and appearing by the ſeal or ſeals of the ſaid Overſeers and Searchers by the Merchant or Draper, or other perſon or perſons buying the ſame, upon due and convenient trial within convenient time after the ſale thereof, in preſence of the party that ſold the ſame, or of other perſon or perſons by him or them to be appointed, if he or they will be preſent at the ſearch and trial thereof, or if he or they will not be preſent having reaſonable notice given; Then in his or their abſence, the ſaid Merchant or Draper, or other perſon that bought the ſame, and no other, ſhall have the one moiety of all the penalties and forfeitures by this Statute impoſed and incurred, and not become due to the Overſeers and Searchers aforeſaid, to his own only proper uſe and behoof; Any former Statute, matter or thing whatſoever to the contrary hereof in any wiſe notwithſtanding; (2) and alſo ſhall or may ſue for and recover the ſame in any of his Majeſties Courts of Record at Weſtminſter, by action of debt, bill, plaint, or information, wherein no eſſoin, protection or wager of Law ſhall be allowed; and his Majeſty, his heirs and ſucceſſors ſhall have the other moiety.

Duties and payments for a broad woollen Cloth.

XXIV. And foraſmuch as of late it hath been reputed, That a broad woollen Cloth ſhould and ought to conſiſt of four and twenty ſuch yards and inches, as aforeſaid, and not above, and payments and other duties have been accordingly demanded and paid for the ſame: Be it therefore enacted by the authority aforeſaid, That if any broad woollen Cloth be made longer or ſhorter than four and twenty ſuch ſaid yards and inches, all duties and payments hereafter to be paid for the ſame, ſhall be demanded and made proportionable, according to the rate and proportion of four and twenty ſuch ſaid yards and inches for a whole Cloth, and not otherwiſe.

XXV. And whereas by this and divers other Statutes concerning Drapery and Clothing, it is enacted, That all and every broad Cloth and Clothes, which ſhall be made in

Kent and Suſſex, or at the Town of Reading, or elſewhere of like making, ſhall be of certain length, breadth and weight, in this or other the ſaid Statutes expreſſed and limited, and in like ſort for woollen Clothes moſt uſually made in ſome other Counties or Towns, are firſt ſpecially and particularly named in this and other the ſaid Statutes, and after follow theſe words, (or elſewhere of like making) importing, That it ſhould be lawful for any Clothier, of whatſoever Town or County within this Realm, to make Cloth of like making, and accordingly the ſame hath heretofore been put in ure; Yet foraſmuch as of late ſome doubt hath thereupon riſen, be it therefore explained and enacted, That it is and ſhall be lawful for every Clothier, of what Town or County ſoever within this Realm, where Clothing hath heretofore been uſed, to make, or cauſe to be made, any true woollen Cloth, of what name, nature or manner of making ſoever the ſame be, albeit the ſame kind of woollen Cloth do bear ſpecially the name of ſome other County, City or Town within this Realm. This Act to continue until the end of the firſt Seſſion of the next Parliament.

Every Clothier may make any kind of woollen cloth.

The continuance of this Act.

XXVI. Provided always, and be it enacted by the authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall extend to abridge or diminiſh any cuſtoms or duties appertaining to our Sovereign Lord the Kings Majeſty, his Heirs or Succeſſors, or to any his Officers or Miniſters, for the ſearching, meaſuring or ſealing any the Clothes before mentioned, nor to hurt or prejudice the lawful Fees due or belonging to his Majeſties Aulneger, or to hurt or prejudice the lawful uſe and exerciſe of the Office of Aulneger; ſo as after any Cloth once lawfully ſearched, and lawfully ſealed, the ſame be not compelled to be further viewed, ſearched, meaſured or ſealed. St. 21 Jac. 18, & 28. 3 Car. 4.

The Kings duties and his officers reſerved.

Cloth once lawfully ſearched and ſealed, ſhall not be ſearched or ſealed again.

CAP. III.

An Act to give Coſts to the Defendant upon a Nonſuit of the Plaintiff, or Verdict againſt him.

etley 146.

Whereas in the three and twentieth year of King Henry the Eighth of famous memory, a good and profitable Law was made, whereby it was enacted, That in caſes where the plaintiff in any action, bill or plaint of debt, treſpaſs upon the caſe, detinue, account, and in ſome other actions there eſpecially mentioned, ſhould become nonſuit, or a verdict ſhould be had againſt the ſaid plaintiff; That then in ſuch caſes the defendant ſhould have Judgment to recover his coſts againſt every ſuch plaintiff, as by the ſaid Law appeareth: (2) Which Law hath been found to be very good and beneficial for the Commonwealth, and thereby many have been diſcouraged from bringing frivolous and unjuſt ſuits, becauſe ſuch parties are to make recompence to the parties unjuſtly vexed, for the ſaid unjuſt vexations:

Damages, Raſt. 9.

Caſes wherein by the Statute made 23 H. 8. 15. the defendant ſhall recover his coſts.

ob. 219.
utt. 16. 22.
arch. 24.
Coſts. Br. 23.

II. And foraſmuch as actions of treſpaſs, and actions of Ejectione firmæ, and many other actions real and perſonal, are within the ſame miſchief, as the ſaid other actions were at the common Law, and yet were omitted out of the proviſion of the ſaid Law: (2) For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons at any time after the end of this preſent Seſſion of Parliament, ſhall commence or ſue in any Court of Record, or in any other Court, any action, bill, or plaint of Treſpaſs, or Ejectione firmæ, or any other action whatſoever, wherein the plaintiff or defendant might have coſts (if in caſe Judgment ſhould be given for him) and the plaintiff or plaintiffs, demandant or demandants, in any ſuch action, bill or plaint, after appearance of the defendant or defendants, be nonſuited, or that any verdict happen to paſs by any lawful trial againſt the plaintiff or plaintiffs, demandant or demandants, in any ſuch action, bill or plaint, then the defendant and defendants, in every ſuch action, bill or plaint, ſhall have Judgment to recover his coſts againſt every ſuch plaintiff and plaintiffs, demandant and demandants, (3) to be aſſeſſed, taxed and levied in manner and form as coſts in the ſaid actions are to be aſſeſſed, taxed and levied in and by the ſaid Law of the three and twentieth year of King Henry the Eighth. Coke pla. fol. 29.

3 Bulſtr. 248.
2 Bulſtr. 261.
1 Bulſt. 189.

Several caſes wherein the defendant ſhall recover his coſts againſt the plaintiff. St. 8 Eliz. 6.
2 Roll. 73, 87. 213.

o. Jac. 215.

CAP. IV.

An Act to reſtrain the utterance of Beer and Ale to Alehouſe-keepers and Tiplers not Licenſed.

For the better repreſſing of Alehouſes, whereof the multitudes and abuſes have been and are found intolerable, and ſtill do and are like to encreaſe: (2) Be it enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons by himſelf, or by any other ways or means, directly or indirectly, ſhall at any time after three months next after the end of this preſent Seſſion of Parliament, ſell, utter or deliver, or cauſe to be ſold, uttered or delivered any Beer or Ale, to any perſon or perſons, or into the houſe or cellar of any perſon or perſons that then ſhall ſell or utter Beer or Ale, as a common Tipler or Alehouſe-keeper, the ſame perſon not having any Licence then in force to ſell Ale or Beer, other then for the convenient uſe and expence of his, her, or their houſhold only, (3) upon pain to forfeit for every barrel ſold, uttered or delivered contrary to the form and true meaning of this Act, the ſum of ſix ſhillings eight pence, and ſo after that rate for a greater or leſſer quantity.

Alehouſe 104.

In what caſe only Ale or Beer may be ſold to an Alehouſe keeper having no Licence.

The abuſes of Alehouſes intolerable.

None ſhall ſell ale or beer to an Alehouſe-keeper not having licence, but for the expence of his houſhold.

II. And be it further enacted by the authority aforeſaid, That all offences to be done or committed contrary to the true meaning of this Act, and all penalties aforeſaid, ſhall be enquired of, ſued for, heard and determined in the Seſſions of the Peace for the County, City or Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty wherein ſuch offence ſhall be committed, by action of debt, information, indictment or preſentment, wherein no eſſoin, protection or wager of Law ſhall be allowed to the Defendant; (2) And one half of all which forfeitures ſhall be to the uſe of the poor people inhabiting within the City, Borough, Hundred, Town or Liberty where ſuch offences ſhall be committed from time to time, and the other half thereof to him or them that will ſue for the ſame.

In what Courts the offences aforeſaid ſhall be heard and determined.

Who ſhall have the forfeitures.

The poors half of the forfeitures ſhall be delivered to the Overſeers.

III. And to the end that the ſaid one half of the ſaid forfeitures above limited to be to the uſe of the ſaid poor people, may be truly imployed and beſtowed upon them, according to the true meaning of this Act, (2) Be it further enacted, That the Sheriff, Bailiff, or other Officer or perſon that ſhall levy or receive any ſum or ſums of money forfeited and recovered according to the true meaning of this Act, ſhall and may by virtue of this Act, without further warrant, deliver the one half of the ſame ſum and ſums of money, by him or them ſo levied or received, to ſome one or more of the Churchwardens and overſeers of the poor of the ſame Pariſh where the ſame offence ſhall be committed, to be by them and every of them, diſtributed and beſtowed amongſt the ſaid poor people, according to the true meaning of this Act, who ſhall likewiſe have authority by virtue of this Act, to diſtribute and beſtow the ſame accordingly.

The Officer paying the moiety to the Overſeers, ſhall be diſcharged thereof.

IV. And be it further enacted, That every Sheriff, Bailiff, and other Officer and perſon which ſhall levy or receive any ſuch forfeiture or forfeitures aforeſaid, and ſhall pay over the moiety and one half thereof, according to the true meaning of this Act, ſhall be thereof diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors.

The penalty for not diſtributing the money received, to the poor.

V. And be it further enacted, That if any Sheriff, Bailiff, or other Officer or perſon ſhall refuſe to pay over the moiety and one half of the ſaid money by him or them levied or received, or that the ſaid Churcwardens and Overſeers, to whom the ſame money ſhall be ſo paid, ſhall not from time to time, within convenient time, truly diſtribute and beſtow the ſame to and amongſt the poor people, according to the true meaning of this Act, That then every perſon ſo offending, ſhall forfeit double the value thereof, to be recovered and imployed as aforeſaid.

CAP. V.

An Act for repreſſing the odious and loathſum Sin of Drunkenneſs.

Drunkenneſs, Raſt. 1.
The penalty of a drunkard and of him that continueth drinking in an Alehouſe.
Drunkenneſs the foundation of many other ſins and the cauſe of ſeveral enormities.
The forfeiture of him that is convicted of drunkenneſs.
7 Jac. 10.

WHereas the loathſom and odious Sin of Drunkenneſs is of late grown into common uſe within this Realm, being the root and foundation of many other enormous ſins, as bloudſhed, ſtabbing, murder, ſwearing, fornication, adultery, and ſuch like, to the great diſhonour of God, and of our Nation, the overthrow of many good Arts and manual Trades, the diſabling of divers Workmen, and the general impoveriſhing of many good Subjects, abuſively waſting the good creatures of God:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon or perſons, which after fourty days next following the end of this preſent Seſſion of Parliament, ſhall be drunk, and of the ſame offence of drunkenneſs ſhall be lawfully convicted, ſhall for every ſuch offence forfeit and loſe five ſhillings of lawful money of England, to be paid within one week next after his, her or their conviction thereof, to the hands of the Churchwardens of that Pariſh where the offence ſhall be committed, who ſhall be accomptable therefore to the uſe of the poor of the ſame Pariſh: (2) And if the ſaid perſon or perſons ſo convicted, ſhall refuſe or neglect to pay the ſaid forfeiture as aforeſaid, then the ſame ſhall be from time to time levied of the goods of every ſuch perſon or perſons ſo refuſing or neglecting to pay the ſame, by Warrant or Precept from the ſame Court, Judge or Juſtices before whom the ſame conviction ſhall be: (3) And if the offender or offenders be not able to pay the ſaid ſum of five ſhillings, then the offender or offenders ſhall be committed to the Stocks for every offence, there to remain by the ſpace of ſix hours.

The penalty for refuſing, or being not able to pay the forfeiture.

The forfeiture of an inferiour Officer that doth neglect to do his duty.

III. And be it further enacted by the authority aforeſaid, That if any Conſtable, or any other inferiour Officer of that Pariſh or place where the offence ſhall be committed, to whom that ſhall be given in charge by the Precept of any Mayor, Bailiff, or other Head-Officer, or Juſtices of the Peace within their ſeveral Limits, do neglect the due correction of the ſaid offender, or the due levying of the ſaid penalties, where diſtreſs may be had, then every perſon ſo offending, ſhall forfeit the ſum of ten ſhillings of currant money of England, to the uſe of the poor of the ſame Pariſh or place where the offence ſhall be committed, to be levied by way of diſtreſs, by any other perſon or perſons having Warrant from any Mayor, Bailiff, or other Head-Officer, Juſtices of Peace, or Court where any ſuch conviction ſhall be, and to be paid to the Churchwardens as before limited, who are alſo to accompt for the ſame to the uſe aforeſaid.

The penalty for continuing drinking in an Alehouſe, &c.
7 Jac 10.

2 Ja: 9.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons within this Realm of England, or the Dominions of Wales, ſhall remain or continue drinking or tipling in any Inn, Victualling-houſe or Ale-houſe, being in the ſame City, Town, Village or Hamlet wherein the ſaid perſon or perſons (ſo remaining drinking or tipling) doth dwell and inhabit at the time of ſuch drinking and tipling; and the ſame being viewed and ſeen by any Mayor, or other Head-Officer, Juſtice or Juſtices of Peace within their ſeveral Limits, or duly proved in ſuch manner and form as is limited in and by one Act of Parliament made in the firſt Seſſion of this preſent Parliament, entituled, An Act to reſtrain the inordinate haunting and tipling in Inns, Ale-houſes, and other Victualling-houſes, unleſs it be in ſuch caſe or caſes as be tolerated or excepted in the ſaid Act, That then every perſon or perſons ſo offending, ſhall forfeit and loſe for every ſuch offence, the ſum of three ſhillings and four pence, of currant money of England, to the uſe of the poor of the Pariſh where the ſaid offence ſhall be committed, to be levied by way of diſtreſs, in ſuch manner and form as is before appointed by this Act, for the levying of the penalty of five ſhillings for being drunk: (2) And if it happen that any offender or offenders againſt the true intent of this clauſe or branch, being thereof lawfully convicted, be not able to pay the ſaid forfeiture or forfeitures, then it ſhall and may be lawful for any Mayor, Bailiff, or other Head-Officer, Juſtice or Juſtices of Peace, or Court where any ſuch conviction ſhall be, to puniſh the ſaid offender or offenders by ſetting him, her or them in the Stocks for every ſuch offence, by the ſpace of four hours.

V. For the more due execution of this Statute, and for the better and more due proceeding againſt ſuch offenders, all offences of drunkenneſs, and of exceſs and unmeaſurable drinking, (2) Be it further enacted by the authority of this preſent Parliament, That all the offences in this Act, and in the ſaid former Act mentioned, ſhall be from time to time diligently enquired of, and preſented before the Juſtices of Aſſiſes in their Circuit, Juſtices of the Peace in their quarter or ordinary Seſſions, and before the Mayors Bailiffs, or other Head-Officers of every City or Town-corporate, who have power to enquire of Treſpaſſes, Riots, Routs, Forces, and ſuch like offences, and in every Court-Leet, and thereupon ſuch due proceeding ſhall be againſt the offender and offenders for their due conviction in that behalf, as in ſuch like caſes upon any indictment or preſentment is uſed by the Laws of the Realm or Cuſtoms of the City, Town or place where ſuch preſentment or indictment ſhall be enquired of and found.

Which Officers ſhall enquire of and puniſh the offences committed againſt this ſtatute, and the ſtatute of 1 Jac. 9.

VI. And it is further enacted by the authority aforeſaid, That if any perſon or perſons being once lawfully convicted of the ſaid offence of drunkenneſs, ſhall after that be again lawfully convicted of the like offences of drunkenneſs, That then every perſon and perſons ſo ſecondly convicted of the ſaid offence of drunkenneſs, ſhall be bounden with two Sureties to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, in one Recogniſance or Obligation of ten pounds, with condition, to be from thenceforth of good behaviour.

He that is the ſecond time convicted of drunkenneſs, ſhall be bound to his good behaviour.

VII. Be it further enacted by the authority aforeſaid, That all Conſtables, Churchwardens, Headboroughs, Tythingmen, Alecunners, and Sidemen, ſhall in their ſeveral Oaths incident to their ſeveral Offices, be charged in like ſort to preſent the offences contrary to this Statute.

Which Officers ſhall preſent the offences aforeſaid.

VIII. Provided always, That this Act, or any thing therein contained, do not in any wiſe abridge or reſtrain the Eccleſiaſtical power or juriſdiction, but that all Ordinaries, and other Eccleſiaſtical Judges and Officers, ſhall and may proceed to enquire of, Cenſure and puniſh all ſuch offenders according to the Eccleſiaſtical Laws of this Realm, in ſuch manner and form as before they lawfully might do; any thing in this Act to the contrary notwithſtanding.

No reſtraint of Eccleſiaſtical Juriſdictions.

IX. Provided alſo, That when any of the offenders againſt the true intent of this Act, or any branch or article thereof, hath been once puniſhed or corrected for his or her offence, by any the ways and means before limited; That then the ſaid offender ſhall not be eftſoons puniſhed or corrected for the ſame offence by any other ways or means.

There ſhall be but one puniſhment for one offence.

X. Provided always, That this Act, or any thing therein contained, ſhall not be prejudicial to either of the two Univerſities of this Land, but that the Chancellor, Maſters and Scholars, and the ſucceſſors of them, and either of them, may as fully uſe and enjoy all their Juriſdictions, Rights, Priviledges and Charters, as heretofore they have or might have done; any thing in this Act to the contrary notwithſtanding.

The Liberties of the Univerſities ſhall not be prejudiced.

XI. Provided always, That no perſon or perſons ſhall be puniſhed, impeached, or moleſted for any offence mentioned in this Statute, unleſs he ſhall be for the ſame offence preſented, indicted, or convicted within ſix months after ſuch offence committed: (2) This Act to continue until the end of the firſt Seſſion of the next Parliament. 21 Jac. 7. made perpetual.

Within what time an offender ſhall be preſented.

The continuance of this Act.

CAP. VI.

An Act for repealing of ſo much of one branch of a Statute made in the firſt year of his Majeſties Reign, intituled, An Act concerning Tanners, Curriers, Shoomakers, and other Artificers occupying the Cutting of Leather, as concerneth the ſealing of Sheep-skins, and to avoid ſelling of Tanned Leather by weight.

Whereas by the ſame Statute it plainly appeareth, That the intent and meaning thereof was to make void all former Statutes made concerning Tanners, Curriers, Shoomakers, and other Artificers occupying the cutting of Leather, and to comprehend in one Statute all things mentioned in the ſame former Laws needful to be enacted concerning Tanners, Curriers, Shoomakers, and other Artificers occupying the cutting of Leather: (2) And for that in divers branches of the ſaid late Statute, touching the ſealing of Leather, amongſt many other kinds of tanned Leather therein particularly named to be ſealed, a rate is ſet down to be payed for ſealing of Sheep-skins, as if Sheep-skins had been by the intent of the former Laws uſualled ſealed; whereas in truth, Sheep-skins are not meet to be ſealed, nor were at any time appointed or limited by any former Law to be ſealed, becauſe the ſealing of them is a fruitleſs charge, tending to the great hurt and loſs of many thouſand poor men, and for the good of none, but only for the gain of the Sealer thereof:

Leather 36. The intent of the ſtat. made 1 Jac. 22.

Sheep-skins have not been appointed by any Law to be ſealed.

II. For reformation whereof, Be it enacted by our Sovereign Lord the Kings Majeſty, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons ſhall at any time hereafter incur any penalty, loſs or forfeiture, for houſing, ſelling or buying of any tanned Sheep-skins unſearched or unſealed, ſo as the ſaid Sheep-skins unſearched and unſealed, ſhall be wrought and converted into made wares within this Realm of England; any thing in the ſaid Statute to the contrary notwithſtanding.

There ſhall be no penalty for houſing, buying or ſelling Sheep-skins unſealed.

III. And where ſince the making of the ſaid Statute, his Majeſties Subjects have been much deceived and abuſed, by ſelling of tanned Leather by weight, the ſaid Leather being neither ſufficiently tanned, nor throughly dryed as it ought to be, and before time was wont to be; (2) Be it therefore further enacted by the authority aforeſaid, That no perſon or perſons after the end of this preſent Seſſion of Parliament, ſhall utter or ſell, or cauſe to be uttered or ſold by weight, any kind of tanned Leather whatſoever, (3) upon pain of forfeiture of the ſaid Leather ſo uttered and ſold; The ſaid Leather, or the value thereof, to be recovered in any of the Kings Majeſties Courts of Record, by action of debt, bill, plaint, or information, wherein no wager of Law, eſſoin, or protection ſhall lie or be allowed, the one moiety of the ſaid forfeiture to be unto the King our Sovereign Lord, his Heirs and Succeſſors, and the other moiety unto ſuch perſon or perſons as ſhall ſue for the ſame.

No tanned Leather ſhall be ſold by weight.

CAP. VII.

An Act for the founding and incorporating of a Free Grammar-School in the Town of Northleech, in the County of Glouceſter.

Scholars, Raſt. 2.

Hugh Weſtwood was ſeiſed of the Parſonage impropriate of Chedworth, of the Parſonage of the Vicarage, &c.

Hugh Weſtwoods Will, Date 1 Maii, Anno 1 Eliz.

The intent of the Will.

The nomination of the Schoolmaſter. Who ſhall decide the doubts.

A School-houſe provided by the Inhabitants of Northleech.

Thomas Aparry ſurviving feoffee, ſought to defraud the truſt by making a Leaſe.

The heir of the Deviſor entred, ſeeking to avoid the Will.

A bill exhibited into the Chancery by the Schoolmaſter and Inhabitants.

The Lord Chancellors Letter to the Juſtices of Aſſize.

The Juſtices of Aſſize Certificate into the Chancery.

The Juſtices Certificate confirmed in the Chancery.

Humbly beſeech your Majeſty, your Loyal and dutiful Subjects, the Inhabitants of your Highneſs Town of Northleech in the County of Glouceſter, That whereas Hugh Weſtwood, late of Chedworth in the ſaid County of Glouceſter Eſquire deceaced, was in his life time ſeiſed in his Demeſne, as of Fee, of and in the Rectory and Parſonage impropriate of Chedworth aforeſaid, whereunto the advowſon, patronage, and right of preſentation of the Vicarage of Chedworth aforeſaid, then was, and yet is appendant and belonging, and of and in all manner of Glebe-lands, tenths, tythes, penſions, portions, oblations, obventions, profits, commodities and hereditaments, with the appurtenances, of whatſoever nature, kind, or degree they be in Cedworth aforeſaid, or elſewhere to the ſaid Rectory or Parſonage of Chedworth belonging or appertaining, and of, and in one meſſuage or tenement, and one cloſe and two yards land and an half, with the appurtenances in Chedworth aforeſaid, late in the occupation of one James Griffith, (2) and ſo ſeiſed as aforeſaid, by his laſt Will and Teſtament in Writing, made and bearing date the firſt day of May, in the firſt year of the Reign of our late Sovereign Lady Queen Elizabeth, did amongſt other things, give, will, deviſe and bequeath all and every the ſaid Parſonage and premiſſes, with the appurtenances, unto the Right Honourable Edmund then Lord Chandos, Sir Giles Pool Knight, Sir Thomas Throgmorton Knight, Sir Nicholas Arnolde Knight, William Repe, Walter Baskervile, and Henry Hodskins Eſquires, Thomas Marſhall, Thomas Watſon, William Partridge Gentlemen, Thomas Aparry, and Hugh Ratcliff Yeomen, and to their heirs and aſſigns for ever, to the only uſe and intent, That the ſaid Deviſees, their heirs and aſſigns, by and with the profits of the premiſſes, ſhould found, erect and maintain one Free Grammar School for ever in the ſaid Town of Northleech: (3) By which Will the nominations of the Schoolmaſter of the ſaid School was appointed unto the heirs of the ſaid Deviſor: (4) And alſo the determinations of all the doubts and ambiguſties that might ariſe touching the ſaid Will, was referred to the Juſtices of Aſſiſe of the ſaid County for the time being, to the end the ſame might be by them compoſed, without any controverſie in Law, (5) and ſhortly after the ſaid Deviſor died: after whoſe deceaſe the ſaid Deviſees entred, and were of the ſaid premiſſes ſeiſed by virtue of the ſaid Will: And the Inhabitants of the ſaid Town of Northleech, according to the direction of the ſaid Will, purchaſed and procured to be conveyed in Fee to ſome of themſelves, and other Gentlemen of the Countrey, as Feoffees in truſt for the ſaid School, a convenient Houſe, Garden, Backſide, and little Cloſe, to be the School-houſe and Habitation of the Scool-maſter: (6) After which all the ſaid Deviſees, but the ſaid Thomas Aparry died; And he ſurviving all the reſt of the ſaid Deviſees, and being by virtue of Survivor ſolely ſeiſed of the ſaid Parſonage, and other deviſed premiſſes, ſought to defraud the ſaid truſt in him repoſed, by making a Leaſe of the ſaid Parſonage, and other the Premiſſes, to one of his Sons, for a very ſmall Rent, and by conveying the Reverſion and Inheritance thereof to one other of his Sons: (7) And alſo Robert Weſtwood now likewiſe deceaſed, then Couſin and Heir of the ſaid Deviſor, did enter upon the ſaid Parſonage and premiſſes deviſed, challenging the ſame as Heir unto the ſaid Deviſor, and ſeeking to impeach the ſaid Will, which tended to the utter overthrow of the ſaid charitable and godly intent of the ſaid Deviſor: (8) Whereupon the then School-maſter and the Inhabitants of Northleech aforeſaid, exhibited their Bill of Complaint into the High Court of Chancery: And Sir Chriſtopher Hatton Knight, the then Lord Chancellor of England, being informed of the intent and purport of the ſaid Will, whereby all controverſies thereupon growing, were referred to the Juſtices of Aſſize of the ſaid County of Glouceſter, directed his Letters to Sir Roger Manwood Knight, Lord Chief Baron of the Exchequer, and Francis Windham, one of the Juſtices of the Common Pleas, then Juſtices of Aſſize of the ſaid County, for the hearing and final ordering of the ſaid cauſe, to the end that what they ſhould think fit, ſhould ſtand and be taken as an order of the ſaid Court in that behalf: who upon mature and deliberate hearing and conſideration of the ſaid cauſe, thought fit, and ſo certified into the ſaid Court, That the School ſhould be incorporated, and that the ſaid Parſonage and premiſſes ſhould be conveyed to the ſaid School-maſter and his Succeſſors: And that the Provoſt and Scholars of the Queens Colledge in the Univerſity of Oxford, ſhould name, order, viſit, and diſplace the School-maſter of the ſaid School, and his Succeſſors, for the time being: And that the reformations of all abuſes, either in the ſaid Colledge or School-maſter, ſhould be referred to the Juſtices of Aſſize of the ſaid County for the time being, or one of them: Which ſaid opinion and direction of the ſaid Juſtices of Aſſize, was accordingly ordered by the ſaid Lord Chancellor, and High Court of Chancery, and after directed to Sir John Puckering Knight, then Lord Keeper of the Great Seal, and ſince confirmed by the Right Honourable Sir Thomas Egerton Knight, Lord Elleſemere, now Lord Chancellor of England, then Lord Keeper of the Great Seal:

The School of Northleech incorporated to have continuance for ever. The name of the Corporation.

II. It may therefore pleaſe your Majeſty, That it may be enacted by your Highneſs, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and be it enacted by the authority of the ſame, That the ſaid School of Northleech ſhall from henceforth ſtand and be incorporated, eſtabliſhed, and founded in Name, and in Deed, a Body politick and corporate, to have continuance for ever by the name of the Schoolmaſter and Uſher of the free Grammar-School of Hugh Weſtwood Eſquire, in the Town of Northleech, and by that name ſhall have, hold and enjoy all and every the ſaid Parſonage and premiſſes, Yards, Lands, Meſſuages, Tenements and Hereditaments, with the apppurtenances intended by the ſaid Hugh Weſtwood, and by the ſaid Inhabitants to the ſaid School (the Patronage of the Vicarage of Chedworth only excepted) and the Reverſion and Reverſions of the ſame, and that all and every Rent and Rents reſerved in any Demiſe or Demiſes thereof, or thereupon made, the Statute of Mortain, or any other Law or Statutes to the contrary in any wiſe notwithſtanding: (2) And by the ſame name ſhall have power, ability and capacity to demiſe, leaſe, and grant their poſſeſſions and hereditaments, and to take, acquire and purchaſe, and to ſue, and to be ſued, and to do, perform and execute all and every other lawful act and thing, good, neceſſary, or profitable for the ſaid Incorporation, in as full and ample manner to all intents, conſtructions and purpoſes, as any other Incorporations or Bodies politick and corporate fully and perfectly founded and incorporated, may do. (3) And that William Lickebarrow Batchelor of Arts, and now School-maſter of the ſaid School, ſhall be the firſt School-maſter of the ſaid School, and that John Stone Batchelour of Arts, ſhall be the firſt Uſher of the ſaid School: And that they the ſaid William Lickebarrow School-maſter of the ſaid School, and the ſaid John Stone Uſher of the ſaid School, and their Succeſſors for the time being, ſhall have a common Seal for the making of ſuch their Demiſes and Leaſes, and for the doing of all and every other thing aboveſaid, touching the ſaid Incorporation, in which ſhall be ingraven the Arms and Name of the ſaid Hugh Weſtwood.

Authority to demiſe and purchaſe, and to ſue, and be ſued.

The firſt School-maſter and the firſt Uſher.

The Corporation ſhall have a common Seal.

III. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars of the Queens Colledge in the ſaid Univerſity of Oxford, and their Succeſſors for the time being, ſhall have full power and lawful authority to nominate and appoint, and ſhall nominate and appoint from time to time, when and as often as the place of School-maſter of the ſaid School by death, reſignation, deprivation, or otherwiſe, ſhall become void, and within one month after ſuch voidance, by writing under their Common and Colledge Seal, one learned aud meet man, being a Graduate of the Univerſity of Oxford, to be School-maſter of the ſaid School.

Who ſhall appoint the School-maſter.

IV. And in caſe the ſaid Provoſt and Scholars ſhall not within one month after ſuch voidance make ſuch nomination and appointment as aforeſaid, That then and ſo often the Juſtices of Aſſiſe of the ſaid County for the time being, within one month after ſuch default, ſhall and may by Writing under their Hands and Seals nominate and appoint ſome meet and learned man being a Graduate as aforeſaid, to the place of School-maſter of the ſaid School.

In default of the Provoſt, &c. the Juſtices of Aſſizes ſhall appoint the School-maſter.

V. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars of the ſaid Colledge for the time being, ſhall and may from time to time nominate and appoint ſome learned and meet man, having been trained up in the ſaid Univerſity of Oxford, to be Uſher of the ſaid School, when and as often as the ſame ſhall become void by death, deprivation, reſignation, or otherwiſe.

Nomination of the Uſher.

VI. And in caſe the ſaid Provoſt and Scholars ſhall not within one month after the avoidance of the place for Uſher, nominate and appoint ſome other ſuch fit perſon thereunto, that then the ſaid Juſtices of Aſſiſe for the time being, ſhall and may nominate and appoint ſome meet man tained up in the Univerſity as aforeſaid, to be Uſher of the ſaid School.

VII. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars for the time being, ſhall have power and authority under their Colledge Seal, to ſet down and preſcribe ſuch Orders, Rules, Statutes and Ordinances for the Order, Rule, and good Government of the ſaid School, and of the School-maſters, Uſhers and Sholars thereof, as to them the ſaid Provoſt and Scholars, and their Succeſſors, ſhall ſeem meet and convenient: And that the ſame Order, Rules, Statutes and Ordinances ſo by them made and ſet down, ſhall be and ſtand in full force and ſtrength in Law; ſo always that the ſame be not repugnant, nor contrary to the Kings Prerogative Royal, nor to the Laws and Statutes of this Realm of England, nor to any Eccleſiaſtical Canons or Conſtitutions of the Church of England: (2) And that the ſaid Provoſt and Scholars for the time being, ſhall have full power and authority to viſit the ſaid School, and to order, reform and redreſs all Diſorders and Abuſes, in and touching the Government of the ſame, and further to cenſure, ſuſpend and deprive the School-maſters and Uſhers of the ſaid School for the time being, as to them ſhall ſeem juſt, fit and convenient; So always that no Viſitation, Act or thing, in, or touching the ſame, be had or done otherwiſe then by the Provoſt himſelf and one of the Fellows, or by two of the Fellows at the leaſt of the ſaid Colledge, thereunto authorized under the Colledge Seal.

Who ſhall ſet down the Orders, Rules and Statutes of the School.

The Viſitors of the School.

VIII. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That if any Difference, Controverſie, or Debate touching the Premiſſes at any time hereafter ſhall happen to ariſe between the ſaid Provoſt and Scholars of the ſaid Colledge, and the ſaid School-maſter and Uſher for the time being, or either of them, or if the Inhabitants of the ſaid Town of Northleech ſhall find themſelves grieved, that the intent of the ſaid Deviſor is not obſerved in the free and diligent teaching of their Children or otherwiſe, and ſhall not after complaint thereof made to the ſaid Provoſt and Scholars, find and receive in fit time convenient redreſs therein; that then upon the complaint of the ſaid Inhabitants, School-maſter or Uſher, the Juſtices of Aſſiſe of the ſaid County of Glouceſter for the time being, ſhall have full power to call before them both the parties grieved, and the parties complained of, and upon hearing of the ſaid Diſſentions, Controverſies and Complaints, to compoſe, decide, order and determine the ſame, as to them in their judgments and wiſdoms ſhall ſeem juſt and fit; and that ſuch order, deciſion, and determination of the ſaid Juſtices of Aſſiſe ſet down in Writing under their Hand and Seals, ſhall ſtand and be obſerved.

Controverſies ſhall be decided by the Juſtices of Aſſiſe.

IX. And that it may be alſo enacted, and be it enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars for the time being, ſhall have, hold and enjoy to them and their Succeſſors for ever, the Advowſon, Patronage, Preſentation, and free diſpoſition of the Vicarage and Church of Chedworth aforeſaid, and that they ſhall and may preſent their ſufficient Clerk unto the ſaid Church and Vicarage, when and as often as the ſame ſhall become void by death, deprivation, reſignation, or otherwiſe.

Who ſhall have the preſentation to the Vicarage of Chedworth.

X. Provided always, That all leaſes, grants, covenants, conveyances, aſſurances and eſtates whatſoever, to be had or made of the ſaid Parſonage and premiſſes, with the appurtenances, or of any part thereof, other then leaſes for years, whereupon ſhall be reſerved to the ſaid School-maſter and Uſher of the ſaid Parſonage, with the appurtenances, ſo much

Which leaſes to be made of the ſaid Parſonage, Weſſuage, &c. ſhall be void and which not.

in one entire or ſeveral yearly rent or rents, upon one or more demiſes, as ſhall amount to the ſum of fifty pounds of lawful Engliſh money, or more, and for the ſaid meſſuage and tenement, with the appurtenances, and other lands thereunto belonging, ſhall be reſerved ſo much in one entire or ſeveral yearly rent or rents, upon one or more demiſes, as ſhall amount to the ſum of twenty ſix ſhillings and eight pence of lawful Engliſh money at the leaſt, the ſaid ſeveral rents to be payable at the four uſual Feaſts in the year, by equal and even portions; That is to ſay, at the Annunciation of S. Mary the Virgin, the Nativity of S. John the Baptiſt, the Feaſt of S. Michael the Archangel, and the Nativity of our Lord, and whereunto the ſaid Provoſt and Scholars ſhall under their Colledge Seal give their conſent, allowance, or confirmation) ſhall be void, and of none effect in the Law.

XI. And that no Leaſes whatſoever hereafter to be made of the ſaid Parſonage, tenement and premiſſes, or any part or parts thereof, other then one entire leaſe, or ſeveral leaſes for the term of one and twenty years, or three lives, from the time of the making thereof, once only to be made, before the Feaſt of the Annunciation of the bleſſed Virgin Mary, which ſhall be in the year of our LORD GOD, One thouſand ſix hundred and ten, ſhall be good or effectual any longer then ſuch School-maſter as ſhall make ſuch leaſe, ſhall continue School-maſter there; (2) which ſaid Leaſe or ſeveral Leaſes for one and twenty years or three lives, being therefore permitted to be made, that by fine thereupon ſomewhat may be levied towards the ſatisfaction and diſcharge of the ſum of one hundred and threeſcore pounds, agreed to be paid to William Weſtwood Gentleman, ſon and heir of the ſaid Robert Weſtwood, in lieu and recompence of and for the nominations of the ſaid School-maſter, and of and for all pretenced right to the premiſſes, and of other ſums and charges, occaſioned for the perfecting of the ſaid Incorporation, and eſtabliſhment of the premiſſes, ſhall ſtand and be good and effectual in the Law; any thing in theſe preſents to the contrary thereof in any wiſe notwithſtanding: So always that there be reſerved thereupon ſo much in yearly rent or rents at the leaſt as is aforeſaid, (3) and that the Provoſt and Scholars aforeſaid, and their ſucceſſors for the time being, ſhall and may under their Colledge Seal, ordain, ſet down, and appoint how the rents and profits of the premiſſes ſhall be proportioned, divided, and diſtributed to, among, and between the School-maſter and Uſher of the ſaid School for the time being, ſo as the whole rent be diſpoſed between the ſaid School-maſter and Uſher of the ſaid School.

The cauſes why leaſes may be made for xxi. years or three lives.

Who ſhall appoint how the rents ſhall be divided.

The ſeveral eſtates of ſeveral perſons reſerved.

XII. Provided always, That this Act, nor any thing therein contained, ſhall extend to defeat, fruſtrate, or make void one Leaſe of the ſaid Parſonage and premiſſes, for the term of divers years, made to John Stone and Thomas Hill, by Henry Lord Biſhop of Carliol, John Reynolds, and John Aglionby, Doctors of Divinity, then and yet Feoffes to the behoof of the ſaid School, whereupon is reſerved the yearly rent of fifty pounds: nor to defeat, fruſtrate, or impeach one annuity or yearly rent of thirty pounds by the year, out of the premiſſes, ordered and decreed to Euſtace Aparry, ſon of the ſaid Thomas Aparry, for the term of his natural life, and for two years after his deceaſe, in conſideration of his yielding up of his ſaid Leaſe, and Conveyance of the ſaid Parſonage and premiſſes to the ſaid Feoffees, by the direction of the right Honourable the now Lord Chancellor of England, but that they the ſaid John Stone, and Thomas Hill, and the ſaid Euſtace Aparry, ſhall and may enjoy the ſaid ſeveral Intereſts and Eſtates, according to the purport and effect of the ſaid Leaſe, Order and Decree, as amply to all intents and purpoſes, as if this Act had never been made; any thing in the premiſſes contained to the contrary in any wiſe notwithſtanding.

A ſaving of the right of all others, &c.

XIII. And ſaving to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and to all and every other perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, (other than the ſeveral heirs of the ſaid Hugh Weſtwood, and of his ſaid Deviſees, and other than all and every other perſon and perſons, and their Heirs claiming any thing in the premiſſes, or any part thereof, by, from, or under the Heirs of the ſaid Hugh Weſtwood, or from, by, or under the ſaid Deviſees) all ſuch Right, Title, Eſtate, Condition, Claim, Poſſeſſion, Rents, Services, Commons, Demands, Actions, Remedies, Recoveries, Intereſts, Profits, Commodities, Advantages and Demands whatſoever, which they or any of them ſhall or may have, or of right ought to have, of, in, or to the ſaid Parſonage, or any of the Lands, Tenements and Hereditaments aforeſaid, or any part or parcel thereof, or iſſuing or going out of the ſame, or any parcel thereof, as if this Act had never been made. PR.

CAP. VIII.

Mariſhes, Raſt. 1.

An Act touching the drowned Mariſhes of Leſnes and Fants in the County of Kent. 23 El. 13. 27 El. 27.

CAP. IX.

An Act to explain a former Act made the laſt Seſſion of this Parliament, intituled, An Act to enable all his Majeſties loving Subjects of England and Wales, to Trade freely into the Dominions of Spain, Portugal and France.

Merchants, Raſt. 53.

A corporation granted by Q. El. to certain Merchants of Exceſter ſhall continue of force notwithſtanding the Statute of 3 Jac. 6.

WHereas it pleaſed our late Sovereign Lady Queen Elizabeth of famous memory, by her Highneſs Letters Patents under the Great Seal of England, bearing date the ſeventeenth day of June, in the ſecond year of her Highneſs Reign (in conſideration of the good, true and faithful obedience and ſervice done by the Mayor and principal Citizens of the City of Exceſter, as well in the time of King Henry the Seventh, as of King Edward the Sixth, againſt divers Treaſons and Rebellions moved and ſtirred in thoſe days, as alſo for the taking away, aboliſhing and amoving of many and ſundry abſurdities and inconveniences, which within the ſaid City and County did increaſe, by reaſon of the exceſſive number of Artificers, and other inexpert, ignorant, and unworthy men, which did take upon them to uſe the Art, Science and Myſtery of Merchandize, and traffick of Merchant-wares, to the great detriment of the Commonwealth of this Realm of England, and to the manifeſt impoveriſhment of the ſaid City) to Incorporate certain Merchants therein named, and their Succeſſors (being Citizens and Inhabitants of the ſaid City and County) and to give and grant unto them the perpetual Name of the Governours, Counſels and Society of the Merchants Adventurers of the City and County of Exceſter, traffiquing the Realm of France, and the Dominions of the French King; (2) which ſaid Incorporation or Company of Merchants are found to be of great uſe, honour and ſervice to the State in general, as well in the advancement of his Majeſties Cuſtoms, as alſo for that the ſaid Incorporation for the ſpace of fourty and five years, have relieved twelve poor men with gowns, money and other neceſſaries, to their great comfort, and do ſtill yearly ſo apparel and comfort them, and by their ſaid Charter they are bound to continue and keep the ſame for ever: (3) And likewiſe they have, and do not only charitably from time to time ſet up ſundry young Merchants with the loan of money at their firſt entrance into the Trade, but alſo have raiſed, and alſo do raiſe divers ancient Merchants, who by loſſes at the Sea have been decayed, by means whereof they have proved afterwards profitable both to the King in Cuſtoms, and other payments, and good members to the Commonwealth of the ſaid City:

The ſeveral benefits done by the ſame Society to the King and Commonwealth.

II. And for that many particular Merchants of the ſaid Corporation, have in the time of dearth and ſcarcity of Corn, adventured great ſums of money out of their own private ſtocks, for Corn into foreign Kingdoms, for the relief of the poor, as well of the ſaid City, as of the County of Devon, to whom they have ſold the ſame Corn in time of great dearth and neceſſity, ſometimes for two ſhillings ſix pence, three ſhillings, and three ſhillings four pence leſs in every Buſhel, then the prices in the Markets have then been:

The Society comfortable to all, and hurtful to none.

III. And further, for that ſundry members in the ſaid Incorporation have by their Wills and Teſtaments, given divers ſums of money to the ſaid Company to good uſes, which muſt return to their Executors, if this Company be diſſolved, as alſo for that the ſaid Society hath from the beginning thereof, been ever found comfortable to all, and offenſive to none: (2) Therefore whereas in the laſt Seſſion of Parliament holden at Weſtminſter in the third year of his Majeſties Reign, one general Act was made, entituled, An Act to enable all his Majeſties loving ſubjects of England and Wales, to trade freely into the Dominions of Spain, Portugal and France: The general words of which Act may be objected and urged, to extend to the annihilating and diſſolving of the ſaid particular Charter and Company, contrary to the meaning of this high Court of Parliament, and the intent of the makers of that Law, as is conceived by the opinion of ſundry learned in the Laws: May it therefore pleaſe your moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, that it may be enacted, explained and declared, (3) and be it enacted, explained and declared by the authority of the ſame, That the ſaid general Law ſo made as aforeſaid, neither doth, nor ſhall diſſolve, annihilate or impeach the ſaid Charter, or the ſaid Company in any their priviledges, liberties or immunities granted unto them by the ſaid Charter; Any thing in the aforeſaid general Act to the contrary thereof in any wiſe notwithſtanding.

The Stat. of 3 Jac. 6. may be extended to the diſſolving of the ſaid Company.

The Stat. of 3 Jac. 6. neither doth nor ſhall impeach the liberties granted by Q. Elizabeths Charter.

CAP. X.

An Act for confirmation of ſome part of a Charter granted by King Henry the Sixth, to the Mayor, Bailiffs and Burgeſſes of the Town of Southampton, and for relief of the ſaid Town.

IN all humbleneſs beſeech your moſt excellent Majeſty, the Mayor and Bailiffs, and Burgeſſes of your Highneſs Town of Southampton, That whereas your moſt noble Progenitor King Henry the Sixth of famous memory, in conſideration that the ſaid Town of Southampton is ſituated on the Sea-coaſts, and ſubject to the ſudden aſſault and ſurpriſe of foreign enemies, and that the Inhabitants thereof for their defence, have a long time at their own coſt and charge upheld and maintained the Walls thereof, with many Towres, Turrets, Bulwarks, great Ordnances, Powder and other defenſive Artillery, and for other conſideration, did grant to the Mayor, Bailiffs and Burgeſſes of the ſaid Town, and their Succeſſors, a Charter, which hath been ſince confirmed by many other Princes, reſtraining all Merchants not being free of the Liberties of the ſaid Town, to buy or to ſell any manner of Merchandize within the ſaid Town, or the Liberties thereof, upon pain of forfeiting the ſame Merchandize to the ſaid Mayor, Bailiffs, Burgeſſes and their Succeſſors:

Southampton, Raſt. 3. Certain Liberties granted by King H. 6. to the Mayor, &c. of Southampton, confirmed.

A reſtraint of all Merchants not being free of Southampton, to buy or ſell within the Town.

II. And whereas now of late, ſundry Merchants which are not free of the Liberties of the ſaid Town, and yet free of other Corporations, who reſpecting only their private gain, without regard either of the ſaid Charter, or how the ſaid Town ſhall be upheld and maintained, have of late intruded on the Liberties thereof, and do both by themſelves, and alſo by their Factors, keep Shops and Warehouſes within the ſaid Town, and do ſell their Merchandize both in groſs and by retail, contrary to the true meaning of the ſaid Grant, and contrary to all reaſon and conſcience, tending to the utter undoing of the Merchants and Inhabitants of the ſaid Town, and decay of the ſaid Town: (2) For redreſs whereof, may it pleaſe your moſt excellent Majeſty, that it may be enacted by your Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, (3) And be it enacted and ordained by the authority aforeſaid, That ſo much of the ſaid Charter as doth concern the premiſſes, ſhall from henceforth ſtand and be good, effectual and ſufficient in the Laws to all intents and purpoſes, according to the true meaning of the ſame Charter, and that the ſame be ratified and confirmed by this preſent Parliament.

A confirmation of ſo much of the Charter of K. H. 6. as doth reſtrain ſtrangers to buy or ſell in Southampton.

III. And further be it enacted by the authority aforeſaid, That no perſon or perſons not being free of the ſaid Town, ſhall buy any Merchandize within the ſaid Town or Liberties thereof, (Salt and Sea-fiſh only excepted) of any other not being free of the ſaid Town, nor ſell any Merchandize, (Salt and Sea-fiſh only excepted) within the ſaid Town or Liberties thereof, to any perſon or perſons not being free of the ſaid Town, (2) upon pain of forfeiture of all ſuch Merchandize ſo bought or ſold, to the Mayor, Bailiffs and Burgeſſes of the ſaid Town, and their Succeſſors.

None not being free of the ſaid Town ſhall buy or ſell to another not being free.

IV. Provided always, That any perſon or perſons may buy within the ſaid Town or Liberties thereof, any proviſion for his or their own houſe or houſes, ſo as the ſame be expended there, and not in any ſort ſold again, as if this Act had never been made.

What commodities, and for what purpoſes may be bought by any perſon.

V. Provided, and that it ſhall be lawful to any perſon or perſons to buy or ſell in the time of Fairs there, or aboard any Ship within the Port of Southampton, of any perſon whatſoever, as if this Act had never been made.

Buying and ſelling in Fairs, or on Shipboard.

VI. Pro-

The Barons and Freemen of the Cinque Ports.

VI. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend, nor be conſtrued to extend to the Barons or Freemen of the Cinque-Ports, or of the members to them belonging, nor to any of them, but that they and every of them ſhall and may at all times hereafter freely and lawfully hold, have and enjoy all ſuch Liberties, Freedoms, Privileges, Immunities and Franchiſes within the ſaid Town of Southampton, and the Liberties thereof, as have been heretofore granted unto the ſaid Ports, or any of them, or any of the ſaid Members, or to the Barons or Freemen there, or have been by them or any of them accuſtomed, uſed or enjoyed; Any thing in this Act to the contrary notwithſtanding.

CAP. XI.

An Act for the better proviſion of Meadow and Paſture for neceſſary maintenance of Husbandry and Tillage in the Manors, Lordſhips and Pariſhes of Marden, alias Mawarden, Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lug, and the Pariſh of Pipe, and every of them, in the County of Hereford.

Husbandry, Raſt. 11. The owners and farmers of lands in certain Manors in the County of Hereford, may incloſe ſome part thereof. The different husbandry of the ſaid Manors from other parts of the Realm.

Foraſmuch as the ſaid Manors, Lordſhips and Pariſhes of Marden, alias Mawarden, Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lug, and the Pariſh of Pipe in the ſaid County of Hereford, do differ in the manner of their Husbandry, from many parts of the ſaid County, and other Counties in the Realm of England, and the Inhabitants thereof do make the Tillage of the ſame Manors, Lordſhips and Pariſhes, the more fertile by raiſing of Compoſt, in houſing all their Cattel of all ſorts, eſpecially all their Sheep throughout the whole year, and not by any other means; which Cattel, eſpecially their Oxen, Kine and Sheep, without ſufficient Meadow and Paſture for Graſs and Hay, are not poſſible to be maintained; and therefore the Farmers, Freeholders, and all other Husbandmen thereof are much diſtreſſed, in that their Tillage doth lie mingled with their Paſture and Meadow Grounds yearly, in or near adjoyning to the Corn-fields, as the courſe and turns of Husbandry falls out; by occaſion whereof the ſaid Fields, Meadows and Paſtures being open after Sickle and Sithe, all ſorts of people turn in their Cattel, and within very ſhort ſpace eat up all the Graſs thereof, that the Oxen and Kine of the Husbandmen are in danger to ſtarve in ſummer, and of neceſſity in many places muſt be ſold away for want of wintering meat; for which inconvenience by complaint of the Husbandmen of thoſe places, ſome ſpeedy publick redreſs hath been long and much deſired: (2) Be it therefore enacted by the authority of this preſent Parliament, That every owner and Farmer, their Heirs, ſucceſſors and aſſigns, of any Manors, capital Meſſuage, Tenement or Farm within the ſaid Manors, Lordſhips and Pariſhes, or any of them, that have not already ſo much of their Land, Meadow and Paſture belonging or occupied, to or with their ſeveral Meſſuages, Tenements or Farms incloſed and kept in ſeveral, as doth amount or extend to the clear third part thereof, may at his and their will and pleaſure, ſeverally and reſpectively from time to time, and at all times hereafter, incloſe and keep in ſeveral, ſo much of their ſaid Lands, Meadow and Paſture, now at the firſt day of this preſent Seſſion of Parliament, belonging or occupied to or with the ſaid ſeveral Meſſuages, Tenements or Farms, as together with ſuch thereof as they hold already in ſeveral, ſhall amount unto, and made up a clear third part of all the Lands, Meadow and Paſture which they do, or ſhall ſo there hold, belonging or occupied to or with the ſaid ſeveral Meſſuages, Tenements and Farms, to be holden and kept in ſeveral, to the maintenance of Tillage of the Arable Lands belonging or occupied to or with the ſaid ſeveral Meſſuages, Tenements or Farms reſpectively, according to the Eſtates of them that are ſeverally intereſſed in the ſame, leaving the other two parts thereof in three parts to be divided, ſeverally and reſpectively to lie and continue, as the ſame have heretofore uſed and accuſtomed to lie.

Every Owner and Farmer within the Manors aforeſaid, may incloſe a third par of his lands, &c.

This Act ſhall not extend to a waſte or common Ground.

II. Provided always, That this Act or any thing therein contained, ſhall not extend to any ancient waſte or common Ground that heretofore hath been, or uſed to be as a perpetual common and waſte Ground by all the year, but that the ſame may ſo continue and remain ſtill as a perpetual common or waſte ground.

A proviſion where one perſon is owner of the firſt crop, and others of the later math.

III. Provided likewiſe, That where any perſon or perſons hath or ought to have the Hay or firſt veſture or paſture only of any Land, Meadow or Paſture, and whereof the Inhabitants of the Townſhip or Pariſh where the ſaid Land doth lie, have from time to time, to the contrary whereof the memory of man doth not extend, uſed to have the whole latter math, latter crop, or edge-growth thereof to themſelves, and the owner of the ſaid Hay, firſt veſture or paſture, no part of the ſaid latter math, latter crop or edge-growth, That in every ſuch caſe, this Act ſhall not extend to any ſuch Land hereby to be kept in ſeveral, but that thoſe which have ſo had, and uſed to have the ſaid latter math or latter crop thereof, may ſtill have and enjoy the ſame in ſuch manner as formerly they have accuſtomed; This Act, or any thing therein contained to thn contrary notwithſtanding.

The Act doth not give a lawful Title to the Poſſeſſor of any land where he had none before.

IV. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to any Land which any perſon or perſons, Bodies Politick or Corporate, hath or have unjuſtly or without good Right or Title, Taken or withholden from any other perſon or perſons, Bodies politick or corporate, to give any Intereſt or Title to any ſuch perſon or perſons, Bodies politick or corporate, their heirs, ſucceſſors or aſſigns, or any of them, that ſo have, or hereafter ſhall have, or do unjuſtly without lawful Title withhold any ſuch Lands, to have, keep or detain the ſame, but that any perſon or perſons, Bodies politick and corporate, that hath or have any Right or Title to the ſame, their heirs, ſucceſſors and aſſigns, ſhall and may take his and their lawful remedy for the recovery thereof, as if this Act had never been had or made; This Act, or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

None ſhall be hindred of his lawful way.

V. Provided alſo, That no perſon or perſons ſhall be barred, hindered or ſtopped of any high-way, common way, husbandry way or foot-path, by means or reaſon of any ſuch incloſure, but that they and every of them may have and uſe all ſuch ways, in ſuch manner and form as he, they, or any of them have uſed, accuſtomed, and of right ought to have and uſe the ſame; This Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

VI. Provided alſo, That every perſon and perſons, and their Heirs and Aſſigns, who ſhall at any time or times hereafter incloſe and keep in ſeveral, any land, meadow or paſture, by force or virtue of this preſent Act, ſhall be abated and abridged of his and their Common in the common fields and common paſture in places commonable belonging to the Towns, Meſſuages or Farms where ſuch incloſures ſhall be made proportionable, after the rate and quality of the lands, meadow and paſture ſo to be incloſed and kept in ſeveral, but nevertheleſs ſhall and may have his and their Common in places commonable there, ratably for the reſidue of his and their lands there, according to the uſage and cuſtom of the place; This Act or any thing therein contained to the contrary thereof notwithſtanding.

Every perſon that doth incloſe, ſhall be abated of his Common proportionably.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Freeholders and Copyholders of the ſaid Manors, Pariſhes and Towns, and of every of them reſpectively, their Heirs and Aſſigns, or the greater number of them, from time to time hereafter to rate and ſtint every ſuch perſon and perſons, his and their Heirs and Aſſigns which ſo ſhall incloſe and keep in ſeveral any land meadow or paſture, by virtue of this Act, what and how many Cattel of all kinds ſuch perſon and perſons, his and their Heirs and Aſſigns, ſhall have, depaſture and keep upon the Commons of the ſame Manor, Pariſh or Town where ſuch land, meadow or paſture ſhall ſo be incloſed, and kept in ſeveral by virtue of this Act.

They which do incloſe, may be ſtinted of their Common by the reſidue of their Commoners.

VIII. And that if any perſon or perſons, his or their Heirs or Aſſigns, ſhall after he or they ſhall be ſo rated or ſtinted, have, or keep any more or greater number of Cattel upon the Commons of the ſame Manor, Pariſh or Town where ſuch land, meadow or paſture ſo to be incloſed and kept in ſeveral by virtue of this Act, ſhall lie, then ſuch perſon or perſons, his or their Heirs and Aſſigns, ſhall be ſo rated or ſtinted as aforeſaid; That then and ſo often every ſuch perſon or perſons, his and their Heirs and Aſſigns, ſhall forfeit and loſe for every Beaſt which he or they ſhall keep over and above ſuch rate or ſtint which he or they ſhall be ſo rated or ſtinted at, the ſum of twelve pence for every week that he or they ſhall ſo keep ſuch beaſt or beaſts over and above ſuch rate or ſtint: The one moiety thereof to be to the poor of the Pariſh where the offence ſhall be committed, and the other moiety thereof to be to the Lord of the Manor where ſnch offence ſhall be committed.

The forfeiture of him which keepeth more cattel then is limited by his ſtint.

IX. And further be it enacted by the authority aforeſaid, That all and every Lord and Lords of the Manors or Lordſhips aforeſaid, or any of them, where ſuch offence ſhall be committed, and the Stewards within the precinct of the ſaid Manors, or Lordſhips, and every of them, ſhall have full power and authority within their ſeveral Leets and Court Barons of the ſaid Manors or Lordſhips reſpectively, to enquire and to take preſentment by the Oaths of Jurors, of all and every offence and offences in this behalf to be committed, (2) and upon ſuch preſentment had or made, to levy by diſtreſs all ſuch ſums of money as ſo ſhall be forfeited; (3) and that every ſuch Lord and Lords, or their Stewards, which ſo ſhall leavy or cauſe to be levied, any ſuch ſum or ſums of money ſo to be forfeited, ſhall within one week next following the levying thereof, pay the one moiety thereof to the hands of the Churchwardens and Overſeers of the poor of ſuch ſaid Pariſh or Pariſhes where ſuch offence or offences ſhal be lcommitted, to the uſe of the poor of the ſame Pariſh.

The offences of ſurcharge of Common ſhall be enquired of and puniſhed in Leets and Barons.

X. Provided alſo, That if any perſon or perſons, Bodies politick and corporate, their Heirs, Succeſſors or Aſſigns, ſhall at any time or times hereafter erect, or build any Cottage for inhabitation upon any land ſo to be incloſed, and kept in ſeveral by force or virtue of this Act, and ſhall lay any of the ſaid lands to any Cottage for habitation, and by means thereof, or any other means, diſmember the ſame from the capital Meſſuage, Tenement or Farm to which the ſame is now belonging or occupied; that then, and in every ſuch caſe, it ſhall be lawful by order of the Court of the Manor where ſuch land ſhould lie, to the Lord or his Officers of the ſame Manor, or any of them for the time being, or the Homagers of the ſame Manor, or the more part of them, to caſt and put the ſame land ſo laid to any Cottage, or diſmembred as aforeſaid, open and into Common, at Summer ſeaſons of the year, and in ſuch manner and form as the ſame have been formerly uſed; This Act or any thing therein contained to the contrary notwithſtanding.

A proviſion where land incloſed is diſmembred from the tenements wherewith it was occupied.

XI. Provided nevertheleſs, That where the later math, later crop, or edge-worth of certain meadows and paſtures in the ſaid Pariſhes or Lordſhips of Marden, alias Mawarden, Sutton Saint Michael, Sutton Saint Nicholas, and Bodenham, commonly called or known by the ſeveral names of Smedel Whitterday, Dole-meadow, the Groves, the Old Lands, the Whiſtheirs, and the Wirgins, and certain ſmaller meadows and paſtures to them ſeverally adjoyning, have been accuſtomed or uſed moſt commonly to be yearly of moſt ancient time hained and incloſed after Hay harveſt, for the keeping and depaſturing of the Oxen and Kine of ſuch Town or Pariſh where ſuch meadows and paſtures do lie, by certain rates thereof in ancient time uſed and accuſtomed, That there and in that caſe the ſame meadows and paſtures ſhall and may be hained, incloſed, kept and uſed yearly for Oxen and Kine, as moſt commonly they have been uſed and accuſtomed to be hained, incloſed, kept and uſed.

A proviſion for the continuing of certain grounds incloſed one time of the year, as they have been.

XII. Provided alſo, That this Act or any thing herein contained, ſhall not extend to incloſe or alter the uſage and courſe of the great meadow in or near Sutton Saint Michael, and Sutton Saint Nicholas aforeſaid, called Lug-meadow, or any part there, otherwiſe than the ſame hath been uſed before the making of this Act; This Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The uſage of Lug-meadow ſhall not be altered.

XIII. This Act to continue until the end of the laſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The continuance of this Act.

CAP. XII.

An Act for explanation of a Statute made in the Third year of the Reign of King James, entituled, An Act for the bringing of a Freſh ſtream of Running Water to the North parts of the City of London.

Havens, Raſt. 17. An Act for the bringing of a new river to the North parts of the City of London, according to a former Statute made, 3 Jac. 18.

WHereas of late in the Parliament holden at Weſtminſter, in the third year of the Reign of our Sovereign Lord King James, An Act was made for the bringing of a Freſh ſtream of Running Water to the North parts of the City of London, as by the ſame Act appeareth: Now for that ſithence the making of that Law, upon view of the grounds through which the Waters are to paſs, by men of skill, and upon adviſed conſideration of the premiſſes, it is thought more convenient, and leſs damage to the ground, that the ſame Running Water be brought and conveyed in and through a Trunk or Vault of Brick or Stone incloſed, and in ſome places where need is, raiſed upon Arches, than in open Trench or Sewer, (2) which manner of conveyance of the ſame Water in a Trunk or Vault of Brick or Stone, is doubtful whether by the words of the former Law it may be lawfully effected by the Lord Mayor and Commonalty, and Citizens of the City of London, albeit they do not duly perform every part, clauſe, matter and thing in the ſaid Statute contained; which on their part are by the true intent of that Law to be performed.

The Mayor, &c. of London, may erect a trunk or vault in the earth, to convey the water from Chadwell, &c. to London.

The Mayor, &c. of London may from time to time maintain the ſaid trunk or vault.

II. For clearing of which doubt, and plain declaration of the true meaning of the ſaid Law, Be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that at any time or times after the laying out of ſuch convenient limits of ground for the making of the Trench, or conveyance of Water to the North parts of the ſaid City of London, at the breadth of ten foot, and not above, as to the Mayor and Commonalty, and Citizens of the City of London, and their deputies and workmen, with the allowance of the Commiſſioners in the ſaid former Act mentioned, or any ſeven of them, ſhall be ſeen convenient and meet for the ſame, and in that place that they ſhall find to be moſt apt and meet for that purpoſe, according to the true intent of the ſaid Statute, that the Mayor and Commonalty, and Citizens of the ſaid City of London, and their ſucceſſors, deputies and workmen, for the conſideration in the ſaid former Act expreſſed, ſhall have liberty, not only to dig the ſame ground to be imployed in the ſame River or new Cut, as in the ſaid former Act is expreſſed, but alſo in the ſame place where they ſhall think moſt meet for the ſaid new Cut or Paſſage of Water, to frame, erect, and make a Trunk or Vault of Brick or Stone for the paſſage of the ſaid Water to the North parts of the ſaid City of London, not exceeding ten foot in breadth, in ſuch manner and form to be laid in the earth or upon Arches, as to the Mayor and Commonalty, and Citizens of London ſhall ſeem meet, (2) And from time to time for ever to maintain and preſerve the ſame Trunk or Vault of Brick or Stone, and for that purpoſe to have like liberty and free paſſage to and from the ſaid Trunk or Vault of Brick or Stone, for making, erecting, maintaining and preſerving thereof from time to time for ever, as they had or might have had by the intent of the ſaid former Act, to and from the ſaid new Cut or River, with Men, Horſes, Carts and Carriages, at all times convenient, and in places convenient for the making of the ſaid new Cut or River, with Men, Horſes, Cart and Carriages, at all times convenient, and in places convenient for the making of the ſaid new Cut or Trench, and for the preſerving of the ſame from time to time for ever; Any thing in the ſaid former Statute, or in any other Law or Statute to the contrary thereof in any wiſe notwithſtanding. PR.

CAP. XIII.

An Act for the draining of certain Fens and low Grounds in the Iſle of Ely, ſubject to hurt by ſurrounding, containing above ſix thouſand Acres, compaſſed about with certain Banks commonly called and named the Ring of Walderſey and Cooldham.

Marſhes, Raſt. 2. Certain perſons have undertaken to drain the Fens in the Iſle of Ely.

The limits and bounds to be inned.

The perſons damnified ſhall be ſatisfied.

WHereas by the draining of certain Fens and low grounds within the Iſle of Ely, ſubject to hurt by ſurrounding, great benefit may come to the Commonwealth, and much profit to the Owners of the ſaid Grounds, (2) Be it therefore enacted by the Kings Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Francis Tindal Eſquire, Henry Farre and John Cooper Gentleman, (who have undertaken to do their beſt endeavours to effect the ſame at their own coſts and charges, for the conſiderations hereafter mentioned) their Heirs and Aſſigns, ſhall have full power and authority by virtue of this Act, during the ſpace of ſeven years next enſuing the end of this preſent Seſſion of Parliament, to drain all the Fens and low grounds ſubject to hurt by ſurrounding in the ſaid Iſle of Ely, that lie and be environed with the Banks, beginning at Keeks Mill, and from thence by Tower houſe, to Hobs houſe, and ſo to Tilney Hurne, from thence to Maries Damme, and ſo by Elme Leam to Friday Bridge, and from thence by Redmore Dike, and Begdale, and ſo by Gold Dike to Keeks Mill again: (3) And for the doing thereof to make of new, or to repair in all places needful, ſuch and ſo many Drains, Loads, Dikes, Banks, Sluces, and other works of Sewers, as they ſhall think meet, not being in Marſh-land within the old Podike, for conveying to the Sea as well of the Sock and downfall, as of the overflowing of Rivers and Land-floods, ſatisfying the Owners of ſuch ſeverals as they ſhall cut, and ſuch perſons as they ſhall otherwiſe damnifie ſo much money or other valuable recompence, as by ſix Commiſſioners of Sewers at the leaſt, whereof three inhabiting within the ſaid Iſle, and three within the County of Norfolk, ſhall be ordered and ſet down.

The Undertakers ſhall have for the inning and maintaining of the grounds ſurrounded, two parts thereof,

II. And be it further enacted by the authority aforeſaid, That immediately after the ſaid grounds ſhall be drained, according to the true meaning of this Act, the ſaid Undertakers, their Heirs and Aſſigns, for and in conſideration thereof, and of the perpetual maintaining and preſerving of the ſame draining, as in this Act is hereafter mentioned, ſhall have, hold, and enjoy to them, their Heirs and Aſſigns for ever, in ſeveralty, two full parts in three to be divided of all the ſaid Fens and low grounds, the ſame to be ſet out by Metes and Bounds, before the Feaſt of St. Michael the Archangel, which ſhall be in the year of our Lord One thouſand ſix hundred and eight, by the ſeveral Owners of the ſaid Fens and low grounds, or in default of any of them, then at any time after by ſix Commiſſioners of Sewers at the leaſt, whereof four inhabiting within the ſaid Iſle.

III. And be it further enacted by the authority aforeſaid, That the ſaid two full parts ſhall be held of the ſeveral Lords, of whom the ſame are now holden, in free and common Soccage, by fealty only for all manner of ſervices, and not in Capite, nor by Knights ſervice; (2) And likewiſe that the ſaid two full parts ſhall be freed from paying any manner of Tythes until the Feaſt of St. Michael the Archangel next enſuing the end of ſeven years after the time limited for the draining aforeſaid.

Of whom the two parts ſhall be holden.

The two parts ſhall be diſcharged of Tythes during ſeven years.

IV. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That if it ſhall fall out at any time hereafter, that any of the ſaid Fen or low grounds, after they be once drained, ſhall be again ſurrounded in default of the ſaid Undertakers, their Heirs or Aſſigns, and ſo do continue at any time between the Feaſt of Saint Michael the Archangel, and the Annunciation of the bleſſed Virgin Mary then next following, by the ſpace of two months together, or do ſo continue at any time between the Feaſt of the Annunciation of the bleſſed Virgin Mary, and the Feaſt of Saint Michael the Archangel then next following, by the ſpace of one month together, and not in the mean time amended by the ſaid Undertakers, their Heirs or Aſſigns, That then and ſo often it ſhall and may be lawful for every Owner of the Grounds ſo ſurrounded, and not amended, by the view and appointment of ſix Commiſſioners of Sewers at the leaſt, whereof four inhabiting within the ſaid Iſle of Ely, being aſſembled for that purpoſe, to enter into the two full parts which were divided and ſet forth from his Grounds ſo ſurrounded, for the ſaid Undertakers as aforeſaid, and the ſame to have and enjoy according to his former Title, Eſtate and Intereſt, until the ſame Fens and low Grounds ſo ſurrounded, ſhall be recovered again by new draining or repair to the Coſts and Charges of the ſaid Undertakers, their Heirs or Aſſigns; Any thing herein contained to the contrary notwithſtanding.

A proviſion for the owners, if the grounds drained ſhall be again ſurrounded.

V. Provided alſo, That the authority given by this Act to the ſaid Undertakers, their Heirs or Aſſigns, for the draining of the ſaid Grounds, ſhall not extend to give any power to cut and drain thorow any other Grounds in any other manner, then by the Laws and Statutes of this Realm heretofore made, they may lawfully do. PR. 15 Car. 2. cap. 17.

The Undertakers ſhall not drain through other grounds otherwiſe then they may do by the Law.

Anno Regni JACOBI *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ,* viz. *Angliæ, Franciæ, & Hiberniæ ſeptimo, & Scotiæ quadrageſimo tertio.*

AT the fourth Seſſion of Parliament begun and holden by Prorogation at Weſtminſter, the Nineteenth day of February, in the Seventh year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland King, Defender of the Faith, &c. and of Scotland the Three and fourtieth: And there continued until the Three and twentieth day of July (And then Prorogued until the Sixteenth day of October next following, 1610.) To the high pleaſure of Almighty God, and the Weal publick of this Realm, were enacted as followeth.

CAP. I.

An Act for the better execution of Juſtice, and ſuppreſſing criminal Offenders in the North parts of the Kingdom of England.

WHereas in a Statute made in the third Seſſion of this preſent Parliament, Entituled, An Act for the utter abolition of all memory of hoſtility, and the dependancies thereof, between England and Scotland, and for the repreſſing of occaſion of diſcords and diſorders in time to come, it was amongſt other things enacted, That no natural born Subject of the Realm of England, or the Dominions of the ſame, ſhould for any high Treaſon, miſpriſion or concealment of high Treaſon, petty Treaſon, or any other whatſoever offence or cauſe committed within Scotland, be ſent out of England where he is apprehended, to receive his Trial, until ſuch time as both Realms ſhould be made one in Laws and Government, which is the thing ſo much deſired, as that wherin the full perfection of the bleſſed Union already begun in his Majeſties Royal perſon conſiſteth.

England and Scotland, R ſt. 1. Where an Engliſhman ſhall have his Trial, that committeth Felony in Scotland. 4 Jac. cap. 1.

II. Since the making of which Statute, although thoſe parts of the Kingdom of England, adjoyning and lying near to the Realm and Kingdom of Scotland, have been, and are by his Majeſties inceſſant care and princely policy, reduced to a more civil and peaceable eſtate then could in ſhort time have been expected or hoped for; (2) Yet experience teacheth, that Malefactors of either Realm having committed their offences in the other Realm, do forthwith flie and eſcape into their own Countrey, thereby to purchaſe their impunity, to the great and manifeſt grievance of the one Realm, and the diſhonour of the other: By means whereof very many great and hainous offences ſince the making of the ſaid Statute, have been, and are ſtill likely to be committed without condign puniſhment; (3) for that ſince the making of the ſaid Statute, there hath not been any one Offender committing any the offences aforeſaid in Scotland, that hath been proſecuted to his Trial, Judgment or Execution in England, by reaſon or upon any the Branches, Laws or Ordinances in the ſaid Statute mentioned or contained; (4) Whereby it manifeſtly appeareth, that the ſaid Clauſe in the ſaid Statute contained, and before in this preſent Act expreſly mentioned, concerning the not ſending out of England any natural born Subject of this Realm, or the Dominions of the ſame, for any whatſoever offence committed within the Realm of Scotland, to receive his Trial for any the ſaid offence, hath not brought forth that good effect as was hoped for, and by the ſaid Law intended, to the great prejudice and diſhonour of both Realms:

III. For the preventing of which apparent and too manifeſt miſchief and inconvenience, Be it enacted, and by the authority of this preſent Parliament eſtabliſhed, That if at any time or times after the end of this preſent Seſſion of Parliament, any perſon or perſons ſhall commit any offence or offences within the Realm of Scotland, which by the Laws of

If an Engliſhman ſhall commit Felony in Scotland, and then flie into

this

England, the Juſtices may ſend the Offenders unto Scotland to be tried.

the Realm of England, is, are, or ſhall be declared or adjudged to be petty Treaſon, Murder, Manſlaughter, Felonious burning of Houſes and Corn, Burglary, Robbing of Houſes by day, Robbery, Theft or Rape, and do or ſhall flie or eſcape into the Realm of England, and be or ſhall be apprehended within any the Counties of Northumberland, Cumberland, Weſtmerland, or any parts or members of the ſame, or within the parts or places lying on the Northſide of the River of Tine, commonly called or known by the names of Bedlingtonſhire, Northamſhamſhire and Iſlandſhire, the Town and County of Newcaſtle upon Tine, and the Town of Berwick upon Tweed, with the Bounds and Liberties thereof, That then it ſhall and may be lawful to and for the Juſtices of Aſſiſe, or any one of them in the abſence of the other, the Juſtices of Goal-delivery at their Goal-delivery, or any four of them, or the Juſtices of Peace in their general or quarter Seſſions, or any four of them, upon due and mature examination of the ſaid offence or offences in open Seſſions, and pregnant proofs of the ſame, by Warrant under their Hands and Seals, to remand and ſend all and every ſuch Offender and Offenders into the Realm of Scotland, there to receive their Trial for any the offences aforeſaid by them there committed; Any thing in the ſaid Statute to the contrary thereof notwithſtanding.

Continuance of this Statute. A like Act is to be made in Scotland.

IV. This Law to continue to the end of the firſt Seſſion of the next Parliament.

Provided nevertheleſs, and be it enacted by the authority aforeſaid, That this Statute, nor any clauſe therein contained, ſhall take effect or be in force, or in any wiſe be deemed or expounded to take effect, to any intent conſtruction or purpoſe, until a Law by Act of Parliament be made and eſtabliſhed within the Realm of Scotland, for the remanding and ſending out of the Realm of Scotland into the Realm of England, all and every perſon and perſons born within the Realm of Scotland, or the Dominions of the ſame, which ſhall at any time hereafter commit the offences aforeſaid within the Realm of England, to receive his or their Trial in the Realm of England, for all and every the ſaid offences by them committed in the Realm of England. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 14 Car. 2. Cap. 22.

CAP. II.

An Act that all ſuch as are to be Naturalized, or reſtored in Blood, ſhall firſt receive the Sacrament of the Lords Supper, and the Oath of Allegiance and the Oath of Supremacy.

Crown, Raſt. 19. What they ſhall be bound unto, who ſhall be Naturalized or reſtored in Blood.

Foraſmuch as the Naturalizing of Strangers, and reſtoring to Blood perſons attainted, have been ever reputed matters of meer Grace and Favour, which are not fit to be beſtowed upon any others then ſuch as are of the Religion now eſtabliſhed in this Realm; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That no perſon or perſons of what quality, condition, or place ſoever, being of the age of eighteen years or above, ſhall be Naturalized, or reſtored in Blood, unleſs the ſaid perſon or perſons have received the Sacrament of the Lords Supper within one month before any Bill exhibited for that purpoſe, and alſo ſhall take the Oath of Supremacy, and the Oath of Allegiance, in the Parliament Houſe, before his or her Bill be twice Read: (3) And for the better effecting of the Premiſſes, Be it further enacted by the authority aforeſaid, That the Lord Chancellor of England, or Lord Keeper of the Great Seal for the time being, if the Bill begin in the Upper Houſe, and the Speaker of the Commons Houſe of Parliament for the time being, if the Bill begin there, ſhall have authority at all times during the Seſſion of Parliament, to miniſter ſuch Oath and Oaths, and to ſuch perſon and perſons as by the true intent of this Statute is to be miniſtred. This Act to take place from and after the end of this preſent Seſſion of Parliament.

When this Act ſhall take place.

CAP. III.

An Act for the continuing and better maintenance of Husbandry and other Manual Occupations, by the true employment of moneys given and to be given for the binding out of Apprentices.

Apprentice, Raſt. 4. How money given for the binding of poor Children to Occupations, ſhall be beſtowed.

Foraſmuch as the true labour and exerciſe of Husbandry, and the bringing up of Apprentices of both Sexes in Trades and Manual Occupations, are things very profitable in the Commonwealth, and acceptable and pleaſing unto Almighty God, there being already great ſums of money freely given, and more in time to come like to be given by divers well diſpoſed perſons, unto the Corporations of divers Cities, Boroughs, Towns Corporate, and unto divers perſons in ſundry Towns not Corporate, and Pariſhes within this Realm of England, to be continually employed in the binding out as Apprentices, of a great number of the pooreſt ſort of Children unto needful Trades and Occupations; the experience whereof hath brought forth very great profit and commodity unto thoſe Cities, Towns and Pariſhes where any parts of the ſaid moneys have been ſo given and employed, and ſo no doubt there will conſequently enſue thereof the exceeding good of the Commonwealt in general: (2) And for that the moſt part of the poorer ſorts of Children, would (as heretofore) without ſuch good care and aſſiſtance be brought up in idleneſs, and diſordered kinds of life, to their utter overthrow, and to the great prejudice of the whole Commonwealth; (3) And for that it is very likely that many other well diſpoſed people will be the better encouraged, willingly to follow the like good example in beſtowing of good ſums of moneys to the ſame good and godly purpoſes, if it might be ſo provided, that ſuch moneys as have been already ſo freely given, or as hereafter ſhall be given for the binding out of ſuch poor Children Apprentices, may continually hereafter remain, and be wholly employed accordingly:

How money given for the binding out of Apprentices of

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all ſums of money ſo freely given at any time within three years laſt paſt, or hereafter to be given by any perſon or perſons, to be continually employed

for

Poor Children ſhall be employed and by whom.

for the binding out of Apprentices as aforeſaid, ſhall for ever from henceforth continue, and be from time to time uſed and employed to ſuch uſes, intents and purpoſes only, and by ſuch perſons, and in ſuch manner and form as ſhall be hereafter by this preſent Act ſpecificed and declared, except the ſame have been, or ſhall be otherwiſe ordered or diſpoſed by the Givers thereof; That is to ſay, (2) That all Corporations of all Cities, Boroughs and Towns Corporate, by what name or names ſoever they ſhall be known or incorporated, and in Towns and Pariſhes not incorporate, the Parſon or Vicar of every ſuch Town or Pariſh, together with the Conſtable or Conſtables, the Churchwarden or Churchwardens, Collectors, and the Overſees of the Poor for the time being, or the moſt part of them, where any ſuch ſum or ſums of money are already given, or ſhall be hereafter given to be ſo imployed, ſhall from time to time within the ſaid ſeveral Cities, Boroughs, Towns and Pariſhes reſpectively, have the nomination and placing of ſuch Apprentices, and the guiding and employment of all ſuch moneys as have been heretofore ſo given, or which hereafter ſhall be given, to and for the continual binding forth of ſuch and ſo many Apprentices, and in ſuch ſort as is already, or ſhall hereafter be ſo given and appointed, either by the laſt Will and Teſtament, or by any Writing or Writings under the Hands and Seals of any perſon or perſons which hath already, or hereafter ſhall ſo give any ſum or ſums of moneys unto the good and godly purpoſes and intents aforeſaid: (3) And if the Corporation of any ſuch Cities, Boroughs or Towns Corporate, by what name or names ſoever they ſhall be called or incorporated, or any the perſon or perſons in the other Towns and Pariſhes above mentioned, appointed by this Act to have continually the guiding and employment of ſuch ſums of moneys ſo already given, or hereafter to be given to the intents and purpoſes aforeſaid, ſhall at any time hereafter willingly forbear or refuſe, according to their duties in this behalf, to employ ſuch ſums of money ſo given or to be given as aforeſaid, for the binding out of ſuch Apprentices, by means of which wilful forbearance or refuſing, the ſaid money ſhall not be employed accordingly, that they and every of them ſo offending contrary to this Act, ſhall forfeit for every ſuch offence, the ſum of Three pounds ſix ſhillings and eight pence lawful Engliſh Money, the one half thereof to be given to the poor of the Town or Pariſh where ſuch fault or offence ſhall be done or committed, the other moiety to the party that ſhall ſue for the ſame; (4) And that every man that will, may and ſhall be admitted to ſue for the ſame moiety, for the uſe and benefit of the ſaid Poor, and ſhall be alſo admitted to ſue for the forfeiture of the other moiety in any of the Kings Majeſties Courts of Record, to his own benefit and behoof, by Action of Debt, Bill, Plaint, or Information, wherein no Protection, Wager of Law or Eſſoin ſhall be admitted or allowed.

The forfeiture of thoſe which of duty ought, and yet refuſe to employ the money.

The Party which receiveth the money, ſhall be bound with Sureties to repay it.

III. And for that all moneys ſo given may the better continue to and for the purpoſes aforeſaid, Be it enacted by the authority aforeſaid, That the Maſter, Miſtreſs or Dame of every ſuch Apprentice or Apprentices that ſhall receive any ſuch ſum or ſums of money as aforeſaid, ſhall become bound with one or two ſufficient Sureties, by Bond or Obligation in double the ſum which they and every of them ſhall ſo receive with ſuch Apprentice or Apprentices as aforeſaid, unto the Corporation of any ſuch City or Town-Corporate, by what name or names ſoever they ſhall be called or incorporated, or to ſuch perſon or perſons in the other Towns and Pariſhes not incorporated, appointed by this Act, to have continually the guiding and employment of all ſuch ſums of Money ſo already given, or hereafter to be given, to the intents and purpoſes aforeſaid, reſpectively; upon condition to pay ſuch Sum or Sums of money, as he or ſhe ſhall receive with ſuch Apprentice or Apprentices, at the end of ſeven years next enſuing the date of the ſaid Obligation, or within three months next after the end of the ſaid ſeven years: (2) And if ſuch Apprentice ſhall happen to die within the ſaid ſpace of ſeven years then within one year after his or her ſaid Death; (3) and if the Maſter, Miſtreſs, or Dame to whom any ſuch Apprentice or Apprentices ſhall be bound, ſhall happen to die within the ſaid ſpace of ſeven years, then within one year next after his or her ſaid Death; (4) ſo as the ſaid moneys may be again employed for placing ſuch Apprentice with ſome other perſon of the ſame Trade, to ſerve out the reſidue of the years of his or her former Apprenticeſhip by the diſcretion of the ſaid perſons truſted as aforeſaid.

Within what time the money ſhall be put forth.

IV. And be it further enacted by the Authority aforeſaid, That every ſuch ſum or ſums of money ſo given, or to be given in manner and form, and to and for the good uſes and intents aforeſaid, ſhall always be put forth and employed by the parties aforeſaid, that by this Act ſhall have the diſpoſing and employment thereof, within three months at the furtheſt, after ſuch money ſhall come to the hands of the ſaid parties, that by the intent and true meaning of this Act, ought to diſpoſe and employ the ſame; (2) and if at ſuch times there ſhall not be found fit and apt perſons to be bound out Apprentices as aforeſaid, within the ſaid Cities, Towns and Pariſhes where ſuch ſums of money are, or hereafter ſhall be given to be employed, as afore is declared, then ſuch of the pooreſt children of any of the Pariſhes next adjoyning, ſhall be bound Apprentices in manner as aforeſaid, as by the care and good diſcretions of the parties which by this Act have the diſpoſing and employment of the ſaid ſums of Money in the Cities, Towns and Pariſhes where it was firſt given to be employed, ſhall be thought fit and convenient, taking ſuch Bonds and Obligations of the perſons that ſhall receive the ſame ſums of Money ſo put forth, and with ſuch Sureties, and upon ſuch Conditions as is above mentioned and declared.

A Proviſion if there be not fit perſons in that Pariſh to be Apprentices.

What ſort of perſons ſhall be Apprentices.

V. Provided always, and be it enacted by the authority aforeſaid, That choice from time to time be made of the pooreſt ſorts of children of every ſuch City, Town and Pariſh where ſuch Moneys ſhall be ſo given, and whoſe Parents are leaſt able to relieve them: (2) And that no ſuch Apprentice ſhall be above the age of fifteen years when he or ſhe ſhall be ſo firſt bound out an Apprentice.

Accompt ſhall be made of the money employed.

VI. And for the better execution of this Act, Be it further enacted by the authority aforeſaid, That all and every perſon and perſons appointed by this Act, to have the employing and diſpoſing of any ſum or ſums of money ſo given or to be given as aforeſaid, within any Town or Pariſh not corporate, ſhall after the end of this preſent Seſſion of Parliament, once every year in the Eaſter-week, or within one month next after Eaſter-day, make a true and perfect account before four, three, or two Juſtices of the Peace dwelling in or next to every the ſaid Towns or Pariſhes, of all ſuch Sum and Sums of money as they or any them have employed in binding of Apprentices, by virtue of this Act, and of all Bonds and Obligations taken for the payment thereof; and alſo of all ſuch Sums of Money as then ſhall happen to be remaining in their hands not employed: (2) And alſo ſhall at the making and yielding up of the ſaid Account, or within ten days next following, yield and deliver up unto ſuch as ſhall happen next to ſucceed them, or then to be in the ſaid rooms and places, all ſuch Obligations and Bonds as by them or any of them have been before that time taken to the uſes aforeſaid; as alſo all ſums of money remaining in their or any of their hands, to be employed as aforeſaid, and not employed at the time of the yielding up of the ſaid Account.

A Remedy where any party truſted ſhall break the truſt, or commit any offence.

VII. And further be it enacted by the authority aforeſaid, That if any of the parties appointed and truſted by this Act to have the diſpoſing and employment of any of the ſaid ſums of money ſo given or to be given as aforeſaid, ſhall in any point or degree break the truſt and confidence in them in this behalf repoſed, or ſhall commit any other miſdemeanor or offence in miſemploying of the ſaid ſums of money, or any part thereof, or in doing any other act or acts contrary to their duties, and the true intent and meaning of this Act, for which there is not by this Act any penalty given or appointed, then it ſhall and may be lawful for any perſon or perſons whatſoever, in the behalf of the poor of ſuch City, Borough or Pariſh, to exhibit his Petition to the Lord Chancellor, or Lord Keeper of the Great Seal of England, for the time being, touching the ſame: Which Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, ſhall thereupon have full power and authority to award a Commiſſion out of the high Court of Chancery under the Great Seal of England, to ſuch and ſo many perſons as his Lordſhip ſhall think meet to enquire, hear and determine the ſaid offences, and every of them: (2) And if the ſaid Commiſſioners, or the moſt part of them ſhall find, that any ſum or ſums of money ſo given, or to be given, are loſt, impaired, waſted or diminiſhed, then they or the moſt part of them, ſhall likewiſe have power by virtue of this Act, and of their ſaid Commiſſion, to rate, raiſe, and collect the ſaid ſum of money ſo loſt, impaired, waſted or diminiſhed, upon ſuch perſon or perſons in places not incorporate, as by this Act are appointed to have the guiding and ordering of the ſaid moneys, if they or any of them have failed in their ſaid duties in that behalf, or otherwiſe upon the able Inhabitants of ſuch City, Town or Pariſh where the ſame ſhall ſo happen, as in the diſcretion of the ſaid Commiſſioners, or the greateſt part of them ſhall be thought fitteſt, and to return the ſaid Commiſſion, and the manner of the execution thereof into the ſaid high Court of Chancery within three months next after the execution thereof: (3) And if any perſon or perſons ſhall find himſelf grieved by any thing done by the ſaid Commiſſioners, then upon complaint made in the high Court of Chancery, the ſaid Lord Chancellor, or Lord Keeper for the time being, ſhall have full power and authority to order and decree the ſame, as to his Lordſhip ſhall be thought moſt fit to ſtand with equity and good conſcience.

A remedy for any party grieved by the Commiſſioners.

CAP. IV.

An Act for the due execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds and ſturdy Beggars, and other lewd and idle Perſons.

Vagabonds, Raſt. 17. Houſes of Correction ſhall be provided: And the government of them.

Co. In p. 72

Whereas heretofore divers good and neceſſary Laws and Statutes have been made and provided for the erection of Houſes of Correction, for the ſuppreſſing and puniſhing of Rogues, Vagabons, or other idle, vagrant and diſorderly perſons; which Laws have not wrought ſo good effect as was expected, as well for that the ſaid Houſes of Correction have not been built according as was intended, as alſo for that the ſaid Statutes have not been duly and ſeverely put in execution, as by the ſaid Statutes were appointed: (2) For remedy whereof, Be it enacted and eſtabliſhed by our Sovereign Lord the Kings Majeſty, and by the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Laws and Statutes now in force, made for the erecting and building of Houſes of Correction, and for puniſhing of Rogues, Vagabons, and other wandring and idle perſons, ſhall be put in due execution.

There ſhall be a houſe of Correction provided in every Shire to ſet idle perſons to work. 39 Eliz. 4.

II. And be it further enacted and eſtabliſhed by the authority aforeſaid, That before the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord God, One thouſand ſix hundred and eleven, there ſhall be erected, built, or otherwiſe provided, within every County of this Realm of England and Wales, where there is not one Houſe of Correction already built, purchaſed, provided or continued, one or more fit and convenient Houſe or Houſes of Correction, with convenient Backſide thereunto adjoyning, together with Mills, Turns, Cards, and ſuch like neceſſary Implements to ſet the ſaid Rogues, or ſuch other idle Perſons on work; the ſame Houſe to be built, erected or provided in ſome convenient Place or Town in every County: (2) Which Houſes ſhall be purchaſed, conveyed, or aſſured unto ſuch perſon or perſons, as by the Juſtices of Peace, or the more part of them, in their Quarter Seſſions of the Peace to be holden within every County of this Realm of England and Wales upon truſt, to the intent the ſame ſhall be uſed and employed for the keeping, correcting and ſetting to work of the ſaid Rogues, Vagabonds, or ſturdy Beggars, and other idle and diſorderly perſons.

The forfeiture of every Juſtice of Peace, if the houſe of Correction be not provided.

III. And be it further enacted by the authority aforeſaid, That if the houſe to be erected, purchaſed, or provided, ſhall not be erected, built, or otherwiſe provided, before the Feaſt of Saint Michael the Archangel, which ſhall be in the year One thouſand ſix hundred and eleven next enſuing the laſt day of this preſent Seſſion of Parliament, that then every Juſtice of Peace within every County of this Realm of England and Wales, where ſuch Houſe and Backſide ſhall not be erected or provided, ſhall forfeit for his ſaid neglect, Five pounds of lawful Engliſh money, (2) the one moiety thereof to be to him or them that will ſue for the ſame by

Action of Debt, Bill, Plaint or Information; in which Suit, no Protection, Eſſoin or Wager of Law ſhall be admitted; and the other moiety thereof to be employed and beſtowed towards the erecting, building, procuring or providing the ſaid Houſe and Backſide, and ſuch neceſſary Implements as aforeſaid.

IV. And be it further enacted and eſtabliſhed by the authority aforeſaid, That the Juſtices of Peace of every County within the Realm of England and Wales, at their Quarter Seſſions of the Peace, to be holden before their ſeveral Counties (next after the erecting, providing, or building of the ſaid Houſe or Houſes, and ſo from time to time) or the moſt part of them, ſhall elect, nominate and appoint at their will and pleaſure, one or more honeſt fit perſon or perſons, to be Governour or Maſter of the ſaid Houſe or Houſes ſo to be purchaſed, erected, built or provided: (2) Which perſon and perſons ſo choſen by virtue of this preſent Act, ſhall have power and authority to ſet ſuch Rogues, Vagabonds, idle and diſorderly perſons, as ſhall be brought or ſent unto the ſaid Houſe, to work and labour (being able) from time to time, for ſuch time as they ſhall continue and be remaining in the ſaid Houſe of Correction, and to puniſh the ſaid Rogues, Vagabonds, idle and diſorderly perſons, by putting Fetters or Gyves upon them, and by moderate whipping of them; (3) And that the ſaid Rogues, Vagabonds, and idle perſons, during ſuch time as they ſhall continue and remain in the ſaid Houſe of Correction, ſhall in no ſort be chargeable to the Countrey for any allowance, either at their bringing in, or going forth, or during the time of their abode there, but ſhall have ſuch and ſo much allowance as they ſhall deſerve by their own labour and work.

A Governor ſhall be appointed of every Houſe of Correction, and his authority.

The Rogues ſhall not be chargeable to the Countrey.

V. And be it further enacted by the authority aforeſaid, That the ſaid Juſtices of Peace of every County, within every of their ſeveral Diviſions, twice in every year at the leaſt, and oftner if there be occaſion, ſhall aſſemble and meet together for the better Execution of this Statute; and that ſome four or five days before their aſſembly and meeting, the ſaid Juſtices, or the more part of them, ſhall by their Warrant command the Conſtables and Tything-men of every Hundred, Town, Pariſh, Village and Hamlet within their ſeveral Diviſions, which ſhall be aſſiſted with ſufficient men of the ſame places, to make a general privy ſearch in one night within their ſaid Hundreds, Towns, Villages and Hamlets, for the finding out and apprehending of the ſaid Rogues, Vagabonds, wandring and idle perſons, (2) and that ſuch Rogues, Vagabonds, wandring and idle perſons, as they ſhall then find and apprehend in the ſaid ſearch, ſhall by them be brought before the ſaid Juſtices at the ſaid aſſembly or meeting, there to examine of their idle and wandring life, there to be puniſhed, or otherwiſe by their Warrant to be ſent and conveyed unto the ſaid Houſe or Houſes of Correction within the ſaid County, or to his Deputy or Aſſignee, to be ſet to labour and work: (3) at which days and times of aſſembly and meeting ſo to be held by the ſaid Juſtices of Peace, the Conſtables and Tythingmen of every Hundred, Pariſh. Town, Village and Hamlet, ſhall then appear in every their ſeveral Diviſions, before the ſaid Juſtices of Peace, at the ſaid aſſemblies or meetings, and there ſhall give account and reckoning upon Oath in writing, and under the Hand of the Miniſter of every pariſh, what Rogues, Vagabonds, and wandring and diſorderly perſons they have apprehended, both in the ſame ſearch, and alſo between every ſuch aſſemblies and meetings, and how many have been by them puniſhed, or otherwiſe ſent unto the Houſes of Correction: which if the ſaid Conſtables or Tythingmen ſhall neglect to perform, as alſo to convey ſafely all ſuch Rogues, with all other idle and diſorderly perſons, at the charge of the hundred, as by the Juſtices of Peace their Warrants ſhall be ſent unto the Houſes of Correction in the ſame County, that then they ſhall forfeit ſuch further Fines, pains, and penalties, as by the ſaid Juſtices of Peace, or the moſt part of them, ſhall be thought fit and convenient, not exceeding the ſum of fourty ſhillings for every offence.

General privy ſearch ſhall be made in every Hundred, Town, &c.

The Conſtables account of Vagabonds apprehended.

VI. And for that it is convenient, That the Maſters or Governors of the ſaid Houſes of Correction ſhould have ſome fit allowance and maintenance for their travel and care to be had in the ſaid ſervice, as alſo for the relieving of ſuch as ſhall happen to be weak and ſick in their cuſtody, and that the Subjects of this Realm ſhould in no ſort be overcharged, to raiſe up money for Stocks to ſet ſuch on work as ſhall be committed to their cuſtody; (2) Be it therefore enacted and eſtabliſhed by the authority of this preſent Parliament, That the Maſters or Governours of the ſaid Houſes of Correction, ſhall have ſuch ſums of money yearly, as ſhall be thought meet by the moſt part of the Juſtices of Peace within the ſaid County, at the Quarter Seſſions of the Peace, the ſame to be paid quarterly beforehand by the Treaſurers appointed by one Act made in the three and fourtieth year of the late Queen Elizabeth, Entituled, An Act for the relief of the poor, during the time they the ſaid Maſters and Governors ſhall be employed in the ſaid Service, (the ſaid Maſter or Governour giving ſufficient ſecurity for the continuance and performance of the ſaid Service) (3) which if the ſaid Treaſurer ſhall neglect or refuſe to perform, That then the ſaid Maſter or Governour of the Houſe of Correction, ſhall have authority by this preſent Act to levy the ſame, or ſo much thereof as ſhall be unpaid upon the ſaid Treaſurers Account, in ſuch manner and form as by the ſaid Statute they the ſaid Treaſurers are appointed and authorized to levy the weekly ſum or payment being to them unpaid.

The Governors allowance for his pains and maintenance.

43 Eliz. 2.

VII. And becauſe great charge ariſeth upon many places within this Realm by reaſon of Baſtardy, beſides the great diſhonour of Almighty God, Be it therefore enacted by the authority aforeſaid, That every lewd Woman, which after this preſent Seſſion of Parliament ſhall have any Baſtard which may be chargeable to the Pariſh, the Juſtices of Peace ſhall commit ſuch lewd Woman to the Houſe of Correction, there to be puniſhed, and ſet on work during the term of one whole year; (2) and if ſhe ſhall eſtſoons offend again, That then to be committed to the ſaid Houſe of Correction as aforeſaid, and there to remain until ſhe can put in good Sureties for her good behaviour, not to offend ſo again.

The puniſhment of lewd women which have Baſtards.

18 Eliz. 3.

2 Bulſtr. 348.

VIII. And for that many wilful people finding that they having Children, have ſome hope to have relief from the Pariſh wherein they dwell, and being able to labour, and thereby to relieve themſelves and their Families, do nevertheleſs run away out of their Pariſhes, and

A remedy for them that run away, and leave their children to the charge of the Pariſh.

leave their Families upon the Pariſh; (2) For remedy whereof, Be it further enacted by this preſent Parliament, and the authority of the ſame, That all ſuch perſons ſo running away, ſhall be taken and deemed incorrigible Rogues, and endure the pain of incorrigible Rogues: (3) And if either ſuch man or woman being able to work, and ſhall threaten to run away, and leave their Families, as aforeſaid, the ſame being proved by two ſufficient witneſſes upon Oath before two Juſtices of Peace in that Diviſion; That then the ſaid Perſons ſo threatning, ſhall by the ſaid Juſtices of Peace be ſent to the houſes of Correction, (unleſs he or ſhe can put in ſufficient Sureties for the diſcharge of the Pariſh) there to be dealt with and detained as a ſturdy and wandring Rogue, and to be delivered at the ſaid aſſembly or meeting, or at the Quarter Seſſions, and not otherwiſe.

The Governors ſhall give account to the Juſtices of all perſons committed to their cuſtody.

IX. And becauſe there ſhall be the more care taken by all ſuch Maſters of the Houſes of Correction, that when the Countrey hath been at trouble and charge to bring all ſuch diſorderly perſons, as aforeſaid, to their ſafe keeping, that then they ſhall perform their Duties in that behalf, (2) Be it therefore enacted by the authority aforeſaid, That if they ſhall not every Quarter Seſſions yield a true and lawful account unto the Juſtices of Peace, of all ſuch perſons as have been committed to their cuſtody; Or if the ſaid perſons committed to their cuſtody, or any of them, ſhall be troubleſome unto the Countrey, by going abroad, or otherwiſe ſhall eſcape away from the ſaid Houſe of Correction, before they ſhall be from thence lawfully delivered, That then the ſaid Juſtices ſhall ſet down ſuch Fines and Penalties upon the ſaid Maſter and Governours, as the moſt part of them in their Quarter Seſſions ſhall think fit and convenient, (3) and all Fines and Penalties not herein before limited, ſhall be paid unto the Treaſurer, and accounted for by the Treaſurer aforeſaid. (4) This Act to have continuance for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament after the ſaid ſeven years. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The continuance of this Act.

CAP. V.

An Act for eaſe in Pleading troubleſom and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſties Officers, for the lawful Execution of their Office.

Evidence, Raſt. 1.

The Plea of an Officer impleaded for the execution of his Office.

Cro.Ci 285, 1 Roll. Hull. 69, 7 Vaugh. Noy

FOr eaſe in pleading againſt any cauſeleſs and contentious Suits which have been, and daily are commenced and proſecuted againſt Juſtices of Peace, Mayors, or Bailiffs of Cities and Towns Corporate, Headboroughs, Port-reves, Conſtables, Tythingmen, Collectors of Subſidies and Fifteens, who for due execution of their Office have been troubled and moleſted, and ſtill are like to be troubled and moleſted by evil diſpoſed contentious perſons, to their great charge, and diſcouragement in doing of their Offices: (2) Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Action, Bill, Plaint, or Suit upon the Caſe, Treſpaſs, Battery, or falſe Impriſonment ſhall be brought after fourty days next after the end of this Seſſion of Parliament, in any of his Majeſties Courts at Weſtminſter, or elſewhere, againſt any Juſtice of Peace, Mayor or Bailiff of City or Town-Corporate, Headborough, Port-reve, Conſtable, Tythingman, Collector of Subſidy or Fifteens, for or concerning any matter, cauſe or thing by them or any of them done, by virtue or reaſon of their, or any of their Office or Offices, That it ſhall be lawful to and for every ſuch Juſtice of Peace, Mayor, Bailiff, Conſtable, or other Officer or Officers before named, and all others, which in their aid or aſſiſtance, or by their commandment ſhall do any thing touching or concerning his or their Office or Offices, to plead the general Iſſue, that he or they are not guilty, (3) and to give ſuch ſpecial matter in evidence to the Jury which ſhall try the ſame, which ſpecial matter being pleaded, had been a good and ſufficient matter in Law to have diſcharged the ſaid Defendant or Defendants of the Treſpaſs, or other matter laid to his or their charge: (4) And that if the Verdict ſhall paſs with the ſaid Defendant or Defendants in any ſuch Action, or the Plaintiff or Plaintiffs therein become Non-ſuit, or ſuffer any Diſcontinuance thereof, That in every ſuch caſe the Juſtices or Juſtice, or ſuch other Judge before whom the ſaid matter ſhall be tried, ſhall by force and virtue of this Act allow unto the Defendant or Defendants his or their double Coſts, which he or they ſhall have ſuſtained by reaſon of their wrongful vexation in defence of the ſaid Action or Suit; (5) for which the ſaid Defendant or Defendants ſhall have like remedy as in other caſes where Coſts by the Laws of this Realm are given to the Defendants. (6) And this Act to continue for ſeven years, and from thence to the end of the next Seſſion of Parliament after the ſaid ſeven years. Coke Inſt. 283. a. This Statute is enlarged, and made perpetual, 21 Jac. 12.

1 Roll. 174. pl. 49.
Moor 845. pl. 1141.

The Defendant allowed double Coſts of Suit.
3 Bulſtr. 77.

Continuance of this Act.

CAP. VI.

An Act for adminiſtring the Oath of Allegiance, and reformation of married Women Recuſants.

Crown, Raſt. 20.

Who ſhall take the Oath of Obedience to the King, and by whom it ſhall be miniſtred, and within what time.
3 Jac. 4.
1 Bulſtr. 199.

WHereas by a Statute made in the third year of your Majeſties Reign, Entituled, An Act for the better diſcovering and repreſſing of Popiſh Recuſants, the Form of an Oath to be miniſtred and given to certain perſons in the ſame Act mentioned, is limited and preſcribed, tending only to the declaration of ſuch duty, as every true and well-affected Subject, not only by bond of Allegiance, but alſo by the Commandment of Almighty God ought to bear to your Majeſty, your Heirs and Succeſſors: (2) Which Oath ſuch as are infected with Popiſh Superſtition do oppugne, with many falſe and unſound Arguments, the juſt defence whereof your Majeſty hath heretofore undertaken and worthily performed, to the great contentment of all your loving Subjects, notwithſtanding the gainſayings of contentious Adverſaries.

II. And to ſhew how greatly your loyal Subjects do approve the ſaid Oath, they proſtrate 12 Co. 1

themſelves at your Majeſties Feet, beſeeching your Majeſty, That the ſame Oath may be adminiſtred to all your Sujects: To which end we do with all humbleneſs beſeech your Highneſs that it may be enacted, (2) And be it enacted by the authority of this preſent Parliament, That all and every perſon and perſons, as well Eccleſiaſtical as Temporal, of what eſtate, dignity, preheminence, ſex, quality or degree ſoever he, ſhe or they be, or ſhall be, above the age of eighteen years, being in this Act mentioned and intended, ſhall make, take and receive a corporal Oath upon the Evangeliſts, according to the tenor and effect of the ſaid Oath ſet forth in the forementioned Statute, before ſuch perſon or perſons as hereafter in this Act is expreſſed: That is to ſay, (3) all and every Archbiſhop and Biſhop that now is, or hereafter ſhall be, before the Lord Chancellor, or Lord Keeper of the Great Seal for the time being.

Every perſon above the age of 18 years herein intended, ſhall take the Oath of Obedience. Before whom each perſon ſhall take the Oath.

Archbiſhops and Biſhops.

III. And all and every Eccleſiaſtical Judge, Officer and Miniſter, of what eſtate, dignity, preheminence or degree ſoever he or they be or ſhall be, before the Archbiſhop of the Province, or Biſhop, or other Ordinary of the Dioceſs for the time being, wherein ſuch Eccleſiaſtical Judge, Officer or Miniſter ought to exerciſe his ſaid Office, Place or Function.

Eccleſiaſtical Judges and Officers.

IV. And all and every perſon and perſons of or above the Degree of a Baron of Parliament, or Baroneſs of this your Highneſs Realm of England, and of all your Highneſs Privy Council, reſiding in London or Weſtminſter, or within thirty miles thereof, and the Preſidents of Wales and the North parts, before any four of your Highneſs Privy Council, whereof the Lord Chancellor, Lord Treaſurer, Lord Privy Seal, or Principal Secretary for the time being, to be one: (2) And if ſuch perſon or perſons live and reſide in the Countrey, diſtant above thirty miles from London, then before the Lord Biſhop of the Dioceſs, or ſuch other perſon or perſons as the Lord Chancellor or Lord Keeper of the Great Seal for the time being, ſhall thereto by Writ of Dedimus poteſtatem authorize.

A Baron, or Baroneſs, or above that degree, Privy Councellors, and Preſidents.

V. And all and every the ſworn Servants, ordinary and extraordinary, of your Highneſs, the Queens Grace, or of the Houſhold of the Prince of Wales, and of the reſt of your Highneſs Children, before the Lord Steward, the Lord Chamberlains and Vice-Chamberlains to your Highneſs and the Queen, the Treaſurer and Comptroler of your Highneſs Houſhold, the Maſter of your Highneſs Horſe, the Dean of the Chappel, and the Knight Marſhal for the time being, the Officers of the Green-cloth, or any three of them.

The ſworn ſervants of the King, the Queen, Prince, &c.

VI. All and every Temporal Judge, Juſtices of Peace, Sheriffs, Eſcheators, Feodaries, and other Officers and Miniſters of Juſtice in this preſent Act not ſpecially mentioned, and every other perſon and perſons that doth or ſhall receive any Fee of your Highneſs, your Heirs and Succeſſors, before the Lord Chancellor, or Lord Keeper of the Great Seal, Lord Treaſurer, Lord Admiral, Lord Warden of the five Ports for the time being, or one of them, or before one of the Chief Juſtices of either of your Majeſties Bench, or of the Common Pleas, or before the Juſtices of Aſſiſe of the ſame County where the Parties reſide, or other ſuch perſons as the the Lord Chancellor or Keeper of the ſaid Great Seal ſhall thereunto authorize.

Judges, Miniſters of Juſtice, and they which receive the Kings Fee.

VII. And all Mayors, Bailiffs, or other chief Officers of Cities and Towns-Corporate, by what name ſoever they be called or known, before ſuch perſon or perſons as uſually adminiſter the Oath to them at their firſt entrance into their ſaid Offices.

Chief Officers of Cities and Towns-Corporate.

VIII. And all and every the Knights, Citizens, Burgeſſes and Barons of the five Ports of the Commons Houſe of Parliament, at any Parliament or Seſſion of Parliament hereafter to be aſſembled, before he or they ſhall be permitted to enter into the ſaid Houſe, before the Lord Steward for the time being, or his Deputy or Deputies: (2) And the Maſter of the Ordnance, Lieutenant of the Tower of London, and Mint-maſter there, the four principal Officers of your Navy under the Lord Admiral, before the Lord Chancellor or Lord Keeper of the Great Seal, and the Lord Admiral for the time being, or any of them.

Knights, Citizens, Burgeſſes and Barons of the Parliament.

The Maſter of the Ordnance, Lieutenant of the Tower, &c.

IX. And all the Officers, Miniſters, Servants, and others, within your ſaid Tower of London, before the Lieutenant of Tower.

Officers and Servants in the Tower.

X. And all Vice-Admirals, Captains, Maſters, Officers, Miniſters, and Souldiers in your Highneſs Ships, or any of them, before the ſaid four Principal Officers of your Navy, or any two of them.

Officers and Souldiers in Ships.

XI. And all perſons having charge of Caſtles, Fortreſſes, Blockhouſes or Garriſons, and all Captains who ſhall have charge of Souldiers within your Highneſs Realm, before the Juſtices of Aſſiſe of the ſame County, or before two Juſtices of the Peace of the ſame County, City or Liberty where the ſame Caſtles, Fortreſſes or Blockhouſes ſhall ſtand, or the charge of Souldiers ſhall be.

Captains of Caſtles, Souldiers.

XII. All Doctors, Advocates and Proctors of the Civil Law, and their Clerks, before the Biſhop of the Dioceſs where they ſhall for the moſt part dwell or reſide.

Doctors, Advocates and Proctors of the Civil Law.

XIII. And all and every perſon or perſons Temporal that hereafter ſhall ſue Livery, or Ouſter le maine out of the hands of your Highneſs, your Heirs or Succeſſors, before his or their Ouſter le maine ſued forth and allowed, before the Maſter of the Wards and Liveries, or before the Surveyor and Attorney of your Highneſs ſaid Court, in open Court.

Suers of Livery.

XIV. All the Sergeants at Law, Servants to the Judges in your Highneſs Courts at Weſtminſter, and all other in the Sergeants Inns, before the Chief Juſtice of your Majeſties Bench, the Chief Juſtice of the Common Pleas, and the chief Baron of your Exchequer, or ſome, or one of them.

Sergeants at the Law, and the Judges Servants.

XV. All your Highneſs Subjects in the Inns of Court, or that hereafter ſhall be admitted thereunto, and the Principals and Treaſurers of every Inn of Chancery, before the Readers and Benchers of the ſeveral Houſes whereto they belong, or four of them at the leaſt, in their open Halls.

Gentlemen of the Inns of Court, and Principals of the Inns of Chancery.

XVI. All other your Majeſties Subjects, as well Ancients as other, not being Principal or Treaſurer, that now are, or hereafter ſhall be admitted into any Inn of Chancery, before the Principal or Treaſurer, and Ancients of the ſeveral Inns of Chancery, or four of them, in their open Halls.

All of the Inns of Chancery.

Prothonotaries, Officers, Attorneys, Clerks, &c.

XVII. All Prothonotaries, Philizers, Officers, Miniſters, Attorneys and Clerks that now are, or hereafter ſhall be admitted to write or practiſe in any of your Highneſs Courts at Weſtminſter, or in any other Court of Record, before the Judge or Judges of the ſame Court.

Clerks and Officers of the Chancery.

XVIII. All Clerks of the Chancery, and all their Under-clerks, and all other Officers of the ſaid Court of Chancery, and their Clerks, before the Maſter of the Rolls for the time being, or before two of the Maſters of the ſaid Court of Chancery.

Parſons Vicars, Curates, &c. School-maſter, Uſher.

XIX. All Parſons, Vicars, and Curates, and all other perſons Eccleſiaſtical taking Orders, and all and every School-maſter and Uſher, before the Biſhop of the Dioceſs, or other Ordinary in the ſame, ſitting in open Court.

The Vice-Chancellors in the Univerſities, and Principals of Colledges or Halls.

XX. The Vice-Chancellors of both the Univerſities for the time being, and the Preſidents, Wardens, Provoſts, Maſters of Colledges and Halls, and all other Heads and Principals of Houſes, Proctors and Beadles of the Univerſities, publickly in the Convocation, before the Senior Maſters there preſent.

Perſons promoted to degree in School.

XXI. And all and every other perſons whatſoever, that is or ſhall be promoted to any degree in School, before the Vice-Chancellor of the ſaid Univerſity for the time being, in the Congregation-Houſe.

Fellows and Scholars in Colledges.

XXII. All Fellows of Houſes, and all Scholars of Halls or Colledges, that now are, or hereafter ſhall be received into the ſame, being under the degree of a Baron, before the Preſident, Maſter, Provoſt, Warden, or other Head or chief Governour of that Colledge, Hall, or Houſe whreinto he ſhall be received, and in the open Hall.

Doctors and Practicers of Phyſick.

XXIII. And all Doctors of Phyſick, and all other who practiſe Phyſick, that now are, or hereafter ſhall be admitted into the Colledge of Phyſicians in London, before the Preſident of the ſame Colledge for the time being.

Aldermen, Sheriffs, and Freemen of Cities and Towns-corporate.

XXIV. And all Aldermen, Sheriffs, or Under-Officers whatſoever, of the Cities and Towns-Corporate, and all ſuch as hearafter ſhall be made Freemen of the ſaid City or Town-corporate, before the Mayor, Bailiffs, or other chief Officer of the ſaid City or Town, in the open Hall.

When the perſons aforeſaid ſhall take the ſaid Oath.

XXV. And to the intent that due execution may be had of the premiſſes without delay, it is further enacted by the authority aforeſaid, That all the perſons before named, who have any certain time limited or expreſſed when to take the aforeſaid Oath, ſhall at the time therein preſcribed take the ſame, and the reſt within ſix months next after the end of this preſent Seſſion of Parliament.

Who may tender the ſaid Oath, and to whom.

XXVI. And be it further enacted by authority of this preſent Parliament, That it ſhall and may be lawful to and for any of the Privy Council of your Highneſs, or of your Heirs and Succeſſors, and to and for every Biſhop in his Dioceſs, to require any Baron or Baroneſs, of the age of eighteen years or above, to take the ſaid Oath, (2) and to and for any two Juſtices, of Peace within any County, City, or Town-corporate, whereof one to be of the Quorum, to require any perſon or perſons, of the age of eighteen years or above, under the degree of a Baron or Baroneſs, to take the ſaid Oath: (3) And if any perſon or perſons, of or above the ſaid age and degree, now ſtand, or hereafter at any time ſhall ſtand and be preſented, indicted or convicted for not coming to Church, or not receiving the holy Communion or Sacrament of the Lords Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or other having lawful power to take ſuch Preſentment or Indictment, Then three of the Privy Council of your Highneſs, your Heirs, and Succeſſors, whereof the Lord Chancellor, Lord Treaſurer, Lord Privy Seal, or Principal Secretary to be one, upon knowledge thereof, ſhall require ſuch perſon or perſons to take the ſaid Oath: (4) And if any other perſon or perſons whatſoever, of and above the ſaid age, and under the ſaid degree, now ſtand, or at any time hereafter ſhall ſtand, and be preſented, indicted, or convicted for not coming to Church, or receiving the holy Communion or Sacrament of the Lords Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or any other having lawful power to take ſuch Preſentment or Indictment; or if the Miniſter, Petty-Conſtable and Church-wardens, or any two of them, ſhall at any time hereafter complain to any Juſtice of Peace, near adjoyning to the place where any perſon complained of ſhall dwell, and the ſaid Juſtice ſhall find cauſe of ſuſpicion, That then any one Juſtice of Peace, within whoſe Commiſſion or power ſuch perſon or perſons ſhall at any time hereafter be, or to whom complaint ſhall be made as aforſaid, ſhall upon notice thereof, require ſuch perſon or perſons to take the ſaid Oath: (5) And that if any perſon or perſons being of the age of eighteen years or above, ſhall refuſe to take the ſaid Oath duly tendered to him or her, according to the true intent and meaning of this Statute, That then the perſons authorized by this Law to give the ſaid Oath, ſhall and may commit the ſame Offendor to the common Goal, there to remain without bail or mainpriſe, until the next Aſſiſes, or general Quarter Seſſions to be holden for the ſaid Shire, Diviſion, Limit or Liberty; where the ſaid Oath ſhall be again in the ſaid open Seſſions required of ſuch perſon by the ſaid Juſtices of Aſſiſe, or Juſtices of the Peace then and there preſent, or the greater number of them: (6) And if the ſaid perſon or perſons, of the age of eighteen years or above, ſhall refuſe to take the Oath being tendered to him or her by the ſaid Juſtices of Aſſiſe and Goal delivery, in their own Aſſiſes or Goal-delivery, or the Juſtices of Peace or the greater part of them, in their general or Quarter Seſſions, Every perſon ſo refuſing, ſhall incur the danger and penalty of Præmunire, mentioned in a Statute made in the ſixteenth year of the Reign of King Richard the Second, (Except Women Covert, who ſhall be commited only to priſon, there to remain without bail or mainpriſe, till they will take the ſaid Oath.)

The penalty for refuſing to take the ſaid Oath

16 R. 2. 2.

Diſabled to execute or practiſe certain Offices or Sciences.

XXVII. And be it further enacted, That every perſon refuſing to take the ſaid Oath, as above, ſhall be diſabled to all intents and purpoſes, to execute any publick place of Judicature, or bear any other Office (being no Office of Inheritance or Miniſterial Function) within this your Highneſs Realm of England: (2) Or to the Uſe or Practice of the Common Law, or the Science of Phyſick or Surgery, or the Art of an Apothecary, or any Liberal Science, for his or their gain, within this Realm, until ſuch time as the ſame perſon ſhall receive the ſame Oath, according to the intent of this Statute.

2 Cr. 129.

XXVIII. And be it further enacted, That if any married Woman (being lawfully convicted as a Popiſh Recuſant, for not coming to Church) ſhall not within three months next after ſuch conviction, conform her ſelf, and repair to the Church, and receive the Sacrament of the Lords Supper, according to the former Laws and Statutes made and provided in that behalf touching Recuſants, That then ſhe ſhall be committed to priſon by one of the Privy Council of your Highneſs, your Heirs or Succeſſors, or by the Biſhop of the Dioceſs, if ſhe be a Baroneſs, or if ſhe be under that degree, by two Juſtices of the Peace of the ſame County, whereof one to be of the Quorum, there to remain without bail or mainpriſe, until ſhe ſhall conform her ſelf and come to Church, and receive the Sacrament of the Lords Supper, unleſs the Husband of ſuch Wife ſhall pay to the Kings Majeſty, his Heirs or Succeſſors, for the offence of the ſaid Wife, for every month Ten pounds of lawful money of England, or elſe the third part (in three parts to be divided) of all his Lands and Tenements, at the choice of the Husband whoſe Wife is ſo convicted as aforeſaid, for and during ſo long time as ſhe remaining a Recuſant convicted, ſhall continue out of priſon, during which time (and no longer) ſhe may be at liberty.

The penalty of a married woman Recuſant, which ſhall not come to the Church and receive the Sacrament. Sc. 3 Jac. 5.

CAP. VII.

An Act made for the puniſhing and correcting of deceit and frauds committed by Sorters, Kembers, and Spinſters of Wooll, and Weavers of Woollen Yarn.

Drapery, Raſt. 8.

The penalty of a worker of Wooll or Yarn that doth imbeſel or detain any part thereof.

Whereas by the Trade of Clothing, making of Bays, Says, and other Clothes and Stuffs made of Wooll, or partly of Wooll, many poor people are ſet on work, and great profit hath grown to the poor and Commonwealth thereby, (2) yet now by the abuſe and deceit of the Sorters, Kembers, Carders and Spinſters of Wooll to them delivered, by the perſons uſing the Trades aforeſaid, and Weavers of the Yarn made of ſuch Wooll, who are ſet on work by the Clothier, Maker of Bays, Says, and other Clothes and Stuffs aforeſaid, by unjuſtly, deceitfully, and falſly purloyning, imbeſelling, ſelling, and detaining of part thereof, to the great damage of the Clothier and others uſing the Trades aforeſaid, whereby true Cloth-making is much hindered, and idleneſs doth daily encreaſe: (3) So that many exerciſing the Trades beforementioned, are greatly impoveriſhed, and the parties which commit the offences aforeſaid, being poor and altogether unable to make recompence or ſatiſfaction for the Treſpaſſes, Deceits and Abuſes aforeſaid, have much diſcouraged the ſaid Clothier, Maker of Bays, and others of the Trades aforeſaid, to ſet poor people on work, whereby much poverty doth increaſe, and more is like daily to increaſe, to the great damage and hinderance of the Commonwealth:

II. For the preventing and reformation whereof, be it enacted by the authority of this preſent Parliament, that all and every ſuch lewd perſon and perſons, who ſhall at any time after twenty days next after the end of this Seſſion of Parliament, unjuſtly, falſly, or deceitfully convey away, imbeſel, purloyn, ſell or detain any part of the Wool or Yarn, delivered by any Clothier, Maker of Bays, Says, or by any other perſon or perſons making any ſuch Clothes or Stuffs, to any ſuch Sorter, Carder, Kember, Spinſter, or Weaver of Wooll or Yarn, That in every ſuch caſe and caſes, as well the Sorter, Carder, Kember Spinſter and Weaver ſo offending, as the Buyer and Buyers, Receiver and Receivers of the ſame, knowing the ſame, being thereof lawfully convicted (by confeſſion of the party or parties ſo offending, or by one ſufficient Witneſs upon Oath before two or more of the Kings Majeſties Juſtices of the Peace of the ſame County or Liberty where the ſame offence or offences ſhall be committed, or if it be within a Town-corporate, before the Mayor, Bailiff, or chief Officer, and one more of the Aldermen, or moſt ſubſtantial perſons of the ſaid Town, (2) who ſhall by force of this Act have full power and authority to miniſter the ſame Oath, and finally to hear, end, and determine all and every the offences aforeſaid) (3) ſhall give and make to the party and parties grieved, ſuch recompence and ſatiſfaction for ſuch their damage and loſs, as by the ſaid Juſtices, or chief Officers ſhall be ordered and appointed: (4) And if the party or parties ſo offending ſhall not be thought in the diſcretion of the ſaid Juſtices, or chief Officers, able or ſufficient, or do not make recompence or ſatiſfaction for the ſame offence or offences, in ſuch manner and form as by the ſaid Juſtices, or chief Officers ſhall be ordered and appointed as aforeſaid, Then the party or parties offending, for the firſt offence to be apprehended and whipped, or ſet in the Stocks in the place where the offence is committed, or in ſome Market-Town in the ſaid County, near unto the place where the offence or offences aforeſaid ſhall be committed, as ſhall be limited and appointed by the ſaid Juſtices of the Peace, or chief Officers: (5) and for the ſecond offence, to incur the like or ſuch further puniſhment by whipping, or being put in the Stocks, as the ſaid Juſtices of the Peace, or chief Officers, ſhall in their diſcretion think fit and convenient.

III. And be it likewiſe enacted by the authority aforeſaid, That all and every Receiver and Receivers, Buyer and Buyers of any Wooll or Yarn, imbeſelled or purloyned, contrary to the meaning of this Act, knowing the ſame to be imbeſelled or purloyned, ſhall be ſubject to like puniſhment as by this Act is inflicted or provided to be inflicted upon any ſuch perſon ſo imbeſelling or purloyning any ſuch Wooll or Yarn as aforeſaid.

The puniſhment of the receiver or buyer of imbeſelled Yarn.

IV. And be it likewiſe enacted, That all and every Spinner and Spinners of Wooll within the County of Eſſex, that ſhall receive any Wooll to be ſpun into Yarn for any Clothier, or Maker of Bays, Says, or other Stuffs aforeſaid, dwelling in the Town of Cogſhal, Bocking, Braintree, Halſteed, Wittam, or Colcheſter within the ſaid County, and ſhall deliver back again the Yarn made of the ſaid Wooll, by any ſhorter Reel then hath been there uſual of ancient time, that is to ſay, the ſaid Reel containing two yards about, ſhall be ſubject to like puniſhment as by this Act is inflicted, or provided to be inflicted upon any perſon or perſons imbeſelling and purloyning Yarn as aforeſaid.

Spinners of Wooll in certain Towns in Eſſex.

CAP.

CAP. VIII.

An Act to inlarge an Act of Parliament made in the ſecond and third years of King Philip and Queen Mary, intituled, An Act for the keeping of Milch Kine, or breeding and rearing of Calves.

Calves, Raſt. 5. 2 & 3 P. & M. 3.

13 Eliz. 25.

Whereas in the ſecond and third years of King Philip and Queen Mary, a profitable Act was made for the avoiding of the ſcarcity of Cattel and Victual, intituled, An Act for the keeping of milch Kine, and for the breeding and rearing of Calves, (2) which Act being then made only to continue to the end of the next Seſſion of Parliament, was found ſo neceſſary for the good of the Commonwealth, that after many continuances of it by ſeveral Parliaments, it was at length, in the thirteenth year of the Reign of our late Queen Elizabeth of happy memory, made perpetual: (3) Becauſe the ſaid Act hath not produced ſo good effect as was expected, in reſpect it did and doth extend only to ſuch paſture grounds as were incloſed before the ſaid Act, and wherein no perſon at the making of the ſaid Act, had Common for any Cattel at any time of the year, and not to ſuch paſture grounds as ſithence have been converted from tillage, and incloſed, or taken out of Commons, and incloſed, whereas in all equity and conſcience, many of the ſaid late Incloſures deſerve no way to be kept and enjoyed with more liberty, then the ſaid former and ancient Incloſures:

The Stat. of 2 & 3 P. & M. 3. ſhall be extended to grounds ſithence incloſed, or hereafter to be incloſed.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid former Act, and the pains and penalties therein contained, ſhall from and after the Feaſt of Saint Michael the Archangel now next enſuing, be extended and conſtrued, taken, expounded and adjudged to extend as fully to all intents, conſtructions and purpoſes, with the ſame Proviſoes, and in like manner, to all and every the Grounds apt and meet for milch Kine, ſince the making of the ſaid Act incloſed, or hereafter to be incloſed, and not to be laid open to Common at any time of the year, and to the Occupiers thereof, as to the Grounds before the ſaid Act made ſeveral, and wherein none had intereſt of Common at the time of making the ſaid Act, and to the Occupiers thereof, and as if the ſaid Grounds ſo lately incloſed, and hereafter to be incloſed and made ſeveral, had been ſo incloſed, and held ſeveral at the time of the making the ſaid Act, and as if no perſon or perſons, other than the Owners thereof, then had had intereſt of Common therein; Any word, ſentence, or clauſe in the ſaid former Act to the contrary in any wiſe notwithſtanding.

CAP. IX.

An Act for the bringing of Freſh Streams of Water by Engine from Hackney Marſh to the City of London, for the benefit of the Kings Colledge at Chelſey.

Clergy, Raſt. 1. A Colledge ſhall be erected at Chelſey, and a Trench ſhall be made to convey water from the River of Lee to London, to maintain the ſame. The cauſe of the erection of the Kings Colledge in Chelſey. The name of the Corporation. Ability to receive Lands not exceeding three thouſand pounds by year.

Whereas his Majeſty, of his moſt Royal and zealous Care for the Defence of true Religion now eſtabliſhed within this Realm of England, and for the refuting of Errors and Heriſies repugnant unto the ſame, hath been graciouſly pleaſed by his Letters Patents under the Great Seal of England, to found a Colledge at Chelſey near London, and therein to place certain learned Divines, and to incorporate the ſame by the Name of the Provoſt and Fellows of the Colledge of King James, in Chelſey near London, of the Foundation of the ſame James King of England, and hath of his moſt gracious bounty and goodneſs not only endowed the ſame with certain Lands, Priviledges and Immunities, but hath alſo for their further maintenance and ſuſtentation, given unto them a capacity and ability to receive and take from his Majeſty, or any of his loving Subjects, any Lands, Tenements, Hereditaments, Gifts, Benefits, and Profits whatſoever, not exceeding in the whole the yearly value of three thouſand pounds, as in and by the ſaid Letters Patents doth more at large appear:

II. And whereas alſo it is manifeſt and evident, that the bringing in of Freſh Streams of Running Water into the City of London, is very convenient, neceſſary and profitable, as well for the private uſe of ſuch as ſhall rent the ſame, as a help for cleanſing the ſaid City in the time of Sickneſs, and preſerving the ſame againſt all ſudden adventures of Fire:

The Provoſt and Fellows may dig a Trench out of the River of Lee, or ſcowre any old already made.

III. It is therefore enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That it ſhall and may be lawful to the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, at all and every ſuch place and places, in the open Fields or Marſhes lying between the Bridge called Lock-bridge, in or near the Pariſh of Hackney in the County of Middleſex, and the Bridge called Bow-bridge at Stratford-Bow in the Pariſh of Stepney, in the ſaid County (as by the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſigns, by and with the conſent and allowance of the Occupiers and Owners of the Soyl in the ſaid place or places, (2) and in default of ſuch Aſſent or Allowance, by ſuch compoſition firſt to be made with the ſaid Occupiers and Owners of the ſaid Soyl, as by the Commiſſioners by virtue of this Act, to be in this behalf appointed, ſhall be thought fit and convenient) to dig or cut from and out of the main River of Lee, on that ſide or bank of the ſame River which is next unto the City of London, a Ditch or Trench not exceeding in breadth ten Foot, or to ſcowre, cleanſe, or inlarge unto the breadth aforeſaid, any old Ditch or Trench there already made: (3) And the ſame Ditch or Trench either old or new ſo to be made, or to be cleanſed, to convey by or through the ſaid Fields and Marſhes in all places convenient, in ſuch ſort as the ſame may again be returned, and made to open it ſelf into the main River, within ſome ſuch convenient diſtance from the mouth thereof, as to the ſaid Commiſſioners ſhall (for the intents and purpoſes hereafter expreſſed) be thought fit: (4) Upon which Ditch or Trench, or places near adjoyning thereunto, it ſhall and may be lawful to the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſignes, to erect or cauſe to be erected certain Engines, Water-works or Water-wheels, as alſo Houſes or Coverings requiſite for the ſame, where by the aſſent of the ſaid Commiſſioners the ſame ſhall be agreed upon, to be no let or hinderance to the ordinary paſſage of Barges, Boats, or ſuch other Veſſels upon the ſaid River

The Provoſt, &c. may erect engines, water-works, &c. and houſes or coverings for the ſame.

of Lee, and by and through the ſaid Ditch or Trench to carry and convey ſo much of the water of the ſaid main River, as by the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſigns, ſhall be thought requiſite and neceſſary to be uſed for the working or motions of the ſaid Engines or Water-wheels, and ſhall alſo by the ſaid Commiſſioners be thought to be no prejudice or hinderance to the ordinary paſſage of Barges, Boats, or ſuch other Veſſels upon the ſame River:

The Provoſt, &c. may dig for opening of Springs of freſh Water, and convey the ſame by Trenches into a Pond.

IV. And that it ſhall and may be lawful to and for the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns (in all places apt and convenient, within a convenient diſtance of the ſaid Engines or Water-works) to dig for the taking and further opening of Springs of freſh water there found, or to be found on the Weſt-ſide of the ſaid River, next unto the City of London, and the water of the ſaid Springs to carry and convey by and through certain little Gutters or Trenches, or Pots or Pipes under the ground, into one Pit, Pond, or Head of convenient largeneſs, to be made by the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſigns, in ſome place apt for the ſame:

The Provoſt, &c. may convey in Pipes under the ground from the Water-works unto the City and Suburbs of London, the ſame water.

V. And that it ſhall and may be lawful to and for the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, having by art and ſleight of Engines and Water-works, or by any other means or device raiſed the Water of the ſaid Springs, and ſo much of the Water there running in the ſaid Ditch or Trench, as ſhall be thought neceſſary, to ſuch height, and into ſuch Place, Pond, Head or Receit (as to them ſhall ſeem in that behalf requiſite) to convey and carry the ſame in cloſe Pipes under ground, from the ſaid Water-works, and the ſaid other places of receit, unto the City of London and the Suburbs thereof, for the perpetual maintenance and ſuſtentation of the ſaid Provoſt and Fellows, and their Succeſſors, by the Rent to be made of the ſaid Waters conveyed as aforeſaid:

The Provoſt, &c. may dig and open the ground for laying of Pipes, and making of Conduit-heads.

VI. And that for the conveyance of the ſaid Water, it ſhall and may be lawful to and for the ſaid Provoſt and fellows, their Succeſſors, Deputies and Aſſigns, (in all places convenient between the ſaid Water-works and the ſaid City of London) to dig, cut and open the ground to ſuch depth and breadth as ſhall be convenient for the laying in of the ſaid Pipes or Pots through which the ſaid water ſhall paſs, and for making little Conduit-heads for vents unto the ſame, for the better paſſage of the ſaid waters: (2) And the ſame ground ſo opened for the purpoſe aforeſaid, (after the ſaid pipes or pots are laid in and placed) the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, ſhall with Turf, Earth, Gravel, or other materials, again fill up and cover.

The Provoſt, &c. ſhall have free paſſage through any ground for the making and continual preſervation of the ſame Works.

VII. And be it further Enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, from time to time, and at all times convenient, with their Men, Horſes, Carts, or other Carriages, to have free entry and paſſage by, over or through any Ground or Land, in places, and at times meet and convenient for the doing and performing of any thing requiſite for the making of the ſaid ſeveral paſſages of waters, or for the doing of any other act or thing concerning the ſame, authorized by this Act, as alſo for the continual preſervation and reparation of the ſaid Works, as often as need ſhall require.

Commiſſioners ſhall be appointed to ſet down the rates of the Damages which each perſon ſhall ſuſtain, and the recompence for the ſame.

VIII. And be it further enacted by the Authority aforeſaid, That the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being (by Commiſſion under the Great Seal of England, at the Requeſts and Charges of the ſaid Provoſt and Fellows, their Succeſſors, Subſtitutes and Deputies, or upon the Complaints or Petition of any perſon or perſons whom it may concern) ſhall nominate, appoint and authorize, by Commiſſion or Commiſſions under the Great Seal of England, ſeven diſcreet and ſufficient perſons, whereof two ſhall be Juſtices of Peace of the County of Middleſex, and two of the City of London, and three others at the choice and appointment of the ſaid Lord Chancellor or Lord Keeper, every of the ſaid perſons having Lands and Tenements of the clear yearly value of fourty pounds at the leaſt: (2) which ſaid ſeven perſons, or any four or more of them ſhall have power to order and ſet down what rate or rates, ſum or ſums of Money ſhall be paid by the ſaid Provoſt and Fellows (as well for ſatisfaction and recompence of damages, in making the fore recited Works, or any thing belonging to the ſame, as alſo for any manner of damages to be ſuſtained in the mending or reparation thereof from time to time, or any other coſts or charges ſuſtained by reaſon of the ſame) to the Lords, Owners and Occupiers of the Ground and Soyl, or to others intereſted in the ſaid River or Waters, for which compoſition is to be made by the intent of this Act, if the parties cannot of themſelves agree, and in what manner the ſame ſhall be paid:

The parties remedy to recover the recompence aſſeſſed.

IX. And that for the recovery of ſuch money as ſhall be ſo ordered and ſet down by the ſaid Commiſſioners, or any four or more of them, the party or parties to whom the ſaid money ſhall be due and payable, by the true intent of the ſaid Order, ſhall or may recover the ſame, together with the reaſonable coſts and damages for the forbearance thereof, againſt the ſaid Provoſt and Fellows, by Action of Debt, Bill or Plaint, in any his Majeſties Courts at Weſtminſter, wherein no Eſſoin or Protection ſhall be allowed.

Certain places exempt through the which the water is not to be conveyed.

X. Provided always, and it is further enacted by this preſent Parliament, and by the authority of the ſame, That the ſaid Water ſhall not be conveyed through the Houſe, Garden or Orchard of any perſon or perſons, or through any part thereof, or through any Corn-fields, while the Corn is growing or ſtanding in the ſame, without the conſent firſt had of the Owners and Occupiers of the ſaid Houſes, Gardens, Orchards, and Corn-fields.

CAP. X.

An Act for the reformation of Alehouſe-keepers.

Alehouſe, Raſt. 5. The penalty for any offence committed againſt the Stat. of 1 Jac. 2. and 4 Jac. 5.

Whereas notwithſtanding all former Laws and Proviſions already made, the inordinate and extreme vice of exceſſive Drinking and Drunkenneſs doth more and more abound, to the great offence of Almighty God, and the waſteful deſtruction of Gods good Creatures, (2) Be it enacted by the authority of this preſent Parliament, That if any perſon being an Alehouſe-keeper (after ſix weeks next enſuing this preſent Seſſion of Parliament) ſhall

21 Jac. 7.

ſhall be lawfully convicted for any offence or offences committed againſt any of the branches of two former Acts of Parliament made ſithence the beginning of this preſent Parliament, the one entituled, An Act to reſtrain the inordinate haunting and tipling in Inns, Alehouſes, and other Victualling-houſes; the other, entituled, An Act againſt the odious and loathſom ſin of drunkenneſs, that then every perſon or perſons ſo convicted, ſhall for the ſpace of three years next enſuing the ſaid Conviction, be utterly diſabled to keep any ſuch Alehouſe.

CAP. XI.

An Act to prevent the ſpoil of Corn and Grain, by untimely Hawking, and for the better preſervation of Pheaſants and Partridges.

Pheaſants, Raſt. 4. The penalty for killing of Pheaſants or Partridges at undue times, or by undue means. 1 Jac. 27.

WHereas in the firſt Seſſion of this preſent Parliament there was a good Law made, amongſt other things, for the preſervation of the Game of Pheaſants and Partridges, which hath not yielded that good ſucceſs as was by the ſame Law hoped for and intended, through diſorderly and unſeaſonable Hawking, whereby great quantity of Corn and Grain hath been, and is not only uncharitably ſpoiled and deſtroyed, but great numbers of Pheaſants and Partridges thereby killed and ſpoiled, before they be either fit to be Hawked at, or to be uſed for Food or Diet:

II. For the preventing of both which inconveniences and miſchiefs, Be it enacted by the authority of this preſent Parliament, That all and every perſon or perſons whatſoever, which at any time after the end of this preſent Seſſion of Parliament doth, or ſhall Hawk at, deſtroy or kill any Pheaſant or Pheaſants, Partridge or Partridges, with any kind of Hawk or Hawks, Dog or Dogs, by colour of Hawking, between the firſt of July and the laſt day of Auguſt, and the ſame offence or offences being proved by the confeſſion of the party, or by the teſtimony of two ſufficient witneſſes upon Oath, before two or more Juſtices of the Peace of the ſaid County, City or Town-Corporate wherein the offence ſhall be committed, or the party offending apprehended, ſhall be by the ſaid Juſtices of the Peace, for every ſuch offence, committed to the common Goal of the ſaid County, City, or Town-Corporate where the offence ſhall be committed, or the parties apprehended (2) there to remain for one whole month without bail or mainpriſe, unleſs that the ſaid offendor do, or ſhall forthwith upon the ſaid conviction pay, or cauſe to be paid to the Churchwardens of the ſaid Pariſh, or unto the Overſeers of the Poor, or ſome of them, where the ſaid Offence ſhall be committed, or the party apprehended, to the uſe of the poor of the ſame Pariſh, the ſum of fourty ſhillings for every ſuch Hawking at any Pheaſant or Partridge, and twenty ſhillings for every ſuch Pheaſant or Partridge which any and every ſuch perſon and perſons ſo offending and convicted (as aforeſaid) by himſelf, his Hawk or Hawks, Dog or Dogs, ſhall take, kill or deſtroy, contrary to the true purport, intent and meaning of this preſent Statute.

He that is puniſhed by this Law, ſhall be excuſed for any other.

III. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall be at any time hereafter convicted and puniſhed by virtue of this Law, That then the party ſo puniſhed, ſhall not for the ſame offence be eftſoons called in queſtion, and puniſhed by virtue of any other Law touching or concerning the like offence.

IV. Provided alſo, That no offendors ſhall be impeached or puniſhed by virtue of this Act, unleſs he or they be accuſed as delinquent, before the ſaid Juſtices of Peace within ſix months next after the ſaid offence or offences committed or done.

Within what time an offendor ſhall be accuſed.

V. And whereas by a Proviſo in the ſaid Statute contained, it is provided, That it ſhall and may be lawful to and for every perſon and perſons which have, or ſhall have free Warren, and to and for every Lord of a Manor, and to every Freeholder which is or ſhall be ſeized in his own right, or in the right of his wife, of lands, tenements or hereditaments to the clear yearly value of ten pounds or more by the year, over and above all charges and repriſes, of ſome eſtate of inheritance, (2) or of lands, tenements or hereditaments, in his own right, or in the right of his wife, for term of life or lives, of the yearly value of thirty pounds over and above all charges and repriſes, (3) or be, or which ſhall be worth in goods or chattels two hundred pounds (4) by him or themſelves, or by his or their menial Servants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Pheaſants and Partridges (in the day-time only) with Nets, in and upon his and their own, or his or their Maſters free Warren, Manor and Freehold, or on any part of them, betwixt the Feaſt of St. Michael the Archangel, and the Feaſt of the Birth of our Lord God yearly; any thing in this ſaid Law to the contrary notwithſtanding: (5) By colour of which liberty ſo given by the ſaid Proviſo, it is found by experience, that the ſaid Games of Pheaſants and Partridges have been, and ſtill are likely to be much ſpoiled and deſtroyed by many mean Tenants and Freeholders, againſt the will of the Lords or Owners of Inheritance of the ſaid Lands and Tenements:

A Repeal of a branch of the Statute of 1 Jac. 27. allowing certain perſons to take Pheaſants and Partridges.

VI. Be it therefore enacted by the authority aforeſaid, That the ſaid Proviſo, and every Clauſe, Article and Thing therein contained, ſhall be from the end of this preſent Seſſion of Parliament, utterly repealed, fruſtrate and made void; any thing in the ſaid Proviſo contained to the contrary notwithſtanding.

Who may take Pheaſants and Partridges, where and when.

VII. And that it ſhall and may be lawful for every perſon or perſons which have or ſhall have free Warren, and to and for every Lord of a Manor, and to and for every Freeholder which is or ſhall be ſeiſed in his own right, or in the right of his wife, of lands, tenements, and hereditaments, to the clear yearly value of fourty pounds, or more, by the year, over and above all charges and repriſes, of ſome eſtate of inheritance, (2) or of lands, tenements and hereditaments in his own right, or in the right of his wife, for term of life or lives, of the yearly value of fourſcore pounds, over and above all charges and repriſes (3) or which ſhall be worth in goods and chattels four hundred pouns, (4) by him or themſelves, or by his or their menial and houſhold Servants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Pheaſants and Partridges (in the day time only) in and upon his and their own, or his and their Maſters free Warren, Manor and Freehold, as aforeſaid, or on any part of them, betwixt the Feaſt of St. Michael the Archangel, and the Birth of our Lord God yearly; any thing in the ſaid Law before mentioned to the contrary notwithſtanding.

VIII. And whereas the ſaid Games of Pheaſants and Partridges are exceſſively ſpoiled and deſtroyed by baſe perſons, of bad and mean condition, making a Trade and Living of the ſpoiling and deſtroying of the ſaid Games, who are not of ſufficiency to pay any penalty in any former Statute mentioned, nor to anſwer the coſts and charges of any that ſhould inform and proſecute againſt them in any of his Majeſties Courts: (2) By reaſon whereof, and for that the ſaid Offenders are hardly diſcovered, and ſeldom or never found offending in the preſence of divers Witneſſes, ſo that it is very hard to convict them by the teſtimony of more witneſſes then one, by reaſon that they ſpoil and deſtroy the ſaid Games ſecretly, and for the moſt part in the night-time, and do carry ſuch Pheaſants and Partridges as they ſo deſtroy, likewiſe by night, to Cities, and Market-Towns to be ſold: (3) Be it therefore further enacted by the authority aforeſaid, That all and every perſon or perſons which from and after the firſt day of September next, ſhall take, kill or deſtroy any Pheaſant or Partridge with Setting-dogs and Nets, or otherwiſe with any manner of Nets, Snares or Engines; And the ſame offence or offences being proved by the Confeſſion of the Party, or by the teſtimony of one ſufficient Witneſs upon Oath, before two or more Juſtices of the Peace of the ſame County, City or Town-Corporate wherein the offence ſhall be committed, or the party offending apprehended, ſhall be by the ſaid Juſtices of Peace, for every ſuch offence committed to the common Goal of the ſaid County, City or Town-Corporate where the offence ſhall be committed, or the party apprehended, (4) there to remain three months without bail or mainpriſe, unleſs that the ſaid offendor ſhall forthwith pay, or cauſe to be paid to the Churchwardens or Overſeers of the Poor of the ſaid Pariſh where the ſaid offence ſhall be committed, the Sum of twenty ſhillings for every Pheaſant or Partridge which any or every ſuch perſon or perſons ſo offending, ſhall take, kill or deſtroy as aforeſaid, contrary to the purport and true meaning of this Statute, (5) and further to become bound by Recognizance in the Sum of twenty Pounds to his Majeſty, his Heirs and Succeſſors, with Condition that he the ſaid party ſo offending, ſhall not at any time hereafter take, kill or deſtroy any Pheaſant or Partridge; (6) which ſaid Recognizance ſhall be taken by any one or more Juſtices of Peace of the ſaid County, City or Town-Corporate where the offence ſhall be committed, as aforeſaid, and ſhall be returned to the then next Quarter Seſſions, and there to remain of Record as other Recognizances taken for the Peace.

The penalty for taking any Pheaſants or Partridges with Setting-dogs, Nets, &c.

IX. And be it further Enacted, That every Conſtable and Headborough in every County, City, Town-Corporate, and other place where they ſhall be ſworn Officers, ſhall and may by virtue of this preſent Act, (bringing with them to that purpoſe a lawful Warrant under the hands of two Juſtices of the Peace of the County, City, Liberties, or Town-Corporate) have full power and authority to enter into, and ſearch the houſe or houſes of any perſon or perſons (other then ſuch as by this preſent Act are allowed to take Pheaſants and Partridges with Nets as aforeſaid) being ſuſpected to have any Setting-dogs or Nets, for the taking of Pheaſants and Partridges, (2) and whereſoever they find any ſuch Setting-dogs or Nets, the ſame to take, carry away and detain, kill, deſtroy, and cut in pieces, as things prohibited by this Act, and forfeited to ſuch of the ſaid Officers as ſhall find out and take the ſame as aforeſaid.

Officers may ſearch the houſes of perſons ſuſpected to offend.

X. This Law to continue unto the end of the firſt Seſſion of the next Parliament, and no longer. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

Continuance of this Act.

C A P. XII.

An Act to avoid the double Payment of Debts.

Whereas divers men of Trades and Handycrafts-men keeping Shop-books, do demand Debts of their Cuſtomers upon their Shop-books long time after the ſame hath been due, and whenas they have ſuppoſed the particulars and certainty of the Wares delivered, to be forgotten, then either they themſelves or their Servants have inſerted into their ſaid Shop-books, divers other Wares ſuppoſed to be delivered to the ſame parties, or to their uſe, which in truth never were delivered, and this of purpoſe to increaſe by ſuch undue means the ſaid Debt: (2) And whereas divers of the ſaid Tradeſmen and Handycrafts-men, having received all the juſt Debt due upon their ſaid Shop-books, do oftentimes leave the ſame Books uncroſſed, or any way diſcharged, ſo as the Debters, their Executors or Adminiſtrators, are often by Suit of Law enforced to pay the ſame Debts again to the party that truſted the ſaid Wares, or to his Executors or Adminiſtrators, unleſs he or they can produce ſufficient proof by Writing or Witneſſes, of the ſaid Payment, that may countervail the credit of the ſaid Shop-books, which few or none can do in any long time after the ſaid payment: (3) Be it therefore Enacted by the authority of this preſent Parliament, That no Tradeſman, or Handycrafts-man keeping a Shop-book, as is aforeſaid, his or their Executors or Adminiſtrators, ſhall after the Feaſt of Saint Michael the Archangel next coming, be allowed, admitted or received to give his Shop-book in evidence in any Action for any Money due for Wares hereafter to be delivered, or for work hereafter to be done, above one year before the ſame Action brought, except he or they, their Executors or Adminiſtrators ſhall have obtained or gotten a Bill of Debt, or Obligation of the Debter for the ſaid Debt, or ſhall have brought or purſued againſt the ſaid Debter, his Executors or Adminiſtrators, ſome Action for the ſaid Debt, Wares or Work done, within one year next after ther ſame Wares delivered, Money due for Wares delivered, or Work done.

Debt, Raſt. 8. In what caſe a Tradeſmans Shop-book ſhall be no evidence to recover a Debt.

II. Provided always, That this Act, or any thing therein contained, ſhall not extend to any intercourſe of Traffick, Merchandizing, Buying, Selling, or other Trading or Dealing for Wares delivered or to be delivered, Money due, or Work done, or to be done, between Merchant and Merchant, Merchant and Tradeſman, or between Tradeſman and Tradeſman, for any thing directly falling within the circuit or compaſs of their mutual Trades and Merchandize; but that for ſuch things only, they and every of them ſhall be in caſe as if this Act had never been made, any thing herein contained to the contrary thereof notwithſtanding.

Intercourſe of Traffick between Merchants.

This

Continuance of this Act.

This Act to continue to the end of the firſt Seſſion of the next Parliament, and no longer. 3 Car. 4 Continued until the end of the firſt Seſſion of the next Parliament. 38 El. 35. 5 El. 6.

CAP. XIII.

An Act for the Explanation of one Statute made in the ſecond Seſſion of this preſent Parliament, Entituled, An Act againſt unlawful Hunting, and ſtealing of Deer and Conies.

Hunters, Raſt. 5. The forfeiture for hunting or killing of Deer in a Park, &c. 3 Jac. 13.

WHereas queſtion and doubt hath grown and riſen upon the expoſition of a Statute made in the ſecond Seſſion of this preſent Parliament, Entituled, An Act againſt unlawful Hunting, and ſtealing of Deer and Conies, for that in the body of the ſaid Act, all unlawful hunting, driving or chaſing out, or taking, killing or ſlaying any Deer or Conies within any the Parks, Places or Grounds in the ſaid Statute mentioned, againſt the will, mind or pleaſure of the owners, occupiers or poſſeſſioners of the ſame (as well by day as by night) is prohibited and made penal, in ſuch manner and form as in and by the ſaid Statute it doth and may more plainly appear; and yet by a Proviſo in the ſaid Statute contained, it is enacted, That the ſaid Act, nor any thing therein contained, ſhould extend to any offence or offences concerning the hunting, chaſing or killing of Deer or Conies, which ſhould be done or committed in the day-time here, but only to ſuch offences as ſhould be then after done or committed in the night-time only; Any thing in the ſaid Act contained to the contrary notwithſtanding:

II. For the Explanation of which doubt and queſtion, and for that it is found by experience, that Malefactors of that kind have been much encouraged to chaſe, hunt, kill and deſtroy Deer in the day-time by colour of the ſaid Proviſo, whereby many Deer, as well in the Parks of our Sovereign Lord the King, as of many his Highneſs loving Subjects, have been, and are ſtill like to be unlawfully and riotouſly chaſed, hunted and deſtroyed by many idle, looſe and diſorderly perſons: (2) Be it therefore Enacted by the authority of this preſent Parliament, That from and after the Feaſt of St. James the Apoſtle next enſuing, ſo much of the ſaid Proviſo in the ſaid Statute contained, as concerneth the hunting, chaſing out, or killing of Deer only, ſhall be repealed, fruſtrated and made void; Any thing in the ſaid Proviſo of the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding.

A repeal of ſo much of a Proviſo contained in the Statute of 3 Jac. 13. as concerned the hunting of Deer.

III. And whereas it was by the ſaid former Statute, amongſt other things, enacted, That if any perſon or perſons did, or ſhould wrongfully or unlawfully hunt, chaſe or drive out, or take, kill or ſlay any Deer within any Park, or other place in the ſaid Statute mentioned, againſt the will, mind or pleaſure of the owners, occupiers, or poſſeſſioners of the ſame, That then every ſuch perſon ſo offending, ſhould ſatisfie and pay unto the party grieved, his treble damages in ſuch manner and form as in the ſaid Statute is mentioned: (2) By reaſon of the uncertainty whereof, few or no offenders have been diſcouraged in their ſaid huntings, drivings, chaſings out, taking, killing or ſlaying of Deer:

IV. For remedy whereof, Be it further by the authority of this preſent Parliament enacted, That if any perſon or perſons from and after the Feaſt of Saint James the Apoſtle next coming, after the end of this preſent Seſſion of Parliament, ſhall willingly commit any the offences in the ſaid Statute mentioned, concerning the unlawful chaſing out, hunting, driving, taking, killing or ſlaying of Deer in any Park or incloſed Ground, which now is, or hereafter ſhall be made or uſed for Deer, againſt the will, mind or pleaſure of the owners, occupiers or poſſeſſioners or keepers of the ſame, That then all and every ſuch perſon and perſons ſo offending, ſhall for every ſuch offence pay and ſatisfie unto the party grieved, the Sum of Ten pounds of currant money of England, or elſe treble damages and coſts, at the election of the party grieved; (2) The ſame to be recovered in ſuch manner and form as in and by the ſaid Statute is limited and appointed for the recovery, taxing or aſſeſſing of the ſaid treble damages; Any thing in the ſaid Statute, or in this preſent Act contained to the contrary notwithſtanding.

Continuance of this Act.

V. This Law to continue unto the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued unto the end of the firſt Seſſion of the next Parliament.

CAP. XIV.

An Act for reviving of part of a former Act made in the fourth year of King Edward the Fourth, That no Stranger or Alien ſhall buy Engliſh Horns unwrought; and that the Wardens of the Horners of the City of London for the time being, ſhould have power to ſearch all manner of Wares appertaining to their Myſtery in London, and 24 Miles on every ſide of it.

Horners, Raſt. 1.

4 Ed. 4. 8.

IN all humble manner ſhewen and beſeechen your moſt excellent Majeſty, the Wardens and men of Occupation of Horners of the City of London; That whereas in the Parliament holden at Weſtminſter in the fourth year of the Reign of King Edward the fourth, grievous complaint was made by men of the Occupation of Horners, being infranchiſed in the City of London, how that the people of ſtrange lands hath come into this Land, and into divers parts thereof, and hath bought by the hands of their Hoſts and Guides, the great and chief Stuff of Engliſh Horns unwrought, of Tanners and Butchers, and carry the ſame over the Sea, and there employ the ſame in divers Works, to the great damage of this Land, and to the final prejudice of a great number of men being of the Occupation of Horners:

No Stranger ſhall buy any Engliſh Horns unwrought in London or within twenty four miles compaſs thereof.

II. It pleaſed the Kings Majeſty, by the advice and aſſent of the Lords Spiritual and Temporal in that Parliament aſſembled, and at the requeſt of the Commons of the ſame, and by the authority of the ſame Parliament, to ordain, eſtabliſh and enact, That from the Feaſt of Eaſter, which then ſhould be in the year of our LORD GOD, One thouſand four hundred ſixty five, That no Stranger, nor Alien, by himſelf or by any other, ſhould buy any Engliſh Horns unwrought, of any Tanners, Butchers, or of any other perſons, gathered or growing within the ſaid City, or four and twenty miles on every ſide of the ſaid City next adjoyning: (2) And that no Engliſh-man, nor other perſon ſhould ſell any Engliſh Horns unwrought to any Strangers, or cauſe them to be ſent over the Sea, ſo that the ſaid Horners would buy the ſaid Horns at like price as they were at the time of the making of the ſaid Act, upon pain of Forfeiture of all ſuch Horns ſo bought, ſold or ſent: (3) And that the War-

dens

The Wardens of Horners may ſearch for inſufficient ware.

After Engliſh men have choſen Horns, Strangers may buy the reſidue.

1 Jac. 25.

dens of the ſaid Myſtery for the time being, by the ſaid authority, ſhould have full power to ſearch all manner of Ware pertaining to their Myſtery, wrought or to be wrought, in all places within the ſaid City of London, and four and twenty miles on every ſide next adjoyning to the ſame City, and within the Fairs of Sturbridge and Ely, in whoſe hands they might be found: (4) And if they by their ſearch find any ſuch Ware or Stuff in any place within the ſaid City of London, and four and twenty miles next adjoyning to the ſame City, or within the Fairs of Sturbridge and Ely, in whoſe hands ſoever they be to ſell, that was defective and inſufficient, it ſhould be lawful to them to take the ſame Ware, and Stuff, and bring it before the Mayor of the ſaid City of London, the Mayors or Bayliffs of the aforeſaid Fairs, for the time being; (5) and the ſame there being proved defective, to be forfeit, the one half thereof to our Soveraign Lord the King, and the other half to the ſaid Wardens to be ordered at their pleaſure; (6) In which ſaid Act it is provided, That after that men of the ſaid Occupation within this Land ſhall have taken out and choſen ſuch and as many Horns as ſhould be needful to their Occupation, That then it ſhould be lawful to them all, and to every of them, and other perſons of this Realm of England, to ſell and deliver all the Horns refuſed, which be not able to be occupied in their Myſtery, to any ſtranger or other perſon, to ſend or carry beyond the Sea, or elſewhere, as ſhould pleaſe them: (7) The which Act in the Parliament holden at Weſtminſter in the firſt year of your Majeſties Reign, was wholly repealed and made void:

The complaint that ſtrangers do buy Engliſh Horns unwrought.

Part of the Statute of 4 Ed. 4. 8 revived touching Horns.

III. Foraſmuch as ſince the repealing of the ſaid Act, Strangers and Aliens by the hands of divers of their Factors, Servants, and Dealers for them, have and do (as before the making of the ſaid Statute of Edward the Fourth they did, that is) dayly buy up, and procure unto themſelves the great and chief Stuff of Engliſh Horns unwrought, of Tanners and Butchers, and otherwiſe, and do dayly convey and carry them beyond the Seas, and there make them into divers works whereby many Houſholders of your Majeſties Subjects, that lived and maintained their Families, and paid Subſidies, and other duties to your Highneſs, by the benefit of their labour in working the ſaid Horns, having no other Trade or means by labour, to maintain and keep themſelves, their Wives and Children, the Company being greatly increaſed, and the Stuff altogether in a manner tranſported, occaſioneth ſuch a decreaſe of the Ware, as hereby the Company is grown ſo poor and decayed, as in ſhort time, if remedy be not provided, they and theirs be utterly undone: (2) And alſo by the repealing of the ſaid Act, the Wardens of the ſaid Horners of the ſaid City of London are diſabled to ſearch the Wares belonging to their ſaid Craft, as well within the ſaid City, as in other places in the ſaid Act mentioned, and have loſt their Government in their Company; (3) Therefore pleaſeth it your Highneſs, that it may be enacted by your moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and every part and point thereof, (Except power of ſearch within the Fairs of Sturbridge and Ely, and except the limitation of ſuch prices for Horns as they were to be had for at the making of the ſaid Act) ſhall be revived, and be of like force, power and virtue from henceforth, as if the ſame had not been repealed.

None ſhall ſell Engliſh Horns unwrought to a Stanger.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons whatſoever ſhall ſell any Engliſh Horns unwrought to any Stranger, or ſend any Engliſh Horns unwrought over the Sea, contrary to the true meaning of the ſaid Act, (2) upon pain of forfeiture of double the value of the Horns ſo by him or them ſo ſold or ſent; The ſame forfeiture to be recovered by him or them that will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record; the one moiety hereof to be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame; In which Suit no Protection, Priviledge or Wager of Law to be admitted for the Defendant.

CAP. XV.

An Act concerning ſome manner of Aſſignment of Debts to his Majeſty.

Debt to the King, Raſt. 10. What Debts only may be aſſigned to the King.

Whereas it is conceived that ſome manner of Aſſignment of Debts, if they ſhould be made to his Majeſty, his Heirs and Succeſſors, the ſame would be inconvenient: His Majeſty therefore is well pleaſed that it be enacted, (2) And be it enacted by authority of this preſent Parliament, That no Debt ſhall at any time after the firſt day of July, which ſhall be in the year of our LORD GOD, One thouſand ſix hundred and ten, be aſſigned to the Kings Majeſty, his Heirs and Succeſſors, by or from any Debtor or Accomptant to his Majeſty, his Heirs or Succeſſors, other then ſuch Debts as did before grow due originally to the Kings Debtor or Accomptant bona fide; (3) And that all Grants and Aſſignments of Debts to the Kings Majeſty, his Heirs or Succeſſors, which from and after the ſaid firſt day of July, ſhall be had or made contrary to the true intent of this Act, ſhall be void, and of no force; Any Law, Cuſtom, Priviledge or thing to the contrary in any wiſe notwithſtanding.

CAP. XVI.

An Act for the encouragement of many poor people in Cumberland and Weſtmerland, and in the Towns and Pariſhes of Carptmel, Oxhead and Broughton in the County of Lancaſter, to continue a Trade of making Cogware, Kendals, Carptmeals and courſe Cottons.

Drapery, Raſt 81. Certain courſe Cloth made in the North, which ſhall not be ſearched or ſealed, nor Cuſtom or Aulnage paid for them.

The effect of the Statute of 9 H. 4. 42. touching Kenda Cloth

Whereas by a Statute made in the ninth year of the late King Henry the Fourth, it was enacted, That no Cloth called Kendals (whereof the Dozen paſſed not vj.s.viij.d.) ſhould be ſealed with the Kings Seal, nor Aulnage great nor little to be paid for the ſame: (2) And that the Owners might freely ſell the ſaid Clothes not ſealed, without forfeiting any thing to the King for the ſame; notwithſtanding any Statute or Ordinance to the contrary: (3) Sithence the making of which Statute, the ſaid Kendals, and other courſe things of like nature, and made of the like courſe Wooll, and differing in name only, called Cogware, courſe Cottons, and Carptmeals, have been made in ſuch ſort as the parties which made the ſame were able, and as beſt might pleaſe the buyer, without being limited to any certain weight, or to any aſſize of length or breadth, and were never ſearched nor ſealed with any Seal, nor ſubject to any penalty for the not ſealing thereof with any Seal, nor any Subſidy nor Aulnage paid for the ſame, until of late that certain evil diſpoſed perſons, contrary to the true meaning of the ſaid Law, have by colour of a late Statute made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, Entituled, An Act againſt the deceitful ſtretching and tentering of Northern Cloth, endeavoured to make the ſaid Cogware, Kendals, Carptmeals, and Courſe Cottons, ſubject to ſearch, and have demanded for the ſame divers ſeveral ſums of money for the Seal of the Collector of the Subſidy and Aulnage, to the great vexation and trouble of the ſaid poor people:

39 Eliz. 20.

Certain courſe Clothes made in the North parts, which ſhall not be ſearched nor ſealed.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, with the Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That from henceforth all Cogware, Kendals, courſe Cottons and Carptmeals which are or hereafter ſhall be made within the ſaid Counties of Cumberland and Weſtmerland, or within the ſaid Towns and Pariſhes of Carptmeal, Hawkſhed and Broughton in the ſaid County of Lancaſter, whereof the Dozen ſhall not exceed the rate and price of xiij. s. iv. d. ſhall be made in ſuch ſort as may beſt pleaſe the buyer, and ſhall not be ſearched nor ſealed with any of the Kings Seals, nor with any other Seal, nor any Subſidy or Aulnage, great or little, paid for the ſame: (2) But that the owners of ſuch Cogwares, Kendals, courſe Cottons, and Carptmeals, may freely ſell the ſame not ſealed, as they have been accuſtomed, without forfeiting any thing to the King for the ſame; Any Law or Statute, or any Branch or Clauſe of any Law or Statute heretofore made to the contrary notwithſtanding.

Moor-burning, Raſt. 1.

CAP. XVII.

There ſhall be no burning of Ling, Heath, &c. in certain Counties, in Summer. EXP.

CAP. XVII.

An Act for the taking, landing, and carrying of Sea Sand for the bettering of Ground, and for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall.

Husbandry. Raſt. 12. All perſons within Devon and Cornwall may fetch Sea ſand for the manuring of their Land. Sea Sand is profitable for the bettering of Land.

Whereas the Sea Sand by long trial and experience hath been found to be very profitable for the bettering of Land, and eſpecially for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall, where the moſt part of the Inhabitants have not commonly uſed any other worth, for the bettering of their Arable Grounds and Paſtures: Notwithſtanding divers having Lands adjoyning to the Sea-Coaſts there, have of late interrupted the Bargemen, and ſuch others as have uſed at their free wills and pleaſures to fetch the ſaid Sea Sand, to take the ſame under the full Sea-mark, as they have heretofore uſed to do, unleſs they make compoſition with them at ſuch rates as they themſelves ſet down, though they have very ſmall or no damage or loſs thereby, to the great decay and hindrance of Husbandry and Tillage within the ſaid Counties: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for all perſons whatſoever, reſiant and dwelling within the ſaid Counties of Devon and Cornwall, to fetch and take Sea Sand at all places under the full Sea-mark, where the ſame is or ſhall be caſt by the Sea, for the bettering of their Land, and for the increaſe of Corn and Tillage, at their wills and pleaſures.

Boatmen may fetch Sea ſand, and caſt it out of their Boats where it hath been uſed to be landed, and carry the ſame through uſual ways.

II. And that it ſhall and may be alſo lawful to and for all Bargemen and Boatmen, and all other carriers of Sea Sand of the ſaid Counties, that ſhall fetch or take Sand as aforeſaid, at ſuch places as Sand hath at any time within the ſpace of fifty years laſt paſt, been uſed by ſuch Bargemen and Boatmen to be landed and caſt, and alſo to fetch and carry the ſame by and through ſuch ways as now be, and by the ſpace of twenty years laſt paſt, have been uſed for the carrying and fetching thereof, paying for the taking, caſting out, and landing of every Barge-load, Boat-load, or Sack of the ſaid Sand, upon the grounds of any man, ſuch duties as heretofore within the ſaid time of fifty years have been uſed and accuſtomed to be paid for the ſame, and for paſſage by and through the ſaid ways, ſuch duties as have uſually been paid by the ſpace of twenty years, and in ſuch manner and form as the ſame within the ſaid ſeveral times have reſpectively been uſed and accuſtomed to be paid: (2) And in ſuch places where certain uſual duties have not been paid, but certain compoſitions have from time to time been made by agreement with the owners of the Soyl there, to yield ſuch reaſonable compoſitions, as by agreement with the ſaid owners ſhall from time to time be made.

The continuance of this Act.

III. This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XIX.

An Act for the continuance and reparation of a new-built Wear upon the River of Exe, near unto the City of Exeter.

Wears, Raſt. 9. There was an ancient Wear of Timber upon the River of Exe called Callibere.

In moſt humble wiſe ſhewen to your moſt excellent Majeſty, your true and faithful Subjects, the Mayor, Bayliffs and Commonalty of your City of Exeter, That whereas the ſaid Mayor, Bayliffs and Commonalty, were ſeized in their Demeſne as of Fee, of and in one ancient Wear made of Timber and of Wood, called or commonly known by the name of Callibere Wear, ſtanding upon the River of Exe, and near to the ſaid City: Which Wear conveyed ſufficient water from the ſaid River, as well to all or moſt part of the Grieſt Mills and Fulling Mills belonging to the ſaid City, as alſo unto all the Dyers, and unto many Bakers, Brewers, Fullers, Tuckers, Sheermen, and other Artificers dwelling near unto, or upon ſuch ſtreams of Water, as were by means of the ſaid Wear conducted and brought unto them: (2) By reaſon whereof, the Inhabitants of your Highneſs ſaid City were very much relieved by the grinding of their Corn at the ſaid Mills, and furthered exceedingly in their Arts or Trades of Dying, Baking, Brewing, Fulling, Tucking, and ſuch like: But the ſaid Wear (about the Feaſt of the Birth of our Lord God laſt was two years) with an unuſual and extraordinary great Froſt, was foundred or decayed in the foundation, and after-

The old Wear was decayed by the Froſt.

wards violently torn, rent, broken into pieces, and carried quite away, to the great hinderance of many hundreds of Artificers and poor people, whoſe whole eſtate and maintenance depended upon the continual uſe of the ſame ſtreams of water, and to the exceeding trouble and hinderance of the Eſtate of all your Majeſties ſaid City, by reaſon that the Inhabitants thereof were enforced not only to grind all their Corn, but alſo to tuck and full all their Cloth for the ſpace of four months at the leaſt at other Mills in the Countrey far from the ſaid City:

II. For remedy whereof, the ſaid Mayor, Bayliffs and Commonalty were reſolved to erect and build again a new Wear in the ſame place, but could not poſſibly effect the ſame, for that the ſaid River, (having wholly paſſed with much violence through the ſaid breach) had made ſuch a depth of water there, that a ſound and perfect foundation for a Wear, could not poſſibly be laid: Whereupon the ſaid Mayor, Bayliffs, and Commonalty (ſpeedily to prevent the ruine and decay of the Inhabitants of your Majeſties ſaid City) were enforced to make a new Wear of Stone overthwart the River, about the ſpace of four hundred foot above the place where the former Wear did ſtand, and alſo cut a new Milleate or Trench, for the conveyance of the ſaid water to the ſaid Mills, through a main and ſtrong Rock: (2) For the making of which ſaid Wear and Milleate, the ſaid Mayor, Bayliſſs and Commonalty, were to their great charge enforced to beſtow and expend the ſum of Two thouſand Marks and more: In doing whereof, the ſaid Mayor, Bayliffs and Commonalty were very provident and careful by all poſſible means and devices to prevent all hurt and damage which might thereby enſue to any: Nevertheleſs, foraſmuch as ſince the erecting, building and making the ſaid Wear and Milleate, certain perſons (being Landlords, Owners, Farmors or Tenants of certain Lands, ſome adjoyning unto, and ſome not far diſtant from the ſaid Wear and Milleate) do pretend, that by erecting the ſaid new Wear, their Grounds are ſometimes (more then heretofore) overflown, when by reaſon of much Rain the ſaid River of Exe doth exceed his ordinary greatneſs, and do therefore threaten to ſue and implead the ſaid Mayor, Bailiffs, and Commonalty, in the Law, for erecting and making the ſaid new Wear where it now ſtandeth, and of the ſaid new Milleate, or otherwiſe to break it open at thoſe places whereunto the ſaid new Wear is annexed, and where the ſaid new Milleate runneth, which if they ſhould indeed do, then the whole Eſtate of the ſaid City would be thereby much decayed, and many now uſing and maintaining themſelves and their Families by the ſaid Arts and Trades, ſhould be brought to extreme poverty: (3) And although as yet there be not, nor in appearance is like to be in future times any great damage or loſs unto any of the ſaid Landlords, Owners, Farmors or Tenants, more then in time paſt was by the ſaid former Wear; yet becauſe the continuance and maintenance of the ſame new Wear and Milleate is of ſo great moment to the welfare of the ſaid City, as without which the ſame cannot well ſubſiſt, and that it ſtandeth with the rule of Equity and Juſtice, that thoſe which receive ſo great benefit by the ſome, ſhould yield competent and ſufficient recompence to any perſon whatſoever, receiving or ſuſtaining any loſs or dettriment thereby, be the ſame never ſo ſmall, whereunto the ſaid Mayor, Bayliffs, and Commonalty do right humbly, and with all willingneſs ſubmit themſelves: May it therefore pleaſe your moſt excellent Majeſty, of your moſt noble and abundant Grace, by and with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority thereof, that it may be enacted, (4) And be it enacted by the authority aforeſaid, That the ſaid Wear and new Milleate, and every part of the ſame, ſhall (always from henceforth) ſtand, be and remain where now they are, without any removing, let or diſturbance, or any Suit or Action to be brought by any perſon or perſons whatſoever: (5) And that it ſhall and may be lawful to and for the ſaid Mayor, Bayliffs and Commonalty, and their Succeſſors from time to time, and at all times forever hereafter, to have free entry and paſſage to and from the ſaid new Wear and Milleate, by, in and through all places convenient, for and with their Servants, Workmen, Horſes, Carts, Carriages, and other Neceſſaries for the repairing, preſerving and amending the ſame.

A new Wear is built of Stone overthwart the River of Exe.

A foreſight to prevent damage that might enſue to others.

Neceſſity requireth that the new Wear ſhall be maintained, and juſtice that recompence ſhall be made to loſers thereby.

The new Wear ſhall ſtand for ever, without diſturbance or ſuit.

III. And for ſatisfaction and recompence to be given to ſuch perſons, which now are, or hereafter ſhall or may be dammified by the erecting of the ſaid new Wear, or by any occaſion of the reparation thereof, or by making the ſaid Milleate, more then in former times they have been by the ſaid ancient Wear: (2) Be it therefore enacted, that in default of agreement and compoſition between the ſaid Mayor, Bayliffs, Commonalty, and the party or parties pretending to be ſo dammified thereby, upon complaint of any ſuch party or parties, unto the Juſtices of Aſſiſe for the County of Devon for the time being in that behalf made, the ſaid Juſtices, or ſuch ſubſtantial and indifferent perſons, as by them in their diſcretions (calling the ſaid parties before them, and hearing their exceptions to the perſons to be ſo nominated) ſhall be deputed or aſſigned, may either in the ſaid County and City of Exeter, or in the County of Devon, by Oath examine all and every ſuch witneſs and witneſſes, as either on the part and behalf of ſuch Landlord, Owner, Farmor or Tenant, or on the part and behalf of the ſaid Mayor, Bayliffs and Commonalty, ſhall be produced before them, for the proof of any ſuch loſs, hindrance or damage, or for the diſproof thereof: (3) And thereupon (from time to time) ſhall or may order and award to the party or parties ſo grieved (if any ſuch ſhall be) either by the year or otherwiſe, ſuch ſufficient recompence, with neceſſary and reaſonable Coſts in that behalf ſuſtained, to be by the ſaid Mayor, Bayliffs and Commonalty, and their Succeſſors, paid to him or them in money, as in their wiſdoms and diſcretions ſhall be thought fit and convenient.

A mean to recompence them that be dammified by the new Wear.

IV. And likewiſe that by the ſaid anthority it may be further enacted, And be it enacted, That for the ſum or ſums of money ſo to be awarded to be paid, it may be lawful to and for the ſaid party or parties ſo grieved (upon refuſal of payment) to diſtrain in any of the Lands and Tenements belonging to the ſaid Mayor, Bayliffs and Commonalty, or to ſue the ſaid Mayor, Bayliffs and Commonalty, and their Succeſſors, for the ſame by any Action or Actions of Debt, in any of the Courts of Records of your Highneſs, your Heirs or Succeſſors; In which no Eſſoin ſhall be admitted and allowed.

Each perſons remedy to recover the money awarded to him.

If the old Weare were raiſed, whereby grounds were overflown.

V. Provided always, and be it enacted by the authority aforeſaid, That if the ſaid old Weare have of late within the ſpace of five years laſt paſt, been raiſed higher then the ſame was in ancient times, by means of which heightning or raiſing, the ſaid Grounds of ſuch Landlords, Owners, Farmors or Tenants, have been within the ſaid ſpace of five years laſt paſt, more overflown then uſually before ſuch raiſing or heightning of any ſuch Weare they were wont to be, That then the ſaid Juſtices of Aſſiſe, or ſuch as ſhall be by them ſo appointed, ſhall by examination of witneſſes by oath, as aforeſaid, further enquire what damage or loſs did grow by ſuch raiſing or heightning of the ſaid old Wear, unto the ſaid Landlords, Owners, Farmors or Tenants, more then they ſuſtained by the ſaid old Weare before ſuch raiſing thereof, and whether any the like damage do ſtill continue by the ſaid new erected Weare; (2) and if it ſhall appear or be ſo proved to them, then they ſhall further give and allow ſuch recompence for ſuch loſs and damage ſo continuing by reaſon of the ſaid new Weare, and in ſuch ſort as is by this Act formerly expreſſed.

CAP. XX.

An Act for the ſpeedy recovery of many thouſand Acres of Marſh Ground, and other Ground within the Counties of Norfolk and Suffolk, lately ſurrounded by the rage of the Sea in divers parts of the ſaid Counties, and for prevention of the danger of the like ſurrounding hereafter.

Marſhes, Raſt. 3. A mean to recover a great quantity of ground lately ſurrounded in Norfolk and Suffolk by the ſea, and to prevent the like. The King by his Office and good diſpoſition, hath care of this Realm. The ſeveral hurts which the ſea hath done of late by overflowing in the Counties of Norfolk and Suffolk.

Whereas the Kings moſt excellent Majeſty, as well by his Kingly Office, as of his gracious diſpoſition, hath charge and continual care of the good Eſtate of his Highneſs Realm of England, and the preſervation of the ſame, and every part thereof, againſt all damages and devaſtation: (2) And whereas there is a part of the Sea ſhore lying between the Towns of Great-Yarmouth and Happisborrow in the County of Norfolk, the Cliffs and higher Grounds whereof lying between the Sea and the Inlands thereabout, have layen ſo low and flat, and are of Earth and Sand, ſo eaſily waſhed and worn away, as they have not been ſufficient to defend and keep out the Sea, but that ſometimes it hath broken in, and hath alſo much worn away the ſame Cliffs and higher Grounds: (3) And now of late, ſuch have been the extraordinary force and rage of the Sea upon that part of the ſaid Coaſt of Norfolk, that no uſual diligence or means have been ſufficient to withſtand the violence thereof; but within ſix months now laſt paſt, it hath broken down and waſhed away the Cliffs and higher Grounds there, ſuch as they were, and laid them flat and level with the ſaid Inlands, and made breaches ſo wide, that the Sea hath kroken in at every Tide, and with every Sea wind, into the very heart and body as well of the ſaid County of Norfolk, as into ſome parts of the ſaid County of Suffolk adjoyning, which lie ſubject to the ſaid overflows, and hath decayed, ſurrounded and drowned up much hard Grounds, beſides the greateſt part of the Mariſhes and low Grounds within the Towns and Pariſhes hereafter mentioned (the ſame containing many thouſand Acres) upon which a great part of the wealth of the ſaid Counties doth depend, being Grounds of themſelves very rich, and without which the Upland, ſpecially of the County of Norfolk, being of themſelves for the moſt part very dry and barren, cannot ſo well be husbanded and employed: (4) And by means alſo of the ſaid overflows of the ſalt Water, the Fiſhings of the Rivers, Creeks, and other places there adjoyning (whereof there was great plenty, and whereby many poor men were maintained, and the Markets ſerved with freſh Fiſh) are greatly decayed: (5) which ſaid breaches, as they are happened very ſuddenly, and will require a preſent and great charge to repair and make them ſenſable againſt the Sea; ſo it is to be feared, that in time to come, further miſchief may follow by other breaches, or inlarging of thoſe preſently made, within the limits aforeſaid, if mature remedy be not provided, and God of his mercy ſtop not the ſame: Which charge is already ſo great, as the parties intereſſed in the ſaid Lands and Grounds already drowned and ſurrounded, are not able to ſuſtain the burden thereof:

The names of the Towns and Pariſhes annoyed or endangered by the ſea.

II. And whereas all or ſome part of the Mariſhes, low and flat Grounds of the Towns and Pariſhes hereafter named, and ſome part of the Arable, Paſture and Upland of the ſame are already by new breaches, and waſhing and breaking down of the Cliffs and higher Grounds lying between the Sea and the Inlands, within the limits aforeſaid, greatly annoyed, and generally endangered, or like to be endangered; That is to ſay, the Towns and Pariſhes of Waxtoneſham, Palling, Eccles, Hemſted, Ingham, Hickling, Horſey, Potter, Higham, Catfield, Ludham, Winterton, Eaſt Somerton, Weſt Somerton, Martham, Baſtmicke, Reps, Thurne, Oby, Clippesby, Bilockby, Wood, Baſtickhorning, Ranworth, South-Walſham, Upton, Fiſhley, Acle, Caſtor St. Edmonds, Caſtor Maltbey, Rimham, Herringby Borough, Stokesby, Buxton, Horſtead, Wroxham, Sallowes, Hoſton, Below, Coltſel, Hobbins Lammas, Netiſhead, Barton, Sutton, Stalham, Tunſtel, Halvergate, Wickhampton, Thorp, Redham, Limpenhow, Cantly, Haſſingham, Buckenham Ferry, Strumſel, Brundel, Poſtwick, Thorn juxta Norwich, Turlton, Norton, Hardley, Langley, Carleton, Claxton, Rockland, Surlingham, Bramerton, Wicklingham, Trowſe, Carrow, Haddeſtow, Whiteacre Borough, Whiteacre Abbey, Gellingham, in the ſaid County of Norfolk: And Gorleſton, Gapton, Bradwell, Borough Caſtle, Berkleſſe Baſham, Worlingham, Belton, Fretton, St. Toolies, alias, St. Olives, Herringfleet, Somerly Town, Shepton, Owlton, Kirkley, and Barkley in tha ſaid County of Suffolk:

A Commiſſion ſhall be awarded to enquire of, prevent and reform defaults.

III. For remedy therefore of ſo great and general calamity, May it pleaſe his moſt excellent Majeſty, at the moſt humble Petition of a great number of the Inhabitants of the ſaid Counties of Norfolk and Suffolk, that it may be enacted, and be it enacted by the Kings moſt excellent Majeſty, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Lord Chancellor of England, or Lord Keeper of the great Seal of England for the time being, ſhall from time to time, upon ſuit made unto him in that behalf, award Commiſſions under the Great Seal of England, to the Lord Biſhop of the Dioceſs of Norwich for the time being, and to any eleven or more Juſtices of the Peace of the ſaid County of Norfolk, and ſix or more Juſtices of the Peace of the ſaid County of Suffolk, as to him ſhall ſeem good; And if there ſhall then be no Biſhop of the ſaid Dioceſs, then to ſuch other as aforeſaid, only after ſuch tenor and effect as hereafter followeth, that is to ſay;

The form of the Commiſſion.

(2) REx, &c. Reverendo in Chriſto Patri A. Epiſcopo Norwicenſi, nec non A.B.C.D. ſalutem, SCIATIS, quod aſſignavimus vos & quoſlibet ſex, ſive plures veſtrum, ad omnia & ſingula ſupervidenda, perluſtranda, mandanda, facienda, performanda, exequenda & peragenda, in quodam actu in Parliamento Domini JACOBI, Dei Gratia, Regis Angliæ, &c. nono die Februarij, anno Regni ſui Angliæ, Franciæ & Hiberniæ ſeptimo, & Scotiæ quadrageſſimo tertio, per diverſas Prorogationes apud Weſtmonaſterium tento, edito intitulato, An Act for the ſpeedy recovery of many thouſand Acres of Marſh Grounds, and other Grounds within the Counties of Norfolk & Suffolk, lately ſurrounded by the Sea in divers parts of the ſaid Counties, and for the prevention of the danger of like ſurrounding hereafter, ſpecificata, ſecundum tenorem, vim, formam, effectum & veram intentionem ejuſdem actus: In cujus rei teſtimonium, &c. Teſte, &c.

The Commiſſioners authority.

IV. And be it enacted by the authority of this preſent Parliament, That the ſame Commiſſioners to whom ſuch Commiſſion ſhall be directed, or any ſix or more of them by virtue of the ſame Commiſſion, and of this preſent Act, ſhall have full power and authority to view, ſee and ſurvey the ſaid lands and grounds ſo ſurrounded, decayed and overflown, within the aforeſaid Towns and Pariſhes in the ſaid Counties of Norfolk and Suffolk, or either of them, and the places and breaches between the ſaid Towns of great Yarmouth and Happiſhborough aforeſaid, where the ſaid overflowings, breaches or decays are now happened, or ſhall or may hereafter happen, as alſo all other places of danger within the limits aforeſaid, where the like breaches and decays hereafter ſhall or may happen, (2) and to enquire by the Oaths of good and lawful men of the ſaid County or Counties, as well within liberties as without, and by their own view and judgment, as by all other good ways and means, whereby the truth may be diſcerned or known, if any certain perſon or perſons ought to ſuſtain or repair the ſame, and by whoſe default, or by what means the ſaid breaches, decays and overflowings of the Sea have happened, and who hath or holdeth any lands, meadows, mariſhes or low grounds, common of Paſture, profit of fiſhing, or any other benefit or commodity in the Towns and Pariſhes aforeſaid, wherein he or they by the ſaid breaches, decays and overflowings already made, or by any other breaches, decays or overflowings hereafter to be made by any manner of means, hath already received, or may, or are like at any time hereafter to receive any loſs, prejudice, hurt or damage: (3) And all thoſe perſons and every of them, and the ſaid lands, meadows, mariſhes, low grounds, or other the premiſſes lying within any the Pariſhes or Towns aforeſaid ſubject to overflowings, danger or decay as aforeſaid, to tax, rate, aſſeſs and charge with ſuch ſum or ſums of Money, as well for the preſent repair of the ſaid breaches and decays already made, and hereafter to be made, as for the recovery, defending and draining of the lands, grounds and levels by the ſame now, or hereafter drowned, decayed, ſurrounded or annoyed, or in danger to be drowned, decayed, ſurrounded or annoyed; As alſo for the making and erecting, keeping and maintaining of Piers, Walls, Jetts, Piles, Strengths, Fortifications, Defences and other things whatſoever, to withſtand and break the rage and violent beating of the Sea, thereby to prevent the like breaches, decays and overflowings hereafter, or for all or any of the ſaid purpoſes, in ſuch ſort as to them, or any ſix or more of them in their diſcretions ſhall be thought fit and neceſſary, having reſpect in proportioning of the taxing or aſſeſſing as aforeſaid, as well to the then preſent loſs and danger, as to the future loſs and danger that the ſame perſon or perſons, ground or grounds, and other the premiſſes did, ſhall and may ſuſtain and bear, by reaſon of the ſaid breaches, decays and overflowings: (4) And that the ſaid Commiſſioners, or any ſix or more of them, ſhall and may make and appoint diligent and faithful Surveyors, Collectors, Receivers, Treaſurers, Expenditors, Bailiffs and ſuch like other Miniſters and Officers, as they ſhall think fit, to ſurvey the ſaid works, and to levy, receive and lay out the Money to be levied and expended in and about the ſame, and to do and execute whatſoever ſhall be needful and expedient to be done therein, according to the direction and orders to be from time to time preſcribed by the ſaid Commiſſioners or any ſix or more of them, as aforeſaid: (5) And alſo within the ſaid Counties of Norfolk and Suffolk, or either of them (except in that part of the ſaid County of Norfolk, commonly called Marſhland, and the hundred of Frebridge in Marſhland) to take workmen, labourers, carts and carriages, timber, wood and all other ſtuff and neceſſaries, for the perfecting and performance of the ſaid works, for reaſonable wages and prices to be ſet by the Commiſſioners, or any ſix or more of them, according to their good diſcretions.

To enquire by whoſe default the overflowings happened, and who ought to repair them.

To tax the perſons and lands chargeable.

Appointing of Officers to execute that which ſhall be needful.

To take workmen and ſtuff for the performance of the ſaid work.

V. Provided always, That they ſhall not take any Timber or Wood of any Trees growing or being in or about any Orchard or Gardens, or within two furlongs of the ſight of any Manſion or dwelling-houſe whereunto it belongs:

VI. And alſo that it ſhall and may be lawful to the ſaid Commiſſioners, or any ſix or more of them, by warrant under their, or any ſix or more of their hands and ſeals, to commit to the common Goal of the ſaid County reſpectively, all ſuch workmen and labourers, and owners or poſſeſſors of Carts, Horſes or Carriages, as being commanded or required by warrant from the ſaid Commiſſioners, or any ſix or more of them, to work or ſerve in the ſaid works, having ſuch convenient and reaſonable hire and wages as ſhall be ſet by the ſaid Commiſſioners, or any ſix or more of them, paid or tendered unto them as aforeſaid: (2) And likewiſe all ſuch as ſhall reſiſt or withſtand the taking of any Timber, Wood or other ſtuff or neceſſaries appointed as aforeſaid, to be taken for the effecting and performing of the ſaid works, having ſuch convenient and reaſonable prices as ſhall be ſet by the ſaid Commiſſioners or any ſix or more of them, paid or tendered to them as aforeſaid, there to remain by the ſpace of two months without bail or mainpriſe: (3) And alſo to puniſh the ſaid Workmen and Labourers, owners and poſſeſſors of Carts, Horſes and Carriages, and reſiſters and withſtanders, to take ſtuff, Wood or Timber for refuſing or not doing, or withſtanding

ing as aforeſaid, by impoſing upon them or any of them, ſuch reaſonable and competent fines or amerciaments as the ſaid Commiſſioners, or any ſix or more of them ſhall in their wiſdom think fit: Which fines and amerciaments ſhall by authority hereof be levied by diſtreſs and ſale of the goods of ſuch offender; and for default thereof, he or they to be by warrant under the hands and ſeals of the ſaid Commiſſioners, or any ſix or more of them committed to the common Goal of the ſaid County, there to remain until they ſhall pay the ſame.

The Commiſſioners may authorize others to levy the money aſſeſſed.

VII. And be it likewiſe enacted by the Kings Majeſty, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That it ſhall and may be lawful for the ſaid Commiſſioners, or any ſix or more of them, as aforeſaid, by Warrant under their hands and ſeals, to give authority to any perſon or perſons, to levy the ſaid ſums of Money by them from time to time to be aſſeſſed upon the ſaid perſons, or upon the ſaid Lands, Meadows, Mariſhes, low Grounds, or other the Premiſſes charged or chargeable with the ſame, by diſtreſs and ſale of the goods of ſuch perſon or perſons that ſhall not pay, or refuſe to pay the ſame, and the overplus of the value ariſing upon ſuch ſale, ſhall reſtore to the ſaid Owner of the ſame: (2) And in default of ſuch diſtreſs to be taken and ſold, it ſhall and may be lawful to the ſaid Commiſſioners, or any ſix or more of them, as aforeſaid, to commit him or them ſo not paying, or refuſing to pay the ſame, to the common Goal of the ſaid County, there to remain without bail or mainpriſe, until they ſhall willingly pay the ſaid ſum or ſums of Money ſo taxed, rated or aſſeſſed by him or them to be paid as aforeſaid.

Impriſonment for default of diſtreſs.

If the Leſſee of the land charged do pay the ſum taxed, how much thereof he may abate of the Leſſors rent.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That if it ſhall happen, that any the ſaid Grounds, or other things ſo drowned, decayed or endamaged, or in danger to be drowned, decayed or indamaged by the ſaid decays and breaches paſt or to come, ſhall be in the hands of Leſſees or Farmors under a rent, That then in ſuch caſes, what part ſoever of the charge ſhall be ſet upon the perſons to whom ſuch rent ſhall be paid, or upon the rents ſo held in Farm or Leaſe, if the ſame be levied upon the Occupier, Farmor or Leſſee, he ſhall or may retain ſo much of his ſaid rent in ſatisfaction thereof, as by the ſaid Commiſſioners, or any ſix or more of them in writing under their hands and ſeals, ſhall in their diſcretions be ſet down and declared, having reſpect unto the length or ſhortneſs of his term, and the great or ſmall rent that he is to pay for the ſame: (2) which retainer ſhall be a ſufficient diſcharge againſt the ſaid Leſſors, and every of them, their heirs, ſucceſſors and aſſigns, for and concerning the ſame rent that ſhall be ſo retained, and of and for all other pains, penalties and forfeitures for not payment thereof.

IX. Provided always, That the ſaid Leſſees, Farmors and every of them, ſhall pay and ſatisfie the reſidue which ſhall not be retained by virtue of this Act, and Order of the ſaid Commiſſioners, under ſuch pains, penalties and forfeitures as they ſhould or ought to have paid the ſame, as if this Act, or any ſuch order had not been had or made.

The Commiſſioners may make orders for the preſervation of the grounds, and alſo amend the ſame.

X. And be it further enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any ſix or more of them, ſhall have power and authority, by virtue of this preſent Act, from time to time to make, declare and ſet down Laws, Ordinances, Decrees and Proviſions, for the ſafeguard, preſervation and ſafe keeping of the Cliffs and high Grounds, lying between the Sea and the ſaid Inlands, within the limits aforeſaid, from the rage and violence of the Sea, and from the breaches, decays, flowings and overflowins thereof, and for the defending, draining and drawing away of the Waters that ſhall or may overflow or hurt the Lands, Paſtures or Mariſhes in the Towns and Pariſhes aforeſaid, or any of them: (2) And the ſaid Laws, Ordinances, Decrees and Proviſions, from time to time, to repeal, reform, amend as occaſion ſhall ſerve and require: Which Laws, Ordinances, Decrees and Proviſions, ſo made and declared (ſo long as they ſhall remain in force) ſhall be well and truly obſerved, performed and kept, by all ſuch whom they ſhall concern, or to whom they ſhall appertain: (3) And that the ſaid Commiſſioners, or any ſix or more of them, ſhall and may ſet and impoſe ſuch reaſonable and competent pains, penalties and forfeitures, upon ſuch perſon and perſons, as ſhall willingly or wilfully break or not obey, obſerve and perform the ſaid Laws, Ordinances, Decrees and Proviſions, as they ſhall think convenient: (4) And that the ſaid pains, penalties and forfeitures ſo ſet and impoſed, ſhall be levied by diſtreſs and ſale of any of the offenders goods, or impriſonment, in ſuch ſort as any other ſum or ſums of Money leviable by this Act, ſhall or may be had or levied, and that the ſurpluſage ariſing of ſuch ſales ſhall be reſtored to the Owner.

How the penalties and forfeitures ſhall be imployed.

XI. Provided always, That all and ſingular fines, pains, penalties forfeitures and ſums of Money to be ſet, impoſed, paid or levied by virtue of this Act, ſhall be imployed in and about the making, repairing, fortifying and ſtrengthening of the ſaid Cliffs and higher Grounds, lying between the Sea and the ſaid Inlands, within the limits aforeſaid, and for the draining of the Waters which ſhall flow in the ſaid Lands, Paſtures and Mariſhes in the Towns and Pariſhes aforeſaid, and to none other uſe whatſoever: (2) Saving that it ſhall be lawful to the ſaid Commiſſioners, or any ſix or more of them, out of the ſame to allow to every of themſelves, for every day that they ſhall ſit or travel about the execution of the premiſſes, the ſum of four ſhillings a piece: And to the Collectors, Surveyors, Receivers, Treaſurers, Expenditors, Bailiffs, and other Officers and Miniſters which ſhall be imployed in and about the premiſſes, ſuch reaſonable allowance as to the ſaid Commiſſioners, or any ſix or more of them, in their diſcretions ſhall be thought neceſſary.

Allowance to Commiſſioners and other Officers for their pains.

The Commiſſioners may aſſeſs the Kings farmors of any lands to be contributary.

XII. And it is further ordained and enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any ſix or more of them, ſhall and may Rate, Tax and Aſſeſs all ſuch perſon and perſons as be Tenants, Farmors or Occupiers of any Manors, Lands or Tenements, Commons, or other Profits or Hereditaments of our Sovereign Lord the King, his Heirs or Succeſſors within the Towns and Pariſhes aforeſaid, to pay and contribute for and towards the Jetties, Walls and other the premiſſes aforeſaid, as far as any other, according

ing to their good diſcretions : (2) And that the ſaid Laws, Ordinances, Decrees, Orders and Proviſions to be made and ordained by the ſaid Commiſſioners, or any ſix or more of them, in or about any thing touching or concerning the premiſſes, ſhall bind as well the lands, tenements and hereditaments of our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and his and their Tenants, Farmors and Leſſees, as aforeſaid, as all and every other perſon and perſons, and their heirs, for ſuch their intereſt as they ſhall fortune to have in any lands, tenements, hereditaments, or other profit, advantage or commodity whatſoever they ſhall be, whereunto the ſaid Laws, Ordinances, Decrees, Orders and Proviſions ſhall in any ſort extend, according to the true purport, meaning and intent thereof.

The Commiſſioners Decrees ſhall bind the King and all other perſons lands.

A remedy where the party taxed hath not ſufficient goods, nor his body can be found within that County.

XIII. And be it further enacted by the authority aforeſaid, That in caſe where any Warrant or Precept ſhall be made or directed to any Officer or Miniſter, to levy the ſaid ſums of Money of any the ſaid perſon or perſons aforeſaid, or to take his or their body or bodies, or both of them, as the caſe ſhall require, if ſuch Officer or Miniſter ſhall make return to the ſaid Commiſſioners, or any ſix or more of them, that there are not found goods ſufficient of the perſon or perſons who ſhall be taxed or charged, or whoſe lands, meadows, mariſhes or other the premiſſes, ſhall be rated, taxed or aſſeſſed with the payment of any ſum of Money as aforeſaid, by diſtreſs and ſale whereof the ſaid ſums of Money to be taxed, rated and aſſeſſed, may be levied in ſuch of the ſaid Counties of Norfolk or Suffolk wherein the grounds, meadows, mariſhes or other the premiſſes, for or in reſpect whereof ſuch tax or charge ſhall be made, ſhall lie or be, nor that the body of ſuch perſon or perſons can be found in that City, then the ſaid Commiſſioners, or any ſix or more of them, ſhall and may from time to time make Warrants under their hands and ſeals, unto the Sheriffs of the ſaid Counties of Norfolk or Suffolk, on which the ſaid lands, meadows, paſtures or other the premiſſes, for or in reſpect whereof the ſaid tax or charge was made as aforeſaid, to be directed, thereby commanding the ſaid Sheriff in the next County Court to be holden after the delivery of ſuch Warrant, openly by Proclamation to call ſuch perſon or perſons, and to command him or them to render him or themſelves to the ſaid Sheriff, at or before the next County Court after ſuch Proclamation made to be holden, or at or before the ſaid next Court to deliver unto the ſaid Sheriff ſuch ſum or ſums of Money as he or they ſhall be charged withall, or ought to pay as aforeſaid : (2) And if the ſaid perſon or perſons ſhall after the ſaid Proclamation, and before the ſaid next County Court, pay the ſaid ſum or ſums of Money unto the ſaid Sheriff, then the ſaid Sheriff ſhall pay over the ſame unto the ſaid Commiſſioners, or any ſix or more of them : (3) And if the ſaid perſon or perſons ſhall render him or themſelves before the next ſaid County Court, then the Sheriff ſhall keep and detain him or them in priſon, in the common Goal of the ſaid County, in ſuch ſort as is before appointed by virtue of this Act, for not payment of any rate, tax or ſum of Money : (4) And if the ſame perſon or perſons ſhall not upon ſuch Proclamation render him or themſelves, or deliver ſuch ſum or ſums of Money, as aforeſaid, at or before the next County Court, That then in every ſuch caſe the ſaid Commiſſioners, or any ſix or more of them, ſhall from henceforth have full power and authority, and ſhall and may by virtue of this Act, ſell, grant or demiſe the lands, meadows, mariſhes and other the premiſſes ſo rated, charged, taxed or aſſeſſed with the payment of any ſum or ſums of Money, as aforeſaid, or ſuch part thereof, and for ſuch eſtate, as to the ſame Commiſſioners, or any ſix or more of them, ſhall ſeem good, and for the beſt and higheſt prices that they can get for the ſame, to any perſon or perſons that will buy or take the ſame, and to their heirs, or otherwiſe, by Deed indented to be made between the ſaid Commiſſioners, or any ſix or more of them, and the ſaid Purchaſers, and to be acknowledged and enrolled within the County where the ſaid lands, meadows, mariſhes, and other the premiſſes ſo to be ſold, granted or demiſed, do lie, before two Juſtices of the Peace of the ſaid County, whereof one to be of the Quorum, and the Clerk of the Peace of the ſame County : (5) Upon which ſaid ſale, grant or demiſe, the ſaid Commiſſioners, or any ſix or more of them, ſhall and may by virtue of this Act, take and retain to the uſes and for the purpoſes aforeſaid, ſo much as ſhall amount to the ſum and ſums that ſhall be rated, taxed or aſſeſſed, and not paid as aforeſaid : And if there ſhall be any remain upon ſuch ſale, the ſame ſhall be reſtored to the Owner and Owners of the lands ſo ſold, granted or demiſed : (6) And that all and every ſuch ſale, grant and demiſe ſo made, ſhall be good and effectual to all and every Purchaſer and Purchaſers, his and their heirs and aſſigns, according to the purport and effect thereof : And the ſaid Purchaſers, their heirs and aſſigns, ſhall and may by virtue thereof, and of this Act, have, hold and enjoy the ſame againſt the ſaid perſon and perſons for whoſe default, neglect or offence, the ſame were ſold, granted or demiſed, and againſt his heirs, and againſt all and every perſon and perſons that ſhall ſtand or be ſeiſed or poſſeſſed thereof to the uſe or behoof of ſuch perſon or perſons, or in truſt for them, or to the intent that the ſame ſhall remain, or be at the diſpoſal of the ſaid perſon or perſons.

In what caſe the Commiſſioners may ſell or let to farm the land of the party taxed.

XIV, Provided always, That if the ſaid perſon or perſons, who ſhall have made ſuch default of payment, or rendring of him or themſelves, ſhall at any time before ſuch ſale made, pay or cauſe to be paid to the ſaid Commiſſioners, or any ſix or more of them, the ſaid ſums of Money, and all pains and penalties before that time ſet or impoſed upon him or them by force of the ſaid Commiſſion, and of this Act, and then not paid or ſatisfied, That then it ſhall not be lawful for the ſaid Commiſſioners, or any of them, for or in reſpect of ſuch default, to make ſale of any of his or their ſaid lands or premiſſes; Any thing in this Act contained to the contrary in any wiſe notwithſtanding : (2) Saving to all other perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, executors and aſſigns, all ſuch right, title, eſtate, intereſt and demand, as they or any of them had, or ſhould or ought to have, of, in, to or out of any ſuch lands, meadows, mariſhes, and other the premiſſes ſo to be ſold, granted or demiſed, as aforeſaid, as if no ſuch ſale, grant or demiſe had ever been

A relief for the offendor paying the money aſſeſſed, and the penalties impoſed upon him.

A ſaving of the right of others.

had or made; Any thing in this preſent Act contained to the contrary in any wiſe notwithing.

The Sheriffs of Norfolk and Suffolk ſhall return Juries before the Commiſſioners.

Iſſues forfeited by Jurors, and how they ſhall be levied.

All Sheriffs and Officers ſhall attend and aid the Commiſſioners.

How the iſſues and penalties ſhall be employed.

XV. And be it further enacted by the authority aforeſaid, That the Sheriffs of the ſaid Counties of Norfolk and Suffolk, and either of them, ſhall cauſe to come before the ſaid Commiſſioners, or any ſix or more of them, at ſuch times and places as the ſaid Commiſſioners, or any ſix or more of them ſhall appoint, ſuch and ſo many good men of their ſeveral Bayliwicks, as well within liberties as without, to whom the truth may be beſt known, to enquire of the premiſſes mentioned in this Act; (2) which men for their ſeveral defaults, ſhall loſe and forfeit ſuch iſſues, and ſums of Money, not exceeding the ſum of ten ſhillings of lawful Money of England, for one default, as by the ſaid Commiſſioners, or any ſix or more of them, ſhall be ſet or impoſed upon them, which ſhall and may be levied by diſtreſs and ſale of Goods only, and for refuſing to make enquiry, and for other contempts, ſhall forfeit and loſe ſuch reaſonable fines and ſums of Money, as by the ſaid Commiſſioners, or any ſix or more of them, ſhall be impoſed upon them, which ſhall and may be levied by diſtreſs, ſale of Goods and Impriſonment, in ſuch manner and form as by the levying of the ſums of Money to be rated, taxed or aſſeſſed, is before limitted and appointed: (3) And that all Sheriffs, Bailiffs, Officers and Miniſters whatſoever, of our ſaid Sovereign Lord the King, his Heirs and Succeſſors, within the Counties aforeſaid, as well within liberties as without, ſhall be from time to time attendant, aiding and aſſiſting to the ſaid Commiſſioners, and every ſix or more of them, for and concerning all ſuch things as ſhall concern their ſeveral Offices and Places reſpectively, in or about the execution of all things contained in this Act, upon pain to forfeit ſuch pains, penalties, fines and ſums of Money, as ſhall be ſet or impoſed upon them or any of them by the ſaid Commiſſioners, or any ſix or more of them, for or in reſpect of their or any of their contempts, misdoings, or negligences in that behalf: (4) Which ſaid pains, penalties, fines and ſums of Money, ſhall and may be levied by diſtreſs, ſale of Goods and impriſonment, as the ſaid ſums before mentioned to be taxed, rated or aſſeſſed, are appointed to be levied, and the ſaid iſſues, pains, penalties, fines and ſums of Money, ſet or impoſed upon the ſaid good men, Sheriffs, Bailiffs, Officers and other, Miniſters, ſhall be imployed and diſpoſed of, in ſuch manner and form, as the ſaid ſums of Money to be taxed, rated or aſſeſſed, are before appointed to be imployed and diſpoſed of.

The Commiſſioners may take accompt of inferior Officers.

XVI. And be it further enacted, ordained, and eſtabliſhed by the authority aforeſaid, That the ſaid Commiſſioners, or any ſix or more of them, ſhall have power and authority by force and virtue of this preſent Act, to call before them, or any ſix or more of them, the Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, and other Officers and miniſters, which ſhall be imployed or have dealing in and about the ſaid works, or any other thing concerning this preſent Act, or the execution thereof in any ſort, and to require and take of them, and every of them, accompts upon their Oaths, of all their, and every of their receipts, collections, payments, diſburſements, and other doings concerning the ſame: (2) And if the ſaid Collectors, Receivers, Trpaſurers, Expenditors, Bailiffs, or any other of the Officers and Miniſters aforeſaid, ſhall happen to be found in arrearages, either in Moneys or Materials received, or otherwiſe, That then in ſuch caſe they ſhall make payment, and give ſatiſfaction in that behalf, according to ſuch order and direction, as by the ſaid Commiſſioners, or any ſix or more of them, in writing under their hands and ſeals ſhall be made and ſet down: (3) And in default of performance thereof, ſuch Officers and Miniſters ſhall be by warrant under the hands and ſeals of the ſaid Commiſſioners, or any ſix or more of them, diſtrained by their goods and chattels, and the ſame to be ſold as aforeſaid; And in default of ſuch diſtreſs to be found, it ſhall be lawful for the ſaid Commiſſiouers, or any ſix or more of them, to commit ſuch offender or offenders to the Common Goal of the ſaid County, there to remain until they have paid all ſuch arrearages and ſums of Money, and other things ſo found to be remaining in their hands, according to the order of the ſaid Commiſſioners, or any ſix or more of them, to be made as aforeſaid.

The remedy if any of the Officers do die before his accompt made, or the arrearages paid.

A remedy if the executors or adminiſtrators of an accomptant have waſted his goods.

XVII. And be it further enacted by the authority aforeſaid, That if any of the ſaid Collectors, Receivers, Treaſurers or other Officers or Miniſters which ought to accompt by the true meaning of this Act, ſhall die before his or their accompt ſhall be made as aforeſaid, that in every ſuch caſe the ſaid Commiſſiovers, or any ſix or more of them, may call before them, or any ſix or more of them, the executors and adminiſtrators of ſuch Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, and other Officers and Miniſters, and to require and take of them and every of them, accompts of all and every the ſaid receipts, collections, payments, diſburſements, and other doings concerning the ſame: (2) And if upon the ſame accompts any thing ſhall be found in arrearages, or if the ſaid Collectors, Receivers, Treaſurers, Bailiffs or other Officers or Miniſters, having made his or their accompt, ſhall die before ſuch time as the arrearages that ſhall be found upon the ſame accompt, ſhall be paid or ſatiſfied, then in every ſuch caſe the ſaid arrearages, by warrant of the ſaid Commiſſioners, or any ſix or more of them, ſhall and may be levied by diſtreſs and ſale of the Goods and Chattels that were the ſaid Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, or other Officers or Miniſters, at the time of their ſeveral deaths; (3) And if the ſaid executors or adminiſtrators, or any of them, ſhall have waſted the Goods and Chattels that were the ſaid Collectors, Receivers, Treaſurers, Expenditors, Bailiffs or other Officers or Miniſters, then ſo much of the ſaid arrearages as the ſaid Goods and Chattels ſo waſted ſhall amount unto, ſhall and may be levied by diſtreſs and ſale of the proper Goods and Chattels of the ſaid executors and adminiſtrators, as aforeſaid: (4) and if the ſaid executors or adminiſtrators ſhall have no Goods or Chattels of their own in the ſaid Counties of Norfolk and Suffolk, or any of them, whereby the ſame arrearages may be levied as aforeſaid, then it ſhall and may be lawful for the ſaid Commiſſioners, or any ſix or more of them, by warrant under the hands and ſeals of any ſix or more of them, to commit the ſame executors or adminiſtrators to the common Goal of the ſaid Counties of Norfolk or Suffolk, there to remain without bail or mainpriſe, until they ſhall have paid and ſatisfied ſo much as the ſaid goods and chattels ſo waſted ſhall amount unto, according to the order of the ſaid Commiſſioners.

XVIII. And be it alſo enacted by the authority aforeſaid, That if the ſaid Collectors, Receivers, Treaſurers, Bailiffs, Miniſters or other Officers, their executors, adminiſtrators, or any of them, being required by the ſaid Commiſſioners, or any ſix or more of them, or by any other being thereunto authoriſed by warrant of the ſaid Commiſſioners, or any ſix or more of them, ſhall refuſe or neglect to render ſuch accompt as aforeſaid, then from time to time it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſix or more of them, under their hands and ſeals, to commit the perſon and perſons ſo refuſing or neglecting, to the common Goal of the ſaid Couties of Norfolk and Suffolk, there to remain without bail or mainpriſe, until he or they ſhall have made ſuch accompt as aforeſaid.

The puniſhment of an accomptant that refuſeth to accompt.

XIX. And be it likewiſe enacted by the authority aforeſaid, That if the ſaid Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, or other Officers or Miniſters, or any of them, ſhall die having any ſum or ſums of money, or other things in his or their hands, which ought to be employed in or about the works aforeſaid by virtue of this Act, and whereof he or they hath not or have not accompted, or having accompted was found in arrearages, and any action or ſuit for any debt due by him or them, ſhall be proſecuted againſt the executors or adminiſtrators of them or any of them, before ſuch time as ſuch ſums of money and other things ſhall be ſatisfied and paid according to the true meaning of this Act, the ſame executors or adminiſtrators may plead, that the party deceaſed, whoſe executors or adminiſtrators they are, had in his hands at the time of his death ſuch ſums of money or ſuch things of a certain value, and ſhew how much, which ough to be employed according to this Act; And that the ſame are not accompted for, or are accompted for and not paid or anſwered for; And that over and above thoſe ſums they have no goods or chattels that were the ſaid perſons deceaſed, at the time of his death, or goods and chattels but of a certain value, not amounting to the ſum demanded, which plea ſhall be allowed good in Law, inſomuch as the deceaſed was but a keeper of thoſe ſums and other things, and therefore the ſame ought not to be liable to his debts: (2) And in caſe ſuch action or ſuit ſhall be commenced after payment and ſatisfaction of the ſaid ſums and other things by the ſaid executors or adminiſtrators, then the ſaid executors or adminiſtrators may plead that they have fully adminiſtred all the goods and chattels that were the ſaid perſons deceaſed; And that they have no goods or chattels, or no goods or chattels beſides ſuch goods and chattels of a certain value, not amounting to the ſum demanded, as their caſes ſhall reſpectively require, without ſhewing or alledging this Act, or any other particularity or circumſtance in that behalf: (3) upon which pleas iſſue may be joyned, and upon trial of the ſame iſſue, the whole matter ſhall be given in evidence on both parts according to the very truth thereof: (4) and if upon the ſame trial it ſhall be found, that the ſaid executors or adminiſtrators have paid ſuch ſums as aforeſaid, the ſame ſhall be allowed as a good and lawful adminiſtration: or if it be found that they have no other goods and chattels than as aforeſaid, thereupon in ſuch caſes the ſaid executors or adminiſtrators ſhall have ſuch judgment, as in the like caſes upon trial of the like iſſues is accuſtomed by the ordinary courſe of the common Law; Any debts of what kind ſoever that were owing by the ſaid perſons deceaſed notwithſtanding.

If any accomptant die owing money to theſe uſes, and alſo to other perſons, the money received to this uſe ſhall be firſt paid.

XX. And be it further enacted, That if any Action or Treſpaſs, or other Suit, ſhall happen to be attempted, and brought againſt any perſon or perſons, for taking of any Diſtreſs, making of any ſale, impriſoning of any perſon or perſons, or any other thing doing by authority of this preſent Act, the Defendant or Defendants in any ſuch Action or Suit, ſhall and may either plead not Guilty, or otherwiſe make Avowry, Cogniſance or Juſtification; for the taking of the ſaid Diſtreſſes, making of ſale, impriſoning, or other thing doing by virtue of this Act, alledging in ſuch Avowry, Cogniſance or Juſtification, that the ſaid Diſtreſs, ſale, impriſonment, or other things whereof the Paintiff or Plaintiffs ſhall complain, was done by authority of this Act, and according to the tenor, purport and effect of this Act, without any expreſſing or rehearſal of any other matter of circumſtance contained in this preſent Act; (2) to which Avowry, Cogniſance or Juſtification, the Plaintiffs ſhall be admitted to reply, That the Defendant did take the ſaid Diſtreſs, make the ſaid ſale or impriſonment, or did any other act ſuppoſed in his Declaration, of his own wrong, without any ſuch cauſe alledged by the ſaid Defendant, whereupon the iſſue in every ſuch Action ſhall be joyned, to be tried by verdict of twelve men, and not otherwiſe, as is accuſtomed in other perſonal Actions: (3) And upon the tryal of that iſſue, the whole matter to be given on both parts in evidence. according to the very truth of the ſame, (4) and after ſuch iſſue tried for the Defendant, or non-ſuit, or diſcontinuance of the Suit of the party Plaintiff after appearance, the ſame Defendant to recover treble damages, by reaſon of his wrongful vexation in that behalf, with his coſts alſo in that part ſuſtained, and that to be aſſeſſed by the ſame Jury or Writ to enquire of the damages, as the ſame ſhall require.

The Defendants plea in any ſuit commenced againſt him for a thing done by force of this Act.

Where the defendant ſhall recover treble damages.

XXI. Provided always, and be it enacted by the authority aforeſaid, That when and as often as any Rate, Tax, Aſſeſſment or Charge, ſhall be made by virtue of the ſaid Commiſſion, and this Act or either of them, wherewith or whereby any Lands, Medows, Mariſhes or other the premiſes in the ſaid County of Suffolk, or any perſon or perſons, for or in reſpect of the ſame, ſhall or ought to be charged, that in every ſuch caſe, one or more Commiſſioner or Commiſſioners of the ſaid County of Suffolk, ſhall be preſent at the time of the ſame taxing, aſſeſſing or charging, or ſhall have warning given unto him or them, or left for him or them at his or their dwelling-houſe or houſes, of the time and place when and where the ſaid Commiſſioners ſhall meet and aſſemble, in and about the execution of this Act, or elſe the ſame Rate, Tax, Aſſeſſment and Charge, in, upon or in reſpect of the ſaid lands, meadows, Mariſhes and Premiſſes in the ſaid County of Suffolk, ſhall be void and of none effect.

One Commiſſioner or more of the County of Suffolk ſhall be preſent when any land or perſon of that County ſhall be taxed.

XXII. This

Continunce of of this Act.

XXII. This Act to continue during the term of ſeven years next enſuing the end of this preſent Seſſion of Parliament, and from thence to the end of the firſt Seſſion of the then next Parliament and no longer: And that nevertheleſs, all things done and executed in the mean time by virtue of this, and of the ſaid Commiſſion, ſhall ſtand and remain in force and effect, and be juſtifiable, as if this Act had ſtill remained in force and continued. 3 Car. 4. Continued until the end of the next Seſſion of Parliament.

CAP. XXI.

An Act for confirmation of Decrees hereaſter to be made in the Exchequer Chamber and Dutchy Court, concerning Copy-hold Lands and Tenements.

Copyholds, Kan. 1. Certain of the Kings Copyholders eſtates ſhall be confirmed by decree. The cauſes that the Kings copyhold tenants be ſubject to queſtions.

The validity of decrees made in the Exchequer-Chamber or Dutchy, concerning the Kings Copyhold lands.

WHere the Kings moſt excellent Majeſty is given to underſtand, That divers of his good and loving Subjects holding lands, tenements and hereditaments, by copy of Court-Roll, of divers of his Majeſties manors, are notwithſtanding ſubject to much queſtion and exception, either becauſe the ſaid lands, tenements and hereditaments were not perhaps originally parcels of the ſaid manors, nor time out of mind according to the ſtrict interpretation of Law, have been Copy-hold lands or tenements demiſed, or demiſable, by copy of Court-Roll of the ſaid manors: Or becauſe the Fines payable for admittances upon deſcents, ſurrenders, grants and alienations, of or to ſuch their Copy-hold lands, tenements and hereditaments, and other their uſages, cuſtoms, liberties and priviledges concerning the ſame, are either uncertain, or not ſo plain, but that both of the preſent, and in future times, much trouble, loſs and diſquiet may ariſe and happen unto ſuch Copy-hold Tenants, which may alſo be a reaſon to diſcourage them in their endeavours, in improving and husbanding their ſaid lands, which turns to the damage of the Common-wealth: (2) And where his Majeſty taking knowledge of the premiſſes, and minding to do favour to all his loving Subjects in thoſe caſes, and to ſettle, eſtabliſh, and ſecure their Copy-hold Eſtates, according to the true meaning, hath been pleaſed, that the Lord high Treaſurer of England, and the Chancellors of his Highneſs Courts of Exchequer, and Dutchy reſpectively, ſhould take order upon reaſonable compoſition to be made with his Majeſty, as to their wiſdom ſhall ſeem fit, by ſuch Tenants, to eſtabliſh their ſaid Copy-hold Eſtates by Decrees of the ſaid ſeveral Courts reſpectively according to the true meaning: In performance of which his Majeſties gracious directions, divers Decrees of that nature have been already made, and others are intended from time to time to be made, upon ſuch compoſitions to be had with the Lord Treaſurer of England, and Chancellors of the Exchequer and Dutchy for the time being, for and on his Majeſties behalf as aforeſaid: (3) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all the meſſuages, cottages, mills, lands, tenements and hereditaments contained or mentioned in any Decree or Decrees to be made in any the ſaid Courts of the Exchequer-Chamber or Dutchy, at any time ſince the firſt day of this preſent Seſſion of Parliament, or within three years from thence next enſuing, upon compoſitions made with his Majeſtics ſaid Officers, on his Highneſs behalf as aforeſaid, and in and by the ſame decreed to be from thenceforth good and perfect Copy-hold lands, ſhall from the time of ſuch Decree or Decrees made, be taken and adjudged to be good and perfect Copy-hold lands, tenements and hereditaments, according to the true intent and meaning of the ſaid Decrees reſpectively: (4) And that all and every perſon and perſons, ſhall and may have, hold, uſe and enjoy the ſaid meſſuages, cottages, mills, lands, tenements and hereditaments, to them, their heirs and aſſigns for ever, by Copy of Court-roll or otherwiſe, according to the Cuſtoms of the ſaid manors, ſeverally and reſpectively, according to the purport and effect of the ſaid Decrees, for ſuch fines, rents, duties, and by, with and according to ſuch cuſtoms, priviledges, liberties, profits and commodities, and in ſuch manner and form as in and by the ſaid Decrees ſhall be limited and appointed.

Decrees made concerning the Kings Copyhold-tenants confirmed by Parliament.

II. And be it further enacted by the authority aforeſaid, That the ſaid Decrees, and every of them, and every clauſe, article and ſentence in every of them to be contained, ſhall ſtand and be ratified, allowed, approved, and confirmed by the authority of this preſent Parliament: (2) And that the ſame Decrees, and every of them ſhall ſtand and be of force, to bind and conclude, as well the Kings Majeſty, his Heirs and Succeſſors, as alſo all other parties to the ſame, their heirs and aſſigns, and all claiming by, from, or under them in all things, according to the purport, effect and true meaning of the ſame Decrees, and that every clauſe, article and ſentence in them, or any of them to be contained for ever, from and after the making of the ſame Decrees, ſhall ſtand, be and remain, and be adjudged and taken to ſtand and be of ſuch and the ſame force and effect to all intents and purpoſes, as if the ſame Decrees, and every of them, and every clauſe, article and ſentence in them, and every of them to be contained, were ſpecially and particularly herein expreſſed, and by the authority of this preſent Parliament enacted:

A ſaving of the rights and actions of others.

(3) Saving nevertheleſs to all and every perſon and perſons, bodies politick and corporate, their heirs and Succeſſors (other than the Kings Highneſs, his Heirs and Succeſſors) all ſuch actions, eſtates, poſſeſſions, rights, titles, intereſts, rents and demands, profits, commodities and advantages whatſoever, as they or any of them have, ſhall, may or ought to have, of, in, to, or out of all, or any of the premiſſes, in ſuch and the ſame eſtate, degree, plight, manner and form to all intents and purpoſes, as if this Act had never been had or made.

CAP. XXII.

Taxes 47.

A Confirmation of a Subſidy granted by the Clergy to the King. EXP.

CAP. XXIII.

Ibid. 47.

One ſubſidy and one Fifteen granted to the King by the Temporalty. EXP.

CAP. XXIV.

Pardon.

A Confirmation of the Kings general and free pardon. Except. &c. EXP.

Anno 18 *JACOBI Regis.*

CAP. I.

Three enrire Subſidies granted by the Spiritualty. EXP.

CAP. II.

Two entire Suſidies granted by the Temporalty. EXP.

Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, viz. Angliæ, Franciæ, & Hiberniæ, viceſimo primo, & Scotiæ quinquageſimo ſeptimo.

AT the Parliament begun and holden at Weſtminſter the nineteenth day of February, in the One and twentieth year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland, King, Defender of the Faith, &c. and of Scotland the Seven and fiftieth: And there continued until the nine and twentieth day of May following: And then Prorogued until the ſecond day of November, 1624. To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

CAP. I.

An Act for the reviving and making perpetual of one Act made in the nine and thirtieth year of the late Queen Elizabeth, Intituled, An Act for erecting of Hoſpitals, and Abiding, and Working-houſes for the Poor.

WHereas in the Parliament held in the Nine and thirtieth year of the Reign of the late Queen Elizabeth of happy memory, a good Law was made, entituled, An Act for erecting of Hoſpitals, or abiding and working Houſes for the Poor: but the power, licence and authority given by the ſaid Statute, to erect, found and eſtabliſh ſuch houſes and abiding places, as are therein mentioned, was confined to the ſpace of twenty years then next enſuing, which ſaid time is now expired:

Poor. The Stat. of 39 El. 5. made perpetual. Co. Inſt. 1 par. 726.

II. Be it therefore enacted by the authority of this preſent Parliament, That the ſaid Act, and all things therein contained, ſhall from henceforth be revived and made perpetual to have continuance for ever.

III. And be it alſo enacted, that all Hoſpitals, Meaſons de dieu, and abiding places for poor, lame, maimed, and impotent people, or for houſes of Correction, at any time ſince the ſaid twenty years expired, erected, found or made, or at any time hereafter to be erected, founded or made, according to the purport of the ſaid Statute, ſhall be incorporated, and have perpetual ſucceſſion and capacity, to have, take and enjoy all other privileges, benefits and immunities, to all intents and purpoſes, according to the proviſions, tenor, purport, and true meaning of the ſaid Act, as if the ſame had been made, founded or endowed within the ſpace of twenty years next enſuing the ſaid Statute. Stat. 43 El. 4.

The erection of all Hoſpitals, &c. ſince the expiration of 39 El. 5. confirmed.

CAP. II.

An Act for the general quiet of the Subject againſt all pretence of concealment whatſoever.

THe Kings moſt excellent Majeſty, of his bleſſed and gracious diſpoſition, and abundant grace, deſiring that his loving Subjects, and their heirs and ſucceſſors, may quietly have and hold all and ſingular manors, lands, tenements and hereditaments, which they, their anceſtors or predeceſſors, or any other by, from, or under whom they claim, have of long time enjoyed, is graciouſly pleaſed that it be anacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by, and with the aſſent and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Kings Majeſty, his Heirs and Succeſſors, ſhall not at any time hereafter ſue, impeach, queſtion or implead any perſon or perſons, bodies politick or corporate, for, or in any wiſe concerning any manors, lands, tenements, rents, tithes or hereditaments, other than liberties and franchiſes, or for, or in any wiſe concerning the revenues, iſſues or profits thereof, or make any title, claim, challenge or demand, of, in, or to the ſame, or any of them, by reaſon of any right or title accrewed, and grown threeſcore years paſt and more, and now in Eſſe, unleſs his Majeſty or ſome of his Progenitors, Predeceſſors or Anceſtors, or ſome other perſon or perſons, bodies politick or corporate, under whom his Majeſty any thing hath, or lawfully claimeth, have been anſwered by force and virtue of any ſuch right or title to the ſame, the rents, revenues, iſſues or profits thereof, within threeſcore years next before the beginning of this preſent Seſſion of Parliament, or that the ſame have been duly in charge to his Majeſty, or the late Queen Elizabeth, or have ſtood inſuper of Record within the ſpace of threeſcore years; (3) And that every perſon and perſons, bodies politick and corporate, their Heirs and Succeſſors, and all claiming by, from or under them, or any of them, for, and according to their, and every of their ſeveral eſtates and intereſts, which they have, or claim to have in the ſame reſpectively, ſhall hereafter quietly and freely have, hold, and enjoy againſt his Majeſty, his Heirs and Succeſſors, claiming by any title accrewed, or grown threeſcore years paſt, or above, and now in Eſſe, all and ſingular manors, lands, tenements, rents, tithes and hereditaments whatſoever, except liberties and franchiſes, which he or they, or his or their, or any of their Anceſtors or Predeceſſors, or thoſe from, by, or under whom they claim, have held or enjoyed, or taken the rents revenues, iſſues or profits thereof, by the ſpace of threeſcore years next before the beginning of this preſent Seſſion of Parliament, unleſs his Majeſty, or ſome of his Progenitors or Anceſtors, or ſome other perſon or perſons, bodies politick or corporate, by, from, or under whom his Majeſty any thing hath, or lawfully claimeth, in the ſaid manors, lands, tenements, rents, tithes or hereditaments, by force of any right or title, have been anſwered by virtue of any ſuch right or title, the rents, revenues, iſſues or other profits thereof within threeſcore years next before the beginning of this preſent Seſſion of Parliament, or tha the ſame have been duly in charge, or ſtood inſuper of Record, at aforeſaid, within the ſaid ſpace of three ſcore years: (4) And furthermore, that every perſon and perſons, bodies

Limitation. Concealed lands ſhall not be recovered, unleſs it may be proved that the King had title unto them within ſixty years.

bodies politick and corporate their heirs and ſucceſſors, and all claiming by, from or under them, or any of them, for and according to their, and every of their ſeveral eſtates and intereſts which they have or claim reſpectively, ſhall quietly and freely have, hold and enjoy all ſuch manors, lands, tenements, rents, tythes and hereditaments, except liberties and franchiſes, as they now have, claim or enjoy, (whereof his Majeſty, his Progenitors, Predeceſſors or Anceſtors, or he, or they, by, from or under whom his Majeſty any thing hath, or lawfully claimeth, or ſome of them, by force of ſome right or title to the ſame, have not been anſwered by virtue of ſuch right or title, the rents, revenues, iſſues or profits thereof, within threeſcore years next before the beginning of this preſent Seſſion of Parliament:) Nor the ſame have been duly in charge, or ſtood inſuper of Record, as aforeſaid, within the ſpace of threeſcore years, againſt all, and every perſon and perſons, their heirs and aſſigns, having, claiming or pretending to have any eſtate, right, title, intereſt, claim or demand whatſoever, of, in, or to the ſame, by force or colour of any Letters Patents, or Grants upon Suggeſtion of concealment, or wrongful detaining, or not being in charge, or defective titles, of, or for which ſaid manors, lands, tenements, rents, tythes and hereditaments, or any of them, no verdict, judgment, decree, judicial order upon hearing, or ſentence now ſtanding in force, hath been had or given in any action, bill, plaint, or information, in any of his Majeſties Courts at Weſtminſter, for, or in the name of the Kings Majeſty, or of the late Queen Elizabeth, or for any the ſaid Patentees or Grantees, or for their, or any of their heirs or aſſigns, within threeſcore years next before the beginning of this preſent Seſſion of Parliament.

This Act ſhall not impeach the Kings title to any reverſion or remainder.

II. Provided always, That this Act, or any thing therein contained, ſhall not extend to bar, impeach or hinder his Majeſty, his Heirs, or Succeſſors, of, for, or from any manors, lands, tenements, rents, tythes or hereditaments, whereof any reverſion or remainder now is in his Majeſty, for, or concerning the ſaid reverſion or remainder: (2) Nor of, for, or from any reverſion or remainder, or poſſibility of reverſion or remainder, in any of his Majeſties Progenitors, or Predeceſſors, or Anceſtors, which by the expiration, end or other determination of any limited eſtate of fee-ſimple, or of any fee-tail, or other particular eſtate, hath, or ought to have failen, or become in poſſeſſion within the ſpace of threeſcore years next before the beginning of this preſent Seſſion of Parliament: (3) Nor of, for, or from any right or title firſt accrued or grown to his Majeſty, or any of his Progenitors, Predeceſſors or Anceſtors, or in or to any manors, lands, tenements, rents, tythes, or hereditaments, within the ſpace of threeſcore years next before the beginning of this preſent Seſſion of Parliament, and not before.

III. Provided alſo, and be it enacted by authority of this preſent Parliament, That this Act, or any thing therein contained, ſhall not extend to any manors, lands, tenements, rents, tythes or hereditaments mentioned to be granted or conveyed by any of his Maieſties Progenitors, Predeceſſors or Anceſtors, or by any other under whom his Majeſty claimeth, to any perſon or perſons, of any limited Eſtate in fee-ſimple, or of any Eſtates intail, or other particular Eſtate, which ſeveral Eſtates (if the ſame had been good and effectual in the Law) have, or ought to have fallen, or become in poſſeſſion within threeſcore years next before the beginning of this preſent Seſſion of Parliament, nor to any manors, lands, tenements, rents, tythes or hereditaments mentioned to be granted or conveyed by any of his Majeſties Progenitors, Predeceſſors or Anceſtors, or by any other under whom his Majeſty claimeth, to any perſon or perſons, in fee-tail, or other particular Eſtate, whereof the reverſion or inheritance (if ſuch Eſtate tail or other particular Eſtate had been good and effectual in Law) ſhould have been continued in his Majeſty, the firſt day of this preſent Seſſion of Parliament.

This Act ſhall not extend to alter the tenures or ſervices of lands.

IV. Provided alſo, and be it enacted by the authority of this preſent Parliament, That all and ſingular the ſaid manors, lands, tenements and hereditaments, ſhall be holden of his Majeſty, his Heirs and Succeſſors, and of other perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors reſpectively, by the ſame tenures, ſervices, fee-farms, chief rents, heriots and other duties, to all intents and purpoſes, as the ſame ſhould or ought of right to have been holden, if the Eſtates, Rights and Intereſts eſtabliſhed and made ſure by this preſent Act, had been before the making of this Act, firm, good, and effectual in Law; (2) ſaving to every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, (other than his moſt excellent Majeſty, his Heirs and Succeſſors, and other then all Patentees or Grantees of concealment, or defective titles, and all and every perſon and perſons claiming from, by, or under them, or any of them, for, in reſpect, or by reaſon of any ſuch Patents or Grants of concealment or defective titles) all ſuch rights, title, intereſt, eſtate, rents, commons, cuſtoms, duties, profits and other claims and demands whatſoever, in, to, or out of the ſaid manors, lands, tenements, tythes or hereditaments, as they or any of them had or ought to have had before the making of this Act; Any thing in this Act to the contrary notwithſtanding.

The right of others ſaved.

It ſhall not extend to annul the cuſtom of two pence paid for ſea-coal at Newcaſtle.

V. Provided always, that this Act, nor any thing therein contained, ſhall extend to debar his Majeſty, his heirs or Succeſſors, of, or from ſuch claim and demand as his Majeſty hath made, or may rightfully make, unto a certain duty or cuſtom of two pence upon a Chaldron of Sea-coal, to be paid in the Port of the Town of Newcaſtle upon Tyne, with the members thereof, but that the ſame ſhall be, and remain in ſuch ſort and degree, as if this Act had never been had or made.

All rents anſwered within ſixty years, confirmed.

VI. Provided alſo, and be it enacted, That where any fee-farm rent, or other rent or rents have been anſwered and paid to the Kings Majeſty, or to any his Predeceſſors, by the more part of threeſcore years laſt paſt, out of any manors, lands, tenements or hereditament of which manors, lands, tenements or hereditaments, the eſtates, rights or intereſts being defective, are eſtabliſhed and made ſure by this preſent Act; That the Kings Majeſty, his Heirs and Succeſſors, ſhall from henceforth for ever, have, hold and enjoy the ſaid rents and arrearages thereof in ſuch manner and form, and as fully and amply as the ſame were enjoyed by the more part of threeſcore years laſt paſt before the beginning of this Seſſion of Parliament.

VII. Provided always and be it enacted by authority of this preſent Parliament, That no putting in charge, nor ſtanding *inſuper*, nor taking or anſwering the Farm-rents, Revenues or Profits of any the ſaid lands, tenements or hereditaments, by force, colour or pretext of any Letters Patents, or Grants of concealments, or defective titles, or of lands, tenements, or hereditaments out of charge or by force, colour or pretext of any inquiſitions, preſentments, by, or by reaſon of any Commiſſion, or other authority to find out concealments, defective titles, or lands, tenements or hereditaments, out of charge, ſhall be deemed, conſtrued or taken to be a putting in charge, ſtanding *inſuper*, or taking or anſwering the Farm-rents, Revenues or Profits, by, or to his Majeſty, or any of his Progenitors or Predeceſſors, unleſs thereupon ſuch lands, tenements or hereditaments, have been upon any Information or Suit, on the behalf of his Majeſty, or of any his Progenitors or Predeceſſors, upon a lawful Verdict given, or Demurrer in Law adjudged, or upon a hearing ordered or decreed for his Majeſty, or of any of his Progenitors or Predeceſſors, or any of them within the ſaid ſpace of threeſcore years.

The Kings title required by this Act to be within ſixty years, ought to accrew upon a verdict or demurrer and not upon a bare putting in charge or ſtanding *inſuper*.

VIII. Provided always, and be it enacted, That this Act, or any thing therein contained, ſhall not extend, or be prejudicial to his Majeſty, for or concerning any manors, lands, tenements or hereditaments, for which any compoſition is, or before the end of this Seſſion of Parliament, ſhall be made with his Majeſties Commiſſioners for defective titles, and the Moneys by ſuch compoſitions payable to his Majeſty, not payed before the end of this Seſſion of Parliament, unleſs the ſaid Moneys ſhall be paid, and his Majeſties Letters Patents procured according to the true intent of ſuch compoſitions, within three months after the end of this Seſſion of Parliament.

This Act ſhall not extend to land for which compoſition is, or ſhall be made before the end of this Parliament.

CAP. III.

An Act concerning Monopolies and Diſpenſations with penal Laws, and the forfeitures thereof.

Inſt. 181. Mo. 183.

FOraſmuch as your moſt excellent Majeſty, in your Royal Judgment, and of your bleſſed diſpoſition to the weal and quiet of your Subjects, did in the year of our Lord God, One thouſand ſix hundred and ten, publiſh in print to the whole Realm, and to all poſterity, That all Grants and Monopolies, and of the benefit of any penal Laws, or of power to diſpence with the Law, or to compound for the forfeiture, are contrary to your Majeſties Laws; which your Majeſties Declaration is truly conſonant and agreeable to the ancient and fundamental Laws of this your Realm: (2) And whereas your Majeſty was further graciouſly pleaſed, expreſly to command, That no Suiter ſhould preſume to move your Majeſty for matters of that nature; (3) yet nevertheleſs upon miſinformations, and untrue pretences of publick good, many ſuch Grants have been unduly obtained, and unlawfully put in execution, to the great grievance and inconvenience of your Majeſties Subjects, contrary to the Laws of this your Realm, and contrary to your Majeſties moſt Royal and bleſſed intention ſo publiſhed, as aforeſaid; (4) for avoiding whereof, and preventing of the like to come, May it pleaſe your excellent Majeſty, at the humble ſuit of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That it may be declared and enacted, (5) and be it declared and enacted by authority of this preſent Parliament, That all Monopolies, and all Commiſſions, Grants, Licences, Charters and Letters Patents, heretofore made or granted, or hereafter to be made or ganted to any peaſon or perſons, bodies politick or corporate whatſoever, of, or for the ſole buying, ſelling making, working or uſing of any thing within this Realm, or the Dominion of *Wales*; (6) or of any other Monopolies, or of power liberty or faculty, to diſpence with any others, or to give licence or toleration to do, uſe, or exerciſe any thing againſt the tenor or purport of any Law or Statute; (7) or to give or make any Warrant for any ſuch diſpenſation, licence or toleration to be had or made, or to agree or compound with any others for any penalty or forfeitures limited by any Statute, or of any grant or promiſe of the benefit, profit or commodity of any forfeiture, penalty or ſum of Money that is or ſhall be due by any Statute, before Judgment thereupon had, (8) and all Proclamations, Inhibitions, Reſtraints, Warrants of aſſiſtance, and all other matters and things whatſoever, any way tending to the inſtituting, erecting, ſtrengthening, furthering or countenancing of the ſame, or any of them, (9) are altogether contrary to the Laws of this Realm, and ſo are, and ſhall be utterly void and of none effect, and in no wiſe to be put in ure or execution.

Matters of Monopolies &c. contrary to the Laws of the Realm.

All Monopolies, &c. ſhall be void.

Stiles 214.

II. And be it further declared and enacted by the authority aforeſaid, That all Monopolies, and all ſuch Commiſſions, Grants, Licences, Charters, Letters, Patents, Proclamations, Inhibitions, Reſtraints, Warrants of Aſſiſtance, and all other matters and things tending as aforeſaid, and the force and validity of them, and every of them, ought to be, and ſhall be for ever hereafter examined, heard, tried, and determined by and according to the Common Laws of this Realm, and not otherwiſe.

Monopolies, &c. ſhall be tried by the common Laws of this Realm.

III. And be it further enacted by the authority aforeſaid, That all perſon and perſons, bodies politick and corporate whatſoever, which now are, or hereafter ſhall be, ſhall ſtand and be diſabled, and uncapable to have, uſe, exerciſe or put in ure any Monopoly, or any ſuch Commiſſion, Grants, Licence, Charter, Letters Patents, Proclamation, Inhibition, Reſtraint, Warrant of Aſſiſtance, or other matter or thing tending, as aforeſaid, by any liberty, power or faculty, grounded, or pretended to be grounded upon them or any of them.

All perſons diſabled to uſe Monopolies, &c.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons at any time after the end of fourty days next after the end of this preſent Seſſion of Parliament, ſhall be hindered, grieved, diſturbed or diſquieted, or his or their Goods or Chattels any way ſeized, attached, diſtrained, taken, carried away or detained, by occaſion or pretext of any Monopoly, or of any ſuch Commiſſion, Grant, Licence, Power, Liberty, Faculty, Letters Patents, Proclamation, Inhibition, Reſtraint, Warrant of Aſſiſtance, or other matter or thing tending as aforeſaid, and will ſue to be relieved in, or for any of the premiſſes, That in every ſuch caſe, the ſame perſon and perſons ſhall and may have his and their remedy for the ſame at the Common Law, by an Action or Actions to be grounded upon this Statute,

The party grieved by pretext of a Monopoly, &c. ſhall recover treble damages and double Coſts.

tute, The ſame Action and Actions to be heard and determined in the Courts of Kings Bench, Common Pleas and Exchequer, or in any of them, againſt him or them by whom he or they ſhall be ſo hindred, grieved, diſturbed or diſquieted, or againſt him or them by whom his or their Goods or Chattels ſhall be ſo ſeized, attached, diſtrained, taken, carried away or detained, (2) wherein all and every ſuch perſon and perſons which ſhall be ſo hindred, grieved, diſturbed or diſquieted, or whoſe goods or Chattels ſhall be ſo ſeized, attached, deſtrained, taken, carried away or detained, ſhall recover three times ſo much as the damages which he or they ſuſtained, by means or occaſion of being ſo hindred, grieved, diſturbed or diſquieted, or by means of having his or their Goods or Chattels ſeized, attached, diſtrained, taken, carried away or detained, and double coſts; (3) and in ſuch Suits, or for the ſtaying or delaying thereof, no Eſſoin, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction, or Order of Reſtraint, ſhall be in any wiſe prayed, granted, admitted or allowed, nor any more then one imparlance: (4) And if any perſon or perſons ſhall, after notice given, that the Action depending is grounded upon this Statute, cauſe or procure any Action at the Common Law, grounded upon this Statute, to be ſtayed or delayed before Judgment, by colour or means of any Order, Warrant, Power or authority, ſave only of the Court wherein ſuch Action, as aforeſaid, ſhall be brought and depending, or after Judgment had upon ſuch Action, ſhall cauſe or procure the Execution of or upon any ſuch Judgment, to be ſtayed or delayed by colour or means of any Order, Warrant, Power or Authority, ſave only by Writ of Error or Attaint, That then the ſaid perſon and perſons ſo offending, ſhall incur and ſuſtain the pains, penalties and forfeitures ordained and provided by the Statute of Proviſion and Præmunire, made in the Sixteenth year of the Reign of King Richard the Second.

He that delayeth an Action grounded upon this ſtat. incurs a præmunire.

Stat. 16. R. 2. 5.

Letters patents to uſe new manufactures, ſaved.

V. Provided nevertheleſs, and be it declared and enacted, That any Declaration before mentioned, ſhall not extend to any Letters Patents and Grants of priviledge for the term of one and twenty years, or under, heretofore made of the ſole working or making of any manner of new Manufacture within this Realm, to the firſt and true Inventor or Inventors of ſuch Manufactures, which others at the time of the making of ſuch Letters Patents and Grants did not uſe, ſo they be not contrary to the Law, nor miſchievous to the State, by raiſing of the prices of Commodities at home, or hurt of Trade, or generally inconvenient, but that the ſame ſhall be of ſuch force as they were, or ſhould be, if this Act had not been made, and of none other: (2) And if the ſame were made for more then one and twenty years, That then the ſame for the term of one and twenty years only, to be accompted from the date of the firſt Letters Patents and Grants thereof made, ſhall be of ſuch force as they were, or ſhould have been, if the ſame had been made but for term of one and twenty years only, and as if this Act had never been had or made, and of none other.

Grants confirmed by Act of Parliament, ſaved.

VI. Provided alſo, and be it declared and enacted, That any Declaration before mentioned ſhall not extend to any Letters Patents and Grants of Priviledge for the term of fourteen years or under, hereafter to be made, of the ſole working or making of any manner of new Manufactures within this Realm, to the true and firſt Inventor and Inventors of ſuch Manufactures, which others at the time of making ſuch Letters Patents and Grants, ſhall not uſe, ſo as alſo they be not contrary to the Law, nor miſchievous to the State, by raiſing prices of Commodities at home, or hurt of Trade, or generally inconvenient: The ſaid fourteen years to be accompted from the date of the firſt Letters Patents, or Grant of ſuch privilidge hereafter to be made, but that the ſame ſhall be of ſuch force as they ſhould be, if this Act had never been made, and of none other.

VII. Provided alſo, and it is hereby further intended, declared and enacted by authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend, or be prejudicial to any grant or priviledge, power or authority whatſoever heretofore made, granted, allowed or confirmed by any Act of Parliament now in force, ſo long as the ſame ſhall ſo continue in force.

Warrants granted to Juſtices, ſaved.

VIII. Provided alſo, That this Act ſhall not extend to any Warrant or privy Seal, made or directed, or to be made or directed by his Majeſty, his heirs or Succeſſors, to the Juſtices of the Courts of the Kings Bench, or Common Pleas, and Barons of the Exchequer, Juſtices of Aſſiſe, Juſtices of Oyer and Terminer, and Goal Delivery, Juſtices of the Peace, and other Juſtices for the time being, having power to hear and determine offences done againſt any Penal Statute, to compound for the forfeitures of any Penal Statute, depending in ſuit and queſtion before them, or any of them reſpectively, after Plea pleaded by the party Defendant.

Charters granted to corporations, ſaved.

IX. Provided alſo, and it is hereby further intended, declared and enacted, That this Act or any thing therein contained, ſhall not in any wiſe extend, or be prejudicial unto the City of London, or to any City, Borough or Town-Corporate within this Realm, for or concerning any Grants, Charters or Letters Patents to them, or any of them, made or granted, or for, or concerning any Cuſtom or Cuſtoms uſed by or within them, or any of them, (2) or unto any corporations, Companies or Fellowſhips of any Art, Trade, Occupation or Myſtery, or to any Companies or Societies of Merchants within this Realm, erected for the maintenance, enlargement, or ordering of any Trade or Merchandize; (3) But that the ſame Charters, Cuſtoms, Corporations, Companies, Fellowſhips and Societies, and their liberties, priviledges, powers and immunities, ſhall be and continue of ſuch force and effect as they were before the making of this Act, and of none other; Any thing before in this Act contained to the contrary in any wiſe notwithſtanding,

Letters patents that concern Printing, Saltpetre, Gunpowder, great Ordnance Shot or Offices, ſaved.

X. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Diſablement, Penalty, Forfeiture or other thing before mentioned, ſhall not extend to any Letters Patents, or Grants of priviledge heretofore made, or hereafter to be made, of, for or concerning Printing; (2) Nor to any Commiſſion, Grants or Letters Patents heretofore made, or hereafter to be made, of, for, or concerning the digging, making or compounding of Saltpetre or Gunpowder: Or the caſting or making of Ordnance, or Shot for Ordnance: (3) Nor to any Grant or Letters Patents heretofore made, or hereafter to be made, of any Office or Offices heretofore erected, made or ordained, and now in being, and put in execution, other than ſuch Offices as have been decryed by any his Majeſties Proclamation or Proclamations: (4) but that all and every the ſame Grants, Commiſſions and Letters Patents, and all other matters and things tending to the maintaining, ſtrengthening or furtherance of the ſame, or any of them, ſhall be and remain of the like force and effect, and no other, and as free from the declarations proviſions, penalties and forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwiſe.

XI. Provided alſo, and be it enacted, That this Act or any declaration, proviſion, diſablement, penalty, forfeiture, or other thing before mentioned, ſhall not extend to any Commiſſion, Grant, Letters Patents or priviledge heretofore made, or hereafter to be made, of, for or concerning the digging, compounding or making of Allum or Allum-mines, but that all and every the ſame Commiſſions, Grants, Letters Patents and Priviledges, ſhall be and remain of the like force and effect, and no other, and as free from the declarations, proviſions, penalties and forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwiſe.

This Act ſhall not extend to Commiſſions for Allum-Mines.

XII. Provided alſo, and be it enacted, That this Act, or any declaration, proviſion, penalty, forfeiture or other thing before mentioned, ſhall not extend or be prejudicial to any uſe, cuſtom, preſcription, franchiſe, freedom, juriſdiction, immunity, liberty or priviledge heretofore claimed, uſed or enjoyed by the Governors and Stewards, and Brethren of the Fellowſhip of the Hoaſt-men of the Town of Newcaſtle upon Tyne, or by the ancient Fellowſhip, Guild or Fraternity, commonly called Hoaſt-men; (2) or concerning the ſelling, carrying, lading, diſpoſing, ſhipping, venting or trading of, or for any Sea-coals, Stone-coals or pit-coals, forth, or out of the Haven and River of Tyne; or to a Grant made by the ſaid Governour and Stewards, and Brethren of the Fellowſhip of the ſaid Hoaſt-men, to the late Queen Elizabeth, or any duty or ſum of Money to be paid, for, or in reſpect of any ſuch Coals as aforeſaid; (3) nor to any Grants, Letters Patents or Commiſſion heretofore granted, or hereafter to be granted, of, for, or concerning the licenſing of the keeping of any Tavern or Taverns, or ſelling, uttering or retailing of Wines to be drunk or ſpent in the Manſion houſe or houſes, or other place, in the tenure or occupation of the party or parties ſo ſelling or uttering the ſame; or for, or concerning the making of any Compoſitions for ſuch licences, ſo as the benefit of ſuch Compoſitions be reſerved and applyed to, and for the uſe of his Majeſty, his Heirs or Succeſſors, and not to the private uſe of any other perſon or perſons.

Nor to the Liberties of Newcaſtle upon Tyne nor to Licences of keeping Taverns.

XIII. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Penalty, Forfeiture or other thing before mentioned, ſhall not extend or be prejudicial to a Grant or priviledge, for, or concerning the making of Glaſs, by his Majeſties Letters Patents, under the great Seal of England, bearing date the two and twentieth day of May, in the One and twentieth year of his Majeſties Reign of England, made and granted to Sir Robert Manſel Knight, Vice-Admiral of England: (2) Nor to a Grant or Letters Patents bearing date the twelfth day of June, in the Thirteenth year of his Majeſties Reign of England, made to James Maxewel Eſquire, concerning the Tranſportation of Calves skins: (3) But that the ſaid ſeveral Letters Patents laſt mentioned, ſhall be and remain of the like force and effect, and as free from the Declarations, Proviſions Penalties and Forfeitures before mentioned, as if this Act, had never been had nor made, and not otherwiſe.

Not to Letters Patents granted to Sir Robert Manſel, Kt, or to James Maxwell, Eſq;

XIV. Provided alſo, and be it declared and enacted, That this Act or any Declaration, Proviſion, Penalty, Forfeiture or other thing before mentioned, ſhall not extend or be prejudicial to a Grant or Priviledge, for, or concerning the making of Smalt, by his Majeſties Letters Patents under the Great Seal of England, bearing date the ſixteenth day of February, in the Sixteenth year of his Majeſties Reign of England, made or granted to Abraham Baker: (2) Nor to a Grant or Priviledge, for or concerning the melting of Iron Ewer, and of making the ſame into Caſt-works or Bars, with Sea-coals or Pit-coals, by his Majeſties Letters Patents under the great Seal of England, bearing date the twentieth day of February, in the nineteenth year of his Majeſties Reign of England, made or granted to Edward Lord Dudley, (3) but that the ſame ſeveral Letters Patents and Grants ſhall be and remain of the like force and effect, and as free from the Declarations, Proviſions, Penalties and Forfeitures before mentioned, as if this Act had never been had nor made, and not otherwiſe.

Not to thoſe granted to Abraham Baker, or Edward Lord Dudley.

CAP. IV.

An Act for the eaſe of the Subject, concerning Informations upon Penal Statutes.

Inſt. 191. 192. 193.

Whereas the offences againſt divers and ſundry Penal Laws and Statutes of this Realm may better and with more eaſe and leſs charge to the Subject, be commenced, ſued, informed againſt, proſecuted and tried in the Counties where ſuch offences ſhall be committed: (2) And whereas the poor Commons of this Realm are grievouſly charged, troubled, vexed, moleſted and diſturbed by divers troubleſome perſons, commonly called Relators, Informers and Promoters, by proſecuting and inforcing them to appear in his Majeſties Courts at Weſtminſter, and to anſwer offences ſuppoſed by them to be committed againſt the ſaid Penal Laws and Statutes, or elſe to compound with them for the ſame: (3) For remedy whereof, Be it enacted by the authority of this preſent Parliament, That all offences hereafter to be committed againſt any Penal Statute, for which any common Informer or Promoter may Lawfully ground any popular Action, Bill, Plaint, Suit or Information before Juſtices of Aſſiſe, Juſtices of Niſi prius or Goal-delivery, Juſtices of Oyer and Terminer, or Juſtices of Peace in their general or quarter Seſſions, shall after the end of this preſent Seſſion of Parliament, be commenced, ſued, proſecuted, tried, recovered and determined, by way of Action, Plaint, Bill, Information or Indictment before the Juſtices of

ar. 112. 316 193

Informations upon penal ſtatutes ſhall be proſecuted in the Counties where the offences were committed. Co. Inſt. 4 P. 172. Stiles, 209, 223, 340, 356, 381, 383.

Aſſiſe, Juſtices of Niſi prius, Juſtices of Oyer and Terminer, and Juſtices of Goal-delivery, or before the Juſtices of Peace of every County, City, Borough or Town-corporate, and Liberty, having power to enquire of, hear and determine the ſame within this Realm of England, or Dominion of Wales, wherein ſuch offences ſhall be committed in any of the Courts, places of Judicature, or Liberties aforeſaid, reſpectively, only at the choice of the parties which ſhall or will commence Suit, or proſecute for the ſame, and not elſewhere, ſave only in the ſaid Counties, or places uſual for thoſe Counties, or any of them: (4) And that the like Proceſs in every popular Action, Bill, Plaint, Information or Suit to be commenced, or ſued, or proſecuted after the end of this preſent Seſſion of Parliament, by force of, or according to the purport of this Act, be had and awarded, to all intents and purpoſes, as in an Action of Treſpaſs, Vi & Armis, at the Common Law; (5) And that all, and all manner of Informations, Actions, Bills, Plaints and Suits whatſoever hereafter to be commenced, ſued, proſecuted or awarded, either by the Attorney General of his Majeſty, his Heirs or Succeſſors for the time being, or by any Officer or Officers whatſoever for the time being, or by any common Informer, or other perſon whatſoever, in any of his Majeſties Courts at Weſtminſter, for, or concerning any the Offences, Penalties or Forfeitures aforeſaid, ſhall be void and of none effect; Any Law, Cuſtom or Uſage to the contrary thereof notwithſtanding.

Upon default of proving that the offence was committed in the ſame County, the Defendant ſhall be found not guilty.

Cro. Ca
Hutt.

II. And be it further enacted by the authority aforeſaid, That in all Informations to be exhibited, and in all Bills, Counts, Plaints and Declarations, in any Action or Suit to be commenced againſt any perſon or perſons, either by, or on the behalf of the King, or any other, for or concerning any offence committed or to be committed againſt any Penal Statute, the offence ſhall be laid and alledged to have been committed in the ſaid County where ſuch offence was in truth committed and not elſewhere: (2) And if the Defendant to any ſuch Information, Action or Suit, pleadeth that he oweth nothing, or that he is not guilty; and the Plaintiff or Informer in ſuch Information, Action or Suit, upon evidence to the Jury that ſhall try ſuch Iſſue, ſhall not both prove the offence laid in the ſaid Information, Action or Suit, and that the ſame offence was committed in that County, then the Defendant and Defendants ſhall be found not guilty.

The Informer ſhall make oath that the offence was committed in the ſame County where the ſuit is commenced.

Cro. Ca

III. And be it further enacted by the authority aforeſaid, That no officer or Miniſter in any Court of Record, ſhall receive, file or enter of Record any Information, Bill or Plaint, Count or Declaration, grounded upon the ſaid Penal Statutes, or any of them, which before by this Act are appointed to be heard and determined in their proper Counties, until the Informer or Relator hath firſt taken a corporal Oath before ſome of the Judges of that Court, that the offence or offences laid in ſuch Information, Action, Suit or Plaint, was, or were not committed in any other County then where by the ſaid Information, Bill, Plaint, Count, or Declaration, the ſame is, or are ſuppoſed to have been committed, and that he believeth in his conſcience, the offence was committed within a year before the Information or Suit, within the ſame County where the ſaid Information or Suit was commenced; the ſame Oath to be there entred of Record.

The defendant in an information upon a penal Statute, may plead the general iſſue.

IV. And be it alſo enacted by the authority aforeſaid, That if any Information, Suit or Action ſhall be brought, or exhibited againſt any perſon or perſons, for any offence committed or to be committed againſt the form of any penal Law, either by, or on the behalf of the King, or by any other, or on the behalf of the King, and any other, it ſhall be lawful for ſuch Defendants to plead the general Iſſue, that they are not guilty, or that they owe nothing, and to give ſuch ſpecial matter in evidence to the Jury that ſhall try the ſame; which matter being pleaded, had been good and ſufficient matter in Law to have diſcharged the ſaid Defendant or Defendants againſt the Information, Suit or Action, and the ſaid matters ſhall be then as available to him or them, to all intents and purpoſes, as if he or they had ſufficiently pleaded, ſet forth or alledged the ſame matter in bar, or diſcharge of ſuch Information, Suit or Action.

Certain offences excepted.

V. Provided always, That this Act, or any clauſe contained therein, ſhall not extend to any Information, Suit or Action grounded upon any Law or Statute made againſt Popiſh Recuſants, or for, or concerning Popiſh Recuſancy, or againſt thoſe that ſhall not frequent the Church, and hear Divine Service, (2) nor to any Information, Suit or Action, for maintenance, champerty, or buying of Titles, (3) nor to any Suit or Information grounded upon the Statute made in the Firſt year of the Reign of our Sovereign Lord the King, of a Subſidy granted to the King, of Tonnage, Poundage, Wooll, &c. (4) Nor for or concerning the concealing or defrauding the King his Heirs or Succeſſors, of any Cuſtom, Tonnage, Poundage, Subſidy, Impoſt or Priſage, (5) or for tranſporting of Gold, Silver, Ordnance, Powder, Shot, Munition of all ſorts, Wooll, Wooll-fells or Leather, but that ſuch offence may be laid or alledged to be in any County, at the pleaſure of any Informer; Any thing in this Act to the contrary notwithſtanding. Stat. 21 El. 5.

CAP. V.

An Act that Sheriffs, their heirs, executors and Adminiſtrators, having a Quietus eſt, ſhall be abſolutely diſcharged of their Accompts.

A Quietus eſt granted to a Sheriff ſhall diſcharge him of all accompts due to the King

FOraſmuch as divers Sheriffs of ſeveral Counties within this Realm of England and Dominion of Wales, have been of late much troubled and vexed long time after that they have paſſed their Accompts, and had their Quietus eſt, and charged anew with arrearages, debts and other ſums of Money, pretended to have been by them levied and received, and not formerly accompted for, to the great diſcouragement of others, to take upon them the ſaid Office: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whenſoever any Sheriff or Sheriffs within this Realm of England or Dominion of Wales, upon the paſſing of their Accompts, ſhall have their Quietus eſt, That then, and from thenceforth the ſaid Sheriff or Sheriffs, their heirs, executors and

Adminiſtrators, Lands, Tenements, Goods and Chattels, ſhall be abſolutely diſcharged of all manner of ſum or ſums of money which he or they ſhall have ſo levied or received, and pretended not to be accompted for within the ſaid Accompt whereupon he or they had their Quietus eſt, unleſs ſuch Sheriff or Sheriffs ſhall be called in queſtion for ſuch ſum or ſums of money pretended to be levied and received, and not accompted for within the ſpace of four years after the time of their ſaid Accompt and Quietus eſt: (3) And that every Officer or Miniſter that ſhall ſend out, or cauſe to be ſent out any Writ or Proceſs, or by whoſe default any Writ or Proceſs ſhall be ſent out contrary to this Act, ſhall for every ſuch offence forfeit and pay to the party grieved forty pounds, with his coſt and damages; the ſaid ſum of forty pounds, and the ſaid coſts and damages to be recovered by Action of Debt, Bill, Plaint or Information, to be brought and proſecuted in the Court of the Kings Bench, or the Court of the Common Pleas, at the election of the Plaintiff: Wherein no Priviledge, Protection Eſſoin or Wager of Law ſhall be allowed to the Defendant.

The Officer that vexeth the Sheriff contrary to this Act, ſhall forfeit 40l.

II. And further be it enacted, That every ſuch Offender being three times lawfully convicted of any ſuch offence or offences, upon the tryal of ſuch Action or Debt, Bill, Plaint or Information, ſhall for ſuch offence or offences contrary to the meaning of this Act, be utterly diſabled to be or continue in any office or imployment in the ſaid Court of Exchequer, or in any other Court of Juſtice whatſoever. 14 Car. 2. cap. 21.

For the third offence he ſhall be diſabled to continue in any Office.

C A P. VI.

An Act concerning Women convicted of ſmall Felonies.

Whereas by the Laws of this Realm the benefit of Clergy is not allowed to Women convicted of Felony, by reaſon whereof many Women do ſuffer death for ſmall cauſes, (2) Be it enacted by the authority of this preſent Parliament, That any Woman being lawfully convicted by her confeſſion, or by the Verdict of twelve men, of or for the felonious taking of any Money, Goods or Chattels, above the value of twelve pence, and under the value of Ten ſhillings, or as acceſſary to ſuch Offence, the ſaid Offence being no Burglary nor Robbery in or near the High-way, nor the felonious taking of any Money, Goods, or Chattels, from the perſon of any man or woman privily, without his or their knowledge, but only ſuch an Offence, as in the like caſe a man might have his Clergy, ſhall for the firſt Offence be branded and marked in the Hand, upon the brawn of the left Thumb with a hot burning Iron, having a Roman T upon the ſaid Iron: The ſaid mark to be made by the Jayler openly in the Court before the Judge, (3) and alſo to be further puniſhed by Impriſonment, whipping, ſtocking, or ſending to the Houſe of Correction, in ſuch ſort, manner and form, and for ſo long time (not exceeding the ſpace of one whole year) as the Judge, Judges or Juſtices before whom ſhe ſhall be ſo convicted, or which ſhall have authority in the cauſe, ſhall in their diſcretion think meet, according to the quality of the Offence, and then to be delivered out of Priſon for that Offence; Any Law, Cuſtom or Uſage to the contrary notwithſtanding. (4) This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

For Felony, where Clergy is allowed to the Man, the Woman ſhall be burned in the hand.

C A P. VII.

An Act for the better repreſſing of Drunkenneſs, and reſtraining the inordinate haunting of Inns, Alehouſes, and other Victualling-houſes.

Whereas one Statute, intituled, An Act to reſtrain the inordinate haunting or tipling in Inns, Alehouſes, and other Victualling-houſes, made in the firſt year of his Highneſs happy Reign of England; And another Statute, entituled, An Act to repreſs the odious and lothful ſin of Drunkenneſs, made in the fourth year of his Highneſs Reign England, were made to continue to the end of the firſt Seſſion of the next Parliament, and by his experience have been found good and neceſſary Laws, Be it therefore enacted, That the ſaid Statutes with the alterations and additions hereafter expreſſed, ſhall be put in due execution, and continue for ever: (2) And whereas by the ſaid Statutes, proof of two witneſſes is required, Be it enacted, That proof of one witneſs from henceforth ſhall be allowed and taken for ſufficient in that behalf: (3) And that the voluntary confeſſion (before any ſuch perſons as by the ſaid Act are authorized to miniſter the Oath) of any perſon offending either of the ſaid Statutes, ſhall ſuffice to convince the perſon ſo offending; (4) after ſuch confeſſion, the Oath of the party ſo offending, ſhall and may be taken, and be a ſufficient proof againſt any other offing at the ſame time.

The Statutes of 1 Jac. 9. and 4 Jac. 5. made perpetual. One witneſs ſhall be ſufficient to convince a man of Tipling and Drunkenneſs.

The Oath of him that confeſſeth the offence, ſhall be ſufficient to convince any other.

II. And be it further enacted That if any other perſon or perſons, whereſoever his or their habitation or abiding be, ſhall at any time hereafter be found upon view, or his own confeſſion, or proof of one witneſs, to be tipling in any Inn, Ale-houſe or Victualling-houſe, ſuch perſon or perſons ſhall be from henceforch adjudged and conſtrued to be within the ſaid Statutes, as if he or they had inhabited and dwelt in the City, Town-corporate, Market-Town, Village or Hamlet where the ſaid Inn, Alehouſe or Victualling-houſe is, or ſhall be, where he or they ſhall be ſo found tipling, and ſhall incur the like penalty, and the ſame to be in ſuch ſort levied and diſpoſed, as in the ſaid Act is expreſſed, concerning ſuch as there inhabit: (2) and the voluntary confeſſion of ſuch perſon or perſons ſo offending, before ſuch as the ſaid Statutes are authorized to miniſter the Oath, ſhall ſuffice to convince themſelves, (3) and after ſuch confeſſion, the Oath of ſuch perſon or perſons ſo confeſſing, ſhall and may be taken by ſuch as by the ſaid Act have authority to miniſter an Oath, and ſhall be a ſufficient proof againſt any other offending at that time.

He that ſtays tipling in an Inn, &c. ſhall incur the penalty inflicted by 4 Jac. 5.

III. And be it further enacted, That any Juſtice of Peace in any County, and any Juſtice of Peace or other Head Officer in any City or Town-corporate, within their Limits reſpectively, ſhall from henceforth have power and authority, upon his own view, confeſſion of the party, or proof of one witneſs upon Oath before him, which he by virtue of this Act ſhall have power to adminiſter, to convince any perſon of the offence of Drunkenneſs, whereby ſuch

He that is convicted of Drunkenneſs, ſhall forfeit v. s.

perſon ſo convict ſhall incur the forfeiture of five ſhillings for every ſuch offence, and the ſame to be levied, or the Offender otherwiſe puniſhed, as in the ſaid Statute is appointed: And for the ſecond offence, he ſhall become bound to the good behaviour, as if he had been convicted in open Seſſions; Any thing in the ſaid former Statute made in the fourth year of his Majeſties Reign to the contrary notwithſtanding.

For the ſecond offence he ſhall be bound to the good behaviour.

An Ale-houſe-keeper offending ſhall be diſabled from keeping Ale-houſe three years after.

IV. And be it further enacted, That if any perſon being an Ale-houſe-keeper, or that ſhall at any time hereafter be an Ale-houſe-keeper, ſhall at any time hereafter be lawfully convict for any offence againſt any the branches of either of the ſaid two former Statutes, according to the alterations and additions therein contained, or againſt the true meaning of this preſent Statute, That every perſon ſo convict, ſhall for the ſpace of three years next enſuing the ſaid conviction, be utterly diſabled to keep any ſuch Ale-houſe.

Conſtables, &c. ſhall be charged (on their oaths) to preſent the offences committed againſt 4 Jac. 9.

V. And whereas in the ſaid Statute made in the fourth year of his ſaid Majeſties Reign, intituled, An Act to repreſs the odious and loathſom Sin of Drunkenneſs, Conſtables, Churchwardens, Headboroughs, Tithingmen, Ale-conners and Side-men are appointed in the Oaths incident to their Offices, to be likewiſe charged to preſent the offences contrary to the ſaid Statute, (2) Be it enacted, That the ſaid Oath ſhall always hereafter be alſo enlarged, and extend to preſent all offences done contrary to the Statute made in the firſt Seſſion of Parliament held in the firſt year of his Highneſs Reign, entituled, An Act to reſtrain the inordinate haunting and tipling in Inns, and Ale houſes and other Victualling-houſes, with the alterations and additions in this Act contained, made in the ſaid fourth year of his ſaid Majeſties Reign, according to the alterations and additions of the ſame in this Act expreſſed. Stat. 1 Car. 4.

C A P. VIII.

An Act to prevent and puniſh the Abuſes in procuring Proceſs and Superſedeas of the Peace and Good Behaviour, out of his Majeſties Courts at Weſtminſter, and to prevent the Abuſes in procuring Writs of Certiorari out of the ſaid Courts, for the removing of Indictments found before Juſtices of Peace in their General Seſſions.

Whereas divers turbulent and contentious perſons, ſome out of malice, and others in hope of gain, by way of compoſition, do oftentimes upon their corporal Oaths, peremptorily and corruptly taken, or otherwiſe upon falſe ſuggeſtions and ſurmiſes, procure proceſs of the Peace or good Behaviour out of his Majeſties Courts of Chancery and Kings Bench, againſt divers of his Majeſties quiet Subjects, whoſe dwellings and abodes are (for the moſt part) in Counties far diſtant and remote from the ſaid Courts, to their intolerable trouble and vexation, whereas they might, upon good cauſe ſhewed, receive Juſtice at the hands of the Juſtices of the Peace in the Counties where they dwelt;

Proceſs and Supercede of the Peace, or good behaviour, ſhall not be granted, but upon motion in open Court. Certioraries ſhall not be allowed, unleſs the Indictee will be bound to pay Coſts.

II. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That all proceſs of the Peace or good Behaviour, after the end of this Seſſion of Parliament to be granted or awarded out of the ſame Courts, or either of them, againſt any perſon or perſons whatſoever, at the ſuit of, or by the proſecution of any perſon or perſons whatſoever, ſhall be void, and of none effect, unleſs ſuch proceſs ſhall be ſo granted or awarded, upon motion firſt made before the Judge or Judges of the ſame Courts reſpectively, (ſitting in open Court, and upon Declaration in writing, upon their corporal Oaths to be then exhibited unto them by the parties which ſhall deſire ſuch proceſs) of the cauſes for which ſuch proceſs ſhall be granted or awarded, by or out of any the ſaid Courts reſpectively, and unleſs that ſuch motion and Declaration be mentioned to be made upon the back of the Writ; The ſaid writings there to be entred and remain of Record: (2) And that if it ſhall afterwards appear unto the ſaid Courts, or either of them reſpectively, that the cauſes expreſſed in ſuch writings, or any of them, be untrue; That then the Judge or Judges of the ſaid Courts, or either of them reſpectively, ſhall and may award ſuch coſts and damages unto the parties grieved for their or any of their wrongful vexations in that behalf, as they ſhall think fit: And that the party or parties ſo offending, ſhall and may be committed to priſon by ſuch Judge or Judges, until he or they pay the ſaid Coſt and damages. (3) And whereas divers turbulent and contentious perſons, deſervedly fearing to be bound to the Peace, or good Behaviour by the Juſtices of Peace of the Counties where they dwell, do oftentimes procure themſelves to be bound to the Peace, or good Behaviour, in the ſaid Court, or one of them upon inſufficient Sureties, or upon colourable proſecution of ſome perſon or perſons, who will be ready at all times to releaſe them at their own pleaſure, whereupon his Majeſties Writs of Superſedeas are oftentimes directed to the Juſtices of Peace, and other his Majeſties Officers, requiring them and every of them, to forbear to arreſt or impriſon the parties aforeſaid, for the cauſes abovesaid; by means whereof the ſaid turbulent and contentious perſons miſdemean themſelves amongſt their Neighbours with impunity, to the great offence and diſturbance of their Neighbours amongſt whom they converſe and live, and to the affront of the Juſtices of Peace, and to the evil example and encouragement of like evil diſpoſed perſons:

III. Be it therefore enacted by the authority aforeſaid, That all Writs of Superſedeas after the end of this preſent Seſſion of Parliament, to be granted by, or out of either of the Courts aforeſaid, ſhall be void and of none effect, unleſs ſuch proceſs be granted likewiſe upon motion in open Court firſt made as aforeſaid, and upon ſuch ſufficient Sureties, as ſhall appear unto the Judge or Judges of the ſame Court reſpectively upon Oath, to be aſſeſſed at five pounds Lands, or ten pounds in Goods in the Subſidy-Book, at the leaſt, (2) which Oaths, and the names of ſuch Sureties, with the places of their abode, and where they ſtand ſo aſſeſſed in the Subſidy-Books, ſhall be entred and remain of Record in the ſame Courts: (3) And unleſs it ſhall alſo firſt appear unto the ſaid Judge or Judges, from whom ſuch Superſedeas is deſired, That the proceſs of the Peace, or good Behaviour, is proſecuted againſt him or them, deſiring ſuch Superſedeas, bona fide, by ſome party grieved in that Court, out of which ſuch Superſedeas is deſired to be ſo awarded and directed.

IV. And whereas divers lewd and evil diſpoſed perſons, commonly called, Common Bailers, or Knights of the Poſt, being baſe and beggarly perſons, do oftentimes procure themſelves to be aſſeſſed at high rates in the Subſidy-books, and ſometimes do falſly take upon them the names of other men of good ability, of purpoſe to enable themſelves to be accepted for bail, which perſons being of ſmall or no ability or worth, are ready for lucre and gain, to become bound by Recognizance, as Sureties for ſuch perſons as ſhall procure themſelves to be bound to the Peace or good Behaviour as aforeſaid, by means whereof the Judge or Judges of the ſaid Courts not knowing them, may be eaſily abuſed, and Juſtice deluded:

March 27. pl. 6

V. Be it therefore enacted by the authority aforeſaid, That the Judge or Judges of the Courts aforeſaid, reſpectively, or either of them, upon proof of any the miſdemeanours aforeſaid to be committed in the obtaining of the aforeſaid writs of Superſedeas, or procuring ſuch Surety, as aforeſaid, ſhall and may likewiſe puniſh the falſe and inſufficient Sureties and Bailers aforeſaid, and the Procurers thereof, according to their diſcretions, ſo as ſuch puniſhment extend not to the loſs of life or member.

Falſe ſureties procured for the gaining of writs of Superſedeas, ſhall be puniſhed by the Judges.

VI. And whereas divers Bills of Indictments of Riot, Forcible Entry, or of Aſſault and Battery, being found before the Juſtices of Peace at their Quarter Seſſions of the Peace, or otherwiſe, are oftentimes removed from the Counties where ſuch Indictments are found, by writs of Certiorari unto them directed out of the ſaid Courts, by, or by the means of the perſons ſo indicted, who well know that few or no perſons grieved by ſuch their Outrages and Miſdemeanours whereof they ſtand ſo Indicted, will undergo the travel or charge of proſecution of ſuch Indictment ſo removed, by bringing the parties ſo Indicted to trial; By means whereof, ſuch offenders, for the moſt part, eſcape unproſecuted or unpuniſhed, and the King loſeth the Fines which ought, and ſhould have been impoſed upon them, if ſuch Indictments had been proſecuted and not removed:

VII. Be it therefore enacted, That all ſuch writs of Certiorari ſhall from and after the end of this preſent Seſſion of Parliament, be delivered at ſome Quarter Seſſions of the Peace in open Court: (2) And that the parties indicted ſhall before the allowance of ſuch Certiorares, become bound unto ſuch perſon or perſons which ſhall proſecute ſuch Bills of Indictment againſt them, in the ſum of ten pounds, with ſuch ſufficient Sureties as the Juſtices of Peace at their Quarter Seſſion of the Peace ſhall think fit, with condition to pay unto the ſaid proſecutors of ſuch Bills of Indictment, within one month after the Conviction of ſuch parties indicted, ſuch reaſonable coſts and damages as the ſaid Juſtices of Peace of ſuch Counties where ſuch Bills of Indictment, ſhall be found in the ſaid Seſſions of the Peace, ſhall aſſeſs or allow: (3) And that in default thereof, it ſhall be lawful for the ſaid Juſtices to proceed to trial of ſuch Indictments; any ſuch writs of Certiorari to remove the ſame Indictments notwithſtanding.

Certiorarie ſhall not be allowed, unleſs the Indictee will become bound to pay coſt.

CAP. IX.

An Act for the free Trade and Traffique of Welſh Clothes, Cottons, Frizes, Linings and Plaines in and through the Kingdom of Enland and Dominion of Wales.

Whereas the trade of making Welſh Clothes, Cottons, Frizes, Linings and Plaines, within the Principality and Dominion of Wales, is and hath been of long continuance, in the uſing and exerciſing whereof, many thouſands of the poorer ſort of the Inhabitants there in precedent ages have been ſet on work in Spinning, Carding, Weaving, Fulling, Cottoning and Shearing, whereby they (having free liberty to ſell them to whom and where they would) not only relieved and maintained themſelves and their Families in good ſort, but alſo grew to ſuch wealth and means of living, as they were thereby enabled to pay and diſcharge all Duties, Mizes, Charges, Subſidies and Taxations which were upon them impoſed or rated in their ſeveral Counties, Pariſhes and places wherein they dwelled, for the relief of the poor, and for the ſervice of the King and the Common-wealth: (2) And whereas alſo the Drapers of the Town of Shrewſbury, in the County of Salop, have of late obtained ſome orders of reſtraint, whereby the Inhabitants of Wales find themſelves much prejudiced in the freedom of their Markets for buying and ſelling of their Clothes, to their great damage, as was verified by the general voice of the Knights and Burgeſſes of the Twelve Shires of Wales, and of the County of Monmouth;

The great benefit of making Welſh Clothes

The reſtraint of ſelling Clothes, prejudicial to the Inhabitants of Wales.

II. For remedy whereof, Be it declared and enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful, to and for all and every his Majeſties, Subjects, inhabiting or dwelling, or which at any time hereafter ſhall inhabit or dwell within the ſaid Dominion of Wales, or any part thereof, freely to ſell, by way of barter or otherwiſe, all or any their Welſh Clothes, Cottons, Frizes, Linings or Plains, at their wills and pleaſures, to any perſon or perſons who lawfully by the Laws and Statutes of this Realm may buy the ſame; (2) and that it ſhall and may be lawful for any perſon and perſons who by the Laws or Statutes of this Realm may lawfully buy ſuch Clothes, and other the premiſſes, freely to buy the ſame of any perſon or perſons inhabiting or dwelling, or which hereafter ſhall inhabit or dwell within the ſaid Dominion of Wales: Any Charter, Grant, Act, Order, or any thing elſe heretofore made or done, or hereafter to be made or done to the contrary notwithſtanding.

The Inhabitants of Wales may ſell their Clothes freely.

III. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons uſing, or which ſhall uſe the Trade of Merchandize, to tranſport into any parts beyond the Seas, any of the ſaid Welſh Clothes, Cottons, Frizes, Linings and Plaines, out of any Ports or Havens within this Realm of England, or Dominion of Wales, or out of any the members thereof, where his Majeſty, his Heirs or Succeſſors have, or ſhall then have Officers attending to ſearch, view and control the ſame, and to receive the Kings Majeſties Cuſtoms, and other Duties due and payable for the ſame: (2) So as always the Cuſtoms, and other Duties payable for ſuch Clothes, and other the pre-

Welſh Clothes may be tranſported.

miſſes ſo to be tranſported, ſhall be juſtly and duly paid for the ſame: (3) And ſo as always the ſaid Welſh Clothes, Cottons, Frizes, Linings and Plaines, before the tranſporting thereof, ſhall be fulled, cottoned and ſheared, as in former times they have uſed to be: (4) And that no perſon ſhall tranſport the ſaid clothes in other manner then as aforeſaid, upon pain to forfeit the whole value of ſuch Clothes ſo to be tranſported contrary to the true meaning of this Act; (5) the one half of all which forfeitures to be to his Majeſty, his Heirs and Succeſſors, and the other half, to ſuch perſon or perſons as will ſue for the ſame by Information, Bill, Plaint, Action of Debt, or otherwiſe, in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection, Priviledge, or Ley-gager ſhall be allowed to the Defendant.

The continuance of this Act.

IV. This Act to endure and continue for the term of ſeven years from the end of this Seſſion of Parliament, and from thenceforth to the end of the next Seſſion of Parliament enſuing after the end of thoſe ſeven years.

Foreigners ſhall not ſell Welſh Clothes by retail.

V. Provided always, That this Act, or any thing therein contained, ſhall not give power or authority to any Foreigner or Foreigners to buy and ſell by way of retail, any the ſaid Welſh Clothes, Cottons, Frizes, Linings or Plaines, within the Town of Shrewsbury, or in any other Corporate Town or priviledged place, contrary to any lawful Charter, Grant, Cuſtom, Priviledge or Liberty in the ſame Town or place now being or uſed.

CAP. X.

An Act of repeal of one branch of the Statute made in the Seſſion of Parliament holden by Prorogation at Weſtminſter, the 22. day of January in the 34. year of the Reign of King Henry the Eighth, intituled, An Act for certain Ordinances in the Kings Majeſties Dominion and Principality of Wales.

The branch of the Statute of 34 H. 8. 26. that concerns the Kings power for altering the Laws of Wales, repealed.
The loyalty and obedience of the Welſh.
By a branch contained in the 34 & 35 H. 8. 26. the King had power to alter the Laws of Wales.

Whereas the Subjects of the County and Dominion of Wales have been conſtantly loyal and obedient, and have lived in all dutiful ſubjection to the Crown of England: And whereas by an Act of Parliament made in the four and thirtieth year of the Reign of the late King Henry the Eighth, entituled, An Act for certain Ordinances in the Kings Majeſties Dominions and Principality of Wales, amongſt other things, It is enacted and ordained in theſe words:

II. Item, It is further enacted by the authority aforeſaid, That the Kings moſt Royal Majeſty ſhall and may at all times hereafter from time to time, change, add, alter, order, miniſh and reform all manner of things afore rehearſed, as to his moſt excellent wiſdom and diſcretion ſhall be thought convenient, (2) and alſo to make Laws and Ordinances for the Commonwealth, and good quiet of his ſaid Dominion of Wales, and his Subjects of the ſame, from time to time at his Majeſties pleaſure; Any thing contained in this Act, or in the Act made for the Shire-ground of Wales or any other Act or Acts, thing or things, to the contrary thereof heretofore made in any wiſe notwithſtanding: (3) And that all ſuch alterations of the premiſſes, or any part thereof, and all ſuch laws and ordinances to be hereafter made, deviſed, and publiſhed by authority of this Act, by the Kings Majeſty in writing under his Highneſs Seal, ſhall be of as good ſtrength, virtue and effect, as if they had been had and made by authority of Parliament:

III. And foraſmuch as it is manifeſt by long experience, That the Laws aad Statutes already ordained for the ſaid Countrey, are in effect and for the moſt part agreeable to the Laws and Statutes of this his Highneſs Kingdom of England, and all and every of the ſame obeyed with great alacrity: (2) And for that after ſo long a quiet among them, any future change or innovation herein would be dangerous, and for the abolition of diſtinction and difference between the Subjects of England and Wales, his moſt excellent Majeſty tendring the common and conſtant good for the ſaid Countrey and Dominion of Wales, and for their poſterity for ever hereafter, is graciouſly pleaſed, That it may be enacted by his Majeſty with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled,

A repeal of that branch of 34 & 35. H. 8. 26.

IV. And be it enacted by the authority of the ſame, That the ſaid recited branch of the ſaid Act of Parliament, and every article, word and ſentence in that branch contained, be utterly repealed and made void and of none effect, to all intents, conſtructions and purpoſes, as if the ſaid branch had never been made nor contained in the ſaid Act: (2) And that the Kings Majeſty, his Heirs or Succeſſors, ſhall not by virtue of the ſaid clauſe or branch of the ſaid Act, at any time hereafter alter, change or reform any Laws, Uſage or Cuſtom, or make any new Laws for or concerning the ſaid Dominion or Principality of Wales.

The reſidue of that Statute confirmed.

V. Provided always, and be it enacted by the authority aforeſaid, That all and every clauſe, article and any thing contained in the aforeſaid Act of Parliament, other then the aforeſaid branch before recited, ſhall ſtand, remain and be in as full force and effect, to all intents, conſtructions and purpoſes, as if this Act had never been had or made.

Fiſh.

CAP. XI.

A Judgment given in Chancery for the revoking and annulling of certain Letters Patents (granted to Henry Heron for the ſole priviledge of ſalting, drying and packing of Fiſh within the Counties of Devon and Cornwall) confirmed. PR.

CAP. XII.

An Act to enlarge and make perpetual the Act made for eaſe in Pleading, againſt troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain others His Majeſties Officers, for the lawful execution of their Office, made in the ſeventh year of His Majeſties moſt happy Reign.

The Statute of 7 Jac. cap. 5. enlarged and made perpetual Co. inſt. 4 part, 175.

Whereas an Act entituled an Act for eaſe in Pleading, againſt troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſties Officers, for the lawful execution of their office, made in the ſeventh year of his Majeſties moſt happy Reign of England, was made to continue but for ſeven years, and from thence to the end of the next Parliament after the ſaid ſeven years, which by experience hath ſince been found to be a good and profitable Law;

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and

Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act ſhall from and after the end of this preſent Seſſion of Parliament, be perpetual and have continuance for ever.

Churchwardens and Overſeers of the poor ſhall be comprehended within the purview of 7 Jac. 5.

III. And be it further enacted by the authority aforeſaid, That all Churchwardens, and all perſons called ſworn men, executing of the office of Churchwardens, and all Overſeers of the poor, and all others which in their aid and aſſiſtance, or by their commandment, ſhall do any thing touching or concerning his or their office or offices, ſhall hereafter be enabled to receive, and have ſuch benefit and help by virtue of the ſaid Act, to all intents, conſtructions and purpoſes, as if they had been ſpecially named therein.

IV. And whereas notwithſtanding the ſaid Statute, the Plaintiff is at liberty to lay his Action which he ſhall bring againſt any Juſtice of Peace, or other Officer in any foreign Countrey at his choice, which hath proved very inconvenient unto ſundry of the Officers and perſons aforeſaid, that have been impleaded by ſome contentious and troubleſom perſons in Countreys far remote from their place of habitation.

An Action brought againſt an Officer ſhall be laid in the County where the fact was committed. 1 Inſt. 283. Vaughan 113, 115, 117.

V. Be it therefore enacted by the authority aforeſaid, That if any action, bill, plaint, or ſuit upon the caſe, treſpaſs, battery, or falſe impriſonment, ſhall be brought after the end of this preſent Seſſion of Parliament, againſt any Juſtice of Peace, Mayor or Bailiff of City, or Town Corporate, Headborough, Portreeve, Conſtable, Tithingman, Collector of Subſidy, or Fifteens, Churchwardens, and perſons called ſworn men, executing the office of Churchwarden or Overſeer of the poor, and their deputies, or any of them, or any other which in their aid and aſſiſtance, or by their commandment ſhall do any thing touching or concerning his or their office or offices, for or concerning any matter, cauſe or thing by them or any of them done by virtue or by reaſon of their, or any of their office or offices, that the ſaid action, bill, plaint or ſuit ſhall be laid within the County where the treſpaſs or fact ſhall be done and committed, and not elſewhere, (2) and that it ſhall be lawful to and for all and for every perſon and perſons aforeſaid, to plead thereunto the general iſſue, that he or they are not guilty, and to give ſuch ſpecial matter in evidence to the Jury which ſhall try the ſame, as in, or by the ſaid former Act is limited or declared: (3) And that if upon the trial of any ſuch action, bill, plaint or ſuit, the plaintiff or plaintiffs therein ſhall not prove to the Jury which ſhall try the ſame, that the treſpaſs, battery, impriſonment, or other fact or cauſe of his, her, or their ſuch action, bill, plaint or ſuit, was, or were had, made, committed, or done within the County wherein ſuch action, bill, plaint or ſuit ſhall be laid, that then in every ſuch caſe, the Jury which ſhall try the ſame, ſhall find the defendant and defendants in every ſuch action, bill, plaint or ſuit, not guilty, without having any regard or reſpect to any evidence given by the plaintiff or plaintiffs therein, touching the treſpaſs, battery, impriſonment, or other cauſe for which the ſame action, bill plaint or ſuit, is or ſhall be brought: (4) And if the verdict ſhall paſs with the defendant or defendants in any ſuch action, bill, plaint or ſuit, or the plaintiff or plaintiffs therein become non-ſuit, or ſuffer any diſcontinuance thereof, that in every ſuch caſe, the defendant or defendants ſhall have ſuch double coſts, and all other advantages and remedies, as in and by the ſaid former Act is limited, directed or provided.

The defendant ſhall have double coſts.

CAP. XIII.

An Act for the further reformation of Jeoſayles.

The defects of the Statutes of 32 H. 8. 30. and 18 El. 14. Godbolt 382. pl. 469, 437. pl. 502.

Whereas in the two and thirtieth year of the Reign of King Henry the eighth of famous memory, a good and profitable Act, entituled, An Act concerning miſpleading Jeoſayles, and Atturneys was made and enacted; (2) And likewiſe another good and profitable Law was made in the eighteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act for reformation of Jeoſayles; (3) by which Laws many delays of Judgments were prevented, and yet notwithſtanding, many things have, and daily do fall out, not yet provided for, nor remedied by the Laws before mentioned,

[illegible] 165, [illegible] 203, [illegible] 480.

Divers Jeoſayles by Suits of Law prevented and reformed.

II. Be it therefore enacted by the authority of this preſent Parliament, That if any verdict of twelve men or more, ſhall hereafter be given for the plaintiff or demandant, or for the defendant, or tenant, bailiff in Aſſiſe, vouchee, pray in aid, or tenant by receit, in any Action, ſuit, bill, plaint, or demand in any Court of Record, the Judgment thereupon ſhall not be ſtayed nor reverſed by reaſon of any variance in form only, between the original writ or bill, and the declaration, plaint or demand, (2) or for lack of an averment of any life or lives of any perſon or perſons, ſo as upon examination the ſaid perſon be proved to be in life, (3) or by reaſon that the venire facias, habeas corpora or diſtringas is awarded to a wrong officer, upon any inſufficient ſuggeſtion, (4) or by reaſon the viſne is in ſome part miſawarded or ſued out of more places, or of fewer places then it ought to be, ſo as ſome one place be right named, (5) or by reaſon that any of the Jury which tried the ſaid iſſue is miſnamed, either in the ſirname or addition in any of the ſaid writs, or in any return upon any of the ſaid writs, ſo as upon examination it be proved to be the ſame man that was meant to be returned, (6) or by reaſon that there is no return upon any of the ſaid writs, ſo as a pannel of the names of Jurors be returned and annexed to the ſaid writ, (7) or for that the Sheriffs name or other officers name having the return thereof, is not ſet to the return of any ſuch writ, ſo as upon examination it be proved that the ſaid writ was returned by the Sheriff or Underſheriff, or any ſuch other Officer, (8) or by reaſon that the plaintiff in an ejectione firmæ, or in any perſonal action or ſuit, (being an infant under the age of one and twenty years) did appear by Atturney therein, and the verdict paſs for him; Any Law, cuſtom, or uſage to the contrary notwithſtanding.

Certain caſes excepted.

III. Provided always, and be it further enacted, That this Act, or any thing therein contained ſhall not extend to any writ, declaration, or ſuit of appeal of felony or murther, (2) nor to any indictment or preſentment of felony, murther or treaſon, nor to any proceſs upon any of them, (3) nor to any writ, bill, action or information upon any popular or penal Statute; Any thing therein contained to the contrary notwithſtanding.

CAP. XIV.

An Act to admit the ſubject to plead the general iſſue in informations of intruſions brought on the behalf of the Kings Majeſty, and retain his poſſeſſion till tryal.

In Informations of intruſion, the ſubject is allowed to plead the general iſſue, and to retain poſſeſſion till trial. 4 Inſt. 116. Dyer 238 b.

Where the King out of his prerogative Royal, may enforce the ſubject in informations of intruſion brought againſt him, to a ſpecial pleading of this Title, the Kings moſt excellent Majeſty out of his gracious diſpoſition towards his loving ſubjects, and at their humble ſuit, being willing to remit a part of his ancient and Regal Power, is well pleaſed that it be enacted; (2) And be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whenſoever the King, his Heirs or Succeſſors, and ſuch, from or under whom the King claimeth, and all others claiming under the ſame Title under which the King claimeth, hath been or ſhall be out of poſſeſſion by the ſpace of twenty years, or hath not, or ſhall not have taken the profits of any lands tenements or hereditaments, within the ſpace of twenty years before the information or intruſion brought or to be brought, to recover the ſame, That in every ſuch caſe, the defendant or defendants may plead the general iſſue, if he or they ſo think fit, and ſhall not be preſſed to plead ſpecially, (3) and that in ſuch caſes, the defendant or defendants ſhall retain the poſſeſſion he or they had at the time of ſuch information exhibited, until the title be tried, found or adjudged for the King.

II. And be it further enacted, That where an information of intruſion may fitly and aptly be brought on the Kings behalf, that no Scire facias ſhall be brought, whereunto the Subject ſhall be forced to a ſpecial pleading, and be deprived of the grace intended by this Act. Stat. 17. Ed. 2.13.

CAP. XV.

An Act to enable Judges and Juſtices of the peace to give reſtitution of poſſeſſion in certain caſes.

Co. Inſt. 4 p. 176. Reformation of poſſeſſion ſhall be given to avoid entries with force in ſtatute for years, &c.

Be it enacted by the authority of this preſent Parliament, That ſuch Judges, Juſtices, or Juſtice of the Peace, as by reaſon of any Act or Acts of Parliament now in force, are authorized, and enabled upon enquiry, to give reſtitution of poſſeſſion unto Tenants, of any eſtate of Freehold, of their Lands or Tenements, which ſhall be entred upon with force, from them withholden by force, ſhall by reaſon of this preſent Act, have the like, and the ſame authority and ability from henceforth (upon Indictment of ſuch forcible entries, or forcible withholdings before them duly found) to give like reſtitution of poſſeſſion unto Tenants for term of years, Tenants by Copy of Court Roll, Guardians by Knights Service, Tenants by Elegit, or Statute Merchant, and Staple of Lands or tenements, by them ſo holden, which ſhall be entred upon by force, or holden from them by force. St. 5 R. 2. 7. 15 R. 2. 2. 8 H 6. 9. 31 El. 11.

CAP. XVI.

An Act for limitation of Actions, and for avoiding of Suits in Law.

Writs of Formedon ſhall be ſued within twenty years.

For quieting of mens Eſtates, and avoiding of Suits, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That all Writs of Formedon in Deſcender, Formedon in Remainder, and Formedon Reverter, at any time hereafter to be ſued or brought, of, or for any Manors, Lands, Tenements, or Hereditaments, whereunto any perſon or perſons now hath, or have any title, or cauſe to have or purſue any ſuch Writ, ſhall be ſued and taken within twenty years next after the end of this preſent Seſſion of Parliament; And after the ſaid twenty years expired, no perſon or perſons, or any of their heirs, ſhall have or maintain any ſuch Writ, of or for any of the ſaid Manors, Lands, Tenements or Hereditaments; (2) and that all Writs of Formedon in Deſcender, Formedon in Remainder, Formedon in Reverter, of any Manors, Lands, Tenements, or other Hereditaments whatſoever, at any time hereafter to be ſued or brought by occaſion or means of any title or cauſe hereafter happening, ſhall be ſued and taken within twenty years next after the title and cauſe of Action firſt deſcended or fallen, and at no time after the ſaid twenty years; (3) and that no perſon or perſons that now hath any right or title of any entry into any Manors, Lands, Tenements, or Hereditaments now held from him or them, ſhall thereinto enter, but within twenty years next after the end of this preſent Seſſion of Parliament, or within twenty years next after any other title of entry accrued; (4) and that no perſon or perſons ſhall at any time hereafter, make any entry into any Lands, Tenements, or Hereditaments, but within twenty years next after his or their right, or title, which ſhall hereafter firſt deſcend or accrue to the ſame; and in default thereof, ſuch perſons ſo not entring, and their Heirs, ſhall be utterly excluded and diſabled from ſuch entry after to be made; Any former Law or Statute to the contrary notwithſtanding.

Entry into land, &c. ſhall be made within twenty years.

II. Provided nevertheleſs, That if any perſon or perſons that is or ſhall be intituled to ſuch writ or writs, or that hath or ſhall have ſuch right or title of entry, be, or ſhall be at the time of the ſaid right or title firſt deſcended, accrued, come, or fallen within the age of one and twenty years, Feme Covert, non compos mentis, impriſoned, or beyond the Seas, that then ſuch perſon and perſons, and his and their heir and heirs, ſhall or may notwithſtanding the ſaid twenty years be expired, bring his Action, or make his entry as he might have done before this Act: (2) ſo as ſuch perſon and perſons, or his or their heir and heirs, ſhall within ten years next after his and their full age, diſcoverture, coming of ſound mind, enlargement out of priſon, or coming into this Realm, or death, take benefit of, and ſue for the ſame, and at no time after the ſaid ten years.

Infants, Femes covert, &c. excepted.

The limitation of certain perſonal actions. March 155. Stiles 102, 214, 234.

III. And be it further enacted, That all Actions of Treſpaſs, Quare clauſum fregit, all Actions of Treſpaſs, Detinue, Action ſur Trover, and Replevin for taking away of Goods and

Cattel,

Hetley 140. March. 151.

Cattel, all Actions of Account, and upon the caſe, other then ſuch Accounts as concern the Trade of Merchandize between Merchant and Merchant, their factors or ſervants, all Actions of Debt grounded upon any lending or contract without ſpecialty; all Actions of Debt for Arrearages of Rent, and all Actions of Aſſault, Menace, Battery, Wounding and Impriſonment, or any of them which ſhall be ſued or brought at any time after the end of this preſent Seſſion of Parliament, ſhall be commenced and Sued within the time and limitation hereafter expreſſed, and not after (that is to ſay) (2) the ſaid Actions upon the Caſe (other then for ſlander) and the ſaid Actions for Account, and the ſaid Actions for Treſpaſs, Debt, Detinue, and Replevin, for Goods or Chattel, and the ſaid Action of Treſpaſs, Quare clauſum fregit, within three years next after the end of this preſent Seſſion of Parliament, or within ſix years next after the cauſe of ſuch Actions or Suit, and not after; (3) And the ſaid Actions of treſpaſs, of Aſſault, Battery, Wounding Impriſonment, or any of them, within one year next after the end of this preſent Seſſion of Parliament, or within four years next after the cauſe of ſuch Actions or Suit, and not after; (4) And the ſaid Action upon the Caſe for words, within one year after the end of this preſent Seſſion of Parliament, or within two years next after the words ſpoken, and not after.

Their limitation after Judgment or Outlawry reverſed.

IV. And nevertheleſs be it enacted, That if in any the ſaid actions or Suits, Judgment be given, for the Plaintiff, and the ſame be reverſed by error, or a Verdict paſs for the Plaintiff, and upon matter alledged in arreſt of Judgment, the Judgment be given againſt the Plaintiff, that he take nothing by his plaint, writ or bill; or if any the ſaid actions ſhall be brought by original, and the defendant therein be outlawed, and ſhall after reverſe the Outlawry, that in all ſuch caſes the party plaintiff, his heirs, executors or adminiſtrators, as the caſe ſhall require, may commence a new action or ſuit, from time to time, within a year after ſuch Judgment reverſed, or ſuch Judgment given againſt the Plaintiff, or Outlawry reverſed, and not after.

After judgment or nonſuit in a Quare clauſum fregit, the plaintiff is barred to renew the ſuit. 2 Roll. 330, 485. 1 Brownl, 173.

V. And be it further enacted, That in all Actions of Treſpaſs, Quare clauſum fregit, hereafter to be brought, wherein the defendant or defendants ſhall diſclaim in his or their plea, to make any title or claim to the land in which the treſpaſs is by the declatation ſuppoſed to be done, and the treſpaſs be by negligence, or involuntary, the defendant or defendants ſhall be admitted to plead a diſclaimer, and that the treſpaſs was by negligence, or involuntary, and a tender or offer of ſufficient amends for ſuch treſpaſs before the action brought, whereupon, or upon ſome of them, the plaintiff or plaintiffs ſhall be enforced to joyn iſſue; (2) and if the ſaid Iſſue be found for the defendant or defendants, or the plaintiff or plaintiffs ſhall be nonſuited, the plantiff or plantiffs ſhall be clearly barred from the ſaid Action or Actions, and all other ſuit concerning the ſame.

In Actions of ſlander the plaintiff ſhall recover no greater coſts then damages. Palmer 529, 530.

VI. And be it further enacted by the authority aforeſaid, That in all Actions upon the Caſe for ſlanderous words, to be ſued or proſecuted by any perſon or perſons in any the Courts of Record at Weſtminſter, or in any Court whatſoever, that hath power to hold plea of the ſame, after the end of this preſent Seſſion of Parliament, if the Jury upon the Trial of the Iſſue in ſuch Action, or the Jury that ſhall enquire of the damages, do find or aſſeſs the damages under forty ſhillings, then the plaintiff or plaintiffs in ſuch Action, ſhall have and recover only ſo much coſts as the damages ſo given or aſſeſſed amount unto, without any further increaſe of the ſame; any Law, Statute, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Infants, Feme-covert &c. excepted.

VII. Provided nevertheleſs, and be it further enacted, That if any perſon or perſons that is or ſhall be entituled to any ſuch Action of Treſpaſs, Detinue, Action ſur Trover, Replevin, Actions of Account, Actions of Debts, Actions of Treſpaſs for Aſſault, Menace, Battery, Wounding, or Impriſonment, Actions upon the Caſe for words, be or ſhall be at the time of any ſuch cauſe of Action given or accrued, fallen, or come within the age of twenty one years, Feme Covert, non compoſs mentis, impriſoned, or beyond the ſeas, that then ſuch perſon or perſons ſhall be at liberty to bring the ſame Actions, ſo as they take the ſame within ſuch times as are before limited, after their coming to, or being of full age, diſcovert, of ſane memory, at large, and returned from beyond the ſeas, as other perſons having no ſuch impediment, ſhould be done. Stat. 20 H. 3. 8. 3 Ed. 1. 38. 32 H. 8. 2. 1 M. 5.

C A P. XVII.

An Act againſt Uſury.

None ſhall take above the rate of eight pounds for the loan of an hundred pounds for a year.

Whereas at this time there is a very great abatement in the value of land, and other the merchandizes, wares, and commodities of this Kingdom, both at home, and alſo in foreign parts whither they are tranſported; (2) And whereas divers Subjects of this Kingdom, as well the Gentry as Merchants, Farmors and Tradeſmen, both for their urgent and neceſſary occaſions for the following their Trades, maintenance of their ſtocks and imployments, have borrowed and do borow divers ſums of money, wares, merchandize and other commodities; (3) but by reaſon of the ſaid general fall and abatement of the value of land, and the prices of the ſaid merchandize, wares and commodities, and intereſt in loan continuing at ſo high a rate, as ten pounds in the hundred pounds for a year, doth not only make men unable to pay their debts, end continue the maintenance of Trade, but their debts daily increaſing, they are inforced to ſell their lands and ſtocks at very low rates, to forſake the uſe of Merchandize and Trade, and to give over their Leaſes, and Farms, and ſo become unprofitable members of the Commonwealth, to the great hurt and hinderance of the ſame:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That no perſon or perſons whatſoever, from and after the four and twentieth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred twenty and five, upon any contract to be made after the ſaid four and twentieth day of June, ſhall take directly or indirectly, for loan of any moneys, wares, merchandize, or other commodities whatſoever, above the value of eight pounds for the forbearance of one hundred pounds for a year, and ſo after that rate, for a greater or leſſer ſum, or for a longer or ſhorter time; (2) And that all bonds, contracts, and aſſurances whatſoever, made after the time aforeſaid, for payment of any principal, or money to be lent, or covenanted to be performed, upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken, above the rate of eight pounds in the hundred as aforeſaid, ſhall be utterly void; (3) And that all and every perſon and perſons whatſoever, which ſhall after the time aforeſaid, upon any contract to be made after the ſaid four and twentieth day of June, which ſhall be in the year of our Lord, 1625, take, accept and receive, by way or means of any corrupt bargain, loan, exchange, cheviſance, ſhift or intereſt of any wares, merchandize, or other thing or things whatſoever, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance, for the forbearing, or giving day of payment for one whole year, of and for their money or other thing, above the ſum of eight pounds for the forbearing of one hundred pounds for a year, and ſo after that rate for a leſſer or greater ſum, or for a longer or ſhorter time, ſhall forfeit and loſe for every ſuch offence, the treble value of the moneys, wares, merchandize, and other things ſo lent, bargained, ſold, exchanged or ſhifted,

Co. lib. 12. 69.

A Scrivener that takes above the rate of 5 s. for the forbearing of 100 l. for a year or above 12 d. for the renewing of a Bond, ſhall forfeit 20 l. and impriſonment for half a year.

III. And be it further enacted by the authority aforeſaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of bargains for contracts, who ſhall after the ſaid twenty fourth day of June, which ſhall be in the year of our Lord, 1625, take or receive, directly or indirectly, any ſum or ſums of money, or other reward or thing, for brocage, ſoliciting, driving, or procuring the loan, or forbearing of any ſum or ſums of money, over or above the rate or value of five ſhillings for the loan, or forbearing of one hundred pounds for a year, and ſo ratably, or above twelve pence for making or renewing of the Bond or Bill for the loan or forbearing thereof, or for any Counterbond or Bill concerning the ſame, ſhall forfeit for every ſuch offence twenty pounds, and have impriſonment for half a year, (2) the one moiety of all which forfeitures to be to the King our Sovereign Lord, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame, in the ſame County where the ſeveral offences are committed, and not elſewhere, by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Wager of Law, or Protection to be allowed.

The continuance of this Act.

IV. This Act to continue for the ſpace of ſeven years, from the ſaid four and twentieth day of June, which ſhall be in the year of our Lord, 1625, and ſo to the end of the firſt Seſſion of Parliament then next following.

The practice of Uſury diſallowed. 2 Roll. 469.

V. Provided, That no words in this Law contained, ſhall be conſtrued or expounded to allow the practice of Uſury, in point of Religion or Conſcience. 3 Car. 4. made perpetual. 20 H. 3. 5. 3 H. 7. 6. 11 H. 7. 8. 37 H. 8. 9. 5 Ed. 6. 20. 13 El. 8.

CAP. XVIII.

An Act for continuance of a former Act made in the fourth year of the Kings Majeſties Reign of England, &c. entituled, An Act for the true making of Woollen Clothes, and for ſome additions and alterations in and to the ſame.

The Stat of 4 Jac. 2. continued, and in part altered,

Whereas in the fourth year of the Reign of our Sovereign Lord the Kings Majeſty that now is, there was amongſt other, an Act made and entituled, An Act for the true making of Woollen Clothes, which in and by the ſaid Act is to continue in force and effect but unto the end of the firſt Seſſion of the then next Parliament; foraſmuch as the ſaid Act is found by experience to be very neceſſary, expedient and beneficial for the Commonweal, both in the providing for the ſeveral and reſpective lengths, breadths and weight of the ſeveral ſorts of woollen Clothes mentioned in the ſaid Statute, as alſo in the avoiding the mixture of Flocks, Thrums, and other deceivable things in the making of woollen Clothes, ſaving in thoſe points whereunto the additions and alterations in this preſent Act do extend; (2) Be it therefore enacted by the authority of this preſent Parliament, That the ſame Act above remembred, and all and every the Branches, Clauſes and Proviſions in the ſame contained, and which are not in this preſent Act Altered, Repealed, Diſcontinued or Enlarged, ſhall continue and be from henceforth in full force and effect, until the end of the firſt Seſſion of the next Parliament.

The clauſe of 4 Jac. 2. concerning the making of thrums, &c. into Cloth, repealed.

II. And whereas in and by the aforeſaid Act, it was amongſt other things enacted and provided, That it ſhould or might be lawful to and for any perſon and perſons lawfully exerciſing the Trade or Art of a Clothier, or making of Clothes, to make Flocks, Thrums, and Lambs wooll into Cloth of one only kind or making, which ſhould contain in length, being throughly wet, between twelve and thirteen ſuch yards, and inches as in the ſaid Statute had been mentioned, and in breadth one yard at the leaſt, within the liſts, and being clean ſcowred, thicked, milled and fully dryed, ſhould weigh fifteen pounds the piece at the leaſt; (2) Be it enacted by the authority of this preſent Parliament, That the ſaid Clauſe or Proviſion for the making of Flocks, Thrumbs, and Lambs wooll into Cloth, ſhall be from henceforth diſcontinued, or repealed and void; (3) And further, whereas ſince the making of the ſaid Act, many ill diſpoſed perſons for their own private gain and lucre, and in deceit of the buyers of Cloth, and to the diſcredit and diſcrediting of good Cloth, have uſed to mix, and put Flocks and Thrums, and alſo Noyles and Hairs, and other deceivable things into, within, and upon the broad woollen Clothes mentioned in the ſaid Act; which ſaid broad woollen Clothes be of far greater length, breadth, and eſtimation, then be thoſe Clothes whereinto the ſaid Flocks, Thrumbs and Lambs wooll in and by the ſaid Act have been permitted to be put into; and by the means of the mixing and putting in, or upon ſuch broad Clothes, of the ſaid Flocks, Noyles, Thrumbs, Hair and other deceivable things, into, and within, or upon the ſaid broad woollen Clothes, the ſaid broad woollen Clothes be much abuſed and diſcredited, and the buyers of ſuch broad woollen Clothes couzened, deceived and abuſed:

III. For reformation of which foreſaid wrongs, abuſes, and miſdemeanors, Be it Enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon or perſons ſhall mix or put any flocks, noyles, thrums, hair, or other deceivable thing or things, or any yarn made of the ſaid deceivable thing or things into, within or upon any broad woollen Cloth or Clothes, upon pain to forfeit only five pounds and no more, for every ſuch broad woollen Cloth, into, within or upon which any ſuch flocks, noyles, trums, hair, or any other deceivable thing or things ſhall be put into or uſed; the ſaid forfeiture to be to the uſe of the poor of the Pariſh where ſuch deceivable Cloth ſhall be made.

He that puts thrums, &c. into Cloth, ſhall forfeit five pounds.

IV. And for the better finding out of every ſuch deceivable thing and things mixed or put into or upon, or to be mixed, or put into or upon any broad Woollen Cloth or Clothes, contrary to the true meaning of this Law, (2) Be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any the Overſeer or Overſeers, Searcher or Searchers of Cloth, of or within the ſeveral Pariſh or Pariſhes, or Town or City where ſuch deceivable Cloth or Clothes ſhall be made, or ſuſpected to be made, from time to time to enter into any the houſe or houſes, ſhops, mill or mills, chambers or other rooms of any Clothier, or perſon or perſons ſuſpected to have made any ſuch deceivable broad woollen Cloth, to view, ſearch and ſee all or any their woollen Cloth or Clothes, and the mixture of their Woolls for Clothes to be made; (3) And alſo it ſhall be lawful for any two or more Juſtices of the Peace within the County, or within the City, Borough or Town-corporate where ſuch deceivable Cloth ſhall be made, or ſuſpected to be made, upon information or complaint of any of the ſaid Overſeer or Overſeers, Searcher or Searchers, or any other, of their knowledge or ſuſpicion of any ſuch offence, to grant their Warrant to call before them any perſon or perſons whatſoever, that ſhall be thought in their diſcretions fit to diſcover any ſuch offence, (4) and to examine upon Oath ſuch perſon or perſons for the trial and better finding out of the offence aforeſaid; And if upon ſuch examinations, it ſhall be found by teſtimony of two witneſſes or more, or by the confeſſion of the party or parties offending, that any ſuch offence or offences have been committed, as aforeſaid, then the party or parties that ſhall ſo confeſs his or their ſaid offence or offences, or who ſhall be found to have offended, ſhall remain convicted of ſuch his offence or offences: (5) And that then it ſhall and may be lawful for the ſaid two Juſtices to certifie ſuch offence or offences unto the Church-wardens and Overſeers (for the time being) of the poor of the Pariſh or Pariſhes where ſuch deceivable Cloth or Clothes ſhall be made, under the Hands and Seals of the ſaid Juſtices.

Searchers of Cloth may enter into any mans houſe to find deceiveable Cloth.

Two or more Juſtices of Peace may grant their Warrant to bring before them any perſon ſuſpected for making deceiveable Cloth.

V. And be it further enacted by the authority aforeſaid, That immediately from and after ſuch Certificate ſhall be delivered to any of the Church-wardens and Overſeers of the poor of any pariſh or pariſhes where ſuch offender or offenders ſhall dwell, and Warrant by them made to the ſaid Overſeers and Church-wardens, for the levying of the ſaid forfeiture, it ſhall and may be lawful to and for the ſaid Church-wardens and Overſeers for the time being, or any of them, or for the ſucceſſor or ſucceſſors of them the ſaid Church-wardens and Overſeers, to levy the ſum or ſums of Money which by the ſaid Certificate and Warrant ſhall appear to be Forfeited by way of Diſtreſs and Sale of the Offenders Goods, rendring to the party ſo offending, the overplus which ſhall ariſe by the ſale of ſuch goods, more then the forfeiture for ſuch offence or offences ſhall amount unto: (2) And in defect of ſuch Diſtreſs, it ſhall be lawful to and for the ſaid two Juſtices of Peace, to commit the party or parties ſo certified to have offended, to the common Gaol, there to remain without bail or mainpriſe, until payment ſhall be made of the ſaid ſum or ſums ſo forfeited, to the ſaid Church-wardens and Overſeers, or ſome or one of them, to the uſes aforeſaid, who ſhall yearly be accountable for ſuch ſum or ſums ſo received and levied, at ſuch times and in ſuch manner as the ſaid Church-wardens and Overſeers are to account for other monies which they are to collect to the uſe of the poor, by force of an Act of Parliament made in the three and fortieth year of the Reign of the late Queen Elizabeth: (3) And that if any Action or Actions ſhall at any time or times hereafter happen to be brought or commenced againſt any perſon or perſons, for taking of ſuch diſtreſs or diſtreſſes, or for or about any matter or thing concerning the ſame, that then it ſhall and may be lawful to and for every ſuch perſon or perſons againſt whom ſuch Action or Actions ſhall be brought or commenced, to plead the general iſſue, and to give in evidence, and to be allowed double coſts, in every reſpect and degree as in and by the Statute of the ſeventh year of the Kings Majeſties Reign of England that now is, entituled, An Act for eaſe in pleading againſt troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables and certain other his Majeſties Officers, for the lawful execution of their Office, is already provided and enacted.

Upon certificate of the Juſtices, that the party is convicted for making of deceivable cloth, the Church-wardens, &c. ſhall levy the forfeiture.

In default of diſtreſs, the party offending ſhall be committed to the commom Gaol.

43 Eliz. 2.

The Officer being ſued, ſhall be allowed to plead the general iſſue, &c. and recover double coſts.

Stat. 7 Jac. 5.

VI. And whereas divers Clothiers be and are of late time, much troubled and grieved by and with ſeveral Searchers, Aulnegers, and viewers of Clothes, who after that Clothes have been ſearched, viewed and ſealed by the ſearchers and overſeers of the ſeveral pariſh and pariſhes where ſuch Cloth and Clothes have been made, and alſo by the Kings Aulneger of Cloth, or by his deputy, do nevertheleſs for their own gain and lucre, review or ſearch again the ſame Clothes, to the great trouble, diſturbance and hinderance of the ſaid Clothiers, the loſs of their market, and ſale of their Cloth, although towards the end or concluſion of the ſaid Act of the fourth year of the Kings Majeſties Reign of England that now is, aforeſaid, it is mentioned, that after ſuch Cloth be once lawfully ſearched, and lawfully ſealed, the ſame be not compelled to be further viewed, ſearched, meaſured or ſealed:

4 Jac. 2.

VII. Be it therefore likewiſe enacted by the authority aforeſaid, That the ſaid overſeers and ſearchers authorized by the ſaid laſt mentioned Statute, or by any former Act, to ſearch, view and weigh any of the ſaid Clothes for the lengths, breadth and weight of the ſaid Clothes, ſhall and may certifie the ſame by their Seals affixed to ſuch Clothes, and with the word Faulty thereon ſtamped (if there be cauſe) and that none of the ſaid Clothes being formerly ſearched, The Searcher that ſearcheth, &c. cloth already ſearched, &c. ſhall forfeit five pounds.

viewed, weighed and ſealed by the ſaid Overſeers and Searchers of the Pariſh, Town or place where the ſaid Clothes ſhall be made, ſhall afterwards be viewed, ſearched, or weighed by any other perſon or perſons, Officer or Officers whatſoever, contrary to the ſaid Statute made in the ſaid fourth year of his Majeſties Reign, (2) upon pain of forfeiture of five pounds to the party grieved, who ſhall and may ſue for, and recover the ſame by bill, plaint, or information, at or in the General Quarter Seſſions of the Peace to be holden for the County, City, or Town-Corporate wherein ſuch offence ſhall be committed, wherein no Eſſoin, Protection, Priviledge, or Wager of Law ſhall be allowed.

All woollen Clothes ſhall be ſearched, &c. before they be ſold.

VIII. Provided always, and be it further enacted by the authority of this preſent Parliament, That all and all manner woollen Clothes, of what nature, kind, or name ſoever they be, or ſhall be of, to be woven in any City or Town-Corporate, within the Realm of England or Dominion of Wales, from and after forty days next after the end of this preſent Seſſion of Parliament, ſhall be ſearched, tried, and ſealed by the ſeveral and reſpective Overſeers of Cloth, appointed or to be appointed, of, or for the Cities and Towns-Corporate, or of, or for ſome of the places or Pariſhes in them, where the ſame Clothes ſhall be woven, before ſuch Clothes ſhall be ſold, or offered to be ſold.

The meaſure of Tentors for Clothes made in York-ſhire.

IX. And be it further enacted by the authority of this preſent Parliament, That from and after forty days next after the end of this preſent Seſſion of Parliament, no Tentor or Tentors for broad Clothes to be made within the County of York, to be ſold, ſhall have, or ſhall or may be allowed any further chaſe or liberty, for or to be under bar of ſuch Tentor or Tentors, than only half a quarter of a yard at the moſt: (2) And that no Tentor or Tentors for narrow Clothes to be made within the ſaid County of York, to be ſold, ſhall have, or ſhall or may be allowed any further chaſe or liberty for or to the under bar of ſuch Tentor or Tentors, than only half of a half quarter of a yard at the moſt: (3) And that the Overſeers and Searchers of Cloth, or any of them appointed, or to be appointed within the ſeveral and reſpective Pariſhes in the ſaid County of York, ſhall upon the penalties of their Recognizances taken or to be taken by virtue of the Statute, made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, or of any other Statute make due ſearch and view of the Tentors to be uſed in the aforeſaid County of York: (4) And if they or any of them ſhall happen to find any Tentor or Tentors uſed contrary to the true meaning of this Act, that then they ſhall forthwith deface, or cauſe to be defaced ſuch Tentor or Tentors.

Searchers ſhall make ſearch of Tentors in York-ſhire.

Stat. 39 Eliz. 20.

The party offending the ſecond time for having a Tentor contrary to this Act, ſhall forfeit xl. s.

X. And be it further enacted, That if any perſon or perſons whoſe Tentor or Tentors hath been or ſhall be once defaced, ſhall eftſoons offend contrary to the true meaning of this Act, that then ſuch perſon or perſons ſo offending, ſhall for every his or their offence contrary to the true meaning of this Act, forfeit and loſe the ſum of forty ſhillings of good and lawful money of England, to ſuch uſes and behoofs, and to be levied and recovered in ſuch manner and form, and by ſuch means, to all intents and purpoſes, as before in and by this preſent Act it is limited, appointed and enacted, for the ſum or forfeiture of five pounds, to the uſe of the poor, in this Act before mentioned.

Every Overſeer of cloth ſhall ſet his name upon the Seal of cloth.

XI. And be it further enacted by the authority of this preſent Parliament, That every Overſeer of Cloth, appointed by any former Law, now in force, to fix unto any kind of Clothes a Seal of Lead, ſhall from and after forty days next after the end of this preſent Parliament, upon the penalty of their reſpective Recognizance taken or to be taken by virtue of the ſaid Statute, made in the nine and thirtieth year of the Reign of the ſaid Queen Elizabeth, or of any other Statute, engrave or ſet, or cauſe to be engraved or ſet, in and upon every of their reſpective Seals of Lead, which they ſhall affix unto any Cloth, by them reſpectively to be ſealed, his or their Chriſtian and Sirname; and no Cloth or Clothes to be ſealed with any Seal of Lead, which ſhall want ſuch engraving or print, as aforeſaid, ſhall be taken or allowed to be ſufficiently Sealed, within the compaſs of any former Law or Statute: (2) And furthermore whereas of late years divers ſubtil and naughty means and devices have been invented and practiſed for the preſſing of woollen Cloth of all ſorts, by heating of thick boards or planks, and laying the ſame under and above the Cloth in the cold Preſs, and alſo by putting of thin or ceiling boards, and paſt-boards being made very hot, into the cutties or plates of Clothes, and then preſently putting the ſame into a cold Preſs, and by divers other cunning ſlights and inventions, by which deceitful practiſes and devices, the chapmen, or buyers of the woollen Clothes of this Kingdom are deceived and wronged, and the woollen Cloth of this Kingdom it ſelf is diſgraced, and held and reputed very deceitful, to the great prejudice and ſcandal of the Cloth of this Kingdom: (3) Be it further enacted by the authority of this preſent Parliament, That all and every the preſſing of any kind or ſort of woollen Clothes, by or with ſuch ſubtil and deceitful means as aforeſaid, or by or with any other the like ſubtil or deceitful means or device, by or with any heat of fire, which ſhall be uſed or practiſed at any time or times after the end of this preſent Seſſion of Parliament, ſhall be taken and ſhall be expounded and adjudged to be preſſing with a hot preſs, and ſhall be puniſhed and puniſhable with the like forfeitures, and in like ſort, to all intents and purpoſes, as the preſſing with the hot Preſs is puniſhable by any former Law or Statute.

Preſſing of Clothes between hot planks, ſhall be puniſhed with like forfeiture as preſſing them with a hot-preſs.

Stat. 5. Ed. 6. 6.

The penalties for want of length, &c. of cloth ſhall be diſtributed into three parts.

Stat. 5. Ed. 6. 6.
4 & 5 P. & M. 5.
27 El. 17.
35 El. 7 & 9.
43 El. 10.
4 Jac. 2.

XII. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures for want of length, breadth, and weight of Cloth or Clothes limited by any former Act now in force, by this preſent Act, ſhall be diſtributed into three equal parts, whereof one third part ſhall be unto the ſaid Overſeers and Searchers finding and certifying the ſaid default of length, breadth and weight, as aforeſaid, to be recovered by them, at or in the general Quarter Seſſions of the Peace to be holden in the County, City, or Town-corporate where the offence therein ſhall happen to be done or committed, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, priviledge, or wager of Law ſhall be allowed: (2) And the other parts thereof, ſhall be unto the poor of the Pariſh where the ſaid Cloth or Clothes ſhall be made, to be levied by way of diſtreſs and ſale of the offenders goods in default of ſufficient diſtreſs, rendring to the party the overplus by the Church-wardens and Overſeers of the poor of every ſuch Pariſh, from time to time reſpectively, (which ſaid Church-wardens and Overſeers are in ſuch manner to accompt for the ſame, as for any other ſums which are by them to be collected to the uſe of the poor, by force of the ſaid Statute made in the foreſaid three and fortieth year of the Reign of the ſaid late Queen, are by them to be levied and accompted for;) The ſaid former Act, or any other Act to the contrary in any wiſe notwithſtanding. (3) This Act to continue till the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. Stat. 5 Ed. 6. 6. 4 & 5 P. & M. 5. 8 El. 12. 27 El. 17. 35 El. 7, & 9. 43 El. 10. 4 Jac. 2. 14 Car. 2. cap. 32.

43 El. 2.

C A P. XIX.

An Act for the further deſcription of a Bankrupt, and relief of Creditors againſt ſuch as ſhall become Bankrupts, and for inflicting Corporal puniſhment upon the Bankrupts in ſome ſpecial Caſes.

Foraſmuch as daily experience ſheweth, that the number and multitude of Bankrupts do increaſe more and more, and alſo the frauds and deceits invented and practiſed for the avoiding and deluding the penalties of the good Laws in that behalf already made, and the remedy by them provided: (2) And for that divers defects are daily found in the former Statutes made againſt Bankrupts, both in a deſcription of a Bankrupt, as alſo in the power given to the Commiſſioners for the diſcovery and diſtributing the Bankrupts Eſtate, to the great encouragement of evil minded perſons, the hindrance of traffique and commerce, the great decay, overthrow, and undoing of many Clothiers, by whom many thouſands of the natural born ſubjects of this Realm be from time to time in all parts of this Kingdom ſet on work: All which do tend to the general hurt of this Realm: (3) For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the aforeſaid Statutes and Laws heretofore made againſt Bankrupts, and for relief of Creditors, ſhall be in all things largely and beneficially conſtrued and expounded for the aid, help, and relief of the Creditors of ſuch perſon or perſons as already be or hereafter ſhall become Bankrupt:

Laws made againſt Bankrupts ſhall be beneficially conſtrued for the Creditors.

II. And that all and every perſon or perſons uſing, or that ſhall uſe the trade of merchandize, by way of bargaining, exchange, bartering, chevyſance, or otherwiſe in groſs, or by retail, (2) or ſeeking his or her living by buying and ſelling, (3) or that ſhall uſe the trade or profeſſion of a Scrivener, receiving other mens Moneys or Eſtates into his truſt, or cuſtody, (4) who at any time after the end of this preſent Seſſion of Parliament, ſhall either by himſelf, or others by his procurement, obtain any protection or protections, other than ſuch perſon or perſons as ſhall be lawfully protected by the priviledge of Parliament, (5) or ſhall prefer or exhibit unto his Majeſty, his Heirs or Succeſſors, or unto any of the Kings Courts, any petition or petitions, bill, or bills againſt his or her creditor or creditors, or any of them, thereby deſiring or endeavouring to compel or enforce them, or any of them, to accept leſs then their juſt and principal debts, or to procure time, or longer days of payment, then was given at the time of their original contracts, (6) or being indebted to any perſon or perſons in the ſum of one hundred pounds or more, ſhall not pay, or otherwiſe compound for the ſame, within ſix months next after the ſame ſhall grow due, and the debtor be arreſted for the ſame, (7) or within ſix months after an original Writ ſued out to recover the ſaid debt, and notice thereof given unto him, or left in writing at his or their dwelling houſe, or laſt place of abode, or being arreſted for debt, ſhall after his or her arreſt lie in priſon two months or more, upon that or any other arreſt or detention in priſon for debt, (8) or being arreſted for the ſum of one hundred pounds or more, of juſt debt or debts, ſhall at any time after ſuch arreſt, eſcape out of priſon, or procure his enlargement by putting in common or hired bail, (9) ſhall be accounted and adjudged a Bankrupt to all intents and purpoſes: (10) And in the ſaid caſes of arreſt, or lying in priſon for ſuch debt or debts, or getting forth by common or hired bail, from the time of his or her ſaid firſt arreſt.

Who ſhall be deemed a Bankrupt. March 34.

III. And be it further Enacted by the authority of this preſent Parliament, That the like Commiſſions, Orders, Benefits and Remedies which are and be provided and limited by the ſaid former Acts of Parliament, made in the thirteenth year of the late Queen Elizabeth; and in the firſt year of the Reign of our Sovereign Lord the Kings Majeſty, againſt any Bankrupts, in them, or either of them deſcribed, or for, or concerning his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandize and debts, or any of them, ſhall and may be had, purſued, taken, and expounded againſt ſuch perſon and perſons as are herein, and hereby declared, deſcribed, or expreſſed to be Bankrupts, and againſt his, her, and their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandize and debts, in ſuch manner and form as the ſame ought, and might have been, if the perſons herein declared, deſcribed, or expreſſed to be Bankrupts, had been by the ſaid Statutes, or either of them, deſcribed to be Bankrupts, to all intents and purpoſes whatſoever.

Commiſſions, Orders, &c. provided by 13 El. 7. & 1 Jac. 15. ſhall be purſued againſt him that is deſcribed to be a Bankrupt by this Act.

IV. And be it further enacted by the authority aforeſaid, That the ſame Orders, Benefits and Remedies, which are, and be provided and limited by this preſent Act, againſt any Bankrupts, in, or by this Act declared, deſcribed or expreſſed to be Bankrupts, or for, or concerning his, her or their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandizes, and debts, or any of them or the diſcovery of them, or any of them ſhall from henceforth be had, purſued, taken and expounded againſt ſuch perſon and perſons, as are declared or expreſſed to be Bankrupts by the ſaid former Acts of Parliament, or either of them, and againſt his, her, and their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandizes and debts, in ſuch manner and form as the ſame ought and might have been, if the perſons in the former Statutes, or either of them, deſcribed to be Bankrupts, had been mentioned and deſcribed to be Bankrupts in, and by this preſent Act.

Orders, &c. provided by this Act, ſhall be purſued againſt him that is deſcribed to be a Bankrupt by 13 El. 7. & 1 Jac. 15.

V. And whereas by the former Laws, the Commiſſioners appointed have power to examine the Bankrupt himſelf, and ſuch perſon or perſons as are ſuſpected to have, or detain any of the Eſtate, Goods or Chattels of the Bankrupts, but ſome doubt hath been made whether the Commiſſioners have power to examine the Wives of the Bankrupts touching the ſame, by reaſon whereof the Bankrupts Wives do daily conceal and convey away, and cauſe to be conveyed away much part of their Husbands Moneys, Wares, Goods, Merchandize and other Eſtate, to perſon or perſons unknown to any but ſuch Wives, by reaſon whereof much of the Bankrupts Eſtate is concealed, and detained from the Creditors:

The Bankrupts wife may be examined by the Commiſſioners.

VI. For clearing therefore the ſaid doubt, and avoiding the inconveniences aforeſaid, Be it declared and enacted by the authority aforeſaid, That after ſuch time as any perſon ſhall by the ſaid Commiſſioners executing the ſaid Commiſſion, or the greater part of them, be lawfully adjudged or declared to be a Bankrupt, the ſaid Commiſſioners executing ſuch Commiſſion, ſhall have power and authority to examine upon Oath the Wife and Wives of all and every ſuch Bankrupt, for the finding out, and diſcovery of the Eſtate and Eſtates, Goods and Chattels of ſuch Bankrupt or Bankrupts, concealed, kept or diſpoſed of by ſuch Wife or Wives, in their own perſons, or by their own Act or means, or by any other perſon or perſons; (2) And that ſhe and they, the ſaid Wife and Wives, ſhall incur ſuch danger and penalty for not coming before the ſaid Commiſſioners, or for refuſing to be ſworn and examined, or for not diſcloſing the truth, upon her or their examination or examinations, as in and by the ſaid former Laws, or either of them, is already made and provided againſt any other perſon or perſons in like caſes.

The Bankrupt that fraudulently concealeth his goods, or rendreth not ſome juſt reaſon why he became Bankrupt, ſhall be ſet upon the pillory, and loſe one of his ears.

VII. And be it further enacted by the authority aforeſaid, That if any Bankrupt ſhall upon his, or her examination or examinations, to be taken before the ſaid Commiſſioners, executing the ſaid Commiſſion, be found fraudulently or deceitfully to have conveyed away his or her goods, chattels, lands, tenements, offices, fees, rents or annuities, or other eſtate, or any part thereof, to the value of twenty pounds or above, to the end and purpoſe to hinder the execution of this Statute, or of any other the aforeſaid Statutes, or thereby to defraud, delay or hinder his or her Creditors of the ſame, and ſhall not upon his or her examination, diſcover unto the ſaid Commiſſioners, and (if it lie in his or her power) deliver unto the ſaid Commiſſioners, all that eſtate, goods and chattels ſo fraudulently and deceitfully conveyed away, as aforeſaid, or by him or her, his or her means, kept or detained from the ſaid Commiſſioners, or that cannot make it appear unto the ſaid Commiſſioners, that he or ſhe hath ſuſtained ſome caſual loſs, whereby or ſhe is diſabled to pay what he or ſhe then owed, ſhall or may be indicted for ſuch fraud or abuſe at the Aſſiſes or general Seſſions to be holden before the Judges of Aſſize, or Juſtices of the Peace of the County or place where he or ſhe ſhall become Bankrupt: (2) And if upon ſuch indictment or indictments, the Bankrupt be thereof convicted, he or ſhe ſo convicted ſhall be ſet upon the Pillory in ſome publick place, for the ſpace of two hours, and have one of his or her ears nailed to the Pillory, and cut off:

The Commiſſioners may break open the Bankrupts doors, &c.

VIII. And for that ſome doubts is conceived, whether the Commiſſioners in caſe of reſiſtance, have power by the former Laws to break open, or cauſe to be broken open, the houſe or houſes of ſuch Bankrupts, which if they have not, the remedies by the former Laws given, will be to little effect: (2) Be it therefore enacted, That in execution of the ſaid Commiſſion, it ſhall be lawful to and for the ſaid Commiſſioners, or the greater part of them, or any other perſon or perſons, Officer or Officers, by them, or the greater part of them, to be deputed and appointed by their Warrant or Warrants under the hands and ſeals, to break open the houſe or houſes, chambers, ſhops, ware-houſes, doors, trunks or cheſts of the ſaid Bankrupt, where the ſaid Bankrupt, or any of his or her goods or eſtate, ſhall be, or reputed to be, and to ſeize upon, and order the body, goods, chattels, ready money, and other eſtate of ſuch Bankrupt, as by the ſaid former Laws are limited and appointed, whether it be by impriſonment of his or her body, or otherwiſe, as to the ſaid Commiſſioners, or the greater part of them, ſhall be thought meet.

The Bankrupts goods ſhall be ratably divided, notwithſtanding any judgment, recognizance, &c.

IX. And for the better diviſion and diſtribution of the lands, tenements, hereditaments, goods, chattels, and other eſtate of ſuch Bankrupt, to and amongſt his or her Creditors, (2) Be it enacted, That the Commiſſioners, or the greateſt part of them, ſhall and may examine upon Oath, or by any other ways or means as to them ſhall ſeem meet, any perſon or perſons, for the finding out, and diſcovery of the truth and certainty of the ſeveral debts due, and owing to all ſuch Creditor and Creditors as ſhall ſeek relief by ſuch courſe of Commiſſion to be iſſued forth as aforeſaid: (3) And that all and every Creditor and Creditors having ſecurity for his or their ſeveral debts, by Judgment, Statute, Recognizance, Specialty with penalty or without penalty, or other ſecurity, or having no ſecurity, or having made attachments in London, or any other place, by virtue of any Cuſtom there uſed, of the goods and chattels of any ſuch Bankrupt, whereof there is no Execution or Extent ſerved and executed upon any the lands, tenements, hereditaments, goods, chattels, and other eſtate of ſuch Bankrupt, before ſuch time as he or ſhe ſhall or do become Bankrupt, ſhall not be relieved upon any ſuch Judgmens, Statute, Recognizance, Specialty, Attachments, or other ſecurity, for any more then a ratable part of their juſt and due debts, with the Creditors of the ſaid Bankrupt, without reſpect to any ſuch penalty or greater ſum contained in any ſuch Judgment, Statute, Recognizance, Specialty with penalty, Attachment, or other ſecurity.

The Commiſſioners may proceed when the Bankrupt by fraud makes himſelf accomptant to the King.

X, And be it further enacted, That if it ſhall happen, any the lands, tenements, goods, chattels, debts, or other eſtate of any Bankrupt, to be extended, after ſuch time as he or ſhe is become a Bankrupt, by any perſon or perſons, under colour or pretence of his or their being an accomptant or any way indebted unto our Sovereign Lord the Kings Majeſty, his Heirs or Succeſſors, That then it ſhall be lawful to and for the ſaid Commiſſioners, to examine upon Oath, whether the ſaid debt were due to ſuch Debtor or Accomptant, upon any bargain or contract originally made betwixt ſuch Accomptant and the ſaid Bankrupt, the ſaid Debtor and Accomptant, and his or their ſervants: (2) And if ſuch bargain or contract was originally made, to, and with any other perſon or perſons then the ſaid Debtor or Accomptant, or for the uſe and truſt of any other perſon or perſons, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or the greater part of them, to order and diſpoſe of all ſuch Lands, Tenements, Hereditaments, Goods, Chattels, and Debts ſo extended as aforeſaid, to and for the uſe of the Creditors which ſhall ſeek relief by the ſaid Commiſſion, (3) And that the order and diſpoſition of the ſaid Commiſſioners, or the greater part of them, ſhall be good and available againſt the ſaid extent, and againſt all perſons claiming from, by, or under the ſaid extent: (4) And that ſuch perſon and perſons to whom the ſaid Lands, Tenements, Goods and Chattels ſo extended, ſhall be bargained, ſold, granted, or aſſigned by the Commiſſioners aforeſaid, or the greater part of them, ſhall have good remedy to have, demand, and recover the ſame, and againſt ſuch perſon and perſons who ſhall detain the ſame, (5) And for that it often falls out, that many perſons before they become Bankrupts, do convey their goods to other men upon good conſideration, yet ſtill do keep the ſame, and are reputed the Owners thereof, and diſpoſe the ſame as their own:

Goods in the poſſeſſion, &c. of the Bankrupt, are liable to pay his Debts, notwithſtanding any former grant, &c.

XI. Be it enacted, That if at any time hereafter, any perſon or perſons ſhall become Bankrupt, and at ſuch time as they ſhall become Bankrupt, ſhall by the conſent and permiſſion of the true Owner and Proprietary, have in their poſſeſſion, order and diſpoſition, any Goods or Chattels, whereof they ſhall be reputed Owners, and take upon them the ſale, alteration or diſpoſition as Owners, that in every ſuch caſe, the ſaid Commiſſioners, or the greater part of them, ſhall have power to ſell and diſpoſe the ſame, to, and for the Benefit of the Creditors which ſhall ſeek relief by the ſaid Commiſſion, as fully as any other part of the Eſtate of the Bankrupt: (2) and for the better payment of Debts, and diſcouraging men to become Bankrupts,

A grant of the intailed lands of the Bankrupt ſhall be good.

XII. Be it further enacted, That the ſaid Commiſſioners, or the greater number of them, ſhall have power by virtue of this Act, by Deed indented and inrolled, within ſix months after the making thereof, in ſome of his Majeſties Courts of Record at Weſtminſter, to grant, bargain, ſell and convey any Manors, Lands, Tenements or Hereditaments, whereof any Bankrupt is, or ſhall be in any ways ſeized of any Eſtate in tail, in poſſeſſion, reverſion or remainder, and whereof no reverſion or remainder is, or ſhall be in the Kings Majeſty, his Heirs or Succeſſors, of the gift or proviſion of his Majeſty, his Progenitors, his Heirs or Succeſſors, to any perſon or perſons, for the relief and benefit of the Creditors of all ſuch Bankrupts; (2) And that all and every ſuch Grants, Bargains, Sales and Conveyances ſhall be good and available in the Law to ſuch perſon or perſons and their Heirs, againſt the ſaid Bankrupts, and againſt all and every the Iſſues of the body of ſuch Bankrupts, and againſt all and every perſon and perſons claiming any Eſtate, Right, Title or Intereſt, by, from, or under the ſaid Bankrupts, after ſuch time as ſuch perſon ſhall become Bankrupt, and againſt all and every other perſon and perſons whatſoever, whom the ſaid Bankrupt by common recovery, or other ways and means might cut off, or debar from any remainder, reverſion, rent, profit, title or poſſibility, into or out of any the ſaid manors, lands, tenements or hereditaments.

Conditional Eſtates granted by the Bankrupt, may be redeemed by the Commiſſioners.

XIII. And be it further enacted, That if any perſon that now is, or hereafter ſhall become a Bankrupt, have heretofore granted, conveyed or aſſured, or ſhall at any time hereafter, grant, convey or aſſure any Lands, Tenements, Hereditaments, Goods, Chattels, or other Eſtate, unto any perſon or perſons, upon condition, or power of redemption at a day to come, by payment of money, or otherwiſe, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or the great part of them, before the time of the performance of ſuch condition, to aſſign and appoint under their Hands and Seals, ſuch perſon or perſons as they ſhall think fit, to make tender or payment of money, or other performance, according to the nature of ſuch condition, as fully as the Bankrupt might have done; (2) And that the ſaid Commiſſioners, or the greater part of them, ſhall after ſuch tender, payment or performance, have power to ſell and diſpoſe of ſuch Lands, Tenements, Hereditaments, Goods and Chattels, and other Eſtates ſo granted, conveyed, or aſſured upon condition, to, and for the benefit of the Creditors, as fully as they may ſell or diſpoſe of any the Eſtate of the Bankrupt.

The Commiſſion ſhall be ſued forth within five years.

XIV. Provided further, That no Purchaſor, for good and valuable conſideration, ſhall be impeached by virtue of this Act, or any other Act heretofore made againſt Bankrupts, unleſs the Commiſſion to prove him or her a Bankrupt, be ſued forth againſt ſuch Bankrupt within five years after he or ſhe ſhall become a Bankrupt.

Strangers ſhall take advantage of this, and all other Laws againſt Bankrupts.

XV. Provided further, and be it enacted by the authority aforeſaid, That this Act, and all other Acts of Parliament heretofore made againſt Bankrupts, ſhall extend to ſtrangers born, as well aliens as denizens, as effectually as to the natural born Subjects, both to make them ſubject to the Laws as Bankrupts, as alſo to make them capable of the benefit or contribution as Creditors by thoſe Laws. Stat. 34 H. 8. 4. 13 Eliz. 7. 1 Jac. 15. 14 Car. 2. cap. 24.

CAP. XX.

An Act to prevent and reform prophane Swearing and Curſing.

None ſhall prophanely ſwear or curſe.

FOraſmuch as all prophane ſwearing and curſing is forbidden by the Word of God, be it therefore enacted by the authority of this preſent Parliament, That no perſon or perſons ſhall from henceforth prophanely ſwear or curſe: (2) And that if any perſon or perſons ſhall at any time or times hereafter offend herein, either in the hearing of any Juſtice of Peace of the County, or of any Mayor, Juſtice of Peace, Bailiff, or Head-Officer of any City or Town-corporate where ſuch offence is, or ſhall be committed, or ſhall thereof be convicted by the Oaths of two Witneſſes, or by confeſſion of the party, before any ſuch Juſtice of Peace of the County, or Head Officer, or Juſtice of the Peace in the City or Town-corporate where ſuch offence is or ſhall be committed, to which end, every Juſtice of Peace, and every ſuch Head-Officer ſhall have power by this Act to miniſter the ſame Oath, that then every ſuch offender ſhall for every time ſo offending, forfeit and pay to the uſe of the poor of that Pariſh where the ſame offence is, or ſhall be committed, the ſum of twelve pence: (3) And it ſhall alſo

He that prophanely curſeth or ſweareth, ſhall forfeit xii. d. to the uſe of the poor.

The Conſtable, &c. ſhall levy the ſaid forfeiture.

alſo be lawful for the Conſtable, Church-wardens, and Overſeers of the poor of that Pariſh, by Warrant from ſuch Juſtice of the Peace, or Head Officer, to levy the ſame ſum and ſums of money, by diſtreſs and ſale of the offenders goods, rendring to the party the overplus: (4) And in defect of ſuch diſtreſs, the offender, if he or ſhe be above the age of twelve years, ſhall by warrant from ſuch Juſtice of the Peace, or Head Officer, be ſet in the Stocks by three whole hours; but if the offender be under the age of twelve years, and ſhall not forthwith pay the ſaid ſum of twelve pence, Then he or ſhe, by warrant of ſuch Juſtice of Peace, or Head Officer, ſhall be whipped by the the Conſtable, or by the Parent or Maſter, in his preſence.

The Officer being ſued, ſhall plead the general iſſue.

II. And be it further enacted, That if any ſuch offender ſhall commence any Suit in Law againſt any Officer or other, for ſuch diſtraining, ſale of Goods, whipping, or ſetting in the Stocks, the Defendant or Defendants may plead the general iſſue, and give the ſpecial matter in evidence to the Jury at the Trial: And if it be found againſt the Plaintiff, or that the Plaintiff be non-ſuit, the Defendant or Defendants ſhall be allowed good Coſts, to be taxed by the Court.

This offence ſhall be proſecuted within twenty days. This Act ſhall be read in the Church twice every year.

III. Provided nevertheleſs, That every offence againſt this Law, ſhall be complained of, and provided as abovesaid, within twenty days after the offence committed.

(2) And it is alſo enacted, That this Act ſhall be read in every Pariſh Church by the Miniſter thereof, upon the Sunday after Evening Prayer, twice in the year.

IV. Provided, That this Act ſhall continue until the end of the firſt Seſſion of the next Parliament, and no longer. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XXI.

An Act concerning Hoſtlers and Inn-holders.

Hoſtlers, or Inn-holders ſhall make no Horſe-bread. 37 Ed. 3. 3.

13 Rich. 2. 8.

4 Hen. 4. 25.

32 Hen. 8. 41.

BE it enacted by the Authority of this preſent Parliament, that one Statute made in the ſeven and thirtieth year of the Reign of the late King Edward the third, made for the great dearth that then was in many places of the Realm, of Poultry, and concerning the prices of Poultry: (2) And ſo much of one Statute made in the thirteenth year of the Reign of King Richard the ſecond, as provideth, that no Hoſtler make Horſe-bread in his Hoſtrey, nor without, and that the aſſiſe thereof ſhall be kept, and that the weight be reaſonable, after the prices of the Corn in their Markets, and that the ſame Hoſtlers ſhall ſell Hay and Oats, after a reaſonable price, ſo that they take but one half-peny over the common price in the Market: (3) And ſo much of one Statute made in the fourth year of the Reign of the late King Henry the fourth, as doth concern the putting in execution of the part of the Statute made in the thirteenth year of the Reign of King Richard the ſecond, that is before ſpecified: (4) And one Statute made in the two and thirtieth year of the Reign of King Henry the eighth, entituled, An Act concerning the baking of Horſe-bread, (5) be from henceforth repealed, made void, and of none effect.

The foreſaid Stat. repealed. Hoſtlers, &c. ſhall make no Horſe-bread. They ſhall ſell provender according to the Market.

II. And be it further enacted, That no Hoſtler or Inn-holder, ſhall at any time after the end of this preſent Seſſion of Parliament, make Horſe-bread in his Hoſtrey, nor without, but Bakers ſhall make it, and the aſſiſe ſhall be kept, and that the weight be reaſonable, after the price of the Corn and Grain in the Markets adjoyning, (2) and the Hoſtlers or Inn-holders ſhall ſell their Horſe-bread, and their Hay, Oats, Beans, Peas, Provender, and alſo all kind of Victual both for Man and Beaſt, for reaſonable gain, having reſpect to the prices for which they ſhall be ſold in the Markets adjoyning, without taking any thing for Litter.

They may make Horſe-bread, when no Baker dwells in the ſame Town.

III. Provided always, and be it enacted by the authority aforeſaid, That from henceforth it may and ſhall be lawful for every Hoſtler and Inn-keeper, dwelling in any Town or Village, being a through-fare, or a common paſſage within this Realm, and being no City, Town-corporate, or Market Town, wherein any common Baker exerciſing the Occupation of Baking, and that hath been Apprentice at the ſaid Occupation by the ſpace of ſeven years, is dwelling, to make within his houſe Horſe-bread ſufficient, lawful, and of due aſſiſe, according as the price of Grain and Corn now is, and hereafter ſhall be from time to time; Any thing herein contained to the contrary notwithſtanding.

If they make it not of due Aſſiſe, they ſhall be puniſhed by the Juſtices, &c.

IV. And be it further enacted by the authority aforeſaid, That if the Horſe-bread which any of the ſaid Hoſtlers or Inn-holders ſhall make, be not ſufficient, lawful, and of due aſſiſe, according to the price of Grain and Corn, as aboveſaid; Or that if any of them ſhall offend in any thing contrary to this Act, then the Juſtices of Aſſiſe, Juſtices of Oyer and Terminer, Juſtices of the Peace in every Shire, Liberty or Franchiſe within this Realm, Sheriffs in their Turns, and Stewards in their Leets and Law-days, ſhall have full power and authority to enquire, hear and determine the ſaid defaults and offences of the ſaid Hoſtlers and Inn-holders, hereafter to be committed againſt the form of this preſent Statute: (2) And the Hoſtler or Inn-holder for the firſt Offence, ſhall be fined according to the quantity of the Offence; And if being once convicted, he ſhall again offend, for the ſecond Offence he ſhall be impriſoned for the ſpace of one month, without bail or mainpriſe; And if he ſhall a third time offend, being thereof convicted, he ſhall ſtand upon the Pillory, without being redeemed for money; And if he ſhall offend after the Judgment of the Pillory given, he ſhall be fore-judged for keeping any Inn again.

CAP. XXII.

An Act for the explanation of the Statutes made in the third, fourth, and fifth years of King Edward the ſixth, concerning the Traders of Butter and Cheeſe.

The ſtatutes of 3 & 4 Ed. 6. 21. and 5 & 6 Ed. 6. 14. explained.

WHereas in a Parliament holden at Weſtminſter in the third and fourth years of the Reign of the moſt excellent Prince of happy memory, King Edward the ſixth, It was enacted, That no perſon or perſons after the Feaſt of the Annunciation of our Lady then next coming, ſhould buy to ſell again, any Butter or Cheeſe, unleſs he or they ſold the ſame again by Retail in open Shop, Fair or Market, and not in Groſs, upon pain of forfeiture of double the value of the ſame Butter and Cheeſe ſo ſold contrary to the tenour of the ſaid Act;

II. In and by which Act it is provided and enacted, That the ſaid word of Retail mentioned in the ſaid Act ſhall be expounded, declared, and taken only where a Wey of Cheeſe, or a barrel of Butter, or a leſs quantity, and not above, ſhould be ſold at one time to any perſon or perſons in open Shop, Fair or Market; and that to be done without Fraud or covin:

5 & 6. Ed. 6. 14. Sect. 3. N. 1.

III. And whereas alſo by one other Act made in a Parliament holden at Weſtminſter, in the fifth year of the Reign of the ſaid late King, it was enacted (amongſt other things) That whatſoever perſon or perſons ſhould ingroſs or get into his hands any Butter or Cheeſe within the Realm of England, to the intent to ſell the ſame again, ſhould be accepted, reputed and taken to be an unlawful ingroſſer, and ſhould loſe and forfeit the value of the ſaid Goods: (2) In which Act there is no Proviſo for Retailers at all; By occaſion whereof, the Traders for Butter and Cheeſe for the City of London are continually vexed and moleſted by common Informers, ſometimes upon the one Statute, and ſometimes upon the other, to their great loſs and charge:

IV. Now for that by daily experience it is found, that the Traders of Butter and Cheeſe for the City of London, which fetch and provide the ſaid Butter and Cheeſe out of divers Counties, upon their great travel, charge and adventure, for proviſion of the ſaid City, and of others thereunto reſorting, and there ſell the ſame in their Shops in open Market, not only for the general uſe and ſervice of the ſaid City, and the Countries adjoyning, but alſo for any occaſion that may be offered for the better expedition of his Majeſties ſervice; As alſo for victualling of Ships which daily are victualled from this Port of London, which poſſibly cannot be performed by the ſmall quantities aforeſaid, and according to the ſaid Statute:

V. And whereas the common Informers finding that the Letter of the ſaid Statute extendeth againſt ſuch as do ſell above the quantity of a Wey of Cheeſe, or a Barrel of Butter at one time though it be in open Shop, Fair or Market, and that in the other Act no Proviſo at all is made as aforeſaid for Retailers, have of late years much troubled the Traders of Butter and Cheeſe within the City of London, with many Informations, as well upon the one Statute as the other, and have gotten ſeveral ſums of money for compoſition of them, albeit they then were and are men that have been Apprentices, trained up in the ſaid Trade, and have no other living or trade of life, to their great hinderance and impoveriſhment:

The aforeſaid Acts ſhall not extend to London, Weſtminſter or Southwark.

VI. For remedy whereof, be it enacted be the authority of this preſent Parliament, That the ſaid Acts, or any of them, or any other Act, Statute, Law, Ordinance, or other Proviſion whatſoever heretofore, for, or concerning the ſale of Butter or Cheeſe in open Shop, Fair or Market, or the providing or buying of any Butter or Cheeſe, ſhall not in any wiſe extend to any perſon or perſons, being Cheeſe-mongers, or Tallow-Chandlers, free of the ſaid City, and having been brought up as Apprentices by the ſpace of ſeven years, trading in Butter and Cheeſe, for ſuch Butter and Cheeſe, and either of them, as he and they ſhall utter and ſell within London and the Liberties thereof, or within the Borough of Southwark, or the City of Weſtminſter, for the victualling of any the Shipping of his Majeſty, his Heirs or Succeſſors, or for the Ships of any other his Majeſties Subjects, or to ſuch Butter and Cheeſe which he or they ſhall ſell by any quantities at one time, and to one perſon, not exceeding four Wey of Cheeſe, or four Barrels of Butter, without fraud or covin, ſo as he or they ſhall ſell the ſame in open Shop, Fair or Market; Any thing in the ſaid Acts and Statutes, or any of them, to the contrary notwithſtanding.

The Juſtices of Peace may reſtrain the traders in Butter and Cheeſe, to buy thoſe commodities in the Countrey.

VII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That if the Juſtices of the Peace of any the Counties of this Realm of England, or the Dominion of Wales, at their Quarter Seſſions of any of the ſaid Counties, ſhall declare and publiſh in open Seſſions, that the Traders aforeſaid in Butter and Cheeſe ſhall forbear to buy any Butter or Cheeſe, for any time within the ſaid County or Counties, or within any parts or places of the ſame, that then for and during the time of ſuch reſtraint, the ſaid Traders in Butter and Cheeſe that ſhall buy any ſuch Butter or Cheeſe, and ſell the ſame again by retail, contrary to any the Arts aforeſaid, ſhall not be freed of, or from any penalties of the ſaid Acts, but ſhall be ſubject to the ſame, as if this Act had never been made.

(2) This Act to continue unto the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. Stat. 2 & 3 P. & M. 5. Stat. 19. H. 6. 8. 14 Car. 2. cap. 26.

CAP. XXIII.

An Act for avoiding of vexatious delays cauſed by removing of Actions and Suits out of inferiour Courts.

Suits commenced in inferiour Courts ſhall not be removed into ſuperiour Courts, unleſs, &c.

Whereas they now are, and long time have been divers Courts of Record in divers Cities, Liberties, Towns corporate and elſewhere, ſome of them being far remote from Weſtminſter, others from the Court of Grand Seſſions in Wales, which were principally ordained for the eaſe and quiet of ſuch as ſhould have occaſion to ſue there for Debts, Duties and Wrongs, ſo that they might with ſmall expences receive Juſtice according to the merits of their Cauſes, in thoſe inferiour Courts, without being compelled to travel to Weſtminſter, or the Court of the great Seſſions in Wales, (2) But of late divers of his Majeſties loving Subjects, having for juſt and true Debts, and other good and lawful Cauſes, commenced Suits in ſuch inferiour Courts, and proſecuted their Actions and Suits many times ready for Trial, and the ſame Cauſes being for the moſt part of ſmall value, have been removed into ſome of his Majeſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, and being remanded by Procedendo into the ſame inferiour Courts where the Action or Suit was firſt commenced, the ſame have been again often times removed into the ſame, or other of his Majeſties Courts at Weſtminſter, or Court of the great Seſſions in Wales, to the intolerable delay of Juſtice, and great expences of money, and loſs and trouble to thoſe which juſtly and honeſtly by ſuch Actions and Suits have ſought only to recover or get ſatisfaction for Debts, Duties or Wrongs, owing, due, or done unto them:

II. For remedy whereof, be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the

No Writs to remove a Suit commenced in an Inferiour Court, ſhall be obeyed, unleſs it be delivered unto the Steward, &c. of the ſame Court before Iſſue or Demurrer joyned.

the authority of the ſame, That no Writ or Writs of Habeas Corpus, Certiorari, or any other Writ or Writs, Proceſs or Proceſſes whatſoever, other then Writs of Errour or Attaint to be ſued forth after the end of this preſent Seſſion of Parliament, by any perſon or perſons whatſoever, out of, or from any of his Majeſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, or out of any other Court or Courts having, or pretending to have power to award ſuch Writs or Proceſſes to ſtay or remove any Action, Bill, Plaint, Suit, or Cauſe brought, commenced or depending, or hereafter to be brought, commenced or depending in any Court or Courts of Record, within any City, Liberty, Town-corporate or elſewhere, which have, or ſhall have Juriſdiction, Power or Authority to hold Plea in that Action, Bill, Plaint, Suit, or Cauſe: The ſame cauſe of Action, Bill, Plaint or Suit ariſing or growing within the ſaid City, Liberty, Town-corporate, or Juriſdiction, ſhall after the end of this preſent Seſſion of Parliament be received or allowed by the Stewards, Judge or Judges, or Officer or Officers of the Court or Courts wherein, or to whom any ſuch Writ or Writs ſhall be directed and delivered; but that he and they ſhall and may proceed in the ſaid Cauſe or Cauſes, as though uo ſuch Writ or Writs were ſued forth or delivered to him or them, except that the ſaid Writ or Writs be delivered to the Steward or Stewards, Judge or Judges, Officer or Officers of the ſaid Court, before iſſue or demurrer joyned in the ſaid Cauſe or Cauſes ſo depending, or to be depending in ſuch Court of Record, in any City, Liberty, Town-corporate, or elſewhere, having power to hold ſuch Plea, ſo as the ſaid Iſſue or Demurrer be not joyned within ſix weeks next after the Arreſt or Appearance of the Defendant or Defendants to ſuch Action or Suit commenced.

A Suit once remanded, ſhall never afterwards be removed.

III. And be it further enacted by the authority aforeſaid, That if any ſuch Action, Bill, Plaint, Suit or Cauſe which is or ſhall hereafter be brought, commenced, or depending in any ſuch Court of Record, in any City, Liberty, Town-corporate, or elſewhere, ſhall after the end of this preſent Seſſion of Parliament be removed or ſtaid by any ſuch Writ or Writs, Proceſs or Proceſſes to be ſued forth out of any of his Majeſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, or any other Courts as aforeſaid, that if afterwards the ſame Action, Bill, Plaint, Suit or Cauſe ſhall be remanded or ſent back again by any Writ or Writs of Procedendo, or other Writ whatſoever, that then the ſaid Action, Bill, Plaint, Suit or Cauſe, ſhall never afterwards be removed or ſtaid before Judgment, by any Writ or Writs whatſoever to be ſued forth, or out of any of his Majeſties ſaid Courts at Weſtminſter, or the ſaid Court of great Seſſions in Wales, or any other Court as aforeſaid; Any Law, Statute, Cuſtom, Uſage or Reſtraint to the contrary thereof in any wiſe notwithſtanding.

A Suit when the thing in demand exceeds not five pounds, ſhall not be removed. Palmer 403.

IV. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit, or Cauſe not concerning Freehold or Inheritance, or Title of Land, Leaſe or Rent which ſhall be brought, commenced, or depending in any ſuch Court of Record, or any City, Liberty, Town-corporate, or elſewhere, if it ſhall appear, or be laid in the Declaration, that the Debt, Damages, or things demanded, doth, or ſhall not amount to, or exceed the ſum of five pounds, That then ſuch Action, Bill, Plaint, Suit or Cauſe, ſhall not be ſtayed, nor removed into any of his Majeſties Courts at Weſtminſter, or other Courts as aforeſaid, by any Writ or Writs whatſoever, to be ſued or proſecuted forth, or out of his Majeſties ſaid Courts at Weſtminſter, or other Courts as aforeſaid, other then Writs of Errour or Attaint; Any Law, Statute, Uſage, Cuſtom or Reſtraint to the contrary, in any wiſe notwithſtanding.

V. And be it further enacted by the authority aforeſaid, That if any Writ or Writs whatſoever, ſhall de after the end of this preſent Seſſion of Parliament granted or ſued forth, or out of any his Majeſties ſaid Courts at Weſtminſter, or Courts of the great Seſſions in Wales, or other Court, contrary to the intent and meaning of this preſent Act, that then it ſhall and may be lawful to and for the Judge or Judges, and Officer or Officers to whom ſuch Writ or Writs ſhall be directed or delivered, to diſallow and refuſe the ſame, and to proceed, as if no ſuch Writ or Writs had been granted or ſued out or forth as aforeſaid; Any Law, Statute, Uſage, Cuſtom or Reſtraint to the contrary in any wiſe notwithſtanding.

This Act ſhall only extend to Courts in Liberties, &c. and when the Steward is an Utter Bariſter.

VI. Provided always, This Act ſhall extend only to ſuch Courts of Record in Cities, Liberties, Towns-corporate, and elſewhere, and for ſo long time only, as there is or ſhall be an Utter-Bariſter of three years ſtanding at the Bar, of one of the four Inns of Court, that is or ſhall be Stewards, under-Steward, or Deputy Steward, Town-Clerk, or Judge, or Recorder of the ſame inferiour Court, that is, or ſhall be from time to time Aſſiſtant to ſuch Judge or Judges of ſuch inferiour Courts as ſhall not be Utter-Bariſters of ſuch ſtanding as is aforeſaid, and there preſent, in which ſuch Actions, Bill, Plaints, Suits or Cauſes, is or ſhall be brought, commenced, or depending, and not of Counſel in any Action, Suit or Cauſe then depending in the ſame inferiour Court; Any thing in this preſent Act, or any Law, or other Statute, Uſage, Cuſtom or Reſtraint to the contrary in any wiſe notwithſtanding.

This Act ſhall not extend to admit any foreign Plea.

VII. Provided that this Act, or any thing therein contained, ſhall not extend to any Action, Bill, Plaint, Suit or Cauſe wherein any ſuch Foreign or other Plea ſhall be pleaded, as could not be tried or determined within the Juriſdiction of ſuch inferiour Courts.

C A P. XXIV.

An Act for the relief of Creditors againſt ſuch perſons as die in Execution.

The Lands of him that dies in Execution, ſhall be chargeable with the Debts.

Foraſmuch as heretofore it hath been much doubted and queſtioned, if any perſon being in Priſon, and charged in Execution, by reaſon of any Judgment given againſt him, ſhould afterwards happen to die in Execution, whether the party at whoſe Suit, or to whom ſuch perſon ſtood charged in Execution at the time of his death, be for ever after concluded and barred to have execution of the Lands and Goods of ſuch perſons ſo dying:

II. And foraſmuch as daily experience doth manifeſt, that divers perſons of ſufficiency in Real and Perſonal Eſtate, minding to deceive others of their juſt Debt, for which they ſtood charged in Execution, have obſtinately and wilfully choſen rather to live and die in priſon, then to make any ſatisfaction according to their abilities: To prevent which deceit, and for the avoiding of ſuch doubts and queſtions hereafter, (2) Be it declared, explained and enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the end of this preſent Seſſion of Parliament, the party or parties, and at whoſe Suit, or to whom any perſon ſhall ſtand charged in execution for any Debt or Damage recovered, his or their Executors or Adminiſtrators, may after the death of the ſaid perſon ſo charged, and dying in Execution, lawfully ſue forth, and have new Execution againſt the Lands and Tenements, Goods and Chattels, or any of them, of the perſon ſo deceaſed, in ſuch manner and form, to all intents and purpoſes, as he or they, or any of them might have had by the Laws and Statutes of this Realm, if ſuch perſon ſo deceaſed had never been taken, or charged in Execution.

A new Execution may be awarded againſt the Lands of him that dies in execution.

III. Provided always, and be it declared and enacted, That this Act ſhall not extend to give liberty to any perſon or perſons, their Executors or Adminiſtrators, at whoſe Suit or Suits any ſuch party ſhall be in execution, and die in execution, to have or take any new Execution againſt any the Lands, Tenements or Hereditaments of ſuch party dying in execution, which ſhall at any time after the ſaid Judgment or Judgments, be by him ſold bona fide, for the payment of any his Creditors, and the money which ſhall be paid for the Lands ſo ſold, either paid, or ſecured to be paid to any of his Creditors, with their privity and conſent, in diſcharge of his or their due Debts, or ſome part thereof; any thing before in this Act to the contrary thereof in any wiſe notwithſtanding.

This Act ſhall not extend to Lands ſold bona fide.

CAP. XXV.

An Act for the Relief of Patentees, Tenants and Farmers of Crown Lands and Dutchy Lands, or of Lands within the ſurvey of the Court of Wards and Liveries, in caſes of forfeiture for not payment of their Rents or other Service or Duty.

FOraſmuch as the Kings Majeſty, out of his gracious diſpoſition, is, and ever hath been averſe from taking any advantage, howſoever lawful and juſt, againſt any of his Subjects growing by any forfeiture, breach of Condition, or ſtrict interpretation of his Highneſs Grants or Letters Patents, or the Grants or Letters Patents of any of his Royal Predeceſſors, of any Manors, Lands, Tenements or Hereditaments, (2) And yet the Grantees or Patentees deriving their Eſtates by or from his Majeſty or his Predeceſſors, have been too apt and ready to exact the advantage of ſuch forfeiture, where his Majeſty himſelf, or his Predeceſſors have not required the ſame, which hath been ever held an unequal and extream courſe, and hath many times been relieved by Suits in Courts of Equity, though with the great charge and trouble of the parties endangered thereby:

No advantage ſhall be taken againſt the Kings Patentees or Tenants for non-payment of Rent, &c.

II. For remedy whereof, as well where the King as any of his Predeceſſors or Succeſſors, hath granted, or ſhall grant the ſaid Manors, Lands, Tenements or Hereditaments, or any part thereof, or the reverſion of any part thereof, to any other, as where the reverſion, remainder, or eſtate thereof, is, or ſhall be in the Kings Majeſty, or his Succeſſors, in the right of the Crown of England, or Dutchy of Lancaſter, or otherwiſe, his Majeſty of his abundant grace towards his loving Subjects, is graciouſly pleaſed that it be enacted, (2) and be it enacted by the Kings moſt excellent Majeſty, by and with the aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, bodies politick or corporate, having, holding or poſſeſſing, or which hereafter ſhall have, hold or poſſeſs any manors, lands, tenements or hereditaments, by virtue or colour of any original Grant or Leaſe, or aſſignments of the ſame, made by the Kings Majeſty, or any of his Predeceſſors, or to be made by any of his Succeſſors, for any number of years, for life or lives, in Fee-tail, or Fee-ſimple, or other Eſtate whereupon any Rent, Service or other Duty hath been, is, or ſhall be reſerved, or payable with or under any Condition or Limitation of Re-entry, Ceſſer, or to be void for default of payment of ſuch Rent, or performance of ſuch Service or Duty, heretofore hath made, or any other by, from or under whom he claimeth, hath made, or any which hereafter ſhall have, hold or poſſeſs, ſhall make any default therein, and yet after ſuch default made, ſuch Rent, Service, or other Duty hath been, or ſhall be anſwered, or paid or done unto his Majeſty, or any of his Predeceſſors or Succeſſors, into his or their Receit of the Exchequer, or Dutchy of Lancaſter, or Court of Wards, or to any other having authority to receive the ſame, as the caſe ſhall require, before any advantage of ſuch forfeiture or cauſe of forfeiture hath been, or ſhall be taken, and before any Commiſſion awarded to enquire, or other Proceſs iſſued touching the ſaid forfeiture, or non-payment of Rent, That in all ſuch caſes, no advantage ſhall be taken by his Majeſty, his Heirs or Succeſſors, of, for or by reaſon of any ſuch forfeiture or cauſe of forfeiture.

III. And be it further enacted, That no perſon or perſons claiming, or which afterwards ſhall claim, by, from or under his Majeſty, or any of his Predeceſſors or Succeſſors, at any time after ſuch cauſe or title of forfeiture given, ſhall in any wiſe have or take any benefit or advantage, by reaſon, means, colour of ſuch default made, or to be made; (2) but that every ſuch Eſtate forfeited or forfeitable by means or occaſion of ſuch default of payment of Rent, performance of Service or other Duty, ſhall be adjudged to continue and have its being, as if no ſuch default or cauſe of forfeiture had been had or made; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

CAP. XXVI.

An Act againſt ſuch as ſhall levy any Fine, ſuffer any Recovery, knowledge any Statute, Recognizance, Bail or Judgment, in the name of any other perſon or perſons not being privy and conſenting thereto.

WHereas it is of late grown to be a great and general grievance to his Majeſties Subjects within the Realm of England, and the Dominion of Wales, that many lewd perſons of baſe condition, for very little reward or recompence, have of late years uſed, and ſtill do uſe to levy Fines, and ſuffer Recoveries of Lands and other Hereditaments, to acknowledge Statutes, Recognizances, Bails and Judgments, in the name or names of any other perſon or perſons not privy or conſenting to the ſame, which hath, and daily doth turn to the great inquietation, charge, trouble, and undoing of many of the good Subjects of this Kingdom, and the rather, for that there is no remedy in Law to reform theſe and the like abuſes:

It is felony to levy a Fine, ſuffer a Recovery, &c. in anothers name not privy thereto.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons which at any time after the end of this preſent Seſſion of Parliament, ſhall acknowledge, or procure to be acknowledged, any Fine or Fines, Recovery or Recoveries, Deed or Deeds inrolled, Statute or Statutes, Cro. El. Recognizance or Recognizances, Bail or Bails, Judgment or Judgments, in the name or names of any other perſon or perſons not privy or conſenting to the ſame, and being thereof lawfully convicted or attainted, ſhall be adjudged, eſteemed and taken to be Felons, (2) and ſuffer the pains of death, and incur ſuch forfeitures and penalties as Felons in other caſes convicted or attainted, do by the Laws of England loſe and forfeit, without the benefit or privilege of Clergy to be allowed to any ſuch offender or offenders. (3) Provided always, That ſuch attainder ſhall not be any corruption of Blood, nor loſs of Dower to the Wife, but the next Heir ſhall have the Lands whereof ſuch perſons attainted died ſeiſed, and ſuch Wife her Dower, as if no ſuch attainder had been had.

This Felony ſhall not corrupt the Blood, nor take away Dower.

An Attorney may do it for another man.

III. Provided always, and be it likewiſe enacted by the authority aforeſaid, That this Act ſhall not extend to any Judgment or Judgments acknowledged by any Attorney or Attorneys of Record, for any perſon or perſons againſt whom any ſuch Judgment or Judgments ſhall be had or given.

C A P. XXVII.

An Act to prevent the deſtroying and murthering of Baſtard Children.

Whereas many lewd Women that have been delivered of Baſtard Children, to avoid their ſhame, and to eſcape puniſhment, do ſecretly bury or conceal the death of their Children, and after, if the Child be found dead, the ſaid Women do alledge, That the ſaid Child was born dead; whereas it falleth out ſometimes (although hardly it is to be proved) that the ſaid Child or Children were murthered by the ſaid Women, their lewd Mothers, or by their aſſent or procurement:

It ſhall be murther for a Mother to conceal the death of her Baſtard Child.

II. For the preventing therefore of this great miſchief, Be it enacted by the authority of this preſent Parliament, That if any Woman after one month next enſuing the end of this Seſſion of Parliament, be delivered of any Iſſue of her body, Male or Female, which being born alive, ſhould by the Laws of this Realm be a Baſtard, and that ſhe endeavour privately, either by drowning, or ſecret burying thereof, or any other way, either by her ſelf, or the procuring of others, ſo to conceal the death thereof, as that it may not come to light, whether it were born alive or not, but be concealed; In every ſuch caſe, the Mother ſo offending, ſhall ſuffer death as in caſe of murther, except ſuch Mother can make proof by one witneſs at the leaſt, that the Child (whoſe death was by her ſo intended to be concealed) was born dead. (2) And this Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

C A P. XXVIII.

An Act for continuing and reviving of divers Statutes, and repeal of divers others.

Ships, 21 H. 8 12.

Cattel, 24 H. 8 9.

3 & 4 Ed. 6. 19.

Victual, 3 & 4 Ed. 6. 21.

Fiſh, 1 Eliz. 17.

Merchants, 5 Eliz. 7.

Fiſh, 5 Eliz. 5.

Be it enacted by the authority of this preſent Parliament, That one Act made in the one and twentieth year of the Reign of the late King Henry the Eighth, intituled, An Act for true making of Cables, Halſers and Ropes: (2) And an Act made in the four and twentieth year of the Reign of the ſaid King Henry the Eighth, intituled, An Act againſt killing of young Beaſts called Weanlings: (3) And two Acts made in the Parliament holden at Weſtminſter by Prorogation the Fourth day of November, and continued until the Firſt day of February, next after, in the third and fourth years of the Reign of the late King Edward the Sixth, the one intituled, An Act for the buying and ſelling of Rother Beaſts and Cattel, (4) the other intituled, An Act for the buying and ſelling of Butter and Cheeſe: (5) And one Act made in the firſt year of the Reign of the late Queen Elizabeth, intituled, An Act for the preſervation of Spawn and Fry of Fiſh: (6) And an Act made in the fifth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act for avoiding divers foreign Wares made by Handycraftſmen beyond the Seas: (7) And ſo much of one Act made in the ſaid fifth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act touching certain politick Conſtitutions made for the maintenance of the Navy, as is not repealed by any later Statute, nor doth concern the tranſportation of Herring, or other Sea-fiſh, nor freedom of Cuſtom, Subſidy or Tonnage for the ſame, nor tranſportation of Corn, nor the prohibiting the bringing into this Realm any Cod or Lings in Barrels or other Casks, together with all and every other additions, explanations and alterations made thereunto or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and in force the laſt day of the Seſſion of Parliament that was in the ſeventh year of his Majeſties Reign of England: (8) And an Act made in the eighth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act for Bowyers, and the Prices of Bows: (9) And three Acts made in the thirteenth year of her ſaid Majeſties Reign, one intituled, An Act that Purveyors may take Corn and Victuals within five miles of Cambridge and Oxford, in certain caſes, (10) one other, An Act againſt Frauds, defeating Remedies for Dilapidations of Eccleſiaſtical Livings, and for Leaſes to be granted by the Collegiate Churches; (11) another intituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with Cure, (12) together with all and every explanations, additions and alterations thereof, or of any of them, or to any of them, made

Games, 8 Eliz. 10.

Purveyors, 13 Eliz. 21.

Eccleſiaſtical perſons, 13 Eliz. 10.

Leaſes, 13 Eliz. 20.

made by ſeveral Statutes of the fourteenth, eighteenth, and three and fortieth year of her ſaid late Majeſties Reign: (13) And ſo much of an Act made in the fourteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for the puniſhing of Vagabonds, and for the relief of the poor and impotent, as concerneth the taxing, rating, levying, receiving and employing of Goal-money: (14) And ſo much of an Act made in the eighteenth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act for ſetting the Poor on work, and avoiding Idleneſs, as concerneth Baſtard begotten out of lawful Matrimony: (15) And an Act made in the ſaid eighteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for the repairing and amending of the Bridges and High-ways near unto the City of Oxford, (16) And two Acts made in the ſeven and twentieth year of the Reign of the ſaid late Queen Elizabeth, the one entituled, An Act for the maintenance of the Piere and Cob of Lyme Regis, in the County of Dorſet; (17) and the other entituled, An Act for the good government of the City or Borough of Weſtminſter: (18) And two other Acts made in the ſaid ſeven and twentieth year of the Reign of the ſaid late Queen Elizabeth, the one entituled, An Act for the reviving of a former Statute, for the true making of Mault; (19) and the other entituled, An Act for the keeping of the Sea-banks and Sea-work in the County of Norfolk: (20) And an Act made in the one and thirtieth year of her ſaid Majeſties Reign, entituled, An Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers for the utterance and ſale of Ale and Beer: (21) And two Acts made in the five and thirtieth year of her ſaid late Majeſties Reign, the one entituled, An Act for the reformation of ſundry abuſes in Clothes called Devonſhire Kerſies or Dozens, according to a Proclamation of the four and thirtieth year of her ſaid Majeſties Reign, (22) the other entituled, An Act for the bringing in of Clapboard from the parts beyond the Seas, and the reſtraining of the tranſporting of Wine-Caſks, for the ſparing and preſerving of Timber within the Realm: (23) And ſo much of one Act made in the ſaid five and thirtieth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act to retain the Queens Majeſties Subjects in their due obedience, as hath not been ſithence repealed by any other Statute: (24) And the ſeveral Acts hereafter mentioned, made in the xxxix. year of the Reign of the ſaid late Queen Elizabeth, That is to ſay, An Act entituled, An Act for the puniſhment of Rogues, Vagabonds, and ſturdy Beggars, with the Proviſion annexed thereunto by one Act made in the firſt year of the Kings Majeſties Reign that now is, entituled, An Act for the continuing and reviving of divers Statutes, and for repealing of ſome others: (25) An Act entituled, An Act for increaſe of Mariners, and for maintenance of Navigation, repealing a former Act made in the xxiij. year of her ſaid Majeſties Reign, bearing the ſame Title, (26) An Act entituled, An Act for the explanation of the Statute made in the fifth year of her ſaid Majeſties Reign, concerning Labourers; (27) An Act entituled, An Act prohibiting the bringing into this Realm of foreign Cards for Wooll, (28) An Act entituled, An Act for exceſſive making of Mault; (29) An Act entituled, An Act againſt lewd and wandring perſons, pretending to be Mariners and Souldiers: (30) And the ſeveral Acts hereafter mentioned, made in the three and fortieth year of the Reign of the ſaid late Queen Elizabeth, That is to ſay, An Act entituled, An Act for the neceſſary relief of Souldiers and Mariners, (31) An Act entituled, An Act to avoid trifling and frivolous Suits in Law in her Majeſties Courts at Weſtminſter, (32) An Act entituled, An Act for the relief of the Poor, without addition thereunto made by An Act made in the firſt year of his Majeſties Reign of England, entituled, An Act for continuing divers Statutes, and for repeal of ſome others, (33) and with this further addition, And be it enacted, That all perſons to whom the Overſeers of the Poor ſhall, according to the ſaid Act, bind any Children Apprentices, may take and receive, and keep them as Apprentices; any former Statute to the contrary notwithſtanding: (34) An Act entituled, An Act for the true making and working of Woollen Cloth, (35) An Act entituled, An Act to prevent Perjury, and ſubornation of Perjury, and unneceſſary expence in Suits of Law: (36) And the ſeveral Acts made in the firſt year of the Reign of our now Sovereign Lord the King, after mentioned; one entituled, An Act made for the explanation of the Statute made in the fifth year of the late Queen Elizabeths Reign concerning Labourers, (37) and another entituled, An Act for the continuance and explanation of the Statute made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, entituled, An Act for the puniſhment of Rogues, Vagabonds, and ſturdy Beggars: (38) Another, entituled, An Act to take away the benefit of Clergy for ſome kind of Manſlaughter: (39) Another, entituled, An Act to reſtrain the inordinate haunting and tipling in Inns, Ale-houſes and other Victualling-houſes: (40) Another, entituled, An Act for avoiding deceit in ſelling, buying, or ſpending corruptly and unwholſom Hops: (41) Another Act entituled, An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather, ſaving for ſuch part thereof as is repealed by one other Act made in the fourth year of his Majeſties Reign of England, in that behalf: (42) Another, entituled, An Act for the better execution of the intent and meaning of former Statutes made againſt ſhooting in Guns, and for the preſervation of Game of Pheſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Hares in the Snow: (43) And another, entituled, An Act for the charitable relief, and ordering of perſons infected with the Plague: (44) And the ſeveral Acts made in the third year of the Reign of our ſaid Sovereign Lord King James, after mentioned, the one entituled, An Act for avoiding unneceſſary delays of Executions: (45) Another, entituled, An Act for relief of ſuch as lawfully uſe the Trade and Handicraft of Skinners: (46) Another, entituled, An Act for the rating and levying of the Charges for conveying of Malefactors and Offenders to the Gaol: (47) Another Act entituled, An Act for tranſportation of Beer over the Seas: (48) And another, entituled, An Act for repairing of the High-way from Noneſuch to Talworth, in the Pariſhes of Ewell and Long Ditton in the County of Surrey, leading to Kingſtone upon the Thames in the County aforeſaid: (49) And that the ſeveral Acts made in the fourth year of the Reign of our now Soveregn Lord King James, after mentioned, the one eintituled, An Act for the true making of Woollen Clothes: (50) Another, entituled, An Act for the repreſſing the odious and loathſom Sin of Drunkenneſs: (51) And another, entituled, An Act for the better proviſion

Poor, 14 Eliz. 5.
18 Eliz. 3.
Ways, 18 Eliz. 20.
Sewers, 27 Eliz. not Printed.
Franchiſe, 27 Eliz. not Printed.
Corn. 27 Eliz. 14.
Sewers, St. 3 & 4 Ed. 6. 10.
27 Eliz. 24.
Ale. 31 Eliz. 8.
Drapery, 35 Eliz. 10.
Merchants, 35 Eliz. 11.
Pope, 35 Eliz. 1.
Poor, 39 Eliz. 4.
Continuance. St. 1 Jac. 25.
Fiſh, 39 Eliz. 10.
Apprentice, Stat. 23 Eliz. 7. 39 El. 12.
Stat. 5 El. 4.
Drapery, 39 El. 14.
Corn. 39 El. 16.
Poor, 39 Eliz. 17.
43 El. 3.
Suits, 43 El. 6.
Poor, 43 El. 2.
Continuance, St. 1 Jac. 25.
Poor.
The Overſeers of the Poor may put out Apprentices.
Drapery, 43 El. 10.
Certiorari, 43 El. 5.
Apprentice, 1 Jac 6.
Poor, Stat. 5 El. 4. 1 Jac. 7. Stat. 39 El. 4.
Coron. 1 Jac. 8.
Ale. 1 Jac. 9.
Corn, 1 Jac. 18.
Leather, 1 Jac. 22. Stat. 4 Jac. 6.
Fowl. 1 Jac. 27.
Poor, 1 Jac. 31.
Error, 3 Jac. 8.
Leather, 3 Jac. 9.
Impriſonment, 3 Jac. 10.
Ale. 3 Jac. 11.
Ways, 3 Jac. 12.
Drapery, 4 Jac. 2.
Ale, 4 Jac. 5.
Husbandry, 4 Jac. 11.

Scotland, 7 Jac. 1.
Poor, 7 Jac. 4.
Pleading, 7 Jac. 5.
Fowl, 7 Jac. 12.
Debt, 7 Jac. 12.
7 Jac. 13.
Foreſt, Stat. 3 Jac. 13.
Husbandry, 3 Jac. 17.
7 Jac. 18.
Sewers, 7 Jac. 20.
The 58 Statutes above mentioned continued until the next Parliament.

of Meadow and Paſture, for the neceſſary maintenance of Husbandry and Tillage, in the Manors, Lordſhips and Pariſhes of Parden, alias Mawarden, Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lugge, and the Pariſh of Pype, and every of them, in the County of Hereford: (52) And the ſeveral Acts made in the ſeventh year of the Reign of our ſaid Sovereign Lord King James, after mentioned; the one entituled, An Act for the better execution of Juſtice, and ſuppreſſing of criminal offenders in the North parts of the Kingdom of England: (53) Another, entituled, An Act for the due execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds, and ſturdy Beggars, and other lewd and idle perſons: (54) Another, intituled, An Act for eaſe in Pleading, againſt troubleſom and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſties Officers, for the lawful execution of their Office: (55) Another, entituled, An Act to prevent the ſpoil of Corn and Grain by untimely Hawking, and for the better preſervation of Pheaſants and Partridges: (56) Another, entituled, An Act to avoid the double payment of Debts: (57) Another, entituled, An Act for the explanation of one Statute made in the third year of the Reign of our now Sovereign Lord King James, entituled, An Act againſt unlawful Hunting, and ſtealing of Deer and Conies: (58) Another, entituled, An Act againſt burning of Ling-Heath, and other Moor-burning in the Counties of York, Durham, Northumberland, Cumberland, Weſtmerland, Lancaſter, Derby, Nottingham and Leiceſter, at unſeaſonable times in the year: (59) Another, entituled, An Act for the taking, landing, and carrying of Sea-ſand, for the bettering of the Grounds, and for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall: (60) And another, entituled, An Act for the ſpeedy recovery of many thouſand Acres of Mariſh Ground within the Counties of Norfolk and Suffolk, lately ſurrounded by the rage of the Sea, in divers parts of the ſaid Counties, and for the prevention of the danger of the like ſurrounding hereafter, (61) ſhall by virtue of this Act be adjudged ever ſince the Seſſion of Parliament in the ſeventh year of his Majeſties Reign of England, to have been of ſuch force and effect as the ſame were the laſt day of that Seſſion, and from thenceforth until the end of the firſt Seſſion of the next Parliament.

II. Provided nevertheleſs, that ſo much of every of the ſaid Acts, as by any new Act made in this Seſſion of Parliament, ſhall be explained, altered or repealed, ſhall for ſo much thereof, from the end of this Seſſion of Parliament, ſtand and be in force, as by thoſe other Acts ſhall be ordained.

Corn. When Corn may be tranſported.
ALT. 3 Car. 4.

III. Provided alſo, and be it further enacted by the authority of this preſent Parliment, That when the prices of Corn or Grain exceed not the rates hereafter following, at the times, havens and places when and where the ſame Corn or Grain ſhall be bought, ſhipped or loaden, viz. The Quarter of Wheat at two and thirty ſhillings, the Quarter of Rye at twenty ſhillings, the Quarter of Peaſe and Beans at ſixteen ſhillings, the Quarter of Barley or Mault at ſixteen ſhillings of current Engliſh money, That then it ſhall and may be lawful for all and every perſon and perſons being Subjects of the Kings Majeſty, his Heirs or Succeſſors, to carry and tranſport his own, (2) and to buy to ſell again in Markets and out of Markets, and to keep or ſell, or carry and tranſport any of the ſaid Corn and Grain, from the places where they ſhall be of ſuch prices, unto any parts beyond the Seas in amity with his Majeſty, as Merchandize, in Ships, Crayes, or other Veſſels whereof any Engliſh born Subject or Subjects then ſhall be Owner or Owners, or the ſame to carry and ſell in any places within this Realm, or Dominions thereof; any Law, Uſage or Statute to the contrary hereof notwithſtanding: (3) And that the Kings Majeſty, his Heirs and Succeſſors, ſhall have and receive by the Cuſtomers and Officers of his Ports, for the Cuſtom or Poundage of every Quarter of Wheat to be tranſported by force of this Statute out of this Realm, Two ſhillings; Of every Quarter of other Grain, Sixteen pence: which ſaid ſeveral ſums ſo to be had and taken as Cuſtom or Poundage, ſhall be in full ſatisfaction of all manner of Cuſtom or Poundage for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken for tranſporting any ſuch manner of Corn and Grain.

The Cuſtom and Poundage of Corn.

The King by Proclamation may reſtrain tranſportation of Corn.

IV. Provided always, and be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors, may at all times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realm, or in any of the Counties of the Realm where any Port-Towns are, Command, That no perſon ſhall by virtue of this Act, tranſport or convey any manner of Grain out of his Highneſs Dominions generally, or out of any ſpecial Ports to be in the ſame Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any perſon to carry out any ſuch Grain contrary to the tenour of the ſame Proclamation, upon ſuch pains and forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that behalf; This Act or any thing therein contained to the contrary notwithſtanding.

Drapery.
Welſh Cottons.
5 & 6 Ed. 6. 6. Sect. 16. N. 1.
4 & 5 P. & M. 5. Sect. 11.

V. Provided alſo, and be it enacted, That no perſon or perſons ſhall incur any penalty for want of length, breadth or weight of Welſh Cottons, under the price of Fifteen pence the yard, or Two ſhillings the goad, ſo as they be not mixt with Hair or other deceitful Stuff, nor for any others above that price, except they be mixt as aforeſaid, or ſhall ſhrink above the rate of half a yard in twelve yards in length, or weigh leſs then fourteen ounces the yard, or hold not full three quarters of a yard broad.

Sanctuary. All Statutes that concern the taking away of Sanctuaries revived.
St. 1 Jac. 25.

VI. And be it further enacted by the authority aforeſaid, That all Statutes heretofore made, that take away Sanctuary for any offence, ſhall for ſo much as concerneth the taking away of ſuch Sanctuary, be revived, and ſhall be and ſtand in force and power; Any words of repeal contained in the Statute made in the firſt Seſſion of Parliament held in the firſt year of his Majeſties Reign of England, entituled, An Act for continuing and reviving divers Statutes, and for repealing of ſome others, or in this preſent Act, to the contrary notwithſtanding.

Regiſter 69. All Sanctuaries taken away.

VII. And be it alſo enacted by the authority of this preſent Parliament, That no Sanctuary, or priviledge of Sanctuary, ſhall be hereafter admitted or allowed in any caſe. 22 H. 8. 14.

VIII. And whereas in a Seſſion of Parliament holden in the fifth year of the Reign of the late Queen Elizabeth, one Act was made, intituled, An Act for the puniſhment of ſuch as ſhall procure or commit perjury: And by one other Act made in the Seſſion of Parliament begun in the eight and twentieth year of the Reign of the ſaid late Queen Elizabeth, It was enacted, That the ſaid Act ſhould from thenceforth be, remain and continue in force and effect for ever: (2) And yet nevertheleſs, in the Parliament holden in the firſt year of his Majeſties Reign of England, by one Act, intituled, An Act for continuing and reviving divers Statutes, and for repealing of ſome other, it was amongſt other things enacted, That the ſaid Act made in the ſaid fifth year of the ſaid late Queen Elizabeth, for puniſhment of Perjury, ſhould be revived, and continued until the end of the firſt Seſſion of the next Parliament; (3) It is now declared and enacted by authority of this preſent Parliament, That the ſaid Act concerning Perjury, made in the ſaid fifth year, and every Clauſe, Branch, Article and Proviſion therein, doth now ſtand, and ſhall from henceforth be, remain and continue in force and effect for ever.

Oath.
5 El. 9.
St. 28 El. 5.
St. 1 Jac. 25. Sect. 29. N. 1.
5 El. 9. made perpetual.

IX. And be it alſo enacted, That one part of the Statute made in the five and twentieth year of the Reign of the late King Henry the Eighth, intituled, An Act for the deſtruction of Wild-Fowl, which was repealed by a later Act made in the Parliament holden in the third and fourth years of the Reign of the late King Edward the Sixth, ſhall be revived and ſtand in force until the end of the firſt Seſſion of the next Parliament.

Fowl.
25 H. 8. 11.
St. 3 & 4 Ed. 5. 7

X. And be it alſo enacted, That one Act made in the firſt year of the Reign of the late Queen Mary, for, and concerning the making, repair and amendment of the common High-way and Cawſey in the Counties of Dorſet and Somerſet, between the Towns of Shaftsbury and Sherborn in the County of Dorſet, be revived and ſtand in force until the end of the firſt Seſſion of the next Parliament.

Ways.
1 M. 5.

XI. And be it further enacted by authority of this preſent Parliament, That one Statute made in the fourth year of the Reign of the late King Edward the Third, reciting, That before that time a Horſeman was wont to have his paſſage over the Sea, from the Port of Dover, for Two ſhillings, and a Footman for Six pence, and ordering concerning paſſage at Dover and other places, as in the ſaid Statute is contained: (2) And one other Statute made in the thirteenth year of the Reign of the late King Richard the Second, by which it is enacted, That all Pilgrims, and all other people, except certain perſons in that Statute excepted, ſhall paſs at the Port of Dover and Plimouth, and not elſewhere, without ſpecial Licence of the King himſelf: (3) And one Statute made in the fourth year of the Reign of the late King Edward the Fourth, concerning paſſage from Dover, and all other Statutes therein recited or mentioned: (4) And one other Statute made in the ſeven and thirtieth year of the Reign of the late King Edward the Third, concerning the prices of Poultry: (5) And one Statute made in the four and thirtieth year of the Reign of the late King Edward the Third, concerning Weights and Meaſures, and beginning, Where it is contained in the great Charter, that one Meaſure ſhall be uſed through the Realm, and by which it is ordained, That certain Articles ſhall be holden and kept, upon the pain contained in a Statute made in the eight and twentieth year of the Reign of the late King Edward the Third: (6) And one other Statute made in the ſaid four and thirtieth year of the Reign of the ſaid late King Edward the Third, by which it is ordained, That the paſſage of Corn ſhall be defended in all the Ports of England, ſo that none have Licence or Warrant to paſs with ſuch Corn in any wiſe, unleſs it be to certain places in the ſaid Act ſpecified: (7) And one Statute made in the ſeventeenth year of the Reign of the late King Richard the Second, whereby Licence is granted to all the Kings Liege people to ſhip and carry Corn out of the Realm: (8) And one Statute made in the third year of the Reign of the late King Edward the Fourth, concerning Corn not to be brought into the Realm in certain caſes: (9) And one Statute made in the fourth year of the Reign of the late King Henry the ſeventh, concerning the prices of Hats and Caps: (10) And one other Statute made in the fourteenth year of the late King Richard the Second, ordering that the paſſage of Tin out of the Realm ſhall be at the Port of Dartmouth, and no where elſe: (11) And one other Statute made in the fifteenth year of the Reign of the late King Richard the ſecond, concerning carriage of Tin to Calice: (12) And one Statute made in the fourth year of the Reign of the late King Henry the fifth, concerning making of Pattens of Aſp: (13) And one Statute made in the ſix and thirtieth year of the Reign of the late King Edward the Third, concerning ſtipend and wages of Prieſts, and Prieſts paſſing from one Dioceſs to another: (14) And one other Statute made in the ſecond year of the Reign of the late King Henry the Fifth, concerning wages or ſtipend of Chaplains and Prieſts: (15) And ſo much of one Act made in the fourth year of the Reign of King Henry the Seventh, as appointeth the rates and prices how broad Clothes of the colour of Scarlet, or other colours, and other Clothes ſhall be ſold: (16) And one other Statute made in the eleventh year of the Reign of the late King Henry the Seventh, concerning Vagabonds, unlawful Games and Alehouſes, and every part thereof, together with one Statute made in the time of the late King Richard the ſecond therein mentioned: (17) And one Statute made in the nineteenth year of the Reign of the late King Henry the Seventh, concerning Vagabonds, Beggars, unlawful Games and Alehouſes, and every part thereof: (18) And one Statute made in the three and twentieth year of the Reign of the late K. Edward the Third, concerning vagrant Beggars: (19) And one other Statute made in the ſeventh year of the Reign of the late K. Richard the Second, concerning Robarts-men, Draw-latches, Vagabonds and Faitors: (20) And ſeven ſeveral Acts and Statutes made in the twelfth year of the Reign of the late King Richard the Second, whereof the firſt concerneth Artificers, Labourers, Servants, Victuallers; (21) The ſecond concerneth wages of Servants; (22) The third concerning labouring at Plough and Cart; (23) The fourth concerneth Servants bearing of Buckler, Swords and Daggers, and uſing unlawfal Games; (24) The fifth concerneth perſons that go a begging; (25) The ſixth concerneth thoſe that feign themſelves men travelling out of the Realm, and there to be impriſoned; (26) And the ſeventh concerneth the execution of the Ordinances aforeſaid concerning Servants, Labourers, Beggars and Vagabonds: (27) And one Act or Statute made in the

Outter le mere.
4 Ed. 3. 8.
13 R. 2. 20.
4 Ed. 4. 10.
3 Ed. 9. 8.
13 R. 2. 20.
Fowl.
37 Ed. 3. 3.
Meaſures.
34 Ed. 3. 6.
Corn.
St. 28 Ed. 3. 10.
34 Ed. 3. 20.
17 R. 2. 7.
3 Ed. 4. 2.
Apparel.
3 H. 7. 9.
Mettle.
14 R. 2. 7.
15 R. 2. 8.
Wood.
4 H. 5. 3.
Eccleſiaſtical perſons.
36 Ed. 3. 8.
2 H. 5. 2.
Drapery.
4. H. 8. 2.
Poor.
11 H. 7. 2.
7 R. 2. 5.
19 H. 7. 12.
23 Ed. 3. 7.
7 R. 2. 5.
Apprentice.
12 R. 2. 3.
12 R. 2. 4.
12 R. 2. 5.
12 R. 2. 6.
12 R. 2. 7.
12 R. 2. 8.
Poor.
12 Raſt. 2. 9.

Poor. two and twentieth year of the Reign of the late King Henry the eighth, entituled, An Act how
22 H. 8. 12. aged, poor and impotent perſons, compelled to live by alms, ſhall be ordered, and how Vaga-
3 & 4 Ed. 6. 16. bonds, and mighty ſtrong Beggars ſhall be puniſhed, and every part thereof: (28) And one
Wax. Act or Statute made in the third year of the Reign of the late King Edward the ſixth, intituled,
11 H. 6. 12. An Act touching the puniſhment of Vagabonds, and other idle perſons: (29) And one Sta-
Wine. tute made in the eleventh year of the Reign of the late King Henry the ſixth, concerning Wax-
Stat. de Piſtori-bus. Chandlers, the price of Candles, and other things wrought of Wax: (30) And that part of
51 H. 3. p. 14. one Statute, commonly called Statutum de Piſtoribus, c.5.p. 84. which ordaineth, That the Aſſize of
Wine ſhall be kept according to the Aſſize of our Sovereign Lord the King, that is to wit, a
Sextern at Twelve pence; and that if the Taverns exceed the ſame Aſſize, their Doors ſhall
be ſhut up by the Mayors and Bailiffs, and ſhall not be ſuffered to ſell Wine until they have
24 H. 8. 6. obtained Licence of the King: (31) And one Statute made in the four and twentieth year of
the Reign of the late King Henry the eighth, intituled, An Act concerning the ſale of Wines:
28 H. 8. 12. (32) And that part of one Statute made in the eight and twentieth year of the Reign of the
late King Henry the eighth, by which it is ordained, That no perſon or perſons ſhall ſell any
Gaſcoigne, Guyen or French Wines, above certain prices in that Act mentioned, under the pain
in the ſaid Act ſpecified; and that no Malmſeys, Romneys, Sacks, or other ſweet Wines, ſhall be
ſold by Retail above the prices therein contained, under the pains in that Act mentioned:
Drapery. (33) And alſo that part of a Statute made in the five and twentieth year of the Reign of the
25 H. 8. 18. latt King Henry the eighth, by which it is enacted, That the Lords and Owners of the Meaſes,
Tenements, or Cottages, in the City of Worceſter, and other Towns and Boroughs in the
ſaid Act mentioned, ſhould at no time after that, admit, ſet or let any Meaſe, Tenements or
Cottage ſufficiently repaired within the ſaid City, Borough or Towns in that Act limited, to
any perſon and perſons that after that ſhould inhabit the ſaid City, Borough or Towns, and
exerciſing the Myſteries or Craft in that Act mentioned, at any higher Rent, Impoſition or
Charge, then was given to the ſame at any time within twenty years next before the making
Husbandry. 4 H. 7. 19. of that Act: (34) And one Act made in the fourth year of King Henry the ſeventh, concerning
7 H. 8. 1. Houſes of Husbandry and Tillage: (35) And one Act made in the ſeventh year of King Henry
27 H. 8. 22. the eighth, intituled, An Act to avoid the letting down of Towns: (36) And one Act made in the
ſeven and twentieth year of King Henry the eighth, intituled, An Act concerning Decay of
5 & 6 Ed. 6. 5. Houſes and Incloſures: (37) And one Act made in the fifth year of the Reign of King Edward
5 Eliz. 2. the ſixth, intituled, An Act for the maintenance of Tillage, and increaſe of Corn: (38) And one
Abbey. Act made in the fifth year of the Reign of Queen Elizabeth, intituled, An Act for maintenance
27. H. 8. 28. and increaſe of Tillage: (39) And that part of the Statute made in the ſeven and twentieth
year of the Reign of the late King Henry the eighth,, by which it was ordained, That all and ſin-
gular perſons, Bodies politick and Corporate, to whom the Kings Majeſty after that ſhould
give, grant, let, ſet, or demiſe any Scite or Precinct, with the Houſes thereupon builded, to-
gether with the Demeſns of any Monaſtery, Priory, or other Religious Houſes, that ſhould
be diſſolved or given to the King by that Act, ſhall be bound to keep houſe and Houſhold, and
occupy Demeſns, in plowing, and tilling of Husbandry, as in that Act is ſpecified, under the
Wooll. pains therein contained: (40) And one Statute made in the fourteenth year of the Reign of
14 R. 2. 4. the late King Richard the ſecond, againſt buying of Wooll of others then of the Owner of the
Weights. 8 H. 6. 5. Sheep and Tythe, and every Clauſe in the ſame Statute: (41) And that part of one Statute
made in the eighth year of the Reign of the late King Henry the ſixth, by which it is enacted,
Wooll. That no man buy Yarn of Wooll, called Woollen-Yarn, unleſs he will make Cloth thereof:
5 & 6 Ed. 6. 7. (42) And one Statute made in the fifth and ſixth year of the Reign of the late King Edward
Cattel. the ſixth, intituled, An Act limiting the times for buying and ſelling of Woolls: (43) And one
33 H. 8. 5. Statute made in the three and thirtieth year of the Reign of the late King Henry the eighth, in-
War. tituled, An Act concerning keeping of great Horſes: (44) And ſo much of the Statute made
13 Ed. 1. 6. in the Reign of King Edward the firſt, commonly called the Statute of Wincheſter, as concern-
Mettle. eth the having, keeping, and view of Harneſs and Arms: (45) And that part of the Statute
28 Ed. 1. 20. commonly called Articuli ſuper Chartas, by which it is ordained, That none ſhall make Rings,
37 Ed. 3. 7. Croſſes or Locks: (46) And one Statute made in the ſeven and thirtieth year of the Reign
of the late King Edward the third, by which it is ordained, That makers of white Veſſels ſhall
2 H. 5. 4. not gild: (47) And that part of one Statute made in the ſecond year of the Reign of King
Henry the fifth, by which Goldſmiths are prohibited to take more then Fourty ſhillings and
2 H. 6. 13. eight pence for a pound Troy of Silver gilt: (48) And one Statute made in the ſecond year of
the Reign of the late King Henry the ſixth, by which it is enacted, That no Silver be bought for
Money. more then Thirty ſhillings the pound of Troy: (49) And one Statute made in the ſecond year of
2 H. 4. 6. the Reign of the late King Henry the fourth, againſt bringing in of Coyn of Flanders, Scotland, and
Wales. other foreign Coyn: (50) And one Statute made in the ſecond year of the Reign of the late
2 H. 4. 12. King Henry the fourth, by which it is enacted, That no Welſh-man whole born in Wales, and
having Father and Mother born in Wales, ſhall purchaſe Lands and Tenements within the
Town of Cheſter, and other places named in that Act; And that no Welſh-man ſhall be choſen a
Citizen or Burgeſs in any City, Borough or Merchant Town; And that Welſh-men be not
2 E. 4. 16. put in certain Offices, nor bear Arms, and every clauſe thereof: (51) And one other Statute
made in the ſame year concerning Arreſts made by the Inhabitants of Wales, and driving of
2 H. 4. 17. Diſtreſs into Wales: (52) And one other Statute made in the ſame year concerning Welſh-
men entring into the Counties adjoyning, and in the ſame do kill, burn, raviſh, and commit
2 H. 4. 18. any other Felony or Treſpaſs: (53) And one other Statute made in the ſame year, by which
it is enacted, That the Lords of the Marches of Wales ſhall ordain and ſet ſufficient ſtuffing
2 H. 4. 20. and ward in their Caſtles, and Signiories of Wales: (54) And one other Statute made in the
ſame year, by which it is eſtabliſhed, That no Welſh-men be received to purchaſe Lands or
Tenements within England, nor within the Boroughs, or Engliſh Towns of Wales; Nor that
no Welſh-man ſhould be accepted Burgeſs, nor to have any other liberty within the Realm,
nor within the Boroughs and Towns aforeſaid, and every Clauſe in every the ſaid Statutes
4 H. 4. 26. made in the ſaid ſecond year: (55) And one Statute in the fourth year of the Reign of the late

King Henry the Fourth, whereby it is ordained, That no Engliſh-man, Liege to the King, be convicted by any Welſh-man; Nor that Engliſh Burgeſſes which have married Welſh-women, have Franchiſes with Engliſh Burgeſſes: (56) And one other Statute made in the ſame year, by which is ordained, That no Congregations be made or ſuffered to be made by the Welſh-men, but as in the ſaid Statutes is appointed: (57) And one other Statute made in the ſame year, concerning ſending and bringing Merchandize and Armour into Wales: (58) And one other Statute made in the ſame year, concerning Welſh men not having of Caſtle, Fortreſs or Houſe of Defence to keep: (59) And one other Statute made in the ſame year, That Welſh-men ſhall not be made Juſtice, Chamberlain, nor have certain other Offices in the ſaid Statute mentioned: (60) And one other Statute made in the ſame year, concerning ſtoring of the Caſtles and Towns in Wales with Engliſh: (61) And one other Statute made in the ſame year, That Engliſh-men marrying Welſh-women, ſhall not be put in Offices; And every Clauſe of the ſaid Statute made in the ſaid fourth year: (62) And one Statute made in the ninth year of the Reign of the ſaid late K. Henry the Fourth, concerning Felonies and Robberies done within any Seigniory of South-Wales: (63) And ſo much of one Statute made in the xxv. year of the Reign of the late K. Henry the ſixth, as concerneth the confirming of Statutes made before that time againſt Welſh-men, and making void Grants of Franchiſes made to Welſh-men, and concerning Villains in Wales: (64) And that part of one Statute made in the xiii. year of the Reign of K. Richard the ſecond, by which it is ordained, That Hoſtlers ſhall ſell Hay and Oats at a reaſonable price, ſo that they take not but one half-peny over the common price in the Market; (65) And that part of one other Statute made in the iv. year of the Reign of K. Henry the Fourth, by which it is enacted, That Hoſtlers ſhall incur the quadruple value of that that he hath taken over one half-peny of every buſhel of Oats above the common price in the Market: (66) And one part of the Statute made in the fourth and fifth year of the Reign of the late K. Phillip and Q. Mary, and other Statutes, by which it is enacted, That none ſhall put to ſale within the Realm of England, any coloured Cloth of any colour or colours, then are in theſe Acts mentioned: (67) And one other part of the ſame Statute of Philip and Mary, by which it is ordained, That after the firſt day of May then next coming, none ſhall uſe or exerciſe the Feat or Myſtery of making, weaving or rowing of Woollen Clothes, long or ſhort, or Kerſies pinned, Whites or Plains, Straits, to the intent to put the ſame to ſale, but only in a Market Town where Cloth had uſed to be made by the ſpace of ten years then laſt paſt, or in a City, Borough or Town-corporate, upon the pains therein contained: (68) And one Statute made in the eighteenth year of the late Queen Elizabeth, for toleration of certain Clothiers to dwell out of Towns-corporate, (69) ſhall be by virtue of this Act repealed.

Wales.
4 H. 4. 28.
4 H. 4. 30.
4 H. 4. 31.
4 H. 4. 32.
4 H. 4. 33.
4 H. 4. 34.
9 H. 4. 3.
25 H. 6. 1.
Hoſtler.
13 R. 2. 8.
4 H. 4. 25.
Drapery.
4 & 5 P. & M. 5.
5 & 6 Ed. 6. 6.
4 & 5 P. & M. 5.
18 Eliz. 16.
The 71 aforeſaid Statutes repealed.

XII. And be it alſo enacted, That ſo much of the Statute made in the xxxij. year of the Reign of the late King Henry the eighth, intituled, An Act concerning the breed of Horſes of higher ſtature, as concerneth or inhibiteth the putting of Horſes into certain Grounds, unleſs they be of ſtatures in that Act mentioned, under the pains therein contained, and that giveth authority to kill Mares, Fillies, Foals or Geldings, in certain caſes in that Act mentioned, ſhall not extend to the County of Cornwall, after the end of this Seſſion of Parliament.

Cattel, 32 H. 8. 13. ſhall not extend to the County of Cornwall.

CAP. XXIX.

An Act to enable the moſt excellent Prince Charles to make Leaſes of Lands parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame.

IN moſt humble wiſe beſeecheth your moſt excellent Majeſty, your humble and obedient Son and Suppliant, Charles Prince of Wales, Duke of Cornwall and of York, and Earl of Cheſter, That whereas your ſaid Suppliant is ſeiſed of the ſaid Dukedom of Cornwall, and the Poſſeſſions thereof, of a State of Inheritance, under a ſpecial form of Limitation differing from the ordinary Rules of Inheritance at the Common Law, whereupon ſome queſtions do grow, whether Leaſes made by your ſaid Suppliant, of any Manors, Lands, Tenements or Hereditaments, parcel of the ſaid Dutchy, or annexed to the ſame, ſhould be good and effectual in Law longer then your Suppliants life: (2) For avoiding of which doubt, and to the end ſuch perſons as have taken, or ſhall take Leaſes from your Suppliant, may be ſure to have good Eſtates, and ſo to be encouraged to beſtow charges in the building and maintaining of their houſes, and good manuring of the manors, Lands, Tenements or Hereditaments ſo demiſed, and to be demiſed to them.

Leaſes.

II. May it pleaſe your moſt excellent Majeſty, That it may be ordained and enacted by your Majeſty, The Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled; And be it ordained, eſtabliſhed and enacted by authority of this preſent Parliament, That all Leaſes made, or to be made by your ſaid Suppliant, of any Manors, Lands, Tenements or Hereditaments, parcel of the Poſſeſſions of the ſaid Dutchy of Cornwall, or annexed to the ſame, ſhall be good and effectual in Law, according to the purport and content of the ſaid Leaſes, againſt your Majeſty, your Heirs and Succeſſors, and againſt your ſaid Suppliant and his Heirs, and againſt all and every perſon and perſons that ſhall inherit or ſucceed according to the ſaid limitation or otherwiſe.

All Leaſes made or to be made by the moſt excellent Prince Charles, of the Dutchy Lands of Cornwall, confirmed.

III. Provided always, That every ſuch Leaſe ſo made, or to be made, of any Manors, Lands, Tenements or Hereditaments in poſſeſſion, be or ſhall be made, by Deed indented, and but for three lives or fewer, or for one and thirty years or under, or ſome other term of years, determinable upon one, two or three lives, and not above: (2) And if ſuch Leaſes be made in Reverſion, that then the ſame, together with the Eſtates in Poſſeſſion, do not exceed three lives, or the term of one and thirty years, and not in any wiſe diſpuniſhable of waſte; (3) And ſo as upon every ſuch Leaſe be, or ſhall be reſerved the ancient or moſt uſual Rent, or ſuch Rent as hath been yielded or paid for the greater part of twenty years next before the making of the ſaid Leaſes, and was or ſhall be reſerved, due and payable, by or to him or her that had, or ſhall have the Inheritance, or other Eſtate of the ſaid Manors, Lands, Tenements or Hereditaments: (4) And where no ſuch Rent hath been reſerved, or payable, that then upon every ſuch Leaſe there be or ſhall be reſerved a reaſonable Rent, not being

Except they be made for above 31 years, or three lives.

under the twentieth part of the clear yearly value of the Manors, Lands, Tenements or Hereditaments contained in ſuch Leaſe.

All Covenants, &c. contained in ſuch Leaſes, either made or to be made, ſhall be good.

IV. And be it further ordained and enacted by authority of this preſent Parliament, That all Covenants, Conditions and Reſervations, and other agreements contained in every ſuch Leaſe ſo made, or to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Manors, Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the ſaid Leaſes ſhall come reſpectively, as if your Suppliant at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, had been ſeiſed of an abſolute Eſtate in Fee-ſimple, in the ſame Manors, Lands, Tenements or Hereditaments:

The Right of others ſaved.

(2) Saving always to all and every perſon and perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns (other then your Majeſty, your Heirs and Succeſſors, and other then your Suppliant and his Heirs, and all and every perſon and perſons that ſhall inherit or ſucceed, according to the ſaid limitation, or otherwiſe) (3) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Terms, Claims and Demands whatſoever, of what kind, nature or quality ſoever, of, in, to oout of the ſaid Manors, Lands, Tenements or Hereditaments, or any of them, as they or any of them had or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form, as if this Act had never been had or made; This Act or any thing therein contained to the contrary notwithſtanding. St. 1 Car. 1.

C A P. XXX.

A Meſſuage called York-Houſe, and divers other Meſſuages and Tenements, part of the Poſſeſſions of the Archbiſhop of York, ſituate in the Pariſh of St. Martins in the Fields in the County of Middleſex, aſſured unto the Kings moſt excellent Majeſty, his Heirs, Succeſſors and Aſſigns; And the Manors or Lordſhips of Brighton, Santon, Acombe, alias Acom, with Holgate, and the Grange called Beckhey Grange in the County of York, or in the County of the City of York, part of his Majeſties Poſſeſſions, aſſured to Toby, Lord Archbiſhop of York, and his Succeſſors. PR.

C A P. XXXI.

The makers of knives and other Cutlery Wares in Hallamſhire in the County of York, made a Corporation: Divers Order for the better Government of the ſame Corporation. PR.

C A P. XXXII.

An Act for making the River of Thames navigable for Barges, Boats and Lighters, from the Village of Bercot in the County of Oxon, unto the Univerſity and City of Oxon.

The conveniences of having the River of Thames navigable to the City of Oxford.

Whereas the clearing and effecting of a paſſage for Barges, Boats and Lighters, by the River of Thames, to the Univerſity and City of Oxon, will be very convenient for conveyance of free-ſtone, commonly called Oxford ſtone, or Heddington ſtone, from Bullington Quarre, near the ſaid City and River of Thames, by the ſaid paſſage, to the City of London and other parts, and moſt profitable and neceſſary to and for the ſaid Univerſity and City of Oxon, for conveyance thereby of Coals, Fewel and other Neceſſaries, to the Univerſity and City, whereof there is now very great ſcarcity and want, and far greater hereafter like to grow, if ſome help therefore be not made and provided: (2) And alſo the ſaid paſſage will be very behoveful for preſerving of the High-ways leading to and from the ſaid Univerſity and City, and other parts thereabouts, which now by continual carriages by Carts are ſo worn and broken, that in Winter ſeaſon they are for travellers dangerous, and hardly to be amended and continued paſſable, without exceeding charge: (3) And whereas the ſaid River of Thames for many miles beyond the ſaid City of Oxford, weſtward, is already navigable and paſſable for Boats of good burthens and contents, and likewiſe is already navigable for Barges from London to the Village of Bercot in the County of Oxford, being within ſix or ſeven miles of the City of Oxford, whither and from whence, by the carriage of Stone, Iron, and other proviſion by Carts, the High-ways are ſpoiled as aforeſaid: (4) And whereas the ſaid River may eaſily be made paſſable and navigable for Barges, Boats or Lighters, between the aforeſaid Univerſity and City of Oxford, and the Village of Bercot aforeſaid, by removing ſome lets and impediments, by which means the ſaid Univerſity and City of Oxford ſhall be greatly relieved and helped:

Eight Commiſſioners ſhall be appointed to make the River of Thames navigable from Oxford to Bercot.

(5) Be it therefore ordained and enacted by the Kings Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Lord Chancellor, or Lord Keeper of the great Seal of England for the time being, at any time after the end of this preſent Seſſion of Parliament, ſhall and may at the requeſt of the Chancellor of the ſaid Univerſity, or his Vice-chancellor for the time being, appoint and authorize by Commiſſion under the great Seal of England, eight Commiſſioners, whereof four to be of or for the Univerſity aforeſaid, to be choſen by the ſaid Chancellor of the ſaid Univerſity, or his Vice-chancellor for the time being, and by them or either of them to be nominated and certified to the aforeſaid Lord Chancellor, or Lord Keeper of the great Seal of England, and four to be of or for the City of Oxon, to be choſen and nominated by the Mayor, Bayliffs and Commonalty of the ſaid City of Oxford for the time being, and to be certified by them as aforeſaid; (6) which ſaid Commiſſioners, or the more part of them, ſhall have full power to cleanſe, ſcowre, open and make navigable the ſaid River of Thames, from the ſaid City of Oxon to the Village of Bercot aforeſaid, and for that purpoſe to dig the Banks of the ſaid River or other Ground, Ditch, Brook or Stream, near thereunto adjoyning, and to cut away all Trees and Roots of Trees that may be hurtful or hindrance to the ſaid paſſage, and to open, prepare, or make all Wears and Locks, or Turnpikes fit for the ſaid paſſage, and to remove any thing that ſhall be any impediment or ſtop to the clearing and making of the ſaid paſſage; and likewiſe to cut, ſcowre, or open any other Stream or Water-courſe, that ſhall be moſt convenient for making the ſaid paſſage or River navigable; and likewiſe to make and erect any Wharfs, Locks, or Turnpikes, or Pens for Water, in or near the ſaid River or Paſſage, that ſhall be fit or neceſſary for the ſame, and to bring, lay, and work all materials requiſite for the making, erecting, and repairing of the ſaid Locks or Turnpikes, upon the Banks or Ground near the ſaid River or Paſſage.

II. And for that the doing of the things aforeſaid may be prejudicial to the inheritance and profit of divers perſons, Bodies politick or corporate, that have Land adjoyning to the ſaid River or Paſſage, (2) Be it further enacted by the authority aforeſaid, That the Commiſſioners aforeſaid, or the more part of them, before they do meddle with the Lands, Inheritance or Poſſeſſion of any perſon or perſons, Bodies politick or corporate, ſhall firſt agree with ſuch perſons, or Body politick or corporate, for the loſs and damage that any of them ſhall any way receive by the making of the ſaid Paſſage, or any thing concerning the ſame; (3) And if the ſaid Commiſſioners, or the more part of them, and the party or parties Owner of ſuch Lands, Inheritance or Poſſeſſions, cannot agree touching the value thereof, that then the three next Juſtices of Peace of the County where the Land doth lie, being no parties, nor dwelling within the Univerſity or City of Oxon, nor intereſted in the ſoyl, dwelling neareſt to the ſaid Land or Inheritance; or in their default, the Juſtices of Aſſiſe of the ſaid County of Oxon, ſhall determine, appoint, and ſet down what and how much ſatiſfaction every ſuch perſon or perſons, Body politick or corporate, ſhall have for or in reſpect of the ſaid loſſes ſo by him or them to be ſuſtained; and the ſaid price or value ſo ſet down by them, ſhall bind all parties: (4) Which Agreement or order ſo made, ſhall be ſet down in Writing under the Hands and Seals of the ſaid Commiſſioners and Parties, upon the Agreement between them made, or of the ſaid Juſtices of the Peace or Juſtices of Aſſiſe of the ſaid County which ſhall ſet down the ſaid price for ſatisfaction, within three months after the firſt reſort unto them for that cauſe, according to this Act, and the ſame to be kept among the Evidences of the ſaid Univerſity, and to be regiſtred in the Leiger-book of the ſaid Univerſity, and to be enrolled in the Court of the ſaid City of Oxford; (5) And that then upon payment of ſuch ſum or ſums of money ſo agreed upon or ordered as aforeſaid, or tender thereof made, with purpoſe to pay the ſame, it ſhall then be lawful to and for the ſaid Commiſſioners, or the more part of them, to dig and make, or cauſe to be digged or made, the ſaid Locks, Wharfs, Paſſage, or do any ſuch other Act for which any ſuch Agreement or Order ſhall be made as aforeſaid.

The Commiſſioners ſhall agree with, and ſatiſfie all parties that may be dammified by the works.

III. And for that the ſaid Paſſage cannot be effected and maintained without great charge, and that the principal benefit thereof will redound immediately to the Univerſity and City of Oxford aforeſaid, (2) Be it therefore further enacted by the authority aforeſaid, That the ſaid Commiſſioners, or the more part of them, by this preſent Act ſhall have full power and authority to Tax and Aſſeſs the Inhabitants within the ſaid Univerſity of the City of Oxon, or within either of them, and Suburbs thereof, and Bodies politick and corporate within the ſame, at ſuch reaſonable ſums and payments for the purpoſes aforeſaid, as they in their diſcretion ſhall think meet; the ſaid ſums and every of them, to be diſpoſed and employed for and towards the bearing of the charge of making and maintaining of the ſaid paſſage.

The Commiſſioners may tax the Univerſity and City of Oxford at reaſonable ſums for the effecting of the ſaid paſſage.

IV. And whereas the ſaid Univerſity and City are the procurers of the ſaid paſſage, Be it further enacted by the authority aforeſaid, That the Commiſſioners aforeſaid, or the more part of them, by virtue of this Act, ſhall have power and authority from time to time, with the conſent of the Vice-chancellor of the ſaid Univerſity, and Mayor of the City of Oxford for the time being, to ordain and make Orders and Conſtitutions for the good and orderly uſage of the ſaid Paſſage, and for all Locks, Wears or Turnpikes thereof, to be made and maintained at the charge of the Univerſity and City of Oxon aforeſaid; And for all Boats, Boat-men, Paſſengers, Wharfs, Carriages, and Rates for Carriages, by, or through the ſaid Paſſage, and all things concerning the ſame; and to ſet, lay, and execute ſuch reaſonable pains and puniſhments upon the breakers thereof, as they ſhall think fit: (2) Nevertheleſs, the Juſtices of Aſſiſe of the ſaid County of Oxford for the time being, upon complaint made to them by any perſon grieved with the ſaid Taxations, Aſſeſſments, Charges, Orders, Conſtitutions, Pains and Puniſhments, or any of them, ſhall and may abridge, moderate or reform the ſame, as they ſhall find juſt cauſe.

They may conſtitute orders for the uſage of the ſaid paſſage.

V. And be it further enacted by the authority aforeſaid, That when any of the ſaid Commiſſioners ſhall happen to die, or become unfit for the Service, that then, and ſo often, it ſhall and may be lawful to and for the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, from time to time to ſupply, appoint and authorize one Commiſſioner, or ſo many Commiſſioners to be nominated, choſen and certified as aforeſaid, out of, and for the ſaid Univerſity or City reſpectively, as ſhall make and fill up the full number of eight Commiſſions: (2) And that the Commiſſioners aforeſaid, or the more part of them, by the authority of this Act, ſhall have full power to chooſe, nominate and appoint one or more ſuch perſon or perſons as they ſhall think fit, to collect, gather and lay out the ſaid ſeveral ſums; and the perſon and perſons ſo appointed, ſhall gather and take up the ſaid ſums aſſeſſed, by Diſtreſs and Sale of the Goods of every perſon refuſing to pay the Tax or Aſſeſſments impoſed upon him, reſtoring to the perſon whoſe goods ſhall be ſo diſtrained, the overplus (if any be) of the price thereof, being ſold. (3) And for that the ſaid Paſſage from Bercot aforeſaid, to the ſaid City of Oxford, is againſt the Stream, the Barges, Boats, Lighters, or other Veſſels, muſt of neceſſity in ſome places, and at ſome times, be haled up by the ſtrength of Men, Horſes, Winches, Engines, or other means in that behalf convenient, Be it therefore enacted by the authority of this preſent Act, That it ſhall and may be lawful to and for Watermen, Boatmen, Bargemen, and other helpers of them, in convenient places, to have and uſe Winches, Ropes, and other Engines, and with the ſame by ſtrength of Men, Horſes, or either of them, to go on the Lands or Banks near the ſaid River or Paſſage, through the ſaid Paſſage, without the hindrance, trouble or impeachment of any perſon or perſons, to draw or hale up the Barges, Boats, Lighters, or other Veſſels, doing none other harm, then only by going or treading upon the ſaid Lands or Banks near adjoyning, as aforeſaid.

When any of the Commiſſioners fail, the Lord Chancellor, &c. may appoint others.

The Commiſſioners may appoint Collectors of the Tax.

The Boatmen, &c. may go on land to hale their boats, &c.

VI. Provided always, That no priviledged perſon of the Univerſity of Oxford ſhall be taxed as aforeſaid, without the conſent of two or more of the Commiſſioners of or for the ſaid Univerſity, nor any Freeman inhabiting of or in the ſaid City, or the Suburbs or Liber-

A Proviſo for the tax of the Univerſity and City.

ties thereof, ſhall be taxed as aforeſaid, without the conſent of two or more of the Commiſſioners of or for the ſaid City.

The courſe and Channel of Thames ſhall not be diverted.

VII. Provided alſo, That this Act nor any thing therein contained, ſhall give power and authority to the ſaid Commiſſioners, or enable them to do any act or thing, whereby the ſaid River of Thames ſhall be diverted or turned out of his ancient courſe or channel wherein the ſame now runneth, or to draw more water thence then ſhall conveniently ſerve for the ſaid paſſage.

3 Jac. 20. repealed.

VIII. And be it further enacted by the authority of this preſent Parliament, That one Act of Parliament made in the third year of the Kings Majeſties Reign, the twentieth Chapter, (entituled, An Act for clearing the paſſage by water from London, to and beyond the City of Oxon) ſhall be from henceforth utterly repealed, and of none effect.

CAP. XXXIII.

Four enrire Subſidies granted by the Spiritualty. EXP.

CAP. XXXIV.

The Temporalty conſidering that the King might be engaged in a Preſent War by breaking off the two Treaties with Spain, viz. The one of the Marriage, and the other of the Reſtitution of the Palatine, freely grants unto his Majeſty three entire Subſidies, and three Fifteens and Tenths, whereof 18000 pounds ſhall be imployed towards the repair of certain decayed Cities and Towns, and the reſidue was to be expended in the managing of the expected War: Now for the better imployment of thoſe moneys, eight Citizens of London were appointed to be Treaſurers, and ten other ſelected perſons to be of his Majeſties Councel for the War; All which ſhall make oath, viz. the Treaſurers, that none of thoſe moneys ſhould iſſue out of their hands without Warrant from the ſaid Councel of War; And the other, that they ſhould make no Warrants for the payment of any of thoſe moneys, but only for the end above mentioned; And further, ſhould all be accountable for their doings and proceedings in that behalf, to the Commons in Parliament, when they or any of them ſhould be thereunto required. EXP.

CAP. XXXV.

A Confirmation of the Kings general and free pardon. Except. &c. EXP. Cro. Car. 449.

Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Primo.

AT the Parliament begun at Weſtminſter the Eighteenth day of June, Anno Dom. 1625. in the Firſt year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c. And there continued until the Eleventh day of July following; And then adjourned until the Firſt day of Auguſt following, unto Oxford; To the high pleaſure of Almighty God, and to the weal-publick of this Realm, were enacted as followeth.

CAP. I.

An Act for puniſhing divers abuſes committed on the Lords day, called Sunday.

There ſhall be no aſſemblies for unlawful Paſtimes upon the Lords day.

FOraſmuch as there is nothing more acceptable to God than the true and ſincere Service and Worſhip of him according to his holy Will, and that the holy keeping of the Lords day is a principal part of the true Service of God, which in very many places of this Realm hath been, and now is prophaned and neglected by a diſorderly ſort of people, in exerciſing and frequenting Bear-baiting, Bull-baiting, Enterludes, common Plays, and other unlawful Exerciſes and Paſtimes upon the Lords day; And for that many Quarrels, Bloudſheds, and other great inconveniencies have grown by the reſort and concourſe of people going out of their own Pariſhes to ſuch diſordered and unlawful Exerciſes and Paſtimes, neglecting Divine Service both in their own Pariſhes and elſewhere; (2) Be it enacted By the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after forty days next after the end of this Seſſion of Parliament, there ſhall be no meetings, aſſemblies, or concourſe of people out of their own Pariſhes on the Lords day, within this Realm of England, or any the Dominions thereof, for any Sports and Paſtimes whatſoever; (3) nor any Bear-baiting, Bull-baiting, Enterludes, common Plays, or other unlawful Exerciſes and Paſtimes, uſed by any perſon or perſons within their own Pariſhes; (4) and that every perſon or perſons offending in any the premiſſes, ſhall forfeit for every offence three ſhillings four pence, the ſame to be imployed and converted to the uſe of the poor of the Pariſh where ſuch offence ſhall be committed; (5) And that any one Juſtice of the Peace of the County, or the chief Officer or Officers of any City, Borough or Town-corporate where ſuch offence ſhall be committed, upon his or their view, or confeſſion of the party, or proof of any one or more witneſs by Oath, which the ſaid Juſtice or chief Officer or Officers ſhall by virtue of this Act have authority to miniſter, ſhall find any perſon offending in the premiſſes, the ſaid Juſtice or Chief Officer or Officers ſhall give Warrant under his or their Hand and Seal, to the Conſtables and Church-wardens of the Pariſh or Pariſhes where ſuch offence ſhall be committed, to levy the ſaid penalty ſo to be aſſeſſed, by way of diſtreſs and ſale of the Goods of every ſuch Offendor, rendring to the ſaid Offendors the overplus of the money raiſed of the ſaid Goods ſo to be ſold; and in default of ſuch diſtreſs, that the party offending be ſet publickly in the Stocks by the ſpace of three hours; (6) And that if any man be ſued or impeached for execution of this Law, he ſhall and may plead the general Iſſue, and give the ſaid matter of Juſtification in evidence: (7) Provided that no man be impeached by this Act, except he be called in queſtion within one month next after the ſaid Offence committed: (8) Provided alſo, That the Eccleſiaſtical Juriſdiction within this Realm, or any the Dominions thereof, by virtue of this Act, or any thing therein contained, ſhall not be abridged, but that the Eccleſiaſtical Court may puniſh the ſaid offences, as if this Act had not been made. (9) This Act to continue until the end of the firſt Seſſion of the next Parliament, and no longer.: 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. Stat. 3 Car. 1 17 Car. cap. 4. Continued until other order by Parliament.

Unlawful meetings and paſtimes on the Lords day forbidden.

Every perſon uſing any unlawful paſtimes on the Lords-day, ſhall forfeit 3 s. 4 d. to the poor of the Pariſh.

After conviction by warrant from a Juſtice, &c. the Conſtables, &c. may levy the penalty, &c.

General Iſſue.

Limitation of this Action. The Eccleſiaſtical Juriſdiction not abridged.

CAP. II.

An Act to enable the Kings Majeſty to make Leaſes of Lands parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame.

All Leaſes to be made within three years by the Kings Majeſty, of the Dutchy Lands of Cornwall, ſhall be good. 21 Jac. 29.

Whereas the King our Sovereign Lord, being in the life time of his Royal Father of bleſſed memory, ſeiſed of the ſaid Dukedom of Cornwall, did bargain and contract for Leaſes and Eſtates to be made of Divers Meſſuages, Lands, Tenements and Hereditaments, parcel of the ſaid Dukedom of Cornwall, which Leaſes and Eſtates his Majeſty was enabled to have made in his Fathers life-time, by an Act of Parliament, made in the laſt Seſſion of Parliament, entituled, An Act to enable the moſt excellent Prince Charles to make Leaſes of Lands, parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame: (2) And becauſe his Majeſty having received divers Fines and ſums of money, according to the ſaid contracts, and having entred into treaty with divers others for like Eſtates, the finiſhing of which contracts, and making the ſaid Leaſes, was prevented by his Majeſties acceſs to the Imperial Crown of this Realm, is graciouſly pleaſed for the good of his poor Tenants of the ſaid Dutchy Lands, to proceed to the full accompliſhment of the contracts, aud Leaſes of the premiſſes.

II. Be it therefore enacted by our ſaid Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of this preſent Parliament, That all Leaſes to be made within the ſpace of three years next enſuing by our ſaid Sovereign Lord the King, by Letters Patents, Indentures, or other Writings under his Great Seal of England, or Seal of the Court of Exchequer, of any Manors, Lands, Tenements or Hereditaments, parcel of the poſſeſſions of the ſaid Dutchy of Cornwall, or annexed to the ſame, ſhall be good and effectual in Law, according to the purport and content of the ſaid Leaſes, againſt our ſaid Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and againſt all and every perſon or perſons that ſhall hereafter have, inherit, or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other limitation whatſoever.

Except they be made for above 31 years or 3 lives, &c.

III. Provided always, That every ſuch Leaſe ſo to be made, of any Manors, Lands, Tenements or Hereditaments in poſſeſſion, ſhall be made but for three lives, or fewer, or for one and thirty years or under, or ſome other term of years determinable upon one, two, or three lives, and not above: (2) And if ſuch Leaſes be made in Reverſion, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three lives, or the term of one and thirty years, and not in any wiſe diſpuniſhable of waſte; (3) and ſo as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or ſuch Rent as hath been yielded or payed for the greater part of twenty years next before the making of the ſaid Leaſes, as ſhall be reſerved due and payable, by, or to him or her that ſhall have the Inheritance or other Eſtate of the ſaid Manors, Lands, Tenements or Hereditaments: (4) And where no ſuch Rent hath been reſerved or payable, that then upon every ſuch Leaſe there ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Manors, Lands, Tenements or Hereditaments contained in ſuch Leaſe.

The ancient rent to be reſerved, and if none anciently, a reaſonable rent.

All covenants, &c contained in ſuch Leaſes, ſhall be good.

IV. And be it further ordained and enacted by authority of this preſent Parliament, That all Covenants, Conditions and Reſervations, and other Agreements contained in every Leaſe ſo to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Manors, Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the ſaid Leaſes ſhall come reſpectively, as if our ſaid Sovereign Lord the Kings Majeſty at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeiſed of an abſolute and indefeizable Eſtate in Fee-ſimple, in the ſame Manors, Lands, Tenements or Hereditaments: (2) Saving always to all and every perſon and perſons, bodies politick and corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, other then our ſaid Sovereign Lord the Kings Majeſty, and his Heirs, and all and every perſon or perſons that ſhall hereafter have, inherit, or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other Limitation whatſoever, (3) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Terms, Claims and Demands whatſoever, of what kind, nature or quality ſoever, of, in, to, or out of the ſaid Manors, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; This Act or any thing therein contained to the contrary notwithſtanding.

The right of others ſaved.

CAP. III.

An Act for the Eaſe in obtaining of Licences of Alienation, and in the pleading of enations with Licence, or of Pardons of Alienations without Licence in the Court of Exchequer, or elſewhere. Stat. 12. Car. 2. cap. 24. All Fines, Seiſures, and Pardons for Alienations, and all incidents thereunto, are taken away and diſcharged.

CAP. IV.

An Act for the further reſtraint of tipling in Inns, Ale-houſes, and other Victualling-houſes.

Foreigners as well as Inhabitants ſhall not be permitted to tipple in Inns, Ale-houſes, &c. 21 Jac. 7. 1 Jac. 9. 4 Jac. 5.

Whereas in the laſt Parliament it was enacted, That if any perſon or perſons, whereſoever his or their habitation or abiding be, ſhould after be found upon view, or his own confeſſion, or proof of one witneſs, to be tipling in any Inne, Ale-houſe, or Victualling-houſe; ſuch perſon or perſons ſhould be thenceforth adjudged and conſtrued to be within the Statutes of the firſt and fourth years of the late Kings Majeſties Reign, King James of famous memory; The one entituled, An Act to reſtrain the inordinate haunting of tipling in Inns, Ale-houſes, and other Victualling-houſes; And the other entituled, An Act to repreſs the odious and loathſom ſin of Drunkenneſs, as if he or they had inhabited and dwelled in the City, Town-Corporate, Market-Town, Village or Hamlet where the Inne, Ale-houſe or Victualling-houſe was, or ſhould be, where he or they ſhould be ſo found tipling, ſhould incur the like penalty, and the ſame to be in ſuch ſort levied and diſpoſed as in the ſaid Act is expreſſed, concerning ſuch as there inhabit; (2) but no puniſhment by any or either the ſaid Acts, or by any other Statute, is inflicted upon the Inn-keeper, Alehouſe-keeper, or Victualler that permits or ſuffers ſuch perſon or perſons not there inhabiting, to tipple in his Inne, Ale-houſe or Victualling-houſe: (3) For remedy whereof, Be it enacted, That every Inn-keeper, Alehouſe-keeper, and other Victualler that at any time after the end of this Seſſion of Parliament, ſhall permit and ſuffer any perſon or perſons not inhabiting in the City, Town-Corporate, Market-Town, Village or Hamlet where ſuch Inn, Ale-houſe or Victualling-houſe is or ſhall be, to tipple in the ſaid Inne, Ale-houſe or Victualling-houſe, contrary to the true intent of any or either of the ſaid former Statutes, the ſaid Inn-keeper, Alehouſe-keeper and Victualler ſo offending, ſhall incur the ſame penalty, and in ſuch manner to be proved, levied and diſpoſed, as in the former Statute of the firſt year of his ſaid late Majeſties Reign is appointed for permitting ſuch to tipple as dwell in the ſame City, Town-Corporate, Market-Town, Village or Hamlet.

Vintners and Victuallers to be within this and the other Statutes.

II. And be it further enacted, That the keepers of Taverns, and ſuch as do ſell Wine in their houſes, and do alſo keep Inns, or Victualling in their houſes, ſhall be taken to be within the ſaid two former Statutes, and alſo within this Statute.

CAP. V.

Three entire Subſidies granted by the Spiritualty. EXP.

CAP. VI.

Two entire Subſidies granted by the Temporalty. EXP.

CAP. VII.

This Seſſion of Parliament (by reaſon of the increaſe of the Sickneſs and other inconveniencies of the Seaſon, requiring a ſpeedy adjournment, neverthele ſs) ſhall not determine by his Majeſties Royal Aſſent to this aud ſome other Acts. EXP.

Acts that are to have continuance ſhall remain in force.

III. N.2. AND all Statutes and Acts of Parliament which are to have continuance unto the end of this preſent Seſſion, ſhall be of full force after the ſaid adjournment, until this preſent Seſſion be fully ended and determined: (3) And if this Seſſion ſhall determine by diſſolution of this preſent Parliament, then all the Acts aforeſaid ſhall be continued until the end of the firſt Seſſion of the next Parliament: (4) and all Statutes and Acts of Parliament which before the ſaid Adjournment ſhall paſs by his Majeſties Royal Aſſent, ſhall be put in execution immediately after fourty days after the ſaid Adjournment, notwithſtanding that by the words or letters of the ſaid Acts, or any of them, they be limited to take effect, or be put in execution, from or at any time after the end of this preſent Seſſion.

When the Acts which are now to paſs ſhall take effect.

Anno Regni CAROLI *Regis Angliæ, Scotiæ, Frantiæ, & Hiberniæ, Tertio.*

AT the Parliament begun at Weſtminſter the Seventeenth day of March, Anno Dom. 1627. in the Third year of the Reign of our moſt gracious Sovereign Lord CHARLES by the Grace of God, of England, Scotland France and Ireland, King, Defender of the Faith, &c. And there continued until the Twenty ſixth day of June following: And then Prorogued unto the Twentieth day of October next enſuing. To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

The Petition exhibited to his Majeſty by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, concerning divers Rights and Liberties of the Subjects.

To the Kings moſt Excellent Majeſty.

The Petition of Right.

HUmbly ſhew unto our Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, that whereas it is declared and enacted by a Statute made in the time of the Reign of King Edward the Firſt, commonly called Statutum de Tallagio non concedendo, That no Tallage or Aid ſhall be laid or levied by the King or his Heirs in this Realm, without the good will and aſſent of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other the Freemen of the Commonalty of this Realm; (2) And by authority of Parliament holden in the five and twentieth year of the Reign of King Edward the Third, it is declared and enacted, That from thenceforth no perſon ſhould be compelled to make any Loans to the King againſt his will, becauſe ſuch Loans were againſt Reaſon, and the Franchiſe of the Land; (3) And by other Laws of this Realm it is provided, that none ſhould be charged by any Charge or Impoſition called a Benevolence, nor by ſuch like Charge; (4) By which the Statutes before mentioned, and other the good Laws and Statutes of this Realm, your Subjects have inherited this Freedom, that they ſhould not be compelled to contribute to any Tax, Tallage, Aid, or other like Charge not ſet by common conſent in Parliament.

34 Ed. 1.

25 Ed. 3. Rot. Parl.

1 Ed. 3. 6.
11 R. 2. 9.
1 R. 3. 2.

II. Yet nevertheleſs, of late divers Commiſſions directed to ſundry Commiſſioners in ſeveral Counties, with inſtructions, have iſſued; by means whereof your people have been in divers places aſſembled, and required to lend certain ſums of money unto your Majeſty, and many of them, upon their refuſal ſo to do, have had an Oath adminiſtred unto them not warrantable by the Laws or Statutes of this Realm, and have been conſtrained to become bound to make appearance and give attendance before your Privy Council, and in other places, and others of them have been therefore impriſoned, confined, and ſundry other ways moleſted and diſquieted; (2) And divers other Charges have been laid and levied upon your people in ſeveral Counties by Lord-Lieutenants, Deputy-Lieutenants, Commiſſioners for Muſters, Juſtices of Peace, and others, by command or direction from your Majeſty, or your Privy Council, againſt the Laws and Free Cuſtoms of this Realm.

9 H. 3. 29.

III. And where alſo by the Statute called The great Charter of the Liberties of England, It is declared and enacted, That no Freeman may be taken or impriſoned, or be diſſeiſed of his Freehold or Liberties, or his Free Cuſtoms, or be Outlawed or exiled, or in manner deſtroyed, but by the lawful judgment of his Peers, or by the Law of the Land.

IV. And in the eight and twentieth year of the Reign of King Edward the Third, it was declared and enacted by authority of Parliament, That no man of what eſtate or condition that he be, ſhould be put out of his Land or Tenements, nor taken, nor impriſoned, nor diſherited, nor put to death, without being brought to anſwer by due proceſs of Law: 28 Ed. 3. 3.

V. Nevertheleſs, againſt the tenor of the ſaid Statutes, and other the good Laws and Statutes of your Realm to that end provided, divers of your Subjects have of late been impriſoned without any cauſe ſhewed; (2) And when for their deliverance they were brought before Juſtice by your Majeſties Writs of Habeas corpus, there to undergo and receive as the Court ſhould order, and their Keepers commanded to certifie the Cauſes of their Detainer, no Cauſe was certified, but that they were detained by your Majeſties ſpecial command, ſignified by the Lords of your Privy Council, and yet were returned back to ſeveral Priſons, without being charged with any thing to which they might make anſwer according to the Law:

Stat. 37 Ed. 3. 18.
Stat. 38 Ed. 3. 9.
Stat. 42 Ed. 3. 3.
Stat. 17. R. 2. 6.
2 Inſt. 187.

VI. And whereas of late great Companies of Souldiers and Mariners have been diſperſed into divers Counties of the Realm, and the Inhabitants againſt their wills, have been compelled to receive them into their houſes, and there to ſuffer them to ſojourn, againſt the Laws and Cuſtoms of this Realm, and to the great grievance and vexation of the people:

VII. And wherean alſo by authority of Parliament, in the five and twentieth year of the Reign of King Edward the Third, it is declared and enacted, That no man ſhould be forejudged of life or limb againſt the form of the Great Charter and Law of the Land; (2) and by the ſaid Great Charter and other the Laws and Statutes of this your Realm, no man ought to be judged to death but by the Laws eſtabliſhed in this your Realm, either by the Cuſtoms of the ſame Realm, or by Acts of Parliament; (3) And whereas no offendor of what kind ſoever, is exempted from the proceedings to be uſed, and puniſhments to be inflicted by the Laws and Statutes of this your Realm; Nevertheleſs, of late divers Commiſſions under your Majeſties Great Seal have iſſued forth, by which certain perſons have been aſſigned and appointed Commiſſioners, with power and authority to proceed within the land, according to the Juſtice of Martial Law, againſt ſuch Souldiers and Mariners, or other diſſolute perſons joyning with them, as ſhould commit any Murther, Robbery, Felony, Mutiny, or other outrage or miſdemeanour whatſoever, and by ſuch ſummary courſe and order as is agreeable to Martial Law, and as is uſed in Armies in time of War, to proceed to the trial and condemnation of ſuch Offendors, and them to cauſe to be executed and put to death according to the Law Martial:

25 Ed. 3. 9.
9 H. 3. 28.
25 Ed. 3. 4.
28 Ed. 3. 3.
1 Inſt. 249.

VIII. By pretext whereof ſome of your Majeſties Subjects have been by ſome of the ſaid Commiſſioners put to death, when and where, if by the Laws and Statutes of the Land they had deſerved death, by the ſame Laws and Statutes alſo they might, and by no other ought to have been judged and executed:

IX. And alſo ſundry grievous Offendors, by colour thereof claiming an exemption, have eſcaped the puniſhments due to them by the Laws and Statutes of this your Realm, by reaſon that divers of your Officers and Miniſters of Juſtice have unjuſtly refuſed or forborn to proceed againſt ſuch Offendors according to the ſame Laws and Statutes, upon pretence that the ſaid Offendors were puniſhable only by the Martial Law, and by authority of ſuch Commiſſions as aforeſaid, (2) Which Commiſſions, and all other of like nature, are wholly and directly contrary to the ſaid Laws and Statutes of this your Realm:

X. They do therefore humbly pray your moſt excellent Majeſty, That no man hereafter be compelled to make or yield any Gift, Loan, Benevolence, Tax, or ſuch like charge, without common conſent by Act of Parliament; (2) And that none be called to make anſwer, or take ſuch Oath, or to give attendance, or be confined, or otherwiſe moleſted or diſquieted concerning the ſame, or for refuſal thereof; (3) And that no Freeman, in any ſuch manner, as is before mentioned, be impriſoned or detained; (4) And that your Majeſty would be pleaſed to remove the ſaid Souldiers and Mariners, and that your people may not be ſo burthened in time to come; (5) And that the aforeſaid Commiſſions for proceeding by Martial Law, may be revoked and annulled; And that hereafter no Commiſſions of like nature may iſſue forth to any perſon or perſons whatſoever to be executed as aforeſaid, leſt by colour of them any of your Majeſties Subjects be deſtroyed, or put to death contrary to the Laws and Franchiſe of the Land.

The Petition
5 Ed. 1. 6.
3 Car. 26.
Sect. 1. N. 1.
3 Inſt. 52. 86.

XI. All which they moſt humbly pray of your moſt excellent Majeſty, as their Rights and Liberties, according to the Laws and Statutes of this Realm; and that your Majeſty would alſo vouchſafe to declare, That the awards, doings and proceedings to the prejudice of your people in any of the premiſſes, ſhall not be drawn hereafter into conſequence or example; (2) And that your Majeſty would be alſo graciouſly pleaſed, for the further comfort and ſafety of your people, to declare your Royal will and pleaſure, That in the things aforeſaid, all your Officers and Miniſters ſhall ſerve you according to the Laws and Statutes of this Realm, as they tender the honour of your Majeſty, and the proſperity of this Kingdom. Stat. 17 Car. cap. 14.

CAP. I. (II.)

An Act for the further reformation of ſundry abuſes committed on the Lords Day, commonly called Sunday.

Foraſmuch as the Lords Day, commonly called Sunday, is much broken and prophaned by Carriers, Waggoners, Carters, Wain-men, Butchers and Drovers of Cattel, to the great diſhonour of God, and reproch of Religion; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Carrier with any horſe or horſes, nor Waggon-men with any Waggon or Waggons, nor Carmen with any Cart or Carts, nor Wain-man with any Wain or Wains, nor Drovers with

A Carrier, &c. that travels upon the Lords Day, ſhall forfeit 20 s.

any

Butchers that ſell or kill victual upon that day, ſhall forfeit 6 s. 8 d.

any Cattel, ſhall after fourty days next after the end of this preſent Seſſion of Parliament, by themſelves, or any other, travel upon the ſaid day, upon pain that every perſon and perſons ſo offending ſhall loſe and forfeit twenty ſhillings for every ſuch offence: (3) Or if any Butcher by himſelf or any other for him, by his privity or conſent, ſhall after the end of the ſaid fourty days kill or ſell any Victual upon the ſaid day, That then every ſuch Butcher ſhall forfeit and loſe for every ſuch offence the ſum of ſix ſhillings and eight pence, (4) the ſaid offences, and every of them being done in view of any Juſtice of Peace, Mayor, or other Head Officer, of any City or Town-corporate within their limits reſpectively, or being proved upon Oath by two or more witneſſes, or by the confeſſion of the party offending, before any ſuch Juſtice, Mayor or Head-officer, within their ſeveral limits reſpectively, wherein ſuch offence ſhall be committed; To which end every ſuch Juſtice, Mayor or Head-officer, ſhall have power by this Act to miniſter any Oath to ſuch witneſs or witneſſes: (5) All which ſums or penalties ſhall or may be levied by any Conſtable, or Church-warden, by Warrant from any ſuch Juſtice or Juſtices of the Peace, Mayor, or other Head-officer, as aforeſaid, within their ſeveral limits where ſuch offence ſhall be committed or done, by diſtreſs and ſale of the offendors goods, rendring to the party the overplus; or ſhall be recovered by any perſon or perſons that will ſue for the ſame, by Bill, Plaint or Information, in any of his Majeſties Courts of Record, in any City or Town-corporate, before his Majeſties Juſtices of Peace in their general Seſſions of the Peace: (6) All which forfeitures ſhall be imployed to and for the uſe of the Poor of the Pariſhes where the ſaid offences ſhall be committed or done, ſaving only that it ſhall be lawful to and for any ſuch Juſtice, Mayor or Head-officer, out of the ſaid Forfeitures, to reward any ſuch perſon or perſons that ſhall inform or otherwiſe proſecute any perſon or perſons offending againſt this preſent Act, according to their diſcretions, ſo that ſuch reward exceed not the third part of the forfeiture: (7) Provided that ſuch Bill, Plaint or Information, ſhall be commenced, ſued and proſecuted in the County, City or Town-corporate where ſuch offence ſhall be committed and done, and not elſewhere; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed to the Defendant: (8) Provided always, That it ſhall be lawful for any Conſtable or Church-warden, that ſhall have any Suit or Action brought againſt them for any diſtreſs by them or any of them to be taken by force of this preſent Act, to plead the general Iſſue, and to give the ſpecial matter in Evidence: (9) Provided likewiſe, That no perſon or perſons whatſoever ſhall be impeached by this Act, unleſs he be thereof queſtioned within ſix months after the offence committed: (10) Provided further, That this Act ſhall not in any ſort abridge or take away the Authority of the Court Eccleſiaſtical. (11) This Act to continue to the end of the firſt Seſſion of the next Parliament. Stat. 1 Car. 1. Continued and made perpetual. 17 Car. cap. 4.

After conviction and by Warrant for a Juſtice, &c. the Conſtables, &c. may levy the ſaid forfeitures to the uſe of the poor; or they may be recovered by ſuit.

CAP. II.

An Act to reſtrain the paſſing or ſending of any to be Popiſhly bred beyond the Seas.

A reſtraint of paſſage or ſending any perſon beyond the ſeas to be popiſhly bred. 1 Jac. 4.

He that goeth himſelf, or ſends any other beyond the ſeas to be trained up in Popery, &c. ſhall be diſabled to ſue, &c. and ſhall loſe all his goods, and ſhall forfeit all his lands, &c. for life. Stat. 27. El. 2. Stat. 3 Jac. 5.

FOraſmuch as divers ill affected perſons to the true Religion eſtabliſhed within this Realm have ſent their Children into foreign parts to be bred up in Popery, notwithſtanding the reſtraint thereof by the Statute made in the firſt year of the Reign of our late Sovereign Lord King James of famous memory, Be it enacted, That the ſaid Statute ſhall be put in due execution: (2) And be it further enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That in caſe any perſon or perſons under the obedience of the King, his Heirs and Succeſſors, at any time after the end of this Seſſion of Parliament, ſhall paſs or go, or ſhall convey or ſend, or cauſe to be ſent or conveyed, any Child or other perſon, out of any of the Kings Dominions, into any the parts beyond the Seas, out of the Kings obedience, to the intent and purpoſe to enter into, or be reſident or trained up in any Priory, Abbey, Nunnery, Popiſh Univerſity, Colledge or School, or Houſe of Jeſuits, Prieſts, or in any private popiſh Family, and ſhall be there by any Jeſuite, Seminary Prieſt, Frier, Monk, or other popiſh perſon, inſtructed, perſwaded or ſtrengthened in the Popiſh Religion, in any ſort to profeſs the ſame, or ſhall convey or ſend, or cauſe to be conveyed or ſent by the hands or means of any perſon whatſoever, any ſum or ſums of money, or other thing, for or towards the maintenance of any Child, or other perſon already gone or ſent, or to go, or to be ſent, and trained and inſtructed, as is aforeſaid, or under the name or colour of any Charity, Benevolence or Alms, towards the relief of any Priory, Abbey, Nunnery, Colledge, School, or any Religious Houſe whatſoever: Every perſon ſo ſending, conveying, or cauſing to be ſent and conveyed, as well any ſuch child or other perſon, as any ſum or ſums of money, or other thing, and every perſon paſſing or being ſent beyond the Seas, being thereof lawfully convicted, in or upon any information, preſentment or indictment, as is aforeſaid, ſhall be diſabled from thenceforth to ſue or uſe any action, bill, plaint, or information, in courſe of Law, or to proſecute any ſuit in any Court of Equity, or to be Committee of any Ward, or Executor or Adminiſtrator to any perſon, or capable of any Legacy or Deed of Gift, or to bear any Office within the Realm; (3) and ſhall loſe and forfeit all his Goods and Chattels, and ſhall forfeit all his Lands, Tenements and Hereditaments, Rents, Annuities, Offices and Eſtates of Freehold, for and during his natural life.

A convert ſhall not incur the penalties aforeſaid. Stat. 27. El. 2.

II. Provided always, That no perſon ſent or conveyed as aforeſaid, that ſhall within ſix months after his return into this Realm, conform himſelf unto the preſent Religion eſtabliſhed in this Church of England, and receive the Sacrament of the Lords Supper, according to the Statutes made concerning Conformity in other caſes required from Popiſh Recuſants, ſhall incur any penalties aforeſaid.

III. And it is enacted, That all and every of the ſaid Offences againſt this Statute may be enquired, heard and determined before the Juſtices of the Kings Bench, or Juſtices of Aſſiſe, or Goal-delivery, or of Oyer and Terminer of ſuch Counties where the offendors did laſt dwell or abide, or whence they departed out of this Kingdom, or where they were taken.

IV. Provided alſo, That if any perſon or Child, ſo paſſing, or ſent, or now being beyond the Seas, ſhall after his return into this Realm, conform himſelf to the preſent Religion eſtabliſhed in the Church of England, and receive the Sacrament of the Lord his Supper, according to the Statutes made for or concerning Conformity in other caſes required from Popiſh Recuſants, for and during ſuch time as he or ſhe ſhall ſo continue in ſuch Conformity and Obedience, according to the true intent and meaning of the ſaid Laws and Statutes, ſhall have his or her Lands reſtored to them again.

CAP. III. (IV.)

An Act for the better ſuppreſſing of Unlicenſed Ale-houſe-keepers.

The forfeiture and puniſhment of him that keeps an Ale-houſe without Licence. 5 & 6 Ed, 6. 25.

Whereas by an Act made in the fifth year of the Reign of King Edward the ſixth of famous memory, intituled, An Act for keepers of Ale-houſes to be bound by Recognizance, amongſt other things it is enacted, That if any perſon or perſons, other then ſuch as ſhould be from thenceforth admitted and allowed by the Juſtices mentioned in the ſaid Act ſhould after the day in the ſaid Act limited, obſtinately and upon his own authority, take upon him or them to keep a common Ale-houſe or Tiplinghouſe, or ſhould contrary to the commandment of the ſaid Juſtices, or two of them, uſe commonly ſelling of Ale or Beer, That then the ſaid Juſtices of Peace, or two of them (whereof one to be of the Quorum) ſhould for every ſuch offence, commit every ſuch perſon or perſons ſo offending, to the common Goal within the ſame Shire, City, Borough, Town-corporate, Franchiſe or Liberty, there to remain without Bail or Mainpriſe by the ſpace of three days; (2) And before his or their deliverance, the ſaid Juſtices ſhould take Recognizance of him or them ſo committed, with two Sureties that he or they ſhould not keep any common Ale-houſe, Tipling-houſe, or uſe commonly ſelling of Ale and Beer, as by the diſcretion of the ſaid Juſtices ſhould ſeem convenient: (3) And the ſaid Juſtices ſhould make Certificate of every ſuch Recognizance and Offence, at the next Quarter Seſſions that ſhould be holden within the ſame Shire, City, Borough, Town-corporate, Franchiſe or Liberty where the ſame ſhould be committed or done; (4) which Certificate ſhould be a ſufficient conviction in Law of the ſame offence: (5) And the ſaid Juſtices of Peace, upon the ſaid Certificate made, ſhould in open Seſſions aſſeſs the Fine for every ſuch Offence, at Twenty ſhillings, as by the ſaid Act may appear: (6) Which Law hath not wrought ſuch Reformation as was intended, for that the ſaid Fine of Twenty ſhillings is ſeldom levied, and for that many of the ſaid offenders by reaſon of their poverty, are neither able to pay the ſaid Fine of Twenty ſhillings, nor yet to bear their own Charges of conveying them to the Goal; and moreover, do leave a great charge of Wife and Children upon the Pariſhes wherein they live: In regard whereof, the Conſtables and other Officers are much diſcouraged in preſenting them, and the Offenders become obſtinate and incorrigible:

He that keeps an Alehouſe &c. without licence, ſhall forfeit 20 s.

II. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That if any perſon or perſons, after fourty days next enſuing the end of this preſent Seſſion of Parliament, ſhall upon his own authority, not being thereunto lawfully licenſed, take upon him or them, to keep a common Ale-houſe or Tipling-houſe, or uſe commonly ſelling of Ale or Beer, Sider or Perry, That then every ſuch perſon or perſons ſhall for every ſuch offence forfeit and loſe the ſum of Twenty ſhillings of current money of England, to the uſe of the poor of the Pariſh where ſuch Offence ſhall be committed, the ſame offence being viewed and ſeen by any Mayor, Bailiff, or Juſtices of Peace or other head Officer, within their ſeveral limits, or confeſſed by the party ſo offending, or proved by the Oath of two Witneſſes, to be taken before any Mayor, Bayliff, or other head Officer, or any one or more Juſtice or Juſtices of the Peace, who by virtue of this Act ſhall be authoriſed to miniſter, the ſaid Oath to any perſon or perſons that can or will juſtifie the ſame, being within the limits of their ſaid Commiſſion; (2) The ſaid penalty to be levied by the Conſtables or Church-wardens of the Pariſh or Pariſhes where the ſaid offence ſhall be committed; Who ſhall be accountable therefore to the uſe of the poor of the ſaid Pariſh, by way of Diſtreſs to be taken and detained by Warrant or Precept from the ſaid Mayor, Bayliff, Juſtice or Juſtices, or other head Officer, by whom the ſaid offence ſhall be viewed, or before whom the ſame ſhall be confeſſed, or proved as aforeſaid: (3) And for default of ſatisfaction within three days next enſuing, the ſaid diſtreſs to be by the ſaid Conſtables or Church-wardens appriſed and ſold, and the overplus to be delivered to the party or parties offending, and this to be only for the firſt offence: (4) And if ſuch offender or offenders ſhall not have ſufficient Goods and Chattels whereby thr ſaid Twenty ſhillings may be levied by way of Diſtreſs, as aforeſaid, or ſhall not pay the ſaid ſum of Twenty ſhillings within ſix days after ſuch conviction as aforeſaid, That then the ſaid Mayor, Bailiff, Juſtice or Juſtices, or other head Officer before whom the ſaid offender ſhall be convicted as aforeſaid, ſhall commit all and every the ſaid offender or offenders to ſome Conſtable or Conſtables, or other inferiour Officer or Officers of the City, Borough, Town, Pariſh or Hamlet where the offence ſhall be committed, or the party apprehended, to be openly whipped for the ſaid offence, as the ſaid Juſtice or Juſtices ſhall limit or appoint.

The Conſtables or Church-wardens ſhall levy the ſaid forfeiture to the uſe of the poor.

The party that is not able to pay the forfeiture ſhall be whipped.

The Officer neglecting to puniſh the offendor, ſhall be impriſoned or pay ten ſhillings.

III. And be it enacted by the authority aforeſaid, That if any Conſtable or inferiour Officer ſhall neglect to execute the ſaid Precept or Warrant, or do refuſe, or do not execute by himſelf or ſome other to be by him appointed, upon the offender, the puniſhment limited by this Statute, that in that caſe it ſhall and may be lawful for the ſaid Mayor, Bayliff, Juſtice or Juſtices of Peace, or other head Officer, to commit the Conſtable or other inferiour Officer ſo refuſing, or not executing the ſaid puniſhment by himſelf or ſome other, to the common Goal of the ſaid County, City, or Town-corporate, there to remain without Bail or Mainpriſe, until the ſaid offender or offenders ſhall be by the ſaid Conſtable or Conſtables, or other inferiour Officer ſo refuſing, or not executing the ſaid puniſhment, or ſome by his or their procurement, puniſhed and whipped, as is above limited and declared, or until he or they ſo neglecting or refuſing, ſhall have paid the ſum of Fourty ſhillings of lawful money of England, unto the uſe of the poor of the Pariſh, for their ſaid contempt.

IV. And be it further enacted, That if the ſaid offender or offenders being an unlicenſed

Ale-houſe-

For the ſecond and third offence the offendor ſhall be committed to the houſe of Correction.

Ale-houſe-keeper ſhall offend in any the premiſſes the ſecond time, and be thereof lawfully convicted in manner and form aforeſaid, That then the ſaid Mayor, Bayliff, Juſtice or Juſtices of the Peace, or other head Officer, ſhall commit him, her or them unto the houſe of Correction, there to remain for the ſpace of one month, and be dealt withall as idle, lewd and diſorderly perſons: (2) And if ſuch perſon or perſons ſhall again offend, and ſhall be thereof convicted as aforeſaid, that then the ſaid offendor and offendors for every ſuch offence, ſhall be committed unto the ſaid Houſe of Correction as aforeſaid, there to remain until by the order of the Juſtices in their general Seſſions for the County, City, Borough or Franchiſe, he, ſhe, or they ſhall be delivered from thence.

The offendor puniſhed by this Act, ſhall not be again puniſhed by 5 & 6 Ed. 6. 24. & contra.

V. Provided always, That ſuch offendor or offendors as ſhall be puniſhed by virtue of this Act, ſhall not be puniſhed again for the ſame offence by the former Act made in the fifth year of King Edward the Sixth afore mentioned; (2) And that ſuch offendor or offendors as ſhall be puniſhed by virtue of the before mentioned Act made in the fifth year of King Edward the Sixth, ſhall not be puniſhed again for the ſame offence by virtue of this preſent Act, nor any thing therein contained.

Ale-houſes kept in the time of Fairs excepted.

VI. Provided always, That in ſuch Towns and places where any Fair or Fairs ſhall be kept, that for the time only of the ſame Fair or Fairs, it ſhall be lawful for every perſon or perſons to uſe common ſelling of Ale or Beer in Booths, or other places there, for the relief of the Kings Subjects, that ſhall repair unto the ſame, in ſuch like manner and ſort as hath been uſed and done in times paſt; This Act or any thing therein contained to the contrary notwithſtanding. Stat. 11 H. 7. 2. 1 Jac. 9. 4 Jac. 10. 21 Jac. 7. 1 Car. 4.

CAP. IV. (V.)

An Act for Repeal and Continuance of divers Statutes.

Fiſh. Divers Statutes made perpetual, others continued, and ſome others repealed. When Corn may be tranſported, &c. Leaſes. 1 Eliz. 17. 13 Eliz. 10. 27 Eliz. not Printed.

BE it enacted by the authority of this preſent Parliament, That one Act made in the firſt year of the Reign of the late Queen Elizabeth, entituled, An Act for the preſervation of Spawn and Fry of Fiſh, except the Proviſo in the ſaid Act mentioned, that the ſame Act ſhall not extend to the Rivers of Tweed, nor Waters or Rivers whereof the Queen was anſwered of any yearly Rent or Profit, nor to Farmors, Owners or Occupiers of the Rivers of Wye, Uske, and other Rivers in the ſaid Proviſo mentioned or contained.

II. One Act made in the thirteenth year of the Reign of the late Queen Elizabeth, entituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with Cure, together with all and every explanations, additions, and alterations thereof, or any of them, or to any of them, made by ſeveral Statutes in the fourteenth, eighteenth, and three and fourtieth years of her ſaid late Majeſties Reign.

Sewers. 3 Jac. 8. The four Acts above mentioned, made perpetual.

III. And one Act made in the ſeven and twentieth year of the Reign of the late Queen Elizabeth, entituled, An Act for the maintenance of the piere and Cob of Lyme Regis in the County of Dorſet.

Execution. 21 Jac. 17. made perpetual

IV. And one Act made in the third year of the Reign of the late King James, entituled, An Act for the avoiding of unneceſſary delays of Executions, be by the authority of this preſent Parliament made perpetual, and ſhall from henceforth ſtand in full force and effect, and be put in due execution for ever hereafter.

Uſury.

V. And be it alſo enacted by the ſame authority, That one Statute made in the one and twentieth year of the Reign of the late King James, entituled, An Act againſt Uſury, which Act • was to continue for the ſpace of ſeven years, from the four and twentieth day of June, which then ſhould be in the year of Our Lord, One thouſand ſix hundred twenty and five, and ſo to the end of the firſt Seſſion of Parliament then next following, be alſo by authority of this Parliament made perpetual.

Ships. 21 H. 8. 12.

VI. And it is further enacted by the authority aforeſaid, That one Act made in the one and twentieth year of the Reign of the late King Henry the Eighth, entituled, An Act for the true making of Cables, Halſers and Ropes.

Cattle. 3 & 4 Ed. 6. 19.

VII. And that part of one Act made in the Parliament holden at Weſtminſter by Prorogation the fourth day of November, and continued until the firſt day of February next after, in the third and fourth years of the Reign of the late King Edward the Sixth, by which it is ordained and enacted, That no perſon or perſons after the time in the ſaid Act mentioned, ſhall ſell again alive Cattel in the ſaid Act mentioned, at or in the Market or Fair wherein he bought the ſame, during the time of the ſame Fair or Market, under the pains therein contained.

Cattel.

VIII. And that no perſon being a Butter, and uſing the Craft or Myſtery of Butchery, ſhall at any time after the ſaid Feaſt, buy any Fat Oxen, Steers, Runts, Kine, Heifers, Calves or Sheep, and ſell, or cauſe to be ſold the ſame again alive, upon pain of forfeiture of every ſuch Ox, Steer, Runt, Cow, Heifer, Calves or Sheep, bargained or ſold contrary to the form of that Act.

Victual. 3 & 4 Ed. 6. 21. 21 Jac. 22. 5 Eliz. 5.

IX. One other Act made in the ſame Parliament, entituled, An Act for the buying and ſelling of Butter and Cheeſe, together with one Statute made in the Parliament holden in the one and twentieth year of the Reign of the late King James, entituled, An Act, for the explanation of the Statutes made in the third, fourth and fifth years of the Reign of the ſaid late King Edward the Sixth, concerning the Traders of Butter and Cheeſe.

Fiſh.

X. And ſo much of an Act made in the fifth year of the Reign of the late Queen Elizabeth, entituled, An Act touching certain Politick Conſtitutions made for the maintenance of the Navy, as is not repealed by any later Statute, nor doth concern the eating of Fleſh, or uſing of Fiſh upon the Wedneſday; Nor the tranſportation of Herring, or other Sea-fiſh; Nor freedom of Subſidy, Cuſtom or Tonnage for the ſame; Nor tranſportation of Corn; Nor the prohibiting the bringing into this Realm any Cod or Ling in Barrels or other Casks, together with all and every other additions, explanations and alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and in force the laſt day of the Seſſion of Parliament that was in the one and twentieth year of the Reign of the late King James.

XI. And one other Act made in the ſaid fifth year, entituled, an Act for avoiding divers foreign Wares, made by handicraftſmen beyond the Seas:

Merchants. 5 Eliz. 7.

XII. And one Act made in the eighth year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act for Bowyers, and the prices of Bows:

Games. 8 Eliz. 10.

XIII And one Act made in the thirteenth year of the Reign of the late Queen Elizabeth, entituled, an Act that purveyors may take Corn and Victuals within five miles of Cambridge and Oxford, in certain caſes:

Purveyors. 13 Eliz. 21.

XIV. And ſo much of an Act made in the fourteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act for the puniſhment of Vagabonds, and the relief of the Poor and Impotent, as concerneth the taxing, rating, levying and employing of Goal-money:

Poor. 14 Eliz. 5.

XV. And ſo much of an Act made in the eighteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act for the ſetting the poor on work and avoiding idleneſs as concerneth Baſtards begotten out of lawful Matrimony, (2) with this, That all Juſtices of the Peace within their ſeveral limits and precincts, and in their ſeveral Seſſions, may do and execute all things concerning that part of the ſaid Statute, that by Juſtices of the Peace in the ſeveral Counties are by the ſaid Statute limited to be done:

18. Eliz. 3.

XVI. And an Act made in the ſaid eighteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act for repairing and amending the Bridges and Highways near unto the City of Oxford.

Ways. 18 Eliz. 20.

XVII. And one Act made in the ſeven and twentieth year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act, for the good Government of the City or Borough of Weſtminſter:

Franchiſe. 27 Eliz. not printed.

XVIII. And two other Acts made in the ſeven and twentieth year of the Reign of the ſaid late Queen Elizabeth, the one entituled, an Act for reviving of a former Statute, for the true making of Mault, together with the Statute by the ſaid Act revived; (2) and the other entituled, an Act for the keeping of the Sea-banks, and Sea-works in the County of Norfolk:

Corn. 27 Eliz. 14. 3 & 4 Ed. 6. 12.
Sewers. 27 Eliz. 24.

XIX. And one Act made in the one and thirtieth year of the Reign of the late Queen Elizabeth, entituled, an Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers for the utterance and ſale of Ale and Beer:

Ale. 31 Eliz. 8.

XX. And two Acts made in the five and thirtieth year of her ſaid late Majeſties Reign, the one entituled, an Act for the reformation of ſundry abuſes in Clothes called Devonſhire Kerſies or Dozens, according to a Proclamation of the four and thirtieth year of her ſaid Majeſties Reign; (2) the other entituled, an Act for the bringing in of clapboard from the parts beyond the Seas, and the reſtraining of the tranſporting of Wine Casks, for the ſparing and preſerving of Timber within the Realm:

Drapery. 35. Eliz. 10.
Merchants. 35 Eliz. 11.

XXI. And ſo much of one Act made in the five and thirtieth year of the Reign of the ſaid late Queen Elizabeth, entituled, an Act to retain the Queens Majeſties Subjects in their due obedience, as hath not been ſince repealed by any other Statute:

Pope. 35 Eliz. 1.

XXII. And the ſeveral Acts hereafter mentioned, made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, that is to ſay, an Act entituled, an Act for the puniſhment of Rogues Vagabonds, and ſturdy Beggars, with the Proviſion annexed thereunto, by one Act made in the firſt year of the Reign of the late King James, entituled, an Act for continuing and reviving of divers Statutes, and for repealing of ſome others; (2) an Act entituled, an Act for the increaſe of Mariners, and for maintenance of Navigation, repealing a former Act made in the three and twentieth year of her ſaid Majeſties Reign, bearing the ſame Title; (3) An Act entituled, an Act prohibiting the bringing into this Realm of foreign Cards for Wooll; (4) an Act entituled, an Act for reſtraining the exceſſive making of Mault (5) an Act againſt lewd and wandring perſons pretending to be Souldiers or Mariners: (6) And the ſeveral Acts hereafter mentioned, made in the three and fourtieth year of the ſaid late Queen Elizabeth, that is to ſay, an Act entituled, an Act for the neceſſary relief of Souldiers or Mariners; (7) an Act entituled, an Act to avoid trifling and frivolous Suits in Law in her Majeſties Courts at Weſtminſter; (8) an Act entituled, an Act for relief of the Poor, with the addition thereunto made by an Act made in the firſt year of the Reign of the late King James, entituled, an Act for continuing of divers Statutes, and for repeal of ſome others, and with this further addition, (9) And be it enacted, That all perſons to whom the Overſeers of the poor ſhall according to the ſaid Act bind any Children apprentices, may take and receive, and keep them as apprentices; and alſo that the Churchwardens and Overſeers of the poor, mentioned in the ſaid Act made in the ſaid three and fourtieth year, may by and with the conſent of two or more Juſtices of the Peace, whereof one to be of the Quorum, within their reſpective limits, wherein ſhall be more Juſtices then one; and where no more ſhall be then one, with the aſſent of that one Juſtice of the Peace, ſet up, uſe, and occupy any Trade, Myſtery, or Occupation, only for the ſetting on work, and better relief of the Poor of the Pariſh, Town, or Place of, or within which they ſhall be Churchwardens or Overſeers of the Poor, any former Statute to the contrary notwithſtanding: (10) an Act entituled, an Act for the true making and working of Woollen Cloth; (11) an Act entituled, an Act to prevent Perjury, and Subornation of Perjury, and unneceſſary expence in Suits of Law: (12) and the ſeveral Acts made in the firſt year of the Reign of the late King James, after mentioned: One Act entituled, an Act for continuance and explanation of the Statute made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, entituled, an Act for puniſhment of Rogues, Vagabonds and ſturdy Beggars; (13) another entituled, an Act to take away the Benefit of Clergy for ſome kind of Manſlaughter; (14) another entituled, an Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather, ſaving for ſuch part thereof as is repealed by one other Act made in the fourth year of his late Majeſties Reign of England, in that behalf; (15) another entituled, an Act for the better execution of the intent and meaning of former Statutes made againſt ſhooting in Guns, and for the preſervation of the Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and Tracking Hares in the Snow; (16) an Act entituled, an Act for avoiding of Deceit in Selling, buying or Spending corrupt and unwholſom Hops; (17) an Act entituled, an

Poor. 39 Eliz 4. 1 Jac. 25.
Fiſh. 39 Eliz. 10. St. 35 Eliz. 16.
Merchants. 39 Eliz. 14.
Corn. 39 Eliz. 16.
Poor. 3 Eliz. 17.
49 Eliz. 3.
Damages. 43 Eliz. 6.
Poor. 43 Eliz 2. 1 Jac. 25.
Apprentice. The Overſeers of the Poor may put out Apprentices.
The Churchwardens, &c. may ſet up any Trade to find the poor work.
Drapery. 43 Eliz. 10.
Certiorari. 43. Eliz 2.
Poor. 39 Eliz. 4. 1 Jac. 7.
Corn. 1 Jac. 8.
Leather. 1 Jac. 22.
Fowl. Stat. 4. Jac. 6. 1 Jac. 27.
Corn. 1 Jac. 18. 1 Jac. 6.

Apprentice. Stat. 5. El. 4.
Poor. 2 Jac. 31.
Leather. 2 Jac. 9.
Impriſonment. 3 Jac. 10.
Ale. 3 Jac. 11.
Foreſt. 3 Jac. 13.
Sewers.
Husbandry. 4 Jac. 11.
Scotland. 7 Jac. 1.
Poor. 7 Jac. 4.
Fowl. Stat. 7. Jac. 13.
Debt. 7 Jac. 12.
Foreſt. 7 Jac. 13.
Husbandry. 7 Jac. 18.
Fowl. 25 H. 8. 11. St. 3 & 4 Ed. 6. 7.
Ways. St. 21. Jac. 8. 1 M. 5.
Women. 21 Jac. 6.
Drapery. 21 Jac. 18. 4 Jac. 2.
Oath 21 Jac. 20.
Baſtardy. 21 Jac. 27.
The 56 Statutes above mentioned continued until the end of the firſt Seſſion of the next Parliament.
Religion 7 Car. 1 cap. 1.

Act for explanation of the Statute made in the fifth year of the late Queen Elizabeths Reign, concerning Labourers: (18) An Act for the charitable relief and ordering of perſons infected with the Plague: (19) And the ſeveral Acts made in the third year of the Reign of the late King James, after mentioned, That is to ſay, One entituled, An Act for relief of ſuch as lawfully uſe the Trade and Handi-craft of Skinners: (20) Another entituled, An Act for rating and levying of the charges for conveying of Malefactors, and Offenders to the Goal: (21) Another Act for Tranſportation of Beer over the Seas: (22) One other entituled, An Act againſt unlawful hunting and ſtealing of Deer and Conies: (23) And one Act made in the fourth year of the Reign of the ſaid late King James, entituled, An Act for the better proviſion of Meadow and Paſture for the neceſſary maintenance of Husbandry and Tillage, in the Manors, Lordſhips and Pariſhes of Marden, alias Mawarden, Boddenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lugge, and the Pariſh of Pipe, and every of them, in the County of Hereford: (24) And the ſeveral Acts made in the ſeventh year of the Reign of the ſaid late King James, after mentioned, the one entituled, An Act for the better Execution of Juſtice, and ſuppreſſing of criminal Offenders in the North parts of the Kingdom of England: (25) Another entituled, An Act for the due execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds and ſturdy Beggars, and other lewd and idle perſons: (26) Another entituled, An Act to prevent the ſpoil of Corn and Grain by untimely Hawking, and for the better preſervation of Pheaſants and Partridges: (27) One other entituled, An Act to avoid the double payment of Debts: (28) One other entituled An Act for the explanation of one Statute made in the ſecond Seſſion of that preſent Parliament, entituled An Act againſt unlawful hunting of Deer and Conies: (29) And one other Act entituled, An Act for the taking, landing, and carrying of Sea-ſand for the bettering of Grounds, and for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall: (30) And that one part of the Statute made in the five and twentieth year of the Reign of the late King Henry the Eighth, entituled, An Act for the deſtruction of wild Fowl, which was repealed by a latter Act in the Parliament holden in the third and fourth years of the Reign of the late King Edward the Sixth, and revived in the Parliament holden in the one and twentieth year of the Reign of the late King James: (31) And one Act made in the firſt year of the Reign of the late Queen Mary, for and concerning the making, repairing, and amendment of the common Highway and Cawſey in the Counties of Dorſet and Somerſet, between the Towns of Shaftsbury and Sherborn in the ſaid County of Dorſet, and revived in the ſaid one and twentieth year: (32) And alſo the ſeveral Acts hereafter mentioned, made in the ſaid one and twentieth year of the Reign of the late King James; That is to ſay, An Act entituled, An Act concerning Women convicted of ſmall Felonies; (33) And one Act entituled, An Act for the continuance of a former Statute made in the fourth year of the Reign of the late King James, entituled, An Act for the true making of Woollen Clothes, and for ſome additions and alterations in and to the ſame, together with ſo much of one Act made in the ſaid fourth year as was in force the laſt day of the Seſſion of Parliament holden in the ſaid one and twentieth year: (34) And one other Act entituled, An Act to prevent and reform prophane Swearing and Curſing: (35) And one Act entituled, An Act to prevent the deſtroying and murdering of Baſtard Children, (36) by virtue of this Act ſhall be, and continue until the end of the firſt Seſſion of the next Parliament, in force and effect as the ſame were the firſt day of the Seſſion of Parliament holden in the firſt year of the Reign of our Sovereign Lord the King that now is: (37) And be it alſo enacted, That one Statute made in the ſaid firſt year of his Majeſties Reign that now is, entituled, An Act for puniſhing of divers abuſes committed on the Lords-Day, ſhall continue in force until the end of the firſt Seſſion of the next Parliament.

Continued till ſome other Act be made for continuance or diſcontinuance of the ſaid Act.

XXIII. Provided nevertheleſs, That ſo much of every of the ſaid Acts, as by any new Act made in this Seſſion of Parliament, are or ſhall be explained, altered, or repealed, ſhall for ſo much thereof, from the end of this Seſſion of Parliament ſtand and be in force, as by thoſe other Acts ſhall be ordained.

Corn. St. 17 Car. cap. 4
When Corn may be tranſported.
Stat. 21 Jac. 28.
The Cuſtom and Poundage of Corn.

XXIV. Provided alſo, and be it further enacted by the authority of this preſent Parliament, That when the prices of Corn and Grain at the Times, Havens and Places when and where the ſaid Corn and Grain ſhall be bought, ſhipped, or laden, exceed not the rates hereafter following, viz. The Quarter of Wheat at thirty and two ſhillings the quarter; the quarter of Rye, at Twenty ſhillings; the quarter of Peaſe and Beans, at Sixteen ſhillings; the quarter of Barley or Malt, at Sixteen ſhillings of currant Engliſh money, That then it ſhall be lawful for all and every perſon and perſons, being Subjects of the Kings Majeſty, his Heirs and Succeſſors, and born within this Realm, to carry and tranſport of his own, and to buy to ſell again, in Markets and out of Markets, and to keep or ſell, or carry and tranſport any of the ſaid Corns and Grains from the places where they ſhall be of ſuch prices, unto any parts beyond the Seas in amity with his Majeſty, as Merchandize, in Ships, Crayers, or other Veſſels whereof any Engliſh born Subject or Subjects then ſhall be the owner or owners, or the ſame to carry and ſell in other places within this Realm or Dominions thereof; Any Law, Statute, or Uſage to the contrary hereof notwithſtanding: And that the Kings Majeſty, his Heirs and Succeſſors ſhall have and receive by the Cuſtomers and Officers of his Ports, for the Cuſtom or Poundage of every quarter of wheat to be tranſported by force of this Statute, out of this Realm, Two ſhillings of every quarter; of other Grain, Sixteen pence; which ſaid ſeveral ſums ſo to be had and taken as Cuſtom and Poundage ſhall be in full ſatisfaction of all manner of Cuſtom or Poundage of the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law, or Cuſtom heretofore made, uſed, or taken for tranſporting of any ſuch manner of Corn or Grain, or made in this preſent Seſſion of Parliament, or hereafter to be made.

The Kings Proclamation may reſtrain tranſportation of Corn.

XXV. Provided always and be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors, may at all times by his and their Writ of Proclamation to be publiſhed generally in the whole Realm, or in any of the Counties of this Realm where any Ports are, Command that no perſon ſhall by virtue of this Act, tranſport or convey any manner of Grain out of his Highneſs Dominions general or out of any ſpecial Ports to be in the ſaid Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any perſon to carry out any ſuch Grain contrary to the tenor of the ſaid Proclamation, upon ſuch pains and forfeitures as by the Laws and Statutes of this Realm, are and have been provided and ordained in that behalf; This Act or any thing therein contained to the contrary notwithſtanding.

Drapery. Welſh Cottons.

XXVI. Provided alſo, and be it enacted, That no perſon or perſons ſhall incur any penalty for want of length, breadth or weight of Welſh Cottons, under the price of xv. d. the yard, or ii. s. the goad, ſo as they be not mixed with hair, or other deceitful ſtuff, nor for any others above that price, except they ſhall be mixed as aforeſaid, or ſhall ſhrink above the rate of half a yard in twelve yards of length, or weigh leſs then fourteen ounces the yard, or hold not full three quarters of a yard broad.

Merchants. 16 R. 2. 1.

Apparel. 16 R. 2. 1. 20 R. 2. 2.

7 H. 4. 7. 6 H. 4. 14. 13 H. 4. 3. 8 H. 6. 4. 8 Ed. 4. 2. 3 H. 7. 1. 3 H. 7. 12. A repeal of the nine Statutes laſt mentioned.

XXVII. And be it alſo enacted by the authority aforeſaid, That that part of one Statute made in the ſixteenth year of the Reign of the late King Richard the Second, by which it is ordained, That no manner of Spicery, after that it be brought into the Realm, ſhall be carried out of the ſame Realm by Aliens nor by Denizens, upon pain of forfeiture thereof: (2) And one Statute made in the ſixteenth year of the Reign of the late King Richard the Second, concerning Liveries: (3) And one other Statute made in the twentieth year of the Reign of the late King Richard the Second, by which it is ordained, That no Valelets, called Yeoman, nor other of leſſer Eſtate then an Eſquire, ſhall uſe or bear any Sign of Livery, called Livery of Company of any Lord within the Realm: (4) And one Statute made in the firſt year of the Reign of the late King Henry the Fourth, concerning giving of Liveries: (5) And one Statute made in the ſeventh year of the Reign of the late King Henry the Fourth, concerning giving of Liveries: (6) And one other Statute made in the thirtieth year of the Reign of the late King Henry the Fourth, concerning giving of Liveries: (7) And one Statute made in the eighth year of the Reign of the late King Henry the Sixth, concerning Liveries: (8) And one Statute made in the eighth year of the Reign of the late King Edward the Fourth, concerning the Liveries: (9) And ſo much of one Statute made in the third year of the Reign of the late King Henry the Seventh, concerning the Star-Chamber, as toucheth or concerneth the puniſhment of thoſe that ſhall give or take Liveries: (10) And one other Statute made in the ſaid third year, concerning taking of Liveries by the Kings Officers and Farmors, (11) be from henceforth repealed.

Sewers. 7 Jac. 20. Continued until the next Parliament. 17 Car. 2. cap. 4.

XXVIII. And be it alſo enacted by authority of this Parliament, That one Act of Parliament made in the ſeventh year of the Reign of the late King James, entituled, An Act for the ſpeedy recovery of many thouſand Acres of Marſh Grounds, and other Grounds within the Counties of Norfolk and Suffolk, lately ſurrounded by the rage of the Sea, in divers parts of the ſaid Counties, and for the prevention of the danger of the like ſurrounding hereafter, be continued, and ſhall ſtand in force until the end of the next Seſſion of Parliament.

C A P. V. (VI.)

The Eſtates of the Tenants of Bromfield and Yale, in the County of Denbigh, and of the Tenures, Rents, and Services thereupon reſerved, (according to the late Compoſition made for the ſame with the Kings moſt excellent Majeſty, then Prince of Wales) ratified and confirmed. PR.

C A P. VI. (VII.)

Five Subſidies granted by the Spiritualty. EXP.

C A P. VII. (VIII.)

Five Subſidies granted by the Temporalty, Anno quarto Caroli Regis. EXP.

Anno Regni CAROLI *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Decimo Sexto.*

AT the Parliament begun at Weſtminſter the Third day of November Anno Dom. 1640. in the Sixteenth year of the Reign of CHARLES the Firſt, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. To the high pleaſure of Almighty God, and the Weal-publick of this Realm, were Enacted as followeth:

CAP. I.

An Act for the preventing of inconveniencies happening by the long intermiſſion of Parliaments. Repealed and altered, 16 Car2. cap. 1.

CAP. II.

An Act for the Relief of his Majeſties Army, and the Northern parts of this Kingdom. EXP.

CAP. III.

Taxes.

An Act for the Reforming of ſome things miſtaken in the late Act made this preſent Parliament, for the granting of four Subſidies, entituled, An Act for the Relief of his Majeſties Army, and the Northern parts of this Kingdom, and to make good the Acts of the Commiſſioners and other Officers by them authoriſed or appointed, and to be authoriſed or appointed. EXP.

CAP. IV. (III.)

An Act for the further Relief of his Majeſties Army, and the Northern parts of the Kingdom. EXP.

Divers Statutes continued. 3 Car. cap. 4. continued further.

(II.) AND be it enacted by the authority aforeſaid, That the paſſing of this preſent Act, or any other Act or Acts, or his Majeſties Royal Aſſent to them or any of them in this preſent Seſſion of Parliament, ſhall not be any determination of the ſaid Seſſion; And that all Statutes and Acts of Parliament which have their continuance, or were by an Act of Parliament made in the third year of the Reign of his Majeſty that now is, entituled, An Act for the Continuance and Repeal of divers Statutes continued until the end of the firſt Seſſion of the then next Parliament, ſhall by virtue of this Act be adjudged ever ſince the Seſſion of Parliament in the ſaid third year, to have been of ſuch force and effect as the ſame were the laſt day of that Seſſion, and from thenceforth until ſome other Act of Parliament be made touching the continuance or diſcontinuance of the ſaid Statutes and Acts in the ſaid Act of the third year of his Majeſties Reign continued as aforeſaid.

CAP. V.

An Act for the better raiſing and levying of Mariners, Sailers, and others, for the preſent guarding of the Seas, and neceſſary Defence of the Realm. EXP.

CAP. VI.

An Act concerning the limitation and abreviation of Michaelmas Term.

Michaelmas Term abreviated. Inconveniences of Michaelmas Term being ſo ſoon after the Feaſt of St. Michael.

WHereas the Term of St. Michael, commonly called Michaelmas Term, doth begin ſo ſoon after the Feaſt of St. Michael, that it is generally found to be very inconvenient to his Majeſties Subjects, both Nobles and others, as well for the keeping of the Quarter Seſſions next after the Feaſt of Saint Michael the Archangel, and keeping of their Leets, Law-days, and Court-Barons, which they can by no means attend, in regard of the neceſſity of their coming to the ſaid Term ſo ſpeedily after the Feaſt of Saint Michael the Archangel, to appear upon Juries, and to follow their Cauſes and Suits in the Law, the ſame time being the chief time of all the year for the ſowing of Land with Winter Corn, and for the diſpoſing and ſetting in order of all their Winter Husbandry and buſineſs, and for the receiving and paying of Rents; And in many parts of this Kingdom, Harveſt is ſeldom or never Inned till three weeks after the ſaid Feaſt:

In Michaelmas Term ſhall be ſix common days of Return only.

II. Therefore the Kings moſt excellent Majeſty, out of the Princely care that he hath of all his loving Subjects, having a ſpecial care to the encreaſe and continuance of their wealth and good eſtates, by the aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, Ordaineth, Enacteth and Eſtabliſheth, That in the ſaid Michaelmas Term there ſhall be ſix common days of Return only, and not above; that is to ſay, (2) The firſt day of Return thereof ſhall be, and be called, A die Sancti Michaelis in tres ſeptimanas; (3) The ſecond day of return of the ſame Term, ſhall be, and be called, A die Sancti Michaelis in unum menſem; (4) The third day of return of the ſame Term, ſhall be, and be called, In Craſtino animarum; (5) The fourth day of return of the ſame Term, ſhall be, and be called, In Craſtino Sancti Martini; (6) The fifth day of Return of the ſame Term, ſhall be, and be called, In Octabis Sancti Martini; (7) And the ſixth day of Return of the ſaid Term, ſhall be, and be called, A die Sancti Martini in quindecim dies.

The Return days to be obſerved.

Two return days taken away.

III. And that the ſame days of Return ſhall be obſerved in all the High Courts of Record of our Sovereign Lord the King, his Heirs and Succeſſors, hereafter to be holden at Weſtminſter, or other place or places at the aſſignment or appointment of our Sovereign Lord the King, his Heirs and Succeſſors; (2) And that from and after the Feaſt of St. Michael the Archangel next coming, there ſhall not be, nor be called any days of Return in Octabis Sancti Michaelis, nor A die Sancti Michaelis in quindecim dies, nor either of them; (3) And that the ſaid Term of St. Michael yearly for ever, from and after the ſaid Feaſt of Saint Michael the Archangel next coming being in and upon the ſaid Tres ſeptimanas Sancti Michaelis, whenſoever it ſhall happen to fall (except it be on the Lords day commonly called Sunday, and then on the morrow next after (for the keeping of the Eſſoins, Profers, Returns and other Ceremonies heretofore uſed and kept in like manner and form as hath been uſed to be done in the day of the Return, commonly called, Octabis Sancti Michaelis; (4) And that the full Term of St. Michael ſhall yearly for ever, from and after the ſaid Feaſt of St. Michael next coming, in all the afore-

When the Term ſhall begin.

ſaid Courts of Record begin, and take his commencement upon the quarto die of the ſaid tres ſeptimanas Sancti Michaelis, and not before, as formerly it hath been uſed upon the quarto die of Octabis Sancti Michaelis, except it be on the Lords day, commonly called Sunday, and then on the morrow next after.

How days ſhall be given on Writs in real Actions, other then Writs of Entry, Right, or Advowſon, or Dower.

IV. And be it further enacted by the authority aforeſaid, That if after the Feaſt of Saint Michael the Archangel next coming, any Writ in any real Action, other then Writs of Entry for common Recoveries, and Writs of Rights of Advowſon, & Writs of Dower, Unde nihil habet hereafter mentioned, come in and be returnable in his Majeſties Court of Common Pleas, in the day of Return of Tres ſeptimanas Sancti Michaelis, then day ſhall be given in Craſtino Purificationis beatæ Mariæ, (2) And if A die Sancti Michaelis in unum menſem, then in Octabis Purificationis beatæ Mariæ; (3) if in Craſtino animarum, then in Quindena Paſchæ; (4) if in Craſtino Sancti Martini, then A die Paſchæ in tres ſeptimanas; (5) if in Octabis Sancti Martini, then A die Paſchæ in unum menſem; (6) if in Quindena Sancti Martini, then in Quinq; ſeptimanas Paſchæ; (7) if in Octabis Sancti Hillarii, then in Craſtino Aſcenſionis Domini; (8) if in Quindena Sancti Hillarii, then in Craſtino Sanctæ Trinitatis; (9) if in Craſtino Purificationis beatæ Mariæ, then in Octabis Sanctæ Trinitatis; (10) if in Octabis Purificationis beatæ Mariæ, then in Quindena Sanctæ Trinitats; (11) if in Quindena Paſchæ, then A die Sanctæ Trinitatis in tres ſeptimanas: (12) if A die Paſchæ in tres ſeptimanas, then A die Sancti Michaelis in tres ſeptimanas; (13) if A die Paſchæ in unum menſem, then A die Sancti Michaelis in unum menſem; (14) if A die Paſchæ in quinq; ſeptimanas, then in Craſtino animarum; (15) if in Craſtino Aſcenſionis Domini, then in Craſtino Sancti Martini; (16) if in Craſtino Sanctæ Trinitatis, then in Octabis Sancti Martini; (17) if in Octabis Sanctæ Trinitatis, then in Quindena Sancti Martini; (18) if in Quindena Sanctæ Trinitatis; then in Octabis Sancti Hillari; (19) if A die Sanctæ Trinitatis in tres ſeptimanas, then in Quindena Sancti Hillarii.

How days ſhall be given in theſe writs.

V. And for the more ſpeedy proceeding in Writs of Dower, and by Writs of Entry for common Recoveries, to be ſued and proſecuted by Writs of Entry, or Writs of Right of Advowſon, (2) Be it further enacted by the authority aforeſaid, That if after the ſaid Feaſt of Saint Michael the Archangel next coming, any Writ of Dower, Unde nihil habet, or any Writ of Entry, whereupon a common Recovery is to be ſued, or Writs of Right of Advowſon be returnable, A die Sancti Michaelis in tres ſeptimanas, then a day ſhall be given in Octabis Sancti Martini; (3) if A die Sancti Michaelis in unum menſem, then in Quindena Sancti Martini; (4) if in Craſtino animarum, then in Octabis Sancti Hillarii; (5) if in Craſtino Sancti Martini, then in Quindena Sancti Hillarii; (6) if in Octabis Sancti Martini, then in Craſtino Purificationis beatæ Mariæ; (7) if in Quindena Sancti Martini, then in Octabis Purifications beatæ Mariæ; (8) if in Octabis Sancti Hillarii, then in Quindena Paſchæ; (9) if in Quindena Sancti Hillarii, then A die Paſchæ in tres ſeptimanas; (10) if in Craſtino Purificationis beatæ Mariæ, then A die Paſchæ in unum menſem; (11) if in Octabis Purificationis beatæ Mariæ, then A die Paſchæ in quinque ſeptimanas; (12) if in Quindena Paſchæ, then in Craſtino Aſcenſionis Domini; (13) if A die Paſchæ in tres ſeptimanas, then in Craſtino Sanctæ Trinitatis; (14) if in Menſe Paſchæ, then in Octabis Sanctæ Trinitatis; (15) if in quinque ſeptimanas Paſchæ, then in Quindena Sanctæ Trinitatis; (16) if in Craſtino Aſcenſionis Domini, then A die Sanctæ Trinitatis; in tres ſeptimanas; (17) if in Craſtino Sanctæ Trinitatis, then A die Sancti Michaelis in tres ſeptimanas; (18) if in Octabis Sanctæ Trinitatis, then A die Sanctæ Michaelis in unum menſem; (19) if in Octabis Sanctæ Trinitatis, then in Craſtino animarum; (20) if A die Sanctæ Trinitatis in tres ſeptimanas, then in Craſtino Sancti Martini.

In writs of Dower after iſſue joyned fifteen days between the Teſte and Return, ſufficient.

VI. Provided nevertheleſs, and be it likewiſe enacted by the authority aforeſaid, That in all Writs of Dower, Unde nihil habet, after iſſue joyned, it ſhall not be needful or requiſite to have above fifteen days betwixt the Teſte and Return of the Venire facias, or any other Proceſs to be ſued out for the tryal of the ſaid iſſue, (2) but that the Writ of Venire facias, and other Proceſs after iſſue joyned, until Judgment be given, having only fifteen days between the Teſte and Return thereof, ſhall be good and effectual in Law, as is uſed in perſonal Actions; Any Law, Statute or Uſage to the contrary heretofore notwithſtanding.

Craſtino Aſcenſionis a good return. The Eſſoin days.

VII. And be it further enacted by the authority aforeſaid, That from and after the Feaſt of Saint Michael the Archangel now next coming, the ſaid day of Return, called Craſtino Aſcenſionis Domini, ſhall be a good and perfect Return to all intents and purpoſes, as any other of the ſaid days of Return before mentioned is or hath been uſed, notwithſtanding there be not fifteen days between the quarto die of the ſaid Return of Craſtino Aſcenſionis Domini, and the Eſſoin days of the Return of Craſtino Sanctæ Trinitatis.

Writs in perſonal Actions, having day from tres Michaelis, till Craſtino Aſcenſionis, good.

VIII. And be it further enacted, That all Writs and Proceſs in perſonal Actions hereafter to be made out of any of his Majeſties ſaid Courts at Weſtminſter, and having day from Tres Michaelis, until Craſtino Animarum, ſhall be good and effectual in Law, notwithſtanding there be not fifteen days betwixt the quarto die of the ſaid Tres ſeptimanas Sanncti Michaelis, and the days of Eſſoin of Craſtino Animarum; Any Law, Statute or Uſage to the contrary heretofore notwithſtanding.

Proviſo for writs returnable 1641. EXP.

IX. Provided always, and be it further enacted by the authority aforeſaid, that all Writs and Proceſs to be made, from and after the Feaſt of Eaſter, in the year of our Lord God 1641. Returnable in Octabis, or Quindena Sancti Michaelis now next enſuing, or having days betwixt any of the ſaid Return, ſhall by force of this Act have day, unto Tres ſeptimanas Sancti Michaelis next, and the parties to the ſaid Writs and Proceſs ſhall then appear, and plead, and proceed thereupon, to all intents and purpoſes, as if the ſaid Writs and Proceſs had been made Returnable A die Sancti Michaelis in tres ſeptimanas.

Writs of Summons ad Warrantizand., upon common Recoveries and writs of Right of Advowſon, abridged to five Returns.

X. And whereas before the making of this Act, all Writs of Summons ad Warrantizand. againſt the Vouchees upon common Recoveries had in writs of Entry, and writs of Right of Advowſon, were made for nine Returns incluſive, (2) Now for the more ſpeedy perfecting of ſuch Recoveries, Be it enacted by the Authority aforeſaid, That from and after the ſaid Feaſt of St. Michael the Archangel next, all and every ſuch writs of Summons ad Warrantizand. upon the appearance of the Tenant to every ſuch writ of Entry, and writ of Right of Advowſon, ſhall and may be made and abridged to five Returns, as writs of Summons ad Warrantizand. in writs of Dower, Unde Nihil habet, heretofore have been uſed and accuſtomed.

XI. And it is further enacted by the authority aforeſaid, That all common Writs and Proceſs, as well perſonal as mixt, which ſhall fortune to be returnable in the ſaid Michaelmas

Term, ſhall have and keep the ſaid Returns of A die Sancti Michaelis in tres ſeptimanas, A die Sancti Michaelis in unum menſem, In Craſtino Annimarum, In Craſtino Sancti Martini, In Octabis Sancti Martini, and A die Sancti Martini in quindecim dies

Common Writs and Proceſs to keep the aforeſaid Returns

XII. Provided always, and it is further enacted by the authority aforeſaid, That in ſuch and like caſes and proceſs, as ſpecial days have been uſed to be appointed and aſſigned, and given for the returning of writs and proceſs; It ſhall be lawful to the Juſtices of every of the Kings ſaid Courts of Record for the time being, in all the proceſs by them awarded to aſſign and appoint ſpecial days of Returns as by their diſcretions ſhall be thought convenient.

Special days may be appointed as have been uſed.

XIII. Provided alſo and be it further enacted by the authority aforeſaid, That the days in Aſſiſe of Darrein preſentment, and in Plea of Quare impedit, limited and appointed by the Statute of Marlebridge, and alſo the days to be given in Attaint, limited in the Statute made in the fifth year of the Reign of the Noble King Edward the Third, and alſo in the Statute made in the three and twentieth year of the Reign of the late King Henry the Eighth of worthy memory, being not contrary to the tenors of this Act, ſhall be holden firm and ſtable, and ſhall ſtand in their full force and effect. 52H. 3 12. N. 2. 5 Ed. 36.Sect. 1N. 3. 23 H. 8. 3. Sect. 2. N. 4. 32 H.8.2. Sect. 7. N. 1.

Days in Aſſiſe of Darrein preſentment, and in plea of Quare impedit and in Attaint, not contrary hereto ſhall be firm,

CAP. VII.

An Act to prevent Inconveniencies by the untimely Adjournment of Parliaments. EXP.

CAP. VIII.

A Subſidy granted to the King, of Tunnage and Poundage, and other ſums of Money payable upon Merchandize Exported and ported. EXP.

1.Stat. 12 Car.2. Cap. 1.

CAP. IX.

An Act for the ſpeedy proviſion of Money for Disbanding the Armies, and ſetling the Peace of the two Kingdoms of England and Scotland. EXP.

Tunnage and Poundage,

CAP. X.

An Act for the Regulating of the Privy Council, and for taking away the Court. commonly called the Star-chamber.

WHereas by the Great Charter many times confirmed in Parliament, It is enacted, That no Freemen ſhall be taken or impriſoned, or diſſeiſed of his Freehold or Liberties, or Free Cuſtoms, or be outlawed or exiled, or otherwiſe deſtroyed, and that the King will not paſs upon him, or condemn him but by lawful Judgment of his Peers, or by the Law of the Land; (2) And by another Statute made in the fifth year of the Reign of King Edward the Third, It is enacted, That no man ſhall be attached by any accuſation, nor fore-judged of Life or Limb, nor his Lands, Tenements, Goods nor Chattels ſeiſed into the Kings hands againſt the form of the Great Charter, and the Law of the Land; (3) and by another Statute made in the five and twentieth year of the Reign of the ſame King Edward the Third, It is accorded, aſſented, and eſtabliſhed, That none ſhall be taken by Petition, or Suggeſtion made to the King, or to his Council, unleſs it be by Indictment or Preſentment of good and lawful people of the ſame Neighbourhood where ſuch Deeds be done, in due manner, or by Proceſs made by Writ Original at the Common Law, and that none be put out of his Franchiſe or Freehold, unleſs he be duly brought in to anſwer, and fore-judged of the ſame by the courſe of the Law; and if any thing be done againſt the ſame, it ſhall be redreſſed and holden for none: (4) And by another Statute made in the eight and twentieth year of the Reign of the ſame King Edward the Third, it is amongſt other things enacted, That no man of what eſtate or condition ſoever he be, ſhall be put out of his Lands or Tenements, nor taken, nor impriſoned, nor diſ-inherited, without being brought in to anſwer by due proceſs of Law: (5) And by another Statute made in the two and fortieth year of the Reign of the ſaid King Edward the Third, It is enacted, That no man be put to anſwer without preſentment before Juſtices or matter of Record, or by due Proceſs and writ original, according to the Old Law of the Land; and if any thing be done to the contrary, it ſhall be void in Law, and holden for error: (6) And by another Statute made in the ſix and thirtieth year of the ſame King Edward the Third, It is amongſt other things enacted, That all Pleas which ſhall be pleaded in any Courts before any the Kings Juſtices, or in his other places, or before any of his other Miniſters, or in the Courts and places of any other Lords within the Realm, ſhall be entred and enrolled in Latine: (7) And whereas by the Statute made in the third year of King Henry the Seventh, power is given to the Chancellor, the Lord Treaſurer of England for the time being, and the Keeper of the Kings Privy Seal, or two of them, calling unto them a Biſhop and a Temporal Lord of the Kings moſt Honourable Council, and the two Chief Juſtices of the Kings Bench and Common Pleas for the time being, or other two Juſtices in their abſence, to proceed as in that Act is expreſſed, for the puniſhment of ſome particular offences therein mentioned: (8) And by the Statute made in the one and twentieth year of King Henry the Eighth, the Preſident of the Council is aſſociated to joyn with the Lord Chancellor and other Judges in the ſaid Statute of the third of Henry the Seventh mentioned, (9) But the ſaid Judges have not kept themſelves to the points limited by the ſaid Statute but have undertaken to puniſh where no Law doth warrant, and to make Decrees for things having no ſuch authority, and to inflict heavier puniſhments than by any Law is warranted:

Recital of Magna Charta; and ſeveral Statutes. Stat. 3. H. 7. 1.

5 Ed. 3. cap. 9.

25 Ed. 3. cap. 4. Stat. 5.

28 E. 3. cap. 3.

42 E. 3. c. 3.

36 E. 3. c. 15.

3 H. 7. c. 1.

21 H. 8. c. 20.

II. And foraſmuch as all matters examinable or determinable before the ſaid Judges, or in the Court commonly called the Star-Chamber, may have their proper remedy and redreſs, and their due puniſhment, and correction by the Common Law of the Land, and in the ordinary courſe of Juſtice elſewhere; (2) and foraſmuch as the reaſons and motives inducing the erection and continuance of that Court do now ceaſe, (3) and the Proceeding Cenſures, and Decrees of that Court, have by experience been found to be an intolerable burthen to the Subject, and the means to introduce an Arbitrary Power and Government, (4) And foraſmuch as the Council-Table hath of late times aſſumed unto it ſelf a power to intermeddle in Civil cauſes and matters only of private intereſt between party and party, and have adventured to determine of the Eſtates and Liberties of the Subject, contrary to the Law of the Land, and the Rights and Priviledges of the Subject, by which great and manifold miſchiefs

All matters examinable in the Star-Chamber, may be examinable and redreſſed by the Common Law.

chiefs and inconveniencies have ariſen and happened, and much incertainty by means of ſuch proceedings hath been conceived concerning mens Rights and Eſtates; For ſettling whereof, and preventing the like in time to come,

Court of Star-Chamber and all its Powers diſſolved.

III. Be it ordained and enacted by the authority of this preſent Parliament, That the ſaid Court commonly called the Star-chamber, and all Juriſdiction, Power and Authority belonging unto, or exerciſed in the ſame Court, or by any the Judges, Officers or Miniſters thereof, be from the firſt day of Auguſt, in the year of our Lord God, One thouſand ſix hundred forty and one, clearly and abſolutely diſſolved, taken away and determined, (2) and that from the ſaid firſt day of Auguſt, neither the Lord Chancellor, or Keeper of the Great Seal of England, the Lord Treaſurer of England, the Keeper of the Kings Privy Seal, or Preſident of the Councel, nor any Biſhop, Temporal Lord, Privy Counſeller or Judge, or Juſtice whatſoever, ſhall have any power or authority to hear, examine or determine any matter or thing whatſoever, in the ſaid Court commonly called the Star-chamber, or to make, pronounce, or deliver any Judgment, Sentence, Order or Decree, or to do any Judicial or Miniſterial Act in the ſaid Court: (3) And that all and every Act and Acts of Parliament, and all and every article, clauſe, and ſentence in them, and every of them, by which any Juriſdiction, power or authority is given, limited or appointed unto the ſaid Court commonly called the Star-Chamber, or unto all, or any the Judges, Officers or Miniſters thereof, or for any proceedings to be had or made in the ſaid Court, or for any matter or thing to be drawn into queſtion, examined or determined there, ſhall for ſo much as concerneth the ſaid Court of Star-Chamber, and the Power and authority thereby given unto it, be from the ſaid firſt day of Auguſt repealed, and abſolutely revoked and made void.

Like Juriſdiction in ſeveral other Courts repealed and taken away.

IV. And be it likewiſe enacted, That the like Juriſdiction now uſed and exerciſed in the Court before the Preſident & Councel in the Marches of Wales, (2) and alſo in the Court before the Preſident & Councel eſtabliſhed in the Northern parts: (3) And alſo in the Court commonly called, the Court of the Dutchy of Lancaſter, held before the Chancellor, and Councel of that Court: (4) And alſo in the Court of Exchequer of the County Palatine of Cheſter, held before the Chamberlain and Councel of that Court; (5) The like Juriſdiction being exerciſed there, ſhall from the ſaid firſt day of Auguſt, One thouſand ſix hundred forty and one, be alſo repealed and abſolutely revoked and made void, any Law Preſcription, Cuſtom or Uſage, Or the ſaid Statute made in the third year of King Henry the Seventh, Or the Statute made the one and twentieth of Henry the Eighth, Or any Act or Acts of Parliament heretofore had or made, to the contrary thereof in any wiſe notwithſtanding: (6) And that from henceforth no Court, Councel or place of Judicature ſhall be erected, ordained, conſtituted or appointed within this Realm of England, or Dominion of Wales, which ſhall have, uſe or exerciſe the ſame, or the like juriſdiction, as is, or hath been uſed, practiſed or exerciſed in the ſaid Court of Star-Chamber.

3 H. 7. 1.
21 H. 8. 20.

No Court or Councel to have the like Juriſdiction.

The King or his Privy Councel ſhall have no Juriſdiction over any mans Eſtate.

V. Be it likewiſe declared and enacted by the authority of this preſent Parliament, That neither his Majeſty, nor his Privy Councel, have or ought to have any Juriſdiction, Power or Authority, by Engliſh Bill, Petition, Articles, Libel, or any other Arbitrary way whatſoever, to examine or draw into queſtion, determine or diſpoſe of the Lands, Tenements, Hereditaments, Goods or Chattels of any the Subjects of this Kingdom; but that the ſame ought to be tried and determined in the ordinary Courts of Juſtice, and by the ordinary courſe of the Law.

Penalties upon great Officers and others for the firſt offence.

VI. And be it further provided and enacted, That if any Lord Chancellor, or Keeper of the Great Seal of England, Lord Treaſurer, Keeper of the Kings Privy Seal, Preſident of the Councel, Biſhop, Temporal Lord, Privy Chancellor, Judge or Juſtice whatſoever ſhall offend, or do any thing contrary to the purport, true intent and meaning of this Law, Then he or they ſhall for ſuch Offence forfeit the ſum of five hundred pounds of lawful Money of England, unto any party grieved, his Executors or Adminiſtrators, who ſhall really proſecute for the ſame, and firſt obtain Judgment thereupon, to be recovered in any Court of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information. wherein no Eſſoin, Protection, Wager of Law, Aid-Prayer, Priviledge, Injunction or Order of reſtraint ſhall be in any wiſe prayed, granted or allowed, nor any more then one Imparlance: (2) And if any perſon againſt whom any ſuch Judgment or Recovery ſhall be had as aforeſaid, ſhall after ſuch Judgment or Recovery, offend again in the ſame, then he or they for ſuch Offence, ſhall forfeit the ſum of one thouſand pounds of lawful Money of England, unto any party grieved, his Executors or Adminiſtrators, who ſhall really proſecute for the ſame, and firſt obtain Judgment thereupon, to be recovered in any Court of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Protection, Wager of Law, Aid-Prayer, Priviledge, Injunction, or Order of Reſtraint, ſhall be in any wiſe prayed, granted or allowed, nor any more then one Imparlance: (3) And if any perſon againſt whom any ſuch ſecond Judgment or Recovery ſhall be had as aforeſaid, ſhall after ſuch Judgment or Recovery, offend again in the ſame kind, and ſhall be thereof duly convicted, by Indictment Information, or any other lawful way or means, that ſuch perſon ſo convicted, ſhall be from thenceforth diſabled, and become by virtue of this Act incapable, Ipſo facto, to bear his and their ſaid Office and Offices reſpectively, (4) and ſhall be likewiſe diſabled to make any Gift, Grant, Conveyance, or other diſpoſition of any of his Lands, Tenements, Hereditaments, Goods or Chattels, or to take any benefit of any Gift, Conveyance or Legacy to his own uſe.

Second offence.

Third offence.

Treble damages to the party grieved.

VII. And every perſon ſo offending ſhall likewiſe forfeit and loſe unto the party grieved by any thing done contrary to the true intent and meaning of this Law, his treble damages which he ſhall ſuſtain and be put unto, by means or occaſion of any ſuch Act or thing done; the ſame to be recovered in any of his Majeſties Courts of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, Wager of Law, Aid-Prayer, Priviledge, Injunction or Order of Reſtraint, ſhall be in any wiſe Prayed, Granted or Allowed, nor any more then one Imparlance.

VIII. And be it alſo provided and enacted, That if any perſon ſhall hereafter be committed, reſtrained of his Liberty, or ſuffer impriſonment by the Order or Decree of any ſuch Court of Star-chamber, or other Court aforeſaid, now, or at any time hereafter, having, or pretending to have the ſame, or like Juriſdiction, power or authority to commit or impriſon as aforeſaid; (2) or by the Command or Warrant of the Kings Majeſty, his heirs or Succeſſors in their own Perſon, or by the Command or Warrant of the Councel-board, or of any of the Lords or others of his Majeſties Privy Council, (3) That in every ſuch caſe every perſon ſo committed, reſtrained of his Liberty, or ſuffering impriſonment, upon demand or motion made by his Counſel, or other imployed by him for that purpoſe, unto the Judges of the Court of Kings Bench, or Common Pleas in open Court, ſhall without delay, upon any pretence whatſoever, for the ordinary Fees uſually paid for the ſame, have forthwith granted unto him a Writ of Habeas Corpus to be directed generally unto all & every Sheriffs, Gaoler, Miniſter, Officer, or other perſon in whoſe cuſtody the party committed or reſtrained ſhall be, (4) and the Sheriffs, Goaler, Miniſter, Officer, or other perſon in whoſe cuſtody the party ſo committed or reſtrained ſhall be, ſhall at the return of the ſaid Writ, and according to the command thereof, upon due and convenient notice thereof given unto him, at the charge of the party who requireth or procureth ſuch Writ, & upon ſecurity by his own Bond, given, to pay the charge of carrying back the priſoner if he ſhall be remanded by the Court, to which he ſhall be brought, as in like caſes hath been uſed, ſuch charges of bringing up, and carrying back the priſoner to be always ordered by the Court, if any difference ſhall ariſe thereabout, bring or cauſe to be brought the body of the ſaid party ſo committed or reſtrained unto and before the Judges or Juſtices of the ſaid Court from whence the ſame Writ ſhall iſſue, in open Court, (5) and ſhall then likewiſe certifie the true cauſe of ſuch his detainer or impriſonment, and thereupon the Court within three Court-days after ſuch return made and delivered in open Court, ſhall proceed to examine & determine whether the cauſe of ſuch commitment appearing upon the ſaid return be juſt and legal, or not, and ſhall thereupon do what to Juſtice ſhall appertain, either by delivering, bailing, or remanding the Priſoner: (6) And if any thing ſhall be otherwiſe wilfully done or omitted to be done by any Judge, Juſtice, Officer, or other perſon aforementioned, contrary to the direction and true meaning hereof, That then ſuch perſon ſo offending ſhall forfeit to the party grieved, his treble damages, to be recovered by ſuch means, and in ſuch manner as is formerly in this Act limited and appointed for the like penalty to be ſued for and recovered.

Every perſon committed contrary to this Act ſhall have an Habeas Corpus.

Treble damages in default.

IX. Provided always, and be it enacted, That this Act, and the ſeveral Clauſes therein contained, ſhall be taken and expounded to extend only to the Court of Star-chamber, (2) and to the ſaid Courts holden before the Preſident and Counſel in the Marches of Wales, (3) and before the Preſident and Counſel in the Northern parts, (4) and alſo to the Court commonly called the Court of the Dutchy of Lancaſter holden before the Chancellor and Councel of that Court; (5) and alſo in the Court of Exchequer of the County Palatine of Cheſter, held before the Chamberlain and Councel of that Court, (6) and to all Courts of like juriſdiction to be hereafter erected, ordained, conſtituted or appointed as aforeſaid; and to the Warrants and Directions of the Councel-board, and to the Commitments, reſtraints and impriſonments of any perſon or perſons made, commanded or awarded by the Kings Majeſty, his Heirs or Succeſſors in their own perſon, or by the Lords and others of the Privy Councel, and every one of them.

To what Courts this Act ſhall extend.

X. And laſtly, provided, and be it enacted, That no perſon or perſons ſhall be ſued, impleaded, moleſted or troubled for any offence againſt this preſent Act, unleſs the party ſuppoſed to have ſo offended, ſhall be ſued or impleaded for the ſame within two years at the moſt after ſuch time wherein the ſaid Offence ſhall be committed.

Offenders of this Act ſhall be impleaded within two years after any offence.

CAP. XI.

A Repeal of the Branch of a Statute primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical.

Ordinary.

Stat 1 Eliz. 1. Sect. 18. N. 1.

WHereas in the Parliament holden in the firſt year of the Reign of the late Queen Elizabeth late Queen of England, there was an Act made and eſtabliſhed, Intituled, An Act reſtoring to the Crown the ancient Juriſdiction over the State Eccleſiaſtical and Spiritual, and aboliſhing all Foreign power repugnant to the ſame; In which Act, amongſt other things, there is contained one Clauſe, Branch, Article or Sentence, whereby it was enacted to this effect; Namely, That the ſaid late Queens Highneſs, her Heirs and Succeſſors, Kings, or Queens of this Realm, ſhould have full power and authority by virtue of that Act by Letters Patents under the Great Seal of England, to aſſign, name and authorize, when, and as often as her Highneſs, her Heirs or Succeſſors ſhould think meet and convenient, and for ſuch, and ſo long time as ſhould pleaſe her Highneſs, her Heirs or Succeſſors, ſuch perſon or perſons being natural born Subjects to her Highneſs, her Heirs or Succeſſors, as her Majeſty, her Heirs or Succeſſors, ſhould think meet to exerciſe, uſe, occupy & execute under her Highneſs, her Heirs and Succeſſors, all manner of Juriſdictions, Priviledges and Preheminences, in any wiſe touching or concerning any Spiritual or Eccleſiaſtical Juriſdiction within theſe her Realms of England and Ireland, or any other her Highneſs Dominions and Counties, and to viſit, reform, redreſs, order, correct, and amend all ſuch Errors, Hereſies, Schiſms, Abuſes, Offences, Contempts and Enormities whatſoever, which by any manner Spiritual or Eccleſiaſtical Power, Authority or Juriſdiction, can or may lawfully be reformed, ordered, redreſſed, corrected, reſtrained or amended, to the pleaſure of Almighty God, the increaſe of virtue, and the conſervation of the Peace and Unity of this Realm: And that ſuch perſon or perſons ſo to be named, aſſigned, authorized and appointed by her Highneſs, her Heirs or Succeſſors, after the ſaid Letters Patents to him or them made and delivered as aforeſaid, ſhould have full power and authority by virtue of that Act, and of the ſaid Letters Patents under her Highneſs, her Heirs or Succeſſors, to exerciſe, uſe, and execute all the Premiſſes, according to the tenor and effect of the ſaid Letters Patents; any matter or cauſe to the contrary in any wiſe notwithſtanding.

High Commiſſion Court.

II. And whereas by colour of ſome words in the aforeſaid Branch of the ſaid Act, whereby Commiſſioners are authorized to execute their Commiſſion according to the tenor and effect of the Kings Letters Patents, and by Letters Patents grounded thereupon, the ſaid Commiſſioners have, to the great and inſufferable Wrong and Oppreſſion of the Kings Subjects, uſed to fine and impriſon them, & to exerciſe other Authority not belonging to Eccleſiaſtical Juriſdiction reſtored by that Act, and divers other great Miſchiefs and Inconveniences have alſo enſued to the Kings Subjects, by occaſion of the ſaid Branch and Commiſſions iſſued thereupon, and the Executions thereof: Therefore for the repreſſing and preventing of the foreſaid Abuſes, Miſchiefs and inconveniences in time to come;

The ſaid branch of the Stat. 1 El. c. 2. repealed.

III. Be it enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the foreſaid Branch, Clauſe, Article or Sentence contained in the ſaid Act, and every word, matter and thing contained in that Branch, Clauſe, Article or Sentence, ſhall from henceforth be repealed, annulled, revoked, annihilated, and utterly made void for ever; Any thing in the ſaid Act to the contrary in any wiſe notwithſtanding. Rep. Stat. 13 Car. 2. cap. 12.

Power taken away from Archbiſhops, Biſhops and other Eccleſiaſtical perſons and Courts. Exp. Stat. 13. Car. 2. c. 12.

IV. And be it alſo enacted by the authority aforeſaid, that no Archbiſhop, Biſhop, nor Vicar-General, nor any Chancellor, Official, nor Commiſſary of any Archbiſhop, Biſhop, or Vicar-General, nor any Ordinary whatſoever, nor any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter of Juſtice, nor any other perſon or perſons whatſoever, exerciſing Spiritual or Eccleſiaſtical Power, Authority or Juriſdiction, by any Grant, Licence or Commiſſion of the Kings Majeſty, his Heirs or Succeſſors, or by any Power or Authority derived from the King, his Heirs or Succeſſors, or otherwiſe, ſhall from and after the firſt day of Auguſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred fourty and one, award, impoſe, or inflict any pain, penalty, fine, amerciament, impriſonment, or other corporal puniſhment upon any of the Kings Subjects, for any contempt, miſdemeanor, crime, offence, matter or thing whatſoever, belonging to Spiritual or Eccleſiaſtical Cognizance or Juriſdiction, (2) or ſhall ex Officio, or at the inſtance or promotion of any other perſon whatſoever, urge, enforce, tender, give or miniſter unto any Church-warden, Sydeman, or other perſon whatſoever, any corporal Oath, whereby he or ſhe ſhall or may be charged or obliged to make any preſentment of any Crime or Offence, or to confeſs or to accuſe himſelf, or her ſelf of any Crime, Offence, Delinquency or Miſdemeanour, or any neglect, matter, or thing whereby, or by reaſon whereof he or ſhe ſhall or may be liable, or expoſed to any cenſure, pain, penalty or puniſhment whatſoever; (3) upon pain & penalty that every perſon who ſhall offend contrary to this Statute, ſhall forfeit and pay treble damages to every perſon thereby grieved, and the ſum of One hundred pounds to him or them who ſhall firſt demand and ſue for the ſame, which ſaid treble damages and ſum of One hundred pounds, ſhall and may be demanded and recovered by Action of Debt, Bill or Plaint, in any Court of Record, wherein no Priviledge, Eſſoin, Protection or Wager of Law ſhall be admitted or allowed to the Defendant. (4) And be it further enacted, That every perſon who ſhall be once convicted of any Act or offence prohibited by this Statute, ſhall for ſuch Act or offence be from and after ſuch Conviction utterly diſabled to be or continue in any Office or Imployment in any Court of Juſtice whatſoever, or to exerciſe or execute any Power, Authority or Juriſdiction by force of any Commiſſion, or Letters Patents of the King his Heirs or Succeſſors.

Oath ex Officio. Stat. 13. Car. 2. cap. 12.

[illegible]

Penalty, treble damages and one hundred pounds.

Offendors convicted, diſabled from any office or Imployment by the Kings Letters Patents.

No new Court to be erected with the like power.

V. And be it further enacted, That from and after the ſaid firſt day of Auguſt, no new Court ſhall be erected, ordained or appointed within this Realm of England, or Dominion of Wales, which ſhall or may have the like Power, Juriſdiction or Authority, as the ſaid High Commiſſion Court now hath, or pretendeth to have; but that all and every ſuch Letters Patents, Commiſſions and Grants made, or to be made by his Majeſty, his Heirs or Succeſſors, and all Powers and Authorities granted or pretended, or mentioned to be granted thereby, and all Acts, Sentences and Decrees to be made by virtue or colour thereof, ſhall be utterly void, and of none effect.

CAP. XII.

Tunnage and Poundage.

A Subſidy granted to the King, of Tunnage and Poundage, and other ſums of Money payable upon Merchandizes Exported and Imported. EXP.

CAP. XIII.

An Act for the ſecuring of ſuch Moneys as are or ſhall be due to the Inhabitants of the County of York, and the other adjoyning Counties, wherein his Majeſties Army is or hath been Billetted, for the Billet of the Souldiers of the ſaid Army, as alſo to certain Officers of the Army who do forbear part of their Pay, according to an Order in that behalf made in the Commons Houſe of Parliament this preſent Seſſion, for ſuch part of their pay as they ſhall ſo forbear. EXP.

CAP. XIV.

An Act for the declaring unlawful and void, the late Proceedings touching Ship-money, and for the vacating of all Records and Proceſs concerning the ſame.

The late Proceedings touching Ship-money, declared unlawful, and all records and Proceſs concerning the ſame made void. Ship-Writs. Certioraries. Mittimus. Scire facias againſt John Hampden Eſquire, Demurrer. Vaughan. 139.

Whereas divers Writs of the late time iſſued under the Great Seal of England commonly called Ship-Writs, for the charging of the Ports, Towns, Cities, Boroughs and Counties of this Realm reſpectively, to provide and furniſh certain Ships for his Majeſties Service: (2) And whereas upon the Execution of the ſame Writs and Returns of Certioraries thereupon made, and the ſending the ſame by Mittimus into the Court of Exchequer, Proceſs hath been thence made againſt ſundry perſons pretended to be charged by way of Contribution, for the making up of certain ſums aſſeſſed for the providing of the ſaid Ships, and in eſpecial in Eaſter Term, in the thirteenth year of the Reign of our Sovereign Lord the King that now is, a Writ of Scire facias was awarded out of the Court of Exchequer, to the then Sheriff of Buckingham Shire, againſt John Hampden Eſquire, to appear and ſhew cauſe, why he ſhould not be charged with a certain ſum ſo aſſeſſed upon him; (3) upon whoſe appearance and demurrer to the proceedings therein the Barons of the Exchequer adjourned the ſame Caſe into the Exchequer-Chamber, where it was ſolemnly argued divers days, and at length it was there agreed by the greater part of all the Juſtices of the Courts of Kings Bench, and Common Pleas and of the Barons of the Exchequer there aſſembled, That the ſaid John Hampden ſhould be charged with the ſaid ſum ſo as aforeſaid aſſeſſed on him; (4) The main grounds and Reaſons of the ſaid Juſtices and Barons which ſo agreed, being, that when, the good and Safety of the Kingdom in general is concerned, and the whole Kingdom in danger, the King might by Writ under the Great Seal of England command all the Subjects of this his Kingdom, at their charge to provide and furniſh ſuch number of Ships and Men, Victuals and Munition, and for ſuch time as the King ſhould think fit, for the defence and ſafeguard of the Kingdom from ſuch danger and peril, and that by Law the King might compel the doing thereof, in caſe of refuſal or refractorineſs; (5) and that the King is the ſole Judge, both of the danger, and when, and how the ſame is to be prevented and avoided, (6) according to which grounds & Reaſons, all the Juſtices of the ſaid Courts of Kings Bench, and Common Pleas, and the ſaid Barons of the Exchequer, having been formerly conſulted with by his Majeſties command, had ſet their Hands to an extrajudicial Opinion, expreſſed to the ſame purpoſe; which Opinion with their Names thereunto, was alſo by his Majeſties command inrolled in the Courts of Chancery, Kings Bench, Common Pleas and Exchequer, and likewiſe entred among the Remembrances of the Court of Star-chamber, and according to the ſaid Agreement of the ſaid Juſtices and Barons, Judgment was given by the Barons of the Exchequer, that the ſaid John Hampden ſhould be charged with the ſaid ſum ſo aſſeſſed on him; (7) And whereas ſome other Actions and Proceſs depend, and have depended in the ſaid Court of Exchequer, and in ſome other Courts againſt other perſons, for the like kind of Charge, grounded upon the ſaid Writs, commonly called Ship-writs, all which Writs and Proceedings as aforeſaid, were utterly againſt the Law of the Land;

1 Ed. 3. St. 2. cap 5 Sect. 1. N. 2. 2 Inſt. 528.

Extrajudicial Opinion.

Judgment.

II. Be it therefore declared and enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid charge impoſed upon the Subject, for the providing and furniſhing of Ships, commonly called Ship-money, and the ſaid extrajudicial Opinion of the ſaid Juſtices and Barons, and the ſaid Writs, and every of them, and the ſaid agreement or Opinion of the greater part of the ſaid Juſtices and Barons, and the ſaid Judgment given againſt the ſaid John Hampden, were, and are contrary to, and againſt the Laws and Statutes of this Realm, the right of property, the liberty of the Subjects, former reſolutions in Parliament, and the Petition of Right made in the third year of the Reign of his Majeſty that now is.

Ship-money, and proceedings thereupon, contrary to Law.

St. 3. Car. 1.

III. And be it further declared and enacted by the authority aforeſaid, That all and every the particulars prayed or deſired in the ſaid Petition of Right, ſhall from henceforth be put in execution accordingly, and ſhall be firmly and ſtrickly holden and obſerved as in the ſame Petition they are prayed and expreſſed; (2) and that all and every the Records and Remembrances of all and every the Judgment, Inrollments, Entry and Proceedings as aforeſaid and all and every the Proceedings whatſoever, upon, or by pretext or colour of any of the ſaid Writs, commonly called Ship-Writs, and all and every the Dependants on any of them, ſhall be deemed and adjudged to all intents, conſtructions and purpoſes, to be utterly void and diſanulled; and that all and every the ſaid Judgment, Inrolments, Entries, Proceedings and Dependants of what kind ſoever, ſhall be vacated and cancelled in ſuch manner and form as Records uſe to be that are vacated.

Petition of Right to be obſerved.

Judgments and proceedings touching Ship-money, and all Entries, Records and Inrolments thereof made void.

CAP. XV.

An Act againſt divers Incroachments and Oppreſſions in the Stannary Courts.

Whereas King EDWARD the firſt of famous memory, did for the Amendment of the Stanuaries in the County of Devon, grant divers Franchiſes and Liberties to the Tinners there: (2) And whereas in the Parliament in the fiftieth year of King Edward the Third, upon the Petition of the Commons of the County of Devon, certain Branches and Articles of the ſaid Charter were explained in manner following, that is to ſay, Whereas one Article of the ſaid Charter is in theſe words following, viz. Sciatis nos ad emendationem Stannariarum noſtrarum in Com. Devon. ad tranquilitatem & utilitatem Stannatorum noſtrorum prædictorum earundem, Conceſſiſſe pro nobis & hæredibus noſtris, Quod omnes Stannatores prædicti operantes in Stannariis illis quæ ſunt Dominica noſtra; dum operantur in eiſdem Stannariis, liberi ſint & quieti de placitis nativorum, & de omnibus placitis & querelis Curiam noſtram & hæredum noſtrorum qualitercunque tangen. Ita quod non reſpondeant coram aliquibus Juſticiariis vel Miniſtris noſtris ſeu hæredum noſtrorum de aliquo placito ſeu querela infra pædictas Stannarias emergen. Niſi coram Cuſtode noſtro Stannariarum noſtrarum prædictarum, qui pro tempore fuit (except. placitis ter', vitæ & membrorum) nec recedant ab operationibus ſuis per ſummonitionem alicujus Miniſtrorum noſtrorum, ſeu hæredum noſtrorum, niſi per ſummonitionem communem dicti Cuſtodis noſtri; Et quod quieti ſint de omnibus tallag' Theolon. Stallag. auxiliis & aliis cuſtumis quibuſcunque in villis, portubus, feriis, & mercatis infra Com. prædict. de bonis ſuis propiis, &c. (3) Thereupon the ſaid Commons prayed a declaration, as followeth, Requeſte, Sur quoi pleſe declarer ſi auters perſons que les Eſteymos onerantz in les Eſtemeryes averont & enjoyeront la franchiſe grante per la dite charte du Roy deſicome la dite Carte voet. Quod omnes Stannatories prædicti operantes in Srannariis illis ſint liberi, &c. Et autres perſons que les onerours ceſtaſſavoir leurs Maiſtres que les lovent & leurs ſervants & auters claymont meſme la franchiſe. Et auxint pleſe declarer ſi les dites onerous y averont les franchiſes que in autres temps a quant ils averont in meſme Leſtermy deſicome la Charte voet. dum operantur in eiſdem Stannariis ſint liberi &c. (4) Upon which Requeſt, anſwer was made as followeth: Reſponſ. En droit de les dites paroles, operantes in Stannariis illis & dum operantur in eiſdem Stannariis, Soient clerumont entenduz de operaiis laborantibus duntaxat in Stannariis illis ſine fraude & dolo, et non de aliis, nec a ibi laborantibus. (5) And whereas the ſaid Commons prayed a farther Declaration as followeth: Requeſte, item ſoit de clarez, ſi le Gardein de Leſtermery puiſſe tenir plee inter Eſteymo & Foreyn de querele ſoardante aillours que en les lieux ou ils ſont onerantz decicome la Charte Voet. Quod Cuſtos noſter prædictus, vel-

E. 1 Charters Metal.

Explained 50 Ed. 3.

ejus Locum-tenens teneat omnia placita inter Stannatores prædictos emergen. & etiam inter ipſos et alios forinſecos de omnibus tranſgreſſionibus, quærelis , & contractibus factis in locis in quibus operantur infra Stannarias prædictas ſimiliter emergen. &c. Quare il tient plee des tieux quereles ſourdantz in cheſcune parte deins le dit Counte. (6) Upon which, anſwer was in theſe words, viz. Reſpon. Et en droit de ceſte Article, ſe ent extende la Juriſdiction cleremente ſolunc' les paroles del dit Chartre Ceſſavoir; In locis ubi iidem operarii operantur, & nemy aillours ne en autre manere, (7) Which Charter ſo declared, was repeated again; And in the eighth year of the Reign of King Richard the ſecond commanded to be put in execution:

8 R. 2.

The like Charter to Tinners in Cornwal.

II. And whereas the ſaid King EDWARD the Firſt made the like Charter to the Tinners in the County of Cornwal, which Charter was in the foreſaid Parliament upon the Requeſt of the Commons of the County of Cornwal declared in the ſame manner and words:

Declaration.

III. And whereas the Tinners of the Counties of Devon and Cornwal have by virtue of the ſaid Charters, enjoyed divers and great Liberties, and are quit from all Tolls, Tallages, Aids, and other Cuſtoms in the Villes, Ports, Fairs and Markets within the ſaid Counties reſpectively: (2) Which great Liberties do of right belong to the working Tinner, working without fraud or deceit in the Stannaries aforeſaid, and not to any other nor elſewhere working, and were granted to the ſaid Tinners for their encouragement in their Works: (3) And whereas of late years ſundry Inhabitants within the ſaid Counties, and others, to entitle themſelves to the ſaid Liberties, have by fraud and covin, for ſmall or no conſiderations, bought and acquired, and do buy and acquire to themſelves decayed Tin-works, and ſmall and inconſiderable parts in the ſame and other Tin-works; which abuſes are done principally to inable the ſaid falſe and feigned Tinners, to vex and ſue their Neighbours in the Stannary Courts, where for the moſt part the Defendant is unjuſtly debarred his Coſts, although the cauſe be adjudged with him, (4) and the Juriſdiction of the ſaid Stannaries hath, contrary to ancient Right and Uſage , and the ſaid Charters, been endeavoured to be extended out of the places where the Tinners do work, through the whole Counties of Devon and Cornwal reſpectively, which is no way for the benefit of his Majeſty, but for the ſingular lucre of ſome private perſons: (5) And whereas by the ſaid abuſes great inconveniencies do follow, (That is to ſay,) the Inhabitants of the ſaid Counties are miſerably vexed, oppreſſed and impriſoned, his Majeſty defrauded of his Aids and Cuſtoms, and the Lords and Owners of Fairs, Markets, and other Franchiſes, of their Tolls and Duties, and the Government of the Countrey exceedingly confounded and eluded, and the ſaid falſe and feigned Tinners claiming when they liſt to be Tinners, and when they liſt to be Foreigners; beſides, that if timely proviſion be not made, the certain decay of his Majeſties profit in the Tin-works will enſue, for that the ſame being divided into ſo many hands and parts, cannot conveniently be ſet on work, nor contribution raiſed for the working the ſame:

Abuſe of Liberties.

The former Declarations confirmed.

IV. Be it therefore Enacted by his Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That the ſaid Declarations be henceforth held and duly obſerved with this, That the words of the ſaid Charters and Declarations, In locis ubi operantur: be expounded of the Ville, Tything and Hamlet where ſome Tin-work in Work is ſcituate, and not elſewhere, and no longer then the ſame Tin-work is or ſhall be in working: (2) And if any perſon or perſons that ſhall be ſued in the ſaid Stannaries, ſhall ſwear, or tender his or their Oath in the ſaid Court where he or they ſhall be ſued, that he or they are not, nor is, nor at any time of the Suit Commenced was not, nor were a Tinner or Tinners, then ſuch Defendant or Defendants ſhall be forthwith diſcharged of ſuch Suit, unleſs that the Plaintiff or Plaintiffs do forthwith make Oath that the ſaid Plaintiff or Plaintiffs is or are true and working Tinners, without fraud or deceit, and the cauſe of his and their Suit aroſe within the ſaid Stannaries, or concerneth Tin or Tin-works: (3) And if any perſon being not re vera, and without fraud a working and labouring Tinner, in or about ſome Tin-work, ſet on work within one half year next before his Suit, ſhall ſue, proſecute, or implead in any the ſaid Courts, or before the Warden, Vice-warden, or Steward of the ſaid Stannaries, any perſon or perſons that is or are not a Tinner or Tinners at the time of ſuch Suit commenced, Then the Defendant and Defendants in every ſuch caſe, ſhall have his and their Action at the common Law, againſt ſuch perſon ſuing or proſecuting, wherein he ſhall recover ten pounds, and his damages and coſts of Suit; (4) Provided that ſuch Action be brought within two years next after the Action or Suit brought in the ſaid Stannary Courts, or before the ſaid Warden, Vice-warden or Steward.

In locis ubi operantur, how expounded.

None but Tinners to be ſued, unleſs by working Tinners.

Perſons ſued by others ſhall have their Action.

Such Action to be brought within two years.

Coſts in Stannary Courts.

V. And be it Declared and Enacted, That in all Caſes where the Plaintiff or Defendant, Plaintiffs or Defendants, are to have Coſts by the Laws or Statutes of this Realm, there alſo the ſaid Plaintiffs and Defendants ſhall have the like Coſts in the Stannary Courts, (2) And in regard that the ſaid Charters were granted for the Eaſe and Advantage of the Tinners, and not for their Diſadvantage or Oppreſſion, and yet divers of them who for ſpecial Reaſons have deſired to ſue at the common Law, have been reſtrained;

Tinners may ſue foreigners at the common Law.

VI. Be it declared and enacted, That it ſhall be lawful to and for the ſaid Tinners, if they think fit, to ſue any Foreigners at the Common Law, the ſaid Charter, or any uſage to the contrary notwithſtanding.

Abuſes of poor Bayliffs in the Stannaries.

VIII. And whereas the Bayliffs of the ſaid Stannary Courts are very numerous, and are perſons of ſmall and no credit, and yet upon their return that any perſon is become Surety for any other upon Arreſt by Proceſs out of the ſaid Courts, ſuch perſon who ſometimes knows nothing of the matter, is by falſe Returns of the ſaid Bailiffs, made liable to the Debt or demand, which Bailiffs, by reaſon of their poverty, are often not reſponſible, and ſo the party without remedy;

VIII. Be it enacted, That no perſon or perſons be diſcharged or troubled as Surety by any Return of any Bailiff or Bailiffs of the ſaid Stannaries, unleſs that the perſon or perſons returned Surety or Sureties ſhall in the preſence of two witneſſes ſubſcribe or ſign a Note in writing, that ſuch perſon or perſons is or are become Surety or Sureties, (2) which Note ſhall mention the Names of the Plaintiffs and Defendants in the Suit, and the ſum or damages in demand, and the nature of the Action, and ſhall be ſigned or ſubſcribed by the ſaid witneſſes, and returned and filed in the Court out of which ſuch Proceſs ſhall iſſue, and no Bailiff or Bailiffs of the ſaid Stannaries ſhall be admitted as witneſſes to any ſuch Note.

How Sureties may be ſued.

IX. And whereas in the ſaid Stannaries it is uſed, that if the Bailiffs return any perſon arreſted, that if ſuch perſon make default at the day, he ſhall be condemned, and Execution is ſuddenly awarded, when as often the party was not arreſted:

X. Be it further enacted, That no Defendant ſhall be condemned upon ſuch Return for not appearing, unleſs alſo a Note under the Hand or Sign of the party arreſted, and ſubſcribed by two ſuch Witneſſes as aforeſaid, be returned into the ſaid Court, at or before the day of Appearance; and the ſaid Bailiff or Bailiffs ſhall take but four pence for every ſuch Note as aforeſaid; and it is provided, that none ſhall be bailed upon arreſt there till he give ſuch Note.

No Defendant ſhall be condemned on a Bailiffs return, unleſs on a Note ſubſcribed by the party.
Bail.

XI. And in caſe any the ſaid Bailiff or Bailiffs ſhall return a Reſcous againſt any perſon or perſons, he or they ſhall be admitted to traverſe the ſaid Return; which Traverſe if it be found with him or them ſo traverſing, then he or they ſhall be further troubled or occaſioned by reaſon of which Return.

Reſcous.

CAP. XVI.

An Act for the certainty of Foreſts, and of the Meets, Meers, Limits and Bounds of the Foreſts.

Whereas by Act of Parliament made in the firſt year of the Reign of the late King EDWARD the Third, It was ordained, That the old Perambulation of the Foreſt in the time of King Edward the Firſt, ſhould be thenceforth holden in like form as it was then ridden and bounded, and in ſuch places where it was not bounded, the King would that it ſhould be bounded by good Men and lawful:

St. 1 Ed. 3. cap. 1.

II. And whereas for many Ages paſt certain Meets, Meers, Limits and Bounds of the Foreſts, have been commonly known and obſerved in the ſeveral Counties wherein the ſaid Foreſts lie:

III. And whereas of late divers Preſentments have been made, and ſome Judgments given, whereby the Meets, Meers, Limits and Bounds of ſome of the ſaid Foreſts have been variouſly extended, or pretended to extend beyond ſome of the ſaid Meets, Meers, Limits and Bounds ſo commonly known, and formerly obſerved, to the great grievance and vexation of many perſons having Lands adjoyning to the ſaid Meets, Meers, Limits and Bounds ſo commonly known, and formerly obſerved: And whereas of late time ſome Endeavours or Pretences have been to ſet on foot Foreſts in ſome parts of this Realm, and the Dominion of Wales, where in truth none have been or ought to be, or at leaſt have not been uſed of long time: For remedy thereof, may it pleaſe your moſt excellent Majeſty, That it be declared and enacted by Authority of Parliament,

IV. And be it declared and enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth the Meets, Meers, Limits and Bounds of all and every the Foreſts reſpectively, ſhall be to all intents and purpoſes, taken, adjudged, and deemed to extend no further reſpectively, then the Meets, Meers, Limits and Bounds which in the ſeveral Counties reſpectively wherein the ſaid Foreſts do lie, were commonly known, reputed, uſed, or taken to be the Meets, Meers, Limits and Bounds of the ſaid Foreſts reſpectively, in the twentieth year of the Reign of our late Sovereign Lord King JAMES, and not beyond in any wiſe, any Perambulation or Perambulations, Preſentments, Extents, Surveys, Judgments, Records, Decrees, or other matter or thing whatſoever to the contrary notwithſtanding: (2) And that all and every the Preſentments ſince the twentieth year made, and all and every other Preſentment and Preſentments, and all and every Judgment and award upon, or by reaſon or pretext of any ſuch Preſentment or Preſentments, and all and every Perambulation or Perambulations, Surveys, Extents, and other Act and Acts, at any time heretofore had or made, by which the Meets, Meers, Limits and Bounds of the ſaid Foreſts, or any of them, are, or are pretended to be further extended then as aforeſaid: (3) And alſo all and every Preſentment of any perſon or perſons at any Juſtice-Seat, Swainmote, or Court of Attachments, for or by reaſon, or by colour of any Act or Acts whatſoever done or committed in any place without, or beyond the ſaid Meets, Meers, Limits or Bounds reſpectively, ſo commonly known, reputed, uſed, or taken as aforeſaid, and all and every Fine and Fines, and Amerciament and Amerciaments, upon, by reaſon or colour of any ſuch Preſentment or Preſentments, ſhall from henceforth be adjudged, deemed, and taken to be utterly void, and of no force or effect; Any Law, Statute, Record, or Pretence whatſoever, to the contrary notwithſtanding.

What ſhall be the Meets and Bounds of Foreſts.

20 Jacob.

Preſentments contrary hereunto ſhall be void.

V. And be it further enacted by the authority aforeſaid, That no place or places within this Realm of England, or Dominion of Wales, where no ſuch Juſtice-Seat, Swainmote, or Court of Attacyment have been held, or kept, or where no Verderers have been choſen, or regard made within the ſpace of ſixty years next before the firſt year of his Majeſties Reign that now is, ſhall be at any time hereafter judged, deemed, or taken to be Foreſt, or within the bounds or meets of the Foreſts; (2) But the ſame ſhall be from thenceforth for ever hereafter Diſafforeſted, and freed, and exempted from the Foreſt-Laws; Any Juſtice-Seat, Swainmote, or Court of Attachment held or kept within, or for any ſuch place or places, at any time or times ſince the beginning of his Majeſties ſaid Reign, or any Preſentment, Enquiry, Act or thing heretofore made, or hereafter to be made or done to the contrary notwithſtanding.

No place where no Juſtice-Seat, Swainmote, Court of Attachment, &c. hath been within ſixty years, ſhall be accounted Foreſt.

For aſcertaining of Meets, &c. Commiſſions ſhall be iſſued.

VI. Provided alſo and be it further enacted by the authority aforeſaid, That for the better putting into certainty all and every the Meets, Meers, Bounds and Limits of all and every the Foreſts aforeſaid, the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, ſhall by virtue of this Act, upon the Requeſt of any of the Peers of this Kingdom, or of the Knights and Burgeſſes of the Parliament, or any of them, grant ſeveral Commiſſions under the Great Seal of England, to Commiſſioners to be nominated reſpectively by the ſaid Peers, Knights and Burgeſſes, or any of them, (2) to enquire of, and find out by Inqueſts of good and lawful men upon Oath, and by the Oaths of Witneſſes to be produced at the ſaid Inqueſts, and by all other lawful means, all and every the Meers, Meets, Bounds and Limits of the Foreſts reſpectively, which were commonly known to be their Meers, Meets, Bounds and Limits reſpectively, in the ſaid twentieth year of the Reign of our late Sovereign Lord King James, and to return the Inqueſt ſo taken into the Court of Chancery; (3) and that all and every the Sheriffs and Bailiffs, of and in every County wherein any ſuch Inqueſts ſhall be ſo taken; and all and every the Verderers, Foreſters, Rangers, and other Officers of the Foreſts reſpectively where any ſuch Officers be, ſhall be aſſiſtant, and attendant to the execution of the ſaid Commiſſions, according as by virtue of the ſaid Commiſſions reſpectively they ſhall be commanded; (4) and where no ſuch Officers are, or where ſuch Officers be, if they, or any of them ſhall refuſe, or neglect ſuch aſſiſtance and attendance as aforeſaid, then the ſaid Commiſſioners ſhall, and may proceed without them in the execution of the ſaid Commiſſions.

Foreſts ſhall not extend beyond the Meets, &c. ſo returned.

VII. And be it further enacted by the authority aforeſaid, That the Foreſts whereof the Meets, Meers, Limits and Bounds ſhall be ſo returned, and certified by virtue of any the ſaid Commiſſions as aforeſaid, from thenceforth ſhall not extend nor be extended, nor be deemed, adjudged or taken to extend any further in any wiſe then the Meets, Meers, Limits and Bounds that ſhall be ſo returned and certified: (2) And that all the Places and Territories that ſhall be without the Meets, Meers, Limits and Bounds ſo returned and certified, ſhall be and are hereby declared to be from thenceforth free to all intents and purpoſes, as if the ſame had never been Foreſt, or ſo reputed; Any Act or Acts, matter or thing whatſoever to the contrary thereof notwithſtanding.

Grounds diſafforeſted ſhall be excluded.

VIII. Provided, And be it further enacted by the authority aforeſaid, That all and every the Grounds, Territories or Places which have been, or are Diſafforeſted, or mentioned to be Diſafforeſted, in, or by any Letters Patents, Charters, or otherwiſe, ſince the ſaid twentieth year of the Reign of our ſaid late Sovereign Lord King James, ſhall be excluded, and left out of the Meets, Meers, Limits and Bounds of the Foreſts, which are to be enquired of, returned and certified by virtue of the ſaid Commiſſions, or any of them reſpectively, and ſhall be, and are hereby declared and enacted to be utterly Diſafforeſted, free, and exempt to all intents and purpoſes, as if the ſame had never been at all Foreſt, or ſo reputed; Any thing in this preſent Act contained, or any other Act, matter or thing whatſoever to the contrary in any wiſe notwithſtanding.

Tenants, Owners, &c. of Lands excluded, ſhall enjoy their ancient Commiſſion, &c.

IX. Provided nevertheleſs, and be it enacted, That the Tenants, Owners and Occupiers, and every of them, of Lands and Tenements which ſhall be excluded, and left out of the Meets, Meers, Limits or Bounds of the Foreſts to be returned, and certified by virtue of any the ſaid Commiſſions, ſhall, or may uſe, and enjoy ſuch Common, and other profits and eaſements within the Foreſt, as anciently or accuſtomably they have uſed and enjoyed; Any thing in this preſent Act contained, or any Act or Ordinance made in the three and thirtieth year of King Edward the firſt, or any Cuſtom or Law of the Foreſt, or any other matter or thing to the contrary thereof notwithſtanding.

CAP. XVII.

Scotland.

An Act for the Pacification between England and Scotland. EXP.

CAP. XVIII.

Scotland.

An Act for ſecuring by publick Faith, the remainder of the friendly Aſſiſtance and Relief promiſed to our Brethren of Scotland. EXP.

CAP. XIX.

An Act for the better ordering and regulating of the Office of Clerk of the Market, allowed and confirmed by this Statute; and for the reformation of falſe Weights and Meaſures.

Grievances by Clerks of the Market, and inequality in Weights and Meaſures.

FOraſmuch as the undue execution of the Office of Clerk of the Market hath been very grievous unto divers of his Majeſties moſt loving Subjects, who have been much troubled by unneceſſary Summons, and charged with exactions of divers ſums of Money, by colour of the ſaid Office, and in regard the ſaid evils have partly ariſen by means of an inequality of Weights and Meaſures throughout this Kingdom, (2) and by granting and letting to Ferm the ſaid Office of Clerk of the Market, and the Execution thereof in and through all or the moſt of the ſeveral Counties of this Kingdom, for great ſums of money, which the ſaid Fermors or Grantees, by their unjuſt and undue proceedings in the ſaid Office, do extort from his Majeſties Subjects again, to their great impoveriſhment, and yet little or no redreſs at all in their ſaid Weights and Meaſures, or any benefit thereby accrewing to his Majeſty: (3) For remedy whereof, and for regulating of all Weights and Meaſures according to the true intent of this Statute, and the other Statutes in that behalf formerly made and provided, and preventing the ſaid inconveniences.

There ſhall be but one Meaſure, one Weight and one Yard.
St. 9 H. 3. 25.
14 E. 3. 12.
27 E. 3. 10.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords and Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth there ſhall be but one Weight, one Meaſure, and one Yard, according to the Standard of the Exchequer, throughout all the Realm, as well in places priviledged as without; Any Uſage or Cuſtom to the contrary notwithſtanding: (2) And that every Meaſure of Corn ſhall be ſtriked without heap: (3) And whoſoever ſhall ſell by, or keep any other Weight, Meaſure or Yard, then as aforeſaid, whereby any Corn, Grain, or other thing is bough or ſold, after ſix months after the end of this preſent Seſſion of Parliament, ſhall forfeit for every ſuch offence five ſhillings, (4) being thereof lawfully convicted by the Oath of one ſufficient Witneſs, before any Juſtice of Peace, Mayor, or other head Officer of the County, City or Town-

Forfeiture.

coporate

corporate reſpectively where the ſaid offence ſhall be committed, who by virtue of this Act ſhall have power to adminiſter an Oath in that behalf: (5) Which ſaid ſum or penalty of five ſhillings ſhall be levied by the Church-wardens and Overſeers of the Poor of the Pariſh, or ſome or one of them where ſuch Offence is or ſhall be committed, to the uſe of the Poor of the ſame Pariſh, of the Goods and Chattels of ſuch Offenders by way of Diſtreſs and Sale of the Offenders Goods, rendring the Overplus to the party ſo offending: (6) And in default of ſuch Diſtreſs, it ſhall be lawful for any Juſtices of Peace, Mayor, or other Head Officer of the County, City or Town-corporate reſpectively, to commit the ſaid party to the Priſon or Goal, there to remain without Bail or Mainpriſe, until he ſhall pay ſuch ſums of Money forfeited as aforeſaid.

How to be levied.

III. And be it further enacted by the authority aforeſaid, That no Clerk of the Market of the Kings houſe which now is, or hereafter ſhall be, or of the Prince his Highneſs, his Heirs or Succeſſors, which is or ſhall be Duke of Cornwall, or his or their Deputy or Deputies, ſhall hereafter execute his or their ſaid Office or Offices reſpectively in any part of the Kingdom, but only within the Verge of the Kings Court where it ſhall then reſide for the time being: (2) And that it ſhall be always hereafter lawful for any Mayor, or other Head Officer of any City, Borough or Town corporate, or for any Lord or Lords of Liberty, Liberties or Franchiſes, his or their Deputy or Deputies, or Agents, according to their ſeveral Liberties and Juriſdictions, to have full power to execute the ſaid Offices reſpectively, as they ought or might have done before the making of this Act. (3) And for the more eaſe of his Majeſties Subjects:

Clerk of the Market his limits.

Mayor, Head Officer, and Lords of Liberties have power as Clerks of the Market.

IV. Be it further enacted, That if any Clerk of the Market within his aforeſaid Precincts and Limits of the Verge of the Kings Houſe only, or any Mayor, or other Officer whatſoever, who by virtue of this Act ſhall have power to enquire of any Abuſes in Weights and Meaſures, ſhall ſeal or give allowance unto any other Weight or Meaſure, Weights or Meaſures, other then according to the ſaid Standard of the Exchequer, or ſhall upon reaſonable requeſt and warning, refuſe to ſeal or give allowance unto ſuch Weight or Meaſure, Weights or Meaſures, as are according to the ſaid Standard of the Exchequer, paying only ſuch Fee or Fees for ſuch allowance, as by the Statute or Statutes, or by ancient cuſtom, are in that behalf formerly provided and allowed, and no more, That then the ſaid Clerk of the Market, Mayor, and other Officer or Officers of ſuch City, Borough or Town, and the ſaid Lord and Lords of Liberty or Liberties, and his and their Deputy and Deputies and Agents reſpectively, ſhall forfeit for every ſuch Offence, five pounds, to be levied as aforeſaid, to the uſe of the Poor of the Pariſh, where ſuch Offence is or ſhall be committed.

Forfeiture of Clerks of the Market for offences.

V. And be it further enacted by the authority aforeſaid, That if the Clerk of the Market, his Deputy or Deputies, or Agents within the Verge aforeſaid, or any Mayor, or any other Officer or Officers of any City or Town, or any Lord or Lords of Liberties, his or their Deputy or Deputies, Agents or Aſſigns reſpectively, ſhall take or receive of any of his Majeſties Subjects by colour of the ſaid Office, any common Fine or Fines, or any Fees, other then are formerly allowed by the Statute or Statutes, or ancient Cuſtom in that behalf made or uſed, (2) ſhall take any Fee or Fees, or other ſum of Money, Reward, or Conſideration for the Making, Signing or Examination of any Weights or Meaſures which have been formerly Marked or Sealed, (3) or ſhall Impoſe or Aſſeſs, or cauſe to be Impoſed or Aſſeſſed any Fine or Amerciament, Fines or Amerciaments, without a due and legal trial of the Offences for which the ſaid Fine or Fines, Amerciament or Amerciaments are Impoſed or Aſſeſſed, (4) or ſhall otherwiſe miſ-demean himſelf in the execution of his ſaid Office, and be thereof lawfully convicted, (5) he ſhall forfeit for the firſt Offence whereof he ſhall alſo be ſo lawfully convicted, five pounds; (6) And for the ſecond Offence, ten pounds; (7) And for the third Offence, and every other Offence afterwards, twenty pounds, to be levied as aforeſaid, to the uſe of the Poor of the Pariſh, where ſuch Offence ſhall be committed.

Forfeiture for taking unlawful fines or fees.

VI. And be it enacted, That whoſoever ſhall be fined or amerced by virtue of this Act, ſhall not be again fined or amerced for the ſame Offence, by virtue of any former Law or Statute.

St. 13 R. 2. 4. Perſons fined by this Act, not to be fined upon any former Law.

VII. Provided always, That this Act or Statute ſhall not extend to the Rents or Ferms or Lands, or any Corn or Grain, due or payable to any Lord or Lords, or any Colledges, Houſes, or other Societies, by virtue of any Leaſe or Leaſes, or other Covenant or Agreement, but that the ſame during the continuation of ſuch Leaſe, Leaſes or other Agreements, ſhall be payed, delivered and performed in ſuch meaſure and form as the ſame hath been payed, delivered and performed before the making of this Act: (2) And that ſuch Meaſure, that is commonly called Water-meaſure, in any Ports, Maritine Towns, or other places ſhall be ſtill uſed and continued as formerly the ſame hath been; Any thing in this Statute contained to the contrary hereof in any wiſe notwithſtanding.

Rents of Ferms of Corn excepted.

Water-meaſures to be continued.

VIII. Provided alſo, That no Juſtice or Juſtices of the Peace, Mayor, Bailiff, or other Head Officer, Church-wardens, Overſeers, or any other authorized by this Statute for the due execution thereof in any point, ſhall be ſued, impleaded, or otherwiſe impeached for doing or executing their ſaid Offices reſpectively: (2) And if any Suit or Suits hereafter ſhall be commenced againſt them, or any of them, their Agents or Aſſiſtants, touching the premiſſes, That then it ſhall and may be lawful for them, and every of them ſo ſued or troubled in any Court or Courts whereſoever, to plead the general Iſſue, Not Guilty, and to give this Statute in Evidence, or any other ſpecial matter in Evidence.

The general iſſue may be pleaded.

IX. And in caſe by, or upon this Law, they or any of them ſhall be found not guilty, or the Plaintiff be Non-ſuited, the Defendant or Defendants ſhall recover treble Coſts againſt the Plaintiff for his unjuſt vexation.

Treble Coſts for unjuſt vexation.

CAP. XX.

An Act for the prevention of vexatious Proceedings touching the Order of Knighthood.

None ſhall be compelled to take the Order of Knighthood. Writs iſſued for perſons to take the Order of Knighthood.

Returns.

Diſtringas.

Fines.

Whereas upon the pretext of an ancient Cuſtom or Uſage of this Realm of England, That Men of full Age, being not Knights, and being ſeized of Lands or Rents, of the yearly value of fourty pounds, or more (eſpecially if their Seiſin had been continued by the ſpace of three years next paſt) might be compelled by the Kings Writ, to receive or take upon them the Order or Dignity of Knighthood, or elſe to make Fine for the diſcharge or reſpite of the ſame; Several Writs about the beginning of his Majeſties Reign iſſued out of the Court of Chancery, for Proclamations to be made in every County to that purpoſe, and for certifying the Names of all ſuch perſons, and for ſummoning them peſonally to appear in the Kings preſence before a certain day, to be there ready to receive the ſaid Order or Dignity: (2) Upon return of which Writs, and tranſmitting the ſame with their Returns into the Court of Exchequer, and upon other Writs for further inquiry of the Names of ſuch perſons iſſuing out of the ſaid Court of Exchequer, Proceſs of Diſtringas was thence made againſt a very great number of perſons, many of which were altogether unfit, in regard either of Eſtate or Quality, to receive the ſaid Order or Dignity, and very many were put to grievous Fines, and other vexations for the ſame, although in truth it were not ſufficiently known how, or in what ſort, or where they, or any of them ſhould, or might have addreſſed themſelves for the receiving the ſaid Order or Dignity, and for ſaving themſelves thereby from the ſaid Fines, Proceſs and Vexations: (3) And whereas it is moſt apparent, that all and every ſuch proceedings, in regard of the matter therein pretended, is altogether uſeleſs and unreaſonable; May it therefore pleaſe your moſt excellent Majeſty, that it be by authority of Parliament declared and enacted:

No perſon ſhall be compelled to take on him the Order of Knighthood, nor undergo any fine for that cauſe.

II. And be it declared and enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon or perſons, of what Condition, Quality, Eſtate or Degree ſoever, ſhall at any time be diſtrained, or otherways be compelled by any Writ or Proceſs of the Court of Chancery, or Court of Exehequer, or otherwiſe by any means whatſoever, to receive or take upon him or them reſpectively, the Order or Dignity of Knighthood, (2) nor ſhall ſuffer or undergo any Fine, Trouble or Moleſtation whatſoever, by reaſon or colour of his or their having not received, or not taken upon him or them the ſaid Order or Dignity: (3) And that all and every Writ or Proceſs whatſoever, and all and every proceeding which ſhall hereafter be had or made contrary to the intent of this Act, ſhall be deemed and adjudged to be utterly void: And that all and every proceſs, proceeding and charge now depending by reaſon or colour of the ſaid pretended Cuſtom or Writs aforeſaid, or of any the Dependants thereof, ſhall from henceforth ceaſe and ſtand, be and remain diſcharged and utterly void; Any former Law or Cuſtom, or any pretence of any former Law or Cuſtom, or any other matter whatſoever to the contrary in any wiſe notwithſtanding. Stat. 1 E. 2. pag. 75.

CAP. XXI.

An Act for the free bringing in of Gun-powder, and Salt-petre from foreign parts, and for the free making of Gun-powder in this Realm.

Miſchiefs by prohibiting importing of Gun-powder.

Whereas the Importation of Gun-powder from foreign parts hath of late times been againſt Law prohibited, and the making thereof within this Realm ingroſſed, whereby the price of Gun-powder hath been exceſſively raiſed, many Powder-works decayed, this Kingdom very much weakned and indangered, the Merchants thereof much damnified, many Mariners and others taken Priſoners, and brought into miſerable Captivity and Slavery, many Ships taken by Turkiſh and other Pirates, and many other inconveniences have from thence enſued, and more are likely to enſue, if they be not timely prevented:

Liberty to all to import Gun-powder.

II. Be it therefore declared and enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for all and ſingular perſons, as well Strangers as natural born Subjects of this Realm, to import and bring into this Kingdom any quantities of Gun-powder whatſoever, paying ſuch Cuſtoms and Duties for the ſame as by authority of Parliament ſhall be limited and ſet down.

All Subjects may make and ſell Gun-powder and import Salt-petre.

III. And be it further declared and enacted by the authority aforeſaid, That it ſhall and may be lawful to and for all and ſingular his Majeſties Subjects of this his Realm of England, to make and ſell any quantities of Gun-powder at his and their will and pleaſure, (2) and alſo to bring into this Kingdom any quantities of Salt-petre, Brimſtone, or any other materials neceſſary or requiſite for the making of Gun-powder.

Penalty for putting in execution Letters Patents, Proclamations, &c. againſt this liberty.

IV. And laſtly, Be it enacted by the authority aforeſaid, That if any perſon or perſons from and after the tenth day of Auguſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred forty and one, ſhall put in execution any Letters Patents, Proclamation, Edict, Act, Order, Warrant, Reſtraint, or other Inhibition whatſoever, whereby the Importation of Gun-powder, Salt-petre, Brimſtone, or other the materials aforementioned, or any of them from foreign parts, or the making of Gun-powder within this Realm, ſhall be any way prohibited or reſtrained, That then the ſaid perſon and perſons ſo offending, ſhall incur and ſuſtain the pains, penalties and forfeitures contained and provided in the Statute of Proviſion and Premunire made in the ſixteenth year of the Reign of King Richard the Second.

CAP. XXII.

Tunnage, Poundage.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money payable upon Merchandize, Exported and Imported. Exp.

CAP. XXIII.

Mariners.

An Act for the raiſing of Mariners and Sailers, for the guarding of the Seas, and his Majeſties Dominions. Exp.

CAP.

CAP. XXIV.

An Act to relieve Captives taken by the Turks, and to prevent the taking of others hereafter. Exp.

Captive.

CAP. XXV.

A Subſidy granted to the King of Tunnage, Poundage, &c. from the laſt of November, 1641. to the firſt of February next, and the like until the ſecond of July, 1642. Exp.

Tunnage, Poundage.

CAP. XXVI.

An Act for the raiſing of Mariners and Sailers, for the guarding the Seas, and his Majeſties Kingdoms. Exp.

Mariners.

CAP XXVII.

An Act for the diſenabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority. Exp. St.13. Car.1. cap. 2.

Perſons in holy Orders.

CAP. XXVIII.

An Act for the raiſing Souldiers for the Defence of England and Ireland. Exp.

Souldiers.

CAP. XXIX.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money payable upon Merchandize, Exported and Imported. Exp.

Tunnage, Poundage.

CAP. XXX.

An Act for a Contribution and Loan for the diſtreſſed people of Ireland. Exp.

Contribution.

CAP. XXXI.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money payable upon Merchandize, Exported and Imported. Exp.

Tunnage, Poundage.

CAP. XXXII.

For the raiſing and levying of Moneys for the neceſſary defence, and great Affairs of the Kingdoms of England and Ireland, and for the payment of Debts undertaken by the Parliament. Exp.

Ireland.

CAP. XXXIII.

An Act for the reducing the Rebels in Ireland to their obedience to his Majeſty, and the Crown of England. Exp. See an Act for the Settlement of Ireland, paſſed in that Kingdom, Anno 14 Car. 2. 1662. by which this and the following Acts concerning Ireland are beſides their expiration, of no force.

CAP. XXXIV.

An Act for explanation of a former Act for the reducing the Rebels of Ireland. Exp.

CAP. XXXV.

An Act to enable Corporations to adventure in Ireland.

CAP. XXXVI.

A Subſidy granted to the King of Tunnage, Poundage, and other ſums of Money payable upon Merchandize, Exported and Imported. Exp.

Tunnage, Poundage.

CAP. XXXVII.

An Act for the further reducing of the Rebels in Ireland to their obedience to the King and Crown of England. Exp.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, duodecimo.*

AT the Parliament begun and holden at Weſtminſter, the Five and twentieth day of April. Anno Dom. 1660. in the Twelfth year of the Reign of our moſt gracious Sovereign Lord CHARLES the Second, by the Grace of God, of England, Scotland, France and Ireland King, Defender of the Faith, &c. And there continued until the Nine and twentieth day of December then next following, and then Diſſolved by his Majeſty; To the high pleaſure of Almighty God, and the Weal publick of this Realm, were enacted as followeth.

CAP. I.

An Act for the removing and preventing all Queſtions and Diſputes concerning the Aſſembling and Sitting of this preſent Parliament.

FOr the preventing of all doubts and ſcruples concerning the Aſſembling, Sitting and Proceeding of this preſent Parliament, (2) Be it declared and enacted, and it is declared and enacted by the King our Sovereign Lord, and by the Lords and Commons in Parliament aſſembled, and by authority of the ſame, that the Parliament begun and holden at Weſtminſter the third day of November, in the Sixteenth year of the Reign of the late King CHARLES of bleſſed memory, is fully Diſſolved and Determined; (3) And that the Lords and Commons now ſitting at Weſtminſter, in this preſent Parliament, are the two Houſes of Parliament, and ſo ſhall be, and are hereby declared, enacted and adjudged to be, to all intents, conſtructions and purpoſes whatſoever, notwithſtanding any want of the Kings Majeſties Writ or Writs of Summons, or any defect or alteration of, or in any Writ or Writs of Summons, or any other defect or default whatſoever; as if this Parliament had been Summoned by Writ or Writs in his Majeſties Name, according to the uſual form, and as if his Majeſty had been preſent in Perſon at the Aſſembling and Commencement of this preſent Parliament. (4) Provided always, That this preſent Parliament may be Diſſolved by his Majeſty after the uſual menner, as if the ſame had been Summoned by Writ or Writs in his Majeſties Name: (5) Provided alſo, and it is hereby enacted, That his Majeſties Royal Aſſent to this Bill ſhall not determine this preſent Seſſion of Parliament.

St.17 Car.1.cap.7.
St.13 Car.2 cap.1.
The Parliament begun 3 Nov. 16 Car. declared to be diſſolved.

St.13 Car.2.cap.1.
The Lords and Commons now ſitting, declared to be the two Houſes of Parliament.

The Kings aſſent to this Act, ſhall not determine this Seſſion.

CAP. II.

An Act for putting in execution an Ordinance mentioned in the ſaid Act. Exp.

CAP. III.

An Act for the continuance of Proceſs and Judicial Proceedings continued.

WHereas the four firſt Returns of Eaſter Term, in the year One thouſand ſix hundred ſixty, of late called, from Eaſter day in fifteen days, from Eaſter day in three weeks, from Eaſter-day in one month, and from Eaſter day in five weeks, or any of them, cannot be conveniently kept or holden: (2) Now for avoiding all manner of diſcontinuances whatſoever, which by occaſion thereof ſhould or might happen, or be in any matter or cauſe whatſoever in any the Courts at Weſtminſter: (3) Be it enacted by the Kings moſt excellent Majeſty, and the Lords and Commons aſſembled in Parliament, That no Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, or other thing or things whatſoever, Pleaded, Returned or Depending, or having day or days in any of the ſaid Courts, in or at the ſaid ſeveral Returns, or any of them, or at any other day or days certain after any of the ſaid Returns, ſhall be in any wiſe diſcontinued, or put without day, for or by reaſon of the not keeping or holding of the ſaid Returns, or days, or any of them; (4) but that all and ſingular the ſaid Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, and other the Pre-

Proceſs, Writs, &c. ſhall not be diſcontinued for not holding certain days of return.

miſſes aforeſaid, ſhall ſtand, continue, and be good and effectual in Law, to all intents and purpoſes, as if the ſaid Returns and Days, and every of them, had been actually kept and holden in all and every the ſaid Courts; Any Law, Statute, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

The ſaid Writs, Proceſs, Plea, &c. returnable and pleaded at a certain day.

II. And be it further enacted by the authority aforeſaid, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, and other thing or things whatſoever aforeſaid, pleadable, or to be pleaded, returnable, or to be returned, or having day in any manner whatſoever at any of the ſaid Returns, or any day or days certain after any of the ſaid Returns, be and are hereby continued and adjourned, unto, (and ſhall and may be pleaded, returned, heard and determined in the reſpective Courts aforeſaid) at, or on the fifth Return of the ſaid Term, of late called, In the morrow of the Aſcenſion of our Lord; (2) And that all parties in any Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, or other thing or things whatſoever, having days given them at any of the ſaid four firſt Returns, or at any other day or days certain, after any of the ſaid Returns in the ſaid Courts, or any of them, by virtue of this preſent Act, have the ſaid Return of late called, In the morrow of the Aſcenſion of our Lord, prefixed them therein; (3) And that all Sheriffs, Officers, and other Miniſters whatſoever, and every of them reſpectively, keep in their hands all Writs, Bills, Proceſs and Precepts, and all other things whatſoever to them directed reſpectively returnable, or to be returned in the ſeveral Courts aforeſaid, at the ſaid four firſt Returns, or any of them, in or at any day certain, as aforeſaid, until the ſaid fifth Return, of late called, The morrow after the Aſcenſion of our Lord, and then return the ſame into the ſaid ſeveral Courts reſpectively, That ſuch proceedings may be then had thereupon, as ſhould have been had, in caſe the ſaid four firſt Returns had been kept and holden.

Proceſs, writs, pleas, &c. under certain titles and names, may be proſecuted and proceeded upon.

III. And be it further enacted by the authority aforeſaid, That no Writs, Proceſs, Plaints, Pleas, Informations, Indictments or Judicial proceedings, had, commenced, or proſecuted before the firſt day of May, in the ſaid year of our Lord, One thouſand ſix hundred ſixty, in the Name, Stile, Title or Teſt of Cuſtodes Libertatis Angliæ Authoritate Parliamenti; or, in the Name, Stile, Title or Teſt of The Keepers of the Liberty of England, by Authority of Parliament; (2) or, in the Name, Stile, Title or Teſt of Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging; or, in the Name, Stile, Title or Teſt of Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging; or, in the Name, Stile, Title or Teſt of Richard, Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, (3) ſhall be put without day, abated, quaſhed or diſcontinued by his Majeſties moſt juſt re-aſſumption of the actual exerciſe of his Kingly Government in this Kingdom; (4) nor ſhall the ſame be cauſe of Error, Abatement or Diſcontinuance, (5) but that all ſuch Writs, Proceſs, Plaints, Pleas, Informations, Indictments and Judicial proceedings, and all Commiſſions for taking of Anſwers, or Examinations of Witneſſes, Commiſſion for taking of Fines and Warrants of Attorney, Guardians, or Prochein-Amy, ſhall ſtand and be continued, and ſhall and may be proceeded upon, proſecuted and returned, notwithſtanding the ſame were commenced or proſecuted in Engliſh, and notwithſtanding the preſent happy change and reſtitution of his Majeſties Name and Stile in Judicial proceedings.

Proceſs and proceedings in Engliſh in Courts of Juſtice to continue. EXP.

IV. And be it further enacted by the authority aforeſaid, That one pretended Act made in the year of our Lord, 1650. entituled, An Act for turning the Books of the Law, and all Proceſs and Proceedings in Courts of Juſtice, into Engliſh, ſhall ſtand and be in force, as if the ſame had been a good and effectual Act, from the firſt Return of Eaſter Term, in the year of our Lord, 1651. until the firſt day of Auguſt, in the year of our Lord, 1660. and no longer: (2) And whereas by one other pretended Act, made in the ſaid year of our Lord, 1650. entituled, An Act touching Corn and Meal, It was enacted, or mentioned to be enacted, That from and after the twentieth day of November, 1650. It ſhould and might be lawful to and for any perſon or perſons, Defendant or Tenant, for or by reaſon of any matter to be pleaded, ſet forth, or alledged in bar to any Action real, perſonal or mixt, in any Court of Record, to plead the general Iſſue of Not Guilty, or the general Iſſue proper to the nature of the Action or Suit commenced; and for his or their diſcharge or acquitting to give any ſuch matter in evidence to the Jury that ſhall try the ſame; (3) and that the ſaid matter ſhall be as available to ſuch perſon or perſons, Defendant or Tenant, to all intents and purpoſes, as if the ſaid matter had been ſpecially pleaded, ſet forth, or alledged in bar of ſuch Action.

V. Be it further enacted, That the ſaid pretended Act, as touching the pleading of the General Iſſue, ſhall by authority hereof, ſtand and be in full force and effect according to the Tenor thereof, until the ſaid firſt day of Auguſt, as if the ſame had been a good and effectual Act of Parliament, and no longer.

Pleading the General Iſſue. EXP.

VI. Provided always, That where the General Iſſue hath been ſince the ſaid twentieth day of November, 1660. pleaded, or ſhall before the ſaid firſt day of Auguſt in the ſaid year of our Lord, 1660. be pleaded in any Action, That then upon the trial of the ſaid Cauſe, ſuch Evidence ſhall and may be allowed, as if the ſaid pretended Act touching the pleading of the General Iſſue had been and continued a good and effectual Act of Parliament not determined or diſcontinued.

His Majeſties Aſſent to this Bill doth not determine the Seſſion.

VII. Provided alſo, That his Majeſties Royal aſſent to the paſſing this Bill, ſhall not extend or be conſtrued to extend to the determining of the Seſſion of this preſent Parliament.

All Writs, Patents, Commiſſions, &c. to iſſue in the Kings name as formerly.

VIII. Provided nevertheleſs, and be it enacted, That all Writs, Patents and Commiſſions for conſtituting Juſtices of either Bench, and Barons of the Exchequer, Commiſſions of Oyer and Terminer, and Gaol-delivery, and Precepts upon Commiſſions of Oyer and Terminer, and Gaol-delivery, and all other Commiſſions hereafter to be made by the Clerk of the Crown in the Chancery, Charters and Letters Patents under the Great Seal, of Lands, Liberties, Honours or Offices, do or may iſſue in the Kings Majeſties Name, in the ſame manner as was uſual before the making of the firſt recited pretended Act; Any thing in this preſent Act to the contrary thereof before expreſſed in any wiſe notwithſtanding. St. 13 Car. 2. cap. 12.

CAP. IV.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money payable upon Merchandize Exported and Imported.

The Cauſes and Truſts upon granting the Subſidies of Tunnage and Poundage.

THe Commons aſſembled in Parliament, repoſing Truſt and Confidence in your Majeſty, in and for the Guarding and Defending of the Seas againſt all perſons, intending, or that ſhall intend the diſturbance of your ſaid Commons in the intercourſe of Trade, and the invading of this your Realm; For the better defraying the neceſſary expences thereof, which cannot otherwiſe be effected without great charge to your Majeſty, (2) Do, by and with the advice and conſent of the Lords in this your preſent Parliament aſſembled, and by the authority of the ſame, to the intent aforeſaid, Give and Grant unto you our Supream Liege Lord and Sovereign, one Subſidy, called Tunnage, That is to ſay, of every Tun of Wine of the growth of France, or of any the Dominions of the French King, or Crown of France, that ſhall come into the Port of London, and the Members thereof, by way of Merchandize, by your natural Born Subjects, (3) the ſum of four pounds ten ſhillings of currant Engliſh money, and ſo after that Rate; and by Strangers and Aliens ſix pounds of like money; (4) And of every Tun of the like Wine, which ſhall be brought into all, and every the other Ports and places of this Kingdom, and the Dominions thereof, by way of Merchandize, by your Natural Born Subjects, the ſum of three pounds, (5) and by Aliens four pounds and ten ſhillings; (6) And of every Butt or Pipe of Muſcadels, Malmſeys, Cuts, Tents, Alicants, Baſtards, Sacks, Canaries, Maligoes, Maderaes, and other Wines whatſoever, commonly called Sweet Wines, of the growth of the Levant, Spain, Portugal, or any of them, or of any the Iſlands or Dominions to them, or any of them belonging, or elſewhere, that ſhall come, or be brought into the Port of London by your Natural Born Subjects, the ſum of fourty five ſhillings of currant Engliſh money, and ſo after that Rate, and by Strangers and Aliens, three pounds of like money: (7) And of every Butt and Pipe of the like Wine, which ſhall come or be brought into all, every, or any the other Ports and places of this Kingdom, and Dominions thereof, by way of Merchandize, by your Natural Born Subjects, the ſum of thirty ſhillings, and by Strangers, forty five ſhillings; (8) And of every Awm of Rheniſh Wine, or Wine of the growth of Germany, that ſhall be brought into this your Realm, and the Dominions thereof, by your Natural Born Subjects, The ſum of twenty ſhillings, of currant Engliſh money, And Strangers and Aliens, twenty and five ſhillings; (9) which ſeveral Rates are the ſame which are expreſſed in a certain Book of Rates herein after mentioned and referred unto: (10) And alſo one other Subſidy called Poundage, that is to ſay, of all manner of Goods and Merchandize of every Merchant, Natural Born Subject, Denizen and Alien to be carried out of this Realm, or any your Majeſties Dominions to the ſame belonging or to be brought into the ſame by way of Merchandize, of the value of every twenty ſhillings of the ſame Goods and Merchandizes, according to the ſeveral and particular Rates and Wares of the ſame Goods and Merchandizes, as the ſame are particularly and reſpectively Rated and Valued in the ſaid Book of Rates herein after mentioned and referred unto, twelve pence, and ſo after that Rate: (11) And of every twenty ſhillings value of any the Native Commodities of this Realm, or Manufactures wrought of any ſuch Native Commodities, to be carried out of this Realm, by every, or any Merchant Alien, according to the value thereof in the Book expreſſed, twelve pence over and above the twelve pence aforeſaid; (12) except and foreprized out of this Grant of Subſidy of Poundage, all manner of Woollen Clothes, made or wrought, or to be made or wrought within this Realm of England, commonly called Old Draperies; (13) and all Wines before limited to pay Subſidy of Tunnage; (14) and all manner of Fiſh, Engliſh taken, and brought by Engliſh Bottoms into this Realm, and all manner of freſh Fiſh and Beſtial that ſhall come into this your Realm; (15) and all other Goods and Merchandizes, which in the ſaid Book of Rates, are mentioned to be Cuſtom-free.

Defending the Seas.

A Subſidy of Tunnage granted to the King.

25 Car. 2. 6. Vaugh. 160.

A Subſidy of Poundage.

II. And further, We your ſaid Commons, by the advice, aſſent and authority aforeſaid, do give and grant unto you, our ſaid Liege Lord and Sovereign, for the cauſes aforeſaid, one other Subſidy, that is to ſay, of and for every ſhort Woollen Cloth to be exported by your Natural Born Subjects of this your Realm, and the Dominions thereof, called Broad-cloth, not exceeding twenty eight yards in length, and threeſcore and four pounds in weight, the ſum of three ſhillings and four pence of currant Engliſh money; and of every Cloth of greater length and weight, proportionably, according to the ſame Rate; (2) and of every other ſhort Cloth of old Drapery of leſſer length and weight, accounting ſo many pieces to a ſhort Cloth, as limited and appointed thereunto by the ſaid Book of Rates, to be likewiſe exported by your ſaid Natural born Subjects, the like ſum of three ſhillings four pence, and ſo after that Rate; (3) and by Strangers and Aliens ſix ſhillings and eight pence for every ſhort Cloth accompted, as aforeſaid, (4) which ſeveral Rates are accordingly expreſſed in the ſaid Book of Rates herein after mentioned and referred unto; (5) to have, hold, take, enjoy and perceive the Subſidies aforeſaid, and every of them, and every part and parcel of them unto your Majeſty, from the four and twentieth day of June incluſively, in the Twelfth year of your Majeſties Reign, for and during your Majeſties Life, which God long preſerve.

Exceptions out of the Subſidy of Poundage.

A Subſidy of Strangers, Aliens.

The ſaid Subſidies granted to the King during his life.

III. And be it further enacted by the authority aforeſaid, That if any Wines, Goods or other Merchandize, whereof the Subſidies aforeſaid, are or ſhall be due, ſhall at any time after be Shipped or put into any Boat or Veſſel, to the intent to be carried into the parts beyond the Seas, or elſe be brought from the parts beyond the Seas into any Port, place or Creek of this Realm, or other your Majeſties Dominions, by way of Merchandize, and unſhipped to be laid on Land, the Subſidy, Cuſtoms, and other Duties due or to be due for the ſame not paid, or lawfully tendred to the Collector thereof, or his Deputy, with the conſent and agreement of the Comptroller and Surveyor there, or one of them at the leaſt, nor agreed with for the ſame in the Cuſtomhouſe, according to the true meaning of this Act, that then, from the ſaid four and twentieth day of June, all the ſame Wines, Goods and Merchandizes

The penalty for not paying the Subſidy.

whatſoever, ſhall be forfeit to your Majeſty, the one moiety of the rate thereof to your Majeſty, and the other moiety to him or them that will ſeiſe the ſame, or ſue for the ſame; And that it may pleaſe your Majeſty, That all Merchants, as well Denizens as Strangers, coming into this your Realm, be well and honeſtly intreated and demeaned, for ſuch things as Subſidy by this Act is granted, as they were in the time of your Noble Progenitors and Predeceſſors, without oppreſſion to them to be done, paying the Subſidies aforeſaid.

Merchants Strangers ſhall be well intreated.

A proviſo for ſuch whoſe goods be taken by Pirates, or periſhed on the Sea.

IV. And be it further enacted by the authority aforeſaid, That if any Goods or Merchandize, as aforeſaid, of any Merchant being born Denizen, after the ſaid four and twentieth day of June, hath been, or at any time hereafter during your Majeſties life, ſhall be taken by any Enemies or Pirates upon the Sea, or periſhed in any Ship or Ships, that ſhall happen to be taken or periſhed during your Majeſties Life, whereof the Subſidjes and other Duties aforeſaid, are, or ſhall be duly paid, or agreed for as aforeſaid, and that duly proved before the Treaſurer of England, Commiſſioners of the Treaſury, or Chief Baron of the Exchequer for the time being, by the examination of the ſame Merchants, if they be alive, or of their Executors or Adminiſtrators, if they be dead, or by two credible Witneſſes at the leaſt ſworn, or other reaſonable Witneſs and proof ſworn, then the ſame Merchant or Merchants, his, or their Executors or Adminiſtrators, ſhall or may newly Ship in the ſame Port where the Goods and Merchandize aforeſaid were, or ſhall be Cuſtomed, ſo much other Merchandize or Goods as the ſame Goods or Merchandize are, or ſhall be loſt as aforeſaid, ſhall amount unto in Cuſtom, without paying of any thing for the ſame, (2) ſo as the ſame Proof be recorded and allowed of in the Court of Exchequer, and certified unto the Collectors of the Cuſtoms of the Port where the ſame Wares or Merchandizes are to be newly Shipped without Cuſtom, as aforeſaid: (3) And further that every Merchant Denizen who ſhall hereafter Ship any Goods or Merchandize in any Carrack or Galley, ſhall pay to his Majeſty all manner of Cuſtoms, and all the Subſidies aforeſaid, as any Alien born out of the Realm.

The cuſtoms of any goods ſhipped in Carracks or Gallies.

Shipping of Herrings.

V. Provided always, That it ſhall and may be lawful to all and every your Subjects, at his and their will and pleaſure, to convey and tranſport out of this Realm, in Ships and other Veſſels of any the Subjects of this Realm, all and every kind of Herrings and other Sea-fiſh, to be taken on the Sea by any the Subjects aforeſaid, from or out of any Port or Harbour of this Realm, to any place out of your Majeſties Dominions, without paying any Cuſtom, Subſidy or Poundage-moneys for the ſame Herrings or other Fiſh ſo carried or tranſported during your Majeſties life; Any thing herein contained to the contrary notwithſtanding.

No rates to be impoſed on Merchandize without authority of Parliament.

VI. And becauſe no Rates can be impoſed upon Merchandize imported or exported by Subjects or Aliens, but by common conſent in Parliament, (2) Be it further enacted and declared by the authority aforeſaid, That the Rates, intended by this preſent Act, ſhall be the Rates mentioned and expreſſed in one Book of Rates, intituled, The Rates of Merchandize, that is to ſay, the Subſidy of Tunnage, the Subſidy of Poundage, and Subſidy of Woollen Clothes, or old Draperies, as they are rated and agreed on by the Commons Houſe of Parliament, ſet down and expreſſed in this Book, to be paid according to the Tenor of this Act of Tunnage and Poundage, from the xxiv. day of June incluſively, in the xij. year of his Majeſties Reign, during his Majeſties Life, and ſubſcribed with the Hand of Sir Harbottle Grimſton Baronet, Speaker of the Houſe of Commons; (3) Which ſaid Book of Rates compoſed and agreed on by your Majeſties ſaid Commons, and alſo every Article, Rule and Clauſe therein contained, ſhall be and remain during your Majeſties Life, as effectual to all intents and purpoſes, as if the ſame were included particularly in the body of this preſent Act.

A book of rates agreed by the Commons Houſe of Parliament.

The fees of the Cuſtom Officers.

VII. And it is further enacted, That during the continuance of this preſent Grant, where the Goods, exported or imported, amount to the value of five pounds or more, the Cuſtomers and Collectors, and all other his Majeſties Officers in the ſeveral Ports, ſhall take and receive ſuch Fees, and no other, as were taken in the Fourth year of the late King James, until ſuch time as the ſaid Fees ſhall be otherwiſe ſetled by authority of Parliament.

A proviſo for ſuch as paid before July 24. 1660.

VIII. Provided always, That no perſon or perſons, who after the four and twentieth day of June, in the year One thouſand ſix hundred and ſixty, and before the four and twentieth of July in the ſame year, have paid, received or collected any Duties or Cuſtoms, according to the Rates uſed in April, One thouſand ſix hundred and ſixty, ſhall be moleſted, or any way impeached, for or concerning the payment or receipt of the ſaid Duties, or any other Duties by this Act impoſed.

IX. And it is hereby further declared, That no perſon who hath ſhipped any Goods ſince the ſaid four and twentieth of June, and before the ſaid four and twentieth of July, ſhall be liable to the payment of any Duties therefore, other then ſuch as were uſed to be paid in the ſaid month of April, One thouſaud ſix hundred and ſixty.

Goods which may be exported immediately after the paſſing this Act.

X. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons, immediately from and after the paſſing of this Act, to tranſport, ſhip, and carry out of this Kingdom, or out of any Port thereof, by way of Merchandize, any of theſe Commodities, Goods and Merchandizes following; That is to ſay, Iron, Armour, Bandeleers, Bridle-bits, Halbert Heads and Sharps, Holſters, Muskets, Carbines, Fowling-pieces, Piſtols, Pike-heads, Sword or Rapier-blades, Saddles, Snaffles, Styrropes, Calves-skins dreſſed or undreſſed, Geldings, Oxen, Sheep-skins dreſſed without the Wooll, and all ſorts of Manufactures made of Leather, paying the reſpective Rates appointed by this Act and no other; Any Law, Statutes, Prohibitions and Cuſtoms to the contrary notwithſtanding.

Goods which may be exported being at certain prices.

XI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful, immediately after the paſſing of this Act, for any perſon or perſons to ſhip, carry out, and tranſport by way of Merchandize, theſe ſeveral ſorts of Goods following, that is to ſay, (2) Gunpowder, when the ſame doth not exceed the price of five pounds the Barrel: (3) And Wheat, Rye, Peaſe, Beans, Barley, Mault and Oats, Beef, Pork, Bacon, Butter, Cheeſe, Candles,

dles, when the ſame do not exceed in price at the Ports from whence they are laden, and at the time of their lading theſe Prices following; That is to ſay. (4) Wheat the Quarter, forty ſhillings; Rye, Beans and Peaſe the Quarter, twenty four ſhillings; Barley and Mault the Quarter, twenty ſhillings; Oats the Quarter, ſixteen ſhillings; (5) Beef the Barrel, five pounds; Pork the Barrel, ſix pounds ten ſhillings; Bacon the pound, ſix pence; (6) Butter the Barrel, four pounds ten ſhillings; Cheeſe the Hundred, one pound ten ſhillings; (7) Candles the dozen pound, five ſhillings, paying the reſpective Rates appointed by this Act, and no more; Any former Law, Statute, Prohibition or Cuſtom to the contrary in any wiſe notwithſtanding.

XII. Provided always, That it ſhall be free and lawful for his Majeſty, at any time when he ſhall ſee cauſe ſo to do, and for ſuch time as ſhall be therein expreſſed by Proclamation, to prohibit the tranſporting of Gun-powder, or any ſort of Arms and Ammunition into any parts out of this Kingdom; Any thing in this Act contained to the contrary notwithſtanding.

His Majeſty by Proclamation may prohibit tranſporting of Gun-powder, Arms and Ammunition out of England.

XIII. And be it further enacted by the authority aforeſaid, That over and above the Rates herein before mentioned, there ſhall be paid unto your Majeſty of every Tun of Wine of the growth of France, Germany, Portugal or Madera, brought into the Port of London, or elſewhere, the ſum of Three pounds of currant Engliſh Money, within the ſpace of nine months after the Importing: (2) And of every Tun of all other Wines brought in as aforeſaid, the ſum of Four pounds of like currant Money, within the ſpace of nine months after the Importing thereof; (3) For the payment of which duties accordingly, the Importer ſhall give good Security; (4) And if any of the ſaid Wines for which the additional duty in this clauſe mentioned, is paid, or ſecured at the Importation, be Exported within twelve months of their Importation, then the aforeſaid additional duty in this clauſe mentioned ſhall be returned, or the Security diſcharged, as to ſo much as ſhall be ſo Exported; (5) And if at the Importation, the Importer ſhall pay for the ſame ready Money, he ſhall be allowed after the rate of ten per Cent. for the year.

1 St. 17 Car. 1. cap. 21.

An additional Subſidy upon wines over and above the fore-mentioned rates.

Security to be given by the Importer.

The ſaid Subſidy to be repaid upon exportation.

XIV. And be it further enacted, That from and after the ſaid Four and twentieth day of July, all manner of Wines whatſoever to be Imported in the Port of London, or elſewhere, ſhall be freed and diſcharged of and from the Impoſition of Exciſe.

All wines diſcharged of Exciſe.

XV. Provided, and it is hereby declared and enacted, That the Priſage of Wines, or priſe-Wines ought not to pay Tunnage nor Cuſtom, and ſhall not be charged with the payment of any Cuſtom, Subſidy or ſum of Money Impoſed upon Wines by this Act, or any thing therein contained. St. 13 Car. 2. Cap. 7.

Priſage wines not to pay any Cuſtom or Subſidy.

C A P. V.

An Act for continuing the Exciſe until the twentieth of Auguſt, 1660. EXP. St. 13 Car. cap. 7.

C A P. VI.

An Act for the preſent nominating of Commiſſioners of Sewers. EXP. and the ſaid Statute of Henry the Eighth, to continue in force.

C A P. VII.

An Act for reſtoring unto James Marqueſs of Ormond, all his Honors, Manors, Lands and Tenements in Ireland, whereof he was in poſſeſſion on the 23. day of October, 1641. or at any time ſince. PR.

Marqueſs of Ormond.

C A P. VIII.

For continuing the Exciſe till the 25. day of December, 1660. EXP. Stat. 13 Car. 2. Cap. 7.

C A P. IX.

For the ſpeedy proviſion of Money for Diſbanding and Paying off the Forces of this Kingdom both by Land and Sea. EXP.

C A P. X.

Explanations of certain defaults in an Act entituled, An Act for the ſpeedy proviſion of Money for Diſbanding and Paying off the Forces of this Kingdom, both by Land and Sea.

C A P. XI.

An Act of Free and General Pardon, Indempnity and Oblivion.

The Kings moſt excellent Majeſty taking into his Gracious and Serious conſideration, the long and great troubles, diſcords and Wars that have for many years paſt been in this Kingdom, and that divers of his Subjects are by occaſion thereof, and otherwiſe, faln into, and be obnoxious to great pains and penalties; (2) out of a hearty and pious deſire to put an end to all Suits and Controverſies that by occaſion of the late Diſtractions have ariſen or may ariſe between all his Subjects; (3) and to the intent that no Crime whatſoever committed againſt his Majeſty or his Royal Father, ſhall hereafter riſe in Judgment, or be brought in queſtion againſt any of them to the leaſt endamagement of them, either in their Lives, Liberties, Eſtates, or to the prejudice of their Reputations, by any reproch or Term of Diſtinction, (4) and to bury all Seeds of future Diſcords and remembrance of the former, as well in his own Breaſt as in the Breaſts of his Subjects one towards another; (5) And in performance of his Royal and Gracious Word ſignified by his Letters to the ſeveral Houſes of Parliament now aſſembled, and his Declarations in that behalf publiſhed, Is pleaſed that it may be enacted, (6) And be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, Firſt, That all and all manner of Treaſons, Miſpriſions of Treaſons, Murthers, Felonies, Offences, Crimes, Contempts and Miſdemeanours, Counſelled, Commanded, Acted or done ſince the firſt day of January, in the year of our Lord, One thouſand ſix hundred thirty ſeven, by any perſon or perſons before the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred and ſixty, other then the perſons hereafter by name excepted, in ſuch manner as they are hereafter excepted, by virtue or colour of any Command, Power, Authority, Commiſſion, or Warrant or Inſtructions from his late Majeſty, King Charles, or his Majeſty that now is, or from any other perſon or perſons deriving or pretending to derive authority, mediately or immediately, from both or either of their Majeſties, or by virtue or colour of any authority derived mediately or immediately of or from both Houſes, or

The cauſes and ends of this Pardon and Indempnity.

The General Pardon.

either Houſe of Parliament, or of or for any Convention or Aſſembly, called or reputed, or taking the Name of the Keepers of the Liberty of England, by authority of Parliament, or by virtue or colour of any Writ, Commiſſion or Letters Patents, inſtruction or inſtructions of or from any perſon or perſons, tituled, reputed or taken to be Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging, or Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereto belonging; or aſſuming the authority, or reputed to be chief Magiſtrate of the Commonwealth, or Commander in chief of the Forces or Armies of this Nation, by Sea or Land, or by any Pretence, Warrant or Command whatſoever, from them or any of them, or their or either of their reſpective Council or Councils, or any Member of ſuch Council or Councils, or from any perſon or perſons whatſoever deriving or pretending to derive authority from them, or any of them, be pardoned, releaſed, indempnified, diſcharged and put in utter Oblivion.

II. And that all and every perſon and perſons acting, adviſing, aſſiſting, abetting and counſelling the ſame, they, their Heirs, Executors and Adminiſtrators, (except as before is excepted) be and are hereby Pardoned, Releaſed, Acquitted, Indempnified and Diſcharged from the ſame: (2) And of and from all pains of Death, and other Pains, Judgments, Indictments, Convictions, Attainders, Outlawries, Penalties, Eſcheats and Forfeitures, therefore had or given, or that might accrew for the ſame: (3) And that all ſuch Judgments, Indictments, Convictions, Attainders, Outlawries, Penalties, Eſcheats and Forfeitures, and every of them, and all Grants thereupon made, and all Eſtates derived under the ſame, be and are hereby declared and enacted to be from henceforth null and void: (4) And that all mean profits not yet received by ſuch Grantees, ſhall be, and are hereby diſcharged: (5) And that all and every perſon and perſons, bodies politick and corporate, their and every of their Heirs, Executors, Adminiſtrators and Succeſſors, ſhall be, and are hereby reſtored to all and every their Lands, Tenements and Hereditaments, Goods, Chattels, and other things forfeited, which to his Majeſty do or ſhall appertain by reaſon of any Offence herein before mentioned, and not hereafter in this preſent Act excepted and foreprized.

III. And be it further enacted, That all Appeals, and all perſonal Actions, Suits, Moleſtations and Proſecutions whatſoever, for or by reaſon of any act of hoſtility, treſpaſs, aſſault, impriſonment or breach of the Peace, adviſed, counſelled commanded, appointed, happened, acted or done by reaſon of the late Troubles, or the late Wars, in his Majeſties Dominions, or relating thereunto, and Judgments and Executions thereupon had before the firſt day of May, in the year of our Lord, One thouſand ſix hundred fifty eight, ſtand and be from henceforth diſcharged; (2) But not to reſtore to any perſon or perſons any ſums of Money, mean profits or goods already received or taken upon ſuch Execution, or to give any accompt for the ſame.

IV. And be it likewiſe enacted, That all Appeals, and all perſonal Actions and Cauſes of ſuch Actions, Suits, Moleſtations and Proſecutions whatſoever, for or by reaſon of any act or thing adviſed, counſelled, commanded, acted or done by virtue or colour of any Authority or Commiſſion granted by his late Majeſty, or his Majeſty that now is, or by virtue or colour of any Order or Ordinance of one or both Houſes of Parliament ſitting at Weſtminſter; Or by any Act or Order made by any perſons aſſuming the name of a Parliament, and ſitting as a Parliament at Weſtminſter, after the death of the late King CHARLES the Firſt; Or by the authority of the ſaid Keepers of the Liberties of England; Or by any Ordinance by either of the late Protectors and Council; Or by or upon any Commiſſion, Writ, Proceſs or Warrant, by them or any of them, or by authority derived from them or any of them: (2) And all demands of arrearages of Rents, and mean profits of Lands, Tenements or Hereditaments heretofore incurred or grown due, which have been paid, received or diſpoſed by virtue or colour of any the authorities or pretended authorities aforeſaid, other then ſuch arrearages or mean profits as are or ſhall be otherwiſe diſpoſed by any Act or Acts of this preſent Seſſion of Parliament, be from henceforth diſcharged.

All Appeals, perſonal Actions and Suits, pardoned.

V. And it is further by the authority aforeſaid enacted in the ſecond place, That all and every the Subjects of theſe his Majeſties Realms of England and Ireland, the Dominion of Wales, the Iſles of Jerſey and Guernſey, and the Town of Berwick upon Tweed, and other his Majeſties Dominions, the Heirs, Executors and Adminiſtrators of them, and every of them, and all and ſingular Bodies in any manner of wiſe Corporated, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets and Tithings, and every of them, and the ſucceſſor and ſucceſſors of every of them, ſhall be and are by the authority of this preſent Parliament, acquitted, pardoned, releaſed, indempnified and diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors, and every of them, of and from all manner of Treaſons, Miſpriſions of Treaſon, Felonies, Offences, Contempts, Treſpaſſes, Entries, Wrongs, Deceits, Miſdemeanors, Forfeitures, Penalties and ſums of Money, Intruſions, mean Profits, Wardſhips, Marriages, Reliefs, Liveries, Ouſter le mains, mean Rates, Reſpits of Homage, Fines and Seiſures for Alienation without Licence, arrearages of Rents, (other then the arrearages of Rents due from the late Farmers, or pretended Farmers of the Exciſe or Cuſtoms reſpectively, other then ſuch arrearages of Rents or mean Profits, as are or ſhall be otherwiſe diſpoſed by any Act or Acts of this preſent Parliament) and of and from all arrearages of Tenths and Firſt-fruits, Fines, Poſt-fines, Iſſues and Amerciaments, and all Recognizances, Bonds or other Securities given for payment of them, or any of them, concealment of Cuſtoms and Exciſe, arrearages of purveyance and of compoſitions for the ſame; (2) and of and from all pains of Death, pains corporal and pecuniary, and generally of and from all other things, cauſes, quarrels, ſuits, judgments and executions in this preſent Act hereafter not excepted nor foreprized, which may be or can be by his Majeſty in any wiſe, or by any means pardoned, before and unto the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred and ſixty to every or any of his ſaid Subjects, Bodies Corporate, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages and Tythings or any of them.

Wardſhips and mean profits unreceived.

VI. And be it further enacted by the authority aforeſaid, That all Grants and Patents ſince the twenty fifth of March, One thouſand ſix hundred fourty one, touching the Wardſhip and Cuſtody of the Body and Lands, or touching the Marriage of any Heir within age, and all mean profits yet unreceived, and demandable by reaſon thereof, ſhall be, and are hereby from henceforth diſcharged.

All things not excepted, ſhall be pardoned by the general words of this Act, as well as if particularly named.

VII. And alſo the Kings Majeſty is contented, That it be further enacted by authority of this preſent Parliament, and be it enacted by the authority aforeſaid, That this his ſaid Free Pardon, Indempnity and Oblivion, ſhall be as good and effectual in the Law to every of his ſaid Subjects, Bodies corporate, and others before rehearſed, in, for and againſt all things which be not hereafter in this preſent Act excepted and foreprized, as the ſame Pardon, Indempnity and Oblivion ſhould have been, if all Offices, Contempts, Forfeitures, Cauſes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things, not hereafter in this preſent Act excepted and foreprized, had been particularly, ſingularly, eſpecially and plainly named, rehearſed and ſpecified, and alſo pardoned by proper and expreſs words and names, in their kinds, natures and qualities, by words and terms thereunto requiſite to have been put in and expreſſed in this preſent Act of Free Pardon, Indempnity and Oblivion: (2) And that his ſaid Subjects, nor any of them, nor the Heirs, Executors or Adminiſtrators of any of them, nor the ſaid Bodies corporate, and others before named and rehearſed, nor any of them, be, nor ſhall be ſued, vexed or inquieted, by, or on the behalf of the Kings Majeſty, his Heirs or Succeſſors, in their bodies, goods, chattels, lands, or tenements, for any manner of matter, cauſe, contempt, miſdemeanor, forfeiture, treſpaſs, offence, or any other thing ſuffered, done or committed, before the ſaid twenty fourth day of June, One thouſand ſix hundred and ſixty, againſt his late Majeſty King Charles or his Majeſty that now is, his Crown, Dignity, Prerogative, Laws or Statutes, but only for ſuch matters, cauſes and offences, as be excepted and foreprized by this preſent Act out of the ſame; any Statute or Statutes, Laws, Cuſtoms or Uſages heretofore had, made or uſed to the contrary in any wiſe notwithſtanding: (3) And that all and every the Kings ſaid Subjects, and all and ſingular Bodies corporate, and others before rehearſed, may by him or themſelves, or by his or their deputy or deputies, or by his or their Attorney or Attorneys, according to the Laws of this Realm, plead and miniſter this preſent Act of Free Pardon for his or their diſcharge, of or for any thing that is by virtue of this preſent Act pardoned, diſcharged, given or granted, without any Fee or other thing paying to any perſon or perſons for writing or entry of the Judgments or other cauſe concerning ſuch plea, writing or entry, but only ſixteen pence to be paid to the Officer or Clerk that ſhall enter ſuch plea, matter or judgment for the parties diſcharge in that behalf; any Law, Statute, Uſage or Cuſtom to the contrary notwithſtanding.

This pardon, &c. to be expounded in all Courts moſt beneficial for the Subject.

VIII. And furthermore, the Kings Majeſty is contented and pleaſed, that it be enacted, and be it enacted by the authority aforeſaid, That this his ſaid Free Pardon, Indempnity and Oblivion, by the general Words, Clauſes and Sentences before rehearſed, ſhall be reputed, deemed, adjudged, expounded, allowed and taken in all manner of Courts of his Highneſs, and elſewhere, beneficial and available to all and ſingular the ſaid Subjects, Bodies corporate, and others before rehearſed, and to every of them, in all things not in this preſent Act excepted or foreprized, without any ambiguity, queſtion, or other delay whatſoever it ſhall be, to be made, pleaded, objected or alledged by the King our Sovereign Lord, his Heirs or Succeſſors, or by his or any of their general Attorney or Attorneys, or by any perſon or perſons for his Highneſs, or any of his Heirs or Succeſſors.

The penalty of any Officer, &c. that ſhall go about to diſquiet or trouble any perſon pardoned by this Act.

IX. And furthermore, Be it enacted by the King our Sovereign Lord, and the authority aforeſaid, That if any Officer or Clerk of any of his Highneſs Courts, commonly called the Chancery, Kings-Bench and Common-pleas, or of his Exchequer, or any other Officer or Clerk of any other of his Highneſs Courts within this Realm, at any time after the paſſing of this preſent Act, make out, or write out any manner of writs, proceſs, ſummons or other precepts, whereby any of the ſaid Subjects, or of the ſaid Bodies corporate, or others before rehearſed, or any of them, ſhall be in any wiſe arreſted, attached, diſtrained, ſummoned or otherwiſe vexed, inquieted or grieved, in his or their bodies, lands, tenements, goods or chattels, or in any of them, for, or becauſe of any manner of thing pardoned or diſcharged by virtue of this Act of Free Pardon: (2) Or if any Sheriff or Eſcheator, or any of their deputy or deputies, or any Bailiff or other Officer whatſoever, by colour of his or their Office or otherwiſe, after the paſſing of this preſent Act, do levy, receive, take or withhold of or from any perſon or perſons, any thing pardoned or diſcharged by this Act, (3) That then every ſuch perſon ſo offending, and thereof lawfully convicted or condemned by any ſufficient teſtimony, witneſs or proof, ſhall yield and pay for recompence thereof to the party ſo grieved or offended thereby, his or their treble damages, beſides all coſts of the Suit; (4) and ſhall alſo forfeit and loſe to the Kings Majeſty for every ſuch default, ten pounds: (5) And nevertheleſs, all and ſingular ſuch writs, proceſs and precepts ſo to be made for, or upon any manner of thing pardoned or diſcharged by this preſent Act of Free Pardon, Indempnity and Oblivion, ſhall be utterly void and of none effect.

Exceptions out of this Pardon. All murders not compriſed in the firſt clauſe of this pardon, excepted.

X. Except and always foreprized out of this Free and General Pardon, all murders done or committed by any perſon or perſons, other then ſuch which are pardoned and diſcharged in the firſt clauſe of Pardon above mentioned; (2) and alſo excepted and always foreprized out of this General and Free Pardon, all and every the offences of Piracy and Robbery upon the Seas, not done in relation to the Differences and Wars aforeſaid, and every procuring or

abetting

Piracy excepted.
Buggery.
Rapes and wilful taking away any Maid excepted.

abetting of any ſuch offenders, and the comforting and receiving of them, or any of them, or any goods taken by way of ſuch Piracy or Robbery upon the Seas as aforeſaid: (3) And alſo excepted the deteſtable and abominable Vice of Buggery committed with Mankind or Beaſt: (4) And alſo excepted all Rapes and carnal Raviſhments of Women: (5) And alſo excepted all Raviſhments and wilful taking away, or Marrying of any Maid, Widow or Damſel againſt her will, or without the aſſent or agreement of her Parents, or ſuch as then had her in cuſtody; and alſo all offences of aiding, comforting or procuring and abetting of any ſuch Raviſhment, wilful taking or marrying, had, committed or done: (6) And alſo excepted all offences made Felony by a certain Act made and ordained, entituled, An Act to reſtrain all perſons from Marriage until their former Wives and former Husbands be dead: (7) And alſo excepted all offences of Invocations, Conjurations, Witchcrafts, Sorceries, Inchantments and Charms; and all offences of procuring, abetting or comforting of the ſame; (8) and all perſons now attainted or convicted of any of the ſaid excepted Offences: (9) And alſo excepted all and ſingular the accompts of all and every perſon and perſons appointed by any of the authorities, or pretended authorities, aforeſaid, to be Treaſurer, Receiver, Fermor or Collector (other then the Sub-collectors of the ſeveral Pariſhes, Towns and Hamlets reſpectively, for and concerning their Receipts before the four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred fifty nine) who have received or collected any Subſidy, Cuſtom, Subſidy of Tunnage and Poundage, Prize-goods, Aſſeſments, Sequeſtration, New Impoſt or Exciſe, or of any the Rents and Revenues of any Lands or Hereditaments, of or belonging unto the ſame King, Queen or Prince, or King that now is, or belonging unto the late Archbiſhopricks, Biſhopricks, Deans, or Deans and Chapters, Canons, Prebends, and other Officers belonging to any Cathedral or Collegiate Church, or Popiſh Recuſants convict, or of perſons Sequeſtred for their Recuſancy, or other Sequeſtred Eſtates received or collected by, or paid unto them ſince the thirtieth of January, in the year of our Lord, One thouſand ſix hundred forty two; and of all Moneys and other duties grown due or contracted upon the ſale or diſpoſition of them, or any of them.

Double marriages excepted.
Witchcraft excepted.

Accompts of certain Treaſurers and Receivers.
St. 13 Car. 2. cap. 3.

Proviſo for the heirs and lands of Accomptants, excepted.

XI. Provided, That the Heirs, Executors, Adminiſtrators, or Ter-tenants of the Lands of any Accomptant within this exception now deceaſed, ſhall not be charged with, nor liable unto any accompt for the matters in this exception mentioned, except for ſuch ſum or ſums of Money as remain due upon any of their accompts already ſtated and determined, and are not yet paid in: (2) And that no accomptant as abovesaid, now living, ſhall be liable to make accompt of any ſum or ſums of Money, paid or diſburſed, or otherwiſe allowed or diſcharged, by virtue or colour of any Order or Ordinance of both or either Houſe or Houſes of Parliament, or any Convention or Aſſembly called or reputed, or taking on them the name of a Parliament, or of Oliver Cromwell, pretended Protector, or of Richard his Son, while he continued, or was ſtiled, or obeyed as Protector, or by any perſons acting as a Committee appointed by the ſaid two Houſes or either of them, or by any ſuch Convention or Aſſembly, or any Order or Direction of ſuch Committee or Committees, or any perſon or perſons acting as a publick Council, though having no legal authority ſo to do, or by their or any of their Order or Orders, or Direction.

Fees and Salaries, &c. not to be accompted for.

XII. It being further declared and enacted, and it is enacted by the authority aforeſaid, That no perſon or perſons ſhall be charged with any Moneys by him received for the Fees, Salaries and Wages then allowed, or for Moneys by him diſburſed upon any publick uſe, or pretence, though the direction or authority whereby the ſame Money was iſſued, was not, or be not legal and warrantable in Law.

Military payments not to be accompted for.

XIII. And be it further provided, That no Military or Commiſſioned Officer of the Armies, or Navies, or Souldier, or Mariner, who before the twenty fifth of March, One thouſand ſix hundred fifty nine, hath received any Moneys for his own pay, or the pay of other Souldiers, or for any other contingencies of the Souldiers or Garriſons under his Command, or by way of reward, ſhall be called to accompt therefore.

No perſon to be called to an accompt after the 24 of June, 1662.

XIV. And that no perſon whatſoever ſhall be called to accompt for any the matters in this exception mentioned, after the four and twentieth day of June, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two next enſuing; (2) and that in caſe any perſon who ſtands accomptable for any Moneys received ſince the firſt of January, One thouſand ſix hundred forty two, and before the thirtieth of January, One thouſand ſix hundred forty eight, have been robbed or plundred by Souldiers or others, of the Moneys in their hands, or any Notes or Books of Receipt, or Acquittances touching their payments or diſcharge, Then the Oath or Oaths of ſuch party or parties of the ſame reſpectively, ſhall be a good diſcharge for ſo much of their accompt: (3) And that the Oath of every Accomptant in or between the years One thouſand ſix hundred forty two, and One thouſand ſix hundred forty eight, of what they have paid to any publick uſe, by, or according to any publick or pretended order or authority whatſoever, ſhall be a good diſcharge, as to ſo much of the accompt of ſuch perſon or perſons: And except all Firſt-fruits and Tenths in the hands of any Receiver not having diſburſed, as in the ſaid exception is expreſſed.

Diſcharges and Quietus eſt given in the Exchequer.
Accompts of the Revenues of Churches in Wales.
Bribery, Subornation, Forging Debentures, &c. Witneſſes.

XV. Provided, That all and every Judgment of Diſcharge, or Quietus eſt, had, or given at any time upon any accompt in the publick Exchequer, ſince the year One thouſand ſix hundred forty eight, be allowed, and ſhall not be avoided; (2) except all accompts of the Revenues of Churches and Vicarages in Wales, and the County of Monmouth, and all Judgments of diſcharge, or Quietus thereupon obtained: (3) And alſo excepted out of this Pardon all offences of Bribery, Perjury, and the Subornation of Perjury, or Witneſſes and Offences of Forging or Counterfeiting any Deeds, Debentures, Bills of publick Faith, Eſcripts, Wills or other Writings whatſoever, or of any Examinations or Teſtimonies of any Witneſs or Witneſſes, tending to bring any perſon or perſons in danger of his Life, Liberty or Eſtate, and the giving the ſame in evidence, and the compelling or procuring of any ſuch counterfeiting or forging to be had or made:

XVI. And alſo excepted all offences in detaining, imbezelling or purloyning any the Goods, Money, Chattels, or Jewels of the late King, Queen or Prince, or any of the children of the late King and Queen, other then Shipping, Stores and Ammunitions of War, and other then ſuch Goods and Chattels as have been ſold or diſpoſed of to any of the Servants or Creditors of his late Majeſty, in or toward ſatisfaction of their Debts or Wages.

Imbezelling and purloyning the Kings goods.

XVII. And alſo excepted out of this Pardon, all Iſſues, Fines and Amerciaments, Rents and other publick Duties, being levied, received or collected by any Sheriff, Under-ſheriff, Bayliff, Miniſter or other Officer, to or for the uſe of the late King, the Parliament or the ſaid Keepers of the Liberty of England, or any other perſon ſtiling himſelf Protector, or for his Majeſty that now is, and not accompted for, and diſcharged.

Iſſues, Fines and Amerciaments received by Sheriffs.

XVIII. And alſo excepted out of this Pardon, all and every offence and offences committed or done by any Jeſuit, Seminary or Romiſh Prieſt whatſoever, contrary to the tenor or effect of the Statute made in the Seven and twentieth year of the Reign of the late Queen Elizabeth, intituled, An Act againſt Jeſuits, Seminary Prieſts, and other diſobedient perſons, or of any part thereof, and all Out-lawries, Proceedings, Judgments and Executions for the ſame offences, or any of them.

Jeſuits, Seminary and Romiſh Prieſts excepted. 27 El. cap. 2.

XIX. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to, and for all and every Clerk and other Officer of the Courts at Weſtminſter, to award and make Writs of Capias Utlagatum, at the Suit of the party Plaintiff, againſt ſuch perſons Out-lawed, as be pardoned by this Act, to the intent to compel the Defendant or Defendants to make anſwer to the Plaintiff or Plaintiffs at whoſe Suit he or they were Outlawed; And that every perſon ſo Out-lawed, ſhall Sue a Writ of Scire facias againſt the party or parties at whoſe Suit he or they were ſo Out-lawed, before this Pardon in that behalf ſhall be allowed him or them ſo Outlawed.

Writs of Capias Utlagatum may be directed againſt any perſon. The party outlawed may ſue out a Scire facias againſt the Plaintiff.

XX. Provided, and be it enacted by the authority aforeſaid, That this Act of General Pardon ſhall not in any wiſe extend to Pardon any Out-lawries upon any Writ of Capias ad ſatisfaciendum, until ſuch time as the party ſo Out-lawed ſhall ſatisfie, or otherwiſe agree with the party at whoſe Suit the ſame perſon was ſo Out-lawed or condemned.

Perſons outlawed upon Capias ad ſatisfaciendum, &c.

XXI. And alſo excepted out of this Pardon, all Informations and other proceedings depending, concerning any common High-ways or Bridges, and all Iſſues returned upon any Proceſs concerning the ſame, ſince the thirtieth day of January, One thouſand ſix hundred forty eight, (2) except alſo all Recognizances, Obligations, and other ſecurities given or entred into, ſince the five and twentieth of March, One thouſand ſix hundred and fourty, by any Receiver, Reeve, Bayliff, Collector or other Accomptant in the Court of the publick Exchequer, and their ſureties and their accounts reſpectively.

Informations and proceedings concerning High-ways, &c. excepted, 25 Car. 25. Sect. 19. N. 1.

XXII. Provided always, and be it enacted, That this Act, or any thing therein contained, ſhall not extend or be conſtrued to Pardon, or diſcharge any Recognizance, Obligation or Bond, which is not yet forfeited.

Obligation and Recognizance not yet forfeited.

XXIII. And be it further enacted by the authority aforeſaid, That all Acts of Hoſtility and injuries, whether between the late King and the Lords and Commons then in Parliament aſſembled, or between any of the people of this Nation, which did ariſe upon any Action, Attempt, Aſſiſtance, Council or Advice, having relation unto, or falling out by reaſon of the late Troubles, or in the late Wars or publick differences between the late King and Parliament, or between his now Majeſty or any of his Subjects, and which are not in this Act excepted; That the ſame and whatſoever hath inſued thereupon, whether trenching upon the Laws and Liberties of this Nation, or upon the Honour of his Majeſty, or upon the Honour or authority of the Parliament, or to the prejudice of any particular or private perſon, ſhall in no time, from and after the four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred and ſixty, be called in queſtion, whatſoever be the quality of the perſon, or whatſoever Kind or Degree, Civil or Criminal, the injury is ſuppoſed to be; And that no mention be made thereof in time to come, in Judgment or in Judicial proceedings.

All Acts of hoſtility, injuries, &c. between the King and his Parliament, to be put in perpetual oblivion.

XXIV. And to the intent and purpoſe that all names and terms of Diſtinction may be likewiſe put into utter Oblivion, Be it further enacted by the authority aforeſaid, That if any perſon or perſons, within the ſpace of three years next enſuing, ſhall preſume maliciouſly to call or alledge of, or object againſt any other perſon or perſons, any name or names, or other words of reproch, any way tending to revive the memory of the late Differences, or the occaſions thereof, That then every ſuch perſon ſo as aforeſaid offending, ſhall forfeit and pay unto the party grieved, in caſe ſuch party offending ſhall be of the Degree of a Gentleman or above, ten pounds; and if under that Degree, the ſum of fourty ſhillings, (2) to be recovered by the party grieved, by Action of Debt to be therefore brought in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, or any more then one Imparlance, ſo as the ſame Action be commenced or proſecuted within ſix months next after the offence committed; (3) And if the Jury ſworn to try any Iſſue or Iſſues that ſhall be joyned in ſuch Action, ſhall find for the Plaintiff, they ſhall likewiſe give to every ſuch Plaintiff fourty ſhillings Damages over and above the penalty aforeſaid.

The penalty upon any perſon that ſhall within three years uſe any words of reproch or diſgrace tending to revive the memory of the late differences.

XXV. Provided always, That this Act, or any thing therein contained, ſhall not extend or give any benefit unto any perſon or perſons, who have had any hand in the Plotting, Contriving or Deſigning the great and hainous Rebellion in Ireland, mentioned in one Act Paſſed in the Parliament begun at Weſtminſter the third of November, in the Sixteenth year of King Charles, entituled, An Act for the ſpeedy and effectual Reducing of the Rebels in his Majeſties Kingdom of Ireland, to their due Obedience to his Majeſty and Crown of England, or in aiding, aſſiſting or abetting the ſame: (other then ſuch as by another Act intended hereafter to be paſſed, ſhall be therein named, mentioned or expreſſed to be pardoned) (2) nor to enure to reſtore to any perſon or perſons, bodies politick or corporate, (other then the Marqueſs of Or-

Perſons plotting or deſigning the Iriſh Rebellion, excepted. 16 Car. 1. cap. 33.

mond, Lord Steward of his Majeſties Houſhold, and other the Proteſtants of Ireland,) and their heirs, and ſuch other perſon and perſons, as in, and by an Act intended hereafter to be paſſed, ſhall be therein named, mentioned or expreſſed in that behalf, any eſtate, liberties, franchiſes or hereditaments in England or Ireland, ſold or diſpoſed of by both, or either Houſes of Parliament, or any Convention aſſuming the Stile or Name of a Parliament, or any perſon or perſons deriving authority from them, or any of them, or which was approved or confirmed by them, or any of them; nor to the mean Profits, Rents or contingencies of advantage of the ſame.

Every perſon pardoned may plead the general Iſſue.

XXVI. And it is further provided and enacted, That every perſon or perſons hereby pardoned, may plead the general iſſue without ſpecial pleading of this Pardon, and give this Act of Pardon in evidence for his diſcharge, and that the ſame ſhall be thereupon allowed, and the advantage thereof had as fully to all intents and purpoſes, as if the ſame had been fully and well pleaded; And in ſuch manner as any Juſtice of the Peace, Conſtable or other Officer, queſtioned for matters acted by them as Officers, or in execution of their Offices, have advantage of the matter of their Juſtification, upon the General Iſſue by them pleaded, by the Laws and Statutes of this Kingdom.

Thefts and felonies ſince the 4 of March 1659. excepted

XXVII. Provided alſo, That this Act, nor any thing therein contained, ſhall extend, or be interpreted to extend to pardon any perſon or perſons whatſoever, for any theft or ſtealing of any Goods or other Felonies, ſince the fourth day of March, in the year of our Lord, One thouſand ſix hundred fifty and nine; Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

This Act not to extend to goods to be reſtored upon an Act for Repeal of two Acts for Sequeſtrations.

XXVIII. Provided alſo, That neither this Act nor any thing therein contained, ſhall extend to acquit or diſcharge any perſon or perſons, from making reſtitution of all ſuch Rents, ſums of Money, Horſes, Cattel or other Goods, which by a certain Act, or pretended Act lately made, intituled, An Act for Repeal of two Acts for Sequeſtrations, are required to be reſtored to thoſe from whom they were taken; (2) Nor ſhall this preſent Act be conſtrued to diſable or bar the reſpective owners or proprietors, of, and from their ſeveral and reſpective Actions or Suits at Law, or in equity, for, or by reaſon of the ſaid, or any other Rents, Moneys, Horſes, Cattel or Goods which ſince the five and twentieth day of July, One thouſand ſix hundred fifty and nine, have been by any perſon or perſons wrongfully received, or taken away, and for which the ſaid Wrong-doers are not in any wiſe Indempnified by the ſaid, or any other Act of Repeal.

Goods, &c. ſequeſtred and actually paid in to any publick Treaſury.

XXIX. And be it further enacted by by the authority aforeſaid, That no perſon or perſons who by virtue of any Order or Warrant, mediately or immediately derived from his late Majeſty, or his Majeſty that now is, or by virtue of any Act, Ordinance or Order of any or both Houſes of Parliament, or any of the authorities aforeſaid, or any Committee or Committees acting under them or any of them, have ſeiſed, ſequeſtred, levied, advanced or paid to any publick uſe, or into any publick Treaſury within this Kingdom, any Goods, Chattels, Debts, Rents, ſum or ſums of money belonging to any perſon or perſons whatſoever, ſhall hereafter be ſued, moleſted or drawn into queſtion for the ſame, but that they and every of them ſhall be diſcharged againſt all perſons, for ſo much and no more of the ſaid Goods, Chattels, Debts, Rents, ſum or ſums of money, as their ſeveral and reſpective orders of diſcharge or acquittances extend unto.

Perſons who have received money privately for his Majeſties ſupply, to accompt.

XXX. Provided alſo, That nothing herein contained ſhall extend to diſcharge any perſon or perſons who have been by private order or inſtructions imployed and intruſted, or have undertaken the imployment to receive any ſum or ſums of money for the Kings Majeſties Service or ſupply ſince the year One thouſand ſix hundred forty eight, from making their accompts for the ſame.

Moneys received upon Decimation, not pardoned.

XXXI. Provided alſo, That this Act ſhall not extend to pardon or diſcharge from accompts to the Kings Majeſty, any perſon or perſons, for any ſum or ſums of money received for that Illegal Tax of Decimation, or upon the accompt of any Militia ſetled or Acted in, ſince One thouſand ſix hundred forty and eight, and not accompted for or paid over, or diſcharged to, or by any that had authority or pretended authority to diſcharge the reſpective Receivers of the ſame.

Perſons that have had directions or inſtruction from his Majeſty, and have betrayed their Truſt, or his Majeſties Councels, excepted.

XXXII. Provided alſo, That if any perſon or perſons, being his Majeſties menial Servant or Servants, or having, or pretending to have received particular inſtructions or directions from his Majeſty, have, during the time of ſuch his or their relation unto his Majeſty, or whilſt he or they were acting, or pretending to act for his Majeſties Intereſt, in purſuance of the ſaid inſtructions or directions, wilfully, maliciouſly, and traiterouſly held Intelligence with any foreign Prince or Princes, State or States, or with any perſon or perſons uſurping Supreme authority in this Kingdom, or other his Majeſties Dominions, or with their or either of their Miniſters or Agents, and without his Majeſties Licence, and to the intent to betray his Majeſties Perſon or Councels; or have received any ſum or ſums of money, or Penſion for ſuch Treachery, that then ſuch perſon and perſons, as to the offence in this proviſo mentioned, ſhall be, and is hereby excepted out of this Act; any thing herein contained to the contrary notwithſtanding; ſo as ſuch perſon or perſons be Out-lawed, or otherwiſe legally convicted of ſuch offence or offences, within the ſpace of two years, from the five and twentieth day of April, One thouſand ſix hundred and ſixty.

Duties upon Exciſe, and from Farmers thereof, excepted.

XXXIII. Provided, That this Act of General Pardon, or any thing therein contained, ſhall not extend to the pardoning or diſcharging of any Debts or ſums of money due to, or for the Exciſe of any Goods or Merchandiſe, whereof any Entries have been made in the Cuſtom-houſe, which have grown due ſince the twenty fifth day of March, One thouſand ſix hundred fifty and eight, or to the pardoning or diſcharging of any Debts or ſums of money due to the Farmers, or pretended Farmers of Exciſe, ſince the twenty fifth day of March, One thouſand ſix hundred and fifty ſeven.

Perſons excepted by name.

XXXIV. Provided alſo, That this Act, nor any thing therein contained, ſhall extend to pardon, diſcharge or give any other benefit whatſoever, unto John Liſle, William Say, Sir Hardreſs Waller, Valentine Walton, Thomas Harriſon, Edward Whalley, William Heveningham, Iſaac Pennington, Henry Martin, John Barkſtead, Gilbert Millington, Edmund Ludlow, Sir Michael Liveſey, Robert Tichbourn, Owen Row, Robert Lilburn, Adrian Scroop, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challonor, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clement, Thomas Wogan, Edmund Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Love, Vincent Potter, Auguſtin Garland, John Dixwel, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Blagrave, Thomas Wait, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hew Peters, Francis Hacker, Daniel Axtel, nor any of them, nor of thoſe two perſons, or either of them, who being diſguiſed by Frocks and Vizors did appear upon the Scaffold erected before White-hall, upon the thirtieth of January, One thouſand ſix hundred fourty and eight: (2) All which perſons for their execrable Treaſon, in ſentencing to Death, or Signing the Inſtrument for the horrid murder, or being inſtrumental in taking away the precious Life of our late Sovereign Lord Charles the Firſt, of Glorious memory, are left to be proceeded againſt as Traytors to his late Majeſty, according to the Laws of England, and are out of this preſent Act wholly excepted and foreprized.

XXXV. But in regard the ſaid Owen Row, Auguſtine Garland, Edmund Harvey, Henry Smith, Henry Martin, Sir Hardreſs Waller, Robert Tithbourn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Iſaac Pennington, Peter Temple, Robert Lilburn, Gilburt Millington, Vincent Potter, Thomas Wogan and John Downs, have perſonally appeared and rendred themſelves (according to the Proclamation bearing date the ſixth day of June, One thouſand ſix hundred and ſixty, to ſummon the perſons therein named, who gave Judgment and aſſiſted in the ſaid horrid and Deteſtable murther of our ſaid late Sovereign, to appear and render themſelves) and do pretend thereby to ſome favour, upon ſome conceived doubtful words in the ſaid Proclamation;

Perſons that appeared and rendred themſelves.

XXXVI. Be it enacted by this preſent Parliament, and the authority of the ſame (upon the humble deſires of the Lords and Commons in Parliament aſſembled,) That if the ſaid Owen Row, Auguſtine Garland, Edmund Harvey, Henry Smith, Henry Martin, Sir Hardreſs Waller, Robert Titchbourn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Iſaac Pennington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Downs, or any of them, ſhall be legally Attainted for the Horrid Treaſon and Murther aforeſaid; That then, nevertheleſs, the Execution of the ſaid perſon and perſons ſo Attainted ſhall be ſuſpended, until his Majeſty by the advice and aſſent of the Lords and Commons in Parliament, ſhall order the Execution by Act of Parliament to be paſſed for that purpoſe.

XXXVII. Except alſo out of this preſent Act Oliver Cromwel deceaſed, Henry Ireton deceaſed, John Bradſhaw deceaſed, and Thomas Pride deceaſed.

XXXVIII. Provided, That nothing in this Act contained ſhall extend to diſcharge the lands, tenements, goods, chattels, rights, truſts, and other the hereditaments late of the ſaid Oliver Cromwel, Henry Ireton, John Bradſhaw, and Thomas Pride, or of Iſaac Ewer deceaſed, Sir John Danvers deceaſed, Sir Thomas Maleverer Baronet, deceaſed, William Purefoy deceaſed, John Blakiſton deceaſed, Sir William Conſtable Baronet, deceaſed, Richard Dean deceaſed, Francis Allen deceaſed, Peregrine Pelham deceaſed, John Moor deceaſed, John Aldred, alias Alured deceaſed, Humphry Edwards deceaſed, Sir Gregory Norton Baronet, deceaſed, John Venn deceaſed, Thomas Andrews Alderman, deceaſed, Anthoney Stapley deceaſed, Thomas Horton deceaſed, John Fry deceaſed, Thomas Hamond deceaſed, Sir John Bourchier deceaſed, of, and from ſuch pains, penalties and forfeitures, as by one other Act of Parliament intended to be hereafter paſſed for that purpoſe, ſhall be expreſſed and declared.

The lands and goods of the perſons rendring themſelves not excepted.
St. 13 Car. 2. c. 15.

XXXIX. And alſo excepted out of this preſent Act, William Lord Munſon, James Challoner, Sir Henry Mildmay, Sir James Harrington, John Phelps and Robert Wallop; All which perſons did act and ſit in that Traiterous Aſſembly, which in the month of January, One thouſand ſix hundred fourty eight, acted and proceeded againſt the Life of our late Sovereign, King Charles the Firſt of bleſſed memory, and are therefore reſerved to ſuch pains, penalties and forfeitures, not extending to Life, as by another Act intended to be paſſed for that purpoſe, ſhall be impoſed on them.

Perſons excepted for other penalties, not extended to life.
St. 13 Car. 2. c. 15.

XL. And alſo except Sir Arthur Haſilrig, for and in reſpect only of ſuch pains, penalties and forfeitures, not extending to Life, as by one Act intended to be hereafter paſſed for that purpoſe, ſhall be inflicted and impoſed.

XLI. Provided always, That John Hutchinſon Eſquire, and Francis Laſſels, ſhall be and are hereby made for ever uncapable to execute any place or office of Truſt, Civil or Military within this Kingdom; and that the ſaid Francis Laſſels ſhall pay unto our Sovereign Lord the King, one full years value of his Eſtate; Any thing herein before contained to the contrary notwithſtanding.

Perſons made incapable of any Office.

XLII. Provided always, That this Act, or any thing therein contained, ſhall not extend to the pardoning, or to give any other benefit whatſoever, unto Sir Henry Vane, John Lambert, or either of them, but that they and either of them, are and ſhall be out of this preſent Act wholly excepted and foreprized.

Sir Henry Vane, John Lambert, excepted.

XLIII. Provided, That if William Lenthal, William Burton, Oliver Saint-John, John Ireton Alderman, Colonel William Sydenham, Colonel John Desborow, John Blackwel of Moreclack, Chriſtopher Pack Alderman, Richard Keebie, Charles Fleetwood, John Pyne, Richard Dean, Major Richard Creed, Philip Nye Clerk, John Goodwyn Clerk, Sir Gilbert Pickering, Colonel Thomas Lyſter, and Colonel Ralph Cobbet, ſhall after the firſt day of September, One thouſand ſix hundred and ſixty, accept, or exerciſe any Office, Eccleſiaſtical, Civil, or Military, or any other publick imployment within this Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, that then ſuch perſon or perſons as do ſo accept, or execute as aforeſaid, ſhall to all intents and purpoſes in Law, ſtand as if he or they had been totally excepted by name in this Act.

Penalty of certain perſons if they ſhall after the firſt of September 1660. accept any Office.

25 Car. 25. Sect. 38. N. 1.

Perſons that gave ſentence upon any in the Illegal High-Courts of Juſtice.

XLIV. Provided likewiſe, That all thoſe who ſince the fifth of December, One thouſand ſix hundred fourty eight, did give ſentence of death upon any perſon or perſons, in any of the late illegal and tyrannical High Courts of Juſtice in England or Wales, or Signed the Warrant for execution of any perſon there Condemned, (except Colonel Richard Ingoldsby and Colonel Matthew Thomlinſon) ſhall be, and are hereby made incapable of bearing Office, Eccleſiaſtical, Civil or Military, within the Kingdom of England or Dominion of Wales, or of ſerving as a Member in any Parliament after the firſt day of September, One thouſand ſix hundred and ſixty. 25 Car. 25. Sect 27. N. 1.

Perſons intruſted by Ordinance 1649. about Tythes, ſhall be accomptable.

XLV. Provided alſo, and it is enacted, That all and every the perſons appointed Truſtees in a late pretended Act or Ordinance made in the year of our Lord, One thouſand ſix hundred fourty nine, for, and concerning Tythes appropriate, Oblations, Obventions, Penſions, Portions of Tythes appropriate, Offerings, Fee-farm Rents iſſuing out of the Tythes therein mentioned, Firſt-fruits and other things, and enacted, or mentioned to be enacted to be veſted, ſetled, adjudged or deemed to be in the actual ſeiſin or poſſeſſion of ſuch perſon and perſons in the ſaid pretended Act or Ordinance mentioned, and their heirs, ſhall accompt for, and be reſponſible for all rents and profits of the premiſſes which came to their hands, and have not been by the ſaid Truſtees or their order disburſed, diſpoſed or imployed for the maintenance of Miniſters, or other uſes, according to the ſaid pretended Act or Ordinance, or ſome other Act, Order or Ordinance made in the year of our Lord, One thouſand ſix hundred fifty, One thouſand ſix hundred fifty four, and one thouſand ſix hundred fifty ſix, by any aſſembly, called or reputed a Parliament, or aſſuming the power of a Parliament, according to the intention of ſuch Act, Acts or Ordinances: (2) And the Agents and Receivers under the order of the ſaid Truſtees, and the Occupiers and Tenants of the premiſſes, who have taken the premiſſes or profits thereof into their hands, without Agreement to pay Rent therefore, and have made no accompt or ſatisfaction to the Truſtees aforeſaid, or to ſome other by their order, (3) and alſo the perſons who have held the ſame, or taken the profits thereof, under any agreement to pay rent or money for the ſame, and have not paid the ſame, ſhall reſpectively accompt, pay and make ſatisfaction for ſo much of the premiſſes, and profits of the premiſſes, as are unſatisfied or unaccounted for as aforeſaid, and pay ſuch arrearages of rents or money, as by ſuch agreement remaineth unpaid by them: (4) all which payments and accompts ſhall be made to ſuch perſons, and in ſuch manner as in Parliament ſhall be directed: (5) Nevertheleſs, it is not hereby intended, that any Miniſter, School-maſter, or other perſon, for whoſe benefit and maintenance the ſaid pretended Acts or Ordinances were made, ſhall be accomptable or liable to make ſatisfaction for any profits, rents or ſums of money paid to, or taken by them reſpectively, by virtue or colour of any order or appointment of the ſaid Truſtees, or any of them, or otherwiſe.

Bonds taken in his Majeſties Name before May 1642. for ſecurities of any his Majeſties Receivers not pardoned, &c.

XLVI. Provided alſo, That this Act do not extend to pardon any Bond taken in his late Majeſties Name, before the month of May, One thouſand ſix hundred fourty two, for ſecuring the proper debt of any ſervant or Receiver of the Revenue of his ſaid late Majeſty that hath not been paid to, or by Order of ſome lawful or pretended authority: And whereas by an Order of the ſix and twentieth day of May, in the year One thouſand ſix hundred fourty one, the then Houſe of Commons in Parliament, did accept the ſum of One hundred and fifty thouſand pounds, as a compoſition from the Farmers of ſeveral Cuſtoms voted to be illegally taken, and ſome of the ſaid Farmers did procure and pay the ſaid whole ſum of One hundred and fifty thouſand pounds at the deſire of the ſaid Houſe of Commons, and upon their Declaration, That ſuch of the ſaid Farmers as did not pay their proportions, ſhould not be pardoned, but proceeded againſt; and out of their Fines ſatisfaction ſhould be made to thoſe who had paid the ſaid One hundred and fifty thouſand pounds, and in purſuance thereof did on the firſt of June then next following Reſolve, That the Eſtates of ſuch perſons, living or dead, as have by colour of any Patent received moneys from the Subject, under pretence of ſuch Cuſtoms, or have been under-ſharers with the Patentees, ought to be made liable to reſtitution:

Payments upon proportions of 150000 l. upon the Cuſtoms.

XLVII. It is therefore Provided, That this Act ſhall not extend, nor be conſtrued to extend to Pardon or Indempniſie any perſon or perſons, their heirs, executors, adminiſtrators, or aſſigns, who have not paid their proportions of the ſaid One hundred and fifty thouſand pounds, or ought to have been contributory thereunto, from, or againſt miſdemeanors or offences relating to the ſaid Cuſtoms, or from payment of their proportions; But that the Eſtates of the dead, as well as of the living, of ſuch who ought to have been contributory, in whoſe poſſeſſion ſoever (Purchaſers Bona fide, and upon valuable conſiderations only excepted) ſhall continue and be charged, and chargeable with the payment of their proportions, to all intents and purpoſes as if this Act had not been made; Any thing herein contained to the contrary notwithſtanding.

Arrears of Exciſe upon Beer and Ale.

XLVIII. Provided alſo, that this Act, or any thing therein contained, ſhall not extend to be conſtrued to pardon or diſcharge any ſum or ſums of money, due, and arrear for Exciſe of Beer, Ale, or other native or inland Commodity, ſince the twenty fourth day of June, One thouſand ſix hundred fifty and nine.

Monies due for free-quarter.

XLIX. Provided alſo, That nothing in this Act contained, ſhall extend to the pardoning or diſcharging of any ſum or ſums of money due from any Officers or Souldiers, to any of the Subjects of this Kingdom, for free quarter, ſince the ſecond day of July, One thouſand ſix hundred fifty and nine, or to diſcharge any moneys borrowed by any Officers, for preventing of free-quarter.

Purchaſers bona fide of lands, other then the Kings, &c. to enjoy their purchaſes.

L. Provided always, and be it enacted by the authority aforeſaid, That no conveyance aſſurance, grant, bargain, ſale, charge, leaſe, aſſignment of leaſe, grants and ſurrenders by Copy of Court-roll, eſtate, intereſt, truſt or limitation of any uſe or uſes of any manors, lands, tenements or hereditaments, not being the lands nor hereditaments of the late King, Queen, Prince, or of any Archbiſhops, Biſhops, Dean, Deans or Chapters, nor being lands or hereditaments, ſold or given, or appointed to be ſold or given, for the delinquency or pretended delinquency of any perſon or perſons whatſoever, by virtue or pretext of any Act, Order or Ordinance, or reputed Act, Order or Ordinance, ſince the firſt day of January, One thouſand ſix hundred fourty and one; (2) Nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered to any perſon or perſons, Bodies politick or corporate, before the Nine and twentieth day of September, One thouſand ſix hundred fifty and nine, by any of the perſons before in this Act by name excepted, or their Heirs, or by any other perſon or perſons claiming, by, from or under them, or any of them, other then the wife or wives, child or children, heir and heirs of ſuch perſon and perſons, or any of them, for money bona fide to them, or any of them paid or lent, nor any Conveyance, Aſſurance, Grant or Eſtate made before the Five and twentieth day of April, One thouſand ſix hundred and ſixty, by any perſon or perſons, to any ſuch perſon or perſons excepted by name as aforeſaid, in truſt and for the benefit of any other perſon or perſons, Bodies politick or corporate, not excepted by name as aforeſaid, ſhall be impeached, defeated, made void, or fruſtrated hereby, or by the attainder or conviction of any ſuch excepted perſon or perſons, (3) but that the ſame ſhall be held and enjoyed by the Purchaſers, Grantees, Leſſees, Aſſign, Ceſtuy que uſe, Ceſtuy que truſt, and every of them, their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, as if this Act had not been made, and as if the ſaid perſon or perſons had not been excepted, attainted or convicted; Any Law, Statute, Uſage or Cuſtom, to the contrary thereof in any wiſe notwithſtanding.

Fabrick Lands, Church goods and Utenſils.

LI. Provided always, That this Act, nor any thing therein contained, ſhall not extend to indempnifie any perſon or perſons whatſoever, who have entred into any Meſſuage, Lands, Tenements and Hereditaments, called Fabrick Lands, or poſſeſt themſelves of any Rent or Revenues given for the repair of any Cathedral or other Church, or who have Sacrilegiouſly enriched themſelves by converting the Plate or Utenſils, and Materials, of, or belonging to any ſuch Churches, to their own private uſe and advantage, for or in reſpect of the ſaid Crimes only. Stat. 13 Car. 2 cap. 7.

CAP. XII.

An Act for Confirmation of Judicial Proceedings.

Which Acts and Proceedings ſhall not be avoided.

BE it enacted, and it is enacted by his Majeſty, and the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That no Fines, nor final Concords, Chirographs, nor Proclamations of Fines, nor any Recoveries, Verdicts, Judgments, Statutes, Recognizances, nor Inrolments of any Deeds or Wills, or of any ſuch Fines, Proclomations, Recoveries, Verdicts, Judgments, Statutes, or Recognizances, nor any Exemplifications of them, nor any of them, nor any Inquiſitions, Indictments Preſentments, Informations, Decrees, Sentences, Probats of Wills, nor Letters of Adminiſtration, nor any Writs of Actings on, or returns of Writs, Orders, or other proceedings in Law or Equity had, made, given, taken or done, or depending in the Courts of Chancery, Kings Bench, Upper Bench, Common Pleas, and Court of Exchequer, and Court of Exchequer Chamber, or any of them ſitting at Weſtminſter, or in the Courts of the Great Seſſions in Wales, the Courts of any Counties Palatine, or Dutchy of Lancaſter, or Town of Berwick upon Tweed, or in any other inferiour Courts of Law or Equity; or by any the Judges, Clerks, Officers, Sheriffs, Coroners or Miniſters, or other acting in obedience to them, or any of them, or by any the Courts of Admiralty, Delegates, Juſtices of Aſſize, Niſi prius, Oyer and Terminer, Goal-delivery, Juſtices of the Peace, Commiſſioners of Sewers, Bankrupts, or Charitable uſes, nor any Actings, Proceſs, Proceedings, nor Executions thereupon had, made, given, done, or ſuffered in the Kingdom of Enland, ſince the Firſt of May, One thouſand ſix hundred fourty two, ſhall be avoided for want or defect of any legal power in the ſaid Courts, Judges, Commiſſioners, Juſtices, or any of them, (2) or for, or by reaſon that the Premiſſes, or any of them, were commenced, proſecuted, had, made, held or uſed in the Name, Stile, or Title of the late King; or in the Name, Stile, Title or Teſte of Cuſtodes Libertatis Angliæ Authoritate Parliamenti; or in the Name, Stile, Title, or Teſte of The Keepers of the Liberty of England by Authority of Parliament, or in the Name, Stile, Title, or Teſte of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging; or of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, or the Name Stile, Title, or Teſte of Richard Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging; or for, or by reaſon of any alteration of the ſaid Names, Stiles or Titles; (3) or for that the ſaid fines, recoveries, proceſs, pleadings, proceedings, and other things before mentioned, or the entry and enrolment of them, or any of them, were in the Latine or Engliſh tongue; (4) but that all and every ſuch Fines, recoveries, and other things above mentioned, and the actings, doings and proceedings thereupon, ſhall be of ſuch, and of no other force, effect and virtue, then as if ſuch Courts, Judges, Juſtices, Commiſſioners, Officers and Miniſters, had acted by virtue of a true, juſt and legal authority, and as if the ſame, and the entry and enrolment therof were in Latine, and as if the ſeveral Acts and Ordinances, or pretended Acts or Ordinances made by both or either Houſes of Parliament, or any convention aſſembled under the Name of a Parliament, or by Oliver Cromwel late ſtiled Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, and his Council warranting or directing ſuch proceedings, had been good, true and effectual Acts of Parliament.

Fines Levied without entry of Licentia concordandi.

II. And whereas, ſince the death of the late King, ſeveral Fines have been levied, without any entry, or due entring of any ſum paid pro licentia concordandi, commonly called the Kings Silver, and without entry, or due entry of any ſum given to the party for the Concord; (2) And alſo whereas in the Term of St. Michael laſt paſt, ſeveral Fines were Levied and Recovered in the Court of Common Pleas, before one Judge only of the ſaid Court:

III. Be it enacted, That the ſaid Fines and Proclamations thereupon, and every of them, ſhall be good and effectual notwithſtanding the defects aforeſaid.

Fines and Recoveries of Lands in Com. Palatin. Durham.

IV. And be it alſo further enacted, That all Fines, Proclamations of Fines, Recoveries, and other Judicial proceedings in the Court of Common Pleas at Weſtminſter, ſince the death of his late Majeſty King Charles the Firſt, had, levied or ſuffered, of any Lands lying in the County Palatine of Durham, ſhall be good and effectual, notwithſtanding the ſaid Lands were lying in the ſaid County Palatine.

The illegal Acts and proceedings of that high Court of Juſtice, not allowed.

V. Provided, That this Act or any thing therein contained, ſhall not be conſtrued, deemed or adjudged to make good, allow, confirm or countenance any the proceedings in the late Illegal and Unwarranted high Courts of Juſtice, or ſo called, or any of them: (2) And whereas ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred fourty one, and before the five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, there were divers perſons that Adhered to both Houſes of Parliament, who, for or in reſpect of ſuch Adherence, were Indicted, Charged or Impeached of Treaſon: (3) And whereas ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred fourty one, and before the ſaid Five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, divers perſons who Adhered to his Majeſty, or to the late King, were for ſuch their Adherance, Charged, Impeached, or Indicted of High Treaſon:

Indictments, &c. and all Grants thereupon made void.

VI. Be it further provided and enacted, That the ſaid Charges, Impeachments, Indictments, and all Exigents, Outlawries, Convictions and Attainders thereupon, and all Letters Patents and Grants thereupon made, of any Manors, Lands, Tenements or Hereditaments, Eſcheated or Forfeited by reaſon of ſuch Attainder, and all Title to any Meſne profits by reaſon of ſuch Conviction, Outlawry, Attainder or Grant, be from henceforth repealed and diſcharged: (2) And that all Eſcheats, Forfitures and Confiſcations by reaſon of ſuch Outlawries, Conviction or Attainder, be, and are hereby reſtored unto ſuch perſons ſo Outlawed, Convicted or Attainted, their Heirs, Executors and Admininiſtrators reſpectively, as if no ſuch Attainder had been.

Sales made by Ordinance of Parliament.

VIII. Provided nevertheleſs, and be it enacted, That this Act, or any thing herein contained, ſhall not extend to avoid or confirm any Sales or Eſtates made by virtue or pretence of any Act, Order or Ordinance, or reputed Act, Order or Ordinance of Parliament, ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred fourty two, nor any Confirmation thereof made, or to be made thereof in this preſent Parliament, but that ſuch Sales ſtand and be in the ſame plight and condition as they ſhould or might have done, if this Act had not been made.

Recognizances, Obligations, &c. in the names of the late Protector.

VIII. And be it further enacted by the authority aforeſaid, That all Recognizances, Obligations or other Securities, made or given to the Keepers of the Liberty of England, by authority of Parliament, or to Oliver Lord Protector of the Common wealth of England, Scotland and Ireland, and the Dominions thereunto belonging, or to Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, or to Richard Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, and not pardoned or diſcharged by any Act paſſed or to be paſſed this preſent Parliament, or otherwiſe, other then ſuch Recognizances, Obligations and Securities as have been made and given (to any pretended power or perſons aforeſaid, or to any deriving or pretending to derive authority from them) by any ſuch perſon or perſons, for or by reaſon of their adherence to his Majeſty, or his ſaid late Royal Father, or related to, or ariſing only upon or in reſpect of the late Troubles: All which are hereby declared to be void, and to be delivered up to be cancelled, (2) and all Jdgments, Extents, Inquiſitions, Executions and Seizures had for the ſaid Keepers or Protectors, or any of them, and not likewiſe pardoned or diſcharged, other then as aforeſaid, ſhall and may be had and proſecuted in the name and to the uſe of his Majeſty, his Heirs or Succeſſors; (3) And alſo excepting all Obligations, Bonds or Recognizances entred into to the ſaid Keepers or Protectors, or any of them, by any perſon or perſons, by Order or Direction of any Council of State, Committee of Safety, Major Generals, Decimators, or any Officer or other perſon under them, or any other Military power; all which Obligations, Bonds and Recognizances are hereby diſcharged and declared to be null and void to all intents and purpoſes.

Juſtices, Serjeants, &c. Commiſſioners of Sewers.

IX. Provided alſo, and be it enacted, That this Act or any thing therein contained, ſhall not extend to continue after the eighth day of May, in the year of our Lord, One thouſand ſix hundred and ſixty, any Juſtice or Juſtices of one Bench or the other, or Barons of the Exchequer, Serjeants at Law, Commiſſions of Sewers, Commiſſions of Bankrupts, or of Charitable uſes, made or conſtituted, by or in the Name or Stile of any the late pretended Powers or Authorities.

Writs of Error may be brought.

X. Provided always, That it ſhall and may be lawful to and for every perſon or perſons who ſhall find themſelves grieved or damnified by any Judgment, Fine, Recovery, Decree or Sentence given, made, levied, granted or pronounced in any of the ſaid Courts, to proceed in due form of Law, either by writ of Error, Bill of Review, Appeal, or other lawful remedy, for the reverſing, annulling or revoking of the ſame, in ſuch manner as they might at any time heretofore have done, if the ſaid Courts had been eſtabliſhed by lawful authority, other then for thoſe errors and defects which are remedied or provided for by this Act.

Non-claim upon Fines of lands ſold by Ordinance of Parliament.

XI. Provided always, and be it further enacted by the authority aforeſaid, That no non-claim upon or after any Fine or Fines hereby made good or confirmed, ſhall extend or be conſtrued to bar or prejudice any perſon or perſons, their Heirs or Succeſſors, or their Feoffees or Truſtees (other then the parties to the ſaid Fines and their Heirs general and ſpecial, and his and their Truſtees) as concerning ſuch Right, Claim and Intereſt, as they had in or to any Lands, Tenements, or other Hereditaments, which by colour of any Act, Order or Ordinance of both or either Houſes of Parliament, or any Convention ſitting at Weſtminſter, under the Name or Stile, or aſſuming the Name or Stile of a Parliament, ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred fourty and two, and before the Five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, were ſold, conveyed or diſpoſed, as then, or late the Lands, Tenements and Hereditampnts of the King, Queen or Prince, or of Archbiſhops, Biſhops, Deans, Deans and Chapters, or other Eccleſiaſtical perſons, or as the Lands, Tenements and Hereditaments of any other perſons, for their Adherency to the late King, or his Majeſty that now is, or for any other Actings relating to, or in reſpect of the late Troubles; (2) So always that the ſaid perſon or perſons aforeſaid, their Heirs or Succeſſors, purſue their Title, Claim or Intereſt, by way of Action, or lawful Entry, within five years next after the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred and ſixty.

The late Government declared to be uſurped.

Recognition of his Majeſties juſt Title.

XII. And although in this Confirmation of Judicial proceedings, it was neceſſary to mention divers pretended Acts and Ordinances, by the Names and Stiles which thoſe perſons then Uſurped, who took upon them to paſs the ſame, namely, ſome by the Stile and Name of the Keepers of the Liberty of England, by authority of Parliament; and others by the Name and Stile of Protectors of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging; (2) Yet this preſent Parliament doth declare, and it is further enacted by the authority of the ſame, that the Names and Stiles aforeſaid, and every of them, are moſt Rebellious, Wicked, Traiterous, and Abominable Uſurpations, deteſted by this preſent Parliament, as oppoſite in the higeſt degree to his Sacred Majeſties moſt juſt and undoubted Right, to whom, and to his Heirs and Lawful Succeſſors, the Imperial Crowns of the Realms of England, Scotland and Ireland, with their, and every of their Dominions and Territories, do of Right appertain, and as violating and infringing the Juſt Rights and Priviledges of Parliament, and both Houſes thereof now aſſembled, or that hereafter ſhall be called and aſſembled.

Indictments of Treaſon, &c. for levying wars againſt Oliver Cromwel, &c. made void,

XIII. Provided always, and be it enacted, That all and every pretended Indictment or Indictmonts, Outlawries, Inquiſitions, and all proceedings thereon of high Treaſon againſt any perſon or perſons whatſoever, for levying of War againſt the late Tyrant Oliver Cromwel, the pretended Keepers of the Liberty of England, or any other uſurped power, ſhall be from henceforth void and of none effect in Law: (2) And that all grants, conveyances, leaſes, deviſes, aſſurances, ſtatutes, recognizances, and judgments for debt, damages heretofore had, made or ſuffered by any perſon, or his heirs, whoſe conviction, utlagary, or attainder is by this Act diſcharged or made void, ſhall be of the ſame force and effect, as if no ſuch conviction, outlawry, or attainder had been. Stat. 13 Car. 2. cap. 7.

CAP. XIII.

An Act for the reſtraining the taking of exceſſive Uſury.

None ſhall take above Six pounds for the loan of an hundred pounds for a year.

Foraſmuch as the abatement of Intereſt from Ten in the Hundred in former times, hath been found by notable experience Beneficial to the Advancement of Trade, and Improvement of Lands by good Husbandry, with many other conſiderable advantages to this Nation, eſpecially the reducing of it to a nearer proportion with Foreign States with whom we Traffick: (2) And whereas in freſh memory the like fall from Eight to Six in the Hundred, by a late conſtant practice hath found the like ſucceſs, to the general contentment of this Nation, as is viſible by ſeveral Improvements: (3) And whereas it is the endeavour of ſome at preſent to reduce it back again in practiſe to the allowance of the Statute ſtill in force, to Eight in the Hundred, to the great diſcouragement of ingenuity and induſtry in the Husbandry, Trade and Commerce of this Nation:

The penalty.

II. Be it for the reaſons aforeſaid, enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, That no perſon or perſons whatſoever, from and after the Twenty ninth day of September, in the year of our Lord, One thoſand ſix hundred and ſixty, upon any Contract, ſhall from and after the ſaid Twenty ninth of September, take directly or indirectly, for Loan of any Moneys, Wares, Merchandiſe, or other Commodities whatſoever, above the value of Six pounds for the forbearance of one hundred pounds for a year, and ſo after that rate for a greater or leſſer ſum, or for a longer or ſhorter time: (2) And that all Bonds, Contracts and Aſſurances whatſoever, made after the time aforeſaid, for payment of any principal or money to be lent, or covenanted to be performed upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken above the rate of Six pounds in the Hundred as aforeſaid, ſhall be utterly void: (3) And that all and every perſon or perſons whatſoever, which ſhall after the time aforeſaid, upon any Contract to be made, after the ſaid Twenty ninth day of September, take, accept, and receive, by way or means of any corrupt Bargain, Loan, Exchange, Cheviſaunce, Shift, or Intereſt of ay Wares, Merchandiſe, or other thing or things whatſover, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance for the forbearing or giving day of payment for one whole year, of and for their money, or other thing, above the ſum of Six pounds for the forbearing of One Hundred pounds for a year, and ſo after that rate for a greater or leſſer ſum, or for a longer or ſhorter term, ſhall forfeit and loſe for every ſuch offence, the treble value of the moneys, wares, merchandiſe, and other things ſo ſent, bargained, ſold, exchanged or ſhifted.

The forfeiture of a Scrivener that ſhall take above five ſhillings for the forbearance of an hundred pounds for a year, and above twelve pence for making a Bond.

III. And be it further enacted by the authority aforeſaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who ſhall after the ſaid Twenty ninth day of September, take or receive directly or indirectly, any ſum or ſums of money, or other reward or thing, for Brokage, Soliciting, Driving or Procuring the Loan, or forbearing of any ſum or ſums of money, over and above the Rate or Value of five ſhillings for the Loan, or forbering of One hundred pounds for a year, and ſo rateably, or above Twelve pence for making or renewing of the Bond or Bill for Loan, or for forbearing thereof, or for any Counter-bond or Bill concerning the ſame, ſhall forfeit for every ſuch offence Twenty pounds, and have Impriſonment for half a year; (2) The one moiety of all which forfeitures to be to the King our Sovereign Lord, his Heirs and Succeſſors; And the other moiety to him or them that will ſue for the ſame in the ſame County where the ſeveral offences are committed, and not elſewhere, by Action of Debt, Bill, Plaint or Information; in which no Eſſoign, Wager of Law, or Protection to be allowed. Stat. 13 Car. 2. cap. 13,

CAP. XIV.

An Act for a perpetual Anniverſary Thankſgiving on the nine and twentieth day of May.

The wonderful power and goodneſs of God in the Reſtauration of his Majeſty.

The unanimous and cordial affection of the Lords and Commons in Parliament, and people in general.

The intent of keeping the ſaid day.

The 29th of May to be annually celebrated.

All perſons to reſort to ſome Church, Chappel, or publick place of Thankſgiving the ſaid day.

FOraſmuch as Almighty God the King of Kings, and ſole diſpoſer of all earthly Crowns and Kingdoms, hath by his All-ſwaying providence and power miraculouſly demonſtrated in the view of all the world, his Tranſcendent Mercy, Love and Graciouſneſs towards his moſt excellent Majeſty, CHARLES the Second, by his eſpecial Grace, of England, Scotland, France and Ireland, King, Defender of the true Faith, and all his Majeſties Loyal Subjects of this his Kingdom of England, and the Dominions thereunto annexed, by his Majeſties late moſt wonderful, glorious, peaceable and joyful Reſtauration to the actual poſſeſſion and exerciſe of his undoubted Hereditary Sovereign and Regal authority over them (after ſundry years forced extermination into Foreign parts, by the moſt Traiterous Conſpiracies, and Armed power of uſurping Tyrants, and execrable perfidious Traitors) and that without the leaſt oppoſition, or effuſion of bloud, through the unanimous, cordial, Loyal Votes of the Lords and Commons in this preſent Parliament aſſembled, and paſſionate deſires of all other his Majeſties Subjects; (2) which unexpreſſible Bleſſing (by Gods own moſt wonderful diſpenſation) was compleated on the Twenty ninth day of May laſt paſt, being the moſt memorable Birth day, not only of his Majeſty, both as a Man and Prince, but likewiſe as an actual King, and of this and other his Majeſties Kingdoms, all in a great meaſure new born and raiſed from the dead on this moſt joyful day, wherein many Thouſands of the Nobility, Gentry, Citizens, and other his Leiges of this Realm, conducted his Majeſty unto his Royal Cities of London and Weſtminſter, with all poſſible expreſſions of their publick joy and loyal affections, in far greater Triumph then any of his moſt Victorious Predeceſſors Kings of England, returned thither from the Foreign Conqueſts; (3) and both his Majeſties Houſes of Parliament, with all dutiful and loyal Demonſtrations of their Allegiance, publickly received, and cordially congratulated his Majeſties moſt happy Arrival, and Inveſtiture in his Royal Throne, at his Palace at White-hall; (4) Upon all which conſiderations, this being the day which the Lord himſelf hath made and crowned with ſo many publick Bleſſings and ſignal deliverances, both of his Majeſty and his people, from all their late moſt deplorable Confuſions, Diviſions, Wars, Devaſtations, and Oppreſſions, to the end that it may be kept in perpetual Remembrance in all Ages to come, and that his Sacred Majeſty with all his Subjects of this Realm, and the Dominions thereof, and their poſterities after them, might annually celebrate the perpetual memory thereof, by ſacrificing their unfeigned hearty publick Thanks thereon to Almighty God, with one heart and voice, in a moſt devout and Chriſtian manner, for all theſe publick benefits received and conferred on them, upon this moſt joyful day. (5) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters of Gods Word and Sacraments, in every Church, Chappel, and other uſual place of Divine Service, and publick Prayer, which now are, or hereafter ſhall be within this Realm of England and the reſpective Dominions thereof, and their Succeſſors, ſhall in all ſucceeding Ages, annually cellebrate the Twenty ninth day of May, by rendring their hearty publick Praiſes and Thankſgivings unto Almighty God, for all the forementioned extraordinary Mercies, Bleſſings and Deliverances received, and mighty acts done thereon, and declare the ſame to all the people there aſſembled, and the generations yet to come, that ſo they may for ever praiſe the Lord for the ſame, whoſe name alone is excellent, and his glory above the Earth and Heavens: (6) And be it further Enacted, That all and every perſon and perſons inhabiting within this Kingdom, and the Dominions thereunto belonging, ſhall upon the ſaid day annually reſort with diligence and devotion to ſome uſual Church, Chappel or Place where ſuch publick Thankſgivings and Praiſes to Gods moſt Divine Majeſty ſhall be rendred, and there orderly and devoutly abide during the ſaid publick Thankſgivings, Prayers, Preaching, Singing of Pſalms, and other Service of God there to be uſed and miniſtred:

Notice of this Act to be given the next Lords day before.

II. And to the end that all perſons may be put in mind of their duty thereon, and be the better prepared to diſcharge the ſame with that piety and devotion as becoms them, (2) Be it further enacted, That every Miniſter ſhall give notice to his Pariſhioners publickly in the Church at Morning Prayer the Lords day next before every ſuch Twenty ninth day of May, for the due obſervation of the ſaid day, and ſhall then likewiſe publickly and diſtinctly read this preſent Act to the people. Stat. 13 Car. 2. cap. 11.

CAP. XV.

An Act for the ſpeedy Disbanding the Army, and Garriſons of this Kingdom, with Inſtructions for the ſame. EXP.

CAP. XIV.

An Act for enabling the Souldiers of the Army now to be disbanded, to Exerciſe Trades.

Souldiers, inſtrumental in his Majeſties Reſtauration.

WHereas there are divers Officers and Souldiers now in the Kings Majeſties Service, under the Command of his Excellency George Duke of Albemarle, Captain General of his Majeſties Armies, who have been Inſtrumental, by the Bleſſing of Almighty God, to the happy Reſtitution and Reſtoration of his Sacred Majeſty unto his Kingdoms and People, and to his Juſt Right of Government in the Kingdom of England, and Dominions and Territories thereunto belonging; ſome of which are men that uſed Trades, others that were Apprentices to Trades, who had not ſerved out their Times, and others who are apt and fit for Trades; many of which, the Wars being now ended, would willingly imploy themſelves in thoſe Trades they were formerly accuſtomed unto, or which they are apt and able to follow and make uſe of for the getting of their Living by their Labour and Induſtry; but are, or may be hindred from exerciſing thoſe Trades in certain Cities, Corporations, and other places within this Kingdom, becauſe of certain By-laws and Cuſtoms of thoſe places, and of the Statute made in the Fifth year of the late Queen Elizabeth, prohibiting the uſe of certain Trades by any perſon that hath not ſerved as an Apprentice to ſuch Trade by the ſpace of ſeven years; (2) For remedy whereof, and to the end that thoſe perſons who were in actual Service under the Command of the ſaid Captain General on the Five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, and were Inſtrumental to the happy Reſtitution of the Kings Majeſty unto his Juſt Right of Government as aforeſaid, may not be deprived of a means of Livelyhood, May it pleaſe your Majeſty, that it may be enacted, (3) and be it enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That all ſuch Officers and Souldiers who were under the Command of the ſaid Captain General on the ſaid Five and twentieth day of April, in the ſaid year of our Lord, One thouſand ſix hundred and ſixty, and have not ſince deſerted the Service, or refuſed to take the ſeveral Oaths of Supremacy and Allegiance unto the Kings Majeſty that now is, his Heirs and Succeſſors, and that have heretofore uſed or exerciſed any Trade before that time, or that were Apprentices to any Trade, though they did not ſerve out the time of their Apprenticeſhip; or any other perſon employed as aforeſaid under the Command of the ſaid Captain General at the time aforeſaid, that is apt and able to practiſe any Trade, may ſet up and exerciſe ſuch ſeveral and reſpective Trades, Myſteries or Occupations, whereunto he or they have been bound Apprentice, and ſerved any part of his or their Time, or any Handicraft or other Trade exerciſed about Manufactures, though he was never bound Apprentice to the ſame, in manner following; (that is to ſay) (4) Such of them as have been Apprentices as aforeſaid, may ſet up and exerciſe ſuch ſeveral and reſpective Trades whereunto he or they have been ſo bound Apprentices, as fully as if they had ſerved out their reſpective Terms or Times for which they have been bound, and ſhall have and enjoy the ſame Immunities as they ſhould have had and enjoyed, if they had ſerved out their ſaid Terms or Times: (5) And all others of the ſaid Officers and Souldiers, may ſet up and exerciſe ſuch Trades as they are apt and able for, in the ſeveral Towns and Places within the ſeveral and reſpective Counties wherein they were born, without any Suit, Let, or moleſtation of any perſon or perſons whatſoever, for or by reaſon of the uſing of ſuch Trade: (6) And if any ſuch Officer or Officers, Souldier or Souldiers, ſhall be ſued, impleaded or indicted in any Court whatſoever, within this Kingdom, for uſing or exerciſing any ſuch Trades as aforeſaid; then the ſaid Officer or Officers, Souldier or Souldiers, making it appear to the ſame Court where they are ſo ſued, impleaded or indicted, that they have ſerved the Kings Majeſty under the Command of the ſaid Captain General as aforeſaid, and that they have ſeverally taken the ſaid Oaths of Supremacy and Allegiance, and have not ſince deſerted the ſaid Service, ſhall upon the General Iſſue pleaded, be found Not guilty in any Plaint, Bill, Information or Indictment exhibited againſt them; (7) and ſuch perſons who, notwithſtanding this Act, ſhall proſecute their ſaid Suit by Bill, Plaint, Information or Indictment, and ſhall have a Verdict paſs againſt them, or become Nonſuit therein, or diſcontinue their ſaid Suit, ſuch perſon or perſons ſhall pay unto ſuch Officer or Officers, Souldier and Souldiers, double Coſts of Suit, to be recovered as any other Coſts at Common Law may be recovered; (8) And all Judges and Jurors before whom any ſuch Suit, Information or Indictment ſhall be brought, and all other perſons whatſoever, are to take notice of this preſent Act, and ſhall conform themſelves thereunto; Any Statute, Law, Ordinance, Cuſtom or Proviſion to the contrary in any wiſe notwithſtanding.

5 Eliz. 4.

Such as were in Service under General Monk 25 April 1660 and inſtrumental in his Majeſties Reſtitution may exerciſe Trades.

Such as have deſerted the Service, or refuſe the Oath of Allegiance, excepted.

Apprentices to enjoy all Immunities, as if they had ſerved their time.

The General Iſſue pleaded upon this Act.

II. Provided, That no Officer or Souldier ſhall have the benefit of this Act, that ſhall not prove his Service as aforeſaid, either by a Certificate under the Hand and Seal of ſome Field Officer, and two Commiſſion Officers of the Regiment wherein he ſerved, or ſome General Officer of the Army, certifying his knowledge of his Service aforeſaid, and the ſaid Certificate to be proved by one Witneſs at leaſt, to be a true Certificate, or for default of ſuch Certificate, by the Oaths of two credible perſons at leaſt.

How any Officer or Souldier may prove his being in Service within this Act.

III. Provided alſo, That if any perſon or perſons pretending themſelves to have been Officers or Souldiers within the Qualifications aforeſaid, ſhall produce a falſe Certificate, to the intent to have the benefit of this Act, and thereof being convicted by confeſſion, or due proof of Law, ſhall ſuffer Impriſonment, not exceeding ſix months, and to loſe the benefit of this Act; Any thing therein contained to the contrary in any wiſe notwithſtanding.

Penalty upon falſe Certificates.

IV. Provided alſo, and be it enacted, That the ſaid Officers and Souldiers in this Act mentioned, and all other perſons exerciſing, or that ſhall exerciſe any Trade or Profeſſion in any City or Corporation, ſhall be liable to bear all Offices in the ſaid reſpective Cities and Corporations, when by the ſaid Cities and Corporations they ſhall be elected thereunto, and ſhall ſubmit to ſuch Orders of Corporations and Companies for ſearch of the well and true making of their Manufacture, as others free of the ſaid Companies or Corporations are ſubject unto; Any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

Souldiers, Tradeſmen to ſubmit to all Offices and Orders in Corporations and Companies of their Manufacture.

CAP. XVII.

An Act for Confirming and Reſtoring of Miniſters.

Preamble.

FOraſmuch as the confirming of ſome Eccleſiaſtical perſons and Miniſters in poſſeſſion, and reſtoring of others who have been ſequeſtred or ejected, and are fit to be reſtored in and to their ſeveral Eccleſiaſtical Benefices, Livings and Promotions, without force or ſuit of Law, will much conduce to the peace and welfare of this Church and Kingdom; (2) Be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every Eccleſiaſtical perſon or Miniſter being Ordained by any Eccleſiaſtical perſons before the five

Certain ordained Miniſters having been in actual poſſeſſion reſtored.

The King bound.

The next avoidance to be in the rightful Patrons.

five and twentieth day of December laſt paſt, being of the age of four and twenty years, and having not renounced his Ordination, who hath been formerly ſince the firſt day of January, in the year of our Lord, One thouſand ſix hundred fourty two, preſented, nominated to, or placed in, and in actual poſſeſſion, and taking the profits of any Eccleſiaſtical Benefice, Rectory, Parſonage, Vicarage, Church, Chappel, Cure, or other Eccleſiaſtical Promotion with Cure of Souls, within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, which hath been become void, either by death, voluntary reſignation, or ſurrender, or other avoidance, to the Patron, or any other perſon pretending to have title to accept of reſignations, ſince the ſaid firſt day of January, and before the ſaid five and twentieth day of December laſt paſt, and was on the ſaid five and twentieth day of December in poſſeſſion, and received the profits thereof, being in the gift, donation, preſentation, collation or nomination of the Kings Majeſty that now is, or of his late Royal Father King Charles the Firſt, in right of the Crown, or by reaſon of Wardſhip or any other title, or of any Archbiſhop, Biſhop, Dean, Dean and Chapter, Prebend, Arch-deacon, Body politick or corporate, or of any other perſon or perſons whatſoever, other then ſuch as are hereby reſtored, ſhall be, and is hereby declared, adjudged, and enacted to have been, be, and continue the real and lawful Incumbent, Parſon, Rector, Vicar and Poſſeſſor of the ſaid Eccleſiaſtical Benefices, Livings and Promotions reſpectively, to all intents and purpoſes whatſoever, as if he or they had been nominated, preſented, collated, admitted, inſtituted and inducted thereunto, or placed therein in due form of Law, and had read and ſubſcribed the Articles according to the Statute in that caſe made and provided, and notwithſtanding any other matter or thing by him or them done or omitted to be done; (3) And that as well againſt the Kings Majeſty, and againſt his Heirs and Succeſſors, as againſt all and every other perſon and perſons, Bodies politick and corporate whatſoever, and their reſpective Succeſſors, Heirs, Executors, Adminiſtrators and Aſſigns; (4) Saving to the Patrons and every of them, their juſt right of patronage, donation, preſentation, collation or nomination upon the next avoidance of every ſuch Eccleſiaſtical perſon, Miniſter or Incumbent hereby confirmed as is aforeſaid, in as full and ample manner as if this Act had not been made.

Voluntary reſignations confirmed.

II. And be it enacted by the authority aforeſaid, that every voluntary ſurrender or reſignation made by any Incumbent to the Patron of any Benefice, or to any late pretended Powers ſince the ſaid firſt day of January, of an Eccleſiaſtical Benefice or Promotion, ſhall be adjudged as an effectual avoidance of ſuch Benefice or Promotion, as if the ſame had been made to the competent Ordinary, and accepted by him.

The former preſentations, &c. ſhall make no uſurpation.

III. And be it further enacted, That no preſentation, collation, or diſpoſition aforeſaid, nor confirmation by this Act, of any Parſon or Miniſter, in or to any Eccleſiaſtical Benefices, Livings or Promotions aforeſaid, ſhall be conſtrued or adjudged to amount to any uſurpation in Law, to the prejudice of any perſon or perſons, Bodies politick or corporate, who have or ſhall have right to preſent thereunto upon the ſaid avoidance.

How the perſons to be reſtored are to be qualified.

The time how long the preſent Incumbent ſhall ſtay in.

The moiety of the profits of the Living to be paid to the reſtored Miniſters.

IV. And be it further enacted, That every Eccleſiaſtical perſon or Miniſter, formerly ſequeſtred or ejected, diſpoſſeſt and kept out after lawful preſentation and perception of the profits of any of the ſaid Eccleſiaſtical Benefices, Livings or Promotions, which hath not ſubſcribed any Petition to bring the late King Charles of bleſſed memory to Trial, or which hath not by writing, preaching, printing, or any other open Act procured, endeavoured, or juſtified the murther of the ſaid late King; or which hath not by preaching, printing, writing, or conſtant refuſal to Baptize, declared his Judgment to be againſt Infant-baptiſm, ſhall be reſtored to the ſame, and to the poſſeſſion thereof, at or before the Five and twentieth day of December next enſuing; (2) And that every Eccleſiaſtical perſon aforeſaid, who ſhall be removed, ſhall or may enjoy the Tythes, Profits, Duties, Glebes and Houſes thereunto belonging, until the ſaid Five and twentieth day of December next enſuing, and ſhall then upon ſuch removal peaceably leave or yield up the poſſeſſion thereof, and ſhall alſo give his Penal Bond to the Parſon or Miniſter ſo to be reſtored, to render to him, his Executors, Adminiſtrators and Aſſigns, the full moiety of the clear profits and Tythes, or the value thereof (to be aſcertained by the Commiſſioners hereafter appointed under their Hands) from Michaelmas laſt paſt to Michaelmas next enſuing, (all Taxes and other requiſite charges and expences firſt deducted and allowed before the removal of the Goods of the Parſon or Miniſter ſo to be moved) or the Tythes or other profits from the ſame, at or upon the ſaid Five and twentieth day of December; (3) And the ſaid Parſon or Miniſter ſo to be removed, upon his quitting the poſſeſſion at the time aforeſaid, ſhall be, and is hereby abſolutely diſcharged and acquitted from all Tythes and Profits received, and all and every arrears thereof, other then the moiety of the Profits and Tythes ſecured by Bonds aforeſaid, before and until the ſaid Feaſt of Saint Michael next enſuing, againſt the Parſon or Miniſter ſo reſtored, his Executors, Adminiſtrators and Aſſigns, and againſt all other perſon or perſons whatſoever.

No Miniſter to be reſtored to above one Benefice.

V. Provided always, That every Miniſter, not ſcandalous, ignorant, or inſufficient as aforeſaid, being proved as aforeſaid, heretofore ſequeſtred or ejected out of two or more Eccleſiaſtical Benefices or Livings with Cure of Souls, ſhall be reſtored to one of them, and no more, at his election, except where he hath formerly reſigned or ſurrendred any of the ſaid Benefices or Livings, and thereupon the right Patron, or any other in his right, hath preſented, collated, nominated, placed, or put into the ſame any other Incumbent or Miniſter as aforeſaid, in which caſe the ſaid ſequeſtred or ejected Miniſter ſhall not be reſtored to ſuch Benefice or Living ſo reſigned or ſurrendred as aforeſaid.

VI. Provided alſo by the authority aforeſaid, That every Miniſter who by virtue of this Act is confirmed in any Eccleſiaſtical Benefice or Living, with Cure of Souls, which ſhall have more then one Eccleſiaſtical Benefice or Living, with Cure of Souls, ſhall hold and enjoy only one of them, and no more, at his election; except where he hath formerly reſigned or ſurrendred any of the ſaid Benefices or Livings, and thereupon the right Patron, or any other in his right, hath preſented, collated, nominated, placed, or put into the ſame any other Incumbent or Miniſter as aforeſaid, in which caſe the Miniſter ſo to be confirmed ſhall and may retain and keep the Benefice or Living which he hath not ſo reſigned or ſurrendred as aforeſaid.

VII. And be it likewiſe enacted, That where the Parſon or Miniſter formerly ſequeſtred or ejected, ſhall declare his conſent in writing before the Commiſſioners appointed by this Act, That the preſent poſſeſſor being not ſcandalous, ignorant, or inſufficient, ſhall be and continue in ſuch ſequeſtred Benefice, Living or Promotion, That in ſuch caſe the preſent poſſeſſor ſhall be hereby ſetled and confirmed therein, as the ſole and rightful Incumbent and poſſeſſor thereof to all intents and purpoſes, any former Statute or Law to the contrary notwithſtanding: (2) And that every Parſon or Miniſter who ſhall be removed by this Act, ſhall pay all Tenths not pardoned, and repair, or make ſatisfaction, for all wilful or negligent Dilapidations made or ſuffered by him, of, in, or upon the premiſſes, or any of them, ſince the twenty ninth day of September laſt; (3) And ſhall likewiſe pay or ſatisfie all Fifths, or any other ſum in lieu of Fifths which were in arear or unpaid at the Feaſt of Saint Michael the Archangel laſt paſt, due or payable by him, by any Order or Orders not reverſed of any Committees or Commiſſioners formerly appointed and authorized by any pretended authority or authorities whatſoever, to grant or ſet out the ſame or otherwiſe pay or ſatisfie all Arrears then due of any ſum or ſums of Money payable by agrement of the parties, and not ſince quitted by like agreement, the ſame to be aſcertained by the ſaid Commiſſioners; (4) For payment whereof, the Miniſter ſo to be removed, before his removal ſhall alſo give his penal Bond or Bonds unto the Miniſter to be reſtored, to pay the ſame before the five and twentieth of December next; And if he ſhall refuſe to give ſuch Bond or Bonds as aforeſaid, for the payment thereof, that then the Miniſter ſo to be reſtored, ſhall be, and is hereby enabled to bring an Action of Debt at the Common Law for the ſaid Arrears, and ſhall recover over and above the ſaid Debt the full value in Damages beſides Coſts of Suit.

The party to be reſtored may confirm the preſent poſſeſſors right.

Party removed to pay Tenths, and anſwer for Dilapidations;

And pay Fifths

Bond for them

Action for them

VIII. And it is further enacted by the authority aforeſaid, That every Eccleſiaſtical perſon or Miniſter now in poſſeſſion of any Eccleſiaſtical Benefice, Living or Promotion, which ſhall continue and be ſetled therein by virtue of this Act, ſhall pay all ſuch arrears of Fifths, or other ſums of money in lieu thereof, due or payable by him by any ſuch Order or Orders or Agreement as aforeſaid: Or to Mr. Honywood Parſon of Kegworth in Leiceſterſhire who hath been beyond Sea ſince the firſt day of January, One thouſand ſix hundred fourty two, who hath heretofore had no Order nor agreement for his Fifths as have accrued due or payable out of ſuch Eccleſiaſtical Benefice, Living or Promotion, during ſuch time as he hath been poſſeſſed thereof, to ſuch Parſon or Miniſter as hath been formerly ejected or ſequeſtred out of the ſame.

Fifths.

Parſon Honywood.

IX. And whereas divers Fifths or ſums of money in lieu thereof are in arrear, and unpaid by ſuch as have been formerly poſſeſſed of ſequeſtred Livings, (2) It is further enacted by authority aforeſaid, That every Eccleſiaſtical perſon or Miniſter now living, or the Executors or Adminiſtrators of every Eccleſiaſtical perſon or Miniſter deceaſed, to whom any Fifths or ſums of money in lieu thereof, are or were due or payable by any ſuch Order and Agreement, or to the ſaid Mr. Honywood as aforeſaid, and are yet in arrear, ſhall have the ſaid Fifths or ſums of money in arrear as aforeſaid, paid unto them reſpectively; (3) And they are hereby reſpectively enabled to recover the ſame by Action of Debt at the Common Law, to be brought againſt every ſuch Parſon or Miniſter who ought to have paid the ſame by virtue of any ſuch Order and Agreement, or to the ſaid Mr. Honywood as aforeſaid, during the reſpective poſſeſſion of ſuch Eccleſiaſtical Benefice, Living or Promotion, of or for which the ſaid Fifths or ſums of money in lieu thereof, were or ought to have been or to be paid; in all which Actions, no Eſſoin, Wager of Law, or Protection ſhall be allowed: (4) And that no perſon to whom Fifths hath been formerly paid, ſhall be hereafter queſtioned for the ſame.

Arrears of Fifths.

X. And be it alſo enacted, That every ſuch Eccleſiaſtical perſon or Miniſter that is or ſhall be by virtue of this Act removed out of, or confirmed in any ſuch Benefice, Living or Promotion, which now is, or hath been poſſeſſed as aforeſaid, his or their Executors, Adminiſtrators and Aſſigns, ſhall be and is reſpectively enabled to have, hold and enjoy all the mean profits already received, and to receive, recover, collect, or compound for, and enjoy all and every the arrear of Tythes, profits or duties thereunto belonging, or which ſhall belong thereunto, incurred during ſuch time as he was ſo poſſeſſor thereof, and before or until the Feaſt of St. Michael the Archangel now next enſuing, and to ſue for the ſame in any Court of Common Law or Equity, as if he or they had been, and were the true and lawful Incumbent or Poſſeſſor of ſuch aforeſaid Eccleſiaſtical Benefice, Living or Promotion.

Arrears of Tythes.

XI. Provided alſo, and be it enacted by the authority aforeſaid, That if any Miniſter or other ſuch Eccleſiaſtical perſon as aforeſaid, having any Eccleſiaſtical Benefice or Living with Cure of Souls, who is before, in and by this Act declared, adjudged and enacted to continue the real and lawful Incumbent thereof, which hath petitioned to bring the late King Charles, of bleſſed memory to Trial, or which hath by writing, preaching, printing, or any other open Act, procured, endeavoured or juſtified the Murder of the late King, or which hath by preaching, printing, writing, or conſtant refuſal to Baptize, declared his judgment to be againſt Infant-baptiſm, that then ſuch Miniſter or other Eccleſiaſtical perſon ſhall not remain, continue, and be, or be taken to be the real and lawful Incumbent of the Eccleſiaſtical Benefice or Living, but the ſame ſhall become, and is hereby declared to be void to all intents and purpoſes, as if the ſaid Miniſter or other Ecelcſiaſtical perſon were dead, and that the Patron who hath the next and immediate right to preſent unto the ſame, ſhall and may preſent unto the ſaid Eccleſiaſtical Benefice or Living, as in caſe of vacancy or avoidance by death of the Incumbent; Any thing in this Act contained to the contrary thereof notwithſtanding.

Perſons reſtored, how to be qualified.

XII. And it is further enacted, That the perſons in Commiſſion of the Peace in the ſeveral Counties of this Realm, the Dominion of Wales, and the Town of Berwick upon Tweed, on the firſt day of September, One thouſand ſix hundred and ſixty, within their reſpective Counties,

Limits

Juſtices of Peace Commiſſioners to execute this Act without further Suit.

All former Suits made void.

Limits and Precincts, or any five or more of them living or dwelling next to the Church or Living to which any ſuch Parſon or Miniſter is to be reſtored, or from which any ſuch Parſon or Miniſter is to be removed, and who are no ways Intereſted as Patrons or Parties in the Patronage or Tythes of the ſaid Church or Living, or any part thereof, ſhall be, and are hereby conſtituted, appointed and authorized, to be Commiſſioners to Execute all and ſingular the powers and authorities hereby granted within their reſpective Counties and Precincts, for and concerning the removing and reſtoring of ſuch Parſons and Miniſters as aforeſaid, and all other the premiſſes, and finally to determine all differences touching the ſame, until the Five and twentieth of December next; (2) And that all the Suits and Actions in Law or Equity, and all proceedings and verdict thereupon had, or to be had, for, touching or concerning the premiſſes, or any of them, ſhall be, and are hereby ſtayed, barred, annulled and avoided.

Certain Leaſes made by Miniſters confirmed.

XIII. Provided always, and be it enacted, That all Grants and Leaſes made for a valuable conſideration paid or given of any Copy-hold or Free-hold Lands belonging to any ſequeſtred Living or Rectory (except the Glebe and Tythes) for three lives, or twenty one years, according to former uſage, wherein the ancient Rent is reſerved, made by any Miniſter or Eccleſiaſtical perſon poſſeſſed of the ſaid Rectory or Living, by any real or pretended authority, before the five and twentieth of December, One thouſand ſix hundred fifty nine, ſhall continue as good and effectual in Law to all intents againſt the ejected and ſequeſtred Incumbent to be reſtored, and all others, as if they had been made by the proper Incumbent.

Miniſters refuſed to be approved by the pretended Approvers, ſetled in their Churches.

XIV. Provided always, and be it further enacted, That if any rightful Patron hath heretofore preſented his Clerk to any Benefice with Cure of Souls, being then void, unto thoſe perſons who were ſtiled Commiſſioners for approbation of publick Preachers ſitting at Whitehall, or the Committee for plundered Miniſters, who ſat in the year One thouſand ſix hundred fifty and nine, and the ſame Clerk ſo preſented, was refuſed to be admitted without any lawful cauſe, That then ſuch Clerk ſhall be taken, and is hereby enacted to be the perfect Incumbent of ſuch Benefice, to all intents and purpoſes, Any thing in this Act to the contrary notwithſtanding; Unleſs ſuch Patron have ſince preſented another Clerk to ſuch Benefice who now is poſſeſſed thereof, or unleſs ſuch Clerk ſo preſented and refuſed as aforeſaid, be ſince preſented to, and ſetled in ſome other Benefice.

None to be reſtored which deſerted their Livings.

XV. Provided that this Act, nor any thing therein contained, ſhall not extend or be conſtrued to confirm or continue any perſon in any Benefice or Eccleſiaſtical Living or Preferment, which hath ſince the ſaid Five and twentieth day of December laſt, voluntary yielded up and left the poſſeſſion of the ſaid Benefice or Eccleſiaſtical Living or Preferment, and is ſtill out of poſſeſſion thereof, or which by any Writing executed under his Hand and Seal, hath agreed to yield up and leave the poſſeſſion thereof.

Agreement made for Fifths, confirmed.

XVI. Provided alſo, and it is hereby declared, That where there hath been any Agreement between the perſons ſo concerned in this Act for the acquittal of the Miniſter who ought to have paid Fifths of and from the ſame, or any part thereof, That in ſuch caſe no Fifths, or ſatisfaction for fifths ſhall be claimed or paid contrary to the ſaid Agreement.

Payments of Tythes, &c. to the preſent poſſeſſors, is a good diſcharge.

XVII. Provided always, and be it enacted, That all and every perſon and perſons who have paid or ſatisfied by Compoſition or otherwiſe, any Tythes, Penſions, Oblations, Obventions, Rents, or other Eccleſiaſtical Duties belonging to any Rectory, Vicarage, or other Eccleſiaſtical Benefice or Promotion, to any perſon or perſons being in poſſeſſion, or receiving the profits thereof, by colour or pretence of any Authority, or to their Aſſigns, or any others claiming from, by, or under them, ſhall be and are hereby diſcharged of, and from the ſame Tythes, Penſions, Oblations, Obventions, Rents, and other Eccleſiaſtical Duties, againſt all and every perſon and perſons whatſoever.

Theſe Rectories not within this Act. Ewelme Rectory.

XVIII. Provided always, That neither this Act, nor any thing therein contained, ſhall extend to confirm or eſtabliſh the poſſeſſion of the Rectory of Ewelme in the County of Oxon with Thomas Cole, or any other perſon or perſons, who have lately by virtue of any pretended Title entred into the ſame; but that the ſaid Rectory be reſtored to Robert Saunderſon Doctor in Divinity, and Regius Profeſſor in the Univerſity of Oxon, to be enjoyed by him and his Succeſſors, according to a Grant made thereof by the late King James, unto the Regius Profeſſor of Divinity for the time being, and his Succeſſors for ever.

Somerſham Rectory.

XIX. Provided alſo, That nothing therein contained ſhall confirm or eſtabliſh the poſſeſſion of the Rectory of Somerſham in the County of Huntington, with any perſon who hath by virtue of any pretended Title entred into the ſame; but that the ſaid Rectory be reſtored to Doctor Anthoney Tuckney, the preſent Regius Profeſſor of Divinity in the Univerſity of Cambridge, to be enjoyed by him and his Succeſſors, according to a former Grant thereof made unto the Regius Profeſſor of Divinity for the time being, and his Succeſſors for ever; Any thing herein contained to the contrary notwithſtanding.

Oath to be taken by perſons reſtored.

XX. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to confirm or reſtore any Eccleſiaſtical perſon or Miniſter, in or to any Benefice, Living or Eccleſiaſtical Promotion, that ſhall refuſe to take the Oaths of Allegiance and Supremacy, being tendred unto ſuch Eccleſiaſtical perſon or Miniſter, by the ſaid Commiſſioners, or any three of them, which ſaid Commiſſioners, and every three of them, are hereby enabled and enjoyned to adminiſter the Oaths accordingly.

Preſentations under the Great Seal.

XXI. Provided always, and be it enacted, That this Act, or any thing herein contained, ſhall not prejudice the Title of any perſon or perſons to any Eccleſiaſtical Living, Benefice or Promotion with Cure of Souls in this Act mentioned, who have been and ſhall be preſented to ſuch Benefice or Promotion by his Majeſty under the Great Seal of England, between the firſt day of May, in the year of our Lord One thouſand ſix hundred and ſixty, and the ninth of September, in the ſame year; but that ſuch Preſentees ſo preſented by his Majeſty as aforeſaid, ſhall and may from and after the ſaid twenty ninth day of September, enjoy the ſame Benefices and Promotions reſpectively, as if this Act had not been made.

XXII. Nevertheleſs, it is declared and enacted, That ſuch perſons as upon the Twenty fifth day of December, One thouſand ſix hundred fifty nine, where the poſſeſſors of ſuch Benefices or Promotions, ſhall not be charged by ſuch Preſentees of his Majeſty, with or for any profits by them or any of them received before the ſaid Twenty ninth day of September, but ſhall hold and enjoy the profits of ſuch Benefices and Promotions reſpectively, until the ſaid Twenty ninth day of September.

XXIII. Provided alſo, That this Act or any thing herein contained, ſhall not extend to confirm any perſon in the Vicarage of Kidlington in the County of Oxford; but that the ſaid Vicarage ſhall remain as formerly annexed to the Rectorſhip of Exeter Colledge in Oxford; Any thing in this Act to the contrary notwithſtanding.

Kidlington Vicarage.

XXIV. Provided alſo, That this Act or any thing herein contained, ſhall not extend to confirm any perſon in the Rectory of Garſington in the County of Oxford; but that the ſaid Rectory ſhall remain as formerly annexed to the Preſidentſhip of Trinity Colledge in Oxford; Any thing in this Act to the contrary notwithſtanding.

Garſington Rectory.

XXV. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to confirm any perſon in the Rectory of Caſtor, in the County of Northampton, but that the ſaid Rectory ſhall, remain as formerly annexed to the Biſhoprick of Peterborough; Any thing in this Act to the contrary notwithſtanding.

Caſtor Rectory.

XXVI. Provided alſo That this Act, or any thing therein contained, ſhall extend to confirm any perſon in the Vicarage of Cuſden, in the County of Oxford, but that the ſaid Vicarage ſhall not remain as formerly, annexed to the Biſhoprick of Oxford; Any thing in this Act to the contrary notwithſtanding.

Cuſden Vicarage.

XXVII. Provided always, That this Act, nor any thing therein contained ſhall extend to the confirming or ſetling any perſon in a Living, that hath maliciouſly printed any Treatiſe, or preached againſt his Majeſty that now is, his Right or Succeſſion to the Crowns of theſe Realms: ſo as the ſame be proved by the Oaths of two credible Witneſſes before the Commiſſioners appointed by this Act (who have hereby power to adminiſter the ſame) and ſo adjudged by the ſaid Commiſſioners, before the Five and twentieth day of December, One thouſand ſix hundred and ſixty.

Perſons preaching againſt the Kings right to the Crown, not to be reſtored.

XXVIII. Provided alſo, That if any Miniſter who ſhall by this Act be adjudged to be removed, ſhall not give up the poſſeſſion according to the Order of the ſaid Commiſſioners, then the ſaid Commiſſioners, or any five of them, ſhall grant their Warrant to the Sheriff of the County, to put ſuch perſon adjudged to be reſtored, into poſſeſſion, according to the true intent and meaning of this Act; which ſaid Sheriff ſhall execute the ſame accordingly; and in default of ſuch Warrant, the Sheriff of the County for the time being, ſhall be and is hereby enabled and required to give poſſeſſion accordingly.

Execution to reſtore the Parſon.

XXIX. Provided, That this Act ſhall not extend to be conſtrued to confirm any Eccleſiaſtical perſon that did appear in arms, and march in a Troop, in oppoſition to the intended reſtoring of his Majeſty and a free Parliament, ſince the Firſt day of Auguſt, in the year of our Lord, One thouſand ſix hundred fifty and nine, ſo as the ſame be proved by the Oaths of two credible Witneſſes, before the Commiſſioners appointed by this Act (who have hereby power to adminiſter the ſame) and ſo adjudged by the ſaid Commiſſioners, before the Five and twentieth day of December, One thouſand ſix hundred and ſixty.

None to be reſtored, who with Arms oppoſed a free Parliament.

XXX. Provided alſo, That this Act, or any thing therin contained, ſhall not extend to confirm any perſon in the Rectory of Acton, in the County of Middleſex, which Rectory his Majeſty before the ſix and twentieth day of Auguſt, hath granted under his Sign Manual to one of his Chaplains.

Acton Rectory.

XXXI. And laſtly, it is declared and enacted by the authority aforeſaid, That all and every the Peers of this Realm according to their ſeveral and reſpective Titles and Intereſts, may at any time or times within the ſpace of ſix Kalendar months from the Firſt day of September, in this preſent year, One thouſand ſix hundred and ſixty, preſent and nominate their reſpective Clerk or Clerks unto any Eccleſiaſtical Benifices, Livings or Promotions of their reſpective Patronages, or whereunto they had right or title to preſent or nominate at any time ſince the firſt day of January, One thouſand ſix hundred forty two; (2) And that the ſaid Preſentees ſhall be thereunto admitted, inſtituted and inducted, and after have and enjoy, and ſue for, and recover the poſſeſſion, and from thence take the whole and entire profits of the ſaid Benefices, Livings and Promotions, and ſhall be accounted, and ſhall be full and perfect Incumbents of the ſame, to all intents and purpoſes, as fully and amply, as if they had been preſented and placed therein within ſix months next after firſt Avoidances, notwithſtanding any Lapſe or other Title, by reaſon of Lapſe, incurred or devolved to his late Majeſty or to the Kings Majeſty that now is, or to any other perſon or perſons, Bodies Politick or Corporate; Any thing in this preſent Act, or otherwiſe, to the contrary hereof in any-wiſe notwithſtanding.

Peers, Patrons Titles ſaved.

XXXII. Provided, That ſuch Preſentees as have been or ſhall be preſented by his Majeſty as aforeſaid, before the ſaid Ninth day of September, in this preſent year, One thouſand ſix hundred and ſixty, by Title of Lapſe, or otherwiſe, as aforeſaid, ſhall or may enjoy the ſame Benefices and Promotions reſpectively, the laſt mentioned Clauſe, or any other thing in this Act contained to the contrary notwithſtanding.

C A P. XVIII.

An Act for the encouraging and increaſing of Shipping and Navigation.

For the increaſe of Shipping, and encouragement of the Navigation of this Nation, wherein under the good providence and protection of God, the Wealth, Safety, and Strength of this Kingdom is ſo much concerned, (2) Be it enacted by the Kings moſt excellent Majeſty, and by the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That from and after the Firſt day of December, One thouſand ſix hundred and ſixty, and from thence forward, no Goods or Commodities whatſoever

No Goods ſhall be Imported from Aſia, Africa, or America, but in Engliſh ſhips.

ſhall be Imported into, or Exported out of any Lands, Iſlands, Plantations, or Territories to his Majeſty belonging, or in his poſſeſſion, or which may hereafter belong unto, or be in the poſſeſſion of his Majeſty, his Heirs and Succeſſors, in Aſia, Africa, or America, in any other Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch Ships or Veſſels as do truly and without fraud belong only to the people of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or are of the built of, and belonging to any the ſaid Lands Iſlands, Plantations or Territories, as the Proprietors and Right Owners thereof, and whereof the Maſter and three fourths of the Mariners at leaſt are Engliſh, (3) under the penalty of the Forfeiture and Loſs of all the Goods and Commodities which ſhall be Imported into or Exported out of any the aforeſaid places in any other Ship or Veſſel, as alſo of the Ship or Veſſel, with all its Guns, Furniture, Tackle, Ammunition and Apparel; One Third part thereof to his Majeſty, his Heirs and Succeſſors; one Third part to the Governour of ſuch Land, Plantation, Iſland or Territory where ſuch default ſhall be committed, in caſe the ſaid Ship or Goods be there ſeized, or otherwiſe that Third part alſo to his Majeſty, his Heirs and Succeſſors; and the other Third part to him or them who ſhall Seize, Inform, or Sue for the ſame in any Court of Record, by Bill, Information, Plaint, or other Action wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; (4) And all Admirals, and other Commanders at Sea of any the Ships of War, or other Ship, having Commiſſion from his Majeſty, or from his Heirs or Succeſſors, are hereby authorized, and ſtrictly required to ſeize and bring in as prize, all ſuch Ships or Veſſels as ſhall have offended contrary hereunto, and deliver them to the Court of Admiralty, there to be proceeded againſt; and in caſe of Condemnation, one moiety of ſuch Forfeitures ſhall be to the uſe of ſuch Admirals or Commanders and their Companies, to be divided and proportioned amongſt them according to the Rules and Orders of the Sea in caſe of Ships taken prize; and the other moiety to the uſe of his Majeſty, his Heirs and Succeſſors.

Penalty.

Aliens ſhal not exerciſe the Occupation of Merchants or Factors.

II. And be it enacted, That no Alien or perſon not born within the Allegiance of our Soveraign Lord the King, his Heirs and Succeſſors, or Naturalized, or made a free Denizen, ſhall from and after the firſt day of February, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, exerciſe the Trade or Occupation of a Merchant or Factor in any the ſaid places, (2) upon pain of the Forfeiture and Loſs of all his Goods and Chattels, or which are in his poſſeſſion; one Third part to his Majeſty, his Heirs and Succeſſors; one Third to the Governor of the Plantation where ſuch perſon ſhall ſo offend; and the other Third to him or them that ſhall inform or ſue for the ſame in any of his Majeſties Courts in the Plantation where ſuch Offence ſhall be committed: (3) And all Governours of the ſaid Lands, Iſlands, Plantations or Territories, and every of them, are hereby ſtrictly required and commanded, and all who hereafter ſhall be made Governours of any ſuch Iſlands, Plantations or Territories, by his Majeſty, his Heirs or Succeſſors, ſhall before their entrance into their Government, take a ſolemn Oath to do their utmoſt, that every the aforementioned Clauſes, and all the matters and things therein contained, ſhall be punctually and bona fide obſerved, according to the true intent and meaning thereof: (4) And upon complaint and proof made before his Majeſty, his Heirs or Succeſſors, or ſuch as ſhall be by him or them thereunto authorized and appointed, that any the ſaid Governors have been willingly and wittingly negligent in doing their duty accordingly, that the ſaid Governour ſo offending ſhall be removed from his Government.

Governors &c. of Plantations to take an Oath for the obſervance of the afore mentioned clauſes.

III. And it is further enacted by the Authority aforeſaid, That no Goods or Commodities whatſoever, of the Growth, Production or Manufacture of Africa, Aſia, or America, or any part hereof, or which are deſcribed or laid down in the uſual Maps or Cards of thoſe places, be Imported into England, Ireland, or Wales, Iſland of Guernſey and Jerſey, or Town of Berwick upon Tweed, in any other Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch as do truly and without fraud belong only to the People of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or of the Lands, Iſlands, Plantations or Territories in Aſia, Africa or America, to his Majeſty belonging, as the Proprietors and right Owners thereof, and whereof the Maſter and three Fourths at leaſt of the Mariners are Engliſh, (2) under the penalty of the Forfeiture of all ſuch Goods and Commodities, and of the Ship or Veſſel in which they were Imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel; one moiety to his Majeſty his Heirs and Succeſſors; and the other moiety to him or them who ſhall ſeize, inform, or ſue for the ſame in any Court of Record, by Bill, Information, Plaint, or other Action, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

No Goods of foreign growth or manufactures ſhall be brought into England, &c. in Engliſh ſhips, but only from the places of their ſaid growth, &c.

IV. And it is further enacted by the authority aforeſaid, That no Goods or Commodities that are of foreign Growth, Production or Manufacture, and which are to be brought into England, Ireland, Wales; the Iſlands of Guernſey and Jerſey, or Town of Berwick upon Tweed, in Engliſh built Shipping, or other Shipping belonging to ſome of the aforeſaid places, and Navigated by Engliſh Mariners as aforeſaid, ſhall be Shipped or brought from any other place or places, Countrey or Countries, but only from thoſe of the ſaid Growth, Production or Manufacture, or from thoſe ports where the ſaid Goods or Commodities can only, or are or uſually have been, firſt Shipped for Tranſportation, and from none other places, or Countries, (2) under the penalty of the Forfeiture of all ſuch the aforeſaid Goods, as ſhall be Imported from any other place or Countrey, contrary to the true intent and meaning hereof, as alſo of the Ship in which they were Imported, with all her Guns, Furniture, Ammunition, Tackle and Apparel; one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall ſeize, inform, or ſue for the ſame in any Court of Record, to be recovered as is before expreſt.

All Ling, Stockfiſh, &c. Oyl, &c. whalefins, &c. imported, not

V, And it is further enacted by the authority aforeſaid, That any ſort of Ling, Stockfiſh, pilchard, or any other kind of dryed or ſalted Fiſh, uſually fiſhed for and caught by the people of England, Ireland, Wales, Town of Berwick upon Tweed; or any ſort of Confiſh or Herring, or any Oyl or Blubber made, or that ſhall be made of any kind of Fiſh whatſoever, or any Whale-fins or Whale-bones, which ſhall be Imported into England, Ireland, Wales, or Town of Berwick upon Tweed, not having been caught in Veſſels truly and properly belonging thereunto as Proprietors and right Owners thereof, and the ſaid fiſh cured, ſaved and dryed, and the Oyl and Blubber aforeſaid (which ſhall be accounted and pay as Oyl) not made by the people thereof, and ſhall be Imported into England, Ireland or Wales, or Town of Berwick upon Tweed, ſhall pay double aliens Cuſtom.

caught in Veſſels by the Proprietors themſelves, &c. ſhall pay double Aliens Cuſtom.

VI. And be it further enacted by the authority aforeſaid, That from henceforth it ſhall not be lawful to any perſon or perſons whatſoever, to load or cauſe to be loaden and carried in any Bottom or Bottoms, Ship or Ships, Veſſel or Veſſels whatſoever, whereof any Stranger or Strangers born (unleſs ſuch as be Denizens or Naturalized) be Owners, Part-owners or Maſter, and whereof three Fourths of the Mariners at leaſt ſhall not be Engliſh, any Fiſh, Victual, Wares, Goods, Commodities, or things, of what kind or nature ſoever the ſame ſhall be, from one Port or Creek of England, Ireland, Wales, Iſlands of Guernſey or Jerſey, or Town of Berwick upon Tweed, to another Port or Creek of the ſame, or of any of them, under penalty for every one that ſhall offend contrary to the true meaning of this branch of this preſent Act, to forfeit all ſuch Goods as ſhall be loaden and carried in any ſuch Ship or Veſſel, together with the Ship or Veſſel, and all her Guns, Ammunition, Tackle, Furniture and Apparel, one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Inform, Seize, or Sue for the ſame in any Court of Record to be recovered in manner aforeſaid.

No Goods to be laded or carried from one part of England to another in the Veſſel of any Alien not Denizend, &c.

The penalty.

VII. And it is further enacted by the authority aforeſaid, That where any eaſe, abatement, or priviledge is given in the Book of Rates to Goods or Commodities Imported or Exported, in Engliſh built Shipping, that is to ſay, Shipping built in England, Ireland, Wales, Iſlands of Guernſey or Jerſey, or Town of Berwick upon Tweed, or in any the Lands, Iſlands, Dominions and Territories to his Majeſty in Africa, Aſia, or America, belonging, or in his poſſeſſion, That it is always to be underſtood and provided, that the Maſter and three Fourths of the Mariners of the ſaid Ships at leaſt, be alſo Engliſh; (2) And that where it is required that the Maſter and three Fourths of the Mariners be Engliſh, that the true intent and meaning thereof is, that they ſhould be ſuch during the whole Voyage, unleſs in caſe of Sickneſs, Death, or being taken Priſoners in the Voyage, to be proved by the Oath of the Maſter, or other chief Officer of ſuch Ships.

Eaſe and abatement in the Book of Rates, to extend only where three parts of the Mariners be Engliſh.

VIII. And be it further enacted by the Authority aforeſaid, That no Goods or Commodities of the Growth, Production or Manufacture of Muſcovy, or of any the Countries, Dominions or Territories to the great Duke or Emperour of Muſcovy or Ruſhia, belonging; As alſo, that no ſort of Maſts, Timber or Boards, no foreign Salt, Pitch, Tar, Roſin, Hemp, or Flax, Raiſins, Figs, Prunes, Olive-oyls, no ſort of Corn or Grain, Sugar, Pot-aſhes, Wines, Vinegar, or Spirits called Aqua vitæ or Brandy Wine, ſhall from and after the firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, be Imported into England, Ireland, Wales, or Town of Berwick upon Tweed, in any Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch as do truly and without fraud belong to the people thereof or ſome of them, as the true Owners and Proprietors thereof, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh: And that no Currants nor Commodities of the Growth, Product or Manufacture of any the Countries, Iſlands, Dominions or Territories to the Othoman or Turkiſh Empire belonging, ſhall from and after the firſt day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, be Imported into any the forementioned places in any Ship or Veſſel, but which is of Engliſh built, and Navigated as aforeſaid, and in no other, except only ſuch foreign Ships and Veſſels as are of the built of that Countrey or Place of which the ſaid Goods are the Growth, Production, or Manufacture reſpectively, or of ſuch Port where the ſaid Goods can only be, or moſt uſually are firſt ſhipped for Tranſportation, and whereof the Maſter, and three Fourths of the Mariners at leaſt are of the ſaid Countrey or Place, under the penalty and forfeiture of Ship and Goods, to be diſpoſed and recovered as in the foregoing Clauſe.

Goods of the Growth or Manufacture of Muſcovy or Ruſhia.

Othoman or Turkiſh Emperour.

IX. Provided always, and be it hereby enacted by the authority aforeſaid, That for the prevention of the great Frauds daily uſed in colouring and concealing of Aliens Goods, all Wines of the Growth of France or Germany, which from and after the Twentieth day of October, One thouſand ſix hundred and ſixty, ſhall be Imported into any the Ports of Places aforeſaid, in any other Ship or Veſſel then which doth truly and without fraud belong to England, Ireland, Wales, or Town of Berwick upon Tweed, and Navigated with the Mariners thereof as aforeſaid, ſhall be deemed Aliens Goods, and pay all Strangers Cuſtoms and Duties to his Majeſty, his Heirs and Succeſſors, as alſo to the Town or Port into which they ſhall be Imported; (2) And that all ſorts of Maſts, Timber or Boards, as alſo all foreign Salt, Pitch, Tar, Roſin, Hemp, Flax, Raiſins, Figs, Prunes, Olive-oyls, all ſorts of Corn or Grain, Sugar, Pot-aſhes, Spirits, commonly called Brandy Wine or Aqua vitæ, Wines of the Growth of Spain, the Iſlands of the Canaries or Portugal, Madera, or Weſtern Iſlands; (3) And all the Goods of the Growth, Production or Manufacture of Muſcovy or Ruſhia, which from and after the firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, ſhall be Imported into any the aforeſaid places in any other then ſuch Shipping, and ſo Navigated, (4) and all Currants and Turky Commodities, which from and after the firſt day of September, One thouſand ſix hundred ſixty one, ſhall be Imported into any the places aforeſaid, in any other then Engliſh built Shipping, and Navigated as aforeſaid, (5) ſhall be deemed Aliens Goods, and pay accordingly to his Majeſty, his Heirs and Succeſſors, and to the Town or Port into which they ſhall be Imported.

Frauds in concealing Aliens Goods how to be prevented.

X. And for the prevention of all Frauds which may be uſed in colouring or buying of Foreign Ships, Be it enacted by the authority aforeſaid, and it is hereby enacted, That from and after the firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix

How to prevent Frauds in colouring and buying foreign Ships.

The Oath to be adminiſtred.

hundred ſixty one, no Foreign built Ship or Veſſel whatſoever ſhall be deemed or paſs as a Ship to England, Ireland, Wales, or Town of Berwick, or any of them belonging, or enjoy the benefit or priviledge of ſuch a Ship or Veſſel, until ſuch time that he or they claiming the ſaid Ship or Veſſel to be theirs, ſhall make appear to the chief Officer or Officers of the Cuſtoms in the Port next to the place of his or their abode, that he or they are not Aliens, and ſhall have taken an Oath before ſuch chief Officer or Officers, who are hereby authorized to adminiſter the ſame, that ſuch Ship or Veſſel was bona fide and without fraud by him or them bought for a valuable conſideration, expreſſing the ſum, as alſo the time, place, and perſons from whom it was bought, and who are his part-Owners (if he have any) (2) all which part-Owners ſhall be liable to the ſaid Oath before the Chief Officer or Officers of the Cuſtom-houſe of the Port next to the place of their abode, and that no Foreigner directly or indirectly hath any part, intereſt, or ſhare therein, and that upon ſuch Oath he or they ſhall receive a Certificate under the hand and ſeal of the ſaid chief Officer or Officers of the Port where ſuch perſon or perſons ſo making Oath do reſide, whereby ſuch Ship or Veſſel may for the future paſs and be deemed as a Ship belonging to the ſaid Port, and enjoy the priviledge of ſuch a Ship or Veſſel; (3) And that the ſaid Officer or Officers ſhall keep a Regiſter of all ſuch Certificates as he or they ſhall ſo give, and return a Duplicate thereof to the chief Officers of the Cuſtoms at London, for ſuch as ſhall be granted in England, Wales, and Berwick, and to the chief Officers of the Cuſtoms at Dublin, for ſuch as ſhall be given in Ireland, together with the Names of the perſon or perſons from whom ſuch Ship was bought, and the ſum of Money which was paid for her, as alſo the Names of all ſuch perſons who are part-Owners of her, if any ſuch be.

Officers of the Cuſtoms not to allow any priviledge to any Foreign built Ship, until Certificate or Proof, &c.

XI. And be it further enacted by the authority aforeſaid, That if any Officer of the Cuſtoms ſhall from and after the ſaid firſt day of April, allow the priviledge of being a Ship or Veſſel to England, Ireland, Wales, or Town of Berwick, or any of them belonging, to any Foreign built Ship or Veſſel, until ſuch Certificate be before them produced, or ſuch proof and Oath taken before them; (2) or if any Officer of the Cuſtoms ſhall allow the priviledge of an Engliſh built Ship, or other Ship, to any the aforeſaid places belonging, to any Engliſh or Foreign built Ship coming into any Port, and making entry of any Goods, until examination, whether the Maſter and three fourths of the Mariners be Engliſh, (3) or ſhall allow to any Foreign built Ship bringing in the Commodities of the Growth of the Countrey where it was built, the priviledge by this Act to ſuch Ship given, until examination and proof whether it be a Ship of the built of that Countrey, and that the Maſter and three Fourths of the Mariners are of that Countrey; (4) or if any perſon who is or ſhall be made Governour of any Lands, Iſlands, Plantations or Territories, in Africa, Aſia, or America, by his Majeſty, his Heirs or Succeſſors, ſhall ſuffer any Foreign built Ship or Veſſel to load or unload any Goods or Commodities within the precincts of their Governments until ſuch Certificate be produced before them, or ſuch as ſhall be by them appointed to view the ſame, and Examination whether the Maſter and three Fourths of the Mariners at leaſt be Engliſh (5) that for the firſt Offence ſuch Officer of the Cuſtoms and Governors, ſhall be put out of their Places, Offices or Governments.

Proviſo for Goods of the Streights or Levant.

XII. Provided always, That this Act, or any thing therein contained, extend not, or be meant to reſtrain and prohibit the Importation of any the Commodities of the Streights, or Levant Seas, loaden in Engliſh built Shipping, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, from the uſual Ports or Places for lading of them heretofore within the ſaid Streights or Levant Seas though the ſaid Commodities be not of the very Growth of the ſaid Places.

Eaſt-India Commodities.

XIII. Provided alſo, That this Act, or any thing therein contained, extend not, or be meant to reſtrain the Importing of any Eaſt-India Commodities, loaden in Engliſh built Shipping, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, from the uſual place or places for lading of them in any part of thoſe Seas, to the South-ward and Eaſt-ward of Cabo bona ſperanza although the ſaid Ports be not the very places of their Growth.

Proviſo for Goods Imported from Spain, Portugal, Azores, Madera, or Canary Iſlands.

XIV. Provided, That it ſhall and may be lawful to and for any of the People of England, Ireland, Wales, Iſlands of Guernſey or Jerſey or Town of Berwick upon Tweed, in Veſſels or Ships to them belonging, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, to load and bring in from any of the Ports of Spain, or Portugal, or Weſtern Iſlands commonly called Azores, or Madera or Canary Iſlands, all ſorts of Goods or Commodities of the Growth, Production or Manufacture of the Plantations or Dominions of either of them reſpectively.

Proviſo for Bullion, and Goods taken by way of Repriſal.

XV. Provided always, That this Act, or any thing therein contained, extend not to Bullion, nor yet to any Goods taken, or that ſhall be bona fide taken by way of Repriſal by any Ship or Ships belonging to England, Ireland, Wales, Iſlands of Guernſey or Jerſey, or Town of Berwick upon Tweed, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, having Commiſſion from his Majeſty, his Heirs or Succeſſors.

Proviſo concerning Goods of Scotland.

Goods of Ruſſia.

XVI. Provided always, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to lay Aliens Duties upon any Corn of the Growth of Scotland, or to any Salt made in Scotland, nor to any Fiſh caught, ſaved and cured by the People of Scotland, and Imported directly from Scotland in Scotch built Ships, and whereof the Maſter and three Fourths of the Mariners are of his Majeſties Subjects; (2) nor to any Seal of Ruſhia, Imported from thence into England, Ireland, Wales, or Town of Berwick upon Tweed, in Shipping bona fide to ſome of the ſaid places belonging, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh.

The Duty payable upon Goods in French Ships.

XVII. Provided alſo, and it is hereby enacted, That every Ship or Veſſel belonging to any the Subjects of the French King which from and after the twentieth day of October in the year of our Lord, One thouſand ſix hundred and ſixty, ſhall come into any Port, Creek, Harbor, or Road of England, Ireland, Wales, or Town of Berwick upon Tweed, and ſhall there lade or unlade any Goods or Commodities, or take in or ſet on ſhore any Paſſengers, ſhall pay to the Collector of his Majeſties Cuſtoms in ſuch Port, Creek, Harbor or Road, for every Tun of which the ſaid Ship or Veſſel is of burthen, to be computed by ſuch Officer of the Cuſtoms as ſhall be thereunto appointed, the ſum of five ſhillings currant money of England: (2) And that no ſuch Ship or Veſſel be ſuffered to depart out of ſuch Port, Creek, Harbor or Road, until the ſaid Duty be fully paid: (3) And that this Duty ſhall continue to be collected, levied and paid, for ſuch time, as a certain Duty of Fifty Solls per Tun lately impoſed by the French King, or any part thereof, ſhall continue to be collected upon the Shipping of England lading in France, and three months after, and no longer.

How long to continue.

XVII. And it is further enacted by the authority aforeſaid, That from and after the Firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty One, no Sugars, Tobacco, Cotton-wooll, Indicoes, Ginger, Fuſtick, or other dying wood, of the Growth, Production or Manufacture of any Engliſh Plantations in America, Aſia, or Africa, ſhall be ſhipped, carried, conveyed or tranſported from any the ſaid Engliſh Plantations to any Land, Iſland, Territory, Dominion, Port or place whatſoever, other then to ſuch other Engliſh Plantations as do belong to his Majeſty, his Heirs and Succeſſors, or to the Kingdom of England or Ireland, or Principallity of Wales, or Town of Berwick upon Tweed, there to be laid on ſhore, (2) under the penalty of the forfeiture of the ſaid Goods, or the full value thereof, as alſo of the Ship, with all her Guns, Tackle, Apparel, Ammunition and Furniture, the one moiety to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall ſeize, inform or ſue for the ſame in any Court of Record, by Bill, Plaint, or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Sugars, Tobacco, &c. of the growth of America, Aſia, or Africa.

XIX. And be it further enacted by the authority aforeſaid, That for every Ship or Veſſel, which from and after the Five and twentieth day of December, in the year of our Lord, One thouſand ſix hundred and ſixty, ſhall ſet out of or from England, Ireland, Wales, or Town of Berwick upon Tweed, for any Engliſh Plantation in America, Aſia or Africa, ſufficient Bond ſhall be given with one Surety to the chief Officers of the Cuſtom-houſe of ſuch Port or place from whence the ſaid Ship ſhall ſet ſail, to the value of one thouſand pounds, if the Ship be of leſs burthen then one hundred Tuns; and of the ſum of two thouſand pounds, if the Ship ſhall be of greater burthen, That in caſe the ſaid Ship or Veſſel ſhall load any of the ſaid Commodities at any of the ſaid Engliſh Plantations, that the ſame Commodities ſhall be by the ſaid Ship brought to ſome Port of England, Ireland, or Wales, or to the Port or Town of Berwick upon Tweed, and ſhall there unload and put on ſhoar the ſame, the danger of the Seas only excepted: (2) And for all Ships coming from any other Port or place to any of the aforeſaid Plantations, who by this Act are permitted to trade there, that the Governor of ſuch Engliſh Plantations ſhall before the ſaid Ship or Veſſel be permitted to load on board any of the ſaid Commodities, take Bond in manner, and to the value aforeſaid, for each reſpective Ship or Veſſel, that ſuch Ship or Veſſel ſhall carry all the aforeſaid Goods that ſhall be laden on board in the ſaid Ship to ſome other of his Majeſties Engliſh Plantations, or to England, Ireland, Wales, or Town of Berwick upon Tweed (3) And that every Ship or Veſſel which ſhall load or take on board any of the aforeſaid Goods, until ſuch Bond given to the ſaid Governor or Certificate produced from the Officers of any Cuſtom-houſe of England, Ireland, Wales, or of the Town of Berwick, that ſuch Bonds have been there duly given, ſhall be forfeited with all her Guns, Tackle, Apparel and Furniture,, to be imployed and recovered in manner as aforeſaid: (4) And the ſaid Governors, and every of them ſhall twice in every year after the Firſt day of January, One thouſand ſix hundred and ſixty, return true Copies of all ſuch Bonds by him ſo taken, to the chief Officers of the Cuſtom in London. St. 13 Car. 2. cap. 14.

Ships of England, Ireland or Wales, ſailing to any Engliſh Plantation of America, Aſia, or Africa, ſhall be bound with Sureties, to bring goods there loaded into England, &c.

Ships coming from other places to any of thoſe Plantation.

22 & 23. Car. 2. cap. 26. Sect. 11

The reſpective Governors to return the bonds taken twice yearly to the chief Officers of the Cuſtom in London.

CAP. XIX.

An Act to prevent Frauds and concealments of his Majeſties Cuſtoms and Subſidies.

BE it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That if any perſon or perſons at any time after the firſt day of September, One thouſand ſix hundred and ſixty, ſhall cauſe any Goods for which Cuſtom, Subſidy or other Duties are due, or payable by virtue of the Act paſſed this Parliament, (entituled, A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money, payable upon Merchandize Exported and Imported) to be landed or conveyed away without due entry thereof firſt made, and the Cuſtomer or Collector, or his Deputy agreed with, That then and in ſuch caſe, upon Oath thereof made before the Lord Treaſurer or any of the Barons of the Exchequer, or chief Magiſtrate of the Port or place where the offence ſhall be committed, or the place next adjoyning thereunto, it ſhall be lawful to and for the Lord Treaſurer, or any of the Barons aforeſaid, or chief Magiſtrate of the Port or place where the offence ſhall be committed, or the place next adjoyning thereunto, to iſſue out a Warrant to any perſon or perſons, thereby enabling him or them, with the aſſiſtance of a Sheriff, Juſtice of Peace, or Conſtable, to enter into any Houſe in the day-time where ſuch Goods are ſuſpected to be concealed; and in caſe of reſiſtance, to break open ſuch Houſes, and to ſeize and ſecure the ſame Goods ſo concealed; And all Officers and Miniſters of Juſtice are hereby required to be aiding and aſſiſting thereunto.

Perſons which ſhall convey away any Goods without entry and agreement for the cuſtom. 12 Car. 2. cap. 4.

The penalty.

II. Provided always, That no Houſe ſhall be entred by virtue of this Act, unleſs it be within the ſpace of one Month after the offence ſuppoſed to be committed.

No proceeding againſt any upon this Act, unleſs within one month after the offence committed.

III. Provided alſo, That this Act ſhall continue in force unto the end of the firſt Seſſion of the next Parliament, and no longer.

The continuance of this Act.

IV. Provided alſo, That if the Information whereupon any Houſe ſhall come to be ſearched, ſhall prove to be falſe, that then, and in ſuch caſe, the party injured ſhall recover his full Damages and Coſts againſt the Informer, by Action of Treſpaſs to be therefore brought againſt ſuch Informer. St. 13 Car. 2. cap. 7.

Damages and coſts againſt falſe Informers.

CAP. XX.

An Act for the raiſing of Sevenſcore thouſand pounds, for the compleat Disbanding of the whole Army, and paying part of the Navy; EXP. St. 13 Car. 2. cap. 6.

CAP. XXI.

An Act for the ſpeedy raiſing of Seventy thouſand pounds, for the preſent ſupply of his Majeſty. EXP. St. 13 Car. 2. c. 6. & c. 10.

CAP. XXII.

An Act for the Regulating of the Trade of Bay-making in the Dutch Bay-Hall in Colcheſter.

Preamble.

Grievance.

Confirmation of the Priviledge of the Dutch Bay-Hall.

WHereas by the ſpecial Favour of Queen Elizabeth, there was a Congregation of Dutch people tolerated to practiſe the Art and Trade of Bay and Say-making in the Town of Colcheſter in the County of Eſſex; and for the upholding the Credit of the ſaid Trade, and for the avoiding and puniſhing all unjuſt and fraudulent dealing therein, there have been divers good and laudable Orders and Conſtitutions made, which were confirmed by Letters Patents under the Great Seal of England, in the tenth year of King James, and by ſeveral Orders made by the late Kings Privy Council; the ſtrict and exact execution of which ſaid Orders and Conſtitutions by the Governors of the Dutch Bay-Hall there, hath brought that kind of Drapery into high Credit, not only at home, but alſo in foreign parts, and that by reaſon of the ſaid Trade, many thouſand of poor people, both within the ſaid Town of Colcheſter and places thereabout, are daily employed and ſet to work; (2) notwithſtanding which ſaid Orders, and the care of the Governors of the ſaid Dutch Bay-Hall, many fraudulent and deceitful Commodities, and ſlight and naughty Bays have been, and daily are by the ſecret and crafty practices of ſome men made in the ſaid Town, and are weekly brought and conveyed to London by certain perſons uſing the Trade of buying and ſelling of Colcheſter Bays, before ſuch time as the ſaid Bays have been viewed, ſearched, meaſured, and ſealed by the ſworn Officers of the ſaid Dutch Bay-Hall; which ſaid Bays ſo deceitfully and fraudulently made, are tranſported beyond the Seas under the Name, and oftentimes, with the Seal of Colcheſter Bays, whereby the Bays there made are not of that Credit and eſteem as formerly: For the preventing which ſaid practices and deceits, (3) Be it enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Governors of the ſaid Dutch Bay-Hall in Colcheſter, and the Dutch people there living, ſhall and may from henceforth peaceably and quietly uſe and exerciſe the free Trade of making Bays, Says, and other foreign Draperies within the ſaid Town of Colcheſter, and be permitted to govern the ſaid Trade in their Aſſemblies and Congregations, with all ſuch Liberties, Priviledges, Immunities, and in as full and ample manner as they have at any time heretofore enjoyed the ſame by virtue of any Order, Grant or Toleration to them made by Queen Elizabeth, King James, or the late King Charles of bleſſed memory, or any of them.

All Bays made at Colcheſter, muſt be carried to Bay-Hall and ſearched.

No Fuller ſhall work any Bays not ſearched and allowed.

Penalty of Weavers and Fullers offending.

Third offence

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, from and after the Twentieth day of September, in the year of our Lord, One thouſand ſix hundred and ſixty, ſhall weave or cauſe to be woven within the ſaid Town of Colcheſter, or the Liberties thereof, any Bay known by the name of Four and fifties, Sixties, Sixty eights, Eighties, and Hundred Bays, and ſhall not within two days after ſuch weaving, carry or cauſe ſuch Bay to be carried to the Dutch Bay-Hall called the Raw Hall, there to be viewed and ſearched, to the intent it may appear whether the ſame Bay be well and ſubſtantially wrought before, as the ſaid Bay ſhall be carried to be ſcoured and thicked; (2) or if any Fuller or thicker, or other perſon uſing the Art or Trade of Fulling or thicking of Bays, ſhall receive any ſuch Bay to be fulled and thicked before ſuch time as the ſaid Bay hath been carried to the ſaid Raw-Hall, and there ſtamped and marked, as by the Orders of the ſaid Hall it ought to be, (3) That every ſuch Weaver that ſhall ſo convey the ſaid Bay, and every ſuch Fuller & Thicker that ſhall receive ſuch Bay before the ſame be ſtamped and marked as aforeſaid, ſhall forfeit for the firſt Offence the ſum of forty ſhillings, to be levied by diſtreſs and ſale of the Offenders Goods, returning the overplus, the neceſſary charges of diſtraining being firſt deducted; (4) and ſuch forfeitures, in caſe ſuch Bay be made by an Engliſh Maſter-maker, then the ſame to be accounted for to the Mayor and Commonalty of the ſaid Town for the benefit of the poor of the ſaid Town; and in caſe ſuch Bay be the Bay of a Dutch Maſter-maker then the ſame to be diſpoſed by the Governors of the ſaid Dutch Bay-Hall for the uſe and benefit of the poor of the ſaid Dutch Congregation; and for the ſecond Offence ſhall forfeit the ſum of five pounds, to be levied and diſpoſed in manner aforeſaid; and for the third Offence, not to be permitted to work any more within the Town of Colcheſter, or Liberties thereof.

No Bays to be carried out of the Town until ſearched and allowed.

Penalty

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall buy any of the aforeſaid Bays, or convey or carry, or cauſe ſuch Bay to be conveyed or carried out of the ſaid Town of Colcheſter, before ſuch time as the ſaid Bay hath been viewed, ſearched, ſtamped, ſealed & meaſured as aforeſaid, by the ſworn Officers of the ſaid Dutch Bay-Hall, thereunto appointed, that in ſuch caſe the ſaid Bay ſo brought or carried, or offered to be carried or conveyed away as aforeſaid, ſhall be confiſcated, the one moyety to him or them that ſhall ſeize the ſame, and the other moyety to the poor of the pariſh where the ſaid Bay ſhall be taken & ſeized.

Penalty for counterfeiting the Corporation Seal.

Third Offence.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, ſhall from and after the ſaid Twentieth day of September, counterfeit or cauſe to be counterfeited any of the ſeals uſed by the Corporation or Congregation of the Dutch Bay-Hall in Colcheſter, or ſhall, not being the Officer thereunto by the ſaid Corporation appointed, and in the place by them thereunto appointed, affix any ſuch Seal or Seals to any Colcheſter Bays whether counterfeited or not counterfeited, that every perſon ſo offending, being thereof lawfully convicted, ſhall for his firſt Offence forfeit and pay to the uſe of the ſaid Governors of the ſaid Dutch Bay-Hall the ſum of twenty pounds, to be recovered in any of his Majeſties Courts of Record, or in the Town Court of Colcheſter, by an Action of Debt, Bill, Plaint, Information, or otherwiſe, wherein no Eſſoin, Protection, or Wager of the Law ſhall be allowed; (2) and for the ſecond Offence, being convicted as aforeſaid, ſhall ſtand in the Pillory in the Market, or moſt publick place where ſuch Offence ſhall be committed, for the ſpace of one hour; (3) and for the third Offence, being as aforeſaid convicted, ſhall ſuffer as a Felon: and if any Bays ſhall be taken carrying or carried out of Colcheſter without the Mark of the Maker, that all ſuch Bays ſhall be forfeited.

V. And for the better diſcovering, finding out and puniſhing of the frauds and deceits aforeſaid, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the Governors of the Dutch Bay-Hall, or their Officers, or any of them from time to time in the day time, to ſearch any Cart, Waggon, or Pack wherein they ſhall have notice, or ſuſpect any ſuch deceitful Bays to be; and alſo from time to time with a Conſtable, who are hereby required to be aiding and aſſiſting to them, to make ſearch in any houſe, ſhop, or ware-houſe, where they are informed any ſuch deceitful Bays to be, and to ſecure and ſeize the ſame, and carry the ſame to the ſaid Dutch Bay-Hall, (2) and that ſuch Bays ſo ſeized & carried to the ſaid Hall, ſhall be confiſcate and forfeit, to be diſpoſed in ſuch manner as the forfeitures herein before mentioned to be paid by the Weavers and Fullers are herein before limited and appointed.

To ſearch houſes with a Conſtable.

Forfeiture of deceitful Bays.

VI. And be it further enacted by the authority aforeſaid, That for the better managing and regulating of the ſaid Art or Trade of making the Bays aforeſaid, That it ſhall and may be lawful to and for the Governors of the ſaid Dutch Bay-Hall, from time to time to make, conſtitute and appoint ſuch Orders, By-Laws and Conſtitutions, as to them ſhall ſeem meet and reaſonable.

Power to make By-Laws.

VII. Provided, That no ſuch Order, By-Law, or Conſtitution to be made, either in diminution of the Kings Prerogative, or the Laws of this Kingdom, be uſed or executed, until the ſame Orders, By-Laws and Conſtitutions have been examined and approved by the Lord Chancellor, Lord Treaſurer of England, or Chief Juſtice of either Bench, or any three of them, or before both the Juſtices of Aſſize in their Circuit or Progreſs in the ſaid County of Eſſex, upon pain of forfeiture of Twenty pounds for every time they ſhall do the contrary. This Act to begin and take effect from the twentieth day of September, One thouſand ſix hundred and ſixty.

Who ſhall approve of them.

CAP. XXIII.

A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Encreaſe of his Majeſties Revenue during his Life.

THe Commons aſſembled in Parliament, in gratitude, for an humble acknowledgment of your Majeſties great Grace and Favour to us your Commons, beyond Example of any your Royal Progenitors, expreſſed in many publick Acts and Declarations, to the great rejoycing and general ſatisfaction of all your people, which they deſire to anſwer with Returns ſuitable and exceeding the Examples of any their Anceſtors, for the encreaſing of your Majeſties Revenue during your Majeſties Reign, (which God long continue) Do therefore give and grant unto your moſt excellent Majeſty, the Rates and Duties, Impoſitions, Charges, and ſums of money herein after following: And do beſeech your Majeſty that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in Parliament aſſembled, That from and after the twenty fifth day of December, One thouſand ſix hundred and ſixty, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto your Majeſty during your Life, for Beer, Ale, Cyder, and other Liquors herein after mentioned, The ſeveral Rates, Impoſitions, Duties and Charges herein after expreſſed, and in manner and form following: That is to ſay.

The Rates given to his Majeſty for life.

12 Car. 2. c. 24.

II. For every Barrel or Beer or Ale above ſix ſhillings the Barrel, brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap our Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, One ſhilling three pence.	xv. d.	Beer and Ale above vj s. the barrel.
III For every Barrel of Six ſhillings Beer or Ale or under, Brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out ſuch Beer or Ale publickly or privately, to be Paid bythe Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer quantity, Three pence.	iii. d.	Beer and Ale of vj s the barrel.
IV. For all Cyder and Perry made and ſold by retail upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſſer meaſure, One ſhilling three pence.	xv. d.	Cyder, Perry.
V. For all Metheglin or Mead ſold, whether by Retail or otherwiſe, to be paid by the maker thereof upon every Gallon, One half peny.	Ob.	Metheglin. Mead.
VI. For every Barrel of Beer commonly called Vinegar-Beer, brewed by any common Brewer, in any common Brew-houſe, Six pence.	vj. d.	Vinegar-Beer.
VII. For every Gallon of Strong-water or Aqua vitæ, made and ſold, to be paid by the maker thereof, One penny.	i. d.	Strong-water.
VIII. For every Barrel of Beer or Ale Imported beyond the Seas, Three ſhillings.	iij. s.	Beer and Ale Imported.
IX. For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, Five ſhillings.	v. s.	Cyder & Perry Imported.
X. For every Gallon of Spirits made of any kind of Wine or Cyder Imported, Two pence.	ij. d.	Spirits Imported.
XI. For every Gallon of Strong-water perfectly made, Imported from beyond the Seas, Four pence.	iiij. d.	Strong water Imported.
XII. For every Gallon of Coffee made and ſold, to be paid by the maker thereof, Four pence.	iiij. d.	Coffee
XIII. For every Gallon of Chocolate, Sherbet and Tea, made and ſold, to be paid by the maker thereof, Eight pence.	viij. d.	Chocolate.

XIV. And be it further enacted and ordained by the authority aforeſaid, That the ſeveral Rates, Duties and Charges of Exciſe, or New Impoſts above mentioned, hereby ſet or impoſed upon all and every the ſaid foreign Liquors which ſhall be Imported or brought into all, or any the Ports of this Kingdom and Dominions thereof aforeſaid, from and after the five and twentieth day of December next, ſhall be from time to time ſatisfied and paid by the Merchant or Merchants Importer or Importers of the ſame, in ready money, upon his or their entry or entries made, and before the landing thereof.

The Exciſe upon foreign Liquors imported, to be paid by the importers in money upon entries made before landing.

XV. And be it further enacted by the authority aforeſaid, That all common Brewers of Beer and Ale, ſhall once in every week; and all Inn-keepers, Alehouſe-keepers, Victuallers, and other Retailers of Beer, Ale, Cyder, Perry, Metheglin or Strong-water, brewing, making,

Common Brewers to accompt weekly, and other

or

retailers of beer, ale, &c. monthly.

or retailing the ſame, ſhall once in every month make true and particular Entries at the Office of Exciſe, within the limits of which the ſaid Commodities and manufactures are made, of all Beer, Ale, Perry, Cyder, Metheglin, Strong-water, or other the Liquors aforeſaid, which they, or any of them ſhall brew, make, or retail in that week and month reſpectively as aforeſaid.

The penalty for not acompting as aforeſaid

XVI. And be it further enacted by the authority aforeſaid, That all ſuch common Brewers, who doth not once week make due and particular Entries, ſhall forfeit five pounds: (2) And that every ſuch Inn-keeper who doth not make true and particular Entries once a month, ſhall forfeit five pounds: (3) And that every Alehouſe-keeper, Victualler, or other Retailer who doth not once a month make due and particular Entries, ſhall forfeit twenty ſhillings.

XVII. And be it further enacted by the authority aforeſaid, That every common Brewer who ſhall not pay and clear off within a week after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (2) And that every Inn-keeper, Alehouſe-keeper, Victualler, or other Retailer who ſhall not pay and clear off within a month after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (3) The ſaid reſpective forfeitures to be levied upon their Goods and Chattels, in ſuch manner and form as hereafter in this Act is ordained and directed.

No perſon to be compelled by the Commiſſioners of Exciſe to go further for making their entries, then the next Market-town.

XVIII. Provided that no ſuch perſon as aforeſaid, ſhall be compelled by the Commiſſioners, or Sub-Commiſſioners of Exciſe, to travel for the making the ſaid Entries or payment of the ſaid Duties or other cauſe whatſoever touching or concerning the ſame, if he live in a Market-town, out of the ſaid Town; if he live out of a Market-town, then to no other place then to the next Market-town to his Habitation in the ſame County, on the Market day.

The Commiſſioners for execution of this Act impowred to appoint Gagers.
The power of the Gagers.

XIX. And be it further enacted and ordained by the authority aforeſaid, That the Commiſſioners who ſhall be appointed by his Majeſty, for putting this Act in execution, and their Sub-commiſſioners in their reſpective Circuits and Diviſion, ſhall hereby have power to conſtitute under their Hands and Seals, ſuch, and ſo many Gagers as they ſhall find needfull: (2) Which Gagers, and every of them, ſhall at all times, as well by night as by day, and if by night, then in the preſenee of a Conſtable, or other lawful Officer, be permitted upon their Requeſt, to enter the Houſe, Brew-houſe, Diſtilling-houſe, and all other houſes and places whatſoever belonging to, or uſed by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, brewing or making the ſame as aforeſaid, or by any Diſtiller of Strong-waters, or Retailer of other the Liquors aforeſaid, and to Gage all Coppers, Fats and Veſſels in the ſame, and to take an Accompt of all Beer, Ale, Worts, Cyder, Perry, Strong-waters, Aqua vitæ, Metheglin, or other Liquors aforeſaid, in the ſaid houſes, places, and veſſels, from time to time, brewed or made, and diſtilled; (3) and thereof to make return or report in writing to the ſaid Commiſſioners, or Sub-Commiſſioners of Exciſe, under whoſe Office and Limits ſuch Brewer, Retailer, Diſtiller, or Maker of the Liquors aforeſaid doth dwell and inhabit, leaving a true Copy of ſuch Return in writing under his Hand with ſuch Brewer, Retailer, Diſtiller, or maker of the Liquors aforeſaid, (4) and ſuch Reports or Returns of the ſaid Gagers ſhall be a charge upon the ſaid Brewers, Makers and Retailers reſpectively (5) and if any ſuch common Brewer or Retailer, ſhall refuſe to permit any ſuch Gager or Gagers to enter his Brew-houſe, or any other place aforementioned, or to gage or take accompt of his Brewing veſſels, or of any ſuch Beer, Ale, Worts, Perry, Cyder, Strong-water, Aqua vitæ, Metheglin, or other the Liquors aforeſaid, ſuch Brewer, Retailer or Diſtiller, ſhall be forthwith forbidden by the ſaid Gager or Gagers, to ſell, carry out, or deliver to any of his Cuſtomers any Beer, Ale, Strong-water, Aqua vitæ, or other the Liquors aforeſaid; (6) And if any ſuch Brewer, Retailer, or Diſtiller of any the Liquors aforeſaid, after ſuch warning given, ſhall ſell, carry, deliver out the ſame, or any part thereof, not having paid and cleared the Duty of Exciſe, ſuch perſon and perſons ſhall beſides the forfeiture of double the value, forfeit and loſe the ſum of five pounds as aforeſaid, for every offence, to be levied and recovered upon his or their goods and chattels in manner and form as hereafter in this Act is provided.

Returns made by the Gagers.

What ſhall be reckoned a barrel of Beer.

XX. And for the avoiding of all incertainty and diſpute touching the returns made or to be made by the Gagers of any Beer or Ale ſo brewed as aforeſaid, (2) Be it enacted and declared by the authority aforeſaid, That every ſix and thirty Gallons of Beer taken by the Gage according to the Standard of the Ale-quart, four whereof ſhall make the Gallon, remaining in the cuſtody of the Chamberlains of his Majeſties Exchequer, ſhall be reckoned, accompted and returned by the Gager, for a Barrel of Beer, and every two and thirty Gallons of Ale taken by the Gage, according to the ſame Standard, ſhall be in like manner reckoned, accompted and returned for a Barrel of Ale; and all other the Liquors aforeſaid, according to the Wine-gallon.

The barrel of Ale.

XXI. Provided always, and be it enacted and ordained by the authority aforeſaid, That no Brewers or Retailers of Beer and Ale, ſhall take any more in the price thereof, upon ſale of the ſame, then according to the uſual rates and prices; Saving that every common Brewer ſhall and may take and receive of all and every perſon to whom he ſhall ſell and deliver any Ale or Beer, the Exciſe thereupon due, as aforeſaid, over and above the uſual rates and prices.

XXII. And be it enacted by the authority aforeſaid, That for the better encouragement of all Common Brewers and makers of Beer or Ale to make due entry and payment thereof according as by this Act is appointed, the ſaid common Brewer not ſelling the ſame by retail, for and in conſideration of waſte by fillings and leakage of their Beer and Ale, ſhall have and be allowed out of the ſaid Returns made by the Gagers, the ſeveral allowances and abatements hereafter mentioned, (that is to ſay) upon every three and twenty Barrels of Beer, whether ſtrong or ſmall, returned by the ſaid Gagers, three Barrels; and upon every two and twenty Barrels of Ale, whether ſtrong or ſmall, returned by the Gagers, two

Abatements and allowance to be made for waſte and leakage.

Barrels; which ſaid allowances and abatements the ſaid Commiſſioners to be appointed as aforeſaid, and their Sub-Commiſſioners, are hereby authorized to allow and make accordingly.

XXIII. Provided always, That where any common Brewer ſhall wittingly or willingly make a falſe Entry, and be convicted for the ſame before the Commiſſioners to be appointed as aforeſaid, or any two of them, or before ſuch other perſon or perſons as are hereafter by this Act appointed, in that caſe ſuch Brewer and Brewers ſhall forfeit and loſe over and beſides the penalties before mentioned, the ſaid Allowance ſo to be made for ſix months then next enſuing.

Forfeiture for falſe Entries.

XXIV. And be it enacted and ordained by the authority aforeſaid, That no Beer or Ale ſhall be delivered in by ſuch Brewer or Maker thereof, to any Victualler or other Retailer thereof, until the Rate which by ſuch Victualler or Retailer is to be paid over and above the price of the ſaid Beer or Ale, for or in reſpect of this Duty, be firſt paid and ſatisfied by the ſaid Victualler or Retailer, to the Brewer or Maker thereof.

No ale or beer to be delivered to the retailer before the rate be paid.

XXV. Provided always, That if any perſon or perſons ſhall Brew and ſell by Retail any ſmall quantities of Beer or Ale in any Fair within this Realm, or Dominions aforeſaid, who is not otherwiſe any common or Uſual Brewer or Retailer thereof, and ſhall before any ſuch ſelling and retailing thereof, well and truly pay and ſatisfie the duty due for the ſame to the Commiſſioners or Sub-Commiſſioners within whoſe Limits or Diviſion the ſaid Fair ſhall be held, or to their Officers thereunto appointed; That then ſuch perſon or perſons ſo brewing or retailing the ſame, and for ſo much and no more, nor otherwiſe, ſhall be freed and diſcharged from all penalties and forfeitures in and by this Act before mentioned and impoſed; Any thing therein contained to the contrary notwithſtanding.

Beer and ale ſold in Fairs.

XXVI. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Sub-Commiſſioners reſpectively, to compound for this Duty with any Inn-keeper, Victualler, Alehouſekeeper, or Retailer of Beer, Ale, or other the Liquors aforeſaid, within their reſpective Diviſions, from time to time, and in ſuch manner and form as may be moſt for the advantage and improvement of the Receipts thereof; Any thing in this Act before contained to the contrary notwithſtanding.

The Commiſſioners may compound with any Inn-keeper, Retailer or Victualler.

XXVII. And it is further ordained and enacted by the authority aforeſaid, That the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, or ſuch other perſon or perſons as his Majeſty ſhall appoint, ſhall have power, and are hereby authorized and impowred from time to time to treat, contract, conclude and agree with any perſon or perſons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned, upon Beer, Ale, Perry, Cyder, or other the Liquors aforeſaid, in any the reſpective Counties, Cities or places of this Realm or Dominions thereof, as may be for the greateſt benefit and advantage of the ſaid Receipt, ſo as the ſame exceed not the term of Three years.

Any the rates in this Act may be farmed for three years.

XXVIII. And be it further enacted, That every ſuch contract, bargain and agreement of the Lord Treaſurer, or Commiſſioners of the Treaſury, or other perſons aforeſaid, on behalf of his Majeſty on the one part, and the perſon or perſons farming on the other part, ſhall be good and effectual in Law, to all intents and purpoſes.

XXIX. Provided always, to the end the aforeſaid Duty may be paid with moſt eaſe to the people, It is hereby further enacted, That the Lord Treaſurer, Commiſſioners of the Treaſury, or other perſons aforeſaid, ſhall not within ſix months after commencement of this Act, treat, conclude or agree with any perſon or perſons touching the Farming of this Duty upon Beer or Ale in any the reſpective Counties or places of this Realm, or Dominions thereof, other then with ſuch perſon or perſons as by the Juſtices of Peace of the ſaid Counties or places, or the major part of them, at their publick Quarter Seſſions ſhall be nominated and appointed in that behalf, which perſon or perſons is to have the firſt refuſal of any ſuch Farm reſpectively, and may take the ſame; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Perſons contracting that be nominated by the Juſtices of the Peace in every County ſhall have the refuſal of any Farm.

XXX. Provided, That the ſaid duty ſhall not be let to any other perſon or perſons, then to the perſon or perſons recommended by the Juſtices, under the rate that it ſhall be tendred to, and refuſed by ſuch perſon or perſons to be recommended.

XXXI. And be it further enacted and ordained by the authority aforeſaid, That all forfeitures and offences made and committed againſt this Act, or any clauſe or article therein contained, ſhall be heard, adjudged and determined by ſuch perſon or perſons, and in ſuch manner and form as hereafter in and by this Act is directed and appointed, that is to ſay, (2) all ſuch forfeitures and offences made and committed within the immediate limits of the chief Office in London, ſhall be heard and adjudged and determined by the ſaid chief Commiſſioners and Governors of Exciſe (appointed by his Majeſty) or the major part of them, or by the Commiſſioners for Appeals, and regulating of this Duty, or the major part of them, in caſe of Appeal, and not otherwiſe: (3) And all ſuch forfeitures and offences made and committed within all or any other the Counties, Cities, Towns or places within this Kingdom, or Dominions thereof, ſhall be heard and determined by any two or more of the Juſtices of the Peace reſiding near to the place where ſuch forfeitures ſhall be made or offence committed: (4) And in caſe of neglect or refuſal of ſuch Juſtices of the Peace, by the ſpace of fourteen days next after complaint made, and notice thereof given to the Offender, then the Sub-Commiſſioners, or the major part of them appointed for any ſuch City, Country Town or place, ſhall, and are hereby impowred to hear and determine the ſame; (5) And if the party find himſelf agrieved by the Judgment given by the ſaid Sub-Commiſſioners, he ſhall & may appeal to the Juſtices of the Peace at the next Quarter-Seſſions, who are hereby impowred and authorized to hear and determine the ſame, whoſe Judgment therein ſhall be final; (6) which ſaid Commiſſioners for Appeals, and regulating of this duty and the chief Commiſſioners for Exciſe, and all Juſtices of Peace, and Sub-Commiſſioners aforeſaid reſpectively, are hereby authorized and ſtrictly enjoyned and required upon any

Forfeitures and offences within this Act, where determined.

Appeals by parties grieved.

Complaint or Information exhibited and brought of any ſuch forfeiture made, or offence committed contrary to this Act, to ſummon the party accuſed, and upon his appearance or contempt, to proceed to the examination of the matter of Fact, and upon due proof made thereof, either by the voluntary confeſſion of the party, or by the Oath of any one or more credible witneſſes (which Oath they or any two or more of them have hereby power to adminiſter) to give judgment or Sentence, according as in and by this Act is before ordained and directed; and to award and iſſue out Warrants under their hands, for the levying of ſuch forfeitures, penalties and Fines as by this Act is impoſed for any ſuch offence committed, upon the Goods and Chattels of the Offender, and to cauſe ſale to be made of the ſaid Goods and Chattels, if they ſhall not be redeemed within fourteen days, rendring to the party the overplus, if any be, and for want of ſufficient diſtreſs, to impriſon the party offending till ſatisfaction be made.

Fines and forfeitures may be mitigated.

XXXII. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices of Peace, Commiſſioners for Exciſe, or any two of them, or their Sub commiſſioners reſpectively, from time to time, where they ſhall ſee cauſe, to mitigate, compound or leſſen ſuch forfeiture, penalty or fine, as in their diſcretion they ſhall think fit; And that every ſuch mitigation and payment thereupon accordingly made, ſhall be a ſufficient diſcharge of the ſaid penalties and forfeitures to the perſons ſo offending, ſo as by ſuch mitigation the ſame be not made leſs then double the value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable coſts and charges of ſuch Officer or Officers, or others as were imployed therein, to be to them allowed by the ſaid Juſtices; Any thing in this Act to the contrary in any wiſe notwithſtanding: (2) And it is hereby further enacted and ordained, That all fines, forfeitures and penalties mentioned in this Act, all neceſſary charges for the recovery thereof being firſt deducted, ſhall be imployed, three fourth parts thereof to and for the uſe of the Kings Majeſty, and the other fourth part to the diſcoverer or informer of the ſame. (3) And for the better managing, collecting, ſecuring, levying and recovering of all and every the ſaid Rates and Charges of Exciſe hereby impoſed, and ſet upon all or any of the Commodities before mentioned, to the end the ſame may be paid and diſpoſed of according to the intent of this preſent Act, (4) Be it further enacted and ordained by the authority aforeſaid, and it is hereby enacted, That one principal Head-office ſhall be erected and continued in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit, for this duty, unto which all other Offices for the ſame within England and Wales, and the Town and Port of Berwick, ſhall be ſubordinate and accomptable; Which ſaid Office ſhall be managed by ſuch Officers as ſhall be appointed by the Kings Majeſty as aforeſaid, who, or any two of them, are hereby appointed and conſtituted Commiſſioners and Governors for the management of his Majeſties Receipt of the Exciſe, and to ſit in ſome convenient place in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit.

How the fines and forfeitures ſhall be imployed.

Commiſſioners and Governors for managing the Receipts of Exciſe.

XXXIII. And be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of intermeddling with any office or imployment relating to the Exciſe, until he or they ſhall before two or more Juſtices of Peace in the County where his or their employments ſhall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby power to adminiſter, together with this Oath following, Mutatis Mutandis.

The Oath.

(2) YOu ſhall Swear to execute the Office of   truly and faithfully, without Favour or Affection, and ſhall from time to time true Accompt make, and deliver to ſuch perſon or perſons as His Majeſty ſhall appoint to receive the ſame, and ſhall take no Fee or Reward for the Execution of the ſaid Office, from any other perſon than from his Majeſty, or thoſe whom His Majeſty ſhall appoint in that behalf.

Certificates at the next quarter Seſſions.

London, Weſtminſter, Southwark.

Officers to be appointed by his Majeſty.

The Exciſe Office to be kept open.

The Moneys collected to be paid into the Receipt of the Exchequer.

XXXIV. And be it further enacted by the authority aforeſaid, That every ſuch Juſtice of Peace ſhall certifie the taking of ſuch Oath to the next Quarter Seſſions, there to be Recorded; (2) And it is further enacted, That all parts of the Cities of London and Weſtminſter, with the Borough of Southwark, and the ſeveral Suburbs thereof, and Pariſhes within the weekly Bills of Mortality, ſhall be under the immediate care, inſpection and management of the ſaid Head-office, (3) and ſuch, and ſo many ſubordinate Commiſſioners and Sub-commiſſioners, and other Officers and Miniſters for the execution of the Premiſſes, ſhall be from time to time nominated and appointed by his Majeſty, in all and every other the Counties, Cities, Towns, and places within this Kingdom of England, Dominion of Wales, and Port of Berwick, as from time to time his Majeſty ſhall think fit. (4) And it is hereby further enacted, That the ſaid Office of Exciſe in all places where it ſhall be appointed, ſhall be kept open from eight of the clock in the morning, till twelve of the clock at noon; and from two of the clock in the afternoon, till five of the clock in the afternoon, for the due execution and performance of all and every the matters and things in this Act appointed and required. (5) And it is further hereby enacted, That the ſaid Commiſſioners of Exciſe, or the major part of them, ſhall from time to time iſſue forth and pay ſuch ſum or ſums of money, as ſhall from time to time be received, collected or levied by virtue of this Act, into his Majeſties Receipt of Exchequer.

Perſons ſued may plead the general iſſue.

XXXV. Provided always, and be it enacted, That if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done or executed in purſuance of this Act, he or they ſhall and may plead the general iſſue, and give this Act in evidence for his defence; (2) and if upon the Tryal a verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be Nonſuit, then ſuch the Defendant or Defendants ſhall have double coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

Writs of Certiorari ſhall not ſuperſede any proceedings.

XXXVI. Provided alſo, and be it enacted, That no Writ or Writs of Certiorari ſhall ſuperſede Executions or other proceedings, upon any Order or Orders made by the ſaid Juſtices aforeſaid in purſuance of this Act, but that Execution and other proceedings ſhall and may be had and made thereupon, any ſuch Writ or Writs, or allowance thereof notwithſtanding.

Proviſo for Ed. Backwell for payment of 28450. l.

XXXVII. Provided always, and be it further enacted, That this Act or any thing therein contained, ſhall not be prejudicial to Edward Backwell Alderman of London, as to the ſum of twenty eight thouſand four hundred and fifty pounds, (or any part thereof) by him advanced upon the credit of ſeveral Orders of this preſent Parliament, and by them charged on the receipt of the Grand Exciſe; that is to ſay, the ſum of Five thouſand pounds payable to his Majeſties Surveyor General for the repair of his Majeſties houſes, charged by virtue of an Order of the ſixth of September, 1660. with Intereſt for the ſame; the ſum of ten thouſand pounds advanced to her Highneſs the Princeſs Royal, being charged with Intereſt by an Order of the 13th of September, 1660. the ſum of ten thouſand pounds payable to her Majeſty the Queen of Bohemia, being charged, together with Intereſt by an Order of the 13th of September, 1660. the ſum of three thouſand four hundred and fifty pounds payable for Proviſions for Dunkirk, by an Order of the 26th of November, 1660. which ſum of twenty eight thouſand four hundred and fifty pounds, together with the Intereſt for the ſame, according to the tenor of the ſaid Orders, after the rate of ſix per Cent. ſhall be paid to the ſaid Edward Backwell, or his aſſigns, out of the grand Exciſe, and the arrears thereof in courſe, as is by the ſaid Orders appointed; and in caſe the ſame ſhall fall ſhort in payment by the twenty fifth of December, One thouſand ſix hundred and ſixty, that then the remainder ſhall continue ſecured to him out of the whole Exciſe in courſe as aforeſaid, and that no other payments be made out of the Exciſe but what is appointed by this preſent Parliament in courſe to precede the ſame, until the ſaid debt due to the ſaid Edward Backwell be ſatisfied; and that in caſe any part of the moneys due to Alderman Backwell, be paid out of that part of the Exciſe which ſhall grow due to the Kings Majeſty that then his Majeſty ſhall be reimburſed the ſame out of the firſt moneys that ſhall come in of the arears of Exciſe that will be due the ſaid twenty fifth of December.

St. 13. Car. 2 cap 7.

CAP. XXIV.

An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service, and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof.

Philips Tenend. 251.
Hurt. of Ship-money. 25.

The reaſons of this Act.

Whereas it hath been found by former experience, That the Courts of Wards and Liveries, and Tenures by Knights-Service, either of the King or others, or by Knights-Service in Capite, or Socage in Capite of the King, and the conſequents upon the ſame have been much more burthenſome, grievous and prejudicial to the Kingdom, then they have been beneficial to the King: (2) And whereas ſince the intermiſſion of the ſaid Court, which hath been from the four and twentieth day of February, which was in the year of our Lord, One thouſand ſix hundred forty and five, many perſons have by Will and otherwiſe made diſpoſal of their Lands held by Knights-Service, whereupon divers queſtions might poſſibly ariſe, unleſs ſome ſeaſonable remedy be taken to prevent the ſame; (3) Be it therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, and it is hereby enacted, That the Court of Wards and Liveries, and all Wardſhips, Liveries, Primer-Seiſins, and Ouſter-le mains, values and forfeitures of Marriages, by reaſon of any Tenure of the Kings Majeſty, or of any other by Knights-Service, and all mean Rates, and all other Gifts, Grants, Charges incident or ariſing, for, or by reaſon of Wardſhips, Liveries, Primer-Seiſins or Ouſter-le-mains, be taken away and diſcharged, and are hereby enacted to be taken away and diſcharged, from the ſaid twenty fourth day of February, One thouſand ſix hundred fourty five; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding: (4) And that all Fines for Alienations, Seizures and Pardons for Alienations, Tenure by Homage, and all Charges incident or ariſing, for or by reaſon of Wardſhip, Livery, Primer-Seiſin, or Ouſter-le-main, or Tenure by Knights-Service, Eſcuage, and alſo Aide pur file marier, and Pur fair fitz Chivalier, and all other charges incident thereunto be likewiſe taken away and diſcharged, from the ſaid twenty fourth day of February, One thouſand ſix hundred forty and five; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding: (5) And that all Tenures by Knights-Service of the King, or of any other perſon, and by Knights-Service in Capite, and by Socage in Capite of the King, and the fruits and conſequents thereof, happened, or which ſhall or may hereafter happen or ariſe thereupon, or thereby, be taken away or diſcharged; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding; (6) And all Tenures of any honours, manors, lands, tenements hereditaments, or any Eſtate of Inheritance at the Common-Law, held either of the King, or of any other perſon or perſons, bodies politick or corporate, are hereby enacted to be turned into free and common Socage, to all intents and purpoſes, from the ſaid twenty fourth day of February, One thouſand ſix hundred forty five, and ſhall be ſo conſtrued, adjudged and deemed to be from the ſaid twenty fourth day of February, One thouſand ſix hundred forty five, and for ever thereafter turned into free and common Socage; Any Law, Statute, Cuſtom or Uſage to the contrary hereof, in any wiſe notwithſtanding;

The Court of Wards and Liveries, Primer-Seiſins, &c. taken away.

Fines for Alienations, &c. taken away.

1 Car. 1. cap. 3.
Tenures by Knights-Service, taken away.

II. And that the ſame ſhall for ever hereafter ſtand and be diſcharged of all Tenure by Homage, Eſcuage, Voyages Royal, and charges for the ſame, Wardſhips incident to Tenure by Knights-Service; and values and forfeitures of Marriage, and all other Charges incident to Tenure by Knights-Service; and of and from Aide pur file marier, and Aide pur fair fitz Chivalier; Any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding: (2) And that all conveyances and deviſes of any manors, lands, tenements and hereditaments made ſince the ſaid twenty fourth of February, ſhall be expounded to be of ſuch effect, as if the ſame manors, lands, tenements and hereditaments had been then held and continued to be holden in free and common Soccage only; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding.

Tenures by homage, eſcuage &c. diſcharged.

III. And

The Acts of 3 H. 8. cap. 46. & 33 H. 8. cap. 22. repealed.

III. And be it further ordained and enacted by the authority of this preſent parliament, That one Act made in the Reign of King Henry the Eighth, entituled, An Act for the eſtabliſhment of the Court of the Kings Wards; And alſo one Act of parliament made in the xxxiii. year of the Reign of the ſaid King Henry the Eighth, concerning the Officers of the Court of Wards and Liveries, and every clauſe, article and matter in the ſaid Acts contained ſhall from henceforth be repealed and utterly void.

All tenures to be created by the King hereafter, ſhall be free and common-Socage. Dyer 44. pl. 28.

IV. And be it further enacted by the authority aforeſaid, That all Tenures hereafter to be created by the Kings Majeſty, his Heirs or Succeſſors, upon any gifts or grants of any manors, lands, tenements or hereditaments, of any Eſtate of Inheritance at the Common Law, ſhall be in free and common Socage, and ſhall be adjudged to be in free and common Socage only, and not by Knights Service, or in Capite, and ſhall be diſcharged of all Wardſhip, value, and forfeiture of Marriage, Livery, Primer-Seiſin, Ouſter-le-main, Aide pur faire fitz Chivalier, and pur file marier; Any Law, Statute or reſervation to the contrary thereof in any wiſe notwithſtanding.

Proviſo for rents certain, heriots, &c.

V. Provided nevertheleſs, and be it enacted, That this Act, or any thing therein contained, ſhall not take away, nor be conſtrued to take away any Rents certain, Heriots or Suits of Court belonging or incident to any former Tenure now taken away or altered by virtue of this Act, or other Services incident or belonging to Tenure in common Socage, due or to grow due to the Kings Majeſty, or mean Lords, or other private perſon, or the fealty and diſtreſſes incident thereunto; (2) And that ſuch relief ſhall be paid in reſpect of ſuch Rents as is paid in caſe of a death of a Tenant in common Socage.

Fines for alienations due by particular cuſtoms of manors.

VI. Provided always, and be it enacted, That any thing herein contained, ſhall not take away nor be conſtrued to take away any Fines for Alienation due by particular Cuſtoms of particular manors and places, other then Fines for Alienations of lands or tenements holden immediately of the King in Capite.

Tenures in Frank Almoign.

Copy of Court-Roll.

Honorary ſervic s.

VII. Provided alſo, and be it further enacted, That this Act or any thing therein contained, ſhall not take away, or be conſtrued to take away Tenures in Frank Almoigne, or to ſubject them to any greater or other ſervices then now are; (2) nor to alter or change any Tenure by Copy of Court-Roll, or any ſervices incident thereunto; (3) nor to take away the honorary ſervices af grand Serjeanty, other then of Wardſhip, Marriage and value of forfeiture of Marriage, Eſcuage, Voyages, Royal and other Charges incident to Tenure by Knights-Service; and other then Aide pur faire fitz Chivalier, and Aide pur fide marier.

Parents may diſpoſe of the cuſtody of children during their minority. Vaughan 177.

VIII. And be it further enacted by the authority aforeſaid, That where any perſon hath, or ſhall have any Child or Children under the age of one and twenty years, and not married at the time of his death, That it ſhall and may be lawful to and for the Father of ſuch Child or Children, whether born at the time of the deceaſe of the Father, or at any time in ventre ſa mere; or whether ſuch Father be within the age of one and twenty years, or of full age, by his deed executed in his life-time, or by his laſt Will and Teſtament in writing in the preſence of two or more credible witneſſes, in ſuch manner, and from time to time as he ſhall reſpectively think fit, to depoſe of the cuſtody and tuition of ſuch child or children, for, and during ſuch time as he or they ſhall reſpectively remain under the age of one and twenty years, or any leſſer time, to any perſon or perſons in poſſeſſion or remainder other then Popiſh Recuſants; (2) And that ſuch diſpoſition of the cuſtody of ſuch child or children made ſince the twenty fourth of February, 1645. or hereafter to be made, ſhall be good and effectual againſt all and every perſon or perſons claiming the cuſtody or tuition of ſuch child or children as Guardian in Socage or otherwiſe: (3) And that ſuch perſon or perſons to whom the cuſtody of ſuch child or children hath been, or ſhall be ſo diſpoſed or deviſed as aforeſaid, ſhall and may maintain an Action of Raviſhment of Ward or Treſpaſs, againſt any perſon or perſons which ſhall wrongfully take away or detain ſuch child or children, for the recovery of ſuch child or children; (4) and ſhall and may recover damages for the ſame in the ſaid Action, for the uſe and benefit of ſuch child or children.

Actions of Raviſhment of Wards.

The lands of children, and the management of their perſonal eſtate by their guardians.

IX. And be it further enacted, That ſuch perſon or perſons to whom the Cuſtody of ſuch child or children hath been, or ſhall be ſo diſpoſed or deviſed, ſhall and may take into his or their cuſtody to the uſe of ſuch child or children, the profits of all lands, tenements and hereditaments of ſuch child or children; and alſo the cuſtody, tuition and management of the goods, chattels, and perſonal eſtate of ſuch child or children, till their reſpective age of one and twenty years, or any leſſer time, according to ſuch diſpoſition aforeſaid; (2) and may bring ſuch Action or Actions in relation thereunto, as by Law a Guardian in common Socage might do.

X. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to alter or prejudice the Cuſtom of the City of London, nor of any other City or Town-corporate or of the Town of Berwick upon Tweed, concerning Orphans; nor to diſcharge any Apprentice from his Apprenticeſhip.

Proviſo touching titles of honour Feodal.

XI. Provided alſo, That neither this Act, nor any thing therein contained, ſhall infringe or hurt any Title of Honour, Feodal or other, by which any perſon hath, or may have right to ſit in the Lords Houſe of Parliament, as to his or their Title of Honour, or ſitting in Parliament, and the priviledge belonging to them as Peers; This Act or any thing therein contained to the contrary in any wiſe notwithſtanding.

Purveyances and Proviſions for the Kings Houſhold taken away. ALT. St. 13. Car. 2. cap. 7.

XII. And whereas by like experience it hath been found, That though divers good, ſtrict, and wholeſom Laws have been made in the times of ſundry his Majeſties moſt noble Progenitors, ſome extending ſo far as to life, for redreſs of the grievances and oppreſſions committed by the perſons imployed for making proviſions for the Kings Houſhold, Carriages and other purveyance for his Majeſty, and his occaſions; yet divers oppreſſions have been ſtill continued, and ſeveral Counties have ſubmitted themſelves to ſundry Rates and Taxes and Compoſitions, to redeem themſelves from ſuch vexations and oppreſſions: (2) And foraſmuch as the Lords and Commons aſſembled in Parliament do find that the ſaid remedies are not fully effectual, and that no other remedy will be ſo effectual and juſt, as to take away the occaſion thereof, eſpecially if ſatisfaction and recompence ſhall be therefore made to his Majeſty, his Heirs and Succeſſors, which is hereby provided to his Majeſties good liking and content; his Majeſty is graciouſly pleaſed, That it may be enacted, (3) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That from henceforth no ſum or ſums of money, or other thing ſhall be taken, raiſed, taxed, rated, impoſed, paid or levied, for or in regard of any proviſion, carriages or purveyance for his Majeſty, his Heirs or Succeſſors.

Purveyances for the King, Queen, &c.

XIII. And that henceforth no perſon or perſons by any Warrant, Commiſſion or Authority under the Great Seal, or otherwiſe, by colour of buying or making proviſion or purveyance for his Majeſty, or any Queen of England for the time being, or of any the children of any King or Queen of England for the time being, or that ſhall be, or for his, their, or any of their Houſhold, ſhall take any Timber, Fewel, Cattel, Corn, Grain, Mault, Hay, Straw, Victual, Cart, Carriage or other thing whatſoever, of any the Subjects of his Majeſty, his Heirs or Succeſſors, without the free and full conſent of the owner or owners thereof, had and obtained without menace or enforcement, (2) nor ſhall ſummon, warn, or take, uſe or require any the ſaid Subjects to furniſh or find any Horſes, Oxen or other Cattel, Carts, Ploughs, Wains or other Carriages, for the uſe of his Majeſty, his Heirs or Succeſſors, or of any Queen of England, or of any child or children of any the Kings or Queens of England for the time being, for the carrying the Goods of his Majeſty, his Heirs or Succeſſors, or the ſaid Queens, or Children, or any of them, without ſuch full and free conſent as aforeſaid; Any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding.

Timber, cattel, carriages, &c. taken away.

No pre-emption to be allowed or claimed in behalf of the Kings, &c.

XIV. And be it further enacted, That no pre-emption ſhall be allowed or claimed in the behalf of his Majeſty, or of any his Heirs or Succeſſors, or of any the Queens of England, or of any the Children of the Royal Family for the time being in Market or out of Market; (2) but that it be for ever hereafter free to all and every of the Subjects of his Majeſty, to ſell, diſpoſe or employ his ſaid goods to any other perſon or perſons as himſelf liſteth, any pretence of making proviſion or purveyance of Victual, Carriages or other thing for his Majeſty, his Heirs and Succeſſors, or of the ſaid Queens, or Children, or any pretence of pre-emption in their, or any of their behalfs notwithſtanding: (3) And if any perſon or perſons ſhall make proviſion or purveyance for his Majeſty, his Heirs or Succeſſors, or any the Queens, or Children aforeſaid, or impreſs or take any ſuch Carriages or other things aforeſaid, on any pretence or colour of any Warrant aforeſaid, under the Great Seal, or otherwiſe, contrary to the intent hereof, it ſhall be lawful for the Juſtices of Peace, or ſuch two or one of them as dwell near, and to the Conſtables of ſuch Pariſh or Village where ſuch occaſion ſhall happen, at the requeſt of the party grieved: And they are hereby enjoyned to commit, or cauſe to be committed, the party or parties ſo doing and offending, to Gaol, till the next Seſſions, there to be indicted and proceeded againſt for the ſame; and that the Officers and Inhabitants of the Village or Pariſh where ſuch offence ſhall happen, ſhall be aſſiſtant therein; (4) and moreover, the party grieved ſhall have his Action or Actions againſt ſuch Offender or Offenders, and therein recover his treble damages, and treble coſts: In which Action, no Eſſoin, Wager of Law, Aid-prayer, Priviledge, Protection, Imparlance, Injunction or Order of Reſtraint ſhall be granted or allowed: (5) And if any perſon or perſons ſhall (after notice given, that the Action depending is grounded upon the Statute) cauſe or procure any Action at the Common Law, grounded on this Statute, to be delayed or ſtayed before Judgment, by colour or means of any Order, Power, Warrant or Authority, ſave only of the Court where ſuch Action ſhall be brought and depending, or after Judgment had upon ſuch Action, ſhall cauſe or procure Execution of ſuch Judgment to be ſtayed or delayed by colour or means of any Order, Warrant, Power, or Authority ſave only by Writ of Error or Attaint, or Order of ſuch Court where ſuch Writ of Error or Attaint ſhall be depending, That then the perſon ſo offending ſhall incur the pains, penalties and forfeitures ordained and provided by the Statute of Proviſion and Premunire, made in the ſixteenth year of the Reign of King Richard the Second; (6) Provided always, That this Act extend not to prejudice any of his Majeſties Rights, Titles or Duties of, in, or to, or out of any Tin in the Stannaries of Devon and Cornwall, nor to prejudice the ancient Duties of Butlerage and Prizage of Wines; but that the ſame ſhall be in the ſame plight that the ſame were before the making of this Act; any thing therein contained to the contrary in any wiſe notwithſtanding: (7) And now to the intent and purpoſe that his Majeſty, his Heirs and Succeſſors, may receive a full and ample recompence and ſatisfaction, as well for the profits of the ſaid Court of Wards, and the Tenures, Wardſhips, Liveries, Primer Seiſins, Ouſter le mains, and other the premiſſes, and perquiſites incident thereunto; and for all arrears any way due for the ſame, as alſo for all and all manner of purveyance and proviſions herein before mentioned, and intended to be taken away and aboliſhed; and all ſums of money due or pretended to be due, or payable for, and in reſpect of any compoſitions for the ſame:

The penalty.

No Action upon this Statute to be ſtayed, but by Order of the Court where ſuch Action depends.

Premunire.

Proviſo for the Stannaries, Buclerage, Prizage.

Recompence to his Majeſty for the Court of Wards and Purveyances.

12 Car. cap. 23. Rates of the Exciſe.

XV. Be it therefore enacted by the authority aforeſaid, That there ſhall be paid unto the Kings Majeſty, his Heirs and Succeſſors for ever hereafter, in recompence as aforeſaid, the ſeveral Rates, Impoſitions, Duties and Charges herein after expreſſed, and in manner and form following: That is to ſay,

XVI. For every Barrel of Beer or Ale above ſix ſhillings the Barrel, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, One ſhilling three pence. } xv. d.

XVII. For every Barrel of Six ſhillings Beer or Ale, or under, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out ſuch Beer or Ale publickly or privately, to be paid by the ſaid common Brewer, or by ſuch other perſon or perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſſer quantity, Three pence. } iij. d.

XVIII. For all Cyder and Perry made and ſold by retail, upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſſer meaſure, One ſhilling three pence. } xv. d.

XIX. For all Methegling or Mead ſold, whether by Retail or otherwiſe, to be paid by the maker thereof upon every Gallon, One half-peny. } Ob.

XX. For every Barrel of Beer, commonly called, Vinegar-Beer, brewed by any common Brewer, in any common Brew-houſe, Six pence.	vi. d.
XXI. For every Gallon of Strong-water or Aqua-vitæ, made and ſold, to be paid by the maker thereof, One penny.	i. d.
XXII. For every Barrel of Beer or Ale Imported from beyond the Seas, Three ſhillings	iij. s.
XXIII. For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, Five ſhillings.	v s.
XXIV. For every Gallon of Spirits made of any kind of Wine or Cyder Imported, Two pence.	ij. d.
XXV. For every Gallon of Strong-water perfectly made, Imported from beyond the Seas, Four pence.	iiij. d.
XXVI. For every Gallon of Coffee made and ſold, to be paid by the maker thereof, Four pence.	iiij. d.
XXVII. For every Gallon of Chocolate, Sherbet and Tea, to be made and ſold, to be paid by the maker thereof, Eight pence.	viii. d.

Rates of Exciſe upon foreign Liquors imported to be paid in money before landing.

XXVIII. And be it further enacted and ordained by the authority aforeſaid, That the ſeveral Rates, Duties and Charges of Exciſe, or New Impoſt above mentioned, hereby ſet or impoſed upon all and every the ſaid foreign Liquors which ſhall be imported or brought into all, or any the Ports of this Kingdom and Dominions thereof aforeſaid, from and after the five and twentieth day of December next, ſhall be from time to time ſatisfied and paid by the Merchant or Merchants importer or importers of the ſame, in ready money, upon his or their Entry or Entries made, and before the landing thereof.

Entries to be made at the Office of Exciſe, by common Brewers, Innkeepers, &c.

XXIX. And be it further enacted by the authority aforeſaid, That all common Brewers of Beer and Ale, ſhall once in every week; and all In-keepers, Alehouſe-keepers, Victuallers, and other Retailers of Beer, Ale, Cyder, Perry, Metheglin, or Strong-water, brewing, making or retailing the ſame, ſhall once in every month make true and particular Entries at the Office of Exciſe, within the limits of which the ſaid commodities and manufactures are made, of all Beer, Ale, Perry, Cyder, Metheglin, Strong-water, or other the Liquors aforeſaid, which they, or any of them ſhall brew, make, or retail in that week and month reſpectively as aforeſaid.

The penalty for not making Entries.

XXX. And be it further enacted by the authority aforeſaid, That all ſuch common Brewers, who do not once a week make due and particular Entries, ſhall forfeit ten pounds: (2) And that every ſuch Inn-keeper who doth not make true and particular Entries once a month, ſhall forfeit five pounds: (3) And that every Alehouſe-keeper, Victualler, or other Retailer, who doth not once a month make due and particular Entries, ſhall forfeit twenty ſhillings.

The penalty for not paying.

XXXI. And be it further enacted by the authority aforeſaid, That every common Brewer who ſhall not pay and clear off within a week after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (2) And that every Inn-keeper, Alehouſe-keeper, Victualler, or other Retailer who ſhall not pay and clear off within a month after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (3) The ſaid reſpective forfeitures to be levied upon their Goods and Chattels, in ſuch manner and form as hereafter in this Act is ordained and directed.

In what places Entries ſhall be made.

XXXII. Provided that no ſuch perſon as aforeſaid, ſhall be compelled by the Commiſſioners, or Sub-Commiſſioners of Exciſe, to travel for the making of the ſaid Entries or payment of the ſaid Duties or other cauſe whatſoever touching or concerning the ſame, if he live in a Market-town, out of the ſaid Town; if he live out of a Market-town, then to no other place then to the next Market-town to his Habitation in the ſame County, on the Market day.

The powers of the Commiſſioners to appoint Gagers.

XXXIII. And be it further enacted and ordained by the authority aforeſaid, That the Commiſſioners who ſhall be appointed by his Majeſty, for putting this Act in execution, and their Sub-Commiſſioners in their reſpective Circuits and Diviſions, ſhall hereby have power to conſtitute under their Hands and Seals, ſuch, and ſo many Gagers as they ſhall find needful: (2) Which Gagers, and every of them, ſhall at all times, as well by night as by day, and if by night, then in the preſence of a Conſtable, or other lawful Officer, be permitted upon their Requeſt, to enter the Houſe, Brew-houſe, Diſtilling-houſe, and all other Houſes and places whatſoever belonging to, or uſed by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, brewing or making the ſame as aforeſaid, or by any Diſtiller of Strong-waters, or Retailer of other the Liquors aforeſaid, and to Gage all Coppers, Fats and Veſſels in the ſame, and to take an accompt of Beer, Ale, Worts, Perry, Cyder, Strong-waters, Aqua-vitæ, Methegling, or other Liquors aforeſaid, in the ſaid houſes, places and veſſels, from time to time, brewed or made, and diſtilled; (3) and thereof to make return or report in writing to the ſaid Commiſſioners, or Sub-Commiſſioners of Exciſe, under whoſe Office and Limits ſuch Brewer, Retailer, Diſtiller, or Maker of the Liquors aforeſaid, doth dwell and inhabit, leaving a true Copy of ſuch Return in writing under his Hand with ſuch Brewer, Retailer, Diſtiller, or Makers of the Liquors aforeſaid, (4) and ſuch Reports or Returns of the ſaid Gagers ſhall be a charge upon the ſaid Brewers, Makers and Retailers reſpectively; (5) and if any ſuch common Brewer, Maker, or Retailer, ſhall refuſe to permit any ſuch Gager or Gagers to enter his Brew-houſe, or any other places aforementioned, or to gage or take accompt of his Brewing Veſſels, or of any ſuch Beer, Ale, Worts, Perry, Cyder, Strong-water, Aqua-vitæ, Methegling, or other the Liquors aforeſaid, ſuch Brewer, Retailer, or Diſtiller, ſhall be forthwith forbidden by the ſaid Gager or Gagers, to ſell, carry out, or deliver to any of his Cuſtomers, any Beer, Ale, Strong-water, Aqua-vitæ, or other the Liquors aforeſaid; (6) And if any ſuch Brewer, Retailer, or Diſtiller of any the Liquors aforeſaid, after ſuch warning given, ſhall ſell, carry, or deliver out the ſame, or any part thereof, not having paid and cleared the Duty of Exciſe, ſuch perſon and perſons ſhall beſides the forfeiture of double the value, forfeit and loſe the ſum of ten pounds as aforeſaid, for every offence,

The powers of the Gagers.

Penalty for ſelling, &c. not having cleared the Exciſe.

offence, to be levied and recovered upon his or their goods and chattels in manner and form as hereafter in this Act is provided.

XXXIV. And for the avoiding of all incertainty and diſpute touching the returns made or to be made by the Gagers of any Beer or Ale ſo brewed as aforeſaid, (2) Be it enacted and declared by the authority aforeſaid, That every ſix and thirty gallons of Beer taken by the Gage according to the Standard of the Ale-quart, four whereof ſhall make the gallon, remaining in the cuſtody of the Chamberlains of his Majeſties Exchequer, ſhall be reckoned, accompted and returned by the Gager, for a Barrel of Beer, and every two and thirty gallons of Ale taken by the Gage, according to the ſame Standard, ſhall be in like manner reckoned, accompted and returned for a Barrel of Ale; and all other the Liquors aforeſaid, according to the Wine-gallon.

Proportions to be obſerved in returns of Gagers.

XXXV. Provided always, and be it enacted and ordained by the authority aforeſaid, That no Brewers or Retailers of Beer and Ale, ſhall take any more in the price thereof, upon ſale of the ſame, then according to the uſual rates and prices; Saving that every common Brewer ſhall and may take and receive of all and every perſon to whom he ſhall ſell and deliver any Ale or Beer, the Exciſe thereupon due, as aforeſaid, over and above the uſual rates and prices.

Brewers and Retailers to obſerve the uſual rates and prices.

XXXVI. And be it enacted by the authority aforeſaid, That for the better encouragement of all common Brewers and makers of Beer or Ale to make due entry and payment thereof according as by this Act is appointed, the ſaid common Brewer not ſelling the ſame by retail, for and in conſideration of waſte by fillings and leakage of their Beer and Ale, ſhall have and be allowed out of the ſaid Returns made by the Gagers, the ſeveral allowances and abatements hereafter mentioned, (that is to ſay) upon every three and twenty Barrels of Beer, whether ſtrong or ſmall, returned by the ſaid Gagers, three Barrels; and upon every two and twenty Barrels of Ale, whether ſtrong or ſmall, returned by the Gagers, two Barrels; which ſaid allowances and abatements the ſaid Commiſſioners to be appointed as aforeſaid, and their Sub-Commiſſioners, are hereby authorized to allow and make accordingly.

Encouragement to Brewers to make true Entries.

Allowance for Waſte and Leakage.

XXXVII. Provided always, That where any common Brewer ſhall wittingly or willingly make a falſe Entry, and be convicted for the ſame before the Commiſſioners to be appointed as aforeſaid, or any two of them, or before ſuch other perſon or perſons as are hereafter by this Act appointed, in that caſe ſuch Brewer and Brewers ſhall forfeit and loſe over and beſides the penalties before mentioned, the ſaid allowance ſo to be made for ſix months then next enſuing.

Forfeiture for making falſe Entries.

XXXVIII. And be it enacted and ordained by the authority aforeſaid, That no Beer or Ale ſhall be delivered in by ſuch Brewer or Maker thereof, to any Victualler or other Retailer thereof, until the Rate which by ſuch Victualler or Retailer is to be paid over and above the price of the ſaid Beer or Ale, for or in reſpect of this Duty, be firſt paid and ſatisfied by the ſaid Victualler or Retailer, to the Brewer or Maker thereof.

No Beer, &c. to be delivered by the Brewer, until the Exciſe be paid by the Retailer.

XXXIX. Provided always, That if any perſon or perſons ſhall brew and ſell by retail any ſmall quantities of Beer or Ale in any Fair within this Realm, or Dominions aforeſaid, who is not otherwiſe any common or uſual Brewer or Retailer thereof, and ſhall before any ſuch ſelling and retailing thereof, well and truly pay and ſatisfie the duty due for the ſame to the Commiſſioners or Sub-Commiſſioners within whoſe Limits or Diviſion the ſaid Fair ſhall be held, or to their Officers thereunto appointed; That then ſuch perſon or perſons ſo brewing or retailing the ſame, and for ſo much and no more, nor otherwiſe, ſhall be freed and diſcharged from all penalties and forfeitures in and by this Act before mentioned and impoſed; Any thing therein contained to the contrary notwithſtanding.

Proviſo for Beer and Ale ſold in Fairs.

XL. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Sub-Commiſſioners reſpectively, to compound for this Duty with any Innkeeper, Victualler, Alehouſe keeper, or Retailer of Beer, Ale, or other the Liquors aforeſaid, within the reſpective Diviſions, from time to time, and in ſuch manner and form as may be moſt for the advantage and improvement of the Receipts thereof; Any thing in this Act before contained to the contrary notwithſtanding.

The Commiſſioners may compound for the Exciſe in their Diviſions.

XLI. And be it further ordained and enacted by the authority aforeſaid, That the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, or ſuch other perſon or perſons as his Majeſty, his Heirs and Succeſſors ſhall appoint, ſhall have power, and are hereby authorized and impowered from time to time to treat, contract, conclude and agree with any perſon or perſons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned, upon Bee, Ale, Perry, Cyder, or other the Liquors aforeſaid, in any the reſpective Counties, Cities or places of this Realm or Dominions thereof, as may be for the greateſt benefit and advantage of the ſaid Receipt, ſo as the ſame exceed not the term of Three years.

The power of the Lord Treaſurer, &c. to contract for farming any the rates or duties in this Act.

XLII. And be it further enacted, That every ſuch contract, bargain and agreement of the Lord Treaſurer, or Commiſſioners of the Treaſury, or other perſons aforeſaid, on behalf of his Majeſty on the one part, and the perſon or perſons farming on the other part, ſhall be good and effectual in Law, to all intents and purpoſes.

XLIII. Provided always, to the end the aforeſaid Duty may be paid with moſt eaſe to the people, It is hereby further enacted, That the Lord Treaſurer, Commiſſioners of the Treaſury, or other perſons aforeſaid, ſhall not within ſix months after commencement of this Act, treat, conclude or agree with any perſon or perſons touching the Farming of this Duty upon Beer or Ale in any the reſpective Counties or places within this Realm, or Dominions thereof, other then with ſuch perſon or perſons as by the Juſtices of Peace of the ſaid Counties or places, or the major part of them, at their publick Quarter Seſſions ſhall be nominated and appointed in that behalf, which perſon or perſons is to have the firſt refuſal of any ſuch Farm reſpectively, and may take the ſame; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Perſons to be approved by the Juſtices of the Peace, &c. within ſix months, to have the refuſal of contracting for the Exciſe in their reſpective Counties.

XLIV. Provided, That the ſaid duty ſhall not be let to any other perſon or perſons, then to perſon or perſons recommended by the Juſtices, under the rate that it ſhall be tendred to, and refuſed by ſuch perſon or perſons ſo recommended.

Forfeitures and offences within this Act, how to be determined.

London.

Counties, Cities, &c. within this Kingdom.

Neglects of the Juſtices.

Levying the forfeitures.

XLV. And be it further enacted and ordained by the authority aforeſaid, That all forfeitures and offences made, done and committed againſt this Act, or any clauſe or article therein contained, ſhall be heard, adjudged and determined by ſuch perſon or perſons, and in ſuch manner and form as hereafter in and by this Act is directed and appointed; that is to ſay, (2) all ſuch forfeitures and offences made and committed within the immediate limits of the chief Office in London, ſhall be heard, adjudged and determined by the ſaid chief Commiſſioners and Governours of Exciſe (appointed by his Majeſty,) or the major part of them, or by the Commiſſioners for Appeals, and regulating of this Duty, or the major part of them, in caſe of Appeal, and not otherwiſe: (3) And all ſuch forfeitures and offences made and committed within all or any other the Counties, Cities, Towns or places within this Kingdom, or Dominions thereof, ſhall be heard and determined by any two or more of the Juſtices of the Peace reſiding near to the place where ſuch forfeitures ſhall be made, or offence committed: (4) And in caſe of neglect or refuſal of ſuch Juſtices of the Peace, by the ſpace of fourteen days next after complaint made, and notice thereof given to the Offender, then the Sub-Commiſſioners, or the major part of them appointed for any ſuch City, County, Town or place, ſhall, and are hereby impowered to hear and determine the ſame; (5) And if the party find himſelf agrieved by the Judgment given by the ſaid Sub-Commiſſioners, he ſhall and may appeal to the Juſtices of the Peace at the next Quarter-Seſſions, who are hereby impowered and authorized to hear and determine the ſame, whoſe Judgment therein ſhall be final; (6) which ſaid Commiſſioners for Appeals, and regulating of this duty, and the chief Commiſſioners for Exciſe, and all Juſtices of Peace, and Sub-Commiſſioners aforeſaid reſpectively, are hereby authorized and ſtrictly enjoyned and required upon any Complaint or Information exhibited and brought of any ſuch forfeiture made, or offence committed contrary to this Act, to ſummon the party accuſed, and upon his appearance or contempt, to proceed to the examination of the matter of Fact, and upon due proof made thereof, either by the voluntary confeſſion of the party, or by the Oath of one or more credible witneſſes (which Oath they or any two or more of them have hereby power to adminiſter) to give Judgment or Sentence, according as in and by this Act is before ordained and directed; And to award and Iſſue out Warrants under their hands, for the levying of ſuch forfeitures, penalties and fines as by this Act is impoſed for any ſuch offence committed, upon the Goods and Chattels of the Offender, and to cauſe ſale to be made of the ſaid Goods and Chattels, if they ſhall not be redeemed within fourteen days, rendring to the party the overplus, if any be, and for want of ſufficient diſtreſs, to impriſon the party offending till ſatiſfaction be made.

Power to mitigate the forfeitures.

How the fines and forfeitures ſhall be imployed.

One principal Office of Exciſe erected in London.

XLVI. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices of Peace, Commiſſioners for Exciſe, or any two of them, or their Sub-commiſſioners reſpectively, from time to time, where they ſhall ſee cauſe, to mitigate, compound or leſſen ſuch forfeiture, penalty or fine, as in their diſcretion they ſhall think fit; And that every ſuch mitigation and payment thereupon accordingly made, ſhall be a ſufficient diſcharge of the ſaid penalties and forfeitures to the perſons ſo offending, ſo as by ſuch mitigation the ſame be not made leſs then double the value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable coſts and charges of ſuch Officer or Officers, or others as were imployed therein, to be to them allowed by the ſaid Juſtices; any thing in this Act to the contrary in any wiſe notwithſtanding: (2) And it is hereby further enacted and ordained, That all fines, forfeitures and penalties mentioned in this Act, all neceſſary charges for the recovery thereof being firſt deducted, ſhall be imployed, three fourth parts thereof to and for the uſe of the Kings Majeſty, and the other fourth part to the diſcoverer or informer of the ſame. (3) And for the better managing, collecting, ſecuring, levying and recovering of all and every the ſaid Rates and Charges of Exciſe hereby impoſed, and ſet upon all or any of the Commodities before mentioned, to the end the ſame may be paid and diſpoſed of according to the intent of this preſent Act, (4) Be it further enacted and ordained by the authority aforeſaid, and it is hereby enacted, That one principal Head-Office ſhall be erected and continued in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit, for this duty, unto which all other Offices for the ſame within England and Wales, and the Town and Port of Berwick, ſhall be ſubordinate and accomptable; Which ſaid Office ſhall be managed by ſuch Officers as ſhall be appointed by the Kings Majeſty as aforeſaid, who, or any two of them, are hereby appointed and conſtituted Commiſſioners and Governours for the management of his Majeſties Receipt of the Exciſe, and to ſit in ſome convenient place in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit, for the ends aforeſaid.

XLVII. And be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of intermedling with any office or imployment relating to the Exciſe, until he or they ſhall before two or more Juſtices of Peace in the County where his or their imployments ſhall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby power to adminiſter, together with this Oath following, Mutatis Mutandis.

The Oath.

(2) YOu ſhall Swear to execute the Office of   truly and faithfully, without Favour or Affection, and ſhall from time to time true Accompt make, and deliver to ſuch perſon or perſons as His Majeſty ſhall appoint to receive the ſame, and ſhall take no Fee or Reward for the Execution of the ſaid Office, from any other perſon than from His Majeſty, or thoſe whom His Majeſty ſhall appoint in that behalf.

XLVIII. And be it further enacted by the authority aforeſaid, That every ſuch Juſtice of Peace ſhall certifie the taking of ſuch Oath to the next Quarter Seſſions, there to be Recorded.

And

(2) And it is further enacted, That all parts of the Cities of London and Weſtminſter, with the Borough of Southwark, and the ſeveral Suburbs thereof, and Pariſhes within the weekly Bills of Mortality, ſhall be under the immediate care, inſpection and management of the ſaid Head-Office, (3) and ſuch, and ſo many ſubordinate Commiſſioners and Sub-Commiſſioners, and other Officers and Miniſters for the execution of the premiſſes, ſhall be from time to time nominated and appointed by his Majeſty, his Heirs and Succeſſors, in all and every other the Counties, Cities, Towns and places within this Kingdom of England, Dominion of Wales, and Port of Berwick, as from time to time his Majeſty, his Heirs and Succeſſors ſhall think fit: (4) And it is hereby further enacted, That the ſaid Office of Exciſe in all places where it ſhall be appointed, ſhall be kept open from Eight of the Clock in the morning, till twelve of the Clock at noon; and from two of the Clock in the afternoon, till five of the Clock in the afternoon, for the due execution and performance of all and every the matters and things in this Act appointed and required. (5) And it is further hereby enacted, That the ſaid Chief Commiſſioners of Exciſe, or the major part of them, ſhall from time to time iſſue forth and pay ſuch ſum and ſums of money, as ſhall from time to time be received, collected or levied by virtue of this Act, into his Majeſties Receipt of Exchequer.

London, Weſtminſter, &c. to be under the management of the chief Office.

All Commiſſioners, &c. to be nominated by his Majeſty.

Times in which the Office ſhall be kept open.

XLIX. Provided always, and be it enacted, That if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done or executed in purſuance of this Act, he or they ſhall and may plead the general iſſue, and give this Act in evidence for his defence; (2) and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be Non-ſuit, then ſuch Defendant or Defendants ſhall have double coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

The general iſſue pleadable in any action upon this Statute.

L. Provided alſo, And be it enacted, That no Writ or Writs of Certiorari ſhall ſuperſede Execution, or other proceedings upon any Order or Orders made by the Juſtices aforeſaid in purſuance of this Act, but that Execution and other proceedings ſhall and may be had and made thereupon, any ſuch Writ or Writs, or allowance thereof notwithſtanding.

Writs of Certiorari no ſuperſedeas.

LI. Provided, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend in any manner to weaken or invalidate one Act of this preſent Parliament, Entituled, An Act of Free and General Pardon, Indempnity and Oblivion, but that every clauſe, article, matter and thing therein mentioned and compriſed, ſhall notwithſtanding this Act, or any matter or thing therein, remain good and valid, and be of the ſame force, virtue and effect, as if this Act had never been made.

Proviſo as to the Act of General Pardon.

LII. Provided always, and be it further enacted, That this Act or any thing therein contained, ſhall not be prejudicial to Edward Backwell Alderman of London, as to the ſum of twenty eight thouſand four hundred and fifty pounds (or any part thereof) by him advanced upon the Credit of ſeveral Orders of this preſent Parliament, and by them charged on the receipt of the Grand Exciſe; that is to ſay, the ſum of Five thouſand pounds payable to his Majeſties Surveyor General for the repair of his Majeſties Houſes, charged by virtue of an Order of the ſixth of September, 1660. with Intereſt for the ſame; the ſum of ten thouſand pounds advanced to her Highneſs the Princeſs Royal, being charged with Intereſt by an Order of the 13th of September, 1660. the ſum of ten thouſand pounds payable to her Majeſty the Queen of Bohemia, being charged, together with Intereſt, by an Order of the 13 of September, 1660. the ſum of three thouſand four hundred and fifty pounds payable for Proviſions for Dunkirk, by Order of the 26 of November 1660. which ſum of twenty eight thouſand four hundred and fifty pounds, together with Intereſt for the ſame, according to the tenor of the ſaid Orders, after the rate of ſix per Cent. ſhall be paid to the ſaid Edward Backwell, or his aſſigns, out of the Grand Exciſe, and the arrears thereof in courſe, as is by the ſaid Orders appointed; and in caſe the ſame ſhall fall ſhort in payment by the twenty fifth of December, One thouſand ſix hundred and ſixty, that then the remainder ſhall continue ſecured to him out of the whole Exciſe in courſe as aforeſaid, and that no other payments be made out of the Exciſe, but what is appointed by this preſent Parliament in courſe to precede the ſame, until the ſaid debt due to the ſaid Edward Backwell be ſatiſfied; and that in caſe any part of the moneys due to Alderman Backwell, be paid out of that part of the Exciſe which ſhall grow due to the Kings Majeſty, that then his Majeſty ſhall be reimburſed the ſame out of the firſt moneys that ſhall come in of the arrears of Exciſe that will be due the ſaid twenty fifth of December. Stat. 13 Car. 2. cap. 7.

Proviſo concerning Edw. Backwell.

CAP. XXV.

An Act for the better ordering the ſelling of Wines by Retail, and for preventing Abuſes
in the mingling, corrupting and vitiating of Wines, and for ſetting and
limiting the Prices of the ſame.

FOr the better ordering of ſelling of Wines by Retail in Taverns and other places, and for the preventing of Abuſes therein, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons whatſoever, from and after the Five and twentieth day of March, One thouſand ſix hundred ſixty and one, unleſs he or they be authorized and enabled in manner and form as in this preſent Act is preſcribed and appointed, ſhall ſell or utter by Retail, that is, by the Pint, Quart, Pottle, or Gallon, or by any other greater or leſſer Retail meaſure, any kind of Wine or Wines to be drunk or ſpent within his or their Manſion-houſe or houſes, or other place in his or their tenure or occupation, or without ſuch Manſion-houſe or houſes, or ſuch other place in his or their tenure or occupation, by any colour, craft or mean whatſoever, (3) upon pain to forfeit for every ſuch offence the ſum of Five pounds, the one moiety of every ſuch penalty to be to our Sovereign Lord the King, the other moiety to him or them that will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of the Kings Courts of Record, in which Action or Suit, no Eſſoign, Wager of Law, or Protection ſhall be allowed.

The penalty of unlawful uttering Wine by Retail.

His Majeſty may iſſue out Commiſſions to licenſe the uttering wine.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful, to and for his Majeſty, his Heirs and Succeſſors, from time to time, to iſſue out under his or their Great Seal of England, one or more Commiſſion or Commiſſions directed to two or more perſons, thereby authorizing them to Licenſe and give Authority to ſuch perſon or perſons as they ſhall think fit, to ſell and utter by retail all and every, or any kind of Wine or Wines whatſoever, to be drunk or ſpent, as well within the houſe or houſes, or other place in the tenure or occupation of the party ſo Licenſed, as without, in any City, Town or other place within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed; (2) and ſuch perſons as from time to time, or at any time hereafter ſhall be by ſuch Commiſſion or Commiſſions as aforeſaid, in that behalf appointed, ſhall have power and authority, and hereby have power and authority to treat and contract for Licence, authority and diſpenſations to be given and granted to any perſon or perſons for the ſelling and uttering of Wines by retail in any City, Town or other place as aforeſaid, according to the rules and directions of this preſent Act, and the true intent and meaning thereof, and not otherwiſe; Any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

His Majeſties Agents for granting wine Licences, may grant Licences not exceeding 21 years, if the perſon ſo long live.

Rent reſerved, but no fine to be taken.

III. And be it further enacted by the authority aforeſaid, That ſuch perſons as ſhall be Commiſſioned and appointed by his Majeſty, his Heirs or Succeſſors as aforeſaid, ſhall be, and be called his Majeſties Agents for granting Licences for the ſelling and uttering of Wine by retail; (2) And his Majeſties ſaid Agents are hereby authorized and enabled under their Seal of Office, the ſame to be appointed by his Majeſty, to grant Licence for the ſelling and uttering of Wines by retail, to any perſon or perſons, and for any time or term not exceeding 21 years, if ſuch perſon or perſons ſhall ſo long live, and for ſuch yearly rent as they can or ſhall agree and think fit, ſo as no Fine be taken for the ſame, but that the rent and ſums of money agreed upon and reſerved, be paid and anſwered half yearly by equal portions during the whole Term.

Licences only to ſuch as perſonally uſe the Trade.

Wine Licences not aſſignable.

IV. And be it further enacted by the authority aforeſaid, That ſuch Licence ſhall not be given or granted, but to ſuch who ſhall perſonally uſe the Trade of ſelling or uttering of Wines by retail, or to the Landlord and owner of the houſe where the perſon uſing ſuch Trade ſhall ſell and utter Wine by retail; nor ſhall the ſame be aſſignable, nor in any wiſe beneficial or extenſive, to indempniſie any perſon againſt the penalties of this preſent Act, except the firſt taker.

The King may appoint Officers as he ſhall think fit.

V. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful, to and for his Majeſty, his Heirs and Succeſſors, to conſtitute and appoint ſuch, and ſo many other Officers and Miniſters as a Receiver, Regiſter, Clerk, Controller, Meſſengers, or the like, for the better carrying on of this ſervice, as he and they ſhall think fit, ſo as the Salaries and Wages of all ſuch Officers to be appointed, together with the Salary or Wages of his Majeſties ſaid Agents, do not exceed ſix pence in the pound of the Revenue that ſhall hence ariſe.

Not exceeding ſix pence in the pound for their Salaries.

The Revenue to be paid into the Exchequer, and not to be charged with any gift or penſion.

The Agents to return into the Exchequer in Michaelmas and Eaſter Term, what Licences they have granted.

VI. And be it further enacted by the authority aforeſaid, That the Rents, Revenues, and ſums of money hence ariſing, except what ſhall be allowed for the Wages and Salaries of ſuch Officers and Miniſters, which is not to exceed ſix pence out of every pound thereof, ſhall be duly and conſtantly paid and anſwered into his Majeſties Receipt of Exchequer, and ſhall not be particularly charged or chargeable, either before it be paid into the Exchequer, or after, with any gift or penſion: (2) And his Majeſties ſaid Agents are hereby enjoyned and required to return into the Court of Exchequer, every Michaelas and Eaſter Terms, upon their Oaths (which Oaths the Barons of the Exchequer, or any one of them, are hereby authorized to Adminiſter) a Book fairly written, containing a full and true account of what Licences have been granted the preceeding half year, and what Rents and ſums of money are thereupon reſerved, and have been paid, or are in arrear, together with the ſecurities of the perſons ſo in arrear, to the end due and ſpeedy Proceſs may be made out according to the courſe of the Exchequer, for the recovery of the ſame.

Proviſo for the two Univerſities and their priviledges.

VII. Provided always, That this Act, nor any thing therein contained, ſhall not in any wiſe be prejudicial to the priviledge of the two Univerſities of this Land, or either of them, nor to the Chancellors or Scholars of the ſame, or their Succeſſors; but that they may uſe and enjoy ſuch priviledges as heretofore they have lawfully uſed and enjoyed, any thing herein to the contrary notwithſtanding.

Proviſo for the Society of the Vintners of London.

VIII. Provided alſo, That this Act, nor any thing therein contained, ſhall not extend to be prejudicial to the Maſterr, Wardens, Freemen and Commonalty of the Myſtery of Vintners of the City of London, or to any other City or Town Corporate, but that they may uſe and enjoy ſuch liberties and priviledges as heretofore they have lawfully uſed and enjoyed; any thing herein contained to the contrary notwithſtanding.

Proviſo for the Burrough of St. Albans.

IX. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend to debar or hinder the Mayor and Burgeſſes of the Burrough of Saint Albans in the County of Hertford, or their Succeſſors, from enjoying, uſing and exerciſing of all ſuch Liberties, Powers, and Authorities to them heretofore granted by ſeveral Letters Patents under the Great Seal of England, by Queen Elizabeth, and King James of famous memories, for the erecting, appointing, and Licenſing of three ſeveral Wine-Taverns within the Burrough aforeſaid, for and towards the maintenance of the Free-School there; but that the ſame Liberties, Powers and Authorities, ſhall be, and are hereby eſtabliſhed and confirmed, and ſhall remain and continue in and to the ſaid Mayor and Burgeſſes and their Succeſſors, to and for the charitable uſe aforeſaid, and according to the tenour of the Letters Patents aforeſaid, as though this Act had never been made; any thing herein contained to the contrary in any wiſe notwithſtanding.

Fees of the Officers.

X. Provided alſo, That it ſhall not, nor may be lawful to or for any Officer or Officers to be appointed by his Majeſty for the carrying on of this ſervice, to take, demand, or receive any Fees, Rewards, or ſums of money whatſoever, for or in reſpect of this Service, other then five ſhillings for a Licence, four pence for an Acquittance, and ſix pence for a Bond, under the penalty of ten pounds, one moiety thereof to the Kings Majeſty, the other moiety to the perſon or perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed, any thing herein, or any other matter or thing to the contrary notwithſtanding.

There ſhall be no mixture of other Wines or things.

XI. And it is hereby further enacted by the authority aforeſaid, That no Merchant, Vintner, Wine-Cooper, or other perſon ſelling or retailing any Wine, ſhall mingle or utter any Spaniſh Wine mingled with any French Wine, or Rheniſh Wine, Cyder, Perry, Honey, Sugar, Syrups of Sugar, Moloſſes, or any other Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor nor Ingredients, nor any Clary, or other Herb, nor any ſort of Fleſh whatſoever; (2) And that no Merchant, Vintner, Wine-Cooper, or other perſon ſelling or retailing any Wine, ſhall mingle or utter any French Wines mingled with any Rheniſh Wines or Spaniſh Wines, Cyder, Perry, Stummed Wine, Vitriol, Honey, Sugar, Syrup of Sugar, Moloſſes, or any Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor nor Ingredients, nor any Clary, or other Herb, nor any ſort of Fleſh whatſoever; (3) And that no Merchant, Vinter, Wine-Cooper, or other perſon ſelling or retailing any Wine, ſhall mingle or utter any Rheniſh Wine mingled with any French Wines, or Spaniſh Wines, Cyder, Perry, Stummed Wine, Vitriol, Honey, Sugar, Syrups of Sugar, Moloſſes, or any other Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor or Ingredients, nor any Clary or Herb, nor any ſort of Fleſh whatſoever; (4) And that all and every perſon and perſons committing any of the offences aforeſaid, ſhall incur the pains and penalties herein after mentioned; That is to ſay, every Merchant, Wine-Cooper, or other perſon ſelling any ſort of Wines in groſs, mingled or abuſed as aforeſaid, ſhall forfeit and loſe for every ſuch offence, one hundred pounds; (5) And that every Vintner, or other perſon ſelling any ſorts of Wine by retail, mingled or abuſed as aforeſaid, ſhall forfeit and loſe for every ſuch offence, the ſum of Fourty pounds; (6) of which forfeitures one moiety ſhall go unto the Kings Majeſty, his Heirs and Succeſſors, the other moiety to the Informer, to be recovered in any Court of Record by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The penalties of mingling or abuſing any Wines.

The Prices of Wines.

XII. Provided always, and be it enacted, That from and after the firſt day of September, One thouſand ſix hundred ſixty and one, no Canary-wines, Muskadell, or Allegant, or other Spaniſh or Sweet-wines, ſhall be ſold or uttered by any perſon or perſons within his Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, by retail for above Eighteen pence the quart; (2) And that no Gaſcoigne or French Wines whatſoever, ſhall be ſold by retail above Eight pence the quart, (3) And that no Rheniſh Wines whatſoever ſhall be ſold by retail, above Twelve pence the quart, (4) (and according to theſe rates, for a greater and leſſer quantity, all and every the ſaid Wines ſhall and may be ſold) (5) upon pain and penalty that every ſuch perſon and perſons, who ſhall utter and ſell any of the ſaid Wines be retail, that is to ſay, by Pint, Quart, Pottle or Gallon, or by any other greater or leſſer retail meaſure, at any rate exceeding the rates hereby limited, do, and ſhall forfeit for every ſuch Pint, Quart, Pottle, Gallon, or other greater or leſſer quanttty ſo ſold by retail, the ſum of Five pounds, the one moiety of which forfeiture ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame, to be recovered in manner and form as aforeſaid.

The penalties.

The Lord Chancellor, &c. may ſet the Prices of Wines yearly or alter the ſame.

XIII. Provided nevertheleſs, That it ſhall and may be lawful to and for the Lord Chancellor of England, Lord Treaſurer, Lord Preſident of the Kings Councel, Lord Privy Seal, and the two Chief Juſtices, or Five, Four or Three of them; and they are hereby Authorized yearly, and every year between the twentieth of November, and the laſt day of December, and no other things, to ſet the Prices of all and every the ſaid Wines ſo to be ſold by retail as aforeſaid, at higher and lower rates then are herein contained, ſo that they or any of them cauſe the Prices by them ſet to be written, and open Proclamation thereof to be made in the Kings Court of Chancery, yearly in the Term-time, or elſe in the City, Borough or Towns Corporate where any ſuch Wine ſhall be ſold; (2) and that all and every the ſaid Wine ſhall and may be ſold by retail at ſuch prices as by them, or any Five, Four, or Three of them, ſhall be ſet as aforeſaid, from time to time, for the ſpace of one whole year, to commence from the firſt day of February next after the ſetting thereof, and no longer, and no greater prices, under the pains and penalties aforeſaid, to be recovered as aforeſaid, and afterwards: (3) And in default of ſuch ſetting of prices by the ſaid Lord Chancellor of England, Lord Treaſurer, Lord Preſident of the Kings Councel, Lord Privy Seal, and the two Chief Juſtices, or Five, Four, or Three of them as aforeſaid, at the reſpective rates and prices ſet by this Act, and under the penalties as aforeſaid, to be recovered as aforeaſaid. Stat. 13 Car. 2. cap. 7.

CAP. XXV.

An Act for the levying of the Arrears of the Twelve months Aſſeſment, commencing the 24th of June 1659. and the ſix months Aſſeſment, commencing the 25th of December 1659. Exp. Stat. 13 Car. 2. cap. 7.

CAP XXVII.

An Act for granting unto the Kings Majeſty Four hundred and twenty thouſand pounds, by an Aſſeſment of Threeſcore and ten thouſand pounds by the month, for ſix months, for Diſbanding the Remainder of the Army, and paying of the Navy. Exp. Stat. 13 Car. 2. cap. 7.

CAP. XXVIII.

An Act for further ſupplying and explaining certain defects in an Act, entituled, An Act for the ſpeedy proviſion of money for Diſbanding and paying off the Forces of this Kingdom, both by Land and Sea. Exp. Stat. 13 Car. 2. cap. 7.

CAP. XXIX.

An Act for the ſpeedy raiſing of Seventy thouſand pounds for the preſent ſupply of his Majeſty. Exp. Stat. 13 Car. 2. cap. 7.

CAP.

CAP. XXX.

An Act for the Attainder of ſeveral perſons Guilty of the Horrid Murther of His late Sacred Majeſty King CHARLES the Firſt.

The horrid Murther of King Charles the Firſt, how firſt contrived and plotted.

IN all humble manner ſhew unto your moſt excellent Majeſty, your Majeſties moſt Dutiful and Loyal Subjects the Lords and Commons in Parliament aſſembled, That the horrid and execrable Murther of your Majeſties Royal Father, our late moſt Gracious Sovereign Charles the Firſt, of ever bleſſed and glorious Memory, hath been committed by a party of wretched men, deſperately wicked, and hardened in their impiety, who having firſt plotted and contrived the ruine and deſtruction of this excellent Monarchy, and with it, of the true Reformed Proteſtant Religion, which had been ſo long protected by it and flouriſhed under it, found it neceſſary in order to the carrying on of their pernicious and traiterous Deſigns, to throw down all the Bulwarks and Fences of Law, and to ſubvert the very being and conſtitution of Parliament, that ſo they might at laſt make their way open for any further attempts upon the Sacred perſon of his Majeſty himſelf; (2) and that for the more eaſie effecting thereof, they did firſt ſeduce ſome part of the then Army into a compliance, and then kept the reſt in ſubjection to them, partly for hopes of preferment, and chiefly for fear of loſing their imployments and arrears, until by theſe, and other more odious arts and devices, they had fully ſtrengthened themſelves both in power and faction; which being done, they did declare againſt all manner of Treaties with the perſon of the King, even then while a Treaty by advice of both Houſes of Parliament was in being, Remonſtrate againſt the Houſes of Parliament for ſuch proceedings, ſeize upon his Royal Perſon while the Commiſſioners were returned to the Houſe of Parliament with his Anſwer; and when his Conceſſions had been Voted a ground for Peace, ſeize upon the Houſe of Commons, ſeclude and impriſon ſome Members, force out others, and there being left but a ſmall remnant of their own Creatures (not a tenth part of the whole) did ſeek to ſhelter themſelves by this weak pretence, under the name and authority of a Parliament, (3) and in that name laboured to proſecute what was yet behind and unfiniſhed of their long intended Treaſon and Conſpiracy; To this purpoſe they prepared an Ordinance for erecting a prodigious and unheard of Tribunal, which they called An High Court of Juſtice, for Trial of his Majeſty; and having eaſily procured it to paſs in their Houſe of Commons, as it then ſtood moulded, ventured to ſend it up from thence to the Peers then ſitting, who totally rejected it; whereupon their rage and fury increaſing, they preſume to paſs it alone, as an Act of the Commons, and in the Name of the Commons of England; (4) and having gained the pretence of Law made by a power of their own making, purſue it with all poſſible force and cruelty, until at laſt, upon the thirtieth day of January, One thouſand ſix hundred forty and eight, his Sacred Majeſty was brought unto a Scaffold, and there publickly Murthered before the Gates of his own Royal Palace, (5) And becauſe by this horrid action the Proteſtant Religion hath received the greateſt wound and reproch, and the people of England the moſt unſupportable ſhame and infamy that was poſſible for the enemies of God and the King to bring upon us; whilſt the Fanatick rage of a few Miſcreants (who were as far from being true Proteſtants, as they were from being true Subjects) ſtands imputed by our Adverſaries to the whole Nation; (6) We therefore your Majeſties ſaid dutiful and Loyal Subjects, the Lords and Commons in Parliament aſſembled, do hereby renounce, abominate, and proteſt againſt that impious Fact, the execrable Murther, and moſt unparallel'd Treaſon committed againſt the Sacred perſon and life of our ſaid late Sovereign, your Majeſties moſt Royal Father, and all proceedings tending thereunto, and do beſeech your moſt Excellent Majeſty that it may be declared, (7) and be it hereby declared, That by the undoubted and Fundamental Laws of this Kingdom, neither the Peers of this Realm, nor the Commons, nor both together in Parliament or out of Parliament, nor the people collectively or repreſentatively, nor any other perſons whatſoever, ever had, have, hath, or ought to have, any Coercive power over the Perſons of the Kings of this Realm; (8) And for the better vindication of our ſelves to poſterity, and as a laſting Monument of our otherwiſe inexpreſſible deteſtation and abhorrency of this villanous and abominable Fact, We do further beſeech your moſt Excellent Majeſty, that it may be enacted, (9) And be it hereby enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That every Thirtieth day of January, unleſs it falls out to be upon the Lords day, and then the next day following, ſhall be for ever hereafter ſet apart to be kept and obſerved in all the Churches and Chappels of theſe your Majeſties Kingdoms of England and Ireland, Dominion of Wales, and Town of Berwick upon Tweed, and the Iſles of Jerſey and Guernſey, and all other your Majeſties Dominions, as an Anniverſary day of Faſting and Humiliation, to implore the Mercy of God, that neither the Guilt of that Sacred and Innocent Blood, nor thoſe other Sins by which God was provoked to deliver up both us and our King into the hands of cruel and unreaſonable men, may at any time hereafter be viſited upon us or our poſterity. (10) And whereas Oliver Cromwel deceaſed, Henry Ireton, deceaſed, John Bradſhaw deceaſed, and Thomas Pride deceaſed, John Liſle, William Say, Sir Hardreſs Waller, Valentine Walton, Thomas Harriſon, Edward Whalley, William Heveningham, Iſaac Pennington, Henry Martin, John Barkſtead, Gilbert Millington, Edmund Ludlow, Sir Michael Liveſey, Robert Titchbourn, Owen Row, Robert Lilburn, Adrian Scroop, John Okey, John Hewſon, Willian Goffe, Cornelius Holland, Thomas Challoner, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clement, Thomas Wogan, Edmond Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Love, Vincent Potter, Auguſtin Garland, John Dixwel, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Blagrave, Thomas Wait, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hugh Peters, Francis Hacker, Daniel Axtel, are notoriouſly known to have been wicked and active Inſtruments in the proſecution and compaſſing that Traiterous Murther of his late Majeſty; for which the ſaid Sir Hardreſs Waller, Thomas Harriſon, William Heveningham, Iſaac Pennington, Henry Meyn, Gilbert Millington, Robert Titchbourn, Owen

An yearly Anniverſary of Humiliation on the 30th. of Jan. for ever.

The attainder of the perſons actively inſtrumental in the Murther of his late Majeſty.

The names of the perſons tried and legally attainted.

Owen Row, Robert Lilburn, Adrian Scroop, John Carew, John Jones, Henry Smith, Gregory Clement, Edmond Harvey, Thomas Scot, John Downs, Vincent Potter, Auguſtine Garland, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Thomas Wayte, John Cook, William Hewlet, Hugh Peters, Francis Hacker, and Daniel Axtel, have already received their Trial at Law, and by Verdict or their own Confeſſion, have been convicted, and by Judgment of Law thereupon had, do now ſtand duly and legally attainted; of whom, ten perſons, that is to ſay, Thomas Harriſon, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, John Cook, Hugh Peters, Francis Hacker, and Daniel Axtel, have moſt deſervedly ſuffered the pains of death, and been executed according to Law, and the ſaid John Liſle, William Say, Valentine Walton, Edward Whalley, John Barkſtead, Edmond Ludlow, Sir Michael Liveſey, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, Miles Corbet, William Cawley, Nicholas Love, John Dixwell, Daniel Blagrave, Andrew Broughton, and Edward Dendy, are fled from Juſtice, not daring to abide a legal Trial; May it therefore pleaſe your Majeſty, that it may be enacted, (11) And be it enacted by the authority of this preſent Parliament, That the ſaid Oliver Cromwel deceaſed, Henry Ireton deceaſed, John Bradſhaw deceaſed, and Thomas Pride deceaſed, ſhall by virtue of this Act, be Adjudged to be Convicted and Attainted of High Treaſon, to all intents and purpoſes, as if they, and every of them reſpectively, had been Attainted in their lives: (12) And alſo, that John Liſle, William Say, Valentine Walton, Edward Whalley, John Barkſtead, Edmond Ludlow, Sir Michael Liveſey, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, William Cawley, Miles Corbet, Nicholas Love, John Dixwell, Daniel Blagrave, Andrew Broughton, Edward Dendy, and every of them, ſtand and be adjudged, and by the authority of this preſent Act Convicted and Attainted of High Treaſon; (13) And that all and every the Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fees, Annuities, and all other the Hereditaments, Leaſes for years, Chattels real, and other things of that nature whatſoever they be, of them the ſaid Oliver Cromwell, Henry Ireton, John Bradſhaw, Thomas Pride, John Liſle, William Say, Valentine Walton, Edward Whalley, John Barſtead, Edmond Ludlow, Sir Michael Liveſey, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, William Cawley, Miles Corbet, Nicholas Love, John Dixwell, Daniel Blagrave, Andrew Broughton, Edward Dendy, Thomas Harriſon, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, Hugh Peters, Francis Hacker, John Cook, Daniel Axtel, Sir Hardreſs Waller, William Heveningham, Iſaac Pennington, Henry Martin, Gilbert Millington, Robert Tichbourn, Owen Row, Robert Lilburn, Henry Smith, Edmond Harvey, John Downs, Vincent Potter, Auguſtine Garland, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Thomas Wayte, which they, or any other perſon or perſons to their or any of their uſes, or in truſt for them, or any of them, had the Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred forty and ſix, or at any time ſince, ſhall ſtand and be forfeited unto your Majeſty, your Heirs and Succeſſors, (14) and ſhall be deemed, veſted and adjudged to be in the actual and real poſſeſſion of your Majeſty, without any Office or Inquiſition thereof hereafter to be taken or found: (15) And alſo, that all and every the goods, debts, and other the chattels perſonal whatſoever, of them the ſaid Oliver Cromwel, Henry Ireton, John Bradſhaw, Thomas Pride, whereof at the time of their reſpective death, they, or any of them, or any other in truſt for them, or any of them, ſtood poſſeſſed in Law or Equity; (16) and all the goods, debts, and other the chattels perſonal whatſoever of them the ſaid John Liſle, Willian Sey, Valentine Walton, Edward Whalley, John Barkſtead, Edmond Ludlow, Sir Michael Liveſey, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, William Cawley, Miles Corbet, Nicholas Love, John Dixwell, Andrew Broughton, Edward Dendy, Thomas Harriſon, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, Hugh Peters, Francis Hacker, John Cook, Daniel Axtel, Sir Hardreſs Waller, William Heveningham, Iſaac Pennington, Henry Martin, Gilbert Millington, Robert Titchbourn, Owen Row, Robert Lilburn, Henry Smith, Edmond Harvey, Jown Downs, Vincent Potter, Auguſtine Garland, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Thomas Wayte, whereof upon the Eleventh day of February, One thouſand ſix hundred fifty nine, they or any of them, or any other in truſt for them, or any of them, ſtood poſſeſſed either in Law or Equity, (17) ſhall be deemed and adjudged to be forfeited unto, and are hereby veſted, and put into the actual and real poſſeſſion of your Majeſty, without any further Office or Inquiſition thereof hereafter to be taken or found.

The ten perſons executed.

The perſons fled.

The perſons dead before they could be brought to trial attainted.

The perſons fled attainted.

Their Lands, Tenements, &c. forfeited and veſted in his Majeſty.

Whereof they were ſeiſed of any of them, 25 March, 1646.

All their goods and perſonal eſtate forfeited and veſted in his Majeſty.

Whereof they were poſſeſt or any of them, 11 Feb. 1659.

II. Provided always, And be it enacted by the authority aforeſaid, That no Conveyance, Aſſurance, Grant, Bargain, Sale, Charge, Leaſe, Aſſignment of Leaſe, Grants and Surrenders by Copy of Court-roll, eſtate, intereſt, truſt, or limitation of any uſe or uſes of or out of any manors, lands, tenements or hereditaments, not being the lands or hereditaments of the late King, Queen or Prince, or of any Archbiſhops, Biſhops, Deans, Deans and Chapters, nor being lands or hereditaments ſold or given for the Delinquency, or pretended Delinquency of any perſon or perſons whatſoever, by virtue or pretext of any Act, Order, Ordinance, or reputed Act, Order or Ordinance ſince the firſt day of January, One thouſand ſix hundred forty and one, (2) nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered to any perſon or perſons, Bodies politick or corporate, before the Twenty ninth day of September, One thouſand ſix hundred fifty nine, by any of the Offenders before in this Act mentioned, or their heirs, or by any other perſon or perſons claiming by, from, or under them or any of them, other then the wife or wives, child or children, heir or heirs of ſuch perſon or perſons, or any of them, for money bona fide, to them or any of them paid or lent, (3) nor any Conveyance, Aſſurance, Grant or Eſtate made before the twenty fifth of April, One thouſand ſix hundred and ſixty, by any perſon or perſons to any of the offenders aforeſaid in truſt; and for the benefit of any other perſon or perſons not being any of the offenders aforeſaid, or in truſt for any Bodies politick or corporate, ſhall be impeached, defeated, made void or fruſtrated hereby, or by any of the Convictions and Attainders aforeſaid; (4) but that the ſame ſhall be held and enjoyed by the Purceaſers, Grantees, Leſſees, Aſſigns, Ceſtuy que uſe, Ceſtuy que truſt, and every of them, their Hers, Executors, Adminiſtrators and

Proviſo for Conveyance by any of the offenders.

Statutes, Judgments, &c. before the 29th of Sept. 1659.

For money bona fide lent, &c. Conveyances in truſt made before the 25th of April 1660. to any the ſaid offenders.

Aſſigns

Such Conveyances to be enrolled in the Court of Exchequer before the firſt of June 1662.

Aſſigns reſpective, as if this Act had not been made, and as if the ſaid offenders had not been by this Act, or by any other courſe or proceedings of Law, convicted or attainted; ſo as the ſaid Conveyances, and all and every the Grants and Aſſurances which by vertue of this Act, are, and ought to be held and enjoyed as aforeſaid, ſhall before the firſt of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, be Entred and Enrolled of Record in his Majeſties Court of Exchequer, and not otherwiſe; Any thing in this Act herein before contained to the contrary in any wiſe notwithſtanding.

Proviſo for the Marqueſs of Worceſter, &c.

III. Provided always, and be it enacted by the authority aforeſaid, That all and ſingular the Manors, Lands, Tenements and Hereditaments, which at any time heretofore were the Lands and Poſſeſſions of Henry late Marqueſs of Worceſter, and Edward now Marqueſs of Worceſter, and Henry Lord Herbert, Son and Heir apparent of the ſaid Edward Marqueſs of Worceſter, or any of them; whereof or wherein the ſaid Oliver Cromwel, or any other perſon or perſons in truſt for him, or to his uſe, or any other the perſons attainted by this Act, or otherwiſe, or any perſon or perſons in truſt for them, or any of them, had or claimed, or pretended to have any Eſtate, Right, Title, Poſſeſſion or Intereſt, at any time before or ſince the deceaſe of the ſaid Oliver Cromwel, ſhall be, and hereby are veſted and ſetled in, and ſhall be held and enjoyed by the ſaid Marqueſs of Worceſter, and the ſaid Henry Lord Herbert, in ſuch manner and form, and for ſuch eſtate and eſtates, with ſuch powers and priviledges as they formerly had in the ſame reſpectively; Any thing in this preſent Act contained, or any Act, Conveyance or Aſſurance heretofore made or acknowledged by the ſaid Edward Marqueſs of Worceſter, and Henry Lord Herbert, or either of them, unto the ſaid Oliver Cromwel, or any other perſon or perſons in truſt for, or to the uſe of the ſaid Oliver Cromwel, or any Act or Conveyance made or done by the ſaid Oliver Cromwel, or by any in truſt for him, to any perſon whatſoever, to the contrary notwithſtanding; (2) Saving always, to all and every perſon and perſons, Bodies politick and others, their reſpective Heirs, Succeſſors, Executors and Adminiſtrators, all ſuch Right, Title and Intereſt in Law and Equity, which they or any of them, have, or ought to have, of, into or out of any the premiſſes, not being in truſt for any the ſaid offenders, nor derived by, from or under the ſaid offenders, ſince the Twenty fifth day of March, which was in the year of our Lord, One thouſand ſix hundred forty ſix; (3) And that they the ſaid perſon and perſons, Bodies politick and other, their reſpective Heirs, Succeſſors, Executors and Adminiſtrators, and every of them, in all and every ſuch caſe whereas his and their Entry was lawful, upon ſuch offender or offenders, or the Heirs or Aſſigns of ſuch offender or offenders, in or upon the ſaid Twenty fifth day of March, One thouſand ſix hundred forty and ſix, or at any time ſince, may without Petition, Monſtrans de droit, Ouſter le maine, or other Suit to his Majeſty, enter on the premiſſes in his Majeſties poſſeſſion, or in the poſſeſſion of his Succeſſors and Patentees, their Heirs or Aſſigns, in ſuch manner, to all intents as he or they might have done on the poſſeſſion of the ſaid offenders, their Heirs or Aſſigns, in or upon the ſaid Twenty fifth day of March, or at any time ſince; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Saving.

Proviſo for ſuch as have received and paid their rents to the offendees.

IV. Provided alſo, That all and every perſon and perſons, which have received any of the Rents or mean profits, of, in, or out of any the Lands, Tenements and Hereditaments, Chattels real, or poſſeſſions of any the offender or offenders in this Act mentioned, before the Eleventh day of February, One thouſand ſix hundred fifty and nine, and have paid or accounted for the ſame before the ſaid Eleventh day of February, One thouſand ſix hundred fifty and nine, unto the ſaid offender or offenders, or their Aſſigns, or to any claiming from or under them, ſhall be clearly and for ever acquitted and diſcharged of and from the ſame, againſt the Kings Majeſty, his Heirs and Succeſſors; any thing herein contained to the contrary notwithſtanding.

Proviſo for Richard Ingoldsby.

V. Provided always, That it ſhall and may be lawful to and for Richard Ingoldsby to retain and keep, or otherwiſe to ſell and diſpoſe all and ſingular the Goods and Chattels formerly belonging to Sir Hardreſs Waller, in the Kingdom of Ireland, until two thouſand pounds, for which the ſaid Richard Ingoldsby in the year One thouſand ſix hundred and fifty eight, ſtood jointly bound with the ſaid Sir Hardreſs Waller, unto James Brooks of the City of York, Alderman, and was then counter-ſecured by a Judgment upon his Lands; and ſince by a Deed of Bargain and Sale of the ſaid Goods and Chattels in Ireland, be fully paid, together with the Intereſt thereof, he the ſaid Richard Ingoldsby accounting for, and paying the full overplus thereof, if any ſhall be, unto our Sovereign Lord the King; Any thing herein before contained to the contrary notwithſtanding. Stat. 13 Car. 2. cap. 7.

CAP. XXXI.

Leaſes and Grants from Colledges and Hoſpitals, Confirmed.

CAP. XXXII.

An Act for Prohibiting the Exportation of Woolſels, Fullers Earth, or any kind of Scouring Earth.

FOr the better preventing and avoiding of ſuch loſſes and inconveniences as have happened, and daily do and may happen to the Kingdom of England, and Dominion of Wales, and to the Kingdom of Ireland, by and through the ſecret and ſubtil Exportation and Tranſportation, and by and through the ſecret and ſubtil carrying and conveying away of Wooll, Woolfels, Mortling, Shorlings, Yarn made of Wooll, Woolflocks, Fullers Earth, and Fulling Clay, out of, and from the Kingdoms and Dominion aforeſaid, and for the better ſetting on work the poor people and Inhabitants of the Kingdoms and Dominion aforeſaid; (2) And to the intent that the full and beſt uſe and benefit of the principal native Commodities of the ſame Kingdoms and Dominion may come, redound, and be unto and amongſt the Subjects and Inhabitants of the ſame, and not unto or amongſt the Subjects and Inhabitants of the Realm of Scotland, or of any Foreign Realm, or States, as the ſame now of late in ſome great meaſure hath done, and is further likely to do, if ſome ſeverer puniſhment than heretofore be not ſpeedily inflicted upon ſuch offenders as ſhall be actors or aſſiſtants in and to ſuch exportation and tranſportation, and in and to ſuch carrying and conveying away thereof, as aforeſaid; (3) Be it enacted by the Kings moſt excellent Majeſty, the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons whatſoever, from and after the fourteenth day of January, One thouſand ſix hundred and threeſcore, ſhall directly or indirectly export, tranſport, carry or convey, or cauſe or procure to be exported, tranſported, carried or conveyed out of or from the Kingdom of England, or Dominion of Wales, or Town of Berwick upon Tweed, or out of, or from the Iſles of Jerſey or Guernſey, with Sarke and Alderney, being under the Government of Guernſey aforeſaid, or out of, or from any of them, or out of, or from the Kingdom of Ireland aforeſaid into any parts or places out of the Kingdoms, Iſles, or Dominion aforeſaid, any Sheep or Wooll whatſoever, of the breed or growth of the Kingdoms of England or Ireland, or Iſles, or Dominion aforeſaid; (4) Or any Woolfels, Mortlings or Shorlings, or any Yarn made of Wooll, or any Woolflocks, or any Fullers Earth, or Fulling-Clay whatſoever; (5) Nor ſhall directly or indirectly pack or load, or cauſe to be packed or loaded upon any Horſe, Car or other Carriage, or load or lay on board, or cauſe to be loaden or laid on board in any Ship or other Veſſel, in any place or Port within the Kingdoms of England or Ireland, or Town of Berwick, or Iſles, or Dominion aforeſaid, any ſuch Sheep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll or Woolflocks, or any Fullers-earth, or Fulling-clay to the intent or purpoſe to export, tranſport, carry or convey the ſame, or to cauſe the ſame to be exported, tranſported, carried or conveyed out of the Kingdoms of England, or Ireland, Town of Berwick, Iſles or Dominion aforeſaid or with intent or purpoſe, that any other perſon or perſons ſhould ſo export, tranſport, carry or convey the ſame into any parts or places out of the Kingdoms of England and Ireland, Town of Berwick, Iſles or Dominion aforeſaid, into the Kingdom of Scotland, or any foreign parts.

No perſon after the 14. of January 1660. ſhall export any Sheep or Wooll, Woolfels, Mortlings, Shorlings, Yarn, Woolflocks, Fullers earth, Fulling-clay.

Nor carry, load or board any Sheep, Wooll, &c.

II. And be it further enacted by the authority aforeſaid, That no Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, or any Fullers earth, Fulling-clay, ſhall be from and after the Fourteenth day of January, in the year of our Lord, One thouſand ſix hundred and ſixty, exported, tranſported, carried or conveyed out of the Kingdom of England and Dominion of Wales, or Town of Berwick, or Kingdom of Ireland, or out of any Port or place of the ſaid Kingdoms reſpectively, unto the Iſles of Jerſey or Guernſey, or to Sarke, or Alderney, except as in this Act ſhall hereafter be limited or appointed.

No Wool, Woolfels, &c. after the 14 of Jan. 1660 to be carried out of Wales, Ireland, &c. Except.

III. And be it further enacted by the authority aforeſaid, That all and every the Offender and Offenders, Offence and Offences aforeſaid, ſhall be ſubject and liable to the reſpective pains, penalties and forfeitures hereafter following, That is to ſay, The ſaid Sheep, Woolls, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, and Fulling-clay ſo exported, tranſported, carried, conveyed, packed or loaden contrary to the true intent of this Act, ſhall be forfeited, (2) and that every offender and offenders therein ſhall forfeit Twenty ſhillings for every ſuch Sheep, and Three ſhillings for every pound weight of ſuch Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, or Fulling-clay; (3) And alſo the Owners of the ſaid Ships or Veſſels knowing ſuch Offence, ſhall forfeit all their intereſt in the ſaid Ships or Veſſels, with all their Apparel and Furniture to them and every of them belonging; (4) And that the Maſter and Mariners thereof, knowing ſuch Offence, and wittingly and willingly aiding and aſſiſting thereunto, ſhall forfeit all their Goods and Chattels, and have Impriſonment for the ſame Three months without Bail or Mainpriſe; (5) the one moiety of which ſaid penalties and forfeitures ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him that will ſue for the ſame by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record, or before the Juſtices of Aſſiſe, or in the general Quarter Seſſions of the Peace: In which ſuit no eſſoin, protection or wager of Law ſhall be allowed.

The penalties.

IV. And be it further enacted, That if any Merchant, or other perſon or perſons ſhall after the ſaid fourteenth day of January tranſport or cauſe to be tranſported any Sheep, Wooll, Woolfels, Mortlings, Shorlings, Woollen-yarn, Woolflocks, Fullers Earth or Fulling Clay, contrary to the true intent of this Act, and be thereof lawfully Convicted, That then he ſhall be diſabled to require any Debt or Accompt of any Factor or others, for or concerning any Debt or Eſtate properly belonging to ſuch Offender: (2) Provided always, and it is neverthele ſs declared, That this Act, or any thing therein contained, ſhall not be conſtrued to take away any greater pains or penalties inflicted, or to be inflicted for any the offences aforeſaid, by virtue of any former Act of Parliament now in force.

The penalty upon any Merchant that ſhall tranſport Woolls, &c.

Proviſo.

V. And be it alſo further enacted by the authority aforeſaid, That every offence that ſhall be done or committed contrary to this Act, ſhall and may be enquired of and heard, examined, tried, and determined in the County where ſuch Sheep, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, or Fulling-clay reſpectively ſhall be ſo packed, loaden, or laid aboard as aforeſaid, contrary to this Act, or elſe in the County where ſuch Offenders ſhall happen to be apprehended or arreſted for ſuch offence, in ſuch manner and form, and to ſuch effect to all intents and purpoſes, as if the ſame offence had been wholly and altogether done and committed at and in ſuch County.

Offences againſt this Act, where to be tried.

VI. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons whatſoever, ſhall at any time hereafter be impeached for any offence aforeſaid, unleſs ſuch perſon or perſons ſhall be proſecuted within the ſpace of one year next enſuing ſuch offence committed.

They to be proſecuted within a year after the offence committed.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons to ſeize, take and challenge to his or their own uſe and behoof, and to the uſe of the King, his Heirs and Succeſſors, all and all manner ſuch Sheep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, and Fulling-clay, as he or they ſhall happen to ſee, find, know or diſcover to be laid aboard in any Ship or other Veſſel or Boat, or to be brought, carried or laid on ſhore, at or near the Sea, or any Navigable River or Water, to the intent or purpoſe to be exported or

Any perſon may ſeiſe goods contrary to this Act loaden, with intent to be tranſported, and ſhall have the moiety thereof.

conveyed out of the Kingdoms of England, or Ireland, Town of Berwick, Iſles or Dominion aforeſaid, contrary to the true meaning of this Act, or to be packed or loaden upon any Horſe, Cart or other Carriage, to the intent or purpoſe to be conveyed or carried into the Kingdom of Scotland aforeſaid, (2) and that ſuch perſon or perſons as ſhall happen ſo to ſeize, take or challenge any ſuch Sheep, Wool, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, or Fulling clay as aforeſaid, ſhall have the full moiety thereof to all intents and purpoſes.

Proviſo ſuch perſon ſhall not be evidence againſt the offender.

VIII. Provided always, That ſuch perſon or perſons as ſhall make any ſuch ſeizure or challenge aforeſaid to his or their own uſe, ſhall not be admitted or allowed to give in Evidence upon his or their Oath or Oaths againſt any perſon or perſons which ſhall happen to be indicted, accuſed or queſtioned by virtue of this Act, or any thing therein contained.

Forfeiture of the Ship, if the Owner be an Alien, or not inhabiting in England.

IX. And furthermore, be it enacted by the authority aforeſaid, That all and every Ship, Veſſel, Hulk, Barge or Boat, of what kind ſoever, whereof any Alien born, or whereof any natural born Subjects not inhabiting within the Realm of England, ſhall be Owner or part-Owner, and wherein any Sheep, Wool, Woolfels, Mortlings, Shorlings, Yarn made of Wool, Woolflocks, Fullers Earth, or Fulling Clay, ſhall happen to be ſhipped, put, or laid aboard contrary to the true meaning of this Act, ſhall be forfeited to the Kings Majeſty, his Heirs and Succeſſors.

X. Provided always, That this Act ſhall not extend, to any Lamb Skin ready dreſt, and prepared fit and uſeful for Lynings.

Proviſo.

XI. Provided alſo, That this Act ſhall not in any wiſe extend to the tranſporting, carrying or conveying away of any ſuch Woolfels or Pelts, with ſuch Wooll upon them, or to any Beds ſtuffed with Flocks, which ſhall be carried or imployed in any Ship or other Veſſel for neceſſary uſe only, of and about the Ordnance or other thing in or concerning ſuch Ship or Veſſel, or only for the neceſſary uſe of any the perſons in ſuch Ship or Veſſel paſſing or being, and which ſhall not be ſold or uttered in any Foreign parts out of the Kingdoms of England or Ireland, or Tow nof Berwick, Iſles or Dominion aforeſaid; (2) nor to the exporting, carrying or conveying of any Wether-Sheep, or of the Wooll growing upon any ſuch Wether-ſheep, to be carried alive in any Ship or other Veſſel, for and towards the only neceſſary Food or Diet of or for the Company or Paſſengers, or other perſons therein, and for and towards none other purpoſe.

Ireland. Berwick.

Proviſo.

Southampton. Jerſey. Guernſey.

XII. Provided always, and be it further enacted, That this Act, or any thing therein contained, ſhall not extend to any ſuch Wooll to be exported or tranſported out of, or from the Port of Southampton, only unto the aforeſaid Iſles of Jerſey and Guernſey, by, or for the only uſe or behoof of any the Inhabitants of the ſaid Iſles of Jerſey and Guernſey, or either of them, or to any ſuch Wooll to be ſhipped or loaden aboard in any Ship or other Veſſel, by, or for the only uſe or behoof of any the Inhabitants of the ſaid Iſles of Jerſey or Guernſey, or either of them, in the Port aforeſaid, to be exported and tranſported into the ſaid Iſles of Jerſey or Guernſey, or either of them; ſo as ſuch perſon or perſons that ſhall ſo ſhip or lay aboard ſuch Wooll into any Ship or other Veſſel, do before the ſhipping or laying aboard ſuch Wooll, deliver unto the Cuſtomer, Comptroller, Surveyor, or Searcher of the Port of Southampton aforeſaid (out of which the ſame Wooll is to be exported) or writing under their Seal or Seals of the reſpective Governors of the ſame Iſles of Guernſey or Jerſey, unto which the ſaid Wooll is to be tranſported, or of his or their Deputy or Deputies reſpectively, the which writing ſhall purport and expreſs that the party named in ſuch writing is authoriſed and appointed to export or cauſe to be exported out of the Port aforeſaid, ſo much Wooll, expreſſing the number of the Tods, to the ſame Iſle, to be uſed or manufactured in one of the ſame Iſles, or in ſome of the members or parts of the ſame, and that ſuch party ſo authoriſed and appointed to export, or cauſe to be exported that Wooll, hath before the making and ſealing of that writing, entred into ſufficient Bond to his Majeſties uſe for the landing of the ſaid Wooll in that Iſle. (2) And to the intent that the quantity of Wooll to be exported out of the Port of Southampton aforeſaid into the ſaid Iſles, or either of them, in any one year, accompting the year to begin from the firſt day of January next enſuing, and ſo yearly from the firſt day of January, may not exceed the quantity hereunder ſpecified, that is to ſay, unto the Iſle of Jerſey, Two thouſand Tods and no more of unkeamed Wooll, and unto Guernſey, One thouſand Tods and uo more of unkeamed Wooll, and unto Alderney, Two hundred Tods and no more of unkeamed Wooll, and unto Sarke, One hundred Tods of unkeamed Wooll and no more, every Tod not exceeding thirty two pounds.

Alderney. Sark.

XIII. And be it enacted by the authority aforeſaid, That the Governour of the ſaid Iſle of Jerſey, or his Deputy, for whom he will anſwer, ſhall not make to any perſon or perſons, any writing or writings ſuch as is above ſpecified, to authoriſe and appoint ſuch perſon or perſons as aforeſaid, to fetch, export or tranſport out of the port of Southampton aforeſaid, unto the ſaid Iſle of Jerſey, in one year, accompting the year from the firſt day of January One thouſand ſix hundred and ſixty aforeſaid, any greater quantity of Wooll then Two thouſand Tods in any one year, (2) and the Governour of the ſaid Iſle of Guernſey, or his Deputy, for whom he will anſwer, ſhall not make to any perſon or perſons, any writing or writings, ſuch as is above ſpecified, to authoriſe and appoint ſuch perſon or perſons as aforeſaid, to fetch, export or tranſport out of the port above ſpecified, unto the ſaid Iſles of Guernſey, with Alderney and Sark, in any one year; accompting the year from the firſt day of January, any greater quantity of Wooll then One thouſand Tods for Guernſey, Two hundred Tods for Alderney, and One hundred Tods for Sark, in any one year, (3) and that the Cuſtomer of the Port of Southampton aforeſaid, ſhall keep a true accompt of all the ſaid quantity of Wools ſo by him permitted to be loaden by virtue of this Act, and ſhall not permit any greater quantity of Wools to be loaden then by this Act is preſcribed, in any one year, to either of the ſaid Iſlands reſpectively, under any pretence whatſoever, upon the penalty of the forfeiture of his place, and the ſum of One hundred pounds in money to him or them that will ſue for the ſame in any Court of Record wherein no Eſſoin, Protection or Wager of Law ſhall be allowed. (4) And if any of the Governours aforeſaid, or any of their, or either of their Deputy or Deputies of the ſaid Iſles, or either of them, ſhall give, grant, or make any Licence or Licences for Exporting from Southampton aforeſaid, into the ſaid Iſles reſpectively, of any greater quantity of ſuch Wooll then is before by the true meaning of this Act limited and appointed in that behalf; That then the reſpective Governor or Governors of ſuch of the ſaid Iſles ſhall forfeit and pay to the Kings Majeſty, his Heirs or Succeſſors, the ſum of Twenty pounds of lawful money of England, for every Tod of Wooll which ſhall be ſo licenſed to be exported over and above the rate and proportion of Wooll in and by this Act, or the true meaning thereof limited or appointed.

XIV. And be it further enacted by the authority aforeſaid, That the reſpective Governors aforeſaid, or their reſpective Deputies, or any their Clerks, Officers or Servants, for the granting, making or ſealing of every ſuch writing of Licence as is aforeſaid, and for the entring a Remembrance of the ſame into ſome Book, which they ſhall have and keep for that purpoſe, may have and take the ſum of Twelve pence and no more, (2) upon pain of forfeiting to the party grieved the ſum of Five ſhillings for every penny which ſhall be taken over and above the ſaid ſum of Twelve pence in and by this Act allowed to be taken, and ſo after that proportion; the ſaid penalty or forfeiture for the taking above Twelve pence as aforeſaid, to be recovered by Bill, Plaint, or Information, in any Court of Record at Weſtminſter, or elſewhere, wherein no injunction, protection, privilege, eſſoin or wager of law ſhall be admitted or allowed. Stat. 13 Car. 2. cap. 13.

CAP. XXXIII.

An Act for Confirmation of Marriages.

Marriages ſince the firſt of May 1642. confirmed.

Whereas by vertue or colour of certain Ordinances, or certain pretended Acts, or Ordinances, divers Marriages ſince the beginning of the late Troubles have been had and ſolemnized in ſome other manner then hath been formerly uſed and accuſtomed: (2) Now for the preventing and avoiding of all Doubts and Queſtions touching the ſame, It is enacted by the Kings moſt excellent Majeſty, with the Advice and Aſſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That all Marriages had or ſolemnized in any of his Majeſties Dominions ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred fourty and two, before any Juſtice of Peace, or reputed Juſtice of Peace of England, or Wales, or other his Majeſties Dominions, and by ſuch Juſtice, or reputed Juſtice, ſo pronounced or declared; (3) And all Marriages within any of his Majeſties Dominions, ſince the ſame firſt day of May, in the year of our Lord, One thouſand ſix hundred fourty two, had or ſolemnized according to the direction or true intent of any Act or Ordinance, or reputed Act or Ordinance of one or both Houſes of Parliament, or of any Convention ſitting at Weſtminſter, under the Name, Stile or Title of a Parliament, or aſſuming that Name, Stile or Title; (4) ſhall be, and ſhall be adjudged, eſteemed and taken to be, and to have been of the ſame, and no other force and effect, as if ſuch Marriages had been had and ſolemnized according to the Rites and Ceremonies eſtabliſhed, or uſed in the Church or Kingdom of England; Any Law, Cuſtom or Uſage to the contrary thereof notwithſtanding.

Iſſues upon lawfulneſs of marriage already joyned, ſhall be tried by Jury. Baſtardy.

II. And be it further enacted, That where in any ſuit commenced, or to be commenced in any of the Courts of the Common Law, any iſſue hath been joyned, and not already tried or determined, or ſhall be joyned upon the point of Baſtardy, or unlawfulneſs of Marriage, for or concerning the marriages had and ſolemnized, as aforeſaid, the ſame iſſues ſhall be tried by Jury of Twelve men, according to the courſe of Trial of other iſſues triable by Jury at the Common Law, and not otherwiſe; Any Law, Statute or Uſage to the contrary thereof in any wiſe notwithſtanding. Stat. 13 Car. 2. cap. 11.

CAP. XXXIV.

An Act for prohibiting the Planting, Setting, or Sowing of Tobacco in England and Ireland.

Importance of the Plantations of America.

Your Majeſties Loyal and obedient Subjects, the Lords and Commons in this preſent Parliament aſſembled conſidering of how great concern and importance it is, That the Colonies and Plantations of this Kingdom in America, be defended, protected, maintained, and kept up, and that all due and poſſible encouragement be given unto them; and that not only in regard great and conſiderable Dominions and Countries have been thereby gained, and added to the Imperial Crown of this Realm, but for that the ſtrength and welfare of this Kingdom, do very much depend upon them, in regard of the imployment of a very conſiderable part of its Shipping and Seamen, and of the vent of very great quantities of its native Commodities and Manufactures, as alſo of its ſupply with ſeveral conſiderable Commodities which it was wont formerly to have only from Foreigners, and at far dearer Rates: (2) And foraſmuch as Tobacco is one of the main products of ſeveral of thoſe Plantations, and upon which their Welfare and Subſiſtance, and the Navigation of this Kingdom, and vent of its Commodities thither, do much depend; and in regard it is found by experience, That the Tobaccoes planted in theſe parts are not ſo good and wholſom for the takers thereof; And that by the Planting thereof your Majeſty is deprived of a conſiderable part of your Revenue ariſing by Cuſtoms upon Imported Tobacco; Do moſt humbly pray, That it may be enacted by your Majeſty: (3) And it is hereby enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons whatſoever, ſhall or do from and after the firſt day of January, in the year of our Lord, One thouſand ſix hundred and ſixty, Set, Plant, improve to grow, make or cure any Tobacco either in Seed, Plant, or otherwiſe, in or upon any Ground, Earth, Field, or place within the Kingdom of England, Dominion of Wales, Iſlands of Guernſey or Jerſey, or Town of Berwick upon Tweed, or in the Kingdom of Ireland, under the penalty of the Forfeiture of all ſuch Tobacco, or the value thereof, or of the ſum of fourty Shillings for every Rod or Pole of Ground ſo planted, ſet or ſown as aforeſaid, and ſo proportionably for a greater or leſſer quantity of Ground; one moiety thereof to his Majeſty, his Heirs and Succeſſors; and the other moiety to him or them that ſhall

No perſon after the firſt of January 1660. ſhall ſet or plant any Tobacco.

The penalty.

Sue for the ſame, to be recovered by Bill, Plaint, or Information in any Court of Record, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

All Seriffs and other Officers may deſtroy any Tobacco planted contrary to this Act.

II. And it is hereby further enacted, That all Sheriffs, Juſtices of the Peace, Mayors, Bayliffs, Conſtables, and every of them, upon Information or complaint made unto them, or any of them, by any the Officers of the Cuſtoms, or by any other perſon or perſons whatſoever, That there is any Tobacco, ſet, ſown, planted, or growing within their Juriſdictions or Precincts, contrary to this Act, ſhall within ten days after ſuch Information or Complaint, cauſe to be burnt, plucked up, conſumed, or utterly deſtroyed, all ſuch Tobacco ſo ſet, ſown, planted or growing.

The penalty of any perſon reſiſting this Act.

III. And it is hereby further enacted, That incaſe any perſon or perſons ſhall reſiſt, or make forcible oppoſition againſt any perſon or perſons in the due and thorough execution of this Act, that every ſuch perſon or perſons, for every ſuch offence, ſhall forfeit the ſum of five pounds to be divided and recovered in manner aforeſaid. (2) And in caſe any perſon or perſons ſhall not pay the ſums of money by them to be paid by virtue of this Act, that in every ſuch caſe, Diſtreſs ſhall be made, and ſale thereof, returning the overplus to the Owners: And in caſe no Diſtreſs be to be found, that then every ſuch party ſhall be committed to the Common Gaol in the County where ſuch offence ſhall be committed, there to remain for the ſpace of two months without bail or mainpriſe.

Proviſo for private Gardens.

IV. Provided always, and it is hereby enacted, That this Act, nor any thing therein contained, ſhall extend to the hindring of the planting of Tobacco in any Phyſick Garden of either Univerſity, or in any other private Garden for Phyſick or Chyrurgery, only ſo as the quantity ſo planted exceed not half of one Pole in any one place or Garden. St. 13 Car. 2. cap. 14.

CAP. XXXV.

An Act erecting and eſtabliſhing a Poſt-Office.

A Poſt-Office erected and eſtabliſhed. The well ordering of poſtage and Letters of great concernment to Trade.

Whereas for the maintenance of mutual Correſpondencies, and prevention of many Inconveniencies happening by private poſts, ſeveral publick Poſt-Offices have been heretofore erected for carrying and recarrying of Letters by poſts, to, and from all parts and places within England, Scotland and Ireland, and ſeveral parts beyond the Seas; the well ordering whereof is matter of a general concernment, and of great advantage, as well for preſervation of Trade and Commerce, as otherwiſe: To the end therefore, that the ſame may be managed ſo that ſpeedy and ſafe diſpatches may be had, which is moſt likely to be effected, by erecting one general Poſt-Office for that purpoſe;

A Letter-office erected in London.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there be from henceforth one general Letter Office erected and eſtabliſhed in ſome convenient place within the City of London, from whence all Letters or Pacquets whatſoever may be with ſpeed and expedition ſent unto any part of the Kingdoms of England, Scotland and Ireland, or any other of his Majeſties Dominions, or unto any Kingdom or Country beyond the Seas; at which ſaid Office all Returns and Anſwers may be likewiſe received; (2) And that one Maſter of the ſaid general Letter Office ſhall be from time to time appointed by the Kings Majeſty, his Heirs and Succeſſors, to be made or conſtituted by Letters Patents, under the Great Seal of England, by the name and ſtile of his Majeſties Poſt-maſter General; (3) which ſaid Maſter of the ſaid Office, and his deputy and deputies, by him thereunto ſufficiently authorized, and his and their Servants and Agents, and no other perſon or perſons whatever, ſhall from time to time have the receiving, taking up, ordering, diſpatching, ſending poſt or with ſpeed, and delivering of all Letters and Pacquets whatſoever, which ſhall from time to time be ſent to and from all and every the parts and places of England, Scotland and Ireland, and other his Majeſties Dominions, and to and from all and every the Kingdoms and Countries beyond the Seas, where he ſhall ſettle or cauſe to be ſetled poſts or running meſſengers for that purpoſe; (4) Except ſuch Letters as ſhall be ſent by Coaches, common known Carriers of Goods by Carts, Waggons or Packhorſes and ſhall be carried along with their Carts, Waggons and Packhorſes reſpectively; (5) And except Letters of Merchants and Maſters which ſhall be ſent by any Maſters of any Ships, Barques or other Veſſel or Merchandize, or by any other perſon imployed by them for the carriage of ſuch Letters aforeſaid, according to the reſpective directions; (6) And alſo except Letters to be ſent by any private friend or friends in their ways of Journey or Travel, or by any meſſenger or meſſengers ſent on purpoſe, for or concerning the private affairs of any perſon or perſons: (7) And alſo except meſſengers who carry and recarry Commiſſions, or the Return thereof, Affidavits, Writs, Proceſs or Proceedings, or the Returns thereof iſſuing out of any Court.

The Poſt-maſter General and no other, to provide Horſes for riding poſt.

III. And be it further enacted by the authority aforeſaid, That ſuch Poſt-maſter General for the time being, as ſhall from time to time be made and conſtituted by his Majeſty, his Heirs and Succeſſors, and the reſpective Deputies, or Subſtitutes of ſuch Poſt-maſter General, and no other perſon or perſons whatſoever, ſhall prepare and provide Horſes and Furniture to let to Hire unto all Through-Poſts, and perſons riding in poſt by Commiſſion, or without, to and from all and every the parts and places of England, Scotland and Ireland, where any Poſt-roads are, or ſhall be ſetled and eſtabliſhed.

Rates for carrying Letters.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for ſuch Poſt-maſter General to be conſtituted and appointed as aforeſaid, and his deputy and deputies by him thereunto ſufficiently authorized, to demand, have, receive and take for the portage and conveyance of all ſuch Letters which he ſhall ſo convey, carry or ſend poſt as aforeſaid, and for the providing and furniſhing Horſes for Through-poſts, or perſons riding in poſt as aforeſaid, according to the ſeveral rates and ſums of lawful Engliſh money hereafter mentioned, not to exceed the ſame (that is to ſay,) (2) For the port of every Letter not exceeding one ſheet, to or from any place not exceeding fourſcore Engliſh miles diſtant from the place where ſuch Letter ſhall be received, Two pence; (3) And for the like port of every Letter not exceeding two ſheets, Four pence; (4) And for the like Port of every pacquet of Letters, proportionably unto the ſaid Rates; (5) And for the like port of every pacquet of Writs, Deeds or other things, after the rate of eight pence for every Ounce weight; (6) And for the port of every Letter not exceeding one ſheet, above the diſtance of fourſcore Engliſh miles from the place where the ſame ſhall be received, Three pence; (7) And for the like port of a Letter, not exceeding two ſheets, Six pence; and proportionably to the ſame rates, for the like port of all pacquets of Letters, (8) and for the like port of every other pacquet of Writs, Deeds or other things, after the rate of Twelve pence of Engliſh money for every Ounce weight; (9) And for the port of every Letter not exceeding one ſheet, from London unto the Town of Berwick, or from thence unto the City of London, Three pence of Engliſh money; And for the like port of every Letter not exceeding two ſheets, Six pence; and proportionably unto the ſame rates, for every pacquet of Letters, and for every other pacquet of greater bulk, One ſhilling and ſix pence for every ounce weight; (10) And for the port of ſuch Letters and pacquets as ſhall be conveyed or carried from the Town of Berwick into any place or places within forty Engliſh miles diſtance from Berwick, or any other place where ſuch Letter ſhall be received, Two pence; And for every Letter not exceeding two ſheets, Four pence; and proportionably to the ſame rates for every pacquet of Letters, and for every other pacquet or parcel, Eight pence for every Ounce weight; (11) and for every Letter not exceeding one ſheet, to be conveyed or carried a further diſtance then Fourty Engliſh miles, Four pence; and for the like port for every pacquet of Letters, Eight pence; and proportionably unto the ſame rates for the like port of every pacquet of Letters, and for the like port of every other pacquet, One ſhilling for every Ounce weight; (12) And for the port of every Letter not exceeding one ſheet from England, unto the City of Dublin in Ireland, or from the City of Dublin in Ireland unto England, Six pence of Engliſh money; and for the like port of every Letter not exceeding two ſheets, One ſhilling, and proportionably to the ſame rates for every pacquet of Letters, and for the port of every other pacquet of any kind of greater bulk, Two ſhillings for every Ounce weight; (13) and for the port of ſuch Letters or Pacquets as ſhall be conveyed or carried from the City of Dublin, unto any other place or places within the Kingdom of Ireland, or from any other place unto the ſaid City, or to, or from any other place within the ſaid Kingdom, according to the rates and ſums of Engliſh money hereafter following, viz. For every Letter not exceeding one ſheet, to or from any place within Fourty Engliſh miles diſtance from Dublin, or any other place where ſuch Letter ſhall be received, Two pence; And for every Letter not exceeding two ſheets, Four pence; and proportionably to the ſame rates for every pacquet of Letters, and for every pacquet of greater bulk, Eight pence for every Ounce weight; (14) and for every Letter not exceeding one ſheet, to be carried or conveyed a further diſtance then Fourty Engliſh miles, Four pence; and for the like port of every Letter not exceeding two ſheets, Eight pence; and proportionably unto the ſame rates for the like port of every pacquet of Letters, and for the like port of every pacquet of greater bulk, One ſhilling for every ounce weight; (15) and for all and every the Letters, Pacquets, and parcels of Goods that ſhall be carried or conveyed to or from any of his Majeſties ſaid Dominions, to or from any other parts or places beyond the Seas, according to the ſeveral and reſpective rates that now are, and have ben taken for Letters, Pacquets, and Parcels ſo conveyed being rated either by the Letter, or by the Ounce weight, That is to ſay,

(16) Morlaix, St. Maloes, Caen, Newhaven, and places of like diſtance, Port paid to Roan is for——

	d
Single	vi
Double	Xii
Treble	XViii
Ounce	XViii

(17) Hamburgh, Colen, Frankfort, Port paid to Antwerp is——

	d
Single	viii
Double	xvi
Treble	xxiv
Ounce	xxiv

(18) Venice, Geneva, Legorn, Rome, Naples, Meſſina, and all other parts of Italy by way of Venice, franct pro Mantua

	s	d
Single	o	ix
Double	i	vi
Treble	ii	iii
Ounce	ii	viii

(19) Marcellia, Smirna, Conſtantinople, Aleppo, and all parts of Turky, Port paid to Marcilia—

	s	d
Single	i	o
Double	ii	o
3 qrs. of an ounce	ii	ix
Ounce	iii	ix

(20) And for Letters brought from the ſaid places to England——

	s	d
Single	o	viii
Double	i	iv
Treble	ii	o
Ounce	ii	o

(21) And for the port of Letters brought into England from

Calais, Diepe, Bulloigne, Abbeville, Amience, Saint Omers, Montrell——

	s	d
Single	o	iv
Double	o	viii
Treble	i	o
Ounce	i	o

(22) Roven——

	s	d
Single	o	vi
Double	i	o
Treble	i	vi
Ounce	i	vi

(23) Genova, Legorn, Rome, and other parts of Italy, by way of Lyons, franct pro Lyons——

	s	d
Single	i	o
Double	ii	o
3 qrs. of an ounce	ii	ix
Ounce	iii	ix

(24) And of Letters ſent outwards.

To Bourdeaux, Rochel, Nants, Orleans, Byon, Tours, & places of like diſtance, port paid to Paris

	s	d
Single	o	ix
Double	i	vi
Treble	ii	iii
Ounce	ii	o

(25) And for Letters brought from the ſame places into Englnnd—

	s	d
Single	i	o
Double	ii	o
3qrs. of an ounce	iii	o
Ounce	iv	o

(26) Alſo Letters ſent Outwards.

To Norembergh, Bremen, Dantſwick, Lubeck, Lipſwick, and other places of like diſtance, Poſt paid to Hamburgh—

	s	d
Single	i	o
Double	ii	o
3qrs of an ounce	iii	o
Ounce	iv	o

(27) Paris——

	s	d
Single	o	ix
Double	i	vi
Treble	ii	iii
Ounce	ii	o

(28) Dunkirk, Oſtend, Lille, Ipre, Courtrey, Gheandt, Bruxels, Bridges, Antwerp, and all other parts of Flanders——

	s	d
Single	o	viii
Double	i	iv
Treble	ii	o
Ounce	ii	o

(29) Sluis, Fluſhing, Middleburg, Amſterdam, Rotterdam, Delph, Hague, and from all other parts of Holland and Zealand——

	s	d
Single	o	viii
Double	i	iv
Treble	ii	o
Ounce	ii	o

Proviſo for Merchants.

VI. Provided always, That all Merchants Accompts not exceeding one ſheet of Paper, and all bils of Exchange, Invoys, and bils of Lading, are, and ſhall hereby be underſtood to be allowed without Rate in the price of the Letters, (2) and likewiſe the covers of Letters not exceeding one fourth part of a ſheet of paper ſent to Marſeilles, Venice or Legorn, to be ſent forward to Turkey, ſhall be underſtood to be allowed to paſs without rate or payment for the ſame; (3) and according to the ſame rates and proportions for the port of Letters, pacquets and parcels to and from any of the parts or places beyond the Seas, where Poſts have not been heretofore ſetled, and may hereafter be ſetled by the ſaid Poſt-maſter General for the time being, his Executors or Aſſigns: (4) And it ſhall and may be lawful, to and for ſuch Poſt-maſter General, and his Deputy and Deputies, to ask, demand, take and receive of every perſon that he or they ſhall furniſh and provide with Horſes, Furniture and Guide to ride Poſt in any of the Poſt-roades as aforeſaid, three pence of Engliſh money for each Horſes hire or Poſtage for every Engliſh Mile, and four pence for the Guide for every Stage. (5) And whereas upon the arrival of Ships from parts beyond the Seas into ſeveral Ports within his Majeſties Dominions, many Letters directed to ſeveral Merchants and others have been detained long, to the great damage of the Merchants, in want of that ſpeedy advice and intelligence, which they might have had if the ſame had been forthwith diſpatched by the ſetled Poſts; and ſometimes ſuch Letters have been delivered by the Maſters or Paſſengers of ſuch Ships to ignorant and looſe hands, that underſtand not the way and means of ſpeedy conveyance and delivery of Letters, whereby great prejudice hath accrued to the affairs of Merchants and others, as well by the miſcarriage of many Letters ſo brought, as oftentimes by the opening of the ſame, to the diſcovery of the Correſpondencies and ſecrets of the Merchant:

VII. Be it further Enacted by the Authority aforeſaid, That all Letters and pacquets that by any Maſter of any Ship or Veſſel, or any of his Company, or any Paſſengers therein, ſhall or may be brought to any Port-Town within his Majeſties Dominions, or any of the Members thereof, other then ſuch Letters as are before excepted, or may be ſent by common known Carriers in manner aforeſaid, or by a Friend as aforeſaid; ſhall by ſuch Maſter, Paſſenger, or other perſon be forthwith delivered unto the Deputy or Deputies only for the ſaid Poſt-maſter General for the time being, by him appointed for the ſaid Port-Town, and by him or them to be ſent Poſt unto the ſaid general Poſt-Office, to be delivered according to the ſeveral and reſpective directions for the ſame.

Penalties of offending againſt this Act.

VIII. And be it further enacted by the aforeſaid Authority, That no perſon or perſons whatſoever, or Body-politick or Corporate other then ſuch Poſt-maſter General as ſhall from time to time be nominated and appointed by his Majeſty, his Heirs or Succeſſors, and conſtituted by Letters Patents under the Great Seal of England as aforeſaid, and his Deputy and Deputies or Aſſigns, ſhall preſume to carry, recarry, and deliver Letters for Hire, other then as before excepted, or to ſet up or imploy any Foot-poſt, Horſe-poſt, Coach-poſt, or Pacquet-boat whatſoever, for the conveying, carrying and recarrying of any Letters or Pacquets by Sea or Land within his Majeſties Dominions, or ſhall provide and maintain Horſes and Furniture for the horſing of any Through-poſts, or perſons riding in poſt with a Guide and horn as uſual for hire, (2) upon pain of forfeiting the ſum of five pounds of Engliſh money for every ſeveral offence againſt the Tenor of this preſent Act; (3) And alſo for the forfeiture of the ſum of One hundred pounds of like Engliſh money for every weeks time that any Offendor againſt this Act, ſhall imploy, maintain and continue any ſuch Foot-poſt, Horſe-poſt, Coach-poſt or Pacquet-boat as aforeſaid: (4) Which ſaid ſeveral and reſpective forfeitures ſhall and may be ſued for, and recovered by Action or Actions of Debt, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Priviledge, Protection or Wager of Law ſhall be admitted; (5) and the ſaid ſeveral and reſpective forfeitures that ſhall happen from time to time to be recovered, ſhall be and remain, the one moiety thereof to his Majeſty, and his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon or perſons who ſhall or will Inform againſt the Offendor or Offendors againſt this preſent Act, and ſhall or will ſue for the ſaid Forfeitures upon the ſame.

Proviſo where any Poſt-maſter doth not provide.

IX. Provided always, That if any Poſt-maſter of any reſpective place, doth not, or cannot furniſh any perſon or perſons riding in Poſt, with ſufficient Horſes within the ſpace of one half hour after demand, That then ſuch perſon or perſons are hereby underſtood to be left at liberty to provide themſelves as conveniently as they can; And the perſons who ſhall furniſh ſuch Horſes ſhall not therefore be liable unto any penalties and forfeitures contained in this Act.

Proviſo touching Poſt-maſters that do not ſufficienty provide horſes, &c.

X. Provided always, That if through default or neglect of the Poſt-maſter General aforeſaid, any perſon or perſons riding in poſt ſhall fail, as aforeſaid, of being furniſhed with a ſufficient Horſe or Horſes, for his or their uſe, after demand as aforeſaid; That in every ſuch caſe, the ſaid Poſt-maſter General ſhall forfeit the ſum of Five pounds ſterling, the one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them who ſhall ſue for the ſame in any Court of Record, to be recovered by Bill, Plaint or other Information, wherein no Eſſoin, Protection, or other Wager in Law ſhall be admitted.

Proviſo.

XI. Provided always, and be it enacted, That nothing herein contained ſhall be underſtood to prohibit the carrying or recarrying of any Letters or Pacquets, to or from any Town or place, to or from the next reſpective Poſt-road, or Stage appointed for that purpoſe; but that every perſon ſhall have free liberty to ſend and imploy ſuch perſons as they ſhall think fit, for to carry the ſaid Letters or Pacquets as aforeſaid, without any penalty or forfeiture therefore, Any thing contained in this Act to the contrary notwithſtanding.

Proviſo againſt carrying any Pacquet out of England in any foreign veſſels.

XII. Provided always, That if the Pacquet or Maile, ſhall be carried out of England, into any part beyond the Seas in any Ship or Veſſel which is not of Engliſh built, and Navigated with Engliſh Seamen, That in every ſuch caſe the ſaid Poſt-maſter General ſhall forfeit the ſum of One hundred pounds ſterling; The one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them, who ſhall ſue for the ſame in any

Court of Record, to be recovered by bill, plaint, or other information, wherein no eſſoin, protection, or other wager of Law ſhall be allowed.

XIII. Provided alſo, and be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of having, uſing, or exerciſing the Office of Poſt-maſter General, or any other Imployment relating to the ſaid Office, unleſs he or they ſhall firſt take the Oaths of Allegiance and Supremacy, before any two Juſtices of the Peace of the reſpective Counties wherein ſuch perſon or perſons are or ſhall be reſident, which ſaid Juſtices are hereby authorized to adminiſter the Oaths accordingly.

Oaths of Allegiance and Supremacy.

XIV. Provided alſo, and be it enacted by the authority aforeſaid, That a Letter or pacquet Poſt ſhall twice every week come by the way of Truro and Penrin to the Town of Marketiew, alias Marhaſion, in the County of Cornwall; and once a week to Kendal by the way of Lancaſter; and to the Town of Penrith in Cumberland by the way of Newcaſtle and Carliſle; and to the City of Lincoln, and the Borough of Grimsby in the County of Lincoln; Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Proviſo, Truro, Penrin, Kendal, Lancaſter, Penrith, Carliſle, Grimsby.

XV. Provided alſo, and be it enacted by the authority aforeſaid, That ſuch Poſt-maſter General to be from time to time appointed by his Majeſty, his Heirs and Succeſſors as aforeſaid, ſhall continue conſtant Poſts for carriage of Letters to all places, though they lie out of the Poſt-roads, as hath been uſed for the ſpace of three years laſt paſt, at the Rates herein before mentioned, under pain of forfeiture for every omiſſion Five pounds, to be recovered by Action, Suit or Plaint, in any his Majeſties Courts of Record, the one moiety to the uſe of his Majeſty, the other moiety to the uſe of the Informer: (2) And for the better management of the ſaid Poſt-Office, and that the people of theſe Kingdoms may have their intercourſe of Commerce and Trade the better maintained, and their Letters and Advices conveyed, carried and recarried with the greateſt ſpeed, ſecurity, and convenience that may be;

Poſt-maſter to continue conſtant poſts. Penalty for every omiſſion.

XVI. Be it further enacted, That the ſaid Poſt-maſter General ſo nominated, appointed and conſtituted as aforeſaid, and his Deputies, ſhall from time to time obſerve and follow ſuch Orders, Rules, Directions and Inſtructions for and concerning the ſettlement of convenient Poſts and Stages upon the ſeveral Roads in England, Scotland and Ireland, and other his Majeſties Dominions, and the providing and keeping of a ſufficient number of Horſes at the ſaid ſeveral Stages, as well for the carrying, and conveying of the ſaid Letters and Pacquets, as for the horſing of all through-poſts and perſons riding in poſt by warrant or otherwiſe as aforeſaid, as his Majeſty, his Heirs and Succeſſors, ſhall from time to time in that behalf make and ordain; And that his Majeſty, his Heirs and Succeſſors, may grant the ſaid Office of Poſt-maſter General, together with the Powers and Authorities thereunto belonging, and the ſeveral rates of portage above mentioned, and all profits, priviledges, fees, perquiſites and emoluments thereunto belonging, or to belong, either for life or term of years, not exceeding one and twenty years, to ſuch perſon or perſons, and under ſuch Covenants, Conditions and yearly Rents to his ſaid Majeſty, his Heirs and Succeſſors, reſerved, as his ſaid Majeſty, his Heirs and Succeſſors ſhall from time to time think fit for the beſt advantage and benefit of the Kingdom.

The Poſt-maſter, &c. to obſerve ſuch orders as his Majeſty ſhall make.

His Majeſty may grant the ſaid Office for life or years, not exceeding 21 years.

XVII. Provided always, and be it enacted by the authority aforeſaid, That no perſon ſhall have power to take, uſe, or ſeize any Horſes for the Service mentioned in this Act, without the conſent of the Owners thereof; Any uſage or pretence, or any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

No horſes to be ſeized without conſent of the owners.

XVIII. Provided always, and be it enacted by the authority aforeſaid, That all Inland Letters ſent by any Pacquet-poſt eſtabliſhed by this Act as aforeſaid, do and ſhall pay the rates and prices before mentioned, at ſuch Stage where they are laſt delivered only, unleſs the party that delivers the Letters deſireth to pay elſewhere; Any thing in this Act to the contrary notwithſtanding. Provided always, That all Letters, and other things, may be ſent or conveyed to or from the two Univerſities in manner as heretofore hath been uſed; Any thing to the contrary notwithſtanding. Stat. 13 Car. 2. cap. 7.

Proviſo for the rates of all Inland Letters.

CAP. XXXVI.

The Maſter of the Rolls for the time being, impowred to make Leaſes for years in order to new build the old Houſes belonging to the Rolls. Pr. St. 13 Car. 2. cap. 6.

CAP. XXXVII.

An Act for making the Precinct of Covent-Garden Parochial. PR.

Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Decimo tertio.

AT the Parliament begun and holden at Weſtminſter the Eighth day of May, Anno Dom. 1661. in the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES the Second, by the Grace of God, of England, Scotland France and Ireland, King, Defender of the Faith, &c. And there continued until Tueſday the Thirtieth of July, 1661. And from that day the ſaid Parliament was adjourned unto the Twentieth of November then next following; To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

CAP. I.

An Act for Safety and Preſervation of his Majeſties Perſon and Government, againſt Treaſonable and Seditious Practiſes and Attempts.

The Lords and Commons aſſembled in Parliament deeply weighing and conſidering the Miſeries and Calamities of well nigh twenty years, before your Majeſties happy Return, and withal, reflecting upon the cauſes and occaſions of ſo great and deplorable Confuſions, do in all humility and thankfulneſs acknowledge Your Majeſties incomparable Grace and Goodneſs to your People, in your Free and General Pardon, Indempnity and Oblivion, by which your Majeſty hath been pleaſed to deliver your Subjects, not only from the puniſhment, but alſo from the reproch of their former miſcarriages, which unexampled Piety and Clemency of your Majeſty hath enflamed the hearts of us your Subjects with an ardent deſire to expreſs all poſſible Zeal and Duty in the Care and Preſervation of

The grounds and Inducements of this Act.

Seditious Sermons, Pamphlets and Speeches.

13 Eliz, cap. 1.

What ſhall be adjudged Treaſon during the life of the King.

Being declared and proved by two witneſſes.

Convicted by due courſe of Law.

your Majeſties perſon (in whoſe Honour and Happineſs conſiſts the good and welfare of your people) and in preventing (as much as may be) all Treaſonable and Seditious practiſes and attempts for the time to come: (2) And becauſe the growth and increaſe of the late Troubles and Diſorders, did in a very great meaſure proceed from a multitude of Seditious Sermons, Pamphlets and Speeches, dayly preached, printed and publiſhed, with a tranſcendent boldneſs defaming the Perſon and Government of your Majeſty and your Royal Father, wherein men were too much encouraged, and (above all) from a wilful miſtake of the Supream and lawful Authority, whilſt men were forward to cry up and maintain thoſe Orders and Ordinances, Oaths and Covenants, to be Acts Legal and Warrantable, which in themſelves had not the leaſt colour of Law or Juſtice to ſupport them; from which kind of diſtempers, as the preſent Age is not wholly freed, ſo Poſterity may be apt to relapſe into them, if a timely remedy be not provided: (3) We therefore, the Lords and Commons in Parliament aſſembled, having duly conſidered the premiſſes, and remembring that in the Thirteenth year of the Reign of Queen Elizabeth of ever bleſſed memory, a right good and profitable Law was made for preſervation of her Majeſties Perſon, Do moſt humbly beſeech your moſt excellent Majeſty, that it may be enacted, (4) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons whatſoever, after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and one, during the natural life of our moſt gracious Sovereign Lord the King, (whom Almighty God preſerve and bleſs with a long and proſperous Reign) ſhall within the Realm, or without, compaſs, imagine, invent, deviſe, or intend death or deſtruction, or any bodily harm tending to death or deſtruction, maim or wounding, impriſonment or reſtraint of the perſon of the ſame our Sovereign Lord the King, (5) or to deprive or depoſe him from the Stile, Honour, or Kingly Name of the Imperial Crown of this Realm, or of any other of his Majeſties Dominions or Countreys, (6) or to levy War againſt his Majeſty within this Realm, or without, (7) or to move, or ſtir any Foreigner or ſtrangers with Force to invade this Realm, or any other his Majeſties Dominions or Countreys, being under his Majeſties Obeyſance: (8) And ſuch Compaſſings, Imaginations, Inventions, Devices or Intentions, or any of them, ſhall expreſs, utter or declare, by any Printing, Writing, Preaching, or malicious and adviſed Speaking, being legally convicted thereof upon the Oaths of two lawful and credible Witneſſes, upon trial, or otherwiſe convicted or attainted by due courſe of Law, then every ſuch perſon and perſons ſo as aforeſaid offending, ſhall be deemed, declared and adjudged to be Traytors, and ſhall ſuffer pains of death, and alſo loſe and forfeit as in caſes of High Treaſon.

Offences (during his Majeſties life) which diſable perſons to bear any Office.

Peerage.

Stat. 17 Car. 1. cap. 7.

The Parliament begun 3 of Nov. 1640. not in being.

Stat. 13 Car. 2. cap. 1.

No Legiſlative power in either or both Houſes of Parliament without the King.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons at any time after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and one, during his Majeſties Life, ſhall maliciouſly and adviſedly publiſh or affirm the King to be an Heretick or a Papiſt, or that he endeavours to introduce Popery, (2) or ſhall maliciouſly and adviſedly, by Writing, Printing, Preaching, or other ſpeaking, expreſs, publiſh, utter or declare any Words, Sentences, or other thing or things, to incite or ſtir up the people to hatred or diſlike of the Perſon of his Majeſty, or the eſtabliſhed Government, (3) then every ſuch perſon and perſons, being thereof legally convicted, ſhall be diſabled to have or enjoy, and is hereby diſabled and made incapable of having, holding, enjoying, or exerciſing any Place, Office, or Promotion Eccleſiaſtical, Civil or Military, or any other Imployment in Church or State, other then that of his Peerage, and ſhall likewiſe be liable to ſuch further and other puniſhments as by the Common Laws or Statutes of this Realm may be inflicted in ſuch caſes: (4) And to the end that no man hereafter may be miſled into any ſeditious or unquiet demeanor, out of an Opinion that the Parliament begun and held at Weſtminſter, upon the third day of November, in the year of our Lord, One thouſand ſix hundred and fourty, is yet in being, which is undoubtedly diſſolved and determined, and ſo is hereby declared and adjudged to be fully diſſolved and determined; (5) or out of an Opinion that there lies any Obligation upon him from any Oath, Covenant or Engagement whatſoever, to endeavour a change of Government, either in Church or State; (6) or out of an Opinion, that both Houſes of Parliament, or either of them, have a Legiſlative Power without the King, (7) All which Aſſertions have been ſeditiouſly maintained in ſome Pamphlets lately printed, and are dayly promoted by the Active Enemies of our Peace and Happineſs:

Premunire.

The Solemn League and Covenant unlawful and illegally impoſed.

III. Be it therefore further enacted by the authority aforeſaid, That if any perſon or perſons at any time after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and one, ſhall maliciouſly and adviſedly, by Writing, Printing, Preaching, or other ſpeaking, expreſs, publiſh, utter, declare or affirm, That the Parliament begun at Weſtminſter upon the Third day of November, in the year of our Lord, One thouſand ſix hundred and fourty, is not yet diſſolved, or is not determined, or that it ought to be in being, or hath yet any continuance or exiſtence, (2) or that there lies any Obligation upon him, or any other perſon, from any Oath, Covenant or Engagement whatſoever, to endeavour a change of Government, either in Church or State, (3) or that both Houſes of Parliament, or either Houſe of Parliament, have, or hath a Legiſlative Power without the King, or any other words to the ſame effect; (4) That then every ſuch perſon and perſons ſo as aforeſaid offending, ſhall incur the danger and penalty of a Premunire mentioned in a Statute made in the ſixteenth year of the Reign of King Richard the Second: (5) And it is hereby alſo declared, That the Oath uſually called the Solemn League and Covenant, was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the Fundamental Laws and Liberties of this Kingdom, (6) and that all Orders and Ordinances, or pretended Orders and Ordinances, of both or either Houſes of Parliament, for impoſing of Oaths, Covenants or Engagements, Levying of Taxes, or Raiſing of Forces and Arms, to which the Royal aſſent, either in perſon or by Commiſſion, was not expreſly had or given,

ven, were in the firſt creation and making, and ſtill are, and ſo ſhall be taken to be null and void to all intents and purpoſes whatſoever. (7) Provided nevertheleſs, That all and every perſon and perſons, Bodies politick and corporate, who have been, or ſhall at any time hereafter be queſtioned for any thing acted or done by colour of any the Orders or Ordinances herein before mentioned and declared to be null and void, and are Indempnified by an Act entituled, An Act of Free and General Pardon, Indempnity and Oblivion, made in the Twelfth year of his Majeſties Reign that now is, or ſhall be Indempnified by any Act of Parliament, ſhall and may make ſuch uſe of the ſaid Orders and Ordinances for their Indempnity according to the true intent and meaning of the ſaid Act, and no other, as he or they might have done if this Act had not been made; any thing in this Act contained to the contrary notwithſtanding.

Certain Orders and Ordinances of both or either Houſes of Parliament declared void. Proviſo, the ſaid Orders, &c. may be made uſe of according to the Act of Indempnity. St. 12 Car. 2. c. 11.

IV. Provided always, That no perſon be proſecuted for any of the Offences in this Act mentioned (other then ſuch as are made and declared to be High Treaſon) unleſs it be by Order of the Kings Majeſty, his Heirs or Succeſſors, under his or their Sign Manual or by Order of the Council Table of his Majeſty, his Heirs and Succeſſors, directed unto the Attorney General for the time being, or ſome other of the Council learned to his Majeſty, his Heirs and Succeſſors, for the time being; nor ſhall any perſon or perſons by virtue of this preſent Act incur any the penalties herein before mentioned, unleſs he or they be proſecuted within ſix months next after the Offence committed, and indicted thereupon within three months after ſuch proſecution; any thing herein contained to the contrary notwithſtanding.

No perſon to be proſecuted for any offences in this Act (other then Treaſon) unleſs by ſpecial order from his Majeſty: And within ſix months after the offence committed.

V. Provided always, and be it enacted, That no perſon or perſons ſhall be indicted, arraigned, condemned, convicted or attainted for any of the Treaſons or Offences aforeſaid, unleſs the ſame Offendor or Offendors be thereof accuſed by the Teſtimony and Depoſition of two lawful and credible Witneſſes upon Oath, (5) which Witneſſes at the time of the ſaid Offendor or Offendors arraignment, ſhall be brought in perſon before him or them face to face, and ſhall openly avow and maintain upon Oath, what they have to ſay againſt him or them concerning the Treaſon or Offences contained in the ſaid Indictment, unleſs the party or parties arraigned ſhall willingly without violence confeſs the ſame.

Treaſons and offences within this Act to be proved by two witneſſes viva voce.

VI. Provided likewiſe, and be it enacted, That this Act, or any thing therein contained, ſhall not extend to deprive either of the Houſes of Parliament, or any of their Members, of their juſt ancient Freedom and Priviledge of debating any Matters of Buſineſs which ſhall be propounded and debated in either of the ſaid Houſes, or at any Conferences or Committees of both or either of the ſaid Houſes of Parliament, or touching the repeal or alteration of any old, or preparing any new Laws, or the redreſſing any publick Grievance; but that the ſaid Members of either of the ſaid Houſes, and the Aſſiſtance of the Houſe of Peers, and every of them, ſhall have the ſame freedom of ſpeech, and all other Priviledges whatſoever, as they had before the making of this Act; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Proviſo for the Priviledge of Debates in Parliament, for repeal or alteration of Laws, or redreſſing publick Grievances.

VII. Provided always, and be it ordained and enacted, That no Peer of this Realm ſhall be tried for any Offence againſt this Act, but by his Peers; (2) and further, That every Peer who ſhall be convicted of any Offence againſt this Act, after ſuch conviction, be diſabled during his life to ſit in Parliament, unleſs his Majeſty ſhall graciouſly be pleaſed to pardon him: (3) And if his Majeſty ſhall grant his pardon to any Peer of this Realm, or Commoner convicted of any offence againſt this Act, after ſuch pardon granted, the Peer or Commoner ſo pardoned, ſhall be reſtored to all intents and purpoſes, as if he had never been convicted; Any thing in this Law to the contrary in any wiſe notwithſtanding.

Proviſo for Peerage and Peers.

CAP. II.

An Act for repeal of an Act of Parliament, entituled, An Act for diſ-enabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority.

Whereas at the Parliament begun at Weſtminſter, the Third day of November, in the Sixteenth year of the Reign of our late Sovereign Lord King Charles of bleſſed memory, ſince deceaſed, An Act of Parliament was made, entituled, An Act for diſ-enabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority, (2) Which Act hath made ſeveral alterations prejudicial to the Conſtitution and ancient Rights of Parliament, and contrary to the Laws of this Land, and is by experience found otherwiſe inconvenient; (3) Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, entituled, An Act for diſ-enabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority, and every clauſe, matter and thing therein contained, ſhall be, and is hereby from henceforth repealed, annulled, and made void to all intents and purpoſes whatſoever.

Stat. 17. Car. 2. cap. 27. Rep.

CAP. III.

An Act for the declaring, veſting, and ſetling of all ſuch Moneys, Goods, and other things, in his Majeſty, which were Received, Levied, or Collected in theſe late Times, and are remaining in the Hands or Poſſeſſion of any Treaſurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion.

Whereas divers Doubts have been made, whether or no the Moneys, Goods, Chattels, and other things excepted to be accounted for in the Act of Free and General Pardon, Indempnity and Oblivion, made and paſſed in the Parliament begun at Weſtminſter the Five and twentieth day of April, in the Twelfth year of your Majeſties Reign, do belong unto, and of right are in your Majeſty; for that the ſame were not levied, received, collected or taken by your Majeſties Authority, or to your Majeſties Uſe: For remedy, and clearing whereof, We the Lords and Commons aſſembled in Parliament, humbly beſeech your Majeſty, that it may be enacted, (2) and be it Declared, Enacted and Ordained by

Accountant.

the

Goods and moneys levied ſince the 30 of Jan. 1642. and not pardoned, are veſted in his Majeſty.

St. 12 Ca. 2. c. 11.

the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons aſſembled in Parliament, and by the authority thereof, That all and every ſum and ſums of Money, Goods, Plate, Jewels, Horſes, Arms, Ammunition, and other things whatſoever, levied, received or taken ſithence the Thirtieth of January, One thouſand ſix hundred fourty two, by any of the late pretended authorities, or by pretence or colour of any power or authority derived, or pretended to be derived from them or any of them, for any publick uſe, which are not pardoned by the ſaid Act, which are not otherwiſe veſted and ſetled in the Kings Majeſty, and all Bonds, Obligations and other Securities entred into for the ſame, or any part thereof, be and are hereby veſted and ſetled in the Kings Majeſty, his Heirs and Succeſſors, (3) and that his Sacred Majeſty, his Heirs and Succeſſors, may from time to time, and at all times hereafter, have, demand, ſue for, and recover the ſame of all and every perſon and perſons, their Heirs, Executors and Adminiſtrators who are accomptable for the ſame, or in whoſe hands or poſſeſſions ſoever the ſame were or are, as if the ſame had been levied, received, collected or taken in his Majeſties Name by Authority from his Majeſty, or to his Majeſties uſe; any Law or Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

The Revenues of the Churches in Wales.

II. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons which have received any the aforeſaid ſum or ſums of money from any Treaſurer and Receiver for any publick uſe, by way of Impreſt, to be accounted for, which are not pardoned or diſcharged by the aforeſaid Act, ſhall be liable to account, and called to account in ſuch manner and form, as if they had received the ſame out of his Majeſties Exchequer, or any other publick Treaſury; and particularly thoſe perſons that have received or collected the Revenues of any Churches or Vicarages in Wales, or in the County of Monmouth, ſince the year of our Lord, One thouſand ſix hundred fourty eight; Provided they have all due allowances in their accounts, as all ſuch perſons whoſe accounts are excepted in the Act of Oblivion, have or ought to have.

Commiſſions for diſcovery.

III. And to the end his Majeſty may be the better enabled to diſcover and ſue for all ſuch moneys, goods and other things inveſted in his Majeſty by this Act, It is further ordained and enacted by the authority aforeſaid, That his Majeſty, his Heirs and Succeſſors, ſhall and may from time to time iſſue forth ſuch and ſo many Commiſſions, to ſuch and ſo many perſons as his Majeſty ſhall think fit, either under the Great Seal of England, or the Seal of his Majeſties Exchequer, for the better diſcovering, levying, receiving and diſcharging the ſame.

Perſons accountable enabled to ſue for and levy all arrears.

Proviſo, none to be queſtioned but upon ſome proſecution begun before the 24 of June 1662

IV. And be it further enacted by the authority aforeſaid, That all perſons accountable to his Majeſty by this Act, ſhall have full power and authority, and are hereby enabled to ſue for, levy, and recover from the parties from whom the ſame was, and is due, and for which they are hereby accomptable, all ſums of money and arrears, in ſuch manner and form as they might have recovered and levied the ſame when they firſt grew due: (2) Provided this Act or any thing therein contained, ſhall not extend to call any perſon to account, or to queſtion any perſon for goods or other things remaining in his hands which ſhall not be called to account, or ſome Information againſt him either in the Exchequer, or Commiſſioners to be appointed as aforeſaid, before the Four and twentieth of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two; and that the ſaid Information be proſecuted with effect within twelve months after the exhibition thereof.

CAP. IV.

An Act for a free and voluntary Preſent to his Majeſty.

Proviſo, declaring no Commiſſions of this nature but by authority of Parliament.

AND be it hereby declared, That no Commiſſions or Aids of this nature can be iſſued out or levied, but by authority of Parliament; And that this Act and ſupply hereby granted, ſhall not be drawn into example for the time to come. 1 R. 3. cap. 2.

CAP. V.

An Act againſt Tumults and Diſorders, upon pretence of preparing or preſenting publick Petitions, or other Addreſſes to his Majeſty, or the Parliament.

Tumultuous and diſorderly preparing petitions, a great occaſion of the late Wars and Calamities.

WHereas it hath been found by ſad experience, That tumultuous and other diſorderly ſoliciting, and procuring of hands by private perſons to Petitions, Complaints, Remonſtrances and Declarations, and other Addreſſes to the King, or to both, or either Houſes of Parliament, for alteration of matters eſtabliſhed by Law, redreſs of pretended grievances in Church or State, or other publick concernments, have been made uſe of, to ſerve the ends of Factious and Seditious perſons gotten into power, to the violation of the publick Peace, and have been a great means of the late unhappy Wars, Confuſions and Calamities in this Nation; For preventing the like miſchiefs for the future,

No perſon after the 1. of Auguſt 1661. ſhall ſolicite or procure any petition, &c. for altering any eſtabliſhed law in Church or State.
Noy 101.
2 Cr. 37.
Moor. 755.
pl. 143.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords and Commons aſſembled in Parliament, and by the authority of the ſame, That no perſon or perſons whatſoever, ſhall from and after the firſt of Auguſt, One thouſand ſix hundred ſixty and one, Solicit, labour or procure the getting of Hands, or other Conſent of any perſons above the number of Twenty or more, to any Petition, Complaint, Remonſtrance, Declaration or other Addreſs to the King, or both, or either Houſes of Parliament, for alteration of matters eſtabliſhed by Law in Church or State, unleſs the matter thereof have been firſt conſented unto, and ordered by three or more Juſtices of the County, or by the major part of the Grand Jury of the County or diviſion of the County where the ſame matter ſhall ariſe, at their publick Aſſiſes, or general Quarter Seſſions, or if ariſing in London by the Lord Mayor, Aldermen and Commons in Common Council aſſembled; (2) And that no perſon or perſons whatſoever ſhall repair to his Majeſty, or both, or either of the Houſes of Parliament, upon pretence of preſenting, or delivering any Petition, Complaint, Remonſtrance or Declaration or other Addreſſes, accompanied with exceſſive number of people, not at any one time with above the number of ten perſons, upon pain of incurring a penalty not exceeding the ſum of One hundred pounds in money, and three months impriſonment without bail or mainprize for every offence, which offence to be proſecuted at the Court of Kings Bench, or at the Aſſiſes, or General Quarter Seſſions, within ſix months after the offence committed, and proved by two or more credible witneſſes.

III. Provided always, That this Act, or any thing therein contained, ſhall not be conſtrued to extend to debar or hinder any perſon or perſons, not exceeding the number of ten aforeſaid, to preſent any publick or private grievance or complaint to any Member or Members of Parliament after his Election, and during the continuance of the Parliament, or to the Kings Majeſty, for any remedy to be thereupon had; nor to extend to any addreſs whatſoever to his Majeſty, by all or any of the Members of both or either Houſes of Parliament, during the ſitting of Parliament, but that they may enjoy their freedom of acceſs to his Majeſty, as heretofore hath been uſed.

Proviſo.

CAP. VI.

An Act declaring the ſole right of the Militia to be in the King, and for the preſent ordering and diſpoſing the ſame.

FOraſmuch as within all his Majeſties Realms and Dominions, the ſole Supream Government, Command and Diſpoſition of the Militia, and of all Forces by Sea and Land, and of all Forts and places of ſtrength, is, and by the Laws of England ever was the undoubted Right of his Majeſty, and his Royal Predeceſſors, Kings and Queens of England; (2) And that both, or either of the Houſes of Parliament cannot, nor ought to pretend to the ſame; nor can, nor lawfully may ariſe, or levy any War Offenſive or Defenſive againſt his Majeſty, his Heirs or lawful Succeſſors; and yet the contrary thereof hath of late years been practiſed almoſt to the ruine and deſtruction of this Kingdom; (3) and during the late uſurped Governments, many evil and rebellious Principles have been diſtilled into the minds of the people of this Kingdom, which unleſs prevented, may break forth to the diſturbance of the Peace and Quiet thereof:

The Command of the Militia by Sea and Land, the undoubted right of his Majeſty. 3 Car. 1 p. 197. Sect. 10. N. 5.

II. And whereas an Act is under conſideration for exerciſing the Militia with moſt ſafety and eaſe to the King and his People, which Act cannot as yet be perfect, (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords and Commons aſſembled in Parliament, That the Militia and Land-forces of this Kingdom, and of the Dominion of Wales, or Town of Berwick upon Tweed, now under the power of Lieutenants or their Deputies, ſhall be exerciſed, ordered and managed till the Five and twentieth day of March next enſuing, in ſuch manner as the ſame now is actually exerciſed, ordered and mannaged, according to ſuch Commiſſions and Inſtructions as they formerly have, or from time to time ſhall receive from his Majeſty.

An Act under conſideration touching the Militia. 25 Ed. 3. St. 5. cap. 8.

III. And whereas ſince the Twenty fourth of June, One thouſand ſix hundred and ſixty, there have been Inſurrections, by occaſion whereof divers of his Majeſties good Subjects have been murthered; and for the ſecuring the Peace of the Nation, and preventing further diſorders, divers perſons ſuſpected to be Fanaticks, Sectaries or diſturbers of the Peace, have been aſſaulted, arreſted, detained or impriſoned, and divers Arms have been ſeiſed, and houſes ſearced for Arms, or ſuſpected perſons; (2) Be it therefore further enacted by the authority aforeſaid, That all and every perſon and perſons who have or ſhall have acted, or done any thing in execution of any Commiſſion or Commiſſions of Lieutenancy, iſſued by the Kings Majeſty that now is, or by colour of them, or any of them, or touching or concerning the ſame, or any of them, or relating thereunto, ſhall be and are hereby ſaved harmleſs and indempnified in this behalf: (3) And alſo all Magiſtrates, Juſtices of the Peace, Officers and Miniſters of Juſtice, and all perſons that have or ſhall have acted by or under them, or by their or any of their commands, ſince the ſaid Twenty fourth day of June, One thouſand ſix hundred and ſixty, until the twentieth day of July, One thouſand ſix hundred ſixty and one, as to any aſſaulting, arreſting, detaining or impriſoning any perſon ſuſpected to be Fanatick, Sectary or diſturber of the Peace, or ſeizing of Arms, or ſearching of houſes for Arms, or for ſuſpected perſons, ſhall be, and are hereby ſaved harmleſs, and indempnified in that behalf.

Perſons who have acted by commiſſion of Lieutenancy.

IV. Provided, That neither this Act, nor any thing therein contained, ſhall after the Five and twentieth of March next, be prejudicial to any County, City or place within this Kingdom, which are overcharged with Men and Arms beyond their ancient proportion.

Proviſo.

V. Provided, That neither this Act, nor any matter or thing therein contained, ſhall be deemed, conſtrued or taken to extend to the giving or declaring of any Power for the tranſporting of any the Subjects of this Realm, or any way compelling them to march out of this Kingdom otherwiſe then by the Laws of England ought to be done.

VI. Provided, That no perſon whatſoever ſhall be capable of Acting as a Lieutenant, or Deputy Lieutenant, or other Officer or Souldier, by virtue of this Act, who hath not already taken the Oaths of Allegiance and Supremacy, ſince the Return of his Majeſty into England, until he ſhall take the ſame according to the Laws and Statutes of this Kingdom: which Oaths the Lords of his Privy Council, or any ſix of them, are hereby impowred to adminiſter to any Peer of this Realm, who ſhall be Commiſſionated by virtue of this Act; and the Deputy Lieutenants, or any two of them, in their reſpective Counties, to any Commoner.
14 Car. 2. cap. 3. & 8. 15 Car. 2. cap 4 Stat. 3.

No perſon may be Lieutenant or Deputy-Lieutenant, that hath not taken the Oaths of Allegiance and Supremacy.

CAP. VII.

An Act for confirming Publick Acts.

WHereas during the late Difficulties and Exigencies of Affairs in the abſence of his moſt excellent Majeſty, and in reference to his Return from beyond the Seas into theſe his Majeſties Dominions, The Lords and Commons being aſſembled at Weſtminſter,

ſter, the five and twentieth day of April, in the twelfth year of his Majeſties Reign, were from thence, and after his Majeſties Return, continued until the nine and twentieth day of December then next following, and now laſt paſt, and then Diſſolved by his Majeſty: In which time ſeveral Acts were paſſed by his Majeſty, by and with the advice and conſent of the ſaid Lords and Commons aſſembled, as aforeſaid, which being of neceſſary uſe, are fit to be continued and confirmed, although the manner of the ſaid aſſembling, enforced by the difficulties and exigencies aforeſaid, which then lay upon the Nation, is not to be drawn into example; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the Acts made, or mentioned to be made by his ſaid Majeſty, by and with the advice or conſent of the Lords and Commons, upon or ſince the ſaid five and twentieth day of April, herein after particularly mentioned and expreſſed; That is to ſay, (3) One Act entituled, An Act of Free and General Pardon, Indemnity and Oblivion: (4) One other Act entituled, A Subſidy granted to the King, of Tunnage and Poundage, and other ſums of money payable upon Merchandiſe Exported and Imported: (5) One other Act entituled, An Act for continuing the Exciſe until the twentieth of Auguſt, One thouſand ſix hundred and ſixty: (6) One other Act entituled, An Act for continuing the Exciſe till the five and twentieth day of December, One thouſand ſix hundred and ſixty: (7) One other Act entituled, An Act for the ſpeedy proviſion of money, for Diſbanding and paying off the Forces of this Kingdom both by Land and Sea: (8) One other Act entituled, An Act for confirmation of Judicial Proceedings: (9) One other Act entituled, An Act for the ſpeedy Diſbanding of the Army and Gariſons of this Kingdom: (10) One other Act entituled, An Act for Supplying and Explaining certain Defects in an Act entituled, An Act for the ſpeedy proviſion of money for Diſbanding and paying off the Forces of this Kingdom both by Land and Sea: (11) One other Act entituled, An Act to prevent Frauds and Concealments of his Majeſties Cuſtoms and Subſidies: (12) One other Act entituled, An Act for raiſing Sevenſcore thouſand pounds for the compleat Diſbanding of the whole Army, and paying off ſome part of the Navy: (13) One other Act entituled, A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the increaſe of his Majeſties Revenue during his Life: (14) One other Act entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in capite, and by Knights Service and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof: (15) One other Act entituled, An Act for the better ordering the ſelling of Wines by retail, and for preventing abuſes in the mingling, corrupting and vitiating of Wines, and for ſetting and limiting the prices of the ſame, (16) One other Act entituled, An Act for the levying of the Arrears of the twelve months Aſſeſſment commencing the four and twentieth day of June, One thouſand ſix hundred fifty and nine; and the ſix months Aſſeſſment commencing the five and twentieth of December, One thouſand ſix hundred fifty and nine: (17) One other Act entituled, An Act for granting unto the Kings Majeſty Four hundred and twenty thouſand pounds, by an Aſſeſſment of Threeſcore and ten thouſand pounds by the month, for ſix months, for Diſbanding the remainder of the Army, and paying off the Navy: (18) One other Act, entituled, An Act for the further ſupplying and explaining certain Defects in an Act entituled, An Act for the ſpeedy proviſion of money for Diſbanding and paying off the Forces of this Kingdom both by Land and Sea: (19) One other Act entituled, An Act for the raiſing of Seventy thouſand pounds for the further Supply of his Majeſty: (20) One other Act entituled, An Act for the Attainder of ſeveral perſons guilty of the horrid Murder of his late Sacred Majeſty, King Charles the firſt: (21) One other Act entituled, An Act for erecting and eſtabliſhing a Poſt-Office: (22) One other Act entituled, An Act for putting in execution an Ordinance mentioned in this Act; (23) And all and every the Clauſes, Sentences and Articles in them, and every of them contained, ſhall be, and hereby are ratified and confirmed, and enacted and declared to have the full force and ſtrength of Acts of Parliament, according to the tenor and purport thereof, and ſo ſhall be adjudged, deemed and taken to all intents and purpoſes whatſoever, and as if the ſame had been made, declared and enacted by authority of this preſent Parliament.

Pardon. Stat. 12 Car. 2. cap. 11.
Taxes. Stat. 12. Car. 2. cap 4.
Taxes. Stat. 12 Car. 2. cap, 5.
Taxes. Stat. 12 Car. 2. cap. 8.
Taxes. Stat. 12 Car, 2. cap. 9.
Proceſs. Stat. 12 Car. 2. cap. 12.
War. Stat. 12 Car. 2. cap. 15.
Taxes. Stat. 12 Car. 2. cap. 10.
Merchants. Stat. 12 Car. 2. cap. 19.
Taxes. Stat. 12. Car. 2. cap 20.
Taxes. Stat. 12 Car, 2. cap. 23.
Tenants. Stat. 12 Car. 2. cap. 24.
Wines. Stat. 12 Car. 2. cap. 25.
Taxes. Stat. 12 Car. 2. cap. 26.
Taxes. Stat. 12 Car. 2. cap. 27.
Taxes. Stat. 12 Car. 2. cap. 28.
Taxes. Stat. 12. Car. 2. cap. 29.
Treaſon. Stat. 12 Car. 2. cap. 30.
Ways. Stat. 12 Car. 2. cap. 35.
Taxes. Stat. 12 Car. 2. cap. 2.

CAP. VIII.

An Act for providing neceſſary Carriages for his Majeſty in his Royal Progreſs and Removals.

Stat. 12 Car. 2. cap. 24. Sect. 13. N. 1.

Whereas by an Act of of Parliament in the Twelfth year of his Majeſties Reign, entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service, and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof, It was (amongſt other things) enacted for the reaſons and recompence therein expreſſed, That from thenceforth no perſon or perſons, by any Warrant, Commiſſion or Authority under the Great Seal or otherwiſe, by colour of buying, or making proviſion or purveyance for his Majeſty, or any Queen of England, for the time being, or of any the Children of any King, or Queen of England, that ſhall be, or for his, their, or any of their Houſhold, ſhall take any Cart, Carriage or other thing whatſoever of any of the Subjects of his Majeſty, his Heirs or Succeſſors, without the free and full conſent of the owner or owners thereof, had, and obtained without menace or enforcement, (2) nor ſhall ſummon, warn, take, uſe or require any the ſaid Subjects to furniſh or find any Horſes, Oxen or other Cattel, Carts, Ploughs, Wayns or other Carriages, for the uſe of his Majeſty, his Heirs or Succeſſors, or of any Queen of England, or of any Child or Children of any of the Kings or Queens of England for the time being, for the carrying the Goods of his Majeſty, his Heirs or Succeſſors, or the ſaid Queens, or Children of any of them, without ſuch full and free conſent, as aforeſaid, any Law Statute, Cuſtom or Uſage to the contrary notwithſtanding; (3) which Act may prove very prejudicial and inconvenient to the Kings Majeſty in his Royal Progreſſes upon his neceſſary occaſions to ſeveral parts of this Realm, in caſe any perſon or perſons ſhall obſtinately refuſe voluntarily to provide ſufficient Carriages for Royal Service at ordinary and uſual Rates for ſuch Carriages, as are paid by others of his Subjects in ſuch places, contrary to the true intent ane meaning of the ſaid Act.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That the Clerk, or chief Officer of his Majeſties Carriages, ſhall three days at leaſt before his Majeſties Arrival, by Warrant from the Green-Cloth, give notice in Writing to two or more of his Majeſties Juſtices of the Peace next adjoyning, to provide ſuch a number of Carts and Carriages from the places next adjacent, as his Majeſty ſhall have preſent uſe of, expreſſing the certainty of that number, as alſo the time and place, when and where the ſaid Carts and Carriages are to attend; which Carriages ſhall conſiſt of four able Horſes, or ſix Oxen, or four Oxen and two Horſes; for each of which Cart or Carriage, the reſpective owners ſhall receive Six pence for each mile they ſhall go laden: (2) And that in caſe any of his Majeſties Subjects of this Realm ſhall refuſe to provide and furniſh his Majeſty that now is, or his Queen that ſhall be, or his or her Houſhold, in their Progreſs or Removals, with ſuch ſufficient and neceſſary Carriages for their Wardrobe, and other Neceſſaries, for ready moneys tendred to them; or ſhall without juſt and reaſonable cauſe refuſe to make their appearance with ſuch ſufficient Carts and Carriages, as are before expreſt; that then upon due proof and conviction of ſuch neglect and refuſal, by the Oath of the Conſtable or other Officer, or two other credible Witneſſes, before the ſaid Juſtices of the Peace of the County, or Mayor, or other chief Officer of the City or Corporation where he or they inhabit, (which Oath they ſhall have power to adminiſter) the party ſo refuſing, ſhall for ſuch his refuſal and neglect forfeit the ſum of Fourty ſhillings to the Kings Majeſties uſe, to be forthwith levied by diſtreſs and ſale of his Goods and Chattels (rendring to the parties the overplus upon every ſuch ſale, if there ſhall be any) by Warrant from the ſaid Juſtices of the Peace, Mayor or other chief Officer.

Clerk or chief Officer of his Majeſties Carriages by Warrant from the Green-cloth to provide Carts, &c. for his Majeſties uſe.

Penalty for refuſing to furniſh his Majeſty.

III. Provided always, That no Horſes, Oxen, Cart, or Wayn, ſhall be enforced to travel above one days journey from the place where they receive their Lading, and that ready payment ſhall be made in hand for the ſaid Carriages at the place of Lading, without delay, according to the aforeſaid Rates: (2) And in caſe any Juſtice of the Peace, Mayor, chief Officer or Conſtable, ſhall take any Gift or Reward to ſpare any perſon or perſons from making ſuch Carriage, or ſhall injuriouſly charge or grieve any perſon through envy, hatred, or evil will, who ought not to make ſuch Carriage, or ſhall Impreſs more Carriages then he ſhall be directed from the Green-Cloth to do, That then upon due proof and conviction thereof, the party ſo offending ſhall forfeit the ſum of Ten pounds to the party thereby grieved, or any other who ſhall ſue for the ſame, to be recovered by Action of Debt in any of his Majeſties Courts of Record; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (3) And in caſe any perſon or perſons ſhall preſume to take upon him or them to Impreſs any Horſes, Oxen, Cart, Wayn or Carriages for his Majeſties Service, other then the perſon ſo impowred, then he or they ſo offending, ſhall upon due conviction of the ſaid offence, incur and ſuffer the puniſhment contained in the firſt recited Act.

No horſes or Carriages to travel above a days journey, nor without pay of ready money.

Penalty for wrongful charging any perſon.

IV. And whereas of late in his Majeſties Progreſſes, exceſſive Rates and Prices have been exacted from his Majeſties ſervants for lodging, horſe-meat, ſtable-room and other accommodations: (2) Be it therefore enacted by the authority aforeſaid, That none of his Majeſties ſaid Servants ſhall be compelled to pay above one ſhilling by the night for every bed that they ſhall uſe for themſelves, nor above ſix pence by the night for every bed that they ſhall uſe for their ſervants: (3) And that in all ſuch houſes where any of his Majeſties ſaid ſervants ſhall pay for their diet, or for hay and provender for their horſes, convenient lodging ſhall be provided for themſelves and their ſervants, without paying any thing for the ſame.

Rates for horſe-meat and diet for his Majeſties ſervants.

V. And be it further enacted by the authority aforeſaid, That any two or more of the Juſtices of the Peace near adjoyning to the Road through which his Majeſty is to paſs, ſhall immediately after notice in writing from the ſaid Green-Cloth, and Avenor, under their Hands and Seals ſet down and appoint ſuch reaſonable rates and prices to be paid during his Majeſties abode there, both for Hay and Oats, and other accommodations for Horſes, as they in their diſcretion ſhall think meet; which rates, one day at the leaſt before his Majeſties coming to ſuch place, the ſaid Juſtices ſhall cauſe to be proclaimed in the Market Town next to ſuch place, and in ſuch of the neighbouring Towns and Villages as to them ſhall ſeem meet, to the end that notice may be taken of ſuch rates and prices: (2) And if any perſon ſhall take any other ſum then what is, or ſhall be ſo limited, either for lodging, horſe-meat, ſtable-room, or other ſuch accommodations, and be thereof convicted by confeſſion of the party, or by the Oath of one credible Witneſs, before any one Juſtice of the Peace, (which Oath the ſaid Juſtice of the Peace is hereby authorized to adminiſter) That then in ſuch caſe every perſon ſo offending, ſhall forfeit and pay to the party grieved, the ſum of fourty ſhillings; the ſame to be levied by diſtreſs by Warrant from the ſaid Juſtice of the Peace, and ſale thereof, returning the overplus to the party (the charge of the diſtraining being firſt deducted;) (3) This Act to have continuance till the end of the firſt Seſſion of the next Parliament, and no longer.

Rates and prices to be ſet down by two Juſtices of the Peace.

Penalty for taking more then limited for lodging, &c.

CAP. IX.

An Act for the eſtabliſhing Articles and Orders for the regulating and better government of his Majeſties Navies, Ships of War, and Forces by Sea.

FOr the regulating and better government of his Majeſties Navies, Ships of War and Forces by Sea, wherein under the good providence and protection of God, the wealth, ſafety and ſtrength of this Kingdom is ſo much concerned, (2) Be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That all and every the Articles and Orders in this Act mentioned, ſhall be duly and reſpectively put in execution, obſerved and obeyed in manner hereafter mentioned.

Articles to be obſerved.

(3) That

The publick Worſhip of God.

(3) That all Commanders, Captains and Officers at Sea, ſhall cauſe the publick Worſhip of Almighty God according to the Liturgy of the Church of England, eſtabliſhed by Law, to be ſolemnly, orderly and reverently performed in their reſpective Ships: And that Prayers and Preachings by the reſpective Chaplains in holy Orders, of the reſpective Ships, be performed diligently; and that the Lords Day be obſerved according to Law.

II.

Swearing, Drunkenneſs, &c.

Every perſon and perſons in his Majeſties Pay, uſing unlawful and raſh Oaths, Curſings, Execrations, Drunkenneſs, Uncleanneſs, or other ſcandalous Actions, in derogation of Gods honour, and corruption of good manners, ſhall be puniſhed by Fine, Impriſonment or otherwiſe, as the Court-Martial ſhall think fit.

III.

Holding any Foreign Intelligence.

If any Officer, Mariner, Souldier or other perſon in the Fleet, ſhall give, hold or entertain Intelligence, to, or with any King, Prince or State, being Enemy to, or any perſons in Rebellion againſt his Majeſty, his Heirs and Succeſſors, without direction or leave from the Kings Majeſty, the Lord High Admiral, Vice-Admiral, or Commander in Chief of any Squadron, every ſuch perſon or perſons ſo offending, ſhall be puniſhed with death.

IV.

Letters or Meſſages from any Foreign Prince, &c. Enemy to the King.

If any Letter or Meſſage from any King, Foreign Prince, State or Potentate, being an Enemy to the Kings Majeſty, his Heirs and Succeſſors, or on their behalf, be conveyed to any inferiour Officer, Mariner or Souldier, or other in the Fleet, and the ſaid Officer, Mariner, Souldier, or other as aforeſaid, do not within twelve hours (having opportunity ſo to do) acquaint the Superiour Commander with it; or if a Superiour Officer, or Mariner, being acquainted therewith by an inferiour Officer, Mariner or other, or himſelf in his own perſon, receiving a Letter or Meſſage from any ſuch Enemy or Rebel, and ſhall not in convenient time reveal the ſame to the Admiral, Vice-Admiral, or the Commander of the Squadron, every ſuch perſon ſhall be puniſhed with death, or ſuch other puniſhment as the Court-Martial ſhall think fit.

V.

Relieving of any Enemy.

No perſon or perſons of the Fleet ſhall relieve an Enemy or Rebel in time of War, with Money, Victuals, Powder, Shot, Arms, Ammunition, or any other Supplies whatſoever, directly or indirectly, upon pain of death, or ſuch other puniſhment as the Court-Martial ſhall think fit to impoſe.

VI.

Papers, Charter-parties &c. taken in any Ship ſeized as Prize.

All the Papers, Charter-parties, Bills of Lading, Paſports, and other Writings whatſoever, that ſhall be taken, ſeiſed or found aboard any Ship or Ships which ſhall be ſurprized or ſeized as Prize, ſhall be duly preſerved, and not torn, nor made away, but the very Originals ſent up intirely, and without fraud, to the Court of Admiralty, or ſuch other Commiſſioners as ſhall be appointed for that purpoſe, there to be viewed, made uſe of, and poceeded upon according to law, upon pain or loſs of all the ſhares of the Takers, and ſuch further puniſhment to be inflicted upon the Offendors therein, as the quality of their offence and miſdemeanour ſhall be found to deſerve, and the Court-Martial ſhall impoſe.

VII.

Prize, Ships or Goods ſeized for Prize.

None in his Majeſties Pay ſhall take out of any Prize, or Ship, or Goods ſeized on for Prize, any Money, Plate Goods, Lading or Tackle, before Judgment thereof firſt paſt in the Admiralty Court, but the full and intire accompt of the whole, without imbezelment, ſhall be brought in, and Judgment paſt intirely upon the whole, without fraud, upon pain of ſuch puniſhment as ſhall be impoſed by a Court-Martial, or the Court of Admiralty; excepting That it ſhall be lawful for all Captains, Sea-men, Souldiers and others, ſerving as aforeſaid, to take and to have to themſelves as Pillage, without further or other accompt to be given for the ſame, all ſuch Goods and Merchandizes (other then Arms, Ammunition, Tackle, Furniture or Stores of Such Ship) as ſhall be found by them, or any of them in any Ship they ſhall take in fight or Prize) upon or above the Gun-deck of the ſaid Ship, and not otherwiſe.

VIII.

Imbezelling any Cables, Anchors, &c.

None ſhall imbezel, ſteal or take away any Cables, Anchors, Sails, or any of the Ships Furniture, or any the Powder, or Arms or Ammunition of the Ship, upon pain of death or other puniſhment as the quality of the offence ſhall be found by a Court-Martial to deſerve.

IX.

Foreign Ships taken as Prize not making reſiſtance,

If any Foreign Ship or Veſſel ſhall be taken as Prize, that ſhall not fight or make reſiſtance, that in that caſe, none of the Captains, Maſters or Mariners being Foreigners, ſhall be ſtripped of their Clothes, or in any ſort pillaged, beaten or evil intreated, upon pain, That the perſon or perſons ſo offending, ſhall forfeit double damages; but the ſaid Foreign Ships, and all the Goods ſo taken, ſhall be preſerved intire, to receive Judgment in the Admiralty Court, according to Right and Juſtice,

X.

The duty of Captains, &c. upon ſignal of fight.

Not to yield or cry for Quarter, &c.

Every Captain or Commander, who upon ſignal or order of fight, or view, or ſight of any Ships of the Enemy, Pirate or Rebel, or likelihood of Engagement, ſhall not put all things in the Ship in a fit poſture for fight, and ſhall not in his own perſon, and according to his place, hearten and encourage the inferiour Officers and common men to fight couragiouſly, and not to behave themſelves faintly, ſhall be caſhiered; And if he or they ſhall yield to the Enemy, Pirate or Rebels, or cry for Quarter, he or they ſo doing ſhall ſuffer the pains of death, or ſuch other puniſhment as the offence ſhall deſerve.

XI. Every

XI.

All Officers ſhall obſerve the Commands of the Admiral.

Every Captain, Commander, and other Officer, Sea-man or Souldier of any Ship, Frigot or Veſſel of War, ſhall duly obſerve the Commands of the Admiral, or other his Superiour or Commander of any Squadron, as well for the aſſailing or ſetting upon any Fleet, Squadron, or Ships of the Enemy, Pirate or Rebels, or joyning Battel with them, or making defence againſt them, as all other the Commands of the Admiral, or other his Superiour Commander, upon pain to ſuffer death or other puniſhment as the quality of his neglect or offence ſhall deſerve.

XII.

Officers that in time of fight ſhall withdraw or not fight.

Every Captain, and all other Officers, Mariners and Souldiers of every Ship, Frigot or Veſſel of War, that ſhall in time of any Fight or Engagement, withdraw or keep back, or not come into the Fight and Engage, and do his utmoſt to take, fire, kill and endamage the Enemy, Pirate, or Rebels, and aſſiſt and relieve all and every of his Majeſties Ships, ſhall for ſuch offence of Cowardize or diſaffection, be tryed and ſuffer pains of death, or other puniſhment, as the circumſtance of the offence ſhall deſerve, and the Court-Martial ſhall judge fit.

XIII.

Officers and Ships appointed for Convoy, their duty.

The Captains, Officers and Sea-men of all Ships, appointed for Convoy and Guard of Merchant Ships, or any other, ſhall diligently attend upon that Charge, without delay, according to their inſtructions in that behalf; and whoſoever ſhall be faulty therein, and ſhall not faithfully perform the ſame, and defend the Ships and Goods in their Convoy, without either diverting to other parts or occaſions, or refuſing or neglecting to fight in their defence, if they be ſet upon or aſſailed, or running away cowardly, and ſubmitting thoſe in their Convoy to hazard and peril, or ſhall demand and exact any money or other reward from any Merchant or Maſter, for Convoying of any ſuch Ships or other Veſſels belonging to his Majeſties Subjects, ſhall be condemned to make reparation of the damage to the Merchants, Owners and others, as the Court of Admiralty ſhall adjudge, and alſo be puniſhed criminally, according to the quality of their offences, be it by pains of death or other puniſhment, according as ſhall be adjudged fit by the Court-Martial.

Penalty for non-performance.

XIV.

The penalty for not chaſing an Enemy, or not relieving a Friend.

Whatſoever perſon or perſons, in or belonging to the Fleet, either through Cowardize, negligence or diſaffection, ſhall forbear to purſue the chaſe of any Enemy, or Pirate or Rebel beaten or flying, or ſhall not relieve or aſſiſt a known Friend in view, to the utmoſt of his power, ſhall be puniſhed with death, or otherwiſe, as a Court-Martial ſhall find fit.

XV.

Service commanded ſhall not be ſtopped or diſcouraged.

When at any time ſervice or action ſhall be commanded, no man ſhall preſume to ſtop or put backward, or diſcourage the ſaid ſervice and action, by pretence of Arrears of Wages, or upon any pretence of Wages whatſoever, upon pain of death.

XVI.

None ſhall betray their truſt, nor yield to the enemy.

All Sea-Captains, Officers and Sea-men, that ſhall betray their truſt, or turn to the Enemy, Pirate or Rebels, and either run away with their Ship or any Ordnance, Ammunition or Proviſion, to the weakening of the Service, or yield the ſame up to the Enemy, Pirate or Rebels, ſhall be puniſhed with death.

XVII.

Deſerting the Service, or running away.

All Sea-Captains, Officers or Mariners, that ſhall deſert the Services or their Employment in the Ships, or ſhall run away, or entice any others ſo to do, ſhall be puniſhed with death.

XVIII.

Spies.

All perſons whatſoever that ſhall come, or be found in the nature of Spies, to bring any ſeducing Letters or Meſſages from any Enemy or Rebel, or ſhall attempt or endeavour to corrupt any Captain, Officer, Mariner, or other of the Navy or Fleet, to betray his or their Truſt, and yield up any Ship or Ammunition, or turn to the Enemy or Rebel, ſhall be puniſhed with death.

XIX.

Sedition, mutiny.

No perſon in or belonging to the Fleet, ſhall utter any words of ſedition or mutiny, nor make or endeavour to make any mutinous Aſſemblies upon any pretence whatſoever, upon pain of death.

XX

Concealers of trayterous or mutinous practices or words.

No perſon in or belonging to the Fleet, ſhall conceal any trayterous or mutinous practices, deſigns or words, or any words ſpoken by any to the prejudice of his Majeſty or Government, or any words, practices or deſigns tending to the hindrance of the Service, but ſhall forthwith reveal them to his Superiour, that a meet proceeding may be had thereupon, upon pain of ſuch puniſhment as a Court-Martial ſhall find to be juſt.

XXI.

Quarrelling or ſtriking a ſuperiour Officer.

None ſhall preſume to quarrel with his Superiour Officer, upon pain of ſevere puniſhment, nor to ſtrike any ſuch perſon upon pain of death, or otherwiſe, as a Court-Martial ſhall find the matter to deſerve.

XXII.

Unwholſomneſs of Victuals.

If any of the Fleet find cauſe of complaint of the unwholſomneſs of his Victuals, or upon other juſt ground, he ſhall quietly make the ſame known to his Superiour or Captain, or Commander in Chief, as the occaſion may deſerve, that ſuch preſent remedy may be had as the matter may require, and the ſaid Superiour or Commander is to cauſe the ſame to be preſently remedied accordingly; but no perſon upon any ſuch or other pretence, ſhall privately attempt to ſtir up any diſturbance, upon pain of ſuch ſevere puniſhment as a Court-Martial ſhall find meet to inflict.

XXIII.

Quarrelling or provoking ſpeeches.

None ſhall quarrel or fight in the Ship, or uſe reprochful or provoking Speeches tending to make any quarrel or diſturbance, upon pain of Impriſonment, and ſuch other puniſhment as the offence ſhall deſerve, and the Court-Martial ſhall impoſe.

XXIV.

Waſteful expence of Ammunition.

That there be no waſtful expence of any Powder, Shot, Ammunition, or other Stores in the Fleet, nor any imbezlement thereof, but that the Stores and Proviſions be carefully preſerved, upon ſuch penalties by Fine, Impriſonment, or otherwiſe, upon the Offenders, Abetters, Buyers and Receivers, as ſhall be by a Court-Martial found juſt in that behalf.

XXV.

Care of conducting and ſteering ſhips.

That care be taken in the Conducting and Steering of the Ships, that through the wilfulneſs, negligence, or other defaults, none of his Majeſties Ships be ſtranded or run upon any Rocks or Sands, or ſplit, or hazarded, upon pain that ſuch as ſhall be found guilty therein be puniſhed by fine, impriſonment, or otherwiſe, as the offence by a Court-Martial ſhall be adjudged to deſerve.

XXVI.

Burning a Ship.

All perſons that ſhall willingly burn or ſet fire on any Ship, or Magazine, or Store of Powder, or Ship, Boat, Ketch, Hoy or Veſſel, or Tackle or Furniture thereto belonging, not appertaining to an Enemy or Rebel, ſhall be puniſhed with death.

XXVII.

Sleeping upon Watch.

No man in, or belonging to the Fleet, ſhall ſleep upon his Watch, or negligently perform the Duty impoſed on him, or forſake his Station upon pain of death, or other puniſhment, as the circumſtances of the caſe ſhall require.

XXVIII.

Murthers.

All Murthers and wilfull Killing of any perſon in the Ship ſhall be puniſhed with death.

XXIX.

Robber and Theft.

All Robbery and Theft committed by any perſon in or belonging to the Fleet, ſhall be puniſhed with death, or otherwiſe, as the Court-Martial upon conſideration of Circumſtances ſhall find meet.

XXX.

Provoſt-Martial Priſoners.

No Provoſt-Martial belonging to the Fleet, ſhall refuſe to receive or keep any Priſoner committed to his charge, nor ſuffer him to eſcape, being once in his Cuſtody, nor diſmiſs him without Order, upon pain of being liable to the ſame puniſhment which ſhould have been inflicted upon the party diſmiſſed, or permitted to eſcape, or ſuch other puniſhment as the Court-Martial ſhall think fit.

XXXI.

Apprehending offendors.

All Captains, Officers, and Sea-men, ſhall do their endeavours to detect, apprehend, and bring to puniſhment all Offenders, and ſhall aſſiſt the Officers appointed for that purpoſe therein, upon pain to be proceeded againſt, and puniſhed by the Court-Martial at diſcretion.

XXXII.

Sodomy.

If any perſon or perſons in or belonging to the Fleet, ſhall commit the unnatural and deteſtable Sin of Buggery or Sodomy with Man or Beaſt, he ſhall be puniſhed with death without mercy.

XXXIII.

Miſdemeanors, and Diſorders at Sea.

All other Faults, Miſdemeanors, and Diſorders committed at Sea, not mentioned in this Act ſhall be puniſhed according to the Laws and Cuſtoms in ſuch caſes uſed at Sea.

XXXIV.

The Lord High Admirals power to grant Commiſſions to call Court-Martials.

And it is hereby further enacted, That the Lord High Admiral for the time being, ſhall by virtue of this Act have full power and authority to grant Commiſſions to inferiour Vice-Admirals, or Commanders in Chief of any Squadron of Ships, to call and aſſemble Court-Martials, Conſiſting of Commanders and Captains; (2) and no Court-Martial where the pains of death ſhall be inflicted, ſhall conſiſt of leſs then five Captains at leaſt, the Admirals Lieutenant to be as to this purpoſe eſteemed as a Captain; (3) and in no caſe wherein Sentence of death ſhall paſs by virtue of the Articles aforeſaid, or any of them (except in caſe of Mutiny) there ſhall be execution of ſuch Sentence of death, without the leave of the Lord High Admiral, if the offence be committed within the Narrow Seas: But in caſe any of the offences aforeſaid be committed in any Voyage beyond the Narrow Seas, whereupon Sentence of death ſhall be given in purſuance of the aforeſaid Articles, or any of them; then execution ſhall not be done but by order of the Commander in Chief of that Fleet or Squadron wherein Sentence of death was paſſed.

XXXV.

Judge-Advocate of any Fleet to adminiſter an Oath for trial of offences. Court Martia.

And be it further enacted and declared, That the Judge-Advocate of any Fleet, for the time being, ſhall have full power and authority to adminiſter an Oath to any perſon or Witneſs in order to the Examination or Tryal of any of the offences aforeſaid; and in the abſence of a Judge-Advocate, the Court-Martial ſhall have full power and authority to appoint any perſon to adminiſter an Oath to the purpoſe aforeſaid.

XXXVI.

Proviſo touching the powers of the Lord Admiral

Provided alſo, and be it further enacted by the authority aforeſaid, That this Act, or any thing or things therein contained, ſhall not in any manner of wiſe extend to give unto the Lord Admiral of England for the time being, or to any his Vice-Admirals, Judge or Judges of the Admiralty, his or their Deputy or Deputies, or to any other the Officers or Miniſters of the Admiralty, or to any others having or claiming any Admiral Power, Juriſdiction or Authority within this Realm and Wales, or any other the Kings Dominions, any other power, right, juriſdiction, preheminence, or authority, then he or they or any of them, lawfully have, hath, or had, or ought to have and enjoy before the making of this Act, other then for ſuch of the offences ſpecified in the ſeveral Articles contained in this Act, as hereafter ſhall be done upon the main Sea, or in Ships or Veſſels being and Hovering in the main Stream of great Rivers, only beneath the Bridges of the ſame Rivers, nigh to the Sea, within the Juriſdiction of the Admiralty, and in none other places whatſoever, and committed only by ſuch perſons as ſhall be in actual Service and Pay in his Majeſties Fleet, or Ships of War.

CAP. X.

An Act to prevent the unlawful Courſing, Hunting, or Killing of Deer.

FOr the better preventing of the unlawful Courſing, Hunting, Taking, or Killing of Deer, by any idle, looſe, and diſorderly perſons, (2) Be it enacted by the Kings moſt excellent Majeſty, and by the advice and conſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall from and after the firſt day of Auguſt next, unlawfully courſe, kill, hurt or take away, any Red or Fallow Deer, in any Foreſt, Chaſe, Purliew, Paddock, Wood, Park or other Ground where Deer are, or have been uſually kept within the Realm of England, or Dominion of Wales, without the conſent of the Owner, or perſon chiefly entruſted with the cuſtody thereof, or ſhall be aiding or aſſiſting therein and ſhall be convicted thereof, by the confeſſion of the party, or by the Oath of one or more credible Witneſſes, before one or more Juſtices of the Peace, (who are hereby impowred to adminiſter an Oath to that purpoſe) ſuch perſon being proſecuted for ſuch offence within ſix months after ſuch offence done; that then every perſon ſo offending, ſhall forfeit for every ſuch offence, the ſum of Twenty pounds, (3) to be levied by the way of Diſtreſs upon the Goods and Chattels of every ſuch Offender by Warrant under the Juſtices hand before whom ſuch conviction ſhall be made; (4) the one moiety of the ſaid Twenty pounds to be given to the Informer, and the other moity to the Owner of the Deer (5) and for want of ſufficient Diſtreſs, the Offender ſhall be committed to the Houſe of Correction for ſix months, and there to be put to hard labour, or to the common Goal for one whole year, without Bail or Mainprize, at the diſcretion of the Juſtices of the Peace before whom ſuch conviction ſhall be (and not to be diſcharged from thence till he or they have given ſufficient Sureties for their good behaviour, for one whole year next enſuing after his or their enlargement) (6) Provided, That where any Offender ſhall be puniſhed by force of this Act, that he ſhall not be proſecuted, nor incur the penalty of any other Law or Statute for the ſame offence. 19 H. 7. cap. 12. 3 Jac. cap. 13. 7 Jac. cap. 13.

Unlawful hunting or killing of Deer.

The Penalty.

CAP. XI.

An Act for Confirming of Three Acts therein mentioned

BE it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſeveral Acts herein after mentioned, made, or mentioned to be made upon or ſince the twenty fifth day of April, in the Twelfth year of his ſaid Majeſties Reign, by his ſaid Majeſty, by and with the advice and conſent of the Lords and Commons aſſembled at Weſtminſter upon the ſaid twenty fifth of April, and there continued until the twenty ninth day of December then next following, and then diſſolved; which ſaid Acts are herein after particularly mentioned and expreſſed by the ſeveral and reſpective Titles following; That is to ſay, (2) One Act entituled, An Act for the raiſing of Seventy thouſand pounds for the further Supply of his Majeſty: (3) And one other Act entituled, An Act for the Confirmation of Marriages; (4) And one other Act entituled, An Act for a perpetual Anniverſary Thankſgiving on the twenty ninth day of May, (5) and all and every the Clauſes, Sentences and Articles in them, and every of them contained, ſhall be, and hereby are Ratified and Confirmed, and enacted and declared, to have the full force and ſtrength of Acts of Parliament, according to the tenour and purport hereof, and ſo ſhall be adjudged, deemed and taken to all intents and purpoſes whatſoever, and as if the ſame had been made, declared, and enacted by authority of this preſent Parliament.

Taxes. Stat. 12. Car. 2. cap. 29.

Marriages. Stat. 12 Car. 2. cap. 33

Religion. Stat. 12 Car. 2. cap. 14.

CAP. XII.

An Act for explanation of a Clauſe contained in an Act of Parliament made in the Seventeenth year of the late King CHARLES, Entituled, An Act for Repeal of a Branch of a Statute Primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical.

WHereas in an Act of Parliament made in the ſeventeenth year of the late King Charles, entituled, An Act for Repeal of a Branch of a Statute Primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical, it is (amongſt other things) enacted, That no Archbiſhop, Biſhop, nor Vicar-General, nor any Chancellor, nor Commiſſary of any Archbiſhop, Biſhop, or Vicar-General, nor any Ordinary whatſoever, nor any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter of Juſtice, nor any other perſon or perſons whatſoever exerciſing Spiritual or Eccleſiaſtical Power, Authority, or Juriſdiction, by any Grant Licence or Commiſſion of the Kings Majeſty, his Heirs or Succeſſors, or by any Power or Authority derived from the King, his Heirs or Succeſſors, or otherwiſe, ſhall (from and after the firſt day of Auguſt, which then ſhould be in the year of our Lord God, One thouſand ſix hundred fourty one) award, impoſe, or Inflict any pain, penalty, fine amerciament, impriſonment, or other corporal puniſhment upon any of the Kings Subjects, for any contempt, miſdemeanour, crime, offence, matter or thing whatſoever, belonging to Spiritual or Eccleſiaſtical Cognizance or Juriſdiction, (2) whereupon ſome doubt hath been made, that all ordinary power of Coertion and proceedings in Cauſes Eccleſiaſtical were taken away, whereby the ordinary Courſe of Juſtice in Cauſes Eccleſiaſtical hath been obſtructed: (3) Be it therefore declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That neither the ſaid Act, nor any thing therein contained, doth, or ſhall take away any ordinary power or authority from any of the ſaid Archbiſhops, Biſhops, or any other perſon or perſons named as

Stat. 17 Car. cap. 11.

The Ordinary power of Archbiſhops, &c. not taken away

May uſe Eccleſiaſtical Juriſdiction.

aforeſaid, but that they and every of them, exerciſing Eccleſiaſtical Juriſdiction, may proceed, determine, ſentence, execute and exerciſe all manner of Eccleſiaſtical Juriſdiction, and all Cenſures and Coertions appertaining and belonging to the ſame before the making of the Act before recited, in all cauſes and matters belonging to Eccleſiaſtical Juriſdiction according to the Kings Majeſties Eccleſiaſtical Laws uſed and practiſed in this Realm, in as ample manner and form as they did, and might lawfully have done before the making of the ſaid Act.

The Stat. 17 Car. 1. cap. 11. Repealed as to all, except what concerns the High Commiſſion Court.

II. And be it further enacted by the authority aforeſaid, That the afore recited Act of Decimo ſeptimo Caroli, and all the Matters and Clauſes therein contained (excepting what concerns the High Commiſſion Court, or the new erection of ſome ſuch like Court by Commiſſion) ſhall be and is hereby repealed, to all intents and purpoſes whatſoever; Any thing, clauſe or ſentence in the ſaid Act contained to the contrary notwithſtanding.

Proviſo.

III. Provided always, and it is hereby enacted, That neither this Act, nor any thing herein contained, ſhall extend or be conſtrued to revive, or give force to the ſaid Branch of the ſaid Statute made in the ſaid firſt year of the Reign of the ſaid late Queen Elizabeth, mentioned in the ſaid Act of Parliament made in the ſaid ſeventeenth year of the Reign of the ſaid King Charles, but that the ſaid Branch of the ſaid Statute made in the ſaid firſt year of the Reign of the ſaid late Queen Elizabeth, ſhall ſtand and be repealed in ſuch ſort as if this Act had never been made.

Proviſo touching the Oath Ex Officio.

IV. Provided alſo, and it is hereby further enacted, That it ſhall not be lawful for any Archbiſhop, Biſhop, Vicar-General, Chancellor, Commiſſary, or any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter, or any other perſon having or exerciſing Spiritual or Ecleſiaſtical Juriſdiction, to tender or adminiſter unto any perſon whatſoever, the Oath uſually called the Oath Ex Officio, or any other Oath whereby ſuch perſon to whom the ſame is tendred or adminiſtred, may be charged or compelled to confeſs, or accuſe, or to purge him, of her ſelf of any criminal matter or thing, whereby he or ſhe may be liable to cenſure or puniſhment; Any thing in this Statute, or any other Law, Cuſtom or Uſage heretofore to the contrary hereof in any wiſe notwithſtanding.

Proviſo not to give any other Juriſdiction to any Archbiſhop, &c. then they had by Law before the year 1639. The Kings Supremacy in Eccleſiaſtical matters. Canons Eccleſiaſtical.

V. Provided always, That this Act or any thing therein contained, ſhall not extend or be conſtrued to extend to give unto any Archbiſhop, Biſhop, or any other Spiritual or Eccleſiaſtical Jukge, Officer, or other perſon or perſons aforeſaid, any power or authority to exerciſe, execute, inflict, or determine any Eccleſiaſtical Juriſdiction, Cenſure, or Coertion, which they might not by Law have done before the year of our Lord 1639, (2) nor to abridge or diminiſh the Kings Majeſties Supremacy in Eccleſiaſtical matters and affairs, nor to confirm the Canons made in the year 1640, nor any of them, nor any other Eccleſiaſtical Laws or Canons not formerly confirmed, allowed, or enacted by Parliament, or by the eſtabliſhed Laws of the Land as they ſtood in the year of our Lord 1639.

CAP. XIII.

An Act for veſting the Arrears of the Exciſe and new Impoſt in his Majeſty.

All moneys owing upon Exciſe by any Laws or Ordinances, veſted in his Majeſty.

BE it declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons aſſembled in Parliament, and by the authority thereof, That all and every ſum and ſums of money, any ways due, or owing from, or by any perſon or perſons whatſoever, for or touching the Impoſition or Duty called the Exciſe, heretofore impoſed and made payable upon Beer, Ale, or any other Commodities, by any Laws, or pretended Laws or Ordinances; and all Debts therefore owing, whether by Obligation or upon Accompt from Farmers of Exciſe, or any other perſon or perſons whatſoever, or any of their Securities, and not pardoned by his Majeſties moſt Gracious Act of Pardon and Oblivion, be, and are hereby veſted and ſetled in the Kings Majeſty, his Heirs and Succeſſors, (2) and that his Sacred Majeſty, his Heirs and Succeſſors, may from time to time, and at all times hereafter, have, demand, ſue for, and recover the ſame of all and every perſon and perſons, their Heirs, Executors and Adminiſtrators, having Aſſets, who are any way accomptable for the ſame, or any part thereof, and from his and their reſpective Sureties and Securities, as if the ſame Duties of Exciſe had been lawfully Aſſeſſed, Impoſed, and Collected, and as if the ſeveral pretended Acts, Orders and Ordinances, Aſſeſſing and Impoſing the ſame, had been good, true, legal and effectual Acts of Parliament, and had in expreſs words given and granted all and every the ſaid Duties of Exciſe or new Impoſt, unto his Majeſty, and as if the Obligation and Recognizances entred into by the reſpective Sureties and Securities had, at the time of entring into the ſame, been taken in his Majeſties Name, according to the form preſcribed in the Statute made in the Three and Thirtieth year of the Reign of King Henry the Eighth.

33 H. 8. cap. 39.

Proviſo, for Allowances, Stat. 12. Car. 2. cap. 11.

II. Provided always, That all and every perſon and perſons accomptable by virtue of this Act, ſhall have all ſuch due allowance in his or their accompts, and all ſuch perſons whoſe Accompts are excepted in an Act, Intituled, An Act of Free and General Pardon, Indempnity and Oblivion, have, or ought to have.

Proviſo, no perſon to be queſtioned, unleſs he be ſued before the 25 of December. 1662.

II. Provided always, That no perſon ſhall be queſtioned or moleſted for any of the Duties herein, or hereby veſted in his Majeſty, unleſs he ſhall be ſued or proſecuted with effect before the Five and twentieth day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two.

All perſons accomptable ſhall have authority to levy and recover all Arrears.

IV. Provided alſo, and be it enacted by the authority aforeſaid, That all perſons accomptable to his Majeſty by this Act, ſhall have power and authority, and are hereby enabled to ſue for, levy, and recover from any perſon and perſons who do ſtand indebted unto them in any ſum of money for the Duty or Impoſt of Exciſe, for which they are hereby accomptable, all ſums of money and Arrears unſatisfied, in as full and ample manner and form as they might have received and levied the ſame when they firſt grew due.

C A P. XIV.

An Act for confirming an Act Entituled, An Act for encouraging and Increaſing of Shipping and Navigation, and ſeveral other Acts both Publick and Private mentioned therein.

Whereas during the late difficulties and exigencies of Affairs in the abſence of his moſt excellent Majeſty, and in reference to his Return from beyond the Seas into theſe his Majeſties Dominions, The Lords and Commons being aſſembled at Weſtminſter the five and twentieth day of April, in the twelfth year of his Majeſties Reign, were from thence, and after his Majeſties return, continued until the nine and twentieth day of December then next following, and now laſt paſt, and then Diſſolved by his Majeſty; in which time ſeveral Acts were paſſed by his Majeſty, by and with the advice and conſent of the ſaid Lords and Commons aſſembled as aforeſaid, which being of neceſſary uſe, are fit to be continued and confirmed, although the manner of the ſaid aſſembling, enforced by the difficulties and exigencies aforeſaid, which then lay upon the Nation, is not to be drawn into example:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the Acts made or mentioned to be made by his ſaid Majeſty, by and with the advice or conſent of the Lords and Commons, upon or ſince the five and twentieth day of April, herein after particularly mentioned and expreſſed (that is to ſay) (2) One Act entituled, An Act for the encouraging and increaſing of Shipping and Navigation; (3) One other Act entituled, An Act for prohibiting the Exportation of Wooll, Woollfells, Fullers earth, or any kind of ſcowring earth; (4) One other Act entituled, An Act impowring the Maſter of the Rolls for the time being, to make Leaſes for years, in order to new build the old houſes belonging to the Rolls; (5) One other Act entituled, An Act for prohibiting the Planting, Setting or Sowing of Tovacco in England and Ireland; (6) One other Act entituled, An Act for reſtraining the taking of exceſſive Uſury; (7) One other Act entituled, An Act for the preſent nominating of Commiſſioners of Sewers; (8) One other Act entituled, An Act for the Incorporating of the Maſter and Wardens of the Company of Haberdaſhers, London, to be Governors of the Free-Schooll & Alms-houſes in Newport in the County of Salop, of the Foundation of William Adams, and for ſetting of Lands and Poſſeſſions on them for maintenance thereof, and other charitable Uſes; (9) And all and every the Clauſes, Sentences and Articles, in them and every of them contained, ſhall be, and hereby are ratified and confirmed, and enacted and declared to have the full force and ſtrength of Acts of Parliament, according to the tenor and purport thereof, and ſo ſhall be adjudged, deemed and taken, to all intents and purpoſes whatſoever, and as if the ſame had been made, declared and enacted by authority of this preſent Parliament.

Merchants. Stat. 12. Car. 2. cap. 18.
Merchants. Stat. 12. Car. 2. cap. 32.
Leaſes. Stat. 12. Car. 2. cap 36.
Husbandry. Stat. 12 Car. 2. cap 34.
Uſury. Stat. 12 Car. 2. cap. 13.
Sewers. Stat. 12. Car. 2. cap. 6.
Poor.

C A P. XV.

An Act declaring the pains, penalties and forfeitures impoſed upon the Eſtates and Perſons of certain notorious Offenders, Excepted out of the Act of Free and General Pardon, Indempnity, and Oblivion.

Whereas in a certain Act paſſed in the late Aſſembly held at Weſtminſter, in the Twelfth year of his Majeſties Reign, and confirmed by the authority of this preſent Parliament, entituled, An Act of Free and General Pardon, Indempnity and Oblivion, (amongſt other things) it is provided, That nothing therein contained ſhould extend to diſcharge the lands, tenements, goods, chattels, rights, truſts, and other the hreditaments late of Iſaac Ewer deceaſed, Sir John Danvers deceaſed, Sir Thomas Maleverer Baronet deceaſed, William Purefoy deceaſed, John Blakiſton deceaſed, Sir William Conſtable Baronet deceaſed, Richard Dean deceaſed, Francis Alleyn deceaſed, Peregrine Pelham deceaſed, John Moore deceaſed, John Aldred, alias Alured deceaſed, Humphry Edwards deceaſed, Sir Gregory Norton Baronet deceaſed, John Venn deceaſed, Thomas Andrews Alderman deceaſed, Anthony Stapley deceaſed, Thomas Horton deceaſed, John Fry deceaſed, Thomas Hammond deceaſed, and Sir John Bourchier deceaſed, of and from ſuch pains, penalties and forfeitures, as by one other Act of Parliament intended to be afterwards paſſed for that purpoſe, ſhould be expreſſed and declared: All which perſons before mentioned, were (whilſt they lived) notoriouſly known to have been wicked and active Inſtruments in the proſecution and compaſſing of that Horrid and Execrable Treaſon, the Murther of our late Sovereign Lord King Charles the Firſt, of ever bleſſed memory: (2) And whereas William Lord Mounſon, James Challoner, Sir Henry Mildmay, Sir James Harrington, John Phelps, and Robert Wallop, who in the month of January, One thouſand ſix hundred forty eight, did act and ſit in that Traiterous aſſembly which proceeded againſt the Perſon and Life of our ſaid late Sovereign Lord King Charles the Firſt; and Sir Arthur Haſlerig, who in his life did commit many horrid and Traiterous Crimes againſt the Perſon, Crown and Dignity of his late Majeſty of glorious memory, and his Majeſty that now is, are all of them excepted out of the ſaid Act, and reſerved to future pains, penalties and forfeitures, not extending to life; ſince the paſſing of which Act, ſo as aforeſaid, confirmed, Sir Arthur Haſlerig and James Challoner died, and no Act hath yet paſſed for the inflicting of due pains, penalties and forfeitures upon the Perſons and Eſtates of the Offenders aforeſaid:

Stat. 12 Car. 2. cap. 11. Sect. 38.
The lands and tenements of the perſons deceaſed not diſcharged by the Act of General Pardon.

II. We therefore the Lords and Commons in Parliament aſſembled, do beſeech your Majeſty, That it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every the Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Annuities, and all other the Hereditaments, Leaſes for years, Chattels Real, and other things of what nature ſoever they be, of them the ſaid Iſaac Ewer, Sir John Danvers, Sir Thomas Maleverer, William Purefoy, John Blakiſton, Sir William Conſtable,

The manors lands, &c of the perſons named

Of which they were ſeized the 25 of March, 1646. or ſince, forfeited and veſted in his Majeſty.

The Goods, Debts, and Chattels of which the perſons named were poſſeſſed at the time of their death, forfeited to his Majeſty.

The Goods, &c. of which William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, John Phelps, and Robert Wallop, were poſſeſſed the 11 of February, 1659. forfeited and veſted in his Majeſty.

Richard Dean, Francis Aleyn, Peregrine Pelham, John Moore, John Aldred, alias Alured, Humphry Edwards, Sir Gregory Norton, John Venn, Thomas Andrews, Anthony Stapley, Thomas Horton, John Fry, Thomas Hammond, Sir John Bourchier, William Lord Mounſon, James Challoner, Sir Henry Mildway, Sir James Harrington, John Phelps, Robert Wallop, and Sir Arthur Haſlerig, which they or any of them, or any other perſon or perſons to their, or any of their uſes, or in truſt for them, or any of them, had the five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred forty and ſix, or at any time ſince, ſhall ſtand and be forfeited unto your Majeſty, your Heirs and Succeſſors, and ſhall be deemed, veſted and adjudged to be in the actual and real poſſeſſion of your Majeſty, without any Office or Inquiſition thereof hereafter to be taken or found; (3) And alſo that all and every the goods, debts, and other the chattels perſonal whatſoever, of them the ſaid Iſaac Ewer, Sir John Danvers, Sir Thomas Maleverer, William Purefoy, John Blakiſton, Sir William Conſtable, Richard Dean, Francis Aleyn, Peregrine Pelham, John Moore, John Aldred, alias Alured, Humphrey Edwards, Sir George Norton, John Venn, Thomas Andrews, Anthony Stapley, Thomas Horton, John Fry, Thomas Hammond, Sir John Bourchier, James Challoner, and Sir Arthur Haſlerig, whereof they or any of them, at the time of their reſpective deaths, or any other in Truſt for them, or any of them, ſtood poſſeſſed or intereſted in Law or Equity; (4) and all the goods, debts, and other the chattels perſonal whatſoever, of them the ſaid William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, John Phelps, Robert Wallop, whereof upon the eleventh day of February, in the year of our Lord, One thouſand ſix hundred fifty and nine, they, or any of them, or any other in Truſt for them, or any of them, ſtood poſſeſſed either in Law or Equity, ſhall be deemed and adjudged to be forfeited, and are hereby veſted and put into actual and real poſſeſſion of your Majeſty without any further Office or Inquiſition thereof hereafter to be taken or found.

Proviſo for conveyances, and aſſurances, &c. made bona fide before the 29 of September.

Conveyances and Aſſurances, made before the 25 of April, 1660.

So as they be enrolled in the Exchequer before the firſt of Jan. 1662.

II. Provided always, and be it enacted by the authority aforeſaid, That no Conveyance, Aſſurance, Grant, Bargain, Sale, Charge, Leaſe, Aſſignment of Leaſe, Grants and Surrenders by Copy or Court-roll, eſtate, intereſt, truſt or limitation of any uſe or uſes of or out of any manors, lands, tenements, or hereditaments, not being the lands nor hereditaments of the late King, Queen or Prince, or of any Archbiſhops, Biſhops, Deans, Deans and Chapters, nor being lands or hereditaments ſold or given for the Delinquency, or pretended Delinquency of any perſon or perſons whatſoever, for virtue or pretext of any Act, Order, Ordinance, or reputed Act, Order or Ordinance ſince the firſt day of January, One thouſand ſix hundred forty and one, nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered to any perſon or perſons, Bodies politick or corporate, before the nine and twentieth day of September, One thouſand ſix hundred fifty and nine, by any of the Offenders before in this Act mentioned, or their heirs, or any other perſon or perſons claiming by, from, or under them or any of them, other then the wife or wives, child or children, heir or heirs of ſuch perſon or perſons, or any of them for money bona fide, to them, or any of them, paid or lent, or other valuable conſideration, nor any Conveyance, Aſſurance, Grant or Eſtate made before the five and twentieth day of April, One thouſand ſix hundred and ſixty, by any perſon or perſons, to any of the offenders aforeſaid in truſt; and for the benefit of any other perſon or perſons, not being any of the offenders aforeſaid, or in truſt for any Bodies politick or corporate, ſhall be impeached, defeated, made void, or fruſtrated hereby, or any of the Convictions or Attainders aforeſaid; (2) But that the ſame ſhall be held and enjoyed by the Purchaſers Grantees, Leſſees, Aſſigns, Ceſtuy que uſe, Ceſtuy que truſt, and every of them, their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, as if this Act had not been made, ſo as the ſaid Conveyances, and all and every the Grants and Aſſurances which by virtue of this Act are and ought to be held and enjoyed as aforeſaid, ſhall before the firſt day of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, be entred and enrolled of Record in his Majeſties Court of Exchequer, and not otherwiſe, any thing in this Act herein before contained to the contrary in any wiſe notwithſtanding.

William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, Robert Wallop, and John Phelps, degraded.

IV. And be it further enacted by the authority aforeſaid, That William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, Robert Wallop Eſquire, and John Phelps, and every of them, ſhall be and are hereby degraded from, and made uncapable of, all and every the Titles of Honour, Dignities and Preheminences which they or any of them now have, or which at any time hereafter may deſcend unto them; And that neither they, nor any of them ſhall at any time hereafter have, bear, or uſe the ſame, ſtile, addition or Title of Lord, Baronet, Knight, Eſquire or Gentleman, or any of them, nor ſhall uſe, or have any Coats, or Eſcutchions of Arms whatſoever, nor any other legal Title, or addition whatſoever; but ſhall be for ever reputed, and are hereby declared to be perſons of Diſhonor and Infamy.

William Mounſon, Henry Mildmay, James Harrington, Robert Wallop, ſhall be drawn to Tiburn as perſons executed for treaſon.

V. And further, That they the ſaid William Mounſon, Henry Mildmay, James Harrington, Robert Wallop, and John Phelps, and every of them, ſhall upon the ſeven and twentieth day of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, or ſo ſoon after as they ſhall be apprehended, carried to the Tower of London, and from thence drawn upon Sledges with Ropes about their Necks, and according to the manner of perſons executed for High Treaſon, quite through the Streets of London unto the Gallows at Tiburn, and from thence in like manner be brought back again to the Tower of London; and there, or in ſuch other priſon as his Majeſty ſhall think fit, continue priſoners, and ſuffer pains of impriſonment for and during the term of their natural lives.

Proviſo for executions of the ſaid perſons and legacies.

VI. Provided always, That no executor or Adminiſtrator to any of the dead perſons whoſe Eſtate is forfeited by this Act, ſhall at any time hereafter be ſued or moleſted for any Debt or Legacy by them paid as executor or adminiſtrator to any perſon or perſons to whom the ſame was due or bequeathed, and was by the ſaid executor or adminiſtrator paid bona fide; but the reſpective Legatees who have received any Legacies from the ſaid executors, ſhall be accomptable to the Kings Majeſty for all ſuch Legacies as they have reſpectively received, and ſhall pay the ſame to the Kings moſt excellent Majeſty.

VII. Provided

Proviſo for Sir William Lewes.

VII. Provided always, That nothing in this Act ſhall be conſtrued to forfeit the Term, Eſtate, or Intereſt which Sir William Lewes of Borden in the County of Southampton Baronet, had or hath in the cuſtody of the Park called Eaſt-mean Park in the aforeſaid County, and in the Game of Conies therein, for the term of three years to come, from our Lady-day laſt, being the remaining years of a greater term, he the ſaid Sir William having been formerly poſſeſſed thereof by an Aſſignment made by John Allen Executor of the ſaid Francis Allen; the which ſaid Park and Premiſſes being part of the poſſeſſions of the Biſhop of Wincheſter, the ſaid Sir William Lewes hath ſurrendred unto the ſaid Biſhop, and hath now taken a new Leaſe thereof for three Lives, from the Biſhop of Wincheſter; the which ſaid Leaſe for three Lives ſo made by the ſaid Biſhop unto the ſaid Sir William Lewes, ſhall for and notwithſtanding this Act, or any thing therein contained, remain firm and good unto the ſaid Sir William Lewes, according to the true meaning of his ſaid Leaſe; (2) Saving always to all and every perſon or perſons, bodies politick and others, their reſpective heirs, ſucceſſors, executors and adminiſtrators, all ſuch Eſtate, Right & Title, and Intereſt in Law & Equity, which they or any of them have, or ought to have of, in, to, or out of any the Premiſſes, not being in truſt for any the ſaid offenders, nor derived by, from, or under the ſaid Offenders, ſince the five and twentieth day of March, One thouſand ſix hundred forty ſix; (3) Saving always and reſerving to Cuthbert Collingwood, Eſquire, and George Collingwood, Gent. his Son, their or either of their heirs and aſſigns, and the Farmers and Tenants of the ſaid Cuthbert and George Collingwood, or either of them, and of their Heirs and aſſigns, all ſuch Right, Title of Entry and Action, Uſe, Intereſt and Poſſeſſion, which they, or any of them, or any in truſt for them, or any of them, have or had, or ought to have, of, in, to, or out of the Manors, Townſhips, Villages, Hamlets and Precincts of Iſlington, Wittingham, Barton, Throunton, Fawden, Keynton, Weſt-Brunton, Eaſt-Brunton, Dunnington, Blakedon alias Blagdon, and Wetſlade, or any of them, in the County of Northumberland, and of, in, to, or out of the lands, tenements, hereditaments, rights, members and appurtenances to them, or any of them belonging or appertaining, as if this Act had never been made.

Proviſo for Rachel Powre

VIII. Provided alſo, That this Act nor any thing herein contained, ſhall extend to prejudice the Eſtate and Intereſt in Law or Equity of Rachel Powre, Widow, of, in, and to one Copy-hold, Meſſuage and Mill thereunto belonging, with their appurtenances, ſcituate, lying and being in Chepmansford in the County of Southampton, being parcel of the Manor of Husband Priors, which by Order and Decree of the High Court of Chancery of the one and twentieth day of June, One thouſand ſix hundred ſixty one, ſhe is to be forthwith reſtored unto, and put into poſſeſſion of, and quiet to hold and enjoy the ſame during her Widowhood, with the mean profits thereof taken by the ſaid Mr. Wallop; But that it ſhall and may be lawful to and for the ſaid Rachel Powre to hold and enjoy the ſame according to the ſaid Decree.

Proviſo for Barrington Bourchier.

IX. Provided always, and be it hereby further enacted, That it ſhall and may be lawful to and for Barrington Bourchier, Eſquire, Son and Heir of John Bourchier, herein before mentioned, to hold and enjoy all and ſingular the lands and tenements and hereditaments to him lately granted and conveyed, or mentioned to be granted and conveyed in and by certain Letters Patents under the Great Seal of England, bearing date the two and twentieth day of March, in the Thirteenth year of his Majeſties Reign, againſt his Majeſty, his Heirs and Succeſſors forever, according to the full intent and meaning of the ſaid Letters Patents; Any thing in this preſent Act contained to the contrary thereof in any wiſe notwithſtanding.

Statute.

Statute 2.

ACTS made at the ſecond meeting in this preſent Parliament begun at Weſtminſter the Eighth day of May, Anno Dom. 1661. And there continued until the Twentieth of December, and from that day Adjourned unto the Seventh of January next enſuing, as followeth.

CAP. I.

An Act for the well Governing and Regulating of Corporations.

Preamble.

WHereas queſtions are likely to ariſe concerning the validity of Elections of Magiſtrates, and other Officers and Members in Corporations, as well in reſpect of removing ſome, as placing others, during the late Troubles, contrary to the true intent and meaning of their Charters and Liberties; (2) And to the end that the ſucceſſion in ſuch Corporations may be moſt probably perpetuated in the hands of perſons well affected to his Majeſty, and the eſtabliſhed Government, it being too well known, that notwithſtanding all his Majeſties endeavours, and unparallel'd Indulgence in Pardoning all that is paſt, nevertheleſs many evil ſpirits are ſtill working:

Commiſſions to iſſue for England, Wales, and Berwick.

II. Wherefore, for prevention of the like miſchief for the time to come, and for preſervation of the publick Peace both in Church and State, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by the authority of the ſame, That Commiſſions ſhall, before the twentieth day of February next, be iſſued forth under the Great Seal of England, unto ſuch perſons as his Majeſty ſhall appoint for the executing of the Powers and Authorities herein after expreſſed: And that all and every the perſons to be named Commiſſioners in the ſaid Commiſſions reſpectively, ſhall by virtue of this Act be Commiſſioners reſpectively, for and within the ſeveral Cities, Corporations and Boroughs, and Cinque-ports, and their Members, and other Port-towns within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, for which they ſhall be reſpectively nominated and appointed.

Corporation Charters ſaved.

III. And be it further enacted by the authority aforeſaid, That no Charter of any Corporation, Cities, Towns, Boroughs, Cinque-ports, and their Members, and other Port-towns in England or Wales, or Town of Berwick upon Tweed, ſhall at any time hereafter be avoided for or by reaſon of any Act or thing done, or omitted to be done, before the firſt day of this preſent Parliament.

Magiſtrates to take and ſubſcribe to certain Oaths.

IV. And be it further enacted by the authority aforeſaid, That all perſons who upon the four and twentieth day of December, One thouſand ſix hundred ſixty and one, ſhall be Mayors, Aldermen, Recorders, Bailiffs, Town-clerks, Common-councel-men, and other perſons then bearing any Office or Offices of Magiſtracy, or Places, or Truſts, or other Imployment relating to, or concerning the Government of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque-ports, and their Members, and other Port-towns, ſhall at any time before the five and twentieth day of March, One thouſand ſix hundred ſixty and three, when they ſhall be thereunto required by the ſaid reſpective Commiſſioners, or any three or more of them, take the Oaths of Allegiance and Supremacy, and this Oath following,

Oaths of Allegiance and Supremacy.

The Oath to be taken.

V. I A B. do declare and believe, That it is not lawful upon any pretence whatſoever, to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him: So help me God.

VI. And alſo at the ſame time ſhall publickly Subſcribe before the ſaid Commiſſioners, or any three of them, this following Declaration:

The Declaration to be ſubſcribed.

I A B. do declare, That I hold there lies no obligation upon me, or any other perſon, from the Oath commonly called, *The Solemn League and Covenant*; and that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

Thoſe who refuſe the Oaths, removed.

VII. And that all ſuch of the ſaid Mayors, and other perſons aforeſaid, by whom the ſaid Oaths are to be taken, and Declaration ſubſcribed, as aforeſaid, who ſhall refuſe to take and ſubſcribe the ſame within the time, and in manner aforeſaid, ſhall, from and immediately after ſuch refuſal, be by authority of this Act (ipſo facto) removed and diſplaced of and from the ſaid Offices and Places reſpectively; (2) And the ſaid Offices and Places, from and immediately after ſuch refuſal, ſhall be, and are hereby declared and adjudged to be void to all intents and purpoſes, as if the ſaid reſpective perſons ſo refuſing were naturally dead.

VIII. And nevertheleſs, Be it further enacted by the authority aforeſaid, That the ſaid

Commiſſioners, or any five or more of them, ſhall have full power by virtue of this Act, by Order and Warrant under their hands and ſeals, to diſplace or remove any of the perſons aforeſaid from the ſaid reſpective Offices and Places, or Truſts aforeſaid, if the ſaid Commiſſioners, or the major part of them then preſent, ſhall deem it expedient for the publick ſafety, although ſuch perſons ſhall have taken and ſubſcribed, or be willing to take and ſubſcribe the ſaid Oaths and Declaration.

Commiſſioners have power to remove any at their wills, though they offer to take their Oaths.

IX. And be it alſo enacted, That the ſaid reſpective Commiſſioners, or any five or more of them, as aforeſaid, ſhall have power to reſtore ſuch perſon or perſons as have been illegally or unduly removed, into the places out of which he or they were removed; and alſo to put and place into the Offices and Places which by any of the ways aforeſaid ſhall be void reſpectively, ſome other perſon or perſons then being, or which have been Members or Inhabitants of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque-ports, and their Members, and other Port-towns, (2) who ſhall before the ſaid reſpective Commiſſioners, or any three or more of them, take the ſaid Oaths of Obedience and Supremacy, and the ſaid other Oath, and ſubſcribe the Declaration herein before particularly mentioned, and that the ſaid perſons from and after the taking of the ſaid Oaths, and ſubſcribing the ſaid Declaration, ſhall hold and enjoy, and be veſted in the ſaid Places and Offices, as if they had been duly elected and choſen according to the Charters and former Uſages of the ſaid reſpective Cities, Corporations and Boroughs, Cinque-ports, and their Members, and other Port-towns.

Their power to reſtore any Mageſtrate unduly removed.

X. And be it further enacted by the authority aforeſaid, That the ſaid reſpective Commiſſioners, or any three or more of them reſpectively, ſhall have power during the continuance of their reſpective Commiſſions, to adminiſter the Oaths aforeſaid, and tender the ſaid Declaration to the ſaid perſons hereby required to take and ſubſcribe the ſame, (2) and from and after the expiration of the ſaid reſpective Commiſſions, the ſaid three Oaths and Declaration ſhall be from time to time adminiſtred and tendred to ſuch perſon and perſons who by the true meaning of this Act, or any clauſe therein contained, are to take the ſame by ſuch perſon or perſons reſpectively, who by the Charters or Uſages of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque-ports, and their Members, and other Port-Towns, ought to adminiſter the Oath, for due executing the ſaid Places or Offices reſpectively, (3) and in default of ſuch, by two Juſtices of the Peace of the ſaid Cities, Corporations and Boroughs, and Cinque-ports, and their Members, and other Port-twons, for the time being, if any ſuch there be, or otherwiſe by two Juſtices of the Peace for the time being, of the reſpective Counties where the ſaid Cities, Corporations or Boroughs, or Cinque-ports, or their Members, or other Port-towns are.

Commiſſioners impowred to give the Oaths.

Who ſhall give the Oath after the Commiſſions are determined.

XI. And be it likewiſe enacted by the authority aforeſaid, That the ſaid Commiſſioners, Juſtices of the Peace, and other perſons hereby authorized to adminiſter the ſaid Oaths, and tender the ſaid Declaration reſpectively, ſhall cauſe Memorandums or Entries to be made of all Oaths taken before them, and Subſcriptions made as aforeſaid, and deliver the ſame once in a year to the reſpective Town-clerk, or other Regiſter or Clerk of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque-ports, and their Members, and other Port-towns, who ſhall cauſe the ſame to be fairly Entred into the Books or Regiſters belonging to the ſaid reſpective Cities, Corporations or Boroughs, or Cinque-ports, and their Members, or other Port-towns.

The Commiſſioners to keep remembrances.

And give them to the Town-Clerks, &c.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That from and after the expiration of the ſaid Commiſſions, no perſon or perſons ſhall for ever hereafter be placed, elected or choſen, in or to any the Offices or Places aforeſaid, that ſhall not have within one year next before ſuch Election or Choice, taken the Sacrament of the Lords Supper according to the Rites of the Church of England; (2) and that every ſuch perſon and perſons ſo placed, elected or choſen, ſhall likewiſe take the aforeſaid three Oaths, and Subſcribe the ſaid Declaration at the ſame time when the Oath for the due execution of the ſaid places and Offices reſpectively ſhall be adminiſtred; (3) And in default hereof, every ſuch placing, election and choice is hereby enacted and declared to be void.

None to be a Magiſtrate, unleſs he take the Oaths and receive the Sacrament.

XIII. Provided always, and be it enacted, That every perſon who ſhall be placed in any Corporation by virtue of this Act, ſhall upon his admiſſion, take the Oath or Oaths uſually taken by the Members of ſuch Corporation.

The uſual Oath.

XIV. Provided alſo, and be it hereby enacted, That the powers granted to the Commiſſioners by virtue of this Act, ſhall continue and be in force until the five and twentieth of March, One thouſand ſix hundred ſixty three, and no longer.

How long the Commiſſioners power ſhall continue.

XV. Provided, That if any Action, Bill, Plaint, or Suit ſhall at any time hereafter happen to be brought or commenced againſt any perſon or perſons nominated a Commiſſioner, as aforeſaid, for any matter or thing by them or any of them done by virtue, or in purſuance of this Act, That then it ſhall be lawful to and for every ſuch perſon and perſons againſt whom ſuch Action, Bill, Plaint or Suit ſhall be brought or commenced, to plead the General Iſſue, and to give this Act, or any other ſpecial matter in Evidence; (2) And if the Verdict ſhall paſs with the Defendant or Defendants in any ſuch Action, or the Plaintiff or Plaintiffs become Nonſuit, or ſuffer any diſcontinuance thereof, That in every ſuch caſe the Judge or Judges before whom the ſaid matter ſhall be tried, or be depending, ſhall by force and virtue of this Act, allow unto the Defendant or Defendants his or their treble Coſts, which he or they ſhall have ſuſtained by reaſon of their wrongful vexation in defence of the ſaid Action or Suit, for which the ſaid Defendant or Defendants ſhall have like remedy as in other caſes where Coſts by the Laws of this Realm are given to the Defendants.

Commiſſioners ſued may plead the General Iſſue, and recover treble Coſts.

XVI. Provided always, and it is hereby declared, That this Act, or any thing therein contained, ſhall not extend or be to the prejudice of any perſon or perſons whatſoever, that hath any Reverſion or Reverſions of any the Offices or Places belonging to the City of London, by force or virtue of any Order, Grant, Deſignation or Nomination of the Lord Mayor and

Reverſions of Offices in London, ſaved.

Court of Aldermen of the ſaid City heretofore reſpectively made or granted to him or them before the times of the late Wars, for or in reſpect of ſuch Grant, Deſignation or Nomination only; Any thing in this Act to the contrary notwithſtanding.

CAP. II.

An Act for prevention of Vexations and Oppreſſions by Arreſts, and of Delays in Suits of Law.

The ancient fundamental Law in proceeding to Arreſts upon Suits, to expreſs the true cauſe of Action in the Proceſs.

Whereas by the ancient and fundamental Laws of this Realm, in caſe where any perſon is Sued, Impleaded, or Arreſted by any Writ, Bill or Proceſs iſſuing out of any of his Majeſties Courts of Record at Weſtminſter, in any Common Plea, at the Suit of any common perſon, the true cauſe of Action ought to be ſet forth & particularly expreſſed in ſuch Writ, Bill, or Proceſs, whereby the Defendant may have certain knowledge of the cauſe of the Suit, and the Officer who ſhall execute ſuch Writ, Bill or Proceſs, may know how to take Security for the appearance of the defendant to the ſame, and the Sureties for ſuch appearance may rightly underſtand for what cauſe they become engaged; (2) And whereas there is a great complaint of the people of this Realm, that for divers years now laſt paſt, very many of his Majeſties good Subjects have been Arreſted upon general Writs of Treſpaſs, Quare clauſum fregit, Bills of Middleſex, Latitats, and other like Writs iſſued out of the Courts of Kings Bench and Common Pleas, not expreſſing any particular or certain cauſe of Action, and thereupon kept Priſoners for a long time for want of Bail, Bonds with Sureties for appearances having been demanded in ſo great ſums, that few or none have dared to be Security for the appearances of ſuch perſons ſo Arreſted and Impriſoned, although in truth there hath been little or no cauſe of Action, (3) and oftentimes there are no ſuch perſons who are named Plaintiffs, but thoſe Arreſts have been many times procured by malicious perſons, to vex and oppreſs the Defendants, or to force from them unreaſonable and unjuſt compoſitions for obtaining their Liberty; and by ſuch evil practices many men have been, and are daily undone, and deſtroyed in their Eſtates, without poſſibility of having reparation, the Actors imployed in ſuch practices having been (for the moſt part) poor and lurking perſons, and their Actings ſo ſecret, that it hath been found very difficult to make true diſcoveries or proof thereof.

Perſons arreſted by Proceſs out of the Kings Bench or Common Pleas, not expreſſing the cauſe of action, how to be bailed and ſet to liberty upon their own Bonds for appearance.

II. For remedy and prevention of which ſo great growing evils and miſchief, and alſo for diſcouraging all frivolous and unjuſt Suits, and cauſeleſs Arreſts for the future, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twelfth day of February, in the year of our Lord, One thouſand ſix hundred ſixty and one, no perſon or perſons who ſhall happen to be Arreſted by any Sheriff, Under-ſheriff, Coroner, Steward or Bailiff of any Franchiſe or Liberty, or by any other Officer, Miniſter, Under-bailiff,, or other perſon or perſons whatſoever within this Realm, having, or pretending to have authority or warrant in that behalf, by force or colour of any Writ, Bill or Proceſs iſſuing, or to be iſſuing out of his Majeſties ſaid Courts of the Kings Bench and Common Pleas, or either of them, in which ſaid Writ, Bill or Proceſs, the certainty and true cauſe of Action is not expreſſed particularly, and for which the Defendant or Defendants, in ſuch Writ, Bill, or Proceſs named, is and are Bailable by the Statute in that behalf made in the Three and twentieth year of the Reign of the late King Henry the Sixth, ſhall be forced or compelled to give Security, or to enter into Bond with Sureties for the Appearances of ſuch perſon or perſons ſo Arreſted, at the day and place in the ſaid Writ, Bill or Proceſs ſpecified or contained, in any penalty or ſum of money, exceeding the ſum of forty pounds of lawful money of England, to be conditioned for ſuch Appearances; (3) And that all Sheriffs, and other Officers and Miniſters aforeſaid, ſhall let to Bail, and deliver out of Priſon, and from their, and every of their Cuſtodies reſpectively, all and every perſon and perſons whatſoever, by them, or any of them Arreſted upon any ſuch Writ, Bill or Proceſs, wherein the certainty and true cauſe of Action is not particularly expreſſed upon Security in the ſum of Forty pounds and no more, given for appearance of ſuch perſon or perſons ſo Arreſted, unto the ſaid Sheriff or Officer aforeſaid, according to the ſaid Statute in the ſaid Three and twentieth year of the Reign of the ſaid late King Henry the Sixth, in that behalf made and provided.

23 H. 6. cap. 10.

III. And be it further enacted by the authority aforeſaid, That upon Appearance to be entred in the Term wherein ſuch Writ, Bill or Proceſs is returnable, with the reſpective Officer in that behalf, for the ſaid perſon or perſons, by Attorney or Attorneys in the ſaid reſpective Courts from whence the ſaid Writ, Bill or Proceſs iſſued unto ſuch Writ, Bill or Proceſs, the Bond or Bonds ſo given for Appearance thereunto, be and are hereby ſatiſfied and diſcharged; (2) and that after ſuch Appearance ſo Entred, no Amerciaments be ſet or eſtreated upon or againſt any Sheriff or other Officer aforeſaid, or any other perſon whatſoever, concerning the want of ſuch Appearance; (3) and unleſs the Plaintiff or Plaintiffs in any ſuch Writ, Bill or Proceſs named, ſhall put into the Court from whence ſuch Writ, Bill or Proceſs did iſſue, his or their Bill or Declaration againſt the perſon or perſons ſo Arreſted in ſome perſonal Action, or Ejectione firmæ of Lands or Tenements, before the end of the Term next following after Appearance, that then a Nonſuit for want of a Declaration may be Entred againſt the ſaid Plaintiff or Plaintiffs, in the ſaid Courts reſpectively; (4) and that every defendant in every ſuch Writ, Bill or Proceſs named, ſhall or may have Judgment to recover Coſts againſt every ſuch Plaintiff or Plaintiffs, to be Aſſeſſed, Taxed and Levied in ſuch manner, and according as it is provided by the Statute for Coſts, made in the Three and twentieth year of the Reign of the late King Henry the Eighth; Any former or other Act, Statute, Ordnance, Law, Cuſtom, Order, Courſe Uſage of either of

Bonds (given for) diſcharged upon appearance.

Non-ſuit for want of a Declaration before the end of the next term after appearance and judgment and coſts againſt the Plantiff.

22 H. 3. cap. 15.

of the ſaid Courts to the contrary thereof heretofore had, made, admitted, or uſed in any wiſe notwithſtanding.

Arreſts upon Capias utlagatum Attachments upon Reſcous, Contempts, and of Priviledge, excepted.

V. Provided always, That this Act, nor any clauſe or thing herein before ſpecified or contained ſhall not extend, nor be conſtrued or taken to extend unto any Arreſts hereafter to be made, upon or by virtue of any Writ of Capias utlagatum, Attachment upon Reſcous, or Attachment upon any Contempt, or of any Attachment of Priviledge, at the Suit of any priviledged perſon, or of any other Attachment, for Contempt whatſoever, iſſuing or to be iſſuing out of either of the ſaid Courts, although there be no particular certainty of the cauſe of Action expreſſed or contained in the ſaid Writs, (2) but that nevertheleſs no Sheriff nor Under-ſheriff, nor any of the Officers or Miniſters aforeſaid, ſhall diſcharge any perſon or perſons taken upon any Writ of Capias utlagatum, out of Cuſtody, without a lawful Superſedeas, firſt had and received for the ſame; (3) And that upon the ſaid Writs of Attachment, ſuch lawful courſe be taken for Security for Appearance therein, as hath been heretofore uſed; Any thing herein before expreſſed to the contrary thereof in any wiſe notwithſtanding.

How perſons having cauſe of Action may proceed againſt Priſoners in the Fleet.

V. And whereas many perſons out of ill intent, to delay their Creditors from recovering their juſt Debts, continue priſoners in the Fleet, who cannot be proceeded againſt in ſuch manner as they might be, if they were at large: Now for the better enabling all perſons to recover their juſt Debts and Demands againſt ſuch priſoners, (2) Be it further enacted by the authority aforeſaid, That every perſon or perſons whatſoever, who now hath or have, or which at any time hereafter ſhall have cauſe of any perſonal Action againſt any perſon being a priſoner in the Priſon of the Fleet, may ſue forth an Original Writ upon his or their cauſe of Action; and that a Writ of Habeas corpus be granted to every ſuch perſon or perſons, being Plaintiff or Plaintiffs, or deſiring the ſame, to be directed to the Warden of the ſame Priſon, to have the Body of ſuch priſoner before the Juſtices of the Common Pleas, at ſome certain day in any Term, to anſwer the ſaid Plaintiff or Plaintiffs upon his or their ſaid Cauſe of Action; and that if the ſaid Plaintiff or Plaintiffs at the ſaid day, put into the ſaid Court his or their Declaration, according to the ſaid Original Writ, againſt the ſaid priſoner being preſent at the Bar, the ſaid perſon ſhall be bound to appear in perſon, or to put in an Attorney to appear for him in the ſaid Action; (3) and unleſs the ſaid Defendant plead upon a Rule given, to be out at eight days at the leaſt after ſuch Appearance, Judgment by Nihil Dicit may be entred againſt ſuch Defendant as appearing in perſon, which ſhall be good and effectual in Law; (4) and ſuch charge in Court by Declarations, ſignified by Rule unto the ſaid Warden, ſhall be a good cauſe of detention of ſuch priſoner in his cuſtody, from which he ſhall not be diſcharged without a lawful Superſedeas or Rule of Court; (5) And if the ſaid Warden ſhall do otherwiſe, he ſhall be reſponſible to the Court, and to the party grieved, for damages, by Action upon the caſe to be brought againſt him for diſcharging ſuch priſoner.

Delays in Suits by reaſon of 15 days between the Teſte and Return of Writs, remedied in Actions perſonal

Ejectione firmæ

VI. And whereas very many Suits commenced by Original Writs have been protracted and long delayed from Judgment and Execution, by reaſon of the neceſſity of having fifteen days at the leaſt, between the days of the Teſte and the days of Return of Writs now uſed in perſonal Actions, and alſo in Actions of Ejectione firmæ, for lands and tenements, (2) For remedy thereof, and for the more eaſie expediting Trials, and the better and more ſpeedy executing of Judgments for the time to come, (3) Be it further enacted by the authority aforeſaid, That in all Actions of Debt, and all other perſonal Actions whatſoever, and alſo in all Actions of Ejectione firmæ, for lands or tenements now depending, or which at any time hereafter ſhall be depending by Original Writ, in either of his Majeſties Courts aforeſaid, after any Iſſue therein joyned to be tried by a Jury, and alſo after any Judgment had or obtained, or to be had or obtained in either the Courts aforeſaid, in any ſuch Action as aforeſaid, there ſhall not need to be fifteen days between the Teſte day, and the day of Return of any Writ or Writs of Venire facias, Habeas Corpora Juratorum, or Diſtringas Juratores, Writs of Fieri facias, or Writs of Capias ad ſatisfaciendum, (4) and that the want of fifteen days between the Teſte day and the day of Return of any ſuch Writ, ſhall not be, nor ſhall be aſſigned, taken or adjudged to be any matter or cauſe of Error; Any Law, Cuſtom, Statute, Courſe or Uſage to the contrary thereof in any wiſe notwithſtanding.

Venire facias, Habeas corpora Jurator. Diſtringas Jurator. Fieri fac. Capias ad ſatisfaciendum.

Capias ad ſatisfaciendum where Exigent lieth after Judgment, or to make the Bail appear, excepted.

VII. Provided nevertheleſs, That this Act, nor any thing therein contained, ſhall not extend, or be conſtrued to extend to any Writ of Capias ad ſatisfaciendum, whereon a Writ of Exigent after Judgment is to be awarded, nor to Capias ad ſatisfaciendum againſt the Defendant, in order to make any Bail liable, but that the ſame continue and be as if this Act had never been made.

3 Jac. cap. 8. Touching ſtaying executions by Superſedeas or Writs of Error, and in what Action it may be ſtayed.

VIII. And whereas by an Act of Parliament made in the Third year of the Reign of our late Sovereign Lord King James of bleſſed memory, a very good Law was made for avoiding unneceſſary delays of Execution; whereby it is enacted, That no Execution ſhall be ſtayed or delayed upon or by any Writ of Error, or Superſedeas thereupon to be ſued for the reverſing of any Judgment to be given in any Action or Bill of Debt, upon any ſingle Bond for Debt, or upon any Obligation with Condition for payment of Money only, or upon any Action or Bill of Debt for Rent, or upon any Contract ſued in any of his Highneſs Courts of Record at Weſtminſter, or in the Counties Palatine of Cheſter, Lancaſter, Durham, or in his Highneſs Courts of great Seſſions in any of the twelve Shires of Wales, unleſs ſuch perſon or perſons in whoſe name or names ſuch Writ of Error ſhall be brought, with two ſufficient Sureties, ſuch as the Court wherein ſuch Judgment is or ſhall be given, ſhall allow of, ſhall firſt before ſuch ſtay made, or Superſedeas to be awarded, be bound to the party for whom any ſuch Judgment was or ſhould be given, by Recognizance to be acknowledged in the ſame Court, in double the ſum adjudged to be recovered by the ſaid former Judgment, to proſecute the ſaid Writ of Error with effect, and alſo to ſatisfie and pay (if the ſaid Judgment ſhall be affirmed) all and ſingular the debts, damages and Coſts adjudged, or to be adjudged upon the former Judgment, and all coſts and damages to be alſo awarded for the ſame delaying of Execution; which Law hath been found by experience to be very good and beneficial to the Common-wealth: (2) And foraſmuch as divers other Caſes within the ſame miſchief, by delays and ſtaying of Execution by Writs of Error and Superſedeas thereupon, are not provided for by the ſaid Statute, for further remedy againſt delays and ſtaying of Executions in the ſeveral Actions hereafter ſpecified,

In what Actions execution may be ſtayed (by Writ of Error) by this Statut.

IX. Be it further enacted and ordained by the authority aforeſaid, That from and after the twentieth day of January, in the year of our Lord, One thouſand ſix hundred ſixty and one, no Execution ſhall be ſtayed in any of the Courts aforeſaid, by any Writ or Writs of Error, or Superſedeas thereupon, after any Verdict and Judgment thereupon obtained in any Action of Debt, grounded upon the Statute made in the Second year of the Reign of the late King Edward the Sixth, for not ſetting forth of Tythes, nor in any Action upon the caſe, upon any promiſe for the payment of money, Action ſur Trover, Action of Covenant, Detinue and treſpaſs, unleſs ſuch Recogniſance,, and in ſuch manner as by the ſaid recited former Act is directed, ſhall be firſt acknowledged in the ſaid Court where ſuch Judgment is given.

The Defendant to have double Coſts for delays of his execution by Writ of Error.

X. And be it alſo enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid day, ſhall ſue or proſecute any Writ or Writs of Error, for reverſal of any Judgment whatſoever given after any Verdict in any of the Courts aforeſaid, and the ſaid Judgment ſhall afterwards be affirmed, then every ſuch perſon or perſons ſhall pay unto the Defendant or Defendants in the ſaid Writ or Writs of Error, his or their double Coſts to be aſſeſſed by the Court where ſuch Writ of Error ſhall be depending, for the delaying of Execution.

Popular Actions, or upon a penal Law, Indictments, &c. not within this Statute.

XI. Provided nevertheleſs, That this Act, nor any thing therein contained, ſhall not extend to any Action Popular, nor unto any other Action which is, or hereafter ſhall be brought upon any penal Law or Statute (except Debt for not ſetting out Tythes as aforeſaid) nor to any Indictment, Preſentment, Inquiſition, Information or Appeal; Any thing herein before expreſſed to the contrary thereof notwithſtanding.

CAP. III.

An Act for granting unto the Kings Majeſty Twelve hundred and threeſcore thouſand pounds, to be Aſſeſſed and Levied by an Aſſeſſment of threeſcore and ten thouſand pounds by the Month, for eighteen Months. EXP.

CAP. IV.

An Act to enable the Kings Majeſty to make Leaſes, Grants, and Copies of Offices, Lands, Tenements and Hereditaments, parcel of his Highneſs Dutchy of Cornwall or annexed to the ſame; and for confirmation of Leaſes and Grants already made.

St. 21 Jac. cap. 29. 25 Car. 2. cap. 3.

Whereas a great part of the lands, part of, and annexed to the Dutchy of Cornwall, have been held by ſundry Leaſes thereof made for years, and for one, two, and three Lives, by means whereof, the Tenants having fixed Eſtates, have been encouraged to improve and manure the ſame, and have improved the ſame, and therein laid out great ſums of money in Building and otherwiſe, to the great advantage of the publick; (2) And whereas for twenty years and more now laſt paſt, no ſuch Leaſes have been legally made; ſo that it is probable moſt of the Tenants Eſtates will be determined, or near determination ere that there can be any Eſtates well and legally renewed, unleſs remedy therefore be provided; by means whereof, waſt, ſpoil, and dilapidation are likely to happen, the lands worn out and decayed, and great diſturbance and impoveriſhment to the Tenants:

Leaſes by the King, of lands, &c. of the Dutchy of Cornwall, made good.

II. And whereas on the like conſideration, King Charles the firſt was by ſpecial Law enabled to make ſuch Leaſes, (2) Be it enacted by our Sovereign Lord the King, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Leaſes or Grants already made, or hereafter to be made within the ſpace of three years now next enſuing, by our ſaid Sovereign Lord the King, by Letters Patents, Indentures or other Writings under his Great Seal of England, or Seal of the Court of Exchequer, or by Copy of Court-roll, according to the cuſtoms of the reſpective Manors, of any Offices, parks, lands, tenements or hereditaments (other then Honors, Lordſhips or Manors) parcel of the poſſeſſions of the ſaid Dutchy of Cornwall, or annexed to the ſame, ſhall be good and effectual in Law, according to the purport and contents of the ſaid Leaſes, Grants and Copies, againſt our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and againſt all and every perſon or perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other limitation whatſoever.

Leaſes for above 31 years or three lives, excepted.

III. Provided always, That every ſuch Leaſe ſo to be made of any parks, lands, tenements or hereditaments in poſſeſſion, ſhall be made but for three Lives or fewer, or for one and thirty years or under, or ſome other term of years determinable upon one, two, or three Lives, and not above; (2) And if ſuch Leaſes be made in Reverſion, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three Lives, or the term of one and thirty years, and not in any wiſe diſpuniſhable of waſte and ſo, as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been yielded or paid for the greater part of twenty years next before the making of the ſaid Leaſes, and ſhall be reſerved due and payable by or to him or her that ſhall have the Inheritance, or other Eſtate of the ſaid parks, lands, tenements or hereditaments, and where no ſuch Rent hath been reſerved, or Payable, That then upon every ſuch Leaſe, there ſhall be reſerved a reaſonable Rent, not being under the fourth part of the clear yearly value of the parks, lands, tenements or hereditaments, contained in ſuch Leaſe.

Not to be diſpuniſhable of waſte.

The ancient rent to be reſerved.

Covenants and conditions in ſuch leaſes, grants, or, &c. ſhall be good.

IV. And be it further ordained and enacted by the authority of this preſent Parliament, That all Covenants, Conditions and Reſervations, and other agreements contained in every Leaſe, Grant or Copy heretofore made, or hereafter ſo to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame lands, tenements or hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes, Grants or Copies ſhall come reſpectively, as if our Sovereign Lord the Kings Majeſty at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeized of an abſolute indefeaſible Eſtate in Fee-ſimple in the ſame lands, tenements, or hereditaments; (2) Saving always to all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, executors, adminiſtrators and aſſigns, (other then our ſaid Sovereign Lord the Kings Majeſty, and his Heirs, and all and every perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament or other limitation whatſoever) (3) all ſuch rights, titles, eſtates, cuſtoms, intereſts, terms, claims and demands whatſoever, of what kind, nature, or quality whatſoever, or in, to or out of the ſaid offices, lands, tenements or hereditaments, or any of them as they or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; this Act or any thing therein contained, to the contrary notwithſtanding. Saving of others Rights.

ACTS made in the Parliament begun and holden the 8th. day of May, Anno 13 Caroli Secundi Regis; And continued to the 19th. of May, 14 Caroli Secundi Regis; And thence Prorogued to the eighteenth of February then next following.

CAP. I.

An Act for preventing Miſchiefs and Dangers that may ariſe by certain perſons called Quakers, and others refuſing to take lawful Oaths.

Whereas of late times certain perſons under the names of Quakers, and other Names of Separation, have taken up, and maintained ſundry dangerous Opinions and Tenents, and (amongſt other) that the taking of an Oath in any caſe whatſoever, although before a lawful Magiſtrate, is altogether unlawful and contrary to the Word of God; And the ſaid perſons do daily refuſe to take an Oath, though lawfully tendred, whereby it often happens that the truth is wholly ſuppreſſed, and the adminiſtration of Juſtice, much obſtructed: And where the ſaid perſons under a pretence of Religious Worſhip, do often aſſemble themſelves in great numbers in ſeveral parts of this Realm, to the great endangering of the publick peace and ſafety, and to the terror of the people, by maintaining a ſecret and ſtrict correſpondence amongſt themſelves, and in the mean time ſeparating and dividing themſelves from the reſt of his Majeſties good and loyal Subjects, and from the publick congregations and uſual places of Divine Worſhip: Quakers and Separatiſts denying to take an Oath.

II. For the redreſſing therefore, and better preventing the many miſchiefs and dangers that do and may ariſe by ſuch dangerous Tenents, and ſuch unlawful Aſſemblies, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by the authority of the ſame, That if any perſon or perſons who maintain that the taking of an Oath in any cauſe whatſoever (although before a lawful Magiſtrate) is altogether unlawful, and contrary to the Word of God, from and after the four and twentieth day of March, in this preſent year of our Lord, One thouſand ſix hundred ſixty and one, ſhall willfully and obſtinately refuſe to take an Oath, where by the Laws of the Realm he or ſhe is or ſhall be bound to take the ſame, being lawfully and duly tendred, (3) or ſhall endeavour to perſwade any other perſon to whom any ſuch Oath ſhall in like manner be duly and lawfully tendred, to refuſe and forbear the taking of the ſame, (4) or ſhall by Printing, Writing, or otherwiſe, go about to maintain and defend that the taking of an Oath in any caſe whatſoever, is altogether unlawful; (5) And if the ſaid perſons commonly called Quakers, ſhall at any time after the ſaid four and twentieth day of March, depart from the places of their ſeveral habitations, and aſſemble themſelves to the number of five, or more, of the age of ſixteen years or upwards, at any one time, in any place, under pretence of joyning in a Religious Worſhip, not authorized by the Laws of this Realm, (6) that then in all and every ſuch caſes, the party ſo offending being thereof lawfully convict by verdict of twelve men, or by his own confeſſion, or by the notorious evidence of the fact, ſhall loſe and forfeit to the Kings Majeſty, his Heirs and Succeſſors, for the firſt offence, ſuch ſum as ſhall be impoſed upon him or her, not exceeding five pounds; (7) And if any perſon or perſons, being once convicted of any ſuch offence, ſhall again offend therein, and ſhall in form aforeſaid be thereof lawfully convicted, ſhall for the ſecond offence forfeit to the King our Sovereign Lord, his Heirs and Succeſſors, ſuch ſum as ſhall be impoſed upon him or her not exceeding ten pounds: (8) The ſaid reſpective penalties to be levied by diſtreſs and ſale of the parties goods ſo convicted, by warrant of the parties before whom they ſhall be ſo convicted, rendring the overplus to the Owners, if any be: (9) and for want of ſuch diſtreſs, or nonpayment of the ſaid penalty within one week after ſuch conviction, that then the ſaid parties ſo convicted, ſhall for the firſt offence be committed to the common Gaol, or houſe of Correction, for the ſpace of three months; And for the ſecond offence, during ſix months, without Bail or Mainpriſe, there to be kept at hard labour: (10) which ſaid moneys, ſo to be levied, ſhall be paid to ſuch perſon or perſons as ſhall be appointed by thoſe before whom they ſhall be convicted, to be imployed for the increaſe of the Stock of the houſe of Correction to which they ſhall be committed, and providing materials to ſet them on work: (11) And if any perſon after he, in form aforeſaid, hath been twice convict of any the ſaid Offences, ſhall offend the third time, and be thereof in form aforeſaid lawfully convict, that then every perſon ſo offending and convict, ſhall for his or her third offence abjure the Realm; or otherwiſe it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, to give order, and to cauſe him, her or them, to be tranſported into any Ship or Ships, to any his Majeſties Plantations beyond the Seas.

The penalty for refuſing to take a lawful Oath. 13 Car. 2. cap. 4.

The ſecond offence.

The third offence.

Who may hear and determine the Offences within this Act.

III. And it is ordained and enacted by the authority aforeſaid, That all and every Juſtice of Oyer and Terminer, Juſtice of Aſſiſe and Goal-delivery, and the Juſtices of the Peace, ſhall have full power and authority in every of their open and general Seſſions, to enquire, hear, and determine all and every the ſaid offences within the limits of their Commiſſion to them directed, and to make Proceſs for the execution of the ſame, as they may do againſt any perſon being Indicted before them of Treſpaſs, or lawfully convicted thereof.

IV. And be it alſo enacted, That it ſhall and may be lawful to and for any Juſtice of Peace, Mayor or other chief Officer of any Corporation, within their ſeveral Juriſdictions, to commit to the common Gaol, or bind over with ſufficient Sureties, to the quarter Seſſions, any perſon or perſons offending in the premiſſes, in order to his or their conviction aforeſaid.

How perſons ſubmitting may be diſcharged from the penalties.

V. Provided always, and be it hereby further enacted, That if any of the ſaid perſons ſhall after ſuch conviction as aforeſaid, take ſuch Oath or Oaths, for which he or ſhe ſtands committed, and alſo give ſecurity, that he or ſhe ſhall for the time to come forbear to meet in any ſuch unlawful Aſſembly as aforeſaid, that then and from thenceforth, ſuch perſon and perſons ſhall be diſcharged from all the penalties aforeſaid; Any thing in this Act to the contrary notwithſtanding.

Lords of the Parliament.

VI. Provided always, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Lords of the Parliament, for every third offence committed againſt the tenor of this Act, ſhall be tried by their Peers, and not otherwiſe.

CAP. II.

An Act for repairing the High-ways and Sewers, and Paving and keeping Clean of the Streets in and about the Cities of London and Weſtminſter, and for reforming of Annoyances and Diſorders in the Streets of, and places adjacent to the ſaid Cities; and for the Regulating and Licenſing of Hackney-Coaches; and for the enlarging of ſeveral ſtrait and inconvenient Streets and Paſſages.

Ways.

Foraſmuch as the common High-ways leading unto, and from the Cities of London and Weſtminſter, and the Suburbs thereof, and other places within the preſent weekly Bills of Mortality, by reaſon of the multitude of Houſes lately built, and through the ſtopping and filling up the Ditches and Sewers, and neglect of timely reparations, are at preſent, and for ſome years paſt have been ſo miry and foul, as is not only very noiſom, dangerous and inconvenient to the Inhabitants thereabouts, but to all the Kings Liege People Riding and Travelling to and from the ſaid Cities; May it therefore pleaſe your moſt excellent Majeſty, that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for the ſurveying, ordering and managing of the ſaid High-ways, Streets, Alleys, and other paſſages within the ſaid Cities and places aforeſaid, and all things neceſſary for the Repairing, Paving, or keeping Clean thereof, there be from henceforth Commiſſioners to be nominated by his Majeſty, under the Great Seal of England, not exceeding the number of one and twenty, beſide ſuch other Commiſſioners as are by this Act nominated and appointed (whereof the Surveyor of his Majeſties Works for the time being to be always one) that ſhall have their place of meeting at the Office of his Majeſties Works in Scotland-yard, or at ſome other place, as they or the greater number of them at any meeting ſhall direct from time to time, as there ſhall be occaſion; (3) Which ſaid Commiſſioners, or any five or more of them, at their meeting as aforeſaid, ſhall have full power and authority to order and direct the making of any new Vaults or Sewers, or to cut into any Drein or Sewer already made, or the altering, enlarging, amending, cleanſing or ſcowring, of any old Vaults, Sinks, or common Sewers, or for the making, amending or altering of any new or old Pavements, or taking away of croſs Gutters or Chanels, in all or any of the Streets and places aforeſaid, (4) and for the removing of all kinds of Nuſances, or any Encroachment by Sheds, Stalls, Bulks, Stoops, Poſts or Wall, beyond the old Foundations into the Streets, in ſuch places which ſhall be adjudged inconvenient, and to hinder the paſſage; Provided, that ſuch Encroachments, as are aforementioned, which are Nuſances, that have continued above thirty years laſt paſt, ſhall not be removed until reaſonable ſatisfaction ſhall be given by the ſaid Commiſſioners, to the party or parties that ſhall ſuffer thereby: (5) And if any perſon or perſons that own the ſaid Encroachments, or ſhall not accept of ſuch reaſonable ſatisfaction as ſhall be tendred or offered by the ſaid Commiſſioners appointed for the Streets, for the pulling down or removing ſuch Nuſances or Encroachments as have been continued before the time aforeſaid; That then and in ſuch caſes of refuſal, the Barons of the Exchequer, upon a Petition preferred to them by the party grieved, ſhall have power, and are required by this Act, to adjudge what ſatisfaction ſhall be fit for the ſaid perſon or perſons to receive for the removing or pulling down any ſuch Nuſances or Encroachments.

Commiſſioners to be named by his Majeſty under the great Seal for ſurveying and cleanſing the Streets and High-ways.

Encrochments that have continued 30 years, not to be removed but upon ſatisfaction to the parties.

The Barons of the Exchequer to judge upon ſatisfaction, if refuſed upon tender.

Conviction for encroachments upon view, and the penalty.

II. And to prevent for the future all manner of Timber, and other irregular Buildings, the ſaid Commiſſioners, or any five or more of them, are hereby impowered to take a view of all ſuch Nuſances or Encroachments, and irregular Buildings, which ſaid view ſhall be a good conviction in Law; (2) And every perſon or perſons having notice of the ſaid view or conviction, and ſhall not remove or take down ſuch Nuſances or Encroachment within one month after notice, ſhall forfeit forty ſhillings for every month the ſaid Nuſances or Encroachments ſhall afterwards continue.

Petty-France, St. James Street, Pall-Mall, Aire-Street.

III. And whereas the common High-ways, and new built Streets hereafter mentioned, are thought fit immediately to be repaired, new paved, or otherwiſe amended; namely the Street or Way from the end of Petty-France to St. James's houſe, & one other ſtreet from St. James's houſe up to the High-way, and one other in St. James's Fields commonly called the Pall-Mall, and alſo one other ſtreet beginning from the Mews up to Pickadilly, and from thence towards the

Stone-Bridge to the furthermoſt building near the Bull at the corner of Air-Street: (2) Be it therefore enacted, That all and every perſon and perſons, Owners or Inhabitants of all and every the houſes built upon, or adjoyning to the ſaid Ways or Streets ſo adjudged and thought fit to be paved and repaired, ſhall according to their ſeveral Intereſts and Eſtates, and in ſuch proportions as the ſaid Commiſſioners; or any five of them ſhall think fit, before the firſt day of May, One thouſand ſix hundred ſixty two, pay unto the ſaid Commiſſioners, or any five or more of them, ſo met as aforeſaid, which ſhall be nominated for the paving of the ſaid ways, or to ſuch perſon or perſons as they ſhall appoint, ſuch ſum and ſums of money towards the paving of the ſaid Streets or Ways, and for the buying of new Stones and Gravel, as ſhall amount to their ſeveral proportions, after the rate of ſixteen pence for every ſquare yard which the ground ſhall contain, that lies in front before every dwelling-houſe, yards or gardens belonging to the ſaid dwelling-houſe; and in the ſame breadth, extending to the middle of the High-way or Street which lies before the ſaid houſes, yards or gardens belonging to the ſaid dwelling-houſes reſpectively.

No Hackney Coaches to be without licenſe. Hutt. 99.

IV. And for the better preſerving of the ſaid Streets, and for defraying of the reſidue of the charge of the ſaid Pavements, Be it further enacted, That from and after the firſt day of May, One thouſand ſix hundred ſixty and two, no perſon or perſons ſhall preſume to drive (except Stage-Coaches) or let to hire by the hour or day or otherwiſe, any Hackney-coach or Coach-horſes, within the Cities of London and Weſtminſter, or Suburbs of the ſame, or within the pariſhes compriſed within the Bills of Mortality, without an eſpecial leave or licence from ſuch Commiſſioners as his Majeſty ſhall appoint under the Great Seal, for the Licenſing and Regulating of Hackney-coaches, according to the particular proviſions and limitations of this Bill, (2) and that no Horſe, Gelding or Mare, to be uſed with ſuch Coaches, ſhall be under the ſize of fourteen hand high according to the Standard; (3) and that the number to be licenſed, ſhall not exceed four hundred; and that every Coach ſo licenſed, ſhall have a mark of diſtinction, by figure or otherwiſe, as the Commiſſioners ſhall think fit, to the end they be known if any complaint ſhall be made of them: (4) And that no perſon ſhall be Licenſed, to keep more then two Coaches, which Coaches ſhall have every of them ſeveral Figures or Marks of diſtinction, in the ſame manner, as if belonging to ſeveral perſons; (5) and that no perſon ſhall preſume to put the ſame Figure or Mark of diſtinction upon his Coach, that is appointed for any other Coach, under the Forfeiture of Five pounds for every ſuch offence, one moiety whereof ſhall be to the Informer, and the other moiety to be paid to the Commiſſioners that ſhall be appointed for the paving and amending the Streets.

Who may be Licenſed to keep Hackney-Coaches.

V. And the ſaid Commiſſioners for the Licenſing and Regulating of Coaches, are to take ſpecial care not to Licenſe any perſon to drive or keep any Hackney-coach or Coach-horſes, that uſeth any other Trade or Occupation; (2) And in the firſt place to Licenſe all ſuch perſons as have been ancient Coachmen, or ſuch Coachmen as have ſuffered for their Service and affections to his late Majeſty, or his Majeſty that now is, or the Widow or Widows of any of them that have Coaches of their own.

Hackney-Coaches not to exceed 400 in number.

VI. And in caſe the ſaid Commiſſioners ſhall Licenſe more then the ſaid number of Four hundred Coaches, every of the ſaid Commiſſioners, ſo Licenſing, ſhall forfeit the ſum of one hundred pounds for every ſuch Coach ſo Licenſed above the ſaid number, whereof twenty pounds to the Informer, and the reſidue to be for the Repairing and Paving the Ways and Streets to be levied by diſtreſs, by warrant under the hands and ſeals of five or more of the other Commiſſioners that ſhall be appointed for the paving and mending of the Streets and Highways.

The ſeveral rates allowed for Hackney-Coaches.

VII. And be it further enacted by the authority aforeſaid, That no Hackney-coachman ſo Licenſed, ſhall preſume to take for his Hire in or about the Cities of London & Weſtminſter, above the rate of ten ſhillings for a day, reckoning twelve hours to the day, and by the hour, not above eighteen pence for the firſt hour, and twelve pence for every hour after; (2) and that no Gentleman or other perſon, ſhall pay from any of the Inns of Court, or thereabouts, to any part of St. James's, or City of Weſtminſter, (except beyond Tuttle-ſtreet) above twelve pence, and the ſame prices from the ſame places to the Inns of Court, or places thereabouts; (3) and from any of the ſaid Inns of Court, or thereabouts, to the Royal Exchange, twelve pence, and if to the Tower of London, or to Biſhops-gate-ſtreet, or Aldgate, or thereabouts, eighteen pence, and ſo from the ſame places to the ſaid Inns of Court as aforeſaid; and the like rates from and to any place at the like diſtance with the places before mentioned: (4) And if any Coachman ſhall refuſe to go at, or ſhall exact more for his hire, then the ſeveral rates hereby limited; he ſhall for every ſuch offence forfeit the ſum of ten ſhillings.

The penalty for exacting more.

VIII. And be it further enacted, That every Coach ſo Licenſed, as aforeſaid, ſhall pay to the Commiſſioners that ſhall be appointed for the Regulating and Licenſing of Hackney-Coaches, the yearly rent of five pounds, and no more, whereof fifty ſhillings ſhall be paid at or before the twenty ſixth day of May, One thouſand ſix hundred ſixty and two, and the ſum of five and twenty ſhillings at or upon the Feaſt day of St. Michael the Archangel next coming, and twenty five ſhillings at the Feaſt of the Nativity of our Lord Chriſt; and from henceforward to be paid quarterly at the four moſt uſual Feaſts of the year, by equal portions (that is to ſay) at the Annunciation of the Bleſſed Virgin, St. John the Baptiſt, St. Michael the Archangel, and the Nativity of our Lord Chriſt; (2) which ſaid ſum and ſums of money, the ſaid Commiſſioners for the Hackney-coaches, ſhall from time to time pay or cauſe to be paid to the Commiſſioners appointed for the paving and amending of the Streets and High-ways within this Bill contained, or to ſuch Treaſurer or Receiver as they ſhall appoint; (3) and the ſaid Commiſſioners for Hackney-coaches, ſhall likewiſe from time to time certifie to the Commiſſioners appointed for the paving of the Streets and High-ways, the names and dwellings of all ſuch perſons as they ſhall Licenſe to drive or keep Hackney-coaches, together with the ſeveral Figures or Marks of diſtinction which are appointed to belong, and be affixed to the ſeveral Coaches, to the intent that diſcovery may the better be made of any abuſes that ſhall be committed, if any ſhall preſume to affix the Figure or Mark of diſtinction to any Coach, which belong of right to another, and whereby the Commiſſioners for the paving and amending the Streets and Highways, ſhall be enabled to call the ſaid Commiſſioners for the Hackney Coaches to a true and due accompt: (4) And in caſe any overplus ſhall be of the moneys appointed by this Act to be raiſed for the paving and mending the Ways and Streets as aforeſaid, then ſuch overplus ſhall be employed toward the enlargement of ſuch Streets or Places as are to be enlarged by virtue of this Act.

Every load of hay and ſtraw rated towards mending the ſtreet.

IX. And be it further enacted by the authority aforeſaid, That every Load of Hay which from the firſt day of May, One thouſand ſix hundred ſixty and two, ſhall be brought and ſtand to be ſold upon any the ways hereby in this Act expreſſed, and adjudged fit to be new paved, ſhall pay Six pence for every Load; and likewiſe every Cart of Straw to be ſold in the ſaid places, ſhall after the ſaid day, pay two pence; which ſaid ſums ſhall be paid to the Commiſſioners; which ſhall be appointed for the paving and amending of the Highways and Streets, or ſuch as they ſhall appoint, for and towards the paving of the Streets and Highways.

How the penalties upon this Act may be levied.

X. And be it further enacted by the authority aforeſaid, That all fines, rents, forfeitures and penalties, as ſhall grow due and payable to the ſaid Commiſſioners by this Act, ſhall be levied by diſtreſs upon the goods and chattels of the offender or offenders, by Warrant under the Hands and Seals of the Commiſſioners, or any five or more of them, which ſhall be appointed by his Majeſty, which ſhall be ſold within fourteen days, and the overplus returned to the Owner; and in default of diſtreſs or not payment, the perſon or perſons ſo offending or neglecting to pay, ſhall lie in priſon without bail or mainpriſe, till he or they have paid ſuch rent, fine, forfeiture and penalty as was due from him or them.

The Commiſſioners may appoint a Treaſurer, Clerk, and other Officers for the ſervice.

XI. And the ſaid Commiſſioners for the Streets and Ways, or any five or more of them ſo met as aforeſaid, are hereby impowered to appoint a Treaſurer or Collector and Clerk to attend them, or ſuch other Officer or Officers as they ſhall find neceſſary for the carrying on of the ſaid Service, with ſuch moderate allowances, as ſhall be fit; (2) And in caſe any perſon ſhall propoſe to carry away the aſhes, dirt and other filth, for all or any the places aforeſaid, at leſs rates then the yearly Raker or Undertaker can or will perform the ſame, the ſaid Commiſſioners ſhall have power, and are hereby authoriſed to contract with ſuch perſon, and for ſuch term as they ſhall think fit; (3) and they are alſo to enquire an Account from time to time of all Scavengers within the ſaid places, and all other perſon or perſons that ſhall receive or disburſe any moneys for the purpoſes in this Bill contained, as often as they, or any five or more of them, ſo met as aforeſaid, ſhall think fitting and neceſſary, and ſhall hear and determine all diſputes and differences concerning the right and duty of paving and keeping clean any of the Streets, Lanes or Alleys, or publick Yards within the places aforeſaid.

And may hear and determine all differences about paving and cleanſing the ſtreets.

The power and duty of Scavengers and Rakers.

XII. Provided always, That the reſpective Scavengers, Rakers, or other undertakers, ſhall have liberty by the approbation of the ſaid Commiſſioners, or any five or more of them, ſo met as aforeſaid, to lodge their aſhes, duſt, dirt, or other filth in ſuch vacant publick places, in or near the Streets or High-ways, as ſhall be thought convenient by the ſaid Commiſſioners, for the accommodation of Countrey Carts returning empty: (2) And the ſaid Scavengers, Rakers or other Undertakers, ſhall have liberty to paſs through ſuch Wharfs, Docks or Yards, with their aſhes, duſt, dirt, &c. as ſhall be adjudged by the Commiſſioners to be moſt commodious for the carrying the ſame by Water, they giving ſatisfaction to the Owners or Occupiers of ſuch Wharfs or Yards; and in caſe of unreaſonable demands, the ſaid Commiſſioners ſhall hear, moderate and determine the ſame according to equity and good conſcience; and in caſe any perſon or perſons ſhall find him or themſelves aggrieved, or prejudiced by ſuch Determination of the ſaid Commiſſioners, or by any other the Acts or Proceedings of the ſaid Commiſſioners, wherein he or they ſhall conceive themſelves relievable in Juſtice or Equity; the ſaid party ſo grieved, ſhall and may have recourſe in all Caſes to the Lord Treaſurer, Chancellor of the Exchequer, and Barons of the Court of Exchequer, to ſet forth his or their Caſe by Petition, Bill or Plaint: (4) And the ſaid Court is hereby impowred in ſuch caſe of Appeal, to hear and determine all matters to them complained of, concerning the ſame; and thereupon to revoke, make void, alter, or confirm ſuch Acts or Proceedings of the ſaid Commiſſioners, as ſhall be agreeable to Equity and Juſtice.

How perſons grieved may appeal.

The Commiſſioners to be called to account in the Exchequer yearly.

XIII. And the ſaid Court of Exchequer is hereby alſo further impowered yearly to call the ſaid Commiſſioners to an account, for all rents, fines, penalties, contributions, or any other ſum or ſums of money payable, or that ſhall come to their or any of their hands for any of the purpoſes in this Act intended.

XIV. And the ſaid Commiſſioners are hereby required at or before every Trinity Term, to deliver in a true account before the Barons of the ſaid Court, of all their Receipts and Diſburſements for the year, ended at Eaſter then paſt; and in default thereof, proceſs ſhall of courſe be made forth againſt the ſaid Commiſſioners, by the Clerk of the Extracts of the ſaid Court, at the Sealing-day for the ſaid Trinity Term, every year reſpectively.

Weſtminſter.

XV. And be it further enacted by the authority aforeſaid, That the Decree made at a Seſſion of Sewers at Weſtminſter-Hall, within the City of Weſtminſter and County of Middleſex, the eighth day of Auguſt, One thouſand ſix hundred ſixty and one, holden before John Lord Roberts, Lord Privy Seal, James Duke of Ormond in the Kingdom of Ireland, Lord Steward, of his Majeſties Houſhold, and Earl of Brecknock, Mountague Earl of Lindſey, Edward Earl of Mancheſter, and others the Commiſſioners of Sewers, then and there aſſembled by authority of his Majeſties Commiſſion of Sewers, to them and others directed, for the making of two new Sewers, and enlarging and amending the old Sewers near Charing-croſs, for conveying the water away from annoying his Majeſties Palace at White-hall, be, and is hereby ratified and confirmed, and ſhall be put in execution according to the true intent and meaning thereof, with full power to levy all the Arrears, as by a Commiſſion of Sewers can or may be done: And all and every perſon and perſons imployed, or that have acted therein, be, and are hereby indempnified, and ſaved Harmleſs from all manner of Suits and Actions that may or ſhall be brought againſt any of them for the ſame.

XVI. And whereas great quantities of Sea-coal-aſhes, duſt, dirt, and other filth, of late times have been, and are daily thrown into the Streets, Lanes, and Alleys of the Cities of London and Weſtminſter, and Borough of Southwark, and other parts adjacent, to the great annoyance of your Majeſties good people; (2) Be it therefore enacted by the authority aforeſaid, That all and every perſon and perſons inhabiting within the ſaid Cities of London and Weſtminſter, and the Suburbs and Liberties thereof, and the Borough of Southwark, or in any of the ſaid new built Streets, Lanes, or Alleys, ſhall from the firſt day of May, One thouſand ſix hundred ſixty and two, ſweep and cleanſe, or cauſe to be ſwept and cleanſed, all the Streets, Lanes, Alleys, and publick places before their reſpective Houſes, Buildings, and Walls, twice every week, that is to ſay, on every Wedneſday and every Saturday in the week, and all the ſoil, dirt, and other filth, ſhall cauſe to be taken up into Baskets, Tubs, or other Veſſels, ready for the Raker, Scavenger, or other Officer appointed for that purpoſe, to carry away, upon pain to forfeit Three ſhillings and four pence for every offence or neglect reſpectively.

All ſtreets and lanes to be cleanſed every week.
The penalties for neglect thereof.

XVII. And that no perſon or perſons whatſoever ſhall throw, caſt or lay, or cauſe, permit, or ſuffer to be thrown, caſt or laid, any Sea-coale-aſhes, duſt, dirt, or other filth or annoyance, in any open Street, Lane or Alley within the ſaid Cities or places aforeſaid, before or againſt his, her, or their own dwelling Houſes, Buildings or Walls, on the penalty of Five ſhillings; and if before the Houſes, Buildings or Walls of any their neighbours, or other the inhabitants of the Cities and places aforeſaid, or before or againſt any Church or Church-yard, or any of his Majeſties Houſes, Buildings or Walls, or any publick Houſes, Buildings or places whatſoever, or ſhall caſt, lay or throw, or cauſe to be caſt, laid or thrown into any common or publick Sink, Vault, Water-courſe, common Sewer or High-way, within the ſaid Cities or places aforeſaid, or any other private vault or ſink of any his neighbours, or other inhabitants, any aſhes, duſt, filth, ordure, or other noiſom thing whatſoever; (2) but ſhall keep, or cauſe the ſame to be kept in their reſpective Houſes, Back-ſides or Yards, until ſuch time as the Raker, Scavenger, or other Officer thereto appointed, of the Ward, Pariſh, Street or place where they dwell, do come by, or near their houſes or doors, with his Cart, Barrow, or other thing or things uſed for cleanſing the Streets, and carrying away thereof; and then ſhall carry, or cauſe to be carried the ſaid Aſhes, duſt or other filth and annoyance aforeſaid, out of their houſes, and deliver it unto the ſaid Raker, Scavenger or Officer, or otherwiſe put the ſame into his Cart, Barrow or other thing as aforeſaid, upon pain to forfeit the ſum of twenty ſhillings for every ſuch offence.

None to caſt any aſhes, or duſt before their houſes.
The penalty.

XVIII. And be it further enacted, That the reſpective Church-wardens, the Houſe-keepers of Whitehall, and other his Majeſties houſes, Houſe-keepers, or Porters of Noblemens Houſes, Uſhers, Porters or Keepers of Courts of Juſtice, and all other publick Houſes and places reſpectively, ſhall be liable to, and ſhall ſuffer the like penalties, forfeitures and puniſhments for every the before mentioned offences or neglects, committed, done or ſuffered to be done before any Church or Church-yard, or before any of his Majeſties Houſes, Buildings or Walls, or before any Noblemens Houſes, Buildings or Walls, or before any other publick Houſes, Buildings, or places whatſoever reſpectively.

Whitehall Church-yards, and houſes of Noblemen.

XIX. And be it further enacted by the authority aforeſaid, That from and after the firſt day of May, One thouſand ſix hundred ſixty and two, no perſon or perſons ſhall Hoop, Waſh, or cleanſe any Pipes, Barrels, or other Casks or Veſſels in any the Streets, Lanes, or open Paſſages aforeſaid, nor ſhall ſet any empty Coaches to make or mend, or rough Timber, or Stones to be ſawn or wrought in the Streets, on the penalty of twenty ſhillings for every offence.

No barrels, timber coaches, or other things to be ſet or amended in the ſtreets.
The penalty.

XX. And be it further enacted by the authority aforeſaid, That the Rakers, Scavengers, or other Officers thereunto appointed, every day in the week, (except Sundays and other Holy-days) ſhall bring or cauſe to be brought, Carts, Dung-pots, or other fitting Carriages, into all Streets and places within their reſpective Wards, Pariſhes, Charges, and Diviſions where ſuch Carts or Carriages can paſs, and at or before their approach, by a Bell, Horn, Clapper, or otherwiſe, ſhall make diſtinct and loud noiſe, and give notice to the Inhabitants of their coming, and make the like noiſe, and give the like notice in every Court, Alley or place into which the ſaid Carts cannot paſs, and abide and ſtay there a convenient time, in ſuch ſort, that all perſons concerned may bring forth their reſpective aſhes, duſt, dirt, filth and ſoil, to the reſpective Carts or Carriages ſo ſtaying, as aforeſaid; all which the ſaid Rakers, Scavengers, or other Officers aforeſaid, ſhall daily carry, or cauſe to be carried away, upon pain to forfeit Fourty ſhillings for every offence or neglect reſpectively.

The duty of the Scavengers and Rakers weekly.

XXI. And be it further enacted by the authority aforeſaid, That all the open Streets, Lanes and Alleys within the ſaid Cities and places aforeſaid, (excepting only the new paving of ſuch Streets and places for which any of the Inhabitants have contributed and paid their reſpective proportions to the Commiſſioners before named, according to the rates aforeſaid) ſhall be forthwith ſufficiently repaired or paved, and from time to time hereafter maintained and kept ſufficiently repaired or paved, at the Coſts and Charges of the Houſholders in the ſame Streets, Lanes and Alleys reſpectively, in manner following (that is to ſay) every of the ſaid Houſholders to repair and pave, and to keep repaired and paved, the Streets, Lanes or Alleys before his houſe, and ſo far as his houſing, walls or building extend, unto the Chanel, or middle of the ſame Street, Lane or Alley, upon pain to forfeit Twenty ſhillings for every Perch or Rod, (and after that rate for a greater or leſſer quantity) for every Default, and of twenty ſhillings a week for every week after, until the ſame ſhall be ſufficiently paved and amended.

All open ſtreets to be paved and ſo kept by the ſeveral houſeholders.
The penalty for not paving.

XXII. Provided always, That ſuch ancient Streets, Lanes and Alleys within the ſaid

Proviſo for the Borough of Southwark.

Cities or either of them, the Suburbs and Liberties thereof, and Borough of Southwark, as by Cuſtom and Uſage have been repaired and paved in other manner, ſhall be hereafter repaired, paved and maintained in ſuch ſort and manner, and by ſuch perſon or perſons, as have heretofore uſed to repair, pave and maintain the ſame, under the penalties aforeſaid: Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Candles or lights to be hung out every night from Michaelmas to Lady-day.

XXIII. And be it further enacted by the authority aforeſaid, That every Hoſholder within the ſaid Cities, the Suburbs and Liberties thereof, and in all other the places aforeſaid, whoſe Houſe adjoyns unto, and is next the ſtreet, from Michaelmas until our Lady-day, yearly, ſhall every night ſet or hang out Candles or Lights in Lanthorn, or otherwiſe, in ſome part of his houſe next the ſtreet, to enlighten the ſame for Paſſengers, from ſuch time as it ſhall grow dark, until Nine of the Clock in the Evening, upon pain to forfeit the ſum of One ſhilling for every default.

Who may convict perſons offending, and upon view or otherwiſe levy the penalties by this Act.

XXIV. And for the more ſpeedy reformation and puniſhment of all and every the Offences aforeſaid, Be it further enacted by the authority aforeſaid, That every one of his Majeſties Juſtices of either Bench, and Barons of the Exchequer, and every Juſtice of Peace of the ſaid Cities of London and Weſtminſter, and places aforeſaid (within their ſeveral limits reſpectively) ſhall have power and authority upon his own knowledge or view, confeſſion of the party, or proof of one credible witneſs upon Oath before him (which Oath by virtue of this Act, ſuch Juſtice ſhall have power to adminiſter) to convict any perſon or perſons of any the offences aforeſaid, whereby ſuch perſon or perſons ſo convict, ſhall incur the penalties and forfeitures aforeſaid, one moiety whereof ſhall be diſpoſed and imployed for and towards the reparation, paving and cleanſing of the ſtreet or place where the offence ſhall be committed, and as much, or all of the other moiety as the Juſtices ſhall think fit, for him or them that ſhall diſcover and proſecute the ſame, in caſe the ſaid conviction be by ſuch diſcovery and proſecution; And if the conviction be by the view or knowledge of ſuch Juſtices, then the ſaid whole penalty to go and be employed for and towards the repairing, paving and cleanſing of the ſaid ſtreets or place, and ſhall be levied by diſtreſs and ſale of the Goods and Chattels of the Offender, by Warrant under the hand and ſeal of any ſuch Juſtice, to be directed to the Conſtable, or any other Officer of the ſame Pariſh, rendring the ſurpluſage to the party, and in default of diſtreſs, or not payment of the ſaid penalties within ſix days after demand thereof, or notice in writing left at the Houſe or Dwelling-place of the Offender, by the ſaid Conſtable, or any other Officer, the ſaid Offender not being a Peer of this Realm, ſhall be committed to the Common Goal of the ſaid County or City reſpectively, by the Warrant of any ſuch Juſtice under his hand and ſeal, there to remain without Bail or Mainprize until payment.

Rates and Taxes to be made for defraying the charges and wages of Scavengers and others.

XXV. And for the better raiſing and levying of Moneys, to defray the charges, and pay the wages of the ſaid Scavengers, Rakers, or other Officers imployed in cleanſing of the Streets, Lanes, Alleys, and other places aforeſaid, and carrying of the ſaid aſhes, dirt, filth, and ſoil, Be it further enacted by the authority aforeſaid, That within the City of London and Liberties thereof, the Scavengers, Rakers, and ſuch like Officers, ſhall be elected, and the Rates, Taxes and Aſſeſſments for Scavengers, Rakers, and ſuch like Officers wages, for cleanſing the Streets, ſhall be rated, taxed, aſſeſſed, raiſed and paid by the Pariſhioners and Inhabitants of every Pariſh and precinct reſpectively, within the ſaid City and Liberties thereof, according to the ancient Cuſtom and Uſage of the ſaid City: And the Receivers of all ſuch moneys ſhall be accomptable as formerly; (2) And all new Meſſuages, Tenements, and Houſes, within the limits aforeſaid, ſhall be likewiſe rated, taxed, and aſſeſſed, and ſhall pay proportionably with others; (3) And that within the City of Weſtminſter, the ſaid Officers ſhall be choſen, and the Rates made and paid according to the ancient Cuſtom of the ſaid City; And in all other the Pariſhes and places aforeſaid, upon every Tueſday or Wedneſday in Eaſter-week, the Conſtables, Churchwardens and Overſeers for the Poor, and Surveyors of the High-ways of every of the ſaid Pariſhes and places reſpectively, or the greater number of them, giving notice unto, or calling together ſuch other Inhabitants of their reſpective Pariſhes as have formerly born the like Offices therein, they or the greater number of them ſhall make choice of, and ſhall nominate and appoint two or more able perſons that are Tradeſmen of their Pariſh, to be Scavengers for the Streets, Lanes, and other open paſſages of each Ward and Diviſion within the ſaid Pariſh, for the year then next following, and until others be choſen and ſetled in their places; (4) Which perſons ſo choſen, and being approved and confirmed under the Hands of any two Juſtices of Peace within their reſpective Limits and Juriſdictions, ſhall within ſeven days after their Election and Confirmation, and notice thereof, take that Office and Duty upon them, upon pain to forfeit Twenty pounds by every refuſer reſpectively: (5) And in caſe of refuſal by any perſon or perſons ſo choſen and confirmed, then other able perſons ſhall be choſen and confirmed in manner aforeſaid, within ſeven days after ſuch refuſal, in the place of him or them which ſhall ſo refuſe; and the perſon or perſons ſo choſen and confirmed, and having notice thereof, ſhall undergo the like pain in caſe of refuſal, or not taking the ſaid Office and Duty upon him or them within ſeven days after he or they ſhall be choſen and confirmed, and have notice thereof as aforeſaid; (6) The ſaid penalties to be diſpoſed and employed for or towards the mending and repairing of the Streets and Ways of the ſame Pariſh, Ward or Diviſion, and to be levied by diſtreſs and ſale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of any Juſtice of Peace of any of the places aforeſaid, to be directed to the Conſtables, or other Officers of the ſame Pariſh, or any two or more of them (rendring the ſurpluſage to the party) and in default of diſtreſs, or not payment within ſix days after demand thereof, or notice left in Writing at the houſe or Dwelling-place of the Offender, by the ſaid Conſtables or Officers, the ſaid Offender to be committed to the Goal of the ſaid County or City reſpectively, by the Warrant of any ſuch Juſtice, under his hand and Seal, there to remain without Bail or Mainprize, until payment.

How and when to elect Scavengers.

XXVI. And be it further enacted by the authority aforeſaid, That within twenty days after the Election and Confirmation of the ſaid Scavengers as aforeſaid, the Conſtables, Church-wardens and Overſeers for the Poor, and of the High-ways of the ſaid Pariſhes and places reſpectively, or the greater number of them, giving notice unto, or calling together ſuch Inhabitants of their reſpective Pariſhes, as have formerly born the like Office therein; They, or the greater number of them then preſent, ſhall make and ſettle a Tax, Rate or Aſſeſſment, according to a Pound-rate, to be impoſed or ſet upon the Inhabitants of the ſaid Pariſh, Ward or Diviſion, for the year following, for the purpoſes aforeſaid; which being allowed and confirmed by any two of the Juſtices of Peace of the places aforeſaid reſpectively, ſhall be quarterly paid by every reſpective Inhabitant, upon demand made thereof by the Beadle of the Pariſh, or other Officer appointed to gather and collect the ſame; (2) and in caſe of refuſal or neglect, ſhall by Warrant of any two Juſtices of the Peace, under their Hands and Seals, be levied by diſtreſs and ſale of the Offenders Goods; and for want of diſtreſs, by Impriſonment of the Offender, (he not being a Peer of this Realm) until payment as aforeſaid.

Taxes and Aſſeſſments to be made yearly by a Pound rate,

XXVII. Provided always, and be it enacted by the authority aforeſaid, That if any Action or Suit ſhall be brought, or proſecuted by any perſon or perſons, againſt any Judge, Commiſſioner, Juſtice of the Peace, Conſtable, or other Officer or miniſter aforeſaid, or againſt any perſon or perſons imployed by them or any of them, or authorized by this Act to do or perform, as by this Act is directed, for any matter, cauſe or thing, by them or any of them done, committed or executed, by virtue or reaſon of this Act, or any Clauſe or Article therein contained; that then in every ſuch caſe. the Action ſhall be laid in the proper County where the Fact was done, and not elſewhere; (2) And the defendant or defendants may plead the General Iſſue, and give the ſpecial matter in evidence at the Tryal, that the ſame was done in purſuance, and by authority of this Act; (3) And if upon examination it ſhall ſo happen to be done, the Jury ſhall find for the defendant; and in ſuch caſe, or if the plaintiff ſhall be Nonſuit, or diſcontinue his Action after the defendant hath appeared, the defendant ſhall have, and recover his or their double Coſts which he or they ſhall ſuſtain, or be put unto, by reaſon of his or their wrongful vexation, in defence of the Action or Suit.

Actions brought againſt any Commiſſioner or Officer imployed by this Act, the Defendant may plead the General Iſſue,

And give the ſpecial matter in Evidence.

XXVIII. And whereas the ſeveral Streets and Paſſages hereafter mentioned, (that is to ſay) The Street or Paſſage at or near the Stocks in London; the Street and Paſſage from Fleet-Conduit to St. Pauls Church in London; the Paſſage through the White-Hart Inn from the Strand into Covent-Garden; the Street and Paſſage by and near Exeter-Houſe and the Savoy, being obſtructed by a Rail, and the unevenneſs of the ground thereabouts; the Paſſage and Street of St. Martins Lane out of the Strand; the Paſſage or Street of Field Lane, commonly called Jack-an-apes-Lane, going between Chancery-Lane and Lincolns-Inn-Fields; the Paſſage and Gate-houſe of Cheapſide into St. Pauls Church-yard; the Paſſage againſt St. Dunſtans Church in the Weſt (being obſtructed by a Wall) the Street and Paſſage by and near the Weſt-end of the Poultrey in London, and the Paſſage at Temple-Bar, are ſo narrow that they are incommodious to Coaches, Carts and Paſſengers, and prejudicial to Commerce and Trading; (2) Be it enacted by the authority aforeſaid, That the Lord Mayor of the City of London, the Recorder and Aldermen for the time being, together with ſuch other Commiſſioners as his Majeſty ſhall appoint under the Great Seal of England, or any five of them, ſhall have full power and authority to receive all Subſcriptions and Payments of voluntary Contributions of money, or other Endowments towards the Amendment and Enlargement of the Streets and Places before named, or ſo much of them, or any of them as the ſaid Commiſſioners, or any five or more of them ſhall judge fit and neceſſary, (3) and are hereby further impowered to treat and agree with the Owners and Occupiers of any ſuch Houſes as they ſhall judge fit to be removed, rebuilt, or pulled down, or any part of them; and upon payment of ſuch ſum or ſums of money ſo agreed upon, are hereby authorized to appoint Workmen to pull the ſaid Houſes down, or cauſe the ſaid Owners or Occupiers to rebuild accordingly; (4) And this Act ſhall be ſufficient to indempnifie the ſaid Commiſſioners, and all perſons authorized by them, againſt the Heirs, Executors, Adminiſtrators or Aſſigns of any the ſaid Owners or Occupiers, as if the ſame had been ſold by Deed, Feoffment, Bargain and Sale, or other Aſſurance in the Law, and done by Fine and Recovery, or any other way whatſoever; (5) And if there ſhall be any perſons, Bodies Corporate or Collegiate, that ſhall wilfully refuſe to treat and agree as aforeſaid, or through any diſability by Nonage, Coverture, or a ſpecial Entail, or other Impediment, cannot, That in ſuch caſes the ſaid Commiſſioners are hereby authorized by virtue of this Act, to Iſſue out a Warrant or Warrants to the Sheriffs of London, who are hereby required accordingly to impanel and return a Jury before the ſaid Commiſſioners, or any five of them; which Jury upon their Oaths to be adminiſtred by the ſaid Commiſſioners, are to enquire and aſſeſs ſuch damage and recompence as they ſhall judge fit to be awarded to the Owners and Occupiers, or either of them, of any ſuch Houſes, or any part thereof, for their reſpective Eſtates and Intereſt in the ſame, as by the ſaid Commiſſioners ſhall be adjudged fit to be pulled down for the purpoſes aforeſaid: and ſuch Verdict of the Jury, and Judgment of the ſaid Commiſſioners thereupon, and the legal payment, or tender of the ſum or ſums of money ſo awarded and adjudged, ſhall be binding to all intents and purpoſes againſt the ſaid Parties, their Heirs, Executors, Adminiſtrators and Aſſigns, and others claiming any Title or Intereſt in the ſaid Houſes, or in the ground whereon they ſtand, or thereunto belonging, and ſhall be a full Authority for the ſaid Commiſſioners or any five of them, to cauſe the ſame to be executed, and the ſaid Houſes accordingly to be removed and pulled down.

The enlargement of paſſage in narrow and incommodious Streets.

The Lord Mayor of London and others, Commiſſioners may treat with perſons concerned for their Intereſts in Houſes obſtructing ſuch paſſage.

XXIX. And whereas the houſes that ſhall remain ſtanding on the other ſide of the ſaid Street, or Streets, or beſide the ſaid Houſes that ſhall be ſo pulled down as aforeſaid, will receive much advantage in the value of their Rents, by the Liberty of Air, and free recourſe for Trade and other conveniencies by ſuch enlargement, (2) It is alſo enacted by the Authority aforeſaid, That in caſe of refuſal, or incapacity as aforeſaid, of the Owners or Occupiers

What may be done in caſe of refuſal to compound with the Commiſſioners.

of the ſaid Houſes, to agree and compound with the Commiſſioners for the ſame, thereupon a Jury ſhall and may be impanelled in manner and form aforeſaid, to judge and aſſeſs upon the Owners and Occupiers of ſuch houſes, ſuch competent ſum or ſums of money, or Annual Rent, in conſideration of ſuch improvement and Melioration, as in Reaſon and good Conſcience they ſhall judge and think fit; which ſaid ſum and ſums of Money, or Rent, ſhall be paid to the Chamberlain of the City of London for the time being, and ſuch other Treaſurer or Treaſurers as ſhall be appointed by the ſaid Commiſſioners, or any five or more of them, who are hereby enabled from time to time, to receive and recover the ſame by Action at Law, and whoſe Receipt ſhall be a good diſcharge to the ſaid Owners and Tenants, and who are hereby appointed to receive and pay, and be accomptable for the ſame according to ſuch directions as ſhall from time to time be given them by the ſaid Commiſſioners: (3) And the Moneys ſo raiſed, or rents ſo received, ſhall be expended upon the purchaſing or rebuilding Houſes on the other ſide of the Street, and upon paving and amending of the Ways and Streets aforeſaid, according to the purport of this Act: (4) And the ſaid Verdict of the Jury, and Judgment of the Commiſſioners in the cauſes aforeſaid, ſhall be ſufficient and concluſive in Law to all intents and purpoſes, againſt the ſaid Owners and Occupiers, their Heirs Executors, Adminiſtrators and Aſſigns.

Every Commiſſioner to take an Oath for the faithful performance of this Act.

XXX. Provided always, and be it further enacted by the authority aforeſaid, That no perſon ſhall be enabled to act as a Commiſſioner to the intents and purpoſes aforeſaid, until he ſhall firſt have taken his Corporal Oath before the Lord Chancellor, or Lord High Treaſurer of England for the time being, for the due and impartial execution of the Truſts by this Act committed to him.

Lord Mayor and Aldermen to be Commiſſioners in London.

XXXI. Provided alſo, That the Lord Mayor, Recorder, and Aldermen of the City of London for the time being, ſhall be, and are hereby authorized to be Joynt Commiſſioners, and to exerciſe all the powers of this Act, to all the ends and purpoſes thereof, which are to be ordered, done, or executed within the ſaid City, or the Liberties thereof: And likewiſe, That the Dean of Weſtminſter, the High Steward, and his Deputy Steward, and the two High Burgeſſes of the ſaid City of Weſtminſter for the time being, ſhall be, and are hereby authorized to be joynt-Commiſſioners, and to exerciſe all the powers of this Act, to all the ends and purpoſes thereof, which are to be ordered, done, or executed within the ſaid City of Weſtminſter, or the Liberties thereof; Any thing in this Act to the contrary notwithſtanding.

The Dean, High-ſteward, Deputy-ſteward and two high Burgeſſes in Weſtm.

The continuance of this Act

XXXII. This Act to continue, and be in force until the end of the firſt Seſſion of the next Parliament.

CAP. III.

An Act for Ordering the Forces in the ſeveral Counties of this Kingdom.

The ſole and ſupream power and command of the Militia in the Kings Majeſty, his Heirs and Succeſſors.
13 Car. 2. cap. 6.

Foraſmuch as within all his Majeſties Realms and Dominions,, the ſole and Supream Power, Government, Command and Diſpoſition of the Militia, and of all Forces by Sea and Land, and of all Forts and places of Strength is, and by the Laws of England, ever was the undoubted Right of his Majeſty, and his Royal Predeceſſors, Kings and Queens of England; (2) And that both, or either of the Houſes of Parliament, cannot, nor ought to pretend to the ſame; nor can, nor lawfully may raiſe, or levy any War, Offenſive or Defenſive againſt his Majeſty, his Heirs, or Lawful Succeſſors; and yet the contrary thereof hath of late years been practiſed, almoſt to the ruin and deſtruction of this Kingdom; and during the late uſurped Governments, many evil and rebellious principles have been inſtilled into the minds of the people of this Kingdom, which may break forth, unleſs prevented, to the diſturbance of the peace and quiet thereof:

His Majeſty may iſſue out Commiſſions of Lieutenancy to ſuch perſons as he ſhall think fit for the ſeveral Counties, Cities, &c.

The power of the ſaid Lieutenants.
15 Car. 2. cap. 4. Stat. 3.

II. Be it therefore declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and by the authority of the ſame, That the Kings moſt excellent Majeſty, his Heirs and Succeſſors, ſhall and may from time to time, as occaſion ſhall require, Iſſue forth ſeveral Commiſſions of Lieutenancy to ſuch perſons as his Majeſty, his Heirs and Succeſſors, ſhall think fit to be his Majeſties Lieutenants, for the ſeveral and reſpective Counties, Cities and places of England, and Dominion of Wales, and Town of Berwick upon Tweed; (2) which Lieutenants ſhall have full power and authority to call together all ſuch perſons at ſuch times, and to arm, and array them in ſuch manner as is hereafter expreſſed and declared, and to form them into Companies, Troops and Regiments, and in caſe of Inſurrection, Rebellion, or Invaſion, them to lead, conduct and imploy, or cauſe to be led, conducted and imployed, as well within the ſaid ſeveral Counties, Cities, and places for which they ſhall be Commiſſioned reſpectively, as alſo into any other the Counties and places aforeſaid, for ſuppreſſing of all ſuch Inſurrections and Rebellions, and repelling of Invaſions, as may happen to be, according as they ſhall from time to time receive directions from his Majeſty, his Heirs and Succeſſors; (3) and that the ſaid reſpective Lieutenants ſhall have full power and authority from time time, to conſtitute and appoint, and give Commiſſions to ſuch perſons as they ſhall think fit to be Colonels, Majors, Captains, and other Commiſſion-Officers, of the ſaid perſons ſo to be armed, arrayed, and weaponed, and to preſent to his Majeſty, his Heirs and Succeſſors, the names of ſuch perſon and perſons as they ſhall think fit to be Deputy Lieutenants, and upon his Majeſties approbation of them, ſhall give them Deputations accordingly; (4) always underſtood,, That his Majeſty, his Heirs and Succeſſors have power and authority to direct and order otherwiſe, and accordingly at his and their pleaſure, may appoint and Commiſſionate, or diſplace ſuch Officers; Any thing in this Act to the contrary notwithſtanding: (5) And that the ſaid Lieutenants reſpectively, and in their abſence, out of the Precincts and Limits of their reſpective Lieutenancies, or otherwiſe by their directions, the ſaid Deputy Lieutenants, during their ſaid reſpective Deputations, or any two or more of them, ſhall have power from time to time, to train, exerciſe and put in readineſs, and alſo to lead and conduct the perſons ſo to be armed, arrayed, and weaponed, by the directions, and to the intents and purpoſes, as is hereafter expreſſed and declared.

The Deputy Lieutenants to be named to, and approved of by his Majeſty.

The power of the Deputy-Lieutenants.

III. And for the providing Horſe and Arms, and Furniture thereunto belonging, for the Arming and Weaponing the perſons aforeſaid, and alſo for the defraying and paying, the neceſſary charges thereunto belonging, in manner as hereafter followeth, (2) Be it further enacted, That the ſaid reſpective Lieutenants within the ſeveral Counties, Cities and places for which they are nominated reſpectively, and their Deputies, or the major part of ſuch Lieutenants, and Deputy-Lieutenants then preſent; or in the abſence of the Lieutenant or Lieutenants, the major part of the Deputy-Lieutenants then preſent, which major part ſhall be three at the leaſt, have hereby full power and authority to charge any perſon with Horſe, Horſe-man and Arms, or with Foot-ſoldier and Arms, in the ſame County, Shire, City, Borough, or Town-corporate where his, her, or their Eſtates lye, having reſpect unto, and not exceeding the limitations and proportions hereafter mentioned (that is to ſay,) (3) No perſon ſhall be charged with finding a Horſe, Horſeman and Arms, unleſs ſuch perſon or perſons have a Revenue of Five hundred pounds by the year in poſſeſſion, or have an Eſtate of Six thouſand pounds in Goods or Money, beſides the Furniture of his or their Houſes, and ſo proportionably for a greater Eſtate in Lands in poſſeſſion, or Goods, as the reſpective Lieutenants, and their Deputies as aforeſaid, in their diſcretions ſhall ſee cauſe, and think reaſonable; (4) And they are not to charge any perſon with finding a Foot-ſoldier and Arms, that hath not a yearly Revenue of Fifty pounds in poſſeſſion, or a perſonal Eſtate of Six hundred pounds in Goods or Moneys (other then the Stock upon the ground) and after the aforeſaid rate proportionably for a greater or leſſer Revenue or Eſtate; (5) Nor ſhall they charge any perſon with the finding both of Horſe and Foot in the ſame County.

The manner of charging and providing Horſe and Arms, &c.

IV. Provided, That no perſon chargeable by this Act to find an Horſe and Horſeman with Arms, or to be contributory towards finding a Horſe and Horſe-man with Arms, ſhall for the ſame Eſtate be chargeable towards finding a Foot-Soldier with Arms, or contributory thereunto: (2) And it ſhall be lawful to and for the reſpective Lieutenants and Deputies, or any three or more of them as aforeſaid, to impoſe the finding and providing of Horſe, Horſeman and Arms as aforeſaid, by joyning two or three, or more perſons together in the Charge, as to their Judgment ſhall appear moſt conducible to the Service of this Kingdom.

No perſon charged with or towards an Horſe, may be charged alſo towards Foot-Arms.

V. Provided, That no perſon that hath not One hundred pounds per annum in poſſeſſion, in Lands, Tenements, or Hereditaments, Leaſe-hold or Copy-hold, or Twelve hundred pounds perſonal Eſtate, ſhall be compellable to contribute in finding any Horſe and Horſe-man with Arms: (2) And the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall have power to hear Complaints, and examine Witneſſes upon Oath, (which Oath they have hereby power to adminiſter) and to give redreſs according to the merits of the cauſe, in matters relating to the execution of this Act.

What perſons and Eſtate only chargeable towards finding Horſe-Arms.

Lieutenants and Deputies may hear and determine matters relating to this Act.

VI. Be it further enacted, That the ſaid Lieutenants and Deputies, or any three or more of them, in their ſeveral Counties and places reſpectively, ſhall require and direct all perſons ſo charged as aforeſaid with Horſe, Horſe-men and Arms, to allow two ſhillings by the day to the Troopers that ſerve with their Horſe and Arms, for the maintenance of the Man and Horſe, and twelve pence a day for the Foot-Soldiers, (if they ſerve not in their own perſons) for ſo many days as they ſhall be abſent from their Dwellings and Callings, by occaſion of Muſter or Exerciſe.

Allowance of 2 s. per diem for a Horſe man, and 1 s for a Foot-Souldier.

VII. And for furniſhing Ammunition and other neceſſaries, the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall have power to lay fitting Rates upon the reſpective Counties and places, not exceeding in the whole in any one year the proportion of a fourth part of one months Aſſeſſment in each County, after the rate of Seventy thouſand pounds by the month, now or late charged by an Act, entituled, An Act for Raiſing of Seventy thouſand pounds for the further Supply of his Majeſty; (2) which Moneys are to be aſſeſſed, collected and paid by ſuch perſons, and according to ſuch Directions as ſhall be given from time to time by the ſaid reſpective Lieutenants and Deputies, or any Three or more of them, under the like penalties, and by the like ways and means as are preſcribed in the ſaid Act for the Seventy thouſand pounds by the month; (3) And in caſe of Invaſions, Inſurrections or Rebellions, whereby occaſion ſhall be to draw out ſuch Soldiers into actual Service, the perſons ſo charged as aforeſaid, ſhall provide each their Soldier reſpectively with pay in hand, not exceeding one months pay, as ſhall be in that behalf directed by the ſaid reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions by their Deputies, or any two or more of them: (4) For repayment of which ſaid Moneys, and for ſatisfaction of the Officers for their pay during ſuch time, not exceeding one month as aforeſaid, as they ſhall be with their Soldiers in ſuch ſaid actual Service, It is hereby declared, That proviſion ſhall be made for the ſame by his Majeſty, his Heirs and Succeſſors, out of his or their publick Treaſury or Revenue: (5) Nevertheleſs, it is hereby further provided and enacted, That in caſe a months pay ſhall be provided and advanced as aforeſaid, That no perſon who ſhall have advanced his proportion thereof, ſhall be charged with any other like months payment, until he or they ſhall have been reimburſed the ſaid months pay, and ſo from time to time the months pay by him or them laſt before provided and advanced as aforeſaid.

Rates to be made for furniſhing Ammunition.

Invaſion, Inſurrection, Rebellion.

Proviſion by his Majeſty. None having advanced a months pay, ſhall be charged again, until he be re-imburſed the ſame.

VIII. And be it enacted, That the ſaid Lieutenants and their Deputies, or the chief Officers upon the place in the reſpective Counties and places as aforeſaid, may charge Carts, Wagons, Wains, and Horſes for the carrying of Powder, Match, Bullet, and other Materials, allowing ſix pence a mile outward only, to every ſuch Cart, Wagon and Wain with five Horſes, or ſix Oxen, and ſo proportionably; (2) And for every Horſe imployed out of Wagon or Cart for uſes aforeſaid, one peny, ſo taken upon the marching of any Regiment, Company or Troop, upon occaſion of Invaſion, Inſurrection or Rebellion; (3) And that the ſaid Lieutenants, or Deputies, or the chief Officers upon the place, ſhall and may Impriſon Mutineers, and ſuch Soldiers as do not their Duties as Soldiers at the day of their Muſters and Training; and ſhall and may inflict for puniſhment for every ſuch offence, any

How to charge Carts and Horſes for carrying Proviſions, and their allowance per mile.

Soldiers that do not their Duties, how puniſhed.

pecuniary mulct not exceeding five ſhillings, or the penalty of impriſonment without bail or mainprize, not exceeding twenty days.

The penalties upon perſons charged or taxed, refuſing or neglecting.

IX. And be it further enacted, If any perſon or perſons ſo to be aſſeſſed or charged by the ſaid Lieutenants and Deputies, or any three or more of them reſpectively, ſhall refuſe or neglect by a reaſonable time to be appointed, to provide and furniſh ſuch ſufficient Horſe and Horſe-man, Horſes and Horſemen, Arms and other Furniture, or to pay ſuch ſum or ſums of money towards the providing and furniſhing, as aforeſaid; That then it ſhall and may be lawful to and for the reſpective Lieutenants and Deputies, or any three or more of them, for every ſuch offence, from time to time to inflict a penalty upon ſuch perſons, not exceeding xx. l. (2) And alſo by Warrant under their, or any three or more of their Hands and Seals, to levy ſuch ſum or ſums of money, or the value of ſuch Horſe or Horſes, Arms and Furniture, and ſuch penalty inflicted, by diſtreſs and ſale of the Goods of the perſon or perſons ſo neglecting or refuſing, rendring the overplus to the party ſo diſtrained, all neceſſary charge in levying thereof being firſt deducted; (3) And it is declared, That the ſame be imployed to the ſame uſes in default whereof the ſame was impoſed.

Imbezelling of Arms, Horſe or Furniture, how puniſhed.

X. And be it further enacted, That if any perſon or perſons ſo to be armed, arrayed and weaponed, ſhall detain or imbezel his Horſe, Arms or Furniture wherewith he ought to ſerve or is intruſted, that it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions, to and for their Deputies, or any two or more of them, to impriſon ſuch perſon and perſons, till he or they have made ſatisfaction for the Horſe, Arms, or other Furniture ſo by him detained or imbezelled; (2) And alſo, That if any perſon ſo to be Armed, Horſed or Weaponed, as aforeſaid, ſhall not appear, and ſerve compleatly furniſhed with Horſe and Arms, and other Furniture wherewith he is intruſted, at the beat of Drum, ſound of Trumpet, or other Summons, that then, and ſo often, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their abſence, as aforeſaid, or otherwiſe by their directions, to and for their Deputies, or any two or more of them, if the default be in the perſon or perſons ſo intereſted, to impriſon ſuch perſon or perſons for the ſpace of five days without bail or mainprize, or to inflict the penalty, if a Horſeman, not exceeding xx. s. and if a Footman, not exceeding x. s. to be paid down without delay or forbearance: (3) And if any perſon or perſons ſo aſſeſſed or charged, as aforeſaid, ſhall refuſe or neglect to ſend in, or deliver his Horſe, Arms, or other Furniture, upon ſuch ſummons, or other notice, as aforeſaid; that then, and ſo often, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and their Deputies, or any three or more of them, to inflict a penalty not exceeding v. l. to be levied by diſtreſs and ſale of the Goods of ſuch perſon or perſons ſo refuſing, as aforeſaid, rendring the overplus to the party diſtrained, neceſſary charges for levying being firſt deducted.

Ability of perſons aſſeſſed, how to be diſcovered.

XI. And for the better diſcovery of the ability of the perſons ſo to be aſſeſſed and charged, and of all misdemeanors tending to the hindrance of the ſervice aforeſaid, the ſaid reſpective Lieutenants, and their deputies, or any three or more of them, are hereby enabled to examine upon Oath ſuch perſon or perſons as they ſhall judge neceſſary or convenient, or ſhall be produced by the party charged or accuſed, other then the perſons themſelves to be aſſeſſed and accuſed.

Treaſurer and Clerks for receiving and paying moneys by this Act.

XII. And for the better and more ſpeedy execution of the Premiſſes, Be it further enacted, That the ſaid reſpective Lieutenants ſhall be, and are hereby required to appoint one or more Treaſurer or Treaſurers, Clerk or Clerks, for receiving and paying ſuch moneys as ſhall be levied by virtue hereof; of all which receipts and diſburſements thereof, the ſaid Treaſurer, Clerk and Clerks, are every ſix months to give their accompts in Writing, and upon Oath, to the ſaid Lieutenants and their Deputies, or any three or more of them, which Oath they have hereby power to adminiſter: (2) And the ſaid accompt, ſo to be taken, ſhall be forthwith certified to the Lords of his Majeſties moſt honourable Privy Council, and a Duplicate thereof ſhall be certified to the Juſtices of Peace at the next General Quarter Seſſions.

XIII. And be it further enacted, That the Deputy Lieutenants ſhall obſerve and obey ſuch orders and directions as they ſhall from time to time receive from the reſpective Lieutenants, for the putting in execution the Powers given by this Act.

Who ſhall be appointed to ſearch for and ſeize Arms in the houſes of dangerous perſons.

XIV. And for the better ſecuring the Peace of the Kingdom, Be it further enacted and ordained, That the ſaid reſpective Lieutenants, or any two or more of their Deputies, are hereby enabled and authorized from time to time, by Warrant under their hands are Seals, to employ ſuch perſon or perſons as they ſhall think fit (of which a Commiſſioned Officer, and the Conſtables or his Deputy, or the Tythingman, or in the abſence of the Conſtable and his Deputy and Tythingman, ſome other perſon bearing Office within the Pariſh where the ſearch ſhall be, ſhall be two) to ſearch for and ſeize all Arms in the cuſtody or poſſeſſion of any perſon or perſons whom the ſaid Lieutenants, or any two or more of their Deputies, ſhall judge dangerous to the Peace of the Kingdom, and to ſecure ſuch Arms for the ſervice aforeſaid, and thereof from time to time to give accounts to the ſaid reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions, to their Deputies, or any two or more of them: (2) Provided, That no ſuch ſearch be made in any houſe or houſes between Sun-ſetting and Sun-riſing, other then in Cities and their Suburbs, and Towns corporate, Market Towns and houſes within the Bills of Mortality, where it ſhall and may be lawful to ſearch in the night-time, by Warrant, as aforeſaid, if the Warrant ſhall ſo direct and in caſe of reſiſtance to enter by force: (3) And that no dwelling-houſe of any Peer of this Realm be ſearched by virtue of this Act, but by immediate Warrant from his Majeſty under his Sign Manual, or in the preſence of the Lieutenant, or one of the Deputy-Lieutenants of the ſame County or Riding: (4) And that in all places and houſes whatſoever where ſearch is to be made, as aforeſaid, it ſhall and may be lawful, in caſe of reſiſtance, to enter by force; (5) And that the Arms ſo ſeized, may be reſtored to the Owners again, if the ſaid Lieutenants, or in their abſence, as aforeſaid, their Deputies, or any two or more of them, ſhall ſo think fit.

Houſes of Peers.

All high Conſtables and Officers to be aiding to the reſpective Lieutenants.

XV. And be it enacted, That all high Conſtables, petty Conſtables, and other Officers and Miniſters within the ſaid Counties, Cities, Pariſhes and Places aforeſaid, be, and are hereby required to be aiding and aſſiſting to the ſaid reſpective Lieutenants and their Deputies, or any of them, in execution of the Premiſſes: (2) And that all and every perſon and perſons who ſhall Act or do any thing in execution thereof, ſhall be hereby ſaved harmleſs and indempnified: And alſo that all and every perſon and perſons, who have heretofore acted or done any thing in execution of any Commiſſion or Commiſſions of Lieutenancy iſſued by the Kings Majeſty that now is, or by colour of them, or any of them, or touching or concerning the ſame, or any of them, or relating thereunto, ſince the ſeventh day of May, One thouſand ſix hundred ſixty and one, until the twentieth day of May, One thouſand ſix hundred ſixty and two, ſhall be, and are hereby, ſaved harmleſs and indempnified in that behalf.

How perſons are to be charged reſiding in one County, and having lands in another.

XVI. And be it further enacted and ordained, That where any perſon or perſons ſhall be charged by virtue of this Act to find a Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſouldier and Arms, in ſuch County, City or place where he or they do not reſide or inhabit, that then, and in ſuch caſes, the reſpective Lieutenants and Deputies, or any three or more of them, ſhall ſend notice of every ſuch charge, if ſuch perſon have any land in his own occupation, to ſuch perſon as he doth employ as his Servant in managing the ſame; (2) And in caſe all his lands or other eſtate be demiſed, and to farm let, then to one or two of the moſt ſufficient Tenant or Tenants, who ſhall have the ſame in their occupation, who are hereby required forthwith with all convenient ſpeed to convey the ſame to their Maſter or Landlord reſpectively, and within ſuch time as ſhall be appointed in that behalf, bring an account of their Maſter or Landlords anſwer to the reſpective Lieutenants and Deputies, or any three or more of them: (3) And upon neglect or refuſal of the Landlord, to provide ſuch Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſoldier and Arms, as is duly charged upon him, according to the Rates mentioned in this Act for the yearly Rent reſerved upon every demiſe or other grant, and not otherwiſe, within the time limited for that purpoſe; That then the ſaid Tenant or Tenants ſhall provide and do as the Landlord in that behalf ought to have done: (4) And if the ſaid Tenant or Tenants ſhall refuſe or neglect to provide ſuch Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſoldier and Arms, as are charged upon his or their Landlords, within the time limited; That then and upon every ſuch default, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their abſence as aforeſaid or otherwiſe by their directions, to and for their Deputies, or any two or more of them, by Warrant under their hands and Seals, to levy all ſuch penalties as are appointed by this Act, by diſtreſs and ſale of the offenders Goods, rendring the overplus to the party diſtrained.

Tenants to provide Arms for their Landlords.

And to defalk the charges out of their next Rent.

XVII. And it is hereby ordained and enacted, That it ſhall and may be lawful to and for the ſaid Tenant or Tenants, to defalk out of ſuch Rent as ſhall be next due to his or their Landlord, all ſuch money as the ſaid Tenant or Tenants ſhall neceſſarily lay out or expend in providing ſuch Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſouldier and Arms, as are charged upon his or their Landlord, or ſhall be levid upon him or them by diſtreſs for any default in manner as aforeſaid; any condition, reſervatio,n covenant or contract for the payment of his or their Rent, to the contrary in any wiſe notwithſtanding: (2) And for ſo doing, the ſaid Tenant or Tenants ſhall be indempnified by authority of this Act; unleſs the Landlord or Landlords ſhall make it appear within two months after ſuch levying ſuch penalties before the reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions before their Deputies, or any two or more of them, that the default and penalty was occaſioned by the wilful neglect of the ſaid Tenant or Tenants.

The Tenants indempnified for ſo doing.

Peers not to act as Lieutenances or Deputies before they take the Oath of Allegiance, &c. And this Oath.

XVIII. Provided alſo, That no perſon being a Peer of this Realm, ſhall be capable of Acting or ſerving as Lieutenant, or Deputy Lieutenant, by virtue of this Act, unleſs he or they ſhall firſt before ſix of the Lords of his Majeſties Privy Council, for the time being, or ſuch other perſons as ſhall be authorized by his Majeſty to adminiſter the ſame, take the Oaths of Allegiance and Supremacy, and alſo this Oath following: I A B. Do declare and believe, That it is not lawful upon any pretence whatſoever to take Arms againſt the King; And that I do abhor that Traiterous Poſition, That Arms may be taken by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him in purſuance of ſuch Military Commiſſions: So help my God. Which Oaths they have hereby power to adminiſter.

Perſons under the degree of a Peer, to take the Oath of Allegiance, &c. And this Oath.

XIX. And that no perſon being under the degree of a Peer of this Realm, ſhall be capable of Acting as Lieutenant, Deputy Lieutenant, Officer or Soldier, by virtue of this Act, unleſs he or they ſhall firſt take the Oaths of Allegiance and Supremacy, and this Oath following: I A B. do declare and believe, That it is not lawful upon any pretence whatſoever to take Arms againſt the King; And that I do abhor that Traiterous Poſition, That Arms may be taken by his authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him in purſuance of ſuch Military Commiſſions: So help me God. (2) Which Oaths, any one Juſtice of Peace of the reſpective Counties and places aforeſaid is enabled to adminiſter to ſuch reſpective Lieutenant as is not a Peer of this Realm, and the ſaid Lieutenant, or any one Juſtice of Peace of the reſpective Counties and places aforeſaid, is enabled to adminiſter to the reſpective Deputy Lieutenants, not being Peers; and the ſaid reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions when they are not abſent, their Deputies, or any two of them, ſhall and are hereby enabled to adminiſter the ſaid Oaths to the ſaid Officers and Souldiers.

The Trained Bands to continue till 25 March 1663, and no longer.

XX. And to the end there may be ſome convenient time to put in execution the powers of this Act, and preparing an eſtabliſhment according to the ſame, Be it hereby enacted, That the Trained Bands and Forces now actually raiſed and in being, ſhall ſo continue in each reſpective City and County of England and Wales, until the Five and twentieth day of March, One thouſand ſix hundred ſixty and three, and no longer, unleſs an eſtabliſhment according to this Act be no ſooner had; Any thing in this preſent Act to the contrary in any wiſe notwithſtanding.

XXI. And

The times appointed for Training and Muſtering.

XXI. And it is hereby declared and enacted, That the Ordinary times for Training, Exerciſing and Muſtering the Forces to be raiſed by virtue of this Act, ſhall be theſe following, (that is to ſay) The general Muſter and Exerciſe of Regiments, not above once a year; the Training and exerciſing of ſingle Companies, not above four times a year, unleſs ſpecial Directions be given by his Majeſty, or his Privy Council; (2) And that ſuch ſingle Companies and Troops ſhall not at any one time be continued in Exerciſe above the ſpace of two days; (3) and that at a general Muſter & Exerciſe of Regiments, no Officer or Soldier, ſhall be conſtrained to ſtay for above four days together from their reſpective habitations; (4) And that at every ſuch Muſter and Exerciſe, every Muſquetier ſhall bring with him half a pound of Powder at the charge of ſuch perſon or perſons as provide the ſaid Foot-ſoldier and Arms, and every Horſe-man is to bring with him a quarter of a pound of Powder at the charge of ſuch perſon or perſons as provide the ſaid Horſe, Horſe-man and Arms; (5) And the Arms Offenſive and Defenſive, with the Furniture for Horſe, are to be as followeth; The defenſive Arms, a Back, Breaſt and Pot, and the Breaſt and Pot to be Piſtol-proof; The Offenſive Arms, a Sword and a Caſe of Piſtols, the Barrels whereof are not to be under xiv. Inches in length; The Furniture for the Horſe to be a great Saddle or Padd with Burrs and Straps to affix the Houlſters unto a Bit and Bridle, with a Pectorel and Crupper: (6) For the Foot, a Muſqutier is to have a Muſquet, the Barrel whereof is not to be under three Foot in length, and the gage of the bore to be for xij. Bullets to the pound, a Coller of Bandiliers, with a Sword. (7) Provided, that all Muſter-maſters ſhall for the preſent admit and allow of any Muſquets already made, which ſhall bear a Bullet of xiv. to the pound; But no Muſquets which henceforth ſhall be made, are to be allowed of, but ſuch as are of the gage for xij. Bullets to the pound: (8) A Pike-man is to be armed with a Pike made of Aſh, not under xvi. Foot in length, (the head and foot included) with a Back, Breaſt, Head-piece and Sword. (9) Provided, that all Muſter-maſters ſhall for the preſent admit and allow of any Pikes already made that are not under xv. Foot in length; But that no Pikes which ſhall be hereafter made are to be allowed of, that are under xvj. Foot in length.

What Arms and Proviſion every Soldier ſhall bring.

The Militia of the Iſle of Purbeck.

XXII. Provided alſo, and be it enacted by the authority aforeſaid, That the Militia of the Iſland of Purbeck ſhall remain ſeparate from the County of Dorſet, as heretofore hath been uſed; And that his Majeſties Lieutenant of the ſaid Iſland, and his Deputies, or any three or more of them for the time being, ſhall have power for the Levying, Arraying, Muſtering and conducting of ſuch number of Foot for the defence of the ſaid Iſland, in ſuch manner, and by ſuch ways and means as heretofore hath been uſed; and alſo to uſe and execute within the ſaid Iſland, all and every the powers which by the true intent of this Act, any of his Majeſties Lieutenants, or his or their Deputies, or any of them, might in any reſpective County uſe or execute.

Power to his Majeſty to raiſe 70000 l. per annum. for three years upon occaſion. EXP.

XXIII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That in caſe of apparent danger to the preſent Government, it ſhall and may be lawful for his Majeſty at any time or times that the ſame ſhall ſo happen, during the ſpace of three years, from the five and twentieth day of June, in the year one thouſand ſix hundred ſixty and two, to raiſe ſuch ſum or ſums of money for the defraying of the whole, or ſuch part of the Militia aforeſaid, as his Majeſty ſhall find himſelf obliged to imploy, in order to the quiet and ſecurity of this Nation, the ſaid ſum not exceeding Seventy thouſand pounds in one whole year; (2) and the ſame to be raiſed by his Majeſties Lieutenants, or in their abſence, as aforeſaid, by their Deputies in their reſpective Counties, according to the rules and directions in an Act in this preſent Parliament, For the Raiſing of Eighteen months Aſſeſſment after the rate of Seventy thouſand pounds per menſem; as alſo to continue the ſpace of three years from the aforeſaid five and twentieth day of June, and no longer; Any thing in this Act, or any other to the contrary notwithſtanding.

13 Car. 2. Stat. 2. cap. 3.

Such as have provided pariſh Arms before the 24 of June, 1660. how to be reimburſed. EXP.

XXIV. Be it alſo enacted, That all Conſtables, Tything-men, or other Officer or Officers, who ſince the four and twentieth of June, One thouſand ſix hundred and ſixty, have paid or disburſed, or before the ſettlement of the Militia to be eſtabliſhed by virtue of this Act, ſhall pay or disburſe any moneys for buying of Arms, or defraying of Charges of Souldiers, ſet or to be ſet upon their reſpective Pariſhes, ſhall be re-imburſed the ſame by thoſe who have refuſed to pay their proportions thereof; (2) And in caſe he or they ſhall refuſe to pay the ſame, then to be levied by diſtreſs and ſale of Goods, rendring the overplus to the owner or Owners, by Warrant under the Hand and Seal of the Lieutenant or Lieutenants, of in his or their abſence, or otherwiſe by their direction when they are not abſent, or any two of their Deputies, directed to the reſpective Conſtables, Tything-men, or other Officer or Officers aforeſaid of their reſpective pariſhes.

No man charged ſhall be for to ſerve in perſon, but may find a ſufficient man for him.

XXV. Provided always, and it is hereby further enacted and declared, That no perſon charged with the finding of Horſe or Foot, or with contributing thereunto, as aforeſaid ſhall be compellable to ſerve in his or their proper perſon, but may according to ſuch proportion as they are or ſhall reſpectively be charged by this Act, find one or more fit or ſufficient man or men, qualified according to this Act, to be approved by his or their Captain reſpectively, ſubject nevertheleſs to be altered upon appeal to the Lieutenant, or in his abſence, as aforeſaid, to his Deputy Lieutenants, or any two of them, as there ſhall be cauſe; And that every perſon or perſons ſo found and provided, ſhall, and hereby are required to ſerve as a Soldier and Soldiers, in ſuch manner, and under ſuch penalties as are before appointed in this Act; (2) And that every perſon or perſons who ſhall ſerve in his or their own perſons (who are alſo to be approved of as aforeſaid) or ſuch perſon or perſons as ſhall be accepted in his or their ſtead, ſhall at the next Muſter of ſuch Troop or Company in which he or they are to ſerve, give in his or their Chriſtian and Sirnames, and places of abode, unto ſuch perſon as the Lieutenant, or in his abſence, as aforeſaid, or by his direction when he is not abſent, any two Deputy Lieutenants ſhall appoint, to the end the ſame may be liſted; (3) And that from thenceforth ſuch perſon ſo liſted ſhall not be exchanged, or deſert the ſaid Service, or be diſcharged thereof, but by the leave and order of the Lieutenant, or two Deputy Lieutenants,

No perſon liſted may deſert the ſervice, or be diſcharged, or altered but by leave upon reaſonable cauſe.

or his Captain, upon reaſonable cauſe (ſubject nevertheleſs upon appeal, to be determined as aforeſaid) firſt obtained in Writing under his or their Hands and Seals, (4) under pain that ſuch perſon departing from the ſaid Service without leave, as aforeſaid, ſhall forfeit the ſum of xx.l. to be levied upon his Goods and Chattels in ſuch manner as is by this Act appointed for the levying of other penalties; and for non-payment or want of diſtreſs, then every ſuch perſon to be committed to the common Gaol of the County for any time not exceeding three months, without bail or mainpriſe; any thing in this Act to the contrary in any wiſe notwithſtanding.

The

XXVI. Provided always, and be it enacted, That nothing in this Act contained, ſhall extend to put any new charge of Arms upon the Tinners in the Counties of Devon and Cornwal, other then the Tax mentioned in the former Proviſo; But that the Lord Warden of the Stannaries for the time being, in purſuance of his Majeſties Commiſſion in that behalf and ſuch as he ſhall Commiſſionate and authorize under him, according to the rules and directions before mentioned in this Act, ſhall and may have and uſe the like powers, and Array, Aſſeſs, Arm, Muſter and Exerciſe the ſaid Tinners within the ſaid Counties, and either of them, as hath been heretofore uſed; And according to the ancient priviledges and cuſtoms of the ſaid Stannaries, obſerving the rules and proportions appointed by this Act; Any thing in this Act to the contrary notwithſtanding.

Proviſo for the Tinners of Devon & Cornwal.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That his Majeſties Lieutenants that are, or ſhall be Commiſſionated for the Militia of the City of London, may and ſhall continue to Liſt and Levy the Trained Bands and Auxiliaries of the ſaid City, as to number and quality of the perſons, in ſuch manner as was uſed in forming the preſent Forces now raiſed by his Majeſties Commiſſion, (2) and in regard of the extraordinary duties which the Forces of the ſaid City that now are, and formerly were raiſed in order to his Majeſties happy Reſtauration, have of late, and may again be put to, for the ſafety of his Majeſties perſon, and for ſuppreſſing or preventing of Inſurrections, (3) That it ſhall and may be lawful for his Majeſties Lieutenants of the ſaid City, by Warrant from his Majeſty, to impoſe and levy yearly in the ſame, ſo much money as they ſhall find needful for defraying the Arrears of thoſe firſt raiſed for his Majeſties happy Reſtauration, and the arrears and neceſſary charge of thoſe that now are, and ſhall be raiſed, with the Ammunition and other incident expences of their Militia, in ſuch manner as the preſent Aſſeſſment is now levied, and not exceeding in one year the proportion of one months Tax, which the ſaid City now pays towards the Tax of Seventy thouſand pounds by the month, and ſhall be accomptable for the ſame, as by this Act is ordained; Any thing in this Act to the contrary of this Proviſo in any wiſe notwithſtanding.

Proviſo for the Militia of London.

XXVIII. Provided always, That no Officer or Souldier of the Militia, or Trained Bands belonging to any City, Borough or Town-corporate, being a County of it ſelf, or to any other Corporation or Port-town, who have uſed and accuſtomed to be Muſtered only within their own Precincts, ſhall be compellable to appear out of the Precincts or Liberties of the ſame City, Borough, Town-corporate and Port-town, at any Muſter or Exerciſe only; (2) and every of the ſaid Cities, Boroughs, Towns-corporate and Port-towns, are hereby chargeable to find their uſual number of Souldiers, unleſs the reſpective Lieutenants find cauſe to leſſen the ſame; Any thing in this Act to the contrary notwithſtanding,

Proviſo for the Officers of the Militia of Cities and Towns Corporate.

XXIX. Provided, That this Act, or any thing herein contained, ſhall not extend to avoid any Covenant or agreement which hath been, or ſhall be made between any Landlord and Tenant concerning the finding Horſes or Arms, or the bearing, or paying of any Taxes, Rates or other charges by any Tenant, either by general or ſpecial Covenants, but that the ſaid Taxes, Rates or other charges, ſhall be born and paid by all reſpective Tenants, according to the ſaid Covenants and Agreements; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Covenants between Landlords and Tenants for providing Arms, not to be avoided by this Act.

XXX. Provided, That this Act, or any thing therein contained, ſhall not extend to make any alteration in the Iſle of Wight, as to the Militia in that place, either to raiſe Horſe or Foot within the ſaid Iſland, in any other manner then hath been formerly, and is now uſed and practiſed there.

Iſle of Wight.

XXXI. Provided alſo, and be it enacted, That whereas the Militia of the Tower Diviſion in the County of Middleſex, commonly known by the name of the Tower-Hamlets, are, and always have been under the Command of his Majeſties Conſtable, or Lieutenant of the Tower, for the ſervice and preſervation of that his Royal Fort; That it ſhall and may be lawful for his Majeſties Conſtable or Lieutenant of the Tower, for the time being, to continue to levy the Trained Bands of the ſaid Diviſion or Hamlets of the Tower, in ſuch manner and form, as to the number and quality of perſons, as was obſerved in forming the preſent Forces thereof; Any thing in this Act to the contrary notwithſtanding.

Militia of the Tower diviſion in Middleſex.

XXXII. Provided, That neither this Act, nor any matter or thing therein contained, ſhall be deemed, conſtrued or taken to extend to the giving or declaring of any power for the Tranſporting of any the Subjects of this Realm, or any way compelling them to march out of this Kingdom, otherwiſe then by the Laws of England, ought to be done.

Proviſo touching compelling men to march out of this Kingdom.

XXXIII. Provided always, and be it enacted by the authority aforeſaid, That no Peer of this Realm ſhall be charged with Horſe, Horſe-men and Arms, or Foot-ſouldiers and Arms, otherwiſe, or in any other manner then is herein after expreſſed, (that is to ſay) that his Majeſty, his Heirs and Succeſſors, ſhall and may from time to time iſſue out Commiſſions under the great Seal of England, to ſo many Peers (not fewer then twelve) as his Majeſty, his Heirs and Succeſſors ſhall think fit, who, or any five or more of them, ſhall have power from time to time to Aſſeſs all and every, or any the Peers of this Realm, according to the limitations and proportions in this Act appointed, for the finding of Horſe, Horſe-men and Arms, or Foot-ſouldiers and Arms, and for other the purpoſes in this Act mentioned, (except the monthly Taxes which are to be levied, as is before preſcribed in this Act, and ſhall have power to put in execution all and every the powers and authorities of this Act,

Peers of the Realm, how to be charged.

as well for laying Aſſeſſments, or impoſing of penalties (impriſonment of the perſon of any Peer of this Realm only excepted;) which Aſſeſſment, or Charge ſo made, together with ſuch penalties as ſhall be ſo impoſed (impriſonment as aforeſaid only excepted;) ſhall be from time to time reſpectively certified to the reſpective Lieutenants of each County, to the intent, that the ſaid Charge may be born, and the penalties (not before excepted) levied according to the intent of this Act; (2) And that in caſe there ſhall be any default in performance of any thing to be done or paid by any Peer by virtue of this Act, that then it ſhall be lawful for the reſpective Lieutenants and Deputy Lieutenants, or any three of them, to cauſe Diſtreſſes to be taken for the ſame in any of the Lands of ſuch Defaulter within their ſaid Counties or limits reſpectively: (3) And in caſe ſatiſfaction ſhall not be given within the ſpace of one week after ſuch Diſtreſs taken, then ſuch Diſtreſs to be ſold for the performance of the ſaid Service, and the Charge incident thereunto, and the overplus (if any be) to be reſtored to the Owner; (4) And if a Tenant of any Peer of this Realm ſhall be diſtrained for ſuch default as aforeſaid, the Tenant ſo diſtrained, is hereby enabled to deduct the ſum levied out of his next Rent.

CAP. IV.

An Act for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies: And for eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of England.

1 El. cap. 2.

The Kings Declaration and Commiſſion for reviewing the Book of Common Prayer, and Alterations to be propounded therein.

WHereas in the firſt year of the late Queen Elizabeth, there was one Uniform Order of Common Service and Prayer, and of the Adminiſtration of Sacraments, Rites and Ceremonies of the Church of England, (agreeable to the Word of God, and uſage of the Primitive Church) compiled by the Reverend Biſhops and Clergy, ſet forth in one Book entituled, The Book of Common Prayer, and Adminiſtration of Sacraments, and other Rites and Ceremonies in the Church of England, and enjoyned to be uſed by Act of Parliament, holden in the ſaid firſt year of the ſaid late Queen, entituled, An Act for Uniformity of Common Prayer, and Service in the Church, and Adminiſtration of the Sacraments, very comfortable to all good people deſirous to live in Chriſtian converſation, and moſt profitable to the Eſtate of this Realm, upon the which the Mercy, Favour and Bleſſing of Almighty God is in no wiſe ſo readily and plentifully poured, as by Common Prayers, due uſing of the Sacraments, and often Preaching of the Goſpel, with Devotion of the Hearers: (2) And yet this notwithſtanding, a great number of people in divers parts of this Realm, following their own ſenſuality, and living without knowledge, and due fear of God, do wilfully and Schiſmatically abſtain and refuſe to come to their Pariſh-Churches, and other publick places where Common Prayer, Adminiſtration of the Sacraments, and Preaching of the Word of God is uſed upon the Sundays, and other days ordained and appointed to be kept and obſerved as Holy-days: (3) And whereas by the great and ſcandalous neglect of Miniſters in uſing the ſaid Order or Liturgy ſo ſet forth and enjoyned as aforeſaid, great miſchiefs and inconveniencies, during the time of the late unhappy Troubles, have ariſen and grown, and many people have been led into Factions and Schiſms, to the great decay and ſcandal of the Reformed Religion of the Church of England, and to the hazard of many Souls: (4) For prevention whereof in time to come, for ſetling the peace of the Church, and for allaying the preſent diſtempers which the indiſpoſition of the time hath contracted, The Kings Majeſty (according to his Declaration of the Five and twentieth of October, One thouſand ſix hundred and ſixty, granted his Commiſſion under the Great Seal of England, to ſeveral Biſhops, and other Divines, to review the Book of Common Prayer, and to prepare ſuch Alterations and Additions as they thought fit to offer; and afterwards the Convocations of both the Provinces of Canterbury and York, being by his Majeſty called and aſſembled, (and now ſitting) his Majeſty hath been pleaſed to authorize and require the Preſidents of the ſaid Convocation, and other the Biſhops and Clergy of the ſame, to review the ſaid Book of Common Prayer, and the Book of the Form and manner of the making and Conſecrating of Biſhops, Prieſts and Deacons; And that after mature conſideration, they ſhould make ſuch Additions and Alterations in the ſaid Books reſpectively, as to them ſhould ſeem meet and convenient; And ſhould exhibit and preſent the ſame to his Majeſty in Writing for his further allowance or confirmation, (5) ſince which time, upon full and mature deliberation, they the ſaid Preſidents, Biſhops and Clergy of both Provinces, have accordingly reviewed the ſaid Books, and have made ſome alterations which they think fit to be inſerted to the ſame; And ſome Additional Prayers to the ſaid Book of Common Prayer, to be uſed upon proper and emergent occaſions; And have exhibited and preſented the ſame unto his Majeſty in Writing, in one Book entituled, The Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the uſe of the Church of England, together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches; And the Form and Manner of making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons: (6) All which his Majeſty having duly conſidered, hath fully approved and allowed the ſame, and recommended to this preſent Parliament, that the ſaid Books of Common Prayer, and of the Form of Ordination and Conſecration of Biſhops, Prieſts and Deacons, with the Alterations and Additions which have been ſo made and preſented to his Majeſty by the ſaid Convocations, be the Book which ſhall be appointed to be uſed by all that Officiate in all Cathedral and Collegiate Churches and Chappels, and in all Chappels or Colledges and Halls in both the Univerſities, and the Colledges of Eaton and Wincheſter, and in all Pariſh Churches and Chappels, within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, and by all that make or Conſecrate Biſhops, Prieſts or Deacons, in any of the ſaid Places, under ſuch ſanctions and penalties as the Houſes of Parliament ſhall think fit.

II. Now in regard that nothing conduceth more to the ſetling of the Peace of this Nation (which is deſired of all good men) nor to the honour of our Religion, and the propagation thereof, then an Univerſal agreement in the publick Worſhip of Almighty God; and to the intent that every perſon within this Realm, may certainly know the Rule to which he is to conform in publick Worſhip, and Adminiſtration of Sacraments, and other Rites and Ceremonies of the Church of England, and the manner how, and by whom Biſhops, Prieſts and Deacons are, and ought to be made, Ordained and Conſecrated, (2) Be it enacted by the Kings moſt Excellent Majeſty, by the advice and with the conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters in any Cathedral, Collegiate or Pariſh Church or Chappel, or other place of publick Worſhip within this Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall be bound to ſay and uſe the Morning Prayer, Evening Prayer, Celebration and Adminiſtration of both the Sacraments, and all other the publick and Common Prayer, in ſuch order and form as is mentioned in the ſaid Book annexed and joyned to this preſent Act, and entituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Uſe of the Church of England; together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches; and the form or manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons: And that the Morning and Evening Prayers therein contained, ſhall upon every Lords day, and upon all other days and occaſions, and at the times therein appointed, be openly and ſolemnly Read by all and every Miniſter or Curate, in every Church, Chappel or other place of publick Worſhip within this Realm of England, and places aforeſaid.

The peace and honour of Religion much advanced by Uniform agreement in the publick worſhip of God.

The Book of Common Prayer ſhall be uſed.

III. And to the end that Uniformity in the publick Worſhip of God, (which is ſo much deſired) may be ſpeedily effected, Be it further enacted by the authority aforeſaid, That every Parſon, Vicar or other Miniſter whatſoever, who now hath, and enjoyeth any Eccleſiaſtical Benefice or Promotion within this Realm of England, or places aforeſaid, ſhall in the Church, Chappel or place of publick Worſhip belonging to his ſaid Benefice or Promotion, upon ſome Lords day before the Feaſt of Saint Bartholomew, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two, openly, publickly and ſolemnly Read the Morning and Evening Prayer appointed to be Read by, and according to the ſaid Book of Common Prayer, at the times thereby appointed, and after ſuch reading thereof, ſhall openly and publickly before the Congregation there aſſembled, declare his unfeigned aſſent and conſent to the uſe of all things in the ſaid Book contained and preſcribed, In theſe words and no other:

All Parſons, Vicars and Miniſters, to read, and declare their aſſent to uſe the ſame.

IV. I A B. Do here declare my unfeigned aſſent and conſent to all and every thing contained and preſcribed in and by the Book entituled, The Book of Common Prayer and Adminiſtration of the Sacraments and other Rites and Ceremonies of the Church, according to the Uſe of the Church of England; together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches; and the Form or manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons.

V. And that all and every ſuch perſon, who ſhall (without ſome lawful impediment to be allowed and approved of by the Ordinary of the place) neglect or refuſe to do the ſame within the time aforeſaid, (or in caſe of ſuch impediment) within one month after ſuch impediment removed, ſhall ipſo facto be deprived of all his Spiritual Promotions; (2) And that from thenceforth it ſhall be lawful to and for all Patrons and Donors of all and ſingular the ſaid Spiritual Promotions, or of any of them, according to their reſpective Rights and Titles, to preſent or collate to the ſame, as though the perſon or perſons ſo offending or neglecting were dead.

The penalty for refuſing.

VI. And be it further enacted by the authority aforeſaid, That every perſon who ſhall hereafter be preſented or collated, or put into any Eccleſiaſtical Benefice or Promotion within this Realm of England, and places aforeſaid, ſhall in the Church, Chappel or place of publick Worſhip belonging to his ſaid Benefice or Promotion, within two months next after that he ſhall be in the actual poſſeſſion of the ſaid Eccleſiaſtical Benefice or Promotion, upon ſome Lords day, openly, publickly and ſolemnly, Read the Morning and Evening Prayers, appointed to be Read by, and according to the ſaid Book of Common Prayer, at the times thereby appointed, or to be appointed, and after ſuch Reading thereof, ſhall openly and publickly, before the Congregation there aſſembled, declare his unfeigned aſſent and conſent to the uſe of all things therein contained and preſcribed, according to the form before appointed: (2) And that all and every ſuch perſon, who ſhall (without ſome lawful impediment to be allowed and approved by the Ordinary of the place) neglect or refuſe to do the ſame within the time aforeſaid, (or in the caſe of ſuch impediment, within one month after ſuch impediment removed) ſhall (ipſo facto) be deprived of all his ſaid Eccleſiaſtical Benefices and Promotions; (3) And that from thenceforth, it ſhall and may be lawful to, and for all Patrons and Donors of all and ſingular the ſaid Eccleſiaſtical Benefices and Promotions, or any of them, according to their reſpective Rights and Titles, to preſent or collate to the ſame, as though the perſon or perſons ſo offending or neglecting, were dead.

Every perſon hereafter to be promoted to any Eccleſiaſtical Benefice, ſhall read the Common Prayer, and declare his aſſent thereto.

The penalty for not ſo doing the ſame.

VII. And be it further enacted by the authority aforeſaid, That in all places where the proper Incumbent of any Parſonage, or Vicarage, or Benefice with Cure, doth reſide on his Living, and keep a Curate, the Incumbent himſelf in perſon (not having ſome lawful impediment to be allowed by the Ordinary of the place) ſhall once (at the leaſt) in every month, openly and publickly, Read the Common Prayers and Service, in, and by the ſaid Book preſcribed, and (if there be occaſion) adminiſter each of the Sacraments, and other Rites of the Church, in the Pariſh Church or Chappel, of, or belonging to the ſame Parſonage, Vicarage or Benefice, in ſuch order, manner and form, as in, and by the ſaid Book is appointed, (2) upon pain to forfeit the ſum of Five pounds to the uſe of the poor of the Pariſh for every offence, upon conviction by confeſſion, or proof of two credible witneſſes upon Oath, before two Juſtices of the Peace of the County, City or Town-corporate where the offence ſhall be committed, (which Oath the ſaid Juſtices are hereby impowred to adminiſter) and

Incumbents of Livings keeping Curates, ſhall read the ſame once every month.

The penalty and manner of conviction for not doing it.

in default of payment within ten days, to be levied by diſtreſs and ſale of the Goods and Chattels of the Offendor, by the Warrant of the ſaid Juſtices, by the Church-wardens, or Overſeers of the poor of the ſaid Pariſh, rendring the ſurpluſage to the party.

Deans, Canons, Prebendaries, &c. ſhall ſubſcribe the Declaration. 15 Car. 2. cap. 6.

VIII. And be it further enacted by the authority aforeſaid, That every Dean, Canon, and Prebendary of every Cathedral or Collegiate Church, and all Maſters, and other Heads, Fellows, Chaplains and Tutors of, or in any Colledge, Hall, Houſe of Learning, or Hoſpital, and every publick Profeſſor and Reader in either of the Univerſities, and in every Colledge elſewhere, and every Parſon, Vicar, Curate, Lecturer, and every other perſon in holy Orders, and every School-maſter keeping any publick or private School, and every perſon Inſtructing or Teaching any Youth in any Houſe or private Family as a Tutor, or School-maſter, who upon the firſt day of May, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty two, or at any time thereafter ſhall be Incumbent, or have poſſeſſion of any Deanry, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſors place, or Readers place, Parſonage, Vicarage, or any other Eccleſiaſtical Dignity or Promotion, or of any Curates place, Lecture or School; or ſhall inſtruct or teach any Youth as Tutor or School-maſter, ſhall before the Feaſt day of St. Bartholomew, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two, or at or before his or their reſpective admiſſion to be Incumbent, or have poſſeſſion aforeſaid, ſubſcribe the Declaration or Acknowledgment following, Scilicet,

The Declaration.

IX. I A. B. do declare, That it is is not lawful, upon any pretence whatſoever, to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him; And that I will conform to the Liturgy of the Church of England, as it is now by Law eſtabliſhed: And I do declare, That I do hold there lies no Obligation upon me, or any other perſon, from the Oath, commonly called, The Solemn League and Covenant, to endeavour any change or alteration of Government either in Church or State; And that the ſame was in it ſelf an unlawful Oath, and Impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

X. Which ſaid Declaration and Acknowledgment ſhall be ſubſcribed by every of the ſaid Maſters, and other Heads, Fellows, Chaplains, and Tutors of, or in any Colledge, Hall, or Houſes of Learning, and by every publick Profeſſor and Reader in either of the Univerſities, before the Vice-chancellor of the Reſpective Univerſities for the time being, or his Deputy; And the ſaid Declaration or Acknowledgment ſhall be ſubſcribed before the reſpective Arch-biſhop, Biſhop, or Ordinary of the Dioceſs, by every other perſon hereby enjoyned to ſubſcribe the ſame; (2) upon pain that all and every of the perſons aforeſaid failing in ſuch Subſcription, ſhall loſe and forfeit ſuch reſpective Deanry, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſors place, Readers place, Parſonage, Vicarage, Eccleſiaſtical Dignity or Promotion, Curates place, Lecture and School, and ſhall be utterly diſabled, and (ipſo facto) deprived of the ſame; (3) And that every ſuch reſpective Deanry, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſors place, Readers place, Parſonage, Vicarage, Eccleſiaſtical Dignity or promotion, Curates place, Lecture and Schooll, ſhall be void, as if ſuch perſon ſo failing were naturally dead.

The penalty for not ſubſcribing.

School-maſters in private houſes.

XI. And if any Schoolmaſter, or other perſon Inſtructing or Teaching Youth in any private Houſe or Family, as a Tutor or School-maſter, ſhall Inſtruct or Teach any Youth as a Tutor or School-maſter, before Licence obtained from his reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, according to the Laws and Statutes of this Realm, (for which he ſhall pay twelve pence only) and before ſuch Subſcription and Acknowledgment made as aforeſaid; Then every ſuch School-maſter, and other, Inſtructing and Teaching as aforeſaid, ſhall for the firſt offence ſuffer Three months Impriſonment without bail or mainprize, (2) and for every ſecond, and other ſuch offence, ſhall ſuffer three months Impriſonment without bail or mainprize, and alſo forfeit to his Majeſty the ſum of Five pounds; (3) And after ſuch Subſcription made, every ſuch Parſon, Vicar, Curate and Lecturer, ſhall procure a Certificate under the Hand and Seal of the reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, (who are hereby enjoyned and required upon demand to make and deliver the ſame) and ſhall publickly and openly Read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon ſome Lords day within three months then next following, in his Pariſh Church where he is to officiate, in the preſence of the Congregation there aſſembled, in the time of Divine Service, (4) upon pain that every perſon failing therein, ſhall loſe ſuch Parſonage, Vicarage or Benefice, Curates place, or Lecturers place reſpectively, and ſhall be utterly diſabled, and ipſo facto deprived of the ſame; And that the ſaid Parſonage, Vicarage or Benefice, Curates place, or Lecturers place, ſhall be void as if he was naturally dead.

What to be omitted in the Declaration after the 25. of March, 1682.

XII. Provided always, That from and after the Twenty fifth day of March, which ſhall be in the year of our Lord God, One thouſand ſix hundred eighty two, there ſhall be omitted in the ſaid Declaration or Acknowledgment ſo to be Subſcribed and Read, theſe words following, Scilicet,

(2) And I do declare, That I do hold there lies no Obligation on me, or on any other perſon, from the Oath commonly called, The Solemn League and Covenant, to endeavour any change or alteration of Government either in Church or State, and that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

(3) So as none of the perſons aforeſaid ſhall from thenceforth be at all obliged to Subſcribe or Read that part of the ſaid Declaration or Acknowledgment.

XIII. Provided always, and be it enacted, That from and after the Feaſt of St. Bartholomew, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, no perſon, who now is Incumbent, and in poſſeſſion of any Parſonage, Vicarage or Benefice, and who is not already in Holy Orders by Epiſcopal Ordination, or ſhall not before the ſaid

Feaſt-day of St Bartholomew, be Ordained Prieſt or Deacon, according to the Form of Epiſcopal Ordination, ſhall have, hold, or enjoy the ſaid Parſonage. Vicarage, Benefice with Cure, or other Eccleſiaſtical Promotion within this Kingdom of England, or the Dominion of Wales, or Town of Berwick upon Tweed; but ſhall be utterly diſabled, and (ipſo facto) deprived of the ſame; and all his Eccleſiaſtical Promotions ſhall be void, as if he was naturally dead.

Perſons not Ordained Prieſts or Deacons according to Epiſcopal Ordination, ſhall not hold any Eccleſiaſtical Promotion.

XIV. And be it further enacted by the authority aforeſaid, That no perſon whatſoever, ſhall thenceforth be capable to be admitted to any Parſonage, Vicarage, Benefice, or other Eccleſiaſtical Promotion or Dignity whatſoever, nor ſhall preſume to conſecrate and adminiſter the Holy Sacrament of the Lords Supper, before ſuch time as he ſhall be Ordained Prieſt according to the Form and Manner in and by the ſaid Book preſcribed, unleſs he have formerly been made Prieſt by Epiſcopal Ordination, (2) upon pain to forfeit for every offence, the ſum of One hundred pounds; one moiety thereof to the Kings Majeſty, the other moiety thereof to be equally divided between the Poor of the Pariſh where the offence ſhall be committed, and ſuch perſon or perſons as ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, and to be diſabled from taking, or being admitted into the Order of Prieſt, by the ſpace of one whole year then next following.

Nor ſhall conſecrate or adminiſter the Holy Sacrament, if not Ordained according to the Book of Common Prayer. The Penalty.

XV. Provided, that the penalties in this Act ſhall not extend to the Foreigners or Aliens of the Foreign Reformed Churches allowed or to be allowed by the Kings Majeſty, his Heirs and Succeſſors, in England.

XVI. Provided, always, That no Title to confer, or preſent by lapſe, ſhall accrue by any avoidance or deprivation (ipſo facto) by virtue of this Statute, but after ſix months after notice of ſuch avoidance or deprivation given by the Ordinary to the Patron, or ſuch ſentence of deprivation openly and publickly Read in the Pariſh Church, of the Benefice, Parſonage or Vicarage becoming void, or whereof the Incumbent ſhall be deprived by virtue of this Act.

No other Form of Common Prayer to be openly uſed in any Church or publick place.

XVII. And be it further enacted by the authority aforeſaid, That no form or Order of Common Prayers, Adminiſtration of Sacraments, Rites or Ceremonies, ſhall be openly uſed in any Church, Chappel, or other publick place of, or in any Colledge or Hall in either of the Univerſities, the Colledges of Weſtminſter, Wincheſter or Eaton, or any of them, other then what is preſcribed, and appointed to be uſed in and by the ſaid Book; (2) And that the preſent Governour, or Head of either Colledge and Hall in the ſaid Univerſities, and of the ſaid Colledges of Weſtminſter, Wincheſter and Eaton, within one month after the Feaſt of Saint Bartholomew, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two; And every Governour or Head of any the ſaid Colledges or Halls hereafter to be elected or appointed, within one month next after his election, or collation, and admiſſion into the ſame Government or Headſhip, ſhall openly and publickly in the Church, Chappel, or other publick place of the ſame Colledge or Hall, and in the preſence of the Fellows and Scholars of the ſame, or the greater part of them then reſident, Subſcribe unto the Nine and thirty Articles of Religion, mentioned in the Statute made in the Thirteenth year of the Reign of the late Queen Elizabeth, and unto the ſaid Book, and declare his unfeigned aſſent, and Conſent unto, and Approbation of the ſaid Articles, and of the ſame Book, and to the uſe of all the Prayers, Rites and Ceremonies, Forms and Orders in the ſame Book preſcribed and contained, according to the Form aforeſaid; (3) And that all ſuch Governours or Heads of the ſaid Colledges and Halls, or any of them, as are, or ſhall be in Holy Orders, ſhall once (at leaſt) in every Quarter of the year (not having a lawful impediment) openly and publickly Read the Morning Prayer and Service in and by the ſaid Book appointed to be Read in the Church, Chappel, or other publick place of the ſame Colledge or Hall, (4) upon pain to loſe, and be ſuſpended of, and from all the Benefits and Profits belonging to the ſame Government or Headſhip, by the ſpace of ſix months, by the Viſitor, or Viſiors of the ſame Colledge or Hall; (5) And if any Governour, or Head of any Colledge or Hall, ſuſpended for not ſubſcribing unto the ſaid Articles and Book, or for not Reading of the Morning Prayer and Service as aforeſaid, ſhall not at, or before the end of ſix months next after ſuch Suſpenſion, ſubſcribe unto the ſaid Articles and Book, and declare his Conſent thereunto as aforeſaid, or Read the Morning Prayer and Service as aforeſaid, then ſuch Government or Headſhip ſhall be (ipſo facto) void.

Subſcription to the 39 Articles mentioned in the Stat. 13 Eliz. cap. 12.

Who may uſe the Service in Latine.

XVIII. Provided always, That it ſhall and may be lawful to uſe the Morning and Evening Prayer, and all other Prayers and Service preſcribed in and by the ſaid Book, in the Chappels or other publick places of the reſpective Colledges and Halls in both the Univerſities, in the Colledges of Weſtminſter, Wincheſter and Eaton, and in the convocations of the Clergies of either Province, in Latine; Any thing in this Act to the contrary notwithſtanding.

Lecturers.

XIX. And be it further enacted by the authority aforeſaid, That no perſon ſhall be, or be received as a Lecturer, or permitted, ſuffered, or allowen to Preach as a Lecturer, or to Preach, or Read any Sermon or Lecture in any Church, Chappel, or other place of publick Worſhip, within this Realm of England, or the Dominion of Wales, and Town of Berwick upon Tweed, unleſs he be firſt approved, and thereunto Licenſed by the Archbiſhop of the Province, or Biſhop of the Dioceſs, or (in caſe the See be void) by the Guardian of the Spiritualties, under his Seal, and ſhall in the preſence of the ſame Archbiſhop, or Biſhop, or Guardian, read the Nine and thirty Articles of Religion mentioned in the Statute of the Thirteenth year of the late Queen Elizabeth, with declaration of his unfeigned aſſent to the ſame; (2) And that every perſon and perſons who now is, or hereafter ſhall be Licenſed, Aſſigned and Appointed, or received as a Lecturer, to Preach upon any day of the week in any Church, Chappel or place of publick Worſhip within this Realm of England, or places aforeſaid, the firſt time he preacheth (before his Sermon) ſhall openly, publickly, and ſolemnly Read the Common Prayers and Service in and by the ſaid Book appointed to be Read for that time of the day, and then and there publickly and openly declare his aſſent unto, and approbation of the ſaid Book, and to the uſe of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and preſcribed, according to the Form before appointed in this Act; (3) And alſo ſhall upon the firſt Lecture-day of every month afterwards, ſo long as he continues Lecturer or Preacher there, at the place appointed for his ſaid Lecture or Sermon, before his ſaid Lecture or Sermon, openly, publickly and ſolemnly Read the Common Prayers and Service in and by the ſaid Book appointed to be Read for that time of the day at which the ſaid Lecture or Sermon is to be Preached, and after ſuch Reading thereof, ſhall openly and publickly, before the Congregation there aſſembled, declare his unfeigned aſſent and conſent unto, and approbation of the ſaid Book, and to the uſe of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and preſcribed, according to the Form aforeſaid; (4) And that all and every ſuch perſon or perſons who ſhall neglect or refuſe to do the ſame, ſhall from thenceforth be diſabled to preach the ſaid, or any other Lecture or Sermon in the ſaid, or any other Church, Chappel or place of publick Worſhip, until ſuch time as he and they ſhall openly, publickly and ſolemnly read the Common Prayers and Service appointed by the ſaid Book, and conform in all points to the things therein appointed and preſcribed, according to the purport, true intent and meaning of this Act.

Lectures in Cathedral or Collegiate Churches.

XX. Provided always, That if the ſaid Sermon or Lecture be to be preached or read in any Cathedral or Collegiate Church or Chappel, it ſhall be ſufficient for the ſaid Lecturer, openly at the time aforeſaid, to declare his Aſſent and Conſent to all things contained in the ſaid Book, according to the form aforeſaid.

The penalty upon perſons diſabled that preach.
15 Car. 2, cap. 6. in fine.

XXI. And be it further enacted be the authority aforeſaid, That if any perſon who is by this Act diſabled to preach any Lecture or Sermon, ſhall during the time that he ſhall continue and remain ſo diſabled, preach any Sermon or Lecture; that then for every ſuch offence, the perſon and perſons ſo offending, ſhall ſuffer three months impriſonment in the Common Goal without bail or mainpriſe; (2) And that any two Juſtices of the Peace of any County of this Kingdom and places aforeſaid, and the Mayor or other chief Magiſtrate of any City or Town-corporate within the ſame, upon Certificate from the Ordinary of the place made to him or them of the offence committed, ſhall and are hereby required to commit the perſon or perſons ſo offending, to the Goal of the ſame County, City or Town-corporate accordingly.

Common Prayer to be read before every Lecture, and the Lecturer to be preſent.

XXII. Provided always, and be it further enacted by the authority aforeſaid, That at all and every time and times when any Sermon or Lecture is to be preached, the Common Prayers and Service in and by the ſaid Book appointed to be read for that time of the day, ſhall be openly, publickly and ſolemnly read by ſome Prieſt or Deacon, in the Church, Chappel or place of publick Worſhip where the ſaid Sermon or Lecture is to be preached, before ſuch Sermon or Lecture be preached; And that the Lecturer then to preach ſhall be preſent at the reading thereof.

Proviſo for Sermons and Lectures in the Univerſities.

XXIII. Provided nevertheleſs, That this Act ſhall not extend to the Univerſity Churches in the Univerſities of this Realm, or either of them, when or at ſuch times as any Sermon or Lecture is preached or read in the ſaid Churches, or any of them, for, or as the publick Univerſity Sermon or Lecture; but that the ſame Sermons and Lectures may be preached or read in ſuch ſort and manner as the ſame have been heretofore preached or read; this Act, or any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

The Laws and Statutes formerly made for Uniformity of Common Prayer, confirmed, and to be executed for puniſhing offendors againſt this Law.

XXIV. And be it further enacted by the authority aforeſaid, That the ſeveral good Laws and Statutes of this Realm, which have been formerly made, and are now in force for the Uniformity of Prayer and Adminiſtration of the Sacraments, within this Realm of England, and places aforeſaid, ſhall ſtand in full force and ſtrength, to all intents and purpoſes whatſoever, for the eſtabliſhing and confirming of the ſaid Book, entituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church; according to the Uſe of the Church of England, together with the Pſalter or Pſalms of David, Pointed as they are to be ſaid or ſung in Churches, and the form and manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons, herein before mentioned to be joyned and annexed to this Act; and ſhall be applied, plactiſed and put in ure for the puniſhing of all offences contrary to the ſaid Laws, with relation to the Book aforeſaid, and no other.

Litanies and Collects relating to the King, Queen, &c.

XXV. Provided always, and be it further enacted by the authority aforeſaid, That in all thoſe Prayers, Litanies and Collects, which do any way relate to the King, Queen or Royal Progeny, the names be altered and changed from time to time, and fitted to the preſent occaſion, according to direction of lawful authority.

True printed Copies of the Book of Common Prayer to be provided in all Pariſhes and Churches.

XXVI. Provided alſo, and be it enacted by the authority aforeſaid, That a true printed Copy of the ſaid Book, entituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Uſe of the Church of England, together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches, and the form and manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons, ſhall at the coſts and charges of the Pariſhioners of every Pariſh Church and Chappelry, Cathedral Church, Colledge and Hall, be attained and gotten before the Feaſt-day of Saint Bartholomew, in the year of our Lord, One thouſand ſix hundred ſixty and two, upon pain of forfeiture of three pounds by the month, for ſo long time as they ſhall then after be unprovided thereof, by every Pariſh or Chappelry, Cathedral Church, Colledge and Hall, making default therein.

Proviſo for the Biſhops of Hereford, St. Davids, Aſaph, Bangor, Landaff.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That the Biſhops of Hereford, St. Davids, Aſaph, Bangor and Landaff, and their Succeſſors, ſhall take ſuch order among themſelves, for the Souls health of the Flocks committed to their charge within Wales, that the Book hereunto annexed be truly and exactly tranſlated into the Britiſh or Welſh Tongue, And that the ſame ſo Tranſlated, and being by them, or any three of them at the leaſt, viewed, peruſed and allowed, be imprinted to ſuch number at leaſt, ſo that one of the ſaid Books ſo Tranſlated and Imprinted, may be had for every Cathedral, Collegiate and Pariſh Church, and Chappel of Eaſe in the ſaid reſpective Dioceſſes and places in Wales, where the Welſh is commonly ſpoken or uſed, before the Firſt day of May, One thouſand ſix hundred ſixty five; (2) And that from and after the Imprinting and publiſhing of the ſaid Book ſo Tranſlated, the whole Divine Service ſhall be uſed and ſaid by the Miniſters and Curates throughout all Wales within the ſaid Dioceſſes where the Welſh Tongue is commonly uſed, in the Brittiſh or Welſh Tongue, in ſuch manner and form as is preſcribed according to the Book hereunto annexed to be uſed in the Engliſh Tongue, differing nothing in any order or form from the ſaid Engliſh Book; for which Book, ſo Tranſlated, and Imprinted, the Church-wardens of every of the Pariſhes ſhall pay out of the Pariſh money in their hands for the uſe of the reſpective Churches, and be allowed the ſame on their accompt; And that the ſaid Biſhops and their Succeſſors, or any three of them at the leaſt, ſhall ſet and appoint the price, for which the ſaid Book ſhall be ſold: (3) And one other Book of Common Prayer in the Engliſh Tongue ſhall be bought and had in every Church throughout Wales, in which the Book of Common Prayer in Welſh is to be had by force of this Act, before the firſt day of May, One thouſand ſix hundred ſixty and four, and the ſame Books to remain in ſuch convenient places within the ſaid Churches, that ſuch as underſtand them may reſort at all convenient times to read and peruſe the ſame, and alſo ſuch as do not underſtand the ſaid Language, may by conferring both Tongues together, the ſooner attain to the knowlede of the ſaid Engliſh Tongue; Any thing in this Act to the contrary notwithſtanding: (4) And until printed Copies of the ſaid Book ſo to be Tranſlated, may be had and provided, The Form of Common Prayer eſtabliſhed by Parliament, before the making of this Act, ſhall be uſed as formerly in ſuch parts of Wales where the Engliſh Tongue is not commonly underſtood.

True and perfect Copies of this Act, and the Book of Common Prayer, by whom, and how to be had and kept.

XXVIII. And to the end that the true and perfect Copies of this Act, and the ſaid Book hereunto annexed, may be ſafely kept, and perpetually preſerved, and for the avoiding of all diſputes for the time to come; (2) Be it therefore enacted by the authority aforeſaid, That the reſpective Deans and Chapters of every Cathedral or Collegiate Church within England and Wales, ſhall at their proper coſts and charges, before the Twenty fifth day of December, One thouſand ſix hundred ſixty two, obtain under the Great Seal of England, a true and perfect printed Copy of this Act, and of the ſaid book annexed hereunto, to be by the ſaid Deans and Chapters, and their Succeſſors, kept and preſerved in ſafety for ever, and to be alſo produced and ſhewed forth in any Court of Record, as often as they ſhall be thereunto lawfully required; (3) And alſo there ſhall be delivered true and perfect Copies of this Act, and of the ſame Book, into the reſpective Courts at Weſtminſter, and into the Tower of London, to be kept and preſerved for ever among the Records of the ſaid Courts, and the Records of the Tower, to be alſo produced and ſhewed forth in any Court, as need ſhall require; (4) which ſaid Books ſo to be exemplified under the Great Seal of England, ſhall be examined by ſuch perſons as the Kings Majeſty ſhall appoint, under the Great Seal of England for that purpoſe, and ſhall be compared with the Original Book hereunto annexed, and ſhall have power to Correct and amend in Writing, any Errour committed by the Printer in the printing of the ſame Book, or of any thing therein contained, and ſhall certifie in Writing under their Hands and Seals, or the Hands and Seals of any three of them, at the end of the ſame Book, that they have examined and compared the ſame Book, and find it to be a true and perfect Copy; (5) which ſaid Books, and every one of them ſo exemplified under the Great Seal of England as aforeſaid, ſhall be deemed, taken, adjudged and expounded to be good and available in the Law, to all intents and purpoſes whatſoever, and ſhall be accounted as good Records as this Book it ſelf hereunto annexed; Any Law or Cuſtom to the contrary in any wiſe notwithſtanding.

Proviſo for the Kings Profeſſor of Law in Oxford.

XXIX. Provided alſo, That this Act, nor any thing therein contained, ſhall not be prejudicial or hurtful unto the Kings Profeſſor of the Law within the Univerſity of Oxford, for or concerning the Prebend of Shipton within the Cathedral Church of Sarum, united and annexed unto the place of the ſame Kings Profeſſor for the time being, by the late King James of bleſſed memory.

Proviſo concerning the 36th Article agreed in the Convocation Anno 1562.

XXX. Provided always, That whereas the Six and thirtieth Article of the Nine and thirty Articles agreed upon by the Archbiſhops and Biſhops of both Provinces, and the whole Clergy holden at London, in the year of our Lord, One thouſand five hundred ſixty two, for the avoiding of diverſities of Opinions, and for eſtabliſhing of conſent touching true Religion, is in theſe words following, viz.

(2) " That the Book of Conſecration of Archbiſhops, and Biſhops and Ordaining of Prieſts and Deacons, lately ſet forth in the time of King Edward the Sixth, and confirmed at the ſame time by Authority of Parliament, doth contain all things neceſſary to ſuch Conſecration and Ordaining, neither [illegible]th it any thing that of it ſelf is ſuperſtitious and ungodly : And therefore whoſoever are Conſecrated or Ordered according to the Rites of that Book, ſince the ſecond year of the aforenamed King Edward unto this time, or hereafter ſhall be Conſecrated or Ordered according to the ſame Rites, We decree all ſuch to be rightly, orderly, and lawfully Conſecrated and Ordered;

XXXI. It be enacted, and be it therefore enacted by the authority aforeſaid, That all Subſcriptions hereafter to be had or made unto the ſaid Articles, by any Deacon, Prieſt, or Eccleſiaſtical perſon, or other perſon whatſoever, who by this Act, or any other Law now in force, is required to ſubſcribe unto the ſaid Articles, ſhall be conſtrued, and taken to extend, and ſhall be applied (for and touching the ſaid Six and thirtieth Article) unto the Book containing the form and manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons, in this Act mentioned, in ſuch ſort and manner as the ſame did heretofore extend unto the Book ſet forth in the time of King Edward the Sixth, mentioned in the ſaid Six and thirtieth Article; Any thing in the ſaid Article, or in any Statute Act or Canon heretofore had or made, to the contrary thereof in any wiſe notwithſtanding.

The Common Prayer uſed by authority of Parliament, 1 Eliz. to be uſed until Bartholomew Day, 1662. EXP.

XXXII. Provided alſo, That the Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies of this Church of England, together with the form and manner of Ordaining and Conſecrating Biſhops, Prieſts and Deacons, heretofore in uſe, and reſpectively eſtabliſhed by Act of Parliament in the Firſt and Eighth years of Queen Elizabeth, ſhall be ſtill uſed and obſerved in the Church of England, until the Feaſt of St. Bartholomew, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two. EXP. as to this laſt Clauſe.

CAP. V.

An Act for the Regulating and making of Stuffs in Norfolk and Norwich.

WHereas divers abuſes and deceits have of late years been had and uſed in the making of Worſteds, and other Stuffs commonly called Norwich Stuffs, and in the Reeling of Yarns, whereof the ſaid Stuffs are either wholly, or in part made, which tends to the debaſing of the ſaid Manufacture, unto the prejudice of the publick; (2) which ſaid Trade of Weaving of Stuffs hath of late times been very much increaſed, and great variety of new ſorts of Stuffs have been invented; ſo that the Power given by the Statute of the Seventh of Edward the Fourth, Chapter the Firſt, is not ſufficient for the Regulating of the ſame; (3) And that the number of the Wardens by the ſame Act appointed, being but eight, are too few for the Governing and Ordering the ſame Trade, by which means the ſame Manufacture will ſoon be loſt, (if not prevented) and carried into Foreign Nations, to the great diminution of his Majeſties Cuſtoms, and turning out of work many thouſands of poor people:

7 Ed. 4. cap. 1.

The number of Wardens and Aſſiſtants of Maſter Weavers in Norwich, how and when to be choſen.

II. For prevention of which abuſes, deceits and evils, It is enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by the authority of the ſame, That there ſhall be Twelve Wardens, and Thirty Aſſiſtants, all which are to be Maſter-Weavers within the County of the City of Norwich, and the County of Norfolk: (2) ſix of which ſaid Wardens, and fifteen of the ſaid Aſſiſtants ſhall be choſen the firſt Monday after Pentecoſt, in the year of our Lord God, One thouſand ſix hundred ſixty and two, and from thenceforth yearly, and every year on the next Monday after Pentecoſt, at ſome publick place, by the Maſter-Weavers, or the greater part of them, preſent of the ſaid City and County of Norwich; (3) And the other ſix Wardens, and fifteen Aſſiſtants ſhall be choſen upon the ſame day yearly within the City of Norwich or County of Norfolk, in ſome publick place, by the Maſter-Weavers, or the greater part of them preſent of the County of Norfolk, (4) And the ſaid Wardens reſpectively ſhall within fourteen days after they ſhall be choſen or elected, and notice thereof given, take the Oath enſuing, to be adminiſtred by the Mayor of the ſaid City for the time being, or his Deputy, and the Steward of the Dutchy of Lancaſter within the ſaid County for the time being, if it ſhall happen the ſaid Steward ſhall be there preſent, or elſe before the ſaid Mayor, or his Deputy only, which Oath they and every of them are hereby authorized and required from time to time to Adminiſter accordingly, Viz. I A. B. do ſwear, That I will well, faithfully and honeſtly perform and diſcharge the Office of a Warden of the ſaid Trade of Worſted Weavers, according to the beſt of my skill, power and knowledge: (5) And that the ſaid Aſſiſtants, and every of them within the time aforeſaid, ſhall take the like Oath before ſuch perſon or perſons before whom the Wardens ſhall be ſworn for the execution of that Office of an Aſſiſtant; (6) and that if it ſhall happen that any of the ſaid Wardens who ſhall be ſo choſen, ſhall refuſe to take the ſaid Oath, or after he be ſworn, ſhall die before the end of the year, That then from time to time, ſo often as need ſhall be, it ſhall and may be lawful to and for the Maſter-Weavers of the ſaid City, County of the City of Norwich, and the County of Norfolk reſpectively, as the cauſe ſhall require, to chuſe other Warden or Wardens in the place of him or them ſo dying or refuſing, who ſhall be ſworn in ſuch manner as aforeſaid.

The Oath to be taken by them.

The Powers in this Act for Regulation of Trade to be put in execution.

III. And for the Regulation and good Government of the ſaid Trade and Manufacture, the ſaid Wardens and Aſſiſtants; or any Thirteeen of them, whereof Seven to be Wardens, ſhall and may from time to time meet and conſult together for the good and benefit of the ſaid Trade and Manufacture, and for the due execution of the Powers and Authorities given by this Act, ſo often as to them ſhall ſeem expedient, or when it ſhall be deſired by eight, or more of the ſaid Aſſiſtants, at the place called Weavers-Hall in the ſaid City, or at ſuch other place as they ſhall think fit: (2) And that any Thirteen or more of the ſaid Wardens and Aſſiſtants, whereof Seven at the leaſt to be Wardens, ſhall have, and hereby have Power and Authority from time to time, ſo often as need ſhall require; to make and ordain By-laws, Rules and Ordinances, for, and concerning the Regulation of the ſaid Worſted-Stuffs, and other Stuffs now made, and which hereafter ſhall be made within the ſaid City and County of the ſaid City of Norwich, and County of Norfolk, and in either of them, both in length, breadth and goodneſs, and of ſuch other particulars as ſhall by the ſaid Wardens and Aſſiſtants ſo met, or the greater number of them, from time to time be adjudged requiſite for the better Regulating the ſaid Trade and Manufacture, and the Artificers of the ſame in the due execution of this Act, and to make Seals from time to time for the ſealing of the ſame Stuffs; (3) which By-laws, Rules and Ordinances, being ratified and confirmed by the Mayor, and two Juſtices of the Peace of the ſaid City and County of Norwich for the time being, and three other Juſtices of the Peace of the ſaid County of Norfolk (whereof one to be of the Quorum) ſhall be publiſhed four times in the year at the leaſt, at four publick Aſſemblies for the ſaid Trade and Manufacture, and ſhall be obeyed and kept by the ſeveral perſons within and under the ſaid Regulation.

Power to make By-laws and Orders.

To be publiſhed at four Aſſemblies to be held yearly

The penalty upon offendors againſt ſuch By-laws and Orders.

IV. And the ſaid Wardens and Aſſiſtants ſhall have, and hereby have Power to impoſe a Fine or Penalty upon any perſon or perſons under ſuch Regulation, as ſhall not conform to ſuch Rules, Orders and Ordinances ſo made, and to be made and confirmed as aforeſaid.

V. Provided that the ſaid Fine or Penalty upon any perſon for not conforming as aforeſaid, ſhall not exceed the ſum of Ten ſhillings for any one Offence.

VI. And it is further enacted, That the Wardens and Aſſiſtants of the ſaid City, and County of the City of Norwich, ſhall from time to time give perſonal notice unto the Wardens of the ſaid County of Norfolk, or two of them at the leaſt, of the time when they intend to conſider of the making of By-laws, Rules and Ordinances aforeſaid, and ſhall ſet up in Writing upon the door of their Sealing-Hall, fourteen days at the leaſt before they ſhall proceed to the making the ſame; to the end, that ſuch of the ſaid Countrey Weavers as are therein concerned may be there preſent.

Notice of meeting by the City of Norwich, to be given to the Wardens of the County of Norfolk.

VII. And for the better Regulation and carrying on the work aforeſaid, and for avoiding of all Frauds and Deceits therein, Be it further enacted by the authority aforeſaid, That all Yarns called Worſted Yarns, and ſuch other Yarns as are commonly uſed by the Worſted Weavers, ſhall be made without Fraud, and ſhall be Reeled on a Reel of a full Yard about, and every Reel-ſtaff ſhall contain fourteen Leas, and every Lea fourty threads, twelve of which Reel-ſtaffs ſhall make a dozen, and twelve of thoſe dozens ſhall make a groſs: And in caſe any perſon or perſons ſhall ſell, or expoſe to ſale, any of the ſaid Yarns made and reeled in any other manner than as is aforeſaid, that then every ſuch perſon or perſons ſhall forfeit the moiety of the value of the ſaid Yarns to the uſe of the ſaid Trade and Manufactures, after charges of Suit and of Proſecution firſt deducted out of the ſame; which forfeiture ſhall be recovered by Action of Debt, Bill, Plaint, Indictment or Information, in any of the Kings Majeſties Courts of Record, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed for the Defendant.

Yarns called Worſted Yarns, how to be made.

VIII. And that it ſhall and may be lawful to, and for the Wardens and Aſſiſtants of the ſaid Trade and Manufactures, or any two of them, from time to time to view and ſearch in all Fairs and Markets, and other publick places of ſale of Yarns within the ſaid City of Norwich and County of the ſame, and County of Norfolk, and either of them, all Yarns which ſhall be there expoſed to ſale; (2) and ſuch of the ſaid Yarns as they ſhall find defective, contrary to the Rules herein before ſet, that then it ſhall and may be lawful to and for the ſame Wardens and Aſſiſtants, or any two of them, to ſeize the ſame Yarns, and bring the ſame within twenty days next after the ſeizure thereof, to Tryal by a Jury, and to be proceeded in, and fined in ſuch manner and form as in this preſent Act is limited and appointed for defective Stuffs; which ſaid Jury ſhall have, and hereby have power to ſet ſuch fine or fines upon the ſaid Yarns, as they ſhall in their diſcretions ſee cauſe, the ſame fines not to exceed the moiety of the Yarn ſo found defective, (3) and the ſame fines to go to the poor of the ſame Trade and Manufacture as aforeſaid.

View and ſearch to be made of Manufactures in Fairs and Markets.

IX. Provided always, That no perſon or perſons ſhall be doubly puniſhed for any one offence touching Yarns (that is to ſay) by this, and the former clauſe in this Act.

X. And it is hereby further enacted, That all ſorts of Stuffs, whether woven of Woollen only, or of Wooll and other Materials, within the City and County of Norwich, and the County of Norfolk, and the makers and Weavers of the ſame Stuffs, ſhall be under the Power, Government and Regulation of the ſaid Wardens and Aſſiſtants, in ſuch manner as by this and other Acts of Parliament, and the By-laws made, and to be made by virtue thereof, are or ſhall be eſtabliſhed, (except ſuch Stuffs as are under the Regulation of the Wardens and Fellowſhip of the Myſtery of Ruſſel-Sattens, Sattens Reverſes, and Fuſtians of Norwich-making, within the City of Norwich:) (2) And that all Stuffs made and to be made under the Regulation aforeſaid, before the ſame ſhall be offered, or put to ſale, ſhall be brought to Weavers-Hall for the time being, within the County of the City of Norwich, to be viewed and ſearched by the ſaid Wardens, or any two of them; (3) And if the ſame ſhall be found to be well and ſufficiently made, and wrought according to the Rules and Ordinances of the ſaid Trade, then all ſuch Stuffs ſhall be by the Wardens, or any two of them, ſealed and allowed accordingly, without any ſum of money paid, or to be paid for the ſame, (4) and if upon ſearch and view thereof, any ſuch Stuffs ſhall be found, and appear to be defective, contrary to the Rules and Ordinances of the ſaid Wardens and Aſſiſtants, then all ſuch defective Stuffs ſhall be ſeized by the ſaid Wardens, or any two of them, and tryed by a Jury of Twelve Artificers of the ſaid Regulation of Worſted Weavers, Six whereof to be of the City of Norwich, and Six to be of the County of Norfolk, who ſhall be from time to time Impanelled by a Precept under the Hand and Seal of the Mayor of the City of Norwich for the time being, or his Deputy, (5) and if any who ſhall be ſo Impanelled ſhall fail in appearance, the number to be made up either of the Maſter-Weavers of the City of Norwich, or of the County of Norfolk, by a Precept from the ſaid Mayor, (6) which Jury ſo Impanelled or taken, and ſworn before the Mayor of the ſaid City for the time being, ſhall try the ſaid Stuffs, and find whether they be made according to this Act, and the By-laws and Ordinances made by virtue thereof, or of any other Act of Parliament, (7) and ſhall have power to impoſe a moderate fine according to the nature of the offence, not exceeding the moiety of the value of the defective Stuffs ſo ſeized and tried, the ſame fines to go to the uſe of the Trade and Manufacture, (8) and thoſe Stuffs which ſhall be found defective, to be detained until the fine or fines ſet upon them by the Jury be paid; (9) which if the Owner of the ſame Stuffs ſhall not pay to the ſaid Wardens, or ſome of them, within fourty days after the Tryal, then the ſame Stuffs to be ſold by any two of the ſaid Wardens, and the overplus of the moneys thereof coming after the fines deducted, to be reſtored to the Owner upon demand.

All Woollen Stuffs and Weavers to be under the Government of the ſaid Wardens and Aſſiſtants.

Good and ſufficient ſhall be ſealed.

Defective Stuffs ſhall be ſeized and tryed by a Jury.

XI. And it is further enacted, That if any Warden or Wardens ſhall at any time ſeal, or cauſe to be ſealed, any Stuffs made under the ſaid Regulation, which ſhall afterwards be diſcovered by any perſon to be defective, contrary to this preſent Act, and the By-laws, Rules and Ordinances thereupon made, or hereafter to be made, or any of them, and found ſo to be by a Jury of the twelve Artificers of the ſaid Trade, from time to time to be Impanelled and ſworn before the ſaid Mayor, or his Deputy, and the ſaid Steward of the Dutchy of Lancaſter for the time being, if he be there preſent; and if the ſaid Steward be abſent, then before the ſaid Mayor, or his Deputy only; of which Jury Six ſhall be of the ſaid

The penalty for ſealing defective Stuffs.

City Weavers, and the other ſix of the ſaid Countrey Weavers, who ſhall have, and hereby have power to ſet and impoſe a Fine upon the Warden or Wardens of the ſaid Trade offending, for every piece of defective Stuff ſo ſealed, as the ſame Jury in their diſcretions ſhall think fit; the ſame Fine not exceeding the ſum of Fourty ſhillings, which ſhall be to the uſe of the Kings Majeſty; (2) And that the ſame Jury, or any other ſuch like Jury from time to time to be Impanelled by, and ſworn before the perſons aforeſaid, or any of them, ſhall likewiſe enquire into all and every other the Frauds, abuſes and miſcarriages of the Wardens and Aſſiſtants, and every of them, in the execution of their Offices, and correct and puniſh them and every of them for their ſeveral offences, in ſuch manner as is herein before mentioned to be done againſt any other Offendors who are under the ſaid Regulation.

Perſons unjuſtly moleſted, to have double damages.

XII. Provided, That if the ſaid Wardens, or any of them, ſhall be unjuſtly moleſted, and that if ſuch Stuffs, upon tryal, ſhall be found by the Jury to be good and duly made, or that they, or the Aſſiſtants, or any of them, are not guilty of any ſuch Frauds, miſcarriages or abuſes, as they are complained of for, the perſon or perſons ſo cauſeleſly moleſting, ſhall pay to the Wardens or Aſſiſtants, or any of them, ſo unjuſtly moleſted, double the damages they or any of them ſhall or may ſuſtain by any ſuch moleſtation.

None may buy Stuffs unſealed. Saving for the Kings Aulnage.

XIII. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful for any perſon or perſons to buy any piece or pieces of Stuffs, before the ſame be Sealed by the Wardens of the ſaid Trade, ſaving to the Kings Majeſty, his Heirs and Succeſſors, all ſuch right of Cuſtoms, Subſidies and Aulnage of Norfolk and Norwich Stuffs or Worſteds, or any of them, as he or they might lawfully have claimed before the making of this Act: (2) And that if any piece or pieces of Stuffs ſhall be found in the poſſeſſion of any perſon or perſons unſealed, except in the poſſeſſion of the firſt Owner or maker thereof, the perſon or perſons in whoſe cuſtody the ſame ſhall be found, ſhall be adjudged guilty of deceit, and ſhall forfeit for every ſuch piece of Stuff which be ſo found in his or their poſſeſſion, unſealed as aforeſaid, the ſum of Four ſhillings; (3) And the Maker and Seller of the ſame who ſhall deliver the ſame out of his or their poſſeſſion before the ſame be ſealed, ſhall likewiſe forfeit for every ſuch piece, other Four ſhillings, to the uſe of the Poor of the ſaid Trade and Manufacture.

The penalty for buying unſealed Stuffs.

The penalty for counterfeiting any Seal of the ſaid Trade.

XIV. And that if any perſon ſhall counterfeit any Seal of the ſaid Trade, or ſhall Seal any piece of Stuff under the Regulation, with any counterfeit Seal, or ſhall remove a Seal off one piece, and ſet it unto another piece which hath not been Sealed by the Wardens, every perſon ſo offending, and being thereof convicted by his own confeſſion, or by the Oath of two or more Witneſſes, to be taken before the Mayor of the ſaid City, or his Deputy, or any one Juſtice of the Peace of the City of Norwich, or County of Norfolk, who reſpectively have hereby power to adminiſter an Oath for that purpoſe, ſhall forfeit for every ſuch offence, the ſum of Twenty pounds of lawful Engliſh money, to the uſe of the Kings Majeſty.

None may uſe the ſaid Trade but ſuch as have been Apprentices ſeven years. The penalty.

XV. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall uſe or exerciſe the ſame Trade as a Weaver, unleſs he hath ſerved to the ſame Trade as an Apprentice, by the ſpace of ſeven years, (2) upon pain of forfeiting Fourty ſhillings for every month he ſhal uſe or exerciſe the ſame Trade, not having ſerved thereunto as aforeſaid, the one half thereof to the Kings Majeſty, and the other half thereof to the perſon or perſons who will ſue or proſecute for the ſame by Action of Debt, Bill, Plaint, Indictment or Information, in any of his Majeſties Courts of Record.

Every one ſhall weave his own Mark in his Stuff.

XVI. And that every perſon under the ſaid Regulation ſhall Weave his proper Stuff-mark into every piece of Stuff which he ſhall Weave, or cauſe to be Woven, at the head-end of the ſame piece, upon pain of forfeiting Three ſhillings for every piece that ſhall be Woven without ſuch Mark, to the uſe of the Poor of the ſaid Trade and Manufacture.

The Wardens and Aſſiſtants may enter Houſes, Work-houſes and Warehouſes, to ſearch for Stuffs.

XVII. And the ſaid Wardens and Aſſiſtants, or any two or more of them, ſhall have, and hereby have power to enter into, and ſearch the Houſes and Work-houſes of any Artificers within the City of Norwich and County of Norfolk, under the Regulation of the ſaid Wardens, and Aſſiſtants, and the Shops, Houſe and Ware-houſes of any Merchant, Common Buyer, Dealer in, and Retailer of any the ſaid Stuffs, and into the Houſe and Work-houſe of any Dyer, Sheer-man, Callender, or other Workmans Houſe and place of ſale, and dreſſing of the ſaid Stuffs, at all times of the day, and uſual times of working, and may there ſearch and view the Suffs there found, whether they be ordered and made according to this preſent Act, and the Laws, Orders and Ordinances of the ſaid Trade; (2) And that if any ſuch Stuff as aforeſaid, ſhall be found faulty or defective, That then they, or any two of them, ſhall ſeiſe, take and carry away the ſame, to be ordered and brought to Tryal, and proceeded againſt in manner and form as is before in this preſent Act mentioned and appointed for defective Stuffs.

Faulty and defective Stuffs to be ſeized and tryed.

Proviſo for poor Journeymen.

XVIII. And for the better providing that poor Journey-men, who have ſerved in the ſaid Trade, and are not able to ſet up for themſelves, may be employed in work, It is hereby enacted, That whatſoever perſon under the Regulation ot the ſaid Trade, who ſhall employ two Apprentices in the ſaid Trade, ſhall likewiſe employ and ſet on work two Journeymen in the ſaid Trade, during the time he employs two Apprentices; (2) And that no Maſter-Weaver under the Regulation of the ſaid Trade, ſhall at any time have, employ, or ſet on work above two Apprentices, or any Week-boy, to Weave in a Loom in the ſaid Trade in Worſted Weaving, upon pain that every perſon ſhall forfeit for every month ſo offending as aforeſaid, the ſum of Five pounds to the uſe of the Kings Majeſty.

Obedience and conformity to this Act.

Penalty upon ſuch as ſhall refuſe or hinder the execution.

XIX. And be it further enacted, That all perſons who are or may be concerned in any thing contained in this preſent Act, are hereby ſtrictly enjoyned and required to yield due obedience thereunto, according to the true intent and meaning of this preſent Act; (2) And that if any perſon or perſons ſhall refuſe, hinder, or will not permit the ſaid Wardens or Aſſiſtants, or any two or more of them, to execute their Office according to the Tenour of this Act, That then every perſon ſo offending, being thereof convicted by the Oath of one or more credible

Witneſſes, before the Mayor of the ſaid City or his Deputy, or any one Juſtice of Peace of the ſaid City of Norwich, or County of Norfolk reſpectively, who are hereby authorized to adminiſter ſuch Oath, ſhall forfeit the ſum of Fourty ſhillings to the uſe of the Kings Majeſty.

The penalty for not appearing upon a Jury or Tryal.

XX. And if any perſon lawfully ſummoned to appear upon any Jury or Trial, according to the tenour of this Act, ſhall refuſe or neglect to appear and proceed upon the ſame, every perſon ſo refuſing or neglecting, ſhall forfeit for every ſuch neglect or refuſal, the ſum of Five ſhillings, to the uſe of the Poor of the ſaid Trade and Manufacture: (2) which ſaid Penalties and Forfeitures, together with all other Fines and Penalties which are appointed to go to the Poor of the Trade and Manufacture, or for the uſe thereof mentioned in this Act, the means of recovery of which is not already otherwiſe herein provided and ſet forth, ſhall be levied by Diſtreſs and Sale of the Offendors Goods and Chattels, by Warrant to be granted by the ſaid Mayor, or his deputy for the time being, or any one Juſtice of Peace of the City of Norwich, or County of Norfolk, rendring the overplus of ſuch Diſtreſs to the owner thereof, if any ſhall be, and the ſame ſhall be by him demanded, or otherwiſe to be recovered by Action of Debt, Bill, Plaint, Indictment or Information, in any of his Majeſties Courts of Record, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed to the Defendant as aforeſaid.

No Weaving of Stuffs in time of Harveſt

XXI. And whereas the Cuſtom hath been retained time out of mind, and found expedient, that there ſhould be a ceſſation of Weaving every year in the time of Harveſt, in regard the Spinners of Yarn which the ſaid Weavers do uſe, are at that time chiefly imployed in Harveſt-work, Be it enacted, That no Weaver under the Regulation of the ſaid Trade and Manufacture, ſhall ſet any Loom on work for the Weaving of any Stuffs under the ſaid Regulation, in the time of Harveſt yearly, from the fifteenth day of Auguſt in every year, until the fifteenth day of September then following, upon pain of forfeiting to the Kings Majeſty the ſum of Fourty ſhillings, for every Loom which ſhall be uſed in work within the ſaid time.

True accounts to be made at the four Aſſemblies, of all Fines and Forfeitures,

XXII. And be it further enacted by the authority aforeſaid, That a true account ſhall be made at the four Aſſemblies (to be held quarterly as aforeſaid) by the Wardens, before the Mayor of the City of Norwich for the time being, and one of the Juſtices of the Peace of the ſaid City and County of Norwich, and two Juſtices of the Peace of the County of Norfolk, of all ſuch Fines and Forfeitures as ſhall be received and had, belonging to the ſaid Trade and Manufacture, and of the neceſſary charges and disburſements touching the ſame Trade and Manufacture, (2) and that the overplus which ſhall remain after the ſaid neceſſary charges and disburſements are deducted, ſhall be divided into two equal parts, the one moiety thereof to be diſpoſed of by the Wardens and Aſſiſtants of the ſaid City of Norwich, or the greater part of them, and the other moiety thereof by the Wardens and Aſſiſtants of the ſaid County of Norfolk, or the greater part of them, for the uſe of the Poor of the ſaid Trade and Manufacture, in ſuch manner as the ſaid Mayor and Juſtices aforeſaid reſpectively ſhall order and direct, and no other; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

All Mayors, Bayliffs, &c. to be aiding and aſſiſting.
In Actions the Defendant may plead the general Iſſue
Double Coſts.

XXIII. And that all Mayors, Juſtices, Sheriffs, Bayliffs; Conſtables, and other Officers ſhall be aiding and aſſiſting to the ſaid Wardens and Aſſiſtants, or any of them, as often as they ſhall be thereunto required; (2) and in all Actions and Suits that ſhall be brought againſt any perſon or perſons, for Acting in any thing according to the true intent and meaning of this Act, the perſon or perſons ſo ſued or moleſted, ſhall or may plead the general Iſſue of Not guilty, and give the ſpecial matter in Evidence, (3) and ſhall recover double Coſts in every ſuch Caſe, if the Verdict paſs for ſuch perſon or perſons, or that the Plaintiff or Plaintiffs be Nonſuit therein.

Proviſo for the Weavers of Great Yarmouth and Lyn.
14 & 15 H. 8. c. 3.

XXIV. Provided always, That this Act, nor any thing therein contained, ſhall extend to compel the Weavers of the Town of Great Yarmouth and Lyn, in the ſaid County of Norfolk, to bring their Wares to Norwich to be Sealed, or be prejudicial to the Weavers of the ſaid Towns, or either of them, to deprive them or either of them, of ſuch Liberties or priviledges as are granted unto them by an Act of Parliament made in the fourteenth year of King Henry the Eighth, or by any other Act of Parliament, or Grant or Charter whatſoever. This Act to begin and take effect from the fifteenth day of May, One thouſand ſix hundred ſixty and two.

CAP. VI.

An Act for enlarging and repairing of common High-ways.

Whereas the former Laws and Statutes for the mending and repairing of the common and publick High-ways of this Realm have not been found ſo effectual as is deſired; by means whereof, and the extraordinary burthens carried upon Waggons, and other Carriages, divers of the ſaid High-ways are become very dangerous, and almoſt unpaſſable:

Surveyors of the High-ways to be choſen yearly the Monday or Tueſday in Eaſter-week.
2 & 3 P. & M. 8. Sect. 1. N. 2.
20 Car. 2. 12. Sect. 12. N. 1.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled and by the authority of the ſame, That the Church-wardens and Conſtables, or Tything-men of every Pariſh, Town, Village or Hamlet, for the time being, within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall upon Monday or Tueſday in the Eaſter week yearly (whereof notice ſhall be publickly given the Sunday foregoing, in the Church, immediately after the end of Morning Prayer,) with the advice and conſent of the major part of the Inhabitants which ſhall be then preſent, chooſe two or more ſufficient and able perſons, reſiding and inhabiting within their Pariſh, Town, Village or Hamlet, to be Surveyors of their High-ways for the year next enſuing, and give notice thereof in Writing to the perſons choſen; (2) and for default of

ſuch

The penalty.

ſuch choiſe ſo to be made, as aforeſaid, The Church-wardens, Conſtables or Tything-men and Inhabitants of every ſuch Pariſh, Town, Village or Hamlet, ſhall forfeit and loſe the ſum of Five pounds.

The duty of the Surveyors.

How and upon whom to lay Aſſeſſment for mending or enlarging the High-ways.

III And be it enacted by the authority aforeſaid, That all and every Surveyor and Surveyors, within twenty days next after notice given unto him or them, of his and their Election as aforeſaid, or of the publication of this Act, ſhall upon the penalty of Five pounds, view and ſurvey all the common and publick High-ways and Bridges within the Pariſh, Town, Village or Hamlet wherein he or they are reſpective Surveyor or Surveyors, and all Water-courſes, Cawſeys and Pavements therein which are to be repaired and amended at a publick charge of the ſaid Pariſh, Town, Village or Hamlet, (2) and ſhall conſider what reparations ſhall be needful to be made, and what ſum or ſums of money will be requiſite to be raiſed for the amending, repairing and enlarging of the ſame, over and above that will be done by the other Laws made for the amending of the ſaid High-ways, (3) and thereupon ſhall together with two or more ſubſtantial Houſholders of the ſaid Pariſh, Town, Village or Hamlet, called by the Surveyors to their aſſiſtance within ten days after ſuch Survey made, lay one or more Aſſeſſment or Aſſeſſments upon every Inhabitant Rated to the Poor, and upon every Occupier of Lands, Houſes, Tithes Impropriate or Appropriate, portions of Tythes, Coal-mines, and other Mines ſaleable, Under-woods, Stock, Goods, or other perſonal Eſtate, not being Houſhold-ſtuff, within the ſaid Pariſh, Town, Village or Hamlet, for the repairing, amending and enlarging of the ſaid publick and common High-ways, as they the ſaid Surveyors, and other the ſubſtantial Houſholders, or the major part of them ſhall think fit, meet and neceſſary: (4) Which ſaid Aſſeſſment or Aſſeſſments ſhall not exceed in the whole above the ſum of Six pence in the pound in any one year, according to the real value of the ſame, and twenty pounds in Money, Goods, Stock, or other perſonal Eſtate, ſhall be Rated equally to twenty ſhillings a year in Lands; (5) And every ſuch Aſſeſſment ſo made, ſhall within ſix days after be preſented to ſome Juſtice of the Peace near adjoyning to the Pariſh where it is made, to be ſeen, allowed, and ſigned by him; (6) And after ſuch allowance, every perſon ſo Aſſeſſed or Taxed, That ſhall not within twenty days after demand made by the Surveyors, or one of them, pay ſuch ſum or ſums of Money Aſſeſſed on him, or her, or them, unto the Surveyors, or one of them, ſhall forfeit and pay double ſo much as he, ſhe, or they are Aſſeſſed to pay; unleſs (upon complaint made to the ſaid Juſtice, of wrong done to ſuch perſon by that Aſſeſſment) the ſaid Juſtice ſhall think fit to alter the ſame: (7) And in caſe where common Nuſances are in High-ways, or where Ditches or Water-courſes adjoyning unto High-ways, are not ſcoured and dreſſed, the ſaid Surveyors ſhall ſee the ſame reformed, and the offendors puniſhed according to Law, deducting out of the Moneys ſo to be raiſed, his reaſonable charges for proſecution: (8) And for the more effectual mending the High-ways, and Pariſh-Bridges, and Streets, the Surveyors aforementioned ſhal yearly at the moſt convenient and fitting time, between the firſt day of May, and the laſt of Auguſt, hire Labourers, Workmen, Carts and Carriages, for mending the High-ways, Streets, Pariſh-Bridges aforeſaid, and Water-courſes, and ſhall cauſe them to be well and ſufficiently mended.

The Surveyors may charge Carts and Workmen.

2 & 3 P. & M. cap. 8.
5 Eliz. cap. 13.
18 Eliz. cap. 10.

Penalty upon ſuch as refuſe or neglect.

IV. And for the better effecting thereof, Be it enacted by the authority aforeſaid, That the ſaid Suveyors, or any of them within their ſeveral Limits and Juriſdictions, may yearly as he ſhall ſee cauſe, and need require, direct and appoint every perſon and perſons, who by the former Laws and Statutes of this Realm are chargeable with Wayn or Cart, to the amending of the High-ways; and every other perſon and perſons chargeable, to come to labour at the ſaid Ways, to ſend his or her Cart or Wayn and Team ſo furniſhed, as by the Laws is directed, or to come and work for the amending of the High-ways for ſo many days as by the Laws are appointed, or for ſo many of them as the ſaid Surveyors ſhall think needful and appoint; (2) for which Teams, work and labour, the ſaid Surveyors ſhall pay unto ſuch Workmen and Owner of ſuch Teams, Carts and Wayns, according to the uſual Rate of the County, for ſuch work as they ſhall do over and above what by the other Laws made for the amending the High-ways they are appointed to do: (3) And if any queſtion ſhall ariſe about the value or worth of ſuch work or labour, or man and Teams, ſome Juſtice of the Peace near adjoyning, and not living in the ſaid Pariſh, ſhall determine what is fit to be allowed for ſuch work; (4) And in caſe any perſon ſo charged to ſend his or her Team to work, as aforeſaid, ſhall refuſe or neglect to do ſo, ſuch perſon ſo refuſing or neglecting, ſhall forfeit Ten ſhillings for every day that he or ſhe ſhall make ſuch default, and every Labourer Eighteen pence for ſuch day that he neglects to work as aforeſaid.

V. Provided, That no perſon or perſons occupying any Lands, ſhall be Aſſeſſed and Taxed both for the ſaid Lands, and the Stock which he or they ſhall uſe or employ upon the ſame.

In what cauſes High-ways may be enlarged out of mens lands next adjoyning.

VI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyors of the High-ways for the time being, of every ſuch Pariſh, Town, Village or Hamlet within their ſeveral Precincts from time to time, by order from the Quarter Seſſions, and upon the view, and by the allowance and conſent of two or more Juſtices of the Peace of the County, authorized thereunto by the Seſſions wherein ſuch Pariſh, Town, Village or Hamlet ſhall lie, under their Hands and Seals in Writing, where any common or publick High-way is not of the breadth of eight yards from the Shores and Brinks of the Ditches on either ſide, or from the Banks and Hedges where there are no Ditches, to aſſign and lay out ſo much of any mans ſeveral Lands next adjoyning to the ſaid common and publick High-way, where they ſhall think it needful, and it may conveniently be done, as ſhall enlarge the ſaid Way to be the full breadth of eight yards, or ſo much broader (towards the breadth of eight yards) then now it is, as conveniently the place will bear from the ſaid Shores, Ditches, Banks or Hedges, by the conſent of the Owner or Owners of the ſaid Lands, according to his or their reſpective Intereſts therein, or otherwiſe by order of the Juſtices of Peace at their Quarter Seſſions after a Writ of Ad quod damnum firſt iſſued out and returned, to aſſign and lay out a more new and commodious way in and over the ſaid Lands next or near adjoyning to the ſaid common and publick High-ways, the ſaid Surveyors

veyors firſt giving ſuch ſatisfaction for the ſaid Ground unto the reſpective Owners of the ſame, according to their ſeveral and reſpective intereſt in the whole, not exceeding twenty years purchaſe: (2) Provided always, That if any common or publick High-way or Ways, ſhall be ſo altered and changed, as is aforeſaid, that then, and in ſuch caſe, the ſame new Way or Ways, as alſo any new Way or Ways altered, or to be altered by a Writ of Ad quod damnum, ſhall from time to time be repaired and amended by ſuch Pariſh or Pariſhes, Town, Hamlet or Village, or by ſuch perſon and perſons, and in ſuch manner and form as the ſaid old and former common or publick High-way or Ways was, or were to be repaired and amended.

Digging for Gravel in Waſte and Commons.

VII. And be it further enacted by the authority aforeſaid, That where there is not ſufficient Gravel, Chalk, Sand, Cinders or Stones, within any Pariſh, Town, Village or Hamlet, to repair their common and publick High-ways, it ſhall be lawful for the Surveyor or Surveyors, and ſuch perſon and perſons as he or they ſhall appoint, upon the allowance and approbation of any two Juſtices of Peace within the ſaid County, to dig, take and carry away Gravel, Chalk, Sand, Cinders or Stones, out of the Waſte and Common of any neighbouring Pariſh, Town, Village or Hamlet or upon the Sea-coaſt, without paying any thing for the ſame, for the repairing and amending of the High-ways aforeſaid, ſo as they fill up the place within one month next enſuing, if required by the Owner of the Soyl.

In what caſes Gravel, Stones, &c. may be digged in mens ſeveral Grounds.

VIII. Provided always, and be it further enacted by the authority aforeſaid, That where there is not ſufficient Gravel, Chalk, Stones, Cinders and Sand, or other Materials for to repair the High-ways, within the common or waſte Grounds of any Pariſh, Townſhip or Hamlet, for to amend and repair the High-ways therein, it ſhall and may be lawful for the ſaid Surveyor or Surveyors, or ſuch as they ſhall appoint, to enter into the ſeveral Ground (not being an Houſe, Orchard, Garden, Court-yard, Park with Deer in it, or Meadow) of any perſon or perſons within the ſaid Pariſh, Townſhip or Hamlet near adjoyning to the High-ways to be repaired, where any ſuch Materials are or may be found, and to dig, take and carry away from time to time ſuch quantities thereof as the ſaid Surveyor or Surveyors ſhall judge neceſſary for the ſaid reparations, without paying any thing for the ſaid, materials, (except only where they have formerly been paid for by cuſtom or Compoſition, and at ſuch rates as heretofore were paid for the ſame) rendring only for ſuch damages to the Occupier or Owner thereof, as he ſhall ſuſtain by the digging and carriage thereof, to be aſſeſſed by two Juſtices of Peace near the ſaid Pariſh, in caſes of difference about the ſame: (2) Provided, That the Pits and Holes ſo digged, be filled up in ſuch manner, and under ſuch penalties as are preſcribed in the Statute made in the fifth year of Queen Elizabeth, concerning the amending of High-ways.

What number of Horſes or Oxen may be uſed in Carts and Carriages upon the High-ways.

30 Car. 2. 5. Sect. 2. N. 1.

IX. And be it further enacted by authority aforeſaid, That from and after the nine and twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, no Travelling Waggon, Wayn, Cart or Carriage wherein any Burthens, Goods or Wares are or ſhall be carried or drawn for hire, other then ſuch Carts or Carriages as are employed in and about Husbandry and manuring of Lands, and in the carrying of Hay, Straw, Corn unthreſhed, Coal, Chalk, Timber for Shipping, Materials for Building, Stones of all ſorts, or ſuch Ammunition or Artillery as ſhall be for his Majeſties Service, ſhall at any one time travel, be drawn, or go in any common or publick High-way or Road, with above ſeven Horſe-beaſts, whereof ſix ſhall draw in pairs, and not with above eight Oxen, or ſix Oxen and two Horſe-beaſts; (2) nor ſhall at any time carry above twenty hundred Weight between the firſt day of October and the firſt of May; nor above thirty hundred Weight between the firſt of May, and the firſt of October, (except ſuch particulars as aforeſaid) nor above five Quarters of Wheat, Meal, Meſline, Rye, Peaſe, Beans, and Tares, nor above eight Quarters of Barley, Malt or Oats, and after that proportion; (3) nor ſhall any Waggon, Wayn, Cart or Carriages for the uſes aforeſaid, be employed, the Wheeles whereof are leſs in breadth then four inches in the Tyre, (4) upon pain that every Owner of ſuch Waggon, Wayn, Cart, Carriage, Horſe-beaſts or Oxen, ſhall forfeit for every of the ſaid Offences the ſum of Fourty ſhillings, to be divided into three equal parts, One part thereof to the Surveyors of the High-ways of the Town, Village or Hamlet where any of the ſaid Offences ſhall be committed, to be employed in the repairs of the ſaid High-ways; one part to the Overſeers of the Poor of the Pariſh where any of the ſaid Offences ſhall be committed, for the relief of the Poor of the ſaid Pariſh, and the other part thereof to him that ſhall diſcover and proſecute for any of the ſaid offences; (5) the ſaid penalty to be levied by Diſtreſs of all or any of the ſaid Horſe-beaſts, or Oxen, and to be diſtributed as aforeſaid by the Conſtable, Surveyor or Surveyors of the ſaid High-ways, Overſeer or Overſeers of the Poor, or any of them; And in caſe the ſaid penalties ſhall not be paid within three days after ſuch Diſtreſs, that then it ſhall be lawful to and for the ſaid perſons ſo diſtraining as aforeſaid, to ſell the ſame, and to reſtore the overplus to the Owner, the charges of keeping and ſelling firſt deducted.

And what weight.

No wheels to be under four Inches breadth in the Tyre.

The penalty, and how to be diſpoſed.

The offences declared common Nuſances.

X. And be it further enacted, That all and every the ſaid offences ſhall be, and are hereby declared and adjudged to be common Nuſances.

All Suits upon this Act ſhall be laid in their proper County, and the Defendant may plead the general Iſſue.

XI. And be it further enacted, That if any Suit ſhall be commenced againſt any perſon, for any thing done in purſuance of this Act, that in every ſuch caſe the Action ſhall be laid in the proper County, where the Fact was done, and not elſewhere, and the Defendant may plead the general Iſſue, and give this Act and the ſpecial matter in Evidence at the Trial, (2) and if it ſhall ſo appear to be done, or that it was not done in the County where the ſaid Suit is commenced, that then the Jury ſhall find for the Defendant; And in ſuch caſe, as alſo if the Plaintiff ſhall be Nonſuit, or diſcontinue his Action after the Defendant hath appeared, or if upon Demurrer, Judgment ſhall be given againſt the Plaintiff, or if upon Trial a Verdict paſs for the Defendant, the Defendant ſhall have his double Coſts, and the like remedy for the ſame as any Defendant hath in any other caſe by Law.

XII. And be it further enacted by the authority aforeſaid, That all ſums of money ſo rated

All moneys raiſed by aſſeſſment, iſſues forfeited, &c. ſhall be levied and employed for mending the High-ways.

and aſſeſſed as aforeſaid, and all charitable Gifts formerly given, or to be given, for the making, amending and keeping in repair of any common and publick High-ways, Pavements and Cauſeys, (except as hereafter is excepted) and all fines, penalties, forfeitures and other ſums of money ariſing by aſſeſſment, or otherwiſe by this Act, not otherwiſe by this Act diſpoſed of, and all Iſſues to be forfeited for not appearing to any Information or Indictment for not repairing any High-ways, or removing Nuſances out of the ſame, and all Fines and Amerciaments to be impoſed upon any Pariſh, Town, Village or Hamlet, or upon any private perſon, for not repairing of common and publick High-ways, which are not otherwiſe diſpoſed by this Act, ſhall be employed and beſtowed by the ſaid Surveyors within the reſpective Pariſhes, Town, Villages and Hamlets to which ſuch charitable Gifts are given and beſtowed, and within which ſuch Aſſeſſment, Fines, Penalties, Forfeitures, Iſſues and Amerciaments are impoſed, happened or made, in paying for Materials, Workmens Wages, and for ſuch other employments as are hereby appointed to be done and performed, (2) and be levied, collected and gathered by the ſaid Surveyors, or any of them, by Warrant under the Hands and Seals of any two Juſtices of Peace within the County, City, Riding, Town-corporate, Liberty or Limit wherein the ſame lieth, by diſtreſs and ſale of the Goods, as is aforeſaid.

Accounts to be given by the Surveyors yearly of all money raiſed for mending the High-ways.

XIII. And be it further enacted by the authority aforeſaid, That every perſon ſo elected, and taking upon him or them the Office of Surveyor or Surveyors, as aforeſaid, ſhall within one month next after the expiration of the year wherein he executed the ſaid Office as Surveyor of the High-ways, make and yield up to the Inhabitants of the Pariſh, Town, Village or Hamlet, at ſome publick meeting to be appointed by the ſaid Inhabitants, a perfect Account in Writing under his and their Hands, of all the Moneys he or they received or paid within his or their year, for or by reaſon of his or their Office; namely of whom, and what received, and to whom, and what paid, and what Moneys are in arrear and unpaid, either for Aſſeſſments, Fines, Forfeitures, Penalties and charitable Gifts; (2) and if any overplus be in his or their hands, he or they ſhall return and pay the ſame to the next Surveyors, or one of them, for the uſe of the Pariſh, Town, Village or Hamlet, to be disburſed in and about the High-ways, in the following year: (3) And if the ſaid Surveyor or Surveyors ſhall not make ſuch an Account and Payment as before, any two Juſtices of the Peace, living near to, or in the ſaid Pariſh, ſhall and may upon complaint unto them made, examine the Buſineſs upon Oath, and upon default found in the Surveyor or Surveyors, ſhall and may commit him or them to the common Goal of that County, City, Riding, Town-corporate, Liberty or Limit, there to remain until he hath made a true and perfect Account and Payment, as aforeſaid.

Who may enquire hear and determine offences againſt this Act.

XIV. And be it further enacted, That all and every Juſtices of Aſſize, Oyer and Terminer, and Juſtices of the Peace, ſhall have power and authority, and are hereby enabled and impowred to enquire after, hear and determine all matters concerning charitable Gifts for the making, amending and keeping in repair any common High-ways, Pavements, Streets and Cauſeys within the Limits of their Commiſſion, And to make Orders therein for the due employment of ſuch charitable Gifts according to the true intent and meaning of the Donors thereof; Except gifts to the aforeſaid uſes made to any Colledge, Hall, Free-School or Hoſpital, which have Viſitors of their own, and alſo to hear and determine all offences, defaults and defects in the Surveyors or others, concerning the Premiſſes.

Appeals allowed to perſons grieved.
43 El. cap 4.

XV. Provided, That if any perſon be agrieved with ſuch Order, they ſhall have Liberty to appeal to the Court of Chancery, as in the caſe of a Decree made upon the Statute of Charitable Uſes.

In what caſes only a Certiorari may be allowed to remove any Indictment, &c. upon this Act.

XVI. And be it further enacted by the authority aforeſaid, That from and after the firſt day of May, One thouſand ſix hundred ſixty and two, no Certiorari ſhall be allowed to remove any Information, Indictment, Preſentment, Order or other Proceedings in the Quarter-Seſſions, of, for, or concerning any matter or thing in this Act, unleſs the party or parties againſt whom any ſuch Information, Indictment, Preſentment, Order, or other Proceedings, ſhall be had by virtue of this Act, ſhall before the allowance of ſuch Certioraries, become bound to the perſon or perſons proſecuting, in the ſum of fourty pounds, with ſuch ſufficient Sureties as the Juſtices of the Peace at their ſaid Quarter-Seſſions of the Peace ſhall think fit, with condition to pay unto the ſaid Proſecutors, within one month after the conviction of ſuch parties indicted, their full Coſts and Damages, to be aſcertained upon their Oaths, and that in default thereof, it ſhall be lawful for the ſaid Juſtices to proceed to Trial of ſuch Indictments; Any ſuch Writs of Certiorari to remove the ſame Indictments notwithſtanding.

Laycock bridge in Com. Wilts.

XVII. And whereas at a general Quarter-Seſſions held for the County of Wilts, It was (at the humble Petition of the Petitioners of Laycock, and other Inhabitants of the ſaid County) Ordered, That one ancient Bridge, called Foot-bridge, leading through the ſaid Pariſh, between London, Bath, and Briſtol, being more commodious for all paſſengers then one other Bridge in the ſaid Pariſh, called Rey-Bridge, ſhould be repaired and made paſſable for all Carts, Waggons and Carriages (with the Materials of Rey-Bridge) which was thereby ordered to be taken down, which Order was accordingly put in execution in the ſaid County and Pariſh; (2) Be it therefore enacted by the authority aforeſaid, That the ſaid Pariſhioners, and all others employed by them in the pulling down the ſaid Bridge, called Rey-Bridge, and employing the Materials thereof, as aforeſaid, ſhall be, and are hereby indempnified from all Suits, Troubles and Moleſtations whatſoever, touching or concerning the ſame; and that the ſaid Pariſhoners of Laycock, and other the aforeſaid Inhabitants, ſhall not hereafter be compelled by Information or Indictment, or any other way be made chargeable with the re-building of the ſaid Bridge called Rey-Bridge, otherwiſe then for the maintaining the ſaid Bridge ſufficient for Horſe and Pack, as it now ſtands; Any Law or Statute to the contrary in any wiſe notwithſtanding.

XVIII. Provided likewiſe, and be it enacted, That this Act ſhall not extend to exempt any Owner, Farmor or Leſſee of any Iron-work, or other perſon within the Wildes of the Counties

ties of Surrey, Suſſex or Kent, for carrying ſo many load of Cinder, Gravel, Stones and other Materials, or contributing ſuch ſums of Money, towards the amending and repairing of the High-ways, as they are obliged by any former Acts.

Wilde of Surrey, Suſſex, Kent, 14 & 15 H. 8. c. 6. 39 El. cap. 19.

XIX. And be it further provided and enacted, That where the Juſtices of the Peace of any County, at their general Quarter-Seſſions, or any two of ſuch Juſtices, near to any Pariſh, Townſhip or Hamlet, ſhall be fully ſatisfied that the High-ways and Bridges within the ſame, may and will be ſufficiently amended and repaired, according to the former uſage without the help of this Act, that then, and in ſuch caſes only, there ſhall no Aſſeſſment be made within the ſame, for and towards their reparations, by virtue of this Act.

XX. Provided always, and be it further enacted by the authority aforeſaid, That the Juſtices of Peace of the County of Middleſex, in their publick Seſſions of the Peace, ſhall have power and authority to make Orders for erecting or ſetting up a new Bridge of Brick or Stone, fitting for the paſſage of Carts or Carriages, in the room and place of a Bridge now only paſſable for Foot and Horſe, called Stratford-Bridge, in the Pariſh of Hillingdon in the ſaid County, or in ſome other more convenient place near thereunto, at the preſent charge of the whole County, for the erecting of the ſame; but to be upheld, repaired and maintained, after it be ſo erected, at the charge of the Lord of the Manor wherein the ſaid Bridge now ſtandeth, proportionable to the charge he is now at for maintaining the Horſe-Bridge, and the reſidue of the charge to be born by the Pariſhioners of the ſaid Pariſh; (2) For which purpoſe the ſaid Juſtices of the Peace at their ſaid publick Seſſions, are hereby enabled to make reſpective Rates accordingly, ſo as the ſum to be Aſſeſſed for the erecting the ſaid Bridge, exceed not the ſum of One hundred pounds; And the ſaid Juſtices are to take care that the ſaid Bridge be finiſhed by or before the firſt day of Auguſt, in the year of our Lord God, One thouſand ſix hundred ſixty and three.

Stratford-Bridge. Hillingdon. Middleſex.

XXI. And be it enacted by the authority aforeſaid, That the ſaid Surveyors do take care that all and every Bridge or Bridges within their reſpective Limits, ſhall before the Feaſt of St. Michael, One thouſand ſix hundred ſixty and two, have ſufficient Walls, or Poſts and Rails of each ſide thereof, four Foot high at the leaſt; and that the ſaid Walls, or Poſts and Rails, be from time to time kept in ſufficient repair.

Bridges to have ſufficient Walls, or Poſts and Rails.

XXII. Provided always, and be it enacted by the authority aforeſaid, That the Surveyors of the High-ways, named for the year One thouſand ſix hundred ſixty and two ſhall within twenty days after the publication of this Act, proceed to do and execute all things in this Act, for the ſaid year One thouſand ſix hundred ſixty and two; (2) And where there are no Surveyors of the High-ways choſen for the ſaid year One thouſand ſix hundred ſixty and two, they ſhall be choſen within twenty days after publication of this Act, by ſuch perſons as by this Act is appointed, and being ſo choſen, they ſhall hereafter do and execute all things according to the tenour of this Act.

Proviſo for chuſing Surveyors for the year 1662. EXP.

XXIII. Provided alſo, and be it enacted by the authority aforeſaid, That where any Lands are let, the Tenant and Occupier thereof ſhall pay the Aſſeſſment, and bear all charges for the mending of the High-ways, and not the Landlord, except where there is or ſhall be any Agreement between the ſaid Landlord and the Tenant to the contrary.

Tenants to bear the charges of Aſſeſſments for High-ways.

XXIV. Provided alſo, and be it further enacted, That the power of calling and levying money by virtue of this Act, ſhall continue in force for three years only, from the five and twentieth day of March, One thouſand ſix hundred ſixty and two, and no longer, but that all other powers and clauſes in this Act ſhall continue and ſtand in force until the end of the firſt Seſſion of the next Parliament, and no longer.

The continuance of this Act.

CAP. VII.

An Act to reſtrain the Exportation of Leather and raw Hides out of the Realm of England.

Whereas notwithſtanding the many good Laws before this time made, and ſtill in force prohibiting the Exportation of Leather out of this Realm, and the penalty by thoſe Acts impoſed, by the cunning and ſubtilty of ſome perſons, and the neglect of others who ought to take care thereof, there are ſuch quantities of Leather daily Exported to foreign Parts, that the price of Leather is grown to thoſe exceſſive Rates, that many Artificers working Leather, cannot furniſh themſelves with ſufficient ſtore thereof, for the carrying on of their Trades; and the poor ſort of people are not able to buy thoſe things made of Leather, which of neceſſity they muſt make uſe of:

5 Ed. 6. cap. 15.
5 El. cap. 22.
8 El. cap. 14.
18 El. cap. 9.

II. For redreſs of which Griefs, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That from and after the firſt day of May now next enſuing, no perſon or perſons whatſoever, ſhall carry or tranſport, or cauſe to be carried or tranſported out of England into Scotland, Ireland, or into any the Iſles belonging to this Kingdom, or to any Parts beyond the Seas, the Skins or Hides tanned or untanned of any Ox, Steer, Bull, Cow or Calf, otherwiſe, or in any other manner, then is by this preſent Act directed.

What Skins or Hides tanned may not be Tranſported.

III. And be it further enacted by the authority aforeſaid, That none of the Skins or Hides aforeſaid, which ſhall happen to be taken from any of the Beaſts aforeſaid, within any Iſland whatſoever, belonging to the Kingdom of England, (except Ireland) ſhall be tranſported out of that Iſland, into any other Place, but into the Kingdom of England, (2) upon pain of forfeiture for every ſuch offence double the value of Skins or Hides ſo to be tranſported out of the ſaid Iſland or any of them, to any other Place then into the Kingdom of England; the ſame forfeiture to be ſued for and diſpoſed as hereafter in this Act is directed.

The penalty.

IV. And for the better preventing of ſuch miſchiefs as are intended to be remedied by this Act, Be it enacted by the authority aforeſaid, That all red tanned Leather made of the Hides or Skins of any the Beaſts aforeſaid, of what kind or nature ſoever, ſhall be bought only in the open and common Fair or Market uſed for the putting of Leather to ſale, and not in any Houſe, Tanners-yard, Shop or other place whatſoever, (2) on pain that ſuch perſon or perſons that ſhall not accordingly do the ſame, ſhall for every ſuch offence forfeit the ſame Leather,

What Leather muſt be bought only in open Fairs or Markets for ſelling Leather.

The penalty.

or the value thereof, and the contract for the ſale thereof ſhall be void, (3) and all ſuch Leather ſhall be ſearched and ſealed by the Searchers and Sealers thereunto appointed, before the ſame be put to ſale, and upon ſuch ſale ſhall be Regiſtred, and a true Entry thereof made both by the Buyer and Seller, who are both to be preſent at ſuch Regiſtring thereof, and both their names and places of abode entred into the Book of the ſaid Regiſter, on pain that every ſuch Buyer or Seller that ſhall not accordingly do the ſame, ſhall for every ſuch offence forfeit the ſame Leather, or the value thereof, and the forfeiture ſhall be recovered and employed in ſuch manner as hereafter in this Act is directed.

Penalty for Tranſportation of any Leather or raw Hides.

V. And be it further enacted by the Authority aforeſaid, That if any perſon or perſons ſhall be found guilty of the Tranſportation of any Leather, or raw Hides of any the Beaſts aforeſaid (excepting ſuch Calves skins and Sheep skins, dreſſed without the Wooll, as by Law may be Tranſported) contrary to the proviſion of this Act, he ſhall from thenceforth be diſabled to Trade, or deal in Leather for the future, (2) and ſhall for every ſuch offence forfeit the ſum of Five hundred pounds, to be ſued for, and diſpoſed as hereafter in this Act is directed.

5 Ed. 6. cap. 15. Sect. 5. 1 Mar. cap. 8. Parl. 2.

VI. Provided nevertheleſs, That this Act, or any thing therein contained, ſhall not extend to the prohibiting the Tranſportation of any Leather made into Boots, Shoes or Slippers, but that the ſame may be Tranſported; Any thing in this Act contained to the contrary notwithſtanding.

Quere. If theſe two Statutes be repealed by this Proviſo. Who may ſearch and ſeize Leather or Hides intended to be tranſported.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawfull to and for the reſpective Maſters and Wardens of the Cordwainers, Sadlers, Girdlers and Curriers of the City of London, and their Deputies, and all Cuſtomers, Comptrollers, Farmors of Cuſtoms, Superviſors, Searchers, and other Officers belonging to the Cuſtoms, and to and for all Juſtices of the Peace, Mayors, and Chief Officers of Corporations within this Realm, Dominion of Wales, or Town of Berwick upon Tweed, from time to time, as well by Land as Water, to ſearch for, and ſeize any Leather, or raw Hides wrought or unwrought, cut or uncut packed up, or unpacked, intended or purpoſed to be Tranſported by any perſon or perſons into any parts beyond the Seas, or into Scotland, other then Calves-skins and Sheeps-skins as aforeſaid.

Shaving of Leather by Tanners.

VIII. And whereas divers Tanners do ſhave, cut and rake their upper-leather Hides all over, and the necks of their backs and buts, to the great impairing thereof, and the extream prejudice of the Kingdom, (2) Be it therefore enacted by the authority aforeſaid, That every Tanner, who after the Nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſixty and two, ſhall commit any ſuch offence as aforeſaid, ſhall forfeit all the ſaid Leather, Backs, Buts or Calves-skins ſo ſhaved, cut or raked, or the value thereof, and it ſhall be lawful for the Searchers and Sealers of Leather to ſeize the ſame.

The penalty.

Leaden-Hall, London.

IX. And be it further enacted, That the Market for Leather in Leaden-Hall in London, ſhall be kept on the Tueſday, as now it is; Any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

How the penalties ſhall be recovered.

X. And be it further enacted by the authority aforeſaid, That all the penalties and forfeitures, and every ſum or ſums of money for any offence or offences herein before mentioned, ſhall be recovered by Action of Debt, Bill, Plaint, or Information, to be brought for the ſame in any Court or Courts at Weſtminſter, or in any Court or Courts of Record in the City, Town, County or Place where the ſaid offence ſhall be committed, Wherein no Wager of Law, Protection or Eſſoin ſhall be admitted, neither ſhall the ſame be removed out of the ſame County, City or Town-corporate; (2) the one half of the ſaid forfeitures to be to the uſe of the Kings Majeſty, his Heirs and Succeſſors, and the other half thereof to the uſe of the Informer or Informers that ſhall ſue for the ſame.

Tranſportation of Leather declared a common Nuſance.

XI. Provided alſo, and be it enacted, That all ſuch Exportation, or Tranſportation of any Hides or Leather, contrary to this Act, is hereby adjudged and declared to be a common and publick Nuſance.

Leather for neceſſary uſe of Ships in Voyages.

XII. Provided nevertheleſs, That this Act ſhall not extend, or be conſtrued to prohibit the carrying or conveying of any ſuch Hides or Leather which ſhall be uſed or employed for the neceſſary uſe, or proviſion of any Ship or Veſſel in any Voyage beyond the Seas, and which ſhall not be ſold in any Foreign Parts, ſo as the number do not exceed ſix raw Hides, and three Tanned Hides.

Artificers dealing in cutting of Leather in London, or within three miles thereof.

XIII. Provided always nevertheleſs, and be it further enacted by the authority aforeſaid, That all and every Artificer dealing in cutting of Leather, or other perſon or perſons whatſoever, which ſhall hereafter buy any red tanned Leather within the City of London, or three miles thereof, ſhall before the next Market-day within the ſaid place for ſale of Leather, give Notice thereof to one or more of the Company of Curriers then exerciſing and uſing the Art and Myſtery of a Currier within the ſaid City of London, and three miles thereof, and within three weeks after ſuch Notice ſhall deliver, or cauſe to be delivered the ſaid Leather ſo bought, except ſuch part thereof as ſhall be uſed for Soals without being Curried, Tallowed, or Dreſſed, unto the ſaid Currier or Curriers to whom ſuch Notice was given, to the intent that the ſame may be Curried, Tallowed, or otherwiſe Dreſſed, as is directed and appointed by one Act made in the firſt year of King James, Chapter twenty ſecond, touching the Duty of Tanners, Curriers, Shoe-makers and others, (2) upon penalty of the forfeiture of Six ſhillings eight pence for every Back, Butt, Hide or Calve-skin ſo bought, and not delivered as aforeſaid, for the uſes, and to be recovered as aforeſaid.

1 Jac. cap. 22.

Leather uſed in London, or within three miles, to be ſearched and allowed by the Wardens of the Curriers there.

XIV. And whereas it is enacted amongſt other things, by the ſaid Act made in the firſt year of King James, That no perſon or perſons ſhall by any means occupy, or put in any Madewares within the City of London, or three miles of the ſame City, any Curried Leather before the ſame ſhall be ſearched and allowed by the Wardens of the Curriers of London for the time being, or ſuch perſons as they ſhall thereto aſſign, and be ſealed with a Seal therefore to be prepared, upon pain that every Shoe-maker and other Artificer, Cutter of Leather, offending againſt that Article, ſhould forfeit for every Hide or Skin otherwiſe Curried or employed as is aforeſaid, Six ſhillings eight pence, and the value of every ſuch Hide or Skin, (2) Be it therefore

The penalty.

therefore further enacted by the authority aforeſaid, That the Maſter and Wardens of the Company of Curriers for the time being, or ſuch perſons as they ſhall thereto aſſign, ſhall from time to time, and at all ſeaſonable times in the day-time, enter into any Ware-houſe, Shop, Cellar, or other place within the ſaid City of London, or three miles of the ſame City, belonging unto any of the ſaid Cordwainers, Sadlers, Girdlers, or other perſon or perſons, being Artificers, dealing in cutting Leather, and in the preſence of any two or more of them, to ſearch for, and ſeize all ſuch Leather intended to be prohibited to be uſed by the ſaid Clauſe, Branch or Article as aforeſaid, as alſo for all Wares made of ſuch Leather; (3) And if any ſuch perſon or perſons, Artificers or Dealers as aforeſaid, ſhall oppoſe, or refuſe to permit the ſaid Maſter and Wardens of the Company of Curriers, or ſuch perſons as they ſhall thereto aſſign, to make any ſuch ſearch or ſeizure as aforeſaid, he or they ſhall forfeit for every ſuch Offence the ſum of Twenty pounds for the Uſes, and to be recovered as aforeſaid; (4) And if any of the ſaid Artificers and Dealers in cutting of Leather, do refuſe to be preſent with the ſaid Searchers, whenſoever the ſame ſhall be deſired by the ſaid Maſter and Wardens of the Company of the Curriers, or ſuch perſons thereto aſſigned by them as aforeſaid, then for every ſuch default the perſons ſo refuſing ſhall forfeit the ſum of Ten pounds for the Uſes, and to be recovered as aforeſaid.

Penalties for oppoſing the Searching.

CAP. VIII.

An Act for Diſtribution of Threeſcore thouſand pounds amongſt the truly Loyal and Indigent Commiſſion-Officers, and for Aſſeſſing of Offices, and Diſtributing Moneys thereby raiſed for their further Supply. EXP. 22 & 23 Car. 2. Cap. 21.

CAP. IX.

An Act for the Relief of poor and maimed Officers and Souldiers, who have faithfully Served his Majeſty and his Royal Father, in the late Wars.

Foraſmuch as divers of his Majeſties Loyal and Faithful Subjects, who out of the ſenſe of their Duty and Allegiance to his Majeſties Royal Father of ever bleſſed and glorious memory, and to his Majeſty that now is, have during the late Wars, wherein they have been employed both by Sea and Land, as Officers, Souldiers and Mariners in the ſaid Service, expoſed themſelves to the utmoſt hazard of their Lives, loſs of their Limbs, and utter ruine of their Fortunes, and for whoſe Subſiſtence and Relief there is not yet any competent Proviſion made; nor for the Relief of the Widows and Orphans of ſuch as have died or been ſlain in the ſaid Service.

II. And to the end that ſuch as have been eminent for their Loyalty and Sufferings in ſo good and juſt a Cauſe, as the Defence of his Majeſties Royal Perſon and Government, may not paſs without ſome mark of Favour or Reward to be ſet upon them; and that others may thereby receive all due Encouragement for the time to come, to continue Loyal and Faithful to his Majeſties Service, according to their bounden Duty, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from the Firſt day of this preſent Parliament, every Pariſh within this Realm of England, and Dominion of Wales, and Town of Berwick upon Tweed, ſhall be charged weekly to the payment of ſuch ſum of money as formerly they have been rated by virtue of a Statute made in the Forty third year of Queen Elizabeth, Chapter the third, concerning the Relief of Mariners and Souldiers, for and to ſuch end and purpoſe; (3) And likewiſe ſuch further ſum of money (over and beſides the ſame,) as by his Majeſties Juſtices of the Peace in their next Quarter Seſſions, to be held after the Feaſt of Eaſter next enſuing, or the major part of them, or at any other Quarter Seſſions to be hereafter by them held, ſhall be adjudged meet to be aſſeſſed upon every Pariſh or Chappelry, that hath diſtinct Parochial Officers, ſo as the ſaid additional ſum exceed not the ſum of Two ſhillings and ſix pence, nor be under the ſum of Three pence, each week, for each ſuch Pariſh or Chappelry, (4) the ſame to be levied in manner and form by ſuch perſons, and under ſuch penalties, as by the ſaid Statute of Queen Elizabeth is enacted and declared; and to be paid to the Treaſurers for the maimed Souldiers, appointed by the Juſtices of the County or Liberty, by virtue of this Act, and the Statute of Queen Elizabeth aforeſaid; which ſaid Treaſurers ſhall be ordered to iſſue out, and account for the ſame in ſuch manner, and under ſuch penalties as by the ſaid Statute is further enacted and declared. (5) And be it further enacted by the authority aforeſaid, That every Officer, Souldier or Mariner maimed, indigent, aged, or diſabled in Body for work, in the Service of his ſaid late Majeſty, or his Majeſty that now is, during the late Wars, or which are ſo impoveriſhed by their Sufferings under any of the late Uſurped Powers, as that they are deſtitute of any competent Subſiſtence or Livelihood, and have continued faithful to his Truſt, and not deſerted the ſame by taking up Arms againſt his ſaid late Majeſty, or his Majeſty that now is, or otherwiſe, ſhall forthwith repair to the place where he was laſt ſetled before he took up Arms, with a Certificate of his Service, and Hurts received, under the Hand of his Captain, or other Commiſſionated Officer; and ſhall alſo repair unto the two next Juſtices of the Peace in the County where ſuch his ſetling was; (6) and the ſaid two Juſtices upon examination of the truth of ſuch Certificate (which the ſaid two Juſtices are hereby impowered to take upon Oath of the party, and of ſuch Witneſſes as he ſhall produce) ſhall by Warrant unto the Treaſurer, aſſign him Relief until the next Quarter Seſſions to be holden for that County or Liberty; at which time a yearly Penſion ſhall be by the ſaid Juſtices, or the major part of them, granted in manner and form, and with power of Revocation or Alteration, as by the ſaid Statute is further declared and directed: (7) And in caſe that the Captain or Officer appointed to make ſuch Certificate, be dead, the ſaid two Juſtices ſhall have power, upon requeſt made to them in behalf of the party maimed or aged, indigent or diſabled as aforeſaid, by perſons of Credit, to give ſuch Relief, as in caſe of Examination as aforeſaid.

The inducement and ground of this Act.

43 El. cap. 3.

How Pariſhes may be charged, aſſeſſed and levied.

Treaſurers for maimed Souldiers.

Officers, Souldiers or Mariners maimed or indigent, how to be relieved.

III. And as touching the Widows and Orphans of ſuch as have died, or ſuffered death in the

Widows and Orphans of Souldiers.

ſaid Service, (2) It is hereby further enacted by the authority aforeſaid, That over and beſides ſuch Relief as they ſhall gain by their Work and Labour, and ſhall be allowed by the Charity and Benevolence of the Pariſh, Town or Hamlet where they are ſetled, (who are hereby required to have them in ſpecial regard) the Treaſurers for the maimed Souldiers for ſuch County, ſhall allow ſuch further Relief from time to time, as ſhall be adjudged meet by the two next Juſtices of the Peace of ſuch County; (3) and the ſaid Relief ſhall be paid out of the Surpluſage of ſuch Stock of Maintenance as ſhall remain in the hands of the ſaid Treaſurer, after ſuch Penſions and payment of them made, and of which Surpluſage and Allowance made unto ſuch Widows and Orphans, the ſaid Treaſurers ſhall give account from time to time, and the ſame diſtribute in ſuch manner as by the Juſtices ſhall be directed, and according to the Statute aforeſaid.

Treaſurers, High Conſtables, &c. to be called to Account for moneys received.

IV. And be it further enacted by the authority aforeſaid, That the Juſtices of Peace in every County or Liberty, or any two of them, ſhall forthwith call all ſuch Treaſurers, High Conſtables, Petty Conſtables, or other perſons which have formerly been intruſted with the Receipt, collecting and diſpoſing of any ſuch ſum of money charged upon any Pariſh by virtue of the Statute aforeſaid, and whereof no account hath been given, and likewiſe the Executors and Adminiſtrators of ſuch perſon and perſons, unto a ſtrict account concerning ſuch Levies and Collections made; and ſuch money as they ſhall find remaining in the cuſtody of ſuch perſons, to order forthwith to be paid for the intents and purpoſes aforeſaid, and no other, to the Treaſurer appointed by virtue of the ſaid Statute, or to be appointed by virtue of this preſent Act, at the next Quarter Seſſions to be holden for ſuch County or Liberty, under ſuch penalty as by the ſaid Statute is ſet forth; which ſaid Treaſurer to be appointed by this Act, ſhall continue by virtue hereof, until Eaſter Seſſions following.

The continuance of this Act.

V. Provided, That no Penſion to be given, or aſſigned by authority hereof, ſhall exceed to any one perſon the ſum of Twenty pounds by the year. (2) This Act to continue to the end of the firſt Seſſion of the next Parliament.

CAP. X.

An Act for eſtabliſhing an Additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better ſupport of his and their Crown and Dignity.

The great concernment of proportioning the publick Revenue to the Charges and Expences.

FOraſmuch as nothing conduceth more to the peace and proſperity of a Nation, and the protection of every ſingle perſon therein, then that the publick Revenue thereof may be in ſome meaſure proportioned to the publick Charges and Expences, We therefore your Majeſties moſt Loyal and Obedient Subjects, the Commons aſſembled in Parliament, having duly conſidered the Premiſſes, do give and grant unto your moſt excellent Majeſty, your Heirs and Succeſſors, the Rates and Duties herein after mentioned, and do moſt humbly beſeech your Majeſty, that it may be enacted, (2) and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and by the authority of the ſame, That from and after the Five and twentieth day of March, in the year of our Lord God, One thouſand ſix hundred ſixty and two, every Dwelling, and other Houſe and Edifice, and all Lodgings and Chambers in the Inns of Court, Inns of Chancery, Colledges, and other Societies that are, or hereafter ſhall be erected within the Kingdom of England, Dominion of Wales and Town of Berwick upon Tweed (other then ſuch as in this Act are hereafter excepted and declared) ſhall be chargeable, and by this preſent Act be and are charged with the Annual payment to the Kings Majeſty, his Heirs and Succeſſors, for every Fire-hearth and Stove within every ſuch Houſe, Edifice, Chambers and Lodgings as aforeſaid, the Sum of Two ſhillings by the year, to be paid yearly, and every year at the Feaſt of Saint Michael the Archangel, and the Feaſt of the Annunciation of the Bleſſed Virgin Saint Mary, by even and equal portions; the Firſt payment thereof to be paid upon the Feaſt-day of Saint Michael the Archangel, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two.

Every Fire-hearth and Stove charged with the yearly payment of 2 s. to the King, his Heirs and Succeſſors.

How an Account ſhall be taken of all Fire-hearths and Stoves.

II. And to the intent that a juſt account may be had and taken of all the ſaid Hearths and Stoves by this Act intended to be charged, (2) Be it enacted by the authority aforeſaid, That every Owner, or Occupier of every ſuch Houſe, Edifice, Lodgings and Chambers, ſhall reſpectively within ſix days after notice given unto him or them, by the reſpective Conſtables, Headboroughs, Tythingmen, or other ſuch Officers, within whoſe Precinct the ſaid Houſe, Edifice, Chambers or Lodgings ſhall be, or by the reſpective Treaſurers or Officers of Inns of Court, Inns of Chancery, or other Officers of the reſpective Colledges, and other Societies aforeſaid, wherein any ſuch Lodgings and Chambers ſhall be, deliver unto the ſaid Conſtables, Headboroughs, Tythingmen, or other ſuch Officers as aforeſaid reſpectively, a true and juſt account in Writing under the Hands of ſuch Owners or Occupiers as aforeſaid, of all the ſaid Hearths and Stoves which are within their ſeveral and reſpective Houſes, Lodgings and Chambers aforeſaid.

How and when the ſame ſhall be delivered in.

III. And be it enacted by the authority aforeſaid, That the reſpective Conſtables, Headboroughs, Tythingmen, or other ſuch Officers, within whoſe Limits any ſuch Houſe or Edifice charged by this Act as aforeſaid are, and the reſpective Treaſurers, and other Officers of the reſpective Inns of Court, Inns of Chancery, Colledges and other Societies aforeſaid, ſhall by the laſt day of May, One thouſand ſix hundred ſixty and two, require the ſeveral occupiers of every ſuch Houſe, Edifice, Lodging and Chamber aforeſaid, to deliver in to them reſpectively, Accounts in Writing as aforeſaid under their ſeveral and reſpective Hands, of all ſuch Hearths and Stoves as aforeſaid, as ſhall be within their reſpective Houſes, Edifices, Lodgings and Chambers, (2) and upon the Receipt of the ſame, or upon default of ſuch Account in Writing, or in caſe there be no Occupiers, then within ſix days after notice in writing ſet to the door, requiring ſuch Account to be made, the ſaid Conſtables, or other Officers reſpectively as aforeſaid, ſhall enter into the ſaid reſpective Houſes in the day-time, and compare ſuch Accounts, and ſee whether the ſame be truly made, or not; (3) And if no ſuch Account be delivered,

vered, then ſhall take Information by their own View, of the number of ſuch Hearths and Stoves, upon pain that every Conſtable, Treaſurer, and other Officer aforeſaid, who ſhall neglect to do the ſame, ſhall forfeit for every week he or they ſhall ſo neglect, the ſum of Five pounds, and for every falſe return wilfully made contrary to this Act, he or they ſhall forfeit and loſe for every Hearth and Stove ſo falſly returned or omitted the ſum of Forty ſhillings.

IV. And be it further enacted by the authority aforeſaid, That the ſeveral Conſtables, and other Officers, who are hereby authoriſed to take the Account of the aforeſaid Hearths and Stoves within their particular Limits as aforeſaid, ſhall at the next Quarter Seſſions after the ſaid laſt day of May, to be holden for their reſpective Counties, deliver all ſuch Accounts in Writing, as they ſhall receive, reform, or take by their own view, unto the Juſtices of Peace in their reſpective Quarter Seſſions of the ſaid Counties, together with a true Note of the Names of all ſuch perſons who ſhall refuſe or neglect to give unto them an Account under their Hands of ſuch Hearths and Stoves within their reſpective Houſes, Edifices, Chambers and Lodgings, as aforeſaid.

V. And be it further enacted, That the ſaid Juſtices of Peace ſhall cauſe all the ſaid Accounts of the ſeveral Hearths and Stoves within the reſpective Counties, to be Inrolled by the Clerk of the Peace of the ſaid reſpective Counties, Ridings in Yorkſhire, and Diviſions in Lincolnſhire, and alſo a Duplicate thereof in Parchment, under the Hands and Seals of three or more of the Juſtices of Peace of the reſpective Counties and places aforeſaid, who are hereby required to Sign the ſame, to be returned into his Majeſties Court of Exchequer within one month next after ſuch Account delivered unto them at their reſpective Quarter Seſſions aforeſaid, (2) upon pain that the Clerk of the Peace of every ſuch County, Riding or Diviſion reſpectively offending therein, ſhall forfeit to his Majeſty, his Heirs and Succeſſors, the ſum of Two hundred pounds for the firſt month; and for the ſecond month he ſhall ſo neglect, every ſuch Clerk of the Peace ſhall forfeit and loſe his or their Place and Office, and the ſame ſhall become void accordingly; which forfeiture and penalty ſhall be recovered and levied as this Act directs.

How Accompts of Hearths and Stoves ſhall be enrolled, and Duplicates thereof by the Juſtices of the Peace.

VI. And to the intent that the Revenue hereby ariſing to his Majeſty, may from time to time be paid into his Exchequer with as little charge as may be, (2) Be it enacted by the authority aforeſaid, That the reſpective Treaſurers and other Officers of the Inns of Court, Inns of Chancery, Colledges, and other Societies aforeſaid, within their reſpective Juriſdictions, and the ſeveral petty Conſtables, Tithingmen, Headboroughs, and ſuch other Officers within the reſpective Limits, Liberties and Juriſdictions, ſhall every half year, within ſix days after the ſaid Duty ſhall grow due, as aforeſaid, collect, gather, and receive the ſame from the ſeveral Occupiers of the ſaid Hearths and Stoves, (3) and upon payment thereof, ſhall give ſeveral Acquittances (without taking any thing for ſuch Acquittances) unto the ſeveral perſons who ſhall pay the ſame: And that ſuch Acquittances ſhall be a full and perfect diſcharge to every ſuch perſon who ſhall pay the ſame, againſt his Majeſty, his Heirs and Succeſſors, ſo that no perſon who ſhall have ſuch Acquittance, ſhall be moleſted, ſued or vexed, or put to any charge in his Majeſties Court of Exchequer or elſewhere.

How the moneys ariſing ſhall be collected, received and paid into the Exchequer.

VII. And be it further enacted by the authority aforeſaid, That in caſe any perſon who is hereby charged or intended to be charged to any ſum or ſums of money as aforeſaid, ſhall refuſe or neglect to pay the ſame, that then every perſon or perſons who is hereby authoriſed to collect the ſame, ſhall and may levy the ſame by diſtreſs and ſale of the Goods of the perſon and perſons ſo refuſing or neglecting, rendring unto the ſaid perſon or perſons the overplus of ſuch money as ſhall remain in their hands by the ſaid ſale, after the ſaid Duty and neceſſary charges of levying the ſame is diſcharged as aforeſaid.

Diſtreſs and ſale of goods in default of payment.

VIII. And be it further enacted by the authority aforeſaid, That the aforeſaid Conſtables, Treaſurers, and other Officers who are hereby authoriſed to collect the aforeſaid Duties, ſhall within Twenty days next after the aforeſaid times at which the ſaid Duties ſhall be due to his Majeſty, as aforeſaid, pay unto the High Conſtables of the ſeveral Hundreds and reſpective Limits, all ſuch money as they ſhall receive for the aforeſaid Duties, receiving an Acquittance without paying any thing for the ſame, and deducting Two pence in the pound for their pains in collecting the ſame; and ſhall alſo then in Writing under his Hand deliver unto the ſaid High Conſtable, the Names of the perſons of whom they receive the ſame, and alſo the Names of ſuch perſons who ought to have paid the reſpective Duties yearly charged upon them, and have not paid the ſame, where no diſtreſs can be had.

The Duty of Conſtables, Treaſurers, and Officers impowered to collect the ſaid Duties.

The allowance for collecting.

IX. And be it further enacted, That the High Conſtables of the ſeveral Hundreds and reſpective Limits, ſhall within ten days next after their ſeveral Receits from the ſaid Conſtables, Headboroughs, Tithingmen, and other Officers, pay unto the High Sheriffs of every County, all ſuch money as they ſhall ſo receive, deducting a peny in the pound for their pains, and ſhall alſo then deliver or cauſe to be delivered unto the ſaid High Sheriffs, the ſeveral Returns which they received from the Conſtables, and other Officers aforeſaid.

Within what time the money ought to be paid to the High Sheriff.

X. And the reſpective Sheriffs ſhall within thirty days after he or they ſhall receive the ſaid moneys from the reſpective Collectors, return the ſame, together with the Names of ſuch perſons who are defaulters, and had no diſtreſs to be found, into his Majeſties Courts of Exchequer, deducting Four pence out of Twenty ſhillings, and ſo after that rate; whereof Three pence to be for the Sheriffs own uſe, as a reward for his pains in receiving and returning the ſame; and One peny to be paid by the Sheriff to the Clerk of the Peace, for his pains, to be recovered by the ſaid Clerk of the Peace by Action of Debt.

And when the High Sheriff ought to pay the ſame into the Exchequer.

XI. Provided always, and be it enacted, That the High Sheriff of London and Middleſex for the time being, for London and ſo much for the County of Middleſex as lies within the Bills of Mortality, other then the Inns of Court and Chancery; and the High Sheriff of Surrey

London, Middleſex.

for

Surrey, Southwark.

for the time being, for the Borough of Southwark, and all other Sheriffs of any other City or Town, being a County of it ſelf, for ſuch Cities or Towns reſpectively, ſhall be, and are hereby made Collectors of, and for the ſeveral Duties ariſing within their ſeveral and reſpective Limits; For which end and purpoſe, and in thoſe places only, the Conſtables, Tithingmen, Headboroughs and other Officers, ſhall deliver unto the Sheriffs of the Cities and places aforeſaid, Duplicates of the ſame Accounts of Hearths and Stoves, which the ſaid Conſtables, Headborougs, Tithingmen and other Officers, are appointed by this Act to take from time to time, and to deliver to the Juſtices of Peace to be Inrolled as aforeſaid; (2) And the ſaid Sheriffs of the Cities and places laſt before mentioned, are hereby enabled to levy the ſaid Duties, and required to give Acquittances without any Fees, as fully and amply to all intents and purpoſes as in this Act is appointed to be done by any other Collectors; (3) And the ſaid Sheriffs ſhall from time to time within forty days after the ſaid Duties ſhall be payable by virtue of this Act, make payment of all the moneys levied, into his Majeſties Exchequer, with a perfect Liſt of the Names of ſuch perſons as ſhall make default of payment, where no diſtreſs can be found to be taken; Any thing in this Act to the contrary notwithſtanding: (4) And the ſaid Sheriffs ſhall deduct out of their payments Four pence in the pound; whereof Three pence to be for themſelves, and One peny for the Clerk of the Peace, to be recovered as aforeſaid.

Officers of the Exchequer ſhall diſcharge perſons who pay the Duties without any fee.

XII. And that his Majeſties Officers in his ſaid Court of Exchequer, ſhall diſcharge all ſuch perſons who paid their reſpective Duties without taking any Fees for the ſame, and ſhall alſo iſſue out Proceſs to Levy the ſaid Duty upon ſuch perſons who ſhall fail in payment thereof, where no diſtreſs can be found, to be taken according to this Act.

The ſaid Revenue ſhall be paid into the Exchequer, and not charged with any Grant or Penſion.

XIII. And be it further enacted by the authority aforeſaid, That the Revenue and Sum of money ariſing by virtue of this Act, (except what ſhall be allowed to the aforeſaid Officers and Miniſters for collecting the ſame) ſhall be duly and conſtantly paid and anſwered into his Majeſties Court of Exchequer, and ſhall not be particularly charged or chargeable, either before it be paid into the Exchequer, or after, with any Gift, Grants, or Penſion whatſoever; (2) And that all and every Grants of any ſuch Penſions, and all and every clauſe of Non obſtante therein contained, ſhall be, and is hereby declared to be utterly void, and all and every the perſons to whom ſuch Grants are paſſed, ſhall be, and are hereby made Accountants unto his Majeſty, his Heirs and Succeſſors, and ſhall pay back all ſums of money received by pretence of ſuch Grant, and the Court of Exchequer ſhall be, and is hereby enjoyned to iſſue out Proceſs accordingly.

Grantees of the ſame ſhall be Accountants.

Perſons Acting upon this Statute being ſued therefore, may plead the General Iſſue.

XIV. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit or Information ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance or execution of this Act, ſuch perſon or perſons ſo ſued, ſhall and may plead the General Iſſue, Not Guilty; And upon Iſſue Joyned, may give this Act, and the ſpecial matter in Evidence; (2) And if the Plaintiff or Proſecutor ſhall become Nonſuit, or ſuffer Diſcontinuance, or if a verdict paſs againſt him, or if upon a Demurrer Judgment paſs againſt him, the Defendant ſhall recover treble Coſts, for which there ſhall be like remedy as in any caſe where Coſts by Law are given to the Defendants.

Treble Coſts to the Defendants.

Increaſes of Hearths or Stoves which may happen.

XV. And be it further enacted by the authority aforeſaid, That where any increaſe or decreaſe of ſuch Hearths or Stoves ſhall hereafter happen, That an Account in Writing of the ſame ſhall be had and made in like manner as the ſame is directed to be firſt taken, returned and inrolled by this Act, and a Duplicate thereof ſent into the Exchequer in ſuch ſort as is before directed; and from thenceforth the Owner or Occupier of ſuch Houſe where ſuch decreaſe is, ſhall be diſcharged proportionably without any further pleading in the Exchequer.

Decreaſes how diſcharged.

Arrearages not to be charged or ſued for, but within two years next after they become due.

XVI. Provided always, That no perſon or perſons ſhall be charged, proſecuted, or brought to account for the Arrearages of any Duty, or Arrearages of Revenue raiſed by this Act, unleſs the ſaid Suit ſhall commence within two years, and be brought to Judgment within four years, and the Duty levied within five years next after the ſame ſhall grow due.

Poor people exempted.

XVII. Provided always, That no perſon who by reaſon of his poverty, or the ſmallneſs of his Eſtate is exempted from the uſual Taxes, Payments and Contributions toward the Church and Poor, ſhall be charged or chargeable with any the Duties by this Act impoſed; Any thing herein before to the contrary notwithſtanding.

XVIII. Provided always, and be it hereby enacted, That if the Church-wardens and Overſeers of the Poor of the Pariſh, together with the Miniſter of the ſame, or any two of them, (whereof the Miniſter to be one) ſhall in Writing under their Hands yearly certifie their belief, that the houſe wherein any perſon doth inhabit is not of greater value then of Twenty ſhillings per annum, upon the full improved Rent; and that neither the perſon ſo inhabiting, nor any other uſing the ſame Meſſuage, hath, uſeth or occupieth any Lands or Tenements of their own or others, of the yearly value of twenty ſhillings per annum, nor hath any Lands, Tenements, Goods or Chattels, of the value of Ten pounds in their own poſſeſſion, or in the poſſeſſion of any other in truſt for them; That then in ſuch caſe, upon ſuch Certificate made to the two next Juſtices of Peace, and allowed (for which Certificate and allowance no Fee ſhall be paid) the perſon on whoſe behalf ſuch Certificate is made, ſhall not be returned by the Conſtable, or other Officer, and the ſaid Houſe is hereby for that year diſcharged of, and from all the Duties by this Act impoſed; Any thing herein to the contrary notwithſtanding.

Further penalty upon any perſon that ſhall accept or procure any Penſion, Gift or Grant for years, &c.

XIX. Provided alſo, and be it enacted by the authority aforeſaid, That if any perſon or perſons, Bodies politick or corporate, ſhall at any time hereafter procure or accept of or from the Kings Majeſty, his Heirs or Succeſſors, any Penſion, Gift or Grant for years, life, or any other Eſtate, or any ſum or ſums of money out of the Revenue ariſing by virtue of this Act, that then ſuch perſon or Body politick or corporate, procuring or accepting the ſame, ſhall forfeit double the value of ſuch Penſion, Gift or Grant; The one moiety of which forfeiture ſhall be to the uſe of the Poor of the Pariſh or Pariſhes where the ſaid offenders be or inhabit, to be recovered by the Churchwardens, the other moiety to him that will ſue for the ſame, by Action of Debt, Bill, Plaint or Information.

Blowing-houſes, Stamps, Furnaces, Kilns, Ovens, Hoſpitals.

XX. Provided, That this Act, or any thing herein contained, ſhall not extend to charge any Blowing-houſe, and Stamp, Furnace, or Kiln, or any private Oven within any of the Houſes hereby charged, nor any Hearth or Stove within the ſcite of any Hoſpital or Alms-houſe for the relief of poor people, whoſe Endowment and Revenue doth not exceed in true value the ſum of One hundred pounds by the year.

The payments and duties charged only upon the Occupiers.

XXI. Provided, That the payments and duties hereby charged, ſhall be charged only on the occupier for the time being of ſuch Hearth or Stove, dwelling in ſuch Houſe whereto ſuch Hearth or Stove ſhall be belonging, his Executors or Adminiſtrators, and not on the Landlord who let or demiſed the ſame, his Heirs, Executors or Aſſigns.

No priviledge to ſue in the Exchequer, nor aſſign a debt to the King.

XXII. Provided alſo, That no perſon or perſons indebted for any the Duties aforeſaid ſhall thereby be priviledged as a debtor or debtors to his Majeſty, his Heirs or Succeſſors, to ſue any perſon or perſons in the Court of Exchequer, or to aſſign any debt to his Majeſty, his Heirs or Succeſſors, towards ſatisfaction of the ſame. 15 Car. 2. cap. 13. 16 Car. 2. cap. 3.

CAP. XI.

An Act for preventing Frauds, and regulating Abuſes in his Majeſties Cuſtoms.

12 Car. 2. cap. 19.

Foraſmuch as it appears, that ſeveral unlawful and indirect means and devices are daily put in practice, to Export and Import Goods and Merchandizes prohibited by the Laws and Statutes of this Kingdom, as alſo to defraud the Kings moſt excellent Majeſty of his Dues, Cuſtoms and Subſidies, as well by ſecret and deceitful deſigns, as by open force and violence uſed againſt the Kings Majeſties Officers imployed in the Affairs of the Cuſtoms:

Ships and Veſſels arriving from beyond the Seas at Graveſend.

II. For the better preventing of which frauds and violences in time to come, it is Enacted and Ordained by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and be it Enacted and Ordained by the authority thereof, That no Ship or Veſſel arriving from the parts beyond the Seas, ſhall be above three days coming from Graveſend to the place of her diſcharge (within the River of Thames) without touching or ſtaying at any Wharf, Key or place adjoyning to either Shore between Graveſend and Cheſters Key, (unleſs apparently hindred by contrary winds, draught of Water, or other juſt impediment to be allowed by ſuch perſon or perſons as are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Collectors Inwards, or other principal Officers of the Cuſtoms) (2) and then, or before the Maſter or Purſer (for that Voyage) of ſuch Ship or Veſſel, ſhall make a juſt and true Entry upon Oath, of the Burthen, Contents and Lading of every ſuch Ship or Veſſel, with the particular Marks, Numbers, Qualities and Contents of every parcel of Goods therein Laden, to the beſt of his Knowledge; alſo where, and in what Port ſhe took in her Lading, of what Countrey built, how manned, who was Maſter during the Voyage, and who are Owners thereof; (3) and in all out-Ports or Members, to come directly up to the place of unlading, as the condition of the Port requires and will admit, and making Entries as aforeſaid, upon the penalty of the forfeiture of one hundred pounds.

True Entries of Lading to be made upon Oath.

The penalty.

The duty of Captains, Maſter and others, taking charge of Ships and Veſſels bound for parts beyond the Seas.

To take in no Engliſh goods till Entry thereof be made at the Cuſtom-houſe.

III. And be it further enacted by the authority aforeſaid, That no Captain, Maſter, Purſer, or any other perſon or perſons taking charge of any Ship or Veſſel bound for the parts beyond the Seas, or into the Kingdom of Scotland, whether the ſame Ship or Veſſel ſhall have Commiſſion from, or belong unto the Kings Majeſty that now is, his Heirs or Succeſſors, or ſhall belong to, or have Commiſſion from any foreign Prince or State, or otherwiſe, ſhall take in, or ſuffer to be taken into, or laden aboard any ſuch Ship or Veſſel, any Engliſh Goods, Wares or Merchandize, to be Exported into the parts beyond the Seas, or into the Kingdom of Scotland, until ſuch Captain, Maſter, Purſer, or other perſon as aforeſaid, ſhall have entred ſuch Ship or Ships in the Book of the Commiſſioners, Cuſtomer or Collector and Comptroller Outwards of ſuch Port where he ſhall load or take in Goods, together with the Name of ſuch Captain or Maſter, the Burden of ſuch Ship or Veſſel, the number of Guns and Ammunition ſhe carries, and to what Port or place ſhe intends to paſs or ſail, (2) and before he or they ſhall depart with his or their Ship or Veſſel out of ſuch Port or place, ſhall bring and deliver unto the ſaid perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Cuſtomer or Collector and Comptroller of ſuch Port or place, a Content in Writing under his or their Hands, of the Names of every Merchant, and other perſon or perſons that ſhall have laden and put on board any ſuch Ship or Veſſel, any ſuch Goods or Merchandize, together with the Marks and Numbers of ſuch Goods and Merchandize, (3) and ſhall likewiſe publickly in the open Cuſtom-houſe, upon his corporal Oath, to the beſt of his knowledge, have anſwered to ſuch Queſtion or Queſtions as ſhall be demanded of him by the ſaid perſon or perſons which are or ſhall be appointed by his Majeſty for the managing the Cuſtoms, the Cuſtomer or Collector and Comptroller, or their Deputies, concerning ſuch Goods and Merchandize as ſhall be aboard ſuch Ship or Veſſel, (4) upon pain of forfeiture of one hundred pounds; (5) And that no ſuch Captain, Maſter, Purſer, or other perſon or perſons taking charge of any Ship or Veſſel of War, as aforeſaid, wherein any Goods, Wares or Merchandizes ſhall have been laden or brought from the Ports beyond the Seas, or out of the Realm of Scotland, ſhall unload or put on board any Lighter, Boat or Bottom, or Lay on Land, or ſuffer to be diſcharged or put into any Lighter, Boat, or Bottom, or to be laid on Land out of any Ship or Veſſel as aforeſaid, any Goods, Wares or Merchandize whatſoever, before ſuch Captain, Maſter, Purſer, or other perſon taking charge of the Ship or Merchants Goods for that Voyage as aforeſaid, ſhall have ſignified and declared in Writing under his or their Hands, unto the perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Cuſtomer or Collector and Comptroller Inwards of the Port where he arriveth, the Names of every Merchant or Lader of any Goods or Merchandizes aboard the ſaid Ship or Veſſel, together with the Number and Marks, and the quantity and quality of every parcel of Goods and Merchandizes,

Ships or Veſſels of War bringing goods.

chandizes, to the beſt of his knowledge, and ſhall have anſwered upon his or their corporal Oath, to ſuch Queſtions concerning ſuch Goods and Merchandizes, as ſhall be publickly adminiſtred unto him in the open Cuſtom-houſe, by ſuch perſon or perſons which are or ſhall be appointed for managing the Cuſtoms, Cuſtomer or Collector and Comptroller, or their Deputies, and ſhall be liable to all Searchers and other Rules which Merchants Ships are ſubject unto, by the uſage of his Majeſties Cuſtom-houſe (victualling Bills and Entring excepted) upon pain to forfeit One hundred pounds, (6) and upon retuſal to make ſuch Entries as aforeſaid, as well Outwards as Inwards, the ſaid perſon or perſons which are or ſhall be appointed for managing the Cuſtoms and Officers of his Majeſties Cuſtoms, and their Deputies, ſhall and may frely enter and go on board all and every ſuch Ship or Veſſel of War, and bring from thence on Shore into his Majeſties Store-houſe belonging to the Port where ſuch Ship ſhall be, all Goods and Merchandizes prohibited or uncuſtomed, which ſhall be found on board any ſuch Ship as aforeſaid.

The power of Officers for managing the Cuſtoms to enter and ſearch Ships and Veſſels.

IV. And be it hereby alſo enacted, That the ſaid perſon or perſons which are or ſhall be appointed for managing the Cuſtoms and Officers of his Majeſties Cuſtoms, and their Deputies, are hereby authorized and enabled to go and enter aboard any Ship or Veſſel, as well Ships of War as Merchant Ships, and from thence to bring on ſhore all Goods prohibited or uncuſtomed, except Jewels if they be outwards bound; (2) and if they be Ships or Veſſels Inwards bound, from thence to bring on ſhore into his Majeſties Store-houſe, as aforeſaid, all ſmall parcels of Fine Goods or other Goods which ſhall be found in Cabbins, Cheſts, Trunks, or other ſmall package, or in any private or ſecret place, in or out of the Hold of the Ship or Veſſel, which may occaſion a juſt ſuſpicion that they were intended to be fraudulently conveyed away; (3) And all other ſorts of Goods whatſoever, for which the Duties of Tunnage and Poundage were not paid or compounded for within Twenty days after the firſt Entry of the Ship, to be put and remain in the Store-houſe aforeſaid, until his Majeſties Duties thereupon be juſtly ſatisfied, unleſs the ſaid perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms and Officers of the Cuſtoms, ſhall ſee juſt cauſe to allow a longer time, and that the ſaid perſon or perſons which are or ſhall be ſo appointed to manage the Cuſtoms and the Officers of the Cuſtoms, and their Deputies, may freely ſtay and remain aboard until all the Goods are delivered and diſcharged out of the ſaid Ships or Veſſels: (4) And if any Maſter, Purſer, or Boat-ſwain, or other taking charge in any Ship or Veſſel, or other perſon whatſoever, ſhall ſuffer any Truſs, Bale, Pack, Fardel, Cask, or other Package to be opened aboard the ſaid Ship or Veſſel, and the Goods therein to be imbezilled, carried away, or put into any other form or package, after the Ship comes into the Port of her diſcharge, in every ſuch caſe the ſaid Maſter, Purſer, Boat-ſwain or others, ſhall forfeit the ſum of One hundred pounds.

Goods concealed in any Ship after clearing.

V. And be it further enacted by the authority aforeſaid, That in caſe after the clearing of any Ship or Veſſel, by the perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, or any their Deputies, and diſcharging the Watchmen or Tideſmen from attendance thereupon, there ſhall be found on board ſuch Ship or Veſſel, any Goods, Wares or Merchandizes, which have been concealed from the knowledge of the ſaid perſon or perſons which are or ſhall be ſo appointed to manage the Cuſtoms, and for which the Cuſtom, Subſidy and other Duties due upon the Importation thereof, have not been paid, then the Maſter, Purſer, or other perſon taking charge of ſuch Ship or Veſſel, ſhall forfeit the ſum of One hundred pounds: (2) And it ſhall be lawful to or for any perſon or perſons, authorized by Writ of Aſſiſtants, under the Seal of his Majeſties Court of Exchequer, to take a Conſtable, Headborough, or other publick Officer inhabiting near unto the place, and in the day-time to enter, and go into any Houſe, Shop, Cellar, Ware-houſe or Room, or other place, and in caſe of Reſiſtance, to break open Doors, Cheſts, Trunks, and other package, there to ſeize, and from thence to bring any kind of Goods or Merchandize whatſoever, prohibited and uncuſtomed, and to put and ſecure the ſame in his Majeſties Store-houſe, in the Port to the place where ſuch ſeizure ſhall be made.

The penalty.

An account to be given of all foreign Ships in all Ports of England.

VI. And for the better encreaſe of Shipping and Navigation, Be it further enacted, That the Collectors and other Officers of his Majeſties Cuſtoms in all the Ports of England, ſhall forthwith give an Account unto the Collectors and Surveyor in the Port of London, (appointed by his Majeſty for all Duties and matters relating to a late Act, entituled, An Act for encreaſing and encouraging of Shipping and Navigation,) of all Foreign built Ships in their Ports, owned and belonging to the people of England, of what built and burthen they are, For which Certificates have been made according to the ſaid Act, and that the ſaid Collector and Surveyor ſhall make a true and perfect Liſt of all ſuch Ships atteſted under their Hands, and tranſmit the ſame into his Majeſties Court of Exchequer, on or before the month of December, in the year One thouſand ſix hundred ſixty two, there to remain upon Record: (2) And that no Foreign built Ship (that is to ſay) not built in any of his Majeſties Dominions of Aſia, Africa or America, or other then ſuch as ſhall (bona fide) be bought before the firſt of October, 1662, next enſuing, and expreſly named in the ſaid Liſt, ſhall enjoy the priviledge of Ship belonging to England or Ireland, although owned or manned by Engliſh (except ſuch Ships only as ſhall be taken at Sea by Letters of Mart or Repriſal, and condemnation made in the Court of Admiralty, as lawful Prize) but all ſuch Ships ſhall be deemed as Aliens Ships, and be liable unto all Duties that Aliens Ships are liable unto by virtue of the ſaid Act for encreaſe of Shipping and Navigation. (3) And whereas it is required by the ſaid Act, that in ſundry caſes the Maſter and three fourths of the Mariners are to be Engliſh, it is to be underſtood, that any of his Majeſties Subjects of England, Ireland, and his Plantations, are to be accounted Engliſh, and no others, and that the number of Mariners be accounted according to what they ſhall have been during the whole Voyage. (4) And whereas of late ſome of the perſons appointed by his Majeſty for the managing the Cuſtoms and the Officers of the Cuſtoms and their Deputies, have been hindred, affronted, abuſed, beaten, and wounded to the hazard of their lives, in the due execution of their ſeveral Truſts

12 Car. 2. cap. 18.

Foreign built Ships not to have the priviledge of Ships belonging to England or Ireland.

and Services in their reſpective places by armed companies and multitudes of men, and Goods prohibited and uncuſtomed, have by force and violence, as well by Land as by Water, been forcibly carried and conveyed away, (5) Be it enacted by the authority aforeſaid, That where any Officer or Officers ſhall be by any perſon or perſons armed with Club, or any manner of Weapon, forcibly hindred, affronted, abuſed, beaten or wounded as aforeſaid, either on board any Ship or Veſſel, or upon the Land or Water, in the due execution of their Office, all and every perſon and perſons ſo reſiſting, affronting, abuſing, beating or wounding the ſaid Officer or Officers, or their Deputies, or ſuch as ſhall act in their aid or aſſiſtance, ſhall by the next Juſtice of Peace, or other Magiſtrate be committed to Priſon, there to remain till the next Quarter Seſſions: (6) And the Juſtices of the Peace of the ſaid Quarter Seſſions, ſhall, and are hereby impowred to puniſh the offender by Fine, not exceeding One hundred pounds, and the offender is to remain in priſon till he be diſcharged by Order of the Exchequer, both of the Fine and of the Impriſonment, or diſcover the perſon that ſet him on work, to the end he may be legally proceeded againſt.

The puniſhment for beating and abuſing Officers of the Cuſtoms.

No goods to be water-born landed, but in the preſence of ſome Officer of the Cuſtoms.

VII. And be it further enacted by the authority aforeſaid, That if any Wharfinger or Keeper of any Wharf, Crane, or Key, or their Servants, or any of them, ſhall take up or land, or knowingly ſuffer to be taken up or landed, or ſhall ſhip off, or ſuffer to be water-born at or from any of their ſaid Wharfs, Cranes or Keys, any Goods, Wares or Merchandize prohibited, or whereof any Cuſtom, Subſidy, or other Duties are due and payable unto the Kings Majeſty, without the preſence of ſome of the Officers of his Majeſties Cuſtoms thereunto appointed, or at hours and times not appointed by Law (except in the Port of Hull, as in the Statute of the firſt year of Queen Elizabeth, Chapter the eleventh, is excepted, and not otherwiſe) or Goods paſſing by Certificates, Waſte Cocquet, or otherwiſe without the preſence or notice given to one or more of his Majeſties Officers, That in every ſuch caſe all and every ſuch Wharfinger and Keeper of ſuch Wharf, Crane or Key, ſhall forfeit and pay the ſum of One hundred pounds; (2) And if any Goods or Merchandize ſhall be laden or taken in from the Shore, into any Bark, Hoy, Lighter, Barge, Wherry or Boat, to be carried aboard any Ship or Veſſel outwards bound for the Parts beyond the Seas, or laden, or taken in, from or out of any Ship or Veſſel coming in, and arriving from foreign parts, without a Warrant, and preſence of one or more Officers of the Cuſtoms, ſuch Bark, Hoy, Lighter, Barge, Boat or Wherry ſhall be forfeited and loſt, and the Maſter, Purſer, Boatſwain, or other Mariner of any Ship inward bound, knowing and conſenting thereunto, ſhall forfeit the value of the Goods ſo unſhipped: (3) And further, That in caſe any Carman, Porter, Waterman, or other perſon or perſons whatſoever, ſhall aſſiſt in the taking up, landing, ſhipping off, or carrying away any ſuch Goods, Wares or Merchandizes, that then ſuch Carman, Porter, Waterman, or other perſon or perſons ſo offending, being apprehended by Warrant of any Juſtice of the Peace for that County, City or Borough, which the ſaid Juſtices, and every of them are hereby authorized to iſſue, and to examine Witneſſes upon Oath concerning ſuch Fact, and the ſame being proved by the Oath of two Witneſſes, the ſaid Offenders for ſuch firſt offence, ſhall and may by ſuch Juſtice of the Peace be committed to the next Gaol, there to remain till he and they find ſufficient Surety to be of the good behaviour for ſo long time, until he and they ſhall be thereof diſcharged by the Lord Treaſurer, Chancellor, Under Treaſurer, or Barons of the Exchequer; (4) and in caſe he or they ſo convicted, ſhall afterwards at any time offend in the like kind, then he and they ſhall and may by any Juſtice of the Peace aforeſaid, be committed to the next Gaol, there to remain for the ſpace of two months without Bail or Mainprize, or until he ſhall pay unto the Sheriff of that County the ſum of Five pounds for the uſe of his Majeſty, or until he ſhall by the Lord Treaſurer, Chancellor, Under-Treaſurer or Court of Exchequer be thence diſcharged: (5) Be it further enacted by the authority aforeſaid, That if any Goods, Wares or Merchandizes, ſhall be ſhipped or put on Board to be carried forth to the open Sea from any one Port, Creek or Member in the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, to be landed at any other place of this Realm, without a Sufferance or Warrant firſt had and obtained from the ſaid perſon or perſons which are or ſhall be appointed for managing the Cuſtoms and Officers of his Majeſties Cuſtoms, all ſuch Wares and Merchandizes ſhall be forfeited and loſt, (6) and that the Maſter of every Ship or Veſſel that ſhall lade or take in any ſuch Goods, Wares or Merchandizes, in any Port, Member or Creek within this Kingdom of England, Dominion of Wales, or Town and Port of Berwick, to be landed and diſcharged in ſome other Port, Member or Creek of the ſaid Kingdom of England, Dominion of Wales, or Town and Port of Berwick, ſhall before the Ship or Veſſel be removed or carried out of the Port (where he ſhall take in his Lading) take out a Cocquet or Cocquets, and become bound to the Kings Majeſty with good Security, the value of the Goods, Wares and Merchandizes aforeſaid, for delivery and diſcharge thereof in the Port or place for which the ſame ſhall be Entred as aforeſaid, or in ſome other Port or place within the ſaid Kingdom of England, Dominion of Wales, or Port and Town of Berwick, (7) and (the dangers and accidents of the Seas excepted) to return a Certificate within ſix months after the date of ſuch Cocquet and Cocquets, under the Hands and Seals of the Kings Majeſties Officers, ſigned alſo by ſome of the ſaid perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, or their Deputy or Deputies, in every reſpective Ports, Members or Creeks where the ſame ſhall be landed and diſcharged, to his Majeſties Officers of the Cuſtoms to whom ſuch Security hath been given as aforeſaid, that ſuch Goods, Wares and Merchandizes were landed and diſcharged accordingly, upon the penalty of the forfeiture of the Bond and Security aforeſaid.

5 Eliz. cap. 11.

The penalty.

Goods carried from one Port to another in England or Wales.

Officers of any Port making falſe Certificate.

VIII. And be it hereby further enacted, That if any Officer of any Port, Member or Creek, ſhall make any falſe Certificate of any Goods or Merchandizes which ſhould have been landed out of any Ship or Veſſel, That ſuch Officer ſhall loſe his Employment, and moreover forfeit the ſum of Fifty pounds, and ſuffer one years Impriſonment without Bail or Mainprize, and be incapable of ſerving his Majeſty in any place of Truſt concerning

his

The penalty.

Counterfeiting Cocquets, Certificates, &c.

The penalty.

his Cuſtoms, and be further liable to ſuch corporal puniſhment as the Court of Exchequer ſhall think fit; (2) and if any perſon whatſoever ſhall counterfeit, raiſe, or falſifie any Cocquet, Certificate or Return, Tranſire, Let-paſs, or any other Cuſtom-houſe Warrant, he ſhall forfeit One hundred pounds, and the Cocquet, Certificate or Return ſhall be invalid and of none effect; (3) And if any Goods, Wares and Merchandizes brought or coming into any Port, Haven or Creek within the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, from any other Port, Haven or Creek within the Kingdom of England, or Dominions aforeſaid, by Port, Cocquet, Tranſire, Let-paſs, or Certificate, in Ships or Veſſels, ſhall be landed or put on ſhore before ſuch Cocquet, Tranſire, Let-paſs, or Certificate ſhall be delivered to ſuch perſon or perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms, the Cuſtomer or Collector, and Comptroller of the Port or Place of their arrival, or to their Deputy or Deputies, and Warrant or Sufferance made and given from ſuch perſon or perſons, Cuſtomer, or Collector and Comptroller, or their Deputy and Deputies aforeſaid, for the landing and diſcharging thereof.

Goods ſecretly conveyed beyond Sea uncuſtomed and undiſcovered by the Officers.

The penalty.

IX. And be it further enacted by the authority aforeſaid, That if any Goods, Wares, or Merchandizes, for which the Duties of Subſidy or Cuſtom are due and payable to the Kings Majeſty, ſhall be ſecretly conveyed on Board any Ship or Veſſel before the Cuſtom and Subſidy thereof be duly anſwered and paid, and ſhall eſcape the diſcovery thereof by the Officers of the Cuſtoms or others, and be carried into the parts beyond the Seas; in ſuch caſe the Owners or Proprietor of ſuch Goods, Wares or Merchandizes, or other perſon or perſons who ſhall have ſo ſhipped, or cauſed the ſame to be ſhipped and tranſported, ſhall forfeit the double value of the Goods, computed according to the Book of Rates, except for Coal, which ſo ſecretly Exported as aforeſaid, ſhall pay double the Cuſtom and Duty to be collected and levied in ſuch manner as by the Act of Tunnage and Poundage is directed and appointed.

For preventing frauds in colouring ſtrangers Goods.

X. Be it further enacted by the authority aforeſaid, That for preventing of frauds in colouring of Strangers Goods, and otherwiſe, every Merchant or other paſſing any Goods, Wares or Merchandizes, Inwards or Outwards, ſhall by himſelf, or his known Servant, Factor or Agent, ſubſcribe one of his Bills of every Entry, with the Mark, Number, and Contents of every parcel of ſuch Goods as are rated to pay by the piece or meaſure, and weight of the whole parcel of ſuch Goods as are rated to pay by the weight, without which the Officers of the Cuſtoms ſhall not ſuffer any Entry to paſs; And that no Children of Aliens under the age of twenty one years be permitted to be Traders, or any Goods or Merchandizes to be Entred in their Names.

There ſhall be no Party Jury in Actions or Suits concerning Cuſtoms.

XI. Be it alſo hereby enacted, That upon any Actions, Suits and Informations that ſhall be brought, commenced, or entred upon any Law or Statute concerning the Kings Majeſties Subſidies of Tunuage and Poundage, or Ships or Goods to be forfeited by reaſon of unlawful Importation or Exportation, there ſhall not be any Party Jury, but ſuch only as are the natural and free-born Subjects of the King, his Heirs or Succeſſors.

Allowances for defects and damages in Goods, how to be made.

XII. And whereas allowances given to Merchants and others, for defects and damages upon Goods, and Five per cent. generally upon all Goods Imported, and Twelve per centum upon Wines, every Merchant or others having the aforeſaid allowances Inwards, ſhall in perſon upon Oath by himſelf, or by his known Servant or Factor, demand and receive the moneys due upon Debentures for ſuch Foreign Goods Exported by ſuch Certificate, with ſuch abatements and allowances as were made and given to him upon the Importation; (2) and if he be found fraudulently to ſhip out leſs in quantity or value then is expreſſed in his Certificate, the Goods therein mentioned, or the value thereof ſhall be forfeited, and the Owner or Merchant ſhall loſe the Benefit of receiving back any part of the Subſidy for thoſe Goods; (3) And if any Goods ſhipped out by Certificate as aforeſaid, ſhall be landed again in the ſame, or any other Port or place within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick (unleſs in caſe of Diſtreſs to ſave the Goods from periſhing, which ſhall be preſently made known to the perſon or perſons which are or ſhall be appointed by his Majeſty to manage his Cuſtoms, and principal Officers of the Port) no allowance ſhall be demanded or made for thoſe Goods, and the ſaid Goods, or value thereof, ſhall be forfeited and loſt.

Goods brought from, or carried into Scotland by Land, ſhall paſs through Berwick or Carliſle.

12 Car. 2. cap. 4.

XIII. Be it further enacted by the authority aforeſaid, That all Goods, Wares or Merchandize that ſhall be brought out of, or carried into the Kingdom of Scotland by Land, into, or out of the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, ſhall paſs and be carried by and through ſome of the Towns and Paſſages hereafter named, (that is to ſay) by and through Berwick or Carliſle, and then and there pay the Cuſtom and Subſidy granted and due to the Kings Majeſty, by an Act of this preſent Parliament, entituled, A Subſidy granted to the King, of Tunnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported; (2) And if any Goods, Wares or Merchandize prohibited or uncuſtomed, coming out of Scotland into England, or going out of England into Scotland, ſhall paſs by, or beyond the Towns, Ports and places before named, without due entry and payments of the Cuſtoms, That then all ſuch Goods, Wares and Merchandize, or the value thereof, ſhall be forfeited and loſt.

1 El. cap. 11.

When and where Merchandize ſhall be landed, and Cuſtom paid.

XIV. And whereas in and by an Act of Parliament in the firſt year of Queen Elizabeth, of famous memory, directing when and where Merchandize ſhall be landed, and Cuſtoms paid, it is amongſt divers other things Enacted and Ordained, That no Goods, Wares or Merchandize ſhall be ſhipped or loaden aboard any Ship or Veſſel, or landed or diſcharged out of or from any Ship or Veſſel, but in or upon ſome ſuch open Place, Key or Wharf, Places, Keys or Wharfs (except the Port of Hull) as her Highneſs, her Heirs and Succeſſors ſhould therefore aſſign and appoint by virtue of her Highneſs Commiſſion or Commiſſions, within the Port of London, and in all Ports, Creeks, Havens or Roads, as in and by the ſaid Act doth and may at large appear: (2) And whereas, notwithſtanding the aforeſaid Act, there are ſome Ports, Creeks and places where Cuſtomers, Collectors and Comptrollers and Searchers, and their Servants, had then, time out of mind, been reſident, to which no ſuch Commiſſions were ſent, nor Places, Keys, nor Wharfs appointed, as by the ſaid Act was directed: And whereas alſo ſince that time, by reaſon of the alteration of Rivers, Streams, Chanels and Sands, ſome places then appointed are become unfit and uſeleſs, and others much more convenient and commodious, as well for Traffick and Commerce, as for Landing and Diſcharging, Lading and Shipping of Goods, Wares and Merchandize; (3) It is Enacted and Ordained, and be it Enacted and Ordained by the Authority aforeſaid, That the Kings Majeſty may from time to time by his Highneſs Commiſſion or Commiſſions out of his Court of Exchequer, aſſign and appoint all ſuch further places, Ports, Members and Creeks, (except the Town of Hull) as ſhall be lawful for the landing and diſcharging, lading or ſhipping any Goods, Wares or Merchandize, within the Kingdom of England, Dominion of Wales, or Port or Town of Berwick upon Tweed, and to what ancient and Head Ports reſpectively ſuch places, Members or Creeks ſhall belong and appertain: (4) And where any ſuch Member Creek or place ſhall be ſo (as aforeſaid) appointed by virtue of the ſaid Commiſſion or Commiſſions, the Cuſtomer, Collector, Comptroller and Searcher of the Head port, ſhall by themſelves, or their ſufficient Deputy or Deputies, Servant or Servants, reſide and inhabit, for the entring clearing and paſſing, ſhipping and diſcharging of Ships, Goods and Merchandize; (5) And by virtue of the aforeſaid Commiſſion or Commiſſions, may likewiſe ſet down and appoint the Extents, Bounds and Limits of every Port, Haven or Creek within his Majeſties Kingdom of England, Dominion of Wales, and Town and Port of Berwick, whereby the Extents, Limits and Priviledges of every Port, Haven or Creek, may be aſcertained and known: (6) And it ſhall not be lawful for any perſon or perſons whatſoever, to lade, or put, or cauſe to be laden or put off, or from any Key, Wharf, or other place on the Land into any Ship, Veſſel, Lighter, Boat or Bottom, any Goods, Wares or Merchandize whatſoever, (Fiſh taken by his Majeſties Subjects, Sea-coal, Stone and Beſtials only excepted) to be tranſported into any place of the parts beyond the Seas, or carried by Land into the Realm of Scotland; (7) or to take up, diſcharge or lay on Land, or cauſe, or procure to be taken up, diſcharged and laid on Land out of any Boat, Lighter, Ship, Veſſel or Bottom (being not in Leak or Wreck) any Goods, Wares, or Merchandize whatſoever (Fiſh taken by his Majeſties Subjects, Beſtials and Salt only excepted,) to be brought from any of the parts beyond the Seas, or by Land from the Realm of Scotland, by way of Merchandize, but only upon ſuch open Place, Key or Wharf, Places, Keys or Wharfs, as his Majeſty ſhall from time to time aſſign and appoint by virtue of ſuch Commiſſion and Commiſſions as aforeſaid, in his Majeſties Port of London, and the Members and Liberties thereof, in any other Port, Place, Member or Creek within his Majeſties Kingdom of England, Dominion of Wales, and Town and Port of Berwick, without ſpecial ſufferance and leave firſt had from the Commiſſioners and Officers of his Majeſties Cuſtoms, upon the penalty of the forfeiture of all ſuch Goods, Wares and Merchandize.

For avoiding practices between Owners of Goods and Informers, to avoid payment of Cuſtoms. None to ſeize any Goods but Officers of the Cuſtoms.

XV. And foraſmuch as it doth appear by daily experience, That there are great practices and combinations between the Importers and Owners of Goods and Merchandizes, and the Seizers and Informers, with deſign and intent to defraud the force of the Law, and his Majeſty of his Duties and Cuſtoms, (2) Be it enacted by the authority aforeſaid, That no Ship or Ships, Goods, Wares or Merchandize, ſhall be ſeized as forfeited, for or by reaſon of unlawful Importation or Exportation, into or out of this Kingdom of England, Dominion of Wales, or Port or Town of Berwick, or any the Ports, Members or Creeks thereunto belonging or for not payment of any Cuſtoms or Subſidies now due, or hereafter to be due and payable to his Majeſty, but by the perſon or perſons who are or ſhall be appointed by his Majeſty to manage his Cuſtoms, or Officers of his Majeſties Cuſtoms for the time being, or ſuch other perſon or perſons as ſhall be deputed or authorized thereunto by Warrant from the Lord Treaſurer, or Under Treaſurer, or by ſpecial Commiſſion from his Majeſty under the Great or Privy Seal: (3) And if any Seizure ſhall hereafter be made by any other perſon or perſons whatſoever for any the cauſes aforeſaid, ſuch Seizure ſhall be void and of none effect; Any Statute, Law Act or Proviſion to the contrary in any wiſe notwithſtanding.

In any Suit againſt perſon imployed about the Cuſtoms, the Defendant may plead the general Iſſue 12 Car. 2. c. 18.

XVI. And be it further enacted by the authority aforeſaid, That in every Action, Suit, Indictment, Information or Proſecution, wherein or whereby the perſon or perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms, or the Officers of his Majeſties Cuſtoms, or any Officer or Officers, perſon or perſons authorized by his Majeſty to put in execution the Act of Parliament, For encreaſing and encouraging of Navigation, their Deputies or Servants, or any others acting in aid of them, have been, are, or ſhall be ſued, indicted, proſecuted or moleſted, it ſhall be lawful for all and every the ſaid perſons, their Heirs, Executors and Adminiſtrators, to plead the general Iſſue, and to give this or the aforeſaid Acts of Parliament relating to the Cuſtoms and Navigation, in Evidence, in any of his Majeſties Courts of Juſtice, or other Courts where the ſaid matter ſhall be depending; And the Judges of the ſaid Courts are hereby ſtrictly enjoyned and required to admit the ſame, and to acquit and indempnifie them, and every of them, of, and from all ſuch Suits, Indictments, Informations or Proſecutions, for or concerning any matter or thing acted or done in the due and neceſſary performance and execution of their reſpective Truſts and Employments therein.

And to give this or other Acts relating to Cuſtoms or Navigation in Evidence.

For avoiding fraudulent Compoſitions by Informers.

XVII. Be it hereby alſo enacted, for avoiding of frudulent Compoſitions, That if any Seizer, Informer or Officer as aforeſaid, ſhall not proſecute to effect for the bringing to Tryal and Condemnation the Ships, Goods and Merchandize by them ſeized and informed againſt, That then, and in every ſuch caſe, it ſhall be lawful to or for any of the perſon or perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms, or the Officers of the Cuſtoms, or other perſon or perſons deputed by them, or thereunto authorized by the Lord Treaſurer, or Under-Treaſurer, to make ſeizure of, or inform againſt ſuch Goods and Merchandize, or bring his Action for the ſame by way of Devenerunt, and that they ſhall be eſteemed and adjudged in Law as the true firſt Informers and Seizers, and have the benefit of ſuch Informers or Seizers; Any Law, Statute, Act or Uſage to the contrary in any wiſe notwithſtanding;

XVIII. And that no Informer or Officer be ſuffered to compound under one Third of the appraiſed value, upon loſs of his Office;

No perſon imployed about managing the Cuſtoms may take any bribe or reward to connive at any Entry.

XIX. Be it further enacted by the authority aforeſaid, That if any of the Kings Majeſties Officers or other perſons appointed to manage his Majeſties Cuſtoms, Searchers, Waiters, or other perſon or perſons whatſoever deputed and appointed by and under them, or any of them, or any other authority whatſoever, and imployed in or about the Affairs of the Kings Cuſtoms and Subſidies. ſhall directly or indirectly take or receive any bribe, recompence or reward in any kind whatſoever, or connive at any falſe Entry of any Goods or Merchandizes, whereby the Kings Majeſty, his Heirs or Succeſſors, ſhall be defrauded or hindred in of his Cuſtoms and Subſidies, or other ſums of Money or Goods prohibited by the Law to be Imported or Exported into or out of the Kingdom of England, Dominion of Wales, Town and Port of Berwick, be ſuffered to paſs either by way of Importation or Exportation, the perſon or perſons therein offending, ſhall forfeit the ſum of One hundred pounds , and be for ever afterwards incapable of any Office or Employment under the Kings Majeſty, his Heirs or Succeſſors, or any authority derived from them, (2) as alſo the Merchant, Mariner, or other perſon or perſons whatſoever, who ſhall give or pay any ſuch bribe, recompence or reward as aforeſaid, ſhall forfeit the ſum of Fifty pounds.

The penalty.

Perſons revealing their own offences within two months, to be acquitted.

XX. Provided nevertheleſs, That if any perſon or perſons offending as aforeſaid, ſhall reveal and make known ſuch his or their offence in two months time to the Treaſurer of England, the Chancellor, Under Treaſurer, or Barons of the Exchequer, he ſhall for that offence be clearly acquitted and diſcharged.

Foreign goods, where to be landed, and how weighed and numbred

XXI. And be it further enacted, That all foreign Goods and Merchandize which by the perſon or perſons which are or ſhall be appointed by his Majeſty for the managing of the Cuſtoms, and the Cuſtomer, Collector and Comptroller, ſhall be permitted to be landed and taken up by Bills at ſight, Bills at view or ſufferance, ſhall be landed at the moſt convenient Keys or Wharfs where the ſaid perſon or perſons ſo to be appointed Cuſtomer or Collector or Comptroller, ſhall appoint and not elſewhere, and there or in his Majeſties Store-houſe of the reſpective Ports, at the election of the ſaid perſon or perſons ſo to be appointed, and the Officers, ſhall be meaſured, weighed and numbred, by and in the preſence of the Officers to be thereunto particularly appointed; (2) which ſaid Officers ſo appointed, ſhall perfect the Entry, and thereunto ſhall ſubſcribe their Names, and the next day following ſhall give Account, and make report of every reſpective Entry ſo perfected as aforeſaid, to the ſaid perſon or perſons which are or ſhall be appointed to manage his Majeſties Cuſtoms, Cuſtomer, or Collector and Comptroller aforeſaid, without reaſonable cauſe to be allowed by the ſaid perſon or perſons, or Officers aforeſaid, or in default thereof, ſhall forfeit the ſum of One hundred pounds.

Veſſels appointed for carrying letters, may not Import nor export Merchandize.

XXII. Be it alſo enacted, That no Ship, Veſſel or Boat, appointed and imployed ordinarily for the carriage of Letters and Pacquets, ſhall (unleſs it be in ſuch caſes as ſhall be allowed by the ſaid perſon or perſons which are or ſhall be appointed to manage his Majeſties Cuſtoms or Officers aforeſaid) Import or Export any Goods or Merchandize into or out of the parts beyond the Seas, upon the penalty of the forfeiture of one hundred pounds to be paid by the Maſter of the ſaid Veſſel or Boat, with the loſs of his place, and all Goods and Merchandize that ſhall be found on board any ſuch Ship, Veſſel or Boat, ſhall be forfeited and loſt.

An explanation of 12 Car. 2. c 18. of goods prohibited to be brought from Holland.

XXIII. And whereas ſome Doubts and Diſputes have ariſen concerning the ſaid late Act For encreaſing and encouraging of Shipping and Navigation, about ſome of the Goods therein prohibited to be brought from Holland, and the parts and Ports thereabouts; (2) Be it enacted and declared, That no ſort of Wines (other then Rheniſh) no ſort of Spicery, Grocery, Tobacco, Pot-aſhes, Pitch, Tar, Salt, Rozen, Deal-boards, Fir, Timber, or Olive-oyl, ſhall be Imported into England, Wales, or Berwick, from the Netherlands or Germany, upon any pretence whatſoever, in any ſort of Ships or Veſſel whatſoever, upon penalty of the loſs of all the ſaid Goods, as alſo of the Ships and Furniture.

12 Car. 2. cap. 18. Impoſition of 5 s. per Tun upon French Veſſels.

XXIV, And whereas alſo by the ſaid Act For encreaſing and encouraging of Shipping and Navigation, an Impoſition of Five ſhillings per Tun is laid upon all Ships or Veſſels belonging to any Subjects of the French King, which ſhall come into any Port, Harbour, Creek or Road of England, Ireland, Wales, or Town of Berwick upon Tweed, and ſhall there lade or unlade any Goods, or take in or ſet on ſhore any Paſſengers, yet notwithſtanding there is great difficulty in recovering the ſaid Duty, becauſe ſmall Shallops come not into Harbours where Officers are, but either put their Goods and Paſſengers on ſhore, or Boats come out of Harbours, which privately convey them on ſhore, there being no penalty in the Act againſt ſuch offenders; (2) Be it therefore enacted, That any ſuch Ship or Veſſel upon which the abovesaid Impoſition of Five ſhillings per Tun is due and payable, which ſhall either put on ſhore, or put over into any Boat, any Goods or Paſſengers without payment of Cuſtom and impoſition of Tunnage, at any time returning into any Harbour, Port or Creek of England or Ireland, ſhall not only pay the Duties formerly due but forfeit the ſum of Ten pounds; (3) And whatſoever Pilot, Waterman or Boatman, which ſhall from any Harbour, Port, or Creek go out and bring any Goods from on board ſuch Veſſel, ſhall not only be liable to pay the Duty of Tunnage which the ſaid Veſſel ſhould have paid, but forfeit the ſum of Forty pounds.

How to be recovered, and the penalty.

Tunnage upon Vinegar, Perry, Rape, Cyder, and Cyder-eager.

XXV. Be it alſo hereby enacted, That Vinegar, Perry, Rape, Cyder, and Cyder-eager, of any ſort or kind whatſoever, Imported from and after the Four and twentieth day of June, One thouſand ſix hundred ſixty and two, from Foreign parts, is hereby Rated to pay to the Kings Majeſty a Subſidy of Tunnage of Four pounds ten ſhillings per Tun Imported by Engliſh, and Six pounds Imported by Strangers, according to the Rate already impoſed and ſet upon French Wines, to be collected and levied for ſuch time, and in ſuch manner as by the Act of Tunnage and Poundage is directed and appointed; And the ſame are by virtue of this Act exonerated and diſcharged of all further and other ſums heretofore ſet or charged upon thoſe Commodities, by or under the name of Subſidy or Poundage; And in caſe of Exportation, there ſhall be repaid and allowed to the Engliſh-man Exporter, the ſum of Three pounds ten ſhillings per Tun, and to the Alien Four pounds fifteen ſhillings per Tun to be repaid according to the Rules of the Book of Rates now eſtabliſhed.

Logwood or Blockwood.

XXVI. And whereas the ingenious Induſtry of theſe times have taught the Dyers of England the Art of fixing the colours made of Logwood, alias Blockwood, ſo as that by experience they are found as laſting and ſerviceable as the colours made with any other ſort of Dying-wood whatſoever; And whereas by a Statute made in the three and twentieth year of the Reign of Queen Elizabeth of famous memory, entituled, Logwood and Blockwood ſhall not be uſed in Dying of Cloth, &c. And by another Statute made in the Nine and thirtieth year of the aforeſaid Queen Elizabeth, (entituled, The penalty for mixing or uſing of Logwood in Dying of Cloth or other Stuff) all Logwood, alias Blockwood, that ſhall be found within this Kingdom, ſhall be forfeited, and openly burned, with divers other pains, penalties and forfeitures upon ſuch as ſhall uſe the ſame in Dying Cloth or other Commodities, as by the ſaid ſeveral Acts aforeſaid may and doth appear: (2) Be it further enacted by the authority aforeſaid, That the aforeſaid Statutes, and either of them, be and are hereby Repealed and made void as to all Clauſes, Articles, Proviſions and Penalties in any wiſe relating to the prohibition or uſe of Logwood, alias Blockwood; (3) And that from and after the firſt day of February, One thouſand ſix hundred ſixty and one, It ſhall and may be lawful to and for any perſon or perſons, freely to Import into this Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed, any quantities of Logwood, alias Blockwood, and freely to uſe the ſame in Dying or Colouring any ſort of Goods or Manufacture whatſoever, the aforeſaid two Statutes, or any other Law, Statute, Uſage, Cuſtom, Patent or Priviledge, Proclamation, or other Reſtraint, Matter or Thing to the contrary thereof in any wiſe notwithſtanding.

23 El. cap. 9.

39 Eliz. cap. 11.

Impoſition upon Logwood Imported.

XXVII. Provided, That ſuch Importation be according to the Rules preſcribed and enjoyned in the late Act, entituled, An Act for encouraging and encreaſing of Shipping and Navigation (2) and paying a Subſidy to the Kings Majeſty, his Heirs and Succeſſors, for every Tun of the ſaid Logwood, alias Blockwood, ſo to be Imported after the rate of Five pounds, and after that rate for any greater or leſſer quantity, according to ſuch Rules, (3) and under ſuch Penalties as are provided for all other Imported Goods in a late Act, entituled, An Act of Subſidy granted to the King of Tunnage and Poundage and other Sums of Money payable upon Merchandize Exported and Imported, excepting only that for all of the ſaid Commodities Exported according to the Rules of the Book of Rates, there ſhall be repaid to the Exporter the ſum of Four pounds per Tun; the ſaid rate for Logwood, alias Blockwood, to be collected and levied for ſuch time, and in ſuch manner, as by the Act of Tunnage and Poundage is directed and appointed.

12 Car. 2. cap. 18.

12 Car. 2. cap. 4.

Onus Probandi of property of goods claimed, to lie upon the Owner or Claimer.

XXVIII. And be it further enacted, That all Actions, Suits and Informations to be had and commenced upon the Act For encouraging and encreaſing of Shipping and Navigation, or any Clauſe or Article therein, may be entred and proſecuted in his Majeſties Court of Exchequer at Weſtminſter; (2) That upon all ſuch Suits and Informations to be brought upon the Act of Tunnage and Poundage, and the Act aforeſaid or any other Act or Statute concerning the Importation of Goods or Merchandize from the parts beyond the Seas, if the property thereof be claimed by any perſon or perſons as the Importer thereof in ſuch caſe Onus Probandi ſhall lie upon the Owner or Claimer thereof.

XXIX. Provided, That in caſe the Seizure or Information ſhall be made upon any Clauſe or thing contained in the late Act, entituled, An Act for the encouraging and Encreaſing of Shipping and Navigation that then the Defendant or Defendants ſhall on his or their requeſt have a Commiſſion out of the High Court of Chancery to examine Witneſſes beyond the Seas, and have a competent time allowed for the return thereof before any trial ſhall be had upon the caſe, according to the Diſtance of place where ſuch Commiſſion or Commiſſions are to be executed, and that the examination of Witneſſes ſo returned ſhall be admitted for evidence in Law at the Tryal, as if it had been given Viva voce by the Examinate in Court; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Commiſſion and time to examine witneſſes beyond the Sea.

In what caſes Writs of Delivery may be granted.

XXX. And be it alſo enacted and ordained by the authority aforeſaid, That no Writ of Delivery ſhall be granted out of the Court of Exchequer for Goods ſeized, but upon good ſecurity, and that for Goods periſhable only, or in caſes where the Informer ſhall defer or delay his coming to as ſpeedy a Tryal as the courſe of that Court will permit, and ſhall be thereby ordered and directed.

XXXI. And be it further enacted by the authority aforeſaid, That one moiety of all the Forfeitures before in this Act mentioned and appointed ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall ſeize or ſue for the ſame by Bill, Plaint or Information in his Majeſties Court of Exchequer, or any other his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

All Officers and perſons to be aiding the Officers and perſons for management of the Cuſtoms.

XXXII. And be it further Enacted and Ordained, That all Officers belonging to the Admiralty, Captains and Commanders of Ships, Forts, Caſtles and Blockhouſes, as alſo all Juſtices of the Peace, Mayors, Sheriffs, Bayliffs, Conſtables and Headboroughs, and all the Kings Majeſties Officers, Miniſters and Subjects whatſoever whom it may concern, ſhall be aiding and aſſiſting to all and every perſon and perſons which are or ſhall be appointed by his Majeſty to manage his Cuſtoms, and the Officers of his Majeſties Cuſtoms, and their reſpective Deputies, in the due execution of all and every act and thing in and by this preſent Act required and enjoyned, and all ſuch who ſhall be aiding and aſſiſting unto them in the due execution hereof, ſhall be defended and ſaved harmleſs by virtue of this Act.

XXXIII. And be it hereby alſo enacted, That all Deputies, Clerks and Servants which now have any Place or Office in or about the Cuſtoms and Subſidies by and under the Com-

Clerks and Servants about the Cuſtoms, to be ſworn for their truth and faithfulneſs therein.

miſſioners, or other the Kings Officers thereof, ſhall before the Firſt day of June next, take their reſpective Corporal Oath or Oaths for the true and faithful execution and diſcharge, to the beſt of their knowledge and power, of their ſeveral Truſts and Employments committed to their charge and inſpection; (2) And that no perſon or perſons ſhall hereafter be employed or put in truſt in the buſineſs of the Cuſtoms, until he ſhall firſt have taken his Oath as aforeſaid; And the Commiſſioners and principal Officers in the Port of London, and the principal Officers in all other the out-Ports, or any two of them, are hereby authorized to adminiſter and give to all and every perſon or perſons ſuch Oath and Oaths as aforeſaid, and to cauſe the ſame to be Entred and Regiſtred in the Cuſtom-houſe of every reſpective Port where the perſon ſo taking the Oath as aforeſaid, ſhall have his Reſidence and Employment.

Perſons employed about the Cuſtoms, ſhall demand nor take any more then the Fees due by Law.

XXXIV. Provided alſo, and be it Enacted by the authority aforeſaid, That if any perſon employed in his Majeſties Cuſtoms, ſhall demand or take any other or greater ſum of money then by Law is now due, or hereafter ſhall become due, or ſhall put any Merchant or other perſon out of his turn without expreſs order before, or immediate approbation after, from the perſon or perſons who are or ſhall be appointed by his Majeſty to manage his Cuſtoms, or the Superior Officers for the Cuſtoms, or ſhall illegally detain the Goods of any perſon, or ſhall neglect or refuſe to make re-payments and allowances which are or ſhall be due ſince the Four and twentieth day of June, One thouſand ſix hundred and ſixty, or ſhall not after notice given, give out and execute his Warrant, ſhall be liable to double Coſts and Damages.

Of what ſize and burden Merchants Ships ſhall be, and what men and Ammunition they ſhall carry.

XXXV. And for the better increaſe of good and ſerviceable Shipping and ſecuring the publick Trade and Commerce, (2) Be it enacted by the authority aforeſaid, That all and every Merchant or other perſon that ſhall after the Nine and twentieth day of September, One thouſand ſix hundred ſixty and two, Export any Goods or Merchandizes from any Port of this Kingdom, capable of a Ship or Veſſel of Two hundred Tun upon an ordinary full Sea, to any part or place of the Mediterranean Sea beyond the Port of Malaga, or Import any Goods or Merchandize from the Ports or places aforeſaid, to any Port of this ſaid Kingdom, in any Ship or Veſſel that hath not two Decks, and doth carry leſs then ſixteen pieces of Ordnance mounted together, with two men for each Gun, and other Ammunition proportionable, ſhall pay to our Sovereign Lord the King for all and every the Wares and Merchandizes ſo Exported or Imported, One per cent. over and above the Rates and Duties of Subſidy of Tunnage and Poundage otherwiſe due and payable for the ſame; Any thing in this Act before contained to the contrary notwithſtanding.

Proviſo for Ships exporting Fiſh.

XXXVI. Provided always, That it ſhall and may be lawful to Export from any of his Majeſties Dominions, Fiſh into any of the Ports of the Mediterranean Sea aforeſaid, in any Engliſh Ship or Veſſel whatſoever, provided that one moiety of her full Lading be Fiſh only, and in ſuch caſe to Import any Wares or Merchandize in the ſame Ship for that voyage, without paying any other Rates or Duties of Tunnage or Poundage for the ſame, then were heretofore accuſtomed.

Encouragement for building good and defenſible Ships.

XXXVII. And for the better encouragement of building good and defenſible Ships, Be it Enacted, That all and every perſon or perſons that ſhall within the ſpace of ſeven years, from and after the Five and twentieth day of March, One thouſand ſix hundred ſixty two, build, or cauſe to be built within any of his Majeſties Dominions, any Ship or Veſſel of three Decks, or two decks and a half, with a Forecaſtle, and five Foot between each Deck, mounted with thirty pieces of Ordnance at leaſt, and other Ammunition proportionable, ſhall for the firſt two Voyages which the ſaid Ship or Ships make from his Majeſties Dominions to any Foreign Parts, have and receive to his and their own proper uſe and benefit one Tenth part of the Cuſtoms that ſhall be paid to his Majeſty for all ſuch Goods or Merchandizes as ſhall be Exported or Imported on the ſaid Ship or Ships, to and from this Kingdom; (2) And the Commiſſioners and Officers of his Majeſties Cuſtoms are hereby impowered and required to pay the ſame to the Owner or Owners of the ſaid Ship or Ships accordingly.

Salt brought out of Scotland to pay one half-peny a Gallon.

XXXVIII. Provided always, and be it hereby Declared and Enacted, That from and after the four and twentieth day of June, One thouſand ſix hundred ſixty two, all Salt which ſhall be brought out of the Kingdom of Scotland into this Kingdom, the Dominion of Wales, or Town of Berwick upon Tweed, ſhall yield and pay, and is hereby made chargeable to yield and pay unto the Kings Majeſty, One half-peny upon every Gallon of ſuch Imported Salt of Wincheſter Meaſure, at the Landing thereof; Any thing in this preſent Act, or any former or other Law, Statute or Order to the contrary thereof in any wiſe notwithſtanding.

CAP. XII.

An Act for the better Relief of the Poor of this Kingdom.

The occaſion of increaſe of Poor.

Whereas the neceſſity, number, and continual increaſe of the Poor, not only within the Cities of London and Weſtminſter, with the Liberties of each of them, but alſo through the whole Kingdom of England and Dominion of Wales, is very great, and exceeding burthenſom, being occaſioned by reaſon of ſome defects in the Law concerning the ſetling of the Poor, and for want of a due proviſion of the regulations of Relief and Employment in ſuch Pariſhes or Places where they are legally ſetled, which doth enforce many to turn incorrigible Rogues, and others to periſh for want, together with the neglect of the faithful execution of ſuch Laws and Statutes as have formerly been made for the apprehending of Rogues and Vagabonds, and for the good of the Poor: (2) For remedy whereof, and for the preventing the periſhing of any the Poor, whether young or old, for want of ſuch ſupplies as are neceſſary, May it pleaſe your moſt excellent Majeſty that it may be Enacted, (3) and be it Enacted by the Kings moſt excellent Majeſty, by and with the advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That whereas by reaſon of ſome defects in the Law, poor people are not reſtrained from going from one Pariſh to another, and therefore do endeavour to ſettle themſelves in thoſe Pariſhes where there is the beſt Stock, the largeſt Commons or Waſtes to build Cottages, and the moſt woods for them to burn and deſtroy, and when they have conſumed it, then to another Pariſh, and at laſt become Rogues and Vagabonds, to the great diſcouragement of Pariſhes to provide Stocks, where it is liable to be devoured by ſtrangers; (4) Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful, upon complaint made by the Church-wardens, or Overſeers of the poor of any Pariſh, to any Juſtice of Peace, within fourty days after any ſuch perſon or perſons coming ſo to ſettle as aforeſaid in any tenement under the yearly value of Ten pounds, for any two Juſtices of the Peace, whereof one to be of the Quorum of the Diviſion where any perſon or perſons that are likely to be Chargeable to the Pariſh ſhall come to inhabit, by their Warrant to remove and convey ſuch perſon or perſons to ſuch Pariſh where he or they were laſt legally ſettled, either as a Native, Houſholder, Sojourner, Apprentice or Servant, for the ſpace of forty days at the leaſt, unleſs he or they give ſufficient Security for the diſcharge of the ſaid Pariſh, to be allowed by the ſaid Juſtices.

Poor people going from one Pariſh to another.

How to be ſettled, coming to any Tenement under ten pounds yearly value.

II. Provided always, That all ſuch perſons who think themſelves agrieved by any ſuch Judgment of the ſaid two Juſtices, may appeal to the Juſtices of the Peace of the ſaid County at their next Quarter-Seſſions, who are hereby required to do them Juſtice according to the merits of their cauſe.

Perſons grieved, may appeal to the Quarter-Seſſions.

III. Provided alſo, That (this Act notwithſtanding) it ſhall and may be lawful for any perſon or perſons to go into any County, Pariſh or place to work in time of Harveſt, or at any time to work at any other work, ſo that he or they carry with him or them, a Certificate from the Miniſter of the Pariſh, and one of the Church-wardens, and one of the Overſeers for the poor for the ſaid year, that he or they have a dwelling-houſe or place in which he or they inhabit, and hath left wife and children, or ſome of them there, (or otherwiſe as the condition of the perſons ſhall require) and is declared an Inhabitant, or Inhabitants there: (2) And in ſuch caſe, if the perſon or perſons ſhall not return to the place aforeſaid, when his or their work is finiſhed, or ſhall fall ſick or impotent whilſt he or they are in the ſaid work, it ſhall not be accounted a Settlement in the caſes aboveſaid, but that it ſhall and may be lawful for two Juſtices of the Peace to convey the ſaid perſon or perſons to the place of his or their habitation, as aforeſaid, under the pains and penalties in this Act preſcribed: (3) And if ſuch perſon or perſons ſhall refuſe to go, or ſhall not remain in ſuch Pariſh where they ougt to be ſettled as aforeſaid, but ſhall return of his own accord to the Pariſh from whence he was removed, it ſhall and may be lawful for any Juſtice of the Peace of the City, County or Town-corporate where the ſaid offence ſhall be committed, to ſend ſuch perſon or perſons offending to the Houſe of Correction, there to be puniſhed as a Vagabond, or to a publick Work-houſe in this preſent Act hereafter mentioned, there to be imployed in Work or Labour: (4) And if the Church-wardens and Overſeers of the poor of the Pariſh to which he or they ſhall be removed, refuſe to receive ſuch perſon or perſons, and to provide Work for them, as other Inhabitants of the Pariſh, any Juſtice of Peace of that Diviſion may and ſhall thereupon bind any ſuch Officer or Officers in whom there ſhall be default, to the Aſſixes or Seſſions, there to be Indicted for his or their contempt in that behalf.

Perſons going to work in Harveſt.

IV. And for the further redreſs of the miſchiefs intended to be hereby remedied, Be it enacted by the authority aforeſaid, That from thenceforth there be, and ſhall be, one or more Corporation or Corporations, Work-houſe or Work-houſes within the Cities of London and Weſtminſter, and within the Burroughs, Towns and places of the County of Middleſex and Surrey, ſcituate, lying and being, within the Pariſhes mentioned in the weekly Bills of Mortality, conſiſting of a Preſident, a Deputy to the Preſident, and a Treaſurer; And that the Lord Mayor of the City of London for the time being be Preſident of the Corporation or Corporations, Work-houſe or Work-houſes within the ſaid City, and the Aſſiſtants to be the Aldermen of the ſaid City of London for the time being, and Fifty two other Citizens to be choſen by the Common-Council of the ſaid City: (2) And that the ſaid Preſident and Aſſiſtants, or the major part of them, ſhall and may elect a Deputy-preſident and Treaſurer, and all other neceſſary Officers hereby conſtituted and authorized to execute the powers and offices by this Act appointed: (3) And that upon the vacancy by death or otherwiſe of any Aſſiſtant, the power to elect in their rooms be in the ſaid Common-Council; and the election of the Deputy-preſident, or Treaſurer, and all other Officers, in the ſaid Preſident and major part of the Aſſiſtants, as aforeſaid: (4) And that a Preſident, a Deputy-preſident, a Treaſurer and Aſſiſtants be nominated and appointed by the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, out of the moſt fit perſons inhabiting in the City of Weſtminſter, or the Liberties thereof, for the Corporation or Corporations, Work-houſe or Work,houſes within the ſame.

Corporations or Work-houſes in the Cities of London and Weſtminſter, Middleſex, Surrey.

V. And for the ſaid places within the Weekly Bills of Mortality in the ſaid Counties of Middleſex and Surrey reſpectively, there ſhall be elected and choſen by the major part of the Juſtices of the Peace for the ſaid Counties in their reſpective Quarter-Seſſions aſſembled, out of the moſt able and honeſt Inhabitants and Freeholders of every of the ſaid Counties of Middleſex and Surrey reſpectively, a Preſident, a Deputy-preſident, a Treaſurer and Aſſiſtants for the Corporation or Corporations, Work-houſe or Work-houſes of the places aforeſaid in Middleſex and Surrey; And that upon the vacancy by death, or otherwiſe, of any of the Preſidents, Deputy-preſidents, Treaſurers or Aſſiſtants in the City of Weſtminſter, and places aforeſaid in Middleſex and Surrey, the power to elect others in their rooms be in the major part of the reſpective Juſtices of Peace, who in their general Quarter-Seſſions from time to time ſhall accordingly ſupply ſuch vacant places; (2) And that at every Quarter-Seſſions they ſhall require and take an account in writing of all the Receipts, Charges and Diſburſements of the Officers and Treaſurer of ſuch Corporation or Corporations, Work-houſe or Work-houſes, how and how many poor people have been imployed and ſet to work in the

Preſident, Deputy-preſident, Treaſurer and Aſſiſtants for Middleſex and Surrey, how to be elected.

City of Weſtminſter.

the year laſt paſt, and what Stock there was, and is remaining; (3) which Preſident, Deputy-preſident, and Treaſurer for the time being reſpectively, ſhall for ever hereafter in name and fact, be Bodies Politick and Corporate in Law, to all intents and purpoſes, and ſhall have a perpetual Succeſſion, and may Sue or Plead, or be Sued and Impleaded by the name of the Preſident and Governours for the Poor of the reſpective places aforementioned, in all Courts and places of Judicature within this Kingdom, and the Dominion of Wales, and the Town of Berwick upon Tweed; (4) and by that Name every of the ſaid Corporations ſhall and may without Licence in Mortmain, purchaſe or receive any Lands, Tenements or Hereditaments, not exceeding the yearly value of Three thouſand pounds per annum, of the Gift, Alienation or Deviſe of any perſon or perſons, who are hereby without further Licence enabled to give the ſame, and any Goods, Chattels, or ſums of money whatſoever, to the uſe, intent and purpoſes hereafter limited and appointed; (5) And that each reſpective Corporation, or any ſeven of them, ſhall have hereby power and authority from time to time to meet and keep Courts for the ends and purpoſes in this Act expreſſed, at ſuch time and place as ſhall be appointed by the ſaid Preſident, his Deputy, or the Treaſurer, who are hereby required upon the deſire of any Four of the ſaid Corporation, at any time to cauſe a Court to be warned accordingly, and ſhall have hereby authority from time to time to make and appoint a common Seal for the uſe of the Corporation.

The powers of the ſaid Preſident and Governours of the ſaid Corporations.

VI. And it is further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Preſident and Governours of the ſaid Corporations for the time being, or any two of them, or to, or for any perſon authorized and appointed by them or any two of them, from time to time to apprehend, or cauſe to be apprehended, any Rogues, Vagrants, ſturdy Beggars, or idle or diſorderly perſons within the ſaid Cities and Liberties, Places, Diviſions and Precincts, and to cauſe them to be kept and ſet to work in the ſeveral and reſpective Corporations or work-houſes, (2) and it ſhall and may be lawful for the major part of the Juſtices of Peace in their Quarter Seſſions, to ſignifie unto his Majeſties Privy Council, the names of ſuch Rogues, Vagabonds, idle and diſorderly perſons and ſturdy Beggars, as they ſhall think fit to be tranſported to the Engliſh Plantations; (3) and upon the approbation of his Majeſties Privy Council to the ſaid Juſtices of Peace ſignified, which perſons ſhall be Tranſported, it ſhall and may be lawful for any two or more of the Juſtices of the Peace, them to Tranſport, or cauſe to be Tranſported from time to time, during the ſpace of three years next enſuing the end of this preſent Seſſions of Parliament, to any of the Engliſh Plantations beyond the Seas, there to be diſpoſed in the uſual way of Servants, for a term not exceeding Seven years.

A Stock for ſupply of the work, how to be provided in London, Weſtminſter, Middleſex, Surrey.

VII. And be it further enacted by the authority aforeſaid, That if the Preſident and Governors of any of the ſaid Corporations, ſhall certifie under their common Seal, their want and defect either of a preſent ſtock for the Foundation of the Work, or for ſupply thereof for the future, and what ſum or ſums of money they ſhall think fit for the ſame, to the Common-Council of the ſaid City of London, and the Burgeſſes and Juſtices of Peace in their Quarter Seſſions of the ſaid City of Weſtminſter, and the Liberties thereof, or the Juſtices of the reſpective Counties of Middleſex and Surrey aſſembled in either Quarter-Seſſion, That thereupon the Common-Council of the ſaid City of London, the Burgeſſes of the ſaid City of Weſtminſter, and the Juſtices of Peace of the ſaid Cities and Counties in their Quarter-Seſſions aſſembled, are hereby required from time to time to ſet down and aſcertain ſuch competent ſum and ſums of money for the purpoſes aforeſaid, not exceeding one years Rate from time to time uſually ſet upon any perſon, for or towards the relief of the poor, and the ſame to proportion out upon the ſeveral Wards, Precincts, Counties, Diviſions, Hundreds and Pariſhes, as they ſhall think fit: (2) And thereupon the Aldermen, Deputies and Common-Council-men of every Ward in the City of London, and Burgeſſes and Juſtices of the Peace of the City of Weſtminſter, and the Liberties thereof, and Juſtices of the Peace of the ſaid Counties of Middleſex and Surrey, ſhall have power and authority, and are hereby required equally and indifferently, according to the proportions appointed as aforeſaid, for the ſeveral Wards, Precincts, Cities and Pariſhes as aforeſaid, to Tax and Rate the ſeveral Inhabitants within the ſaid reſpective Wards, Precincts and Pariſhes, as well within Liberties as without; (3) with which Tax, if any perſon or perſons find him or themſelves agrieved, ſuppoſing the ſame to be unequal, he or they ſhall and may make their complaint known to the Juſtices of the Peace at the next open Seſſions, who ſhall take ſuch final order therein, as in like caſes is already by the Law provided.

VIII. And it is further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any Alderman of the City of London, or his Deputy, or the Burgeſſes and Juſtices of Peace of the City of Weſtminſter, and the Liberties thereof, or any two or more of them, or any two Juſtices of Peace of the reſpective Counties of Middleſex and Surrey, by their Warrant under their Hands and Seals, to authorize the Church-wardens or Overſeers for the Poor within the places and Pariſhes aforeſaid, to demand, gather and receive of every perſon and perſons, ſuch ſum and ſums of money as ſhall be Aſſeſſed upon them by virtue of the Taxations and Contributions aforeſaid; (2) And for default of payment within ten days after demand thereof made, or notice in writing left at the dwelling-houſe or lodging of every perſon ſo Aſſeſſed, to levy the ſame by diſtreſs and ſale of goods of every ſuch perſon, and after ſatisfaction made, to reſtore the ſurpluſage to the party ſo diſtrained.

Stocks formerly in London, for relief of the poor, how to be paid.

IX. And be it enacted by the authority aforeſaid, That all Stocks raiſed for the relief and imployment of the Poor in the City of London and Liberties thereof, which was in the hands of a Corporation heretofore appointed in the ſaid City for that Service, or in the hands of any other perſon or perſons whatſoever, before the Nine and twentieth day of September, which was in the year of our Lord, One thouſand ſix hundred and ſixty, commonly called the Feaſt of St. Michael the Archangel, or at any time ſince, together with all the Arrears of money formerly allotted for that Service, or Legacies given to the ſame end, ſhall be payable to the Treaſurer of the Corporation or Corporations, Work-houſe or Work-houſes, to be eſtabliſhed by this preſent Act, who are hereby authorized and impowred by themſelves, or their Officers thereunto by them deputed, to collect, gather, receive and recover the ſaid Money and Legacies, which ſhall be due and in arrear as aforeſaid; with which ſaid arrears, and every part and parcel thereof, the Corporation or Corporations aforeſaid by this Act made, conſtituted and eſtabliſhed, is, and ſhall be hereby inveſted, and intereſſed for the execution of the ſervice hereby enjoyned them: (2) And all thoſe that have had, or now have any of the ſaid Stock in their or any of their hands, ſhall be accomptable to the ſaid Treaſurer, or to thoſe that ſhall be appointed by the ſaid Corporation or Corporations, or any ſeven or more of them, to take the ſaid Account.

X. Provided always, and be it enacted by the authority aforeſaid, That there ſhall be a full allowance of all juſt and neceſſary expences which have been laid out by the ſaid former Corporation for the relief of the ſaid poor, and the carrying on of the ſaid Service ſince the time before expreſſed.

XI. And it is further enacted by the authority aforeſaid, That the reſpective Preſident and Governours, or any ſeven of them, ſhall have power from time to time to make and conſtitute Orders and By-laws for the better relieving, regulating, and ſetting the poor to work, and the apprehending and puniſhing of Rogues, Vagabonds, and Beggars within the Cities, Liberties, and places aforeſaid, that have not wherewith to maintain themſelves, and for other the matters aforeſaid.

Power to make Orders and By-Laws.

XII. Provided the ſaid Orders and By-laws ſhall from time to time be preſented to the Juſtices of Peace in their Quarter Seſſions aſſembled, to be allowed by the major part of them, and confirmed by Order of the ſaid Court.

XIII. And it is further enacted by the authority aforeſaid, That the Preſident and Governours of any the ſaid Corporation or Corporations, Work-houſe or Work-houſes, or any fourteen or more of them being aſſembled together, ſhall have hereby power to chooſe and entertain all ſuch Officers, and other as ſhall be needful to be imployed in and about the premiſſes, and them, or any of them from time to time to remove as they ſhall ſee cauſe, and upon the death or removal of them, or any of them, to chooſe others in their places for the carrying on of the work, and to make and give ſuch reaſonable allowances unto them, or any of them, out of the Stocks and Revenue belonging to the ſaid Corporation or Work-houſe, as they ſhall think fit.

Power to chooſe and entertain Officers

XIV. And it is further enacted by the authority aforeſaid, That all Sheriffs, Bailiffs, Conſtables, and all other Officers and Miniſters of Juſtice, ſhall be aiding and aſſiſting to the ſaid Corporation or Corporations, and to all ſuch Officers as ſhall be imployed by them, or any of them, in the execution or performance of the ſaid Service.

Sheriffs, &c. to be aſſiſting to the ſaid Corporation and their Officers.

XV. And whereas the Laws and Statutes for the apprehending of Rogues and Vagabonds, have not been duly executed, ſometimes for want of Officers, by reaſon Lords of Manors do not keep Court-Leets every year for the making of them; (2) Be it therefore enacted by the authority aforeſaid, that in caſe any Conſtable, Headborough or Tythingman ſhall die or go out of the Pariſh, any two Juſtices of the Peace may make and ſwear a new Conſtable, Headborough, or Tythingman, until the ſaid Lord ſhall hold a Court, or until next Quarter-Seſſions, who ſhall approve of the ſaid Officers ſo made and ſworn as aforeſaid, or appoint others as they ſhall think fit: (3) And if any Officer ſhall continue above a year in his or their Office, that then in ſuch caſe, the Juſtices of Peace in their Quarter-Seſſions may diſcharge ſuch Officers, and may put another fit perſon in his or their place, until the Lord of the ſaid Manor ſhall hold a Court as aforeſaid.

Conſtables how made in default of holding Court-Leets.

XVI. And whereas for want of ſome encouragement to ſuch perſon or perſons as ſhall apprehend Rogues, Vagabonds, and ſturdy Beggars, the Statutes made in the Nine and thirtieth year of Queen Elizabeth, and Firſt year of King James, in which Stautes the Conſtable, Headborough of Tythingman of every Pariſh that ſhall not apprehend ſuch Rogues, Vagabonds, and ſturdy Beggars which ſhall paſs through, or be found in their ſaid Pariſh unapprehended, ſuch Conſtable, Headborough or Tythingman, ſhall forfeit as in the ſaid Statutes is expreſſed, are not duly executed, (2) Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any Juſtice of the Peace to whom any Rogue, Vagabond, or ſturdy Beggars ſo apprehended ſhall be brought, to reward any perſon or perſons that ſhall apprehend any Rogue, Vagabond, or ſturdy Beggar, by granting unto ſuch perſon or perſons an Order or Warrant under his Hand and Seal to the Conſtable, Headborough or Tythingman of ſuch Pariſh where ſuch Rogue, Vagabond, or ſturdy Beggar paſſed through unapprehended, requiring him to pay ſuch perſon or perſons the ſum of two ſhillings fof every Rogue, Vagabond or ſturdy Beggar which ſhall be ſo apprehended: (3) And if ſuch Conſtable, Headborough or Tythingman, refuſe or neglect to pay the two ſhillings, as aforeſaid, that then the ſaid Juſtices of Peace, or any other Juſtice or Juſtices of Peace, ſhall proceed againſt any ſuch Conſtable, Headborough or Tythingman, according to the ſaid Statutes; and to compel him to pay ſuch ſum of money as he hath forfeited by the Statute of the Firſt year of King James aforeſaid, and to allow out of the ſaid Forfeiture the ſaid two ſhillings, and ſuch reaſonable means and allowance for loſs of time as they ſhall think fit.

39 El. cap. 4.
1 Jac. cap. 7.
Apprehending Rogues and Vagabonds.

How rewarded.

XVII. And if any perſon or perſons ſhall apprehend any Rogue, Vagabond, or ſturdy Beggar, at the confines of any County, which paſſed through any Pariſh of another County unapprehended, it ſhall be lawful for ſuch perſon or perſons to go to ſome Juſtice of Peace of that County through which ſuch Rogue, Vagabond or ſturdy Beggar paſſed unapprehended who is hereby required (upon a Certificate under the Hand of ſome Juſtice of Peace of the County where ſuch Rogue, Vagabond, or ſturdy Beggar was ſo apprehended) to grant his Order or Warrant under his Hand and Seal, requiring the ſaid Conſtable, Headborough, or Tythingman, to pay unto ſuch perſon or perſons as aforeſaid, the ſum of two ſhillings, which if he ſhall refuſe or neglect to do, then ſuch Juſtice is hereby required to proceed againſt ſuch Conſtable, Headborough or Tythingman, and to cauſe him to pay ten ſhillings, or ſo much

Rogues and Vagabonds apprehended at the confines of any County how to be dealt withal.

thereof for his expences and loſs of time, as the ſaid Juſtice of Peace ſhall think fit, to ſuch perſon or perſons, which he hath forfeited by the Statute aforeſaid, made in the Nine and thirtieth year of the Queen.

Power to make Rates.

43 El. cap. 2.

XVIII. And whereas Conſtables, Headboroughs or Tything-men, are or may be at great charge in relieving, conveying with Paſſes, and in carrying Rogues, Vagabonds, and ſturdy Beggars to Houſes of correction, or the Work-houſes herein mentioned, and as yet have no power by Law to make Rates to reimburſe themſelves; (2) Be it therefore enacted by the authority aforeſaid, That all Conſtables, Headboroughs and Tything-men ſo out of purſe as aforeſaid, together with the Church-wardens and Overſeers of the Poor, and other Inhabitants of the ſaid Pariſh, ſhall hereby have power and authority to make an indifferent Rate, and to Tax all the Occupiers of Lands and Inhabitants, and all other perſons chargeable by the Statute of the three and fortieth of Elizabeth, concerning the Office and Duty of Overſeers for the Poor within the ſaid Pariſh; (3) which Rate being confirmed under the Hands and Seals of any Two Juſtices of Peace as aforeſaid, the ſaid Conſtables, Headborough or Tything-men, ſhall have power by Warrant under the Hands and Seals of Two Juſtices of Peace, to levy by Diſtreſs and Sale of the Goods of any perſon or perſons refuſing to pay the ſame, rendring the overplus to the Owner, if any ſhall be.

Putative Fathers of Baſtard-children, running away, how to be proceeded againſt.

XIX. And whereas the putative Fathers and lewd Mothers of Baſtard-Children run away out of the Pariſh, and ſometimes out of the County, and leave the ſaid Baſtard-Children upon the Charge of the Pariſh where they are born, although ſuch putative Father and Mother have Eſtates ſufficient to diſcharge ſuch Pariſh; (2) Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful for the Church-wardens and Overſeers for the poor of ſuch Pariſh where any Baſtard-Child ſhall be born, to take and ſeize ſo much of the Goods and Chattels, and to receive ſo much of the Annual Rents or Profits of the Lands of ſuch putative Father or lewd Mother, as ſhall be ordered by any two Juſtices of Peace as aforeſaid, for or towards the diſcharge of the Pariſh, to be confirmed at the Seſſions, for the bringing up and providing for ſuch Baſtard-child; (3) And thereupon it ſhall be lawful for the Seſſions to make an Order for the Church-wardens or Overſeers for the poor of ſuch Pariſh, to diſpoſe of the Goods by ſale or otherwiſe, or ſo much of them for the purpoſes aforeſaid, as the Court ſhall think fit, and to receive the rents and profits, or ſo much of them as ſhall be ordered by the Seſſions as aforeſaid, of his or her Lands.

Perſons ſued for matters in this Act, mas plead the General Iſſue.

XX. And if any perſon or perſons ſhall be ſued for any matter or thing which he ſhall do in execution of this Act, he may plead the General Iſſue, and give the ſpecial matter in Evidence; and if the Verdict ſhall paſs for the Defendant, or if the plaintiff be non-ſuited or diſcontinue his ſuit, the defendant ſhall recover treble damages.

Lancaſhire,
Cheſhire,
Derbyſhire,
Yorkſhire,
Northumberland,
Durham,
Cumberland,
Weſtmerland.
43 El. cap. 2.

XXI. Whereas the Inhabitants of the Counties of Lancaſhire, Cheſhire, Derbyſhire, Yorkſhire, Northumberland, the Biſhoprick of Durham, Cumberland and Weſtmerland, and many other Counties in England and Wales, by reaſon of the largeneſs of the Pariſhes within the ſame, have not, or cannot reap the benefit of the Act of Parliament made in the three and fortieth year of the Reign of the late Queen Elizabeth, for relief of the poor; (2) Therefore be it enacted by the authority aforeſaid, That all and every the poor, needy, impotent and lame perſon and perſons within every Townſhip or Village within the ſeveral Counties aforeſaid, ſhall from and after the paſſing of this Act, be maintained, kept, provided for, and ſet on work within the ſeveral and reſpective Townſhip and Village, wherein he, ſhe or they ſhall inhabit, or wherein he, ſhe or they was or were laſt lawfully ſetled, according to the intent and meaning of this Act, (3) and that there ſhall be yearly choſen and appointed, according to the Rules and Directions in the ſaid Act of the three and fortieth year of Queen Elizabeth mentioned, two or more Overſeers of the poor within every of the ſaid Townſhips or Villages, who ſhall from time to time do, perform and execute all and every the Acts, Powers and Authorities for the neceſſary relief of the poor within the ſaid Townſhip or Village, and ſhall loſe, forfeit, and ſuffer all ſuch pains and penalties for non performance thereof, as is limited, mentioned and appointed in and by the ſaid in part receited Act.

XXII. And be it further enacted by the authority aforeſaid, That the Juſtices of Peace within the ſaid Counties, ſhall have and enjoy ſuch and the like powers and authorities to raiſe and levy moneys, and to do and execute all and every ſuch other act and thing whatſoever, within every Townſhip or Village within the ſaid County where they are Juſtices, as is given, limited and appointed unto, and for them to do and execute within any Pariſh or Pariſhes, in and by the ſaid Act made in the ſaid three and fortieth year of the ſaid late Queen Elizabeth, under ſuch and the like pains and penalties for the non-performance of their Duties, to be levied and diſpoſed of as is nominated and expreſſed in the ſaid Act.

Power of the Juſtices to tranſport Rogues ond Vagabonds.

XXIII. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the Juſtices of Peace in any of the Counties of England and Wales, in their Quarter-Seſſions aſſembled, or the major part of them, to tranſport or cauſe to be tranſported ſuch Rogues, Vagabonds and ſturdy Beggars, as ſhall be duly convicted, and adjudged to be incorrigible, to any of the Engliſh Plantations beyond the Seas.

Proviſo for the Dean and Chapter of Weſtminſter.

XXIV. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to be, or be conſtrued expounded or taken to the prejudice or infringement of any of the Franchiſes, Rites, Liberties or Priviledges heretofore granted by the Kings and Queens of this Realm, his Majeſties Royal Predeceſſors, to the Dean and Chapter of the Collegiate Church of St. Peter in Weſtminſter.

The continuance of divers parts of this Act.

XXV. Provided always, That this Act, as to all the matters therein contained (excepting what relates unto the Corporations mentioned and conſtituted thereby) ſhall extend, and be in force until the Nine and twentieth day of May, One thouſand ſix hundred ſixty five, and the end of the firſt Seſſion of the next Parliament then next enſuing, and no longer.

CAP. XIII.

An Act prohibiting the Importation of Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons and Needle-work.

Merchants,

Whereas great numbers of the Inhabitants of this Kingdom are imployed in the making of Bone-lace, Band-ſtrings, Buttons, Needle-work, Fringe and Imbroideries, who by their Induſtry and Labour have attained and gained ſo great Skill and Dexterity in the making thereof, that they make as good of all ſorts thereof, as is made in any Foreign parts, by reaſon whereof, they have been heretofore able to relieve their poor Neighbours, and maintain their Families, and alſo enabled to ſet on work many poor Children, and other perſons who have very ſmall means or maintenance of Living, other then by their Labours and Endeavours in the ſaid Art: (2) And whereas the perſons ſo imployed in the ſaid Myſtery have heretofore ſerved moſt parts of this Kingdom with Bone-lace, Band-ſtrings, Buttons, Needle-work and Imbroidery; And for the carrying on, and managing of the ſaid Trade, they have procured great quantities of Thread and Silk to be brought into the Kingdom from Foreign parts, whereby his Majeſties Cuſtoms and Revenues have been much advanced, (3) until of late, that great quantities of Foreign Bone-lace, Band-ſtrings, Needle-work, Cut-work, Fringe, Silk, Bone-lace, Buttons and Imbroidery were brought into this Kingdom by Foreigners, and Inhabitants of this Kingdom, and ſold to Shopkeepers, and others, Dealers in the ſaid Commodity, as well by Wholeſale as Retail, without ever entring of the ſame in any his Majeſties Cuſtom-houſes, or paying any Duty or Cuſtom for the ſame; (4) by means whereof, the ſaid Trade and Calling is of late very much decayed, thoſe imployed in the ſame Calling very much impoveriſhed, the Manufacture much decreaſed, and great quantities thereof already made, left on their hands that make it, his Majeſty defrauded and deceived in his Cuſtoms, and many thouſand poor people formerly kept on work in the ſaid Art, like to periſh for want of imployment, (5) there being daily great ſums of Money exported out of this Kingdom for the buying and fetching in of the ſaid Commodity, to the great impoveriſhment of the Nation by the conſumption of the Bullion and Treaſure thereof and contrary to ſeveral Statutes made in the Firſt of King Richard the Third, in the third of King Edward the Fourth, in the nineteenth of King Henry the Seventh, and the fifth of Queen Elizabeth, and to a late Proclamation made by his Majeſty that now is, dated the twentieth day of November laſt, for the putting the ſaid Laws in execution:

1 R. 3 cap. 12.
3 E. 4. cap. 4.
19 H. 7 cap. 21.
5 Eliz. cap. 7.

II. For redreſs whereof, and prevention of the like miſchiefs for the future, and the better relief, comfort and ſubſiſtence of thoſe imployed in the ſaid Art and Manufacture, and for the quickning, reviving, explaining, amending, and more effectual execution of the ſaid Statutes, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons whatſoever, ſhall from and after the Twenty fourth day of June, One thouſand ſix hundred ſixty two, ſell or cauſe to be ſold, or offer to ſale, within the Kingdom of England, or Dominion of Wales, or export any Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work made of Thread, Silk, or any, or either of them, in parts beyond the Seas, or import, bring in, ſend or convey, or cauſe to be brought in, ſent or conveyed into the Kingdom of England, or Dominion of Wales, any ſuch Foreign Bone-lace, Cut-work, Fringe, Imbroidery, Band-ſtrings, Buttons or Needle-work made of Thread, Silk, or any, or either of them beyond the Seas, after the firſt day of May which ſhall be in the ſaid year of our Lord, One thouſand ſix hundred ſixty and two, (3) upon pain, that all and every perſon or perſons who ſhall ſell, or cauſe to be ſold, or offer to ſale any ſuch Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work, ſhall forfeit and loſe for every offence by him committed contrary to this Act, the ſum of Fifty pounds, and the whole Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons. or Needle-work ſo ſold, or cauſed to be ſold, or offered to ſale; (4) And upon further pain, That all and every perſon or perſons who ſhall import, bring in, ſend or convey, or cauſe to be brought in, ſent or conveyed into this Kingdom of England, or Dominion of Wales, any ſuch Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work, ſhall forfeit and loſe for every offence by him committed contrary to this Act, the ſum of One hundred pounds, and the whole Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work ſo Imported, brought in, ſent or conveyed, or cauſed to be Imported, brought in, ſent or conveyed contrary to the form and effect of this preſent Act as aforeſaid; (5) The moieties of all which Forfeitures to be to the uſe of our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall ſue for the ſame in any of the Kings Courts of Record, by Bill, Plaint, Action of Debt, Information, or otherwiſe, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, at every time, and as often as any perſon ſhall be found to offend in ſelling, importing, conveying or bringing in as aforeſaid.

Foreign bone-lace, cut-work, imbroidery, fringe, band-ſtrings prohibited to be ſold, or imported from beyond Sea,

The penalty.

One moiety to the King the other to the proſecutor.

III. And be it further enacted by the authority aforeſaid, That for the preventing of the Importing of the ſaid Manufactures as aforeſaid, upon Complaint and Information given to the Juſtices of the Peace, or any or either of them within their reſpective Counties, Cities and Towns-corporate, at times reaſonable, he or they are hereby authorized and required to iſſue forth his or their Warrants to the Conſtables of their reſpective Counties, Cities and Towns-corporate, to enter and ſearch for ſuch Manufactures in the Shops being open, or Ware-houſe, and Dwelling-houſes of ſuch perſon or perſons, as ſhall be ſuſpected to have any ſuch Foreign Bone-laces, Imbroideries, Cut-work, Fringe, Band-ſtrings, Buttons, or Needle-work, within their reſpective Counties, Cities and Towns-corporate, and to ſeize the ſame; any Act, Statute or Ordnance to the contrary thereof in any wiſe notwithſtanding.

Every Juſtice of Peace may grant Warrants to ſearch for manufactures prohibited by this Act.

IV. Pro-

The time limited for actions upon this Act.

IV. Provided always, and be it hereby enacted and declared, That all Informations, Actions and Suits that ſhall be commenced for any offence committed againſt this Law, ſhall be brought and commenced within twelve months after the diſcovery of ſuch offence; Any former Act or Law to the contrary notwithſtanding.

CAP. XIV.

An Act directing the proſecution of ſuch as are accomptable for Prize-Goods.

Admiral.
12 Car. 2. cap. 11.
13 Car. 2. cap. 7.
13 Car. 2. cap. 3.

WHereas in the Act of Free and General Pardon, Indempnity and Oblivion, made in the twelfth year of your Majeſties Reign, and ſince confirmed by another Act, intituled, An Act for confirming publick Acts, made in the thirteenth year of your Majeſties Reign, there is (amongſt other exceptions) excepted all and ſingular the accounts of all Prize-Goods, and of all Moneys and other Duties grown due, or contracted upon the ſale or diſpoſition of them, or any of them; By virtue whereof, and of another Act made in the ſaid thirteenth year of your Majeſties Reign, Intituled, An Act for the Declaring Veſting and ſetling of all ſuch Moneys, Goods, and other things, in his Majeſty, which were received, levied or collected in theſe late times, and are remaining in the hands or poſſeſſion of any Treaſurers, Receivers, Collectors or others not Pardoned by the Act of Oblivion, all and ſingular Prizes and Ships, and Goods whatſoever ſeized or taken for Prize (ſince the thirtieth of January, in the year One thouſand ſix hundred fourty two) by colour or pretence of any of the late pretended Authorities, or by pretence or colour of any power or authority derived, or pretended to be derived from, or under them, or any of them, or otherwiſe for, or upon any pretence of any publick uſe; And all Captures and Seiſures of Prizes and Tenths of Prizes to, or under the pretence of any publick uſe; And all the Moneys ariſing, or due, or contracted for, upon the ſales and diſpoſitions of them, or any of them yet unpaid, or unaccounted for, in whoſe hands ſoever the ſame be, or by whomſoever owing, are rightly veſted in your Majeſty; And all the buyers and receivers and injoyers thereof, not having yet truly accounted for, or paid for the ſame, ſtand chargeable to your Majeſty.

Pretended Act. 1649.
The reaſon for ſuing for Prize-Goods in the Courts of Admiralty.

II. Now for that as well by a pretended Act made in the year One thouſand ſix hundred forty nine, the Buyers of Ships and Goods taken, or ſeized, and ſold for Prize, were in caſe of any failure of performing their Contract, to be convented in the Court of Admiralty, and in caſe they were condemned, there to pay the Money by them contracted for, then the ſame to be levied by execution of the ſaid Court; (2) and for that by reaſon of other pretended Acts and Ordinances made in thoſe times, all the matters touching Prize and Captures & Seizures, and Tenths of Prizes, were referred to the ſaid Court of Admiralty, and all the Proceſſes, Exhibits, Writings, Examinations, Depoſitions, Proceedings, Paſſages, Condemnations, Sentences, Decrees and Orders touching and concerning Prizes and Captures, and Seizures of Prizes, and Tenths of Prizes of what ſort ſoever, were had, taken, made and done in the ſaid Court of Admiralty, and do all, or moſt of them there remain; So that the ſaid Court of Admiralty being thereof poſſeſſed, and beſt acquainted therewith, and with all the paſſages thereof, it will be the rediest and quickeſt way for your Majeſty to Sue for the ſame in that Court, which being there Sued for, may probably amount to conſiderable ſums of Money.

III. May it therefore pleaſe your Majeſty, that it may be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Collectors and Treaſurers, Sub-Collectors and Under-Treaſurers of Prize-Goods, Commiſſioners and Sub-Commiſſioners of Prize-Goods, and all and every their Caſheers, Officers, Deputies and Receivers, and all and every Admirals, Vice-Admirals, Captains of Ships, Officers and Mariners, and all and every other perſon and perſons whatſoever, to whom ſuch Prizes were delivered, or to whoſe hands they came at any time ſince the ſaid thirtieth of January, One thouſand ſix hundred forty and two, and before the nine and twentieth of May, One thouſand ſix hundred and ſixty, or that did ſurprize or receive to or for the publick uſe, or by pretence thereof, any Ships, Plate, Jewels, Bullion, Money, Silver, Gold, Arms, Ammunition, Wares, Merchandizes, or any manner of Goods whatſoever, ſeized or taken for Prize within the times aforeſaid, and that have not yet truly accounted for, and paid in the ſame, or the juſt provenues and values thereof, and all and every perſon and perſons by whom or to, or for whoſe uſe the ſame or any of them were ſold, or who had and enjoyed the ſame, or any part thereof, and are ſtill behind and have not paid the Moneys contracted for, and ariſing or due upon ſuch ſales, or any of them; and all Securities by them or any of them given for their juſt dealing in their Offices or Places, or any thing concerning the ſaid Prizes, or any of them, ſhall be chargeable to your Majeſty for the ſaid premiſſes, and all the Dependancies thereof reſpectively in the ſaid Court of Admiralty, (2) and ſhall and may be by your Majeſties Advocate, and by ſuch other of your Majeſties Councel in that Court, as your Majeſty ſhall pleaſe particularly to nominate, and commit that affair unto, and by ſpecial Warrant under your Sign Manual, to appoint to Sue for the ſame in your Majeſties Name, and to and for your Majeſties uſe, to be ſued and convened in the ſaid Court of Admiralty, and either called to account, or otherwiſe by ſuch Suit, and in ſuch manner as may be moſt available for your Majeſty, be there proceeded againſt, ſued and proſecuted in due courſe according to their reſpective caſes, for all and every the ſaid Prizes, Ships, Goods, Moneys and Premiſſes received or had by them and ſtill in arrear, and wherewith they are as aforeſaid chargeable. (3) And the ſaid Court of Admiralty is hereby enabled and authorized to proceed thereupon according to the Laws and courſe of that Court, and to do and adminiſter right Juſtice therein, with all things thereto requiſite; And to give ſentences and final Decrees and Condemnations therein as by the Rules of Juſtice ought to be, and that in the moſt ſpeedy manner, and to put in execution, and finally to execute and levy all and every ſum and ſums, and whatſoever ſhall be adjudged, ſentenced or condemned by and according to the Rules and Courſe of Executions in the ſaid Court,

Rep. 16 & 17. Car. 2. cap. 6.

The Court of Admiralty impowred to proceed upon ſuits for Prize-goods taken at any time ſince Jan. 30. 1642. and before May 29. 1660. and not accounted for.

Court, and that without any manner of let, diſturbance, hinderance, obſtruction or impediment whatſoever, that your Majeſty may be for the ſame ſatisfied and paid according to right and Juſtice.

IV. Provided always, and be it further hereby enacted and declared by the authority aforeſaid, That all ſuch rights as during the Reign of your Majeſties Royal Father of bleſſed memory, or your Majeſties Reign, belonged and appertained unto the Lord High Admiral of England, or Lord Warden of the Cinque Ports for the time being, by virtue of the Office, and have been at any time ſince the year of our Lord, One thouſand ſix hundred forty and eight, uſurped, Poſſeſſed or ſeized by any perſon or perſons, bodies politick or corporate, and not having accounted for the ſame to any authority, or pretended authority uſurping the Government of this Nation, and not pardoned by the Act of Oblivion, That all ſuch perſon or perſons, bodies politick or corporate, ſhall account and pay the ſame to his Royal Highneſs, James Duke of York, your Majeſties only Brother, Lord High Admiral of England, or Lord Warden of the Cinque Ports, upon ſuit for the ſame in the High Court of Admiralty; Any thing in this Act (the abſence of the Lord High Admiral during theſe late Troubles or the perſons not having been imployed or authorized by the ſaid Lord High Admiral) to the contrary in any wiſe not withſtanding.

Proviſo for ſaving all Rights of the Lord High Admiral.

V. Provided always, and be it enacted by the authority aforeſaid, That in caſe of defect of Juriſdiction in the Court of Admiralty, for the recovering and levying of any ſuch prizes, goods, matters and things aforeſaid; That then in ſuch caſe upon Certificate thereof from the ſaid Court of Admiralty made into his Majeſties Court of Exchequer, ſpeedy proceedings ſhall be had in the ſaid Court of Exchequer for the recovering and levying of the prizes, goods, matters and things aforeſaid, according to Law and Juſtice.

How in defect of Juriſdiction in the Admiralty, ſuit may be in the Exchequer.

CAP. XV.

An Act for regulating the Trade of Silk-throwing.

Whereas the Company of Silk-throwers within the City of London and Liberties, and all their Servants and Apprentices within four miles thereof, were quinto Caroli primi, incorporated and made one body politick, and are known by the name of the Maſter, Wardens, Aſſiſtants and Commonalty of the Trade, Art or Myſtery of Silk-throwers of the City of London, (2) And whereas the ſaid Trade is of ſingular uſe, and very advantagious to this Commonwealth, by imploying the poor, there being imployed by the ſaid Company in and about the City of London (as is expreſſed in their Petition) above forty thouſand Men, Women and children, who otherwiſe would unavoidably be burthenſome to the places of their abode; (3) And whereas the preſent Governors of the ſaid Company by their Petition, pray an enlargement of their Charter, whereby they may be the better enabled to avoid the many Deceits and inconveniences they daily meet withall by Intruders, who have not been brought up Apprentices to the ſaid Trade, and others who ſettle themſelves beyond the limits of their ſaid Charter, on purpoſe to avoid the Searchers and Superviſion of the ſaid Governors, by which means they are at liberty to make and vend what Wares they pleaſe, to the diſparagement of the ſaid Trade, and diſcouraging of the Petitioners and all others of the ſaid Trade that have duly ſerved Apprentice thereunto according to the known Laws of this Nation:

The Silk-throwers of London incorporated by patent. 5 Car. 1.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the twenty fifth day of December, which ſhall be in the year of our Lord, one thouſand ſix hundred ſixty and two, no perſon or perſons whatſoever, ſhall directly or indirectly uſe, exerciſe, continue or ſet up the ſaid Trade, Art or Myſtery of a Silk-thrower within this Realm of England, unleſs ſuch as are or ſhall be Apprentices to the ſaid Trade, or ſhall have ſerved ſeven years Apprentiſhip thereunto at the leaſt, (2) upon pain that every perſon ſo offending contrary to this Act, ſhall pay, forfeit and loſe the ſum of Forty ſhillings for every month the ſaid perſon ſhall uſe or exerciſe the ſaid Trade, the one moiety thereof to the uſe of his ſaid Majeſty, his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon and perſons as ſhall ſue for the ſame in any of the Courts of Record within this Realm of England, or before any the Juſtices of Oyer and Terminer, or the Juſtices of the Peace at their Quarter-Seſſions of the Peace, by Action of debt, bill, plaint or information, or by any other lawful ways or means whatſoever, wherein no protection, wager of Law or eſſoin ſhall be allowed.

None ſhall uſe the trade of a Silk-thrower, but ſuch as have ſerved as Apprentices ſeven years.

The penalty.

Before whom to be recovered.

III. And for the better enabling of the ſaid Maſter, Wardens, Aſſiſtants and Commonalty of Silk-throwers and their Succeſſors in their Government, (2) Be it further enacted by the authority aforeſaid, That all and every perſon and perſons whatſoever, now uſing or exerciſing as Maſters, the ſaid Art, Trade or Myſtery, or ſuch as have ſerved as Apprentices to the ſaid Taade by the ſpace of ſeven years at the leaſt within the ſaid Cities of London and Weſtminſter, and the ſeveral Suburbs thereof, or within twenty miles compaſs of them, or either of them, ſhall before the twenty fifth day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, be admitted, and are hereby enjoyned to enter themſelves into the ſaid Society and Corporation, and to perform, and be ſubject and obedient to all ſuch Statutes, Laws, Orders, Ordinances and Conſtitutions as are or ſhall be made or ordained for, or concerning the exerciſe, regulation or government of the ſaid Art, Trade or Myſtery; or of any perſon or perſons uſing or exerciſing the ſame, (3) upon pain of forfeiture of the ſum of Forty ſhillings for every month he or they ſhall uſe or exerciſe the ſaid Trade, after the ſaid twenty fifth day of December, One thouſand ſix hundred ſixty and two; the one moiety thereof to the uſe of his ſaid Majeſty, his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon or perſons as ſhall Sue for the ſame in any the Courts of Record within this Realm of England, or before any the Juſtices of Oyer and Terminer, or the Juſtices of Peace at their Quarter-Seſſions of the Peace, by Action of debt, bill, plaint or Information, or by any other lawful ways or means whatſoever, wherein

Every perſon uſing the trade in London and Weſtminſter, ſhall enter himſelf of the ſaid Corporation, and be ſubject to the laws and orders thereof.

The penalty.

no Protection, Wager of Law or Eſſoin ſhall be allowed.

IV. Provided that ſuch Laws, Orders, Ordinances and Conſtitutions ſo made, or which ſhall be made, be not contrary, but agreeable with the Laws and Statutes of this ſaid Realm, and the Cuſtoms of the ſaid City of London.

The power of the Maſters, ardens and ſtants.

V. And be it further enacted by the authority aforeſaid, That the ſaid Maſters, Wardens, Aſſiſtants and Commonalty, and their Succeſſors, ſhall and may have and enjoy, and that it ſhall and may be lawful to and for them, from time to time, and at all times hereafter, to do, perform and execute, within the ſaid Cities of London and Weſtminſter, and the ſeveral ſuburbs thereof, or within twenty miles compaſs of them, or either of them, all ſuch Grants, Powers Priviledges and Authorities as by this preſent Act, or in or by the ſaid Letters Patents of Incorporation are given or granted, or mentioned to be given or granted, for or concerning the regulation, exerciſe or Government of the ſaid Trade, Art or Myſtery, or any matter or thing relating thereunto, or of ſuch perſon or perſons as do, or ſhall exerciſe the ſame; Any thing in the ſaid Letters Patents, or any Act, Statute, or other matter or thing to the contrary thereof in any wiſe notwithſtanding.

The puniſhment of Silk-winders that imbezel Goods delivered to them.

VI. And whereas there is a neceſſity lying upon the Silk-throwers, to deliver to their Winders or Doublers, conſiderable quantities of Silk, which being of good value, is by evil diſpoſed perſons many times unjuſtly, deceitfully and falſly purloyned, imbezelled, pawned, ſold and detained, to the great damage, and ſometimes the utter undoing of the Thrower who employs the ſaid perſons: (2) Be it further enacted by the authority aforeſaid, That every ſuch Silk-winder and Doubler, who ſhall at any time hereafter, unjuſtly or deceitfully and falſly purloin, imbezel, pawn, ſell or detain any part of Silk delivered or to be delivered by any Silk thrower, or other perſon, to them or any of them, to wind, or double, That in every ſuch caſe and caſes, as well the Winder or Journeyman ſo offending, as the buyer and buyers, receiver and receivers of ſuch Silk, being thereof lawfully convicted, by confeſſion of the party or parties ſo offending, or by One witneſs upon Oath before one or more of the Juſtices of Peace of the County or liberty where the ſame offence or offences ſhall be committed; or if it be within any City or Town-corporate, before the Mayor, Bailiff, or chief Officer of the ſaid City or Town-corporate, who by force of this act are impowred or authoriſed to miniſter the ſame Oath, and finally hear and determine all and every the offences aforeſaid, and to give and make to the party and parties grieved ſuch recompence and ſatisfaction for ſuch their damage and loſs, and charges thereabouts, as by the ſaid Juſtice or Juſtices, or chief Officers ſhall be ordered and appointed.

VII. Provided, That no more damage be given or awarded, then the party grieved ſhall prove he is damnified, and hath expended in looking after the ſame; And if the party or parties ſo offending ſhall not be able or ſufficient to make recompence or ſatiſfaction for the ſaid Offence, nor do make recompence or ſatiſfaction for the ſame offence or offences within fourteen days next after ſuch conviction in ſuch manner and form, as by the Juſtice or Juſtices, or chief Officers ſhall be ordered and appointed as aforeſaid, then the party or parties ſo offending, for the firſt offence ſhall be apprehended and whipped, or ſet in the Stocks in the place where the offence is committed, or in ſome Market-Town in the ſaid County near unto the place where the offence or offences aforeſaid ſhall be committed, as ſhall be limited and appointed by the ſaid Juſtice or Juſtices of the Peace, or chief Officers, and for the ſecond offence, to incur the like, or ſuch further puniſhment by whipping or being put in the Stocks, as the ſaid Juſtice or Juſtices of the Peace, or chief Officers ſhall in their diſcretion think fit and convenient.

Perſons receiving ſuch imbezelled goods, how to be puniſhed.

VIII. And be it likewiſe enacted by the authority aforeſaid, That all and every receiver and receivers buyer and buyers of any Silk, or ſuch as take to pawn any Silk imbezelled or purloyned, contrary to the meaning of this Act (matter of Fact being proved) ſhall make ſatiſfaction within the time aforeſaid, or elſe ſhall be ſubject to like puniſhment as by this Act is inflicted or provided to be inflicted upon ſuch perſon ſo imbezelling or purloyning any ſuch Silk as aforeſaid.

What perſons may be imployed not having ſerved as Apprentices.

IX. Provided always, That it ſhall and may be lawful to and for any Freeman of the ſaid Company of Silk-throwers, to ſet on work and imploy any perſon or perſons, being native Subjects to his Majeſty, and no others, whether they be Men, Women or Children, to turn the Mill, tye Threads, double Silk, and wind Silk, as formerly they have uſed to do, although ſuch perſon or perſons who ſhall be ſo ſet on work, and imployed in the works and ſervices aforeſaid, ſhall not have ſerved or been bred up as Apprentices to the Trade of Silk-throwing by the ſpace of ſeven years, (2) and that all and every the ſaid perſon and perſons who ſhall be ſo ſet on work, and Imployed by any Freeman of the ſaid Company, in the works and ſervices aforeſaid, ſhall and may be imployed by any Freeman of the ſaid Company, on the works and ſervices aforeſaid, or any of them, without any let or moleſtation; Any thing in this Act to the contrary notwithſtanding.

The ſaid Corporation may not ſet rates upon their workmen.

X. Provided, and be it enacted, That the ſaid Corporation of Silk-throwers ſhall not by virtue of this Act, nor any thing therein contained, make any Orders, Ordinances or By-laws, to ſet any rates or prices whatſoever upon the throwing of Silk, to bind or inforce their members to work at; but that their reſpective members ſhall be left at liberty to contract with their reſpective imployers and alſo with the perſons that they imploy, at ſuch rates as they and their imployers and the perſons imployed ſhall agree upon; Any thing in this Act to the contrary in any wiſe notwithſtanding.

CAP. XVI.

An Act for the more ſpeedy and effectual bringing thoſe perſons to Account, whoſe Accounts are excepted in the Act of Oblivion.

BE it enacted by the Kings moſt excellent majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons who are accountable to the Kings Majeſty, and their accounts are not pardoned, but excepted by the late Act of Free and General Pardon, Indempnity and Oblivion, and againſt whom there is any charge now remaining in his Majeſties Exchequer, and ſhall through their default not perfect his or their account before the end of Trinity Term, in the year of our Lord, One thouſand ſix hundred ſixty and two, That then the charge againſt all and every ſuch perſon or perſons ſhall be taken as a debt by Writing Obligatory, or Recogniſance taken or acknowledged to the Kings Majeſty according to the Statute of the three and thirtieth of King Henry the Eigth, Chapter xxxix. (2) And that all and every other perſon or perſons whoſe accounts are excepted in the ſaid Act of Oblivion, and have or ſhall have a charge or information againſt them in his Majeſties Exchequer before the four and twentieth of June, One thouſand ſix hundred ſixty and two, and have or ſhall have notice thereof by Proceſs out of the Court of Exchequer, or otherwiſe ſerved upon his perſon, or left at his Houſe, or laſt known place of Habitation, before the nine and twentieth of September, One thouſand ſix hundred ſixty and two, and ſhall not before the firſt day of Eaſter Term then next enſuing, perfect their accounts touching the ſaid Charge, that then the Charge againſt all and every ſuch perſon or perſons ſhall be taken as a debt by Writing Obligatory or Recogniſance taken and acknowledged to the Kings Majeſty, according to the Statute aforeſaid; (3) and that in both the ſaid Caſes, Proceſs ſhall be awarded as is uſed for recovery of debts due to his Majeſty, according to the Statute as aforeſaid, againſt him or them, and againſt all and every their Sureties not pardoned or diſcharged by the ſaid Act of Oblivion, and his and their reſpective lands, tenements, goods and chattels, and debts; and the ſaid charge to continue in force only until the accounts ſhall be perfected, and the accountants diſcharge them thereof in due manner in the ſaid Court of Exchequer, with ſuch allowances as are given by the ſaid Act of Oblivion, and until payment made unto his Majeſty of all ſuch ſums of money as ſhall be found due upon the determination of his or their accounts.

12 Car. 2. cap. 12. The penalty againſt ſuch perſons as ſhall not within a certain time perfect their Accounts.

33 H. 8. cap. 39.

CAP. XVII.

An Act for the relief of Collectors of publick moneys, and their Aſſiſtants and Deputies.

BE it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament now aſſembled, and by authority of the ſame, That all Collectors and other perſons who have levied or collected, or ſhall levy or collect any ſum or ſums of money, or other Act done, or ſhall do in order to the ſame, by virtue of any Act of Parliament now in force, or of any other Act, Order or Ordinance allowed to be put in execution by any ſuch Act of Parliament as aforeſaid; and who is, or ſhall be ſued for, or concerning the ſame, by any other then the Kings Majeſty, his Heirs and Succeſſors, he, and they may plead the General Iſſue, and thereupon give the ſpecial matter in evidence for his excuſe and Juſtification: And that all and every perſon or perſons already ſued or impleaded for any the cauſes aforeſaid, may notwithſtanding any Plea or Demurrer already made by any ſuch Defendant, have liberty to change ſuch his Plea, and to plead the General Iſſue, if he ſhall think fit ſo to do.

Collectors and others imployed in levying money by virtue of any Act of Parliament being ſued, may plead the general iſſue.

II. Provided always, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to authorize the levying or collecting of any ſum or ſums of money which are pardoned by the late Act, entituled, An Act of Free and General Pardon, Indempnity and Oblivion.

12 Car. 2 cap. 11.

CAP. XVIII.

An Act againſt the exporting of Sheep, Wooll, Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, Fulling-clay, and Tobacco-pipe-clay.

WHereas againſt the Laws of this Kingdom great number of Sheep, and great quantities of Wooll, Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, or Fulling-clay, are ſecretly exported, tranſported, carried and conveyed out of the Kingdom of England, Dominion of Wales, the Town of Berwick upon Tweed, and Kingdom of Ireland, into the Kingdom of Scotland, and into foreign parts, to the great decay of the Woollen Manufactures, the ruine of many Families, and the deſtruction of the Navigation and Commerce of the Kingdoms, Town, and Dominion aforeſaid, which is like daily to increaſe if ſome further remedy be not provided, and further penalties impoſed upon the offendors therein.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty and two, directly or indirectly, export, tranſport, carry or convey, or ſhall cauſe to be exported, tranſported, carried or conveyed out of, or from the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or after the firſt day of January, One thouſand ſix hundred ſixty and two, out of the Kingdom of Ireland, into any parts and places out of the Kingdoms, or Dominion aforeſaid, or into the Kingdom of Scotland, any Sheep or Wooll whatſoever, of the breed or growth of the Kingdoms or Dominion aforeſaid, or any Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, or any Fullers earth, or Fulling-clay whatſoever or ſhall directly or indirectly pack or load, or cauſe to be packed or loaden upon any Horſe, Cart, or other Carriage, or ſhall load or lay on board, or cauſe to be loaden or laid on board, in any Ship or other Veſſel, in any place within the Kingdoms of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, aforeſaid, any ſuch Sheep, Wooll, Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, or Fulling-clay, to the intent or purpoſe to export, tranſport, carry or convey the ſame, or to cauſe the ſame to be exported, tranſported, carried or conveyed out of the Kingdoms of England or Ireland, the Dominion of Wales, or Town of Berwick upon Tweed, aforeſaid, into the Kingdom of Scotland, or into any foreign parts, that then every ſuch offence ſhall be adjudged

Exporting or carrying of ſheep, wooll, wool-fels, mortlings, ſhorlings, yarn, wool-flocks, fullers-earth, fulling-clay, out of England, Wales, or Ireland.

Made Felony.

Felony, and the offendor or offendors being duly convicted, ſhall ſuffer and forfeit as in caſe of Felony.

Aiders and aſſiſters therein ſhall be adjudged felons.

III. And be it further enacted by the authority aforeſaid, That every Owner of any ſuch Ship or other Veſſel, and every Owner of every Horſe, Cart or Carriage, upon which any Sheep, Wooll, Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth or Fulling-clay, ſhall be ſo exported, tranſported, carried or conveyed as aforeſaid or to any ſuch intent or purpoſe as aforeſaid, knowing thereof, and being wittingly and willingly aiding, aſſiſting or conſenting thereunto, and alſo every Maſter and Mariner of or in ſuch Ship or other Veſſel, wherein any ſuch Sheep, Wooll, Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth or Fulling-clay, ſhall be ſo exported, tranſported, carried or conveyed, or loaden or laid on Board as aforeſaid, to any ſuch intent or purpoſe as aforeſaid, knowing thereof, and being wittingly and willingly aiding, aſſiſting or conſenting thereunto, and alſo every Factor or Servant, or other perſon whatſoever, and every Cuſtomer, Comptroller, Waiter, Searcher, Surveyor, or other Officer, or perſon whatſoever, knowing thereof, and being wittingly or willingly aiding, aſſiſting or conſenting thereunto, ſhall be, and ſhall be adjudged and taken to be a Felon, and every offeudor or offendors therein, being duly convicted, ſhall ſuffer and forfeit as in caſe of Felony.

Offences againſt this Act, where to be examined and tried.

IV. And be it further enacted by the authority aforeſaid, That every offence which ſhall be done or committed contrary to this Act, ſhall and may be enquired of, and heard, examined, tried and determined in the County where ſuch Sheep, Wooll, Wool-fels, Mortlins, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth or Fulling-clay reſpectively, ſhall be ſo packed, laden, or laid on board as aforeſaid, or elſe in the County where ſuch offendor ſhall happen to be apprehended or arreſted for ſuch offence, in ſuch manner and Form, and to ſuch effect to all intents and purpoſes, as if the ſame offence had been wholly done and committed in the ſame County.

Peers.

V. Provided alſo, That every Baron, and other Peer of this Realm, which ſhall be indicted or accuſed as principal, or acceſſary in or to any offence made Felony by this Act, ſhall have his, her or their Tryal, by his, her or their Peers, as in caſe of Felony, at the Common Law.

None to be impeached, unleſs within one year next after the offence committed.

VI. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons whatſoever, ſhall at any time hereafter be impeached for any offence made Felony by this Act, unleſs ſuch perſon or perſons ſhall be thereof indicted within the ſpace of one year next enſuing ſuch offence committed.

VII. And foraſmuch as great quantities of Wooll, Woollen Yarn, and Wooll-flocks, are cloſe packed and preſſed together with Scrues, and other unlawful Engines, into Buts, Pipes, Hogſheads, Cheſts and other Casks and Veſſels, and into Sacks, Baggs and other wrappers made of Wooll or Linnen, and under colour of Bales, Sacks, Baggs, Packs and Casks of other Goods, and otherwiſe, great quantities of the ſame are daily loaden on board of Ships or other Veſſels, and ſo are carried, conveyed, exported, and tranſported out of the Kingdoms, Town of Berwick, and Dominion aforeſaid; and alſo great quantities are daily carried and laid at, or near the Coaſts of the Sea, or ſome Navigable Rivers, into Store-houſes and Barns, and by night are laid on board of Shallops, and other Veſſels belonging to Aliens, and ſo carried and exported out of the Kingdoms, Town of Berwick, and Dominion aforeſaid; (2) Be it therefore enacted by the authority aforeſaid, That from and after the firſt day of Auguſt, no perſon or perſons ſhall preſs together with any Scrues, Preſſes or other Engines, into any Sack, Pack, Bagg or other Wrapper, or ſhall put, preſs, pack or ſtean any Wooll whatſoever, or any Yarn made of Wooll, into any But, Pipe, Hogſhead, Cheſt, or any other Cask or Veſſel, upon any pretence whatſoever, or ſhall carry or lay, or cauſe to be carried or laid at or near the Shore or Coaſts of the Sea, or of any Navigable River, or into any houſe or place near adjoyning thereunto, any ſuch Wooll, Wool-flocks, or Yarn made of Wooll, with intention to export, tranſport, carry or convey the ſame out of the Kingdoms of England or Ireland, Town of Berwick upon Tweed, or Dominion of Wales, into the Kingdom of Scotland, or unto any foreign parts, under the penalty of the loſs and forfeiture of all ſuch Wooll, Wooll-flocks and Yarn made of Wooll, as ſhall be ſo packed or preſſed, or put or laid into Cask, or carried or laid near to the Sea-ſhore, or to any Navigable River as aforeſaid, or the value thereof.

Scrues and unlawful Engines for preſſing together of wooll, not to be uſed.

The penalty.

Fulling-clay, Tobacco-pipe-clay not to be exported.

VIII. And whereas great quantities of Fullers-earth or Fulling-clay are daily carried and exported under the colour of Tobacco-pipe-clay; (2) Be it therefore enacted by the authority aforeſaid, That no Tobacco-pipe-clay ſhall from and after the Firſt day of Auguſt, One thouſand ſix hundred ſixty and two, be exported, tranſported, carryed or conveyed out of, or from the Kingdom of England, Town of Berwick upon Tweed, or after the firſt day of January, One thouſand ſix hundred ſixty and two, out of or from the Kingdom of Ireland, or the Dominion of Wales, into the Kingdom of Scotland, or into any foreign parts, or into any Port or place out of the Kingdom or Dominion aforeſaid, under the penalty of three ſhillings for every pound of Tobacco-pipe-clay which ſhall be exported or tranſported contrary to this Act.

The penalty.

Packs of wooll wool-fels, &c. ſhall not be carried but in the day time.

IX. And be it further enacted by the authority aforeſaid, That from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty and two, no Packs, Sacks, Baggs or Cask of any Wooll, Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, Fulling-clay, or Tobacco-pipe-clay, ſhall be laid or loaded on any Horſe, Cart, or other Carriage whatſoever, or thall be carried or conveyed by land to or from any place or places within the Kingdom of England, Town of Berwick, or Dominion aforeſaid, nor after the firſt day of January, One thouſand ſix hundred ſixty two, in the Kingdom of Ireland, but in the day time, and at ſeaſonable hours, (that is to ſay) from and after the firſt day of March, to the nine and twentieth day of September yearly, between the hours of four of the Clock in the morning, and eight of the Clock in the evening, and from the nine and twentieth day of September, to the firſt day of March yearly, between the hours of ſeven of the Clock in the morning, and five of the Clock in the evening, under the penalty of the loſs and forfeiture of all ſuch Goods, or the value thereof; (2) the one moiety of all which

The penalty.

which forfeitures mentioned in this Act, to be to the uſe of the King, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any Court of Record, in which no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

The penalty.

X. Provided nevertheleſs, That this Act, or any thing therein contained, ſhall not extend or be conſtrued to extend to Repeal, Diſanul and make void, any the Penalties, Clauſes, or Proviſoes mentioned in one Act of this preſent Seſſion of Parliament, made againſt the tranſportation of Wooll, Woolfels, Fullers-earth, or any kind of ſcouring Earth, (2) or to the prohibiting of the loading on board of any Ship or Veſſel, of any Weather-ſheep, Wooll, Wool-flocks, or other Goods mentioned in this Act, that by the aforeſaid Act is permitted to be loaden on board of any Ship or Veſſel, for the neceſſary uſe and Proviſion of ſuch Ship or Veſſel as aforeſaid; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Proviſo concerning the Act.

12 Car. 2. cap. 32.
13 Car. 2. cap. 14.

XI. Provided always, That if any Owner of any Ship or Veſſel, or any Maſter or Mariner knowing of ſuch tranſportation of ſuch Sheep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, Fulling-clay, or Tobacco-pipe-clay, ſhall within three months, next after the knowledge thereof, or after his return into the Kingdom of England or Ireland, or into the ſaid Town of Berwick, or Dominion of Wales aforeſaid, give the firſt information bona fide, before any of the Barons of either of the Courts of the Exchequer in England or Ireland, for the time being, or before the head Officer of any Port where he ſhall firſt arrive, upon his or their Oath, of the number and quantity of the Goods mentioned in this Act, ſo carried, conveyed and tranſported, and by whom, where and in what Ship or Veſſel, and afterwards ſhall be ready upon reaſonable warning by Proceſs to juſtifie and prove the ſame, That then ſuch Owner and Owners, Maſter, Mariner and Mariners ſhall not be puniſhed for Felony by virtue of this Act, but ſhall nevertheleſs be ſubject to all other penalties and forfeitures in this or any other Act contained, for the offence aforeſaid, (2) and all ſuch exportation, tranſportation, carrying or conveying of any the Goods, Wares or Commodities in this Act mentioned, is hereby declared and adjudged to be a common and publick Nuſance.

Proviſo for owners of ſhips that have offended, and ſhall firſt diſcover the ſame.

Common Nuſance.

XII. And for the better execution of this Act, Be it further enacted, That all Juſtices of Aſſize, Juſtices of Gaol-delivery, and Juſtices of Peace, ſhall enquire of all the Premiſſes in their General Quarter-Seſſions, and hear and determine the ſame; (2) And that all Mayors, Bailiffs, and other Head Officers of Cities, Boroughs and Towns, not having Juriſdiction to try Felony, ſhall enquire of all and every offence within this Act not made Felony, and hear and determine the ſame.

Who may hear and determine the ſame offences.

CAP. XIX.

An Act againſt Importing of Foreign Wool-Cards, Card-Wyre, or Iron-Wyre.

Whereas by the Acts of Parliament made in the third year of King Edward the Fourth, and the nine and thirtieth year of Queen Elizabeth, and ſeveral other Statutes before that time made, It is enacted (amongſt other things therein contained) that no Cards for Wooll, nor Iron Thread (commonly called White-wyre) ſhall be imported, ſent or conveyed into this Realm of England, wherein the beſt Iron Thread, or Wyre for making Wool-cards is made, and by the ſaid Manufacture of making and drawing of Wyre, and Wool-cards, very many poor people of this Kingdom and their Families have been imployed and maintained, and the Wool-cards made thereof are of great concernment to this Kingdom for the good making of Woollen Cloth; (2) And whereas contrary to the ſaid Statutes, not only much foreign Card-wyre, but alſo foreign Wool-cards have been in theſe late times Imported into this Kingdom, and alſo within the ſame many old Wool-cards are by ill diſpoſed perſons (for their private lucre) bought up, and the old Iron-wyre of the ſaid old Wool-cards being very weak and inſufficient for the well Carding of Wooll, is put into new Leather and new Boards, and ſo uttered and ſold to ignorant people for new Wool-cards, to their great detriment, and the indamaging of their work, Carding of Wooll, and the Cloth made thereof: By all which, very great inconveniences have been found by experience of Clothiers in their making of Engliſh Cloth, which is lately much debaſed and decayed, and wherein this Nation is greatly concerned to uphold and encourage the well making thereof in and by all ways and means in any wiſe conducible thereunto; (3) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons aſſembled in Parliament; And it is hereby enacted by the authority aforeſaid, That no foreign Wool-cards or foreign Card-wyre, or Iron-wyre for making of Wool-cards, be Imported into this Kingdom of England, Dominion of Wales, or any parts thereof, nor uſed within the ſame, nor any Card-wyre, taken out of old Cards, be from henceforth put into new Leather and new Card-boards, nor any ſuch Wool-cards made thereof be put to ſale, (4) upon the pains, penalties, and forfeitures hereafter following, (that is to ſay) Every perſons or perſons who ſhall Import, or bring any foreign Wool-cards, or foreign Card-wyre, or Iron-wyre for making of Wool-cards, into this Kingdom of England, Dominion of Wales, or any parts thereof, or make any Wool-cards of any ſuch old Card-wyre, as aforeſaid, or put the ſame to ſale, ſhall forfeit the ſaid Wool-cards and Card-wyre, or Iron-wyre for making Wool-cards, or the value thereof, if the ſame be not ſeized, the one half part thereof to the Kings Majeſty, and the other half part thereof to ſuch perſon or perſons who ſhall firſt ſeize or ſue for the ſame by Action of debt, plaint, bill, information or indictment in any of his Majeſties Courts of Record at Weſtminſter, or within the County, City, Borough, or Town-corporate where ſuch offence ſhall be committed; wherein no Eſſoin, Protection, or Wager of Law or Information ſhall be allowed or admitted.

3 E. 4. cap. 4.
39 El. cap. 14.

No foreign Wool-cards, Card-wyre or Iron-wyre for Wool-cards may be imported.

The penalty.

II. Provided always, That this Act ſhall not extend to hinder the Owners of any Wool-cards, to cauſe them to be amended for their own uſe, or to tranſport or ſell (for tranſportation only) any their old overworn Wool-cards, in any parts beyond the Seas out of his Majeſties Dominions.

Proviſo for amending of old Wool-cards.

CAP. XX.

An Act for providing of Carriage by Land and by Water, for the uſe of his Majeſties Navy and Ordnance.

12 Car. 2. cap. 24.

How Carriages ſhall be provided for his Majeſties Navy and Ordnance.

The Rates allowed for Carriages.

Whereas by an Act entituled, An Act for taking away the Courts of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for ſeting a Revenue upon his Majeſty in liew thereof, It was amongſt other things enacted, for the Reaſons and Recompence therein expreſſed, That from thenceforth no perſon or perſons by any Warrant, Commiſſion or Authority under the Great Seal, or otherwiſe, by colour of buying, or making proviſion or purveyance for his Majeſty, or any Queen of England for the time being, or of any the Children of any King or Queen of England that ſhall be, or for his, their or any of their Houſhold, ſhall take any Cart, Carriage, or other thing whatſoever of any the Subjects of his Majeſty, his Heirs or Succeſſors, without the free and full conſent of the Owner or Owners thereof had and obtained, without menace or enforcement, nor ſhall ſummon, warn, take, uſe, or require any of the ſaid Subjects to furniſh or find any Horſes, Oxen or other Cattel, Carts, Plows, Wains, or other Carriages, for the uſe of his Majeſty, his Heirs or Succeſſors, or of any Queen of England, or of any Child or Children of any of the Kings or Queens of England for the time being, for the carrying the Goods of his Majeſty, his Heirs or Succeſſors, or the ſaid Queens, or Children, or any of them, without ſuch full and free conſent as aforeſaid; Any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding: (2) Be it notwithſtanding enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Four and twentieth day of June, in the year of our Lord God, One thouſand ſix hundred ſixty and two, as often as the Service of his Majeſties Navy or Ordnance ſhall require any Carriages by Land within the Kingdom of England, and Dominion of Wales, and Town of Berwick upon Tweed, upon notice given in writing by Warrant under the Hand and Seal of the Lord High Admiral of England for the time being, or under the Hands and Seals of two or more of the principal Officers or Commiſſioners of his Majeſties Navy, or under the Hand and Seal of the Maſter of his Majeſties Ordnance for the time being, or under the Hand and Seal of the Lieutenants of his Majeſties Ordnance, for the providing of Carriages for the reſpective Service of the Navy or Ordnance, unto two or more Juſtices of the Peace dwelling near unto the place where the ſaid Carriages ſhall be required, the ſaid Juſtices of the Peace may and ſhall immediately iſſue forth their Warrants to ſuch of the adjacent Pariſhes, Hundreds or Diviſions, as they ſhall judge fit within their reſpective Counties and Diviſions, not being above twelve miles diſtant from the place of lading, for the ſending to a certain place, and at certain times (to be ſpecified and appointed in the ſaid Warrants) ſuch number of Carriages with Horſes or Oxen ſufficient for the ſaid Service, as by the Lord High Admiral of England for the time being, or by the Maſter or Lieutenant of his Majeſties Ordnance for the time being, or by the principal Officers or Commiſſioners of his Majeſties Navy reſpectively as aforeſaid, ſhall be by writing under their Hands and Seals required; (3) the Owners of which Carriages, or their Servants, ſhall receive for every Load of Timber per mile, one ſhilling, for every reputed mile which they ſhall go laden, and for other Proviſions, the ſum of eight pence per mile for every Tun they ſhall carry.

Impreſſing of perſons, ſhips, veſſels for carriages.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the Lord High Admiral of England for the time being, by Warrant under his Hand and Seal, and alſo for the principal Officers and Commiſſioners of his Majeſties Navy, by Warrants under the Hands and Seals of any two or more of them, as alſo for the Maſter of his Majeſties Ordnance for the time being, by Warrant under his Hand and Seal, and alſo for the Lieutenant of his Majeſties Ordnance, by Warrants under the Hands and Seals of either of them, as often as the Service of his Majeſties Navy or Ordnance reſpectively ſhall require any Carriage by Water, to appoint ſuch perſon or perſons as they ſhall judge fitting, to Impreſs and take up ſuch Ships, Hoys, Lighters, Boats or any other Veſſels whatſoever, as ſhall be neceſſary for the Accommodation of his Majeſties ſaid Service, (2) the Owners of which ſaid Ships, Hoys, Lighters, Boats or other Water-carriage aforeſaid, or ſuch as they ſhall appoint, ſhall receive for the hire of every ſuch Ship, Hoy, Lighter, Boat or other Veſſel per Tun, according to the Rates uſually paid by Merchants from time to time; And in caſe his Majeſties Officers, and the Owners of ſuch Ships, Hoys, Lighters, Boats, or other Veſſels, ſhall not agree on the ſaid Rates, then the Rate to be ſetled by the Brotherhood of Trinity-houſe of Deptford-Strand.

Penalty upon ſuch as neglect or refuſe.

III. And be it further enacted by the authority aforeſaid, That in caſe any of his Majeſties Subjects of this Realm ſhall refuſe, or wilfully neglect after reaſonable notice, to make their appearance with ſuch ſufficient Carriages by Land, or to fit, provide and furniſh their Ships, Hoys, Lighters, Boats, or other Veſſels, for the Service of his Majeſties Navy or Ordnance, as is before expreſſed; or ſhall, after they ſhall have undertaken ſuch Service, neglect or delay the ſame, that then upon due proof and conviction of ſuch refuſal or neglect by the Oath of the Conſtable or other Officer, or two other credible Witneſſes, before the ſaid Juſtices of Peace of the County, or Mayor, or other chief Officer of the City or Corporation where he or they inhabit (which Oath they ſhall have power to adminiſter) for the Land-Carriages; and for the Water-Carriages, by the Oath of ſuch perſon as ſhall be appointed by the Lord High Admiral, the principal Officers or Commiſſioners of his Majeſties Navy, the Maſter of his Majeſties Ordnance, or the Lieutenant of his Majeſties Ordnance as aforeſaid, or other two credible Witneſſes, before the principal Officers or Commiſſioners of his Majeſties Navy, or Maſter or Lieutenant of his Majeſties Ordnance reſpectively, (which Oath they ſhall have likewiſe power to adminiſter) the party ſo refuſing or neglecting, ſhall for every ſuch refuſal or neglect, forfeit the ſum of Twenty ſhillings for the Land-Carriage, and for Carriage by Water, treble the freight of ſuch

Ship or Veſſel, not exceeding Fifty pounds in the whole, to the Kings Majeſties uſe, to be forthwith levied in default of payment upon demand, by diſtreſs and ſale of his goods and chattels by Warrant from the ſaid Juſtices of the Peace, Mayor or other chief Officer, or from the principal Officers or Commiſſioners of his Majeſties Navy, or Maſter or Lieutenant of his Majeſties Ordnance reſpectively, (rendring to the parties the overplus) upon every ſuch Sale (if there be any) the charge of diſtraining being firſt deducted.

IV. Provided always, That no Horſes, Oxen, Cart, Wain, or other Land-carriage, ſhall be enforced to travel more days journey from the place where they receive their Lading, or be compelled to continue longer in the imployment, then ſhall be appointed by the Order of the ſaid Juſtices of the Peace, and that ready payment ſhall be made in hand for the ſaid Carriages at the place of Lading without delay, according to the aforeſaid Rates.

The time of continuance in the ſervice.

Preſent payment to be made.

V. Provided always, That in caſe any Juſtice of Peace, Mayor, chief Officer or Conſtable, or any perſon or perſons which ſhall be appointed by the Lord High Admiral, the principal Officers, or Commiſſioners of his Majeſties Navy, the Maſter of his Majeſties Ordnance, or the Lieutenant of his Majeſties Ordnance as aforeſaid reſpectively, ſhall take any gift or reward to ſpare any perſon or perſons from making ſuch carriage by Land, or by Water, or ſhall injuriouſly charge or grieve any perſon or perſons through envy, hatred, or evil will, who ought not to make ſuch carriage, or ſhall impreſs more carriages then the neceſſity of the ſervice ſhall require, or then he ſhall be commanded to impreſs by his Superiors, That then upon due proof and conviction thereof, the party ſo offending ſhall forfeit the ſum of ten pounds to the party thereby grieved, who may ſue for the ſame, to be recovered by Action of Debt, in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (2) And in caſe any perſon or perſons ſhall preſume to take upon him or them to impreſs any Horſes, Oxen, Wains or Carriages for Land, or any Ships, Hoys, Lighters, Boats or other Veſſel, for the ſervice of his Majeſties Navy or Ordnance; other then the perſon ſo impowred as aforeſaid, then he or they ſo offending, ſhall upon due conviction of the ſaid Offence, incur and ſuffer the puniſhment in the firſt recited Act.

No gifts or rewards may be taken by Juſtices of the Peace to ſpare any perſon.

The penalty and how to be recovered.

None may impreſs other then perſons impowred as aforeſaid.

The penalty.

VI. Provided always, and be it enacted, That no Ship, Hoy, Barque, or any other Veſſel whatſoever, that ſhall be really, and bona fide, fraighted by Charter-party, if there be other Veſſels in the Port fitting for the ſervice, or any Veſſel quarter laden with any Goods, Wares, or Merchandizes outward bound, ſhall be liable to be impreſſed for any the Services aforeſaid; Any thing in this Act to the contrary notwithſtanding.

Ships and veſſels fraighted by charter-party, exempted.

VII. Provided, That this Act, and the powers therein contained, ſhall continue and be in force until the end of the firſt Seſſion of the next Parliament, and no longer; Any thing herein contained to the contrary in any wiſe notwithſtanding.

The continuance of this Act

VIII. Provided nevertheleſs, That in regard of the more then ordinary charge and burden which the Inhabitants of New-foreſt in the County of Southampton, will be liable unto, by reaſon of the great quantities of Timber uſually felled and carried thence for the uſe of his Majeſties Navy; It ſhall and may be lawful for the Juſtices of the Peace, who ſhall by Warrant ſummon the Carts and Carriages within the Diviſion of the New-foreſt in the County of Southampton aforeſaid, to have power (as to the carriage of Timber only) to allow as aforeſaid to the ſeveral Owners of ſuch Carts and Carriages, not exceeding four pence per mile, for ſo many miles as any Cart or Carriage ſo ſummoned ſhall go empty to the place of its Lading; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Inhabitants of the new Foreſt of Sothampton.

CAP. XXI.

An Act for preventing the unneceſſary Charge of Sheriffs, and for Eaſe in paſſing their Accounts.

Whereas the Office of Sheriff as well by reaſon of the great and unneceſſary Charges in the time of Aſſiſes, and other publick meetings, as by the tedious attendance and charge of Sheriffs in paſſing of their Accounts in the Exchequer, hath of late years been very burthenſome to the Gentry of this your Realm, who in the late times of Tyranny and Oppreſſion have been great Sufferers, and thereby much impoveriſhed in their Eſtates and Fortunes; For remedy wherein, your Majeſties moſt Loyal Subjects, the Knights, Citizens and Burgeſſes aſſembled in Parliament, do moſt humbly beſeech your moſt excellent Majeſty, that it may be declared and enacted, (2) and be it declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons being duly ſworn into the Office of Sheriff for any County or Shire within this your Majeſties Realm, ſhall from and after the firſt day of February next enſuing, in the time of the Aſſiſes held for the ſaid County or Shire during his or their Sheriffalty, keep or maintain, or cauſe to be kept or maintained one or more Table or Tables, for receipt of entertainment of any perſon or perſons reſorting to the ſaid Aſſiſes, other than thoſe that ſhall be of his own Family or Retinue; (3) nor ſhall make, or ſend in any Preſent to any Judge or Judges of Aſſiſe for his or their Proviſion, nor give any Gratuity to his or their Officers or Servants, or any of them; (4) And alſo that no Sheriff ſhall from and after the ſaid firſt day of February, have more then forty Men-ſervants with Liveries attending upon him in the time of the ſaid Aſſiſes, nor under the number of twenty Men-ſervants in any County whatſoever within the Kingdom of England, nor under the number of twelve Men-ſervants in any County within the Dominion of Wales, (5) and upon pain that every Sheriff offending in any of the premiſſes contrary to the true meaning hereof, ſhall forfeit for every default the ſum of two hundred pounds.

Sheriffs at the Aſſizes may keep no tables for others then of their own Family and Retinue.

Nor make no preſent or gift to any Judge of Aſſize.

The number of Servants with Liveries in England. Wales.

Penalty of 200. l.

II. Provided that nothing before in this Act contained ſhall in any wiſe extend unto, or any ways concern the Sheriffs of the City of London and Middleſex, and the Sheriff of Weſtmerland, or either of them, or any of the Sheriffs of or belonging to any City and County, or Town and County within this Realm; but that the ſame Sheriff or Sheriffs ſhall or may

Proviſo for Sheriff of London, Middleſex, Weſtmerland, and Cities and Counties.

do as heretofore hath been uſed or accuſtomed within the ſaid County of Middleſex, and Cities of London and Weſtminſter, and ſuch other Cities and Counties, or Towns and Counties aforeſaid; Any thing herein before contained to the contrary in any wiſe notwithſtanding.

How Sheriffs ſhall be eaſed in paſſing their Accounts in the Exchequer.

III. And to the end that Sheriffs may for the time future be eaſed of the great charge and trouble which they heretofore have been put to in paſſing their Accounts in the Exchequer, occaſioned partly in regard that divers ſums of money have ſtood charged upon them in groſs, without expreſſing from what perſons, for what cauſe, or out of what lands or tenements the ſame are to be particularly levied, or out of what particulars the ſaid ſums in groſs do ariſe (whereby it cometh to paſs that the ſaid Sheriffs do ſtill ſtand charged in groſs with divers ſums of money, which were heretofore payable by Abbots, Priors, perſons attainted, and ſuch other perſons, whoſe Eſtates have ſince come to the Crown, or are otherwiſe diſcharged or illeviable) and partly by the Account of Seizures or Foreign Account, and by the exaction of undue Fees of Sheriffs upon their appoſal concerning the ſame:

Seizures of lands remaining charged Michaelmas, 1660.

Seizure hereafter taken or returned.

Fees to the Remembrancers.

Sheriffs ſhall not anſwer illeviable Seizures, Farm, Rents, &c.

IV. For the preventing whereof, and for the future eaſe of Sheriffs in paſſing their Accounts, be it enacted and declared, That from henceforth every Seizure for or concerning any lands, tenements and hereditaments now remaining charged in the Foreign Account of any Sheriff or Sheriffs within the Kingdom of England for the year ended at Michaelmas, One thouſand ſix hundred and ſixty, ſhall be from the ſaid Foreign Account charged particularly in the great Roll of the Exchequer; (2) and that the ſeveral Remembrancers of the ſaid Court, or their reſpective Deputies, do in their reſpective Offices forthwith, and ſo from time to time for the future, write and make true and perfect Copies of all and every ſuch other Seizure and Inquiſition as already are, or hereafter ſhall be certified into their reſpective Offices, without certifying the Copy of the Writ, or Commiſſion at large upon which ſuch Seizure or Inquiſition is, or ſhall be ſo taken and returned, mentioning only in brief the Date of the ſaid Writ or Commiſſion, and ſhall deliver the ſaid Copies well and truly examined and atteſted under his or their Hands, to the Engroſſer of the ſaid great Roll; (3) and that all ſuch of the ſaid Seizures and Inquiſitions as now are returned into any of their reſpective Offices ſhall be delivered before the firſt day of February next coming: And that all ſuch other Seizures as ſhall hereafter be returned, or certified into their reſpective Offices, ſhall be delivered ſo examined and atteſted as aforeſaid, to the ſaid Engroſſer before the firſt day of the next Term after the ſaid Remembrancers ſhall have received the ſame, ſo as the ſame may be charged in the great Roll, to the end that the Proceſs of the Court may from thence iſſue for levying the Iſſues and Profits thereof to the uſe of the Crown, (4) unto which ſaid Remembrancers, or their Deputies, ſhall be from time to time paid for every Sheet which they, or their reſpective Clerks ſhall ſo write and deliver, the ſum of eight pence, the ſame to be paid unto them by the aforeſaid reſpective Sheriffs, who ſhall be allowed the ſame by the Barons upon their reſpective Accounts, out of the Iſſues and Profits ariſing out of the Premiſſes ſo ſeized, (5) and no Sheriff or Sheriffs for this preſent year, One thouſand ſix hundred ſixty and one, nor any Sheriff or Sheriffs to be hereafter made or appointed within this Kingdom of England, ſhall be charged in Account to anſwer any illeviable Seizure, Farm, Rent or Debt, or other Seizure, Farm, Rent, Debt, matter or thing whatſoever, which was not writ in Proceſs to him or them to be levied, wherein the perſons of whom, or the lands or tenements out of which, together with the cauſe for which the ſame ſhall be ſo levied, ſhall be plainly and particularly expreſſed, but ſhall be thereof wholly diſcharged without Petition, Plea, or other trouble or charge whatſoever.

Seizures before 1 Jac. and divers others, to be left out of the Sheriffs Account.

V. And it is hereby further enacted and declared, That all Seizures heretofore made before the firſt year of the Reign of the late King James of ever bleſſed memory, now remaining in the Accounts of the Sheriffs, and all Seizures and Debts which are pardoned, ſhall be, and are hereby fully diſcharged; and that the ſame and every of them ſhall hereafter be left out of Sheriffs Accounts without further Order, Plea, Petition or other Charge to any Sheriff or Sheriffs whatſoever; (2) and that no Proceſs ſhall from henceforth be written forth to any Sheriff for the levying of the ſame, or any of them, nor for any other Rent or Farm, which cannot be explained by ſetting forth the particulars thereof, or which have been unanſwered by the ſpace of forty years laſt paſt; (3) and that all other dead Farms and Seizures, and all deſperate, illeviable, and unintelligible Debts ſhall be removed out of the Annual Roll, and Sheriffs Charge, into the Exannual Roll, there to remain, until by Commiſſion they ſhall be revived and made anſwerable.

Proceſs for Debts to be ſent forth in convenient time.

The penalty upon Officers for doing any thing againſt this Act.

VI. And to the end, that all new Debts ariſing and coming into the Exchequer for the future may be ſent forth in Proceſs within convenient time, be it alſo enacted and declared, That the aforeſaid ſeveral Remembrancers do forthwith inrol and certifie to the ſaid Ingroſſer of the great Roll, all ſuch Debts as any Sheriff or Sheriffs of this Realm are, or hereafter ſhall be charged withall, either by virtue of their reſpective Returns made to the Barons of the ſaid Exchequer upon his Majeſties Writs of Fieri facias, Levari facias, Capias, or other Proceſs; (2) and alſo of all Fines and Amerciaments which are or ſhall be ſet and impoſed by the Court of Exchequer, upon any Sheriff or Sheriffs for his or their contempts or neglects; (that is to ſay) That all and every ſuch Debts, Fines and Amerciaments as now are returned, ſet or impoſed in any of the ſaid Offices, ſhall be delivered as aforeſaid, before the firſt day of February next enſuing: (3) And all ſuch Debts, Fines and Amerciaments as ſhall hereafter be returned, ſet or impoſed in any of the reſpective Offices, ſhall be alſo delivered by the firſt day of the next Term after ſuch Returns made, or ſuch Fines and Amerciaments ſo ſet or impoſed, (4) that ſo they may be all charged in the Sheriffs Accounts reſpectively, and comprehended within his or their Quietus eſt, (5) upon pain that every Officer or Officers in the ſaid Exchequer, who ſhall in any thing offend contrary to this preſent Act, ſhall forfeit the ſum of Forty pounds for every ſuch offence, whereof one moiety ſhall be to the King, his Heirs and Succeſſors, and the other moiety to the party or parties who ſhall be thereby agrieved, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection, Priviledge or Wager of Law ſhall be allowed or admitted.

VII. And it is hereby further provided and ordained, That no perſon ſhall be aſſigned to be Sheriff of any County within this Realm, except ſuch as have Lands within the ſame County ſufficient to anſwer the King and his people.

9 E. 2, St. Lincoln.
4 El. 1. cap. 9.
5 Ed. 3. cap. 4.

VIII. And whereas by an Act made in the One and twentieth year of the Reign of our late Sovereign Lord King James over England, It was provided, That whenſoever any Sheriff upon paſſing his Accounts, ſhould have his Quietus eſt, that he ſhould be thereby abſolutely diſcharged of all ſums of money by him levied and received, and pretended not to be accounted for within the ſaid Account, whereupon he had his Quietus eſt, unleſs ſuch Sheriff ſhould be called in queſtion for ſuch ſums of money ſo pretended to be levied, and not accounted for within four years after the time of ſuch Account, and Quietus eſt; which Act notwithſtanding, divers Sheriffs and their Heirs upon ſuch pretences, have been moleſted and troubled many years after their Accounts and Quietus eſt, and have had Proceſs ſent out againſt them, contrary to the true intent and meaning of the ſaid Act; (2) It is hereby further provided and enacted, That when any Sheriff or Sheriffs within the Kingdom of England, or Dominion of Wales, upon paſſing their Accounts, ſhall have their Quietus eſt, that then ſuch Sheriff and Sheriffs, their Heirs, Executors and Adminiſtrators, Lands, Tenements, Goods and Chattels, ſhall be thereby abſolutely diſcharged of all manner of ſum or ſums of money whatſoever by them levied and received, notwithſtanding any ſuch pretence that the ſame were not accounted for, or other pretence whatſoever, unleſs ſuch Sheriff or Sheriffs ſhall be called in queſtion, and that Judgment ſhall be given againſt him or them for the ſame within four years next after ſuch Account, or Quietus eſt; (3) and that every Officer or Miniſter by whom, or by whoſe default any Writ or Proceſs contrary to this Act ſhall be ſent out, ſhall incur the like forfeitures and penalties, to be recovered and inflicted by ſuch perſons, and in ſuch manner as by the aforeſaid Act is provided.

21 Jac. cap. 5.

A Quietus eſt to be a ſufficient diſcharge for a Sheriff, if not queſtioned within four years after grant thereof.

IX. Provided always, That this Act or any thing therein contained, ſhall not extend to the Counties of Cheſter, Lancaſter, Durham, or the Counties of Wales, being County-Palatines, as to their manner of accounting; but that the Sheriffs therein ſhall account as formerly before the reſpective Auditors only, and not elſewhere.

Cheſter, Lancaſter, Durham, Wales.

X. Provided, That this Act or any thing therein contained, ſhall not extend to enjoyn his Majeſties Remembrancer, or the Lord Treaſurers Remembrancer, to tranſcribe and deliver to the Ingroſſer of the great Roll, any Inquiſitions or Seizures, but ſuch as have been formerly charged in the Foreign Accounts of the Sheriffs; (2) but for all Inquiſitions upon Attainders, or other Forfeitures to the Crown, the ſame ſhall be put in charge as heretofore they have been, according to the conſtant Uſage and Decree of the Court of Exchequer; (3) nor ſhall this Act, or any thing therein contained, extend to exclude his Majeſties ſaid Remembrancer of, or from the writing forth Proceſs for, or upon any his Majeſties Debts, Duties, Outlawries, or other charge whatſoever, or Proceſs of Levari facias, at the proſecution of any perſon or perſons, to levy the Iſſues or Profits of any lands or tenements ſeized, or to be ſeized into the Kings hands, or Proceſs of Venditioni exponas for Goods ſeized or to be ſeized upon any Debt to his Majeſty, his Heirs or Succeſſors, or upon any Outlawry, or to alter or change the Pleadings, or other Proceedings heretofore uſed and accuſtomed in the ſaid Office upon any Pleadings, touching the ſaid Debts, Duties and Seizures, or any of them whatſoever; (4) and that no Debt, Duty, Fine, Amerciament or Seizure whatſoever, which ſhall be charged in the ſaid great Roll of the Pipe upon any perſon whatſoever, by or from any Record, Proceſs or Proceeding had, made, filed, or recorded in the Office of his Majeſties Remembrancer of his Exchequer, nor any Proceſs or Proceeding thereupon to be had or made by virtue of this Act, ſhall be reſpited, ſtayed, mitigated, extenuated, compounded, or otherwiſe diſcharged, but by Order, Warrant or Judgment made, filed or entred in the ſaid Office of his Majeſties Remembrancer, where the original of ſuch Debt, Duty, or Charge as aforeſaid, is, and remaineth; (5) and that in caſe any Proceſs of Summons of the Pipe have been, or ſhall be awarded for, or upon any ſuch Debt, Duty, Fine, Amerciament, or Seizure whatſoever, and the ſame Debt, Duty, Fine, Amerciament or Seizure, ſhall not upon ſuch Summons of the Pipe, be levied or anſwered unto his Majeſty, That then the Clerk of the Pipe, or Engroſſer of the great Roll, ſhall the next Term after the return of ſuch Summons, certifie the ſame in a Schedule into the Office of his Majeſties Remembrancer aforeſaid, to the end that further Proceſs may be from thence written forth, for the levying and anſwering thereof; (6) and that this Act, or any thing therein contained, ſhall not extend unto, nor be conſtrued to be prejudicial to his Majeſties Remembrancer in his Exchequer, in any juſt, ancient and lawful Fees by him claimed, or belonging, or incident to his Office, and uſually had and received by him or his predeceſſors; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Proviſo touching the Kings Remembrancer. Lord Treſurers Remembrancer.

XI. This Act to continue to the end of the firſt Seſſion of the next Parliament, and no longer.

The continuance.

CAP. XXII.

An Act for preventing of Theft and Rapine upon the Northern Borders of England.

Whereas a great number of lewd, diſorderly, and lawleſs perſons, being Thieves and Robbers, who are commonly called Moſs-Troopers, have ſucceſſively for many and ſundry years laſt paſt, been bred, reſided in, and frequented the Borders of the two reſpective Counties of Northumberland and Cumberland, and the next adjacent parts of Scotland, and they taking the opportunity of the large waſte Grounds, Heaths and Moſſes, and the many intricate and dangerous ways and by-paths in thoſe parts, do uſually, after the moſt notorious Crimes committed by them, eſcape over from the one Kingdom into the other reſpectively, and ſo avoid the hand of Juſtice, in regard the offences done and perpetrated in the one Kingdom, cannot be puniſhed in the other.

II. And whereas ſince the time of the late unhappy diſtractions, ſuch Offences and Offenders as aforeſaid, have exceedingly more increaſed and abounded, and the ſeveral Inhabitants of the ſaid reſpective Counties have been for divers years laſt paſt neceſſitated at their own free and voluntary charge, to maintain ſeveral Parties of Horſe for the neceſſary defence of their perſons, families and goods, and to the end the aforeſaid evil and pernicious members might be apprehended and brought to judgment; (2) And whereas the moſt part of the Inhabitants of the ſaid Counties being more remote from the Borders then other parts, and conſequently not ſo much expoſed to imminent dangers as others, are therefore unwilling to contribute their proportionable parts of the aforeſaid Charge, and yet notwithſtanding it cannot probably or poſſibly be avoided, but that thoſe Inhabitants of the reſpective Counties who hold themſelves moſt ſecure, muſt certainly ſuſtain much damage and detriment in their Goods and Eſtates, in caſe the aforeſaid Moſs-Troopers be not timely ſuppreſſed, but ſuffered to grow numerous, ſtrong and potent, which they needs muſt do in caſe there be no reſtraint upon them; (3) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority thereof, That from and after the Feaſt of St. Michael the Archangel, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, for and during the term of Five years next enſuing the date of this preſent Act, it ſhall and may be lawful for the reſpective Juſtices of Peace of the ſaid reſpective Counties, or the major part of them, at any General Seſſion of the Peace to be holden for the ſaid Counties reſpectively on the behalf of the ſaid Counties or either of them, from time to time as they ſhall ſee occaſion, to make an Order in open Court of Seſſions for charging, according to their ſeveral proportions, all, and every the ſeveral Inhabitants of the ſaid reſpective Counties, for the ſafeguard and ſecuring of the ſaid ſeveral Counties and Inhabitants thereof, from all injury, violence, ſpoil and rapine of the Moſs-Troopers aforeſaid.

III. Provided, That the ſaid County of Northumberland be not by force of this Act at any time charged above the ſum of Five hundred pounds in the year; nor the ſaid County of Cumberland charged above the ſum of Two hundred pounds in the year: (2) And for this end and purpoſe, the ſaid ſeveral Juſtices of Peace of the reſpective Counties aforeſaid, are hereby impowred and authorized at the General Quarter Seſſions aforeſaid, to appoint and imploy from time to time, if occaſion require, any perſon or perſons to have the Conduct and Command of a certain number of men not exceeding the number of thirty men in the County of Northumberland, and twelve in the County of Cumberland, whereby the Malefactors aforeſaid may be ſearched out, diſcovered, purſued, apprehended, and brought to trial of the Law: (3) And all and every the ſaid Juſtices of Peace of the reſpective Counties aforeſaid, or the major part of them, at any General Seſſion of the Peace to be holden for the ſaid Counties, or either of them reſpectively, are hereby further impowred and authorized by force of this preſent Act, to make, and iſſue forth their reſpective Warrants under their hands for the levying and collecting any ſum or ſums of Money ordered to be paid for and towards the ſafeguard and ſecuring of the ſaid Counties reſpectively as aforeſaid, and to give full power to the ſeveral Conſtables and other Officers to raiſe, levy and collect the ſaid Money, and all and every the Inhabitants of the ſaid ſeveral Counties, according to their reſpective proportionable Eſtates in Lands or Goods, by diſtreſs and ſale of Goods, rendring the overplus, if there be any, to the reſpective Owner or Owners: (4) And the ſaid Juſtices of Peace in the ſaid ſeveral Counties, or any one of them reſpectively, are hereby alſo authorized to examine any complaint made againſt the Collectors and Conſtables, or any other Officers or Miniſters of Juſtice whatſoever, or any of them, or any other refractory perſon or perſons whatſoever, that at any time hereafter ſhall refuſe, neglect or fail to give obedience to this Act, or ſhall do any act or acts in diſturbance or obſtruction thereof, and to bind over ſuch perſon or perſons to the next Quarter Seſſions, according to the known Laws of the Land, to the end ſuch perſon or perſons may be proceeded withall according to Juſtice.

IV. And the ſaid reſpective Juſtices of Peace as aforeſaid, are hereby further impowred and authorized on behalf of the ſaid ſeveral Counties reſpectively, to appoint a Treaſurer to receive from the ſaid Collectors the Moneys by them collected, and to pay over the ſame according to the Orders they ſhall receive from the ſaid Juſtices at the General Seſſions of the Peace to be holden for the ſaid reſpective Counties: (2) And the ſaid Juſtices are alſo impowred to agree and article with ſuch perſon or perſons yearly, as they ſhall think fit to imploy in the ſaid Service, and to take ſufficient ſecurity of them for the faithful and moſt effectual performance thereof, for the beſt ſafeguard, advantage and benefit of the people, according to the true intent and meaning of this Act.

V. And in caſe any perſon or perſons ſhall in purſuance of this Act be imployed in the Border-Service, and ſhall at any time hereafter wilfully and corruptly, or for any ſiniſter reſpect whatſoever, neglect or forbear to diſcover or apprehend, or to bring to Trial any of the ſaid perſons called Moſs-Troopers as aforeſaid, and ſhall be convicted thereof according to Law, he or they ſhall from thenceforth be diſabled, and made uncapable for ever to manage or take upon him or them the ſaid Imployment, and to ſuffer ſuch Fine and Impriſonment, according to the quality of his or their offence, as the Juſtices of Peace at their General Seſſions ſhall think fit to inflict.

VI. Provided nevertheleſs, and be it hereby declared, That it ſhall be lawful for the Juſtices of Peace of either of the ſaid Counties as aforeſaid reſpectively, at any time hereafter, to moderate or leſſen the ſaid Charge, if they ſee cauſe.

VII. Provided, That this Act ſhall continue and be in force for five years and no longer.

VIII. Provided always, and be it further enacted by the authority aforeſaid, That for better ſuppreſſion and puniſhment of the ſaid Moſs-Troopers flying out of England into Scotland, or out of Scotland into England, the Statutes made in the ſeveral Seſſions of Parliament, in the Fourth and Seventh years of King James, ſhall be revived and put in execution according to their true intent. 18 Car. 2. cap. 3. Continued for ſeven years from the expiration of this Act.

4 Jac. cap. 1.
7 Jac. cap. 1.

CAP. XXIII.

An Additional Act concerning matter of Aſſurance uſed amongſt Merchants.

WHereas by an Act of Parliament made in the Three and fortieth year of the Reign of Queen Elizabeth of happy memory, entituled, An Act concerning matters of Aſſurances uſed amongſt Merchants; The Parliament then taking into conſideration, by all good means to comfort and encourage the Merchants of this Kingdom, thereby to advance and encreaſe the Wealth of this Realm, her Majeſties Cuſtoms, and the ſtrength of Shipping, and for preventing of divers miſchiefs in the ſaid Act mentioned; It was enacted, That it ſhould and might be lawful for the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, to award forth under the Great Seal of England, one general or ſtanding Commiſſion to be renewed yearly at the leaſt, and otherwiſe ſo often as unto the Lord Chancellor or Lord Keeper ſhould ſeem meet, for the hearing and determining of Cauſes ariſing on Policies of Aſſurance, ſuch as then were, or then after ſhould be entred within the Office of Aſſurance of the City of London; (2) which Commiſſions ſhould be directed to the Judge of the Admiralty for the time being, the Recorder of London for the time being, two Doctors of the Civil Law, two Common Lawyers, and eight grave or diſcreet Merchants, or any five of them; (3) which Commiſſioners, or the greater part of them which ſhould ſit and meet, ſhould have full power and authority to hear, examine, order and decree all and every ſuch cauſe and cauſes, in a brief and ſummary courſe without formalities of pleadings or proceedings, with power to warn parties to come before them, and to examine upon Oath any Witneſſes that ſhould be produced, and to commit to priſon any perſon that ſhould wilfully diſobey their final Orders and Decrees; (4) and the Commiſſioners to ſit once weekly upon the Execution of the ſaid Commiſſion, with a liberty in the ſaid Act for any perſon grieved by any ſuch Sentence or Decree, to exhibit his Bill in Chancery for the re-examination of ſuch Sentence or Decree, as by the ſaid Act, relation being thereunto had, more at large may appear: (5) But foraſmuch as by the ſaid recited Act, without five Commiſſioners there cannot be a Court, and without there be a Court, they cannot proceed in the execution of their Commiſſion, ſo much as to ſummon Parties or Witneſſes to appear; and in caſe of neglect or refuſal of any Party or Witneſs to appear, they have no power to puniſh the delay or contempt with Coſts, or otherwiſe; (6) and it is provided by the ſaid Act, That not any Commiſſioner, other then the Judge of the Admiralty, or the Recorder of London, ſhall proceed in the execution of ſuch Commiſſion, before he hath taken his Oath before the Lord Mayor and Court of Aldermen, to proceed uprightly and indifferently between party and party, which upon the renewing of the ſaid Commiſſion, often proves a great delay, there being ſo many Commiſſioners to be ſworn, and the Court of Aldermen not ſitting at ſometimes of the year, when the ſaid Commiſſioners have happened to be renewed; (7) and although the ſaid Commiſſioners upon their final Sentence have power to commit to priſon any perſon that ſhall wilfully diſobey their ſaid Sentences or Decrees, yet they have no power to make any Order againſt the Ship or Goods, which commonly are the things aſſured, (8) by which Omiſſions, for want of power given by the ſaid Act, the benefits intended by the ſaid Act of Parliament are much retarded, and the miſchiefs by the Act endeavoured to be prevented, much increaſed.

43 E. cap. 12.

Encouragements of Merchants and Trade.

II. For remedy whereof, Be it enacted and ordained, and it is hereby enacted and ordained by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That from and after the four and twentieth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, it ſhall and may be lawful, to and for the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, to Iſſue out yearly (or oftner if need require) one ſtanding Commiſſion under the Great Seal of England, thereby impowring and authorizing the ſaid Commiſſioners, or any three of them (whereof a Doctor of the Civil Law, or a Bariſter at Law of five years ſtanding at the leaſt, to be always one) to meet and ſit, and make a Court, and proceed in all things in the execution of the ſaid Commiſſion as before the ſaid Act any five might have done; (2) and that the ſaid Commiſſioners, or any ſuch three of them as aforeſaid, be and hereby are impowred to ſummon Parties and Witneſſes to appear, and in caſe of contempt or wilful delay in the Witneſſes upon the firſt Summons and tender of reaſonable Charges, and in the Parties upon their ſecond Summons, to puniſh the Offenders by Impriſonment or Coſts for ſuch time, and in ſuch manner as ſhall be reaſonable, and according to the nature and quality of their Offences; (3) and that it ſhall and may be lawful to and for every ſuch Commiſſioner, to proceed in the execution of the ſaid Commiſſion, having firſt taken an Oath before the Lord Mayor of the City of London for the time being only, to proceed uprightly and indifferently between party and party; and the ſaid Lord Mayor is hereby authorized to give ſuch Oath; Any thing in the ſaid Act to the contrary notwithſtanding: (4) And that no perſon ſhall proceed in Execution of the ſaid Commiſſion, before he be firſt Sworn before the Lord Mayor of London for the time being, to proceed uprightly and indifferently between party and party, as formerly he ſhould have been before the Lord Mayor and Court of Aldermen.

Three Commiſſioners impowred to act.

Coſts.

Lord Mayor of London may adminiſter the Oath.

III. Be it alſo enacted by the authority aforeſaid, That in caſe the ſaid Commiſſioners, or any ſuch three of them as aforeſaid, ſhall find cauſe to examine Witneſſes beyond the Seas, or any remote parts of his Majeſties Dominions, for the clearing of any doubt or matter before them depending, that in ſuch caſe by direction of the ſaid Commiſſioners, or any ſuch three of them, like Commiſſions or Proceſs ſhall iſſue out of the Court of Admiralty, as have formerly been for the purpoſes aforeſaid, returnable before the ſaid Commiſſioners; (2) and that the ſaid Commiſſioners, or any ſuch three of them, ſhall have alſo power to give and paſs their final Sentence, Decree and Executions, as well againſt the body of the party evicted, or his goods, as alſo againſt the executors and adminiſtrators of ſuch party evicted; and to aſſeſs Coſts of Suits upon ſuch perſon or perſons as ſhall be condemned by the Decree of the ſaid Court, as to them ſhall ſeem juſt.

Commiſſions out of the Admiralty Court to examine Witneſſes beyond Seas.

IV. And

Witneſſes going to Sea, whom to be examined before.

IV. And foraſmuch as many Witneſſes (as Sea-men and others) come and ſpeedily go again to Sea, before a Court can be ſummoned, by which means the Aſſurer and Aſſurers are many times much dammified; (2) For the preventing of which miſchief, be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any one of the ſaid Commiſſioners to Adminiſter an Oath to any Witneſs legally ſummoned to give teſtimony, (timely notice being thereof given to the adverſe party, and ſet up in the Office before ſuch examination) to the end ſuch Witneſs or Witneſſes may be croſs-examined.

Appeal to the Chancery.

V. Provided always, That the ſaid Commiſſioners ſhall in no wiſe proceed both againſt perſons and goods, for one and the ſame Debt; (2) And provided alſo, That any thing in this Act contained, ſhall not in any wiſe extend to prejudice the Appeal to the High Court of Chancery given or allowed in the ſaid former Act of Parliament.

C A P. XXIV.

An Act Declaratory concerning Bankrupts.

Whereas divers Noblemen, Gentlemen and perſons of Quality, no ways bred up to Trade or Merchandize, do oftentimes put in great ſtocks of Money into the Eaſt-India Company, or Guiney Company, and the Fiſhing Trade, and ſuch other publick Societies, and receive the proceed of thoſe ſtocks ſometimes in ready Moneys, ſometimes in Commodities which they uſually ſell for Money, or exchange again, by which means the Trade of thoſe Companies is much incouraged, Fiſhing and Navigation increaſed, and the publick good of thoſe Companies is much advanced.

34 H. 8. cap. 4.
13 El. cap. 7.
1 Jac. cap. 15.
21 Jac. cap. 19.
March. 31.

II. Notwithſtanding which great advantage to the publick, there hath been lately ſome opinion conceived that ſuch perſons may, and ought to be made ſubject to the Statutes provided againſt Bankrupts;

III. For the better declaring and explaining the Law therein, and to the end ſuch perſons may not be diſcouraged in thoſe Honourable Endeavours for promoting publick Undertakings, (2) Be it declared and enacted by the Kings moſt excellent Majeſty, with the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons whatſoever, who have adventured, or put in, or who hereafter ſhall adventure, or put in any ſum or ſums of Money in the ſaid Eaſt-India Company, or Guiney Company, or into any joynt Stock or Stocks of Money by them, or either of them made, or raiſed, or to be made and raiſed, for and towards the maintaining and carrying on the Trade by the ſaid Eaſt-India Company, or Guiney Company, managed, or to be managed, or who have formerly, or ſhall hereafter adventure or put in any ſum or ſums of Money into any Stock or Stocks of Money, for the managing and carrying on of the ſaid Fiſhing Trade, or the Trade now called the Royal Fiſhing Trade, and ſhall receive and take his or their part, or dividing of Fiſh, Goods or Merchandizes in Specie, and ſhall ſell or exchange the ſame, ſhall for or by reaſon only of ſuch adventure of Moneys ſo put into the ſaid Eaſt-India Company, or Guiney Company, or into any Stock or Stocks, for and towards the ſaid Fiſhing Trade, or for, or by reaſon only of the receiving and taking ſuch Fiſh, Goods and Merchandizes in Specie, or ſelling for Money, or exchanging the ſame again, be adjudged, taken, eſteemed or reputed a Merchant or Trader within any Statute or Statutes for Bankrupts, or be liable to the ſame.

No perſons for putting in money to the Eaſt-India or Guiney Company or the Fiſhing Trade, ſhall be eſteemed a Trader within the Statute of Bankrupts.

Proviſo for other trading.

IV. Provided always, and it is hereby declared, That every perſon or perſons who ſhall Trade, Traffique or Merchandize in any other way or manner, then in the ſaid Royal Fiſhing Trade, or the Trade managed by the ſaid Eaſt-India Company or the Guiney Company as aforeſaid, ſhall for and by reaſon of his and their Trading, Traffiquing and Merchandizing, be liable to Commiſſion and Commiſſions againſt Bankrupts, as fully to all intents and purpoſes, and not otherwiſe, as if this Act had never been made; Any thing in this Act to the contrary notwithſtanding.

The judgment concerning Sir John Wolſtenholme made void.

V. And be it further enacted, That a Verdict and Judgment in Replevin heretofore had or given in the Term of Eaſter, in the year One thouſand ſix hundred fifty three, in the Kings Bench, betwixt Phineas Andrews Plaintiff, Richard Woolward and William Meggs Defendants whereby Sir John Wolſtenholme Knight, an Adventurer in the ſaid Eaſt-India Company, was adjudged, and found liable to a Commiſſion of Bankrupts, only for and by reaſon of a ſhare he had in the joint Stock of the ſaid Company, and a pretended ſelling for Money part of the return which he had in Specie for his ſaid Adventure, ſhall be, and is hereby declared contrary to Law, and is hereby reverſed, and made void and null.

Proviſo for Purchaſers in the caſe of Sir John Wolſtenholme.

VI. Provided Always, and be it enacted, That no Act, Sale or Diſpoſition of any the Lands, Tenements, Hereditaments, Goods, Chattels, Debts or Credits of the ſaid Sir John Wolſtenholme, or any diſtribution of the ſame, or of any Money heretofore made or done by the Commiſſioners of Bankrupts or any claiming under them, or any of them by virtue or colour of any Commiſſion or Commiſſions taken out againſt the ſaid Sir John Wolſtenholme, and whereof any perſon or perſons is by virtue or colour of, or under any ſuch Act, Sale or Diſpoſition, Actually ſeized or poſſeſſed, ſhall be hereby impeached or fruſtrated, but that the ſame be enjoyed for and toward ſatisfaction of the Debts for which the ſame have been diſpoſed or diſtributed.

C A P. XXV.

An Act for reſtoring of all ſuch Advowſons, Rectories, Impropriate Glebe-lands and Tithes, to his Majeſties Loyal Subjects, as were taken from them, and making void certain charges impoſed on them upon their Compoſitions for Delinquency, by the late Uſurped Power.

Whereas many Loyal Subjects of our late Sovereign Lord King CHARLES the Firſt, and of the Kings Majeſty that now is, were upon pretence of Delinquency for adhering unto, and faithfully ſerving their ſaid Majeſties according to their Duty and Allegiance, enforced and conſtrained by the pretended Power of the Long Parliament,

liament not only to part with great ſums of money in ſatisfaction of the ſaid ſuppoſed Delinquency, but likewiſe to ſettle all, or part of ſuch advowſons, Rectories, Glebe-lands and Tythes, Eſtates and Terms, as they, or any in truſt for them, were then ſeized or poſſeſſed of, and to make Grants and Aſſurances of Rents and Annuities to and upon ſuch Truſtees as were appointed by the ſaid Long Parliament, as well for the augmentation of certain Vicarages, as for the uſe and maintenance of Preaching Miniſters and Lecturers, without any valuable conſideration given for the ſame, other then ſome abatement of thoſe exceſſive Fines impoſed on them for their pretended Delinquency, and exacted from them by thoſe Arbitrary Powers, to the impoveriſhing and undoing of many of the Kings moſt Loyal Subjects; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Grants, Feoffments, Bargains and Sales, Releaſes, Confirmations, and other Conveyances and Aſſurances in the Law, of any higher or lower nature whatſoever, had or made by any ſuch pretended Delinquents, their heirs, executors or adminiſtrators, or by any perſon having any Eſtate or Intereſt in Law or Equity in Truſt for them, or by any other perſon or perſons having any Eſtate or Intereſt joyntly, or in common with them, or in reverſion or Remainder after them, to any perſon or perſons, bodies politick or corporate, of any ſuch Advowſons, Rectories Impropriate, Glebe lands, Tythes, Eſtates, Terms, Annuities and Rents as aforeſaid, to or for the uſes aforeſaid, as part or in full of their Compoſitions for ſuch pretended Delinquency as aforeſaid, and all Securities touching or concerning the ſame only, be and are hereby adjudged from henceforth null and void in Law to all intents and purpoſes whatſoever; Saving to all perſons other then the ſaid Truſtees and their heirs, and all claiming under them, all right to the ſaid Rectories and Premiſſes as hath accrued unto them before the nineteenth day of May, One thouſand ſix hundred ſixty and two.

All Eſtates made by pretended Delinquents of Advowſons, Rectories, &c. for Compoſitions, made void.

Saving other Rights.

II. And be it further enacted by the authority aforeſaid, That all Tenants, Leſſees and Occupiers of all ſuch Advowſons, Rectories Impropriate, Glebe-lands, Tythes, and Premiſſes ſo granted or ſetled, to or upon ſuch Truſtees as aforeſaid, for the uſes or purpoſes aforeſaid, ſhall pay all ſuch Rents as ſhall hereafter grow due and payable to ſuch perſons only unto whom the Right and Intereſt of and in the ſame Advowſons, Rectories, Glebe-lands, Tythes and Premiſſes before the ſaid Conveyances or Aſſurances (intended to be annulled and made void by this preſent Act) did or ſhould of right belong or appertain.

How Tenants and Leſſees under ſuch Eſtates ſhall pay their Rents.

III. And whereas the ſaid Conveyances and Aſſurances in and by this Act intended to be made void, were ſome of them of Eſtates in Fee-ſimple, and ſome of them long Terms for years made to Truſtees, who Re-demiſed the ſame at and under ſuch yearly Rents and ſums of Money as were then appointed to be the Augmentation of certain Vicarages, or maintenance for Preaching Miniſters, ſince which time, many of the Rectories and Lands ſo conveyed and leaſed have been abſolutely ſold, and the Re-demiſes thereof granted and aſſigned by the Owners thereof, for the Benefit of ſuch purchaſers, (2) Be it further enacted and ordained by this preſent Parliament, and by the authority of the ſame, That the ſaid Purchaſers, their heirs and aſſigns, ſhall pay and the ſaid former Owners of the ſaid Lands and Rectories, their executors, adminiſtrators and aſſigns, ſhall have, hold and enjoy the ſaid Rents and Sums of Money ſo reſerved (for the Augmentation of the ſaid Vicarages, and maintenance for Preaching Miniſters) upon the ſaid ſeveral Re-demiſes, and ſhall have the ſame, and the like remedies by Diſtreſs, or by Action of Debt, for the recovery thereof, as the ſaid Truſtees who Re-demiſed the ſame, ſhould or might have had, if this Act had not been made.

Rents and ſums appointed for augmentation of certain Vicarages.

CAP. XXVI.

An Act for reforming of the Abuſes committed in the Weight and falſe Packing of Butter.

FOraſmuch as Butter is one of the principal Commodities of the product of this Kingdom, and is not only of an univerſal uſe and expence at home, but very great quantities thereof are tranſported beyond the Seas; (2) And whereas, by Cuſtom time out of mind uſed, every Kilderkin of Butter ought to weigh One hundred thirty and two pounds groſs at the leaſt; that is to ſay, One hundred and twelve pounds of Neat Butter, and the Cask Twenty pounds: (3) The Firkin of Butter ought to weigh Sixty and four pounds, viz. Fifty and ſix pounds of good and Merchantable Butter Neat, and the Cask eight pounds; (4) and the Pot of Butter ought to weigh twenty pounds viz. Fourteen pounds of good and Merchantable Butter Neat, and the Pot ſix pounds: (5) And whereas great complaint hath been made by the Traders in Butter and Cheeſe, That by the fraudulent dealing and practice of ſeveral Farmers, Owners and Packers of Butter, and by their irregular manner of weighing with Stones, Iron-Wedges, Bricks, and other unwarrantable Weights, the ſame quantities of Butter are not put up into the reſpective Cask and Pots aforeſaid, and the Kilderkin is commonly made to weigh ſix and twenty pounds, and ſometime eight and twenty pounds, and the Firkin to weigh ten pounds or twelve pounds, and ſometimes thirteen or fourteen pounds weight, and the Pots are made generally to weigh ſeven pounds, and ſome of them eight pounds or nine pounds weight, (6) and much bad and decayed Butter is mixed, and packed up into Kilderkins, Firkins, and other Casks and Pots, with ſound and good Butter, and immoderate quantities of Salt intermixed to the ſpoil of the ſame, and to the great wrong and abuſe of his Majeſty in the victualling of his Navy, of Merchants in the victualling of their Ships, and of all Traders in the ſaid Commodity, and of all Houſholders who buy the ſame for their expence, and to the great diſhonour of the Engliſh Nation, in the parts beyond the Seas, and to the bringing of the ſaid Commodity into great diſrepute abroad, whereby it yields not that price, nor is vented there in ſuch quantities as otherwiſe it ſhould.

The contents of a Kilderkin of Butter.

The Firkin.

The Pot.

II. For

A Kilderkin of Butter ſhall contain 112 l. beſides the Caſk.
The Firkin 56 l.
The Pot 14 l.
No old Butter ſhall be mixed with new.
Nor Whey-Butter.
The penalty.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That from and after the firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, every Kilderkin of Butter do and ſhall contain One hundred and twelve pounds Neat, or above, every pound containing ſixteen ounces beſides the Tax of the Caſk, and not leſs, of good and Merchantable Butter: (2) Every Firkin of Butter do and ſhall contain fifty ſix pounds Neat, or above, beſides the weight of the Caſk, of good and Merchantable Butter; (3) and every Pot of Butter do and ſhall contain fourteen pounds Neat, or above, beſides the weight of the Pot, of good and Merchantable Butter: (4) And that no Butter which is old or corrupt ſhall be mixed or packed up into any Kilderkin, Firkin or other Caſk, Veſſel or Pot whatſoever, with any Butter which is new and ſound; nor any Whey-butter ſhall be packed or mixed with any Butter that is made of Cream, but that the ſaid reſpective ſorts of Butter ſhall be packed up ſeverally and apart by themſelves, and ſhall not be mixed one with another; and that every Caſk or Pot of Butter ſhall be of one ſort and goodneſs throughout ſuch Caſk and Pot; (5) and that no Butter ſhall be ſalted with any great Salt, but that all Butter ſhall be ſalted and ſaved with ſmall Salt, nor more Salt ſhall be intermixed with it then ſhall be needful for its preſervation, (6) upon pain and penalty that every Owner, Farmer or Packer of Butter not putting up in each Kilderkin, Firkin and Pot of Butter to be ſold, or to be expoſed to ſale reſpectively, ſuch quantities as aforeſaid, or offending in falſe packing as aforeſaid, for every ſuch offence ſhall forfeit the value of all the Butter ſo falſe packed; (7) and for every offence where any Kilderkin, Firkin or Pot ſhall be found to contain a leſſer quantity of Butter then by this Act is appointed, ſix times the value of every pound of Butter that ſhall be wanting in any ſuch Caſk or Pot.

Cheeſe-mongers, and all ſellers of Butter by the Kilderkin, &c. ſhall deliver the full quantity to the Retailer.

III. And to the intent that the benefit intended by this Act may be extended with full effect to all perſons who do either cut out Butter by retail, or expend it, (2) Be it further enacted by the authority aforeſaid, That every Cheeſe-monger or other perſon whatſoever, which ſhall ſell to any perſon or perſons any Kilderkin or Kilderkins, Firkin or Firkins, Pot or Pots, or other Caſk or Butter made after the ſaid firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, ſhall deliver in every ſuch Kilderkin, Firkin, and other Caſk and Pot reſpectively, the full quantity and due quality appointed by this Act, and not leſs; or in default thereof, ſhall be liable to make ſatisfaction to him or them that buy the ſame, for what ſhall be wanting, according to the price for which the ſame was ſold.

None ſhall repack Butter.
The penalty.

IV. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, no Cheeſe-monger or other perſon or perſons whatſoever, ſhall repack for ſale any Butter in any Kilderkin, Firkin, or other Caſk or Pot whatſoever, (2) upon pain and penalty that every Cheeſe-monger or other perſon whatſoever which ſhall repack any Butter into any Kilderkin or Kilderkins, Firkin or Firkins, Caſk or Caſks, Pot or Pots, to ſell the ſame again, ſhall for every Firkin, Caſk or Pot ſo packed, forfeit the ſum of double the value of all ſuch Butter.

Farmers and other ſellers ſhall ſet their marks of the weight upon good and ſufficient Caſks, and their names.

V. And for the better diſcovery of all frauds and abuſes which ſhall be committed againſt this Act, Be it further enacted by the authority aforeſaid, That every Farmer and other perſon and perſons packing up Butter in Kilderkins, Firkins, or any other Caſk whatſoever, for ſale, do from and after the ſaid firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two, pack up his Butter into good and ſufficient Caſk, made of ſound, dry, and well ſeaſoned Timber, and ſhall ſet upon every Firkin and Caſk whatſoever, when the ſame is throughly and fully ſeaſoned in water, a continuing viſible Mark of the juſt weight of the empty Caſk, and do likewiſe ſet upon every Kilderkin, Firkin and Caſk when the ſame is filled with Butter, the firſt Letter of his or their Chriſtian Name, and his or their Sirname at length, with an Iron brand, (2) upon pain and penalty that every Farmer, or other perſon or perſons whatſoever offending in not putting on the Mark of ſuch weight of Kilderkin, Firkin or other Caſk after ſeaſoning, or not ſetting the firſt Letter of his or their Chriſtian Name, and his or their Sirname at length on every Firkin and Caſk as aforeſaid, ſhall for every ſuch offence reſpectively forfeit the ſum of Ten ſhillings for every hundred weight of Butter, and ſo proportionably for a greater or leſſer quantity that ſhall be in every ſuch Caſk.

Potters ſhall ſet their weight of every Pot burnt, and their names.
The penalty.
How to be diſpoſed.
Double coſts.

VI. And be it further enacted by the authority aforeſaid, That every Potter ſhall ſet upon every Pot which he ſhall ſell for packing up Butter, in the juſt weight which ſhall be in every ſuch Pot when it is burnt, together with the firſt Letter of his or their Chriſtian Name, and his or their Sirname at length, (2) upon pain and penalty that every Potter which ſhall not ſo do, ſhall forfeit and pay for every Pot which he ſhall expoſe to ſale for the uſe aforeſaid, whereupon he ſhall not have firſt ſet the juſt weight, and the firſt Letter of his Chriſtian Name, and his Sirname at length as aforeſaid, the ſum of one ſhilling, (3) and that no Farmer or other perſon whatſoever ſhall expoſe to ſale any Butter packed up in any other Pot then ſuch as ſhall be marked by the Potter as aforeſaid, upon penalty of Two ſhillings for every Pot of Butter which he ſhall expoſe to ſale as is not ſo marked; (4) all and every of which ſaid offences are to be enquired of, ſued for, heard and determined in the Seſſions of Peace for the County, City, Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty wherein ſuch offence ſhall be committed, by Action of Debt, Indictment, Information, or Preſentment, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed to the Defendant; (5) and the one half of all ſuch Forfeitures ſhall be to the uſe of the poor people inhabiting within the Pariſh where ſuch offence ſhall be from time to time committed, to be paid to the Churchwardens and Overſeers of the poor of and in ſuch Pariſh, and the other half to him or them that will ſue for the ſame, beſides his double Coſts thereby expended.

VII. Provided, That every Suit and Information which ſhall be brought upon this Act ſhall be commenced within four months after the ſale of ſuch Butter.

Within what time ſuit muſt be begun upon this Act.

CAP. XXVII.

An Act for Repairing of Dover Harbour.

Whereas it is found by long experience, That Dover Harbour is and hath been of very great uſe and benefit to the Merchants of this Realm, and others paſſing through the narrow Seas, whereunto they have, and do enter, to avoid imminent danger of Tempeſts, Pyrates, or the common Enemy in time of War; And whereas the ſaid Harbour of late by Tempeſts and the violence of the Sea, hath been much broken, ruined and decayed, and in great danger of being loſt, unleſs timely prevented by repairing thereof, which cannot be without great charges and expences, as well in the preſent Repair, as in the future maintenance of the ſame: whereof his Majeſty being informed, and minding the good and ſafety of Merchants and Sea-faring-men, hath of late of his Majeſties goodneſs and liberality, beſtowed a great ſum of mony in and about the Repairing of the ſaid Harbour, which yet is not ſufficient to carry on that work, and to ſecure it for the future:

II. And to the end that the ſame may be from time to time maintained and kept in good Repair for the uſe and benefit of Merchants, and Sea-faring-men, And that ſuch proviſion for the maintenance thereof may now be made, as by an Act of Parliament made in the firſt year of his Majeſties Grand-father King James of ever bleſſed memory, hath been formerly done and provided for; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Four and twentieth day of June next enſuing, during the ſpace of ſeven years then next following, there ſhall be paid by the Maſter or Owner of every Ship, Veſſel or Crayer, whereof any of his Majeſties Subjects of England ſhall be Owners, or Part-owners, of the burthen of twenty Tuns or upwards, and not exceeding the burthen of Two hundred and fifty Tun, for every Voyage, Loading or Diſcharging within this Realm, or to, or from any foreign Countrey beyond the Seas, and paſſing to, or from London, or for, from, to, or by Dover, or coming into the Harbour there, not having a Cocquet teſtifying his payment before for that Voyage towards the repair of Dover Harbour, the ſum of three pence for every Tun of the burthen of every ſuch Ship, Veſſel or Crayer, (except Veſſels loaden with Sea-coals, or Grind-ſtones, or Purbeck, or Portland-ſtone) and for every Chauldron of Sea-coals, or Tun of Grind-ſtones peny half-peny, the ſame to be paid to the Cuſtomer, or Collector of Cuſtoms or Subſidies, or their Deputies within this Realm, in ſuch Port from whence ſuch Ship, Veſſel or Crayer ſhall ſet forth, or where ſuch Ship, Veſſel or Crayer ſhall arrive, before they load or unload the Goods therein; (3) the account of the number of the ſaid Tuns to be made according to the entry of Goods in every Ship, Veſſel or Crayer in the Cuſtom-houſe, and no entry thereof to be allowed in any Office of Cuſtoms or Subſidies, without true information before made by Oath of the Maſter, Owner, or Shipper of ſuch Ship, Veſſel or Crayer, concerning the burthen thereof, and payment by him made of the ſums aforeſaid, of which payment the Maſter, Owner or Shipper paying the ſame, ſhall have allowance of the Merchants, according to the rate of the Goods in the ſame Ship, Veſſel or Crayer, by way of Average; (4) And the Cuſtomer or Collector, or his Deputy, receiving the ſums aforeſaid, or any of them, ſhall diſburſe and pay the ſame from time to time to the Treaſurer of the ſaid Harbour for the time being, or ſuch perſon or perſons as he ſhall aſſign to receive the ſame, to be expended in and about the repair of the ſaid Harbour; (5) And every Cuſtomer or Comptroller, or their Deputies, that ſhall make any Entries of Cuſtoms or Subſidies of any Goods in the ſaid Ships, Veſſels or Crayers, before ſuch Information as aforeſaid, concerning the burthen thereof, ſhall be made, or before payment made of the ſums before limited to be paid by this Act, or ſhall make any wilful default in not collecting the ſaid ſums, or any of them, or not paying the ſame over from time to time to the Treaſurer of the ſaid Harbour for the time being, or ſuch perſon or perſons as he ſhall aſſign to receive the ſame as aforeſaid, ſhall forfeit to the uſe of the reparations of the ſaid Harbour, ten pounds for every ſuch default, to be recovered by Action of Debt in any Court of Record, by the Warden and Aſſiſtants of the ſaid Harbour for the time being; in which Suit no Eſſoin, Protection or Wager of Law ſhall be allowed.

1 Jac. cap. 32.

Duties payable at and towards the repair of Dover Harbour.

III. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Maſter and Wardens of the Trinity-Houſe of London for the time being, to appoint ſuch perſon or perſons as they ſhall think fit, to inſpect and overſee the repairs and works to be made for the ſecurity of the ſaid Harbour; (2) And that they may once every year, during the term of ſeven years aforeſaid, require an account of the reſpective Collectors of the Duties aforeſaid, and the Treaſurer for the ſaid Harbour for the time being, of the Moneys by them reſpectively received by vertue of this Act, and of the diſburſements thereof: And if the ſaid Collectors and Treaſurers ſhall not within ſix weeks next after demand of ſuch Account, give in the ſame accordingly; or if thereupon it ſhall appear that the ſaid Money ſhall not be duly diſburſed in and about the ſaid Repair and the Works, for the ſecuring and maintenance of the ſaid Harbour, according to the intent of this Act, or if the ſaid Harbour ſhall within the time aforeſaid be ſufficiently repaired and ſecured, that then the ſaid Maſter and Wardens ſhall inform the Lords of his Majeſties Privy Council thereof, who ſhall and may thereupon, and to that purpoſe are hereby impowred to ſuſpend, or cauſe all and every further payments by vertue of this Act, to ceaſe and determine, if they ſhall ſee cauſe.

Who ſhall inſpect and overſee the repairs.

IV. Provided always, and be it enacted by the authority aforeſaid, That all Ships and Veſſels belonging to the Ports, of Weymouth and Melcomb-Regis, and Lime-Regis in the County of Dorſet, having a Piere and Cob of their own, (which by reaſon of their poverty at preſent

Proviſo for Ships belonging to Weymouth, Melcomb-Regis, Lime-Regis.

they are not able to maintain) ſhall be exempt from contributing or paying any thing to the Harbour of Dover mentioned in this Act; Any thing herein contained to the contrary notwithſtanding; ſo as they ſhall bring Certificate made upon Oath before the Mayor, and under the common Seal of the ſaid reſpective Corporations, that the ſaid Ships and Veſſels do properly belong thereunto; and that the Inhabitants of the ſaid reſpective Corporations are Owners of the major part of the ſaid Veſſels.

V. Provided always, and be it hereby enacted, That this Act or any thing herein contained, ſhall not extend to authoriſe the Collection of more than the ſum of twenty two thouſand pounds in the whole; and then the ſaid Collection to ceaſe.

CAP. XXVIII.

An Act for the Regulation of Pilchard Fiſhing in the Counties of Devon and Cornwall.

Fiſhery of great concernment to this Nation.

WHereas the publick Honour, Wealth and ſafety of this Realm, as well in the maintenance of Trade and ſupport of Navigation, as in many other reſpects, doth in an high degree depend upon the improvement and encouragement of the Fiſhery;

II. And foraſmuch as of late years there have divers pernitious diſorders and abuſes, by the licentiouſneſs of the times crept in, and yet continue evidently deſtructive to that Trade; For prevention and redreſs whereof, there is no Law hitherto particularly provided, in the growing evils occaſioned by Driving-nets, and other fraudulent and injurious practices to the extream damage of the Fiſhery: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and it is enacted by the authority aforeſaid, That from and after the five and twentieth day of May, One thouſand ſix hundred ſixty and two, no perſon or perſons ſhall in any year from the firſt day of June, till the laſt of November, preſume to take Fiſh in the high Sea, or in any Bay, Port, Creek or Coaſt of or belonging to Cornwall, or Devon with any Drift-net, Trammel or Stream-net or Nets, or any other Nets of that ſort or kind, unleſs it be at the diſtance of one League and an half at the leaſt from the reſpective Shores; (3) upon the penalty of forfeiture of the ſaid Nets, ſo imployed, or the full value thereof, and one months impriſonment without bail or mainprize.

Times prohibited to Fiſh in Cornwall and Devon.

Penalty.

III. And it is hereby enacted by the authority aforeſaid, That if any perſon or perſons being neither Owners, Partners or Adventurers in the Craft of Fiſhery, and in the Boats and Sayns thereunto belonging, or ſhall preſume from and after the day before limited, to make or cauſe to be made any Pilchards or Fumathoes in Caſk to be ſold or tranſported, except he or they ſhall openly buy the aforeſaid Fiſh of the reſpective Owners, Partners and Adventurers in the ſaid Pilchard Craft, or with their expreſs allowance, leave and conſent, that they ſhall in ſuch caſe forfeit all and ſingular ſuch Pilchards and Fumathoes ſo made, and every Caſk thereof, or their full value; the one half to the King, and the other half to him or them that ſhall ſo Sue for the ſame by bill, plaint or other information and upon legal proof recover the ſame.

Pilchards and Fumathoes to be bought of the Owners and Adventurers in Fiſhing.

IV. And be it further enacted, That if any Owner, Partner or Company, or any other perſon or perſons whatſoever, ſhall fraudulently purloyn, imbezel, hide, convey, carry away or diſpoſe by ſale or otherwiſe, or cauſe to be purloyned, imbezelled, hidden, conveyed, carried away or diſpoſed out of the Nets, Boats or Cellars, any Pilchard Fiſh, without the expreſs leave, conſent and allowance of the proper Owner, and major part of the Company reſpectively, that then every ſuch perſon and perſons that ſhall offend therein, upon legal evidence, ſhall pay treble the value in ſatiſfaction to the parties ſo wronged, and be ſent to the Houſe of Correction for three months.

Idle and ſuſpicious perſons flocking about Pilchard-boats, to depart upon warning.

V. And be it further enacted by the authority aforeſaid, That if any idle or ſuſpicious perſon or perſons ſhall in the night aſſemble and flock together about the Boats, Nets or Cellars belonging to any Pilchard-craft, upon any the coaſts of Cornwal or Devon, having no buſineſs there to do, and being warned by the Company or Owner of ſuch Boats or Cellars to be gone, that then upon complaint made unto any one Juſtice of the Peace, every ſuch perſon or perſons refuſing ſo to do, ſhall pay five ſhillings to the poor of the Pariſh where ſuch offence was committed, or ſhall be ſet in the Stocks for the ſpace of five hours.

CAP. XXIX.

An Act for the Reverſing of the Earl of Strafford his Atainder.

Treaſon. The reaſons and grounds of Repealing the Attainder

WHereas Thomas late Earl of Strafford was Impeached of High Treaſon, upon pretence of endeavouring to Subvert the Fundamental Laws, and called to a publick and ſolemn Arraignment and Trial before the Peers in Parliament, where he made a particular Defence to every Article objected againſt him; (2) inſomuch that the Turbulent party then ſeeing no hopes to effect their unjuſt deſigns by any ordinary way and method of proceedings, did at laſt reſolve to attempt the deſtruction and Attainder of the ſaid Earl by an Act of Parliament, to be therefore purpoſely made to condemn him upon accumulative Treaſon, none of the pretended Crimes being Treaſon apart, and ſo could not be in the whole if they had been proved, as they were not, (3) and alſo judged him guilty of conſtructive Treaſon (that is) of levying War againſt the King, though it was only the commanding an Order of the Council-Board in Ireland, to be executed by a Serjeant at Arms, and three or four Souldiers, which was the conſtant practice of the Deputies there for a long time; (4) To which end they having firſt preſented a Bill for this intent to the Houſe of Commons, and finding there more oppoſition than they expected they cauſed a multitude of tumultuous perſons to come down to Westminſter, Armed with Swords and Staves, and to fill both the Palace-yards, and all the approaches to both Houſes of Parliament with fury and clamour, and to require Juſtice, ſpeedy Juſtice againſt the Earl of Strafford; (5) And having by theſe and other undue practices obtained that Bill to paſs in the Houſe of Commons, they cauſed the names of thoſe reſolute Gentlemen, who in cauſe of innocent blood had freely diſcharged their conſciences, being nine and fifty, to be poſted up in ſeveral places about the Cities of London and Weſtminſter, and ſtiled them Straffordians, and enemies to their Country, hoping thereby to deliver them up to the fury of the people, whom they had endeavoured to incence againſt them, (6) and then procured the ſaid Bill to be ſent up to the Houſe of Peers, where it having ſometime reſted under the great deliberation, at laſt in a time when a great part of the Peers were abſent by reaſon of the tumults, and many of thoſe who were preſent proteſted againſt it, the ſaid Bill paſſed in the Houſe of Peers: (7) And at length his late Majeſty King Charles the firſt of Glorious Memory, granted a Commiſſion for giving his Royal Aſſent thereunto; which nevertheleſs was done by his ſaid Majeſty with exceeding great ſorrow then, and ever remembred by him with unexpreſſible grief of heart, and out of his Majeſties great Piety he did publickly expreſs it when his own Sacred Life was taken away by the moſt deteſtable Traitors that ever were:

II. For all which cauſes, Be it declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That the Act entituled An Act for the Attainder of Thomas Earl of Strafford of High Treaſon, and all and every Clauſe, Article, and thing therein contained, being obtained as aforeſaid, is now hereby repealed, revoked and reverſed.

III. And to the end that right be done to the memory of the deceaſed Earl of Strafford aforeſaid, be it further enacted, That all Records and Proceedings of Parliament relating to the ſaid Attainder, be wholly cancelled, and taken off the File, or otherwiſe defaced and obliterate, to the intent the ſame may not be viſible in after ages, or brought into example to the prejudice of any perſon whatſoever.

IV. Provided, That this Act ſhall not extend to the future queſtioning of any perſon or perſons however concerned in this buſineſs, or who had any hand in the Tumults, or diſorderly procuring the Act aforeſaid; Any thing herein contained to the contrary thereof notwithſtanding.

CAP. XXX.

An Act for the Importing Madder pure and unmixed. REP. 15 Car. 2. cap. 16.

CAP. XXXI.

An Act to prevent the inconvenience by Melting the Silver Coin of this Realm.

9 Ed. 3. cap. 3.

17 R. 2. cap. 1.

Whereas by an Act made in the ninth year of King Edward the Third, it is enacted, That no Sterling Half-peny or Farthing ſhall be moulten to make Veſſel, or any other thing, by Goldſmiths, or any other, upon pain of forfeiture of the moneys ſo moulten; Whereas by one other Statute made in the xvij. year of King Richard the Second, it was further enacted, That no Groats or Half-groats ſhall be moulten by any man to make Veſſel or other thing thereof, upon the ſame pain; (2) And whereas divers perſons do elude the ſaid Statutes, as well Goldſmiths as others, by melting Silver-coins of this Realm, above the value of Groats, to the great diminiſhing of the Silver-coin of this Realm, and the hinderance of the Commerce of the ſame; (3) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons whatſoever, ſhall after the twentieth day of December, One thouſand ſix hundred ſixty two, wilfully melt, or cauſe to be melted any of the currant Silver Mony of this Realm, (4) upon pain not only of forfeiture of the ſame, but alſo of the double value of any ſuch coin ſo melted; the one half to his Majeſty, his Heirs and Succeſſors, the other half to the Informers, who ſhall ſue for the ſame upon Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter; in which no Eſſoin, Wager of Law or Protection ſhall be allowed: (5) And moreover, That the ſaid perſon or perſons offending contrary to the tenor of this Act (if he or they be a Freeman, or Freemen, or priviledged perſon or perſons of any City or Corporation within this Kingdom of England) ſhall upon legal conviction for the ſame, be forthwith disfranchiſed and made uncapable of exerciſing the Trade of a Goldſmith, or any other Myſtery by vertue of the priviledges of the City or Corporation of which he or they are Members: (6) And if the ſaid perſon or perſons offending, and convict as aforeſaid, ſhall not be Freeman or Freemen, or priviledged perſon or perſons of any City or Corporation as aforeſaid, then he or they ſhall ſuffer impriſonment without bail or mainpriſe for the ſpace of ſix months next enſuing his or their conviction as aforeſaid.

None ſhall melt currant Silver mony. The penalty.

CAP. XXXII.

An Act for the better Regulating of the Manufacture of Broad Woollen Cloth within the Weſt-riding of the County of York.

Whereas divers abuſes and deceits have of late years been had and uſed in the Manufacture of Broad Woollen Cloth made within the Weſt-riding of the County of York, and the ſpinning and deceitful working thereof, which tends to the great debaſing and undervaluation of the ſaid Manufacture, both at home, and alſo in foreign parts where the ſame is uſually vended;

A Corporation of Clothiers in the Weſt-riding of Yorkſhire.

II. For prevention of all which abuſes and deceipts, It is enacted by the Kings moſt excellent Majeſty, by the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, That from and after the next monday after Eaſter, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two, there be, and ſhall be a Corporation to continue for ever within the ſaid Weſt-riding of the County of York, conſiſting of all the Juſtices of the Peace of the ſaid Weſt-riding for the time being, two Maſters, ten Wardens, twelve Aſſiſtants and Commonalty; (2) All which ſaid Maſters, Wardens and Aſſiſtants, are to be of the ableſt and beſt experienced Clothiers within the ſaid Weſt-riding, and ſuch as have ſerved, and been brought up in the Trade and Myſtery of Clothing, by the ſpace of ſeven years, according to the Laws and Statutes of this

Realm; (3) One of which ſaid Maſters, five of which ſaid Wardens, and ſix of which ſaid Aſſiſtants, ſhall be choſen the firſt Mondy after Pentecoſt then next following, and from thenceforth to be yearly, and every year choſen upon the next Monday after Pentecoſt, at ſome publick place, by the Free Clothiers of the ſaid Weſt-riding, inhabiting within the Pariſh of Leeds in the ſaid County of York, or the greater part of them preſent at ſuch election; (4) and the other Maſter, five Wardens and ſix Aſſiſtants ſhall be choſen upon the ſame days, at ſome publick place, by the Free Clothiers inhabiting out of the ſaid Town and Pariſh of Leeds, or the greater part of them preſent at the ſaid Election, of the parts adjacent within the ſaid Weſt-riding: (5) And in caſe any of the ſaid Maſters, Wardens and Aſſiſtants, after their ſaid reſpective Elections, do happen to die, that then it ſhall and may be lawful, at any Court to be holden next after ſuch deceaſe, to Elect others in their reſpective places; (6) And the ſaid Wardens, Maſters and Aſſiſtants reſpectively, ſhall within eight days after their firſt Choice and Election, take the Oaths of Allegiance and Supremacy, which any two Juſtices of the Peace within the Weſt-riding, whereof one to be of the Quorum, have hereby power to adminiſter, and alſo the enſuing Oath, (viz.) I A.B. do ſwear, That I will well, faithfully and honeſtly perform and diſcharge the Office of a Maſter of the Corporation of the Free Clothiers, according to the beſt of my Skill, Power and Knowledge; So help me God. And the like Oath and Oaths to be adminiſtred to the Wardens and Aſſiſtants reſpectively, mutatis mutandis; (7) And for ever after, the ſaid Juſtices of Peace, Maſters, Wardens and Aſſiſtants, and their ſucceſſors, or any thirteen of them, ſhall and have hereby power to adminiſter the like Oath or Oaths to ſuch Officer or Officers, faithfully and honeſtly to perform and diſcharge his and their ſaid Office and Offices to which he or they are and ſhall be ſo choſen by this Act, at any Court to be by them holden in manner hereafter declared.

The Oath to be taken by the Maſter, Wardens and Aſſiſtants.

Who ſhall be of the ſaid Corporation for ever, and how called.

III. And it is further enacted by the authority aforeſaid, That the ſaid Juſtices of the Peace, Maſters, Wardens and Aſſiſtants for the time being, together with the ſaid Free Clothiers of the ſaid Weſt-riding, ſhall for ever hereafter, in name and in fact, be one body politick and corporate in Law to all intents and purpoſes, and ſhall have a perpetual Succeſſion, and be called by the name of the Supervisors, Maſters, Wardens, Aſſiſtants and Commonalty of the Trade or Myſtery of Clothiers, for the well making of Broad Woollen Cloth within the Weſt-riding of the County of York; (2) and that they ſhall be enabled to Plead and Sue, and to be Sued and Impleaded by that name in all Courts and places of Judicature within this Kingdom; And by that name ſhall and may without Licence in Mortmain, purchaſe, take or receive any lands, tenements or hereditaments, of the Gift, Alienation or Demiſe of any perſon or perſons, who are hereby without further Licence enabled to transfer the ſame, and any Goods and Chattels whatſoever, for the uſe and benefit of the Corporation aforeſaid (not exceeding the yearly value of two hundred pounds;) (3) And for the better Regulation of the ſaid Government of the ſaid Trade and Manufacture, the ſaid Juſtices of the Peace, Maſters, Wardens and Aſſiſtants for the time being, or any thirteen of them, whereof there ſhall be one of the ſaid Juſtices, or one of the ſaid Maſters at the leaſt always preſent, ſhall have, and hereby have power and authority from time to time to meet, and keep Court upon the firſt Saturday in every month in every year, for the ends in this Act mentioned within the ſaid Town of Leeds, at the place commonly called or known by the name of the Seſſions-houſe or Common-hall in Leeds aforeſaid; And alſo at ſuch other time and place of the ſaid Weſt-riding, as ſhall from time to time be appointed by the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any thirteen of them, upon eight days notice or warning to be given of ſuch meeting and Court to be held: (4) And in caſe that the Maſters, Wardens and Aſſiſtants, or the major part of them ſhall refuſe or neglect to appear, ſo as a Court cannot be holden accordingly, as is before directed, That then ſuch Maſter, Warden or Aſſiſtant ſo refuſing or neglecting, ſhall forfeit the ſum of twenty ſhillings, the one moiety to the uſe of the poor of ſuch reſpective Town where the perſon ſo refuſing or neglecting ſhall live, the other moiety to the uſe of the Corporation: (5) And the ſaid Juſtices, Maſters, Wardens, and Aſſiſtants, or any thirteen of them, are hereby impowred to ſummon to appear at the ſaid Courts to be held as aforeſaid, ſo many of the ſaid Clothiers as they ſhall in their diſcretions think meet for the better ordering the Affairs of the ſaid Trade, who are hereby required to appear upon ſuch Summons, the number of which perſons ſo ſummoned, ſhall not be under eight and forty; And in caſe of neglect or refuſal, are to forfeit to the uſe of the ſaid Corporation, the ſum of ten Groats, for every default of not appearing, to be levied as is hereafter directed.

Times and places of their meeting.

Power to appoint a common Seal, and to make Orders and By-laws.

IV. And the ſaid Juſtices, Maſters, Wardens and Aſſiſtants or any thirteen of them, (whereof one of the ſaid Juſtices, or one of the ſaid Maſters to be preſent as aforeſaid) ſhall have, and hereby have power and authority from time to time, to make and appoint a common Seal for the uſe of the ſaid Corporation, and to make and ordain By-laws, Rules, and Ordinances, for and concerning the better Spinning, Working, Making, Fulling and Milling of Woollen Cloth, as in their judgments and diſcretions may tend to the good, credit and advancement of the ſaid Trade and Manufacture, (the ſame not being contrary to Law) which By-laws, Rules and Ordinances, being ratified and confirmed by the Juſtices of Aſſiſe to be holden for the County of York, ſhall be publiſhed four times in the year at leaſt, at four publick Meetings or Courts, (viz.) upon the firſt Saturday in June, the firſt Saturday in September, the firſt Saturday in December, and the firſt Saturday in March; and ſhall be obeyed and kept by the ſeveral perſons within and under their Regulation or Corporation; (2) And the ſaid Courts conſtituted as aforeſaid, ſhall have, and hereby have power to impoſe a Fine and Penalty upon any perſon or perſons of the ſaid Corporation or Regulation, being a Clothier, that ſhall not conform to ſuch Rules, Orders and Ordinances ſo made as aforeſaid.

Penalty for not conforming to By-laws.

V. Provided, That the ſaid Fine or Penalty on any perſon for not conforming as aforeſaid, exceed not the ſum of twenty ſhillings for one offence; the full moiety, or one half of the ſaid Fines and Penalties, to go to the uſe of the ſaid Corporation, and the other half or moiety to the uſe of the poor of the Pariſh where ſuch perſon ſo offending may be dwelling and inhabiting.

Power to appoint Searchers of Cloth.

VI. And be it further enacted by the authority aforeſaid, That the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, ſhall have power to nominate and chooſe Searchers of Cloth in the ſeveral places of the ſaid Weſt-Riding, who ſhall be ſworn before them, or any Thirteen of them, in manner aforeſaid, for the true ſearching of Cloth, that it be of a due weight, length and breadth, according to the Statute.

The new Drapery moſt in uſe.

VII. And in regard the nature of Cloth is much changed in theſe late years, and that the new Drapery is now moſt in uſe, for which ſort of Cloth there is no certain Standard for length, weight and breadth, appointed by any Statute; (2) Be it therefore enacted by the authority aforeſaid, That the length, weight and breadth of the ſaid new Draperies of broad Woollen Cloth made within the ſaid Weſt-Riding, be, and ſhall be as is hereby limited and appointed (viz.) That every Cloth called by the name of an End, or half Cloth, ſhall be betwixt fifteen yards and eighteen yards in length in the water, and not to exceed, and one yard and an half in breadth at the leaſt within the Liſts; (3) and every Cloth commonly called a Short Cloth, between twenty four yards and twenty eight yards in length in the water, and not to exceed, and one yard and half in breadth at the leaſt within the Liſts; (4) and every long Cloth ſo called, betwixt thirty yards and thirty ſix yards in length in the water, and not to exceed, and a yard and half in breadth at the leaſt within the Liſts; (5) and that every yard of ſuch Cloth ſhall weigh reſpectively two pounds and a quarter, accounting ſixteen ounces to the pound, being well thicked, ſcoured, milled, and fully dryed; (6) and that the ſaid Searcher ſhall according to his Oath, duly try and examine by weight or by water, all broad Woollen Clothes of what ſort ſoever, made within the ſaid Weſt-Riding, and ſhall affix thereunto a Seal of Lead, expreſſing the true length and weight thereof; (7) and in caſe any of the ſaid Clothes be found faulty upon trial and examination, the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, ſhall have power to impoſe ſuch Fine and Penalty upon the Offenders as by the Laws and Statutes of this Realm in that behalf are, or ought to be impoſed upon them for ſuch defaults; (8) the one third part of all ſuch Fines and Penalties to be diſpoſed of to the uſe of ſuch Searcher or Searchers certifying the ſaid default of Length, Weight or Breadth, and the other two parts to the poor of the Pariſh where ſuch Offence ſhall be committed, to be recovered in ſuch manner as is limited and appointed by the Statute made in the One and twentieth year of the late King James, Chap. 18. (9) And that all and every ſuch Searcher and Searchers ſo choſen as aforeſaid, ſhall before he or they enter upon the execution of the ſaid Office, take the Oaths of Allegiance and Supremacy, and alſo the Oath enſuing, which Oath the Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them as aforeſaid, have power to adminiſter as followeth; I A B. do ſwear that I ſhall well and truly execute the Office of Searcher of broad Woollen Cloth within the Weſt-Riding of the County of York, according to the Laws and Statutes of this Realm, and according to the beſt of my Skill and Knowledge; So help me God.

21 Jac. cap. 18.

The Oath to be taken by Searchers.

Penalty upon Searchers.

VIII. And be it further enacted, That if any Searcher ſhall fail in the due execution of his Office contrary to his Oath, and the Laws and Statutes in that caſe made and provided, every ſuch Searcher ſhall forfeit and loſe for ſuch Fault, or not ſetting to ſuch Seal of Lead as aforeſaid, Five pounds; (2) And that it ſhall and may be lawful to and for any other Searcher in the ſaid Weſt-Riding (taking with him one of the ſaid Wardens of the ſaid Corporation) to reſearch any of the ſaid Clothes; Any thing in any former Statute to the contrary thereof in any wiſe notwithſtanding.

The authority and power of Searchers.

IX. And it is further enacted, That it ſhall and may be lawful to and for all and every ſuch Searcher and Searchers from time to time, ſo often as occaſion ſhall require, to enter into any Shop, Houſe, Ware-houſe, or any other place in the day-time, of any Clothiers, Drapers, Cloth-workers, or of any other perſon or perſons whatſoever, where any of the ſaid Clothes ſhall be within the ſaid Weſt-Riding, to ſearch for all ſuſpected Cloth: (2) And in caſe of reſiſtance, the party ſo reſiſting ſhall forfeit the ſum of Ten pounds, the one half thereof to his Majeſty, the other half to the uſe of the ſaid Corporation; (3) and if upon ſuch Search, any broad Cloth ſhall be found made of, or mixed with Flocks, Thrums, Goats-hair, or other deceitful Wool, the ſaid Cloth ſhall be, and is hereby declared and enacted to be forfeited: And that it ſhall and may be lawful to and for the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, at any Court to be by them held as aforeſaid, to diſpoſe thereof in ſuch manner as by the Laws and Statutes of this Realm the ſame ought to be diſpoſed.

None may make broad Cloth but ſuch as have ſerved as Apprentices to Clothiers for ſeven years, or have been exerciſed in the Trade for that time.

The penalty.

Houſholders and Houſewives may not make Cloth to ſell, not being free of the ſaid Trade.

The penalty.

X. And be it further enacted, That no perſon or perſons within the ſaid Weſt-Riding, who hath not ſerved as an Apprentice to the Trade of Clothier for the ſpace of Seven years, or have not been exerciſed therein by the like ſpace of Seven years before, ſhall make any broad Cloth to ſell (2) under the penalty of five pounds for every month that he, ſhe, or they ſhall continue to exerciſe the ſaid Trade, (excepting ſuch perſons only as now be in the actual uſe and exerciſe of the ſaid Trade) The one moiety thereof to be paid to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to the uſe of the ſaid Corporation; (3) and that no Houſholder or Houſewife within the ſaid Weſt-Riding, or elſewhere within the ſaid County, not being Free of the ſaid Trade of Clothiers, or not having been exerciſed therein as aforeſaid, or not being the Widow of any ſuch perſon as aforeſaid, ſhall from the Feaſt of Pentecoſt next enſuing, make or cauſe to be made any Woollen Cloth whatſoever, unleſs it be to the uſe of themſelves, their Children and Familes, but not to ſell, (4) upon pain to forfeit double the value for every piece of Cloth ſo made and expoſed to ſale; one moiety thereof to his Majeſty, the other moiety to any perſon who ſhall ſue for the ſame in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law, ſhall be allowed.

XI. And it is further enacted by the authority aforeſaid, That the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, are hereby impowered to nominate and

Power to appoint a Clerk, Regiſter, Treaſurer, and other Officers.

appoint a Clerk, a Regiſter, and Treaſurer, and ſuch other Officer and Officers, to ſee the due execution of the ſeveral powers given by this Act, as they in their diſcretions ſhall think meet, and to give them an Oath or Oaths for the due execution of their ſeveral places as aforeſaid.

How the fines and forfeitures ſhall be levied.

XII. And it is further enacted by the authority aforeſaid, That all fines, forfeitures and penalties impoſed or to be levied by vertue of this Act (the means and recovery whereof is not otherwiſe herein provided for and ſet forth,) ſhall be levied by diſtreſs and ſale of the offendor or offendors Goods and Chattels by Warrant from the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any thirteen of them, rendring the overplus to the Owner thereof upon demand.

Counterfeiting the Seal of the Corporation. The penalty.

XIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall counterfeit the Seal of the ſaid Corporation, he or they ſo offending ſhall forfeit the ſum of Twenty pounds, as often as ſuch perſon or perſons ſhall upon due proof be found guilty of the ſame, which ſaid forfeiture is to be levied by diſtreſs and ſale of the offendors Goods, rendring the overplus to the Owner thereof upon demand, (2) and for want of ſuch diſtreſs, ſuch perſon and perſons to be committed to the common Gaol of the County where he or they ſhall be found, by Warrant under the Hand and Seal of any one of the Juſtices of the Peace of the ſaid County, there to remain without Bail or Mainprize for the ſpace of ſix months, or until ſuch perſon or perſons ſhall have paid the Fine as aforeſaid.

All clauſes in any other Statute contrary to this Act concerning Clothing repealed. Perſons ſued for executing this Act, may plead the general Iſſue.

XIV. And be it enacted, That all and every Article, Clauſe and Sentence in any Act of Parliament heretofore made touching and concerning the ſaid abuſes of broad woollen Clothes in this Act mentioned, and being repugnant or contrary to any Article and Sentence in this Act, ſhall as touching the ſaid Clothes only made within the ſaid Weſt-riding, from and after the Feaſt of St. John Baptiſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two, be utterly void to all intents and purpoſes whatſoever; (2) And in all Actions and Suits that ſhall be brought againſt any perſon or perſons, for acting in any thing according to the true intent and meaning of this Act, the perſon or perſons ſo ſued or moleſted, ſhall or may plead the General Iſſue of Not Guilty, and give the ſpecial matter in evidence, and ſhall recover double Coſts in every ſuch caſe, if the Verdict paſs for ſuch perſon or perſons, or that the Plaintiff or Plaintiffs be Nonſuit therein.

The rights and duties of Aulnager ſaved.

XV. Provided always, That nothing herein contained, ſhall extend or be conſtrued to extend to take away any of the Rights, Duties or Cuſtoms, of, or belonging to the Office and Place of his Majeſties Aulnager, or his Deputy or Deputies within the ſaid Weſt-riding; but that he or they ſhall or may from time to time execute, do and perform all and every matter and thing to him or them belonging, according to the Laws and Statutes of this Realm; and alſo receive all Fees due and accuſtomed, to the ſaid Office belonging, in as large and ample manner as he or they might or ought to have done before the making of this preſent Act; Any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Proviſo that Rates of Wages of Workmen may not be ſet by colour of this Act.

XVI. Provided always, and it is further enacted by the authority aforeſaid, That neither the ſaid Superviſors, Maſters, Wardens and Aſſiſtants, nor any of them, nor any other perſon or perſons free of the ſaid Corporation of broad Woollen Clothiers, ſhall by any Authority derived from this Act, or by colour thereof, ſet or impoſe any other or leſſer Rates or Wages upon any inferiour Workmen, Servants or Labourers to be imployed by them or any of them in the ſaid Manufacture, than ſuch as ſhall be from time to time allowed and approved of by the Juſtices of the Peace in their Quarter Seſſions, according to the Laws and Statutes touching Labourers in that caſe made and provided.

The continuance of this Act.

XVII. Provided alſo, That this Act continue to the end of the firſt Seſſion of the next Parliament, and no longer.

CAP. XXXIII.

An Act for preventing Abuſes in Printing Seditious, Treaſonable and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing Preſſes.

Regulating of Printing of great concernment.

Whereas the well-government and regulating of Printers and Printing-Preſſes is matter of publick-care, and of great concernment, eſpecially conſidering, that by the general Licentiouſneſs of the late Times, many evil diſpoſed perſons have been encouraged to print and ſell Heretical, Shiſmatical, Blaſphemous, Seditious and Treaſonable Books, Pamphlets and Papers, and ſtill do continue ſuch their unlawful and exorbitant practice, to the high diſhonour of Almighty God, the indangering the Peace of theſe Kingdoms, and raiſing a diſaffection to his moſt excellent Majeſty and his Government: (2) For prevention whereof, no ſurer means can be adviſed, than by reducing and limiting the number of Printing-Preſſes, and by ordering and ſetling the ſaid Art or Myſtery of Printing by Act of Parliament, in manner as herein after is expreſſed:

Pamphlets of Books prohibited to be printed, publiſhed or ſold.

II. The Kings moſt excellent Majeſty, by and with the conſent and advice of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, doth therefore ordain and enact, and be it ordained and enacted by the authority aforeſaid, That no perſon or perſons whatſoever ſhall preſume to print, or cauſe to be printed, either within this Realm of England, or any other his Majeſties Dominions, or in the parts beyond the Seas, any Heretical, Seditious, Schiſmatical or offenſive Books or Pamphlets, wherein any Doctrine or Opinion ſhall be aſſerted or maintained, which is contrary to the Chriſtian Faith, or the Doctrine or Diſcipline of the Church of England, or which ſhall or may tend, or to be to the ſcandal of Religion, or the Church, or the Government or Governors of the Church, State or Common-wealth, or of any Corporation or particular perſon or perſons whatſoever, (2) nor ſhall Import, Publiſh, Sell or Diſperſe any ſuch Book or Books, or Pamphlets, nor ſhall cauſe or procure any ſuch to be publiſhed or put to ſale, or to be bound, ſtitched or ſewed together.

III. And be it further ordained and enacted by the authority aforeſaid, That no private perſon or perſons whatſoever ſhall at any time hereafter print, or cauſe to be printed any Book, or Pamphlet whatſoever, unleſs the ſame Book and Pamphlet, together with all and every the Titles, Epiſtles, Prefaces, Proems, Preambles, Introductions, Tables, Dedications, and other matters and things thereto annexed, be firſt Entred in the Book of the Regiſter of the Company of Stationers of London, (2) Except Acts of Parliament, Proclamations, and ſuch other Books and Papers as ſhall be appointed to be printed by virtue of any Warrant under the Kings Majeſties Sign Manual, or under the Hand of one or both of his Majeſties principal Secretaries of State; (3) and unleſs the ſame Book and Pamphlet, and alſo all and every the ſaid Titles, Epiſtles, Prefaces, Proems, Preambles, Introductions, Tables, Dedications, and other matters and things whatſoever thereunto annexed, or therewith to be Imprinted, ſhall be firſt lawfully Licenſed and Authorized to be printed by ſuch perſon and perſons only as ſhall be conſtituted and appointed to Licenſe the ſame, according to the direction and true meaning of this preſent Act herein after expreſſed, and by no other; (that is to ſay) (4) That all Books concerning the Common Laws of this Realm, ſhall be printed by the ſpecial allowance of the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, the Lords Chief Juſtices, and the Lord Chief Baron for the time being, or one or more of them, by their, or one of their appointments; (5) And that all Books of Hiſtory concerning the State of this Realm, or other Books concerning any Affairs of State, ſhall be Licenſed by the principal Secretaries of State for the time being, or one of them, or by their, or one of their appointments; (6) And that all Books to be Imprinted concerning Heraldry, Titles of Honour, and Arms, or otherwiſe concerning the Office of Earl Marſhal, ſhall be Licenſed by the Earl Marſhal for the time being, or by his appointment, or in caſe there ſhall not then be an Earl Marſhal, ſhall be Licenſed by the three Kings of Arms, Garter, Clarencieux and Norroy, or any two of them, whereof Garter principal King of Arms to be one; (7) And that all other Books to be Imprinted or Reprinted, whether of Divinity, Phyſick, Philoſophy, or whatſoever other Science or Art, ſhall be firſt Licenſed and Allowed by the Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or one of them, or by their or one of their appointments, or by either of the Chancellors, or Vice-Chancellors of either of the Univerſities of this Realm for the time being; (8) Provided always, that the ſaid Chancellors, or Vice-Chancellors of either of the ſaid Univerſities ſhall only Licence ſuch Books as are to be Imprinted or Reprinted within the Limits of the ſaid Univerſities reſpectively, but not in London or elſewhere, not medling either with Books of Common Laws, or matters of State or Government, nor any Book or Books, the right of Printing whereof doth ſolely and properly belong to any particular perſon or perſons, without his or their Conſent firſt obtained in that behalf.

Entry of printed Books with the Regiſter of the Company of Stationers, London.

Who may Licenſe Books concerning the Common-Laws to be printed.

Books of Hiſtory, and Affairs of State.

Concerning Heraldry.

Divinity, Phyſick, Philoſophy, or other Science.

Books belonging to particular perſons.

IV. And be it enacted by the Authority aforeſaid, That every perſon and perſons who by virtue of this preſent Act are, or ſhall be appointed, or authorized to Licenſe the Imprinting of Books, or Reprinting thereof with any Additions or Amendments as aforeſaid, ſhall have one written Copy of the ſame Book or Books which ſhall be ſo Licenſed to be Imprinted or Reprinted with the Titles, Epiſtles, Prefaces, Tables, Dedications, and all other things whatſoever thereunto annexed; which ſaid Copy ſhall be delivered by ſuch Licenſer or Licenſers to the Printer or Owner for the Imprinting thereof, and ſhall be ſolely and intirely returned by ſuch Printer or Owner after the Imprinting thereof, unto ſuch Licenſer or Licenſers to be kept in the publick Regiſtries of the ſaid Lord Archbiſhop, or Lord Biſhop of London reſpectively, or in the Office of the Chancellor or Vice-Chancellor of either the ſaid Univerſities, or with the ſaid Lord Chancellor or Lord Keeper of the Great Seal for the time being, or Lord Chief Juſtices, or Chief Baron, or one of them, or the ſaid principal Secretaries of State, or with the Earl Marſhal, or the ſaid Kings of Arms, or one of them, of all ſuch Books as ſhall be Licenſed by them reſpectively; (2) And if ſuch Book ſo to be Licenſed ſhall be an Engliſh Book, or of the Engliſh Tongue, there ſhall be two Written Copies thereof delivered to the Licenſer or Licenſers (if he or they ſhall ſo require) one Copy whereof ſo Licenſed ſhall be delivered back to the ſaid Printer or Owner, and the other Copy ſhall be reſerved and kept as is aforeſaid, to the end ſuch Licenſer or Licenſers may be ſecured, That the Copy ſo Licenſed ſhall not be altered without his or their privity; (3) And upon the ſaid Copy Licenſed to be Imprinted, he or they who ſhall ſo Licenſe the ſame, ſhall Teſtifie under his or their Hand or Hands, That there is not any thing in the ſame contained that is contrary to the Chriſtian Faith, or the Doctrin or Diſcipline of the Church of England, or againſt the State and Government of this Realm, or contrary to good life, or good manners, or otherwiſe as the nature and ſubject of the work ſhall require; (4) Which Licenſe or Approbation ſhall be printed in the beginning of the ſame Book, with the Name or Names of him or them that ſhall Authorize or Licence the ſame, for a Teſtimony of the allowance thereof.

Every Licenſer ſhall have a written Copy of the Book Licenſed.

How and where the ſaid Copy ſhall be kept.

Engliſh Books how to be Licenſed.

V. And be it further enacted by the Authority aforeſaid, That every Merchant of Books, and perſon or perſons whatſoever, who doth, or hereafter ſhall Import or bring any Book or Books into this Realm from any parts beyond the Seas, ſhall Import the ſame in the Port of London only, and not elſewhere, without the ſpecial Licenſe of the Archbiſhop of Canterbury, and Biſhop of London for the time being, or one of them, who are hereby authorized to grant Licenſes for that purpoſe, and ſhall before ſuch time as the ſame Book or Books, or any of them be delivered forth, or out of his or their hand or hands, or expoſed to Sale, give and preſent a true Note or Catalogue in writing of all and every ſuch Book or Books, unto the Lord Archbiſhop of Canterbury and Lord Biſhop of London for the time being, or to one of them, (2) and no Merchant or other perſon or perſons whatſoever which ſhall import or bring any Book or Books into the Port of London aforeſaid, from any parts beyond the Seas, ſhall preſume to open any Dry-Fats, Bales, Packs, Maunds, or other Fardles of Books, or wherein Books are, nor ſhall any Searcher, Waiter, or other Officer, belong-

All Books from beyond Sea ſhall be brought to the Port of London only.

And not to be opened or uttered until viewed by the Archbiſhop of Canterbury, Biſhop of London, or ſome other by one of them appointed. Heretical Seditious, or dangerous Books Imported, how to be proceeded upon.

belonging to the Cuſtom-houſe, upon pain of loſing his or their place or places, ſuffer the ſame to paſs, or to be delivered out of his or their hands or cuſtody, before ſuch time as the Lord Archbiſhop of Canterbury and the Lord Biſhop of London for the time being, or one of them, ſhall have appointed ſome Scholar or Learned man, with one or more of the ſaid Company of Stationers, and ſuch others as they ſhall call to their Aſſiſtance, to be preſent at the opening thereof, and to view the ſame: (3) And if there ſhall happen to be found any Heretical, Seditious, Scandalous, Schiſmatical, or other dangerous or offenſive Book or Books, or any part of ſuch Book or Books printed in Engliſh, they ſhall forthwith be brought to the ſaid Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or to one of them, or to ſome publick place to be aſſigned and choſen by the ſaid Lord Archbiſhop, and Lord Biſhop for the time being, to the end the perſon and perſons which Importeth, or cauſeth the ſaid offenſive Books to be Imported, may be proceeded againſt as an Offender againſt this preſent Act: And alſo that ſuch further courſe may be taken concerning the ſame Offenſive Book or Books, as by the ſaid Lord Archbiſhop and Biſhop for the time being, ſhall be thought fitting for the ſuppreſſing thereof.

Copies of Books, forms of blank Bills or Indentures, whereof any have Letters Patents for ſole Printing.

The penalty.

VI. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall within this Kingdom, or elſewhere, Imprint or cauſe to be Imprinted, nor ſhall Import or bring in, or cauſe to be Imported or brought into this Kingdom from or out of any other his Majeſties Dominions, nor from any other parts beyond the Seas, any Copy or Copies, Book or Books, or part of any Book or Books, or Forms of blank Bills or Indentures for any his Majeſties Iſlands, printed beyond the Seas, or elſewhere, which any perſon or perſons by force or virtue of any Letters Patents granted or aſſigned, or which ſhall hereafter be granted or aſſigned to him or them, or (where the ſame are not granted by any Letters Patents) by force or virtue of any Entry or Entries thereof duly made or to be made in the Regiſter-Book of the ſaid Company of Stationers, or in the Regiſter-Book of either of the Univerſities reſpectively, have or ſhall have the Right, Priviledge, Authority or Allowance, ſolely to Print, without the conſent of the Owner or Owners of ſuch Book or Books, Copy or Copies, Form or Forms of ſuch blank Bills, nor ſhall Bind, Stitch, or put to Sale any ſuch Book or Books, or part of any Book or Books, Form or Forms, without the like conſent, (2) upon pain of loſs and forfeiture of the ſame, and of being proceeded againſt as an Offender againſt this preſent Act, and upon the further penalty and forfeiture of Six ſhillings eight pence for every ſuch Book or Books, or part of ſuch Book or Books, Copy or Copies, or Form or Forms of any ſuch blank Bills or Indentures ſo Imprinted or Imported, Bound, Stitched, or put to Sale: (3) The moiety of which ſaid forfeiture and forfeitures ſhall be to the uſe of our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to the uſe of the Owner or Owners, Proprietors of ſuch Copy or Copies, Book or Books, or Form of ſuch blank Bills or Indentures, if he or they ſhall ſue for the ſame within Six months next after ſuch Imprinting, Importing, Binding, Stitching, or putting to Sale; and in default of ſuch Suit by the Owner or Owners, Proprietor or Proprietors, commenced within the ſaid Six months, Then the ſame moiety ſhall be to the uſe and behoof of ſuch other perſon and perſons as within the ſpace of one year next after the ſaid Offence committed, ſhall ſue for the ſame, (5) to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record held at Weſtminſter, called the Kings Bench, Common Pleas, or Exchequer, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed to the Defendant or Defendants.

Printers of Books, &c. ſhall put to their Names.

Penalty.

VII. And be it further enacted and declared, That every perſon and perſons that ſhall hereafter print, or cauſe to be printed any Book, Ballad, Chart, Pourtracture, or any other thing or things whatſoever, ſhall thereunto, or thereon, print and ſet his or their own Name or Names, and alſo ſhall declare the Name of the Author thereof, if he be thereunto required by the Licenſer under whoſe Approbation the Licenſing of the ſaid Book, Ballad, Chart, or Pourtracture ſhall be authorized, and by and for whom any ſuch Book or other thing is or ſhall be printed, (2) upon pain of forfeiture of all ſuch Books, Ballads, Charts, Pourtractures, and other thing or things printed contrary to the Tenor hereof; And the Preſſes, Letters, and other Inſtruments for Printing, wherewith ſuch Book, Ballad, Pourtracture, or other thing or things ſhall be ſo Imprinted, or ſet or prepared for the printing thereof, to be defaced and made unſerviceable; (3) And that no perſon or perſons ſhall hereafter Print, or cauſe to be Imprinted, nor ſhall forge, put or counterfeit in or upon any Book or Pamphlet, the Name, Title, Mark or Vinnet of any other perſon or perſons which hath or ſhall have lawful Priviledge, Authority, or Allowance of ſole printing the ſame, without the free conſent of the perſon and perſons ſo priviledged firſt had and obtained, upon pain that every perſon and perſons ſo offending, ſhall forfeit and loſe all ſuch Books and Pamphlets upon which ſuch counterfeit Name or Mark ſhall be Imprinted, and ſhall further be proceeded againſt as an Offender againſt this preſent Act.

Who only may buy, barter and ſell Books in London, and Market-Towns.

VIII. And be it further enacted by the authority aforeſaid, That no Haberdaſher of Small-wares, Iron-monger, Chandler, Shop-keeper, or other perſon or perſons whatſoever, not being Licenced in that behalf by the Lord Biſhop of the Dioceſs wherein ſuch Book or Books ſhall be, nor having been Seven years Apprentice to the Trade of Book-ſeller, Printer or Book-binder, nor being a Freeman of the City of London by a Patrimonial Right as Son of a Book-ſeller, Printer or Book-binder, nor being a Member of the ſaid Company of Stationers, ſhall within the City or Suburbs of London, or any other Market Town, or elſewhere, receive, take or buy, to barter, ſell again, change, or do away any Bibles, Teſtaments, Pſalm-books, Common Prayer-books, Primers, Abcees, Licenſed Almanacks, Grammar, School-books, or other Book or Books whatſoever, upon pain of forfeiture of the ſame.

Printing an Art and Manufacture.

IX. And for that Printing is, and for many years hath been an Art and Manufacture of this Kingdom, Therefore for the better encouraging thereof, and the prevention of divers Libels, Pamphlets, and Seditious Books printed beyond the Seas in Engliſh, and thence Tranſported into this Realm, (2) Be it further enacted and ordained by the authority aforeſaid, That no Merchant, Bookſeller, or other perſon or perſons whatſoever, ſhall Imprint, or cauſe to be Imprinted beyond the Seas, nor ſhall Import or bring, nor knowingly aſſiſt, or conſent to the Importation or bringing from beyond the Seas into this Realm, any Engliſh Book or Books, or part of any Book which is or ſhall be, or the greater part thereof is or ſhall be Engliſh, or of the Engliſh Tongue, whether the ſame Book, Books, or part of ſuch Book have been here formerly printed or not, upon pain of forfeiture of all ſuch Engliſh Books ſo Imprinted or Imported contrary to the tenor hereof: (3) And that no Alien or Foreigner whatſoever ſhall hereafter bring in, or be ſuffered to vend here within this Realm, any Book or Books printed beyond the Seas in any Language whatſoever, either by himſelf, or his Factor or Factors, except ſuch only as be Free Printers or Stationers of London, or ſuch as have been brought up in that Profeſſion, without the ſpecial Licence of the Archbiſhop of Canterbury, and Biſhop of London for the time being, or one of them, who are hereby authorized to grant Licenſes for that purpoſe, upon like pain of forfeiture of all ſuch Books as ſhall be ſo Imprinted or Vended contrary to the purport and true intent hereof.

No Engliſh Books may be Imprinted or Imported from beyond Sea.

The penalty.

X. And be it further enacted by the authority aforeſaid, That no perſon or perſons within the City of London, or the Liberty thereof, or elſewhere, ſhall erect or cauſe to be erected any Preſs or Printing-Houſe, nor ſhall knowingly demiſe or let, or willingly ſuffer to be held or uſed any Houſe, Vault, Cellar, or other Room whatſoever, to or by any perſon or perſons for a Printing-Houſe, or place to Print in, unleſs he or they who erect ſuch Preſs, or ſhall ſo knowingly demiſe or let ſuch Houſe, Cellar, Vault or Room, or willingly ſuffer the ſame to be uſed, ſhall firſt give notice to the Maſter or Wardens of the ſaid Company of Stationers for the time being, of the erecting of ſuch Preſs, or of ſuch demiſe or ſuffering to work or print in ſuch Houſe, Vault, Cellar or Room, (2) And that no Joyner, Carpenter, or other perſon ſhall make any Printing-preſs, no Smith ſhall forge any Iron-work for a Printing-preſs, no Founder ſhall caſt any Letters which may be uſed for printing for any perſon or perſons whatſoever; neither ſhall any perſon or perſons bring or cauſe to be brought in from any parts beyond the Seas, any Letters Founded or Caſt, nor ſhall buy any ſuch Letters for Printing, Printing-Preſſes, or other Materials belonging unto Printing, unleſs he or they reſpectively ſhall firſt acquaint the ſaid Maſter and Wardens of the ſaid Company of Stationers for the time being, or ſome or one of them, for whom the ſame Preſſes, Iron-work or Letters are to be made, forged, caſt, brought or imported, (3) upon pain that every perſon who ſhall erect any ſuch Printing-Preſs, or ſhall demiſe or let any Houſe or Room, or ſuffer the ſame to be held or uſed, and every perſon who ſhall make any Printing-Preſs, or any Iron-work for a Printing-Preſs, or ſhall make, import, or buy any Letters for Printing, without giving notice as aforeſaid, ſhall forfeit for every ſuch Offence the ſum of Five pounds, the one moiety whereof ſhall be to the uſe of our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to the uſe of ſuch perſon or perſons as ſhall ſue for the ſame.

Preſſes and Printing in and about London, not to be ſet up, but upon notice to the Company of Stationers.

XI. And be it further enacted by the Authority aforeſaid, That for the time to come no man ſhall be admitted to be a Maſter Printer, until they who are now actually Maſter Printers, ſhall be by death or otherwiſe, reduced to the number of Twenty, and from thenceforth the number of Twenty Maſter Printers ſhall be continued, and no more, beſides the Kings Printers, and the Printers allowed for the Univerſities, to have the uſe and exerciſe of Printing of Books at one time, and but four Maſter Founders of Letters for Printing; (2) The which ſaid Maſter Printers, and Four Maſter Founders of Letters for Printing, ſhall be nominated, appointed and allowed by the Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being; And in caſe of Death of any one of the ſaid Four Maſter Founders of Letters, or of the ſaid Maſter Printers, or of Forfeiture, or Abondance of any of their places and priviledges to Print by virtue of this Act, for any Offence contrary to the ſame, or otherwiſe, That then the Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or one of them, ſhall nominate and appoint ſuch other fit perſon or perſons to ſucceed and ſupply the place of ſuch Maſter Printer, or Founder of Letters as ſhall be void by Death, Forfeiture or otherwiſe, as aforeſaid; (3) And every perſon and perſons which ſhall hereafter be allowed or permitted to have the uſe of a Printing-preſs or Printing-houſe, upon or before ſuch his allowance obtained, ſhall become bound with Sureties to his Majeſty in the Court of Kings Bench, or before ſome one or more of the Juſtices of Aſſize, or the Juſtices of the Peace at their ſeveral Quarter Seſſions, in the ſum of Three hundred pounds, not to print, or ſuffer to be printed in his Houſe or Preſs any Book or Books whatſoever, but ſuch as ſhall from time to time be lawfully Licenſed.

Who and how many ſhall be Maſter Printers.

Maſter Founders of Letters for Printing.

XII. And be it further enacted by the authority aforeſaid, That none of the ſaid Maſter Printers to be allowed from time to time as aforeſaid, ſhall keep above Two Printing-preſſes at once, unleſs he hath been Maſter or Upper Warden of the Company, who are hereby allowed to keep Three Preſſes and no more, unleſs for ſome great and ſpecial occaſion for the publick he or they have for a time leave of the ſaid Lord Archbiſhop of Canterbury, or Lord Biſhop of London for the time being, to have or uſe one or more above the aforeſaid Number, as their Lordſhips, or either of them ſhall think fit.

Who only may keep above two Printing Preſſes.

XIII. And be it alſo enacted by the authority aforeſaid, That no Printer or Printers, (except the Kings Printers) nor Founder or Founders of Letters for Printing, ſhall take or retain any more or greater number of Apprentices, than is herein after limited and appointed, (that is to ſay) Every Maſter Printer, and Maſter Founder of Letters for Printing, that is or hath been Maſter or Upper Warden of his Company, may have Three Apprentices at one time and no more; (2) And every Maſter Printer, and Maſter Founder of Letters for Printing, that is of the Livery of his Company, may have two Apprentices at one time and no more; (3) And every Maſter Printer, and Maſter Founder of Letters for Printing, of

What number of Apprentices they may retain.

the Yeomanry of his Company, may have one Apprentice at one time and no more, neither by Copartnerſhip, binding at the Scriveners, nor any other way whatſoever; Neither ſhall it be lawful for any Maſter Printer or Maſter Founder of Letters, when any Apprentice or Apprentices ſhall run or be put away, to take another Apprentice or other Apprentices in his or their place or places, unleſs the name or names of him or them ſo gone away be raſed out of the Hall-Book, and never admitted again.

Journeymen Printers, and Founders of Letters to be employed.

XIV. And becauſe a great part of the ſecret Printing in Corners hath been cauſed for want of Orderly Imployment for Journeymen Printers, The ſaid ſeveral Maſter Printers, and Maſter Founders of Letters for Printing ſo to be allowed as aforeſaid, are hereby required to take ſpecial care, That all Journeymen Printers, and Journeymen Founders of Letters for Printing, who are lawfully free of the ſaid reſpective Myſteries, be ſet on Work, and Imployed in their reſpective Trades; (2) And if any ſuch Journeyman Printer, and Journeyman Founder of Letters, being of honeſt and good behaviour, and able in his Trade, do want Imployment, he ſhall repair to any of the ſaid Maſter Printers, or Maſter Founders of Letters reſpectively for the time being, who thereupon ſhall receive him or them into Work, if ſuch Maſter Printer, or Maſter Founder of Letters have not a Journeyman already, although ſuch Maſter Printer or Maſter Founder of Letters reſpectively, with his Apprentice or Apprentices be able without the help of the ſaid Journeyman to diſcharge his own Work; (3) upon pain that every Maſter Printer, and Maſter Founder of Letters reſpectively, refuſing to receive ſuch Journeyman repairing to him as aforeſaid, ſhall forfeit Five pounds, to be recovered by Bill, Plaint, or Information in any Court of Record, wherein no Eſſoin, Wager at Law, Priviledge or Protection ſhall be admitted; the one moiety of which forfeiture ſhall go to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to the Informer who ſhall ſue for the ſame within ſix months next after the ſaid Offence committed; (4) And if any Journeyman, or Journeymen Printers, or Founders of Letters for Printing, ſhall refuſe Imployment, being offered to him or them by any Maſter Printer, or Maſter Founder of Letters reſpectively, or neglect it when he or they have undertaken it, he or they refuſing or neglecting, ſhall ſuffer Three months Impriſonment at the leaſt, without Bail or mainprize, upon conviction of ſuch his ſaid refuſal or neglect by two Witneſſes, before any one or more Juſtice or Juſtices of the Peace, who are hereby impowered to hear and examine the ſaid offence, and to commit the ſaid Offender and Offenders to the Common Gaol of the County where he or they ſhall be apprehended: (5) And no Maſter Printer, or Maſter Founder of Letters for Printing, ſhall from henceforth imploy either to work at the Caſe or Preſs, or otherwiſe about his Printing, any perſon or perſons than ſuch only as are Engliſhmen and Freemen, or the Sons of Freemen, or Apprentices to the ſaid Trades or Myſteries of Printing, or Founding of Letters for Printing reſpectively.

Who may ſearch Houſes and Shops for ſuſpected Books and Papers.

XV. And for the better diſcovering of Printing in Corners without Licence, Be it further enacted by the Authority aforeſaid, That one or more of the Meſſengers of his Majeſties Chamber, by Warrant under his Majeſties Sign Manual, or under the Hand of one or more of his Majeſties Principal Secretaries of State, or the Maſter and Wardens of the ſaid Company of Stationers, or any one of them, ſhall have power and authority with a Conſtable, to take unto them ſuch aſſiſtance as they ſhall think needful, and at what time they ſhall think fit, to ſearch all Houſes and Shops where they ſhall know, or upon ſome probable reaſon ſuſpect any Books or Papers to be printed, bound or ſtitched, eſpecially Printing-houſes, Book-ſellers Shops and Warehouſes, and Book-binders Houſes and Shops, and to View there what is imprinting, binding or ſtitching, and to examine whether the ſame be Licenſed, and to demand a ſight of the ſaid Licenſe; (2) and if the ſaid Book ſo imprinting, binding or ſtitching, ſhall not be Licenſed, then to ſeize upon ſo much thereof, as ſhall be found imprinted, together with the ſeveral Offenders, and to bring them before one or more Juſtices of the Peace, who are hereby authorized and required to commit ſuch Offenders to priſon, there to remain until they ſhall be tried and acquitted, or convicted and puniſhed for the ſaid Offences: (3) And in caſe the ſaid Searchers ſhall upon their ſaid Search, find any Book or Books, or part of Books unlicenſed, which they ſhall ſuſpect to contain matters therein contrary to the Doctrin or Diſcipline of the Church of England, or againſt the State and Government; Then upon ſuch ſuſpicion to ſeize upon ſuch Book or Books, or part of Book or Books, and to bring the ſame unto the ſaid Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or one of them, or to the Secretaries of State, or one of them reſpectively, who ſhall take ſuch further courſe for the ſuppreſſing thereof, as to them or any of them ſhall ſeem fit.

Offenders againſt this Act, how to be puniſhed.

XVI. And be it Ordaiued and Enacted by the Authority aforeſaid, That all and every Printer and Printers of Books, Founder and Founders of Letters for Printing, and all and every other perſon or perſons working in or for the ſaid Trades, who from and after the Tenth day of June, in the year One thouſand ſix hundred ſixty and two, ſhall offend againſt this preſent Act, or any Article, Clauſe or thing herein contained, and ſhall be thereof convicted by Verdict, Confeſſion, or otherwiſe, ſhall for the firſt Offence be diſenabled from exerciſing his reſpective Trade for the ſpace of three years, (2) and for the ſecond Offence ſhall for ever theuceafter be diſabled to uſe or exerciſe the Art or Myſtery of Printing, or of Founding Letters for Printing, and ſhall alſo have and receive ſuch further puniſhment by Fine, Impriſonment, or other corporal puniſhment, not extending to Life or Limb, as by the Juſtices of the Court of Kings Bench, or Juſtices of Oyer and Terminer, or Juſtices of Aſſize in their ſeveral Circuits, or Juſtices of the Peace in their ſeveral Quarter Seſſions ſhall be thought fit to be inflicted; (3) The which ſaid Juſtices of the Peace in their ſeveral Quarter Seſſions ſhall have full power and authority to hear and determine all and every offence and offences that ſhall be committed againſt this Act, or againſt any branch thereof, upon Indictment or Information by any perſon or perſons to be taken before them in their Seſſions of Peace reſpectively, and ſhall yearly certifie into the Court of Exchequer, as in other like Caſes they are bound to do, the Fines by them impoſed for any of the Offences aforeſaid, and ſhall and may alſo by virtue hereof award proceſs and execution for the taking or puniſhing ſuch Offenders as in any other caſe they lawfully may do by any the Laws and Statutes of this Realm.

XVII. And be it further enacted by the authority aforeſaid, That every Printer ſhall reſerve three printed Copies of the beſt and largeſt paper of every Book new printed, or reprinted by him with Additions, and ſhall before any publick Vending of the ſaid Book bring them to the Maſter of the Company of Stationers, and deliver them to him, one whereof ſhall be delivered to the Keeper of his Majeſties Library, and the other two to be ſent to the Vice-Chancellors of the two Univerſities reſpectively, for the uſe of the publick Libraries of the ſaid Univerſities.

Printed Copies to be ſent to his Majeſties Library and the two Univerſities.

XVIII. Provided always, That nothing in this Act contained, ſhall be conſtrued to extend to the prejudice or infringing of any of the juſt Rights and Priviledges of either of the two Univerſities of this Realm, touching and concerning the Licenſing or Printing of Books in either of the ſaid Univerſities.

Proviſo for the priviledges of the two Univerſities.

XIX. Provided always, That no Search ſhall at any time be made in the Houſe or Houſes of any the Peers of this Realm, or of any other perſon or perſons not being free of, or uſing any of the Trades in this Act before mentioned, but by ſpecial Warrant from the Kings Majeſty, under his Sign Manual, or under the hand of one or both of his Majeſties principal Secretaries of State, or for any other Books than ſuch as are in printing, or ſhall be printed after the Tenth of June, 1662; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Peers Houſes.

XX. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to prohibit any Bookſeller who hath ſerved ſeven years, and is free of the Company of Stationers London, from Importing or bringing into this Realm any Books ready bound not formerly prohibited, which have been printed ten years before the Importation; Any thing in this or any other Act to the contrary notwithſtanding.

Proviſo for Bookſellers and Stationers London.

XXI. Provided alſo, and be it further enacted by the Authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall be conſtrued to prohibit any perſon or perſons to ſell Books or Papers, who have ſold Books and Papers within Weſtminſter-Hall, the Palace of Weſtminſter, or in any Shop or Shops within twenty yards of the great Gate of Weſtminſter-Hall aforeſaid, before the twentieth day of November, One thouſand ſix hundred ſixty and one; but they and every of them may ſell Books and Papers as they have or did before the ſaid twentieth day of November, One thouſand ſix hundred ſixty and one, within the ſaid Hall, Palace, and twenty yards aforeſaid, but not elſewhere; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Perſons ſelling Books in Weſtminſter-Hall.

XXII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to prejudice the juſt Rights and Priviledges granted by his Majeſty, or any of his Royal Predeceſſors, to any perſon or perſons, under his Majeſties Great Seal, or otherwiſe, but that ſuch perſon or perſons may exerciſe and uſe ſuch Rights and Priviledges as aforeſaid, according to their reſpective Grants; Anything in this Act to the contrary notwithſtanding.

Proviſo for the rights and priviledges of Printing granted to any perſons by the King.

XXIII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to prohibit John Streater Stationer, from Printing Books and Papers, but that he may ſtill follow the Art and Myſtery of Printing, as if this Act had never been made; Any thing therein to the contrary notwithſtanding.

Proviſo for John Streater Stationer.

XXIV. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to reſtrain the keeping and uſing of a Printing-preſs in the City of York, ſo as all Books of Divinity there printed, be firſt Licenſed by the Archbiſhop of York for the time being, or ſuch perſon or perſons whom he ſhall appoint, and all other Books whatſoever there printed, be firſt Licenſed by ſuch perſons reſpectively to whom the Licenſing thereof doth or ſhall appertain by the Rules herein before mentioned, and ſo as no Bibles be there printed, nor any other Book, whereof the Original Copy is or ſhall be belonging to the Company of Stationers in London, or any Member thereof; and ſo as the Archbiſhop or Lord Mayor of York for the time being, do execute within the ſaid City (which they are hereby impowred to do) all the Powers and Rules in this Act concerning Searches for unlicenſed Books, and impoſe and levy the ſaid penalties in the like caſes; any thing in this Act to the contrary notwithſtanding.

Proviſo for the City of York.

XXV. Provided, That this Act ſhall continue and be in force for two years, to commence from the Tenth of June, One thouſand ſix hundred ſixty and two, and no longer. Continued 16 Car. 2. cap. 8. EXP.

The continuance of this Act.

Anno XV. CAROLI II. *Regis.*

AT the Parliament begun at Weſtminſter the Eighth day of May 1661. and in the Thirteenth year of the Reign of our Sovereign Lord CHARLES the Second, &c. Defender of the Faith, &c. And by divers Prorogations and Adjournments continued to the the Twenty ſeventh day of July, in the Fifteenth year of his ſaid Majeſties Reign; and thence Prorogued to the Sixteenth day of March next following.

CAP. I.

An Act for repairing the High-ways within the Counties of Hertford, Cambridge, and Huntington.

WHereas the ancient High-way and Poſt-road leading from London to York, and ſo into Scotland, and likewiſe from London into Lincolnſhire, lieth for many miles in the Counties of Hertford, Cambridge and Huntington, in many of which places the Road, by reaſon of the great and many Loads which are weekly drawn in Waggons through the ſaid places, as well by reaſon of the great Trade of Barly and Mault that cometh to Ware, and ſo is conveyed by Water to the City of London, as other Carriages both from the North parts, as alſo from the City of Norwich, Saint Edmunds-bury, and the Town of Cambridge to London, is very Ruinous, and become almoſt Impaſſable, inſomuch that it is become very dangerous to all his

The High-way from London to York, and Scotland, Hertford, Cambridge, Huntington.

his Majeſties Liege people that paſs that way; (2) And for that the ordinary courſe appointed by the Laws and Statutes of this Realm is not ſufficient for the effectual repairing and amending of the ſame, neither are the Inhabitants through which the ſaid Road doth lie, of ability to repair the ſame, without ſome other proviſion of moneys to be raiſed towards the putting the ſame into good and ſufficient Repair: (3) For remedy thereof, and to the intent the ſaid High-ways at or in the Counties aforeſaid, may be forthwith effectually repaired and amended, and from time to time hereafter kept in good repair, May it pleaſe your Majeſty, that it may be Enacted, And be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for the Surveying, Ordering, Repairing, and keeping in Repair of the ſaid High-ways in the Counties aforeſaid, Four Juſtices of the Peace for each of the ſaid ſeveral and reſpective Counties dwelling next to the ſaid High-ways reſpectively, or any two of them, for the year One thouſand ſix hundred ſixty three, and until the Quarter-Seſſions then next enſuing, (4) and from thenceforth the Juſtices of Peace at the Seſſions to be holden next after Eaſter every year, for the ſaid reſpective Counties, from time to time ſhall and are hereby impowred to nominate and appoint Nine ſufficient and able perſons reſiding and inhabiting within the ſaid ſeveral and reſpective Counties, to be Surveyors of the ſeveral places in the ſaid High-way, for the year from thence next enſuing: (5) The Juſtices of the Peace for the County of Hertford, to appoint Surveyors for the Highway lying in the ſaid ſeveral Towns and Pariſhes of the ſaid County; And the Juſtices of the Peace in the County of Cambridge; to appoint Surveyors for the ſeveral Towns and Pariſhes within their ſaid County of Cambridge; And the Juſtices of Peace for the County of Huntington, to appoint Surveyors for the ſeveral Towns and Pariſhes of the ſaid County: And that the ſaid Juſtices or Surveyors aforeſaid, ſhall not act or do any thing towards the Repairs of the ſaid High-ways, but in their own ſeveral and reſpective Counties; (6) And that the ſaid Juſtices in their ſeveral Counties ſhall cauſe notice to be given to the ſeveral Surveyors ſo choſen, in writing, of their ſaid choice, which ſaid Surveyors, and every of them, having no lawful impediment to be allowed by the ſaid Juſtices by whom they ſhall be choſen in manner as aforeſaid, within one week next after ſuch notice to them given of their Election, ſhall and are hereby required to meet and aſſemble themſelves together, (that is to ſay) the Surveyors for the County of Hertford, in ſome convenient place within the County of Hertford; And the Surveyors choſen for the County of Cambridge, in ſome convenient place within their County; And the Surveyors choſen for the County of Huntington, in ſome convenient place within their ſaid County, to be appointed by the ſeveral Juſtices of the ſaid Counties at their ſeveral Quarter-Seſſions, to the intent to View and Survey the ſaid High-ways and places aforeſaid, and ſhall conſider what Reparations ſhall be needful for Repairing of the ſeveral High-ways and places aforeſaid; (7) And the ſaid ſeveral Surveyors in their reſpective Counties, ſhall provide Stones, Gravel, and other Materials and Neceſſaries to be uſed for and towards the Repairing and Amending the ſaid High-way, at the place aforeſaid; (8) And the ſaid Surveyors, or three or more of them, in their reſpective Counties being ſo met and aſſembled, are hereby authorized to appoint a Receiver or Collector of Toll, and ſuch other Officer and Officers as they ſhall find neceſſary in their reſpective Counties, for carrying on the ſaid Work (with ſuch moderate allowance as ſhall be thought fit) to be approved of by any two or more Juſtices of the Peace for the ſaid reſpective County for which ſuch Officer is ſo choſen, living near to the ſaid High-way or places aforeſaid, or otherwiſe to be removed, and other fit perſon or perſons to be choſen in his or their places by the ſaid Juſtices in the ſaid ſeveral and reſpective Counties: (9) And for the better effecting thereof, Be it enacted by the Authority aforeſaid, That the ſaid Surveyors, or any three or more of them, in the ſeveral Counties, ſhall from time to time, as they ſhall ſee cauſe, appoint and require all and every perſon and perſons inhabiting within three miles of the places aforeſaid, being within the ſeveral and reſpective Counties, who by any Law or Statute of this Realm now in force is or are chargeable to find any Wayn or Cart for the amending of the High-ways, and every other perſon and perſons chargeable to labour in the High-ways, upon reaſonable notice, to ſend his or their Cart, or Wayn and Team, or to come to labour in the ſaid High-way at any the places aforeſaid within their reſpective Counties, ſo furniſhed as by the Laws and Statutes of this Realm is directed for the amending other High-ways, when and ſo often as the ſaid Surveyors for their ſaid ſeveral Counties, or any three or more of them ſhall think needful and appoint; for which the ſaid Surveyors ſhall pay unto ſuch Labourers, and to the Owners of ſuch Teams, Carts and Wayns, according to the uſual Rate of the Countrey: (10) And in caſe any perſon be ſo charged to ſend his, her or their Team to work as aforeſaid, ſhall refuſe or neglect ſo to do, ſuch perſons ſo refuſing or neglecting, ſhall forfeit Ten ſhillings for every day that he or they ſhall make ſuch default, and every Labourer Eighteen pence for every day he ſhall neglect or refuſe to work as aforeſaid.

Who may appoint Surveyors of the High-ways for Hertfordſhire yearly, Cambridgeſhire, Huntingtonſhire.

The power of the Juſtices of the Peace in their ſeveral Counties.

Hertford, Cambridge, Huntington.

The power of the Surveyors in the ſaid ſeveral Counties.

To appoint Receivers and Collectors of Toll, and other needful Officers.

Charging of Carts and Carriages.

Allowance of Wages to Labourers and Owners. The penalty for refuſing.

How far and often Carts and Carriages may be charged. Who may determine differences about Carriages and Labourers Wages.

II. Provided, That no perſon or perſons by virtue of this Act be compelled or compellable to labour, or to ſend his or their Team, Cart or Waggon for the mending of the ſaid High-way, to any of the ſaid places being above Three miles diſtant from his Dwelling-houſe, or not in the ſame County, nor to labour or ſend his or their Team, Cart or Waggon, for amending of the ſaid Highway, above three days in any one week, nor at any time in Seed-time, Hay or Corn-harveſt: (2) And in caſe that any queſtion ſhall happen to ariſe touching the Hire to be given by the ſaid Surveyors for ſuch Team, Cart or Waggon, or concerning the Wages of ſuch Labourers employed in mending the ſaid High-ways, That then the ſaid Juſtices of the Peace in the County where ſuch difference ariſeth, or any two or more of them, ſhall and may determine and ſet down what Hire for ſuch Team, Cart or Waggon, and alſo what Wages to ſuch Labourer ſhall be paid or allowed by the ſaid Surveyors, and ſuch Order in that behalf to be made, ſhall conclude all parties.

How Gravel, Chalk-ſtones, &c. may be taken.

III. And be it further Enacted by the Authority aforeſaid, That where there is not ſufficient

ent Gravel, Chalk, Sand or Stones within any Pariſh, Town, Village or Hamlet wherein the ſaid High-way, or places aforeſaid, or any of them do lie, to repair the ſaid High-way at any of the places aforeſaid, It ſhall and may be lawful for the ſaid Surveyors in their ſeveral and reſpective Counties, or any three or more of them, and ſuch perſon and perſons as they ſhall appoint to dig, take and carry away Gravel, Chalk, Sand or Stones out of the Waſte or Common of any neighbouring Pariſh, Town, Village or Hamlet (without paying any thing for the ſame) for the repairing or amending of the ſaid High-way at any the places aforeſad; (2) or where there is not ſufficient of ſuch materials in any Common or Waſte Ground thereunto near adjoyning, to dig in the ſeveral Grounds of any perſon or perſons, not being an Houſe, Garden, Orchard, Yard or Park ſtored with Deer, being within any Pariſh chargeable towards the repairs of the ſaid High-way, and places ſo to be repaired, where any ſuch materials are or may be found, and from to time to time to carry away ſuch and ſo much thereof as the ſaid Surveyors, or any three or more of them in their reſpective Counties ſhall adjudge neceſſary for the ſaid Reparations, without paying any thing for ſuch materials, ſaving only ſuch reaſonable ſatisfaction to the Owner or Occupier of the Ground where the ſame ſhall be ſo digged and carried away, as for the damage he or they ſhall thereby ſuſtain, to be aſſeſſed and adjudged by the ſaid Juſtices of the County where the ſame is digged, at the next, or any other Quarter-Seſſions for the ſaid County, in caſe of difference concerning the ſame; (3) And that the Pits and places where, and from whence ſuch materials ſhall be dug and carried away for the Reparations aforeſaid, ſhall with all convenient ſpeed (to be adjudged by the ſaid Juſtices of Peace as aforeſaid) be filled up, and levelled with Earth or other materials, or elſe railed about, ſo as that the ſame map not be deemed dangerous or prejudicial to Man or Beaſt: (4) And for the defraying of the charge of ſuch Reparations to be done in the places aforeſaid.

Who may appoint the taking of Toll or Cuſtom of all carriages and paſſengers.

IV. Be it further Enacted, That from and after the choice of Surveyors aforeſaid, it ſhall and may be lawful to and for the ſaid Surveyors for the time being, with ſuch conſent and approbation as is aforeſaid, of the ſaid Juſtices of the ſeveral Counties, within their own Counties and not elſewhere, to chooſe and appoint one or more fit perſon or perſons to receive or take ſuch ſum or ſums of mony in the name of the Toll or Cuſtom to be paid for all ſuch Horſes, Carts, Coaches, Waggons, Droves and Gangs of Cattel as in time to come ſhall paſs, be led, or droven in or through the ſaid Way or places aforeſaid, as are hereafter by this Act limited, (that is to ſay) (2) for every Horſe one penny, for every Coach ſix pence, for every Waggon one ſhilling, for every Cart eight pence, for every ſcore of Sheep or Lambs one half penny, and ſo proportionably for greater numbers: For every ſcore of Oxen, or Neat Cattel five pence, and ſo for every greater or leſſer number proportionably: For every ſcore of Hogs two pence, and ſo for every greater or leſſer number proportionably, not being under five: (3) And that from and after the paſſing this Act, all and every perſon or perſons who ſhall travel with Horſe, Cart or Waggon, or who ſhall lead or drive any Oxen, Sheep, Horſes, or other Cattel afore-mentioned, in and through the High-way and places aforeſaid, ſhall and are hereby required to pay unto the reſpective Collectors and Receivers of Toll in the ſeveral Counties aforeſaid in that behalf to be appointed, after the Rates aforeſaid. (4) The places for collecting the ſaid Toll to be, for the County of Hertford, at Wades-Mill; and for the County of Cambridge, at Caxton within the ſaid County of Cambridge; and for the County of Huntington, at Stilton in the ſaid County of Huntington, and at no other place or places within the ſaid Counties: (5) And in caſe any perſon or perſons upon demand made of Toll aforeſaid by the Collector or Receiver in that behalf to be appointed, ſhall neglect or refuſe to pay the ſame, that then it ſhall and may be lawful to and for the ſaid Collector or Receiver appointed for the receipt of the ſaid Toll, upon ſuch refuſal, to diſtrain and detain ſuch Horſe, Cart, Coach, Waggon, Oxen, or other Cattel afore-mentioned, or any of them, until the ſaid Toll ſhall be ſatisfied and paid according the tenor of this preſent Act, together with ſuch damages as the party ſo diſtraining ſhall ſuſtain by keeping of ſuch Diſtreſs: (6) Of all which money ſo to be received, the ſaid Collector or receiver of Toll ſo to be appointed in the ſeveral Counties, ſhall from time to time render true Accompts, and ſhall pay the money ſo by them received, unto the ſaid Surveyors of their ſeveral and reſpective Counties, or to any three or more of them, or unto ſuch Treaſurers as they ſhall appoint, when, and as often as they ſhall be thereunto required by the ſaid Surveyors, or any three or more of them, by them to be laid out and expended for and towards the neceſſary Repairs, and amending of the ſeveral places afore-mentioned, and not elſewhere within their ſaid ſeveral and reſpective Counties.

Places for taking of Toll in Hertfordſhire, Cambridgſhire, Huntingtonſhire.

Power to diſtrain for Toll refuſed to be paid.

The Toll received to be accompted for and paid to the Surveyors.

To whom the ſaid Surveyors ſhall accompt for money received.

V. And be it further enacted by the Authority aforeſaid, That the Surveyors, and every of them in their ſeveral and reſpective Counties, at the Quarter-Seſſions of the Peace for the ſaid County, to be holden next after Eaſter in every year, ſhall make and yield up unto the Juſtices of the Peace there to be aſſembled, a perfect Account in writing under their hands, of all the money which they or any of them have received from the ſaid Collector or Receiver of Toll in their ſaid County, and likewiſe of all their Diſburſements in and about the ſaid High-way, or otherwiſe by reaſon of their Offices; (2) And in caſe of any overplus of money ſo received, remaining in their hands, ſhall pay the ſame to the Surveyors to be choſen for the year enſuing, or to the Treaſurer or Receiver by them to be appointed, to be diſburſed and laid out in the ſeveral places aforeſaid, within ſuch County wherein the overplus doth remain, and not elſewhere, in the year enſuing; (3) which ſaid Juſtices to whom ſuch Account ſhall be given, ſhall out of the benefit of the ſaid Toll, make ſuch allowance unto the ſaid Surveyors, for and in conſideration of their care and pains taken in the execution of their ſaid Offices, as to them ſhall ſeem good: (4) And in caſe the Collector or Receiver of the aforeſaid Toll for the reſpective Counties to be paid as aforeſaid, ſhall not upon requeſt duly pay the ſame unto the ſaid Surveyors of the ſaid County for the time being, or the Treaſurer or Receiver by them appointed; or in caſe the ſaid Surveyors, or any of them, ſhall not make ſuch Account and payment as aforeſaid, That then the ſaid Juſtices for the

ſeveral

6c

ſeveral and reſpective Counties, at any Quarter-Seſſions of the Peace to be holden for the ſaid County, in caſe of ſuch default of Account or Payment, ſhall and may make enquiry concerning ſuch default, as well by the confeſſion of the parties themſelves, as by teſtimony of two or more credible Witneſſes upon Oath; and in caſe of ſuch default to be found and adjudged by the ſaid Juſtices, in their ſaid reſpective Counties, either in the ſaid Receiver or Collector of the ſaid Toll, or in their ſaid Surveyors, or any of them, the ſaid Juſtices upon ſuch their Conviction, ſhall commit the party or parties ſo convict, to the common Gaol for the ſaid County, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment as aforeſaid.

How the Toll profits may be engaged for advance of money.

VI. And foraſmuch as the moneys ſo to be Collected by ſuch receipt of the ſaid Toll, will not at preſent raiſe ſuch a Stock or ſum of money as may be ſufficient for the ſpeedy Repairing of the Premiſſes in the ſaid ſeveral Counties of Hertford, Cambridge and Huntington, (2) It is hereby further enacted, and the ſaid Surveyors are hereby enabled by and with the like conſent of the ſaid Juſtices, for their ſeveral and reſpective Counties, without further Licence, ſeverally to engage the Profits ariſing of their ſaid Toll in their ſeveral Counties, for ſuch ſum or ſums of money by them to be borrowed for that purpoſe, and by Indenture under the Hands and Seals of the ſaid reſpective Surveyors for the time being, to transfer the ſaid Profits of the ſaid Toll, and to grant and convey the ſame for any time or term, not exceeding Nine years, unto any perſon or perſons that ſhall or will upon that Security advance any preſent ſum or ſums of money for and towards the preſent Repairing and Amending of the ſaid High-way in the reſpective places and Counties aforeſaid, for the repayment of ſuch principal ſum or ſums of money ſo lent, with Intereſt for the ſame: (3) Or in caſe ſuch ſum or ſums of money cannot be borrowed upon the Security aforeſaid, for the Repair of the ſaid Ways, That then it ſhall and may be lawful to and for the ſaid Juſtices in their ſaid ſeveral and reſpective Counties, at their ſeveral Quarter-Seſſions, when they ſhall ſee cauſe, to make a Rate not to extend to any other County but their own, nor to Repair any other than the places aforeſaid, in that particular County where ſuch Rate is made, whereby they ſhall have power for their ſeveral Counties to raiſe upon the Pariſhes that lie in or near the ſaid Road (and ſo will have a benefit therefrom) ſuch ſum or ſums of money as they ſhall ſee fit and convenient for the ſpeedy effecting of the ſaid Repairs before mentioned; which ſaid ſum and ſums ſo to be rated as aforeſaid, ſhall be paid to the Surveyors for the reſpective County where ſuch Rate is made, or to their Receiver or Collector, to be employed for the Repairing of the ſaid Ways and places afore mentioned, and not otherwiſe: And in caſe any perſon ſhall refuſe to pay ſuch Rate ſo to be made, That it ſhall and may be lawful for the ſaid Surveyors, or their ſaid Receivers and Collectors, to Diſtrain for ſuch ſum or ſums of money, and the Diſtreſs to ſell, rendring the Overplus to the Owners.

In what caſes a Rate may be made upon the ſeveral Pariſhes.

VII. Provided always, and it is enacted by the Authority aforeſaid, That the ſaid money ſo advanced by the ſaid ſeveral Towns in the ſaid reſpective Counties, ſhall again be repayed with Intereſt by the ſeveral Surveyors for the ſeveral Counties, as it doth ariſe out of the ſaid Toll, every County paying for what is ſo borrowed within its own County, and no further.

The penalty for refuſing to take the Office of Surveyor.

VIII. And be it further Enacted by the Authority aforeſaid, That if any perſon or perſons not having any lawful cauſe to be allowed as aforeſaid, ſhall neglect or refuſe to take upon him or them the ſaid Office of Surveyor, being thereunto nominated and choſen according as by this Act is appointed, or to do or perform his or their duty in the due and ſpeedy execution of this preſent Act, the ſaid Juſtices of the Peace for the ſeveral and reſpective Counties where ſuch Surveyor or Surveyors dwell, at their Quarter-Seſſions ſhall and may hereby have power to impoſe on ſuch perſon or perſons ſo refuſing or neglecting, ſuch Fine or Fines (not exceeding Ten pounds upon each perſon ſo refuſing or neglecting) as to them ſhall ſeem meet, and to cauſe the ſame to be levied by Diſtreſs and Sale of his or their Goods, rendring to the party ſo diſtrained the Overplus, if any ſhall be.

Fines and Forfeitures upon this Act, how to be paid and diſpoſed.

IX. And be it further Enacted by the Authority aforeſaid, That all Fines and Forfeitures to be impoſed or incurred by virtue of this Act, ſhall be paid to the Surveyors for the time being, or any three of them, or the Treaſurers of the ſaid Surveyors for the ſaid reſpective Counties, for and towards the Repairing of the ſaid High-ways and places aforeſaid: (2) And in caſe of refuſal, or if any perſon or perſons ſo choſen to take upon him or them the ſaid Office, ſhall happen to die, or ſhall for any lawful Impediment be diſcharged from the ſaid Office, that then ſome other fit perſon or perſons within that County ſhall be appointed by two or more Juſtices in the ſaid County, living near the ſaid High-way and places aforeſaid, in the place of him or them that ſhall ſo refuſe, die, or be diſcharged; and the perſon or perſons ſo choſen, ſhall and are hereby required upon notice thereof to him or them given under the Hands and Seals of the ſaid Juſtices by whom he or they ſhall be ſo choſen, to take upon him or them the ſaid Office of Surveyor, and to execute the ſame in ſuch manner, and under ſuch and the like penalties, as if he or they had been choſen by the Juſtices at their Seſſions of the Peace in manner as aforeſaid.

Suits upon this Act ſhall be laid in the proper County, and the Defendant may plead the general Iſſue.

Double Coſts.

X. And be it further enacted by the authority aforeſaid, That if any Suit ſhall be commenced againſt any perſon for any thing done in purſuance of this preſent Act, That in every ſuch caſe the Action ſhall be laid in the ſaid reſpective Counties where the Cauſe doth ariſe, and not elſewhere, (2) and the Defendant in ſuch Action ſo to be brought, may plead the general Iſſue, and give this Act, and the ſpecial matter in evidence at any Trial to be had thereupon, and that the ſame was done in purſuance, and by authority of the ſaid Act: (3) And if it ſhall ſo appear to be done, and that ſuch Action ſhall be brought in any other County, That then the Jury ſhall find for the Defendant, and upon ſuch Verdict, or if the Plaintiff ſhall be non-ſuited, or diſcontinue his Action after the Defendant ſhall have appeared, or if upon Demurrer, Judgment ſhall be given againſt the Plaintiff, the ſaid Defendant ſhall have and recover his double Coſts, and have the like remedy for the ſame, as any Defendant hath in any other caſe by Law.

XI. Provided always, That no perſon or perſons having occaſion to paſs any place where the Toll is taken, and return the ſame day with the ſame Horſe, Coach, Waggon, or other Carriage, or with Cattel, ſhall be compelled in the ſame day to pay the ſaid Toll a ſecond time; Any thing in this Act to the contrary notwithſtanding.

Toll not to be paid twice in the ſame day.

XII. Provided alſo, That all and every perſon and perſons who by Law are chargeable towards the repairing of the ſaid High-ways and places aforeſaid, ſhall ſtill remain ſo chargeable, Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

XIII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to any further time, or be of force any longer than the term of Eleven years, to be accounted from the paſſing of this Act; any thing in this Act to the contrary notwithſtanding.

The continuance of this Act for eleven years only.

XIV. Provided always, That all and every perſon and perſons paſſing through the reſpective places appointed for the receiving of Toll as aforeſaid, (viz.) at Wades-Mill for the County of Hertford, at Caxton for the County of Cambridge, and at Stilton for the County of Huntington, and coming immediately and primarily to and from the ſeveral Pariſhes of Standen, Thundridge, Ware and Benges, adjacent to Wades-Mill in the ſaid County of Hertford, and Stowe, great Papworth, little Papworth, Borne and Elſley, adjacent to Caxton in the County of Cambridge, and Yaxly, Waſhingley, Glatton, Cunington, Waddon and Stibbington, adjacent to Stilton in the ſaid County of Huntington, ſhall have a liberty to carry any quantity or quantities of Stones, Sand, Lime or Gravel, Dung, Mould, and Compoſt of any nature or kind whatſoever, Brick, Chalk, or Wood; And that they, and all Carts with Hay, or Corn in the Straw, at Hay-time or Harveſt, Ploughs, Harrows, and other Implements of Husbandry, and all other things whatſoever employed in the Husbanding, ſtocking and manuring of their ſeveral and reſpective Lands in the ſaid ſeveral and reſpective Pariſhes, ſhall paſs to and fro through the ſaid reſpective places where ſuch Toll is to be received as aforeſaid, without paying any thing for their reſpective paſſing through the ſame; Any thing in this preſent Act to the contrary thereof in any wiſe notwithſtanding.

Proviſo for exempting certain perſons and things from paying any Toll.

Stones, Gravel, &c. Hay, Corn in Harveſt-time, Ploughs and Implements of Husbandry.

XV. Provided alſo, and be it Enacted, That if it ſhall happen that at the end and expiration of the term of the Eleven years aforeſaid, that the Receiver or Receivers, Collector or Collectors then in being, or any of them, of the aforeſaid Tolls, or any part thereof, in all and every of the ſaid Counties, made and to be made, ſhall upon their or any of their accounts made and to be made for the ſeveral and reſpective Receipts of the Tolls aforeſaid, have any ſum or ſums of money in their or any of their hands, more than they or any of them have expended as aforeſaid, That then ſuch Receiver and Receivers, Collector and Collectors, and every of them, ſhall bring in all and every ſum and ſums of money ſo remaining in their or any of their hands, unto the Juſtices of the Peace of the ſaid ſeveral and reſpective Counties where ſuch Receiver or Receivers, Collector or Collectors ſhall live, or have received the ſaid ſeveral ſum or ſums, at the next General Quarter-Seſſions for the Peace which ſhall happen to be after their ſaid ſeveral Accounts ſo to be made as aforeſaid, upon pain of forfeiting double the ſum which ſhall be in their or any of their hands upon the ſaid Account; (2) which ſaid ſum and penalties ſhall be recovered by Diſtreſs and Sale of the parties Goods ſo refuſing to do the ſame, by Warrant under the Hands and Seals of any two Juſtices of the Peace of the ſaid ſeveral Counties; (3) And that the ſaid Juſtices of the Peace at their ſaid ſeveral Quarter-Seſſions in their ſeveral Counties, are hereby impowred and enabled to diſpoſe of the ſaid ſeveral ſum and ſums of money, and all the ſaid Penalties, into the hands of ſuch perſon and perſons, and upon ſuch Securities as they ſhall approve of, to and for a Stock for the repairing of the ſaid ſeveral High-ways, according to the intent and meaning of this Act, and not otherwiſe.

Proviſo touching money received overplus and remaining at the end of eleven years.

XVI. Provided alſo, and be it Enacted by the Authority aforeſaid, That if the Juſtices of the Peace for the County of Huntington, or any four of them dwelling next to the ſaid High Road, ſhall adjudge ſome other place more convenient than Stilton for receiving the Toll for the ſaid County, That then it ſhall and may be lawful for the ſaid Juſtices of Peace as aforeſaid, to appoint ſome other place upon the High-Road within their ſaid County, to receive the aforeſaid Toll inſtead of Stilton; Any thing in this Act to the contrary notwithſtanding.

Huntington. Stilton.

XVII. And that it ſhall and may be lawful for all and every Souldier and Souldiers upon their March, and all perſons riding Poſt, to paſs through any the places in this Act mentioned, without paying any Toll.

Souldiers in Marching, and Poſts, exempted

XVIII. Provided alſo, That if at any time before the expiration of the Eleven years aforeſaid, the ſaid High-ways ſhall be well and ſufficiently amended and repaired, and ſo adjudged by the Juſtices of the Peace at the Quarter-Seſſions for their ſeveral and reſpective Counties aforeſaid, That then from and after ſuch Adjudication made, and repayment of ſuch moneys as ſhall have been borrowed, the aforeſaid Toll in the ſaid County ſhall ceaſe and determine; Any thing aforeſaid to the contrary notwithſtanding. Continued 16 & 17 Car. 2. cap. 10.

Proviſo for ceaſing the Toll within the eleven years.

CAP. II.

An Act for the puniſhment of unlawful Cutting or Stealing, or Spoiling of Wood and Under-woods, and Deſtroyers of young Timber-Trees.

Whereas in one Act of Parliament made in the Three and fortieth year of the Reign of the late Queen Elizabeth, Entituled, An Act to avoid and prevent divers miſdemeanors in idle and lewd perſons, among other things it is Enacted, That all and every ſuch lewd perſon and perſons that ſhall cut or ſpoil any Woods or Under-woods, Poles or Trees ſtanding, and their Procurer or Procurers, Receiver or Receivers knowing the ſame, and being thereof lawfully Convicted by his or their own Confeſſion, or by the teſtimony of one ſufficient Witneſs, upon Oath before ſome one Juſtice of Peace, or other Head Officer of the County or Place where ſuch offence was committed, ſhall give the party or parties ſatisfaction

43 El. cap. 7.

The puniſhment for cutting and ſpoiling any Woods.

faction for his or their Damages for the firſt fault: (2) And if ſuch Offender or Offenders ſhall by ſuch Juſtice of Peace or Head Officer be thought not able or ſufficient, or if ſuch Offender or Offenders do not make ſuch ſatisfaction as aforeſaid, That then the ſaid Juſtice of Peace or Head Officer ſhall commit the ſaid Offender or Offenders to the Conſtable, or other inferiour Officer, to receive the puniſhment of Whipping, as in the ſaid Act more fully doth appear.

Who may apprehend Wood-ſtealers.

Search in houſes of ſuſpected perſons.

43 Eliz. cap. 7.

II. And whereas it is found by daily experience, eſpecially in and about London, and other great Towns, where a great number of ſuch idle and lewd perſons do ſhelter themſelves, that this Act hath not ſufficiently prevented the ſaid miſchief of cutting and ſpoiling of Woods and Underwoods, as was intended, as well becauſe the ſaid Offences are committed in ſuch a cloſe and clandeſtine manner, that there is none Witneſſes to them, but ſuch as are partakers to the offence; as alſo becauſe the ſaid puniſhment is too ſmall for ſo great a fault, which is not only prejudicial and hurtful to the Owners of the ſaid Woods, but very miſchievous and damageable to the Common-wealth: (2) Be it therefore Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Four and twentieth day of June next enſuing, every Conſtable, Headborough, or any other perſon in every County, City, Town Corporate, or other place where they ſhall be Officers or Inhabitants, ſhall and may by virtue of this preſent Act have full power and authority to apprehend, or cauſe to be apprehended all and every perſon or perſons they ſhall ſuſpect having, or carrying, or any ways conveying any burthen or bundles of any kind of Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails or Hedge-wood, Broom or Furze; (3) and by Warrant under the Hand and Seal of any one Juſtice of the Peace directed to any Officer, ſuch Officer ſhall have power to enter into and ſearch the Houſes, Out-houſes, Yards, Gardens, or other places belonging to the Houſes of all and every perſon or perſons they ſhall ſuſpect to have any kind of Wood, Under-woods, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails, or Hedgewood, Broom or Furze; (4) and whereſoever they find any ſuch, to apprehend, and cauſe to be apprehended all and every perſon and perſons ſuſpected for the cutting and taking of the ſame, and them, and every of them, as well thoſe apprehended carrying, or any ways conveying any kind of Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails, or Hedgewood, Broom, or Furze; as alſo thoſe in whoſe Houſes or other places belonging to them, any ſuch Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails, or Hedgewood, Broom or Furze, ſhall be found, to carry before one Juſtice of the Peace of the ſame County, City, or Town-Corporate; (5) And if the ſaid perſon and perſons ſo ſuſpected, apprehended, and carried before the ſaid Juſtices, do not then and there give a good account how he and they came by ſuch Wood, or Under-wood, Poles, or young Trees, or Bark or Baſt of any Trees, or Gates, Stiles, Poſts, Pales, Rails, or Hedgewood, Broom, or Furze, by conſent of the owner, ſuch as ſhall ſatisfie the ſaid Juſtice, or elſe ſhall not within ſome convenient time to be ſet them by the ſaid Juſtice, produce the party or parties of whom they bought the ſame Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of Trees, Gates, Stiles, Poſts, Pales, Rails or Hedgwood, Broom or Furze, or ſome other credible Witneſs to depoſe upon Oath ſuch ſale of the ſaid Wood, Under-wood, Poles, or young Trees, or Bark or Baſt of Trees, Gates, Stiles, Poſts, Pales, Rails, or Hedge-wood, Broom or Furze (which Oath the ſaid Juſtice hath hereby power to adminiſter) That then the ſaid perſon or perſons ſo ſuſpected, and not giving ſuch good account, nor producing any ſuch Witneſs upon Oath to teſtifie the ſaid Sale as aforeſaid, ſhall be deemed and adjudged as convicted of the ſaid offence of cutting and ſpoiling of the ſame Woods, Under-woods, Poles, or young Trees, or Bark or Baſt of Trees, Gates, Stiles, Poſts, Pales, Rails or Hedge-wood, Broom or Furze, within the meaning of the ſaid Statute of Queen Elizabeth, and ſhall be liable to the puniſhment therein contained, and to ſuch other proceedings and puniſhments as by this preſent Act ſhall be further conſtituted and appointed on that behalf.

The puniſhment for the firſt offence.

The ſecond offence.

III. And be it therefore enacted by the authority aforeſaid, That all and every perſon or perſons convicted of the ſaid Offence in manner and form before in this Act mentioned, ſhall for the firſt offence give the Owner or Owners ſuch Recompence or Satisfaction for his or their Damages, and within ſuch time as the ſaid Juſtice ſhall appoint, and over and above pay down preſently unto the Overſeers, for the uſe of the Poor of the Pariſh where the ſaid offence or offences were committed, ſuch ſum of Money (not exceeding Ten ſhillings) as the ſaid Juſtices ſhall think meet; (2) and if ſuch Offender or Offenders do not make Recompence or Satisfaction to the ſaid Owner or Owners, and alſo pay the ſaid ſum to the Poor in manner and form aforeſaid, then the ſaid Juſtice ſhall commit the ſaid Offender or Offenders to the Houſe of Correction for ſuch time as the ſaid Juſtice ſhall think fit, not exceeding one month, or to be whipped by the Conſtable, or other Officer, as in his judgment ſhall ſeem expedient: (3) And if ſuch perſon or perſons ſhall again commit the ſaid Offence, and be thereof convicted as before, that then they and every of them ſo offending the ſecond time, and thereof ſo convicted, ſhall be ſent to the Houſe of Correction for one month, and be there kept to hard labour: (4) And if ſuch perſon or perſons ſhall again commit the ſaid Offence, and be thereof convicted as before, That then they and every of them ſo offending the third time, and thereof ſo convicted, ſhall be taken, adjudged and deemed as Incorrigible Rogues.

Buyers of ſtoln Wood, how to be dealt withal.

IV. Provided always, and it is further Enacted by the Authority aforeſaid, That whoſoever ſhall buy any burthens of Wood, or any Poles or Sticks of Wood, or any other the Premiſſes particularly mentioned in this Bill, which may be juſtly ſuſpected to have been ſtoln, or unlawfully come by, That it ſhall and may be lawful to and for the ſaid Juſtices of the Peace, Mayors, Bailiffs and Head-officers, or any one of them within their reſpective Juriſdictions, upon complaint to them thereof made, to examine the matter upon Oath, which they and every of them reſpectively are hereby authorized to adminiſter: (2) And if they ſhall find that the ſame was bought of a perſon who might juſtly be ſuſpected to have ſtoln, or unlawfully come by the ſame, and that the ſame was ſtoln, or unlawfully come by; That in ſuch caſe the ſaid Juſtices of Peace, Mayors, Bailiffs, or other Head-Officers, or any one of them reſpectively, ſhall and may award the party who bought the ſame, to pay treble the value of the ſame to the party from whom the ſame was ſtoln, or unlawfully taken; And in default of preſent payment thereof, to iſſue forth their reſpective Warrants to levy the ſame by Diſtreſs and Sale of the Offenders Goods, rendring the overplus to the party, and in default of ſuch Diſtreſs, to commit the party to the Gaol at his own charge, there to remain one month without Bail.

V. Provided always, That no perſon or perſons ſhall be queſtioned for any Offence upon this Law, that hath been puniſhed for the ſame offence by any former Law, (2) nor ſhall be puniſhed by this Law, unleſs he be queſtioned within Six weeks after the offence committed.

Within what time Offenders muſt be queſtioned within this Act.

CAP. III.

An Act to explain and ſupply a former Act for diſtribution of Threeſcore thouſand pounds amongſt the truly Loyal and Indigent Commiſſion-Officers, and for Aſſeſſing of Offices, and diſtributing the Moneys thereby raiſed, for their further ſupply. 14 Car. 2. cap. 8. EXP.

CAP. IV.

An Additional Act, for the better Ordering the Forces in the ſeveral Counties of this Kingdom.

For the better Ordering of the Forces in the ſeveral Counties and places of England, and the Dominion of Wales, and Town of Berwick upon Tweed, and for the ſupplying and explaining the late Act, entituled, An Act for Ordering the Forces in the ſeveral Counties of this Kingdom, Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſeveral Lieutenants of the ſeveral Counties, Cities and places nominated by his Majeſty, his Heirs and Succeſſors reſpectively, and in their abſence out of the limits of their reſpective Lieutenancies, or by their directions when they are not abſent, their Deputy-Lieutenants during their reſpective Deputation, or any two or more of them, ſhall have power from time to time to Lead, Train, Exerciſe and put in readineſs, or by Warrant under their Hands and Seals, to cauſe to be Led, Trained, Exerciſed, or put in readineſs, all or any of the perſons Raiſed, Arrayed, or Weaponed according to the ſaid Act, to the intents and purpoſes, and by the directions of the ſaid Act, and of this preſent Act.

12 C.2.c.3.

Power of the Lieutenants and Deputy-Lieutenants, to Train and Exerciſe.

II. And be it further enacted, That all and every perſon or perſons, charged or to be charged by virtue of either of the ſaid Acts with Horſe, Horſeman and Arms, or Foot-Souldier, and Arms, ſhall under the penalty of forfeiting five ſhillings, pay and allow upon demand, two ſhillings ſix pence by the day, to each reſpective Trooper that ſerves with ſuch Horſe and Arms, for maintenance of the man and horſe, (2) and ſhall under the penalty of two ſhillings, pay and allow upon demand, one ſhilling by the day to each reſpective Foot-Souldier, for ſo many days as they or any of them ſhall be abſent from their dwellings or callings by occaſion of Muſter or Exerciſe, according to the Rules of this ſaid Act: (3) which ſaid penalty is to be Levied as is hereafter expreſſed, unleſs ſome certain agreement be made to the contrary before good witneſs; And the ſaid penalty is to be paid to ſuch Trooper or Foot-Souldier to whom his ſaid pay was denied; The reſpective penalties to be demanded within ſix weeks after each reſpective default, or at or before the next ſucceeding Muſter, Exerciſe or Training, and not afterwards.

13 Car.2.c.6. 14 Car.2.c.3. **Allowance of pay to Troopers** 2 s. 6 d. per diem. **Foot-Souldiers** 1 s. per diem.

III. And be it further enacted, That if any perſon or perſons aſſeſſed or charged according to the ſaid Acts, or either of them, ſhall refuſe or neglect by a reaſonable time to be appointed to provide and furniſh ſuch ſufficient Foot-Souldier and Arms, or Foot-Souldiers and Arms as are accordingly charged upon him or them, That then it ſhall and may be lawful to, and for the reſpective Lieutenants and Deputy-Lieutenants, or any three or more of them, for every ſuch offence from time to time to inflict a penalty upon ſuch perſon or perſons, not exceeding Five pounds, to be levied in manner following, and to be imployed to the ſame uſes in default whereof the ſame was impoſed.

Penalty upon refuſers to find Arms.

IV. Be it further enacted, That it ſhall and may be lawful for the reſpective Lieutenants and Deputy-Lieutenants, or any Three or more of them, from time to time to appoint and require the Conſtable or Conſtables of any Pariſh or place within this Kingdom, Dominion of Wales, and Town of Berwick upon Tweed, to provide and furniſh (at a reaſonable time and place to be appointed, upon a penalty to be impoſed, not exceeding Forty ſhillings for every ſuch omiſſion) ſo many ſufficient Foot-Arms (with Wages and other incident charges) as the ſaid Lieutenants and Deputy-Lieutenants, or any Three or more of them ſhall aſſeſs or charge according to the Rules and Proportions of the ſaid Acts, upon Revenue under Fifty pounds per annum, or upon perſonal Eſtates leſs than Six hundred pounds, lying or being within any ſuch reſpective Pariſh or place.

Conſtables required to charge perſons with Foot-Arms.

V. And in order thereunto, if any perſon or perſons of, or belonging to any ſuch Pariſh or place, ſhall upon demand refuſe or neglect to provide a Foot-Souldier, or Foot-Souldiers, according to the proportion aforeſaid, or to pay any ſum of money whereat he or they ſhall be taxed or aſſeſſed by a Pound Rate, according to a Liſt ſigned by the reſpective Lieutenants and Deputy-Lieutenants, or any Three or more of them, for and towards the defraying and ſatisfying the neceſſary charge and expence diſburſt in providing and furniſhing ſuch ſufficient Arms aforeſaid, that then it ſhall and may be lawful to and for ſuch Conſtable or Conſtables by Warrant for that purpoſe, to Levy ſuch Sum ſo Rated or Aſſeſſed, by Diſtreſs and Sale of the Goods of ſuch perſon or perſons ſo refuſing or neglecting to pay, and ſhall reſtore the overplus, (if any) the charge of Diſtraining being firſt deducted: (2) And the Tenant of any

The penalty for not providing or paying Foot-Arms.

Houſe, Land or Revenue, Rated or Aſſeſſed as aforeſaid, is hereby authorized and required to make payment of ſuch ſum of money ſo Rated or Aſſeſſed, and to deduct ſo much as ſhall be charged upon the Landlords Rent, out of the next Rent payable to the Landlord, and in default hereof the Goods of every ſuch Tenant is alſo liable to be diſtrained and ſold in manner aforeſaid.

What ſhall be paid to the Muſter-Maſters.

VI. And be it further enacted, That once in every year hereafter, each Souldier liſted or raiſed by virtue of the ſaid Acts, or either of them, ſhall pay to his reſpective Muſter-Maſter ſuch ſum, not exceeding One ſhilling for a Horſeman, and Six pence for a Footman, as the reſpective Lieutenants, and Deputy-Lieutenants, or any three or more of them, ſhall under their Hands and Seals direct; who have power hereby to levy the ſame by diſtreſs and ſale in caſe of default of payment, upon the Goods and Chattels of ſuch perſon or perſons as are charged with the finding of the reſpective Horſeman or Foot-Souldier ſo making default, unleſs the default be by the neglect of ſuch Horſeman or Foot-Souldier, who in that caſe are hereby to be accomptable for the ſame, and every ſuch Muſter-Maſter ſhall be an Inhabitant of the reſpective County.

What proviſion every Muſquetier ſhall bring with him.

VII. And it is hereby further provided and enacted, That at every Muſter, Training and Exerciſe, every Muſquetier ſhall bring with him half a pound of Powder, and half a pound of Bullets; and every Muſquetier that ſerves with a Match-lock, ſhall bring with him three yards of Match, both which are to be found accordingly at the charge of ſuch perſon or perſons as provide the ſaid Foot-Souldier and Arms; (2) And every Horſeman is to bring with him a quarter of a pound of Powder, and a quater of a pound of Bullets, at the charge of ſuch perſon or perſons as provided the ſaid Horſeman and Arms, who are hereby required to find and bear the ſame, upon pain of forfeiting Five ſhillings for every omiſſion thereof. (3) And for the better Diſciplining and inſtructing of the ſaid Militia in their Duties, as alſo for eaſing them of often and frequent Meetings at ſeveral times, and for the better ſecurity of the Peace of the Kingdom, (4) Be it further enacted, That it ſhall and may be lawful for the ſaid ſeveral Lieutenants, and in their abſence, or by their Directions, for any two or more of their Deputies within their reſpective Counties and Precincts for which they are Commiſſioned, at any time or times during the ſpace of three years, from the twenty fourth day of July, in the year of our Lord, One thouſand ſix hundred ſixty and three, to Summon and Continue together ſo many of the Trained Forces within their reſpective Counties and Precincts, and ſo long as they ſhall judge convenient, in lieu of certain days appointed for Exerciſe and Muſters by the ſaid Act, Entituled, An Act for Ordering the Forces in the ſeveral Counties of this Kingdom.

The penalty.

14 Car. 2. c. 3.

No Troop to be kept upon Duty above fourteen days.

VIII. Provided always, and be it enacted, That any Troop, Company or Souldiers, may be ſo kept upon ſuch Duty by virtue hereof fourteen days and no longer in any one year.

Commiſſioned Foot-Officers diſcharged from finding Arms.

IX. Provided always, and be it enacted, That every Commiſſioned Foot-Officer in the Train-Bands, or Militia of this Kingdom (ſetled according to Act of Parliament) ſhall be and is hereby exempted and excuſed from finding and contributing towards the finding any Horſe, Horſeman or Arms, or Foot-Souldier and Arms for his whole Eſtate, if at any time it is charged but with one Horſe, or a leſs charge, or for ſuch part of his Eſtate as is, or ſhall be charged with one Horſe, if his whole Eſtate be charged with a greater charge than one Horſe in the County or Lieutenancy where he ſo ſerves as a Foot-Officer in reſpect of the expence which the ſaid Employment doth neceſſarily engage him; Any thing in the ſaid Acts to the contrary notwithſtanding.

The Duty of Conſtables in executing Warrants of the Lieutenants or Deputies.

X. Be it alſo enacted and ordained, That each Conſtable, Tything-man, or other Officer of any Pariſh or place, under the penalty for every neglect of forfeiting Forty ſhillings, ſhall and do by virtue of a Warrant directed to him from the reſpective Lieutenants, and Deputy-Lieutenants, or any three or more of them, Levy all Arrears and proportions of money unpaid, that were ſet or charged for the Raiſing, Training and Arraying the Trained-Bands and Forces actually raiſed and in being before the paſſing of the ſaid mentioned Act, by the Diſtreſs and Sale of the Goods of any perſon or perſons refuſing to pay the ſame, rendring back the overplus (if any) the charge of Diſtreſs and Sale being firſt deducted.

Troopers and Souldiers ſhall be ſubject to Exerciſe and Duty.

XI. Be it alſo enacted, That every Trooper or Foot-Souldier at any time raiſed by virtue, or according to the Directions of this preſent Act, ſhall be ſubject to ſuch Exerciſe and Duty as others charged or raiſed by the ſaid mentioned Act, and ſhall accordingly upon like pains and penalties obſerve and keep all the reſpective Orders and Directions of the ſaid Act, and of this preſent Act, and ſhall ſuffer the ſame penalties for committing any of the reſpective crimes and offences expreſt in the ſaid Act; which ſaid pains and penalties are in the like caſes to be impoſed and levied in the ſame manner, and by the ſame ways and means as are ſet down in the ſaid Act.

A fourth part of a months Aſſeſſment how to be diſpoſed.

XII. And whereas the fourth part of one months Aſſeſſment in each County, after the rate of Seventy thouſand pounds by the month, is by the ſaid Act yearly appointed for furniſhing Ammunition and other neceſſaries, (2) Be it enacted and declared by the authority aforeſaid, That the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall from time to time have power to diſpoſe of ſo much of the ſaid fourth part to the inferior Officers employed in or about the ſaid reſpective Forces, for their pains and encouragement, as to them the ſaid Lieutenants and Deputies, or any three or more of them ſhall ſeem expedient.

Perſons ſued for matters done by this Act, may plead the General Iſſue. Double coſts to the Defendant.

XIII. Provided always, and be it enacted, That it ſhall be lawful to every perſon and perſons that ſhall have any Action or Suit brought againſt him or them for any thing done in execution of this or the ſaid Act, to plead the General Iſſue, and to give the ſpecial matter in Evidence, and if Judgment ſhall be given for the Defendant, or if the Plaintiff ſhall become Nonſuit, or diſcontinue his Suit, then he ſhall recover double Coſts.

XIV. Provided alſo, and be it enacted, That no Action or Suit ſhall be brought againſt any perſon for any thing done in execution, or by pretence of the execution of this or the ſaid Act, unleſs the ſaid Action or Suit be laid in the proper County, and commenced within ſix months next after ſuch cauſe of Action.

13 Car 2. c.6. Sect. 3.

Fanatick. Sectaries.

XV. Provided, and be it further enacted by the authority aforeſaid, That one Clauſe contained in a certain Act, entituled, An Act declaring the ſole right of the Militia to be in the King, and for the preſent ordering and diſpoſing of the ſame;) and made for the Indempnifying of all perſons acting in the Militia, from the Four and twentieth of June, One thouſand ſix hundred and ſixty, to the Twentieth of July, One thouſand ſix hundred ſixty and one, as touching the aſſaulting, detaining or impriſoning any perſon ſuſpected to be a Fanatick, Sectary or diſturber of the Peace, or ſeizing of Arms, or ſearching of houſes for Arms, or for ſuſpected perſons, ſhall be conſtrued to commence and take effect, and ſhall be good and effectual in Law for the Indempnifying of all perſons whatſoever acting in the Militia of this Kindom for any the matters aforeſaid, betwixt the ſecond day of February, One thouſand ſix hundred fifty nine, and the Four and twentieth of June, One thouſand ſix hundred and ſixty incluſive, by vertue or colour of any authority or Command whatſoever; Any thing in the ſaid Act, or in any other Act to the contrary thereof in any wiſe notwithſtanding.

How the forfeitures and penalties upon this Act may be levied

XVI. And be it further enacted by the authority aforeſaid, That the ſeveral forfeitures, penalties and payments by this preſent Act impoſed, ſet or directed, (not otherwiſe by this preſent Act provided to be levied, ſued for or recovered) ſhall or may in caſe of default, be levied or recovered by Warrant under the Hands and Seals of the reſpective Lieutenants and Deputy Lieutenants, or any three or more of them, upon the Goods and Chattels of the Offendor, and by ſale of the ſame, rendring the party the overplus, if any be: (2) And if ſufficient of the Goods and Chattels of ſuch Offendor cannot be found or had, whereof to levy ſuch forfeiture, payment or penalty, then the ſaid reſpective Lieutenants and Deputy Lieutenants, or any three or more of them, ſhall have power, and are hereby authorized by like Warrant under their Hands and Seals, to commit ſuch Offendor to priſon until he ſhall make ſatiſfaction, according to the ſaid forfeiture, payment or penalty.

XVII. And it is further declared and enacted, That all and every perſon and perſons which ſince the Five and twentieth day of March, One thouſand ſix hundred ſixty and two, have acted or done any thing in the diſmantling of any Cities or Towns, or demoliſhing of Walls and Fortifications thereof, or relating thereunto, ſhall be, and are hereby indempnified and ſaved harmleſs. And whereas ſome doubt hath ariſen upon the ſaid Act, what Eſtates ſhall be charged with or toward Foot;

How perſons may be charged with Arms and for what Eſtates.

XVIII. Be it therefore enacted and declared by the authority aforeſaid, That no perſon who hath an Eſtate of the yearly value of two hundred pounds, or perſonal Eſtate of the value of two thouſand four hundred pounds, chargeable by the ſaid Act, ſhall be charged with or toward the finding any Foot; (2) and it ſhall be lawful for the reſpective Lieutenants and Deputies, or any three or more of them, to charge according to the proportions in the ſaid Act, any perſon who hath an Eſtate of the yearly value of One Hundred pounds, and under the yearly value of Two hundred pounds, or who hath a perſonal Eſtate of Twelve hundred pounds, and under the value of Two thouſand four hundred pounds, chargeable by the ſaid Act, with, or towards the finding of Foot, or toward the finding of Horſe, as to their judgment ſhall ſeem moſt expedient for his Majeſties Service: (3) Yet neverthеleſs, this ſhall not be conſtrued to extend to make any alterations in the proviſions in the ſaid or this Act, concerning the Forces to be charged or raiſed in Cities, Corporations and Port-Towns.

The Cinque Ports.

XIX. Provided always, and be it enacted by the Authority aforeſaid, That the Lord Warden of the Cinque-Ports to ancient Towns and their Members, and in his abſence, his Lieutenant or Lieutenants, ſhall and may put in execution within the ſaid Ports, Towns and Members, all the Powers and Authorities given and granted by this and the ſaid former Act, and to execute and perform all and every the things therein contained, in the like manner as the reſpective Lieutenants of the Counties and their Deputies may do, and may keep up and continue the uſual numbers of Souldiers in the ſaid Ports, Towns and Members, unleſs they find cauſe to leſſen the ſame: (2) And that the Inhabitants of the ſaid Ports, Towns and Members, being in regard of their ſituation on the Sea-coſts, charged with a greater proportion of Arms and armed men, than other parts of the Kingdom, ſhall not be charged with Arms or armed men in the Counties adjacent for their Eſtates there lying, ſave only for ſuch proportion as they are liable unto, and either are not or ſhall not be charged with, within the ſaid Ports, Towns and Members; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

St. Martins Pariſh in Stamford Baron in Lincolnſhire.

XX. Provided always, and be it enacted by the authority aforeſaid, That the Inhabitants and Revenues of, or in the Pariſh of Saint Martin, called Stamford Baron, in the Suburbs of the Borough and Town of Stamford, on the South-ſide of the Waters there called Willand, may be aſſeſſed and charge to find and ſerve in the Trained Bands of the County of Lincoln as formerly, according to the ſaid mentioned Act, and this preſent Act, by the Lieutenant and Deputy Lieutenants for the County of Lincoln for the time being, in ſuch manner as any perſons or eſtates within the ſaid County of Lincoln may be by them aſſeſſed and charged to the purpoſes aforeſaid: And they of Saint Martin aforeſaid, are hereby declared to be well and legally aſſeſſed and charged by the ſaid Lieutenant and Deputy Lieutenants reſpectively.

CAP. V.

An Act for the Regulating Select Veſtries.

For prevention of the Evils which may ariſe from Veſtry-men not conforming to the Government and Diſcipline of the Church of England, as it is now by Law eſtabliſhed.

II. Be it enacted by the Kings moſt excellent Majeſty, by the Advice, and with the Conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, That all and every perſon who now is a Veſtry-man, or member of any Veſtry within any Pariſh in the Cities of London and Weſtminſter, Borough of Southwark, and weekly

Bills of Mortality, and in all other Cities, Boroughs and Towns Corporate where Select Veſtries are uſed, in the Kingdom of England, on or before the Nine and twentieth day of September next; and all and every perſon, who at any time hereafter ſhall be elected to be a Veſtry-man, or member of any Veſtry within any Pariſh in any the places aforeſaid, within one month after ſuch his Election, ſhall before the reſpective Archbiſhop, Biſhop or Ordinary, Vicar-General or Chancellor of the Dioceſs, make and ſubſcribe the Declaration and Acknowledgment enjoyned in the late wholſom good Act, entituled, (An Act for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies, and for eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of England) in theſe words following.

All Veſtry-men ſhall take and ſubſcribe the Declaration in 14 Car. 2. c. 4.

The penalty. III. I A.B. do declare, That it is not lawful, upon any pretence whatſoever, to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his perſon, or againſt thoſe that are Commiſſioned by him; And that I will conform to the Liturgy of the Church of England, as it is now by Law eſtabliſhed; And I do declare, That I do hold there lies no Obligation upon me, or any other perſon, from the Oath, commonly called, The Solemn League and Covenant, to endeavour any change or alteration of Government either in Church or State; And that the ſame was in it ſelf an unlawful Oath, and Impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

IV. And that all and every ſuch perſon who ſhall neglect or refuſe to do the ſame within the reſpective times aforeſaid, ſhall (ipſo facto) be deprived of ſuch his place of Veſtry-man, and of being a member of ſuch Veſtry, to all intents and purpoſes, and ſuch place ſhall be actually void, as if ſuch perſon were naturally dead; Any Uſage or Cuſtom to the contrary notwithſtanding: (2) And that from and after ſuch neglect or refuſal, it ſhall be lawful for all perſons who ſhall have right of election or nomination of ſuch Veſtry-man, or Member of ſuch Veſtry, to proceed to election or nomination of ſome other diſcreet perſon of the reſpective Pariſh, in the room of ſuch perſon ſo neglecting or refuſing as aforeſaid: (3) And if ſuch perſon ſo to be elected in the room of ſuch perſon ſo neglecting or refuſing as aforeſaid, ſhall alſo neglect or refuſe to make and ſubſcribe the ſaid Declaration and Acknowledgment, in manner and time aforeſaid, whereby ſuch place ſhall again become void; or if ſuch perſons who ſhall have right of election or nomination as aforeſaid, ſhall not proceed to election within one month after ſuch vacancy, then it ſhall be lawful to and for the reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, under his Hand and Seal to elect and nominate a diſcreet perſon of the reſpective Pariſh in ſuch vacant room; which perſon ſo to be elected and nominated, after his making and ſubſcription in manner and time aforeſaid, ſhall be, and ſhall to all intents and purpoſes be reputed, deemed and taken to be a Veſtry-man, or member of ſuch Veſtry in like manner as if he had been choſen by the reſpective Electors; Any Law, Cuſtom or Uſage to the contrary notwithſtanding.

V. And be it enacted by the authority aforeſaid, That the reſpective Archbiſhop, Biſhop or Ordinary, Vicar-General or the Chancellor of the Dioceſs, ſhall upon requeſt to him made by any Veſtry-man ſo making and ſubſcribing the ſaid Declaration and Acknowledgment aforeſaid, deliver a Certificate of his ſo doing, for which no Fee ſhall be paid.

The continuance of this Act. VI. Provided always, That nothing in this Act ſhall be conſtrued to give any new power to any Select Veſtry-man, or to confirm any uſurped power heretofore exerciſed by any Select Veſtry-man, which before the making of this Act is not warranted by the Law of the Land.

VII. Provided alſo, That this Act ſhall continue in force to the end of the firſt Seſſion of the next Parliament, and no longer.

CAP. VI.

An Act for the Relief of ſuch Perſons, as by Sickneſs or other Impediment were diſabled from ſubſcribing the Declaration in the Act of Uniformity, and Explanation of part of the ſaid Act.

14 Car. 2. c. 4. Sect. 8.

Whereas by an Act of this preſent Parliament, entituled, An Act for Uniformity of Publick Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies, and for the eſtabliſhing of the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of England, It was enacted, That every Dean, Canon and Prebendary of every Cathedral or Collegiate Church, and all Maſters and Fellows of any Colledge, Hall, Houſe of Learning or Hoſpital, and every Parſon, Vicar, Curate, and every other perſon in Holy Orders, who upon the firſt day of May, which ſhould be in the year of our Lord God, One thouſand ſix hundred ſixty and two, or at any time thereafter ſhould be Incumbent or have poſſeſſion of any Deanry, Canonry, Prebendry, Maſterſhip, Fellowſhip, Parſonage, Vicarage, or any other Eccleſiaſtical Dignity or Promotion, ſhould before the Feaſt of Saint Bartholomew, which ſhould be in the year of our Lord, One thouſand ſix hundred ſixty and two, ſubſcribe the Declaration or Acknowledgment in the ſaid Act mentioned and expreſſed, before the reſpective Archbiſhops, Biſhops, Ordinaries or Vice-Chancellors of the reſpective Univerſities, upon pain that all and every of the perſons aforeſaid, failing in ſuch Subſcription, ſhould loſe and forfeit ſuch reſpective Deanry, Canonry Prebendry, Maſterſhip, Fellowſhip, Parſonage, Vicarage, Eccleſiaſtical Dignity or Promotion, and ſhould be utterly diſabled, and ipſo facto deprived of the ſame; and that every ſuch reſpective Deanry, Canonry, Prebendry, Maſterſhip, Fellowſhip, Parſonage, Vicarage, Eccleſiaſtical Dignity or Promotion, ſhould be void, as if ſuch perſon ſo failing were naturally dead: (2) And that after ſuch Subſcription made, every ſuch Parſon, Vicar, Curate and Lecturer, ſhould procure a Certificate under the Hand and Seal of the reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, and ſhould publickly and openly read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon ſome Lords day within three months then next following, in his Pariſh-Church where he was to officiate, in the preſence of the Congregation there aſſembled, in the time of Divine Service, upon pain that every perſon failing therein, ſhould loſe loſs ſuch Parſonage, Vicarage or Benefice reſpectively, and ſhould be utterly diſabled, and ipſo facto deprived of the ſame; and that the ſaid Parſonage, Vicarage or Benefice ſhould be void, as if he were naturally dead.

II. And whereas divers perſons of eminent Loyalty to his Majeſty, and of known affection to the Liturgy of the Church of England, who by the ſaid Act were required to ſubſcribe the ſaid Declaration or Acknowledgment, at the time of the paſſing of the ſaid Act were out of this Realm, in Ireland or other parts beyond the Seas upon lawful and juſtifiable occaſions, and had no knowledge or notice thereof until their return into England, being after the ſaid Feaſt of St. Bartholomew; and divers other of the ſaid Loyal and well-affected perſons, by reaſon of ſickneſs, impriſonment, diſability of body or otherwiſe, could not or did not reſort unto their reſpective Archbiſhops, Biſhops, or Ordinaries, or Vice-Chancellors of the reſpective Univerſities, before whom ſuch Subſcription was appointed by the ſaid Act to be made: All which ſaid perſons are by force of the ſaid Act utterly diſabled, and ipſo facto deprived of their reſpective Deanries, Canonries, Prebendries, Maſterſhips, Fellowſhips, Parſonages, Vicarages or other Eccleſiaſtical Benefices or Promotions, by reaſon of ſuch their omiſſion:

III. For remedy whereof, and for the relief of ſuch perſons, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Deans, Canons, Prebendaries, Maſters and Fellows of any Colledges, Halls or other Houſes of Learning; and all Parſons, Vicars and other Eccleſiaſtical perſons aforeſaid, who at the time of the paſſing of the ſaid Act being in Ireland, or any the parts beyond the Seas, did not return into this Kingdom before the ſaid Feaſt of St. Bartholomew, One thouſand ſix hundred ſixty and two, or who being in England, by Impriſonment, Sickneſs, diſability of Body or otherwiſe, did not reſort unto their reſpective Archbiſhop, Biſhop, Ordinary or Vice-Chancellor of the ſaid reſpective Univerſities, to Subſcribe the ſaid Declaration and Acknowledgment, before the ſaid Feaſt in the year of our Lord aforeſaid, ſhall be, and are hereby declared to be reſtored unto, and preſcribed in their reſpective Deanries, Canonries, Prebendries, Maſterſhips, Fellowſhips, Parſonages, Vicarages, and other Eccleſiaſtical Benefices and Promotions, whereunto no other perſons before the firſt day of Auguſt in the year of our Lord, One thouſand ſix hundred ſixty and three, were or ſhall be lawfully Inſtituted, Inducted, Collated or placed: And ſhall and may hold and enjoy the ſame according to his and their former right; The aforeſaid Act, or any thing therein contained to the contrary notwithſtanding.

IV. Provided, That every ſuch Dean, Canon, Prebendary, Maſter and Fellow of any Colledge, Hall or Houſe of Learning, and all Parſons, Vicars and Curates, and other Eccleſiaſtical perſons, who are or ſhall by vertue of this Act be reſtored to, or perſerved in their ſaid ſeveral and reſpective Promotions, ſhall before the Feaſt of the Nativity of our Lord next enſuing, if he be in England, or if beyond the Seas, within forty days after his return into England, Subſcribe the ſaid Declaration or Acknowledgment before the reſpective Archbiſhop, Biſhop or Ordinary of the Dioceſs, or Vice-Chancellor aforeſaid reſpective, (2) and that every ſuch Parſon, Vicar, Curate or Lecturer ſhall procure a Certificate under the Hand and Seal of the reſpective Archbiſhop, Biſhop or Ordinary of the Dioceſs (who are hereby required and enjoyned upon demand, to make and deliver ſuch Certificate,) and ſhall publickly and openly read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon ſome Lords day within three months then next following ſuch Subſcription, in his Pariſh Church where he is to Officiate, in the preſence of the Congregation then aſſembled, in the time of Divine Service.

V. And be it further enacted and declared by the authority aforeſaid, That every Subſcription already made, or hereafter to be made before any Vicar-General, or Chancellor to any Archbiſhop or Biſhop, or Commiſſary to the Archbiſhop of Canterbury or any other Biſhop, is and ſhall be as effectual and beneficial in Law to all intents and purpoſes to every perſon and perſons which have or ſhall make ſuch Subſcription as aforeſaid, as if the ſame had been made before the Archbiſhop or Biſhop of the Province or Dioceſs reſpectively; Any thing in the afore Act to the contrary notwithſtanding.

VI. Provided alſo, That every perſon who ſhall have benefit by this Act, ſhall make ſuch allowance for ſerving the Cure ſince the 24th of Auguſt 1662. as ſhall be judged fit by the Ordinary of the place, and ſhall pay and diſcharge all Tenths, Penſions and other Charges, wherewith the Benefice to which he is by this Act reſtored, had been, or might be legally charged ſince the day aforeſaid.

VII. And whereas ſome doubt hath ariſen, whether perſons prohibited to preach by the ſaid Act, are in the ſame plight as to puniſhment, with perſons diſabled by the ſaid Act to preach; (2) Be it declared and enacted by the authority aforeſaid, That the penalties by the ſaid Act to be inflicted upon any perſon diſabled by the ſaid Act to preach, for any offence againſt the ſaid Act, ſhall in like manner be inflicted upon every perſon ſo offending, that is prohibited by the ſaid Act to preach; Any thing, doubt or ambiguity in the ſaid Act to the contrary notwithſtanding.

Perſons prohibited to preach.
14 Car. 2. c. 4.

CAP. VII.

An Act for the Encouragement of Trade.

Foraſmuch as the encouraging of Tillage ought to be in an eſpecial manner regarded and endeavoured; and the ſureſt and effectualleſt means of promoting and advancing any Trade, Occupation or Myſtery, being by rendring it profitable to the Uſers thereof, (2) and great quantities of Land within this Kingdom for the preſent lying in a manner waſte, and yielding little, which might thereby be improved to conſiderable profit and advantage (if ſufficient Encouragement were given for the laying out of coſt and labour on the ſame) and thereby much more Corn produced, greater numbers of people, horſes and cattel imployed, and other Lands alſo rendred more valuable:

Merchants.
Tillage.

II. Be it enacted by the Kings moſt Excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority thereof; And it is hereby enacted, That from and after the firſt day of September, in the year of our Lord, One thouſand ſix hundred ſixty three, and from thence forward, when the prices of Corn and Grain Wincheſter Meaſure, do not exceed the rates hereafter following, at the Havens or places where the ſame ſhall be ſhipped or loaden, (viz.) The Quarter of Wheat, eight and forty ſhillings; the Quarter of Barley or Mault, eight and twenty ſhillings; the Quarter of Buck-wheat, eight and twenty ſhillings; the Quarter of Oats, thirteen ſhillings and four pence; the Quarter of Rye, two and thirty ſhillings; the Quarter of Peaſe or Beans, two and thirty ſhillings currant Engliſh Mony; that then it ſhall be lawful for all and every perſon or perſons to ſhip, load, carry and tranſport any of the ſaid Corns or Grains from the Havens or places where they ſhall be of ſuch prices, unto any parts beyond the Seas as Merchandize; Any Law, Statute or Uſage to the contrary notwithſtanding, paying ſuch rates for the ſame, and none other, as are to be paid when the ſame might have been tranſported by one Act paſſed this preſent Parliament, entituled, A Subſidy granted to the King, of Tunnage and Poundage.

Corn not exceeding certain rates, may be tranſported.

12 Cap. 2. c. 4.

III. And it is hereby further enacted by the authority aforeſaid, That when the prices of the aforeſaid Corns and Grains do not exceed the Rates above mentioned reſpectively Wincheſter Meaſure, at the Haven or place into which any of them ſhall be Imported from any part beyond the Seas, there ſhall be paid for the Cuſtom and Poundage of every Quarter of Wheat, five ſhillings and four pence; and for every Quarter of Rye, four ſhillings; and for every Quarter of Barley or Mault, two ſhillings and eight pence; and for every Quarter of Buck-Wheat, two ſhillings; and for every Quarter of Oats, one ſhilling four pence; and for every Quarter of Peaſe or Beans, four ſhillings.

When Corn may be Imported and what cuſtom to be paid.

IV. And it is hereby further enacted by the authority aforeſaid, That when the prices of Corn or Grain Wincheſter Meaſure, do not exceed the Rates following at the Markets, Havens or places where the ſame ſhall be bought, (viz.) The Quarter of Wheat, eight, and forty ſhillings; the Quarter of Rye, two and thirty ſhillings; the Quarter of Barley or Mault, eight and twenty ſhillings; the Quarter of Buck-Wheat, eight and twenty ſhillings; the Quarter of Oats, thirteen ſhillings and four pence; the Quarter of Peaſe or Beans, two and thirty ſhillings; That then it ſhall be lawful for all and every perſon or perſons (not foreſtalling nor ſelling the ſame in the ſame Market within three months after the buying thereof) to buy in open Market, and to lay up and keep in his or their Granaries or Houſes, and to ſell again ſuch Corn or Grain of the kinds aforeſaid, as without fraud or covin ſhall have been bought at or under the prices before expreſſed, without incurring any penalty; Any Law, Statute or Uſage to the contrary notwithſtanding.

V. And in regard his Majeſties Plantations beyond the Seas are inhabited and peopled by his Subjects of this his Kingdom of England, For the maintaining a greater correſpondence and kindneſs between them, and keeping them in a firmer dependance upon it, and rendring them yet more beneficial and advantagious unto it in the further employment and encreaſe of Engliſh Shipping and Seamen, vent of Engliſh Woollen and other Manufactures and Commodities, rendring the Navigation to and from the ſame more ſafe and cheap, and making this Kingdom a Staple, not only of the Commodities of thoſe Plantations, but alſo of the Commodities of other Countries and places, for the ſupplying of them; and it being the uſage of other Nations to keep their Plantations Trade to themſelves:

Plantations beyond the Sea.

VI. Be it enacted, and it is hereby enacted, That from and after the five and twentieth day of March, One thouſand ſix hundred ſixty four, no Commodity of the Growth, Production or Manufacture of Europe, ſhall be Imported into any Land, Iſland, Plantation, Colony, Territory or place to his Majeſty belonging, or which ſhall hereafter belong unto, or be in the poſſeſſion of his Majeſty, his Heirs and Succeſſors, in Aſia, Africa or America, (Tangier only excepted) but what ſhall be bona fide, and without fraud, Laden and Shipped in England, Wales, or the Town of Barwick upon Tweed, and in Engliſh built Shipping, or which were bona fide bought before the firſt day of October, One thouſand ſix hundred ſixty and two, and had ſuch Certificate thereof as is directed in one Act paſſed the laſt Seſſions of this preſent Parliament, Entituled, An Act for preventing Frauds, and regulating Abuſes in his Majeſties Cuſtoms; and whereof the Maſters and three fourth of the Mariners at leaſt are Engliſh, and which ſhall be carried directly thence to the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places, and from no other place or places whatſoever; Any Law, Statute or Uſage to the contrary notwithſtanding, (2) under the penalty of the loſs of all ſuch Commodities of the Growth, Production or Manufacture of Europe, as ſhall be Imported into any of them from any other place whatſoever, by Land or Water; And if by Water, of the Ship or Veſſel alſo in which they were Imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel, one third part to his Majeſty, his Heirs and Succeſſors; one third part to the Governor of ſuch Land, Iſland, Plantation, Colony, Territory or place into which ſuch Goods were Imported, if the ſaid Ship, Veſſel or Goods be there ſeiſed or informed againſt and ſued for; Or otherwiſe, That third part alſo to his Majeſty, his Heirs and Succeſſors; and the other third part to him or them who ſhall ſeiſe, inform or ſue for the ſame in any of his Majeſties Court in ſuch of the ſaid Lands, Iſlands, Colonies, Plantations, Territories or places where the offence was committed, or in any Court of Record in England, by Bill, Information, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Commodities of the growth and manufacture of Europe, how to be Imported in Engliſh built Shipping.

14 Car. 2. c. 11.

The penalty

VII. Provided always, and be it hereby enacted by the authority aforeſaid, That it ſhall and may be lawful to ſhip and lade in ſuch Ships, and ſo Navigated as in the foregoing Clauſe is ſet down and expreſſed in any part of Europe, Salt for the Fiſheries of New-England and New-found-land, and to ſhip and lade in the Madera's Wines of the Growth thereof; and to ſhip and lade in the Weſtern Iſlands or Azores, Wines of the Growth of the ſaid Iſlands;

Salt for Fiſheries.

and to ſhip and take in Servants or Horſes in Scotland or Ireland, and to ſhip or lade in Scotland all ſorts of Victual of the Growth or Production of Scotland, and to ſhip or lade in Ireland all ſorts of Victual of the Growth or Production of Ireland, and the ſame to tranſport into any of the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places; Any thing in the foregoing Clauſe to the contrary in any wiſe notwithſtanding.

Prevention of Frauds. Penalty upon Officers of the Cuſtoms.

VIII. And for the better prevention of Frauds, Be it enacted, and it is hereby enacted, That from and after the five and twentieth day of March, One thouſand ſix hundred ſixty and four, every perſon or perſons Importing by Land any Goods or Commodities whatſoever, into any the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places, ſhall deliver to the Governour of ſuch Land, Iſland, Plantation, Colony, Territory or place, or to ſuch perſon or Officer as ſhall be by him thereunto authoriſed and appointed, within four and twenty hours after ſuch Importation, his and their Names and Sirnames, and a true Inventory and particular of all ſuch Goods or Commodities; (2) And no Ship or Veſſel coming to any ſuch Land, Iſland, Plantation, Colony, Territory or place, ſhall lade or unlade any Goods or Commodities whatſoever, until the Maſter or Commander of ſuch Ship or Veſſel ſhall firſt have made known to the Governour of ſuch Land, Iſland, Plantation, Colony, Territory or place, or ſuch other perſon or Officer as ſhall be by him thereunto authoriſed and appointed, the arrival of the ſaid Ship or Veſſel, with her Name, and the Name and Sirname of her Maſter or Commander, and have ſhewen to him that ſhe is an Engliſh built Ship, or made good by producing ſuch Certificate, as aboveſaid, that ſhe is a Ship or Veſſel bona fide belonging to England, Wales, or the Town of Berwick, and Navigated with an Engliſh Maſter, and three fourth parts of the Mariners at leaſt Engliſh men, and have delivered to ſuch Governour or other perſon or Officer, a true and perfect Inventory or Invoyce of her Lading, together with the place or places in which the ſaid Goods were laden or taken into the ſaid Ship or Veſſel, (3) under the pain of the loſs of the Ship or Veſſel, with all her Guns, Ammunition, Tackle, Furniture and Apparel, and of all ſuch Goods of the Growth, Production, or Manufacture of Europe as were not bona fide laden and taken in England, Wales, or the Town of Berwick, to be recovered and divided in manner aforeſaid; (4) And all ſuch as are Governors or Commanders of any the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places (Tangier only excepted) ſhall before the five and twentieth day of March, One thouſand ſix hundred ſixty and four, and all ſuch as ſhall hereafter be made Governors or Commanders of any of them, ſhall before their entrance upon the Execution of ſuch Truſt or Charge, take a ſolemn Oath before ſuch perſon or perſons as ſhall be authoriſed by his Majeſty, his Heirs aud Succeſſors, to adminiſter the ſame, to do their utmoſt within their reſpective Governments or Commands, to cauſe to be well and truly obſerved, what is in this Act enacted, in relation to the Trade of ſuch Lands, Iſlands, Plantations, Colonies, Territories and places, under the penalty of being removed out of their reſpective Governments and Commands: (5) And if any of them ſhall be found after the taking of ſuch Oath, to have wittingly and willingly offended contrary to what is by this Act required of them, that they ſhall for ſuch offence be turned out of their Governments, and be uncapable of the Government of any other Land, Iſland, Plantation or Colony; and moreover, forfeit the ſum of One thouſand pounds of lawful Mony of England, the one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Inform or Sue for the ſame in any of his Majeſties Courts in any of the ſaid Plantations, or in any Court of Record in England, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

IX. And it is hereby further enacted, That if any Officer of the Cuſtoms in England, Wales, or Town of Berwick upon Tweed, ſhall give any Warrant for, or ſuffer any Sugar, Tobacco, Ginger, Cotton-wool, Indico, Speckle-wood or Jamacia Wood, Faſtick or other Dying Wood of the Growth of any the ſaid Lands, Iſlands, Colonies, Plantations, Territories or places, to be carried into any other Country or place whatſoever, until they have been firſt unladen bona fide, and put on Shore in ſome Port or Haven in England or Wales, or in the Town of Berwick, That every ſuch Officer for ſuch Offence ſhall forfeit his Place, and the value of ſuch of the ſaid Goods as he ſhall give Warrant for, or ſuffer to paſs into any other Country or place, the one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Inform or Sue for the ſame in any Court of Record in England or Wales, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Encouragement of Plantations, and encreaſe of Shipping. Sea-coals.

X. And for the better encouragement of the ſaid Plantations, and the encreaſe of the Shipping and Navigation of this Kingdom, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That from and after the five and twentieth day of March, One thouſand ſix hundred ſixty and four, it ſhall and may be lawful out of any Port of England or Wales, or out of the Town of Berwick, to ſhip and lade Sea-coals for any part of them, paying for the Chalder, Newcaſtle-meaſure, One ſhilling eight pence; and for the Chalder, London-meaſure, One ſhilling and no more, in full of all Cuſtom and Poundage for the ſame; Any Law Statute or Prohibition to the contrary in any wiſe notwithſtanding.

XI. Provided, That ſuch Sea-coals be ſhipped in any Shipping, and ſo Navigated as aboveſaid; And that good Security be given to the Officers of the Cuſtoms in ſuch Port in which they are Shipped, for the lading them in the ſaid Plantations, and not elſewhere.

XII. And foraſmuch as ſeveral conſiderable and advantagious Trades cannot be conveniently driven and carried on without the Species of Mony or Bullion, and that it is found by experience, that they are carried in greateſt abundance (as to a common Market) to ſuch places as give free liberty for exporting the ſame, and the better to keep in and encreaſe the currant Coins of this Kingdom, (2) Be it enacted, and it is hereby enacted, That from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty and three, it ſhall and may be lawful to and for any perſon or perſons whatſoever, to Export out of any Port of England, or

Wales,

Foreign Coin or Bullion may be Exported.

Wales, in which there is a Cuſtomer or Collector, or out of the Town of Berwick, all ſorts of Foreign Coyn or Bullion of Gold or Silver, firſt making Entry thereof in ſuch Cuſtom-houſe reſpectively, without paying any Duty, Cuſtom, Poundage or Fee for the ſame; Any Law, Statute or Uſage to the contrary notwithſtanding.

Penalties upon Importation of Foreign Cattel at certain times.
18 Car. 2. 2.

XIII. And laſtly, Whereas a very great part of the richeſt and beſt Land of this Kingdom, is, and cannot ſo well be otherwiſe imployed and made uſe of as in the feeding and fattening of Cattel; And that by the coming in of late of vaſt numbers of Cattel already fatted, ſuch Lands are in many places much fallen, and like daily to fall more in their Rents and Values, and in conſequence other Lands alſo, to the great prejudice, detriment and impoveriſhment of this Kingdom; (2) Be it further enacted by the authority aforeſaid, and it is hereby enacted, That for every head of great Cattel (except ſuch as are of the breed of Scotland) that ſhall be Imported or brought into England, Wales or the Town of Berwick upon Tweed, after the firſt day of July, and before the twentieth day of December in any year; and for every head of great Cattel of the breed of Scotland that ſhall be Imported or brought into England, Wales, or the Town of Berwick, after the four and twentieth day of Auguſt, and before the twentieth day of December in any year, there ſhall be paid to his Majeſty, his Heirs and Succeſſors, the ſum of Twenty ſhillings; and the ſum of Ten ſhillings to him or them that ſhall inform or ſeiſe the ſame; and the ſum of Ten ſhillings to the Poor of the Pariſh where ſuch Seiſure or Information ſhall be made, to be recovered and levied by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

XIV. And moreover, That there ſhall be paid to his Majeſty, his Heirs and Succeſſors, for every Sheep which ſhall be Imported into England, Wales, or the Town of Berwick aforeſaid, after the firſt day of Auguſt, and before the twentieth day of December in any year, the ſum of Ten ſhillings of lawful mony of England, to be recovered and levied in manner aforeſaid.

The continuance of this Act as to Importation of Cattel.

XV. Provided always, That this Act, in ſo far as it relates to great Cattel or Sheep, ſhall not take place till the firſt day of July, One thouſand ſix hundred ſixty and four, nor continue longer than the end of the firſt Seſſion of the next Parliament.

Encouragement of Herring Fiſheries.

XVI. And for the encouragement of the Herring and North-Sea, Iſland and Weſtmony Fiſheries, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That from and after the firſt day of Auguſt, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and four, no Freſh Herring, Freſh Codd or Haddock, Coal-fiſh, or Gull-fiſh, ſhall be Imported into England, Wales, or the Town of Berwick, but in Engliſh-built Ships or Veſſels, or in Ships or Veſſels bona fide belonging to England, Wales, or the Town of Berwick, and having ſuch Certificate thereof as is aboveſaid, and whereof the Maſter and three fourths at the leaſt of the Mariners are Engliſh, and which hath been fiſhed, caught and taken in ſuch Ships or Veſſels, and ſo Navigated, and not being bought or had of any Strangers born, or out of any Strangers Bottoms, under the pain of the forfeiture of all ſuch Herring, Codd, Haddock, Coal-fiſh or Gull-fiſh Imported contrary to the true intent and meaning hereof, and of the Ship or Veſſel in which it was Imported; (3) One moiety of which forfeitures ſhall be to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall inform, ſeiſe or ſue for the ſame, to be recovered by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Duties to be paid upon Importation of ſalted or dried Fiſh.

XVII. And be it further enacted, and it is hereby enacted by the authority aforeſaid, That for the following ſorts or kinds of ſalted or dried Fiſh, which from and after the ſaid firſt day of Auguſt ſhall be Imported into England, Wales, or the Town of Berwick, in any other Ship or Veſſel than what is Engliſh-built, or belonging to England, Wales, or Town of Berwick, and having ſuch Certificate thereof as aboveſaid, and whereof the Maſter and three fourths of the Mariners at leaſt are Engliſh, and not having been fiſhed and caught in ſuch Ships and Veſſels, and ſo Navigated, there ſhall be paid by way of Cuſtom and Impoſt the ſeveral ſums of money herein after particularly mentioned, (that is to ſay) for Cod-fiſh the Barrel, five ſhillings; for Cod-fiſh the Laſt, containing twelve Barrels, three pounds; for Cod-fiſh the Hundred, containing ſixſcore, ten ſhillings; for Coal-fiſh the Hundred, containing ſixſcore, five ſhillings; for Lings the Hundred, containing ſixſcore, one pound; for White-Herrings the Laſt containg twelve Barrels, one pound ſixteen ſhillings; for Haddocks the Barrel, two ſhillings; for Gull-fiſh the Barrel, two ſhillings.

12 Car. 2. c. 34.
The further penalty for planting Tobacco in England.

XVIII. And foraſmuch as planting and making Tobacco within the Kingdom of England doth continue and encreaſe, to the apparant loſs of his ſaid Majeſty in his Cuſtoms, the diſcouragement of the Engliſh Plantations in the parts beyond the Seas, and prejudice of this Kingdom in general, notwithſtanding an Act of Parliament made in the twelfth year of his ſaid Majeſties Reign for prevention thereof, entituled, An Act for Prohibiting the Planting, Setting or Sowing of Tobacco in England and Ireland: (2) And foraſmuch as it is found by experience, that the reaſon why the ſaid planting and making of Tobacco doth continue, is, That the penalties preſcribed and appointed by that Law are ſo little, as have neither power or effect over the tranſgreſſors thereof; (3) For remedy therefore of ſo great an evil, Be it enacted by the authority aforeſaid, That all and every the perſon or perſons whatſoever, that do, or ſhall at any time hereafter Set, Plant or Sow any Tobacco in Seed, Plant or otherwiſe, in or upon any Ground, Field, Earth or place within the Kingdom of England, Dominion of Wales, Iſlands of Guernſey and Jerſey, or Town of Berwick upon Tweed, or Kingdom of Ireland, ſhall over and above the penalty of the ſaid Act for that purpoſe ordained, for every ſuch offence forfeit and pay the ſum of ten pounds for every Rod or Pole of Ground that he or they ſhall ſo Plant, Set or Sow with Tobacco, and ſo proportionably for a greater or leſſer quantity of Ground; one third part thereof to the Kings Majeſty, one other third part thereof to the uſe of the Poor of ſuch reſpective Pariſh or Pariſhes wherein ſuch Tobacco ſhall be ſo Planted, Set or Sowed; and the other third part thereof to him or them that ſhall Sue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information in any of his ſaid Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

XIX. And it is hereby further enacted, That in caſe any perſon or perſons ſhall reſiſt or make forcible oppoſition againſt any perſon or perſons in the due and through execution of the ſaid Act of the twelfth of his ſaid Majeſties Reign, that he, ſhe or they ſo reſiſting and making forcible oppoſition, ſhall over and above the penalties therein mentioned for ſuch offences, be committed to the common Gaol of the County where ſuch Offence ſhall be committed, there to remain without Bail or mainpriſe, until he, ſhe or they have entred into a Recognizance to his Majeſty, his Heirs and Succeſſors, with two ſufficient Sureties, of Ten pounds penalty, not to do or commit the like offence again.

Proviſo for Tobacco planted in Phyſick-Gardens.

XX. Provided always, that this Act or any thing therein contained, ſhall not extend to the hindrance or prejudice of planting Tobacco in any Phyſick Garden of either of the Univerſities, or any other private Garden for Chirurgery, ſo as the quantity ſo planted exceed not the half of one Pole in any one place or Garden.

Cattle Imported from the Iſle of Man.

XXI. Provided alſo, and be it enacted, That it ſhall and may be lawful to Import Cattel of the breed of the Iſle of Man, not exceeding ſix hundred in any one year; And Corn of the growth of that Iſland out of that Iſland into England; ſo as the ſaid Cattel be Landed at Cheſter, Liverpool, or Wire-water; Any thing in this Act to the contrary thereof if any wiſe notwithſtanding.

CAP. VIII.

An Act to prevent the ſelling of live fat Cattel by Butchers.

3 & 4 Ed. 6. c. 19. Sect. 3.

Whereas by an Act made in the third and fourth years of the Reign of King Edward the Sixth, It is enacted, That no perſon uſing the Craft or Myſtery of a Butcher, ſhould buy any fat Oxen, Steers, Runts, Kine, Heifers, Calves or Sheep, and ſell the ſame again alive, upon pain of forfeiture of the Cattel ſo ſold; (2) which Law hath not wrought ſuch effectual reformation as was intended, by reaſon of the difficulty in the proof of ſuch buying and ſelling, being for the moſt part at places far diſtant, if not in ſeveral Counties, by means whereof the parties ſo offending have eſcaped unpuniſhed:

Penalty upon Butchers for ſelling live fat Cattel.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon uſing the Trade of a Butcher, ſhall at any time from and after the Feaſt of St. Michael the Archangel next enſuing, ſell, offer or expoſe to ſale in any Market, or elſewhere, either by himſelf, or any Servant or Agent whatſoever any fat Oxen, Steers, Runts, Kine, Heifers, Calves, Sheep or Lambs alive, (2) upon pain to forfeit the double value of the Cattel ſo ſold or offered, or expoſed to ſale as aforeſaid; The one moiety of which forfeiture ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of his Majeſties Courts of Record, by Bill, Plaint, Action of Debt or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

CAP. IX.

An Act for granting four entire Subſidies to his Majeſty by the Temporalty. EXP.

CAP. X.

An Act for Confirming of four Subſidies granted by the Clergy. EXP.

CAP. XI.

An Additional Act for the better Ordering and Collecting the Duty of Exciſe, and preventing the Abuſes therein.

12 Car. 2. c. 24.

For the preventing of the Frauds and Deceits of Brewers, and other perſons who make Beer and Ale, and other Exciſable Liquors to ſell, and of the abuſes committed by the Officers, Collectors and Managers of the Exciſe, to the great decay of his Majeſties Revenue of Exciſe, and obſtruction of the due and orderly Collecting of the ſame, and for ſupply and amendment of certain defects in the Laws and Statutes relating to the Duty of Exciſe as well for the ſupport and advance of the ſaid Revenue, as for the eaſe of the People; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords Spiritual and Temporal, and of the Commons in this Parliament aſſembled, and by the authority of the ſame, That no common Brewer, Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any time after the firſt day of September, One thouſand ſix hundred ſixty three, without firſt giving notice thereof at the next Office of Exciſe, or to the Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe, or one of them, within the Limits and Juriſdiction of whoſe Office he or they do or ſhall inhabit, erect, ſet up, alter or enlarge any Tun, Fat, Back, Cooler or Copper, and ſhall make uſe of any of them for the brewing or making any Beer or Ale, or Worts, or ſhall make uſe of, or keep any private and concealed Store-houſe, Cellar or other place for the laying of any Beer or Ale, or Worts in Caſk, other than ſuch as are already openly ſet up, erected and made uſe of in his common and uſual Brew-houſe, and now openly diſcovered and known, (3) upon pain to forfeit the ſum of Fifty pounds for every Tun, Fat, Back, Copper and Cooler ſet up and made uſe of without ſuch notice given as aforeſaid, and contrary to the true intent and meaning hereof; (4) And that all and every other perſon or perſons, in whoſe occupation any Houſe, Meſſuage, Out-houſe, or other place whatſoever is or ſhall be, where any ſuch private and concealed Tun, Back, Cooler or Store-houſe ſhall be found and diſcovered, ſhall alſo forfeit and loſe the ſum of Fifty pounds, to be levied and recovered in manner and form as in and by this preſent Act is hereafter directed and ordained: (5) And moreover, every ſuch private and concealed Tun, Fat, Back, Copper, or Cooler ſo found and diſcovered as aforeſaid, or altered or enlarged, together with all Beer, Ale or Worts therein being, ſhall and may be taken up, ſeiſed, carried away, and delivered to the Overſeers for the Poor, to be ſold for the uſe of the Poor, or diſtributed amongſt them.

Notice to be given of all Brewing-Veſſels.

The penalty.

Commiſſioners for regulating may not Farm the Exciſe.

II. And be it further enacted by the authority aforeſaid, That from and after the eighth day of November, in the year of our Lord, One thouſand ſix hundred ſixty and five, no perſon or perſons whatſoever nominated by his Majeſty to be in Commiſſion for the Regulating of

12 Car. 2. c. 23.
12 Car. 2. c. 24.
The penalty.

his Majeſties Revenue of Exciſe, or for the Exciſe of any the Powers or Authorities mentioned in an Act, Entituled, A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the encreaſe of his Majeſties Revenue during his Life; Or one other Act, Entituled, An Act for taking away the Courts of Wards and Liveries, and Tenures in Capite by Knights Service and Purveyance, and for Setling a Revenue upon his Majeſty in lieu thereof, or in this preſent Act, ſhall preſume to Farm the ſaid Revenue of his Majeſty, either directly or indirectly, by obtaining Letters Patents to him or themſelves thereof, or any perſon or perſons whatſoever intruſted for him or them, or to or for his or their uſe, benefit or behoof; (2) Nor that any perſon or perſons whatſoever, being a Farmer of the ſaid Revenue, ſhall be any way capable to be nominated a Commiſſioner for the Regulating his Majeſties ſaid Revenue of Exciſe, or exerciſing any Powers or Authorities concerning the ſame: (3) But if any perſon or perſons who ſtands thus diſabled as aforeſaid to be nominated a Commiſſioner, ſhall become a Farmer, and ſhall in either of the ſaid caſes nevertheleſs preſume directly or indirectly to act as a Commiſſioner, Farmer or Sub-Commiſſioner, to execute the Powers and Authorities aforeſaid, either alone, or joyntly with other perſons that are Farmers, or elſe with any other who are not Farmers, ſhall from and after ſuch his acting, loſe the benefit of his ſaid Farm, and be thenceforth totally for ever diſabled to be either Farmer of the ſaid Revenue, or Commiſſioner for the Regulating thereof, and exerciſing the Powers aforeſaid: (4) And that all and every act and acts done by any Commiſſioner or Commiſſioners, or Sub-Commiſſioners, being Farmer or Farmers, by him or themſelves, or joyntly with others who are not Farmers, ſhall be void in Law, aud of none effect; (5) And that all and every perſon or perſons any way moleſted or troubled by the command and authority of ſuch Commiſſioner or Commiſſioners acting by him or themſelves, or together with others who are not Farmers or Commiſſioners, may bring his Action at Law for the ſame in any of his Majeſties Courts at Weſtminſter, and thereby recover his Damages againſt any ſuch Commiſſioner or Commiſſioners; Any Law or Statute to the contrary notwithſtanding.

III. And that all and every Letters Patents to be made from and after the tenth day of April, in the year of our Lord, One thouſand ſix hundred ſixty and three, enabling any Farmer or Farmers of the Exciſe to be Commiſſioner or Commiſſioners, or Sub-Commiſſioners, ſhall be utterly void and of none effect; Any thing in any of the ſaid Acts to the contrary notwithſtanding.

The penalty for giving any falſe and corrupt Judgment to the Brewers damage.

IV. And that if any Commiſſioner or Sub-Commiſſioner, Commiſſioners or Sub-Commiſſioners, who by colour or virtue of any Letters Patents are now both Commiſſioners or Sub-Commiſſioners for Regulating the ſaid Revenue, and likewiſe Farmers of the ſaid Revenue, ſhall give any falſe and corrupt Judgment in advancement of the benefit of his or their ſaid Farm, to the Brewers damage, contrary to Law, he or they ſhall forfeit for every ſuch Judgment ſo falſly and corruptly given, double coſts to the party ſo injured by the ſaid corrupt and falſe Judgment: (2) And in caſe any perſon ſhall unjuſtly complain of any Judgment of the Commiſſioners or Sub-Commiſſioners as aforeſaid, and ſo ſhall be found upon his Appeal, the ſaid party ſhall forfeit double coſts to the ſaid Commiſſioners, for ſuch unjuſt vexations, to be recovered by Information, Bill or Plaint, in any Court of Record.

The duty of Gagers in making Entries.

V. And be it further enacted by the authority aforeſaid, That from and after the firſt day of September, in the year of our Lord, One thouſand ſix hundred ſixty and three, all and every Gager or Gagers of the Exciſe, who ſhall take an account of any Beer or Ale brewed or made by any common Brewer, ſhall weekly after ſuch Common Brewer hath made, or ought to have made his Entry at the Office of Exciſe, and not otherwiſe, make and deliver to ſuch common Brewer at his Houſe, or to ſome of his Servants in this behalf, a true Copy under his or their hand, of ſuch Return or Report as he or they have made thereof to the Commiſſioners or Sub-Commiſſioners of Exciſe reſpectively, upon pain to forfeit for every neglect or refuſal the ſum of Forty ſhillings.

Skilful Gagers to be made and to take an Oath

VI. Provided nevertheleſs, That no ſuch common Brewer or Brewers ſhall be ſued or proſecuted for any penalty or forfeiture by him or them incurred, for or by reaſon of any miſentry or ſhort entry, if he or they ſhall within the ſpace of one week after the delivery of ſuch Copy as aforeſaid, certifie his or their Entry according to their ſaid Return, or otherwiſe diſcharge himſelf.

VII. Be it enacted, That from and after the ſaid firſt day of September, One thouſand ſix hundred ſixty three, and as often as there ſhall be occaſion, two able Artiſts ſhall be appointed, one of them by his Majeſties Commiſſioners, Farmers or Sub-Commiſſioners for Exciſe, and the other by the Brewers of any City or place; which ſaid Artiſts ſhall take an Oath, which Oath any one Juſtice hath hereby power to adminiſter, to take and compute the juſt Contents and Gage of all Coppers, Fats, Tuns, Backs and Coolers, and all other Brewing Veſſels of that nature, belonging to all or any Brewer or Brewers of Beer or Ale to ſell, and to deliver, and give under their hands one Copy of the particular Contents of all ſuch Veſſels to the aforeſaid Commiſſioners, Farmers and Sub-Commiſſioners, and another true Copy thereof to each and every ſuch reſpective Brewer; which Computation by the Artiſts aforeſaid, ſhall anſwer and be according to the meaſures and proportions expreſt in the former Acts for Exciſe.

Commiſſioners or Farmers not to act as Juſtices of the Peace in matters touching the Exciſe.

VIII. And be it further enacted, That no Commiſſoner, Farmer or Sub-Commiſſioner for the Exciſe, or common Brewer of Ale or Beer to ſell, or Inn-keeper whatſoever, ſhall from and after the ſaid firſt day of September, have power to act in, or execute as a Juſtice of the Peace, any of the Powers, Clauſes or things contained in any of the Laws made for and concerning the Exciſe, or in this preſent Act; And if any of the ſaid perſons, ſhall preſume to act or execute any thing contrary hereunto, It is hereby further declared, That all ſuch things ſo acted or executed by any of them, are and ſhall be utterly void, and null to all intents and purpoſes.

IX. And whereas by the ſaid recited Acts it is enacted, That no perſon ſhall be compelled by the Commiſſioners or Sub-Commiſſioners of Exciſe, to travel for the making of his

Entries, or payment of the Duties of Exciſe, or other Clauſe whatſoever touching or concerning the ſame, if he live in a Market Town, out of the ſaid Town; and if he live out of a Market Town, then to no other place than to the next Market Town to his habitation in the ſame County on the Market-day; And nevertheleſs, the Commiſſioners and Sub-Commiſſioners, or their Officers, have not accordingly kept Officers in the Market Towns in many Counties within England and Wales, whereby ſuch Entries and Payments for the Duties of Exciſe might be had and made, and yet do take and levy the penalties and forfeitures in the ſaid Act mentioned, for non-entry and payment of the Duty, and do otherwiſe thereupon grieve and vex his Majeſties Subjects, contrary to the true intent and meaning of the ſaid Acts:

Market Towns.

Officers to attend in Market Towns touching Receipts and Duties of Exciſe.

X. Be it therefore enacted by the Authority aforeſaid, That from and after the firſt day of September, in the year of our Lord, One thouſand ſix hundred ſixty and three, the Commiſſioners, Farmers or Sub-Commiſſioners in each County within England and Wales, ſhall conſtitute and appoint, or depute under their Hands and Seals, ſuch perſon or perſons as they ſhall think needful in each reſpective Market Town, to be there upon every Market-day, in ſome known and publick place, for the receiving of the ſaid Entries and Duties of Exciſe, and forming all other matters and things touching the ſaid Duty, according to the ſaid Acts, and this preſent Act; (2) which ſaid perſon and perſons ſo conſtituted or deputed (and the place where they intend to keep or hold ſuch Office, being on the next Market-day after ſuch conſtitution or deputation publiſhed in full and open Market) ſhall attend ſuch Office on every Market-day, in ſuch Market Town, and ſhall keep the ſaid Office open from Nine of the clock in the morning, until Twelve of the clock at noon; and from Two of the clock in the afternoon, until Five of the clock in the afternoon: (3) And in caſe ſuch Office ſhall not be ſo kept and attended in each Market Town reſpectively, the Commiſſioners, Farmers, Sub-Commiſſioners, or other perſon or perſons ſo neglecting or refuſing to do the ſame, ſhall for every Market day forfeit Ten pounds, the one half to the Kings Majeſty, his Heirs and Succeſſors, and the other half to him or them that will inform or ſue for the ſame in any of his Majeſties Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed, (4) And ſuch perſon as ſhall come to ſuch Market Town to make ſuch entry or Payment of the Duties, and ſhall tender the ſame according to the ſaid Acts, and be able to prove ſuch tender by the Oath of one or more ſufficient Witneſſes, ſhall not be liable to any penalty or forfeiture impoſed by the ſaid Acts, for ſuch weekly or monthly Entries or Payments as ſhould have been made or paid on ſuch Market day; Any Article, Clauſe or Thing in any or either of the ſaid Acts, or this preſent Act to the contrary notwithſtanding.

The penalty.

At what times only Brewers may carry out their Beer.

XI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt day of September, no common Brewer of Beer or Ale, ſhall ſell, deliver or carry out any Beer or Ale to any his Cuſtomers, either in whole Caſk or by the Gallon, in any City, Town Corporate or Market Town, before notice given to an Officer of Exciſe, but between the hours of the day hereafter mentioned, (that is to ſay) from the twenty fifth day of March, to the twenty ninth day of September yearly, between the hours of Three of the clock in the morning, and Nine of the clock in the evening; and from the Nine and twentieth day of September, to the Five and twentieth day of March yearly, between the hours of Five of the clock in the morning, and Seven of the clock in the evening, (2) upon pain that every Brewer doing contrary hereunto, ſhall for every ſuch offence forfeit and loſe the ſum of Twenty ſhillings for every Barrel of Beer or Ale that ſhall be ſo carried out contrary to the true meaning of this Act, to be levied and recovered as in and by this preſent Act is hereafter enacted and appointed.

Mingling of ſtrong and ſmall Worts.

XII. And be it further enacted by the Authority aforeſaid, That if any common Brewer, Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any time after the firſt day of September, after an accompt hath been taken by the ſaid Gager or Gagers, of the quantity and quality of the Beer, Ale or Worts found in his Tun, and other Brewing Veſſels, convert any part of his ſmall Beer, or ſmall Worts, ſo taken account of, into ſtrong Beer or Ale, by mingling, letting down, or ſtriking over any ſuch ſtrong Ale, or ſtrong Worts, into which, or amongſt any ſuch ſmall Beer, or ſmall Worts, and ſhall ſell, deliver out, or retail the ſame, or any part thereof, without giving notice to the ſame Gager or Gagers of the quantity ſo mingled and converted as aforeſaid; or if any ſuch Brewer or Retailer as aforeſaid, ſhall after the ſaid time, hide, conceal or convey any Beer, Ale or Worts not Gaged, from the ſight or view of the Gager or Gagers appointed to take accompt of the ſame, whereby the Kings Majeſty, or his Commiſſioners or Farmers ſhall or may be defrauded in any manner of wiſe, of the Duties due for the ſame, or any part thereof, every ſuch common Brewer, Victualler and Retailer, for every Barrel of Beer or Ale ſo by him or them mingled, converted, ſold, delivered, hid, concealed or conveyed away, contrary to the true intent and meaning hereof, ſhall forfeit and loſe the ſum of Twenty ſhillings, to be levied and recovered in manner and form as in and by this preſent Act is hereafter ordained and appointed.

Brewing Veſſels and Utenſils ſubject to the debts and penalties of Exciſe.

XIII. And be it further declared and enacted, That all and every the brewing Veſſels, and Utenſils for brewing, unto whoſe hands ſoever the ſame ſhall come, and by what Conveyance or Title ſoever the ſame be claimed, ſhall be liable and ſubject unto, and are hereby charged with all and ſingular the Debts and Duties of Exciſe in arrear, and owing by any perſon or perſons for any Beer or Ale made within the ſaid Brew-houſe, and ſhall alſo be ſubject to all penalties and forfeitures incurred by ſuch perſon or perſons ſo uſing the ſaid Brew-houſe for any offence againſt the Laws and Statutes for Exciſe; (2) And that it ſhall be lawful in all caſes to levy Debts and Penalties, and uſe ſuch proceedings againſt the Utenſils therein contained, as it may be lawful to do in caſe the Debtor or Offendor uſing the ſaid Utenſils had been truly and really owner and proprietor of the ſame.

Brewers that brew for other Brewers.

XIV. And be it further enacted by authority aforeſaid, That after the firſt day of September, no common Brewer of Beer or Ale, nor any other perſon whatſoever, who hath or ſhall compound for the Duties of Exciſe for Beer or Ale by him Brewed, or to be Brewed, ſhall during the term of ſuch Compoſition, Brew, or make, or ſuffer, or permit any Breer or Ale to be Brewed or made within his Brew-houſe, for any other common Brewer whatſoever, without firſt giving notice, as well of every particular Brewing, as of the quantity and quality of the Beer and Ale at every ſuch Brewing intended to be Brewed and made, unto the reſpective Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe, within whoſe Diſtricts of whoſe Office ſuch common Brewer doth or ſhall inhabit, and forthwith paying down unto the ſaid reſpective Commiſſioners, Farmers or Sub-Commiſſioners, the full Exciſe of all the ſaid Beer and Ale, (2) upon pain that as well the Brewer who ſhall Brew the ſame, as the Brewer for whom the ſaid Beer or Ale ſhall be Brewed, ſhall forfeit and loſe for every Barrel the ſum of Five pounds, the one moiety to the Kings Majeſty, and the other moiety to the Informer that ſhall ſue for the ſame in any Court of Record.

Coffee, Chocolate, Sherbet, Tea.

XV. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of September, no perſon or perſons ſhall be permitted to ſell or retail any Coffee, Chocolate, Sherbet or Tea, whithout Licence firſt obtained and had by the Order of the General Seſſions of the Peace in the ſeveral and reſpective Counties, Certificate being firſt ſhewed that they have given good Security for the due payment of their Dues to the King, or the chief Magiſtrate of the Place in whoſe Juriſdiction he or they do or ſhall inhabit or dwell, for the ſelling or retailing of the ſame; (2) Nor ſhall any Licence be granted to any Retailer, until Security firſt given by Recogniſance or otherwiſe: For which Licence, Recognizance and Security, Twelve pence ſhall be given, and no more, for the payment of the Exciſe: And every perſon or perſons ſelling or retailing any of the ſaid Liquors without Licence had, and Security given as aforeſaid, ſhall forfeit and loſe the ſum of Five pounds for every month he or they ſhall continue ſelling or retailing the ſame.

Gagers may take no bribes, nor rewards, to make falſe returns.

XVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of September, no Brewer or other perſon whatſoever ſhall Bribe or Corrupt, or give any Mony, Fee, or other Reward whatſoever to any Gager or Gagers, or other Officer whatſoever, to make any falſe Return or Report into the Office of Exciſe, of any Beer, Ale, or other Liquors Exciſable, made or Brewed, or to be made or Brewed within his or their Charge, Diviſion or Walk, or to forbear or omit the doing or executing of his or their Places or Employments, upon penalty of Ten pounds for every ſuch Offence; (2) And that no ſworn Gager or Gagers, or other Officer whatſoever, ſhall directly or indirectly take and receive any Bribe, Mony, Fee, Gift, or other Reward of any Brewer or other perſon whatſoever, for any cauſe or matter relating to the Exciſe, upon penalty that every ſuch ſworn Gager or other Officer ſo offending, ſhall for every ſuch Offence forfeit and loſe the ſum of Ten pounds: (3) All and every of which ſaid reſpective Offences ſhall be proved by the Oaths of two lawful and credible Witneſſes before two Juſtices of Peace, or chief Magiſtrate of the Place where ſuch Offence ſhall be committed; which ſaid Juſtices or Magiſtrates reſpectively have hereby power to adminiſter the ſaid Oaths, and alſo to examine, adjudge and determine the ſame, and to cauſe ſuch penalties by Warrant under their Hands and Seals, to be levied by Diſtreſs and Sale of the Offenders Goods, rendring to the party the overplus; and for want of ſuch Diſtreſs to commit every ſuch Offender to the common Gaol of ſuch County or place, there to remain by the ſpace of three months without Bail or Mainpriſe.

Foreign Liquors Imported, to be duly entred.

XVII. And for the better Levying and Collecting the ſaid Duties of Exciſe upon all Foreign or Imported Liquors, (2) Be it enacted by authority aforeſaid, That no ſuch Foreign or Imported Liquors ſhall be Landed or put on Shore out of any Ship or Veſſel from beyond the Seas, before due entry be firſt made thereof, with the Officer and Collector appointed for the Exciſe, in the Port or place where the ſame ſhall be Imported, or before the Duty of Exciſe due and payable for the ſame be fully ſatisfied and paid; (3) And that every Warrant for the Landing or Delivering of any ſuch Foreign Liquors ſhall be Signed by the Hand of the ſaid Officer or Collector of the Exciſe, in the ſaid Port or place reſpectively, (4) upon pain that all ſuch Foreign Liquors as ſhall be Landed, put on Shore or delivered contrary to the true intent and meaning hereof, or without the preſence of an Officer or Waiter of Exciſe, or the value thereof, ſhall be forfeited and loſt, the one moiety to the Kings Majeſty, and the other moiety to him or them who ſhall or will ſeiſe, inform, or ſue for the ſame, to be recovered of the Importer or Proprietor thereof.

XVIII. And that no perſon or perſons whatſoever bringing any Exciſable Liquors (except Beer, Ale, Sider, Perry and Metheglin) into any part or place of this Realm, by Coaſt-Cocquet, Tranſire or Certificate, nor any perſon or perſons to whom the ſame or any of them ſhall be conſigned, ſhall Land, or cauſe any ſuch Exciſable Liquors (except before excepted) to be Landed or put one Shore, without making, or cauſing due Entry to be made of the ſame, with the Officer or Officers of the Exciſe for the time being appointed to receive and take ſuch Entries within the Port or place where the ſame ſhall be Landed, upon pain in every ſuch caſe as aforeſaid, to forfeit double the value of the ſaid Liquors landed or put on Shore contrary to the true intent and meaning hereof.

Appeals in cauſes of Exciſe.

XIX. Provided alſo, and be it further enacted and ordained by authority aforeſaid, That no Appeal in any Caſe of Exciſe whatſoever ſhall be admitted, until the party Appellant ſhall have firſt depoſited and laid down the ſingle Duty of Exciſe in the hands of the Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe within whoſe Juriſdiction or Diviſion the ſaid cauſe was originally heard and determined, and have given Security to the Commiſſioners of Appeal, or Juſtice of the Peace reſpectively where ſuch Cauſe is to be finally adjudged, for all ſuch Fine, Forfeiture and Penalty as upon ſuch hearing and determining was adjudged againſt him; (2) and that if upon the hearing and determining of any ſuch Appeal, the ſaid Original Judgment ſhall happen to be reverſed and made null, then, and in every ſuch caſe, the ſaid Commiſſioners, Farmers, or Sub-Commiſſioners of Exciſe in whoſe hands the ſaid ſingle Duty of Exciſe was depoſited, ſhall reſtore and deliver back the ſame, or as much thereof as ſhall be adjudged by the Commiſſioners of Appeals, or Juſtices of the Peace reſpectively, to the ſaid Appellant, and the party originally proſecuted, ſhall pay him the double Coſts: (3) But in caſe the firſt Judgment ſhall be affirmed, the party Appealing ſhall pay the like Coſts unto the Commiſſioner or Commiſſioners complained of; Any thing in this Act, or any other Act or Statute whatſoever to the contrary thereof contained in any wiſe notwithſtanding.

XX. And be it further enacted by authority aforeſaid, That all and every perſon or perſons whatſoever, brewing or making any Beer, whether in a Common Brew-houſe, or otherwiſe for ſale, or to convert into Vinegar for ſale, ſhall pay for every Barrel of ſuch Vinegar-Beer ſo made and brewed, the ſeveral and reſpective ſums already impoſed and ſet by any Acts of Exciſe above mentioned, upon Vinegar-Beer brewed by any common Brewer in any common Brew-houſe; Any thing in the ſaid Acts, or either of them, to the contrary notwithſtanding.

Exciſe upon Vinegar-beer.

XXI. And it is hereby further declared, That every Colledge and Hall in either of the Univerſities, which before the Duty of Exciſe was impoſed, did brew their own Beer and Ale within their own Precincts, and ſize it out to their reſpective Members within their own Precincts only, are not liable to the payment of any Duty of Exciſe for the ſame, either by this or any the forementioned Acts.

Colledges and Halls in the Univerſities.

XXII. Provided alſo, and be it enacted, That all Differences, Appeals and Complaints that ſhall happen and ariſe between party and party, in order to the payment of the Duty of Exciſe, ſhall be heard and determined in the proper County, or in the ſeveral Ridings and Diviſions of Yorkſhire, and Lincolnſhire, where they ſhall ariſe, and not elſewhere.

Complaints to be determined in the proper Counties.

XXIII. And be it further enacted by the authority aforeſaid, That no Farmer, Commiſſioner, Sub-Commiſſioner, or other Officer of Exciſe, ſhall directly or indirectly take or receive any Mony, Fee or Reward, for or concerning the taking of any Bond, or giving any Receipt or Note in Writing relating to the Exciſe, to or from any perſon or perſons whatſoever, upon pain that every ſuch perſon ſo offending, ſhall for every ſuch offence forfeit the ſum of ten ſhillings.

Commiſſioners or Farmers may take no Fees.

XXIV. And be it further enacted by the authority aforeſaid, That the Juſtices of the Peace, or any two or more of them, or chief Magiſtrates in the ſeveral Counties, Cities, Diviſions and places within England and Wales reſpectively, ſhall meet once in every month in their reſpective Diviſions, or oftner if there ſhall be occaſion, to hear, determine, and to adjudge all matters and offences againſt this or the aforeſaid Acts.

Who may hear and determin matters upon this Act.

XXV. And be it further enacted by the authority aforeſaid, That one third part of all Fines, Penalties and Forfeitures not herein otherwiſe diſpoſed, ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and one other third part to the poor of the Pariſh where the offence ſhall be committed, and the other third part to him that ſhall inform and ſue for the ſame; (2) and that all fines, penalties and forfeitures for which no remedy is ordained for recovery thereof by this Act, ſhall be recovered by Action of Debt, Bill, Plaint or Information in any Court of Record within ſuch County, City or Corporation where the offence ſhall be committed, or by ſuch other ways and means, and in ſuch manner as by the ſaid former Act is directed and appointed:

How the penalties upon this Act ſhall be diſpoſed and recovered.

XXVI. Provided always, That after the ſaid Third day of September, no Appeal in any matter or cauſe of Exciſe within the immediate Limits of the chief Office of London, nor within the Limits of the preſent Farm of London, during the continuance of ſuch Farm, ſhall be admitted, unleſs the ſame be brought within two months next after the firſt Judgment, and notice thereof given or left at the dwelling-houſe of the party or parties concerned therein; (2) nor ſhall any Appeal in any Matter or Cauſe of Exciſe in any other County, City, Town or Place, be admitted, unleſs the ſame be brought within Four months after the Firſt Judgment, and notice given as aforeſaid; Any thing in this Act to the contrary notwithſtanding.

Appeals for matters in London, and the Limits thereof.

XXVII. Provided neverleſs, and it is hereby enacted, That no Commiſſioner, Farmer, Sub-Commiſſioner, or other perſon imployed, or to be imployed in the Farming, Collecting or taking accompts for the Duty of Exciſe, do after the Firſt day of September next, take upon him or them any ſuch Office, or proceed in execution of any ſuch Imployment, until he or they have firſt taken the Oaths appointed to be taken by the Act of Parliament, entituled, A Grant of certain Impoſitions on Beer, Ale, and other Liquors, for the encreaſe of his Majeſties Revenue during his life, before the reſpective perſons appointed in the ſaid Act of Parliament, and have entred his Certificate for taking the ſaid Oaths, who with the Auditor for Exciſe, under the penalty of Fifty pounds for every month he or they ſhall ſo neglect to take the ſame.

No Commiſſioner or other may act until he have taken the Oath in the Act of 12 Car.2.c.23.

CAP. XII.

An Explanatory Act, for Recovery of the Arrears of Exciſe.

BE it declared and enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That where any Commiſſioner, Sub-Commiſſioner, Treaſurer, and all other Officers which were heretofore imployed in the Receipt of the Exciſe, Farmer or Collector of Exciſe, which are and ſtandeth charged with, or accomptable for any Duties of Exciſe, by him or them received, farmed or detained, or any ways due from the perſons before named, or any of them, and not pardoned by the late Act, entituled, An Act of Free and General Pardon, Indempnity and Oblivion; That there, and in ſuch caſe, all and every the Sureties of ſuch perſon or perſons charged or chargeable as aforeſaid, ſhall be deemed and taken to be liable and anſwerable according to the nature of

In what caſes Sureties for Exciſe ſhall be anſwerable for the Arrears.

12 Car.2.c.12.

their reſpective Securities; Any doubt or queſtion made touching the Conſtruction of the ſaid late Act of free and General Pardon to the contrary notwithſtanding.

II. And be it further declared and enacted by the authority aforeſaid, That where the Commiſſioners of Exciſe for the time being, or the major part of them, have Iſſued out any Summons or Warning which hath been left at the Houſe, or uſual place of reſidence, or with the Wife, Child, or menial Servant of any the aforeſaid perſon or perſons chargeable or accomptable as aforeſaid, The ſame ſhall be deemed and adjudged a good and ſufficient Summons, and as legal and effectual a Notice, as if the ſame had been actually delivered to the proper hands of ſuch perſon or perſons to whom the ſame was directed; any doubt or queſtion thereof made to the contrary notwithſtanding.

C A P. XIII.

An Additional Act for the better Ordering and Collecting the Revenue ariſing by Hearth-Mony.

14 Car. 2. c. 10.

How the Juſtices of the Peace ſhall cauſe Accounts to be taken of the number of Hearths.

Whereas the Revenue ſetled on his Majeſty, his Heirs and Succeſſors, by a late Act entituled, An Act for eſtabliſhing an Additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better ſupport of his and their Crown and Dignity, hath been much obſtructed for want of true and juſt accompts under the hands of the reſpective Occupiers of Houſen, Edifices, Lodgings and Chambers, as by the ſaid Act is required, and by the negligence of Conſtables and other Officers intruſted with the Taking and Reforming ſuch accompts: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Juſtices of Peace of the reſpective Counties, Corporations, Places and Limits within their reſpective Juriſdictions, at the next Seſſions to be held after the Feaſt of Saint Michael the Archangel next enſuing or the major part of them then preſent, ſhall iſſue out Warrants under their Hands and Seals to the reſpective High Conſtables, or other like next Officer, who ſhall iſſue the like Warrants unto the petty Conſtables, Headboroughs and Tythingmen, requiring them on the next Sunday, after Morning Service ended, to give publick notice in the Church or Chappel generally to all the Inhabitants, and alſo to give notice publickly in the Church, and particularly as aforeſaid to every Inhabitant within their reſpective Precincts, that ſhall then be Occupier of any Houſe, Edifice, Lodging or Chamber, That within Ten days next after ſuch notice, he give a true and juſt account in Writing under his Hand, of all Hearths and Stoves in ſuch reſpective Houſe, Edifice, Lodging and Chamber unto ſuch reſpective Conſtable, Headborough and Tythingman; (3) who upon receipt of ſuch accompt, ſhall with two other ſubſtantial Inhabitants of the ſaid reſpective Precinct, whom they are hereby authorized to charge for that purpoſe, in the day-time enter into the reſpective Houſe, Edifice, Lodging and Chamber, and upon his own view compare ſuch accompt, and ſee whether the ſame be truly made or not, and endorſe the ſaid accompt accordingly to what he finds upon his view, (4) which accompt ſo received and endorſed, ſhall be by him tranſmitted within twenty days after ſuch Receipt to the reſpective High Conſtable, or other like Officer as aforeſaid, together with a Book or Roll fairly Written, wherein ſhall be Two Columns, The one containing the Names of the perſons, and number of Hearths and Stoves in their reſpective Poſſeſſions, that are chargeable by the ſaid Act; and the other the Names of the perſons, and number of Hearths and Stoves in their reſpective Poſſeſſions, which are not chargeable by the ſaid Act: (5) Which being ſo received by ſuch reſpective High Conſtable, or other like Officer as aforeſaid, and compared together, ſhall within ſix days after ſuch Receipt be tranſmitted to the two next reſpective Juſtices of the Peace, who are hereby impowered to examine the ſaid reſpective High Conſtable, or other like Officer as aforeſaid, Pety Conſtable, Headborough or Tythingman, upon Oath, concerning the truth and faithfulneſs of their actings in the premiſſes; which being done, the ſaid Juſtices ſhall within Ten days after ſuch examination, ſign and tranſmit the ſaid Book and Roll, together with the ſaid Original accompts ſo endorſed as aforeſaid, and filed together, unto the reſpective Clerk of the Peace, who ſhall within Twenty days after receipt thereof, Engroſs the ſaid Book or Roll in Parchment, to be ſtill kept in the reſpective County and places aforeſaid; and ſhall alſo within two months Engroſs in Parchment a true Duplicate of the ſaid Book or Roll, which being Signed by him and by two Juſtices of the Peace at leaſt of the reſpective County and places aforeſaid, ſhall be tranſmitted within one month after ſuch Engroſſment, into his Majeſties Court of Exchequer.

Penalty for ommiting any Hearth.

II. Provided always, and be it enacted by the authority aforeſaid, That if any Occupier of any Houſe, Edifice, Lodging or Chamber, ſhall not make or cauſe to be made an accompt, or ſhall omit in his accompt required to be made by this Act, any Hearth or Stove, he ſhall for every ſuch Hearth or Stove he ſhall ſo omit, forfeit the ſum of Forty ſhillings.

Penalty upon Conſtables for neglect.

III. Provided alſo, That if any Petty Conſtable, Headborough or Tythingman to whom ſuch accompts as aforeſaid ſhall come, ſhall neglect to tranſmit the ſame, together with a Book or Roll in manner and time aforeſaid, to the reſpective High Conſtable, or other like Officer as aforeſaid, or ſhall make default in giving ſuch notice as aforeſaid, or in comparing the accompt with two ſubſtantial Inhabitants as aforeſaid, ſhall forfeit for every ſuch Offence, the ſum of Five pounds.

High Conſtable.

IV. Provided alſo, That if any High Conſtable, or other like Officer as aforeſaid, ſhall neglect to compare the ſaid Original accompts and the ſaid Book or Roll, or to tranſmit the ſame in manner and time aforeſaid, he ſhall for every ſuch Offence forfeit the ſum of Ten pounds: (2) All which before mentioned Forfeitures and Penalties ſhall be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record, the one half to the uſe of his Majeſty, the other half to the uſe of him or them that ſhall ſue for the ſame.

V. And whereas his Majeſties ſaid Revenue ſetled by the aforeſaid Act, hath been much

Prejudice by change of annual Officers, remedied.

prejudiced by annual changing of petty Conſtables, Headboroughs, Tithingmen, High Conſtables and Sheriffs, to whom the Collecting and Receit of his Majeſties ſaid Revenue is thereby intruſted, (2) Be it therefore enacted by the authority aforeſaid, That the changing of ſuch annual Officers, or leaving of their ſaid Offices, ſhall not excuſe or diſable any perſon who ſhall be Conſtable, Headborough, Tythingman, High Conſtable or Sheriff at the time that any Revenue or Duty ſhall grow due or payable by the ſaid Act, from collecting, diſtraining and receiving reſpectively ſuch Revenue or Duty ſo grown due; but that every perſon in ſuch caſe is hereby enabled and required to do all things reſpectively, as to ſuch Revenue or Duty ſo growing due, as if he had continued Conſtable, Headborough, Tythingman, High Conſtable or Sheriff; any thing in the ſaid Act to the contrary notwithſtanding.

Penalty for neglecting to diſtrain, receive or pay over the ſaid Duty.

VI. Provided alſo, and be it enacted by the authority aforeſaid, That if any perſon who by the ſaid, or this Act, ought to collect, diſtrain for, receive or pay over any the ſaid Revenue, ſhall neglect or refuſe to do his duty therein, for every week he ſhall neglect or refuſe, he ſhall forfeit the Sum of Twenty ſhillings, to be recovered in manner, and by ſuch perſon or perſons as the aforeſaid Forfeitures by this Act are to be recovered.

All perſons may be called in aid to diſtrain.

VII. Provided alſo, and be it declared and enacted by the Authority aforeſaid, That in all caſes which by this or the aforeſaid Act, any petty Conſtable, Headborough or Tythingman may enter into the houſe of any perſon, or he may diſtrain the Goods of any perſon, he may call to his aid any two ſufficient Inhabitants of the reſpective Townſhips or Precincts, who are hereby enjoyned to aſſiſt him therein.

Sheriffs appointed Collectors, may make their Deputies.

VIII. Provided alſo, and be it enacted and declared by the authority aforeſaid, That where any Sheriff is by the aforeſaid Act appointed to be Collector of any part of the ſaid Revenue, that ſuch Sheriff may execute the ſaid place of Collector, or by ſuch Deputy or Deputies as to him ſhall ſeem meet, being thereunto appointed under the Great Seal of his Office, or under his own Hand and Seal; any thing in the ſaid Act to the contrary notwithſtanding.

Treaſurers and Officers of the Inns of Court, Chancery, Colledges, &c.

IX. Provided alſo, and be it enacted by the Authority aforeſaid, That the reſpective Treaſurers, and other Officers of the reſpective Inns of Court, Inns of Chancery, Colledges, and other Societies chargeable by the aforeſaid Act for their Hearths and Stoves, ſhall do all things as the reſpective Conſtables by this Act are enjoyned to do, under the like penalties, though without any Warrant from the reſpective Juſtices of the Peace; (2) and that every Occupier of any Houſe, Edifice, Lodging or Chamber within any the reſpective Inns of Court, Inns of Chancery, Colledges and Societies aforeſaid, ſhall do all things, and under the like penalties as are required by this Act of any Occupier of any Houſe, Edifice, Lodging or Chamber elſewhere.

Weſtminſter.

X. Provided always, and be it enacted by the Authority aforeſaid, That the High Bailiff of Weſtminſter for the time being, or his or their Deputy or Deputies, may within the City and Liberties of Weſtminſter, from and after the Eight and twentieth day of September next, collect and levy the ſaid Duty, and put in execution all the powers of the ſaid former Act, and this preſent Act, as amply as any Sheriffs who by the ſaid former Act are made Collectors, may do within their reſpective Limits and Juriſdictions appointed to them by the ſaid Act: (2) And the ſaid Bailiff for the time being ſhall be ſubject to the ſame penalties and duties as the ſaid Sheriffs are, and ſhall receive the ſame Reward; and the Sheriff of Middleſex for the time being is diſcharged from putting in execution the Truſt aforeſaid in the ſaid City and Liberty of Weſtminſter, from the ſaid Eight and twentieth day of September, ſaving only for the collecting of ſuch arrears as then ſhall happen to be: (3) And the Conſtables and Headboroughs, and other Officers within the ſaid City and Liberty of Weſtminſter, ſhall deliver unto the ſaid Bailiff, Duplicates of all Accounts of Hearths and Stoves, and do all other things in ſuch manner as by the ſaid Act they ought to have done unto the ſaid Sheriffs; Any thing in the ſaid, or this Act to the contrary notwithſtanding.

Southwark.

XI. Provided always, and be it enacted by the authority aforeſaid, That the Bailiff of the Borough of Southwark for the time being, his Deputy or Deputies, may within the ſaid Borough, and other Liberties of Southwark, from and after the Eight and twentieth day of September next, Collect and Levy the ſaid Duty, and put in execution all the powers of the ſaid former Act, and this preſent Act, as amply as any Sheriffs who by the ſaid former Act are made Collectors, may do within their reſpective Limits and Juriſdictions appointed to them by the ſaid Act; (2) and the Bailiff for the time being ſhall be ſubject to the ſame penalties and duties as the ſaid Sheriffs are, and ſhall receive the ſame Reward; and the Sheriff of Surry for the time being is diſcharged from putting in execution the Truſt aforeſaid in the ſaid Borough and Liberties of Southwark, from the ſaid Eight and twentieth day of September; (3) and the Conſtables and other Officers within the ſaid Borough and Liberties, ſhall deliver unto the ſaid Bailiff, Duplicates of all Accounts of Hearths and Stoves, and do all other things in ſuch manner as by the ſaid Acts they ought to have done unto the ſaid Sheriffs; Any thing in the ſaid former, or this Act to the contrary notwithſtanding.

Allowance to Clerks of the Peace of the ſeveral Counties.

XII. Provided alſo, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord High Treaſurer of England, and the Chancellor of his Majeſtits Court of Exchequer, or either of them, to give and make ſuch further allowance unto the Clerks of the Peace of the reſpective Counties of this Kingdom (for their labour and pains in and about the Writing, Engroſſing and Returning into his Majeſties Court of Exchequer, the Duplicates and Returns of the ſeveral Conſtables, in Parchment, over and beſides what is allowed by the ſaid firſt recited Act) as the ſaid Lord High Treaſurer and Chancellor, or either of them ſhall think meet and convenient, the ſame allowance not exceeding one peny in the pound by the year; any thing in the ſaid former, or in this Act to the contrary notwithſtanding.

CAP.

CAP. XIV.

An Act for ſetling the Profits of the Poſt-Office, and Power of Granting Wine Licences, on his Royal Highneſs the Duke of York, and the Heirs males of his Body.

12 Car.2.c.25.

Whereas the Lords and Commons being aſſembled at Weſtminſter the Five and twentieth day of April, Anno Domini One thouſand ſix hundred and ſixty, in the twelfth year of the Reign of our moſt Gracious Sovereign Lord Charles the ſecond, by the Grace of God of England, Scotland, France and Ireland, King, Defender of the Faith, &c. were there continued until the Nine and twentieth day of December next following, and then diſſolved; In which time a certain Act was made, entituled, An Act for the better Ordering the ſelling of Wines by Retail, and for preventing abuſes in the mingling, corrupting and vitiating of Wines, and for ſetling and limiting the price of the ſame: Whereby it was enacted, That no perſon or perſons whatſoever, from and after the Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred ſixty and one, unleſs he or they ſhould be authorized and enabled in manner and form as by the ſaid Act is appointed, ſhall ſell or utter by Retail any kind of Wine or Wines to be ſpent in his or their Manſion-houſe or Houſes, or other place, by any means whatſoever, upon pain of forfeiting for every ſuch Offence, the ſum of Five pounds, the one moiety thereof to the King, and the other moiety to him or them that will ſue for the ſame.

II. And it was thereby further enacted, That it ſhould be lawful for his Majeſty, his Heirs and Succeſſors, from time to time to iſſue out under his or their Great Seal of England, One or more Commiſſion or Commiſſions directed to two or more perſons, thereby authorizing them to Licenſe, and give Authority to ſuch perſon or perſons as they ſhould think fit, to ſell and utter by Retail, all and every, or any kind of Wine or Wines to be drunk and ſpent, as well within the Houſe or Houſes, or other place in the tenure or occupation of the party ſo Licenſed, as without, in any City, Town or other place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, (2) and are ſuch Commiſſioners to contract for ſelling and uttering Wines by Retail in any City or other place as aforeſaid, in ſuch manner and form, and under ſuch Proviſoes as in the ſaid Act is mentioned: (3) And it is further provided by the ſaid Act, That the Rents, Revenues, and Sums of Money ariſing by the ſaid Act, ſhould be duly and conſtantly paid, and anſwered into his Majeſties Receipt of Exchequer, and not be charged or chargeable, either before it be paid into the Exchequer, or after, with any gift or penſion; as by the ſaid Act, amongſt divers other Proviſoes and Clauſes may more at large appear.

12 Car.2.c.34.

III. And alſo one other Act was at the ſame time made, Entituled, An Act for Erecting and Eſtabliſhing a Poſt-Office: Whereby it is enacted, That from thenceforth there ſhould be one general Letter-Office erected and eſtabliſhed in ſome convenient place within the City of London, from whence all Letters and Pacquets may be ſent into any part of the Kingdom of England, Scotland and Ireland, or other of his Majeſties Dominions, or unto any Kingdom or Countrey beyond the Seas: (2) And that one Maſter of the ſaid general Letter-Office, ſhall be from time to time appointed by the Kings Majeſty, his Heirs and Succeſſors, by his or their Letters Patents under the Great Seal of England, by the Name and Stile of His Majeſties Poſt-maſter General; which ſaid Poſt-maſter and his Deputy and Deputies, by him thereunto ſufficiently authorized, and his and their Servants and Agents, and no other perſon, ſhall have the receiving, ordering or ſending Poſt of all Letters and Pacquets whatſoever, to be ſent to and from the places aforeſaid (except as therein and thereby is excepted:) (3) And it was thereby provided, That ſuch Poſt-maſter General, and his Deputy and Deputies may demand, have, receive and take for the Portage of all ſuch Letters which he ſhall convey as aforeſaid, and for the providing and furniſhing Horſes for through-Poſts according to the Rates therein mentioned; (4) and that his Majeſty, his Heirs and Succeſſors may grant the ſaid Office of Poſt-maſter General, with the powers and authorities thereunto belonging, and the ſeveral Rates of Portage therein mentioned, and all Profits, Priviledges, Fees, Perquiſites and Emoluments thereunto belonging, either for life or term of years, not exceeding One and twenty years, to ſuch perſon and perſons, and under ſuch Covenants, Conditions, and yearly Rents to his ſaid Majeſty, his Heirs and Succeſſors reſerved, as he or they ſhall from time to time think fit; as by the ſaid Act, amongſt divers other Clauſes and Proviſoes therein contained may more at large appear; both which Acts have been confirmed by this preſent Parliament.

The Office of Poſt-maſter General.

IV. Now foraſmuch as the Kings moſt Excellent Majeſty is graciouſly pleaſed out of his Princely care, and great love and affection to his moſt entirely beloved Brother James Duke of York; for and towards the Maintenance and Support of the ſaid Duke, his State and Dignity, to Grant and Aſſign all and every the power and powers, authorities of giving Licence to any perſon or perſons to ſell or utter by Retail, all and every, or any kind of Wine or Wines whatſoever, with all Rents, Sum or Sums of Money, Revenues, Profits and Emoluments whatſoever, that ſhall or may ariſe from, or out, or by reaſon of ſuch power of Licenſing the Retailing of Wines, or Forfeitures for Retailing of Wines without ſuch Licences, unto the ſaid James Duke of York, and to the heirs males of his body begotten, or to be begotten: (2) And alſo all Rents, Sum and Sums of Money, and Revenues that ſhall ariſe, grow, and become due of, or from the ſaid General Letter-Office, or Poſt-Office, or Office of Poſt-maſter General, unto the ſaid James Duke of York, and the heirs males of his body begotten, or to be begotten:

The Powers of granting Wine-Licences entailed upon the Duke of York.

V. Be it therefore enacted and declared by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid James Duke of York, and the heirs males of his body begotten, or to be begotten, ſhall have all and every the powers and authorities aforeſaid, to give and grant Licences to ſuch perſon or perſons as he or they ſhall think fit, to ſell or utter by Retail, all and every, or any kind of Wine or Wines whatſoever to be drunk and ſpent, as well within the houſe and houſes, or other place in the Tenure or Occupation of the party ſo Licenſed, as without, in any City, Town, or other place whatſoever within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed, together with all Benefits and Profits thereof, and alſo that the ſaid Duke, and the heirs males of his body begotten, or to be begotten, ſhall have that moiety of the forfeitures and penalties, which by the ſaid recited Act is given to his Majeſty, his Heirs and Succeſſors.

VII. And it is hereby further declared, That all and every other perſon or perſons, which from time to time, or at any times hereafter ſhall be by the ſaid James Duke of York, and the heirs males of his Body begotten, or to be begotten, appointed, authorized or deputed Agent or Agents, Commiſſioner or Commiſſioners to treat and contract for giving Licences and Diſpenſations to any perſon or perſons for the ſelling and uttering Wines by Retail in any City or Town, or other place as aforeſaid, ſhall have the full and ſole power and authority to treat and contract for giving Licences to any perſon or perſons for the ſelling and uttering Wines by retail in any City, Town, or other place as aforeſaid; Any Law, Statute, Grant, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding, in as full and ample manner as the Kings Agents or Commiſſioners might do by virtue of the ſaid recited Act.

VIII. And be it further enacted by the Authority aforeſaid, That ſuch perſon or perſons as ſhall be appointed by the ſaid James Duke of York, or the heirs males of his body begotten, or to be begotten, under his or their Hand and Seal, for granting Licences for ſelling and uttering Wines by Retail, are thereby enabled under ſuch Seal as the ſaid Duke, or his heirs males of his body begotten, or to be begotten, ſhall appoint, to grant Licences for the ſelling and uttering Wines by Retail to any perſon or perſons, for any time or times not exceeding One and twenty years, if ſuch perſons ſhall ſo long live, and for ſuch yearly Rents, and under ſuch Conditions as they ſhall think fit, ſo as no Fine be taken for the ſame, but that the Rents or Sums of Money ſo agreed for and reſerved, ſhall be duly paid at times and places agreed for the payment thereof; (2) for which the Rents ſo reſerved, in caſe the ſame ſhall not be paid, the ſaid Duke, and the heirs males of his body begotten, or to be begotten, ſhall and may have power by this Act to ſue for the ſame by Bill, Plaint, or Action of Debt in any of his Majeſties Courts of Record at Weſtminſter, or elſewhere, in his own Name; or to ſue for the ſame in his Majeſties Name in the Court of the Exchequer, at the election of the ſaid Duke, and the heirs males of his body begotten, or to be begotten: (3) And that the diſcharge of the ſaid James Duke of York, and of the heirs males of his body begotten, or to be begotten, or of his or their Receiver General for the time being, ſhall be a full and effectual diſcharge to all intents and purpoſes, for all ſuch Moneys as have, or ſhall be received by virtue of the Act for Wine Licences.

IX. Provided always, That the Kings Majeſty, his Heirs and Succeſſors, ſhall not during the continuance of the ſaid Eſtate Tail, by himſelf or Agents, grant any Commiſſion or Commiſſions, Licence or Licences, for the ſelling or uttering of any Wines by Retail.

X. And alſo provided, That nothing in this Act contained, ſhall make void any Contracts, Leaſes or Agreements that have been made by his Majeſties Agents, for granting Licences for ſelling and uttering Wines by Retail, in purſuance of the ſaid Act; but the ſame Contracts, Leaſes and Agreements ſhall remain in ſuch force as they were before the making of this Act, and that the Rents thereupon reſerved, and all Arrears thereof ſhall be paid unto the ſaid Duke, and to the heirs males of his body begotten, or to be begotten.

Rents and Profits ariſing by the Letter-Office.

XI. And be it further enacted by the Authority aforeſaid, That all the yearly Rents, Sum or Sums of Money, Revenues, Iſſues and Profits whatſoever that ſhall grow due, accrew, or be payable unto his Majeſty, his Heirs and Succeſſors, for or by reaſon of the ſaid general Letter-Office or Poſt-Office, or Office of Poſt-maſter General, or annexed, incident or belonging to the ſaid Poſt-Office, or general Letter-Office, or Office of Poſt-maſter General, or iſſuing out of the ſame, or accrewing or growing due for, or by reaſon of the ſame, ſhall be and hereby are veſted and ſetled by virtue of this Act upon the ſaid James Duke of York, and the heirs males of his body begotten, or to begotten, with full and ſole power from time to time for the ſaid Duke, and the heirs males of his body begotten, or to be begotten, his and their Receivers-General, to receive all and every the ſaid Rents, Iſſues and Profits accrewing for, or iſſuing out of the ſaid Office; and from time to time to give diſcharges for the money ſo received.

Not to be paid into the Exchequer.

XII. Provided always, and be it enacted by the Authority aforeſaid, That none of the ſaid yearly Rents, Iſſues and Profits ariſing, growing due, accrewing or iſſuing out of the ſaid general Letter-Office, or Poſt-Office, or Office of Poſt-maſter General, ſhall for, and during the ſaid Eſtate Tail, be paid into the Exchequer, but only to the ſaid Duke, and to the heirs males of his body begotten, or to be begotten, his or their Receiver-General for the time being: (2) And alſo, that it ſhall and may be lawful to and for the ſaid Duke, and for the heirs males of his body begotten, or to be begotten, in the Name of his Majeſty, his Heirs or Succeſſors, or in his or their own Name to ſue for the ſame, by Bill, Plaint, Information, Action of Debt, or otherwiſe, in any Court or Courts of Law or Equity, wherein no Protection, Wager of Law or Eſſoin ſhall lie.

How to be recovered.

Proviſo for Daniel Oneale, Eſquire. EXP.

XIII. Provided alſo, That nothing herein contained ſhall make void the Grant made by his Majeſty to Daniel Oneale Eſquire, of the Office of Poſt-maſter General, or General Letter-Office, or Poſt-Office, for four years, and one quarter of a year, from the ſaid Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred ſixty and three, under the yearly Rent of One and twenty thouſand five hundred pounds for all the ſaid Term (except the laſt Quarter, which is paid aforehand) ſo as the ſaid Rents be paid unto his ſaid Highneſs James Duke of York, and to the heirs males of his body begotten, or to be begotten.

XIV. Provided alſo, and it is hereby further enacted and declared, That it ſhall and may be lawful for the Kings Majeſty, his Heirs and Succeſſors, at any time or times, during the ſaid Eſtate Tail, by Warrant under his Privy Seal, to charge any ſum, or ſeveral ſums of money, not exceeding in the whole the ſum of Five thouſand three hundred and fourſcore and two pounds ten ſhillings, to be paid out of the profits of the Office of Poſt-maſter General; to the which ſaid ſum of Five thouſand three hundred fourſcore and two pounds ten ſhillings, the ſeveral ſums and payments now already charged thereupon, do in the whole amount, (the Grant of which ſums are not to be avoided by this Act;) And which ſaid ſums of money, not exceeding the ſaid ſum of Five thouſand three hundred fourſcore and two pounds ten ſhillings, to be granted by his Majeſty as aforeſaid, are and ſhall be by authority of this Act confirmed and made in full force.

His Majeſty may nominate the Poſt-Maſter General.

XV. Provided further, That the Kings moſt Excellent Majeſty, his Heirs and Succeſſors, ſhall have the nomination of the Poſt-maſter General of the ſaid Poſt-office, and ſhall from time to time nominate and appoint ſuch perſon and perſons as he or they ſhall pleaſe, to be Poſt-maſter General of the ſaid Office, and may grant the ſame Office with the power and authority thereunto belonging, and the ſaid Rates of Portage in the ſaid Act mentioned, either for life, or term of years, not exceeding One and twenty years, to ſuch perſon or perſons as he or they ſhall think fit, under the moſt improved yearly Rent that can be reaſonably had or gotten for the ſame by the ſaid Duke, or the heirs males of his body begotten, or to be begotten, without Fines; the ſaid yearly Rent to be reſerved and payable to the ſaid Duke, and to the heirs males of his body begotten, or to be begotten, and alſo under ſuch Covenants, Conditions and Agreements, as the ſaid Duke, or the heirs males of his body begotten, or to be begotten, ſhall think fitting; Any thing in this preſent Act contained to the contrary notwithſtanding.

The Duke may Joynture any wife in a third part of the Profits.

XVI. Provided always, and it is hereby declared, That it ſhall and may be lawful to and for the ſaid James Duke of York, and the heirs males of his body begotten, and to be begotten, to ſettle any part of the ſaid Premiſſes, not exceeding a third part of the clear yearly value, over and above all Charges and Repriſes, for a Joynture for his or their Wife or wives, and alſo to leaſe any other part of the ſaid premiſſes for any number of years, not exceeding One and twenty years, and not exceeding one other third part of the clear yearly value of the premiſſes, over and above all other Charges and Repriſes, in order to raiſe Portions for his or their younger Children.

Proviſo for the Univerſities.

XVII. Provided alſo, That this Act, or any thing therein contained, ſhall not in any wiſe be prejudicial to the priviledge of the two Univerſities of this Land, or either of them, or to the Chancellor or Scholars of the ſame, or their Succeſſors, but that they may uſe and enjoy ſuch priviledges as heretofore they have lawfully uſed and enjoyed; Any thing herein to the contrary notwithſtanding.

Proviſo for the Company of Vintners of London.

XVIII. Provided alſo, That this Act, or any thing therein contained, ſhall not extend or be prejudicial to the Maſter, Wardens and Freemen and Commonalty of the Myſtery of Vintners of the City of London, or to any other City or Town-corporate, but that they may uſe and enjoy ſuch Liberties and Priviledges as heretofore they have lawfully uſed and enjoyed; Any thing herein contained to the contrary in any wiſe notwithſtanding.

Proviſo for the Borough of St. Albans.

XIX. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend to debar or hinder the Mayor and Burgeſſes of the Borough of St. Albans in the County of Hertford, or their Succeſſors, from enjoying, uſing and exerciſing of all ſuch Liberties, Powers and Authorities to them heretofore granted by ſeveral Letters Patents under the great Seal of England by Queen Elizabeth and King James, of famous memories, for the erecting, appointing and licenſing of three ſeveral Wine-Taverns within the Borough aforeſaid, for and towards the maintenance of the Free-School there; but that the ſame liberties, powers and authorities ſhall be, and are hereby eſtabliſhed and confirmed, and ſhall remain and continue in, and to the ſaid Mayor and Burgeſſes, and their Succeſſors, to, and for the charitable uſe aforeſaid, and according to the tenor of the Letters Patents aforeſaid, as though this Act had never been made; Any thing herein contained to the contrary in any wiſe notwithſtanding.

Proviſo for the Univerſity Letters.

XX. Provided always, That all Letters and other things may be ſent or conveyed to or from the two Univerſities, in manner as heretofore hath been uſed; Any thing herein to the contrary notwithſtanding.

CAP. XV.

An Act for encouraging the Manufactures of making Linen Cloth and Tapiſtry.

The inconvenience by importing foreign materials of Linnen and Tapiſtry Hangings.

Whereas vaſt quantities of Linen Cloth, and other Manufactures of Hemp and Flax, and of Tapiſtry Hangings, are daily Imported into this Kingdom from foreign parts, to the great detriment and impoveriſhment thereof, the Moneys and Quick-ſtock of this Kingdom being thereby daily exhauſted and diminiſhed, and the poor thereof unimployed, while the Materials for the making of ſuch Hangings are here more plentiful, and better and cheaper than in thoſe places from whence they are Imported; And Flax and Hemp might be had here in great abundance, and very good, if by ſetting up the Manufactures of ſuch Commodities as are made thereof, it would be taken off the hands of ſuch as ſow and plant the ſame:

Encouragement of Engliſh Manufactures.

II. For encouragement therefore of thoſe Manufactures, Be it enacted, and it is hereby enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority thereof, That from and after the firſt day of October next enſuing, It ſhall and may be lawful for any perſon or perſons whatſoever, Native or Foreigner, freely and without paying any Acknowledgment, Fee or other Gratuity for the ſame, in any place of

England or Wales, Priviledged or Unpriviledged, Corporate or not Corporate, to ſet up and exerciſe the Trade, Occupation or Myſtery of breaking, hickling or dreſſing of Hemp or Flax; as alſo for making and whitening of Thread; as alſo of ſpinning, weaving, making, whitening or bleching of any ſort of Cloth whatſoever made of Hemp or Flax only: As alſo the Trade, Occupation or Myſtery of making of Twine or Nets for Fiſhery, or of ſtoving of Cordage; As alſo the Trade, Occupation or Myſtery of making any ſort of Tapiſtry-Hangings; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

In the occupation of dreſſing and uſing of Hemp and Flax.

Making of Tapeſtry hangings.

III. And all Foreigners that ſhall really and bona fide ſet up and uſe any of the Trades and Manufactures aforeſaid, by the ſpace of three years in this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall from thenceforth, taking the Oaths of Allegiance and Supremacy before two Juſtices of the Peace near unto their dwellings, who are hereby authorized to adminiſter the ſame, enjoy all Priviledges whatſoever as the Natural born Subjects of this Kingdom.

Foreigners may uſe thoſe trades, and enjoy all priviledges as natural born Subjects.

Oath of Allegiance and Supremacy.

IV. And it is hereby enacted and declared, That ſuch Foreigners as ſhall exerciſe any of the Trades aforeſaid by virtue of this Act, ſhall not at any time be liable to any other or greater Taxes, Payments or Impoſitions, than ſuch as are or ſhall be paid by his Majeſties Natural born Subjects, unleſs in caſe they ſhall uſe and exerciſe Merchandize into and from Foreign parts, in which they ſhall be liable to pay ſuch Cuſtoms as have uſually been paid by Aliens during the ſpace of five years next enſuing, and no longer.

CAP. XVI.

An Act for Regulating the Herring and other Fiſheries, and for Repeal of the Act concerning Madder.

For the preventing of abuſes in the packing and ordering of Herrings, and bringing that Commodity into credit in Foreign parts beyond the Seas, (2) Be it enacted, and it is hereby enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty four, No White or Red Herrings of Engliſh catching, ſhall be put to ſale in England, Wales, or in the Town of Berwick upon Tweed, but what ſhall be packed in lawful Barrels or Veſſels, and which ſhall be well, truly and juſtly laid and packed; And ſhall be of one time of taking, ſalting, ſaving or drying, and equally well packed in the midſt, and every part of the Barrel or Veſſel, and by a ſworn Packer; And the Veſſel or Barrel marked or branded by ſuch ſworn Packer, with a mark or brand denoting the Gage of the Barrel or Veſſel, and the quantity, quality and condition of the Herrings packed therein, and the Town or place where they were packed; (3) And the Bailiffs of great Yarmouth for the time being, and the Mayor, Bailiffs, or other Head-Officer for the time being of every Port, Haven or Creek out of which any Veſſels or Ships do proceed to Fiſh for Herrings, are hereby authorized and required before the firſt day of July, in the year One thouſand ſix hundred ſixty four, and before the firſt day of July in every year after, to appoint for their reſpective Haven, Port or Creek a competent number of able and experienced Packers, to view and pack all ſuch White or Red Herrings of Engliſh catching, as ſhall be brought into their Port, Haven or Creek, and well and truly to mark and brand the Barrels or Veſſels into which they ſhall be packed, with ſuch mark or brand as is above directed, and to adminiſter to them yearly an Oath, (which Oath they are hereby authorized and appointed to give to them) for the well and true doing thereof according to this Act: (4) And in caſe the ſaid Bailiffs of Great Yarmouth, or the Mayor, Bailiffs, or other Head-Officer for the time being of any ſuch Port, Haven or Creek, ſhall not appoint and Swear ſuch Packers before ſuch time in every year as is by this Act required, they ſhall for every default forfeit the ſum of One hundred pounds of lawful money of England; one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall inform or ſue for the ſame in any Court of Record, by Bill, Plaint, or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed: (5) And for the better regulating of the Iſland and Weſtmony Fiſheries, and preſervation of the Spawn of Fiſh there, Be it enacted, and it is hereby enacted by the Authority aforeſaid, That from and after the five and twentieth day of December, One thouſand ſix hundred ſixty three, no Ship or Veſſel ſhall proceed upon a Fiſhing-Voyage for Iſland or Weſtmony, out of any Port, Haven or Creek in England or Wales, or out of the Port of Berwick upon Tweed, until the tenth day of March in any year, upon the pain of the forfeiture of every ſuch Ship or Veſſel, with all her Furniture, Tackle and Apparel, and of all the Fiſh caught in ſuch Ship or Veſſel: (6) And it is hereby further enacted by the authority aforeſaid, That no perſon or perſons whatſoever, do collect, levy or take, or cauſe to be collected, levied or taken in New-found-land, any Poll, or other duty of or for any Cod or Poor-John, or other Fiſh of Engliſh catching, under the pain of the loſs of double the value of what ſhall be by them levied, collected or taken, or cauſed to be collected, levied or taken: (7) And that no Planter, or other perſon or perſons whatſoever, do caſt or lay any Seme or other Net, in or near any Harbour in New-found-land, whereby to take the Spawn or young Fry of the Poor-John, or for any other uſe or uſes, except for taking of Bait only, (8) upon pain of the loſs of all ſuch Semes or Nets, and of the Fiſh taken in them, or of the value thereof, to be recovered in any of his Majeſties Courts in New-found-land, or in any Court of Record in England or Wales, by Bill, Plaint or other Action; wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

How Herrings ſhall be packed.

Able Packers to be appointed and ſworn.

Penalty for not appointing and ſwearing Packers.

Weſtmony Iſland.

New-found-land.

II. And it is hereby further enacted by the authority aforeſaid, That no Planter or other perſon or perſons whatſoever, ſhall burn, deſtroy or ſteal any Boat, Caſk, Salt, Nets or other Utenſils for Fiſhing or making of Oil, or other Goods, or Merchandize left in any Harbour in New-found-land, or Greenland by Engliſh; or burn, pull down or deſtroy any houſe built by Engliſh in New-found-land or Greenland, to live during the Fiſhing ſeaſon, or Stage built by them in either of the ſaid places for the ſaving or ordering of Fiſh, or making of Oil,

None may deſtroy houſes or ſpoil nets, &c. for fiſhing in New-found-land.

upon

The penalty. (2) upon pain of the loſs of double the value of what ſhall be by them ſtoln, burnt or deſtroyed, to be recovered in any of his Majeſties Courts in New-found-land or Greenland reſpectively, or in any Court of Record in England, by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

A repeal of the Statute concerning Madder. 14 Car. 2. c. 30.

III. And whereas upon the humble Petition and complaint of the Merchants and Salters of the City of London, it doth appear, That ſome ſorts of Madder very uſeful for Dying cannot be imported ſo pure and clean, as by one Act paſſed the laſt Seſſion of this preſent Parliament, (Entituled, An Act for the Importation of Madder Pure and Unmixt) is directed and appointed, (2) Be it enacted, and it is hereby enacted by the Authority aforeſaid, That the ſaid Act, and every clauſe and thing therein contained, be from henceforth utterly void and repealed to all intents, purpoſes and conſtructions whatſoever.

CAP. XVII.

An Act for ſetling the Draining of the Great Level of the Fens, called Bedford Level.

The great level of the Fens, how bounded.

Whereas certain Moors, Marſhes, Fenny and low ſurrounded Grounds within the Counties of Northampton, Norfolk, Suffolk, Lincoln, Cambridge and Huntington, and the Iſle of Ely, were called the Great Level of the Fens; and after ſeveral fruitleſs undertakings for Draining the ſame, were upon the deſires of many perſons of Worth, and intereſſed in the ſame, declared to be a great and noble Work, and of much concernment to the whole Countrey, and at their earneſt deſire undertaken to be Drained by Francis late Earl of Bedford, according to a Law of Sewers made at Kings Lynn, in the ſixth year of the Reign of the late King Charles of Glorious memory, (2) which ſaid Level is bounded as followeth, (viz.) Eaſtward from the Bridge and Cawſey of Stoake, unto Brandon-Bridge upon the Uplands of Northold, Methold, Fletwell, Hockwold, and Wilton in the County of Norfolk; and from Brandon-Bridge unto the end af Worlington-Load upon Mildenhall River, upon the Uplands of Brandon, the Low grounds of Wainsford, excluding the ſame; the Uplands of Lackingheath, the Low grounds of Earſewell excluding the ſame: And the Uplands of Mildenhall in the County of Suffolk, Southward from Worlington-Load, unto Burwell-Block upon the Uplands of Freckingham, Iſham, Fordham, Soham, and Wickin in the County of Cambridge, and excluding the Low grounds of Burwell, Landward, and other places lying Eaſtward from Burwell-Block aforeſaid, and from thence unto the Mill near Angliſey Abby upon the Uplands of Burwell-Reach, Swaffham Pryor, Swaffham Bulbeck, and Botſham in the County of Cambridge; and from thence unto the Ferry place of Cleyhith upon the Uplands called, Quihall, the Low ground called Low Fenn, and the Uplands of Hormingſey and Clayhith in the ſaid County, excluding the Low grounds called Low Fenn and Offenne; and from the ſaid Ferry place unto Over-Load upon the Uplands of Water-Beach, Cottenham, Rampton, Wivelingham and Over, in the County of Cambridge, and upon the Low grounds of Swacy in the ſaid County excluding the ſame Weſtward from Erith, unto the Dam lately made upon the River Neane near Standground, upon the Uplands of Somerſham and the Soak thereof, Warbois, Wiſtow, Berry, Ramſey, Upwood, Raveley, Wood, Walton, Sawtrey, Connington, Glatton and Holme Caldecot, Denton, Stilton, Yaxley, Faſſet and Standground in the County of Huntington, excluding the Low grounds lying on the North-ſide of the River of Owſe above Erith; and from the ſaid Dam unto Peterborough-Bridge upon the ſaid River of Neane; and from thence unto the Ferry-place near Waldron-Hall upon the Uplands of Peterborough, and the Soak thereof in the County of Northampton; and Northward from the ſaid Ferry-place near Waldron-Hall unto Crowland-Bridge upon the River of Welland; and from thence to Dowſedale upon the Bank of Great Porſand; and from thence unto Guyhurne, upon the South-eaſt Bank; and from thence unto Tilnehurne upon the Bank of the Fenn-ground called Walderſea; and from thence unto Elme Leame at Grangers houſe upon the Bank of the Fenn-ground called Coldham; and from thence unto the River of Neane near Thurlings in Upwell upon the Bank of Needham called Biſhops-Dike; and from thence unto Well Creek, at the North-weſt corner of Waſſingham Fenne upon the Bank of the grounds in Upwell and Outwell, called Playfield and Churchfield, excluding the aforeſaid Fenns and grounds called Walderſea, Coldham, Needham, Playfield and Churchfield; and from thence unto Salters-Load upon the New Podyke Bank; and from thence unto the mouth of the River Wiſſey upon the River Owſe, and from thence unto Helgey-Bridge upon the River Wiſſey, and from thence unto the Uplands unto the end of the Bank of the grounds late of Edmond Skipwith Eſquire deceaſed, upon the ſaid Bank, and from thence unto Stoake-Bridge upon the Uplands of Roxham, Deerham, Weereham, Wretton and Stoake in the ſaid County of Norfolk; except the imbanked grounds late of Edmond Skipwith Eſquire, lying on the North-ſide of the River of Owſe; (3) And whereas the ſaid Francis late Earl of Bedford was to have for his recompence for effecting that difficult work, only Ninety five thouſand Acres of the ſaid grounds, with convenient Highways and Paſſages to the ſame; And the New River Cuts and Dreyns to be made by the ſaid Earl and his Aſſigns, and the Banks of the ſame, and the Forelands in the inſide of the ſaid Banks not to exceed ſixty foot in breadth; which was a work of ſo great and publick Concernment, that his ſaid late Majeſty gave great encouragement to the ſaid Francis late Earl of Bedford and others, whom he had taken in to be Adventurers and Participants with him therein, upon the Covenants, Conditions and Agreements contained and ſpecified in and by a certain Indenture of fourteen parts, bearing date the Seven and twentieth day of February, in the Seventh year of the Reign of his ſaid late Majeſty, and his Royal Aſſurance to further it by his concurrence to an Act of Parliament for eſtabliſhing thereof, and did by Letters Patents under the Great Seal of England, Incorporate the ſaid late Earl, his Adventurers and Participants, to have Succeſſion for ever; (4) and in order to the effecting thereof, the ſaid late Earl and his Adventurers and Participants beſtowed great ſums of money for perfecting the ſame, and after his death and ſome interruptions, William now Earl of Bedford, Son and Heir to the ſaid Earl Francis, with divers of his Adventurers and Participants, by colour of a pretended Act of Parliament of the nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred forty and nine, proceeded in the compleating and finiſhing the ſaid Works; And the Commiſſioners appointed by that pretended Act, did adjudge the ſame Dreyned, but the ſame cannot be preſerved without a perpetual conſtant care, great charge and orderly Government, which being repreſented to the Kings moſt Excellent Majeſty that now is, he hath been graciouſly pleaſed to declare more than an ordinary willingneſs to promote and countenance a Work of ſo publick Concernment, and many ways advantagious to this his Kingdom: To the end therefore that a Work of this nature may receive a publick ſupport and encouragement,

The Earl of Bedford and Adventurers made a Corporation for the Fens.

II. Be it Enacted by the Kings moſt Excellent Majeſty, with the advice and aſſent of the Lords Spiritual and Temporal, and Commons in this Parliament aſſembled, and by the Authority of the ſame, That the ſaid William Earl of Bedford, Son and Heir of the ſaid Francis Earl of Bedford, and the Adventurers and Participants of the ſaid Earl Francis and Earl William, or either of them, their Heirs and Aſſigns, in ſuch manner as is herein contained, ſhall be a Body Politick and Corporate in Deed and Name, and have Succeſſion for ever, by the Name of the Governour, Bayliffs and Commonalty of the Company of Conſervators of the Great Level of the Fens, (2) which Corporation ſhall conſiſt of one Governour, ſix Bayliffs, twenty Conſervators and Commonalty, and ſhall have and uſe a Common Seal to be appointed by themſelves, and aſſemble and meet together, when, where, and as oft as they pleaſe, and appoint a Regiſter, Receiver, one or more Serjeants at Mace and other Officers, and allow them Salaries, and remove them, and make new at their pleaſure: (3) And the ſaid William Earl of Bedford is to be the firſt Governour; Richard Lord Gorges, Sir Richard Onſlow Knight, Sir William Terringham Knight of the Bath, Samuel Sandys, Thomas Chichely and Samuel Fortrey, Eſquires, the ſix firſt Bayliffs; Sir Gilbert Gerhard junior, Knight, William Denton, William Crane, Edmond Berry-Godfrey, Arthur Evelin, Samuel Smith, Roger Jenings, Robert Caſtle, Robert Hampſon, Joſeph Ayloffe, Eſquires; Thomas Lord Culpepper, Sir John Hewett, Baronet, Arthur Onſlow, Robert Philips, Anthony St. John, Eſquires; Sir Oliver St. John, Sir Charles Harbord, Knights; Francis Hoblyn, Samuel Sandys junior, and Robert Terringham, Eſquires, the firſt Conſervators: (4) And the ſaid Governour, Bayliffs and Conſervators to continue until Wedneſday in Whitſun-week, in the year of our Lord One thouſand ſix hundred ſixty and four, and from thenceforth until new Elections by the ſaid Corporation, or the major part which ſhall be then preſent; and ſhall be capable to ſue and be ſued, and without Licence of Mortmain to purchaſe Manors, Lands, Tenements and Hereditaments, not exceeding Two hundred pounds per Annum, and Goods and Chattels, and to diſpoſe thereof in the name, and to the uſe of the ſaid Corporation; (5) and the ſaid Governour, Bayliffs and Conſervators, or any five or more of them, whereof the ſaid Governour or Bayliffs, or any of them, to be two, ſhall and may lay Taxes from time to time upon all the ſaid Ninety five thouſand Acres only for ſupport, maintenance and preſervation of the ſaid Great Level, and levy the ſame with penalties for non-payment, not exceeding a third part of the Tax, and all other things do in order to the ſupport, maintenance and preſervation of the ſaid Great Level, and the Works made and to be made.

The Earl of Bedford Governour.

The Bayliffs.

Conſervators.

Their power and authority.

III. And whereas by the ſaid Law of Sewers, twelve thouſand Acres, parcel of the ſaid Ninety five thouſand Acres, was deſigned and intended to his ſaid late Majeſty, and were ſet forth and allotted by Bounds in ſeveralty, and his ſaid late Majeſty was in poſſeſſion thereof, and granted, aſſigned, allotted and ſet out by Bounds two thouſand Acres, parcel of the ſaid twelve thouſand Acres by Letters Patents unto Jerome Earl of Portland, his Heirs and Aſſigns; of which ſaid two thouſand Acres, the ſaid Earl of Portland hath ſold away about One thouſand five hundred Acres in ſeveral parcels to ſeveral perſons, their Heirs and Aſſigns, for valuable conſiderations, and the reſidue thereof being about five hundred Acres, hath granted and conveyed unto his Brother Benjamin Weſton, Eſquire, and his Heirs, upon ſeveral Truſts agreed upon between the ſaid Earl of Portland and Benjamin Weſton by Writing for that purpoſe:

The Earl of Portland 2000 Acres.

IV. Be it therefore Enacted by the authority aforeſaid, That the ſaid two thouſand Acres, or ſuch other Lands of equal value as ſhall be ſet forth in exchange of the ſame, in caſe the aforementioned two thouſand Acres, or any part thereof, ſhall hereafter be adjudged to have been unduly ſet out, ſhall be, and hereby are veſted, ſetled and eſtabliſhed in the ſaid ſeveral and reſpective perſons, (to whom the ſaid Earl of Portland hath ſo conveyed or mentioned to convey the ſame) their Heirs and Aſſigns reſpectively, to each perſon, his Heirs and Aſſigns, his and their ſeveral and reſpective Share and Shares that was ſo reſpectively to each of them conveyed, or mentioned to be conveyed by the ſaid Earl of Portland, to be held and enjoyed by them and each of them, his Heirs and Aſſigns, his and their own Share and part only in ſeveralty, according to the intent of the ſaid Conveyances thereof to them reſpectively made by the ſaid Earl of Portland, upon the ſame Truſts nevertheleſs for and concerning the ſaid Five hundred Acres granted or mentioned to be granted to the ſaid Benjamin Weſton, which the ſaid Earl of Portland and Benjamin Weſton had declared and agreed upon between them as aforeſaid; which ſaid Two thouſand Acres ſhall be holden of the Kings Majeſty, his Heirs and Succeſſors, of the Manor of Eaſt-Greenwich, by Fealty only in free and common Soccage, and not otherwiſe, and ſubject nevertheleſs with the reſidue of the Ninety five thouſand Acres in equal proportion to all Taxes and Charges neceſſary and conducing to the preſervation of the ſaid Great Level from Drowning.

The 83000 Acres ſetled and veſted in the Governour, &c.

V. And be it further Enacted by the authority aforeſaid, That the Eighty three thouſand Acres remainder of the ſaid Ninety five thouſand Acres, with the ſaid Ways, Paſſages, new Rivers, Cutts, Dreyns, Banks and Forelands, over and above the ſaid Ten thouſand Acres reſidue of the ſaid Twelve thouſand Acres which were allotted in ſeveralty, and of which his ſaid late Majeſty was in poſſeſſion as aforeſaid, are hereby veſted and ſetled in the ſaid Governour, Bayliffs and Commonalty of the Company of Conſervators of the ſaid Great Level of the Fens, and their Succeſſors: In truſt nevertheleſs for the ſaid William Earl of Bedford, and the Adventurers and Participants of the ſaid Earl Francis and Earl

The truſt.

The 10000 Acres belonging to the King.

The authority of the ſaid Corporation as Commiſſioners of Sewers.

William, or either of them, their Heirs and Aſſigns, in ſuch manner and wiſe as is hereinafter more particularly and eſpecially limited and provided; and according to ſuch parts and proportions as they reſpectively now hold and enjoy, or by virtue and proviſion of this Act ought to hold and enjoy, ſubject and liable likewiſe to the payment of all Taxes and Charges as aforeſaid, to be holden of the King Majeſty, his Heirs and Succeſſors, of the Manor of Eaſt-Greenwich, by Fealty only in free and common Soccage, and not otherwiſe: (2) And the ſaid Ten thouſand Acres, reſidue of the ſaid Twelve thouſand Acres (whereof his ſaid late Majeſty was in poſſeſſion as aforeſaid) are hereby veſted and ſetled in his Majeſty that now is, and his Aſſigns, ſubject and liable with the reſidue of the ſaid Ninety five thouſand Acres to the ſame Taxes and Charges before ſpecified: (3) And becauſe the ſaid Great Level of the Fens extends into the ſaid ſix Counties beſides the Iſle of Ely, and foraſmuch as Commiſſioners of Sewers cannot legally proceed in Execution of their Commiſſion, but by a ſeveral Jury of every County to enquire of the matters within their Commiſſion in that County, which hath heretofore inforced the ſaid Earl, his Participants and Adventurers, Commiſſioners and Counties, to very great trouble, loſs and expence both of money and time: (4) For avoiding which Inconveniences, It is hereby further enacted by the authority aforeſaid, That the ſaid Governour, Bayliffs and Conſervators of the ſaid Corporation for the time being, or any five or more of them, whereof the ſaid Governour or Bayliffs for the time being, or their Succeſſors, or any of them to be two, for maintenance and preſervation of the ſaid Great Level by convenient Out-falls to the Sea, ſhall for ever hereafter be, and are hereby made and conſtituted Commiſſioners of Sewers, for, and of the ſaid Great Level of the Fens: (5) And the ſaid Governour, Bayliffs and Conſervators, or any five or more of them, whereof the ſaid Governour or Bayliffs, and their Succeſſors, or any of them, to be two, are hereby enabled and impowred from henceforth to uſe and exerciſe the power and authority of Commiſſioners of Sewers within the ſaid Great Level of the Fens, and of the Works made or to be made without the ſaid Great Level for conveying of the Waters of the ſaid Great Level by convenient Out-falls to the Sea, touching all matters and things whatſoever happening to be executed or done within the ſaid Great Level, or the ſaid works without the ſaid great Level, enquirable, puniſhable, or to be done by Commiſſioners of Sewers, and therein to act and proceed by one or more Juries of good and lawful men, inhabiting within any part or place within the Boundaries of the ſaid Great Level of the Fens, though in ſeveral Counties, as if the ſaid Great Level of the Fens lay within one of the ſaid Counties only, (6) and ſhall have power to imploy the ſaid Sergeants, or any of them for the time being, by Warrant or Precept from the ſaid Governour, Bayliffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governour or Bayliffs, or any of them, to be two, under the Common Seal of the ſaid Corporation, to Summon and Return Juries within the Boundaries of any part of the ſaid Great Level, and execute all Precepts and Proceſs from them, from time to time, and all other things do, as fully as any Sheriff within his reſpective County may or can do by Warrant or Precept from Commiſſioners of Sewers; (7) which Juries are to appear at the times and places ſet or appointed for them to appear before the ſaid Governour, Bayliffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governour and Bayliffs, and their Succeſſors, or any of them to be two; And are hereby impowred to enquire of, preſent and try all matters within the ſaid Great Level, and of and concerning the ſaid Works made or to be made without the Great Level, for conveying of the Waters of the ſaid Great Level by convenient Out-falls to the Sea, within the power of Commiſſioners of Sewers, as if the ſame lay within any one of the ſaid Counties, or as if the ſaid Great Level were one diſtinct County of it ſelf: (8) And the ſaid Governour or Bayliffs, and Conſervators, and any five or more of them, whereof the ſaid Governour or Bayliffs, or any of them to be two, ſhall have further power, as well for the maintenance of the ſaid Great Level, as for laying and levying of Taxes upon the ſaid Ninety five thouſand Acres, to uſe and exerciſe within the ſaid Great Level ſuch and the like Laws and Cuſtoms, and conſtitute and appoint ſuch and the like Officers from time to time, as are, or lawfully may be uſed in Rumney-Marſh in the County of Kent; they who exerciſe the ſaid power of Commiſſioners of Sewers, firſt taking the Oath which Commiſſioners of Sewers are by the Law to take; the which Oath the ſaid Governour and Bayliffs, or any of them, are hereby impowred to adminiſter from time to time, without any further Commiſſion.

The metes and boundaries of grounds.

VI. And becauſe the Metes and Boundaries of the ſaid Grounds within the ſaid Great Level, as to the Counties and Pariſhes, are very uncertain and hard to be diſtinguiſhed, (2) Be it therefore further enacted, That every Writ, Bill, Plaint, Count, Declaration, Information, Preſentment and Indictment of, for, or concerning the ſaid Grounds within the ſaid Great Level of the Fens, or any part or parcel of the ſame, or any treſpaſs, offence or wrong done, acted or committed upon the ſaid Great Level, and proceedings thereupon, ſhall be good and ſufficient in Law, though the County, Pariſh, Town or Place, or any of them, in ſuch Writ, Bill, Plaint, Count, Declaration, Information, Preſentment or Indictment be not rightly named, ſo as there be ſuch other certainty or deſcription of the place whereby the ſame is or may be commonly known.

No other Commiſſioners of Sewers to meddle in the ſaid Level.

VII. And be it further enacted, That no other Commiſſioners of Sewers ſhall intermeddle within the ſaid Great Level, or with any the Works made or to be made for ſupport or maintenance, or preſervation of the ſaid Great Level, within or without the ſaid Great Level, as aforeſaid, otherwiſe than hereafter in this Act ſhall be provided.

Conveyances by Indenture entred with the Regiſter.

VIII. And be it further enacted, That all Conveyances by Indenture of the ſaid Ninety five thouſand Acres, or any part thereof, entred with the ſaid Regiſter, in a Book to be kept for that purpoſe, ſhall be of equal force to convey the Freehold and Inheritance of the ſaid Ninety five thouſand Acres, or any part thereof, as if the ſame Conveyances by Indenture were for valuable conſiderations of money, Enrolled within ſix months, in one of the

Kings Courts of Record at Weſtminſter; (2) And no Leaſe, Grant or Conveyance of, or charge out of, or upon the ſaid Ninety five thouſand Acres, or any part thereof, except Leaſes for ſeven years or under in poſſeſſion, ſhall be of force but from the time it ſhall be entred with the ſaid Regiſter as aforeſaid; (3) the Entry whereof being endorſed by the ſaid Regiſter upon ſuch Leaſe, Grant, Conveyance or Charge, ſhall be as good and effectual in the Law, as if the Original Book of Entries were produced at any Trial at Law, or otherwiſe.

IX. And be it further enacted, That the ſaid Governour, Bayliffs and Commonalty, ſhall execute Eſtates according to the aforeſaid Truſt under their Common Seal, the Taxes and Penalties then in arrear being firſt paid, which for non-payment, are by virtue of this Act to be levied by ſale of the Lands.

Levying of Taxes and Penalties.

X. And be it further enacted, That for the levying ſuch Taxes and Penalties as are now in Arrear, or at any time ſince the thirtieth day of September, in the year of our Lord, One thouſand ſix hundred fifty and eight (other than ſuch as are hereby otherwiſe directed to be levied) or which ſhall be ſet and impoſed upon the ſaid Ninety five thouſand Acres by virtue of this Act, and ſhall be in Arrear upon the reſpective parts and proportions of the ſaid Ninety five thouſand Acres (2) the ſaid Governor, Bayliffs and Conſervators of the ſaid Corporation, and their Succeſſors for the time being, or any five or more of them, whereof the ſaid Governour and Bayliffs for the time being, and their Succeſſors, or any of them to be two, for levying ſuch Taxes and Penalties which now are, or ſhall be ſo in Arrear, upon the reſpective parts and proportions of the ſaid Ninety five thouſand Acres, ſhall on Wedneſday and Thurſday in Whitſun-week, or either of them, every year at the Shire-Houſe in Ely aforeſaid in the ſaid Iſle of Ely, have power only to ſell ſo much of ſuch parts and proportions of the ſaid Ninety five thouſand Acres, upon which any Tax ſhall be in Arrear, or Penalties, in ſuch proportions as the ſaid Governour, Bayliffs and Conſervators of the ſaid Corporation, or their Succeſſors, or any five or more of them, whereof the ſaid Governour and Bayliffs, or any of them to be two, ſhall judge to be ſufficient to raiſe ſuch Taxes and Penalties, by any Writing under the Seal of the ſaid Corporation; and the perſon or perſons to whom ſuch Sales ſhall be made, ſhall be a lawful Purchaſer and Aſſignee of ſo much as ſhall be ſold; to all intents and purpoſes whatſoever.

Proviſo for Tenants at Will or by Leaſes.

XI. Provided, That by any colour of any ſale for non-payment of Taxes, any Tenant or Tenants at Will, or by Leaſe indented, upon improved Rent of any part of the ſaid Ninety five thouſand Acres, ſhall not be removed from his or their poſſeſſion, until he or they ſhall have taken his or their Crop from off the premiſſes ſo ſold, paying reaſonable Rent proportionable to the time that ſuch poſſeſſion ſhall from and after ſuch Sales be continued; And ſuch Tenant or Tenants that ſhall hold any part of the ſaid Ninety five thouſand Acres by Leaſe as aforeſaid, ſhall and may, if he or they ſhall think meet, continue out their reſpective terms, paying their Rent to ſuch Purchaſer in proportion to the quantity of Acres ſo purchaſed; any thing herein contained to the contrary in any wiſe notwithſtanding: (2) Provided, That the ſaid Corporation, nor their Succeſſors, ſhall not ſell any part or proportion of the ſaid Ninety five thouſand Acres for any Tax or Penalty in arrear, which Tax or Penalties ſhall not be in arrear by the ſpace of four months next before the Sale, nor any more Lands than only for the raiſing of ſuch Taxes and Penalties,

Publick notice to be given of lands charged with arrears of taxes or penalties.

XII. Provided alſo, That the ſaid Corporation ſhall give publick notice from time to time of the parts and proportions of the ſaid Ninety five thouſand Acres for which any Tax or Penalty is or ſhall be in arrear, by affixing openly at the Shire-houſe or Market-place in Ely aforeſaid, a Schedule in Parchment under the Seal of the ſaid Corporation, containing ſuch parts and proportions of the ſaid Ninety five thouſand Acres for which any Tax or Penalty is or ſhall be in arrear, with the name and names of the reſpective Owner or Owners, entred upon the Tax-Roll with the ſaid Corporation, of the ſaid parts and proportions of the ſaid Ninety five thouſand Acres ſo in arrear

New works may be made.

XIII. And be it further enacted, That the ſaid Corporation ſhall and may from time to time erect any new works within the ſaid great Level, or without the ſaid great Level, for conveying the Waters of the ſaid great Level by convenient Out-falls to the Sea; ſo always, that if they cut any ſeveral grounds, they give full recompence and ſatisfaction for the ſame, in ſuch manner as ſhall be hereafter in this Act provided: (2) And if any perſon or perſons ſhall cut, throw down or deſtroy any of the ſaid Works, made or to be made as aforeſaid, the parties offending ſhall anſwer treble damages to the ſaid Corporation, and coſts of Suit to be recovered in an Action of Treſpaſs, to be brought by the ſaid Corporation, in any of his Majeſties Courts of Record; (3) And if ſuch cutting, throwing down or deſtroying, ſhall be maliciouſly done, the ſame ſhall be puniſhed as for the cutting the Powdike in Marſh-Land.

The penalty for throwing down any works.

The Oath to be taken by the Governor, Bayliffs and Conſervators.

XIV. And be it further enacted, That the ſaid William Earl of Bedford, nominated to be Governor, and every other from time to time into that Office choſen, ſhall (before he take upon him or them, the exerciſe of that Office) take an Oath, That he will well and truly execute that Office in all things; which Oath ſhall and may be adminiſtred by the ſaid Bayliffs, or any one of them: (2) And the ſaid Bayliffs, Conſervators, Regiſter, Receiver or other Officer nominated as aforeſaid, and every other from time to time, into any of the reſpective Offices to be choſen, ſhall (before he or they take upon him or them the exerciſe of the ſaid reſpective Offices) take the like Oath for the true executing their reſpective Offices; the which Oath ſhall be adminiſtred by the ſaid Governor, Bayliffs and Conſervators, or any two or more of them, without any Commiſſion or further Warrant.

The Governor, Bayliffs and Conſervators to be elected yearly.

XV. And for the continuance of the ſaid Corporation in ſucceſſion for ever, Be it further enacted, That the ſaid Governor, Bayliffs, Conſervators and Commonalty, upon Wedneſday in Whitſun-week yearly, ſhall at a publick meeting to be holden for the ſaid Corporation, by the greater number then preſent, (whereof the ſaid Governor, or one of the Bayliffs to be one) elect a new Governor, Bayliffs and Conſervators reſpectively; (2) Provided, That none be capable to be, or continue Governor or Bayliffs, that hath not four hundred Acres or more of the ſaid Ninety five thouſand Acres, nor to be a Conſervator, that hath not two

hundred

Accounts to be made by all Officers and Agents imployed.

In Suits againſt any employed by this Act, the Defendant may plead the General Iſſue.

hundred Acres or more of the ſaid Ninety five thouſand Acres, nor any of the Commonalty to have a Voice in Elections, that hath not One hundred Acres or more of the ſaid Ninety five thouſand Acres: (3) And that the ſaid Governour, Bayliffs and Conſervators, or any of them, ſhall and may be removed by the ſaid Governour, Bayliffs and Conſervators, and Commonalty, or the greater number of them preſent at their publick meetings, whereof the ſaid Governour, or one of the Bayliffs to be one, and new choſen in the place of him or them ſo dead or removed: (4) And the ſaid Governour, Bayliffs and Commonalty alſo ſhall have further power to have, demand and receive an account from all and every the Officers, Agents and Servants, their Executors and Adminiſtrators heretofore employed, or hereafter to be employed for the receiving and paying of money, for or in relation to the carrying on of the Works of the Dreining of the ſaid Great Level, and ſhall and may ſue for and recover the ſame; (5) and that all Arrears of Rent already incurred upon or out of any part of the ſaid Ninety five thouſand Acres upon any Contract or Leaſe of the ſaid Premiſſes, or any part or parcel thereof, ſhall be received and recovered, as if the ſaid pretended Act had been a good and effectual Act: (6) And if any Suit be commenced againſt the ſaid Corporation, or any perſon for any matter or thing done in purſuance of this Act, then he or they ſhall or may plead the General Iſſue, and give the ſpecial matter in Evidence upon any Trial to be had touching the ſame, which ſhall be as good and effectual in Law, as if the ſame had been ſpecially pleaded, and the Jury upon the Trial to give a Verdict accordingly.

Lands of perſons attainted, and Titles under them, veſted in the King.

XVI. Provided always, and be it further enacted by the authority aforeſaid, That as touching and concerning ſuch part and parcel of the ſaid Eighty three thouſand Acres, whereof any perſon or perſons attainted, or that ſhall be attainted, was or were in poſſeſſion, at any time ſince the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred forty and nine, under pretended Sales thereof reſpectively made by colour of the ſaid pretended Act, or under any other Title or pretended Title whatſoever, The Kings moſt excellent Majeſty, his Heirs, Succeſſors and Aſſigns ſhall have the ſame, and like benefit, advantage and intereſt in all and every the ſaid parts and parcels of the ſaid Eighty three thouſand Acres, and no other than as the ſaid perſons ſo attainted, or which ſhall be attainted, could or ought to have by virtue of this Act, in caſe they had not been ſo attainted, or ſhall not be attainted. (2) And whereas the Shares, Lots, Parts and Proportions of and in the ſaid Ninety five thouſand Acres, which in purſuance of the ſaid Indenture of Fourteen parts, and by virtue or intention of the ſaid Act and Law of Sewers made at Lyn, do belong and appertain to the ſaid Samuel Sandys the Elder, or his Truſtees, Sir William Terringham, Sir Richard Onſlow, and other the Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Robert Philips, Robert Scawen, and to divers other perſons the Participants of the ſaid Earl Francis, and Parties to the ſaid Indenture, or their reſpective Heirs, Executors, Adminiſtrators or Aſſigns, are now poſſeſſed and enjoyed by divers perſons, who took, contracted for, or accepted of, or by ſuch who claim and derive their Intereſt and Title from and under ſuch perſons as did take, contract for, or accept of pretended Eſtates or Conveyances of the ſame, made or pretended to be made by certain perſons mentioned in and by the ſaid pretended Act of the Nine and twentieth day of May, One thouſand ſix hundred forty nine, to have authority to ſell the Shares, Lots, Parts and Proportions of ſuch of the Adventurers and Participants of the ſaid Earl Francis, and of their reſpective Heirs and Aſſigns, as ſhould refuſe or make default of payment of ſuch Taxes as ſhould by colour and in purſuance of the ſaid pretended Act be impoſed upon them reſpectively, in reſpect of their Shares and Lots, in or out of the ſaid Ninety five thouſand Acres;

XVII. Be it therefore enacted by the authority aforeſaid, That the ſaid Governour, Bayliffs and Commonalty of the ſaid Company of Conſervators of the ſaid Great Level of the Fenns, and their Succeſſors, ſhall actually ſtand ſeiſed and poſſeſſed of all and every the Shares, Lots, Parts and Proportions laſt mentioned, in truſt nevertheleſs to and for the uſe and behoof of the ſaid Samuel Sandys the Elder, or his Truſtees, in Truſt for him, Sir William Terringham, Sir Richard Onſlow, and others the ſaid Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Robert Philips, Robert Scawen, and of their reſpective Heirs and Aſſigns, and to and for the reſpective uſes and behoofs of the ſaid other perſons, the Participants of the ſaid Earl Francis, and Parties to the ſaid Indenture of fourteen parts, and of their reſpective Heirs and Aſſigns, now out of poſſeſſion of their reſpective Shares, Lots, Parts and Proportions of the ſaid Ninety five thouſand acres, as heretofore in or about the month of October, in the thirteenth year of the reign of the late King Charles of ever bleſſed memory, were reſpectively allotted, ſevered, ſet forth or divided for, or as the reſpective Shares, Lots, Parts and Proportions of ſuch of the Adventurers, the Participants of the ſaid Earl Francis, and the parties to the ſaid Indenture of Fourteen parts, their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, from and under whom the ſaid Samuel Sandys the elder, or his Truſtees, Sir William Terringham, Sir Richard Onſlow, and others the Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Robert Philips, Robert Scawen, and the ſaid other perſons the Participants of the ſaid Earl Francis and their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, now out of poſſeſſion of their reſpective Shares, Lots, Parts and Proportions, do reſpectively claim and derive their ſaid Shares, Lots, Parts and Proportions; and the ſaid Governour, Bayliffs and Commonalty of the Company of Conſervators are hereby authorized and required to execute reſpective eſtates, of the ſaid Shares, Lots, Parts and Proportions accordingly, ſubject and liable nevertheleſs with the reſidue of the ſaid Ninety five thouſand Acres, in equal proportion, to all taxes and charges to be laid and impoſed by virtue of this Act for the preſervation of the ſaid Great Level from drowning: (2) And whereas the perſons now in poſſeſſion of the ſaid laſt mentioned ſhares, lots, parts and proportions of the ſaid Ninety five thouſand acres, whereof pretended Eſtates and Conveyances were taken, contracted for, or accepted of as aforeſaid, do pretend that they, or thoſe under whom they do reſpectively claim and derive their right, title or pretenſions to the ſaid ſhares, lots, parts and proportions reſpectively, have laid out and diſburſed for Taxes for and towards the maintenance, preſervation and repair of the Works of the ſaid great Level heretofore erected by the ſaid Earl Francis and his Participants, and for and towards their erection of new and neceſſary works for the better and more effectual Dreining of the ſaid great Level, and for building upon the ſaid ſhares, lots, parts and proportions, more Moneys than the clear rents, iſſues and profits of the ſaid ſhares, lots, parts and proportions have amounted to ſince the ſaid reſpective pretended Eſtates and Conveyances were firſt taken, contracted for, or accepted as aforeſaid:

The Chief Juſtice of the Kings Bench and others, made a Judicature to hear and determine differences.

XVIII. Be it therefore enacted by the authority aforeſaid, and it is hereby enacted, That the chief Juſtice of the Court of Kings Bench, the chief Juſtice of the Court of Common Pleas, the chief Baron of the Court of Exchequer, and the Juſtices of the ſaid Court of Common Pleas for the time being, or any two or more of them, are hereby conſtituted, appointed, and erected a Judicature, or Commiſſioners to hear, order, judge, decree and determine upon bills and anſwers to be exhibited, or otherwiſe as they ſhall think fit, between the ſaid perſons who are now in the poſſeſſion of the ſaid reſpective ſhares, lots, parts and proportions, and the reſpective heirs and aſſigns of the ſaid perſons now in poſſeſſion as aforeſaid; and the ſaid Sir Richard Onſlow, and other the ſaid Aſſignees and Truſtees of the ſaid Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, the ſaid Samuel Sandys the elder, or his Truſtees, Sir William Terringham, Robert Philips, Robert Scawen, and the ſaid other perſons Participants of the ſaid Earl Francis, and their reſpective heirs and aſſigns, who are now out of the poſſeſſion of the ſaid ſhares, lots, parts and proportions reſpectively, and to whom reſpective Eſtates are by virtue of this Act to be executed of the ſame as aforeſaid: (2) And the ſaid Judicature or Commiſſioners, or any two or more of them are hereby authoriſed out of the ſaid ſhares, lots, parts and proportions, to order, adjudge, decree and determine to either of the ſaid parties reſpectively, ſuch recompence and allowance as they the ſaid Judicature or Commiſſioners, or any two or more of them, ſhall ſee cauſe: (3) And for the better enabling the ſaid Judicature or Commiſſioners to proceed to the hearing, ordering, adjudging, decreeing, and determining, and for putting in due and ſpeedy execution ſuch Order, Judgment, Decree and Determination, as they or any two or more of them ſhall make between the ſaid parties.

The power and authority of the ſaid Judicature.

XIX. It is hereby further enacted by the authority aforeſaid, That they the ſaid Judicature or Commiſſioners, or any two or more of them, ſhall have ſuch and the like power and authority, as the High Court in Chancery hath in caſes before the ſaid Court depending, and for putting in execution the Decrees of the ſaid Court; (2) and to the end that the ſaid Judicature may be the better enabled to judge of the rights and pretentions of either party:

Directions for their decrees and proceedings.

XX. Be it further enacted by the authority aforeſaid, That in every Decree or Determination which they ſhall make by virtue and in purſuance of this Act, they ſhall have regard to the ſum and ſums of money actually diſburſed, and expended by either party in the works of Dreining the ſaid great Level, and in the preſervation and reparation of the ſame; and alſo to the reſpective times of ſuch diſburſments and expence, defalking thereout ſuch ſum and ſums of money as have been received by either party, their Tenants or Aſſigns, for the rents, iſſues and profits of the ſame, and abating out of the intereſt of the money diſburſed by either party ſo much as the intereſt of the money received by ſuch party for the rents, iſſues and profits of the ſame doth amount unto. (2) And to the intent that the perſons who by the true intent and meaning of this Act are to be put in poſſeſſion of any part of the ſaid Eighty three thouſand Acres may not by undue delays, or by any other means or pretentions be kept out of the poſſeſſion of the ſame.

XXI. Be it further enacted by the authority aforeſaid, That at any time or times after the expiration of ſix months after the Paſſing of this Act, it ſhall and may be lawful to and for the ſaid Samuel Sandys the elder, and his Truſtees for him, Sir Richard Onſlow, and others the Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Sir William Terringham, Robert Philips, and Robert Scawen, their and every of their reſpective Heirs and Aſſigns, and to and for the Participants of the ſaid Earl Francis, parties to the ſaid Indenture of Fourteen parts, their and every of their reſpective Heirs and Aſſigns, whoſe lands, ſhares, lots, parts and proportions of and in the ſaid Ninety five thouſand Acres, were ſold, or pretended to be ſold, for non-payment of Taxes, by virtue of the ſaid pretended Act of the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred forty and nine, to bring their reſpective Action or Actions of Treſpaſs, or Treſpaſs and Ejectment in his Majeſties Court of Kings Bench, or Court of Common Pleas at Weſtminſter, againſt any perſon or perſons whatſoever, poſſeſſing, withholding, or occupying the ſame, although the ſaid Governour, Bayliffs and Conſervators, or ſo many and ſuch of them as are thereunto authorized by this preſent Act, have not, or ſhall not execute Eſtates purſuant to this preſent Act, to ſuch perſon or perſons hereby enabled to bring ſuch Action or Actions; and ſuch perſon or perſons ſhall recover ſuch lands, ſhares, lots, parts and proportions of the ſaid Ninety five thouſand Acres, as they reſpectively ſhall make and derive title and claim unto, as Participants of the ſaid Francis Earl of Bedford, parties to the ſaid Indenture of Fourteen parts, or as the reſpective Heirs or Aſſigns of the ſaid reſpective Participants, parties to the ſaid Indenture of Fourteen parts, as if the ſaid Governour, Bayliffs and Conſervators had duly executed reſpective Eſtates of ſuch reſpective lands, ſhares, lots, parts, and proportions of the ſaid Ninety five thouſand Acres, according to the true intent and meaning of this Act: And ſuch perſon or perſons, his and their reſpective Heirs and Aſſigns ſhall have and hold the ſame lands, ſhares, lots, parts and proportions, as fully and effectually as if the ſaid Governour, Bayliffs and Conſervators had executed reſpective Eſtates thereof, ſubject nevertheleſs to ſuch Decree as the ſaid Judicature or Commiſſioners, before nominated and appointed ſhall make touching or concerning the Premiſſes, and alſo ſubject to the Payment of all Taxes, to be laid and impoſed by

4000 l. in arrear for Taxes, upon whom to be laid.

virtue of this Act, and no other; (2) and whereas there are ſeveral ſums of Money amounting to Four thouſand pounds or thereabouts, in arrear for Taxes laid and impoſed ſince the Nine and twentieth day of September, in the yeat of our Lord, One thouſand ſix hundred fifty and eight, upon ſeveral parts of the ſaid Ninety five thouſand Acres, ſubjected by this Act to the Judicature aforeſaid, and for penalties incurred for non-payment of the ſame, by virtue or colour of ſome Act or Authority, or pretended Act or Authority.

XXII. Be it therefore enacted, by the authority aforeſaid, That the ſaid Commiſſioners or Judicatory, or any two of them aforeſaid, ſhall have power and authority, and are hereby required in ſuch adjudication as they ſhall make, touching the lands ſubjected to their Judicature as aforeſaid, to direct, order and decree, upon what perſons or lands the ſaid ſums of Money ſo in arrear for Taxes and Penaltis as aforeſaid ſhall be charged, and the ſaid Taxes and Penalties ſhall be accordingly levied upon ſuch perſons or lands, and in ſuch manner, and by ſuch ways and means as ſhall be directed, ordered and decreed by the Judicature aforeſaid, or any two of them, as if ſuch direction, order and decree had been particularly hereby enacted.

Complaints by particular perſons and Pariſhes.

XXIII. And whereas particular perſons and pariſhes do conceive and alledge, That the Dreyning of one place hath Drowned and made worſe the Lands in other places: (2) And whereas divers perſons likewiſe do alledge and complain, That the ſaid Ninety five thouſand Acres in many places are not indifferently ſet out, or allotted, according to the Law made at Lynn, in the ſixth year of the late King Charles, nor according to agreement made with the Countrey; but in many places greater quantities have been taken from the Owners, Commoners and Townſhips than ought to have been: And that ſome Lands have been taken, as belonging to one Pariſh and County, which in truth do belong to another: And in many places the allotments have been taken very inconvenient for the Townſhips, which ought not to have been by the ſaid Agreement: And whereas the Dreyning aforeſaid, and future maintenance of the ſaid Great Level ought to be without prejudice to Navigation: (3) And becauſe all complaints which have been made, and all prejudices which have been or ſhall be done to particular perſons, pariſhes and places, cannot by this Act be ſufficiently provided for and remedied:

Commiſſioners hearing the ſaid Complaints and Differences.

XXIV. Be it further enacted by the authority aforeſaid, That Sir John Tracy Knight, Sir Charles Mordant, Sir Nicholas Leſtrange, Baronets, Sir William Hovel Knight, Edward Pepis, Humphrey Beddingfield, Nicholas Stileman, Eſquires, for the County of Norfolk.

(2) Sir Nicholas Bacon, Knight of the Bath, Sir Lionel Tolimach Baronet, Sir John Duncombe Knight, Sir Edmond Pooley Knight, Sir George Reve Knight and Baronet, Sir George Weneve Knight, Thomas Waldegrave Eſquire, for the County of Suffolk.

(3) Sir Dudley North. Sir Thomas Wendy, Knights of the Bath; Levinus Bennet Eſquire, Robert King, John Pepis, Doctors of the Law, Thomas Crouch, Francis North, Eſquires, for the County of Cambridge.

(4) Sir Thomas Sclater Baronet, Leſtrange Colthrop, John Millecent, Thomas Hall, John Sothbey, Eſquires; John Bing Eſquire, and William Wren Eſquire, for the Iſle of Ely.

(5) Sir Francis Compton Knight, Robert Apreece, Sutton Aſhfield, Eſquires; Anthony South Doctor of the Law, Robert Payne, Richard Nayler, Ferrers of Gedding, Eſquires, for the County of Huntington.

(6) Sir William Dudley Knight and Baronet, Maurice Treſhem, Francis Kirkham, Lewis Palmer, Chriſtopher Thursby, Francis Lane, George Treſham, Eſquires, for the County of Northampton.

(7) Sir Charles Huſſey, Sir John Newton, Baronets; Sir Thomas Meers, Sir Anthony Irby, Knights, Sir Anthony Oldfield Baronet, Richard Brownlow, Daniel Rodes, Eſquires, for the County of Lincoln, ſhall be, and are hereby made and conſtituted the preſent Commiſſioners for the purpoſes herein mentioned.

The power and authority of the ſaid Commiſſioners.

XXV. And for the ſupplying the number of the Commiſſioners of the ſaid reſpective Counties, in caſe of death or other avoidance, or incapacity; (2) Be it alſo enacted, That within three months after ſuch death, or notice of ſuch avoidance or incapacity of the remaining Commiſſioners of each reſpective County, of which ſuch Commiſſioners who died, or became incapable, were or the major part of them ſhall from time to time nominate and appoint by Deed under their hands and ſeals to be enrolled in Chancery, ſome other perſon or perſons reſiding within the ſaid County, of which the ſaid Commiſſioners who died, or became incapable, were, to be Commiſſioners in the place and ſtead of him or them ſo dying, or becoming incapable; (3) which ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted in manner aforeſaid, or any ſeven or more of them be, are and ſhall be hereby authorized and impowred from time to time to hear and determine ſuch complaints, controverſies, differences, and grievances, as are in this Act expreſſed (relating to or concerning, or occaſioned by the dreining and maintaining the ſaid Great Level) of any Pariſh or Townſhip, or of any perſon or perſons, as well within as without the ſaid Level, in ſuch manner as is herein after expreſſed; (4) And that the ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted in manner aforeſaid, or any ſeven or more of them, ſhall from time to time have power and authority, and are hereby required, at or before the eight and twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and ſix, to give or make ſatiſfaction out of the ſaid Ninety five thouſand Acres, to ſuch Pariſh or Townſhip, perſon or perſons, whoſe Lands or Intereſt therein, either within, or without the ſaid Level, ſhall after the firſt day of May, One thouſand ſix hundred ſixty and three, be made worſe in quality or condition by the aforeſaid Dreining or Works than they were before the undertaking the Dreining of the ſaid Level in the Sixth year of the Reign of our late King Charles of bleſſed memory, and proportionable to the loſſes the Owners of, or perſons intereſſed in ſuch Lands, ſhall hereafter receive by reaſon of their Lands being made worſe in quality or condition by any ſuch Works and Dreining as aforeſaid, (5) and ſhall alſo have power at any time within four years, from the four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and three, to alter, change and reſtore ſuch parts and parcels of the ſaid Ninety five thouſand Acres, as ſhall upon complaint be found and adjudged by the ſaid Commiſſioners, or any ſeven or more of them, to be unequally, unduly or inconveniently ſet forth, by reaſon of any allotting, either of greater quantities, or as belonging to other Counties, Pariſhes or Manors, or in more inconvenient places than they were formerly allotted and ſet out by a Law of Sewers made at Saint Ives the Twelfth day of October, in the Thirteenth year of King Charles the Firſt, notwithſtanding any veſting of the ſaid Ninety five thouſand Acres, or any part thereof in the Kings Majeſty, or in the ſaid Governour, Bailiffs and Commonalty, or in any other perſons before-mentioned, or any Eſtates executed by them, or any of them.

Ravely, Upwood, Sothery, Wicken, Cowfenn, Beezling.

XXVI. Provided, and be it enacted, That Ninety three Acres in Ravely and Upwood, Seventy ſix Acres in Sothery, Forty four Acres and one Rood in Wicken, Eighty eight Acres in Cowfenn, Two hundred eighty two Acres in Beezling, and Thirty ſeven Acres in Upwell, ſet out to be enjoyed as part of the ſaid Ninety five thouſand Acres ſince the making the ſaid Law of Saint Ives, in lieu of like proportions altered and reſtored to the Countrey, ſhall be held and enjoyed by the ſaid Corporation, ſubject nevertheleſs to the truſt in and by this Act declared, as to the ſaid Eighty three thouſand Acres reſidue of the ſaid Ninety five thouſand Acres; and ſhall ſet forth to the ſaid Corporation in truſt for the Participants or Adventurers, whoſe proportion ſhall be ſo altered or exchanged, in lieu of ſuch part as ſhall be ſo altered, exchanged or reſtored, ſuch other proportions in ſuch other places within the ſaid Level, as to the ſaid Commiſſioners, or any ſeven or more of them ſhall ſeem juſt and reaſonable, according to the proportions and places which ought and might have been by Lynne and Saint Ives Law aforeſaid, to be held and enjoyed of the Manor of Eaſt-Greenwich, to the end there may be no diminution of the ſaid Ninety five thouſand Acres; (2) And where it ſhall appear upon complaint of the ſaid Corporation before the ſaid Commiſſioners, or any ſeven or more of them, that any of the proportions of the ſaid Ninety five thouſand Acres heretofore ſet forth to Francis Earl of Bedford, his then Participants and Aſſigns, do fall ſhort in the quantity of Acres for which the ſame were ſet forth and allotted, according to the ſaid Laws of Lynne and St. Ives, the ſaid Commiſſioners, or any ſeven or more of them, ſhall within the ſaid term of four years aforeſaid, appoint the ſame to be ſupplied and made up out of the Grounds where the ſame was ſo allotted to be ſet forth, to make up the ſaid proportions of Ninety five thouſand Acres. (3) And in caſe the ſaid Earl of Bedford, and his Participants, or the ſaid Corporation, ſhall through or by reaſon of their undertaking or Dreining aforeſaid, in the Sixth year of his late Majeſties Reign, of ever bleſſed Memory, have done, or hereafter ſhall do any act or acts to the prejudice of Navigation, and whereby Navigation in the ſaid Rivers of Owſe and Grant, and all other Rivers now Navigable paſſing through the ſaid Level, and the River of Weſtwater, being a branch of the River Owſe, if it be conſiſtent with the Dreining, or in any of them, or ſuch Drove-ways or Bridges within and without the ſaid Level, as have been made or cauſed to be made by the Adventurers, and have been by them maintained, unleſs there be ſome agreement to the contrary, be or hereafter ſhall be interrupted, obſtructed and made worſe, that then the ſaid Commiſſioners, or any ſeven or more of them, whereof the Vice-Chancellor for the Univerſity of Cambridge, the Mayor of the Town of Cambridge, and the Mayor of the Town of Kings Lynne for the time being, to be three; if they upon notice left at their reſpective habitations ſhall think fit to be preſent, from time to time ſhall and may decree the ſame to be made good and amended, at the proper coſts and charges of the ſaid Corporation, within a convenient time, as to their Judgments ſhall ſeem meet: (4) And in caſe it ſhall happen and ſo fall out, that the ſaid Corporation ſhall neglect or refuſe to repair and make good the ſame, according to the Order and Decree of the ſaid Commiſſioners, and within the time limited by them, that then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, by Warrant under their hands and ſeals atteſted, to Tax the ſaid Ninety five thouſand Acres in ſuch ſum and ſums of Money as in their Judgments ſhall ſeem meet, for the making, preſerving and keeping the Navigation in any of the aforeſaid Rivers, as the ſame was in the ſaid Sixth year of the ſaid King Charles the Firſt; Which ſaid ſum or ſums of Money ſo to be Aſſeſſed or Taxed by the Commiſſioners aforeſaid, ſhall within twenty days next after notice thereof given to the Governour or Treaſurer of the ſaid Corporation, be paid unto ſuch perſon or perſons as the ſaid Commiſſioners ſhall nominate and appoint to receive the ſame. (5) And in caſe the ſaid Governour or Treaſurer of the ſaid Corporation, after notice ſo given as aforeſaid, ſhall refuſe or neglect to pay the ſaid ſum or ſums of Mony as aforeſaid, That then the ſaid Commiſſioners, or any ſeven or more of them, ſhall have full power and authority to impower the ſaid perſon or perſons to levy the ſaid ſum or ſums of Mony by Diſtreſs or Diſtreſſes to be taken upon the ſaid Ninety five thouſand Acres, or any part thereof, and to make Sale of the ſaid Diſtreſs or Diſtreſſes ſo taken, and ſell the ſame, and render the overplus unto the ſaid Governour or Treaſurer, deducting the reaſonable charges for their labour and pains therein: (6) All which ſaid ſum or ſums of Money ſo to be Taxed and Levied by the authority aforeſaid, ſhall be expended and laid out in preſerving and keeping the ſaid Navigation as aforeſaid, and maintaining the ſame according to the true intent and meaning of this Statute, and not otherwiſe. (7) And the ſaid Commiſſioners, or any ſeven or more of them, are alſo hereby impowred and authorized within the ſpace of Four years, from the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and three, to aſcertain and divide the Precincts and Boundaries of ſuch parts of the ſaid reſpective Counties, Lordſhips, Manors and Pariſhes within the ſaid Level, as have been by and ſince the undertaking, defaced and made obſcure, or by ſome other means remain uncertain and hard to be found out, and ſhall ſet down ſuch Bounds and Diviſions in writing, by ſuch Marks, Boundaries and Deſcriptions as to them ſhall ſeem meet, and ſhall certifie the ſame under their hands and ſeals in the High Court of Chancery; (8) according to which Diviſion of the ſaid Commiſſioners, or any ſeven or more of them, the extent of the ſaid reſpective Counties, Lordſhips, Manors and Pariſhes in ſuch places ſo bounded and divided, ſhall for ever after the ſaid Certificate be deemed to be, and none other: (9) And in caſe the quantity of eight thouſand Acres lying together, or near together, or any greater quantity of ground lying together, or near together within the ſaid Level, ſhall become drowned, and ſo continue for the ſpace of twelve months together, That then it ſhall be lawful for the ſaid Commiſſioners for the time being, or any ſeven or more of them, from time to time, and at all times, to Aſſeſs Taxes or ſums of Mony upon the ſaid Ninety five thouſand Acres, for the raiſing the Mony for Dreining the ſame again, in ſuch proportion as they, or any ſeven or more of them ſhall think fit, together with a penalty for not paying the ſaid Taxes, the ſaid penalty not exceeding a third part of ſuch Tax.

How lands may be ſold for non-payment of Taxes or Penalties.

XXVII. And for default of payment of the ſaid Taxes or ſums of Mony and Penalties, Be it enacted, That the Lot and Share of ſuch Participant or Adventurer of and within the ſaid Ninety five thouſand Acres, as ſhall be in arrear for the ſaid Tax, ſum of Mony or Penalty, and unpaid by the ſpace of two months next after the day appointed for payment by the ſaid Commiſſioners, or any ſeven or more of them, or ſo much thereof as they ſhall think fit, ſhall be Sequeſtred by the ſaid Commiſſioners, or any ſeven or more of them, for or towards the payment of ſuch Tax, ſum of Mony or Penalty ſo in arrear, reſtoring the overplus of the mony for which ſuch Lot or Share, or any part thereof ſhall be Sequeſtred, if any be: Which Sequeſtration ſhall be made in Writing under the Hands and Seals of the ſaid Commiſſioners for the time being, or any ſeven or more of them.

XXVIII. Provided always, and be it enacted by the authority aforeſaid, That in caſe the ſaid Governour, Bailiffs and Corporation conſtituted by this Act, ſhall neglect or refuſe to pay ſuch Tax or Taxes and Penalties, ſum or ſums of Mony as ſhall from time to time hereafter be taxed and impoſed by the ſaid Commiſſioners before named, or to be named by vertue of this Act, or any ſeven or more of them, purſuant to the Powers given them by this Act; whereupon the goods and chattels of any perſon or perſons, his or their Tenant or Tenants of and in the ſaid Ninety five thouſand Acres, or any part thereof, ſhall be reſtrained or ſold, or his or their lands Sequeſtred for the payment thereof, or that ſuch perſon or perſons, his or their Tenant or Tenants, ſhall thereupon pay the ſaid Tax or Taxes, and Penalties ſo Aſſeſſed and impoſed as aforeſaid, That then the ſaid Governour, Bailiffs and Corporation, immediately from and after notice to him or them given thereof, ſhall Aſſeſs and Tax the whole Ninety five thouſand Acres for the ſatisfaction and payment of the Tax, Taxes and Penalties, ſum and ſums of Money, and all damages that ſuch perſon or perſons, his or their Tenant or Tenants hath or have paid, born or ſuſtained, as aforeſaid.

XXIX. And be it further enacted by the authority aforeſaid, That if the ſaid Governour, Bailiffs and Corporation ſhall not within ſix months after demand made by ſuch perſon or perſons, his and their Heirs, Executors and Adminiſtrators, whoſe own, or Tenant or Tenants Goods and Chattels ſhall be diſtrained or ſold, or Lands Sequeſtred as aforeſaid, pay and ſatisfie unto him or them ſuch ſum and ſums of mony and damages as he or they, his and their reſpective Tenant or Tenants have reſpectively paid, born and ſuſtained, That then, and from thenceforth ſuch perſon and perſons, his and their heirs and aſſigns, ſhall and may bring his and their Action or Actions of Debt in any of the Kings Majeſties Courts at Weſtminſter, againſt the ſaid Governour, Bailiffs and Corporation, for the recovery thereof and by vertue of this Act ſhall recover the ſame, and be allowed Coſts of Suits expended therein.

XXX. And be it further enacted by the authority aforeſaid, That the Commiſſioners ſo conſtituted or to be hereafter conſtituted as aforeſaid, or any ſeven or more of them, for the better execution of the powers hereby given, ſhall and may inform themſelves by examining Witneſſes upon Oath, which hereby they or any ſeven or more of them, ſhall have power to adminiſter due execution of all, every or any the Powers or Authorities hereby given them, and for the doing Juſtice therein accordingly.

The Commiſſioners to take an Oath

XXXI. Provided always, That the ſaid Commiſſioners and every of them, before he or they take upon him or them the execution of any the Powers or Authorities hereby given them, other than the adminiſtring the Oath following to one another, which they ſhall have authority by this preſent Act to adminiſter to one another, ſhall take the Oath following, (viz.)

(2) I A.B. ſhall and will without favour or affection, hatred or malice, truly and impartially, according to the beſt of my skill and knowledg, execute and perform all and every the Powers and Authorities eſtabliſhed by this Act of Parliament.

Which Oath any one of the ſaid Commiſſioners are hereby authorized to adminiſter.

XXXII. And be it further enacted by the authority aforeſaid, That all Judgments, Orders, Decrees, Determinations, Alterations, Changes, Reſtaurations, and other Acts done by the ſaid Commiſſioners hereby conſtituted or hereafter to be conſtituted as aforeſaid, or of any ſeven or more of them reſpectively, purſuant to the Powers and Authorities by this Act given, ſhall be final; And that the firſt time and place of their Meeting ſhall be at or before the two and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſixty and three, at Ely.

The places where the Commiſſioners ſhall ſit.

XXXIII. And that afterwards the uſual places where the ſaid Commiſſioners ſhall ſit to hear, order and determine the matters to them referred by this Act, ſhall from the 29 day of September, to the 26 day of March in every year, be at the Town of Huntington; and from the 25 day of March, till the 30 day of September in every year, be at Ely, unleſs the ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted as aforeſaid, or any ſeven or more of them, ſhall appoint ſome other place or places, being a Market Town or Towns; (2) And the ſaid Commiſſioners, or any ſeven or more of them, ſhall by Warrant under their hands and ſeals declare the places and times of their after meeting; which Warrant ſhall be publiſhed in the open Market of ſuch reſpective places where they laſt ſate, between the hours of Twelve and Two upon ſome Market-day, one month at the leaſt before the ſaid time or times of meeting, To the end all perſons concerned may have ſufficient time and notice to make their appearance before them upon any cauſe of complaint, or other occaſion, (3) and ſhall have power and authority by Warrant under the Hands and Seals of any ſeven or more of them, to ſummon parties and witneſſes to appear before them.

XXXIV. Provided, That none of the ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted as aforeſaid, ſhall Vote or give his Judgment or Determination in any matter or thing which concerns the Diviſion and Bounds of the County of or for which he is appointed Commiſſioner.

XXXV. Provided alſo, That no perſon who hath any Part, Share, or Intereſt in Poſſeſſion or Reverſion of or in any Manors or Lands with the ſaid Level, ſhall be a Commiſſioner.

XXXVI. And in caſe of Deſcent, Gift, Deviſe or Purchaſe of any ſuch Part, Share or Intereſt to, or by any the ſaid Commiſſioners, It is hereby declared and enacted, That immediately after ſuch Deſcent, Gift, Deviſe or Purchaſe to or by any ſuch Commiſſioner, the ſaid Deſcent, Gift, Deviſe or Purchaſe ſhall be an avoidance of his being a Commiſſioner, and ſhall make him be incapable of being again nominated or appointed a Commiſſioner whilſt his Intereſt doth remain.

XXXVII. Provided alſo, and the ſaid Commiſſioners for the time being, or any ſeven or more of them, ſhall from time to time, and at all times have power and authority to give and make ſatisfaction out of the Ninety five thouſand Acres, to ſuch perſon or perſons whoſe Lands or Intereſt therein (by any new Works hereafter to be made by the ſaid Corporation without the ſaid Level, for conveying of the Waters of the ſaid Level by convenient Outfals to the Sea) ſhall be made worſe in quality, condition or value, than they were before the ſaid undertaking in the ſaid Sixth year of the ſaid late King Charles, proportionable to the loſs and damage the parties ſhall receive thereby.

Owners of Waſtes and Commons may improve. 16 & 17 Car. 2 11. Sect. 38. N. 1.

XXXVIII. And to the end that the Owners of the Commons and Waſtes in the ſaid Level and other Towns, Pariſhes and Places, unto which the Works aforeſaid, or any of them do extend, may improve the ſame by making Diviſions and Incloſures, (2) Be it provided and enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons, body politick or corporate whatſoever, their heirs and ſucceſſors, that are or ſhall be Lords of Manors, or have or ſhall have rights of Common in the ſaid Waſtes, to improve, ſet out, incloſe, divide and ſever ſuch propotion or proportions, as to them ſhall or may ſeverally or reſpectively belong or appertain, or be adjudged and allotted out of the ſaid Commons and Waſtes within the ſaid Level, or within any Town, Pariſh or Place into which the Works aforeſaid, or any of them do extend, and to hold ſuch proportion in ſeveralty at all times of the year; (3) and all differences that ſhall ariſe concerning the boundaries of the Waſtes, Rights of Common, Approvements, Allotments, Diviſions and Incloſures, ſhall from time to time, and at all times be determined, adjudged, and finally ended by the ſaid Commiſſioners for the time being, or any ſeven or more of them upon their view or examination of Witneſſes upon Oath (which they are hereby authorized to adminiſter, or upon both) and hearing of the parties concerned by their Adjudication under their hands and ſeals in Writing, which determination and judgment being certified into the Petty-bag, there to be Filed, and kept on Record, ſhall be final and concluſive unto all parties: (4) And the Allotments, Diviſions and Proportions ſo adjudged or decreed to be held by the ſaid reſpective perſons to whom they are ſo Set out, ſhall be held by him or them, and his and their heirs, executors and aſſigns reſpectively, according to his or their Tenure or Tenures, Eſtate, Title or Intereſt they had in the mannors, tenements and lands, for which they claimed the ſaid proportions of Common as above ſaid; paying ſuch Fines and Rents, and doing ſuch Services in proportion for the ſame, as by cuſtom or otherwiſe they are to pay or do, and do for the manors, tenements and lands for which they claim the ſame proportion, having ſuch reſpect to the yearly values of the one and the other, as ſhall (if need ſo require) be limited by ſeven or more of the Commiſſioners.

Sutton, Meadland.

XXXIX. Provided alſo, and be it enacted, That it ſhall and may be lawful to and for ſuch perſon and perſons as were heretofore Owners of the One hundred ſeventy five Acres in Sutton, North and South Meadland, in the ſaid Iſle of Ely, ſet out by the ſaid Law of St. Ives, as a recompence for Dreining the whole North and South Meadlands, containing about One thouſand Acres, their heirs and aſſigns to Sue and Implead before the ſaid Commiſſioners, or any ſeven or more of them, the Owners and Occupiers of the ſaid North and South Meadlands, or elſewhere within the ſaid Great Level to draw them into Contribution for their ſeveral and reſpective proportions of the ſaid North and South Meadlands, towards the ſaid One hundred and ſeventy five Acres. (2) And the ſaid Commiſſioners, or any ſeven or more of them, ſhall thereupon adjudge and decree unto the ſaid Owners of the ſaid One hundred ſeventy five Acres, or ſuch of them as they ſhall think fit, and to their heirs and aſſigns, ſuch recompence and ſatisfaction either in ready Money, yearly Rent, or Land, out of the ſaid reſidue of the ſaid North and South Meadlands, as to the ſaid Commiſſioners, or any ſeven or more of them ſhall ſeem meet, to be held and enjoyed by the ſaid Owners of the ſaid One hundred ſeventy five Acres, their heirs and aſſigns.

Londoners-Fenn.

XL. Provided always, and be it enacted, That it ſhall and may be lawful to and for Sir John Watts Knight, and others, who derive any Intereſt under the Dreyners of that Fenn called Londoners-Fenn, his and their heirs and aſſigns, to Sue and Implead all and every perſon and perſons, their executors and adminiſtrators, that have taken and received the Rents and Profits of his or their ſhare and proportion of Londoners-Fenn, remaining from the ſhare and proportion allotted and ſet out by the ſaid Law of St. Ives ſince the ſaid Level was adjudged Dreined, and to ſue for and recover the ſame in any of his Majeſties Courts at Weſtminſter; (3) And alſo that it ſhall and may be lawful to and for the ſaid Sir

John Watts and the Participants aforeſaid, his and their Heirs and Aſſigns heretofore Owners of the ſeveral proportions in Londoners-Fenn, ſet out by St. Ives Law for the Adventurers recompence for Dreining the low Grounds in Upwel, Outwel and Welney, to purſue and proſecute before the ſaid Commiſſioners, or any ſeven or more of them, their claim, and ſue for relief againſt the Owners or Occupiers of the Fenny and low ſurrounded Grounds lying in Upwel, Outwel, and Welney aforeſaid, whoſe Lands did not all contribute, or not in equal proportion to the ſaid Ninety five thouſand Acres, to draw them into contribution, in caſe of the ſaid Sir John Watts and the Participants aforeſaid, and thereupon the ſaid Commiſſioners, or any ſeven or more of them, are hereby impowred to adjudge and decree unto the ſaid Sir John Watts, and the Participants aforeſaid, his and their Heirs and Aſſigns, ſuch proportion out of the ſaid Grounds, which have not equally contributed as aforeſaid, as to the ſaid Commiſſioners, or any ſeven or more ſhall ſeem meet.

Upwel, Outwel, Welney.

XLI. Provided always, and be it enacted, That it ſhall and may be lawful for the Kings Majeſty and the Queens Majeſty, their Heirs, Succeſſors and Aſſigns, to continue in the poſſeſſion, uſage and diſpoſal of the Bank, called Douſedale-Bank, being on the ſouth-ſide of his Majeſties Demean Lands, called Port-ſand, belonging to their Manor of Crow-land, being part thereof, and to have ſuch ancient Paſſages and Currents as of right have been uſed and accuſtomed, for the advoidance of Water through the ſame into the River South-Eae, as if this Act had never been made.

Douſedale-Bank.

How and for what time Archbiſhops, Biſhops, &c. may make leaſes.

XLII. Provided always, and be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for every Archbiſhop, Biſhop, Dean and Chapter, and all Colledges and Halls in either Univerſity, and all Bodies Politick and Corporate, who are or ſhall be Lords of Manors, or have, or ſhall have right of Soil or Common in the Waſtes within this ſaid Level, or within ſuch other Towns, Pariſhes and Places into which the works of the Dreining aforeſaid do or ſhall extend, and who are by this Act Impowred to Improve, Set out, Incloſe, Divide and Sever ſuch proportion or proportions as to them ſhall or may reſpectively belong or appertain, out of the ſaid Commons and Waſtes within the ſaid Level, to Demiſe by Indenture all and every the ſaid ſuch proportion or proportions as to them ſhall or may reſpectively belong or appertain, out of the ſaid Commons or Waſtes within the ſaid Level, which have not by expreſs Words, and under any particular Rent been at any time formerly demiſed for any Term or number of years, not exceeding one and twenty years, ſo as upon every ſuch Demiſe or Leaſe be reſerved the fourth part of the true yearly value to be aſcertained by the Commiſſioners aforeſaid, or any ſeven of them, due and payable yearly during the ſaid Term, to him or them, and his and their Succeſſors.

XLIII. Provided always, and be it declared by and with the conſent of all Parties concerned, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to alter the poſſeſſion of Thomas Chicheley Eſquire, of or from Six hundred ſeventy one Acres, parcel of the Lot now claimed to belong to the ſaid Truſtees of Henry late Earl of Arundel and Surrey, and Two hundred thirty one Acres, parcel of the Lot now claimed to belong to the ſaid Sir William Terringham, or from any part thereof, by him the ſaid Thomas Chicheley now enjoyed under Purchaſers by Sales for non-payment of Taxes upon the diſpute between the old and new Adventurers; But that the ſaid Corporation ſhall execute Conveyances of the ſaid reſpective proportion unto the ſaid Thomas Chicheley, his Heirs and Aſſigns; Any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

XLIV. Provided always, and be it enacted, That all ſuch Right or Rights as any Lord or Lords of any Manor or Manors, Liberties, Hundred or half Hundred, have heretofore had within their reſpective Manor or Manors, Liberties, Hundred or half Hundred within or without the ſaid Level, to Wayfes, Strays, Felons Goods, Priviledges of Arreſts, Eſcheats and all other Royalties not prejudicial to the Dreining, be hereby ſaved to them, their Heirs Succeſſors and Aſſigns ſeverally and reſpectively; Any thing in this Act to the contray thereof nowithſtanding.

XLV. Provided always, That this Act, or any thing therein contained, ſhall not be interpreted to infringe, or any way to weaken an Act made the Fourth year of the Reign of King James, Entituled, An Act for the Dreining of certain Fenns and Low Grounds within the Iſle of Ely, ſubject to hurt by Surrounding, containing about ſix thouſand Acres, compaſſed about with certain Banks, commonly called and named, The Ring of Walter-ſea and Coldham; but the ſaid Act ſhall ſtand in full force and vertue; Any thing in this preſent Act to the contrary notwithſtanding.

4 Jac. cap. 13.

XLVI. Provided alſo, That whereas divers Lands in and near adjoyning unto the ſaid Great Level, have been cut through for the better conveying of the Waters from the ſame, and for upholding or repairing the Banks and Works there, without making ſatisfaction to the reſpective Owners of the ſaid Lands, for the damage they have ſuſtained by ſuch cutting, (2) Be it further enacted, That the ſaid Commiſſioners for the time being, or any ſeven or more of them, upon complaint to them made of ſuch damage ſuſtained as aforeſaid, without recompence for the ſame, ſhall be, and are hereby impowred to award and decree ſuch recompence and ſatisfaction to the party and parties grieved, according to their reſpective damages ſuſtained by ſuch cutting, as to the ſaid Commiſſioners for the time being, or any ſeven or more of them ſhall be adjudged reaſonable, the ſaid recompence and ſatisfaction to be made and given by the ſaid Corporation, within ſix months next after ſuch Award or Decree made; (3) and in default thereof, the ſaid Commiſſioners, or any ſeven or more of them, ſhall and may, and are hereby impowred to Rate and Tax the ſaid Ninety five thouſand Acres, and to Diſtrain thereupon for the payment of ſuch Rate or Tax, and the Diſtreſs taken thereupon to ſell or diſpoſe as they ſhall think fit, (rendring the overplus, if any be, to the Owners) for the payment and ſatisfaction of ſuch moneys and damages as ſhall be ſo awarded; Any thing in this Act to the contrary thereof notwithſtanding.

XLVII. Pro

The Barons of the Exchequer impowred to hear and determine differences between parties.

XLVII. Provided nevertheleſs, That in caſe the Judicature hereby eſtabliſhed, ſhall not within twelve months from the firſt day of Auguſt next, hear and determine all the matters by this Act to them referred, concerning the ſaid Ninety five thouſand Acres, all and every ſuch perſon and perſons whoſe complaint ſhall be then undetermined, may make their applications to the Barons of his Majeſties Court of Exchequer, who are hereby eſtabliſhed a Court of Judicature, and ſufficiently authoriſed to hear and determine all ſuch Controverſies and Differences between the ſaid parties, in as large and ample manner to all intents and purpoſes, as the Judicature hereby eſtabliſhed might have done; and ſuch Judgment, Order or Decree of the ſaid Court of Exchequer, ſhall be in all things obſerved, and be effectual as if the ſaid Barons had been made the only Judicature by this Act.

Leſſees of the King.

XLVIII. Provided always, and be it enacted by the authority aforeſaid, That the Leſſees of the Kings Majeſty, his Heirs and Succeſſors, of the ſaid Ten thouſand Acres, or of any part thereof, and the Aſſigns of ſuch Leſſees, and every or any of them, ſhall be capable to be elected and choſen into the Office or Place, Offices or places of Governor, Bayliffs and Conſervators aforeſaid, and to Vote in ſuch elections and choiſe, and in all other matters, as fully to all intents and purpoſes as any other Members of the Corporation, Owners of any part of the ſaid Ninety five thouſand Acres, may be elected and choſen, Vote in ſuch election and choiſe, or in any other matter, ſo as ſuch Leſſees and their Aſſignees reſpectively, have and be Leſſees or Owners of double the quantity or number of Acres, parcel of the ſaid Ten thouſand Acres, as by vertue of this Act is required, to qualifie any perſon to be elected and choſen into the Office or Place of Governor, Bayliff or Conſervator reſpectively, and to Vote in ſuch elections and choiſe, or in any other matter touching the ſaid Level, and ſo as ſuch Leaſes or Aſſignments they claim by, be entred with the Regiſter; Any thing before in this Act to the contrary notwithſtanding.

XLIX. Provided always, and be it enacted by the authority aforeſaid, That this Act ſhall not extend to Impeach or make Void any Obligation given to David Offley Gentleman, conditioned for his quiet enjoyment of a certain parcel of Land purchaſed by him in the ſaid Level, but that the ſaid David Offley may ſue and proſecute his ſeveral Action or Actions upon the ſaid Obligation, as if he had been evicted or removed from his Eſtate therein by due courſe of Law.

How Breaches ſhall be made good.

L. And be it further enacted by the authority aforeſaid, That if any Breaches happen in any of the Banks, Saſſes, Sluces, Tunnels or other Works within the ſaid Great Level, or in any the Works made without the ſaid Great Level, for carrying the Waters of the ſaid Great Level to their Out-fall at Sea, by reaſon of ſome inevitable accidents, the ſame ſhall be repaired and made good in convenient time, by and at the charges of the ſaid Corporation and their Succeſſors; (2) but no other charge ſhall be laid upon the ſaid Corporation or their Succeſſors, for or in reſpect of ſuch Breaches, nor for or in reſpect of any Breaches that have happened heretofore in any of the ſaid Banks, Saſſes, Sluces or other Works; nor ſhall the ſaid Corporation be inforced to give to any other perſon any recompence for any loſs or damage which hath or ſhall happen, by reaſon of their making neceſſary and ſufficient Banks for the defending of the ſaid Level from being overflown, and for the leading of the Waters of the ſaid Level in their Channels as now they run, unto their Out-fall at Sea.

Proviſo for perſons that have changed their Lands.

LI. Provided nevertheleſs, and be it enacted, That where any Participant under Francis Earl of Bedford, or the Heirs or Aſſigns of any ſuch Participant, hath exchanged his or their Share or Lot of the ſaid Ninety five thouſand Acres, or any part thereof, for any other Lands, parcel of the ſaid Ninety five thouſand Acres, which were claimed and held under ſuch pretended Sales, for Non-payment of Taxes, ſince One thouſand ſix hundred forty and nine, It ſhall and may be lawful to and for ſuch Participant and Participants, and his and their Heirs and Aſſigns, to enter again upon the Lands ſo given in exchange, and to have and retain the ſame in his and their poſſeſſion, Any thing in this Act to the contrary notwithſtanding: Subject nevertheleſs in all things to ſuch Judgment and Determination as the Judicature hereby conſtituted ſhall make concerning the ſame.

LII. Provided always, That no aſcertaining or dividing of the ſaid Dreined or new improved Lands, by the ſaid Commiſſioners as aforeſaid, ſhall conclude the Kings Majeſty, his Heirs, Succeſſors or Aſſigns, or any other perſon or perſons as to the bounds of Pariſhes, to any other intent or purpoſe, than ſubjecting the ſame to Taxes and Contributions, and Epiſcopal Juriſdictions, and not as to the Right of Tythes, or any other purpoſe whatſoever, nor ſhall be, or be uſed in evidence concerning the ſame.

Commons and Waſtes in Bedford Level incloſed.

LIII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any perſon or perſons have a Right of Common in any of the Manors, Waſtes, Commons or Lands within the ſaid Great Level of the Fenns, called Bedford Level, or any other perſon or perſons whatſoever, at any time after ſuch Diviſion or Incloſure made, or ſet out as aforeſaid, ſhall break, throw down, diſturb, obſtruct or by any means hinder, or lay open the ſaid Improvements and Incloſures, at, in or after the making thereof, or the Hedges, Ditches, or Fences of the ſame, or any part thereof ſhall deſtroy, and ſhall be thereof convicted by two credible Witneſſes upon Oath before two Juſtices of the Peace of the County where ſuch diſturbance or deſtruction ſhall be made: Every ſuch perſon or perſons ſo convicted as aforeſaid, ſhall forfeit for every ſuch offence the ſum of Twenty pounds, (2) to be levied by diſtreſs upon the Goods and Chattels of every ſuch offendor or offendors, by Warrant under the hands and ſeals of the ſaid Juſtices of the Peace before whom ſuch conviction ſhall be made, the one moiety to the Informer, and the other moiety to ſuch perſon or perſons againſt whom the ſaid offence is or ſhall be committed; or for want of ſuch ſufficient Diſtreſs, the offendor ſhall be committed to the Houſe of Correction or Common Gaol for three months without Bail or Mainpriſe, at the ſaid Juſtices diſcretion.

LIV. Pro-

After the year 1668. Taxes ſhall not exceed 2s. in the pound.

LIV. Provided always, and it is hereby enacted and declared by the authority aforeſaid, That from and after the firſt day of Auguſt, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and eight, no Tax or Taxes exceeding Two ſhillings the Acre in any one year, ſhall be aſſeſſed, laid or levied upon the ſaid Ten thouſand Acres by this Act veſted in the Kings Majeſty, his Heirs, Succeſſors and Aſſigns, or upon part thereof, or upon the Two thouſand Acres hereby veſted in the Aſſigns of the ſaid Earl of Portland, but in caſe the Taxes to be Aſſeſſed upon the ſaid Eighty three thouſand Acres, hereby veſted in the ſaid Corporation, ſhall not amount unto ſo much in proportion as Two ſhillings an Acre, according to the proportion for each Acre; Then a proportionable abatement ſhall be made out of the ſaid Two ſhillings per Acre, which ſhall be charged yearly by an equal Rate upon every Acre of the ſaid Ten thouſand Acres, and the ſaid Two thouſand Acres, according to the Rate impoſed upon every Acre of the ſaid Eighty three thouſand Acres, whether the ſame ſhall be aſſeſſed by an Acre-tax, or Pound-rate, or by any other way; Any thing herein contained to the contrary notwithſtanding.

LV. And it is further declared, That the Aſſeſſing, Laying and Levying of Taxes upon the ſaid Ten thouſand Acres, or upon the ſaid Two thouſand Aces, or any part thereof, after the ſaid Firſt day of Auguſt, which ſhall be in the ſaid year of our Lord, One thouſand ſix hundred ſixty and eight, by the way of an Acre-tax, ſhall not extend nor be interpreted or conſtrued to extend to compel or conclude the ſaid Corporation, to Aſſeſs, Lay or Levy any Tax or Taxes upon the ſaid Eighty three thouſand Acres, hereby veſted in the ſaid Corporation, or upon any part thereof by the way of an Acre-Tax.

Anno XVI. CAROLO II. *Regis.*

AT the Parliament begun at Weſtminſter, the Eighth day of May, 1661. Anno 13 Car. 2. And by Prorogation held at Weſtminſter, the Sixteenth of March, 16 Car. 2.

CAP. I.

An Act for the Aſſembling and holding of Parliaments once in Three years at the leaſt; And for the Repeal of an Act entituled, An Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliaments.

16 Car. 1. c. 1. WHereas the Act made in the Parliament begun at Weſtminſter the third day of November, in the Sixteenth year of the Reign of our late Sovereign Lord King Charles of bleſſed memory, entituled, An Act for preventing of Inconveniencies happening by the long Intermiſſion of Parliaments, is in derogation of his Majeſties juſt Rights, and Prerogative inherent to the Imperial Crown of this Realm, for the Calling and Aſſembling of Parliaments, and may be an occaſion of manifold Miſchiefs and Inconveniencies, and much endanger the Peace and Safety of his Majeſty, and all his Liege People of this Realm:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, entituled, An Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliaments, and all and every the Articles, Clauſes and Things therein contained, is, ſhall be and are hereby wholly Repealed, Annulled, and utterly made Void, And are hereby declared to be Null and Void to all intents and purpoſes whatſoever, as if the ſaid Act had never been had or made; Any thing in the ſaid Act contained to the contrary in any wiſe notwithſtanding. (Repeal of the ſaid Act.)

4 Ed. 3. cap. 14. 36 Ed. 3. c. 10. III. And becauſe by the ancient Laws and Statutes of this Realm, made in the Reign of King Edward the Third, Parliaments are to be held very often, your Majeſties humble and loyal Subjects the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, moſt humbly do beſeech your moſt excellent Majeſty, That it may be declared and enacted, (2) And be it declared and enacted by the authority aforeſaid, That hereafter the ſitting and holding of Parliaments ſhall not be intermitted or diſcontinued above Three years at the moſt; (3) but that within Three years from and after the determination of this preſent Parliament, and ſo from time to time within Three years after the determination of any other Parliament or Parliaments, or if there be occaſion, more or oftner, your Majeſty, your Heirs and Succeſſors, do iſſue out your Writs for calling, aſſembling and holding of another Parliament, to the end there may be a frequent calling, aſſembling and holding of Parliaments once in Three years at the leaſt.

CAP. II.

An Act for preventing of Abatement of Writs of Error upon Judgments in the Exchequer.

31 El. cap. 1. WHereas by a Statute made in the One and thirtieth year of the Reign of the late Queen Elizabeth, It is enacted, That the not coming of the Lord Chancellor, and Lord Treaſuer, or either of them, at the day of Adjournment, in any Suit of Error depending by vertue of the Staute of the One and thirtieth year of the Reign of King Edward the Third, therein mentioned, concerning Error made in the Exchequer ſhall not be any Diſcontinuance of any ſuch Writ of Error. (2) But if both the chief Juſtices of either Bench, or any one of the ſaid great Officers, the Lord Chancellor, or Lord Treaſurer ſhall come to the Exchequer-chamber, and there be preſent at the day of Adjournment in ſuch Suit of Error, It ſhall be no Diſcontinuance, but the Suit ſhall proceed in Law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſurer had comen and been preſent at the day and place of Adjournment: (3) Which Statute doth not provide a Remedy, in caſe the ſaid Lord Chancellor and Lord Treaſurer, or either of them ſhall not be preſent at the days and times of the Returns of ſuch Writs of Error, although it be within the ſame miſchief, Juſtice being delayed: And the parties in ſuch caſes being put to begin new Suits, to their great charges and prejudice, by reaſon of the abſence and not coming of the ſaid great Officers: (31 Ed. 3 cap. 12)

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this Parliament aſſembled, and by authority of the ſame, That the not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the day of Return of any Writ of Error to be ſued forth by vertue of the ſaid Statute made in the ſaid One and thirtieth year of the Reign of the ſaid King Edward the Third, ſhall not cauſe any Abatement or Diſcontinuance of any ſuch Writ of Error: (2) But if both the chief Juſtices of either Bench, or if either of them, or any one of the ſaid great Officers, the Lord Chancellor or Lord Treaſurer, ſhall come to the Exchequer-chamber, and there be preſent at the day of Return of any ſuch Writ of Error, it ſhall be no Abatement or Diſcontinuance, but the Suit ſhall proceed in Law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſurer had comen and been preſent at the day and place of Return of ſuch Writ.

The not coming of the Lord Chancellor or Lord Treaſurer.

III. Provided always That no Judgment ſhall be given in any ſuch Suit, or Writ of Error, unleſs both the Lord Chancellor and Lord Treaſurer ſhall be preſent thereat.

CAP. III.

An Act for Collecting the Duty ariſing by Hearth-mony, by the Officers to be appointed by his Majeſty.

Whereas by an Act made in the Parliament begun at Weſtminſter the eighth day of May in the thirteenth year of his Majeſties Reign that now is, entituled, An Act for Eſtabliſhing an Additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better Support of his and their Crown and Dignity; And by another Act made in the ſecond Seſſion of the ſaid Parliament, in the Fifteenth year of the Reign of his ſaid Majeſty, entituled, An Additional Act for the better Ordering and Collecting the Revenue ariſing by Hearth-mony, It was enacted and ordained, That from and after the Five and twentieth day of March, in the year of our Lord, one thouſand ſix hundred ſixty and two, every Dwelling, and other Houſe and Edifice, and all Lodgings in Inns of Court, Inns of Chancery, Colledges, and other Societies that are or hereafter ſhall be erected within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, (other than ſuch as are therein excepted) ſhall be, and are charged with the Annual payment to the Kings Majeſty, his Heirs and Succeſſors, for every Fire-Hearth and Stove within every ſuch Houſe, Edifice, Chambers and Lodgings, the ſum of Two ſhillings by the year, to be paid at the yearly Feaſt of St. Michael the Archangel, and of the Annunciation of the bleſſed Virgin Mary, by even and equal portions; an exact and juſt Account of the numbers of all which Fire-hearths and Stoves is thereby enacted to be taken and returned into his Majeſties Court of Exchequer; and the Monies and Revenues due and payable for the ſame, to be collected, levied and paid to his Majeſty, by ſuch perſons and Officers, in manner and form as by the ſaid Acts is preſcribed:

13 & 14 Car. 2. cap. 10.

15 Car. 2. c. 13.

II. Nevertheleſs, by reaſon of ſome defects in the ſaid Act, and great negligence of the ſaid Officers, and other perſons, in not returning the exact Numbers of the ſaid Fire-hearths and Stoves, and not duly collecting, levying and paying into his Majeſties Exchequer, the Revenue due for the numbers returned at the times appointed, and by ſundry fraudulent practiſes to elude the ſaid Acts, the ſaid Revenue is much diminiſhed, and not duly anſwered:

(2) For remedy whereof, and for the better aſcertaining and collecting the ſaid Revenue for the future, (3) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That it ſhall and may be lawful to and for the Kings Majeſty, his Heirs and Succeſſors, from and after the four and twentieth day of June, One thouſand ſix hundred ſixty four, from time to time, by and with the advice of the Lord High Treaſurer, Chancellor, Under-Treaſurer and Barons of the Court of Exchequer for the time being, or any three of them, whereof the Lord High Treaſurer, or Chancellor of the Exchequer to be one, to conſtitute and appoint ſuch perſon or perſons as his Majeſty, his Heirs and Succeſſors ſhall think meet to be the Officer or Officers for the receiving, collecting, and anſwering the duty ariſing by the ſaid Fire-Hearths and Stoves by vertue of the ſaid ſeveral Acts, and for viewing and numbring of the ſeveral Chimney-Hearths and Stoves mentioned in the ſaid Acts; and for the inſpecting and examining the ſeveral Rolls, Certificates and Returns thereof made, and to be made from time to time into his Majeſties Court of Exchequer, in purſuance of the ſaid Acts, or any other thing belonging to the ſame: (4) Which Officers, or any of them, ſhall have full power to examine and ſuperviſe the Rolls and Numbers of Fire-hearths and Stoves already returned into the ſaid Court of Exchequer; (5) And being accompained with the Conſtable, or the Tythingman, Treaſurer, Under-Treaſurer, or other publick or proper Officer of the place, (who are hereby required to attend and aſſiſt upon this occaſion) and in all Pariſhes and Places where there are no Conſtables, Tythingmen, or other publick Officer as aforeſaid, there without any ſuch aſſiſtance, to enter in the day-time into any dwelling or other Houſe, Edifice, Lodgings and Chambers aforeſaid, and to ſearch and examine whether there be any more Fire-hearths and Stoves in the ſame than were formerly returned or certified, and what Fire-hearths and Stoves are increaſed, or decreaſed ſince the former Certificate: (6) after which ſearch and examination, the ſaid Officer with a Conſtable, or Tythingman, or Officers as aforeſaid, ſhall have liberty to make the like ſearch and examination once every year: (7) And if they ſhall find any variance in the number returned, both the Officer or Officers appointed by his Majeſty, and the Conſtable or Tythingman, or other Officer as aforeſaid, to certifie the ſame under his and their hands to the Clerk of the Peace; which Certificate they are hereby enjoyned to make: (8) And after approbation thereof by the Juſtices of Peace at their Seſſions, the ſame to be certified to his Majeſties Remembrancer in the Exchequer, (9) and the Officer and Officers ſo appointed by his Majeſty unto the ſame, ſhall from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ſixty four, have power

to collect and levy the Revenue and Duties ſo given to his Majeſty as aforeſaid, and all arrears of the ſame.

III. And be it further enacted, That the ſaid Duty ſhall from time to time be paid after the Feaſt days of Saint Michael the Archangel, and the Annunciation of the Virgin Mary yearly, unto ſuch Officer as ſhall be appointed by vertue of this preſent Act to receive the ſame upon demand thereof made by ſuch Officer, or his Deputy, at the Houſe, Chamber, or place where the ſame Duty ſhall ariſe or Grow due: (2) And that in caſe of refuſal or default of ſuch payment thereof, by the ſpace of one hour after ſuch demand, the ſaid Officer or his Deputy may at any time, with the aſſiſtance of a Conſtable, Tythingman, or other Officer as aforeſaid, in the day-time levy the ſaid Duty, and all the Arrearages thereof, by diſtreſs and ſale of the Goods of the party or parties ſo refuſing, or making default, reſtoring to the party or parties the overplus of the value of ſuch goods over and above the Duty and Arrearages thereof then behind, and over and above the neceſſary charges of taking ſuch Diſtreſs, which charges ſhall in no caſe exceed the one moiety of the Duty and Arrearages thereof ſo levied.

IV. Provided always, and be it enacted, That no Owners, Proprietors, or Occupiers of the ſaid Fire-hearths or Stoves, ſhall be charged, diſtrained, or moleſted for the ſaid Duty, or any Arrearages thereof, at any time after the ſpace of two years next after the Duty hereafter ſhall become due to his Majeſty, his Heirs or Succeſſors; nor for any Arrearges of the ſaid Duty already incurred, after the ſpace of two years, from the Four and twentieth day of June, One thouſand ſix hundred ſixty and four. (2) And in caſe of violent oppoſition, or injury done by any perſon or perſons to any ſuch Officer or his Deputy, in the due execution of this Act, and the ſame proved by Oath before any one Juſtice of the Peace, or chief Magiſtrate or Magiſtrates of the City, Town, or place, dwelling near unto the place, who are hereby authoriſed to adminiſter the ſaid Oath; It ſhall and may be lawful to and for ſuch Juſtice of the Peace, Magiſtrate or Magiſtrates, to puniſh ſuch Offendor or Offendors, if he ſhall find cauſe, by Impriſonment in the common Gaol, for any time not exceeding the ſpace of one month. (3) And from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ſixty four, all Officers formerly appointed to collect the ſaid Duty, ſhall be diſcharged from the future collecting and levying the ſame otherwiſe than as they are directed by this Act: And the ſaid Officer and Officers ſo appointed by his Majeſty to collect this Duty, ſhall pay the ſame into his Majeſties Exchequer, to the ends in the ſaid former Acts mentioned.

V. Provided, That no perſon or perſons ſhall be imployed as aforeſaid, unleſs he and they ſhall firſt give in ſufficient Security to his Majeſty, his Heirs and Succeſſors, for the due collecting, levying and paying in of the ſaid Revenue, or ſuch part thereof as ſhall be committed to their reſpective Truſts, and ſhall likewiſe take a corporal Oath before one or more of the Barons of the Exchequer, or before ſuch perſons as ſhall be authoriſed to take ſuch ſecurity and Oath by Commiſſion from the ſaid Court of Exchequer, for the due and faithful execution thereof, according to the Laws enacted to that purpoſe; (2) And that they ſhall not exact or demand any fee or ſum of Mony for execution thereof, from any Subject, but only from the Kings Majeſty, under pain of being diſabled to execute the ſaid Office or Imployment (3) And upon legal Conviction of any ſuch Crime, to render treble damages to the party grieved, and ſhall ſign and deliver Accquittances for Moneys by them received, without any fee or reward whatſoever; and every ſuch Accquittance ſhall be a final Diſcharge, as in the ſaid firſt Act is provided.

VI. And be it further enacted by the authority aforeſaid, That if any perſon occupying any Hearth or Stove chargeable to his Majeſty, ſhall leave or relinquiſh any Houſe, Edifice, Lodging or Chamber, before any of the half-yearly Feaſts whereon the ſame is appointed to be paid to his Majeſty, his Heirs and Succeſſors; In every ſuch caſe, the next Occupier thereof ſhall be chargeable with the ſame for the ſaid half year: (2) And if any perſon ſhall fraudulently ſtop up, deface, cover or conceal, any Chimney-hearth or Stove chargeable by the ſaid Act, and the ſame be proved, either by confeſſion of the party, or upon Oath before one Juſtice of Peace, or chief Magiſtrate, or by their view, he ſhall for ſuch offence pay double the value of the Duty for the ſame, to be levied as aforeſaid.

VII. And be it likewiſe enacted, That if any perſon within one year laſt paſt hath, or hereafter ſhall let the lands, gardens, orchards or out-houſes formerly belonging to any dwelling-houſe, or cottage apart from the ſame, or ſhall divide any houſe into ſeveral dwellings, or let out the ſame to any ſuch perſons, who by reaſon of their poverty may pretend to be exempted from payment of the ſaid Duty, by any Clauſe or Clauſes in the former Acts, That in every ſuch caſe, ſuch perſon ſhall pay the ſaid Duty in as ample manner as they ought to have done before that time. (2) And that no perſon or perſons inhabiting any dwelling houſe (not being an Alms-houſe exempted by the former Act) within any City, Borough, Corporation, Market-Town or Pariſh, which hath, or ſhall have in it more than two Chimneys, Fire-hearths or Stoves, ſhall be exempted from the payment of the Duties thereon impoſed, by colour of any exemption or pretext whatſoever.

VIII. And if any queſtion or difference ſhall ariſe about the taking any Diſtreſs, or levying any Mony by vertue of this Act, the ſame ſhall be heard and finally determined by one or more of the Juſtices of the Peace near adjoyning, or chief Magiſtrate of the place reſpectively, upon complaint in that behalf.

IX. And be it further enacted, That every Collector who ſhall be authoriſed and appointed by vertue of this Act, to receive any of the ſaid Duties, ſhall truly anſwer and pay all ſuch Moneys as he ſhall receive for the ſaid Duties, into his Majeſties Receipt of Exchequer, half-yearly, within Three months after the Feaſt of Saint Michael the Archangel, or the Annunciation of the bleſſed Virgin Mary, happening next after the time the ſame Moneys grew due to his Majeſty by vertue of the ſaid Acts, and under the penalty of the loſs of his Office: (2) And the Juſtices of Peace, and chief Magiſtrates, Conſtables, and other his Majeſties

Officers within their ſeveral limits and juriſdictions are hereby authoriſed and required to give aſſiſtance from time to time, to ſuch Officers as ſhall be appointed by his Majeſty, his Heirs and Succeſſors, for the collecting of the ſaid Duty according to the true meaning of the ſaid former Acts, and this preſent Act.

X. Provided, that no perſon or perſons ſhall be queſtioned for any Arrears on or before our Lady-day, One thouſand ſix hundred ſixty four, who ſhall produce to the Collector a Certificate approved or to be approved of by the two next Juſtices of Peace, for their exemption from the ſaid Duty for that time, according to the Rules preſcribed in the ſaid firſt recited Act; (2) nor any perſon who hath truly paid for the ſaid Duty, and ſhall if it be required, make proof thereof before any one Juſtice of Peace, or other chief Magiſtrate of the place; Any thing therein contained, or any Return made into his Majeſties Exchequer to the contrary thereof in any wiſe notwithſtanding.

XI. Provided alſo and be it enacted by the authority aforeſaid, That all and every ſuch Officer or Officers as ſhall be at any time appointed by his Majeſty, his Heirs and Succeſſors, for the collecting, gathering and receiving of the ſeveral ſums of Mony now or hereafter to grow due unto his Majeſty, his Heirs and Succeſſors, for or in reſpect of the ſaid Duty ariſing upon the Fire-hearths and Stoves, ſhall ſatisfie and pay unto the reſpective Petty-Conſtables and Clerks of the Peace of this Kingdom, all ſuch allowances as are by any former Act or Acts given and allowed unto them, as well for their pains and labour heretofore, as hereafter to be taken by them, as in and by the former Acts concerning Fire-hearths, and Stoves are limitted and appointed; Any thing in this Act to the contrary notwithſtanding.

CAP. IV.

An Act to prevent and ſuppreſs ſeditious Conventicles.

35 El. cap. 1. declared to be in force.

Whereas an Act made in the five and thirtieth year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act to retain the Queens Majeſties Subjects in their due Obedience, hath not been put in due execution by reaſon of ſome doubt of late made, Whether the ſaid Act is ſtill in force; although it be very clear and evident, And it is hereby declared, That the ſaid Act is ſtill in force, and ought to be put in due execution:

Further remedy againſt ſeditious Sectaries.

II. For providing therefore of further and more ſpeedy remedies againſt the growing and dangerous pactiſes of ſeditious Sectaries, and other diſloyal perſons, who under pretence of tender Conſciences, do at their Meetings contrive Inſurrections, as late experience hath ſhewed;

Unlawful Conventicles and Meetings under pretence of exercise of Religion, forbiden.

III. Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon of the age of Sixteen years or upwads, being a Subject of this Realm, at any time after the firſt day of July, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and four, ſhall be preſent at any Aſſembly, Conventicle or Meeting, under colour or pretence of any exerciſe of Religion, in other manner than is allowed by the Liturgy or practice of the Church of England, in any place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed; At which Conventicle, Meeting, or Aſſembly, there ſhall be five perſons or more aſſembled together, over and above thoſe of the ſame Houſhold; Then it ſhall and may be lawful to, and for any two Juſtices of the Peace of the County, Limit, Diviſion or Liberty wherein the offence aforeſaid ſhall be committed, or for the chief Magiſtrate of the place where ſuch offence aforeſaid ſhall be committed, or for the chief Magiſtrate of the place where ſuch offence aforeſaid ſhall be committed, (if it be within a Corporation where there are not two Juſtices of the Peace) (2) and they are hereby required and enjoyned upon proof to them or him reſpectively made of ſuch offence, either by confeſſion of the party, or Oath of Witneſs, or notorious evidence of the Fact (which Oath the ſaid Juſtices of the Peace, and chief Magiſtrate reſpectively, are hereby impowred and required to admiſter) to make a Record of every ſuch offence and offences under their hands and ſeals reſpectively; (3) which Record ſo made as aforeſaid, ſhall to all intents and purpoſes be in Law taken and adjudged to be a full and perfect Conviction of every ſuch Offender for ſuch offence: And thereupon the ſaid Juſtices and chief Magiſtrate reſpectily, ſhall commit every ſuch Offendor ſo convicted as aforeſaid, to the Gaol or houſe of Correction, there to remain without Bail or Mainpriſe, for any time not exceeding the ſpace of three months, unleſs ſuch Offendor ſhall pay down to the ſaid Juſtices or chief Magiſtrate, ſuch ſum of mony not exceeding five pounds, as the ſaid Juſtices or chief Magiſtrate (who are hereby thereunto authoriſed and required) ſhall Fine the ſaid Offendor at, for his or her ſaid offence; which Mony ſhall be paid to the Church-wardens for the relief of the poor of the Pariſh where ſuch Offendor did laſt inhabit.

The puniſhment and manner of proceeding againſt them for the firſt offence.

The ſecond offence.

IV. And be it further enacted by the authority aforeſaid, That every ſuch Offendor ſo convicted as aforeſaid, ſhall at any time again commit the like offence contrary to this Act, and be thereof in manner aforeſaid convicted, Then ſuch Offendor ſo convict of ſuch ſecond offence, ſhall incur the penalty of Impriſonment in the Gaol or houſe of Correction, for any time not exceeding ſix months, without Bail or Mainpriſe, unles ſuch Offendor ſhall pay down to the ſaid Juſtices or chief Magiſtrate, ſuch ſum of Mony, not exceeding Ten pounds, as the ſaid Juſtices or chief Magiſtrate (who are thereunto authoriſed and required as aforeſaid) ſhall Fine the ſaid Offendor at, for his or her ſaid ſecond offence, the ſaid Fine to be diſpoſed in manner aforeſaid.

The third offence.

V. And be it further enacted by the authority aforeſaid, That if any ſuch Offendor ſo convict of a ſecond offence contrary to this Act in manner aforeſaid, ſhall at any time again commit the like offence contrary to this Act, Then any Two Juſtices of the Peace, and chief Magiſtrate as aforeſaid reſpectively, ſhall commit every ſuch Offendor to the Gaol, or houſe of Correction, there to remain without Bail or Mainpriſe until the next General Quarter-Seſſions, Aſſiſes, Gaol delivery, Great Seſſions, or ſitting of any Commiſſion of Oyer and Terminer in the reſpective County, Limit, Diviſion or Liberty which ſhall firſt happen; (2) when and where every ſuch Offendor ſhall be proceeded againſt by Indictment for ſuch offence, and ſhall forthwith be arraigned upon ſuch Indictment, and ſhall then plead the General Iſſue of Not-guilty, and give any ſpecial matter in Evidence, or confeſs the Indictment: (3) And if ſuch Offendor proceeded againſt, ſhall be lawfully convict of ſuch offence, either by Confeſſion or Verdict, or if ſuch Offendor ſhall refuſe to plead the General Iſſue, or to confeſs the Indictment, then the reſpective Juſtices of the Peace at their General Quarter-Seſſions, Judges of Aſſiſe and Gaol-delivery at the Aſſiſes and Gaol-delivery, Juſtices of the great Seſſions at the great Seſſions, and Commiſſioners of Oyer and Terminer, at their ſitting, are hereby enabled and required to cauſe Judgment to be entred againſt ſuch offendor, That ſuch Offendor ſhall be Tranſported beyond the Seas to any of his Majeſties Foreign Plantations (Virginia and New-England only excepted) there to remain ſeven years; (4) And ſhall forthwith under their Hands and Seals make out Warrants to the Sheriff or Sheriffs of the ſame County where ſuch conviction or refuſal to plead or to confeſs as aforeſaid ſhall be, ſafely to convey ſuch Offendor to ſome Port or Haven neareſt or moſt commodious to be appointed by them reſpectively; And from thence to Embarque ſuch Offendor to be ſafely Tranſported to any of his Majeſties Plantations beyond the Seas, as ſhall be alſo by them reſpectively appointed (Virginia and New-England only excepted:) (5) Whereupon the ſaid Sheriff ſhall ſafely Convey and Embarque, or cauſe to be Conveyed or Embarqued ſuch offendor, to be Tranſported as aforeſaid, under pain of forfeiting for default of ſo Tranſporting every ſuch Offendor, the ſum of Forty pounds of lawful mony, the one moiety thereof to the King, and the other moiety to him or them that ſhall Sue for the ſame in any of the Kings Courts of Record, by Bill, Plaint, Action of Debt, or Information; In any of which, no Wager of Law, Eſſoin or Protection ſhall be admitted: (6) And the ſaid reſpective Court ſhall then alſo make out Warrants to the ſeveral Conſtables, Beadboroughs or Tythingmen of the reſpective places where the Eſtate real or perſonal of ſuch offendor ſo to be Tranſported ſhall happen to be, commanding them thereby to Sequeſter into their hands the profits of the Lands, and to diſtrain and ſell the Goods of the Offendor ſo to be Tranſported, for the reimburſing of the ſaid Sheriff all ſuch reaſonable charges as he ſhall be at, and ſhall be allowed him by the reſpective Court for ſuch Conveying and Embarquing of ſuch Offendor ſo to be Tranſported, rendring to the party, or his or their Aſſigns, the overplus of the ſame, if any be, unleſs ſuch Offendor, or ſome other on the behalf of ſuch Offendor ſo to be Tranſported, ſhall give the Sheriff ſuch Security as he ſhall approve of, for the paying all the ſaid charges unto him.

How ſeditious Sectaries convicted may be Tranſported.

VI. And be it further enacted by the authority aforeſaid, That in default of defraying ſuch charges by the parties to be Tranſported, or ſome other in their behalf; or in default of Security given to the Sheriff as aforeſaid, it ſhall and may be lawful for every ſuch Sheriff to contract with any Maſter of Ship, Merchant or other perſon, for the Tranſporting of ſuch Offendor at the beſt rate he can: (2) And that in every ſuch caſe it ſhall and may be lawful for ſuch perſons ſo contracting with any Sheriff for Tranſporting ſuch Offendor as aforeſaid, to detain and employ every ſuch offendor ſo by them Tranſported, as a labourer to them or their Aſſigns, for the ſpace of Five years, to all intents and purpoſes, as if he or ſhe were bound by Indentures to ſuch perſon for that purpoſe: (3) And that the reſpective Sheriffs ſhall be allowed or paid from the King, upon their reſpective Accompts in the Exchequer, all ſuch charges by them expended, for Conveying, Embarquing and Tranſporting of ſuch perſons, which ſhall be allowed by the ſaid reſpective Courts from whence they received their reſpective Warrants, and which ſhall not have been by any of the ways aforementioned paid, ſecured, or reimburſed unto them as aforeſaid.

How the offendor may be diſcharged upon payment of 100 l.

VII. Provided always, and be it further enacted, That in caſe the Offendor ſo Indicted and Convicted for the ſaid Third Offence, ſhall pay into the hands of the Regiſter or Clerk of the Court or Seſſions where he ſhall be convicted (before the ſaid Court or Seſſions ſhall be ended) the ſum of one hundred pounds, That then the ſaid offendor ſhall be diſcharged from Impriſonment and Tranſportation, and the Judgment for the ſame.

Puniſhment of offendors after the third offence.

VIII. And be it further enacted, That the like Impriſonment, Indictment, Arraignment and Proceedings ſhall be againſt every ſuch Offendor, as often as he ſhall again offend after ſuch Third offence; nevertheleſs is diſchargeable and diſcharged by the payment of the like ſum as was paid by ſuch Offendor for his or her ſaid offence next before committed, together with the additional and increaſed ſum of One hundred pounds more upon every new offence committed; (2) the ſaid reſpective ſums to be paid as aforeſaid, and to be diſpoſed of as followeth, (viz.) The one moiety for the Repair of the Pariſh Church or Churches, Chappel or Chappels of ſuch Pariſh within which ſuch Conventicle, Aſſembly or Meeting ſhall be held; and the other moiety to the Repair of the High-ways of the ſaid Pariſh or Pariſhes (if need require) or otherwiſe for the Amendment of ſuch High-ways as the Juſtices of the Peace at their reſpective Quarter Seſſions ſhall direct and appoint. (3) And if any Conſtable, Headborough or Tythingman ſhall neglect to execute any the ſaid Warrants made unto them for Sequeſtring, Diſtraining and Selling any of the Goods and Chattels of any Offendor againſt this Act, for the Levying ſuch ſums of Mony as ſhall be impoſed for the firſt or ſecond offence, he ſhall forfeit for every ſuch neglect the Sum of Five pounds of lawful Mony of England, the one moiety thereof to the King, and the other moiety to him that will Sue for the ſame in any of the Kings Courts of Record, as is aforeſaid. (4) And if any perſon be at any time Sued for putting in Execution any of the powers contained in this Act, ſuch perſon ſhall and may plead the General Iſſue, and give the ſpecial matter in Evidence; (5) And if the Plaintiff be Non-ſuit, or a Verdict paſs for the Defendant thereupon, or if the Plaintiff diſcontinue his Action, or if upon Demurrer, Judgment be given for the Defendant, every ſuch Defendant ſhall have his or their treble Coſts.

How the ſaid penalty of 100 l. ſhall be diſpoſed.

Perſons ſued for executing this Act, may plead the General Iſſue and recover treble Coſts.

IX. And

Felony to eſcape after Conviction, or to return after Tranſportation.

IX. And be it further enacted, That if any perſon againſt whom Judgment of Tranſportation ſhall be given in manner aforeſaid, ſhall make eſcape before Tranſportation, or being Tranſported as aforeſaid, ſhall return unto this Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, without the ſpecial Licence of his Majeſty, his Heirs and Succeſſors, in that behalf firſt had and obtained, That the party ſo eſcaping or returning ſhall be adjudged a Felon, and ſhall ſuffer death as in caſe of Felony, without benefit of Clergy, (2) and ſhall forfeit and loſe to his Majeſty all his or her Goods and Chattels for ever; and ſhall further loſe to his Majeſty all his or her Lands, Tenements and Hereditaments for and during the life only of ſuch offendor, and no longer: and that the Wife of any ſuch offendor by force of this Act ſhall not loſe her Dower, nor ſhall any Corruption of Blood grow or be by reaſon of any ſuch Offence mentioned in this Act; but that the Heir of every ſuch offendor by force of this Act, ſhall and may after the death of ſuch offendor, have and enjoy the Lands, Tenements and Hereditaments of ſuch offendors, as if this Act had not been made.

Seditious and Tumultuous Meetings and Conventicles.

X. And for better preventing of the miſchiefs which may grow by ſuch Seditious and Tumultuous Meetings under pretence of Religious Worſhip, (2) Be it further enacted by the authority aforeſaid, That the Lieutenants or Deputy Lieutenants, or any Commiſſioned Officers of the Militia, or any other of his Majeſties Forces, with ſuch Troops or Companies of Horſe or Foot; And alſo the Sheriffs and Juſtices of Peace and other Magiſtrates and Miniſters of Juſtice, or any of them joyntly or ſeverally within any the Counties or places within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, with ſuch other aſiſtance as they ſhall think meet, or can get in readineſs with the ſooneſt, on Certificate made to them reſpectively under the Hand and Seal of any one Juſtice of the Peace, or chief Magiſtrate, as aforeſaid, of his particular Information or knowledge of ſuch unlawful Meetings or Conventicles held or to be held in their reſpective Counties or places, and that he (with ſuch aſſiſtance as he can get together, is not able to ſuppreſs or diſſolve the ſame) ſhall and may, and are hereby required and enjoyned to repair unto the place where they are ſo held, or to be held, and by the beſt means they can to diſſolve and diſſipate, or prevent all ſuch unlawful Meetings, and take into their cuſtody ſuch of thoſe perſons ſo unlawfully aſſembled as they ſhall judge to be the Leaders and Seducers of the reſt, and ſuch others as they ſhall think fit to be proceeded againſt according to Law for ſuch their offences.

The penalty of ſuffering Conventicles in private Houſes.

XI. And be it enacted by the authority aforeſaid, That every perſon who ſhall wittingly and willingly ſuffer any ſuch Conventicle, unlawful Aſſembly or Meeting aforeſaid, to be held in his or her Houſe, Out-houſe, Barn or Room, Yard or Back-ſide, Woods or Grounds, ſhall incur the ſame Penalties and Forfeitures as any other Offendor againſt this Act ought to incur, and be proceeded againſt in all points, in ſuch manner as any other Offendor againſt this Act ought to be proceeded againſt.

Gaolers may not let Priſoners committed upon this Act to go at large. The penalty.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That if any Keeper of any Gaol or Houſe of Correction, ſhall ſuffer any perſon committed to his cuſtody for any offence againſt this Act, to go at large, contrary to the Warrant of his Commitment according to this Act, or ſhall permit any perſon who is at large, to joyn with any perſon committed to his cuſtody by vertue of this Act, in the Exerciſe of Religion, differing from the Rites of the Church of England; then every ſuch Keeper of a Gaol or Houſe of Correction ſhall for every ſuch Offence forfeit the ſum of Ten pounds, to be Levied, Raiſed and Diſpoſed by ſuch perſons, and in ſuch manner as the Penalties for the firſt and ſecond Offences againſt this Act are to be Levied, Raiſed and Diſpoſed.

Within what time offendors muſt be proſecuted.

XIII. Provided always, That no perſon ſhall be puniſhed for any Offence againſt this Act, unleſs ſuch Offendor be proſecuted for the ſame within three months after the Offence committed: (2) And that no perſon who ſhall be puniſhed for any Offence by vertue of this Act, ſhall be puniſhed for the ſame Offence by vertue of any other Act or Law whatſoever.

Married women how to be puniſhed.

XIV. Provided alſo, and be it Enacted, That Judgment of Tranſportation ſhall not be given againſt any Feme-Covert, unleſs her Huſband be at the ſame time under the like Judgment, and not diſcharged by the payment of Money as aforeſaid; but that in ſtead thereof ſhe ſhall by the reſpective Court be committed to the Gaol or Houſe of Correction, there to remain without Baill or Mainprize, for any time not exceeding twelve months, unleſs her Huſband ſhall pay down ſuch ſum, not exceeding Forty pounds, to redeem her from Impriſonment, as ſhall be impoſed by the ſaid Court, the ſaid ſum to be diſpoſed by ſuch perſons, and in ſuch manner as the Penalties for the firſt and ſecond Offence againſt this Act are to be diſpoſed.

How Juſtices of the Peace may enter into Houſes ſuſpected for Conventicles.

XV. Provided alſo, and be it enacted by the Authority aforeſaid, That the Juſtices of the Peace, and chief Magiſtrate reſpectively impowred as aforeſaid to put this Act in execution, ſhall and may, with what aid, force and aſſiſtance they ſhall think fit, for the better execution of this Act, after refuſal or denial, enter into any Houſe, or other place where they ſhall be informed any ſuch Conventicle as aforeſaid, is or ſhall be held.

The Houſes of Peers.

XVI. Provided, That no Dwelling-houſe of any Peer of this Realm, whilſt he or his Wife ſhall be there reſident, ſhall be ſearched by vertue of this Act, but by immediate Warrant from his Majeſty under his Sign Manual, or in the preſence of the Lieutenant, or one of the Deputy-Lieutenants, or two Juſtices of the Peace, whereof one to be of the Quorum of the ſame County or Riding: (2) Nor ſhall any other Dwelling-houſe of any Peer or other perſon whatſoever, be entred into with force by vertue of this Act, but in the preſence of one Juſtice of the Peace, or chief Magiſtrate reſpectively, except within the City of London, where it ſhall be lawful for any ſuch other Dwelling-houſe to be entred into as aforeſaid, in the preſence of one Juſtice of Peace, Alderman, Deputy-Alderman, or any one Commiſſioner for the Lieutenancy for the City of London.

XVII. Provided alſo, and be it enacted by the Authority aforeſaid, That no perſon ſhall by vertue of this Act be committed to the Houſe of Correction, that ſhall ſatisfie the ſaid

What perſons may not be committed to the Houſe of Correction.

Juſtices of the Peace, or Chief Magiſtrate reſpectively, That he or ſhe (and in caſe of a Feme-Covert, that her Husband) hath an Eſtate of Free-hold, or Copy-hold, to the value of Five pounds per annum, or perſonal Eſtate to the value of Fifty pounds; Any thing in this Act to the contrary notwithſtanding.

Perſons ſerved with Proceſs refuſing to take an Oath.

14 Car. 2. c. 1.

XVIII. And in regard a certain Sect called Quakers, and other Sectaries, are found not only to offend in the matters provided againſt by this Act, but alſo obſtruct the proceeding of Juſtice by their obſtinate refuſal to take the Oaths lawfully tendered unto them in the Ordinary courſe of Law; (2) Therefore be it further Enacted by the Authority aforeſaid, That if any perſon or perſons being duly and legally ſerved with Proceſs or other Summons to appear in any Court of Record, except Court-Leets, as a Witneſs, or returned to ſerve on any Jury, or ordered to be Examined upon Interrogatories, or being preſent in Court ſhall refuſe to take any Judicial Oath legally tendered to him by the Judge or Judges of the ſame Court, having no legal Plea to juſtifie or excuſe the refuſal of the ſame Oath; (3) or if any perſon or perſons being duly ſerved with Proceſs, to anſwer any Bill exhibited againſt him or them in any Court of Equity, or any Suit in any Court Eccleſiaſtical, ſhall refuſe to anſwer ſuch Bill or Suit upon his or their Corporal Oath, in caſes where the Law requires ſuch Anſwer to be put in upon Oath; or being ſummoned to be a Witneſs in any ſuch Court, or ordered to be Examined upon Interrogatories, ſhall for any cauſe or reaſon, not allowed by Law, refuſe to take ſuch Oath, as in ſuch caſes is required by Law; (4) That then, and in ſuch caſe, the ſeveral and reſpective Courts wherein ſuch refuſal ſhall be made, ſhall be, and are hereby enabled to Record, Enter, or Regiſter ſuch refuſal, which Record or Entry ſhall be, and is hereby made a Conviction of ſuch offence; (5) And all and every perſon and perſons ſo as aforeſaid offending, ſhall for every ſuch Offence incur the Judgment and puniſhment of Tranſportation in ſuch manner as is appointed by this Act for other Offences.

The penalty.

How ſuch perſons may be acquitted.

XIX. Provided always, That if any the perſon or perſons aforeſaid ſhall come into ſuch Court, and take his or their Oath in theſe words;

I do ſwear, that I do not hold the taking of an Oath to be unlawful, nor refuſe to take an Oath on that account;

XX. Which Oath the reſpective Court or Courts aforeſaid are hereby authorized and required forthwith to Tender, Adminiſter, and Regiſter before the Entry of the Conviction aforeſaid, (2) or ſhall take ſuch Oath before ſome Juſtice of the Peace, who is hereby authorized and required to Adminiſter the ſame, to be returned into ſuch Court, (3) ſuch Oath ſo made ſhall acquit him or them from ſuch puniſhment; Any thing herein to the contrary notwithſtanding,

XXI. Provided always, That every perſon convicted as aforeſaid in any Courts aforeſaid, (other than his Majeſties Court of Kings Bench, or before the Juſtices of Aſſize, or General Gaol-delivery) ſhall by Warrant containing a Certificate of ſuch Conviction under the Hand and Seal of the reſpective Judge or Judges before whom ſuch Conviction ſhall be had, be ſent to ſome one of his Majeſties Gaols in the ſame County where ſuch Conviction was had, there to remain without Bail or Mainprize until the next Aſſizes, or General Gaol-Delivery, (2) where, if ſuch perſon ſo Convicted ſhall refuſe to take the Oath aforeſaid, being tendered unto him by the Juſtice or Juſtices of Aſſize or Gaol-delivery; then ſuch Juſtice or Juſtices ſhall cauſe Judgment of Tranſportation to be executed in ſuch manner as Judgment of Tranſportation by this Act is to be executed: But in caſe ſuch perſon ſhall take the ſaid Oath, then he ſhall thereupon be diſcharged.

Peers offending, how to be proceeded againſt.

XXII. Provided always, and be it Enacted by the Authority aforeſaid, That if any Peer of this Realm ſhall offend againſt this Act, he ſhall pay Ten pounds for the firſt offence, and Twenty pounds for the ſecond offence, to be levied upon his Goods and Chattels by Warrant from any two Juſtices of the Peace, or Chief Magiſtrate of the Place or Diviſion where ſuch Peer ſhall dwell; (2) and that every Peer for the third, and every further offence againſt the tenour of this Act, ſhall be tried by his Peers, and not otherwiſe.

XXIII. Provided alſo, and be it further Enacted by the Authority aforeſaid, That this Act ſhall continue in force for Three years after the end of this preſent Seſſion of Parliament; and from thenceforward to the end of the next Seſſion of Parliament after the ſaid Three years, and no longer.

CAP. V.

An Act to prevent the Diſturbances of Sea-men and others, and to preſerve the Stores belonging to His Majeſties Navy Royal.

The continuance of this Act.

Whereas divers fightings, quarrellings and diſturbances do often happen in and about his Majeſties Offices, Yards and Stores for his Majeſties Royal Navy, and frequent difference and diſorders are occaſioned in the Office of his Majeſties Treaſury of the Navy on Pay-days in London, Portſmouth, and other places of meeting for the Service of the ſaid Navy; and that either by the unreaſonable turbulency of Sea-men and others, attending on, or relating to that Service, or their Creditors, or by the rudeneſs of the Officers intruſted with his Majeſties Stores on Land, or in his Royal Ships, when they are queſtioned by the principal Officers and Commiſſioners of the ſaid Navy either for neglect or imbezelment of his Majeſties Proviſions, Ammunitions, or other Equipage of the Navy under their charge; And that not only to the diſturbance of the Peace, but ſometimes to the danger and hindrance of his Majeſties Service, both in point of Husbanding his Majeſties Revenue, and alſo in diſpatch of the Ships, on which the Honour and Safety of his Majeſty and Kingdom ſo much depends: (2) Which Inconveniences require a ſpeedier Remedy than the ordinary attendance on the Seſſions of the Peace can give, the parties accuſed or offending being many times bound to Sea; And the principal Officers and Commiſſioners for want of authority to ſuppreſs ſuch Inſolencies, and determine ſuch Caſes, being neceſſitated

ted to paſs by many offences, in which his Majeſty might be righted, if their neceſſary attendance on that Important Service would permit the proſecution of the Offenders before other ordinary Judicatures:

Who may puniſh diſturbances by Seamen and others relating to the Navy Office.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by authority of the ſame, That the Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any two or more of them, have power and authority to examine and puniſh all ſuch perſon and perſons, whom they upon their enquiry, examination, or on view in their preſence ſhall find hereafter to make, or have made any diſturbance, fighting or quarrelling in the Yards, Stores, or Offices aforeſaid at Paydays, or on other occaſions relating to the Naval Services, in ſuch manner as followeth, that is to ſay, That they or any two or more of them may puniſh any of the ſaid Offences by Fine, Impriſonment, or either of them, the Fine not exceeding xx s. and the Impriſonment not exceeding one week; (2) and have power in ſuch caſes to commit ſuch perſons to the next Gaol, or to the cuſtody of the Meſſenger or Meſſengers for the time being attendant on them, who reſpectively are to receive and detain ſuch perſon ſo offending.

III. And that the ſaid principal Officers and Commiſſioners, or the greater number of them then preſent, have power to diſcharge ſuch Fine or Impriſonment, if they ſo think fit: And for non-payment of the Fine ſo impoſed, and not remitted, to impriſon the party offending until payment thereof; which ſaid Fines ſhall be paid to the Clerk of the Cheſt, for the uſe of the maimed Seamen; and that the examination of Witneſſes upon Oath before them, which they, or any two or more of them, are accordingly impowred to adminiſter.

IV. And it is further by the authority aforeſaid enacted, That the ſaid Officers and Commiſſioners, or any two or more of them (in caſes where greater example or puniſhment is needful) may alſo bind the perſon and perſons offending to their good behaviour, with or without Securities, as occaſion ſhall be.

Imbezling of Stores and Ammunition.

V. And whereas divers of his Majeſties Stores and Ammunition pertaining to his Navy and Shipping, or Service thereof, are Imbezelled and Filched away;

VI. It is by like authority enacted, That the ſaid principal Officers and Commiſſioners, or any two or more of them, by Warrant under their Hands and Seals have power in like manner to enquire and ſearch for the ſame in all places, as Juſtices of the Peace may do in caſe of Felony, and puniſh the Offenders by ſuch Fine and Impriſonment as aforeſaid, and cauſe the Goods to be brought in again: (2) And if the Offence be of ſuch nature as doth require a higher and ſeverer puniſhment, then that they, or any two or more of them may commit ſuch Offenders to the next Gaol, or to the cuſtody of their Meſſenger or Meſſengers aforeſaid, till he or they ſo offending enter into Recognizance with Surety or Sureties according to the nature of the offence, to appear and anſwer to the ſame, in his Majeſties Court of Exchequer, or other Court where his Majeſty ſhall queſtion him or them for the ſame within one year following, on proceſs duly ſerved for that purpoſe on ſuch Offender or Offenders.

VII. And it is declared and enacted by the authority aforeſaid, That they the ſaid principal Officers and Commiſſioners, or any two or more of them, may put in uſe the ſaid powers on the Offenders as aforeſaid, in all places where they hold an Office for his Majeſty, as well within Liberties as without; Any Law, Statute, Ordinance, Charter, or Priviledge to the contrary notwithſtanding. (2) This Act to continue for two years, from the Firſt day of June, One thouſand ſix hundred ſixty and four: And from thence to the end of the next Seſſion of Parliament.

The continuance of this Act.
19 Car. 2. c. 7.

CAP. VI.

An Act to prevent the delivering up of Merchants Ships.

22 & 23 Car. 2. cap. 11.

Whereas it often happeneth that Maſters and Commanders of Merchants Ships do ſuffer their Ships to be Boarded, and the Goods to be taken out by Pirates and Sea-Rovers, notwithſtanding they have ſufficient Force to defend themſelves, whereby not only the Merchants are much prejudiced, but the Honour of the Engliſh Navigation is thereby much diminiſhed, and Merchants diſcouraged from lading their Goods on Board Engliſh Ships, to the decay of Shipping; In the preſervation whereof, the Wealth, Honour and Safety of this City is ſo mucy concerned: (2) To which the Maſters are encouraged by a practice uſed toward them by the Turks and others, who after they have taken out the Goods, as an encouragement to Maſters of Ships to yield, do not only reſtore the Ship, with ſuch Goods as are claimed by the Maſters or Seamen, but many times pay unto Maſters all, or ſome part of the Freight, which hath many times cauſed ſuſpicion of Treachery in the ſaid Maſters, to the great Diſhonour of the Engliſh Nation:

English Ships not to be yielded up to Turks or Pyrates. The penalty.

II. For the prevention thereof for the future, and for the better encouragement to Merchants, as wel! Foreigners as Engliſh, to Freight and uſe Engliſh Ships, (2) Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by authority of the ſame, That where any Goods or Merchandizes ſhall be laden on Board any Engliſh Ship, which Ship ſhall be of the burthen of Two hundred Tuns or upward, and mounted with ſixteen Guns or more; if the Maſter or Commander ſhall yield up the ſaid Goods to any Turkiſh Ships or Veſſels, or to any Pyrates or Sea-Rovers whatſoever without Fighting, That then and in ſuch caſe the Maſter ſhall (upon proof thereof made in the High Court of Admiralty) be from thenceforth incapable of taking charge of any Engliſh Ship or Veſſel as Maſter or Commander thereof: (3) And if he ſhall at any time thereafter preſume to take upon him to Command any Engliſh Ship or Veſſel, he ſhall ſuffer Impriſonment by Warrant from the ſaid Court, during the ſpace of Six months for every offence: (4) And in caſe the perſons ſo taking the ſaid Goods, ſhall releaſe, give back, or let paſs the Ship, or ſhall pay unto the ſaid Maſter any ſum or ſums of money, or any Goods in lieu of money or Freight, or other reward or gift, That in all or any ſuch caſes the ſaid goods or money ſo given, or the value thereof, as alſo the Maſters part of ſuch Ship, her Tackle, Apparel and Furniture ſo releaſed, given back, or let paſs, out of which the ſaid goods were taken, ſhall be liable to repair the perſons whoſe goods were ſo delivered or taken, by Action in the high Court of Admiralty, (5) and in caſe the Commanders or Maſters part of the Ship, Tackle, Apparel and Furniture, together with ſuch money and goods as aforeſaid, ſhall not be ſufficient to repair all the damages ſuſtained, then the Reparations to be recovered on the Maſters or Commanders part of the Ship, to be divided pro Rata amongſt the perſons proſecuting and proving their damages, and the perſons damaged to have their Action againſt the Maſter for the remainder.

Maſters of Ships.

III. And be it further enacted by the authority aforeſaid, That no Maſter of any ſuch Engliſh Ship as aforeſaid, being at Sea, and having diſcovered any Ship to be a Turkiſh Ship, Pyrat, or Sea-Rover, ſhall depart out of his Ship upon any pretence whatſoever, leſt by his detention on Board any ſuch Ship, the ſafety of his own Ship be hazarded.

Proceſs out of the Court of Admiralty.

IV. And be it further enacted, That if the Maſter of any Engliſh Ship or Veſſel, though not the Burthen of two hundred Tuns, or mounted with Sixteen Guns as aforeſaid, ſhall yield his ſaid Ship unto any Turkiſh Ship, Pyrat, or Sea-Rover (not having at the leaſt double his number of Guns) without Fighting; every ſuch Maſter ſhall be liable to all and every the penalties in this Act contained.

V. And be it further enacted by the authority aforeſaid, That upon Proceſs made out of the High Court of Admiralty, It ſhall and may be lawful to and for all Commanders of his Majeſties Ships of War, or the Commanders of any other Engliſh Ships, to ſeize ſuch Ships or Maſters ſo offending, according to the ſaid Proceſs in ſuch caſe to be iſſued, and the ſame to bring or ſend in cuſtody into any Ports of his Majeſties Dominions, there to be proceeded againſt according to the intent and meaning of this Act.

VI. Provided, That none be hereby encouraged to violate the Rights of the Ports of any Foreign Prince or State in amity with the Kings Majeſty.

Mariners or inferiour Officers declining to fight.

The penalty.

VII. And be it further enacted by the authority aforeſaid, That if the Merchants or inferior Officers of any Engliſh Ship laden with Goods and Merchandizes as aforeſaid, ſhall decline or refuſe to Fight and defend the Ship, when they ſhall be thereunto commanded by the Maſter or Commander thereof, or ſhall utter any words to diſcourage the other Mariners from defending the Ship; That every Mariner who ſhall be found guilty of declining or refuſing as aforeſaid, ſhall loſe all his Wages due to him, together with ſuch goods as he hath in the Ship, and ſuffer impriſonment, not exceeding the ſpace of ſix months, and ſhall during ſuch time be kept to hard labour for his or their maintenance.

VIII. Provided always, That if any Ship ſhall have been yielded as aforeſaid, contrary to the will and endeavour of the Maſter or Commander, by the diſobedience of his Mariners, teſtified by their having laid violent hands on him, That in ſuch caſe the Maſter or Commander ſhall not be liable to the ſentence of Incapacity as aforeſaid, nor to any action for the loſſes ſuſtained by the Merchants, unleſs he ſhall have received back from the takers thereof, his Ship, or ſome recompence, Gift or Reward as aforeſaid.

IX. And be it further enacted by the authority aforeſaid, That every Mariner, who ſhall have laid violent hands on his Commander, whereby to hinder him from fighting in defence of his Ship and Goods committed to his truſt, ſhall ſuffer death as a Felon.

Encouragement to Captains and Seamen to defend their Ships.

X. And for the better encouragement to Captains, Maſters, Officers and Seamen to defend their Ships; (2) Be it enacted by the authority aforeſaid, That when any Engliſh Ship ſhall have been defended by fight, and brought to her deſigned Port, in which fight any of the Officers or Seamen ſhall have been wounded, it ſhall and may be lawful to and for the Judge of his Majeſties High Court of Admiralty, or his Surrogate, or the Judge of the Vice-Admiralty within which the Ship ſhall arrive at her return, upon Petition of the Maſter or Seamen of ſuch Ship ſo defended as aforeſaid, to call unto him ſuch and ſo many as he ſhall be informed to be Adventurers or Owners of the Ship and Goods ſo defended, and by advice with them, to raiſe and levy upon the reſpective Owners and Adventurers, by Proceſs out of the ſaid Court, ſuch ſum or ſums of money as himſelf, with the major part of the Adventurers or Owners then preſent ſhall judge reaſonable, not exceeding the value of Two per Cent. of the Ship and Goods ſo defended, according to the firſt coſt of the Goods, to be made appear by the Envoice (which the Owner or his Factor or Correſpondent, is hereby required to produce) or by Oath of the ſaid Owner, Factor or Correſpondent, if thereunto required; (3) which money ſo raiſed, ſhall be paid unto the Regiſter of the ſaid Court, who ſhall receive for the ſame Three pence in each pound and no more, thence to be diſtributed amongſt the Captain, Maſter, Officers and Seamen of the ſaid Ship, or Widows and Children of the ſlain, according to the direction of the Judge of the ſaid Court, with the approbation of three or more of the Owners or Adventurers aforeſaid, who ſhall proportion the ſame according to their beſt Judgments unto the Ships Company as aforeſaid, having eſpecial regard unto the Widows and Children of ſuch as ſhall have been ſlain in that Service, and to ſuch as ſhall have been wounded or maimed.

Ships which ſhall be taken by the Engliſh.

XI. And in caſe the Company belonging to any Engliſh Merchant-ſhip ſhall happen to take any Ship, which Ship ſhall firſt have aſſaulted them, the reſpective Officers and Mariners belonging to the ſame, ſhall after Condemnation of ſuch Ship and Goods, have and receive to their own proper uſe and benefit, ſuch part and ſhare thereof as is uſually practiſed in Private Men of War.

Botomary.

XII. And whereas it often happeneth, That the Maſters and Mariners of Ships having inſured or taken upon Botomary greater ſums of money than the value of their Adventure, do wilfully caſt away, burn, or otherwiſe deſtroy the Ships under their charge, to Merchants and Owners great loſs: (2) For the prevention thereof for the future, Be it enacted by the authority aforeſaid, That if any Captain, Maſter, Mariner, or other Officer belonging to any Ship, ſhall wilfully caſt away, burn, or otherwiſe deſtroy the Ship unto the which he belongeth, or procure the ſame to be done, he ſhall ſuffer death as a Felon.

XIII. Pro-

The continuance of this Act.

XIII. Provided, That this Act ſhall continue for three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. VII.

An Act againſt deceitful, diſorderly, and exceſſive Gaming.

The inconvenience of immoderate and unlawful uſe of Gaming.

WHereas all lawful Games and Exerciſes ſhould not be otherwiſe uſed than as innocent and moderate Recreations, and not as conſtant Trades or Callings to gain a Living, or make unlawful advantage thereby; (2) And whereas by the immoderate uſe of them, many miſchiefs and inconveniences do ariſe, and are daily found, to the maintaining and encouraging of ſundry idle, looſe and diſorderly perſons in their diſhoneſt, lewd, and diſſolute courſe of life, and to the circumventing, deceiving, couſening and debauching of many of the younger ſort, both of the Nobility and Gentry, and others, to the loſs of their precious time, and the utter ruine of their Eſtates and Fortunes, and withdrawing them from Noble and laudable Employments and Exerciſes:

Deceits and Couſenages in Gaming.

The penalty.

How to be ſued for and recovered.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons of any degree or quality whatſoever, at any time or times after the Nine and twentieth day of September, which ſhall be in the year of our Lord God One thouſand ſix hundred ſixty and four, do, or ſhall by any fraud, ſhift, couſenage, circumvention, deceit, or unlawful device, or ill practice whatſoever, in playing at or with Cards, Dice, Tables, Tennis, Bowls, Kittles, Shovel-board; or in or by Cock-fightings, Horſe-races, Dog-matches, or Foot-races, or other Paſtimes, Game or Games whatſoever, or in, or by betting a ſhare, or part in the Stakes, Wagers, or Adventures, or in, or by betting on the ſides or hands of ſuch as do, or ſhall Play, Act, Ride or Run as aforeſaid, win, obtain, or acquire to him or themſelves, or to any other or others, any ſum or ſums of money, or other valuable thing or things whatſoever, That then every perſon and perſons ſo offending as aforeſaid, ſhall *ipſo facto* forfeit and loſe treble the ſum or value of money, or other thing or things ſo won, gained, obtained or acquired; the one moiety thereof to our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety thereof unto the perſon or perſons grieved, or who ſhall loſe the money, or other thing or things ſo gained; ſo as every ſuch loſer and perſon grieved in that behalf, do, or ſhall proſecute and ſue for the ſame within ſix Kalendar months next after ſuch Play: (3) And in default of ſuch proſecution, the ſaid other moiety to ſuch perſon or perſons as ſhall or will proſecute or ſue for the ſame within one year next after the ſaid ſix months expired: (4) And that the ſaid Forfeitures ſhall or may be ſued for or recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (5) And that all and every ſuch Plaintiff or Plaintiffs, Informer or Informers, ſhall in every ſuch Suit and Proſecution have and recover his and their treble Coſts againſt the perſon offending and forfeiting as aforeſaid; Any Law, Statute, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Prevention of exceſſive and immoderate Gaming.

The penalty.

III. And for the better avoiding and preventing of all exceſſive and immoderate Playing and Gaming for the time to come; (2) Be it further ordained and enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time or times after the Nine and twentieth day of September aforeſaid, play at any the ſaid Games, or any other Paſtime, Game or Games whatſoever (other than with or for ready money) or ſhall Bett on the Sides or Hands of ſuch as do, or ſhall play thereat, and ſhall loſe any ſum or ſums of money, or other thing or things ſo played for, exceeding the ſum of One hundred pounds at any one time or meeting, upon Ticket or Credit, or otherwiſe, and ſhall not pay down the ſame at the time when he or they ſhall ſo loſe the ſame, The party or parties who loſeth or ſhall loſe the ſaid moneys, or other thing or things ſo played or to be played for, above the ſaid ſum of one hundred pounds, ſhall not in that caſe be bound or compelled, or compellable to pay or make good the ſame; (3) but the Contract and Contracts for the ſame, and for every part thereof, and all and ſingular Judgments, Statutes, Recognizances, Mortgages, Conveyances, Aſſurances, Bonds, Bills, Specialties, Promiſes, Covenants, Agreements and other Acts, Deeds and Securities whatſoever, which ſhall be obtained, made, given, acknowledged or entred into for ſecurity or ſatisfaction, of, or for the ſame, or any part thereof, ſhall be utterly void and of none effect: (4) And that the perſon or perſons ſo winning the ſaid moneys, or other things, ſhall forfeit and loſe treble the value of all ſuch ſum and ſums of money, or other thing and things which he ſhall ſo win, gain, obtain or acquire, above the ſaid ſum of One hundred pounds, (5) the one moiety thereof to our ſaid Sovereign Lord the King, his Heirs and Succeſſors; and the other moiety thereof to ſuch perſon or perſons as ſhall proſecute or ſue for the ſame within one year next after the time of ſuch offence committed; (6) and to be ſued for by Action of Debt, Bill, Plaint, or Information in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. (7) And that every ſuch Plaintiff or Plaintiffs, Informer or Informers, ſhall in every ſuch Suit and Proſecution, have and receive his treble Coſts againſt the perſon and perſons offending and forfeiting as aforeſaid; Any Law, Cuſtom or Uſage to the contrary notwithſtanding.

CAP. VIII.

An Act for continuance of a former Act for Regulating the Preſs.

14 Car. 2. c. 33.

BE it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That an Act made in the fourteenth year of the Reign of our Sovereign Lord the King that now is, entituled, An Act for preventing the frequent Abuſes in Printing Seditious, Treaſonable, and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing-Preſſes, ſhall be continued and remain in full force until the end of the next Seſſion of Parliament. 16 & 17 Car. 2. c. 7. EXP.

Anno decimo ſexto & ſeptimo Caroli ſecundi Regis.

AT the Seſſions of Parliament begun the Eighth of May 1661, held at Weſtminſter the Twenty fourth of November 16 Car. 2. and there continued to the Second day of March 1664. Anno 17 Car. 2.

CAP. I.

An Act for granting a Royal Aid unto the Kings Majeſty, of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred Pounds, to be Raiſed, Levied and Paid in the ſpace of three years. EXP.

CAP. II.

An Act for Regulating the Meaſures and Prices of Coals.

Deceits and Exactions in ſelling of Coals.

Sea-coal meaſure.

Coals from Scotland.

FOr avoiding the many deceits, exactions and abuſes uſed in the Meaſures and Sales of Coals, and for preventing the like, and the better Regulation thereof for the time to come; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the ſixth day of March, in the year of our Lord One thouſand ſix hundred ſixty four, all ſorts of Coal, commonly called Sea-Coals, brought into the River of Thames, and ſold, ſhall be ſold by the Chaldron, containing thirty ſix Buſhels heaped up, and according to the Buſhel Sealed for that purpoſe at Guild-Hall in London, and ſo for a greater or leſſer quantity; (3) And that all other ſorts of Coals coming from Scotland and other places, commonly ſold by Weight, and not by Meaſure, ſhall be ſold by Weight after the proportion of an hundred and twelve pound to the hundred, of Aver du pois weight, without any fallacy or deceit, (2) upon pain of forfeiture of all the Coals which ſhall be otherwiſe ſold or expoſed to ſale by any Woodmonger or Retailer of Coals, and the double value thereof to be recovered by any perſon or perſons that will proſecute for the ſame in any Court of Record, or by way of Complaint made unto the Lord Mayor of London for the time being, and Juſtices of Peace within the City of London and Liberties thereof, or to any two of them, or to the Juſtices of Peace of the ſeveral and reſpective Counties and places where ſuch Coals ſhall be expoſed to ſale, or any of them, who are hereby impowred and required to call the parties before them, and to hear and examine ſuch Complaint upon Oath, which by virtue of this Act is to be adminiſtred by them, or any two of them, and upon due proof thereof made to their ſatisfaction, to convict the Offenders, and to give Warrant under their Hands and Seals for levying the Forfeitures accordingly; (5) the one half thereof to be to and for the uſe of the perſon or perſons ſo proſecuting or complaining, and the other half to and for the uſe of the Poor, or repairing of the High-ways within the ſame Pariſh, or any other adjoyning Pariſh or Pariſhes, to be appointed and apportioned by the direction of the ſaid Lord Mayor and Juſtices, by ſuch their Warrant as aforeſaid: (6) And the ſaid Lord Mayor of London, and the Court of Aldermen for the time being, and the Juſtices of Peace of the ſeveral Counties reſpectively, or any three or more of them, whereof one to be of the Quorum, are hereby impowred to ſet the Rates and Prices of all ſuch Coals as ſhall be ſold by Retail, as they from time to time ſhall judge reaſonable, allowing a competent profit to the ſaid Retailer, beyond the Price paid by him to the Importer, and the ordinary charges thereupon accruing.

Who may ſet Rates upon Coals in London.

Ingroſſers or Retailers refuſing to ſell at the ſaid Rates

II. And that if any Ingroſſer or Retailer of ſuch Coals ſhall refuſe to ſell as aforeſaid, That then the ſaid Lord Mayor and Aldermen, and Juſtices of Peace reſpectively, are hereby authorized to appoint and impower ſuch Officer or Officers, or other perſons as they ſhall think fit, to enter into any Wharf, or other place where ſuch Coals are ſtored up; (2) And in caſe of refuſal, taking a Conſtable to force entrance, and the ſaid Coals to ſell, or cauſe to be ſold at ſuch Rates as the ſaid Lord Mayor and Aldermen and Juſtices reſpectively, ſhall judge reaſonable, rendring to ſuch Ingroſſer or Retailer the Money for which the ſaid Coals ſhall be ſo ſold, neceſſary Charges being deducted.

The continuance of this Act.

III. Provided that this Act ſhall continue for three years next enſuing, and thenceforth to the end of the next Seſſion of Parliament, and no longer.

Perſons ſued upon this Act may plead the General Iſſue.

IV. Provided alſo, That no perſon or perſons that ſhall be ſued by virtue of this Act for not obſerving thereof, ſhall be ſued upon any other Act or Law now in force for the ſame offence: (2) And if any Action ſhall be commenced againſt any Juſtice of Peace, Conſtable, or other Officer or perſon, for any thing done by colour of this Act, the Defendant in every ſuch Action may plead the General Iſſue, and give the ſpecial matter in Evidence: (3) And if the Verdict be found for him, or the Plaintiff become Nonſuited, ſhall recover and have his Damages and double Coſts of Suit for his unjuſt vexation in that behalf.

Who may not act in ſetting Rates upon Coals.

V. Provided always, That no perſon having any Intereſt in any Wharf uſed for the receiving or uttering of Coals, or that doth, or ſhall Trade by himſelf or others, in his own, or any other Name, in the ſale of any Coals, or the engroſſing the ſame, in order to ſell the ſame, and not for his own private uſe only, ſhall act or otherwiſe intermeddle in the ſetting the Price of Coals; Any thing in this Act to the contrary in any wiſe notwithſtanding.

CAP. III.

An Act for the returning of able and ſufficient Jurors.

Jurors for Trials of Iſſues ſhall have 20 l. per annum **Free-hold.**

FOr the returning of more able and ſufficient Jurors for Trials hereafter to be had between party and party, and for reformation of abuſes in Sheriffs and other Miniſters, who for reward do oftentimes ſpare the ableſt and ſufficienteſt, and return the poorer and ſimpler Free-holders, leſs able to diſcern the Cauſes in queſtion, and to bear the charges of appearance and attendance thereon;

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Jurors (other than Strangers, upon Trials per medietatem linguæ) who are to be returned for the Trials of Iſſues joyned in any of the Kings Majeſties Courts of Kings-Bench, Common-Pleas, or the Exchequer, or before

Juſtices of Aſſiſe, or Niſi prius, Oyer and Terminer, Gaol-delivery, or General or Quarter Seſſions of the Peace, from and after the twentieth day of April, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty five, in any County of this Realm of England, ſhall every of them then have in their own name, or in truſt for them within the ſame County, Twenty pounds by the year at leaſt above Repriſes, in their own or their Wives right, of Free-hold Lands, or of ancient Demeſne, or of Rents in Fee, Fee-tail, or for Life: (2) And that in every County within the Dominion of Wales, every ſuch Juror ſhall then have within the ſame Eight pounds by the year at the leaſt, above Repriſes in manner aforeſaid: (3) All which perſons, having ſuch Eſtate as aforeſaid, are hereby enabled and made liable to be returned, and to ſerve as Jurors for the Trial of Iſſues before the Juſtices aforeſaid; Any Law or Statute to the contrary in any wiſe notwithſtanding: (4) And if any of a leſſer Eſtate and value ſhall be reſpectively returned upon any ſuch Jury, or Tales, in default of ſuch Jurors, it ſhall be a good cauſe of challenge, and the party returned ſhall be diſcharged upon the ſaid challenge, or his own Allegation and Oath thereof: (5) And that no Jury-mans Iſſues making default ſhall be ſaved, but by ſpecial Order of the Judge or Judges before whom the Iſſue is to be Tried, for ſome juſt and reaſonable cauſe proved upon Oath before the ſame Judge or Judges; And all ſuch Iſſues ſhall be duly Eſtreated and Levied: (6) And that the Writ of Venire facias which from and after the aforeſaid time ſhall be awarded and directed for the impanelling of Juries in caſes aforeſaid within any County of England, ſhall be in this form, Rex, &c. Præcipimus, &c. quod venire fac' coram, &c. duodecem liberos & legales homines de vicineto de A. Quorum quilibet habeat viginti libras terræ, tenementorum vel reddit' per annum ad minus, per quos, &c. & qui nec, &c. And the reſidue of the ſaid Writ ſhall be after the ancient manner: (7) And that thoſe Writs which ſhall be awarded and directed for returning of Juries within the Dominion of Wales, ſhall be made in the ſame manner, altering only the word Viginti into Octo. (8) And that upon every ſuch Writ or Writs of Venire facias, the Sheriff, Coroner, or other Miniſters of each reſpective County in England and Wales, unto whom the making the Pannel ſhall appertain, ſhall not return in any ſuch Pannel any perſon, unleſs he ſhall have then Twenty pounds, or Eight pounds reſpectively by the year at leaſt, as aforeſaid, in the ſame County where the Iſſue is to be Tried, (9) upon pain to forfeit for every perſon being returned in any ſuch Pannel that ſhall not then have Twenty pounds, or Eight pounds reſpectively, as is aforeſaid, the ſum of Five pounds to his Majeſty, his Heirs and Succeſſors: (10) And for the better enabling the Sheriff of every County to know the value of the Eſtates of ſuch perſons as are by the true intent and meaning of this Act to be returned for Jury-men;

Iſſues of Jurors upon default.

The Ven. fac.

Wales.

Penalty upon the Sheriff, &c.

III. Be it further enacted, That every Sheriff ſhall on the firſt day of every General Quarter Seſſions yearly held next after the Feaſt at Eaſter, deliver, or cauſe to be delivered unto the Juſtices of Peace ſitting at the ſame Seſſions, the Names of all perſons of ſuch Eſtates as are by the true meaning of this Act to be returned for Jury-men, to the end the Eſtates of ſuch perſons may be enquired after, and ſuch perſons approved of by the ſaid Juſtices of Peace, or the greater number of them then preſent, to be perſons of ſuch Eſtates to be returnable for Jury-men for the year then next enſuing: (2) And the ſaid Juſtices ſhall have power to add ſuch perſons having Eſtates of the reſpective values before mentioned, as they ſhall find to be omitted by the Sheriff amongſt the Names by him delivered; and ſuch a competent number, and no more of ſuch perſons as aforeſaid, ſhall be returnable to ſerve of Juries for the year next enſuing, as the ſaid Juſtices, or the greater number of them as aforeſaid ſhall think fit: And that no Sheriff ſhall incur the penalty aforeſaid, for returning any of the perſons ſo approved or added by the Juſtices, in caſe his Eſtate fall out to be of leſs value than aforeſaid.

How the Sheriff ſhall find out perſons fit to be returned for Jury-men.

IV. And it is further enacted, That no Sheriff or Bayliff of any Liberty or Franchiſe, or any of their, or either of their Miniſters ſhall return any ſuch perſon or perſons as aforeſaid, to have been ſummoned by them, or any of them, unleſs ſuch perſon or perſons ſhall have been duly ſummoned by the ſpace of ſix days at the leaſt before the day on which they ought to make their appearance, and have left with or for ſuch perſons in writing the Names of all the parties in thoſe Cauſes wherein they are to ſerve as Jurors; (2) Nor ſhall directly or indirectly take any Money or other Reward to excuſe the appearance of any Juror by them, or any of them to be ſummoned or returned, upon pain to forfeit for every ſuch offence the ſum of Ten pounds: Saving to all Cities and Towns Corporate their ancient Uſage of returning Jurors of ſuch Eſtate, and in ſuch manner as heretofore hath been uſed or accuſtomed.

What time Summons ought to be before Appearance.

Nothing may be taken to excuſe Appearance.

The penalty.

V. And be it further enacted by the authority aforeſaid, That from henceforth upon Writs of Venire facias iſſued out and returned within the County Palatine of Lancaſter, as of the ſame Aſſizes wherein the Iſſues are ſaid to be joyned, Writs of Habeas Corpora or Diſtringas ſhall be iſſued out, like as is uſed in all other Counties within this Kingdom returnable at the then next Aſſizes: and the Sheriff thereupon to return ſuch Iſſues as is or ought to be done by the ſaid Sheriffs of the ſaid other Counties, and thoſe Iſſues to be duly Eſtreated as above is provided.

County Palatine of Lancaſter.

VI. And the better to cauſe and bring Jurors to appear upon Trials at Aſſizes within the ſaid County Palatine of Lancaſter, (2) Be it further enacted by the authority aforeſaid, That the Sheriff of the ſaid County Palatine of Lancaſter for the time being, ſhall from henceforth cauſe Twelve good and lawful men, ſo qualified, as before in this Act is appointed, out of every of the ſix Hundreds within the ſaid County Palatine, to be duly ſummoned or warned Ten days at the leaſt before the beginning of every Aſſizes, to be and appear the firſt day of the then next Aſſiſes, and there to attend during the ſame Aſſizes, to perform their duty and ſervice to the Court as Jurors or Jury-men in ſuch cauſes between party and party, wherein they ſhall be reſpectively returned and impannelled, (3) upon pain that every of them that ſhall make default to appear and attend at, and during the ſaid Aſſizes, to forfeit Ten pounds to the uſe and behoof of the Poor of the Town where ſuch perſon or perſons ſo making default doth inhabit and live; the ſame to be levied, recovered and had, in ſuch manner and ways as other Iſſues of Jurors uſe to be levied.

The continuance of this Act.

VII. Provided, That this Act ſhall continue and ſtand in force for the ſpace of three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. IV.

An Additional Act for the better Ordering and Collecting the Duty of Exciſe.

Powers given to Farmers of Exciſe.

12 Car. 2. c. 24. 15 Car. 2. c. 11, and c. 12.

For the better Ordering and Collecting the Duty of Exciſe, Be it enacted and declared by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the eighth day of November, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty and five, all Farmers of Exciſe, or any of them, within the ſeveral Circuits and Diviſions of their reſpective Farms, ſhall and are enabled hereby to exerciſe and put in execution all ſuch Powers and Authorities which the Commiſſioners or Sub-Commiſſioners of Exciſe are enabled to do and execute by the ſeveral Acts and Statutes of Exciſe, for the levying, raiſing, receiving and managing of the ſaid Revenue of Exciſe; Except the Judicial part of hearing and determining all breaches and offences againſt the Laws of Exciſe, and of impoſing, mitigating or compounding of Fines or Penalties.

CAP. V.

An Act to prevent delays in extending Statutes, Judgments, and Recognizances.

Security by Statute-Merchant and of the Staple.

Executions avoided by Audita Querela M. 9 H. 6. 46. in Error, Br. 9.

Whereas the Security by Statute-Merchant and of the Staple is now become of little uſe and benefit by the fraud of the Conuſors thereof in ſundry Caſes, who, to prevent the payment of their Debts, ſecretly Aſſign ſmall parts of their Lands to ſeveral and unknown perſons: (2) And it having been uſed, that if the Creditor take Execution on ſuch Statute, yet if the Lands of any one or more perſon or perſons to whom ſuch alienation was made, and liable to ſuch Execution, be omitted out of ſuch extent: The ſame Execution hath been avoided by Audita Querela, and the party extending loſt his Coſts, and was delayed of his juſt Debt; and ſo again upon any new extent toties quoties; (3) And if any one Acre or parcel of Land happened to deſcend to an Infant, the whole Execution was deferred till full age of ſuch Infant: And if afterwards other part of the Lands or Tenements liable to ſuch Debt deſcended to another Infant, then alſo farther delay happened during that Infancy alſo:

For what cauſes Extents upon Judgments or Statutes, ſhall not be avoided or delayed.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That when any Judgment, Statute or Recognizance ſhall be extended, the ſame ſhall not be avoided or delayed by occaſion that any part of the Lands or Tenements extendible are or ſhall be omitted out of ſuch extent; (2) ſaving always to the party and parties whoſe Lands ſhall be extended, his and their Heirs, Executors and Aſſigns, his and their remedy for contribution againſt ſuch perſon and perſons, whoſe Lands are or ſhall be omitted out of ſuch extent from time to time.

Proviſo for Heirs within age.

III. Provided always, That this Act, or any thing therein contained, ſhall not be conſtrued to give any extent or contribution againſt any Heir within the age of One and twenty years, during ſuch minority of ſuch Heir, for or in reſpect of any Lands to ſuch Heir deſcended, farther or otherwiſe than might have been before the making of this Act.

To what Statutes and Extents only this Act ſhall extend

IV. Provided that this Act extend only to ſuch Statutes as are or ſhall be for payment of moneys; And to ſuch extent as ſhall be within twenty years after the Statute, Recognizance or Judgment had and obtained.

The continuance of this Act.

V. Provided that this Act ſhall continue for the ſpace of three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. VI.

An Act for Repealing of an Act of Parliament, Entituled, An Act directing the proſecution of ſuch as are accomptable for Prize-Goods.

14 Car. 2. c. 14. Directions for recovery of Prize-Goods not accompted for.

Whereas by an Act made in this preſent Parliament, entituled, An Act directing the proſecution of ſuch as are accomptable for Prize-Goods, It is amongſt other things enacted, That all and every Admirals, Vice-Admirals, Captains of Ships, Officers and Mariners that did ſurprize, or receive to, or for the publick uſe, or by pretence thereof, any Ship, Plate, Jewels, Bullion, Money, Silver, Gold, Arms, Ammunition, Wares, Merchandizes, or any manner of Goods whatſoever, ſeized or taken for Prize, betwixt the thirtieth of January One thouſand ſix hundred forty two, and the Nine and twentieth of May One thouſand ſix hundred ſixty; and that he had not at the making of the ſaid Act truly accompted for and paid in the ſame, or the juſt Provenues thereof, ſhould be chargeable to his Majeſty for the ſaid Premiſſes, and convened and ſued for in his Majeſties Court of Admiralty, and called to accompt, or otherwiſe by ſuch Suit, and in ſuch manner as ſhould be moſt available to his Majeſty; (2) and in caſe of defect of Juriſdiction in the ſaid Court of Admiralty, then upon Certificate thereof from the ſaid Court of Admiralty made into his Majeſties Court of Exchequer, ſpeedy proceedings were to be had in the ſaid Court of Exchequer, for the recovering and levying of the Prizes, Goods, Matters and Things, as by the ſaid Act, relation being thereunto had, more plainly, fully, and at large appears: (3) Whereupon divers Captains and Officers of his Majeſties Fleets, and ſeveral others the Commanders, Officers and Mariners, employed in the Sea-ſervice, have been ſued, or may poſſibly be ſued concerning the ſeveral Prizes and Prize-goods by them heretofore ſeized and taken at Sea or in Ports, ſince the month of January One thouſand ſix hundred forty two, and before the Twenty ninth of May One thouſand ſix hundred ſixty, contrary to the grace and favour extended towards them, not only in and by his Majeſties moſt gracious Act of Free and General Pardon, Indempnity and Oblivion, but alſo by a Proclamation ſince made by his Majeſty, bearing date the fourteenth day of July One thouſand ſix hundred ſixty two, in the fourteenth year of his Majeſties Reign, Declaring his Majeſties Grace and Favour towards all Commanders and Sea-men, in relation to Prizes and Price-Goods, ſeized and taken ſince the month of January One thouſand ſix hundred forty two, until the nine and twentieth of May One thouſand ſix hundred ſixty: (4) His Majeſty thereupon willing that his Grace and Favour towards all Admirals, Vice-Admirals, Commanders, Seamen and Mariners ſhould take its full effect; and being fully ſatisfied of their dutiful affections unto his Majeſties Royal Perſon and Government; and for their future encouragement to perſevere loyally in his Majeſties Service, is moſt graciouſly pleaſed that it may be enacted:

14 Car. 2. c. 14. Repealed as to all Admirals, Officers, Mariners and Souldiers at Sea.

II. And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, entituled, An Act for directing the proſecution of ſuch as are accomptable for Prize-Goods, and all and every Branches, Clauſes, Powers and Articles, and every matter and thing therein contained, for ſo much only, and as for and concerning all and every Admirals, Vice-Admirals, Captains of Ships, Officers of Ships or Veſſels, Seamen and Mariners, and every of them, ſhall be, and is hereby from henceforth repealed, annulled and made void and of no effect, to all intents and purpoſes whatſoever: (2) And that all and ſingular Proceſs and proceedings whatſoever, which before this time have been, now are, or may be at any time hereafter had, ſued forth and proſecuted in any of his Majeſties Courts at Weſtminſter, or in the High Court of Admiralty of England, or elſewhere within any his Majeſties Dominions, againſt any Admirals, Vice-Admirals, Captains of Ships, Officers of Ships or Veſſels, Seamen and Mariners, or any of them by force and virtue of the ſaid Act, or any Article or Clauſe therein contained, be forthwith and for ever hereafter ſuperſeded, ſurceaſed, ſtayed and diſcharged; (3) And that none of the ſaid Admirals, Vice-Admirals, Captains or Officers of Ships or Veſſels, Seamen or Mariners, ſhall from henceforth by virtue, force or colour of any Proceſs or proceedings whatſoever in any of his Majeſties ſaid Courts, or elſewhere, be in any wiſe arreſted, diſquieted, queſtioned or troubled, either in their perſons, lands or goods, for or by reaſon of the ſaid Act, or any thing therein contained; (4) But that all and every the ſaid Admirals, Vice-Admirals, Captains and Officers of Ships or Veſſels, and all Seamen and Mariners, and every of them, ſhall by virtue of this Act ſtand and be for ever diſcharged and acquitted in all Courts and places, and of and from all Suits and Proceedings whatſoever ſued or begun, or to be ſued or begun againſt them, or any of them, for any manner of Prizes, Ships or Goods whatſoever by them, or any of them ſeized, ſurprized, or any ways taken, betwixt the ſaid thirtieth of January One thouſand ſix hundred forty two, and the nine and twentieth of May One thouſand ſix hundred ſixty; and of and from all Accompts Troubles, Articles and Suits whatſoever concerning the ſame: (5) And that this Act ſhall be taken and expounded in the moſt large and benefical manner for the ſaid Admirals, Vice-Admirals, Commanders, Captains and Officers of Ships and Veſſels, and Seamen and Mariners, and every of them, and for their beſt advantage, for the final, free and abſolute acquitting and diſcharging of them, and every of them, of and from all the ſaid Prizes, and every part thereof, and all Ships and Veſſels and Goods whatſoever, or of what nature or kind ſoever, by them or any of them ſeized, ſurprized, or in any ſort taken, betwixt the ſaid thirtieth day of January One thouſand ſix hundred forty two, and the ſaid nine and twentieth of May One thouſand ſix hundred ſixty.

The ſaid Act not repealed as to any Collectors, Treaſurers, &c. of ſuch Prize-Goods.

III. Provided always, and be it enacted, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to diſcharge any other perſons whatſoever, but only the ſaid Admirals, Vice-Admirals, Commanders, Captains of Ships, and Officers of Ships or Veſſels, and Seamen and Mariners; (2) but that all and every Collectors and Treaſurers, Sub-Collectors and Under-Treaſurers of Prize-Goods, Commiſſioners and Sub-Commiſſioners of Prize-Goods, and all and every their Caſheers, Deputies, Officers and Receivers, other than ſuch perſon or perſons who are diſcharged by the Act of Free and General Pardon, Indempnity and Oblivion, that have not yet truly accompted or paid in the Provenue of the Prizes, or Moneys ariſing thereout, ſeized or taken betwixt the ſaid thirtieth of January One thouſand ſix hundred forty two, and the ſaid nine and twentieth of May One thouſand ſix hundred ſixty, and all and every other perſon and perſons, by whom, or to whom, or to or for whoſe uſe any Prizes or Prize-Ships, Plate, Jewels, Arms, Ammunition, Wares, Merchandizes, or any manner of Goods whatſoever, ſeized or taken for Prize betwixt the ſaid thirtieth of January One thouſand ſix hundred forty two, and the ſaid nine and twentieth of May One thouſand ſix hundred ſixty, were diſpoſed or ſold, or to whoſe hands they came, and who had enjoyed the ſame, or any part thereof, and are ſtill behind, and have not paid in the Moneys contracted for, and ariſing, or due upon ſuch Sales or Diſpoſitions, or any of them; and all Securities by them and every of them given for, or touching the Premiſſes, or any thing concerning the ſaid Prizes, or any of them, ſhall be chargeable to your Majeſty for the ſaid Premiſſes, and all the Dependencies thereof reſpectively, in the ſaid Court of Admiralty or Exchequer, and ſhall be proceeded upon in the ſaid Court of Admiralty or Exchequer in your Majeſties Name, and to and for your Majeſties uſe according to the ſaid Act, directing the proſecution of ſuch as are accomptable for Prize-Goods, and as fully and entirely as if this Act had never been; Any thing in this preſent Act notwithſtanding.

CAP. VII.

An Act for continuance of a former Act for Regulating the Preſs.

14 Car.2 c.33. Books.

BE it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That an Act made in the fourteenth year of the Reign of our Sovereign Lord the King that now is, entituled, An Act for preventing Abuſes in Printing Seditious, Treaſonable and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing-Preſſes, ſhall be continued, and remain in force until the end of the next Seſſion of Parliament. Continued 17 Car.2.c 4. EXP.

CAP. VIII.

An Act to prevent Arreſts of Judgment, and ſuperſeding Executions.

WHereas great delay, trouble and vexation hath been, and ſtill is occaſioned to the people of this Realm, as well by Arreſting and Reverſing of Judgments, as by ſtaying Executions by Writs of Error and Superſedeas: (2) For remedy thereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Verdict of Twelve men ſhall be given in any Action, Suit, Bill or Demand to be commenced from and after the Five and twentieth day of March, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty and five, in any of his Majeſties Courts of Record at Weſtminſter, or in the Courts of Record in the Counties Palatine of Cheſter, Lancaſter, or Durham, or in his Majeſties Courts of the Great Seſſions in any of the twelve Shires of Wales, Judgment thereupon ſhall not be ſtayed or reverſed, for default in form, or lack of form, (3) or by reaſon that there are not pledges, or but one pledge to proſecute, returned upon the Original Writ, (4) or becauſe the Name of the Sheriff is not returned upon ſuch Original Writ, (5) or for default of entring pledges upon any Bill or Declaration, (6) or for default of alledging the bringing into Court of any Bond, Bill, Indenture, or other Deed whatſoever mentioned in the Declaration, or other pleading, (7) or for default of Allegation of bringing into Court of Letters Teſtamentary, or Letters of Adminiſtration, (8) or by reaſon of the omiſſion of Vi & armis, or Contra pacem, (9) or for or by reaſon of the miſtaking of the Chriſtian Name or Sirname of the Plaintiff or Defendant, Demandant or Tenant, ſum or ſums of money, day, month or year, by the Clerk in any Bill, Declaration or Pleading, where the right Name, Sirname, ſum, day, month or year in any Writ, Plaint, Roll, or Record preceding, or in the ſame Roll or Record where the miſtake is committed, is or are once truly and rightly alledged, whereunto the Plaintiff might have demurred and ſhewn the ſame for cauſe, (10) nor for want of the averment of Hoc paratus eſt verificare, (11) or for Hoc paratus eſt verificare per Recordum, (12) or for not alledging Prout patet per Recordum, (13) or for that there is no right Venue, ſo as the Cauſe were Tried by a Jury of the proper County or place where the Action is laid, (14) nor any Judgment after Verdict, Confeſſion by Cognovit Actionem, or Relicta verificatione, ſhall be reverſed for want of Miſericordia, or Capiatur, (15) or by reaſon that a Capiatur is entred for a Miſericordia, or a Miſericordia is entred where a Capiatur ought to have been entred, (16) nor for that Ideo conceſſum eſt per Curiam is entred for Ideo conſideratum eſt per Curiam, (17) nor for that the increaſe of Coſts after a Verdict in an Action, or upon a Nonſuit in Replevin are not entred to be at the requeſt of the party for whom the Judgment is given, (18) nor by reaſon that the Coſts in any Judgment whatſoever are not entred to be by conſent of the Plaintiff, (19) but that all ſuch omiſſions, variances, defects, and all other matters of like nature, not being againſt the right of the matter of the Suit, nor whereby the Iſſue or Trial are altered, ſhall be amended by the Juſtices or other Judges of the Courts where ſuch Judgments are or ſhall be given, or whereunto the Record is or ſhall be removed by Writ of Error.

In what Court and caſes Judgment after verdict ſhall not be ſtayed for default of form in pleading.

Proviſo for Appeals, Indictments, Actions upon penal Laws, other than for Cuſtoms and Subſidies.

II. Provided always, and be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, nor to any Indictment or Preſentment of Felony, Murder, Treaſon, or other matter, nor to any Proceſs upon any of them, (2) nor to any Writ, Bill, Action or Information upon any penal Statute, other than concerning Cuſtoms and Subſidies of Tunnage and Poundage; Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

In what caſes execution ſhall not be ſtayed by Writ of Error, but upon Recognizance entred according to 3 Jac.cap,8.

III. And be it further enacted by the authority aforeſaid, That from and after the twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty and four, no Execution ſhall be ſtayed in any of the aforeſaid Courts by Writ of Error or Superſedeas thereupon, after Verdict and Judgment thereupon, in any Action perſonal whatſoever, unleſs a Recognizance with Condition according to the Statute made in the third year of the Reign of our late Sovereign Lord King James, ſhall be firſt acknowledged in the Court where ſuch Judgment ſhall be given: (2) And further, That in Writs of Error to be brought upon any Judgment after Verdict in any Writ of Dower, or in any Action of Ejectione firmæ, no Execution ſhall be thereupon or thereby ſtayed, unleſs the Plaintiff or Plaintiffs in ſuch Writ of Error, ſhall be bound unto the Plaintiff in ſuch Writ of Dower, or Action of Ejectione firmæ, in ſuch reaſonable ſum as the Court to which ſuch Writ of Error ſhall be directed ſhall think fit, with Condition, That if the Judgment ſhall be affirmed in the ſaid Writ of Error, or that the ſaid Writ of Error be diſcontinued in default of the Plaintiff or Plaintiffs therein, or that the ſaid Plaintiff or Plaintiffs be Nonſuit in ſuch Writs of Error, that then the ſaid Plaintiff or Plaintiffs ſhall pay ſuch Coſts, Damages, and ſum and ſums of Money as ſhall be awarded upon or after ſuch Judgment affirmed, Diſcontinuance or Nonſuit had.

Proviſo touching Judgment in Dower and Ejectione firmæ.

IV. And to the end that the ſame ſum and ſums, and Damages may be aſcertained, It is further enacted, That the Court wherein ſuch Execution ought to be granted, upon ſuch Affirmation, Diſcontinuance, or Nonſuit, ſhall iſſue a Writ to enquire as well of the mean profits as of the damages by any Waſte committed after the firſt Judgment in Dower, or in Ejectione firmæ; and upon the return thereof Judgment ſhall be given, and Execution awarded for ſuch Meſne-profits, and damages, and alſo for Coſts of Suit.

V. Provided, That this Act, nor any thing therein contained, ſhall not extend to any Writ of Error to be brought by any Executor or Adminiſtrator, (2) nor unto any Action popular, nor unto any other Action which is, or hereafter ſhall be brought upon any penal Law or Statute (except Action of Debt for not ſetting forth of Tithes) (3) nor to any Indictment, Preſentment, Inquiſition, Information or Appeal; Any thing herein before expreſſed to the conthereof in any wiſe notwithſtanding.

To what Actions this Act ſhall not extend.

VI. Provided always, That this Act ſhall continue in force for three years, and to the end of the next Seſſion of Parliament after the expiration of the ſaid three years, and no longer.

The continuance of this Act.

CAP. IX.

An Act to impower the Chancellor of the Dutchy to grant Commiſſions for taking Affidavits within the Dutchy Liberties.

For the greater eaſe and benefit of the Inhabitants within the County Palatine of Lancaſter, and other places within ſeveral other Counties of this Kingdom, within the Survey of the Court of Dutchy-Chamber at Weſtminſter, in the taking of Affidavits in the Countrey, to be made uſe of, and read in Cauſes depending and to be depending within the ſaid Court, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Chancellor of the ſaid Dutchy and County Palatine of Lancaſter for the time being, ſhall and may by one or more Commiſſion or Commiſſions from time to time, as need ſhall require, impower what, and as many perſons as he ſhall think fit and neceſſary within the ſaid County Palatine and other Dutchy Liberties, to take and receive all and every ſuch Affidavit or Affidavits as any perſon or perſons ſhall be willing and deſirous to make before any of the perſons ſo impowred, in or concerning any cauſe, matter or thing depending, or hereafter to be depending in the ſaid Court of Dutchy-Chamber as Maſters of Chancery in extraordinary do uſe to do; (3) which ſaid Affidavits ſhall be Filed in the Office of the Clerk of the Court of the Dutchy, and then be read and made uſe of in the ſaid Court to all intents and purpoſes, as other Affidavits taken in the ſaid Court now are.

Oath.

II. Provided, That for the taking of every ſuch Affidavit, the perſon or perſons ſo impowred and taking the ſame, ſhall for ſo doing receive only the Sum or Fee of Twelve pence, and no more.

CAP. X.

An Act for continuance of a former Act, for repairing the High-ways within the County of Hertford.

Whereas by a late Act of Parliament, Entituled, An Act for Repairing the High-ways within the Counties of Hertford, Cambridge and Huntington, it was Enacted, That for the repairing of the ancient High-way and Poſt-road leading from London to York, and from London into Lincolnſhire, there ſhould be a Toll paid at a certain place in every of the ſaid ſeveral and reſpective Counties, and for Hertfordſhire at Wades-Mill in the ſaid County; (2) which ſaid Toll ſo ſet, is by the ſaid Act to continue the ſpace of eleven years and no longer, with this proviſion, That if the Juſtices of the Peace at their Quarter Seſſions in the reſpective Counties, ſhall before the expiration of eleven years, adjudge the ſaid Repairs to be ſufficiently done, that from thenceforth it ſhould ceaſe: (3) And whereas divers Gentlemen within the County of Hertford have heartily ſet themſelves to take care for the repairing of the ſaid Ways within their County; and in order thereunto finding that Money could not be advanced by the Toll in ſo ſpeedy a manner as to repair thoſe ruinous ways; and that none would lend their Money on that Security, did, upon their own Credits, borrow Thirteen hundred pounds on Intereſt, to effect the Work intended by the ſaid Act; which ſum accordingly is laid out, together with ſuch Money as hath proceeded from the ſaid Toll before-mentioned, in the repair of the ſaid High-ways, by which means they have ſo amended the ſaid Road lying in that County, leading from London to York, that they have made the ſame from a Road impaſſable, to be to the ſatisfaction of all that travel that way very paſſable and convenient: But by reaſon of the great ſum expended and laid out, ſo borrowed as aforeſaid, the Toll will not be ſufficient to repay the ſame within the years mentioned in the former Act, with Intereſt for the ſame, and to finiſh the ſaid Work:

15 Car. 2. c. 1. Ways. London, York, Lincolnſhire.

II. And whereas there is a Road in the ſaid County of Hertford that leads from London to Cambridge, and ſo into Norfolk, and likewiſe to New-Market, and ſo into Suffolk and other parts, which goes out of the forementioned Road at the end of the Town of Puckeridge, and ſo leadeth to Barley in the ſaid County of Hertford, which is very ruinous, and requires as much the help of the Toll in many places, as the forementioned Road did:

Hertford, Cambridge. Norfolk, Newmarket, Puckeridge, Barley.

III. May it therefore pleaſe your Majeſty that it be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Toll aforementioned to be taken at Wades-Mill for the County of Hertford, that by the former Act was to continue for Eleven years and no longer, ſhall continue for the ſaid County of Hertford for the ſpace of One and twenty years, and no longer, the ſaid term to commence from the time mentioned in the Act before-mentioned, and the Money ariſing therefrom to be employed for the payment of the Debt aforeſaid with Intereſt, and alſo for further repair of the ſaid High-way.

The Toll taken at Wades-Mill, continued.

IV. It is further enacted and declared by the authority aforeſaid, That the perſons impowred in the forementioned Act for the repair of the High-ways within the County of Hertford, ſhall have the ſame power to repair the ſaid High-ways leading from Puckeridge to Barley in the ſaid County, as they have to repair the High-way in the ſaid Connty leading from London to York;

For repairing the High-way from Puckeridge to Barley.

And that they ſhall and may apply ſuch part of the Toll thereunto,(having an equal care of both High-ways) as they in their Judgments ſhall find needful; Any thing in the ſaid former Act to the contrary notwithſtanding.

Caxton.

V. And whereas by the former recited Act a Toll was erected and ſet, to be taken at the Town of Caxton in the County of Cambridge, for and towards the repairing the High-ways in the ſaid County, the ſaid Toll doth prove uſeleſs, and will not anſwer the end for which the ſame was intended, by reaſon of the inconveniency of the place where the ſame was ſet:

Arrington-Bridge.

VI. Be it therefore enacted by the authority aforeſaid, That the ſaid Toll be, and is hereby removed from the ſaid Town of Caxton unto Arrington-Bridge, or the Town of Arrington, as ſhall ſeem moſt convenient by the Juſtices of the Peace of the ſaid County, at their next Eaſter General Quarter-Seſſions of the Peace in the County aforeſaid; (2) and that the ſame Toll ſhall be taken and received at Arrington-Bridge, or Arrington-Town aforeſaid, according to the Rates, and by the ſame ways and means as in the former Act was appointed and declared, and to be employed to the uſes, purpoſes and intents therein alſo declared; Any thing therein to the contrary in any wiſe notwithſtanding.

A charge of Six-pence in the pound, for repairing the ſaid High-ways.

VII. Provided always, That all and every perſon and perſons who by Law are chargeable towards the repairing of the ſaid High-ways and places aforeſaid, ſhall ſtill remain ſo chargeable, and pay Six pence in the pound yearly, according to the true value of their Eſtate, for and towards the repair of the ſaid High-ways during the time of the continuance of this Toll; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

The Collectors of the Toll, how to account weekly.

VIII. And be it further enacted by the Authority aforeſaid, That the Collector of this Toll ſhall weekly account to the Receiver-General for the whole money received by virtue of this or the ſaid former Act; (2) and the next Juſtice of the Peace for the ſaid County ſhall hereby have power to give an Oath to the ſaid Collectors for the making of a true and perfect account of the money ſo received, which ſaid account ſo made ſhall be returned into the next General Quarter Seſſions to be held for the ſaid County by the Juſtice of Peace before whom ſuch Oath was taken.

Proviſo touching the continuance or determining of the ſaid Toll.

IX. Provided alſo, That if at any time before the expiration of the ſaid term of One and twenty years, the ſaid High-ways ſhall be well and ſufficiently amended and repaired, and ſo adjudged at the publick Quarter-Seſſions for the County of Hertford; and that ſuch ſum or ſums of money as is already borrowed and laid out, and ſhall be borrowed and laid out for the uſe aforeſaid, be repaid with Intereſt for the ſame: That from and after ſuch Adjudication made, and repayment of ſuch money ſo borrowed and laid out as aforeſaid, the aforeſaid Toll in the ſaid County ſhall ceaſe and determine.

Proviſo for Adjudication of the amendment of the ſaid High-ways.

X. And be it further enacted by the authority aforeſaid, That in caſe the High-ways within the ſaid County of Hertford ſhall be ſufficiently amended, and that the Juſtices of the Peace at their Quarter-Seſſions ſhall fail to make an Adjudication thereof, That then in ſuch default of the ſaid Juſtices of the Peace, it ſhall and may be lawful to and for the Juſtices of Aſſize for the ſaid County of Hertford to make ſuch Adjudication, which being entred with the Clerk of the Aſſizes, ſhall be eſteemed a good Adjudication of the amendment of the ſaid High-ways: And that then and from thenceforth, the ſaid Debt being fully ſatisfied to ſuch as ſhall have advanced any moneys thereupon, the ſaid Toll ſhall ceaſe and determine; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

XI. And whereas in this preſent Act it is provided, That all and every perſon and perſons who by Law are chargeable towards the repairing of the ſaid High-ways and places aforeſaid, ſhall ſtill remain ſo chargeable, and pay Sixpence in the pound yearly, according to the true value of their Eſtates, for and towards the repair of the ſaid Highways, during the time of the continuance of the ſaid Toll:

How the ſaid Six-pence in the pound ſhall be paid and levied.

XII. Be it therefore provided and enacted by the authority aforeſaid, That the aforeſaid ſum of Six-pence in the pound ſhall be paid unto the Treaſurer appointed to receive the aforeſaid Toll, in like manner as the ſaid Toll is appointed to be paid by the aforeſaid Act: (2) And for default of payment of the ſaid Rate of Six-pence in the pound, in manner as aforeſaid, by the ſpace of ſix days after demand made, That it ſhall and may be lawful for the Surveyors of the High-ways for the time being, and they are hereby impowred to levy the ſame by Diſtreſs and Sale of the Goods of the party refuſing to pay the ſame accordingly, reſtoring the overplus (if any be) to the Owner.

CAP. XI.

An Act for Draining of the Fen called Deeping-Fen, and other Fens therein mentioned.

Deeping, Pinchbeck, Thurlby, Bourn, and Croyland Fens.

Whereas at a Seſſion of Sewers holden at Bourn in the County of Lincoln, the twentieth day of Auguſt, in the One and fortieth year of the Reign of Queen Elizabeth, for the recovery in Draining of certain Fens in Holland and Keſteven in the County of Lincoln, called or known by the names of Deeping-Fen, Pinchbeck, and Spalding, South-Fen, Thurlby-Fen, Bourn South-Fen, and Croyland-Fen, alias Goggushland; It was by the Commiſſioners then and there aſſembled, Ordered and Decreed, That the Sum of Twelve thouſand pounds ſhould be levied and gathered upon the Lords and Inhabitants of certain Towns in Keſteven and Holland, Commoners in the ſaid Fens, for Draining the ſame, and ſhould be paid in to certain perſons therein nominated to receive the ſame, at or before the tenth day of September then next enſuing; which ſaid ſum being neglected to be paid, the ſaid Fens by reaſon thereof could not be Drained, according to the Form by the ſaid Law intended: The ſaid Commiſſioners therefore well tendring the great profit that would ariſe to all perſons concerned, and to the Commonwealth in general, if the ſame might be Drained, at ſeveral Seſſions of Sewers held at Market-Deeping the twentieth day of September, in the ſaid One and fortieth year of Queen Elizabeth, and at Market-Deeping aforeſaid the twentieth day of Auguſt, in the Two and fortieth year of the Reign of the ſaid Queen, did Ordain and Decree, That the ſaid Fens and Marſh-Grounds ſhould be forthwith taken in hand to be Drained, and that Thomas Lovell Eſquire (a man skilful in Works of that nature) ſhould be admitted to undertake

take the ſame under the Covenants therein mentioned: And in purſuance thereof, the ſaid Thomas Lovell did undertake the ſaid Works, and made ſome progreſs therein; and afterwards one third part of the ſaid ſeveral Fens were by the ſaid Commiſſioners of Sewers ſet out by Metes and Bounds, and allotted to the ſaid Thomas Lovell in recompence of his coſts,charges and endeavours,applied and expendeded therein; And after,the ſaid third part was by the ſaid Commiſſioners of Sewers decreed to the ſaid Thomas Lovell, and his Heirs, in recompence of his ſaid Work of Draining, and of his charges and expences therein, to have and to hold to the ſaid Thomas Lovell, his Heirs and Aſſigns for ever.

A third part aſſigned and ſet out to Thomas Lovell.

II. And whereas by an Act of Parliament made at Weſtminſter in the firſt year of King James, entituled, An Act for relief of Thomas Lovell Eſq; the above-recited Decrees of Sewers were Ratified and Confirmed; And the ſaid third part of the ſaid Fens and Marſh-grounds, as they were allotted and ſet out by the ſaid Commiſſioners, were by the ſaid Act Ordained, Enacted and Eſtabliſhed to be held by the ſaid Thomas Lovell, his Heirs and Aſſigns for ever, under the Proviſoes, Conditions and Appointments in the ſaid Decrees, and Act of Parliament mentioned and expreſſed, as by the ſaid Act of Parliament and Decrees of Sewers more fully may appear. (2) And whereas the ſaid Thomas Lovell immediately after the making the ſaid Act of Parliament entred into the ſaid Lands ſet out and aſſigned as a third part of the ſaid ſeveral Fens, and by virtue of the ſaid Decrees and Act of Parliament became ſeized thereof,and he and his Heirs and Aſſigns have ever ſince, till of late years, held and enjoyed the ſame, until (by ſome neglect in the Aſſigns of the ſaid Thomas Lovell, and failer in the Maintaining, Scowring and Cleanſing the ſaid Banks, Rivers, Sewers, and other Works neceſſary thereunto) occaſioned by ſome differences ariſing between the ſaid Aſſigns of the ſaid Thomas Lovell, and the Lords, Owners and Commoners of the ſaid Fens, about the enjoyment of ſome additional recompence allotted to the ſaid Aſſigns of the ſaid Thomas Lovell, by a ſubſequent Law of Sewers (made at Spalding) not only the ſaid Fens and Marſh-grounds are returned into their ancient condition of being hurtfully ſurroudned and annoyed with Waters; but a great and conſiderable part of ſome adjacent Towns of Holland have been overflowed and laid deſolate, and many habitations and families who formerly lived comfortably there, utterly ruined and deſtroyed thereby, and yet continue in manifeſt danger in all ſeaſons of wet-weather and flouds, to fall into the ſaid calamities; which great miſchief is by long and indubitable experience found to ariſe principally from ſeveral imperfections in the ſaid Decrees and Act of Parliament.

III. To the end therefore that the ſaid Countrey, being in its own nature very rich and fertile, and wherein the King, and Queens Majeſty his Mother, have large Poſſeſſions, (and many ancient Families and Inhabitants their whole ſubſiſtence) may not longer remain in ſuch manifeſt danger of being utterly loſt, nor the Commonwealth continue longer deprived of thoſe advantages which would ariſe from the performance of the ſaid Works:

IV. Be it enacted by the Kings moſt Excellent Majeſty, by and with the conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Decrees, and Act of Parliament above-mentioned, and very Clauſe, Article and thing therein contained, other than ſuch as are herein after mentioned, enacted, ratified and confirmed, ſhall be, and are hereby repealed and made void to all ntents and purpoſes whatſoever.

A certain Act and Decrees made for the ſaid Thomas Lovell, repealed.

V. And inſomuch as the Right Honourable Thomas Earl of Berkſhire, and the Lady Elizabeth is Wife, and Charles Lord Howard of Charlton, commonly called the Lord Viſcount Andover, heir eldeſt Son and Heir apparent; The Right Honourable Robert Lord Bruce Baron of Whalton in the Kingdom of England, and Earl of Elgin in the Kingdom of Scotland, and the Lady Diana his Wife; The Right Honourable Ann Counteſs of Stamford, and Thomas Lord Grey of Groby, have formerly held and derived to themſelves, with remainders over to ſeveral ther perſons, by ſeveral Conveyances from or under the Right Honourable William late Earl of Exeter, and Elizabeth late Counteſs of Exeter, or one of them, ſeveral intereſts in the aid third part of the ſaid Lands allotted to the ſaid Lovell, his Heirs and Aſſigns; and to ther proportions by ſubſequent Decrees of Sewers, and towards the dreyning and maintaining thereof; they, the ſaid Right Honourable William late Earl of Exeter, and Elizabeth late Counteſs Dowager of Exeter, under whom, or one of whom they claim, and Thomas late Earl f Exeter, from whom the ſaid William late Earl, and Elizabeth late Counteſs Dowager of xeter derived their Title, have expended ſeveral great ſums of money, but have not ſo fully ffected the ſaid works, nor introduced thoſe benefits and advantages which were expected: nd for reaſon do alledge, that the third part and ſubſequent allotments are not recompence ufficient to anſwer the charge of a more perfect performance of the ſaid work; but offer to roceed and perfectly to effect the ſame, if they may have a ſufficient recompence and compenation for their hazard, charge and pains therein: (2) Be it enacted by the authority aforeſaid, That Edward Earl of Mancheſter, Lord Chamberlain of his Majeſties Houſhold, William Earl f Devonſhire, John Lord Berkley of Stratton, Anchatil Grey Eſquire, Henry Grey Eſquire, to be eir Heirs and Aſſigns, and the Survivor of them, ſhall be and are hereby declared, and e Undertakers for the draining the ſaid Fens, and every of them, in truſt to and for ſuch erſon and perſons, and to ſuch intents and purpoſes as are herein after mentioned. (3) And at within the ſpace of ſeven years next enſuing, they, their Heirs and Aſſigns ſhall and will t their proper coſts and charges recover and make dry the ſaid Fens, and every of them, nd make the ſame firm and depaſturable for Cattel at all times of the year, except two or ree hundred Acres or thereabouts in the ſaid Fens called Deeping-Fen and Gogguſhland, nd forty Acres or thereabouts in the ſaid Fens called Thurlby-Fen and Bourn-South-Fen, hich are to be left for Lakes and Sykes for the receipt of waters within the ſame; And alſo, cept ſuch Dreyns and Sewers as now be, or hereafter ſhall be made within the ſaid Fens, any of them, for the draining thereof, and ſo much of the grounds adjoyning to the Rivers, rains and Sewers within the ſaid Fens, as lie, or ſhall lie between the ſaid Rivers, Drains, Sewers, and the Banks made or to be made for keeping the Waters lying in the ſaid

Truſtees and Undertakers made for draining the ſaid Fens.

Rivers, Dreyns or Sewers, from overflowing the reſt of the ſaid Fens: (4) And alſo ſhall for ever hereafter at their own coſts and charges, not only repair, exalt, maintain and keep, as need ſhall require, the Banks environing and encompaſſing the ſaid Fens and every of them, but alſo the Bank on the Eaſt-ſide of the River of Welland, and from a place in Crowland called Brother-houſe, to Spalding high-bridge; And alſo the Bank on the North-ſide of the River Glean, from Gutheram Coat to a place called Dovehurn in Pinchbeck; and thereof, and of all and every the ſaid Banks above-named, ſhall for ever hereafter exonerate, acquit, diſcharge and ſave harmleſs as well the Kings Majeſty, his Heirs and Succeſſors, as the Queen Dowager, her Tenants and Under-tenants, and all other perſon and perſons, their Heirs and Aſſigns, of and for their repairing and amending of their ſeveral parts and allotments of the ſame; (5) but that alſo they the ſaid Truſtees, their Heirs and Aſſigns, and the Survivor of them, at their own proper coſts and charges, ſhall for ever maintain and keep the Rivers of Glean and Welland with ſufficient Dyking, Roading, Scowring and Banking, (viz.) the River of Welland from the Outgang at the Eaſt-end of Eaſt-Dieping leading into the ſaid Fens unto the Out-fall thereof into the Sea; and to preſerve and maintain the Navigation thereof without Impoſition or paying any thing whatſoever for the ſame, but with liberty to alter and divert the Courſe and Channel of the ſame into any other part or parts of the ſaid Fens before it cometh to the ſaid Corner of Dieping-Fen abutting upon Hawthorn-bank, from whence through the ſaid Town of Spalding as it now paſſeth to the Sea, it ſhall not be lawful to divert the Courſe thereof: And with like liberty to divert the ſaid River of Glean before it cometh to the place called Pinchbeck-Bars or Dovehurn in Pinch-beck; from which place called Dovehurne through the ſaid Town and the Town of Surflet as it now paſſeth to the Sea, it ſhall not be lawful to divert the ſame, or prejudice the Navigation thereof. (6) And all manner of Dreyns, Sewers and Paſſages for Waters and other Water-works whatſoever, which now are, or hereafter ſhall be made within or without the ſaid Fens, for the Dreyning the ſaid Fens or any of them, which ſhall be neceſſary to be made or continued in order to the preſerving the ſaid Fens from Surrounder; and thereof, and of all and every the ſaid Rivers to diſcharge, exonerate, acquit and ſave harmleſs, as well the Kings and the Queens Majeſties, his Heirs and Succeſſors, their Tenants and Under-tenants, as all other perſon and perſons, their Heirs and Aſſigns, of and for the repair and amending of their ſeveral parts and allotments in them and every of them.

Glean and Welland Rivers.

Sufficient Gates and Bridges to be made.

VI. And be it further enacted by the authority aforeſaid, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall at their own proper coſts and charges make, ſet down and maintain ſuch reaſonable and convenient Bridges, with Gates unto the ſame, in wideneſs not exceeding twelve foot, being well and ſufficiently railed or walled againſt the ſides, as well over any Dreyn or Ditch now made, or hereafter to be made, whereby Paſſage may be had into the Fens in ſuch and ſo many fit and convenient places as ſhall be thought fit, and ordered by any ſix Commiſſioners of Sewers for the ſaid County of Lincoln, in their publick and open Seſſions, and the ſame ſhall for ever keep and maintain for convenient and ready paſſage with Carts and Carriages, and all ſorts of Cattel, into and forth of the ſaid Fens and every of them.

The powers of the ſaid Truſtees and Undertakers.

VII. And it is further enacted by the authority aforeſaid, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, for the better dreyning and keeping dry of the aforeſaid Fens, ſhall and may at their wills and pleaſures deſert, or maintain and continue all ſuch Dreyns as now are in the ſaid Fens, or any of them, at the old or accuſtomable wideneſs and breadth, or otherwiſe enlarge the ſame at their will and pleaſure within the ſaid Fens: And likewiſe may at their will and pleaſure make any new Dreyns, Ditches and Sewers within the ſaid Fens or any of them, or without towards the Sea, of what quantity, depth or wideneſs they ſhall think beſt; which ſaid Dreyns, and every of them ſhall have liberty to run above the Soyl, ſo as the Waters of the ſame be kept within the Banks of the ſeveral and reſpective Dreyns now made or hereafter to be made, except ſo much of the ſaid Waters as unavoidably ſhall ſoak through the Banks, for which alſo ſatiſfaction is to be made to any perſon or perſons ſuffering damage thereby, as ſhall be awarded by the ſaid Commiſſioners of Sewers, or any ſix of them in their open Seſſions, ſo as the Inhabitants of Spalding and Pinchbeck may have a liberty to ſet down and ſtop ſuch Sluces, Tunnels, and Gages of Water and Locks as are or ſhall be made upon any the ſaid Rivers and Dreyns (except the ſaid Rivers of Welland, Glean and the Weſtlode) at ſuch time or times as two Commiſſioners of Sewers for the parts of Holland ſhall judge ſeaſonable and neceſſary for the Dreyning of their In-grounds: Provided the ſame exceed not two months in the year. (2) And if at any time or times hereafter for ever, any of the Bank or Banks of the Dreyn or Dreyns, now or hereafter to be made for the dreyning of the ſaid Fens, or preſervation of the ſaid Country, happen to break or be overflown, whereby the Waters have iſſue and fall into any the ſeveral Lands of any the Towns in the Wapantake of Elloe, That immediately upon ſuch breach or Overflowing, it ſhall and may be lawful for all, or any the Dyke-reeves, Officers or other Inhabitants of any the Towns in Elloe aforeſaid, to ſet down the Clow of ſuch Dreyn or Dreyns, or otherwiſe to ſtop the ſame, till the Banks thereof ſo breaking or overflowed, from time to time be ſufficiently repaired, ſtrengthened and heightened.

Glean, Welland, Weſtlode.

VIII. And be it further enacted by the authority aforeſaid, That the Currents or Channels of the River of Glean and Welland, and the Weſtlode, ſhall not be diverted or turned into any other Tract or Courſe whatſoever (that is to ſay) from a place called Dovehurn in Pinchbeck to the Out-fall, and from a Bank in Spalding, called Hawthorne-Bank to the Out-fall, but ſhall be kept Navigable, as formerly they were, down to the Sea.

What ſhall be done in caſe of Gools or Breaches or Overflowings,

IX. And be it further enacted by the authority aforeſaid, That if any Gool or Gools, Breach or Breaches, Overflowing or Overflowings of Waters ſhall happen at any time hereafter to be in, over, or through any of the ſaid Banks made or to be made within the ſaid Fens, for the defence and preſervation of the ſame, other than the Bank called the Dozens, and the Bank called Hawthorne-Bank, to the ſurrounding or annoyance of the ſaid Fens or any part of them within their charge as aforeſaid, and the ſame be not amended by the ſaid Truſtees, theirs Heirs and Aſſigns, or the Survivor of them, within ten days after ſuch Breach, Goole, or Overflowing, That then it ſhall and may be lawful to and for any the Dike-reeves or Surveyors of Sewers in Spalding or Pinchbeck, or any of the other Towns in the Wapentake of Neſſe or Elloe in the ſaid County of Lincoln, where the ſaid Breach or Breaches, Goole or Gooles, overflowing or overflowings of Water ſhall happen to be, forthwith and immediately after the ſaid ten days, to Repair the ſame at the only coſts and charges of them the ſaid Truſtees, theirs Heirs and Aſſigns, or the Surviour of them. (2) All which ſaid ſum or ſums of Money ſo by the ſaid Dike-reeves and Surveyors of Sewers, or any of them, expended in and about the taking, repairing and Amending of any ſuch Breach or Breaches, Goole or Gooles, Overflowing or Overflowings of Waters, in or over the ſaid Bank or Banks reſpectively, they the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall pay or cauſe to be paid to the ſaid Dike-reeve or Dike-reeves, Surveyor or Surveyors ſo expending the ſame, upon a note delivered in writing to the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, their Tenants or Under-tenants, Servants or Agents, or any of them, by the ſaid Dike-reeve or Dike-reeves, Surveyor or Surveyors, teſtified under the Hands of two Commiſſioners of Sewers, one being of the Quorum, containing as well the Names of the Labourers that repaired the ſaid Breach or Breaches, Goole or Gooles, Overflowing or Overflowings, as the Wages paid to them, and the Rates and Prices of all other neceſſary Charges imployed and beſtowed in and about the ſame, with their convenient Salary and Wages for their pains in that behalf, at the diſcretion of two ſuch Commiſſioners as aforeſaid; (3) the which, if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, or their Tenants or Under-tenants, Agents or Servants, ſhall refuſe or neglect to do, that then it ſhall and may be lawful to and for the ſaid Officers or Perſons, or any of them that ſhall make up any ſuch Breach or Breaches, Goole or Goolers, Overflowing or Overflowings, or ſuſtain ſuch damages as aforeſaid, to enter into the ſaid third part of the ſaid Fens, or into the Five thouſand Acres additional recompence herein after given by this preſent Act, or into any part thereof, and to diſtrain and impound the Horſes, Beaſts, Sheep or Goods and Chattels of them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, or any Tenant or Tenants, Farmer or Farmers, Occupier or Occupiers of all or any part of the ſaid third part, and of the ſaid five thouſand Acres; and from and after the fourth day of the ſaid diſtreſs and impoundment (in caſe the ſaid ſum or ſums ſo expended and demanded be not then paid) ſale thereof to make, without allowance of Replevin; and with the money thereupon ariſing, to pay and ſatisfie all ſums of mony for the ſaid Works expended, and to be allowed as aboveſaid, rendring the overplus to the owner, if any overplus be, over and above the charges aforeſaid, and charges of keeping.

Dozens, Hawthorn-bank, Eaſt-bank.

X. Provided always, and be it further enacted, That if any Breach, Goole, Hole or Holes, or flowing of Waters ſhall happen to be in, over or through the ſaid Bank called the Dozens, the ſaid Bank called Hawthorn-bank, the ſaid Bank called the Eaſt-bank, the ſaid Bank on the North ſide of the River Glean, or any other Bank made or to be made without the ſaid Fens by the ſaid Truſtees, theirs Heirs or Aſſigns, or the Survivor of them, for, or in order to the Dreyning of the ſaid Fens, that then, and in every ſuch caſe, it ſhall and may be lawful to and for the Dike-reeves and Surveyors of Sewers in Pinchbeck and Spalding, or any of the Towns in the Wapentake of Neſſe or Elloe aforeſaid, where the ſaid Breach, Goole or Flowing ſhall be, forthwith and immediately to repair the ſame at the coſts and charges of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, to be had and levied in manner and form as is before expreſſed and declared, for or concerning the ſaid Banks, environing, or made or to be made for the Dreyning or preſervation of the ſaid Fens.

Satisfaction for damage to particular perſons, how to be made.

XI. And be it further enacted by the authority aforeſaid, That if it fortune that at any time hereafter, by the negligence of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, in not ſufficiently maintaining, ſcowring, dyking or cleanſing of any Rivers, Banks, Sewers or Dreyn whatſoever, which now are, or hereafter ſhall be made for Dreyning of the ſaid Fens, and ſecuring of the Countrey; or that by any inconvenient placing, ſetting, cutting or making of any Drein, Gote, or Sluce upon the ſame, that the Countrey, or any private or particular perſon receive loſs or harm thereby; that the ſaid Truſtees their Heirs and Aſſigns, or the Survivor of them, or ſome of them, ſhall make ſuch recompence and ſatisfaction for the ſame to every perſon and perſons ſuſtaining any damage thereby, as ſix Commiſſioners of Sewers for the ſaid part of Holland, whereof three to be of the Quorum, ſhall award and appoint under their Hands and Seals (if the ſaid Lords Adventurers, their Heirs or Aſſigns, ſhall not have otherwiſe ſatisfied the ſame) which if they the ſaid Lords Adventurers, their Heirs and Aſſigns ſhall neglect to pay and ſatisfie to the perſon and perſons ſuſtaining the ſame, their Executors or Aſſigns, by the ſpace of twenty days after demand made thereof to them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, or the Agents, Tenants or Under-tenants of them; That then and from thenceforth it ſhall and may be lawful to and for every ſuch perſon and perſons ſuſtaining the ſame damage, their Heirs, Executors, Adminiſtrators and Aſſigns, and every of them reſpectively, to enter into the ſame third part, and into the ſaid five thouſand Acres, and every or any part thereof, and to levy the ſame damages ſo as aforeſaid awarded and appointed, by diſtreſs and ſale of the Goods and Chattels of them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, or any Tenant or Tenants, Farmer or Farmers, occupier or occupiers of all or any part of the ſaid third part of the ſaid Fens, or the ſaid five thouſand Acres, and preſent Sale thereof to make after the fourth day of impoundment (and payment of ſuch Money then not made) without allowance of Replevin, rendring the overplus to the Owner (if any overplus there be:) (2) And if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them or any of them, ſhall think it neceſſary for the enlargment of any old Dreyn, River or Bank, out of the ſaid Fens, above that which formerly they were, or for making any new Dreyn, River or Bank, or cut or cover the ſeveral ſoyl of any perſon or perſons, that then the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall compound and agree with the Owner or Owners thereof; (if they can agree) And if they cannot agree, that the value of the damage ſhall be ſet down by ſix of the Commiſſioners of Sewers, whereof three to be of the Quorum, and the mony ſhall be paid or tendred before ſuch time as the ſaid ſoyl ſhall be cut or covered, and upon payment or tender of the ſaid money, it ſhall be lawful for them to cut or cover the ſaid ſoyl, for making the ſaid Dreyns, Rivers or Banks.

Power to pul up Bridges, Drains, &c.

XII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, to pull up any Cart-bridges of Wood or Stone, or any Foot or Horſe-bridges, Clows or Water-bridges that now lie over the ſaid two Rivers of Glean and Welland, the Rivers of Weſtload or Starfongraft, Vernats, or any of them, or any other Dreyn that be too ſtrait or narrow, or otherwiſe may hinder the courſe and paſſage of the Waters in the ſaid Rivers, or of any Dreyn to be deviſed by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them; and alſo to pull up all Wears and Purpreſtures in the ſaid Rivers and Dreyns that hinder the paſſage of the Water. Provided that they ſhall forthwith ſufficiently build and make again at their own proper coſts and charges the great Bridge over Spalding-River (commonly called the High Bridge) of Lime and Stone, and all ſuch other Cart-bridges, Horſe-bridges, Clows or Water-bridges of Lime, Stone or Timber reſpectively, as the former were,* which have been or ſhall be ſo pulled down, to be enlarged or made wider. (2) And that all and every the ancient Bridges and Tunnels under and over any of the Rivers and Dreyns, and every of them, be repaired and for ever maintained at the charges of them the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them. (3) And if it ſhall happen the ſaid Bridges or any of them, ſhall not be made or repaired by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, in convenient time according to the true intent and meaning of this Act, that then it ſhall and may be lawful to and for the Commiſſioners of Sewers in their publick Seſſions from time to time to Order and Decree how much, or what ſum or ſums of money ſhall or may be neceſſary or fitting to be raiſed for effecting the ſame. (4) And if after notice of the ſaid Determinations of the ſaid Commiſſioners by a note in writing under the Hand of the Clerk of the Sewers, given to the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, they ſhall not pay, or cauſe the ſame ſo adjudged, to be paid within thirty days after ſuch notice, that then it ſhall and may be lawful to and for the ſaid Commiſſioners of Sewers by their Warrants to levy the ſame by Diſtreſs and Sale of the Goods and Cattels levant and couchant upon any the Lands within the ſaid Fens, hereby veſted and ſetled in the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them. (5) And if it ſhall fall out that the ſaid High-Bridge over Spalding-River be not finiſhed before the Five and twentieth day of March, One thouſand ſix hundred ſeventy, that then the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall forfeit the full and juſt ſum of One hundred and fifty pounds to Piercy Church Eſquire, his Executors or Aſſigns, which ſhall and may be raiſed by the Commiſſioners of the Sewers for the time being, at their publick Seſſions, by ſale of part of the ſaid third part of the ſaid Fens, or of the ſaid three thouſand five hundred Acres therein mentioned, and be by them accordingly paid over to the ſaid Peircy Church, his Executors or Aſſigns, and the perſon and perſons, and their Heirs to whom ſuch ſale ſhall be made, ſhall and may for ever then after hold and enjoy the ſame by vertue of ſuch ſale, and of this preſent Act; Any thing herein to the contrary notwithſtanding.

The ſaid Bridges, Tunnels, &c. how to be repaired.

Spalding-Bridge.

Preſervation of the Banks

XIII. And be it further enacted by the authority aforeſaid, That for the better preſervation of the ſaid Banks environing the ſaid Fens, or made within the ſaid Fens for defence of the ſame, it ſhall and may be lawful to and for the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, to cut the ground lying between tht Outring-Banks and the ſaid Rivers, or either of them, to take Earth, Manure and Litter for the repairing the ſaid Banks ſo often as need ſhall require, or to them ſhall ſeem meet and convenient, ſo that ſuch cutting be not extended or made above ſix ſcore foot diſtant from the ſaid Banks, and to erect, make and keep ſuch and ſo many ſufficient Bars and Slakers, and in ſuch places as ſhall ſeem moſt fit and convenient to the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them; the Slakers to take off the ſurpluſage of Waters, and the Bars to hinder the paſſage of Horſeman and drift of Cattel over the ſame Banks in the time hereafter prohibited. (2) And to the end that the Banks ſhould not be impaired by Horſemen, drifts of Sheep, Horſes, Beaſts and other Cattel; It is hereby enacted by the authority aforeſaid, That no perſon or perſons whatſoever (except as hereafter is excepted) ſhall at any time or times hereafter in any year between Michaelmas-day, and the firſt day of May, drive or cauſe to be driven any Horſes, Oxen, Sheep, or any other kind of Cattel over or upon any of the ſaid Banks, without firſt paying to them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, after the rate of Four pence for every ſcore of Sheep, and for every other Beaſt the ſum of Four pence; which they, their Heirs and Aſſigns are hereby authorized to demand and receive.

Proviſo for Owners and Commoners.

XIV. Provided nevertheleſs, and be it enacted, That all and every the Lords, Owners and Commoners of or in all, or any part of the ſaid Fens, ſhall have free liberty at all times of the year, for them their Horſes, Servants and Cattel to paſs and repaſs upon any Bank or Banks, Drove or Droves, in or compaſſing the ſaid Fens, without paying any thing for ſo doing, if ſuch perſon or perſons claiming ſuch freedom do not uſually buy Sheep or Cattel, and trade that way to London with ſuch Cattel or Sheep as are not of their own feeding for a month before.

Horſemen and cattel landing upon the banks.

XV. And be it enacted by the authority aforeſaid, That no perſon or perſons whatſoever keeping Horſe-boat, either at Croyland, Cloote, Deeping, Baſton, Eaſtcoate, Pinchbeck, Spalding or Cowber, ſhall land any Horſemen with their Horſes or Cattel upon any the ſaid Banks, at any time hereafter between Michaelmas day and the firſt day of May, but at Walldrome-Hall, Baſton Spoute, Covehurne or Croyland, without Licence firſt thereunto had and obtained from the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, (2) upon pain and forfeiture to be made and paid, for every Horſe and neat Beaſt, ſix pence, and for every ſcore of Sheep, four pence, to the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them: And that no manner of perſon or perſons ſhall draw any Boat on, or over any the Banks in, or compaſſing the ſaid Fens, but in ſuch places only as are or ſhall be appointed for that purpoſe.

Swine.

XVI. And it is further enacted by the authority aforeſaid, That no Swine of what ſort ſoever, ringed or unringed, be put upon the ſaid Fens, or any of them, between the ſaid Banks and the Wear-ditches, but that they ſhall be put into the Fens at uſual places where other Cattel are put in; and that the Swine there ſo put, ſhall be ringed, upon pain that every Hog ſo found unrigned, to forfeit to them the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, the ſum of Two pence for every time ſo found, to be levied by diſtreſs and impounding of ſuch Hog or Hogs.

Poor Inhabitants.

XVII. And it is further enacted by the authority aforeſaid, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, their or any of their Tenants, Farmers or Ground-holders of any part of the ſaid third part, or of the ſaid Fen, or of the ſaid five thouſand Acres, ſhall not have any time hereafter, uſe or claim any Common Paſture, or other Commonage of Paſturing in any part of the Remainder of the ſaid Fens, nor any of them, nor in the North-Fen of Pinchbeck and Spalding, nor any part thereof, by vertue or pretence of this or their Reſiance there: But all and every the Inhabitants that may hereafter be upon any part of the ſaid third part, or upon any part of the ſaid five thouſand Acres, and are not able to maintain themſelves, ſhall be maintained and kept by the ſaid Truſtees, their Heirs and Aſſigns, and the Survivor of them, and never become chargeable in any kind, to all or any the reſpective Pariſhes wherein ſuch Inhabitant or Inhabitants ſhall reſide or dwell; Any Statute or Law to the contrary hereof in any wiſe notwithſtanding.

Water ſhall not be let out of the Rivers of Glean and Welland.

XVIII. And be it further enacted by the authority aforeſaid, That no Water ſhall be let or taken out of the Rivers of Glean or Welland, or any other the ſaid Dreyn or Dreyns, by any Sluce, Cut or Tunnel, without the Licence of the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, or by Order of ſix Commiſſioners of Sewers, who likewiſe are to take care that ſuch Cut or Cuts made for the taking thereof, ſhall be made up again at the charge of ſuch perſon or perſons for whoſe benefit the ſame were made, but for neceſſary houſhold uſes, by ſuch as now lie by ſome Law of Sewers already ſetled: And in caſe any abuſe of the ſaid Tunnels happen to be, that then the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, their Servants or Agents ſhall have power immediately to ſtop the ſame.

Pinchbeck, Spalding, Blewgate-ſluce.

XIX. And it is further enacted by the authority aforeſaid, That the Inhabitants of Pinchbeck and Spalding ſhall for ever hereafter have the uſe of a certain Gate or Sluce called Blewgate, and the Dreyn leading thereto, ſo as the ſaid Truſtees, their Heirs or Aſſigns, ſhall not be put to any charge for the repairing or maintaining of the ſame.

The Dreyn from Boſton-bank to Winſoever.

XX. And be it further enacted by the authority aforeſaid, That the Loads or Dreyn under the Lozens, from Boſton-bank to Winſoever, be Ditched two hundred foot more inward into the ſaid Fens than now it is, and the Earth laid on that ſide of the Bank next the Town of Pinchbeck.

The proportion eſtated upon the Truſtees and Undertakers

XXI. And be it further enacted by the authority aforeſaid, That for and in conſideration of all the moneys already expended in and about the draining of the ſaid Fens, and in conſideration of the doing and performing of the works aforeſaid hereafter to be done, and of all and every of them about the Recovering, Inning and Draining of the ſaid Fens and every of them, that they the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall from henceforth have, hold, peaceably occupy and enjoy to them, their Heirs and Aſſigns in Fee-ſimple for ever, the ſaid third part of all the ſaid Fens and Marches formerly aſſigned to the ſaid Thomas Lovel, his Heirs and Aſſigns, as alſo three thouſand five hundred Acres added and alotted by a decree of Sewers made at Spalding in the ſaid Fens, and one thouſand Acres out of that part of the ſaid Fens, formerly taken in for the Queens improvement, and five hundred Acres more to be taken proportionably out of the reſidue of the ſaid Fens in Keſteven and Holland, next adjoyding to the ſaid three thouſand five hundred Acres; (2) which three thouſand five hundred Acres and one thouſand Acres, and five thouſand Acres laſt mentioned, are to be demeaſured by Statute-meaſure by two Artiſts, and ſet out by them at the charge of the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, one to be choſen by the Commiſſioners of Sewers of Keſteven and Holland, and one other by the ſaid Undertakers; (3) but upon the Truſts hereafter mentioned: That is to ſay, as touching and concerning eight thouſand thirty ſix Acres thereof mentioned in a Schedule annexed to an Indenture of Fifteen parts, dated the ſecond of Auguſt 1650. made between Elizabeth Counteſs Dowager of Exeter and others therein named, and two thouſand Acres more to be indifferently ſet out within ſix months after the paſſing of this Act, amounting in the whole to ten thouſand thirty ſix Acres; in Truſt, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall grant and convey the ſame to ſuch perſon or perſons, or for ſuch Eſtates in Fee-ſimple or otherwiſe, in ſuch manner as the ſaid Thomas Earl of Berks, the ſaid Lord Andover, Lord Bruce, and John Lord Berkley of Stratton ſhall appoint. And as for, touching and concerning the Reſidue of the ſaid Fens by this Act allotted for Recompence for the ſaid Draining moreover and above the ſaid eight thouſand thirty ſix Acres, and two thouſand Acres in truſt for the ſaid Earl of Berkſhire and the Lady Elizabeth his Wife, the ſaid Lord Andover, the ſaid Earl of Elgin, Counteſs of Stamford, and Lord Grey, and ſuch other perſon and perſons to whom the Remainder upon their Eſtates are limitted, according to their ſeveral and reſpective Intereſts and Eſtates as aforeſaid, made or derived from, by or under the ſaid William late Earl of Exeter, and Elizabeth late Counteſs of Exeter, or either of them, their, or either of their Heirs or Aſſigns: And in caſe the ſaid Commiſſioners ſhall not nominate a Surveyor within three months after nomination by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, and both to be ſworn by the ſaid Commiſſioners, and notice thereof to be given to the ſaid Commiſſiones, That then the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, ſhall proceed as aforeſaid by their own Artiſt.

The Truſtees ſhall fence and incloſe the third part &c.
15 Car. 2. 17. Sect. 38.

XXII. Provided alſo, and be it enacted by the authority aforeſaid, That the ſaid Truſtees, their Heirs and Aſſigns, and the Survivor of them, ſhall at all times hereafter ſufficiently fence and incloſe the ſaid third part, and all other the Lands by this Act to them granted on all parts, againſt the Lords and Commoners of and in the reſidue of the ſaid Fens: (2) And if any of their Cattel ſhall enter or break into the ſaid third part, and other Lands ſo granted, or any part thereof, in default of the Incloſure thereof; It ſhall not be lawful for the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, to diſtrain or impound the ſame, or to maintain any Action for any ſuch Entry, Depaſturing, or other Treſpaſs happening in ſuch default: (3) And if any ſuch Action be brought, it ſhall be lawful for the Defendant or Defendants therein to plead the General Iſſue, and to give this Act in Evidence. (4) And that the two Drove-ways in the ſaid Fens, called the North-drove and South-drove, leading from the parts of Keſteven into the parts of Holland, be continued open and common through the ſaid third part, and Lands to them Granted for the uſe and benefit of the Lords and Commoners for a Drift-way for them and the ſaid Undertakers: And alſo that the Banks or Dreins (by vertue of this Act) to be continued and made, ſhall not ſtop or hinder the Land-waters falling from the parts of Keſteven into the ſaid Fen, but ſhall and may receive and carry the ſame away.

XXIII. Provided always, That this Act, or any Clauſe, Article, Sentence or Penalty therein contained, mentioned or expreſſed, ſhall not extend to charge the perſons of the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, or any the Eſtate or Eſtates real or perſonal of them the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, other then their Eſtate and Eſtates of and in the ſaid Fens.

The Penalty upon neglect to drain the ſaid Fens within ſeven years, and ſo after to keep and maintain them.

XXIV. Provided alſo, and upon condition, That if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, ſhall neglect the Inning and Dreyning of the ſaid Fens, and every or any of them, and ſhall not fully and perfectly finiſh the dreyning of the ſame before the end and expiration of the ſaid ſeven years as aforeſaid, according to the intent and purport of this Act, or ſhall not after the Inning or Dreyning thereof, keep and maintain the ſaid Fens and every of them after the end and term of the ſaid ſeven years, dry, firm, good and depaſturable ground for Cattel at all times in the year (except ſuch Lakes, Dreyns, Sewers, Portions and Quantities of the ſaid Fens as are before excepted) but ſhall wilfully or negligently ſuffer the ſaid Fens and Waſtes, or the moſt part of the ſame to be again drowned and overflowed by the ſpace of five years at any time after the expiration of the ſaid ſeven years, and the ſame be found and adjudged hurtfully ſurrounded in default of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them (contrary to this Act) by twelve Commiſſioners of Sewers, or the greater number of them, whereof ſix to be of the parts of Holland, and ſix of Keſteven, of which twelve Commiſſioners, three or either of the ſaid parts to be of the Quorum, upon their view and inquiſition or preſentment of Jury that the ſame hath ſo long continued drowned, (2) and that Judgment be certified of Record into the High Court of Chancery under their Hands and Seals, or the greater number of them; That then and from thenceforth the Truſt of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, of, in and to the ſaid third part, and the ſaid other parts and portions added and allotted, for a further Recompence as aforeſaid, for the ſaid Earl and Counteſs of Berkſhire, Lord Howard of Charlton, Lord Bruce, Counteſs of Stamford, Lord Grey, and other perſons in Remainder as aforeſaid, and all and every Eſtate and Eſtates whatſoever by them granted, conveyed, or in any manner executed, of all or any the ſaid third part or other proportions added and allotted for further recompence to any perſon or perſons whomſoever, in execution, purſuance or diſcharge of their ſaid Truſt, or otherwiſe ſhall ceaſe, determine, and be utterly void to all intents and purpoſes whatſoever, and not to be helped, altered or relieved in any Court or by any courſe of Law or Equity, (3) and that then and from thenceforth the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall ſtand and be ſeized of all the ſaid third part, and the ſaid additional allotments in truſt, to permit and ſuffer the ſaid Commiſſioners of Sewers of Keſteven and Holland, to take, perceive and receive the whole Rents, Iſſues and Profits, to the end the ſame may be laid out and expended for the regaining of the ſaid Fens, and to defray the charge which the Country ſhall or may be put into to preſerve themſelves and their other Lands from being ſurrounded or damnified by the ſaid Waters, in default of maintaining of the ſaid Banks, and doing other the ſaid works which ought to have been made and repaired by the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them: And upon further truſt likewiſe, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall and will from time to time, and at all times, make and execute ſuch Eſtate and Eſtates as twelve Commiſſioners of Sewees of the parts of Holland and Keſteven, whereof three of each part to be of the Quorum, ſhall by Writing under their Hands and Seals direct and appoint.

XXV. And be it enacted and declared, That all ſuch Eſtate and Eſtates ſo by them made, ſhall be, and be deemed, and taken to be good and effectual in Law to all intents and purpoſes, as if the ſame were in this preſent Act particularly and by proper names mentioned and expreſſed.

XXVI. And be it further enacted by the authority aforeſaid, That if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, ſhall not, or do not, at or before the ſaid term of ſeven years, well and truly pay or cauſe to be paid the full and juſt ſum of one hundred pounds of lawful money of England, into the hands of ſuch perſon or perſons as the ſaid Commiſſioners of Sewers in their publick Seſſions from time to time ſhall appoint to receive the ſame, That then and in ſuch caſe it ſhall and may be lawful to and for the ſaid Commiſſioners of Sewers by an Order in writing under their Hands and Seals, to authorize ſuch perſon or perſons as they ſhall think fit, to enter into any the ſaid Lands part of the ſaid third part allotted to the ſaid Thomas Lovell, out of any the Fens by him formerly undertaken to be Drained, and the ſaid Additional Lands, and out of the Rents, Iſſues and Profits thereof to raiſe the ſame ſum of One hundred pounds, to the end the ſame ſhall and may be by them employed and laid out, in and about the neceſſary maintenance and reparation of the Banks above mentioned, called the South-Dozens, Hawthorne Bank, and ſo from time to time, and at all times, as the ſaid One hundred pounds, or any part thereof ſhall be as above ſaid expended in and about the ſaid Banks as aforeſaid, if the ſame be not again ſupplied by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, within ſix months then next following, then it ſhall be in the power of the ſaid Commiſſioners of Sewers, out of the Rents, Iſſues and Profits aforeſaid to raiſe the ſame or ſo much thereof as ſhall not be ſupplied as abovesaid, from time to time and at all times, as occaſion ſhall require.

South-Dozens and Hawthorne Bank.

How meetings and By-Laws may be made for management of the Draining.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for ſuch perſon and perſons, their Heirs and Aſſigns or any three or more of them, to whom the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, ſhall make or execute any Eſtate or Eſtates of the ſaid Ten thouſand thirty ſix Acres before mentioned, or any part thereof, as Adventurers under the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, in Draining the ſaid Fens at all times, and from time to time, from and immediately after execution of the ſaid Eſtate and Eſtates, to ſummon, call and hold Meetings of themſelves, their Agents and Workmen, at ſuch place and places by Warrant under three or more of their Hands and Seals, or under the Hand and Seal of their common Clerk for the time being, for the making, altering or confirming, and with power and authority hereby granted unto them, their Heirs, Executors, Adminiſtrators and Aſſigns, for making, and to make By-Laws for the better Government and more orderly management of the ſaid Work of Draining the ſaid Fens within themſelves reſpectively,

By whom rates and taxes may be made for the ſaid work.

XXVIII. And alſo be it further enacted by the Authority aforeſaid, That at all and every meeting and meetings as aforeſaid to be held, It ſhall and may be lawful, and they are hereby thereunto impowred, for any three or more of the ſaid Undertakers, their Heirs, Executors, Adminiſtrators and Aſſigns, to aſſeſs, rate, tax and charge all and every the reſpective Owner or Owners, their Heirs, Executors, Adminiſtrators and Aſſigns, and every of them, of all and every the ſaid Ten thouſand and thirty ſix Acres aforeſaid, by an equal and proportionable Acre-tax, with any ſum or ſums of mony as they ſhall adjudge neceſſary for the carrying on and effecting the ſaid Work, and to limit and appoint ſuch certain days and places for the reſpective payments thereof to their Treaſurer or Treaſurers for the time being, as they the ſaid Undertakers, their Heirs, Executors, Adminiſtrators or Aſſigns, or any three or more of them under their Hands and Seals ſhall appoint, ſo as every of the ſaid Undertakers, who ſhall at any time or times hereafter aſſeſs, rate, tax and charge the ſaid ſums of mony, be really then Owner of Two hundred and fifty Acres of Land or more within the ſaid Fen.

How the ſame may be levied.

XXIX. And be it further enacted, upon default made by any perſon or perſons ſo aſſeſſed rated, taxed and charged as aforeſaid, in his or their reſpective payments to be limited and appointed as aforeſaid, by the ſpace of three months after the time limited for payment thereof, That it ſhall and may be lawful to and for any three or more of the ſaid Adventurers, their Heirs, Executors, Adminiſtrators or Aſſigns, to bargain, ſell, convey and aſſure all, or ſo much of the ſaid Defaulter or Defaulters Lands reſpectively within the ſaid Fen, for raiſing the ſum or ſums of money ſo aſſeſſed, rated or charged as aforeſaid, to any other perſon or perſons, their Heirs and Aſſigns, for ſuch Eſtate or Eſtates as the ſaid Defaulter or Defaulters had in him or them reſpectively at the time of the ſaid default or defaults made as aforeſaid, as to them or any three or more of them the ſaid Adventurers, their Heirs, Executors, Adminiſtrators or Aſſigns ſhall ſeem meet, ſubject nevertheleſs to the Conditions and forfeitures in this Act contained and expreſt: (2) And all and every Conveyance thereof is, and ſhall be adjudged good and available in Law and Equity, againſt all and every ſuch Defaulter and Defaulters reſpectively, or againſt his or their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, ſo as the ſame be Inrolled in the High Court of Chancery within ſix months after the making thereof.

How Owners and Commoners may improve and incloſe their ſhares.

XXX. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons, Bodies Politick or Corporate, their Heirs and Succeſſors, Owner or Owners of the Soil of the ſaid Fens or Waſtes, or who may or ought to have Common in any of the ſame, to improve, ſet out, incloſe, divide and ſever ſuch quantity or quantities of the ſaid Fens or Waſtes (other than ſuch of the ſame as by the tenure of this Act are appointed or allotted to the ſaid Undertakers as aforeſaid) as ſhall be proportionable to his or their reſpective Intereſt, or to his or their Lands and Tenements whereunto, or in reſpect whereof, the ſaid Common or Waſte may or ought to be had or enjoyed, and ſuch quantity or quantities to have and to hold in ſeveralty, by and according to ſuch Tenures, Eſtate, Right, Title and Intereſt as ſuch perſon or perſons have or ſhall have in ſuch Mannors, Lands and Tenements, ſubject nevertheleſs to all the Powers and Liberties given by this Act to the ſaid Truſtees, their Heirs and Aſſigns, and the Survivor of them, for Draining the ſaid Fens, as if the ſame Lands had remained common and unincloſed, leaving and allowing convenient paſſages and ways in and to the ſaid Undertakers Ground in the ſaid Fen.

Who may determine of boundaries, improvements and incloſures.

XXXI. And it is further enacted, That the Boundaries of the ſaid Waſtes ſo to be incloſed, Approvements and Incloſures ſhall from time to time, and at all times, upon requeſt of any perſon or perſons concerned, be determined and adjudged, and finally ended by the perſons hereafter named, (that is to ſay) Thomas Lord Beaumont of Cole-Orton, Sir George Villiers of Bruxby Baronet, Sir William Hartopp of Rotherby Knight, William Hartopp of Little Dalby Eſq;

Sir

Appeals in caſes of Adjudication.

Sir Henry Hudſon of Melton-Mowbray Baronet, Sir Edward Smith of Edmundthorp Knight, Richard Liſter of Thorpe Eſquire, John Hacket of Ketleby Eſquire, William Gilbert of Melton-Mowbray Eſquire, all of the County of Leiceſter; Baptiſt Lord Viſcount Campden, Sir Edward Heath of Cotteſmore Knight of the Bath, William Palms of Aſhwel Eſquire, Abel Barker of Hambleton Eſquire, Samuel Brown of Stockins Eſquire, Robert Mackeworth of Empingham Eſquire, Philip Sherard Eſquire, Alexander Noel of Whitwel Eſquire, Chriſtopher Brown of Towlthorpe Eſquire, Edward Falkener of Uppingham Eſquire, Sir Thomas Mackeworth, of Normanton Baronet, Henry Noel Eſquire of Eaton, Andrew Noel Eſquire of Whitwel, Charles Halford Eſquire of Weſton, Thomas Pilkington Eſquire of Belton, Beaumont Bodenham Eſq; of Ryhall, and Henry Mackeworth Eſq; of Normanton, all of the County of Rutland; Mildmay Earl of Weſtmerland, Obrian Lord Cockaine, William Stafford Eſquire of Blatherwick, Lewis Palmer Eſquire of Corlton, Edward Palmer Eſquire of Stoake, Walter Kirkham of Tinſhead Eſquire, Chriſtopher Thurſby Eſquire, Humphrey Orme Eſq; Sir Henry Yelverton Baronet, Thomas Dove of Upton Eſquire, William Mountague Eſquire, Francis Quarles Eſquire, George Quarles junior of Ufford Eſquire, Francis Kirkham Eſquire of Finſhead, John Lynn of Southwick, all of the County of Northampton; Robert Lord Willoughby of Eriſby, eldeſt Son to Mountague, Earl of Lindſey Lord Great Chamberlain of England, Sir Thomas Meres Knight, Sir John Newton Baronet, Sir Anthony Irby Knight, Peregrine Bartue Eſq; Anthony Thorold of Marſton Eſquire, William Blythe of Straſton Eſq; Philip Dallow of Bitchfield Eſq; Thomas Harrington of Boothby Eſq; Charles Bawdes of Somerby Eſq; Sir Edward Barkham Baronet, all of the County of Lincoln, or by any ſeven or more of them: (2) Which ſaid perſons, or any ſeven or more of them, are hereby conſtituted and appointed Commiſſioners for that purpoſe, upon their view or examination of Witneſſes upon Oath, (which Oath they are hereby authorized to adminiſter) or both, or other good and ſufficient proof by matter of Record, Writings or Evidences, and hearing the parties concerned, if they be preſent and deſire it; (3) which determination and Judgment being certified by Writing under the Hands and Seals of the ſaid Judicature, or any ſeven or more of them, into the Petty-bag, there to be Filed and kept on Record, ſhall be final and concluſive unto all parties. (4) Provided always, That in caſe any perſon or perſons, Bodies Politick, or Corporate, ſhall find him or themſelves agrieved with ſuch Judgment and Determination of the ſaid Judicature, and ſhall thereof within ſix months next after the ſame, appeal to any thirteen or more other perſons of the ſaid Judicature, Then ſuch Determination as the ſaid thirteen more ſhall make, being certified by Writing under the Hands and Seals of thirteen or more, into the Petty-bag aforeſaid, there to be Filed and kept on Record as aforeſaid, ſhall be final and concluſive to all parties, the ſaid former Judgment or Determination notwithſtanding. (5) And the Incloſures and Proportions ſo Adjudged or Decreed as aforeſaid to ſuch perſon or perſons, Bodies Politick and Corporate, ſhall be held by him or them, and his and their Heirs and Succeſſors reſpectively, by and according to his and their Tenures, Eſtate, Title and Intereſt, which he or they had in the Manors, Lands or Tenements, for or in reſpect of which he or they claimed, or incloſed the ſaid quantity or quantities of the ſaid Waſtes as aboveſaid. (6) Provided always, and be it enacted by the authority aforeſaid, That the ſaid Commiſſioners, and every of them, before he or they take upon him or them the execution of any the powers or authorities hereby given them, (other than the adminiſtring the Oath following to one another, which they ſhall have authority by this preſent Act to adminiſter to one another) ſhall take the Oath following, viz.

The Oath to be taken by Commiſſioners.

I A.B. am not intereſſed in Poſſeſſion, Reverſion or Remainder, of, in or to the ſaid Fens, or any part thereof; And ſhall and will without Favour or Affection, Hatred or Malice, truly and impartially according to the beſt of my Skill and Knowledge, execute and perform all and every the Powers and Authorities in me eſtabliſhed by this Act of Parliament.

The places of the Commiſſioners ſitting.

XXXII. Which Oath any one of the ſaid Commiſſioners are hereby authorized to adminiſter: (2) And that the places where the ſaid Commiſſioners ſhall ſit to hear, order and determine the matters referred to them by this Act, ſhall be at the Towns of Stamford, Market-Deeping or Spalding in the ſaid County of Lincoln. And the ſaid Commiſſioners, or any ſeven or more of them, are hereby directed by Warrant under their Hands and Seals to declare the places and times of their Meeting; The ſame Warrant to be publiſhed in open Market, of the ſaid Towns of Stamford, Market-Deeping and Spalding, between the hours of Twelve and Two upon ſome Market-day, One and twenty days at leaſt before the ſaid time or times of Meeting, to the end all perſons concerned may have ſufficient time and notice to attend; (3) And ſhall have power and authority by Warrant under the Hands and Seals of any three or more of them, to ſummon parties and witneſſes to appear before them; (4) And in caſe any controverſie or difference ſhall happen or ariſe betwen or amongſt the ſaid Commiſſioners before any Judgment or Determination by them given in the Premiſſes, touching or concerning the expoſitions of the words of this Act, or the powers or authorities thereby to them given; Then the Lord Chief Juſtice of the Kings Bench, the Lord Chief Juſtice of the Common-Pleas, and the Lord chief Baron of his Majeſties Court of Exchequer for the time being, are hereby conſtituted and eſtabliſhed a Judicature, and they or any two of them, are hereby authorized to hear, adjudge and determine ſuch controverſies and differences: (5) And their Judgment or Determination thereof, certified under their Hands and Seals, ſhall be obſerved, and ſhall be likewiſe certified, together with the Judgments and Determinations of the ſaid Commiſſioners, into the Petty-bag, there to be kept on Record, as aforeſaid.

Their power and manner of proceeding.

C A P. XII.

An Act for making the River Avon Navigable from Chriſt-Church to the City of New-Sarum.

Whereas the making Navigable and paſſable with Barges, Boats, Lighters and other Veſſels, the River Avon in the County of Wilts and Southampton, from the Town of Chriſt-Church, in the ſaid County of Southampton to the City of New-Sarum in the ſaid

County of Wilts; And (if need require) the making of a new Haven, may with Gods bleſſing be of great advantage and benefit, not only to the ſaid Counties, but alſo to the Publick, by Import and Export of Commodities, and increaſe of Commerce and Trade, and of able Seamen and Watermen, and moſt profitable and neceſſary for the conveyance thereby of Fewel and other Neceſſaries to the ſaid City of New-Sarum, whereof there is now great ſcarcity, and far greater hereafter is like to grow, if ſome help thereof be not provided, beſide the extraordinary preſervation of the High-ways in and near the ſaid City and County:

Commiſſioners, how to be appointed for making the River Avon Navigable.

II. Be it therefore enacted by the Kings Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Lord Chancellor or the Lord Keeper of the Great Seal of England for the time being, at any time after the end of this preſent Seſſion of Parliament, ſhall and may nominate, appoint and authorize by Commiſſion under the Great Seal of England, ſuch perſon or perſons, Bodies Politick and Corporate, as to him ſhall ſeem fit, and are willing to undertake the making Navigable the ſaid River of Avon from the ſaid Town of Chriſt-Church, to the ſaid City of New-Sarum; And to make a new Haven (if need require) for Ships and Veſſels near the ſaid Town of Chriſt-Church: (2) Which ſaid Undertakers ſo nominated and appointed, as aforeſaid, are hereby authorized, and ſhall have full power and authority by this preſent Act to make Navigable or paſſable by Barges, Boats, Lighters or other Veſſels, the ſaid River of Avon, from the ſaid Town of Chriſt-Church, to the City of New-Sarum aforeſaid; (3) And for that purpoſe to cleanſe, ſcour and open the ſame, and to cut or dig the Banks of the ſame, and to take away or remove all Wears or other Impediments that may hinder Navigation, either in ſailing or haling of Boats with Horſes, Men, or otherwiſe to amend or alter ſuch Bridges and High-ways as may hinder the ſaid Paſſages and Navigation, and to open, prepare and make all Wears, Saſſes, Locks and Turnpikes fit for the ſaid Paſſage; (4) And likewiſe to cleanſe, ſcour open, or cut and dig the Banks of any other Stream, Brook, Ditch or Water-courſe that ſhall to them ſeem convenient for the better making the ſaid River Navigable and paſſable for Boats, Barges, Lighters, and other Veſſels; (5) And likewiſe to make and erect any Wharfs, Saſſes, Locks, Turnpikes or Pens for Water in or near the ſaid River or Paſſage, that ſhall be fit or neceſſary for the ſame, and to bring, lay and work all Materials requiſite for the making, erecting and repairing of the ſaid Locks or Turnpikes upon the ſaid River or Paſſage, and to cut ſuch and ſo many new Channels and Trenches as to them ſhall ſeem convenient for altering the Courſe of the ſaid River of Avon, in bringing the ſame to the City of New-Sarum as aforeſaid, as alſo for the bringing in any other River or Water-courſe into the ſaid River, and to do all other things neceſſary and convenient for the ſaid River and Paſſages, new Channels, Wharfs, Saſſes, Locks, Wears, Turnpikes, Pens for Water, and the ſaid Bridges, Ways and Paſſages, and for the altering, repairing, keeping, uſing and amending of the ſame or any of them, or any part of them, from time to time hereafter as oft as need ſhall require, and alſo (if need require) to make a commodious Haven and Port near the ſaid Town of Chriſt-Church for the Entry, Road, ſafety and preſervation of Ships that may reſort thither, as well in peril of Storms as otherwiſe, to lade or unlade their Goods, and to alter, repair and amend the ſame, or any part of it, from time to time as oft as need ſhall require: (6) And to the end that the making the ſaid River Navigable and paſſable for Barges, Boats, Lighters and other Veſſels, and the erecting and making the ſaid Haven, Channels, Saſſes, Locks, Wears, Turnpikes, Pens for Water, Wharfs, Bridges, Ways and Paſſages as aforeſaid, or other things, may not be any way prejudicial to the Inheritance, Poſſeſſion or Profit of any perſon or perſons, Bodies Politick or Corporate whatſoever, that have any Lands, Tenements, Wears or Hereditaments adjoyning to the ſaid River or Streams, Brooks, new Channels and Paſſages as aforeſaid, or any of them, or through which the ſame ſhall be made or cut as aforeſaid:

Satisfaction to parties endamaged in any of their Lands.

III. Be it therefore enacted by the authority aforeſaid, That the ſaid Undertakers, before they do meddle with the Lands, Inheritance, Poſſeſſion or Profit of any perſon or perſons, Bodies Politick or Corporate, ſhall firſt agree with ſuch perſons, Bodies Politick or Corporate, for the loſs or damage that any of them ſhall or may any way receive by the making or altering the ſaid Haven, Channels, Wharfs, Saſſes, Locks, Wears and Paſſages, or procure ſome Order therein to be made by the Commiſſioners to be aſſigned for that purpoſe, as hereafter in this preſent Act is expreſſed. (2) And for the better effecting of the Premiſes, and the due rating of the value of the things to be compounded for, by the true intent of this Statute, if the parties ſhall not agree;

Commiſſioners for compounding with perſons ſo damnified.

IV. Be it enacted by the authority aforeſaid, That at the requeſt and charges of the ſaid Undertakers, One or more Commiſſion or Commiſſions under the Great Seal of England ſhall be granted to Edward Earl of Clarendon, Lord Chancellor of England, Thomas Earl of Southampton Lord High Treaſurer of England, Philip Earl of Pembrook and Mountgomery, William Lord Herbert of Cardiffe, Henry Lord Viſcount Cornbury, George Lord Biſhop of Wincheſter, and the Biſhop of Wincheſter for the time being, John Lord Biſhop of Sarum, and the Biſhop of Sarum for the time being, William Lord Sands, Robert Lord Brook, Anthony Lord Aſhly Chancellor of the Exchequer, Sir Edward Nicholas Knight, one of his Majeſties moſt Honourable Privy-Council, Sir Robert Hide Knight, Lord Chief Juſtice of the Kings Bench, Sir Wadham Windham Knight, one of the Juſtices of the Kings Bench, Sir George Grubham How, Baronet Sir Joſeph Aſh Baronet, Sir John Nicholas Knight of the Bath, Sir John Low Knight, Sir Robert Maſon Knight, Sir Thomas Mompeſſon Knight, Sir John Clobery Knight, Stephen Fox Eſq; Clerk of the Green-Cloth, and one of the Citizens for the City of New-Sarum, John Joyce Mayor of the City of New-Sarum, and the Mayor of the ſame City for the time being, Richard Coleman Eſquire, Recorder of the City of New-Sarum, and the Recorder of the ſame City for the time being, Francis Roll Eſq; High Sheriff of the County of Southampton, Lawr. Hyde Eſq;

The power of the ſaid Commiſſioners.

Humphrey Weld Eſquire, Edward Hyde of Hatch Eſquire, Richard How Eſquire, John Holt the elder of the Cloſe of the City of New-Sarum Eſquire, George Vennerd of the City of New-Sarum Eſq; Edward Manning Eſquire, Richard Compton Eſquire Thomas Knowles Eſq; Philip Lee Eſquire, Walter Bockland Eſquire, Willian Swanton Eſquire, Roger Gallop Eſquire, Edward Hopper of Huncourt Eſquire, William Tulſe Eſquire, John Hobby Eſquire, Henry Tulſe Eſquire, Henry Whitehead Eſquire, the Major of Wilton for the time being, and the Mayor of Chriſt-Church for the time being, Samuel Percival Eſquire, William Liſle Eſquire, and Philip Percival Gentleman. (2) Which ſaid Commiſſioners, or any ſeven or more of them (not being parties concerned) ſhall have full power and authority, and are hereby impowred and authorized by examination of Witneſſes upon Oath (which Oath they, or any ſeven or more of them, have hereby power to adminiſter) or by any other lawful ways or means to examine, hear and determine all and all manner of Controverſies, Debates and Queſtions which ſhall happen and ariſe between any perſons whatſoever, touching or concerning any matter or thing relating to the aforeſaid Premiſſes, or any part thereof; (3) And to appoint, determine and decree what and how much ſatisfaction every ſuch perſon or perſons, Body Politick or Corporate, ſhall have for or in reſpect of the loſs to be by him, her or them ſuſtained, (4) notice being firſt given of their Meeting by Papers publickly affixed to the Church doors, or ſet up in the Market-places of the City of New-Sarum, and the Towns of Chriſt-Church and Ringwood, Ten days at the leaſt before their Meeting, declaring the time and place of their Meeting: And alſo notice in Writing being firſt left at the Dwelling-houſe of every party concerned, or at their uſual place of abode, or with ſome Tenant or Occupier of ſome Houſe, Land or Tenement of ſuch party within fifteen miles of the ſaid River: (5) Which ſaid Determination, Sentence and Decree ſet down, declared and pronounced by the ſaid Commiſſioners, or any ſeven or more of them, and the price and recompence by them limited, ſhall bind all parties therein concerned in Poſſeſſion, Reverſion or Remainder, or otherwiſe, and as well Infants, Feme-Coverts, as others, and their Heirs in Fee-ſimple or in Tail, and their Executors, Adminiſtrators and Aſſigns, and all claiming by, from or under him, her or them, or any of them; (6) Which Order, Sentence and Decree ſo made, ſhall be ſet down in writing under the Hands and Seals of the ſaid Commiſſioners, or any ſeven or more of them, within ſix weeks after the firſt reſort to them, for that cauſe according to this Act, the ſame to be kept among the Records of the Seſſion of the Peace for the City of New-Sarum, by the Clerk of the Peace for the time being of the ſaid City; Tranſcripts whereof ſhall be delivered to the ſeveral Clerks of the Peace of the reſpective Counties of Wilts and Southampton, to be by them kept upon Record amongſt the Records of the Seſſions of the ſaid reſpective Counties; All which ſhall be taken, adjudged and deemed good and ſufficient evidence and proof in any Court of Record whatſoever. (7) And that upon payment of ſuch ſum or ſums ſo ordered or agreed upon (to the ſaid perſons concerned, or tender thereof made) at his or their Dwelling-houſe, or the Houſe of his or their Tenant of ſome Tenement, Houſe or Land of theirs within fifteen miles of the ſaid River; And if they have no ſuch Dwelling-houſe, Land or Tenement, or if upon ſuch tender at their ſaid Dwelling-houſe, or the Houſe, Land or Tenement, of ſuch Tenant as aforeſaid, they refuſe, or are not ready to receive the ſame, That upon payment of the ſaid ſum to the Mayor and Commonalty of the City of New-Sarum in the Council Chamber of the ſaid City, for the uſe of ſuch perſons, It ſhall then, and not before be lawful to and for the ſaid Undertakers, and their Workmen and Servants, to dig and make, or cauſe to be digged and made, the ſaid Haven, Channels, Wharfs, Saſſes, Locks and Paſſages, or do any ſuch other act for which any ſuch Agreement or Order ſhall be made as aforeſaid.

How Commiſſioners dying or renouncing, may be ſupplied.

V. And be it further enacted, That when any of the ſaid Commiſſioners ſhall happen to die, or become unfit for, or renounce the Service; That then and ſo often it ſhall be lawful to and for the ſaid Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, from time to time to ſupply, appoint, and authorize One, or ſo many Commiſſioners of the Counties of Wilts, Southampton or Dorſet, of the Nobility, or Knights, and principal Gentlemen of the ſaid Counties, dwelling, or having Eſtates within fifteen miles of the ſaid River, as ſhall make and fill up the before mentioned number of Commiſſioners; which ſaid Commiſſioners ſo ſupplied, appointed and authorized as aforeſaid, not exceeding the number before mentioned, nor being under the number of One and thirty, or any ſeven or more of them, ſhall from thenceforth have like power and authority in all things, as thoſe Commiſſioners which are expreſly named in this Act: (2) And that the Commiſſioners, and ſuch as from time to time for the future ſhall be ſupplied as aforeſaid, or any ſeven or more of them, have like power and authority to ſurvey the ſaid Haven and River, and all Wharfs, Saſſes, Locks, Wears, Turnpikes, Pens for Water, and all Ditches, Sewers and Streams running into the ſaid River; and the Mills, Mill-dams Floodgates, Walls, Banks and Bridges now made, or hereafter to be made and built upon the ſame, and all Impediments, Decays, Loſs and Annoyances in the ſame, and make like Proceſs to enquire thereof, and to ſet ſuch Fines, Penalties, and to make ſuch Orders and Decrees for altering, amending or removing the ſame, as any Commiſſioners of Sewers by any Law, Statute or Commiſſion of Sewers are enabled to do in other Rivers and Places; Any Law or Statute to the contrary notwithſtanding.

The powers to make Orders and Conſtitutions.

VI. And be it further enacted by the authority aforeſaid, That the ſaid Undertakers authorized as aforeſaid, for the making the ſaid Haven and Paſſages, from time to time ſhall have full power and authority by and with the conſent of the ſaid Commiſſioners, or any ſeven or more of them, to make Orders and Conſtitutions for the good and orderly uſage of the ſaid Haven and Paſſages; and for all Wharfs, Saſſes, Locks, Wears, and Turnpikes, and for all Ships and Veſſels, Barges, Lighters, Boats, Boat-men, Paſſengers, Carriages, and Rates for Carriages, by or through the ſaid Haven or Paſſages, and all things concerning the ſame; and to ſet, lay and execute ſuch reaſonable pains and puniſhments upon the breakers thereof, as to them in diſcretion ſhall ſeem meet and reaſonable: Which ſaid Orders and Conſtitutions being put in writing under the Hands and Seals of the ſaid Under-

To impoſe penalties upon the breakers.

Undertakers, and being allowed by the ſaid Commiſſioners, or any ſeven or more of them, under their ſeveral Hands and Seals, and by the Juſtices of Aſſize of the ſaid ſeveral Counties of Wilts and Southampton, which ſhall be at the time of the Signing, Sealing and Publiſhing of the ſaid Orders as aforeſaid, ſhall be binding to all perſons whatſoever; Any Law or Uſage to the contrary notwithſtanding. (2) The ſaid Orders and Conſtitutions to be kept among the Records of the Seſſions of the Peace for the City of New-Sarum, by the Clerk of the Peace for the time being of the ſaid City, Tranſcripts whereof ſhall be delivered to the ſeveral Clerks of the Peace of the reſpective Counties of Wilts and Southampton, to be by them kept upon Record amongſt the Records of the Seſſions of the ſaid reſpective Counties. All which ſhall be taken, adjudged and deemed good and ſufficient Evidence and Proof in any Court of Record whatſoever. (3) Nevertheleſs the Juſtices of Aſſize for the Counties of Wilts and Southampton, upon complaint to them made to any perſons grieved with the ſaid Taxations, Aſſeſſments, Charges, Orders, Conſtitutions, Pains and Penalties or any of them, ſhall and may abridge, moderate, alter or reform the ſame as they ſhall find juſt cauſe; ſuch Orders to be under the Hands and Seals of the ſaid Juſtices, and to be kept among the Records of the Seſſions as aforeſaid. (4) And the reſpective Commiſſioners and Judges of Aſſize as aforeſaid, are from time to time to take ſpecial care in the manner of the laying and aſſeſſing of the ſaid Rates, and ordering and diſpoſing of the ſaid Haven, Paſſages and Wharf, that all opportunity for the Undertakers, or any other, to engroſs the Commodities of the ſaid Country, or impoſe upon the Markets, may be prevented.

Perſons grieved may appeal to be Juſtices of Aſſiſe.

VII. And be it enacted by the authority aforeſaid, That the ſaid Undertakers authorized as aforeſaid for the making the ſaid Haven and Paſſages reſpectively, and their ſeveral and reſpective Heirs and Aſſigns for ever, having firſt given ſatisfaction as aforeſaid, ſhall have, hold, peaceably and quietly receive, demand, take and enjoy all and every the ſaid Rates, Profits and Advantages whatſoever which ſhall or may from time to time, and at all times hereafter be made, ariſe, grow or become due or payable for the Carriages of Wood, Coals, Corn, Salt, or any other Merchandizes, Commodities or Carriages whatſoever, by any Ship or Veſſel, Barge, Boat, Lighter, or otherwiſe, up or down the ſaid Haven, River, new Channels, or the ſaid Saſſes, Locks, Wears, Turnpikes, Pens for Water, Cranes, Wharfs, or any of them; (2) and alſo ſhall have and receive as aforeſaid, all Penalties impoſed by the ſaid Orders as aforeſaid, and in caſe of Refuſal or Denyal of Payment, ſhall and may ſue for the ſame by Action of Debt in any Court of Record; in which Action, no Wager of Law, Eſſoin or Protection ſhall be allowed; or may Diſtrain or make Stoppage of the ſaid Goods or Veſſels till they be ſatisfied for the ſame; (3) And that all Fines and Amerciaments which ſhall be impoſed as aforeſaid, for any Annoyances and Offences which ſhall be at any time hereafter committed to the hurt or prejudice of the ſaid River, or any thing thereunto appertaining, ſhall be to the only uſe, benenefit and behoof of the ſaid reſpective Undertakers, their ſeveral and reſpective Heirs, Succeſſors and Aſſigns for ever. (4) And for that the Barges, Boats, Lighters, or other Veſſels, muſt of neceſſity in ſome places, and at ſome times, be haled up by ſtrength of Men, Horſes, Winches, Engines, or other means in that behalf convenient:

The Undertakers to have the Taxes upon Carts, Carriages, &c.

Penalties, and how to recover the ſame.

VIII. Be it therefore Enacted by Authority of this preſent Act, That it ſhall and may be lawful to and for Watermen, Boatmen, Bargemen, and other helpers of them, in convenient places, to have and uſe Winches, Ropes, and other Engines, and with the ſame, by ſtrength of Men, Horſes or other Beaſts, or any of them, going upon the Land or Banks near the ſaid River or Paſſages in convenient manner, without the hindrance, trouble or impeachment of any perſon or perſons, to Draw or Hale up the Barges, Boats, Lighters or other Veſſels.

Drawing and haling of Barges, &c. upon the Banks.

IX. Provided always, That neither the ſaid Undertakers, nor Commiſſioners do make or cauſe to be made any Landing-place, Wharf or Key within the City of New-Sarum, or the Bounds or Liberties thereof, or within one mile of the ſame, from Harnam-Bridge down the Stream towards Chriſt-Church, without the conſent of the Lord Biſhop of Sarum, the Mayor and Recorder of the ſaid City for the time being, and the three ancienteſt Aldermen of the ſaid City, or three of them, firſt had and obtained.

New-Sarum.

X. And be it further Enacted by the Authority aforeſaid, That the ſaid Haven, River, Channels, Trenches, and all Wears, Wharfs, Saſſes, Locks, Turnpikes, Pens for Water, and all other things whatſoever made and erected in order to making the ſaid Haven, and making Navigable the ſaid River and Channel as aforeſaid, ſhall from thenceforth be in the ole Rule, Order and Survey of the ſaid Undertakers and Commiſſioners, as aforeſaid, and not under the Survey or Order of any Commiſſioners of Sewers, nor ſubject to a Commiſſion of Sewers, or any Laws or Statutes made for Sewers; Any Law or Statutes to the contrary hereof in any wiſe notwithſtanding.

The River, Havens, &c. to be under the ſurvey of the Undertakers and Commiſſioners.

XI. And be it further Enacted by the Authority aforeſaid, That if any Action, Bill, Plaint or Suit be brought in any of his Majeſties Courts at Weſtminſter, or elſewhere againſt any perſon or perſons, for or concerning any matter or thing, by him, them, or any of them, done adviſed or commanded to be done by vertue of this Act, That it ſhall and may be lawful for every ſuch perſon or perſons, and for all that act in their aid, aſſiſtance, or by their commandment, to plead the General Iſſue, that he or they are not Guilty, and to give this Act, or any clauſe, matter or thing therein contained, in Evidence to the Jury that ſhall try the ſame, for their juſtification, without ſpecial Pleading of the ſame, and ſhall thereupon take advantage of this Act as fully to all intents and purpoſes, as if the ſame had been by them fully and well pleaded.

Perſons ſued for acting upon this Act may plead the General Iſſue,

XII. Provided alſo, and be it Enacted by the Authority aforeſaid, That Philip Earl of Pembroke and Montgomery ſhall and may have power, authority, and liberty (if he ſhall ſee cauſe, and find it to be neceſſary and convenient to the publick good) to enlarge and make Navigable the River Wiley from Harnam-Bridge aforeſaid, ſo far as Wilton in the County of Wilts,

Wiley River.

and in order thereunto, to put in execution the ſeveral Powers of this Act in relation to the ſaid River of Wiley, in the ſame and as ample manner as the ſaid River of Avon may be made Navigable by this Act, and under the ſame Proviſoes, Reſtrictions and Limitations.

Anno XVII. CAROLI II. *Regis.*

AT the Parliament begun at Weſtminſter, the Eighth of May, 1661. and by divers Prorogations held at Oxford the Ninth of October, 1665, Anno 17 Car. 2.

CAP. I.

An Act for the granting the ſum of Twelve hundred and fifty thouſands pounds to the Kings Majeſty, for his preſent further ſupply. EXP. 17 Car. 2. 9.

CAP. II.

An Act for reſtraining Non-Conformiſts from Inhabiting in Corporations.

WHereas divers Parſons, Vicars, Curates, Lecturers, and other perſons in Holy Orders, have not declared their unfeigned aſſent and conſent to the uſe of all things contained and preſcribed in the Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the uſe of the Church 14 Car. 2. c. 4. of England, or have not ſubſcribed the Declaration or Acknowledgment contained in a certain Act of Parliament made in the Fourteenth year of his Majeſties Reign, and entituled, An Act for Uniformity of Publick Prayers and Adminiſtration of Sacraments, and other Rites and Ceremonies, and for the Eſtabliſhing the Form of Making, Ordaining and Conſecrating of Biſhops, Prieſts, and Deacons in the Church of England, according to the ſaid Act, or any other ſubſequent Act. And whereas they or ſome of them, and divers other perſon and perſons not Ordained according to the Form of the Church of England, and as have ſince the Act of Oblivion taken upon them to Preach in unlawful Aſſemblies, Conventicles or Meetings, under colour or pretence of Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom, have ſetled themſelves in divers Corporations in England, ſometimes Three or more of them in a place, thereby taking an opportunity to diſtil the poyſonous Principles of Schiſm and Rebellion into the hearts of his Majeſties Subjects, to the great danger of the Church and Kingdom:

Perſons reſtrained from Inhabiting in Corporations.

II. Be it further enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Parſons, Vicars, Curates, Lecturers, and other perſons in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, and all Stipendaries, and other perſons who have been poſſeſſed of any Eccleſiaſtical or Spiritual Promotion, and every of them, who have not declared their unfeigned aſſent and conſent as aforeſaid, and ſubſcribed the Declaration aforeſaid, and ſhall not take and ſubſcribe the Oath following;

The Oath.

(2) I A.B. Do Swear, That it is not lawful upon any pretence whatſoever, to take Arms againſt the King; And that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him, in purſuance of ſuch Commiſſions; And that I will not at any time endeavour any Alteration of Government, either in Church or State.

III. And all ſuch perſon and perſons as ſhall take upon them to Preach in any unlawful Aſſembly, Conventicle or Meeting, under colour or pretence of any Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom, (2) ſhall not at any time from and after the Four and twentieth day of March, which ſhall be in this preſent year of our Lord God, One thouſand ſix hundred ſixty and five, unleſs only in paſſing upon the Road, come or be within Five miles of any City or Town Corporate, or Borough that ſends Burgeſſes to the Parliament, within his Majeſties Kingdom of England, Principality of Wales, or of the Town of Berwick upon Tweed, (3) or within Five miles of any Pariſh, Town or Place, wherein he or they have ſince the Act of Oblivion been Parſon, Vicar, Curate, Stipendary or Lecturer, or taken upon them to Preach in any unlawful Aſſembly, Conventicle or Meeting under colour or pretence of any Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom, (4) before he or they have taken and ſubſcribed the Oath aforeſaid, before the Juſtices of the Peace at their Quarter-Seſſions to be holden for the County, Riding, or Diviſion next unto the ſaid Corporation, City, or Borough, Pariſh, Place or Town, in open Court, (which ſaid Oath the ſaid Juſtices are hereby Impowred there to adminiſter) **The penalty.** (5) upon forfeiture for every ſuch offence the ſum of Forty pounds of lawful Engliſh money; the one Third part thereof to his Majeſty and his Succeſſors; the other Third part to the uſe of the Poor of the Pariſh where the Offence ſhall be comitted, and the other Third part thereof to ſuch perſon or perſons as ſhall or will Sue for the ſame by Action of Debt, Plaint, Bill, or Information in any Court of Record at Weſtminſter, or before any Juſtices of Aſſize, Oyer and Terminer, or Goal-delivery, or before any Juſtices of the Counties Palatine of Cheſter, Lancaſter or Durham, or the Juſtices of the Great Seſſions in Wales, or before any Juſtices of Peace in their Quarter-Seſſions, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed,

IV. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall not be lawful for any perſon or perſons reſtrained from coming to any City, Town Corporate, Borough, Pariſh, Town or Place, as aforeſaid, or for any other perſon or perſons as ſhall not firſt take and ſubſcribe the ſaid Oath, and as ſhall not frequent Divine Service eſtabliſhed by the Laws of this Kingdom, and carry him or her ſelf reverently, decently and orderly there, to Teach any publick or private School, or take any Boarders or Tablers that are taught or inſtructed by him or her ſelf, or any other, upon pain for every ſuch offence to forfeit the ſum of Forty pounds, to be recovered and diſtributed as aforeſaid.

V. Provided alſo, and be it further enacted by the authority aforeſaid, That it ſhall be lawful for any two Juſtices of the Peace of the reſpective County, upon Oath to them of any offence againſt this Act, which Oath they are hereby Impowred to adminiſter, to commit the offendor for Six months without Bail or Mainpriſe, unleſs upon or before ſuch Commitment, he ſhall before the ſaid Juſtices of the Peace, ſwear and ſubſcribe the aforeſaid Oath and Declaration.

VI. Provided always, That if any perſon intended to be Reſtrained by vertue of this Act, ſhall without fraud or covin be ſerved with any Writ, Subpæna, Warrant, or other Proceſs whereby his perſonal appearance is required, his obedience to ſuch Writ, Subpæna or Proceſs, ſhall not be conſtrued an offence againſt this Act.

CAP. III.

An Act for uniting Churches in Cities and Towns Corporate.

Foraſmuch as the ſetled Proviſion for Miniſters in moſt Cities and Towns Corporate within this Realm, is not ſufficient for the maintenance of able Miniſters fit for ſuch places, whereby Mean and Stipendary Preachers are entertained, to ſerve the Cures there; who wholly depending for their maintenance upon the good will and liking of their Auditors, have been, and are hereby under temptation of too much complying, and ſuiting their Doctrine and Teaching to the humour rather than good of their Auditors, which hath been a great occaſion of Faction and Schiſm, and of the contempt of the Miniſtry: (2) The Lords and Commons in Parliament Aſſembled, being deeply ſenſible of the ill conſequence thereof, and piouſly deſiring able Miniſters in ſuch places, and a competent ſetled maintenance for them by the Union of Churches; which is alſo become neceſſary, by reaſon of great Ruine of many Churches and Pariſhes in the late ill times, and otherwiſe; Do therefore moſt humbly beſeech Your moſt Excellent Majeſty, That it may be Enacted, (3) and be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That in every City or Town corporate, and their Liberties, within the Kingdom of England, and Dominion of Wales, which have a Mayor and Aldermen, and particular Juſtices of the Peace by Charter or Commiſſion, or Bailiff or Bailiffs, or other chief Officer or Officers, and other Aſſiſtants by like Charter; and where two or more Churches or Chappels, or a Church and a Chappel, and the Pariſhes thereunto belonging do lie within the ſaid Corporation, or Liberties thereof, convenient to be united: In ſuch caſes the Biſhops of the Dioceſs where ſuch Pariſh and Pariſhes are, with the conſent of the Mayor, Aldermen, and Juſtices of the Peace, Bailiff or Bailiffs, or other chief Officer or Officers, or the major part of them, and of the Patron or Patrons of ſuch Church or Churches, Chappel or Chappels, ſhall or may according to due form of Law unite the ſaid Churches or Chappels, or Church and Chappel, or any of them, (4) and ſhall appoint at which Church or Chappel, Churches or Chappels the ſaid Pariſhioners and Inhabitants of the ſaid Pariſhes or places to which the ſaid Churches or Chappels, or Church and Chappel do belong, ſhall uſually meet for the worſhip of God, and which of the ſaid Churches or Chappels, or Church or Chappel ſhall be united and annexed to the other, which ſhall be the Church Preſentative, unto which all Preſentations ſhall thereafter be only made, and unto which the Pariſhioners ſhall reſort as their proper Church; (5) And after ſuch Order made, the ſaid Churches or Chappels, or Church and Chappel ſhall accordingly for ever ſtand united: And the Pariſhioners, Landlords, and Inhabitants of the ſaid Pariſhes and places belonging to ſuch Churches or Chappels, or Church and Chappel ſo united and annexed, ſhall as they, or any of them become void, and from thence forward pay all ſuch Tythes and other Duties as belong, or did belong to the Incumbent of any of the ſaid Churches or Chappels, or Church and Chappel ſo united and annexed, unto the Incumbent of the ſaid Preſentative Church or Chappel, unto which the ſaid other Churches or Chappels, or Church or Chappel ſhall be ſo united and annexed.

In what Cities and Towns, and how Churches and Chappels may be united.

37 H. 8. 21. Sect. 6. N. 1

II. And it is hereby alſo Enacted, That notwithſtanding any ſuch Union to be made by vertue hereof, each of the Pariſhes ſo united, ſhall continue diſtinct, as to all Rates, Taxes, Parochial Rites, Charges and Duties, and all other Priviledges, Liberties and reſpects whatſoever, other than what is herein before mentioned and ſpecified; And Churchwardens ſhall be elected and appointed for each Pariſh, as they were before ſuch union made.

Pariſhes ſhall remain diſtinct notwithſtanding ſuch Union of Churches.

III. And be it further enacted and provided, That where one or more of the ſaid Churches or Chappels, or Church and Chappel ſo united and annexed ſhall be full at the time of making ſuch Union, That then the ſaid Union ſhall take effect of every ſuch Church or Chappel, upon the firſt avoidance after ſuch Union made: (2) And that the ſeveral Patrons of the ſaid Churches and Chappels ſo United, ſhall and may preſent by turns to that Church only which ſhall remain and be preſentative from time to time, in ſuch order as the ſaid Biſhop with the conſent of the ſaid Mayor, Aldermen, and Juſtices of Peace, Bailiff or Bailiffs, or other chief Officer or Officers within ſuch Pariſhes, or the major part of them, and of the Patron or Patrons of ſuch Church or Churches, Chappel or Chappels, ſhall determine and decree for the preſervation of their reſpective Rights therein, reſpect being therein had to the differences of the values of the yearly maintenance belonging to ſuch Churches or Chappels, or any of them; (3) Saving unto the Kings Majeſty, His Heirs and Succeſſors, all the Tenths and Firſt-fruits of all ſuch Churches and Chappels ſo to be united, according to the rates and valuations at which the ſaid Churches and Chappels are rated and valued in the Office of Firſt-fruits and Tenths, in his Majeſties Court of Exchequer: And alſo reſerving all Procurations and Penſions to all perſons to whom they are now, and have been formerly, or ſhall be hereafter due and payable; Any thing herein contained notwithſtanding.

How and when ſuch Uniting ſhall take effect.

And how ſeveral Patrons ſhall preſent Dr. & Stud. 116. b.

IV. Provided always, That no Union of Pariſhes or places to be made by vertue of this

Act

How Unions muſt be regiſtred.

Act ſhall commence or be effectual in Law, until it be Regiſtred in the Regiſter Book of the Biſhop of the Dioceſs, which the Regiſter is hereby required to do.

Pariſhes having 100 l. maintenance, may not be United.

V. Provided always, That no Union made by vertue hereof, ſhall be good and effectual where the ſetled maintenance belonging to the Parſons, Vicars and Incumbents of the Church or Chappel, or Churches or Chappels ſo United, ſhall exceed the ſum of One hundred pounds per annum clear, and above all Charges and Repriſes; unleſs the reſpective Pariſhioners, or the major part of them, under their hands deſire otherwiſe.

Incumbents of ſuch United Pariſhes muſt be Graduats of the Univerſity.

VI. Provided always, and be it enacted, That every Miniſter ſetled as aforeſaid, the Incumbent of any Church or Chappel, or Churches and Chappels united according to this Act, ſhall be the full and lawful Incumbent thereof to all intents and purpoſes, ſo as ſuch Miniſter be a Graduate in one of the Univerſities of this Kingdom.

Owners of Impropriations may beſtow and annex maintenance to the Churches where they lie.

Without licence of Mortmain.

VII. And be it further enacted by the authority aforeſaid, That every Owner or Proprietor, Owners or Proprietors of any Impropriation, Tythes, or portion of Tythes, in any Pariſh or Chappelry within the Kingdom of England, or Dominion of Wales, is, are, and ſhall be by vertue of this Act, inabled and impowred to give or beſtow, unite and annex the ſame, or any part thereof, unto the Parſonage or Vicarage of the ſaid Pariſh Church or Chappel where the ſame do lie, or ariſe, or ſettle the ſame in Truſt for the benefit of the ſaid Parſonage or Vicarage, or of the Curate and Curates there ſucceſſively, where the Parſonage is Impropriate, and no Vicar indowed according to his or their reſpective Eſtates, without any Licence of Mortmain; Any Law or Statute to the contrary notwithſtanding.

Parſons and Vicars not having ſetled means of 100 l. per annum, may purchaſe and annex lands or rents, without licence of Mortmain.

VIII. And be it further enacted, That if the ſettled maintenance of ſuch Parſonage, Vicarages, Churches and Chappels ſo united, or of any other Parſonage or Vicarage with Cure in the Kingdom of England, or Dominion of Wales, ſhall not amount to the full ſum of One hundred pounds per annum, clear and above all charges and repriſes, That then it ſhall be lawful for the Parſon, Vicar and Incumbent of the ſame, and his ſucceſſors, to take, receive, and purchaſe to him and his ſucceſſors, Lands, Tenements, Rents, Tythes, or other Hereditaments, without any Licenſe of Mortmain; Any Law or Statute to the contrary notwithſtanding.

CAP. IV.

An Act for continuance of a former Act for Regulating the Preſs.

14 Car. 2. c. 33.

BE it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That an Act made in the Fourteenth year of the Reign of our Sovereign Lord the King that now is, Entituled, An Act for preventing Abuſes in Printing Seditious, Treaſonable, and Unlicenſed Books and Pamphlets, and for Regulating of Printing, and Printing Preſſes, ſhall be continued with the Alterations and Additions made in and by this Act, and ſhall remain in force until the end of the firſt Seſſion of the next Parliament. EXP.

Three printed Copies of every Book in London, how to be diſpoſed.

II. And be it further enacted, That from and after the Six and twentieth day of December, One thouſand ſix hundred ſixty five, Every Printer within the City of London, or in any other place, except the two Univerſities, ſhall reſerve three printed Copies of the beſt and largeſt Paper of every Book new printed, or reprinted by him with Additions; and ſhall before any publick Vending of the ſaid Book, bring them to the Maſter of the Company of Stationers, and deliver them to him; One whereof ſhall by the ſaid Maſter of the ſaid Company of Stationers, within ten days after he hath ſo received the ſame, be delivered to the Keeper of his Majeſties Library, and the other two within the ſaid ten days to be ſent to the Vice-Chancellours of the two Univerſities reſpectively, for the uſe of the publick Libraries of the ſaid Univerſities.

Books printed in the Univerſities.

III. And it is further enacted, That the Printers in the ſaid Univerſities, and every of them reſpectively, from and after the ſaid Six and twentieth day of December, ſhall deliver one ſuch printed Copy as aforeſaid, of every Book ſo new printed, or reprinted in the ſaid Univerſities, or in either of them, to the Keeper of his Majeſties Library as aforeſaid; as alſo to the Vice-Chancellour of either of the ſaid Univerſities for the time being, two other ſuch printed Copies for the uſe of the publick Libraries of the ſaid Univerſities reſpectively. (2) And if any of the Printers aforeſaid, or the ſaid Maſter of the Company of Stationers ſhall not obſerve the direction of this Act therein, that then he and they ſo making default, in not delivering the ſaid printed Copies as aforeſaid, ſhall ſeverally forfeit beſides the value of the ſaid printed Copies, the ſum of Five pounds for every Copy not ſo delivered, as alſo the value of the ſaid printed Copies not ſo delivered: the ſame to be recovered by His Majeſty, his Heirs and Succeſſors, and by the Chancellour, Maſters and Scholars of either of the ſaid Univerſities reſpectively, by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoyn, Protection, or Wager of Law ſhall be allowed.

CAP. V.

An Act for attainting Thomas Doleman, Joſeph Bampfield, and Thomas Scot, of High Treaſon, if they render not themſelves by a day.

Pr. Abr.

IN all humble manner ſhew unto Your moſt Excellent Majeſty, Your Majeſties moſt dutiful and loyal Subjects the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, that whereas it is notoriouſly known, that Thomas Doleman, Joſeph Bampfield *alias* Stepner, and Thomas Scot ſon of Thomas Scot lately Executed as a moſt execrable traitor, and one of the moſt horrid and bloudy murderers of his late Royal Majeſty King Charles the Firſt, of ever bleſſed memory, contrary to the duty of their Allegiance, have moſt traiterouſly and wickedly adhered, and ſtill do adhere to your Majeſties enemies beyond the Seas, where they as yet remain and commit divers treaſonable Acts, without any ſenſe of Loyalty to your Majeſty, or of natural affection to their native Country:

II. May it therefore pleaſe your moſt excellent Majeſty, That it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the conſent and advice of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That if the ſaid Thomas Dolman, Joſeph Bampfield *alias* Stepner, and Thomas Scot, ſhall not return into the Realm of England, and render themſelves to ſome or one of his Majeſties Juſtices of the Peace for the County wherein he or they ſhall firſt arrive, at, or before the firſt day of February next enſuing, and alſo abide their Legal Trial for ſuch their Treaſons; Then every of them the ſaid Thomas Dolman, Joſeph Bampfield *alias* Stepner, and Thomas Scot, not rendring himſelf as aforeſaid, or not abiding the Trial aforeſaid, ſhall from and after the ſaid firſt day of February ſtand and be adjudged attainted of High Treaſon, to all intents and purpoſes whatſoever, and ſhall ſuffer and forfeit as a perſon attaint of High Treaſon by the Laws of the Land ought to ſuffer and forfeit.

Thomas Dolman, Joſeph Bampfield, Thomas Scot.

III. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons who now are, or hereafter ſhall be beyond the Seas, and whom his Majeſty by any of his Royal Proclamations to be iſſued under the Great Seal of England, during the continuance of this War with the States of the United Provinces, ſhall name and require to return into England, and render themſelves by a certain day therein to be mentioned, to ſome or one of his Majeſties Juſtices of the Peace for the County wherein he or they ſhall firſt arrive, and ſhall not return and render themſelves accordingly, and abide their Legal Trial, ſhall from and after the day to them to be prefixed by ſuch Proclamation, ſtand and be attainted of High Treaſon to all intents and purpoſes, and ſhall ſuffer ſuch pains and penalties, and undergo all ſuch forfeitures as perſons attainted of High Treaſon ought to do.

Perſons beyond Sea, by Proclamation are required to return into England.

IV. Provided, That the time be prefixed by ſuch Proclamation for the perſons therein to be named to render themſelves, be not leſs than the time and term of three Kalendar months, from and after the Date of ſuch Proclamation.

The time by ſuch Proclamation, three months at leaſt.

V. And be it further declared and enacted by the authority aforeſaid, That all and every his Maiſties Subjects, who from and after the firſt day of February next enſuing, ſhall at any time during the continuance of the ſaid War, ſerve the States of the United Provinces, either by Land or Sea, as a Souldier or Seaman, on this ſide the Straights; Or from and after the Firſt day of May in the year of our Lord, One thouſand ſix hundred ſixty and ſix, within the Straights; Or from and after the Firſt day of Auguſt in the ſaid year, One thouſand ſix hundred ſixty and ſix, in Africa or America, or any where beyond the Straights, on this ſide the Equinoctial; Or from and after the Firſt of February in the ſaid year, One thouſand ſix hundred ſixty ſix, in the Eaſt-Indies, or any part beyond the Equinoctial, ſhall be and are hereby Attainted of High Treaſon, and ſhall ſuffer and forfeit to all intents and purpoſes, as perſons Attainted of High Treaſon ought to do.

Perſons ſerving the States of the United Provinces during the War.

CAP. VI.

An Act for taking away of Damage Cleer.

Whereas the moneys which are taken by Prothonotaries of your Majeſties Courts of Kings Bench and Common Pleas, and by the Clerk of your Majeſties Court of Exchequer at Weſtminſter, and the Prothonotaries of your Majeſties Court of Common Pleas at Lancaſter, and the Prothonotaries and Clerks of other your Majeſties Courts within the Realm of England, and Dominion of Wales, in the name of Damna Clericorum, or Damage Cleer, are an unneceſſary charge and burden to all your Majeſties Subjects, who have good cauſe, and are put to ſue for Damages in Actions where Damages are recoverable.

Fees.

Damna Clericorum.

II. For avoiding of which inconveniences for the future, and that your Majeſties Subjects may have an eaſier means for the recovery of their Damages and juſt Rights, which are unjuſtly detained from them: May it pleaſe your moſt excellent Majeſty, that it may be enacted; And the Kings moſt excellent Majeſty being willing upon all occaſions to eaſe his Subjects of all unneceſſary charges and burdens, is graciouſly pleaſed, That it be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That immediately from and after the Twenty ninth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy two, no Damage Cleer ſhall by any Title or Precept whatſoever, be due, payable, taken or received from any perſon or perſons in any Action whatſoever, ſued or proſecuted in any of his Majeſties Courts at Weſtminſter, or elſewhere within the Kingdom of England, or Dominion of Wales, by any Prothonotary, Clerk or Clerks, or other Officer or Officers of the ſaid Courts reſpectively: (3) And that from and after the day and year aforeſaid, the ſaid Fee of Damna Clericorum, or Damage Cleer, ſhall wholly ceaſe, and be for ever aboliſhed in the ſaid Courts; (4) and that if any Prothonotary, Clerk or Clerks, or other Officer in any of the ſaid Courts, ſhall take or exact any ſum or ſums of money in the name of Damna Clericorum, or Damage Cleer, or any thing in lieu thereof, after the day and year above mentioned: (5) Or if any of the ſaid Prothonotaries, Clerk or Clerks, or their Deputies, at any time before the ſaid Twenty ninth day of September in the year aforeſaid, ſhall exact or take any Damage Cleer, or ſum of money, Bond or Security in lieu thereof, from any Plaintiff or Plaintiffs, Demandant or Demandants, in any Action where Damages have been, or hereafter ſhall be recovered in any of the ſaid Courts, (6) or ſhall refuſe or delay to Sign any Judgment, until Damage Cleer be firſt paid by the Plaintiff or Demandant (which are not to be paid, unleſs forth of the moneys levied from, or paid by the Defendants, as is herein after provided and mentioned) (7) he or they ſo offending, ſhall forfeit treble the ſum ſo taken, exacted or demanded, to the party or parties grieved, to be recovered by Bill, Plaint or Information in any of the ſaid Courts, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Shall determine and not be taken after the 29th day of Septemb. 1672.

The penalty.

III. Provided, and be it further enacted, That until the nine and twentieth day of September, In what caſes only they may be taken until the 29 Septemb. 1672.

ber, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and two, and no longer, the Damage clear ſhall be paid, anſwered and allowed out of ſuch ſum and ſums of money only as ſhall be actually levied, or otherwiſe paid by or from the Defendants; and only for the proportion of the ſum or ſums of money which ſhall be ſo levied or otherwiſe paid as aforeſaid, and no more or otherwiſe.

CAP. VII.

An Act for a more ſpeedy and effectual proceeding upon Diſtreſſes and Avowries for Rent.

FOraſmuch as the ordinary remedy for Arrearages of Rents, is by Diſtreſs upon the Lands chargeable therewith; and yet nevertheleſs by reaſon of the intricate and dilatory proceedings upon Replevins, that remedy is become ineffectual:

Plaintiff in Replevin being nonſuit before iſſue joyned.

II. For remedy thereof, It is enacted by the Kings moſt Excellent Majeſty, with the advice and aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That whenſoever any Plaintiff in Replevin, ſhall be Non-ſuit before Iſſue joyned in any Suit of Replevin, by Plaint or Writ lawfully returned, removed, or depending in any of the Kings Courts at Weſtminſter,

How the Defendant may Avow.

That the Defendant making a Suggeſtion in nature of an Avowry or Cogniſance for ſuch Rent, to aſcertain the Court of the cauſe of Diſtreſs; The Court upon his Prayer ſhall award a Writ to the Sheriff of the County where the Diſtreſs was taken, to enquire by the Oaths of Twelve good and lawful men of his Bayliwick, touching the Sum in Arrear at the time of ſuch Diſtreſs taken, and the value of the Goods or Cattel diſtrained; (2) and thereupon notice of Fifteen days ſhall be given to the Plaintiff or his Attorney in Court, of the ſitting of ſuch Enquiry; (3) and thereupon the Sheriff ſhall enquire of the truth of the matters contained in ſuch Writ, by the Oaths of Twelve good and lawful men of his Country: (4) And upon the return of ſuch Inquiſition, the Defendant ſhall have Judgment to recover againſt the Plaintiff the arrearages of ſuch Rent, in caſe the Goods or Cattel diſtrained ſhall amount unto that value: (5) And in caſe they ſhall not amount to that value, then ſo much as the value of the ſaid Goods and Cattel ſo diſtrained ſhall amount unto, together with his full Coſts of Suit, (6) and ſhall have Execution thereupon by Fieri facias or Elegit, or otherwiſe as the Law ſhall require.

The Plaintiff nonſuit after Avowry made, &c.

(7) And in caſe ſuch Plaintiff ſhall be nonſuit after Cogniſance or Avowry made, and Iſſue joyned, or if the Verdict ſhall be given againſt ſuch Plaintiff; then the Jurors that are Impannelled or Returned to inquire of ſuch Iſſue, ſhall at the prayer of the Defendant inquire concerning the ſum of the Arrears, and the value of the Goods or Cattel diſtrained: (8) And thereupon the Avowant, or he that makes Cogniſance ſhall have Judgment for ſuch arrearages, or ſo much thereof as the Goods or Cattel diſtrained amount unto, together with his full Coſts, and ſhall have Execution for the ſame by Fieri facias or Elegit, or otherwiſe, as the Law ſhall require.

Judgment upon Demurrer for Avowant.

III. And be it further enacted by the Authority aforeſaid, That if Judgment in any of the Courts aforeſaid be given upon Demurrer for the Avowant, or him that maketh Cogniſance for any Rent, the Court ſhall at the prayer of the Defendant award a Writ to enquire of the value of ſuch Diſtreſs; (2) and upon the return thereof Judgment ſhall be given for the Avowant, or him that makes Cogniſance as aforeſaid, for the Arrears alledged to be behind in ſuch Avowry or Cognizance, if the Goods or Cattel ſo diſtrained ſhall amount to that value: And in caſe they ſhall not amount to that value, then for ſo much as the ſaid Goods or Cattel ſo diſtrained amount unto, together with his full Coſts of Suit, and ſhall have like Execution as aforeſaid.

IV. Provided always, and be it enacted, That in all Caſes aforeſaid, where the value of the Cattel diſtrained as aforeſaid ſhall not be found to be to the full value of the Arrears diſtrained for, that the party to whom ſuch Arrears were due, his Executors or Adminiſtrators may from time to time diſtrain again for the Reſidue of the ſaid Arrears. 19 Car. 2. cap. 5. This Act made to extend to Wales and Counties Palatine.

CAP. XIII.

An Act for avoiding unneceſſary Suits and Delays.

Death of either party between the Verdict and Judgment.

FOr the avoiding of unneceſſary Suits and Delays, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That in all Actions perſonal and real, or mixt, the death of either party between the Verdict and the Judgment, ſhall not hereafter be alledged for Error; ſo as ſuch Judgment be entred within the two Terms after ſuch Verdict.

Judgment obtained by an Executor.

II. And be it further enacted by the authority aforeſaid, where any Judgment after a Verdict ſhall be had, by or in the name of any Executor or Adminiſtrator; In ſuch caſe an Adminiſtrator de bonis non may ſue forth a Scire facias, and take Execution upon ſuch Judgment.

The continuance of this Act.

III. This Act to continue for the ſpace of Five years; and from thence to the end of the next Seſſion of Parliament. 30 Car. 2. 6.

CAP. IX.

An Act for granting One Months Aſſeſſment to his Majeſty.

Anno XVIII. CAROLI II. *Regis.*

AT the Seſſion of the ſame Parliament by divers Prorogations held at Weſtminſter, 1666. Anno 18 Car. 2.

CAP. I.

An Act of raiſing Money by a Poll, and otherwiſe, towards the Maintenance of the preſent War. EXP.

CAP. II.

An Act againſt Importing Cattel from Ireland and other parts beyond the Seas, and Fiſh taken by Foreigners.

15 Car. 2. c. 7. Stat. 3.

WHereas by an Act of this preſent Parliament, entituled, An Act for Encouragement of Trade, amongſt other things, ſome proviſion was made for the preventing of coming in of vaſt numbers of Cattel, whereby the Rents and Values of the Land of this Kingdom were much fallen, and like daily to fall more, to the great prejudice, detriment and impoveriſhment of this Kingdom; which nevertheleſs hath by experience been found to be ineffectual; and the continuance of any Importation, either of the Lean or Fat Cattel, dead or alive, herein after ſpecified, not only unneceſſary, but very deſtructive to the welfare of this Kingdom: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That ſuch Importation from and after the ſecond day of February in this preſent year, One thouſand ſix hundred ſixty and ſix, is a publick and common Nuſance, and ſhall be ſo adjudged, deemed and taken to be to all intents and purpoſes whatſoever. (3) And that if any great Cattel, Sheep or Swine, or any Beef, Pork or Bacon (except for the neceſſary proviſion of the reſpective Ships or Veſſels in which the ſame ſhall be brought, not expoſing the ſame, or any part thereof to Sale) ſhall from and after the ſaid ſecond day of February, by any wiſe whatſoever, be Imported or brought from beyond Seas into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed; That then it ſhall and may be lawful for any Conſtable, Tythingman, Headborough, Churchwardens, or Overſeers of the Poor, or any of them, within their reſpective Liberties, Pariſhes or places, to take and ſeiſe the ſame, (4) and keep the ſame during the ſpace of Eight and forty hours in ſome publick or convenient place where ſuch ſeiſure ſhall be made; within which time, if the Owner or Owners, or any for them or him, ſhall make it appear unto ſome Juſtice of the Peace of the ſame County where the ſame ſhall be ſo ſeiſed, by the Oath of two credible Witneſſes; which Oath the ſaid Juſtice of Peace is hereby impowred and required to adminiſter, That the ſame were not Imported from Ireland, or from any other place beyond the Seas, not herein after excepted, after the ſaid ſecond day of February, Then the ſame upon the Warrant of ſuch Juſtice of Peace, ſhall be delivered without delay: (5) But in default of ſuch proof and warrant, then the ſame to be forfeited: One half thereof to be diſpoſed to the uſe of the Poor of the Pariſh where the ſame ſhall be ſo found or ſeiſed: the other half to be to his or their own uſe that ſhall ſo ſeize the ſame.

Importation of Cattel and common Nuſance.

The penalty.

II. And for the better encouragement of the Fiſhery of this Kingdom, Be it further enacted by the authority aforeſaid, That if any Ling, Herring, Cod or Pilchard, freſh or ſalted, dryed or bloated, or any Salmons, Eels or Congers taken by any Foreigners, Aliens to this Kingdom, ſhall be imported, uttered, ſold, or expoſed to ſale in this Kingdom: That then it ſhall and may be lawful for any perſon or perſons to take and ſeiſe the ſame: the one half thereof to be diſpoſed of to the uſe of the Poor of the Pariſh where the ſame ſhall be ſo found or ſeiſed; the other half to his or their own uſe, which ſhall ſo ſeiſe the ſame.

Encouragement of Fiſhery.

III. Provided always, That nothing in this Act ſhall be conſtrued to hinder the Importation of Cattel from the Iſle of Man in this Kingdom of England, ſo as the number of the ſaid Cattel do not exceed Six hundred Head yearly: (2) And that they be not of any other Breed than of the Breed of the Iſle of Man; (3) and that they be landed at the Port of Cheſter, or ſome of the members thereof, and not elſewhere.

Iſle of Man.

IV. This Act to continue until the end of ſeven years, and from thence to the end of the Firſt Seſſion of the next Parliament. 20 Car. 2. cap. 7.

C A P. III.

An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of England.

Whereas an Act was made in the Fourteenth year of the Reign of our Sovereign Lord the King that now is, entituled, An Act for preventing of Theft and Rapine upon the Northern Borders of England; which Act is very near expiring, and hath been found neceſſary for the preſervation of thoſe places from that great number of Lewd, Diſorderly, and Lawleſs perſons, that uſually frequented thereabouts: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That the ſaid Act, and every clauſe and clauſes therein contained, and all and every the powers and authorities thereby given, be, continue and remain in force until the end of Seven years from the expiration or determination of the forementioned Act.

14 Car. 2. c. 22.

II. And be it further enacted by the authority aforeſaid, That the benefit of Clergy ſhall be taken away from great, known and notorious Thieves and Spoil-takers in the ſaid Counties of Northumberland, Cumberland, or either of them, during the continuance of this preſent Act, who ſhall be duly convicted for Theft done or committed within the ſaid Counties, or either of them: (2) Or otherwiſe, That it ſhall and may be lawful to and for the Juſtices of the Aſſize, and Commiſſioners of Oyer and Terminer, or Gaol-delivery, before whom ſuch Offenders ſhall be convicted within the ſaid Counties, or either of them, to Tranſport, or cauſe to be Tranſported the ſaid Offenders, and every of them, into any of his Majeſties Dominions in America, there to remain, and not return; Any former Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Clergy taken away from notorious Thieves in Northumberland, Cumberland.

C A P. IV.

An Act for Burying in Woollen only.

For the encouragement of the Woollen Manufactures of this Kingdom, and prevention of the Exportation of the Moneys thereof, for the buying and Importing of Linnen; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority thereof, That from and after the Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred ſixty ſeven, no perſon or perſons whatſoever ſhall be buried in any Shirt, Shift or Sheet made of, or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or other than what ſhall be made of Wool only, or be put into any Coffin lined or faced with any thing made of, or mingled with Flax, Hemp, Silk or Hair,

Woollen Manufactures encouraged.

None ſhall be buried but in Woollen.

Penalty.

Hair; upon pain of the forfeiture of the ſum of Five pounds, to be employed to the uſe of the Poor of the Pariſh where ſuch perſon ſhall be buried, for and towards the providing a Stock or Work-houſe for the ſetting them at work, to be levied by the Church-wardens and Overſeers of the Poor of ſuch Pariſh, or one of them, by Warrant from any Juſtice of the Peace, or Mayor, Alderman or Head-Officer of ſuch City, Town or place Corporate, reſpectively within their ſeveral Limits, by Diſtreſs and Sale of the Goods of the party Interred contrary to this Act, rendring the overplus; or in default thereof, by diſtreſs and ſale of the Goods of any that had a hand in the putting ſuch perſon into ſuch Shift, Shirt, Sheet or Coffin, contrary to this Act, or did order or diſpoſe the doing thereof, to be levied and employed as aboveſaid.

Proviſo for perſons dying of the Plague.

II. Provided, That no penalty appointed by this Act, ſhall be incurred for or by the reaſon of any perſon that ſhall die of the Plague, though ſuch perſon be buried in Linen.

CAP. V.

An Act for encouraging of Coynage.

Encouragement for bringing Gold and Silver into the Realm.

Whereas it is obvious, That the penalty of current Coyns of Gold and Silver of this Kingdom, is of great advantage to Trade and Commerce; For the increaſe whereof, your Majeſty in your Princely Wiſdom and Care, hath been graciouſly pleaſed to bear out of your Revenue, half the charge of the Coynage of Silver-money: (2) For the preventing of which charge to your Majeſty, and the encouragement of the bringing of Gold and Silver into the Realm, to be converted into the currant money of this your Majeſties Kingdom, We your Majeſties Dutiful and Loyal Subjects, do give and grant unto your Majeſty, the Rates, Duties or Impoſitions following; And do beſeech your Majeſty that it may be enacted, (3) and be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whatſoever perſon or perſons, Native or Foreigner, Alien or Stranger, ſhall from and after the twentieth day of December, One thouſand ſix hundred ſixty and ſix, bring any Foreign Coyn, Plate or Bullion of Gold or Silver, in Maſs, Molten or Allayed, or any ſort of Manufacture of Gold or Silver into his Majeſties Mint or Mints within the Kingdom of England, to be there melted down and coyned into the current Coyns of this Kingdom, ſhall have the ſame there Aſſayed, Melted down and Coyned with all convenient ſpeed, without any defalcation, diminution or charge for the Aſſaying, Coynage, or waſte in Coynage: (4) So as that for every pound Troy of Crown or Standard-Gold that ſhall be brought in and delivered by him or them to be Aſſayed, Melted down and Coyned as aforeſaid, there ſhall be delivered out to him or them reſpectively, a pound Troy of the current Coyns of this Kingdom, of Crown or Standard-Gold: (5) And for every pound Troy of Sterling, or Standard-Silver that ſhall be brought in and delivered by him or them to be Aſſayed, Melted down and Coyned, as aforeſaid, there ſhall be delivered out to him or them reſpectively a pound Troy of the current Coyns of this Kingdom, of Sterling or Standard-Silver, and ſo proportionably for a greater or leſſer weight; (6) And for every pound Troy of Gold or Silver that ſhall be brought in, aud delivered to be Aſſayed, Melted-down, and Coyned as aforeſaid, that ſhall be finer upon Aſſay than Crown-Gold, or Standard-Silver, there ſhall be delivered for the ſame ſo much more than a pound Troy, as the ſame doth in proportion amount unto in fineneſs and value: (7) And for every pound Troy of Gold or Silver that ſhall be brought in, and delivered to be Aſſayed, Melted down, and Coyned as aforeſaid, that ſhall be courſer or baſer upon Aſſay, or worſe in value than Crown-Gold, or Standard-Silver, there ſhall be delivered for the ſame ſo much leſs than a pound Troy, as the ſame doth fall ſhort in fineneſs or value, and ſo for a greater or leſſer quantity.

Silver or Gold brought in to be Coyned.

There ſhall be no undue preference, but Money Coined ſhall be delivered out in order.

II. And it is hereby further enacted by the authority aforeſaid, That there ſhall be no preference in point of Aſſaying or Coynage; but that all Gold and Silver brought in, and delivered into the Mint, to be Aſſayed and Coyned, ſhall be Aſſayed, Coyned and delivered out to the reſpective Importers according to the order and times of bringing in and delivering the ſame into the Mint or Mints, and not otherwiſe: So as he that ſhall bring in, and deliver any Gold or Silver to be Coyned, ſhall be taken and accounted the firſt perſon to have the ſame Aſſayed, Coyned, and Delivered; and he or they that ſhall bring in and deliver any Gold or Silver next, to be accounted the ſecond perſon to have the ſame Aſſayed, Coyned and Delivered, and ſo ſucceſſively in courſe: (2) And that the Gold and Silver brought in and Coyned as aforeſaid, ſhall be in the ſame order delivered to the reſpective bringers in thereof, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before the other, and not otherwiſe: (3) And if any undue preference be made in entring of any Gold or Silver, or delivering out of any money Coyned, contrary to the true intent and meaning of this Act, by any Officer or Officers of the Mint or Mints; then the party or parties offending, ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Gold or Silver brought in, and not entred and delivered according to the true intent and meaning and direction of this Act, as aforeſaid, with damages and coſts to the party or parties grieved, and ſhall be fore-judged from his or their place or Office: (4) And if ſuch preference be unduly made by any of his or their Deputy or Deputies, Clerk or Clerks, without direction or privity of his or their Maſter or Maſters, then ſuch Deputy or Deputies, Clerk or Clerks only ſhall be liable to ſuch Action, Damage and Coſts as aforeſaid, and be for ever after uncapable of ſerving or bearing Office in any Mint in the Kingdom of England.

Penalty.

What ſhall not be an undue preference.

III. Provided always, That it ſhall not be interpreted any undue preference to incur any penalty in point of delivery of moneys Coyned, if the Officer or Officers, or their Deputies or Clerks ſhall deliver out or pay any moneys Coyned, to any perſon or perſons that do come and demand the ſame upon ſubſequent Entries, before others that did not come to demand their moneys in their order and courſe, ſo as there be ſo much money reſerved as will ſatiſfie them, which ſhall not be otherwiſe diſpoſed of, but kept for them.

IV. And for the more orderly and clear performance hereof, Be it enacted, and it is hereby enacted by the authority aforeſaid, That the Maſter-worker of his Majeſties Mint or Mints for the time being, ſhall at the time of the delivery and entry of any Gold or Silver in the ſaid Mint or Mints, give unto the bringer or bringers in thereof to be Coyned, a Bill under his hand, denoting the weight, fineneſs and value thereof,together with the day and order of its delivery into the ſaid Mint or Mints.

There ſhall be no ſeiſure, or forfeitures, &c. of any Gold or Silver brought in to be coyned.

V. And for the further encouragement and aſſurance of ſuch as ſhall bring any Gold or Silver into any his Majeſties ſaid Mint or Mints to be coyned, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That no Confiſcation, Forfeiture, Seizure, Attachment, Stop or Reſtraint whatſoever ſhall be made in the ſaid Mint or Mints, of any Gold or Silver brought in to be coyned, for or by reaſon of any Imbargo, Breach of the Peace, Letters of Mart or Repriſal, or War, within any Foreign Nation, or upon any other account or pretence whatſoever; (3) But that all Gold and Silver brought into any of his Majeſty's mint or mints within the Kingdom of England to be coyned, ſhall truly, and with all convenient ſpeed be coyned and delivered out to the bringer or bringers in thereof, their Executors, Adminiſtrators or Aſſigns, according to the Rules and Directions of this Act.

An impoſition ſet upon Wines, Vineger, Sider, or Beer imported.

VI. And whereas it cannot be reaſonably expected, that the expence, waſte and charge in aſſaying, melting down and coynage be born by your Majeſty; and for the further encouragement of Coynage, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That for every Tun of Wines, Vinegar, Sider or Beer that ſhall be Imported or brought into the Port of London, or into any other Port, Creek or place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, from any parts beyond the Seas, or Scotland, from and after the twentieth day of December, in the year of our Lord, One thouſand ſix hundred ſixty and ſix, there ſhall be levied, collected and paid the ſum of ten ſhillings; (3) and for every Tun of Brandy Wines, or ſtrong Waters that ſhall be imported as aboveſaid, the ſum of twenty ſhillings, (4) and ſo proportionably for a leſſer or greater quantity, to be levied, collected and paid at the reſpective Cuſtom-houſes, to the Collectors and other Officers of the Cuſtoms, for the time being, at the importation of the ſaid Commodities, over and above all other Duties charged, leviable and payable upon the ſaid Commodities, and to be by them diſtinguiſhed and kept apart from all other Moneys by them collected and levied upon the ſame Commodities, or upon any other Commodities or Merchandizes whatſoever, (5) and to be by the ſaid Collector or Collectors reſpectively ſo anſwered and paid quarterly into the Receipt of the Exchequer of your Majeſty, your Heirs and Succeſſors, there alſo to be kept diſtinct and apart from all other moneys ariſing by the Cuſtoms, or by any other way or Revenue whatſoever; which ſaid Duty they are hereby enjoyned to receive and pay according to the ſeveral directions of this Act, without any Salary or Fee.

Brandy-wine, Strong-water.

VII. And be it further enacted and declared by the authority aforeſaid, That all manner of Wines, Vinegar, Sider, Beer, Brandy-wines, and Strong-waters imported as aforeſaid, ſhall pay their ſeveral and reſpective Duties impoſed by this Act; And upon non-payment thereof ſhall be liable to ſuch and the ſame pains, penalties and forfeitures, as in and by the late Acts for Tunnage and Poundage, and for Frauds are enacted and appointed, upon non-payment of the Duties by the ſaid Act impoſed upon Goods and Merchandizes of the ſame nature with thoſe mentioned in this Act.

VIII. Provided always, and it is hereby enacted, That for what of the aforeſaid Commodities ſhall be Tranſported into any the parts beyond the Seas, within the term and ſpace of One year after the Importation thereof, That the Duty paid by this Act for the ſame, ſhall be repaid by the reſpective Collectors of the Cuſtoms for the time being.

Moneys leviable upon this Act ſhall be imployed only to the uſe of the Mint.

IX. And it is hereby further enacted, That no moneys leviable and payable by this Act, ſhall be applied or converted to any uſe or uſes whatſoever, other than to the defraying the charge or expence of the Mint or Mints, and of the aſſaying, melting down, waſte and Coynage of Gold and Silver, and the encouragement of the bringing in of Gold and Silver into the ſaid Mint or Mints, there to be Coyned into the current Coyns of this Kingdom; (2) Nor ſhall any of the ſaid moneys be iſſued out of the Exchequer, but by Order or Warrant of the Lord Treaſurer and Under-Treaſurer, or Commiſſioners of the Treaſury for the time being, to the Maſter and Worker, or Maſters and Workers of your Majeſties Mint or Mints for the time being, and mentioning, that they are for the uſe and ſervice aforeſaid, to be kept in his Majeſties Office of Receipt in the ſaid mint or mints, under the uſual Keys of the Warden, Maſter and Worker, and Comptroller for the time being, and iſſued out thence from time to time, according to the manner and courſe of the ſaid mint or mints reſpectively.

X. And it is hereby further enacted, That there ſhall not be iſſued out of the Exchequer of the ſaid moneys, in any one year, for the Fees and Salaries of the Officers of the mint or mints, and towards the providing, maintaining and repairing of the Houſes, Offices and Buildings, and other neceſſaries for aſſaying, melting down, and Coyning, above the ſum of three thouſand pounds Sterling money, and the overplus of the ſaid moneys ſo kept, or to be kept as aforeſaid, ſhall be employed for and towards the expence, waſte and charge of aſſaying, melting down and Coynage, and buying in of Gold and Silver to Coyn, and not otherwiſe.

The continuance of this Act.

25 Car. 2. c. 8.

XI. And laſtly, Be it enacted, and it is hereby enacted by the authority aforeſaid, That this Act ſhall continue and be in force until the twentieth day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy one, and until the end of the firſt Seſſion of Parliament then next following, and no longer.

Proviſo.

XII. Provided always, and be it further enacted, That whereas his Majeſty in and by his Letters Patents, under his great Seal, dated at Weſtminſter the twentieth day of Auguſt, in the twelfth year of his Reign, did for divers good cauſes and conſiderations him moving,

give

Dame Barbara Villiers.

give and grant to Dame Barbara Villiers Widow, the ſum of two pence by tale out of every pound weight Troy of Silver moneys, which from thenceforth ſhould be Coyned by virtue of any Warrant or Indenture made and to be made by his Majeſty, his Heirs and Succeſſors; to have, hold, receive, perceive and take the ſame unto the ſaid Dame Barbara Villiers, her Executors, Adminiſtrators and Aſſigns, from the ninth day of the then inſtant Auguſt weekly, as the ſaid moneys ſhould be coyned, for and during the term of One and twenty years, as by the ſame doth appear: That his Majeſty may out of the moneys leviable by this Act, appoint and cauſe reaſonable ſatisfaction to be made yearly to the ſaid Dame Barbara Villiers, her Executors and Adminiſtrators, for her intereſt in the premiſſes, not exceeding the ſum of ſix hundred pounds in any one year.

Anno Regni **CAROLI II.** *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, decimo nono.*

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Eighteenth day of September, 1666. And then continued to the Eighth of February following. And thence Prorogued to the Tenth of October, 1667. were enacted as followeth.

CAP. I.

18 Car. 2. c. 1.

An Act Explanatory of the Act of for raiſing Moneys by a Poll, and otherwiſe, towards the maintenance of this preſent War.

CAP. II.

An Act for erecting a Judicature for determination of differences touching Houſes burnt or demoliſhed by reaſon of the late Fire which happened in London.

WHereas the greateſt part of the Houſes in the City of London, and ſome in the Suburbs thereof, have been burnt by the dreadful and diſmal Fire which happened in September laſt; many of the tenants, under-tenants, or late occupiers whereof are liable unto Suits and Actions to compel them to repair and re-build the ſame, and to pay their Rents, as if the ſame had not been burned, and are not relievable therein in any ordinary courſe of Law, and great differences are alike to ariſe concerning the ſaid Repairs and new building of the ſaid Houſes, and payments of Rents; which if they ſhould not be determined with all ſpeed, and without charge, would much obſtruct the rebuilding of the ſaid City.

Juſtices appointed to hear and determine differences between Landlords and Tenants, &c.

II. And for that it is juſt, that every one concerned ſhould bear a proportionable ſhare of the loſs, according to their ſeveral intereſts, wherein in reſpect of the multitude of caſes, varying in their circumſtances, no certain general Rule can be preſcribed; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Juſtices of the Courts of Kings Bench and Common Pleas, and the Barons of the Coif of the Exchequer, for the time being, or any three or more of them, ſitting at the ſame time and place, and not otherwiſe, ſhall and are hereby authorized from time to time to hear and determine all differences and demands whatſoever, which have ariſen, or may any ways ariſe between Landlords, Proprietors, Tenants, Leſſees, Under-tenants or late Occupiers of any of the ſaid Houſes or Buildings, with their appurtenances, or the Courts or Yards, Grounds and Wharfs, or any perſon or perſons having or claiming any eſtate, right, title, intereſt in Law, or equity, or truſt, charge or incumbrance of or in the ſame, or their or any of their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſons, for, touching or concerning the repairing, building or rebuilding, of the ſaid Houſes or Buildings, Yards, Courts, Grounds and Wharfs, or any other Grounds, lying within that part of the City and Suburbs thereof lately burnt, pulled down or otherwiſe demoliſhed, defaced, or otherwiſe ruined by reaſon of the ſaid Fire; or for or concerning the payment, defalcation, apportioning or abatement, of any Rent or Rents, other than arrears of Rent only due before the firſt day of September, One thouſand ſix hundred ſixty and ſix; or for, or touching any Covenant, Condition or Penalty relating thereunto; or for, touching, or concerning the prefixing or limiting of any time for ſuch Repairs or new Building, Rebuilding, or any Rate or Contribution, to be born or paid thereunto by any perſon or perſons, Bodies Politick or Corporate intereſſed in the premiſſes, and all incidents relating thereunto: (3) And that they, or any three or more of them, from time to time, and at ſuch place or places as they or any three or more of them ſhall think fit from time to time, with, or without any adjournment, ſummarily, and ſine forma & figura Judicij, and without the formalities or proceedings in Courts of Law or Equity, ſhall and may, upon the Verdict or Inquiſition of Jurors, teſtimony of witneſſes upon Oath, examination of parties intereſſed, or by all or any of the ſaid ways, or otherwiſe, according to their diſcretions, proceed to the hearing and determining of the demands or differences between the ſaid parties concerning the premiſſes; (4) and that the Definitive order of the ſaid Juſtices and Barons, or any three or more of them as aforeſaid, ſhall be final as between the ſaid parties, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and all claiming by, from or under them, as touching the matters contained in ſuch Orders; from which there ſhall be no appeal or review, otherwiſe than as is hereafter mentioned; (5) Nor ſhall any Writ of Error or Certiorari lie for the removal or reverſal of the ſame.

The powers of the ſaid Juſtices.

III. And be it further enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or any three or more of them, as aforeſaid, ſhall have authority, and are hereby impowred, where they ſhall think it convenient, to order the ſurrendring, increaſing, abridging, ceaſing, determining or charging of any Eſtates in the premiſſes; or to order new or longer Leaſes, or Eſtates not exceeding forty years, to be made of any of the premiſſes, by the proprietors or owners thereof, or other perſons intereſſed therein, to any Tenant or Sub-tenant, or late Occupiers of the ſame, their Executors, Adminiſtrators, Succeſſors or Aſſigns, at ſuch Rents and Fines, or without Rent or Fine, as they ſhall think fit, unleſs in ſuch caſes where the Laws of this Realm do forbid the diminiſhing of ancient and accuſtomable

able Rents. (2) All which Orders according to the Tenors hereof, ſhall be obeyed by all perſons concerned therein reſpectively, and ſhall conclude and bind them, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, notwithſtanding any diſability in reſpect of Coverture, Infancy, Non-ſanity of Memory, Eſtate Tail, or in Right of the Church, or otherwiſe: (3) And that Infants, Femes Covert, Ideots, perſons of Non-ſane memory, or beyond the Seas, Tenants in tail, Biſhops, Deans and Chapters, and other Eccleſiaſtical perſons, and their Succeſſors, Corporations, and all other perſon or perſons, Bodies Natural and Politick, their Heirs and Succeſſors, and their reſpective Intereſts, ſhall be bound and concluded by ſuch reſpective order or orders, according to the tenor or purport thereof; Any Law, Statute or Cuſtom, or other matter or thing to the contrary notwithſtanding.

How to proceed upon complaints.

IV. And for the better enabling the ſaid Juſtices and Barons to proceed with effect in the ſaid cauſes, Be it alſo enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or any three or more of them as aforeſaid, upon the complaint or requeſt of any perſon or perſans concerned in any the ſaid Houſes or Buildings, and other the premiſſes, ſhall iſſue out Notes or Warrants under their hands, or the hands of any ſuch three of them, thereby warning the perſon or perſons, Bodies Politick and Corporate therein named and concerned in the ſaid late Houſes or Buildings, and other the premiſſes in ſuch complaint mentioned, to appear before them at ſuch time and place as in ſuch Note or Notes ſhall in that behalf be ſpecified: (2) And upon appearance of the ſaid perſon or perſons ſummoned, or upon default of appearance, and Oath made of due Notice given to him or them, (which Oath, and all other Oaths neceſſary to the execution of the powers given by this Act, the ſaid Juſtices and Barons, or any three of them, are hereby enabled to adminiſter) the ſaid Juſtices and Barons, or any three of them, may proceed to make ſuch final and definitive Orders as aforeſaid; (3) And that ſuch ſervice of the ſaid Note or Notes as is uſually allowed to be a good ſervice in caſes of Subpœna, ſhall be accounted to be a good ſervice in the caſes aforeſaid.

The ſaid Judicature ſhall be a Court of Record.

V. And be it enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or any three of them, for the matters, and according to the powers herein before mentioned, ſhall be, and ſhall be taken to be a Court of Record: (2) And that the Judgments and Determinations which ſhall be made betwixt party and party, by authority of this Act, ſhall be Recorded in a Book or Books of Parchment to be provided for that purpoſe; And that every ſuch Judgment and Declaration ſhall be Signed by three or more of the ſaid Juſtices or Barons: (3) Which ſaid Book or Books of Record ſhall be placed and intruſted in the cuſtody of the Lord Mayor and Aldermen of the City of London for the time being, to be kept with the Records of the ſaid City, and to remain as a perpetual ſtanding Record; unto which all perſons concerned, or which ſhall be concerned, ſhall or may repair to view the ſame, are thereout to take Copies of all ſuch Judgments and Determinations as ſhall relate to him, her and them; (4) And that none of the ſaid Juſtices and Barons ſhall take any Fee or Reward whatſoever, directly or indirectly for any thing to be done by them, by virtue or colour of this preſent Act.

Officers.
A Table of Fees.
The continuance of this Act.

VI. And be it enacted by the authority aforeſaid, That for a reward of the Officers to be employed herein, the ſaid Juſtices and Barons, or any three or more of them as aforeſaid, are hereby enabled to order and direct a Table of ſuch reaſonable Fees to be made, as may carry on and effect the purport and intent of this Act. (2) This Act to continue till the laſt day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and eight, and no longer.

Proviſo touching the renewing and reverſing Orders or Decrees.

VII. Provided always, and be it enacted by the authority aforeſaid, That where any ſuch Order or Decree, as aforeſaid, ſhall be made by a leſſer number of Juſtices and Barons than Seven, it ſhall be lawful for any perſons agrieved by ſuch Order or Decree, to preſent his Exceptions to the ſame in writing, within ſeven days next after ſuch Order or Decree made, to the Chief Juſtices and Chief Baron for the time being, or any two of them, who ſhall forthwith communicate the ſame to the reſt of the ſaid Juſtices and Barons, who are hereby required to hear the parties, and examine and conſider the ſaid Exceptions: (2) And if any ſeven or more of them ſhall ſubſcribe thereunto, that they find probable cauſe of complaint, then it ſhall and may be lawful to, and for any ſeven or more of the ſaid Juſtices and Barons within twenty days next following ſuch Exceptions delivered, to review the ſaid former Order or Decree; And thereupon to reverſe, confirm, enlarge, diminiſh, or otherwiſe alter any ſuch Order or Decree, as in their wisdoms they ſhall think fit; Any thing herein contained notwithſtanding.

CAP. III.

An Act for Rebuilding of the City of London.

Foraſmuch as the City of London, being the Imperial Seat of his Majeſties Kingdoms, and renowned for Trade and Commerce throughout the World; by reaſon of a moſt dreadful Fire lately hapning therein, was for the moſt part thereof burnt down and deſtroyed within the compaſs of a few days, and now lies buried in its own Ruins: For the ſpeedy Reſtauration whereof, and for the better Regulation, Uniformity and Gracefulneſs of ſuch New Buildings as ſhall be erected for Habitations, in order thereunto; And to the end that great and outragious Fires (through the bleſſing of Almighty God) ſo far forth as humane Providence (with ſubmiſſion to the Divine pleaſure) can foreſee, may be reaſonably prevented or obviated for the time to come, both by the matter and form of ſuch Building: And further, to the intent that all encouragement and expedition may be given unto, and all impediments and obſtructions that may retard or protract the undertaking or carrying on a work ſo neceſſary, and of ſo great Honour and Importance to his Majeſty and this Kingdom, and to the reſt of his Majeſties Kingdoms and Dominions, may be removed;

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Rules and Directions hereafter in this Act preſcribed, be duly obſerved by all perſons therein concerned.

Rules and directions to be obſerved in building.

III. And firſt, That no Building or Houſe for Habitation whatſoever, be hereafter erected within the Limits of the ſaid City and Liberties thereof, but ſuch as ſhall be purſuant to ſuch Rules and Orders of Building, and with ſuch materials as are herein after particularly appointed, and according to ſuch ſcantlings as are ſet down and preſcribed in a Table in this preſent Act hereafter ſpecified: (2And if any perſon or perſons ſhall preſume to build contrary thereunto, and be convicted of the ſame by the Oaths of two or more credible Witneſſes, to be taken before the Lord Mayor for the time being, or any two or more of the Juſtices of the Peace for the ſaid City, who are hereby impowred to adminiſter the ſame Oaths, that then and in ſuch caſe, the ſaid Houſe ſo irregularly built as aforeſaid, ſhall be deemed as a common Nuſance; (3) and the Builder and Levier thereof ſhall enter into a Recogniſance in ſuch ſum as the ſaid Mayor and Juſtices reſpectively in their diſcretions ſhall appoint, for abatement and demoliſhing the ſame in convenient time, or otherwiſe to amend the ſame according to ſuch Rules and Orders as aforeſaid; and in default of entring into ſuch Recogniſance, the Offender ſhall be committed to the common Gaol of the ſaid City, there to remain without Bail or Mainpriſe, till he ſhall have abated, or demoliſhed, or otherwiſe amended the ſame; or elſe ſuch irregular Houſe ſhall or may be demoliſhed or abated by order of the Court of Aldermen.

Penalty.

Prevention of irregular buildings.

IV. And that the ſaid irregular Buildings may be the better prevented, or more effectually diſcovered, (2) Be it further enacted by the authority aforeſaid, That the Lord Mayor, Aldermen and Common-Council of the ſaid City, ſhall and may at their will and pleaſure, elect, nominate and appoint one or more diſcreet and intelligent perſon or perſons in the Art of Building, to be the Surveyors or Superviſors to ſee the ſaid Rules and Scantlings well and truly obſerved: (3)And that it ſhall be lawful for the ſaid Mayor, Aldermen and Common Council, or for the Mayor and Aldermen in their Court of Aldermen, to adminiſter to all the ſaid Surveyors or Superviſors, an Oath upon the holy Evangeliſts, for the true and impartial execution of their Office in that behalf, and to appoint the ſeveral Precincts which ſhall lie under their ſeveral Surveys.

There ſhall be four ſorts of buildings only.

V. And to the end that all Builders may the better know how to provide and fit their materials for their ſeveral Buildings, (2) Be it enacted, That there ſhall be only four ſorts of Buildings and no more; and that all manner of Houſes ſo to be erected, ſhall be of one of theſe four ſorts of Buildings, and no other, (that is to ſay) the firſt and leaſt ſort of Houſes fronting By-lanes; the ſecond ſort of Houſes fronting Streets and Lanes of note; the third ſort of Houſes fronting high and principal Streets; the fourth and largeſt ſort of Manſion-houſes for Citizens, or other perſons of extraordinary quality, not fronting either of the three former ways; And the Roofs of each of the ſaid firſt three ſorts of Houſes reſpectively ſhall be Uniform.

Powers of the Lord Mayor, Aldermen and Council-Council to declare Streets, Lanes, &c.

VI. And for avoiding any uncertainty to the Builders or others herein, Be it further enacted, That the Lord Mayor, Aldermen, and Common Council of the ſaid City for the time being, ſhall on or before the firſt day of April, next enſuing, declare which, and how many ſhall hereafter be accounted and taken to be By-lanes; which, and how many ſhall hereafter be deemed Streets, or Lanes of note, and high and principal Streets, by Act of Common-Council, to be paſſed for that purpoſe; which Declaration being made as aforeſaid, all and ſingular the ſaid Streets, and Lanes (hereby intended to be rebuilt) ſhall by order of the ſaid Lord Mayor, Aldermen and Common-Council, or ſuch perſons as they under the Common Seal of the ſaid City ſhall order and appoint, be Marked or Staked out, and diſtinguiſhed, to the end the breadth, length and extent thereof may be the better known and obſerved. (2)And if any perſon or perſons whatſoever ſhall wittingly or willingly, without good Authority, pluck up, or remove any of the ſaid Stakes, or Mark-Stones, thereby to obſcure or confound the bound of ſuch Streets or Lanes, or any of them, and ſhall be thereof legally convicted by the Oath of one witneſs (other than of the Informer) to be taken before any one or more Juſtices of the Peace of the ſaid City, that then the ſaid Juſtice or Juſtices ſhall or may ſend ſuch Offender to the Common Gaol of the ſaid City, there to remain by the ſpace of three months without Bail or Mainprize, unleſs he ſhall pay or cauſe to be paid to the uſe of the Mayor, Commonalty and Citizens of the ſaid City, the ſum of Ten pounds, to be employed in and towards the repairing of the publick Buildings of the ſaid City: (3) Provided always, That where any ſuch Offence ſhall be committed by any perſon or perſons of low and mean condition, whom the ſaid Juſtice or Juſtices of the Peace ſhall in his conſcience believe to be unable to ſatisfie the ſaid Penalties, that then and in ſuch caſe, the ſaid Juſtice or Juſtices of the Peace ſhall and may, by Order and Warrant under his or their Hands and Seal cauſe ſuch Offender to be openly Whipped near unto the place where the Offence ſhall be committed, till his body be bloudy; (4) And that it ſhall and may be lawful for the ſaid Juſtice or Juſtices of Peace to reward the ſaid Informer out of the Pecuniary Penalty to be incurred, according to his diſcretion, not exceeding a third part of the ſaid Penalty.

Building with Brick, Stone, Oak.

VII. And in regard the building with Brick is not only more comely and durable, but alſo more ſafe againſt future perils of Fire, (2) Be it further enacted by and with the authority aforeſaid, That all the outſides of all buildings, in and about the ſaid City be henceforth made of Brick or Stone, or of Brick and Stone together, except Door-caſes and Window-frames, the Breſt, Summers and other parts of the firſt Story to the Front, between the Piers, which are to be left to the diſcretion of the Builder, to uſe ſubſtantial Oaken Timber in ſtead of Brick or Stone, for conveniency of Shops; and that the ſaid Doors, Breſt, Summers and Window-frames be ſufficiently diſcharged of the burthen of the Fabrick by Arch-work of Brick or Stone, either ſtraight, or circular.

The duty of the Surveyors and Superviſors.

VIII. And be it enacted, That the ſaid Surveyors or Superviſors ſo to be appointed as aforeſaid, and every of them, within their ſeveral Precincts, ſhall take care, that in building of all Houſes within the ſaid City and Liberties thereof, there be; And it is hereby enacted by the authority aforeſaid, That there ſhall be Party-walls, and Party-piers, ſet out equally on each Builders ground, to be built up by the firſt beginner of ſuch Building; And that convenient Toothing be left in the Front-wall by the ſaid firſt Builder, for the better joyning of the next Houſe that ſhall be built to the ſame: (2) And that no man be permitted by the ſaid Surveyors, to build on the ſaid Party-wall, or on his own contiguous ground, until he hath fully reimburſed the firſt Builder the full moiety of the charges of the ſaid Party-wall and Pier, together with Intereſt for the ſame, after the rate of ſix pounds per Cent. per Annum for forbearance thereof, to be accounted from the beginning of the ſaid firſt building. (3) And in caſe any difference ſhall ariſe between the firſt and later Builders, concerning the true value of the ſaid charge, that then the ſame be referred to the Alderman of that Ward where ſuch building ſhall be, and to his Deputy, to mediate an agreement of ſuch difference; And where the ſaid Alderman and his Deputy, or one of them ſhall be parties, or where they cannot compoſe ſuch difference as aforeſaid, that the matter be referred to the Examination of the Lord Mayor, and Court of Aldermen, who ſhall hear, and finally determine the ſame, without any Appeal to be had.

Who may determine differences between firſt and later builders.

Houſes of the firſt and leaſt ſort of building.

IX. And be it further enacted, That the ſaid Houſes of the firſt and leaſt ſort of Building, fronting By-ſtreets or Lanes as aforeſaid, ſhall be of two Stories high beſides Cellars and Garrets; That the Cellars thereof be ſix foot and an half high, if the Springs of Water hinder not; That the firſt Story be nine foot high from the Floor to the Cieling; and the ſecond Story nine foot high from the Floor to the Cieling; That all Walls in Front and Rear, as high as the firſt Story, be of the full thickneſs of the length of two Bricks, and thence upwards to the Garrets, of the thickneſs of one Brick and an half; and that the thickneſs of the Garret-walls on the back-part be left to the diſcretion of the Builder, ſo that the ſame be not leſs than the length of one Brick; And alſo that the thickneſs of the Party-walls, between theſe Houſes of this firſt and leſſer ſort of Building, be one Brick and an half, as high as the ſaid Garrets; and that the thickneſs of the Party-walls in the Garrets, be of the thickneſs of one Brick in length at the leaſt; And that the Scantlings of Timber and Stone to be uſed about the building thereof, be as in the ſaid Table are ſet down and preſcribed.

Houſes of the ſecond ſort of building.

X. And be it further enacted, That the ſaid Houſes of the ſecond ſort of building, fronting Streets and Lanes of Note, and the River of Thames, ſhall conſiſt of three Stories high, beſides Cellars and Garrets as aforeſaid; that the Cellars thereof be ſix foot and an half high (if the Springs of Water hinder not) that the firſt Story contain full ten foot in heigth from the Floor to the Cieling; the ſecond, full ten foot; the third, nine foot: (2) That all the ſaid Walls in front and reer, as high as the firſt Story, be of the full thickneſs of the length of two Bricks and an half; and from thence upwards to the Garret-floor of the thickneſs of one Brick and an half; and that the thickneſs of the Garret-walls on the back part be left to the diſcretion of the Builder, ſo that the ſame be not leſs than the length of one Brick, (3) and alſo that the thickneſs of the Party-walls between every Houſe of this ſecond and larger ſort of building, be two Brick lengths, as high as the firſt Story, and thence upwards to the Garrets of the thickneſs of one Brick and an half; the Scantlings of Timber and Stone to be as in the ſaid Table are preſcribed.

Houſes of the third ſort of building.

XI. Alſo that the Houſes of the third ſort of building, fronting the high and principal Streets, ſhall conſiſt of four Stories high, beſides Cellars and Garrets as aforeſaid; That the firſt Story contain full ten foot in heigth from the Floor to the Cieling; the ſecond, ten foot and an half; the third, nine foot; the fourth, eight foot and an half; (2) That all the ſaid Walls in front and reer, as high as the firſt Story, be of the full thickneſs of the length of two Bricks and an half, and from thence upwards to the Garret-floor of the thickneſs of one Brick and half; That the thickneſs of the Garret-walls on the back part be left to the diſcretion of the Builder, ſo as the ſame be not leſs than the length of one Brick; (3) and alſo that the thickneſs of the Party-walls between every Houſe of this third and larger ſort of building, be two Bricks lengths as high as the firſt Story, and then upwards to the Garrets of the thickneſs of one Brick and an half; the Scantlings of Timber and Stone to be as in the ſaid Table are preſcribed.

Houſes of the fourth ſort of building.

XII. And be it further enacted, That all Houſes of the fourth ſort of building being Manſion-houſes, and of the greateſt bigneſs, not fronting upon any of the Streets or Lanes as aforeſaid, ſhall bear the ſame Scantlings, as in the Table are ſet down for the ſame; and that the number of Stories, and the height thereof, be left to the diſcretion of the Builder, ſo as he extend not four Stories.

Fronts of houſes in High-ſtreets; Belconies.

XIII. And be it further enacted, That in the Front of all Houſes hereafter to be erected in any ſuch Streets as by Act of Common Council ſhall be declared to be High-ſtreets, Belconies four foot broad, with Rails and Bars of Iron, of equal diſtance from the ground, ſhall be placed; every of which Belconies ſhall contain in length two parts of the Front of the Houſe on which it ſhall be placed, in three parts to be divided, and the remaining vacancy of the Front ſhall be ſupplied with a Pent-houſe of the breadth of the Belcony, to be covered with Lead, Slate or Tile, and to be Cieled with plaiſtering underneath, and that the water falling as well from the tops of the ſaid Houſes, as from the ſaid Belconies and Penthouſes, be conveyed into the Channels by Party-pipes on the ſides or fronts of the ſaid Houſes; and that Pavements under every of the ſaid Belconies and Penthouſes be made of good and ſufficient broad flat Stone, at the charge of the Builder.

How houſes fronting on High-ſtreets ſhall be built.

XIV. And be it further enacted, That no Builder of any of the Houſes Fronting any of the ſaid High-ſtreets, Streets or Lanes of note, be permitted to lay his firſt Floor over the Cellar, more than eighteen Inches above the ſaid Streets, or leſs than ſix, with one Circular ſtep to lead up thereunto, to be placed without the building; And that no Trap-doors or open Grates be in any wiſe ſuffered to be made into any ſuch Cellar or Ware-houſe without the Foundations of the Front, but that all Lights to be made into any of them, be henceforth made upright, and not otherwiſe; (2) And that no Bulks, Jetties, Windows, Poſts, Seats, or any thing of like ſort ſhall be made or erected in any Streets, Lanes or By-lanes, to extend beyond the ancient foundation of Houſes; nor that any Houſe be ſet further into the Street than the ancient foundation; Saving only that in high and principal Streets, it ſhall be lawful for the Inhabitants to ſuffer their Stall-board (when their Shop-windows are ſet open) to turn over, and extend eleven inches and no more, from the foundation of their Houſes into the Streets, for the better conveniency of their Shop-windows.

Within what time all perſons are to rebuild their houſes.

XV. And be it further enacted, That if any perſon or perſons, Bodies Politick or Corporate being Seiſed, Poſſeſſed, or Intereſſed, of, or in any ground which are formerly builded upon, and the Houſes thereupon being now burned or pulled down at the time of the late Fire, ſhall not within three years next enſuing build up the ſame, That then the Mayor, Aldermen and Common Council of the City of London, by Act of Common Council may cauſe Proclamation to be publickly made between the hours of Twelve and Two of the Clock in the Afternoon, as well at or upon the ſaid Ground, as alſo at or upon the publick Exchange of the ſaid City, thereby to give notice to all perſons that ſhall be, or may be herein concerned, to cauſe the ſame to be rebuilded according to the direction of this preſent Act, within the ſpace of Nine months then next following: (2) And in caſe the Owners thereof, or other perſon or perſons having Intereſt therein, ſhall refuſe or neglect to rebuild the ſame, in manner and within ſuch time as aforeſaid, That then in ſuch caſe the ſaid Mayor and Court of Aldermen of the ſaid City are hereby Authorized to iſſue out Warrants to the Sheriffs of London for the time being, requiring them to impannel and return before them a Jury of good and lawful men of the ſaid City; which the ſaid Sheriffs are hereby authorized and required to do accordingly; (3) which Jury ſo returned ſhall upon their Oaths to be adminiſtred to them by the ſaid Mayor and Court of Aldermen (who are likewiſe hereby authorized to adminiſter the ſame) Enquire, Eſtimate and Aſſeſs the true and juſt value of ſuch void Ground, according to their Judgments; And that from and after ſuch Inquiry and Valuation thereof made as aforeſaid by Inqueſt of the ſaid Jury, It ſhall and may be lawful to and for the ſaid Mayor, Aldermen and Common Council of the ſaid City, to make Sale of the Fee or Inheritance thereof, by Conveyance under their Common Seal, to any perſon or perſons that will purchaſe the ſame at ſuch price at which the ſame ſhall have been ſo as aforeſaid Eſtimated and Valued by the ſaid Jury; and the moneys thereupon to be received of the Purchaſers thereof, ſhall be paid into the Chamber of London, and from thence to be iſſued out and paid by the Chamberlain of London, for the time being, unto ſuch perſon or perſons who ſhall have any Eſtate or Intereſt into, or out of the ſame, according to his or their reſpective Eſtate or Eſtates, Title or Intereſt: (4) Which Sale ſo made and Inrolled of Record, according to the Cuſtom or Uſage of the ſaid City for Inrolment of Bargains and Sales, ſhall be final and concluſive to all other perſons whatſoever, and ſhall Bar them, their Heirs and Aſſigns, to claim any Eſtate, Right, Title or Intereſt of, in, or out of the Grounds ſo ſold, precedent to the ſaid Sale; And the Purchaſor or Purchaſors thereof, his and their Heirs and Aſſigns, ſhall and may by virtue of this Act, have, hold and enjoy the ſame againſt all perſons claiming any Eſtate, Right, Title or Intereſt into, or out of the ſame, his and their Heirs, Executors, Adminiſtrators and Aſſigns, freed and diſcharged of and from all Incumbrances in Eſtate, Title, Charge or otherwiſe, precedent to the ſaid Sale.

Penalty.

Who may (in caſe of unreaſonable exactions) ſet rates upon Materials and Workmen.

XVI. And to the end the ſaid Builders may receive due encouragement, by having the materials for building at reaſonable prices, and getting of Workmen for moderate Wages, (2) Be it further enacted, That in caſe of Combination, or unreaſonable Exaction by Brick-makers, Tile-makers, and Lime-burners, It ſhall and may be lawful for the Juſtices of the Court of Kings Bench, or any two or more of them, upon the complaint of the ſaid Mayor and Court of Aldermen, to call before them ſuch a number of Brick-makers, Tile-makers, and Lime-burners, making or burning brick, Tile or Lime at any place within Five miles diſtance of the River of Thames, as they ſhall think fit; and upon conference with them had concerning the premiſſes, if they will be preſent, or otherwiſe in their abſence, to Aſſeſs ſuch reaſonable prices from time to time upon every Thouſand of the ſaid Bricks and Tiles, and upon every Hundred of the ſaid Lime, and every greater or leſſer quantity, to be delivered at the ſeveral Kilns: And alſo of all Carriages of the ſame Materials from the ſaid Kilns to the ſaid City, whether by Land or by Water, as may equally reſpect the honeſt profit of the ſaid Brick-makers, Tile-makers, Lime-burners and Carriers, and the neceſſity and convenience of the Builder.

Labourers wages.

XVII. And to the intent that no Brick-maker, Tile-maker, Lime-burner, Carpenter, Bricklayer, Maſon, Plaiſterer, Joyner, Plumber, or other Artificer, Workman or Labourer, may make the common colamity a pretence to extort unreaſonable or exceſſive wages, (2) Be it likewiſe enacted, That in caſe of Combination or exaction of unreaſonable wages by the ſaid Artificers, Workmen or Labourers, or any of them, the ſaid Juſtices of the Court of Kings Bench, or any two or more of them, upon the like complaint of the Lord Mayor and Court of Aldermen, ſhall and may from time to time, limit, rate and appoint the wages of the ſaid Artificers, Workmen and Labourers by the Day, Week, or otherwiſe, and what wages every of the ſaid Workmen ſhall have by the Great, by the Foot, Yard, Rod or Perch, or for any greater quantity: Which ſaid Rates, together with the prices of the ſaid Materials and Carriages ſo aſſeſſed, being ſet down in a Table, and Proclamation thereof made by the Lord Mayor for the time being accordingly, the ſame ſhall effectually bind all perſons therein concerned: (3) And if any of the ſaid Artificeers refuſe to ſell the ſaid Materials for the prices ſo Aſſeſſed, or any of the ſaid Carpenters, Bricklayers, Maſons, Plaiſterers, Joyners, Plumbers, or other Workmen or Labourers, ſhall either refuſe to work for the wages ſo aſſeſſed, or ſhall depart from his ſaid work after he hath undertaken to do the ſame, without Licence of ſuch perſon or perſons as employed him, and before it be finiſhed, unleſs it be for non-payment of his hire, or other juſt cauſe to be allowed before one Juſtice of the Peace of ſuch place where the Offence ſhall be committed; or if any perſon or perſons whatſoever ſhall by any ſecret ways or means give,covenant,article or agree to give directly or indirectly, by himſelf, or any other for him, any other or greater Wages, Prices, or other Commodity than ſhall be ſo aſſeſſed: The ſaid Offender, or Offenders being hereof legally convict by the Oaths of one or more Witneſſes, which Oath the ſaid Juſtice is thereby impowered to adminiſter, ſhall be by the ſaid Juſtice of Peace forthwith committed to the Common Gaol, there to remain by the ſpace of one month without Bail or Mainprize, unleſs he ſhall pay, or cauſe to be paid for every ſuch Offence to the ſaid Juſtice of the Peace, ſuch Fine as by the diſcretion of the ſaid Juſtice ſhall be ſet upon any ſuch Offender, not exceeding Ten pounds; Out of which Fine the ſaid Juſtice ſhall and may award and pay unto the party injured, ſuch ſatisfaction as he ſhall judge reaſonable, and the reſidue thereof ſhall pay unto the Chamberlain of London for the time being, to be employed for and towards the re-edifying of the publick Buildings of the City aforeſaid.

XVIII. And be it further enacted, That all Carpenters, Bricklayers, Maſons, Plaiſterers, Joyners, and other Artificers, Workmen and Labourers to be employed in the ſaid Buildings, who are not Freemen of the ſaid City, ſhall for the ſpace of ſeven years next enſuing, and for ſo long time after as until the ſaid Buildings ſhall be fully finiſhed, have and enjoy ſuch and the ſame liberty of working,and being ſet to work in the ſaid Building, as the Freemen of the City of the ſame Trades and Profeſſions have and ought to enjoy; Any Uſage or Cuſtom of the City to the contrary notwithſtanding,(2) And that ſuch Artificers as aforeſaid,which for the ſpace of ſeven years ſhall have wrought in the re-building of the City in their reſpective Arts, ſhall from and after the ſaid ſeven years, have and enjoy the ſame Liberty to work as Freemen of the ſaid City, for and during their natural lives. Provided always, That ſuch Artificers claiming ſuch Priviledges, ſhall be liable to undergo all ſuch Offices, and to pay and perform ſuch Duties in reference to the Service and Government of the City, as Freemen of the City of their reſpective Arts and Trades are liable to undergo, pay and perform.

Foreigners may as Freemen, work in London.

XIX. And to remove all Obſtacles which otherwiſe may hinder ſo good and profitable a Work, (2) Be it further enacted by the authority aforeſaid, That all differences ariſing between the ſaid Builders or any others concerning placing and ſtopping up of Lights, Windows, Water-courſes or Gutters, which may hinder or retard the ſaid Building, ſhall and may be heard, mediated and determined (if it may be) by the Alderman of the Ward where the cauſe of any ſuch difference ſhall ariſe,and his Deputy; and if either the ſaid Alderman or his Deputy be concerned as parties in the Controverſie, or that they cannot determine the ſaid Differences, That then, and in every ſuch caſe the ſame be certified by the ſaid Alderman or his Deputy unconcerned therein, to the ſaid Mayor and Court of Aldermen, who upon deliberate hearing of all parties, ſhall finally determine the ſame without further or other Appeal.

Who may determine differences between Builders, about ſtopping Lights, &c.

XX. And be it further enacted by the authority aforeſaid, That the numbers and places for all Common Sewers, Drains and Vaults,and the order and manner of Paving and Pitching the Streets and Lanes within the ſaid City and Liberties thereof, ſhall be deſigned and ſet out by ſuch and ſo many perſons as the ſaid Mayor, Aldermen and Commonalty in Common Council aſſembled, ſhall from time to time authorize and appoint under their common Seal, or the more part of them; (2) which ſaid perſons ſo authorized and appointed, or any ſeven or more of them, together with the ſaid Surveyors, or ſome or one of them, within his or their Precinct reſpectively, ſhall at their meeting have power and authority to order and direct the making of any new Vaults, Drains and Sewers, or to cut into any Drain or Sewer already made, and for the altering, enlarging, amending, cleanſing and ſcowring of any old Vaults, Sinks or Common Sewers: (3) For the better effecting whereof,it ſhall and may be lawful to and for the ſaid perſons ſo authorized and appointed as aforeſaid, or any ſeven or more of them, at their ſaid Meeting, to impoſe any reaſonable Tax upon all Houſes within the ſaid City and Liberties thereof, in proportion to the benefit they ſhall receive thereby, for and towards the new making,cutting, altering, enlarging, amending, cleanſing and ſcowring all and ſingular the ſaid Vaults, Drains, Sewers, Pavements and Pitching aforeſaid: (4) And in default of payment of the ſaid ſums ſo to be charged, it ſhall and may be lawful to and for the ſaid perſons ſo authorized as aforeſaid, or any ſeven or more of them, by Order and Warrant under their Hands and Seals, to levy the ſaid ſum and ſums of Money ſo aſſeſſed, by Diſtreſs and Sale of the Goods of the party chargeable therewith, and refuſing or neglecting to pay the ſame, rendring the overplus (if any be.) (5) And that all other Commiſſioners whatſoever be altogether ſuſpended to intermeddle in the Premiſſes within the ſaid City and Liberties thereof for the ſpace of ſeven years next, and for ſo long after until the ſaid intended Buildings ſhall be fully finiſhed; Any Law or Statute to the contrary in any wiſe notwithſtanding.

Common Sewers, Drains and Vaults, &c.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the Lord Mayor, Aldermen and Common Council of the ſaid City from time to time,to prohibit ſuch Trades and Occupations as they ſhall judge noiſom, or perillous in reſpect of Fire,to be uſed or exerciſed in the high or principal Streets of the ſaid City.

Noyſom Trades prohibited in the High Streets.

XXII. And foraſmuch as the freedom of openneſs of the Streets conduceth much to the Advancement of Trade, and Ornament of the City, (2) Be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor,Aldermen and Commonalty,by Order of Common Council in that behalf to be made, from time to time, and at their will and pleaſure, to remove out of any of the High Streets all or any of the Conduits now ſtanding,or hereafter to be erected, and to ſet up and to erect the ſame in ſuch other publick places within the ſaid City as they ſhall think fit, or to contract the ſame into ſmaller or leſſer compaſs in the places where they now ſtand,or hereafter ſhall be erected as aforeſaid, according to their diſcretions.

Removing of Conduits in High Streets.

XXIII. And whereas many ancient Streets and Paſſages within the ſaid City and Liberties thereof, and amongſt others, thoſe which are hereafter mentioned, were narrow and

What Streets may be opened and enlarged.

incommodious for Carriages and Paſſengers, and prejudicial to the Trade and Health of the Inhabitants, and are neceſſary to be enlarged, as well for the Convenience, as Ornament of the City, (2) Be it enacted by the Authority aforeſaid, That the Mayor, Aldermen, and Commons of the ſaid City for the time being, in Common-Council aſſembled, ſhall and may, and are hereby impowred and required to enlarge all and every the Streets and places hereafter mentioned, where, and in ſuch manner, as there ſhall be cauſe, by and with the Approbation of his Majeſty, and not otherwiſe: That is to ſay, The Street called Fleet-ſtreet, from the place where the Grey-hound Tavern ſtood, to Ludgate, and from thence to Saint Pauls Church-yard; The Street leading from the Eaſt end of St. Paul's Church into Cheapſide; The Street and Paſſage at the Eaſt end of Cheapſide, leading into the Poultry; The Street and Paſſage out of the Poultry, leading to the Weſt end of Cornhill, at or near the place called the Stocks; The Street called Blow-bladder Street, leading from the Weſt end of Cheapſide towards Newgate-Market; And to enlarge the Street and Paſſage from thence towards Newgate-Market; by laying the Ground where the Middle Row in the Shambles there lately ſtood into the ſaid Street; and in like manner to enlarge the Paſſage from Newgate Market towards Newgate, by laying the Ground of the late four Houſes between Warwick Lane end in Newgate-Market, and the late Bell-Inn there, into the Street: And in like manner to enlarge, as there ſhall be cauſe, the Lane called Ave-Maria Lane, leading from Pater-Noſter Row to Ludgate-Street; And the Street or Paſſage at the end of St.Martins le Grand towards Blow-bladder Street aforeſaid; And alſo the Paſſage from St.Magnus Church to the Conduit in Gracious Street, and the North end of Gracious Street; and alſo Thames Street, from the Weſt corner of St.Magnus Church aforeſaid, to the Tower Dock; and to enlarge Old Fiſh-ſtreet, by laying the Middle Row there into the Street.

XXIV. And the ſaid Mayor, Aldermen and Common-Council alſo ſhall and may by virtue of this preſent Act, enlarge and make wider any other ſuch ſtrait and narrow paſſages within the ſaid City, as are leſs than fourteen foot in breadth: So as notice be given to the Owners or Parties intereſſed in the Ground to be ſo taken for the enlarging thereof, on or before the Firſt day of May next enſuing. (2) And are and ſhall be alſo further enabled by virtue of this Act, to make or cauſe to be made a new Street leading and extending from the Guild-Hall of the ſaid City into Cheapſide; the ſame to be of ſuch breadth and wideneſs, as they ſhall judge meet and convenient.

Satisfaction to be made for Ground.

XXV. And to the end that reaſonable ſatisfaction may be given for all ſuch Ground as ſhall be taken and employed for the uſes aforeſaid; the Mayor, Aldermen and Common-Council ſhall and may treat and agree with the Owners and others intereſſed therein: And if there ſhall be any perſons, Bodies Corporate or Collegiate, that ſhall wilfully refuſe to treat and agree as aforeſaid, or through any diſability by Nonage, Coverture, or eſpecial Entail, or other impediment, cannot; That in ſuch caſes, The ſaid Lord Mayor and Court of Aldermen are hereby authorized by virtue of this Act, to iſſue out a Warrant or Warrants to the Sheriffs of London, who are hereby required accordingly to Impannel and Return a Jury before the ſaid Lord Mayor and Court of Aldermen, (2) Which Jury upon their Oath to be adminiſtred by the ſaid Lord Mayor and Court of Aldermen, are to inquire and aſſeſs ſuch Damage and Recompence as they ſhall judge fit to be awarded to the Owners, and others intereſted according to their ſeveral and reſpective Intereſts and Eſtates of, and in any ſuch Houſes or Ground, or any part thereof, for their reſpective Intereſts and Eſtates in the ſame, as by the ſaid Lord Mayor, Aldermen and Commons in Common-Council aſſembled, ſhall be adjudged fit to be converted for the purpoſes aforeſaid: (3) And ſuch Verdict of the Jury, and Judgment of the ſaid Lord Mayor and Court of Aldermen thereupon, and the payment of the ſum or ſums of money ſo awarded or adjudged to the Owners, and others having Eſtate or Intereſt, or tender and refuſal thereof, ſhall be binding to all intents and purpoſes againſt the ſaid Parties, their Heirs, Executors, Adminiſtrators and Aſſigns, and others claiming any Title or Intereſt in the ſaid Houſes or Ground, and ſhall be a full Authority for the ſaid Lord Mayor, Aldermen and Commons, to cauſe the ſame to be converted and uſed for the purpoſes aforeſaid.

Houſes which ſhall be bettered in value.

XXVI. And foraſmuch as the Houſes now remaining, and to be rebuilt, will receive more or leſs advantage in the value of their Rents, by the liberty of Air, and free Recourſe of Trade, and other Conveniencies by ſuch Regulation and Inlargement, (2) It is alſo enacted by the authority aforeſaid, That in caſe of refuſal or incapacity as aforeſaid of the Owners, or others intereſſed of or in the ſaid Houſes, to agree and compound with the ſaid Lord Mayor, Aldermen and Commons for the ſame, Thereupon a Jury ſhall and may be Impannelled in manner and form aforeſaid, to Judge and Aſſeſs upon the Owners, and others intereſſed of, and in ſuch Houſes, ſuch competent ſum and ſums of money, with reſpect to their ſeveral Intereſts, in conſideration of ſuch Improvement and melioration, as in reaſon and good conſcience they ſhall think fit: (3) And all ſums of money that ſhall be ſo aſſeſſed and raiſed as aforeſaid, ſhall be paid to the Chamberlain of the City of London for the time being; who is hereby enabled from time to time to receive and recover the ſame by Action at Law, and whoſe Receipt ſhall be a good Diſcharge to ſuch Owners, or others intereſſed; and who is hereby appointed to receive and pay, and be accomptable for the ſame according to ſuch Directions as ſhall from time to time be given him by the ſaid Lord Mayor, Aldermen and Commons, (4) And the money ſo raiſed, ſhall be wholly employed towards payment and ſatisfaction of ſuch Houſes and Ground as ſhall be converted into Streets, Paſſages, Markets, and other publick places aforeſaid; (5) And ſuch Satisfaction ſo given or tendered, and refuſed as aforeſaid, ſhall deveſt the Propriety, Eſtate and Intereſt of the reſpective Owners, and others having Intereſt of and in ſuch parcels of Ground ſo to be taken and employed for the uſes aforeſaid, by virtue of this Act: which ſhall be, and are hereby actually ſetled and inveſted in the ſaid Lord Mayor, Commonalty and Citizens of the City of London, and their Succeſſors, in like manner as other the Common Streets and High-ways within the ſaid City.

XXVII. And

Who may hear and determine differences of ſeveral claims of Eſtates.

XXVII. And in caſe any Controverſies or Differences ſhall happen to ariſe between ſeveral perſons that ſhall claim ſeveral Eſtates or Intereſts into, or out of any Grounds to be ſold by the ſaid Mayor, Aldermen and Common Council, or by them to be taken and diſpoſed of by vertue, and in purſuance of this Act, to and for the uſes aforeſaid; that then the Juſtices of the Courts of Kings Bench and Common Pleas, and Barons of the Coif of the Exchequer for the time being, or any three or more of them, ſhall be, and are hereby authorized to hear, and finally to order and determine the ſame in a ſummary way of proceeding, and without the formalities or ordinary courſe of proceedings uſed in any the ſaid Courts, to order and award ſuch diſtribution to be made of the mony thereby ariſing, for the ſatiſfying of ſuch ſeveral Intereſts and Claims, as to them ſhall ſeem juſt and reaſonable, according to the reſpective Eſtate or Eſtates, Title or Intereſts of the perſon or perſons making Claim thereunto; According to which order and diſtribution to be made and appointed by the ſaid Juſtices and Barons, or any three or more of them, the ſaid Purchaſe-mony ſhall be ſatiſfied and paid by the ſaid Chamberlain, to the ſaid ſeveral perſons reſpectively.

The ſecond of September appointed a day of Humiliation in the City yearly for ever.

XXVIII. And that the ſaid Citizens and their Succeſſors for all the time to come, may retain the Memorial of ſo ſad a Deſolation, and reflect ſeriouſly upon their manifold Iniquities, which are the unhappy cauſes of ſuch Judgments, (2) Be it further enacted, that the ſecond day of September (unleſs the ſame happen to be Sunday, and if ſo, then the next day following) be yearly for ever hereafter obſerved as a day of Publick Faſting and Humiliation within the ſaid City and Liberties thereof, to implore the Mercies of Almighty God upon the ſaid City, to make devout Prayer and Supplication unto Him, to divert the like Calamity for the time to come.

A pillar to be ſet up in memory of the Fire.

XXIX. And the better to preſerve the Memory of this dreadful Viſitation, Be it further enacted, That a Column or Pillar of Braſs or Stone be erected on, or as near unto the place where the ſaid Fire ſo unhappily began, as conveniently may be, in perpetual Remembrance thereof, with ſuch Inſcription thereon, as hereafter by the Mayor and Court of Aldermen in that behalf ſhall be directed.

Tender of mony at the Aſſurance-Office, or at the Royal Exchange.

XXX. And be it enacted, and it is hereby enacted by the authority aforeſaid, That all tender of Mony, or payment thereof, which by any Bonds, Covenants or other Obligations or Aſſurance whatſoever ought to be made in the late Aſſurance-Office, or in any other place on the late Royal Exchange, London, ſhall or may be made at, or in the preſent Aſſurance-Office in Greſham-houſe; and ſhall be as valid and legal to all intents and purpoſes, and diſcharge the Obligor as fully and amply, as if they had been made in the firſt intended place on the ſaid Royal Exchange.

Pariſh Churches to be rebuilded.

XXXI. And it is hereby further enacted, That the Pariſh Churches to be rebuilded within the ſaid City of London, in lieu of thoſe which were demoliſhed by the late Fire, ſhall not exceed the number of Thirty nine; which ſhall be ſet out and appointed by and with the advice and conſent of the Lord Archbiſhop of Canterbury, and the Biſhop of London for the time being.

Scites and Materials of Churches to be ſold, and how imployed.

XXXII. Provided alſo, and be it enacted by the authority aforeſaid, That the Scites and Materials of ſuch Churches as by this Bill are not intended to be Rebuilt, together with the Church-yards belonging to ſuch Churches, ſhall be, and are hereby veſted in the Lord Mayor and Alderman of the City of London for the time being; to the end ſo much of the ſaid Ground as ſhall not upon the Rebuilding of the ſaid City, be laid into the Streets, be ſold and diſpoſed of by the ſaid Lord Mayor and Aldermen, or the major part of them for the time being, with the conſent of the Archbiſhop of Canterbury, and Biſhop of London for the time being, (2) and the Mony raiſed by ſuch Sale, ſhall be by the ſaid Mayor and Aldermen, or the major part of them, with the conſent of the ſaid Archbiſhop and Biſhop, diſpoſed of, and imployed for and towards the Rebuilding of ſuch Pariſh Churches as by this Act are intended to be Rebuilt, and for no other uſe or purpoſe whatſoever.

St. Pauls, St. Faiths, St. Gregories Churches.

XXXIII. Provided always, That any thing in this Act contained, ſhall not extend or be taken to veſt or ſettle the Church of Saint Paul, and Saint Faith, or any part thereof, or the Church of Saint Gregories by Saint Pauls, or any of them, or the Church-yards to any of them belonging or Appertaining, in the Mayor, Aldermen and Commons of the City of London, or any of them; Any thing in this Act notwithſtanding.

Thames Street.

XXXIV. And be it enacted, That for the preventing Inundations, and for the eaſineſs of Aſcent, the Street called Thames Street, and all the Ground between the ſaid Street and the River of Thames, ſhall be raiſed and made higher by three foot at the leaſt above the Surface of the Ground as now it lieth.

An Impoſition upon Coals.

XXXV. Provided alſo, and it is hereby further enacted by the authority aforeſaid, That no Houſe, Out-houſe or other Buildings whatſoever (Cranes and Sheds for preſent uſe only excepted) ſhall be built or erected within the diſtance of Forty foot of ſuch part of any Wall, Key or Wharf, as bounds of the River of Thames, from Tower-wharf to London-Bridge, and from London-Bridge to the Temple-ſtairs: (2) Nor any Houſe, Out-houſe or other Building (Cranes only excepted) be built or erected within the diſtance of Threeſcore and ten foot of the middle of any part of the common Sewers, commonly called or known by the names of Bridewell-Dock, Fleet-Ditch, and Turnmill-Brook, from the River of Thames to Clerkenwel, upon either ſide of them, before the Four and twentieth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty eight.

XXXVI. And for the further enabling of the ſaid Mayor and Commonalty, and Citizens of the ſaid City of London, and their Succeſſors, to perform and accompliſh the works in this Act mentioned; (2) Be it enacted by the authority aforeſaid, That for all ſorts of Coals, which from and after the Four and twentieth day of June, One thouſand ſix hundred ſixty ſeven, and before the Four and twentieth day of June, One thouſand ſix hundred ſeventy ſeven, ſhall be imported and brought into the Port of the City of London, or the River of Thames, within the Liberty of the ſaid City of London, upon the ſame River, to be ſold by the Chaldron or Tun, there ſhall be paid by way of Impoſition thereupon, (over and beſides all other Impoſitions and Duties due and payable for any of the ſaid Coals, by virtue of any Law or

Statute now in force) according to the Rates hereafter mentioned; That is to ſay, for ſuch ſorts of Coals as are uſually ſold by the Chaldron, for every Chaldron thereof containing thirty ſix buſhels Wincheſter meaſure, the ſum of Twelve pence; and for all ſuch ſorts of Coal as are ſold by the Tun, for every Tun thereof containing twenty hundred weight, the like ſum of Twelve pence; (3) which ſaid Impoſition of Twelve pence for every Chaldron or Tun of Coals, from time to time during the term aforeſaid, be anſwered and paid unto the ſaid Mayor, Commonalty and Citizens, and their Succeſſors, or to their Deputy or Deputies, Officers or Aſſigns, by the Maſter, Owner or Owners, or other perſon or perſons taking charge of any Ship or Veſſel whereupon the ſame ſhall be laden, before they ſhall break Bulk, or have a Meter aſſigned for the meaſuring and weighing of any Coals aforeſaid, to be delivered from on board of any Ship or Veſſel; the ſame to be paid at ſuch place or places, as by the ſaid Mayor and Court of Aldermen ſhall from time to time be appointed for the receipt thereof; Upon receipt whereof, the party appointed to receive the ſame, ſhall without delay, fee or reward, deliver a Receipt to the perſon or perſons who ſhall pay the ſaid Duty; which Receipt ſhall for ſo much be a ſufficient diſcharge.

Coal-meters Duty for levying the ſame.

XXXVII. And to the end that the ſaid Impoſition may be duly anſwered and paid without fraud or covin, and for the better levying and collecting thereof, and for diſcovery of the juſt quantities of all ſorts of Coals to be Imported as aforeſaid, (2) Be it further enacted by the authority aforeſaid, That the Coal-meters for the City of London, appointed, or to be appointed, and every of them, and their reſpective Deputies, in their turn and courſe of attendance reſpectively, ſo ſoon as any Ship or Veſſel freight with Coals ſhall be unladen, ſhall forthwith deliver a true Certificate in Writing, unto the Deputy or Deputies, Officers or Aſſigns of the ſaid Mayor and Commonalty, and Citizens, who ſhall be appointed to receive the ſaid Impoſition, of the ſorts, quantities and number of Chaldrons or Tuns of Coals reſpectively which ſhall be meaſured, or weighed and delivered from on board any ſuch Ship or Veſſel, on pain for his or their default therein to be ſuſpended from the execution and benefit of his or their Office or Imployment for one whole year from thence next following: (3) And in caſe it ſhall appear by ſuch Certificate or otherwiſe, That there was on board any ſuch Ship or Veſſel, a greater number of Chaldrons or Tuns of Coals, than for which the ſaid Impoſition ſhall have been anſwered and paid as aforeſaid; That then in ſuch caſe there ſhall be paid to the ſaid Mayor and Commonalty, and Citizens, and their Succeſſors, for every Chaldron or Tun of Coals ſo concealed, over and above the Impoſition aforeſaid, the ſum of Five ſhillings; for which (in caſe of refuſal to pay the ſame) ſuch Ship or Veſſel, or any the Tackle, Furniture or Apparel thereof, may be attached and detained by Warrant from the Mayor of the ſaid City for the time being, until payment thereof.

XXXVIII. Provided neverthleſs, That if the Importer, upon ſuch Certificate delivered in by the Coal-meter, ſhall within four and twenty hours give in his Poſt-entry, and ſatisfie and pay the whole Duty for the ſurpluſage of Coals appearing upon the unlading of ſuch Ship or Veſſel, that then upon ſuch payment, the penalty aforeſaid ſhall be diſcharged.

How the ſaid Impoſition ſhall be diſpoſed.

XXXIX. And be it further enacted, That all and every ſuch ſum and ſums of Mony which ſhall be raiſed upon the Receipt of the ſaid Impoſition of Twelve pence for every Chaldron or Tun of Coals, or by ſuch additional Duty, in caſe of concealment as aforeſaid, ſhall in the firſt place be applied and diſpoſed unto, and for the ſatisfaction of ſuch perſons whoſe Grounds ſhall by vertue, and in purſuance of this Act, be taken and imployed for the inlarging of the Streets, and narrow Paſſages within the ſaid City, (2) And after ſatisfaction given for the ſame, the reſidne of the ſaid moneys ſhall be applyed and diſpoſed unto, and for the ſatisfaction of ſuch perſons whoſe Grounds ſhall be imployed for the making of Wharfs or Keys on the North-ſide of the River of Thames, and upon each ſide of the Sewer called by the name or names of Bridewell-Dock, Fleet-Ditch and Turnmill-Brook; and alſo for the building and making ſuch Priſons within the ſaid City, as ſhall be neceſſary for the ſafe Cuſtody and Impriſonment of Felons, and other Malefactors.

And the Accompts of receipts and diſburſments thereof kept.

XL. And to the end the Money to be raiſed upon the Impoſition aforeſaid, may be duly applied to the uſes for which the ſame is by this Act appointed, (2) Be it further enacted, That there ſhall from time to time be provided, and kept in the Chamber of London, one or more Book or Books of Vellum or Parchment, in which all moneys thereupon to be received, ſhall from time to time be entred and ſet down: (3) And alſo other like Book or Books, wherein the Accompts of all Payments and Diſburſments out of the ſame ſhall be likewiſe entred; expreſſing the time when, the occaſion for which, and the name of the perſon or perſons to whom the ſame were ſo paid or diſburſed: (4) And that it ſhall and may be lawful to and for all and every perſon or perſons that ſhall or may be in any wiſe concerned ſo to do, to have free acceſs into, and view the ſaid reſpective Books of Receipts and Diſburſments at all times when the Chamberlains Office is open, without any Fee or Reward to be taken, or demanded for the view and inſpection thereof: and that the Chamberlain of London for the time being, before the end of Michaelmas Term in every year, ſhall tranſmit, and upon his Oath deliver into the Receipt of the Exchequer, a true Copy or Duplicate of the aforeſaid Books of Accounts, containing the Receipts and Diſburſments of all Moneys which ſhall be raiſed and paid by or out of the ſaid Impoſition upon Coals, in the year preceeding, and ending upon the Four and twentieth day of June next before; there to be received gratis by the proper Officer, and kept amongſt the Records of the ſaid Court; where it ſhall alſo be lawful for any perſon or perſons, who ſhall be in any wiſe concerned ſo to do, to have acceſs thereunto, and to view and peruſe the ſaid Books of Accompts, without any Fee or Reward to be taken or received for the ſame.

Thomas Morris his Water-houſe.

XLI. Provided always, That it ſhall and may be lawful for the Water-houſe, called Mr. Thomas Morris his Water-houſe, formerly adjoyning to London-Bridge, to be rebuilt upon the place it formerly ſtood, with Timber, for ſupplying the South ſide of the City with Water, as it for almoſt this hundred years hath done; Any thing in this Act to the contrary in any wiſe notwithſtanding.

XLII. Provided alſo, And it is hereby further enacted by the authority aforeſaid, That the Lord Mayor and Aldermen of London, may and ſhall open and enlarge a Street or Paſſage called Water-lane, leading from Fleet-ſtreet to White-Friers Dock by the River of Thames; as alſo open and enlarge one other Street or Paſſage to the ſaid River from Cheapſide through Soper-lane to Thames-ſtreet, and from the Three Cranes to the Thames; And open and enlarge one other Street or Paſſage through Mincing-lane, by Saint Dunſtans in the Eaſt, to Thames-ſtreet, near the Cuſtom-houſe: And to make the ſaid Streets or Paſſages Twenty four foot in breadth, for the conveniency of Trade, and better paſſage of Carts and other Carriages to and from the ſaid River; giving notice of what they ſhall herein reſolve, to the Proprietors and perſons concerned, before the laſt of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty ſeven; and giving them ſatisfaction for their Ground, according to the Rules and Directions of this Act for the inlarging of other Streets and places.

XLIII. A Scheme of Proportions and Scantlings for Stories, Walls and Timbers for the Building of leſſer and larger Houſes within the City of *London*.

Brick.	Diviſion of Story.		Height of Story.		Thickneſs of Walls.	Bricks		Bricks.
1 Firſt ſort, being the leaſt Houſes fronting By-Streets, Lanes, *&c.*	Cellars		Foot		To the 1ſt floor	2		1½
	1 Story		6½		2d	1½		1½
	2 Story		9		3d	1½		1½
	Garrets		9			1		1
2 Second ſort, Houſes fronting all Streets, Lanes of note, and River of *Thames*.	Cellars	Where the ſprings prevent not,	6½	Thickneſs of Walls in Front and Rere from the Foundation.	To the 1ſt floor	2½	Thickneſs of Walls between Houſe & Houſe.	2
	1 Story				2d	2		1½
	2 Story	Not leſs in height clear than	10		3d	2		1½
	3 Story		10		4th	1½		1½
	Garrets		9			1		1
3 Third ſort, Houſes fronting all High-Streets and Lanes of note.	1 Story		10		1ſt	2½		2
	2 Story		10½		2d	1½		1½
	3 Story		9		3d	1½		1½
	4 Story		8½		4th	1½		1½
	Garrets					1		1

XLIV. Scantlings of Timber for the firſt ſort of Houſes.

Foot. Inches. Inches. Length. Foot. Thickneſs. Depth.

For the Floors { Summers under—15—12—and—8 { Joyſts to 10—3—and—7 Inches
Wall-plates—7—and—5 { Garret-floors—3—6

Foot. { at foot—8 } 6 Inches.
2 For the Roof { Principal Rafters under --15 { at top—5 }
Single Rafters—4—and—3 Inches.

Scantlings.

XLIV. *Scantlings of Timber for the other two ſorts of Houſes.*

For the Floors

Summers or Girders whch bears in length from	Foot.		Foot.	Breadth. Inches.		Depth. Inches.	Joyſts which bear 10 Foot	Thickneſs. Inches.	Depth. Inches.
	10	to	15	11	and	8		3	6
	15		18	13		9		3	7
	18		21	14		10		3	7
	21		24	16		12		3	8
	24		26	17		14		3	8

	Inches.		Inches.
Principal Diſcharges upon Peers In the firſt Story in the Fronts.	13	and	12
	15		13

	Thickneſs. Inches.	
Binding Joyſts with their Trimming Joyſt^s	5	depth equal to their own Floors.

	Inches.		Inches.
Wall-plates, or Raiſing pieces and Beams	10	and	6
	8		6
	7		5

Lintels of Oak in the		Inches.		Inches.
1ſt & 2d	Story	8	and	6
3d	Story	5		4

2 For the Roof

Principals Rafters from	Length. Foot.		Length. Foot.		Thickneſs. Inches.	Inches.
	15	to	18	at foot	9	7
				at top	7	
	18		21	at foot	10	8
				at top	8	
	21		24	at foot	12	$8\frac{1}{2}$
				at top	9	
	24		26	at foot	13	9
				at top	9	

Purlines from	Length. Foot.		Foot.	Inches.	Inches.
	15	to	18	9	8
	18		21	12	9

Single Rafters		Foot.	Inches.	Inches.
	not exceeding in length	9	5	4
	not exceeding in length	6	4	$3\frac{1}{2}$

XLV. *Scantlings for Sawed Timber and Laths, uſually brought out of the Weſt-Country, not leſs than*

	Foot.	Breadth. Inches.	Thickeſs. Inches.
Single Quarters in length	8	$3\frac{1}{2}$	$1\frac{1}{4}$
Double Quarters in length	8	4	$3\frac{1}{2}$
Sawed Joyſts in length	8	6	4
Laths in length	5 4	$1\frac{1}{4}$	1 quarter and $\frac{1}{2}$ of an Inch.

2 Stone Where Stone is uſed, to keep to theſe Scantlings.

		Inches.
Firſt ſort of Houſes	Corner Peers	18 ſquare
	Middle or ſingle Peers	14 and 12
	Double Peers between Houſe and Houſe	14 and 18
	Door-jambs and Heads	12 and 8

		Foot. Inches
2d & 3d ſort	Corner Peers	2 — 6 — ſquare
	Middle or ſingle Peer	18 ſquare
	Double Peers between Houſe and Houſe	24 and 18
	Door-jambs and Heads	14 and 10

3 Scantlings for Sewers	Foot.			Thickneſs.	
	3	wide	Side-walls	1 brick $\frac{1}{2}$	Bottom paved plain, and then 1 brick an edge circular.
	5	high	Arch	1 brick on end	

XLVI. General

XLVI. General Rules.

In every Foundation within the Ground, add one Brick in thickneſs to the thickneſs of the Wall, (as in the Scheme) next above the Foundation to be ſet off in Three Courſes equally on both ſides.

2. That no Timber be laid within Twelve Inches of the Fore-ſide of the Chimney-Jambs; And that all Joyſts at the Back of any Chimney, be laid with a Trimmer at Six Inches diſtant from the Back.

3. That no Timber be laid within the Tunnel of any Chimney, upon penalty to the Workman, for every default Ten ſhillings, and Ten ſhillings every week it continues unreformed.

4. That no Joyſts or Rafters be laid at greater diſtances from one to the other, than Twelve Inches, and no Quarters at greater diſtance than Fourteen Inches.

5. That no Joyſts bear a longer length than Ten Foot; and no ſingle Rafters at more in length than Nine Foot.

6. That all Roofs, Window-frames and Cellar-floors be made of Oak.

7. The Tile-pins of Oak.

8. No Summers or Girders to lie over the Head of Doors and Windows.

9. No Summer or Girder to lie leſs than Ten Inches into the Wall; no Joyſts than Eight Inches, and to be laid in Loame.

CAP. IV.

An Act for Relief of poor Priſoners, and ſetting of them on Work.

Whereas there is not yet any ſufficient Proviſion made for the Relief and ſetting of Work of poor and needy perſons committed to the Common Gaol for Felony and other miſdemeanors, who many times periſh before their Trial; and the Poor there living idly and unemployed, become debauched, and come forth inſtructed in the practice of Thievery and lewdneſs: (2) For remedy whereof, Be it enacted by the Kings moſt Excellent Majeſty, with advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Juſtices of the Peace of the reſpective Counties, at any their General Seſſions, or the major part of them then there aſſembled, if they ſhall find it needful ſo to do, may provide a Stock of ſuch Materials as they find convenient for the ſetting poor Priſoners on Work, in ſuch manner, and by ſuch ways as other County-charges by the Laws and Statutes of the Realm are and may be levied and raiſed; And to pay and provide fit perſons to overſee and ſet ſuch Priſoners on work, (3) and make ſuch Orders for Accompts of and concerning the Premiſſes as ſhall by them be thought needful, and for puniſhment of neglects and other abuſes, and for beſtowing of the profit ariſing by the Labour of the Priſoners ſet on work, for their Relief, which ſhall be duly obſerved; And may alter, revoke, or amend ſuch their Orders from time to time, (4) Provided that no Pariſh be rated above Six pence by the week towards the Premiſſes, having reſpect to the reſpective values of the ſeveral Pariſhes.

How Stocks may be provided for ſetting the Poor on work.

II. And whereas ſometimes by occaſion of the Plague, and other whiles by the great number of Priſoners, great and infectious Diſeaſes having happened among the Priſoners, whereby it hath come to paſs ſometimes that the Judges, Juſtices and Jurors have upon occaſion of their Attendance at the Trial of Priſoners, been infected, and many of them died thereof, and ſometime ſuch Infection hath ſpread in the Country: (2) for ſome remedy therein, Be it by the ſame authority enacted, That any Sheriff of the reſpective Counties, having the Cuſtody of the Gaol, or ſuch perſons who have the Cuſtody of the Gaol, with the advice and conſent of three or more Juſtices of the Peace, whereof one to be of the Quorum, may, if they ſhall on enquiry or information find it needful, upon emergent occaſions in the reſpective Counties, provide other ſafe places, for the removal of ſick or other perſons, from and out of the ordinary and uſual Gaols, (3) the ſame places to be uſed and employed for the reception and cuſtody of the Priſoners, to be by or according to their Order or Orders kept, ordered, diſpoſed and conveyed to the places appointed for the Gaol-delivery, in ſuch and like manner as ſuch Priſoners ought to be kept, ordered, diſpoſed and conveyed in and from the Common Gaols by the Laws and Statutes of the Land. Provided no ſuch place be made uſe of for the purpoſes aforeſaid, againſt the good and free will of the Owners thereof.

Sickneſs and diſeaſes happening among Priſoners,

III. Provided alſo, and be it enacted by the Authority aforeſaid, That the Mayor, Bayliff, and other Head-Officer, or any other perſon and perſons, who have and hath the Cuſtody of the Common Gaol within any Corporation of this Kingdom and Dominion of Wales, ſhall by and with the advice of three or more Juſtices of Peace within the ſaid Corporation whereof one of them to be of the Quorum, in time of Infection, have the like power and authority for removing his and their Priſoners into ſome other convenient place within their Juriſdiction, as to them ſhall ſeem fit, during the time of Infection; And alſo to raiſe a Stock after the ſame rates and proportions, as is herein before allowed, to and for the ſeveral Counties within this Kingdom.

Removing of Priſoners.

IV. Provided alſo, and be it further enacted by the Authority aforeſaid, as followeth, (viz.) That whereas there is already provided a ſtrong and ſufficient Meſſuage in the Pariſh of Saint Thomas the Apoſtle near the City of Exon for the purpoſe aforeſaid, and One thouſand pounds more by certain Truſtees, upon Propoſals and Agreements made by them with certain Gentlemen, Juſtices of the Peace for the County of Devon, who have alſo provided One thouſand pounds more in order to purchaſe Lands of Inheritance for the good purpoſes hereafter mentioned, (2) Be it enacted by the Authority aforeſaid, That the ſaid Two thouſand pounds be laid out in purchaſe of Lands of Inheritance, by Order of the General Seſſions of the Peace hereafter at any time to be held, in the name of ſuch perſons as by

Exon.

Devon.

ſuch Order ſhall be appointed. (3) Item, That the ſaid Houſe, with the Grounds therewith incloſed, be had and uſed as a Common Goal and Work-houſe for the ſaid County, in manner as is after expreſſed. (4) Item, That an Overſeer be therein placed by like Order, and by like Order be removable from time to time; which Overſeer ſhall have the charge, cuſtody and government of the Priſoners to him committed according to this Act, and ſhall have Fifty pounds per annum during the execution of his Office, and Ten pounds per annum for his Deputy; but ſhall therefore take no Fees for receiving, delivering or doing any other ſervice relating to the Priſoners, from or of any the ſaid Priſoners. (5) Item, That the ſaid Juſtices by like Order from time to time ſhall and may, by approbation of the Ordinary, provide and appoint ſome meet and diſcreet Miniſter to read Divine Service according to the Orders of the Church of England, unto the Priſoners, at leaſt four days in the week, That is to ſay, on the Lords day, each Wedneſday, and each Friday and Saturday, and oftner, if the ſaid Juſtices ſhall appoint, and to take pains in inſtructing them each Lords day at the leaſt, for which they may allow him Thirty pounds per annum, or after that rate, the reſt of the Profits to be for repairing the Houſe, and towards finding a Stock for to ſet the Priſoners on work. (6) Item, That any perſon charged with ſuch offence only for which Clergy is allowable, if ſo be he be needy and indigent, and not likely to maintain himſelf in Gaol, may by Warrant of the Juſtice or Juſtices of the Peace to whom Juriſdiction in that behalf appertaineth, be committed to the ſaid Work-houſe in order to his Trial; (7) And if any perſon ſhall be committed to the ordinary Gaol, who ſhall be or become ſo indigent, he may by Warrant of three Juſtices of Peace, whereof one to be of the Quorum, be removed from the ordinary Common Gaol to the ſaid Houſe; All which Priſoners ſo committed or removed, ſhall be in the cuſtody of the Overſeer, and be ordered and demeaned in the ſaid Houſe, and conveyed to the Seſſions, or to the Gaol-delivery, by like Warrant, way and means, as the Priſoners in other Gaols by the Laws and Statutes of this Realm are to be ordered and demeaned.

V. And becauſe the ſaid Work-houſe is diſtant from the ordinary Common Gaol, the Priſoners by Order from the Seſſions or Gaol-delivery may, in order to their Trials, be removed to the Common-Gaol, to be the more ready for their Trials. (2) Item, That the ſaid Overſeer ſhall give Security for the Stock, and be liable to ſuch Regulations and Orders for Accompts and otherwiſe, as the Seſſions ſhall from time to time make for ſetting the poor Priſoners on work there, which ſhall be obeyed and obſerved. That a convenient Stock be from time to time raiſed at the charge of the County. (3) Item, That the Juſtices of the County in Devon, may put in ure all the powers in this Act, as other Juſtices may in any other County by vertue thereof:

VI. Saving to the Kings Majeſty, his Heirs and Succeſſors, and to every other perſon and perſons, and their Heirs, Succeſſors, Executors and Adminiſtrators, all Rights, Titles, Claims and Demands whatſoever, into or out of the ſaid Meſſuages and Premiſſes, as if this Act had never been made.

CAP. V.

An Act extending a former Act concerning Replevins and Avowries, to the Principality of Wales, and the County Palatines.

17 Car.2.c.7.

Whereas by an Act of Parliament, Entituled, An Act for the more ſpeedy and effectual proceeding upon Diſtreſſes and Avowries for Rents, Proviſion is made where any Plaintiff ſhall be Nonſuit before Iſſue joyned in any Suit or Replevin, by Plaint or Writ lawfully returned, removed or depending in any of the Kings Courts at Weſtminſter, (2) Be it Enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, that the ſaid Act, and all the powers and proviſions thereby made for cauſes of Replevins depending in his Majeſties Courts of Weſtminſter, ſhall be extended, and be of the ſame force and efficacy in all cauſes of Replevin, which are or ſhall be depending in his Majeſties Court of Common-Pleas for the County Palatine of Lancaſter, the Court of the Great Seſſions of his Majeſties Principality of Wales, the Court of the Great Seſſions or Aſſizes for the County Palatine of Cheſter, and the Court of Common-Pleas for the County Palatine of Durham, as fully and as amply for and during the continuance of the ſaid Act, as if the ſaid Courts had been mentioned therein.

Lancaſter.
Wales.
Cheſter.

CAP. VI.

An Act for redreſs of Inconveniencies by want of proof of the Deceaſes of Perſons beyond the Seas, or abſenting themſelves, upon whoſe Lives Eſtates do depend.

Proof.

Whereas divers Lords of Manors and others have uſed to grant Eſtates by Copy of Court-Roll for one, two, or more life or lives, according to the Cuſtom of their ſeveral Manors; and have alſo granted Eſtates by Leaſe for one or more life or lives, or elſe for years determinable upon one or more life or lives; And it hath often happened, that ſuch perſon or perſons for whoſe life or lives ſuch Eſtates have been granted, have gone beyond the Seas, or ſo abſented themſelves for many years, that the Leſſors and Reverſioners cannot find out whether ſuch perſon or perſons be alive or dead, by reaſon whereof ſuch Leſſors and Reverſioners have been held out of poſſeſſion of their Tenements for many years, after all the lives upon which ſuch Eſtates depend, are dead, in regard that the Leſſors and Reverſioners when they have brought Actions for the recovery of their Tenements, have been put upon it to prove the Death of their Tenants, when it is almoſt impoſſible for them to diſcover the ſame:

2 Roll 461.
Townſend 525
35 H.6. 50. b
pl. 14. per Priſot,
Debt, 60.

III. For remedy of which miſchief ſo frequently happening to ſuch Leſſors or Reverſioners, Be it Enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if ſuch perſon or perſons for whoſe life or lives ſuch Eſtates have been, or ſhall be granted as aforeſaid, ſhall remain beyond the Seas, or elſewhere abſent themſelves in this Realm by the ſpace of ſeven years together, and no ſufficient and evident proof be made of the lives of ſuch perſon or perſons reſpectively, in any Action commenced for recovery of ſuch Tenements by the Leſſors or Reverſioners, in every ſuch caſe the perſon or perſons upon whoſe life or lives ſuch Eſtate depended, ſhall be accounted as naturally dead; (2) And in every Action brought for the recovery of the ſaid Tenements by the Leſſors or Reverſioners, their Heirs or Aſſigns, the Judges before whom ſuch Action ſhall be brought, ſhall direct the Jury to give their Verdict, as if the perſon ſo remaining beyond the Seas, or otherwiſe abſenting himſelf, were dead.

Perſons beyond the Seas, or abſenting themſelves for ſeven years.

III. And be it further Enacted, That in any ſuch Action wherein the life or death of any ſuch perſon or perſons ſhall come in queſtion between the Leſſor or Reverſioner, and the Tenant in poſſeſſion, it ſhall and may be lawful for the Leſſor or Reverſioner to take exception to any of the Jurors returned for the trial of that Cauſe, that the greateſt part of the real Eſtate of any of ſuch Jurors is held by Leaſe or Copy for lives, who upon proof thereof ſhall be ſet as in caſe of other legal Challenges.

What ſhall be a good challenge to Jurors upon trial of Lives in being.

IV. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend to any Lands held by the life or lives of any perſon or perſons attainted of Treaſon for the horrid murder of his late Majeſty of bleſſed memory, who now conceal or hide themſelves, which Lands are or have been veſted in his Majeſty, and are now granted to his Royal Highneſs the Duke of York, but that the courſe of Evidence heretofore uſed in ſuch caſes ſhall be had and uſed; Any thing to the contrary in this Act notwithſtanding.

Proviſo for Lands held by Lives of certain Traytors attainted.

V. Provided always, and be it Enacted, That if any perſon or perſons ſhall be evicted out of any Lands or Tenements by vertue of this Act, and afterwards if ſuch perſon or perſons upon whoſe life or lives ſuch Eſtate or Eſtates depend, ſhall return again from beyond the Seas, or ſhall on proof in action to be brought for recovery of the ſame, be made appear to be living; or to have been living at the time of the Eviction, That then, and from thenceforth the Tenant or Leſſee, who was outed of the ſame, his or their Executors, Adminiſtrators or Aſſigns, ſhall or may re-enter, re-poſſeſs, have, hold and enjoy the ſaid Lands or Tenements in his or their former Eſtate, for and during the life or lives, or ſo long term as the ſaid perſon or perſons upon whoſe life or lives the ſaid Eſtate or Eſtates depend, ſhall be living; (2) And alſo ſhall upon Action or Actions to be brought by him or them againſt the Leſſors, Reverſioners or Tenants in poſſeſſion, or other perſons reſpectively, which ſince the time of the ſaid Eviction received the Profits of the ſaid Lands or Tenements, recover for damages the full Profits of the ſaid Lands or Tenements reſpectively, with lawful Intereſt for and from the time that he or they were outed of the ſaid Lands or Tenements, and kept and held out the ſame by the ſaid Leſſors, Reverſioners, Tenants, or other perſons, who after the ſaid Eviction received the Profits of the ſaid Lands or Tenements, or any of them reſpectively, as well in the caſe when the ſaid perſon or perſons upon whoſe life or lives ſuch Eſtate or Eſtates did depend, are or ſhall be dead at the time of bringing of the ſaid Action or Actions, as if the ſaid perſon or perſons were then living.

Proviſo for perſons evicted by this Act, not being in truth dead.

CAP. VII.

An Act to prevent Diſturbances of Seamen and others, and to preſerve the Stores belonging to his Majeſties Navy Royal.

16 Car. 2. c. 5.

Whereas divers Fightings, Quarrellings and Diſturbances do often happen in and about his Majeſties Offices, Yards and Stores for his Majeſties Royal Navy, and frequent Differences and Diſorders are occaſioned in the Office of his Majeſties Treaſury of the Navy on Pay-days, in London, Portſmouth, and other places of meeting for the Service of the ſaid Navy; And that either by the unreaſonable Turbulency of Seamen and others, attending on, or relating to that Service, or their Creditors, or by the rudeneſs of the Officers intruſted with his Majeſties Stores on Land, or in his Royal Ships, when they are queſtioned by the principal Officers and Commiſſioners of the ſaid Navy, either for neglect or Imbezelment of his Majeſties Proviſions, Ammunition, or other Equipage of the Navy under their Charge; and that not only to the diſturbance of the Peace, but ſometimes to the danger and hindrance of his Majeſties Service, both in point of husbanding his Majeſties Revenue, and alſo on the diſpatch of the Ships, on which the Honour and Safety of his Majeſty and Kingdom ſo much depends; (2) which inconveniencies require a ſpeedier Remedy than the ordinary Attendance on the Seſſions of Peace can give, the parties accuſed or offending, being many times bound to Sea, and the principal Officers and Commiſſioners for want of authority to ſuppreſs ſuch Inſolencies, and determine ſuch Caſes, being neceſſitated to paſs by many Offences, in which his Majeſty might be righted, if their neceſſary Attendance on that important Service would permit the proſecution of the Offenders before other ordinary Judicatures:

Turbulency of Seamen.

II. Be it therefore enacted by the Kings moſt Excellent Majeſty, with the Adviſe and Conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the Authority of the ſame, That the Treaſurer, Comptrollor, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any one or more of them, have power and authority to examine and puniſh all ſuch perſon and perſons whom they upon their enquiry, examination, or on view in their preſence, ſhall find hereafter to make, or have made any Diſturbance, Fighting or Quarrelling in the Yards, Stores or Offices aforeſaid, at Pay-days, or on other occaſions relating to the Naval Services, in ſuch manner as followeth, (that is to ſay) That they, or any one or more of them, may puniſh any the ſaid Offences, by Fine, Impriſonment, or either of them, the Fine not exceeding Twenty ſhillings, and Impriſonment not exceeding one week; (2) And have power in ſuch caſes to commit ſuch perſons to the next Gaol, or to the cuſtody of the Meſſenger or Meſſengers for the time being attendant on them, who reſpectively are to receive and detain ſuch

Who may examine and puniſh offences and diſturbances committed by Seamen relating to the Navy.

perſon ſo offending: (3) And that the ſaid principal Officers and Commiſſioners, or the greater number of them then preſent, have power to diſcharge ſuch Fine or Impriſonment, if they think fit; And for non-payment of the Fine ſo impoſed and not remitted, to Impriſon the party offending, until payment thereof; Which ſaid Fines ſhall be paid to the Clerk of the Cheſt, for the uſe of the maimed Seamen: (4) And that the examination of Witneſſes be upon Oath before him or them, which they, or any one or more of them are accordingly impowred to Adminiſter.

III. And it is further by authority aforeſaid enacted, That the ſaid Officers and Commiſſioners, or any one or more of them (in caſes where greater example or puniſhment is needful) may alſo bind the perſon or perſons ſo offending, to their good behaviour, with or without Securities, as occaſion ſhall be.

Imbezelling of Stores and Ammunition of the Navy.

IV. And whereas divers of his Majeſties Stores and Ammunition pertaining to his Navy and Shipping, or Service thereof, are imbezelled or filched away, (2) it is by the like authority enacted, That the ſaid principal Officers and Commiſſioners, or any one or more of them, by Warrant under their Hands and Seals, have power in like manner to enquire and ſearch for the ſame in all places, as Juſtices of the Peace may do in caſe of Felony, and puniſh the Offendors by ſuch Fine and Impriſonment as aforeſaid, and cauſe the Goods to brought in again: (3) And if the Offence be of ſuch nature as doth require an higher and ſeverer puniſhment, Then that they, any one or more of them may commit ſuch Offendor to the next Gaol, or to the cuſtody of their Meſſenger or Meſſengers aforeſaid, till he or they offending enter into Recognizance, with Surety or Sureties, according to the nature of the Offence, to appear and anſwer to the ſame in his Majeſties Court of Exchequer, or other Court where his Majeſty ſhall queſtion him or them for the ſame within one year following, on Proceſs duly ſerved for that purpoſe on ſuch Offendor or Offendors.

V. And it is Declared and Enacted by the Authority aforeſaid, That they the ſaid principal Officers and Commiſſioners, or any one or more of them, may put in uſe the ſaid powers on the Offendors, as aforeſaid, in all places where they hold an Office for his Majeſty, as well within Liberties as without; Any Law, Statute, Ordinance, Charter or Priviledge to the contrary notwithſtanding.

Encouragement of Mariners and Souldiers ſerving in the Fleet. Rep. 22 & 23 Car. 2. cap. 23.

VI. And for the better encouraging of ſuch Mariners and Souldiers as now do, or ſhall ſerve his Majeſty in his Fleet or Ships during this War, (2) Be it further enacted by the Authority aforeſaid, That no Ordinary, Regiſter or other Officer belonging to any Eccleſiaſtical Court, or Court of Orphans, or any Juriſdiction whatſoever within the Kingdom of England, or Dominion of Wales, or Town of Berwick, ſhall take or receive of the Executor or Adminiſtrator, Executors or Adminiſtrators of any Mariner or Souldier dying in the Pay of his Majeſties Navy during this preſent War, above the ſum of Twelve pence for the Probate of any Will, Regiſtring the ſame, granting Letters of Adminiſtration, exhibiting any Inventory, or for any other matter or thing relating thereunto; and for every default herein by wilful delay in the doing, granting, or executing the Premiſſes, the perſon or perſons ſo offending, ſhall forfeit to the party grieved the ſum of Ten pounds, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record at Weſtminſter, or elſewhere, wherein no Eſſoin, Priviledge, Protection or Wager of Law ſhall be allowed; Any Law or Statute, or uſage to the contrary notwithſtanding.

The continuance of this Act.

VII. This Act to continue for Two years, from the Firſt day of February, One thouſand ſix hundred ſixty and ſix; and from thence to the end of the next Seſſion of Parliament. 22 & 23 Car. 2. 23. Sect. 10. N. 1.

CAP. VIII.

An Act for granting the ſum of Twelve hundred fifty ſix thouſand three hundred forty ſeven pounds thirteen ſhillings, to the Kings Majeſty, for the Maintenance of the preſent War. EXP.

CAP. IX. (Stat. 2 cap. 1.)

An Act for taking the Accompts of the ſeveral Sums of Mony therein mentioned.

Whereas many and great Aids and Proviſons have been Given, Raiſed, and Aſſigned for the neceſſary Defence of Your Majeſty and Your Kingdoms, in the late great and important Wars; To the end that both Your Majeſty and this whole Kingdom may be ſatisfied, and truly informed, whether all the ſame Moneys and Proviſions have been faithfully iſſued out and expended in and about the preparing and ſetting forth of Your Royal Navy, and other the Management and carrying on the ſaid War, and with ſuch Care, Fidelity, and good Husbandry, as the nature of ſuch Services would admit of, according to Your Majeſties own Gracious and Princely deſires, and the earneſt expectation of Your moſt Loyal Subjects, than which, nothing, can more encourage them cheerfully to undergo the like burthens in time to come, for the neceſſary Defence of Your Majeſty and Your Realms:

Commiſſioners for taking the Accompts of 2400000, &c.

II. May it therefore pleaſe Your moſt Excellent Majeſty, That it may be Enacted; And be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority thereof, That William Lord Brereton Baron of Laughtyn in the Kingdom of Ireland, William Pierpoint Eſquire, Sir George Savile Baronet, Giles Dunſter Eſquire, Sir James Langham Knight, Henry Osborn Eſquire, Sir William Turner Alderman of the City of London, George Tomſon Eſquire, and John Gregory Eſquire, or any Five or more of them, ſhall be Commiſſioners for the taking of the Accompts of the ſum of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred pounds, granted by a late Act of this preſent Parliament, entituled, An Act for granting a Royal Aid

so

to the Kings Majeſty, of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred 16 & 17 Car 2
pounds,to be Raiſed, Levied and Paid in the ſpace of three years; And of Twelve hundred and fifty cap. 1.
thouſand pounds granted by another late Act of this preſent Parliament, entituled, An Act for 17 Car. 2. c. 1.
granting the ſum of Twelve hundred and fifty thouſand pounds to the Kings Majeſty for his preſent
further ſupply; And of Two hundred and ten thouſand pounds granted for Three months at
the Rate of Threeſcore and ten thouſand pounds per menſem, by an other Act, entituled, An Act 14 Car. 2. c. 3.
for Ordering the Forces in the ſeveral Counties of this Kingdom; And alſo for taking the Accompts relating to
of all ſuch Moneys as have been raiſed or charged by a late Act of this preſent Parliament, 15 Car. 2. c. 4.
entituled, An Act for Raiſing Moneys by a Poll and otherwiſe, towards the maintenance of this preſent 18 Car. 2. c. 1.
War; And by another Act of this preſent Parliament, entituled, An Explanatory Act for 19 Car. 2. c. 6.
Raiſing Moneys by a Poll and otherwiſe,towards the maintenance of this preſent War: And of the ſum
of Twelve hundred fifty ſix thouſand three hundred forty ſeven pounds thirteen ſhillings,
granted by another late Act of this preſent Parliament, entituled, An Act for granting the ſum 19 Car. 2. c. 8.
of Twelve hundred fifty ſix thouſand three hundred forty ſeven pounds thirteen ſhillings to the Kings
Majeſty, towards the maintenance of the preſent War: And of all ſuch Moneys as have ariſen by
the Cuſtoms granted to his Majeſty, by an Act of this preſent Parliament, and have been applied
to the Service of the War; and of ſuch Prizes as have been taken during the ſaid late
War, for his Majeſties uſe; and of all other Moneys, Proviſions and things whatſoever,
which have been raiſed or aſſigned for or towards the fitting, furniſhing,or ſetting out to Sea
any of the Navies or Ships employed in the ſaid late War, or for or touching the management
or maintenance thereof. (2) And to that end, the ſaid Commiſſioners, or any five or The power of
more of them,are hereby authorized and required to call before them all Treaſurers, Receivers, the Commiſſioners
Pay-maſters, Principal Officers and Commiſſioners of the Navy and Ordinance reſpectively, to
Victuallers, Purſers, Muſter-maſters and Clerk of the Cheque, Accomptants, that purpoſe.
and all Officers and Keepers of his Majeſties Stores and Proviſions for War, as well for
Land as Sea, and all other perſons whatſoever employed in the management of the ſaid
War, or requiſite for the diſcovery of any Frauds relating thereunto, To make perfect and
true Accompts of all ſuch of the Moneys as have come to any of their hands reſpectively; and
to bring in and deliver the ſame to the ſaid Commiſſioners, or any five or more of them without
delay: alſo to bring in their ſeveral Books of Accompts, Vouchers and Acquittances, Who are to
Contracts, Muſter-Rolls, Cheque-Rolls, Cheque-Books, and all other Books and Writings account, and
whatſoever, touching or concerning the Premiſſes, to be peruſed, tried and examined for what, and
by the ſaid Commiſſioners, whereby it may appear what Moneys have been received, and within what
how the ſame have been diſburſed; and what Ammunition, Proviſions and Stores of any time.
kind which were in his Majeſties Store-houſes or Yards, or elſewhere, have been employed
in the ſaid War,after the firſt day of September,One thouſand ſix hundred ſixty four; and what
Ships and other Veſſels his Majeſty then had for the Service of the War, together with
their ſeveral Equipages and Furniture; and what Moneys or other Proviſions or Materials
have been paid or delivered to the hands of the ſaid Treaſurers, Receivers, Pay-maſters,
Victuallers,Purſers, or other Accomptants, or any of the ſaid Officers or Keepers of
his Majeſties Stores; and when the ſame was ſo paid or delivered, and how and at what
time or times the ſame have been diſpoſed of, and to whom, and for what uſe or uſes; (3) and
to examine the Rates and Prices ſet upon any Proviſions, Wares or Materials bought or
provided for the Service of the ſaid War, and what the ſame were then truly worth, and what
was really paid for the ſame, and by whom, and to whom, and when the ſame was bought
and paid for, and how the ſame Proviſions, Wares and Materials have been employed or
diſpoſed of, and by what Warrant; (4) and to examine all ſuch Merchants and Tradeſmen, Frauds herein,
and their Books, Receipts and Acquittances, and all ſuch Seamen and others as ſhall be how to be
thought fit to be heard touching any Frauds, Oppreſſions or Exactions practiſed or uſed by examined.
any perſon or perſons intruſted or employed in or about the payment or receipt of any of the
ſaid Moneys, or the buying or providing of any of the ſaid Proviſions, Wares or Materials,
or the cuſtody, ordering and diſpoſing of the ſame, and to what Value,and what Gain or
Advantage was made thereby, and by whom, and where, and about what time the ſame was
ſo done; (5) and to enquire and find out whether any, and which of the Seamen and others Seamens rewards
have been defrauded of any of their Præmiums or Rewards, Victuals, Clothes, Pillage or to be
other Allowances or Benefits aſſigned, promiſed or appointed to any of them,for or in reſpect enquired of,
of their Service in the ſaid War,and by whom, and to what Value; (6) And to enquire and if given to
find out what Moneys have been, or ought to have been ſet apart for the Cheſt, from the them.
Four and twentieth day of June, One thouſand ſix hundred and ſixty, and how the ſame have And what
been paid and diſpoſed of, and whether any part thereof have been defaulked or detained from Moneys
the perſons to whom it was due and payable, and how much, when, and by whom, and upon ought to have
what pretence the ſame was done; And whether any Sums of Money, and how much been ſet out
ariſing by the Cuſtoms and Subſidy of Tonnage and Poundage, ever ſince the Firſt of to the Cheſt
September, One thouſand ſix hundred ſixty four, hath been iſſued and allowed for and towards ſince 24 June,
the maintenance of the ſaid War; (7) And alſo to enquire and find out the numbers 1660.
and values of all the Prize-Ships and Goods which have been taken for his Majeſties uſe during Tonnage and
the the ſaid War,and their ſeveral Bills of Lading,and how the ſame Ship and Goods, Poundage.
or any of them have been appriſed, valued, ſold, imbezelled, or otherwiſe diſpoſed of; and Prize-Ships
how the prices or moneys thereof ariſing, have been accompted for to his Majeſty; and what and other
frauds or abuſes have been committed therein, and by whom, and for what value; (8) And to Goods taken
enquire whether any, and how much of the ſaid Moneys given for the maintenance of the for the King.
ſaid War, by Act of Parliament as aforeſaid, hath been beſtowed or diſpoſed of, to or for any
other uſe or purpoſe, and to what other uſes or perſons the ſame are, or any part thereof
was ſo beſtowed or diſpoſed: (9) And alſo to enquire by whoſe means, counſel, or procurement
it came to paſs, That the Ships, Seamen, Mariners and othes were generally diſcharged
by Tickets, and not paid with Money by the Cheque-Roll of the reſpective Ships
or Veſſels wherein they ſerved, as formerly; and how any of the Land-Forces came to

Tickets to Seamen to be enquired of.

To inſpect former Accompts.

Examine upon Oath.

Reform the manner of Accompts.

Perſons refuſing to appear, to be committed to priſon without Baill, till obedience.

be ſo paid, and what loſs or diſadvantage his Majeſty, or any of the Seamen or Land Souldiers have ſuſtained thereby; and what advantage or benefit hath been made by any perſon or perſons by means of ſuch payment, or by buying, ſelling or aſſigning of any ſuch Tickets, and by whom particularly, and to what value; and how much of the Wages due to any of the ſaid Seamen or Land Souldiers is yet remaining unpaid, and to whom particularly the ſame is due or payable: (10) And further to ſearch into, examine and find out all other Frauds, Exactions, Negligences, and Defaults and Abuſes which have been practiſed or committed by any perſon or perſons whatſoever, touching the Premiſſes; and when and by whom the ſame were ſo practiſed or committed, and what damage hath been ſuſtained thereby, and to what value: (11) And for that end and purpoſe alſo to inſpect and examine all ſuch former Accompts as they ſhall think neceſſary; And to ſend for Seamen, and cauſe to appear before the ſaid Commiſſioners, or any Five or more of them, all or any of the ſaid Accomptants, and other Officers and Keepers of Stores, and all ſuch Merchants, Tradeſmen, Seamen, Souldiers, and other perſons as they ſhall think meet, and to examine them ſeverally upon their coporal Oaths (which the ſaid Commiſſioners, or any Five or more of them, ſhall and may adminiſter by vertue of this Act) and alſo to ſend for, and peruſe all ſuch Records, Books, Vouchers, Acquittances, and other Writings, as they ſhall think fit to be produced, for the better diſcovery of any the ſaid Frauds, Exactions, Negligences and Defaults or Abuſes, and to do, execute and perform all ſuch other act and acts as they the ſaid Commiſſioners, or any Five or more of them in their Judgment ſhall find requiſite, whereby all ſuch perſon and perſons as ſhall appear Guilty of any of the ſaid Frauds, Exactions, Negligences, Defaults or Abuſes, may be brought to condign puniſhment in Parliament, or otherwiſe, for the better prevention of the like Crimes and Miſdemanours, and the encouragement of the Seamen for the time to come. (12) And to the end that all and every the ſaid Accompts may be made the more plain and intelligible, The ſaid Commiſſioners, or any Five or more of them are hereby authorized to direct, reform and amend the manner and method of the ſame, ſo as it may clearly appear how the ſaid moneys, and every part thereof have been employed and diſpoſed of for the Service of his Majeſty, and the Publick Safety and Defence, or otherwiſe, as the caſe ſhall require. (13) And in caſe any of the ſaid Treaſurers, Receivers, Pay-maſters, Principal Officers, and Commiſſioners of the Navy and Ordinance, Victuallers, Purſers, Muſter-maſters, Clerks of the Cheque, Accomptants, Officers, Keepers of Stores, or other perſon or perſons ſummoned to appear before the ſaid Commiſſioners, ſhall refuſe or neglect to appear or to produce any of their Books, Vouchers Acquittances, or other Writings, or to be Examined upon his, her, or their corporal Oaths, touching the Premiſſes as aforeſaid, or ſhall refuſe or neglect to do ſuch other thing or things as the ſaid Commiſſioners, or any Five or more of them, may or ſhall require of them to be done by vertue of this Act, That then the ſaid Commiſſioners, or any Five or more of them, are hereby authorized by Warrants under their Hands and Seals, to commit ſuch perſon or perſons ſo refuſing or neglecting, unto any of his Majeſties Priſons, there to remain under ſafe cuſtody without Bail or Mainprize, until he, ſhe or they ſhall yield obedience to that which ſhall be ſo required of them.

Commiſſioners may ſend Precepts to the Sheriffs to ſummon Juries.

May take Inqueſts to examine witneſſes upon Oath.

III. And be it further Enacted, That the ſaid Commiſſioners, or any five or more of them, or any Five or more of ſuch perſons as they ſhall think fit, from time to time, by Warrant under their Hands and Seals, to conſtitute and appoint in that behalf, ſhall have full power and authority by vertue of this Act, to enquire, as well by the Oaths of good and lawful men of any County, City, Port, Corporation or Liberty within this Realm, as well within Liberties as without, and by depoſitions of credible Witneſſes to be examined before them, as by all other good and lawful ways and means, of all and ſingular the Premiſſes, when, and as often as they ſhall think fit and expedient; And for that purpoſe to award their Precept or Precepts to all Sheriffs, Bayliffs, and other Officers within the ſaid Counties, Cities, Ports, Corporations and Liberties, who are hereby required to return and cauſe to appear before them the ſaid Commiſſioners, or any five or more of them, or before ſuch other perſons ſo by them conſtituted as aforeſaid, ſuch and ſo many good and lawful men, inhabiting within their reſpective Counties, Cities, Ports, Corporations, and Liberties, at ſuch time and times, place and places, as ſhall be required by ſuch Precept or Precepts, and under ſuch Penalties as ſhall be therein contained, to make ſuch enquiry, and to find out the truth of the Premiſſes, without any Fee or Reward to be taken or demanded for the ſame: (2) And that the ſaid Commiſſioners, or any Five or more of them, or any Five or more of ſuch other perſons ſo Conſtituted as aforeſaid, ſhall have full power and authority by vertue of this Act, to take Inqueſts, and to examine and take the Depoſitions of Witneſſes upon Oath, in or touching any of the Premiſſes before mentioned, for the information of the ſaid Commiſſioners, and to certifie the ſame in Writing under their Hands and Seals: And to that end the ſaid Commiſſioners, or any Five or more of them, or the ſaid perſons ſo deputed, ſhall and may by authority of this Act adminiſter ſuch Oaths, as are uſually adminiſtred in cauſes of Suit between party and party depending in his Majeſties Court of Exchequer.

To appoint places of ſitting, and Officers.

Clerks to be ſworn.

IV. And for the better execution of this preſent Act, the ſaid Commiſſioners, or any five or more of them, are hereby authorized from time to time, with or without Adjournment, and in ſuch place and places as they ſhall think convenient, to call to their aſſiſtance, appoint and employ ſuch Clerks and Officers as they ſhall think meet, and to give to every of the ſaid Clerks and Officers an Oath for his true and faithful Demeanour in all things committed to his truſt and performance by the ſaid Commiſſioners, and in all other things touching the Premiſſes: which Clerks and Officers are hereby required faithfully to execute and perform the truſt in them repoſed ſeverally and reſpectively, without taking any thing for ſuch their Service, other than ſuch Salary or Reward as the ſaid Commiſſioners, or any Five or more of them ſhall think fit to direct in that behalf, under pain of forfeiting their reſpective Offices, Places, and Salaries. (2) And the ſaid Commiſſioners are hereby required from time to time, as they ſhall ſee cauſe, and at the determination of their Examinations and Proceedings by vertue of this Act, to give an accompt thereof in Writing under any five or more of their Hands and Seals, to the Kings Majeſty, and to both Houſes of Parliament, if then ſitting, that ſo his Majeſty may receive a full and true accompt how the ſaid moneys and other things have been disburſed or diſpoſed of for his Service or otherwiſe; and that ſuch puniſhment may be inflicted upon the Offendors, and ſuch further order taken in the premiſſes as to Juſtice ſhall appertain: (3) And the ſaid Commiſſioners, or any five or more of them, may and are hereby authorized, upon conſideration of the depoſitions and proofs before them, to hear the parties concerned and their Council, and finally to adjudge and determine of all the ſaid Accompts, frauds, exactions, negligences defaults, and abuſes, and to allow of ſuch of the ſaid accompts, and diſcharge ſuch Accomptants as to them in their judgments ſhall ſeem juſt and meet, and to certifie ſuch their Judgment, Order and Determination by Writing in Parchment under their Hands and Seals into his Majeſties Court of Exchequer; (4) which Court is hereby authorized and required thereupon to iſſue and make out his Majeſties Proceſs of that Court, for the levying of all ſuch Debts and Moneys as ſhall be due or payable to his Majeſty by means of ſuch Judgment, Order or Determination, as ſpeeeily and effectually to all intents and purpoſes, as if the ſame had accrued or growed due to his Majeſty by the immediate Judgment, Order or Decree of that Court.

To make Returns to the King, and alſo to the Parliament, if ſitting.

Their Judgments muſt be certified into the Exchequer.

V. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, by Warrant under their Hands and Seals, ſhall and may, and are hereby directed to aſſign and allow ſuch part and proportion of all ſuch moneys and goods as ſhall be diſcovered and ſufficiently proved before them by any perſon or perſons, to have been unjuſtly gotten or detained from his Majeſty by means of any the frauds, exactions or abuſes mentioned in this Act, as they the ſaid Commiſſioners in their diſcretion ſhall think a fit reward for ſuch diſcovery, not exceeding one third, nor being leſs than one tenth part of the mony or goods ſo diſcovered; the ſame to be had and taken by the perſon and perſons making ſuch diſcovery from time to time, in ſuch manner, and in ſuch proportions, as the ſaid Commiſſioners ſhall appoint by ſuch their Warrant as aforeſaid, out of ſuch Receipt into which the ſame mony ſhall at any time be paid, without any further or other Warrant or Allowance in that behalf.

Diſcoverers to be rewarded.

VI. And be it further enacted, That every of the ſaid Commiſſioners, before he enter upon the execution of this Act, ſhall take an Oath before the Lord Chancellor or Lord Keeper of the Great Seal of England, or Maſter of the Rolls for the time being, which they and every of them are hereby authorized and required to adminiſter, the tenour whereof ſhall be as followeth, viz.

Commiſſioners to take an Oath.

(2) I A. B. do ſwear, That according to be beſt of my skill and knowledge, I ſhall faithfully, impartially, and truly demean my ſelf in examining and taking the Accompts of all ſuch as ſhall make any Accompt before me, in execution of one Act, Entituled, An Act for taking the Accompts of the ſeveral ſums of Mony therein mentioned, according to the tenour of the ſaid Act, and in determining the ſaid Accompts, and execution of the ſaid Act.

VII. And be it further enacted, That the Lord High Treaſurer of England, or Commiſſioners of the Treaſury for the time being, are hereby authorized and required to iſſue and cauſe to be paid, One thouſand pounds by the year, for the Diet of the Commiſſioners; and alſo ſuch ſum or ſums of mony, not exceeding two thouſand pounds by the year, to ſuch perſon or perſons as the ſaid Commiſſioners, or any five or more of them by Writing under their Hands ſhall deſire or direct, out of any part of his Majeſties Treaſure or Revenue, to be employed in or for the payment of Houſe-rent, Clerks, Meſſengers and other Officers, and in defraying all other neceſſary charges in and about the execution of the powers of this Act, and in ſuch manner, and in ſuch proportions, as ſhall be appointed by any five or more of the ſaid Commiſſioners, by Writing under their Hands in that behalf; the ſame to be accompted for by the perſon or perſons to whom the ſaid mony ſhall be ſo iſſued or paid according to the courſe of his Majeſties Exchequer, without any Fee or other Charge to be taken or demanded for the iſſuing or payment of the ſame money, or the paſſing of ſuch Accompt other than ſuch ſum as the ſaid Commiſſioners ſhall appoint: (2) And if any Queſtion or Suit in Law ſhall ariſe touching any of the powers or matters contained in this Act, or the execution thereof, the ſame ſhall be heard and determined by the ſaid Commiſſioners, or any five or more of them, and not by any other courſe of Judicature whatſoever out of Parliament.

Allowance to the Commiſſioners.

VIII. This Act, as to the Powers of taking and examining of Accompts, and adminiſtring of Oaths, to endure for the ſpace of three years, from the end of this preſent Seſſion of Parliament next enſuing, and no longer.

The continuance.

IX. Provided always, and be it further enacted by the authority aforeſaid, Whereas ſeveral Seamen after Service done to his Majeſty, expected to receive their Wages, and in ſtead thereof upon pretence that there was a want of mony due to them for their Service, or otherwiſe, upon pretence that there was a want of mony to pay them, to the great diſcouragement of the ſaid Seamen: (2) And whereas, for a preſent ſupply of themſelves and their Families, they have been neceſſitated to ſell the ſaid Tickets for leſs than the ſum of mony mentioned in them, which Tickets have been ſold from man to man: (3) Be it therefore, And it is hereby enacted by the authority aforeſaid, That the ſaid Commiſſioners ſhall be, and are hereby impowred to compel each Buyer of ſuch Tickets, or ſuch who purchaſed from them, to reſtore to the ſeveral perſons from whom they purchaſed them, all, or as much of the ſaid money as they ſhall think fit (upon computation of Intereſt, or any other Conſideration) which remains, to make up the full Accompt or ſum contained in, and which was due upon the ſaid Tickets; (4) and ſuch perſon or perſons that have ſo bought Tickets, and ſhall refuſe, by Order of the ſaid Commiſſioners to repay to any perſon or perſons ſuch

Buyers of Seamens Tickets at under Rates, to make up to the Sellers the whole ſum.

Penalty for refuſing.

ſum or ſums of money as the ſhall adjudge him to pay, preſerving to each party the full Principal and Intereſt at leaſt; then in ſuch caſe, and upon all ſuch refuſals, It ſhall and may be lawful, and the ſaid Commiſſioners are hereby impowred to ſend to any Gaol or Gaols, all ſuch perſons ſo refuſing, until they ſhall obey the Order or Orders of the ſaid Commiſſioners.

Perjury.

X. Provided alſo, and be it enacted by the authority aforeſaid, That if any perſon or perſons who by the authority of this Act ſhall be examined upon Oath before the ſaid Commiſſioners or any of them, ſhall wilfully and falſly forſwear himſelf or her ſelf, ſuch wilful and falſe ſwearing, ſhall be taken and adjudged to be wilful Perjury; and ſuch perſon or perſons ſhall and may be proceeded againſt in ſuch manner to all intents and purpoſes, as by the Laws and Statutes of this Realm, in caſes of Prejury is provided and appointed, and ſhall ſuffer and incur upon conviction, like pains and penalties as by the ſaid Laws and Statutes are appointed to be inflicted and impoſed.

CAP. X. (2)

An Act for Baniſhing and Diſenabling the Earl of Clarendon.

CAP. XI. (3)

An Act to make Prize-Ships free for Trade.

Whereas by ſeveral Acts of Parliament heretofore and of late paſt, it appears how great encouragement hath beeen given unto Trade, and care taken that the Manufacture of Shipping be preſerved and increaſed throughout your Majeſties whole Kingdoms, Dominions and Territories, both conducing ſo much to the Wealth, Increaſe of Mariners, and Strength of your Dominions, By reaſon of ſome of which Acts at this time, and after this late War, when your Majeſties Subjects in your ſeveral Ports have loſt ſome of their own Engliſh built Ships, and taken many Dutch, Dane and French, they cannot make uſe in Trade of thoſe Veſſels taken as Prizes in the late War, though lawfuly Condemned in your Admiralties of England and Ireland, or in the Admiralties of your Foreign Plantations, and in the poſſeſſion of your ſaid Subjects:

Foreign built Ships belonging to Engliſhmen, &c. taken in the late Wars, and Condemned by the Admiralties, may enjoy the benefit of Engliſh built Ships.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Foreign built Ships which really, and bona fide do or ſhall only belong to his Majeſties Subjects of the Kingdom of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, and which have during the late War in the places where now the Peace hath concluded it, or ſhall be taken in the places yet in Hoſtility as Prizes, within the ſeveral times preſcribed, in the ſeveral places mentioned in the late Articles of Peace with the French King, and the King of Denmark and the States-General of the United Netherlands, and have or ſhall be adjudged Prizes within the reſpective Admiralties of his Majeſties Kingdoms of England or Ireland, or in any of the Admiralties in his Majeſties Territories or Plantations abroad, ſhall be deemed, adjudged and taken to be, and ſhall from time to time enjoy the benefit of free Ships belonging to the Kingdoms of England and Ireland, Dominion of Wales, and Town of Berwick upon Tweed reſpectively, and ſhall Export and Import Goods, Wares, and Merchandize, as freely, and to all intents and purpoſes, as Foreign built Ships that did belong to the Kingdom of England before the Firſt day of April One thouſand ſix hundred ſixty and one, might then have done, and not in any other manner; Any Law, Statute, or Uſage to the contrary notwithſtanding.

Owners muſt take an Oath that no Foreigner hath intereſt therein.

III. Provided nevertheleſs, That the Owner or Owners, and Proprietors of the ſaid Ships, ſhall take an Oath at or before the Firſt day of Auguſt next enſuing, or within three months after ſuch Ship ſhall be taken and adjudged Prize, before the Officers of his Majeſties Cuſtoms of the Port next to the place of their abode, (which Oath the ſaid Officers have hereby power to adminiſter) That they are the true and lawful Owners and Proprietors of the ſaid Foreign built Ships reſpectively: And that no Foreigner or Alien, directly or indirectly, have any part, ſhare or intereſt therein; And that he or they produce the Adjudication and Condemnation of the ſaid Ship as taken and made Prize during the late War, as aforeſaid, by one of the before mentioned Admiralties.

Certificates thereof.

IV. And be it further enacted, That all ſuch Officers of the Cuſtoms before whom ſuch Oath ſhall be ſo made, ſhall from time to time give Certificates under their reſpective Hands and Seals, belonging to their reſpective Offices, to ſuch perſon or perſons as ſhall demand the ſame, of all ſuch Foreign built Ships, and ſhall keep a Regiſter of the ſaid Ships and ſhall within two months next after ſuch Oath ſo made, return a Duplicate thereof to the chief Officers of the Cuſtoms at London, for all ſuch Ships as do ſo belong to any Port or place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed; and to the chief Officers at the Port of Dublin, for all ſuch Ships as ſhall belong to the Kingdom of Ireland; and to the chief Officers in the chief Ports of any of his Majeſties Plantations, for all ſuch Ships as ſhall belong to any of the ſaid Plantations abroad; the ſaid chief Officers at the Port at Dublin, and in the ſeveral Ports of the ſeveral Plantations, being within two months next after ſuch Oath made, to return Certificates thereof unto the chief Officers of the Cuſtoms at London, together alſo with the Names of all ſuch perſons as are the Owners of ſuch reſpective Ships, to the end ſuch Certificates or Duplicates may and ſhall be returned into his Majeſties Court of Exchequer in England, there to remain upon Record.

Wales, Berwick, Dublin, Ireland.

Boſton.

V. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That the Ship or Galliot Hoy (Flemiſh built) called the Margaret, and the Ship or Barque called by the Name of John and Francis, Flemiſh built, both belonging to the Port of Boſton, being Veſſels bought and brought into the ſaid Port before the Concluſion of the late Peace, or his Majeſties Proclamation for Peace, are hereby made free Ships and Veſſels, and are to be ſo deemed, taken, and adjudged, and ſhall have liberty to Trade as the Ships mentioned in this Act taken and adjudged Prize in his Majeſties ſeveral Admiralties as Engliſh built Ships; any thing in this Act or any other to the contrary notwithſtanding.

CAP. XII. (4)

An Act for Aſſigning Orders in the Exchequer without Revocation.

Whereas it hath been found by experience upon the late Act for Twelve hundred and fifty thouſand pounds, made at Oxford, and other Acts of Parliament ſince that time, That the power of Aſſigning of Orders in the Exchequer upon thoſe Acts, without Revocation, hath been of great uſe and advantage to the perſons concerned in them, and to the Trade of this Kingdom, and given great Credit to his Majeſties Exchequer: (2) Be it enacted, And it is hereby enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That every perſon or perſons, Native or Foreigner, Bodies Politick or Corporate, to whom any Moneys ſhall be due in your Majeſties Exchequer, and ſhall have any Order Regiſtred in the Office of the Auditor of the Receipt, for the payment thereof out of any Branch of your Majeſties Revenue; That ſuch perſon or perſons, Native or Foreigner, Bodies Politick or Corporate, their Succeſſors, Executors, Adminiſtrators or Aſſigns reſpectively, by Endorſement of their Order, may aſſign and transfer their Right, Title, Intereſt and benefit of ſuch Order or any part thereof, to any other; (4) which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry and Memorial thereof alſo made in the Book of Regiſtry aforeſaid for ſuch Orders (which the Officers ſhall on requeſt accordingly make) ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, or Succeſſors reſpectively, to the benefit thereof, and payment thereon; (4) and ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties; and afterwards it ſhall not be in the power of ſuch perſon and perſons who have made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the Moneys thereby due, or any part thereof.

Orders Regiſtred in the Auditor's Office of the Receipt may be aſſigned.

The Aſſignor may not revoke his aſſignment.

II. And it is hereby further enacted by the authority aforeſaid, That in caſe any Aſſignment ſhall be for any ſum not exceeding One hundred pounds Sterling, That the Auditor of the Receipt ſhall not take or receive, by way of Fee or Reward for himſelf and his Clerks, above the ſum of Six pence for making an Entry or Memorial thereof; (2) And in caſe any Aſſignment ſhall be for any ſum exceeding One hundred pound Sterling, That the Auditor of the Receipt ſhall not take or receive for himſelf and his Clerks by way of Fee or Reward, above Twelve pence for making an Entry or Memorial thereof.

Auditor's Fee.

III. And it is hereby further enacted, That this Act ſhall continue and be in full force until the tenth day of September, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy four, and unto the end of the Seſſion of Parliament then next enſuing, and no longer.

The continuance of this Act.

CAP. XIII. (5)

An Act for ſetling Freedom and Intercourſe of Trade between England and Scotland:

Whereas your moſt excellent Majeſty was pleaſed on the firſt day of this Seſſions of Parliament, to recommend to your two Houſes of Parliament, the due ſetling of the Trade between your Subjects of this Kingdom and your Subjects of Scotland; your ſaid two Houſes having taken the ſame into their ſerious Conſideration, Do, for the better intercourſe and freedom of Trade between your ſaid Kingdoms, moſt humbly beſeech your moſt excellent Majeſty, That it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That Twelve perſons to be nominated by your Majeſty, be Commiſſioners for this Kingdom, who, or any five or more of them, ſhall by force of this Act, from and after the tenth day of January One thouſand ſix hundred ſixty ſeven, have full Power, Commiſſion and Authority at at any time or times before the twenty fifth day of March One thouſand ſix hundred ſixty eight, and ſo from time to time, to aſſemble and meet at any place by the Kings Majeſty to be appointed within the Kingdom of England, and thereupon to Treat and Conſult, as alſo to conclude and determine with certain ſelected Commiſſioners to be nominated, and ſufficiently authorized of and for the Realm of Scotland, of and concerning the Freedom and Liberty of Trade between the Kingdom of England, and the Kingdom of Scotland, by ſuſpending all or any of the Duties and Impoſitions, or any part of them, or any of them, which have at any time ſince the Five and twentieth day of March, in the twelfth year of his Majeſties Reign, been charged, ſetled, laid or impoſed upon all, or any the Commodities of any the Growth, Production or Manufacture of either of the ſaid Kingdoms, or upon any Commodities of any the Plantations or Dominions belonging to the Kingdom of England, or any other Foreign Commodities, Exported out of the ſaid Kingdom into the Kingdom of Scotland; and likewiſe by ſuſpending any Penalties or Forfeitures, or any part of them, for not due payment of the ſaid Duties and Impoſitions: (3) And what ſhall be concluded and determined by and between the ſaid Commiſſioners for the Realm of England, or any five of them, with the ſaid Commiſſioners for the Realm of Scotland, according to the tenour or purport of their Authority or Commiſſion in that behalf; the ſame being reduced in Writing under the Hands and Seals of the ſaid Commiſſioners of both Kingdoms, and being alſo approved of, ratified and confirmed by the Kings moſt excellent Majeſty, ſhall be in full force and effect for the term of one whole year, to be accounted from the date of ſuch Ratification and Confirmation by the Kings moſt excellent Majeſty, or until the end of the next Seſſion of Parliament which ſhall firſt happen, and no longer; any Law or Statute to the contrary notwithſtanding.

Twelve Engliſh Commiſſioners to meet ſome from Scotland, to Treat with concerning Liberty and Freedom of Trade,

Who may ſuſpend Penalties.

The Agreement between them drawn into Writing, ſhall be of force.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Viceſimo.*

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations and Adjournments to the Sixth of February, 1667. Anno 20 Car. 2. and then held. From whence it continued by Adjournment made the Ninth day of May, 1668. to the Eleventh day of Auguſt next following.

CAP. I.

An Act for Raiſing Three hundred and ten thouſand pounds, by an Impoſition on Wines and other Liquors.

Impoſition upon Wines.

Brandies and Spirits, and Strong-waters.

The Commons aſſembled in Parliament, for the ſupply of your Majeſties preſent Occaſions, have given and granted, and by theſe Preſents do give and grant unto your moſt excellent Majeſty, the Sum of Three hundred and ten thouſand pounds, to be Raiſed and Levied upon the Vending and Retailing of Wines, and other the Liquors hereafter mentioned, in manner following: And do moſt humbly beſeech your Majeſty, That it may be enacted; (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Vintners, Taverners, Wine-Coopers, Merchants, or any other perſon or perſons who do or ſhall utter or ſell by way of Retail, any French Wines, Spaniſh Wines, or other Wines whatſoever, between the Four and twentieth day of June One thouſand ſix hundred ſixty eight, and the Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy: And alſo all and every the Strong-watermen, Diſtillers, and all and every other perſon or perſons which do or ſhall utter or ſell by way of Retail, any Imported Brandies, or other Spirits, and alſo Strong-waters, any or either of them, and alſo all Brandies and other Spirits, alſo Strong-water, any or either of them, made of Wine, or Lees of Wine, or any other Materials Imported between the Four and twentieth day of June, in the year of our Lord One thouſand ſix hundred ſixty eight, and the Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy, ſhall yield and pay unto your Majeſty the Rates and Duties herein after following: That is to ſay, (3) All and every the Retailers of Wine ſhall yield and pay for every Quart of any French Wine by them Retailed within the time aforeſaid, the Sum of Four pence by the Quart, and ſo after that Rate for any greater or leſſer quantity; (4) And alſo for every Quart of any Spaniſh Wines, or of any other Wines whatſoever by them Retailed within the time aforeſaid, the Sum of Six pence by the Quart, and ſo after that Rate for any greater or leſſer quantity. (5) And all and every the Strong-watermen, Diſtillers, and other Retailers or firſt Buyers of all Brandy and other Spirits, and alſo all Strong-waters Imported, ſhall yield and pay for every Quart of any the Liquors aforeſaid, by them Retailed within the time aforeſaid, the Sum of Twelve pence, and ſo after the Rate for a greater or leſſer quantity, (6) And alſo all and every the Diſtillers of Spirits made of Wine or Lees of Wine, or other Materials Imported, ſhall yield and pay for every Quart of the firſt Extraction ſo Diſtilled and made, and by them Retailed within the time aforeſaid, the Sum of Twelve pence per Quart, and ſo after that Rate for a greater or leſſer quantity.

What ſhall be taken for Strong-water or Brandy Imported.

II. And for the better prevention of Frauds, Be it further enacted, That all ſorts of Strong-waters of the firſt, or any other Extraction, made in England of Engliſh Materials, which ſhall be mingled with Brandy or other Spirits, or with any Strong-waters Imported, or Spirits made in England of Wine or Lees of Wine Imported, ſhall be deemed and taken for Strong-water or Brandy Imported, and ſhall pay after the Rate of Twelve pence per Quart as aforeſaid.

Merchants to ſell Wine, &c. to any but Retailers.

The penalty.

Who ſhall be a Retailer within this Act.

III. And be it further enacted by the authority aforeſaid, That no Merchant Importer of Wine, do or ſhall at any time between the ſaid Four and twentieth day of June One thouſand ſix hundred ſixty eight, and the Four and twentieth day of June One thouſand ſix hundred and ſeventy, utter or ſell any Wine in greater or leſſer quantities, to any perſon or perſons, other than ſuch as ſell Wine by way of Retail, unleſs ſuch Merchant or Importer, before the delivery of the Wine, do or ſhall pay unto the Commiſſioners for execution of this Act, ſo much Money for his Majeſties uſe, as the Duties of the Wine ſold or delivered would have amounted unto, in caſe the ſame had been uttered or ſold by way of Retail, (2) upon pain of forfeiture of double the value of the Wine ſo ſold and delivered, one moiety to his Majeſty, the other moiety thereof to ſuch perſon or perſons as do or ſhall ſue for the ſame: (3) And all Wine delivered by the Merchant Importer within the time aforeſaid, to any but Retailers, ſhall and may lawfully be ſeiſed as aforeſaid, unleſs ſuch Merchant before the delivery thereof ſhall obtain a Certificate under the Hands and Seals of the Commiſſioners for Execution of this Act, or any two of them, that the Duty hath been paid and ſatisfied as aforeſaid. (4) And it is hereby declared, That all and every perſon and perſons other than the Merchant Importer, who ſhall utter or ſell any manner of Wine, ſhall be adjudged a Retailer, within the meaning of this Act.

The Prices of Wine ſold by Retail.

IV. And for the better enabling the ſeveral and reſpective Retailers aforeſaid, to pay the Duties hereby impoſed; It ſhall and may be lawful to and for every Retailer of Wine during the time aforeſaid, to ask, demand and receive of all and every their Cuſtomers, to whom they ſhall utter or ſell by way of Retail or otherwiſe, any French Wine, Spaniſh Wines, or other Wines, the Sum of Four pence for every Quart of French Wine by them Retailed, uttered or ſold, over and above the Price at which the ſaid Wine ought to have been ſold, if this Act had not been made, and ſo after that Rate for a greater or leſſer quantity; (3) and alſo the Sum of Six pence for every Quart of Spaniſh Wines, or any other Wines whatſoever ſo Retailed, uttered or ſold, over and above the Price at which the ſaid Wine ought to have been ſold, if this Act had not been made; and ſo after that Rate for a greater or leſſer quantity; (3) Provided, that no French Wines ſhall be ſold above the Rate of Twelve pence the Quart; nor any Spaniſh Wines above the Rate of Two ſhillings the Quart, the additional Duty being included.

Retailers to give an account to the Commiſſioners of their Store.

V. And be it further enacted by the authority aforeſaid, That from and after the Four and twentieth day of June One thouſand ſix hundred ſixty eight, all and every the Retailers of Wines, or other the Liquors chargeable as aforeſaid, during the continuance of this Act, being thereunto required by the Commiſſioners authorized to execute this Act, ſhall forthwith deliver unto the ſaid Commiſſioners within ſuch Place or Precinct where ſuch Retailer ſhall dwell, a true accompt of what Wines, or other the Liquors chargeable as aforeſaid, he, or any perſon in truſt for him, have in ſtore, and ſhall not at any time afterward during the time aforeſaid, receive, take in, or make any new or other ſtore, of any the Wines or Liquors aforeſaid, without firſt giving a particular account thereof in Writing under his hand to the ſaid Commiſſioners; (2) nor ſhall vend, utter or ſell any French, Spaniſh or other Wines, or any the Liquors aforeſaid, before he ſhall have paid or given Security by his own Bond for the payment of the reſpective Duties impoſed by this Act, for all ſuch Wines, or other the Liquors aforeſaid, which ſhall be then in his cuſtody, the ſame to be paid within twelve months next enſuing the Date of ſuch Bond, by four equal quarterly payments; (3) upon pain of forfeiture of double the value of all ſuch Wines, and other the Liquors aforeſaid, as ſhall be found in his cuſtody, which ſhall not be ſo certified, or whereof the Duty ſhall not be ſecured as aforeſaid.

Commiſſioners may give power to ſearch.

VI. And be it further enacted by the authority aforeſaid, That the Commiſſioners to be appointed for execution of this Act, or ſo many of them as ſhall be appointed of the Quorum, ſhall have power to appoint any one or more perſons, as to them ſhall ſeem meet, by Warrant under their Hands and Seals, to enter into the Cellars, Vaults, Store-houſes, Ware-houſes, Store-cellars, Shops, Rooms or other places belonging to every or any ſuch Retailer, to ſearch, ſee, and take an account of what quantity of Wines or other the Liquors chargeable as aforeſaid, every or any ſuch perſon hath in his hands, or any other perſon to his uſe; (2) And all and every ſuch Retailers in whoſe Cellars, Vaults, Store-cellars, Ware-houſes, or other Rooms or places, any the Wines or Liquors aforeſaid of any ſuch Retailer are or ſhall be lodged, are hereby required and enjoyned, quietly to permit and ſuffer the ſaid Officers to enter into their ſeveral and reſpective Cellars, Vaults, Store-cellars, Ware-houſes, Shops, Rooms and other places, and there to ſearch, ſee and take account of as aforeſaid. Provided, That no ſearch be made or required to be made without the conſent of the Owner, but betwixt Sun-riſing and Sun-ſetting: (3) And in caſe any ſuch Retailer ſhall refuſe, oppoſe or reſiſt the perſons appointed to ſearch as aforeſaid, or ſhall not diſcover, declare or ſhew to them all ſuch Cellars, Vaults, Store-cellars, Ware-houſes, Shops, Rooms or other places wherein he or they have any Wines, or other the Liquors aforeſaid lying or remaining for their uſe, that then upon Oath thereof made before the Mayor or other chief Magiſtrate of any City, Borough, or Town corporate, or any Juſtice of the Peace of the County, City or Place where ſuch Offence ſhall be committed, (which Oath they are hereby authorized and required to adminiſter) it ſhall and may be lawful to and for any ſuch chief Magiſtrate or Juſtice of the Peace, and they are hereby required to iſſue out a Warrant to the perſon or perſons ſo complaining, thereby to enable him or them with the aſſiſtance of a Conſtable, or other like Officer of the Place where ſuch offence ſhall be committed, to enter in the day-time into the Houſe or Houſes of any ſuch Retailer, or into any other Room, Cellar or place which at any time during the continuance of this Act ſhall be in ſuch Retailers Occupation for the laying in of Wines or other the Liquors aforeſaid; And in caſe of reſiſtance, to break open any Doors, and to ſearch for any Wines or the Liquors aforeſaid ſo concealed or not diſcovered, and to ſeize and ſecure the ſame; And all Conſtables and other Officers aforeſaid are hereby authorized and required to be aiding and aſſiſting thereunto.

Search, when to be made.

Doors to be broke open upon refuſal.

Retailer to give notice what Wines be taken in.

VII. And to the end no perſon whatſoever may defraud his Majeſty of the Duty intended by this Act, by concealing the Wines or other Liquors thereby charged, belonging to any perſon by this Act declared a Retailer, (2) Be it further enacted, That if any perſon or perſons ſhall knowingly have or take into any Ware-houſe, Cellar or other place in his or their poſſeſſion, any of the Wines or other Liquors chargeable by this Act, belonging to any Retailer, without giving notice thereof under his or their hands reſpectively, within two days after the ſame ſhall be in his or their cuſtody, as well of the place where the ſaid Wines or other Liquors aforeſaid are lodged, as of the quantity and kind of Wines or other Liquors, to the beſt of his or their knowledge, ſo in his or their cuſtody, unto the Commiſſioners appointed to execute this Act, ſome or one of them; In every ſuch caſe the perſon or perſons ſo offending ſhall forfeit and loſe the full value of the Wines that he or they ſhall ſo conceal, without giving notice as aforeſaid. (3) And all and every perſon and perſons appointed to view and ſearch as aforeſaid, ſhall make their Returns in Writing under their Hands unto the Commiſſioners for execution of this Act; and ſhall firſt deliver a Duplicate thereof to the perſon or perſons concerned, containing the Names of the perſons viewed and ſearched, and the quantity of the reſpective Liquors aforeſaid, by him found and diſcovered, to them belonging, at ſuch time and place as in and by the Warrant or Warrants to him or them directed ſhall be limited and appointed, on pain of forfeiture for every ſuch neglect, of double the value of the Wines or other Liquors aforeſaid, by him not Returned as aforeſaid, and of being made uncapable of executing the ſame, or any other Office of Truſt whatſoever.

The penalty.

The Commiſſioners may examine upon Oath.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners for execution of this preſent Act, or ſo many of them as ſhall be of the Quorum within the Place or Precinct where ſuch Retailer ſhall dwell, by Warrant under their Hands and Seals, to ſend for, and ſummon ſuch perſon and perſons as they in their diſcretions ſhall think fit, other than the party himſelf, and the perſons ſo ſummoned, to examine upon his or their corporal Oaths touching the matters and things contained in this Act relating to the Retailers or Merchant Importers aforeſaid: (2) And if any perſon or perſons ſo as aforeſaid ſummoned ſhall refuſe to appear, or appearing ſhall refuſe to be examined, That then and in ſuch caſe all and every perſon and perſons ſo as

aforeſaid

Penalty upon Refuſers.

aforeſaid refuſing to appear or to be examined, ſhall for every ſuch refuſal forfeit ſuch ſum as ſhall be impoſed on him or them, not exceeding Five pounds, by the ſaid Commiſſioners.

Collectors.

IX. And be it further enacted, That the Commiſſioners appointed by virtue of this Act, ſhall and may appoint under their Hands and Seals, ſuch and ſo many Collectors, of whom they ſhall take good Security in every County, City and Place, as they ſhall think fit, to receive the Moneys ariſing by this; (2) and all and every the ſums of money ſo as aforeſaid Collected or Levied, ſhall be paid into his Majeſties Receipt of Exchequer, or unto ſuch perſon or perſons as his Majeſty ſhall appoint, within thirty days after the receipt thereof. (3) And the Commiſſioners for execution of this Act, ſhall cauſe Duplicates to be made of all Entries made in purſuance of this Act, and of all moneys paid or payable thereupon, and the ſame to be returned to the Lord Treaſurer or Commiſſioners of the Treaſury for the time being, once every Quarter, to the end that by the view and examination of ſuch Returns it may appear when the Sum of Three hundred and ten thouſand pounds, together with ſuch Intereſt as ſhall grow due for moneys lent and advanced upon the Credit of this Act, at the rate of Six pounds per Cent. for one year, will be ſatisfied and diſcharged; (4) and that from and after the Four and twentieth day of June One thouſand ſix hundred and ſeventy, all power of requiring any new Entries, or charging any Retailer or others by virtue of this Act, ſhall ceaſe and determine; Saving nevertheleſs to his Majeſty, his Heirs and Succeſſors, the power of levying any arrearages of the Rates, Duties, Fines or Forfeitures, before that time grown due or impoſed by virtue of this Act.

The Duty when to ceaſe.

Proviſo for Arrears.

Proviſo for Retailers.

X. Provided always, and be it further enacted by the authority aforeſaid, That no Retailer chargeable by this Act, nor any other perſon or perſons, who ſhall be ſummoned by the Commiſſioners for the execution of this Act in manner aforeſaid, and for any the ends or purpoſes aforeſaid, ſhall be obliged to travel beyond ten miles from his common and uſual place of abode.

Repayment of the Impoſition upon Exportation.

XI. Provided alſo, That if any Retailer of any Strong-waters Imported, Brandy, or other Spirits herein before charged, ſhall Export into Foreign Parts any ſuch Strong-waters, Brandy, or other Spirits, ſo as aforeſaid charged, and ſhall before the Shipping out, or Lading on board ſuch Strong-waters, Brandy, or other Spirits, make Oath before the Commiſſioners for execution of this Act, or ſo many of them as ſhall be of the Quorum, That the ſaid Strong-waters, Brandy or other Spirits ſo intended to be Exported, are ſuch for which the rate of Twelve pence a Quart hath been formerly paid, and unmingled with any Waters made of Engliſh Materials; which Oath the ſaid Commiſſioners, or ſo many as be of the Quorum, have hereby power to adminiſter; that then, and in ſuch caſe, there ſhall be repaid unto every ſuch Retailer at the time of ſuch Exportation, the whole Duty of Twelve pence per Quart by him formerly paid; Any thing herein before contained to the contrary notwithſtanding.

Penalty of the Merchant-Importer for ſelling contrary to this Act.

XII. And to the end that all and every the Retailers of Wine may be the better enabled to carry on their Trade, and to pay and ſatisfie all and every the Duties impoſed, (2) Be it further enacted, That if any Merchant-Importer from and after the ſaid four and twentieth day of June, during the continuance of this Act, ſhall utter or ſell any Wine to any Retailer or other perſon (other than ſuch perſon who ſhall Export the ſame) and ſhall directly or indirectly ask, demand, or receive of, or from ſuch perſon, any ſum of Money, Gift, or other Reward, exceeding the Price at which the ſame ought by Law to be ſold; That then, and in ſuch caſe, every ſuch Merchant-Importer ſhall forfeit and loſe for every Tun of Wine ſo unduly ſold and uttered as aforeſaid, the ſum of Twenty pounds; and ſo after that rate for a greater or leſſer quantity.

The Penalties, how they ſhall be recovered and devided.

XIII. And be it further enacted, That one moiety of all and every the penalties and ſums of money herein before appointed to be forfeited, ſhall be forfeited unto the Kings Majeſty, and the other moiety unto ſuch perſon or perſons as ſhall or will Sue for the ſame, and ſhall and may be ſued for in any Court of Record, and Recovered by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Commiſſioners to take an Oath.

XIV. And be it further enacted by the authority aforeſaid, That all and every the Commiſſioners to be appointed for execution of this Act, ſhall before they intermeddle with the execution of this Act, or any other part of their Commiſſion, take an Oath before two or more of his Majeſties Juſtices of the Peace, in the County where ſuch Commiſſion is to be executed, or before one of the Barons of the Exchequer; which Oath he or they have power to adminiſter in theſe words:

(2) YOu ſhall ſwear, well and truly to execute the Place of a Commiſſioner for execution of an Act, Entituled, An Act for Raiſing Three hundred and ten thouſand pounds by an Impoſition on Wines and other Liquors; and therein you ſhall ſpare no perſon for favour or affection, nor any perſon grieve for hatred or ill will. So help you God.

And the Officers alſo.

XV. And all and every perſon and perſons ſo to be employed by the Commiſſioners for execution of this Act, ſhall before they execute ſuch their Employments, take an Oath before the Commiſſioners for execution of this Act, or any two of them; which Oath they have power to adminiſter in theſe words:

(2) YOu ſhall ſwear, well and truly to demean your ſelf in the execution of the Warrants to you directed, in purſuance of an Act, Entituled, An Act for Raiſing Three hundred and ten thouſand pounds by an Impoſition on Wines and other Liquors: You ſhall ſpare no perſon for favour or affection, nor any perſon grieve for hatred or ill will. So help you God.

Commiſſioners to be appointed by the King under the Great Seal.

XVI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty from time to time, during the continuance of this preſent Act, by Commiſſions to be therefore iſſued under his Majeſties Great Seal of England to nominate and appoint ſuch perſons as his Majeſty ſhall think fit to be Commiſſioners for putting in execution this preſent Act, and all and every the powers and authorities to ſuch Commiſſioners reſpectively limited and appointed; and alſo to appoint ſuch or ſo many of them to be a Quorum as his Majeſty ſhall think fit.

XVII. And to the end that no ſorts of Wines or Strong-waters mentioned in this Act ſhall be twice charged with the Duties impoſed by this Act, or any part thereof, (though it may happen to paſs through the hands of ſeveral Retailers) (2) Be it further enacted, That whereſoever any Retailer ſhall ſell any the Liquors aforeſaid to any other perſon Retailing the ſame, every ſuch Retailer ſhall before the delivery thereof pay or ſecure the Duty due for the ſame by virtue of this Act, or make Oath the ſame hath been formerly paid or ſecured, and take a Certificate under the Hands and Seals of the Commiſſioners, or any two of them, of the payment or ſecuring thereof: Which Oath and Certificate the Commiſſioners, or any two of them, are hereby authorized and required to adminiſter and give without Fee or Reward; which ſaid Certificate ſhall be a ſufficient Diſcharge to the Buyer for Retailing the ſame.

The Duties ſhall not be twice charged, and how the ſame ſhall be prevented.

XVIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons to whom by authority of this Act an Oath ſhall be adminiſtred, ſhall wilfully and falſly forſwear him or her ſelf, ſuch wilful and falſe forſwearing ſhall be taken and adjudged for wilful Perjury; and ſuch perſon or perſons ſhall and may be proceeded againſt in ſuch manner to all intents and purpoſes, as by the Laws and Statutes of this Realm in caſes of Perjury is provided and appointed, and ſhall ſuffer and incur (upon Conviction) like pains and penalties, as by the ſaid Laws and Statutes are appointed to be inflicted and impoſed.

The puniſhment of ſuch as ſhall forſwear themſelves.
5 El. 9. 29 El. 5.
23 H. 8. 3.
11 H. 7. 21.

XIX. And whereas the ſeveral ſorts of Veſſels or Cask wherein Wines are Imported, are of different and uncertain Gage and Content; and that the Retailers of Wine, by reaſon of Lees, Leakage, Spillage, Bottoms and Decays of Wine, and other Waſte, cannot be preſumed to ſell or retail ſo many Quarts of Wine as they muſt neceſſarily enter or be returned at as aforeſaid; (2) Be it provided and enacted by the authority aforeſaid, That the Entries from time to time of all and every the Retailers of Wines, and the Returns of ſuch perſon or perſons as ſhall be ſo as aforeſaid appointed to view, ſearch and take accompt of Wines, ſhall be according to the true and juſt quantities of Wines and Lees contained in all and every Veſſel and Cask aforeſaid; And that all and every the Retailers of Wine having accordingly made true and juſt Entries of the quantities of their Wines and Lees in ſuch Veſſels or Cask contained, ſhall for and in reſpect of Lees, Leakage, Spillage, Bottoms and Decays of Wine and other Waſte whatſoever, have the allowance or abatement of one tenth part; Any thing herein contained to the contrary notwithſtanding.

Entries, how to be made, and a tenth part to be abated for Lees, Leakage, &c.

XX. And be it further enacted, That the Commiſſioners to be appointed by virtue of this Act, or ſuch other perſon or perſons as ſhall be appointed by his Majeſty to collect the moneys ariſing thereupon, ſhall once every Quarter deliver in a true account in writing under his or their hands upon their corporal Oaths, unto William Lord Brereton Baron of Laughtin in the Kingdom of Ireland, William Pierpoint Eſquire, Sir George Savil Baronet, Giles Dunſter Eſquire, Sir James Langham Knight, Henry Osborne Eſquire, Sir William Turner Alderman of the City of London, George Thomſon Eſquire, and John Gregory Eſquire, or the major part of them, Commiſſioners appointed by an Act of this preſent Parliament, Entituled, An Act for taking the Accompts of ſeveral ſums of Money therein mentioned, (which Oath the ſaid Commiſſioners, or the major part of them, have hereby power to adminiſter) of all the moneys received or ſecured by virtue of this Act, as well for Duty as Penalty, with the perſons Names who have ſo paid or ſecured the ſame; (2) as likewiſe to examine the ſaid Accompts, and all perſons concerned in paying or collecting the ſame, as effectually to all intents and purpoſes, and in ſuch manner as the ſaid Commiſſioners before named have power to do by virtue of the Act of Parliament aforeſaid, in reference to the accompts in the ſaid Act mentioned, to the intent it may appear when the aforeſaid Sum of Three hundred and ten thouſand pounds, with Intereſt for the ſame (after the rate of Six pounds per centum, which Intereſt is to be accounted only from ſuch time as ſuch money ſhall be lent and paid to his Majeſty upon the Credit of this Act) is fully raiſed, or ſecured to be raiſed as this Act directs. (3) And in caſe the aforeſaid Sum, upon examination of the ſaid Commiſſioners before particularly named, or the major part of them, ſhall be found not to be fully raiſed, or ſecured to be raiſed by virtue of this Act, by or before the Four and twentieth of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy; Then the ſaid Commiſſioners before particularly named, or the major part of them, that ſhall be then living, are hereby authorized and required to declare under their Hands and Seals unto the Kings Majeſty, and alſo to both Houſes of Parliament (if then ſitting) what part of the aforeſaid Sum intended to be raiſed by this Act, ſhall not appear to be paid, or ſecured to be paid, by or on the ſaid Four and twentieth of June One thouſand ſix hundred and ſeventy: (4) Then to the end a good and viſible Security may appear to all perſons who ſhall advance any money as aforeſaid on Security of this Act, (5) Be it further enacted, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, for ſuch time only, not exceeding one year, as may raiſe the money o declared to be behind, unpaid or unſecured, to be accompted from the ſaid Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy, to receive and take by way of additional Duty at the Cuſtom-houſe, upon all kind of Wines and other Liquors chargeable by this Act, the Sum of Four pounds for every Tun, that ſhall be Imported within that year, (repaying the whole Duty hereby impoſed, for ſo much thereof as ſhall be Exported before the Duty hereby granted ſhall ceaſe) out of ſuch collection of the Duty hereby granted, as ſhall afterwards be made, over and above all Charges, Rates and Duties impoſed upon them, or any of them, before this Act was made, to be Raiſed and Levied according to ſuch Rules and Powers, and with ſuch Allowances as are now appointed by virtue of an Act of this preſent Parliament, Entituled, A Subſidy granted o the King, of Tunnage and Poundage, and other Sums payable upon Merchandiſe Exported and Imported;

19 Car. 2. c. 1.

If the Duty fall ſhort of the ſum granted, to be made up by an additional Duty at the Cuſtom-houſe.

12 Car. 2. c. 4.
13 Car. 2. c. 7.

ported; Or of any other Act of this preſent Parliament, for the Levying and Collecting the Duties upon Wines ariſing by Cuſtoms.

The additional Duty to be accompted for once a month.

XXI. Provided always, and be it further enacted, That the Commiſſioners, Cuſtomers, or ſuch perſons as ſhall be appointed by his Majeſty to receive the ſaid additional Duty of Four pounds per Tun, ſhall once every month give in a true accompt under their Hands and Seals, upon their corporal Oaths, unto the Commiſſioners particularly before named, or the major part of them that ſhall be then living, of all the moneys ſo received, or ſecured to be received upon the laſt mentioned additional Duty of Four pounds a Tun, hereby charged upon all ſorts of Wines and other Liquors aforeſaid; which Oath the ſaid Commiſſioners particularly named, or the major part of them, have hereby power to adminiſter; to the end that if the aforeſaid Sum ſo declared to be unpaid, or unſecured, on the Four and twentieth of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy, ſhall be raiſed, or ſecured to be raiſed, upon the aforeſaid additional Duty of Four pounds per Tun, in leſs time than one year, then and from thenceforth the ſaid additional Duty is to ceaſe, and no further to be collected or demanded, or any part thereof, by any perſon or perſons whatſoever, other than what ſhall be then ſecured and unpaid.

When this Act ſhall determine and expire.

XXII. And that the determination and expiration of this Act, and all the matters and things therein contained, may clearly appear to all perſons concerned; The Commiſſioners in this Act, or the major part of them that ſhall be then living, are hereby authorized and required to take ſpecial care, that at what time ſoever they ſhall find the moneys mentioned and intended by this Act for his Majeſties Supply, to be fully raiſed, that then they ſignifie the ſame under their Hands and Seals to the Kings Majeſty, and alſo to both Houſes of Parliament (if then ſitting) and to the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being; which ſaid Treaſurer, or Lords Commiſſioners of the Treaſury, are hereby authorized and required to iſſue out Orders within ten days after ſuch notice and declaration, to the Officers employed and appointed by his Majeſty for collecting the aforeſaid additional Duty of Four pounds per Tun upon all Wines and other Liquors chargeable by this Act, to the intent that no perſon may preſume further to collect or demand the ſame, or any part thereof; but that this Act, and every clauſe, matter and thing therein contained, from the expiration of the ſaid ten days ſhall ceaſe and determine, as if the ſame had never been made.

How the Money raiſed by this Act ſhall be employed.

XXIII. And it is hereby further enacted, That the whole ſum of Three hundred and ten thouſand pounds granted by this preſent Act, ſhall be employed, and iſſued out of your Majeſties Exchequer, for defraying the charge and expence of ſetting out an extraordinary Fleet to Sea, for the year One thouſand ſix hundred ſixty eight, and for the pay of ſuch Officers, Mariners, Seamen, and others as ſhall ſerve Aboard the ſaid Fleet, for the time they ſhall ſerve in the ſame; and ſhall not be employed, or iſſued for any other uſe, ſervice or purpoſe whatſoever, charge of collection and bringing in of the ſaid moneys only excepted, which in the whole is not to exceed Ten thouſand pounds; And that to this end all the money ariſing by this Act, and paid into the Receipt of the Exchequer, ſhall be there kept apart, and diſtinct from all other moneys paid or payable to your Majeſty, or to your Heirs or Succeſſors, upon any other Branch of your Majeſties Revenue, or upon any other account whatſoever.

A diſtinct Regiſtry to be kept in the Exchequer.

XXIV. And to the intent that all moneys to be lent to your Majeſty upon the Credit of this Act, by any perſon or perſons, Native or Foreigner, Bodies Politick or Corporate, may be well and ſufficiently ſecured out of the moneys ariſing and payable thereby, (2) Be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in your Majeſties Exchequer, to wit, in the Office of the Auditor of the Receipt, a Book of Regiſtry of all Orders to be made and Signed by the Lord Treaſurer and Under-Treaſurer, or by the Commiſſioners of the Treaſury for the time being, for payment of all ſuch ſums of money as ſhall be lent and furniſhed to your Majeſty upon the Credit of this preſent Act, together with the Intereſt thereof, after the Rate of Six per Cent. for a year; as likewiſe for all other Orders made and Signed as aforeſaid, for the payment or iſſuing of the ſaid Three hundred and ten thouſand pounds, and every part thereof to any perſon or perſons whatſoever, to the uſes and purpoſes herein before mentioned and intended. (3) And that no money ariſing by this Act, or furniſhed upon the Credit thereof, be iſſued out of the Exchequer, but by ſuch Order mentioning that the moneys payable by the ſame, are for the charge and expence of the ſaid Fleet, or for the payment of the Officers, Mariners, Seamen, and others employed therein as aforeſaid, or for the charge of collection and bringing in of the moneys ariſing by this Act; (4) And that all the Orders before mentioned ſhall be Regiſtred in courſe according to the reſpective Dates; ſo as that the perſon, his Executors, Adminiſtrators or Aſſigns, who ſhall have his Order or Orders firſt Entred in the ſaid Book of Regiſtry, ſhall be taken and accounted as the firſt perſon to be paid out of the moneys to come in by virtue of this Act; and he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted the ſecond perſon to be paid, and ſo ſucceſſively and in courſe; and that the moneys to come in by this Act, ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns, Native or Foreigner, Bodies Politick or Corporate ſucceſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe, upon any account or reaſon whatſoever.

Orders to be Regiſtred in courſe, and ſo paid.

XXV. And be it further enacted by the authority aforeſaid, That all moneys lent upon the Credit of this Act, ſhall be employed and iſſued for the uſes above mentioned, and no other; and that no Fee, Reward or Gratuity, directly or indirectly be demanded or taken of any of your Majeſties Subjects for providing or making of ſuch Regiſter or Entries, or for payment of any money lent, or the Intereſt thereof: (2) And that all moneys ariſing by this Act, or lent upon the Credit thereof, which ſhall be paid and iſſued out of the Exchequer to the Treaſurer or Victualer of your Majeſties Navy, or to the Lieutenant of the Ordnance, ſhall be by them reſpectively wholly employed to the uſes aforeſaid, and not otherwiſe.

Without Fee.

XXVI. And be it further enacted by the authority aforeſaid, That the Treaſurer of his Majeſties Navy, for himſelf, his Deputies and Clerks, ſhall receive and retain only the ſum of One peny in the pound, and no more; and the Lieutenant or Treaſurer of his Majeſties Ordnance, for himſelf and his Clerk, ſhall likewiſe receive and retain only One peny in the pound, and no more, out of all the moneys raiſed, borrowed and paid unto, and iſſued out by either of them to any perſon or perſons, by virtue, and in purſuance of this Act, to be allowed in their reſpective Accompts thereof.

Treaſurer of the Navy, and Lieutenant or Treaſurer of the Ordnance, their allowance.

CAP. II.

An Act for the better payment of Moneys received for the uſe of the Crown.

For ſome remedy of the great abuſes by Receivers, Reeves, Bayliffs, Collectors, and other Officers and perſons, in not making due payment of Moneys and Duties received for his Majeſties uſe, and in detaining the ſame in their own hands, for their private lucre and advantage, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame; That all the ſaid Officers and Miniſters aforeſaid, do uſe all diligence to receive and gather the moneys due to his Majeſty, within their ſeveral and reſpective Receipts and Collections; and after the receipt thereof, to anſwer and pay the ſame according to their reſpective Duties: (3) And that all and every the perſon and perſons aforeſaid, who having received the ſaid moneys, have not duly accompted, and thereupon paid ſo much as by ſuch accompt reſted due to his Majeſty, into the Receipt of the Exchequer, or to ſuch perſon or perſons, and in ſuch manner as the ſame ought to be paid, and ſhall not pay the ſame as aforeſaid, before the firſt day of July, which ſhall be in the year of our Lord God One thouſand ſix hundred ſixty eight, ſhall from henceforth anſwer and pay to his Majeſty Damages after the rate of Twelve pounds per Cent. by the year, until the principal moneys be fully accompted for and paid in, together with ſuch Damages as aforeſaid, which ſhall be charged upon them in their accompt, whereof they ſhall not be diſcharged until payment made, as well of the ſaid Damages as principal moneys, according to the true meaning of this Act.

Abuſes by Receivers, Bayliffs, &c.

Moneys received for the Kings uſe, to be paid into the Exchequer.

The penalty for neglect.

II. And further, That all and every perſon and perſons, Bodies Politick and Corporate, who having received any Moneys or Duties due to the Kings Majeſty, ſhall not duly accompt for and pay the ſame according to the courſe of the Exchequer, into the Receipt there, or to ſuch perſon or perſons to whom the ſame ought to be paid according to Law, within two months next after the ſame ſhall have been ſo received, ſhall from thenceforth anſwer and pay to the Kings Majeſty, his Heirs and Succeſſors, Damages for all ſuch Moneys and Duties, after the rate of Twelve pounds per Cent. by the year, for ſo long time as the ſame ſhall be detained, or not paid, by the judgment and direction of the Court of Exchequer, without any power of abatement or inſtalment to be made or allowed for the ſame, or any part thereof; (2) And that the proceſs of the ſaid Court ſhall be forthwith awarded againſt all the ſaid perſons, Bodies Politick and Corporate, their Heirs, Executors and Adminiſtrators, chargeable with any of the ſaid moneys, for the ſpeedy and effectual Levying thereof, with Damages for the ſame, as aforeſaid, according to the true meaning of this Act; Any other Law, Statute, Uſage, Priviledge or Pretence whatſoever to the contrary in any wiſe notwithſtanding.

Proceſs to be awarded.

III. Provided always, That nothing herein contained ſhall extend to alter the time or way of accompting of any Sheriff within this Kingdom, for any part of his Majeſties ancient Revenue, or other Profits anciently Collected or Accompted for by the Sheriffs, or to make them liable to any new Penalty for the ſame.

Proviſo for Sheriffs Accounts.

CAP. III.

An Act for the increaſe and preſervation of Timber within the Foreſt of Dean.

Forasmuch as the Wood and Timber of the Crown, which of late years was of very great quantity and value within the Foreſt or late Foreſt of Dean in the County of Glouceſter, is become totally deſtroyed, excepting what is ſtanding within the Woodwardſhip of the Lea-Baily, whereby there is an apparent ſcarcity of Timber there, as in all other Parts of this Kingdom; ſo that ſome courſe is neceſſary to be ſpeedily taken to reſtore and preſerve the growth of Timber, for the future ſupply of his Majeſties Royal Navy, and the maintenance of Shipping for the Trade of this Nation:

Scarcity of Timber.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ten thouſand Acres, part of the Weſt-Lands of the ſaid late Foreſt of Dean, ſhall be Incloſed and kept in ſeveralty, for the growth and preſervation of Timber; (2) And that it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, forthwith to incloſe, ſever and improve within and out of the parts or places of the Waſte-Lands of the ſaid Foreſt or late Foreſt of Dean, the whole containing by eſtimation about twenty three thouſand Acres, the full quantity of ten thouſand Acres of Statute-meaſure, at ſixteen foot and half to the Perch, whereof the ſaid Woodwardſhip of the Lea-Baily containing about eleven hundred Acres to be part; And alſo the Grounds called by the ſeveral Names of Cannop, Fellet, Buckholt, Beachinhurſt, and Moyry-ſtock, (containing about one thouſand Acres, heretofore granted to John Gibbon, John Manſil, and Ambroſe Bavin, ſome or one of them, and now belonging unto, or claimed by Baniſtree Mainard Eſquire, which added to the ten thouſand Acres, ſhall make up the full quantity of eleven thouſand Acres, to be Incloſed as aforeſaid) to be part, (3) the ſaid eleven thouſand Acres to be ſet out by virtue of his Majeſties Commiſſion to be directed to ſix or more ſuch perſons as his Majeſty ſhall think fit (whereof two which ſhall execute ſuch Commiſſion to be Juſtices of the Peace for the ſaid County, inhabiting near the parts and places of the ſaid Foreſt) out of ſuch part

Ten thouſand Acres in the Foreſt of Dean to be Incloſed.

And one thouſand Acres.

and places of the ſaid Waſte as ſhall be found or eſteemed by the ſaid Commiſſioners, or any three of them, to be moſt convenient to be Incloſed, and to be moſt apt and meet to produce Wood and Timber for the future benefit of the Kingdom, and may be beſt ſpared from the uſe of the Commoners and High-ways of the County; which ſaid Incloſures ſhall be forthwith admeaſured by a ſworn Surveyor, and ſet out and Incloſed, Butted and Bounded, and the Quantities, Butts and Boundaries thereof returned into his Majeſties Court of Exchequer, there to remain of Record for ever; (4) And that the ſaid Incloſures ſo made and ſet out as aforeſaid, to remain in ſeveralty in the actual poſſeſſion of the Crown for ever, freed and diſcharged of, and from all manner of Right, Title and Pretence whatſoever, (excepting of Fee-Deer) according to the purport and intent of this preſent Act, and ſhall be made and reputed a Nurſery for Wood and Timber only.

Commiſſioners may ſell decayed Trees to make and maintain the ſaid Incloſures.

III. And for defraying the charge of the ſaid Incloſures to be made as aforeſaid, Be it further enacted by the authority aforeſaid, That the ſaid Commiſſioners ſo to be authorized as aforeſaid, or any ſix of them, (whereof ſome Juſtices of the Peace for the ſaid County, inhabiting near the parts of the ſaid Foreſt, to be two) ſhall by ſale of the decayed Trees of Beech, Birch, Hawthorn, Haſle and Holley, and other ſuch like Trees not bearing Timber, or that can ever prove Timber, now ſtanding or growing in or upon the Waſtes within the ſaid Foreſt or late Foreſt, raiſe moneys for defraying the charge of making and maintaining the ſaid Incloſures; and alſo for the ſatisfaction of the Claim or Intereſt of Baniſtree Mainard in the Lands aforeſaid, which are to be made part of the ſaid quantity of Eleven thouſand Acres as aforeſaid, in full ſatisfaction and recompence for the ſame.

IV. And it is hereby declared and enacted, That the ſaid Lands ſo ſet forth as aforeſaid, ſhall be fully and perfectly Incloſed with ſufficient Mounds and Fences, according to the true intent and purport of this Act, within two years after the Feaſt of Saint George now next enſuing.

When and how much ſhall be laid open, and by what authority.

As much ſhall be Incloſed anew as hath been ſo opened.

Wood fit to be viewed and marked by the Juſtices.

The penalty for cutting Wood contrary to this Act.

V. And it is hereby further enacted and declared, that at all times hereafter, whenſoever the Lord Treaſurer of England, or Commiſſioners of the Treaſury, or Chancellor of the Exchequer for the time being, ſhall at any time or times hereafter be ſatisfied, and ſhall determine that the Woods and Trees which ſhall be growing on the ſaid Eleven thouſand Acres, or any part thereof ſo to be incloſed as aforeſaid, are become paſt danger of the browſing of Deer, Cattel or other prejudice, and ſhall think fit to lay the ſame, or any part thereof, conſiſting of Five hundred Acres or more, open and in Common, ſhall cauſe the ſame to be ſo done; that then and ſo often it ſhall and may be lawful to and for the Kings Majeſty, his Heirs and Succeſſors, from time to time to Incloſe in lieu of ſo much as ſhall be ſo laid open out of the ſaid Eleven thouſand Acres, the like quantity out of any other part of the reſidue of the ſaid Waſtes, to be ſet out by like Commiſſion and Admeaſurement as aforeſaid, and to be holden Incloſed, Freed and Diſcharged of and from all manner of Common, Eſtovers, Herbage or Pannage, and other Rights, excepting Fee-Deer as aforeſaid, for ſo long time as the ſame ſhall remain and continue Incloſed, according to the purport, direction and intent of this preſent Act, to be a Nurſery for Timber, as aforeſaid, inſtead of ſo much as ſhall be laid open according to the direction aforeſaid: (2) And whenſoever any Wood or Timber ſhall at any time or times hereafter be directed to be fallen in any part of the Waſtes of the ſaid late Foreſt Incloſed or not Incloſed, the ſame ſhall be firſt viewed and allowed to be fallen, by two or more of the Juſtices of the Peace for the ſaid County, unconcerned in the Premiſſes, and ſhall not be cut or fallen until the ſame is viewed, and allowed by ſuch two or more Juſtices, as fit and convenient to be cut and fallen, and that the ſaid Juſtices ſhall have marked with a broad Arrow and Crown, that it may remain to be ſeen (as they are hereby required and impowred to do) ſo many, and ſuch Trees as are moſt fit to be preſerved for growth for Timber, upon every Acre intended to be fallen; and alſo ſhall have certified (as they are likewiſe hereby required to do) unto the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being, the names of the places, and number of Trees ſo viewed and allowed to be fallen, and ſo marked to be preſerved as aforeſaid: (3) And if any perſon or perſons ſhall at any time or times hereafter, either fell or cut down any Wood or Trees upon the Premiſſes, or any part thereof, before ſuch View, Allowance and Certificate made thereof as aforeſaid, contrary to the true meaning of this preſent Act, or ſhall after cut down any of the ſaid marked Trees without like allowance, the perſon or perſons ſo offending ſhall forfeit for every Tree ſo fallen, the ſum of Twenty pounds, to him or them who ſhall Inform, or Sue for the ſame in any of his Majeſties Courts of Record, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed to the Defendant. (4) And for further preſervation of the ſaid Timber, growing or to grow upon the Premiſſes, No Officer or other perſon or perſons whatſoever, ſhall at any time hereafter have or claim any Fee-Trees out of the ſaid late Foreſt, upon any pretence whatſoever, but ſhall have and enjoy their uſual Fees in the Game of Deer of all parts of the ſaid Waſtes Incloſed or not Incloſed, as formerly they have had; Any thing in this Act to the contrary notwithſtanding.

Foreſt Laws to be put in execution.

The Incloſed Lands all re-afforeſted.

VI. And foraſmuch as by former experience it hath been found, That nothing did more conduce to the raiſing, increaſe and preſervation of Timber and Wood within the ſaid Waſtes, than the execution of the Foreſt-Laws whilſt the ſaid Waſtes were afforeſted and kept under the regard of the Foreſt, (2) Be it therefore further enacted and declared by the authority aforeſaid, That as well the ſaid Eleven thouſand Acres ſo to be Incloſed, as all other the Waſte Lands aforeſaid, ſhall be, and are hereby re-afforeſted, and ſhall from henceforth be governed by Foreſt-Law, and put under the regard of the Foreſt, to the ſame effect, and in the ſame manner to all intents and purpoſes, as the ſame were in the Tenth year of the Reign of the late King Charles of bleſſed memory; And that all Articles or Agreements, and all Grants and Charters made ſince the Tenth year of the Reign of the late King Charles, for or concerning the diſafforeſting the Three and twenty thouſand Acres aforeſaid, or any part thereof, and all the matters, clauſes and things therein contained, relating to ſuch diſafforeſtation,

foreſtation, ſhall be henceforth void, ſo that the ſaid Waſtes and Premiſſes ſhall be for ever henceforth deemed and adjudged to be Foreſt; and to that end, that new Elections ſhall be made forth, and from time to time continued of all Verderors, Regarders, and other Officers of and for the governing of the ſaid Foreſt, according to the Foreſt-Law in that behalf.

VII. And to the end the ſaid Foreſt and Premiſſes may be perpetually preſerved and eſtated in the Crown for publick uſe as aforeſaid, and may not be granted or diſpoſed to any private uſe or benefit, (2) Be it further enacted, That in caſe any perſon or perſons whatſoever, ſhall preſume to take, or ſhall obtain any Gift, Grant, Eſtate or Intereſt, of or in the ſaid Incloſures or Waſtes, or any Wood or Trees growing thereon, or of or in any the ſaid Mines or Quarries of or within the ſaid Incloſures, or any part thereof, Every ſuch Gift, Grant, Eſtate and Intereſt, ſhall ipſo facto be null and void, and the perſon and perſons ſo taking or obtaining the ſame, ſhall be, and is hereby made and declared utterly diſable and incapable to have, hold or enjoy any ſuch Gift, Grant, Eſtate or Intereſt.

All Eſtates made out of it to any perſon whatever, to be null and void.

VIII. Provided always nevertheleſs, That for preventing the deſtruction of young Wood, by overcharging the ſaid Foreſt with Deer, It is declared and enacted by the authority aforeſaid, That in caſe his Majeſty, his Heirs and Succeſſors, ſhall think fit at any time hereafter to reſtore a Game of Deer within the ſaid Foreſts or Waſtes, the ſame ſhall not exceed the number of eight hundred Deer of all ſorts at any one time, there to be kept for his Majeſties Game within the ſaid Foreſt.

The King may reſtore a Game of Deer but not above eight hundred.

IX. And to the end ſome Recompence may be made to the perſons whoſe right of Common and of Herbage within the ſaid intended Incloſures is hereby taken from them, for the neceſſary preſervation of the ſaid Timber as aforeſaid, (2) Be it further enacted and declared by the authority aforeſaid, That it ſhall and may be lawful to and for all and every the Owners, Tenants and Occupiers of any the ſeveral Lands (lying within the Meres, Limits and Boundaries of the ſaid Foreſt, not being part of the ſaid waſte Ground or Incloſures) their Heirs, Executors and Adminiſtrators reſpectively from time to time, and at any time or times hereafter, to cut down and diſpoſe of any the Timber, Trees, Woods, or Under-woods growing, or which ſhall hereafter grow or be in or upon their ſeveral and reſpective Lands (lying within the Boundaries aforeſaid, not being part of the ſaid waſte Ground as aforeſaid) at their own wills and pleaſures, without the Licenſes of the Juſtice in Eyre or his Deputy, and without the Licence and View of any Officer of the ſaid Foreſt whatſoever, and alſo without incurring any Offence againſt the Foreſt-Law, or any Forfeiture or Penalty touching the ſame; and alſo to manure and improve the ſaid ſeveral Lands and Tenements by Plowing, Aſſarting, Digging, Incloſing, Fencing or Building upon the ſame at their will and pleaſures, and to keep any ſort of Dogs inexpeditated, and to hunt and kill any Beaſt of Chace or other Game, in or upon the ſaid ſeveral Lands, as if the ſame were not lying within the Bounds of any Foreſt.

Proviſo for Owners, Tenants and Occupiers.

X. And it is enacted by the authority aforeſaid, That all Offences whatſoever heretofore committed or done by any perſon or perſons whatſoever, upon the ſaid Lands lying within the ſaid Boundaries aforeſaid, not within the Waſtes of the ſaid Foreſt as aforeſaid, againſt any of the Laws of the Foreſt whatſoever, ſhall be, and are hereby wholly remitted and diſcharged.

Former offences remitted.

XI. Provided always, and it is hereby enacted and declared, That all and every perſon and perſons, having any Right of Common of Paſture, or of Pannage, or any other Rights, Fees, Liberties or Priviledges within the ſaid Foreſt or any part thereof, ſhall hold and enjoy the ſame in manner following (that is to ſay) Their ſaid Right of Pannage from and after the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord Chriſt One thouſand ſix hundred eighty ſeven, and not before; and their ſaid Right of Common of Paſture, and all other the ſaid Fees, Liberties and Priviledges in and through ſuch of the ſaid waſte Ground, and at ſuch time and times as the ſame ſhall not be Incloſed as aforeſaid, the time of the Fence-month (that is to ſay) for fifteen days before, and fifteen days after the Feaſt of Saint John the Baptiſt yearly, and the time of Winter-heyning (that is to ſay) from the Eleventh day of November to the Three and twentieth day of April yearly, excepted, under and ſubject to the Foreſt-Law, in as ample manner as he or they, or thoſe under whom they or any of them might lawfully claim, might have held or enjoyed the ſame in the Tenth year of the Reign of the late King Charles; This Act, or any thing to the contrary notwithſtanding.

Pannage ſhall be reenjoyed after Mich. 1687.

And when and in what manner all other Priviledges.

XII. Saving alſo unto the Inhabitants of and in the Pariſh of Saint Brerils for the time being, lying within the Boundaries of the ſaid Foreſt, their lawful Rights and Priviledges for the taking, cutting and enjoying the Wood growing in a certain place within the ſaid Foreſt called Hudnals, as fully and amply as if this Act had not been had or made; (2) and alſo ſaving unto the Miners, and perſons uſing the Trade of Digging for Iron-Ore, Coal and Oker in the ſaid Foreſt, their lawful Rights and Priviledges in all Lands and Grounds lying within the Perambulation and Regard of the ſaid Foreſt, other than the ſaid Incloſures for the time they ſhall continue Incloſed, as fully and abſolutely as if this Act had not been had or made.

Proviſo for the Inhabitants of St. Brerils to enjoy the wood growing upon a place called Hudnals

Miners Rights ſaved.

XIII. Provided nevertheleſs, That this Act, nor any thing therein contained, ſhall make void or null certain Letters Patents granted by the Kings Majeſty unto Sir John Wintour Knight, Francis Finch and Robert Clayton Eſquires, in or about the Thirtieth of July in the Fourteenth year of his now Majeſties Reign, of certain Woods and Iron-works in the Foreſt of Dean, for a certain term of years yet unexpired.

Letters Patents for certain Woods and Iron-works, ſaved.

XIV. Provided always, That nothing in this Act contained, ſhall be deemed or conſtrued to make void or prejudice a certain Leaſe for years yet unexpired, granted to Thomas Preſton Eſquire, by Letters Patents under the Great Seal, of certain Lands in the ſaid Foreſt of Dean, called Great and Little Bradleys, Pigſlade, Buckholt-moor, and Stony-grove, now belonging to, or claimed by Dame Mary Stanhop, Relict of Charles Stanhop Eſquire.

Proviſo for Thomas Preſton and Dame Mary Stanhop.

Maly-Scot and other Lands of Sir Edward Villiers, excepted.

XV. Provided always, and it is hereby declared, That the Lands called or known by the Name of Maly-Scot, and other Lands heretofore granted unto Sir Edward Villiers Knight deceaſed, and his Heirs, by Letters Patents under the Great Seal of England, bearing date the Eight and twentieth day of May in the firſt year of the Reign of our late Sovereign Lord King Charles the Firſt, ſhall not be accounted or eſteemed any part of the Three and twenty thouſand Acres which are to be Incloſed, or lie waſte to the Commoners.

Salvo for Baniſtree Mainard.

XVI. Provided always, and be it further enacted by the authority aforeſaid, That if the full and juſt ſum of One thouſand five hundred pounds ſhall not be paid unto the ſaid Baniſtree Mainard, his Heirs or Aſſigns, by the ſaid mentioned Commiſſioners, or ſome other perſon or perſons by their appointment, for and in lieu of his Eſtate in the Lands called Cannop, Fellet, Buckholt, Beechinhurſt, and Moyry-Stock, on or before the Four and twentieth day of June in the year of our Lord One thouſand ſix hundred ſixty nine; That then the ſaid Baniſtree Mainard, his Heirs and Aſſigns, ſhall and may have, hold and enjoy all and every the ſaid mentioned Lands, in as full and ample manner as any of thoſe perſons from whom he claims, did ever enjoy the ſame, or might have enjoyed the ſame by virtue of any Grant under the Great Seal of England made unto them of the Premiſſes; Any thing in this preſent Act to the contrary in any wiſe notwithſtanding.

How far the Metes and Bounds of the Foreſt ſhall extend.

XVII. Provided, and be it further enacted by the authority aforeſaid, That the Metes and Boundaries of the ſaid Foreſt, ſhall be for ever hereafter taken to extend to ſuch Pariſhes and places only as were commonly uſed, eſteemed, and taken to be within the Perambulation and Regard of the ſaid Foreſt, in the twentieth year of the Reign of the late King James, and not to any other Pariſhes or places whatſoever; Any Judgment, Ordinance, Uſage or Pretence whatſoever to the contrary notwithſtanding.

Coal-mines and Grindſtone Quarries.

XVIII. Provided always, and be it further enacted by the authority aforeſaid, That any Leaſe or Leaſes made or to be made by his Majeſty, his Heirs or Succeſſors, to any perſon or perſons whatſoever, for any term or term of years, not exceeding the term of One and thirty years, in poſſeſſion of the Coal-mines and Quarries of Grindſtone in the ſaid Foreſt or any part thereof, ſhall be of like force as if this Act had never been made, Except of ſuch Coal-mines as are or ſhall be in any part of the Eleven thouſand Acres allotted for his Majeſties Incloſure, and as ſhall continue Incloſed.

CAP. IV.

An Act for proceeding to Judgment on Writs of Error brought in the Exchequer.

16 Car. 2. ſeſ. 2.

31 Ed. 3. c. 12.

Whereas by a Statute made in the Sixteenth year of the Kings moſt excellent Majeſty, It was enacted, That the not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the day of the Return of any Writ of Error to be ſued forth by virtue of the Statute made in the One and thirtieth year of the Reign of King Edward the Third, ſhall not cauſe any abatement or diſcontinuance of any ſuch Writ of Error; (2) But if both the Chief Juſtices of either Bench, or either of them, or any one of the ſaid great Officers, the Lord Chancellor, or Lord Treaſurer ſhall come to the Exchequer-Chamber, and there be preſent at the day of the Return of any ſuch Writ of Error, it ſhall be no abatement or diſcontinuance, but the Suit ſhall proceed in Law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſurer had come and been preſent at the day and place of the Return of any ſuch Writ; (3) In which ſaid Statute it is provided, That no Judgment ſhall be given in ſuch Suit or Writ of Error, unleſs both the Lord Chancellor and Lord Treaſurer be preſent thereat. And whereas at this preſent time there is no Lord Treaſurer, and therefore by reaſon of the ſaid Proviſo no Judgment can be had in any Writ or Writs of Error brought and yet depending, or to be brought, to the great charges and prejudice of his Majeſties Subjects, and delay of Juſtice: (4) For remedy wherein, Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, That Judgment ſhall, or may be given in any Suit, or Writ or Writs of Error now depending, or hereafter to be brought in the Exchequer, in preſence of the Lord Keeper of the Great Seal of England, notwithſtanding the vacancy of a Lord Treaſurer, in ſuch manner as hath been accuſtomed, when there was preſent the ſaid two great Officers; The ſaid Proviſo in the ſaid Statute, or any thing elſe therein contained to the contrary in any wiſe notwithſtanding.

Judgment may be given in Writs of Error in preſence of the Lord Keeper, notwithſtanding the abſence of the Lord Chancellor or Lord Treaſurer.

CAP. V.

An Act for giving Liberty to Buy and Export Leather, and Skins Tanned or Dreſſed.

Whereas it is found by experience, ſince the late ſtrict Prohibition of the Exporting of Leather, That the Prices thereof, and conſequently of Raw Hides, are very much abated, to the great diſcouragement of the Breed and Feeding of Cattel, and fall of the Rents and Value of Land; and yet that the Makers of Boots and Shoes, and other Workers in Leather, have ſtill, during this time, ſold their Wares and Commodities very dear:

After the 25th of March 1668, all ſorts of Leather may be Exported.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Twenty fifth day of March, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty eight, It ſhall and may be lawful for any perſon or perſons, Native or Foreigner, to buy in open Fair or Market, and to Export and Tranſport into Scotland or Ireland, or any Foreign Parts beyond the Seas, all ſorts of Leather, Sheep-ſkins, or Calve-ſkins, Tanned, Tawed, or Dreſſed; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding: Paying for each Hundred weight of all ſorts of Leather, Sheep-ſkins and Calve-ſkins, containing One hundred and twelve pounds, and ſo proportionably for a greater or leſſer quantity, the ſum of Twelve pence, and no more.

III. It is hereby further enacted by the authority hereof, That this Act ſhall continue and be in force until the Five and twentieth day of March, One thouſand ſix hundred ſeventy five, and until the end of the firſt Seſſion of Parliament then next enſuing, and no longer.

The continuance of this Act.

CAP. VI.

An Act to Regulate the Trade of Silk-Throwing.

Whereas the Art of Working and Throwing of Silk, for many years paſt (giving Imployment to the Poor of the Kingdom) hath of late been obſtructed, by reaſon that the preſent Maſter and Wardens, and part of the Aſſiſtants and Commonalty of the Trade, Art or Myſtery of Silk-Throwers of the City of London, have endeavoured to put in execution a certain By-law, by them made near forty years ſince, reſtraining and ſtinting the Freemen of the ſaid Company, that they ſhall not work with above the Number of One hundred and ſixty Spindles at one time, and the Aſſiſtants of the ſaid Company with above the number of Two hundred and forty Spindles: which is an hindrance to the Growth and Improvement of the ſaid Art, and a reſtraint to the Working of Silks in this Kingdom, which is of late much improved, and to the Subſiſtence and Livelyhood of many thouſand poor Families, and puts the Traders in that Commodity upon a neceſſity of uſing Foreign Thrown-Silk:

Silk-Throwing obſtructed by a By-law.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, That the ſaid By-law is hereby Void and Null, and the ſaid Company are hereby diſabled from making any By-law for the future, which ſhall reſtrain or limit the Number of Mills, Spindles, or other Utenſils to be employed by any of the Freemen of the ſaid Company, in or about the ſaid Art or Myſtery.

The ſame By-law made void, and the Company diſabled to make any ſuch reſtraint.

III. And be it enacted by the authority aforeſaid, That if any Silk-winder or Doubler ſhall hereafter be found faulty in unjuſtly, deceitfully, or falſly purloyning, imbezelling, pawning, ſelling or detaining any Silk committed to his or their Truſt, That then any Juſtice of Peace, Mayor, Bayliff, or chief Officer of any County, Liberty or Corporation, ſhall immediately upon conviction by confeſſion of the party, or upon the Oath of one Witneſs before any of the ſaid Juſtice or Juſtices of the Peace, or other Officer, commit to Priſon or to the houſe of Correction the Offender, till ſatisfaction be given to the party wronged, or puniſhment inflicted, as by an Act of Parliament, Entituled, An Act for regulating the Trade of Silk-Throwing, made this preſent Parliament, is directed and appointed; Any thing in the ſaid Act contained to the contrary hereof in any wiſe notwithſtanding.

Silk-winders or Doublers offending, to be committed to priſon.

14 Car. 2. c. 15 Sect. 6. N. 2.

IV. And be it further enacted, That no By-law already made, or hereafter to be made by the ſaid Company, ſhall or may limit or confine any Freeman of the ſaid Company to take a leſs number than three Apprentices at any time.

Apprentices.

CAP. VII.

An Additional Act againſt the Importation of Foreign Cattel.

Whereas by an Act of this preſent Parliament, Entituled, An Act againſt Importing of Cattel from Ireland, and other parts beyond the Seas, and Fiſh taken by Foreigners; amongſt other things, Proviſion was made againſt Importation of Cattel from parts beyond the Seas: And it was thereby enacted, That ſuch Importation from and after the ſecond day of February, which was in the year One thouſand ſix hundred ſixty ſix, was a publick Nuſance, and ſhould be ſo adjudged, deemed and taken to all intents and purpoſes; (2) And that if any great Cattel, Sheep or Swine, or any Beef, Pork or Bacon (except for the neceſſary Proviſion of the reſpective Ships or Veſſels in which the ſame ſhould be brought, not expoſing the ſame to ſale) ſhould from and after the ſaid ſecond day of February, by any wiſe whatſoever, be Imported or brought from beyond the Seas into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, That then it ſhould and might be lawful for any Conſtable, Tythingman, Headborough, Churchwarden, or Overſeers of the Poor, or any of them within their reſpective Liberties, Pariſhes or places, to take and ſeize the ſame, (3) and keep the ſame, during the ſpace of eight and forty hours, in ſome publick or convenient place where ſuch ſeizure ſhould be made; within which time, if the Owner or Owners, or any for them or him, ſhould make it appear unto ſome Juſtice of the Peace of the ſame County where the ſame ſhould ſo be ſeized, by the Oath of two credible Witneſſes, that the ſame were not Imported from Ireland, or from any other place beyond the Seas not therein after excepted, after the ſaid ſecond day of February, Then the ſame, upon the Warrant of ſuch Juſtice of Peace, ſhould be delivered without delay; but in default of ſuch Proof and Warrant, then the ſame to be forfeited; one half thereof to be diſpoſed to the uſe of the poor of the Pariſh where the ſame ſhall be ſo found or ſeized, the other to be to his or their own uſe that ſhould ſo ſeize the ſame.

18 Car. 2. c. 2.

Importation of Cattel from beyond Sea a Nuſance.

II. Notwithſtanding which Act, and the good Proviſion thereby, great number of Cattel, Sheep and Swine, and great quantities of Beef, Pork and Bacon, have ſince the time limited by the ſaid Act been Imported from Ireland, and other places beyond the Seas, as well in Foreign as Engliſh Ships and Veſſels, contrary to the good intent of the ſaid Act, and in continuance of the ſaid Nuſance, and in high contempt of the Authority of Parliament: (2) And divers Churchwardens, Conſtables, Tythingmen and Overſeers of the poor, living near the Sea, for their own private Lucre, having combined with the Owners of ſuch Cattel, Sheep, Swine, Beef, Pork and Bacon, Imported as aforeſaid, or with their Agents, have colourably ſeized, and afterwards privately and fraudulently ſold the ſame at very low and inconſiderable Rates, to the ſaid Owners or their Agents: (3) And other of the ſaid Officers, who have diſcharged their Duties in the due execution of the ſaid Act, have been moleſted therefore, and ſeveral Actions, Suits, Plaints and Informations, have been brought and preſented againſt ſome of them in Counties and places far diſtant from their Habitations, to their great charge and diſcouragement. (4) For the Vindication there-

All Officers who have ſeized any imported Cattel, ſaved harmleſs.

fore of the Authority of Parliament from ſuch bold Affronts, and the Indemnifying as well of ſuch Officers, who have faithfully endeavoured the Execution of the ſaid Act (although they have not ſtrictly purſued the ſame in every Circumſtance) as of ſuch other perſon and perſons who have acted in their aid and aſſiſtance, and for the better and further ſuppreſſion of the ſaid Nuſance; (5) Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every Conſtable, Tythingman, Headborough, Churchwarden, and Overſeer of the Poor, and every other perſon or perſons who have acted in, or concerning the ſeizure, keeping, detaining or diſpoſing of any Cattel, Sheep, Swine, Beef, Pork or Bacon, Imported contrary to the ſaid Act, after the ſaid ſecond day of February, ſhall be, and are hereby ſaved harmleſs, and Indemnified in that behalf, againſt the Owner or Owners thereof at the time of ſuch Importation, their Executors and Adminiſtrators, and every other perſon and perſons claiming from, by, or under their Gift, Grant, or other Diſpoſition; and againſt all and every perſon and perſons, to whom any fraudulent Sale hath been made after ſuch Importation as aforeſaid, and their and every of their Executors and Adminiſtrators.

Any perſon may ſeize imported Cattel, and deliver them to the Officers.

III. And it is Provided and further Enacted, That not only the Conſtables and Officers above named, but every or any other Inhabitant or Inhabitants of or within the Liberties, Pariſhes, and places where ſuch Importation ſhall be made, ſhall and may take and ſeize the Cattel and Goods ſo Imported, and after ſuch ſeizure ſhall forthwith deliver or cauſe them to be delivered to the Conſtable, Tythingman, Headborough, Churchwarden, or Overſeers of the Poor, or any of them within the reſpective Liberties, Pariſhes and Places aforeſaid; to be kept, ordered and diſpoſed in the manner, and to the uſes and purpoſes in this Act, and in the ſaid recited Act, or either of them mentioned and directed.

The forfeiture of ſuch as neglect to ſeize.

IV. And it is further Enacted, That if no Seizure at all ſhall be made by the Officers or Inhabitants, nor any of them, within the Liberty, Pariſh or Place where ſuch Cattel or Goods as aforeſaid ſhall be firſt Imported, Then ſuch Liberty, Pariſh and Place, and the Inhabitants thereof, neglecting to make ſuch Seizure, for every default ſhall forfeit the ſum of One hundred pounds, which ſhall be employed for the uſe of the Houſe of Correction within the County or Liberty where ſuch default of Seizure ſhall be; (2) and the Moneys ſo to be forfeited, and other the Penalties and Forfeitures which are to accrue to the Poor by virtue of this Act, and the ſaid recited Act, or either of them, ſhall be accounted for to ſuch perſons, at ſuch times, and in ſuch manner, as the Overſeers of the Poor are appointed to accompt by the Statute made in the Three and fortieth year of the Reign of Queen Elizabeth, Chapter the ſecond.

Ships bringing Cattel, &c. from beyond Sea, ſhall be forfeited, ſeized and ſold.

The Money raiſed thereby, one half to the poor, the other to the Informer or Seizer.

The Seamen to be apprehended, and all others concerned, and ſent to the Common Gaol

V. And be it further enacted by the authority aforeſaid, That every Ship or Veſſel, with all her Tackle and Apparel, in which any great Cattel, Swine, Sheep, Beef, Pork or Bacon from and after the Four and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty and ſeven, ſhall be Imported from Ireland, or any other parts beyond the Seas, into the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, and out of which they or any of them ſhall be put on Shore there, ſhall be forfeited: (2) And that it ſhall and may be lawful to and for any perſon or perſons, within the ſpace of one year after ſuch Importation, to take and ſeize the ſame Ship or Veſſel, with all her Tackle and Apparel, and to make ſale thereof to the beſt advantage; and that one half of the Moneys to be raiſed by ſuch Sale, ſhall be diſpoſed of to the uſe of the Poor of the Pariſh where the ſame ſhall be ſo ſeized, the other half to be to his or their uſe that ſhall ſo ſeize the ſame: (3) And alſo that it ſhall and may be lawful to and for any Juſtice of Peace of the County or Chief Officer of the Port-Town, in or near the place where ſuch Importation ſhall be made, or where any of the Cattel, Sheep, Swine, Beef, Pork or Bacon ſo imported ſhall be driven or brought, by Warrant under the Hand and Seal of ſuch Juſtice of Peace, or Chief Officer, to cauſe to be apprehended all and every the Maſters, Mariners and Seamen, having Charge of, or belonging to ſuch Ship or Veſſel in which ſuch Importation ſhall be made, (4) and all and every other perſon and perſons acting or employed in the landing, driving, attending on, or taking care or charge of the ſaid Cattel, Sheep, Swine, Beef, Pork or Bacon Imported as aforeſaid, and them to Commit to the Common Gaol of the ſaid County, there to remain without Bail or Mainpriſe, for the ſpace of three Months.

If any Officer neglect to ſeize, another may take them, and have the one half, giving the other to the Poor.

VI. And be it further enacted and declared by the authority aforeſaid, That whenſoever, and as often as it ſhall happen, either through any fraudulent Agreement, or unfaithful Connivance of any Conſtable, Headborough, Tythingman, Churchwarden, or Overſeer of the Poor, or that it ſhall happen any otherwiſe howſoever, that any great Cattel, Sheep, Swine, Beef, Pork or Bacon, after the firſt Seizure of them, or any of them, by virtue of the aforeſaid Act, ſhall be driven, brought, carried into, or found in any other Pariſh or place, than where the ſame ſhall be firſt ſeized as aforeſaid; That then and ſo often, and from time to time, it ſhall and may be lawful to and for the Conſtable, Tythingman, Headborough, Churchwarden or Overſeer of the Poor of every or any ſuch other Pariſh or place where ſuch great Cattel, Sheep, Swine, Beef, Pork or Bacon ſhall be brought, driven or carried into, or found as aforeſaid, to ſeize, take, and diſpoſe the ſame, and every or any of them as forfeited, The one moiety thereof to the uſe of the Poor of ſuch other Pariſh or place where ſuch Seizure ſhall be made, the other to the uſe of ſuch Officer or Officers who ſhall ſeize the ſame as aforeſaid; Any other or former Seizure or Seizures in any other Pariſh or Pariſhes, place or places, notwithſtanding.

Trial in the County where the cauſe of Action.

VII. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit or Information, is, or ſhall be commenced, or proſecuted againſt any perſon or perſons, for any Seizure or other thing made or done, or to be made or done, by virtue or colour of this, or the aforeſaid Act; and upon the Trial of ſuch Action, Bill, Plaint, Suit or Information, it ſhall not be proved to the Jury that ſhall try the ſame, that the Cauſe of ſuch Action, Bill, Plaint, Suit or Information, did ariſe within ſuch County where ſuch

Action, Plaint, Suit or Information is laid and tried, the Defendant and Defendants ſhall be found Not-guilty, without having regard to any Evidence given by, or for the Plaintiff, Informer or Proſecutor.

VIII. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit, or Information hath been, or ſhall be commenced or proſecuted againſt any perſon or perſons, for any ſeizure or other thing done or made, or to be done or made in purſuance or execution of this, or the aforeſaid Act; ſuch perſon or perſons ſo ſued in any Court whatſoever, may plead the General Iſſue, and give this and the aforeſaid Act, and the ſpecial matter in Evidence for their Excuſe of Juſtification: (2) And if the Plaintiff or Proſecutor ſhall become Non-ſuit, or forbear Proſecution, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him in any ſuch Action, Bill, Plaint, Suit or Information as aforeſaid, th Defendants ſhall have treble Coſts, for which they ſhall have the like Remedy, as in any Caſe where Coſts by Law are given to the Defendant.

General Iſſue, Defendant to have treble Coſts.

IX. Provided always, That nothing in this Act ſhall be conſtrued to hinder the Importation of Cattel from the Iſle of Man into this Kingdom of England, ſo as the Number of the ſaid Cattel do not exceed ſix hundred Head yearly, and that they be not of any other breed than of the breed of the Iſle of Man, and that they be landed at the Port of Cheſter, or ſome of the Members thereof, and not elſewhere.

Proviſo to import Cattel from the Iſle of Man.

X. And it is laſtly enacted, That if any perſon or perſons ſhall wilfully and fraudulently conſpire, confederate, or agree together, to avoid or evade the ſeizures or forfeitures upon Importation of Cattel or Goods in this preſent Act particularly ſpecified, and the ſame ſhall put in execution; Then every ſuch perſon and perſons, being thereof lawfully Indicted or Preſented within one year next after ſuch Offence by him or them committed, and being thereof lawfully convicted or attainted at any time hereafter, according to the Laws of this Realm, ſhall incur the dangers, penalties, pains and forfeitures contained and provided in and by the Statutes of Proviſion and Præmunire, made in the ſixteenth year of the Reign of King Richard the Second.

Confederacy to elude this Act incurs a Præmunire.

CAP. VIII.

An Act for the Taxing and Aſſeſſing of the Lands of the Adventurers within the Great Level of the FENS.

15 Car. 2. c 17.

The Preamble of this.

Whereas by an Act made in this preſent Parliament, entituled, An Act for ſetling the Draining of the Greal Level of the Fens, called Bedford Level, It is amongſt other things Enacted, That the Governor, Bailiffs and Conſervators of the Corporation in the ſaid Act mentioned, and by vertue of the ſame, from time to time to be elected and appointed for the time being, or any Five or more of them (whereof the Governor and Bailiffs for the time being, or any of them to be two) ſhould and might from thenceforth uſe the power and authority of Commiſſioners of Sewers within the ſaid Great Level, and from time to time lay and impoſe Taxes upon the Ninety five thouſand Acres within the ſaid Level in the ſaid Act mentioned for the maintenance and preſervation of the ſame, as by the ſaid Act appeareth; (2) And whereas ſince the making of the ſaid Act, the Governor, Bailiffs and Conſervators of the ſaid Corporation, in execution of the power and authority thereby to them given, have laid and impoſed Taxes upon the ſaid Ninety five thouſand Acres, for the purpoſes by the ſaid Act ſpecified and appointed, wherein they have proceeded by way of an Acre-tax, at a certain rate by the Acre, and have inforced the payment of the ſame after that manner, to the great demage of divers the Adventurers and Participants, for that the ſaid Ninety five thouſand Acres are not only much different in the natural Richneſs and Barrenneſs of their Soyl, but likewiſe ſome parts of the ſaid Lands are by frequent Inundations and otherwiſe, exceedingly pejorated and made worſe, and the Corn, Hay, Seed or Graſs thereupon often deſtroyed; yet the ſame Lands are equally taxed with the beſt and moſt ſecure Lands in the ſaid Level as aforeſaid; (3) The which ſaid way of Raiſing Draining-taxes upon the ſaid Ninety five thouſand Acres, by an equal Acre-rate, hath been found to be inconvenient; and for removing the ſaid Inconvenience, the ſaid Governor, Bailiffs and Conſervators, have of late proceeded to a more indifferent way of taxing of the ſaid Ninety five thouſand Acres (that is to ſay) by a gradual Acre-tax of five ſorts, upon Eighty three thouſand Acres, part of the ſaid Ninety five thouſand Acres, and by a Medium of the twelve thouſand Acres, reſidue of the ſaid Ninety five thouſand Acres: (4) And to the intent that encouragement may be given for the better Improving of the ſaid Ninety five thouſand Acres, and that a conſtant and certain way of taxing may be continued and eſtabliſhed for the future:

Taxes impoſed at a certain Rate per Acre.

Unequal and inconvenient.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and aſſent of the Lords Spiritual and Temporal, and Commons in this Parliament aſſembled, and by the authority of the ſame, That all Taxes hereafter to be ſet and impoſed for the maintenance and preſervation of the ſaid Great Level, are hereby appointed and declared to be from time to time aſſeſſed and taxed by the ſaid Governor, Bailiffs, and Conſervators, or their Succeſſors, or any Five or more of them, whereof the ſaid Governor and Bailiffs for the time being, or any of them to be two, upon the ſaid Eighty three thouſand Acres, part and parcel of the ſaid Ninety five thouſand Acres, by a gradual Acre-tax of different ſorts and values of Lands; the which ſaid gradual Acre-tax ſet as aforeſaid, and all future gradual Acre-taxes to be ſet, ſhall be received, paid and levied, with like penalties in the ſaid recited Act provided for Non-payment of Taxes, by ſuch and the like ways and means, as by the ſaid recited Act are provided for to be paid and levied; (2) And the ſaid Eighty three thouſand Acres, for raiſing of Taxes for ſupport and maintenance of the Great Level, are not to be Rated or Aſſeſſed otherwiſe, or in any other manner than according to a gradual Acre-tax of different ſorts and degrees, and according to the reſpective values and rates thereby ſet and rated, and to be ſet and rated as is hereafter appointed, upon the ſaid Eighty three thouſand Acres; Any Law, Statute, or other thing to the contrary thereof in any wiſe notwithſtanding.

Taxes hereafter to be aſſeſſed by the Governor, &c. by a gradual Acre-Tax.

III. And

Fifteen pence per Acre.

III. And whereas the ſaid Twelve thouſand Acres, reſidue of the ſaid Ninety five thouſand Acres, are by the ſaid gradual Acre-tax towards the raiſing of the ſum of Six thouſand one hundred and Ten pounds ſeven ſhillings one peny half-peny, rated and taxed at One ſhilling three pence per Acre, being a medium, as if the whole Ninety five thouſand Acres had been rated, taxed and aſſeſſed at fifteen pence per Acre; (2) Be it further enacted by the authority aforeſaid, That when and ſo often as a Tax of the ſaid Sum of Six thouſand one hundred and ten pounds ſeven ſhillings one peny half-peny ſhall be taxed and aſſeſſed upon the ſaid Ninety five thouſand Acres, That then the ſaid twelve thouſand Acres ſhall be rated, taxed and aſſeſſed by the ſaid Governor, Bailiffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governor and Bailiffs, or any of them to be two, at fifteen pence the Acre, and according to the proportion, for the raiſing of any greater or leſſer Sum than Six thouſand one hundred and ten pounds ſeven ſhillings one peny half peny, to be received, paid and levied, together with Penalties in ſuch and the like manner as the Taxes ſet and impoſed, or to be ſet and impoſed upon the ſaid Eighty three thouſand, Acres, are by this Act provided for to be received, paid and levied. (3) And be it further enacted and declared by the authority aforeſaid, That no Taxes to be ſet by vertue of this Act, ſhall be ſet or impoſed upon the ſaid Ninety five thouſand Acres by the ſaid Governor, Bailiffs and Conſervators, or their Succeſſors, or any Five or more of them, but upon Wedneſday, Thurſday and Friday next after the firſt Sunday in April, or ſome or one of them, Three days yearly for ever, and not at any other time; Any Law, Cuſtom, or Uſage to the contrary thereof, notwithſtanding.

Wedneſday, Thurſday and Friday after the firſt Sunday in April.

IV. And whereas by the ſaid recited Act, It is amongſt other things provided, That Sales for Non-payment of Taxes, ſhall be made at Ely upon Wedneſday and Thurſday in Whitſun-week yearly, the which Seaſon is found to be inconvenient: (2) For remedy whereof, Be it further enacted by the authority aforeſaid, That from and after Whitſun-week, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty eight, thoſe days for Sales ſhall be altered and changed unto the ſaid Wedneſday, Thurſday and Friday after the ſaid firſt Sunday in April, in every year, and all other matters and things concerning or relating to Sales for Non-payment of Taxes, by the ſaid recited Act provided, are to ſtand in force, and to be obſerved, with this; That the Serjeant at Mace of the ſaid Great Level, ſhall from time to time by Precept under the Seal of the Corporation of the ſaid Great Level, in nature of a Writ of Habere fac' poſſeſſionem, at Common Law, deliver poſſeſſion unto ſuch perſon or perſons as ſhall purchaſe any part of the ſaid Ninety five thouſand Acres, for Non-payment of Taxes; and the ſaid Governor, Bailiffs and Conſervators, are hereby required and authorized to affix the Seal of the ſaid Corporation, from time to time, to ſuch Precept or Precepts, at the charge of the parties requiring the ſame; Any Law, Statute, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Serjeant at Mace to deliver poſſeſſion.

V. And to the end that the ſaid Eighty three thouſand Acres may be more equally Rated by a gradual Acre-tax, not under the number of ſeven ſorts, (2) Be it further enacted by the authority aforeſaid, That Edward Patheridge Eſquire, Samuel Fortrey Eſquire, Richard Mariot Eſquire, John Mingay, Jonas Moore, Peter Diamond, Eſquires, Anthony Hamon Eſquire, Mark le Pia Gent. and John Bridgman junior Gent. or any three or more of them, are hereby conſtituted and appointed to be Surveyors and Valuers of the ſaid Eighty three thouſand Acres, and are within twelve months next after the paſſing of this Act, to digeſt the ſaid Eighty three thouſand Acres into ſuch number of ſorts or degrees of Land, not under the number of ſeven ſorts and degrees; and to rate and tax ſuch degrees, and digeſt the ſame into Schedules in Writing, and make Returns thereof upon their Oaths into the Fen-office; The form of which ſaid Oath ſhall be, (viz.)

Names of the Surveyors who are to digeſt the land into ſeven ſorts.

Their Oath.

(3) I A. B. do Swear, That according to the beſt of my Skill and Knowledge, I will faithfully diſcharge the Truſt of Surveying, Sorting, Dividing and Rating of Eighty three thouſand Acres, Parcel of Ninety five thouſand Acres within the Great Level of the Fens, known by the name of Bedford Level, according to Seven degrees or more, as I upon my Oath ſhall think moſt equal.

VI. The which ſaid Oath the ſaid Governor, Bailiffs and Conſervators, or any three or more of them, are hereby authorized to adminiſter, and alſo to allow unto the ſaid Surveyors or Valuers, ſuch reaſonable charges for their travel and pains therein as they ſhall think fit; (2) and after the ſame are returned into the ſaid Fen-office, and there publickly ſet up, which ſaid Return is hereby Enacted to be made within One month after the Survey taken, and the ſeveral Valuations by the parties to that purpoſe by this Act appointed and agreed upon, and all parties agrieved may take their Exceptions within thirty days next after the ſame are ſet up; and within forty days next after ſuch Exceptions taken, may appeal for Relief unto the ſaid Governor, Bailiffs and Conſervators, or any Five or more of them, for altering the ſaid Schedules in the Rates and Values complained of, ſo as the parties appealing ſhall proſecute their ſaid Appeal within the ſaid forty days, and not at any time after: (3) And in caſe the ſaid Governor, Bailiffs and Conſervators, ſhall not within the ſaid forty days relieve the ſaid parties grieved, or if the ſaid parties ſhall not be ſatisfied with the determination of the ſaid Governor, Bailiffs and Conſervators, That then the ſaid parties may appeal unto Sir Henry North Baronet, Sir Levinus Bennet Baronet, Sir Robert Brook of Yoxford Knight, Sir Edmond Pooley Knight, Henry Williams, Robert Appreece, Richard Nayler, Humprey Orme, Morris Treſham, Laurence Oxborough, Henry Farrer junior, Edward Barber, Matthew Wren, Thomas Marſh, Henry Hitch Doctor of Laws, Thomas Steward Anthony Fiſher, Matthias Taylor, John Towers, Eſquires, and Burrage Martin Gent. or any three or more of them, who are hereby conſtituted and appointed Commiſſioners of Appeal to hear and determine ſuch Complaints, and to give relief therein as they ſhall ſee cauſe, and toward Coſts to either parties as they ſhall ſee cauſe; the which ſaid Coſts may be recovered by Action of Debt in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin or Wager of Law ſhall be allowed: which ſaid Appeals to the Commiſſioners ſhall be duly proſecuted

Returns where to be made and ſet up publickly in the Fen-Office.

Parties grieved may appeal to Commiſſioners.

Their power.

by the ſaid parties grieved within two months next after the expiration of the forty days, and not at any time after; (4) The which ſaid Schedules, with all the alterations, if any ſhall be made by the ſaid Corporation, wherewith the parties ſhall reſt ſatisfied, or by the determination of the ſaid Commiſſioners of Appeal, are hereby confirmed, and ſhall be a conſtant rule and foundation for the rating and taxing of the ſaid Eighty three thouſand Acres for the future, for maintenance and preſervation of the Works made and to be made within or without the ſaid Great Level of the Fens; (5) And that the ſaid Governor, Bailiffs and Conſervators, nor their Succeſſors, nor any of them, ſhall tax or aſſeſs the ſaid Eighty three thouſand Acres otherwiſe than by and according to the ſaid Schedule, and to be returned or confirmed as aforeſaid. (6) And it is declared, That the ſaid twelve thouſand Acres, reſidue of the ſaid ninety five thouſand Acres, ſhall be rated and taxed by a Medium, towards all taxes hereafter to be laid, as by the ſaid tax,made the ſaid twentieth day of June is provided, and not otherwiſe.

VII. And it is hereby further enacted, That a Tax of the ſaid ſum of Six thouſand one hundred and ten pounds ſeven ſhillings one peny half peny, ſhall and may be ſet by the ſaid Governor, Bailiff and Conſervators, or any Five or more of them, in Whitſon-week next, upon the ſaid Eighty three thouſand Acres, according to the ſaid gradual Acre-tax of Five degrees, upon the ſaid twelve thouſand Acres, at Fifteen pence per Acre; and for Non-payment ſhall and may be Levied by Sales on Wedneſday, Thurſday or Friday after the ſaid Firſt Sunday in April then next following; And that from thenceforth all future Taxes ſhall be laid and impoſed upon the ſaid Eighty three thouſand Acres by a gradual Acre-tax, not under ſeven degrees, and twelve thouſand Acres, in ſuch manner and form as by this Act is provided, and not otherwiſe: (2) And whereas Sir Miles Sandys the elder, and Sir Miles Sandys the younger, were Adventurers and Participants with Francis late Earl of of Bedford in the ſaid Level, and had an Intereſt in ſeveral Shares, Lots and Proportions, in the ſaid Great Level; The Right, Title and Intereſt in great part of which ſaid Shares and Lots, were, as appears by Indenture bearing Date the twelfth day of June in the Firſt year of his now Majeſties Reign, made between Sir Miles Sandys the younger of the one part, and Thomas Sandys Eſquire, and Robert Sandys Clerk, Humberſtone March Eſquire, Samuel Spalding Gent. William Wolſon Clerk, and John Kirk of the ſecond part, and Samuel Sandys of Omberſley Eſquire on the third part; Setled in ſeveral Truſtees therein named, in Truſt for the payment of all ſuch Taxes as ſhould be due for, or in reſpect of the ſaid Lands mentioned in the ſaid Indenture, and after in truſt for the ſecuring of the ſaid Samuel Sandys Eſq; from all ſuch Debts as he the ſaid Samuel Sandys ſtood engaged for the proper Debts of the ſaid Sir Miles Sandys the elder, and Sir Miles Sandys the younger: Since which ſaid Indenture ſo had and made, the ſaid Samuel Sandys the elder has paid great ſums of Mony, for and towards the ſatiſfaction of the ſaid Debts of Sir Miles Sandys the elder, and Sir Miles Sandys the younger, and yet hath reaped no benefit by vertue of the ſaid Deed of Truſt ſo as aforeſaid made for his Security, although by an Act made by this preſent Parliament, Entituled, An Act for ſetling the Draining of the Great Level of the Fens, called Bedford Level, the ſaid Samuel Sandys ought to have had a Conveyance of the Shares and Lots mentioned in the ſaid Indenture: But in regard the ſaid Samuel Sandys Eſq; nor any in truſt for him could procure any Conveyance, which hath proved very prejudicial to the ſaid Samuel Sandys the elder:

Sales for non-payment when to be made.

VIII. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all the ſaid Lots and Shares in the ſaid Indenture mentioned (Except only ſuch Lands of the ſaid half-Share as were really ſold by Sir Miles Sandys the elder, or Sir Miles Sandys the younger, for full and valuable Conſiderations, and ſuch of the ſaid Two Shares which have been ſold for the payment of Taxes or Deeds, in purſuance of the ſaid Indenture, by the ſaid Sir Miles Sandys and the Truſtees parties to the ſaid Indenture) are hereby veſted and ſetled in Samuel Sandys the younger Eſq; and Edwin Sandys Gent. Sons of the ſaid Samuel Sandys the elder, their Heirs and Aſſigns, Freed and Diſcharged from all manner of Taxes whatſoever to the time of the paſſing this Act: And by the authority aforeſaid, the Free-hold and Inheritance of the ſaid Lots and Shares aforeſaid, Except before Excepted, ſhall be deemed and adjudged to be in the ſaid Samuel Sandys the younger, and Edwin Sandys, their Heirs and Aſſigns for ever; Nevertheleſs, the ſaid Shares and Lots hereby veſted ſhall be liable to the payment of the Debts aforeſaid, and to all Powers and Juriſdictions, together with the reſidue of the ſaid Ninety five thouſand Acres, as the ſame are ſubject and liable by the ſaid recited Act for the future, and of all ſuch Taxes and Penalties as be hereafter Aſſeſſed or Laid for the preſervation of the ſaid Great Level, in ſuch ſort and manner as the Eighty three thouſand Acres, parcel of the Ninety five thouſand Acres, ſhall be Aſſeſſed and Taxed; Any Law, Statute, or thing to the contrary in any wiſe notwithſtanding.

Lands ſetled upon Samuel Sandys and Edwin Sandys, free from Taxes.

IX. Provided alſo, and it is hereby further declared and enacted by the authority aforeſaid, That all and every of the Sale or Sales made, agreed or contracted for non-payment of Taxes of any of the Lands of the ſaid Sir Miles Sandys the elder, or Sir Miles Sandys the younger, or the ſaid Samuel Sandys the elder Eſq; by the Governors, Bailiffs and Conſervators, conſtituted and elected by the authority of an Act of this preſent Parliament, Entituled, An Act for ſetling the Draining of the Great Level of the Fens called Bedford Level, to any perſon or perſons whatſoever, by vertue or colour of the ſaid Act is, are, and ſhall be nul and void; And that the ſaid Lands ſold by the ſaid Governors, Bailiffs and Conſervators, (Except before Excepted) are and ſhall be veſted and ſetled by this preſent Act, in the ſaid Samuel Sandys the younger, and Edwin Sandys, their Heirs and Aſſigns, freed and diſcharged of and from all Taxes laid by ſaid Governors, Bailiffs and Conſervators; Any thing in the ſaid recited Act to the contrary notwithſtanding.

Sales for non-payment of Taxes in thoſe Lands, void.

X. And to the end the ſaid Samuel Sandys and Edwin Sandys may have the effect and benefit hereby intended them, and that the occupiers and poſſeſſors of the ſaid Shares and Lots veſted in them the ſaid Samuel Sandys and Edwin Sandys, as aforeſaid, may not by their continuing in poſſeſſion, and neglect of paying the Taxes hereafter to be impoſed on the ſaid Shares and Lots, or any part of them, cauſe the ſame to be forfeited and ſold for non-payment of the reſpective Taxes that ſhall become due for the ſame; (2) Be it therefore hereby further enacted by the authority aforeſaid, that in caſe any Occupier or Poſſeſſor of any the ſaid Shares or Lots, in the ſaid Deed of Truſt mentioned as aforeſaid, or of any part of them, pretending to claim under the ſaid Deed of Truſt or otherwiſe, that ſhall refuſe to deliver or yield up the poſſeſſion of ſuch part of the ſaid Shares or Lots, to them the ſaid Samuel Sandys and Edwin Sandys, or their Aſſigns, and ſhall not duly pay the Taxes hereafter to be impoſed on the ſame, before our Lady-day, One thouſand ſix hundred ſeventy one, That then the Serjeant at Mace for the time being, attending the ſaid Corporation, is hereby authorized and impowred by Precept under the Seal of the ſaid Corporation of the ſaid Great Level (who are hereby required to grant and iſſue out the ſame) in the nature of a Writ of Habere facias poſſeſſionem at the Common Law, to deliver unto, and put them the ſaid Samuel Sandys and Edwin Sandys, their Heirs or Aſſigns, in the quiet and peaceable poſſeſſion of ſuch Shares and Lots, or any part of them; And all and every ſuch Occupier or Occupiers, Poſſeſſor or Poſſeſſors thereof, of and from the ſame to eject, expel and amove, They the ſaid Samuel Sandys and Edwin Sandys, upon reaſonable notice, firſt paying or tendring ſuch Taxes as ſhall become due for the ſame, from the time of the paſſing this Act, one month before the next day of Sale for Non-payment of ſuch Taxes hereafter to be impoſed; which ſaid Samuel Sandys and Edwin Sandys, and their Heirs, are thereupon hereby actually veſted in the ſame.

Serjeant at Mace to remove Occupants not paying Taxes

XI. And whereas the ſaid ſeveral Shares and Lots of the ſaid Ninety five thouſand Acres, herein before veſted and ſetled in the ſaid Samuel Sandys the younger, and Edwin Sandys, and their Heirs as aforeſaid, ought to have been conveyed unto the ſaid Samuel Sandys the elder, or his Truſtees, by the ſaid Governour, Bailiffs and Conſervators of the ſaid Corporation, by vertue of the ſaid before-mentioned Act, as in and by the ſame they were required and directed, which they refuſe to do, whereby the Rents, Iſſues and Profits thereof, have not been paid to, nor could be received by the ſaid Samuel Sandys the elder, or his Truſtees, or by any other by, to or for his or their uſe; (2) Be it therefore hereby enacted by the authority aforeſaid, That the ſaid Samuel Sandys and Edwin Sandys, ſhall and are hereby entituled to the ſaid Rents, Iſſues and Profits of the ſaid Shares and Lots, ſince the paſſing of the recited Act, which have not really been paid to the ſaid Corporation for Taxes, or to the ſaid Samuel Sandys the elder, and the Occupiers and Poſſeſſors thereof are hereby appointed to pay the ſame accordingly; And in default of payment thereof, or of any part thereof, they the ſaid Samuel Sandys and Edwin Sandys, are hereby authorized and impowred to Sue for, and by vertue of this Act ſhall recover the ſame, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, and ſhall likewiſe have their Coſts of Suit expended therein; Any thing herein to the contrary thereof in any wiſe notwithſtanding.

XII. Provided always, and be it enacted, That after the ſaid Edwin and Samuel Sandys ſhall have recovered and received ſatisfaction for the mean profits, or any part of them, That then they, their Heirs and Aſſigns, ſhall pay ſo much of the ſaid Arrears of the ſaid gradual Acre-tax impoſed upon the ſaid reſpective Lands, proportionably to what they ſhall receive, and no more.

Proviſo for Thomas Lord Culpeper.

XIII. Provided always, and be it enacted by the authority aforeſaid, That whereas ſeveral parcels of the ſaid Ninety five thouſand Acres, ought to have been conveyed to Thomas Lord Culpeper or his Truſtees, by the ſaid Governour, Bailiffs and Conſervators of the ſaid Corporation, by vertue of the ſaid before recited Act, as in and by the ſame they were required and directed, which they delayed to do, whereby the Rents, Iſſues and Profits thereof have not been paid to, nor could be received by the ſaid Thomas Lord Culpeper or his Truſtees, That the ſaid Thomas Lord Culpeper and his Truſtees ſhall, and are hereby intituled to the ſaid Rents, Iſſues and Profits of the ſaid parcels, ſince the paſſing the ſaid recited Act, which have not been really paid to the Corporation for Taxes, or to him or them, and the Occupiers and Poſſeſſors thereof are hereby required to pay the ſame accordingly; And in default of payment thereof, or any part thereof, he the ſaid Thomas Lord Culpeper and his Truſtees, are hereby authorized and impowred to Sue for, and by vertue of this Act ſhall recover the ſame, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, and ſhall likewiſe have their Coſts of Suit expended herein; Any thing to the contrary hereof in any wiſe notwithſtanding.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, viceſimo ſecundo.*

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Fourteenth day of February 16$\frac{69}{70}$. From whence it is continued by Adjournment made the Eleventh of April, 1670. to the Twenty Fourth day of October following.

CAP. I.

An Act to prevent and ſuppreſs Seditious Conventicles.

The preamble
16 Car. 2. c. 4.

FOR providing further and more ſpeedy Remedies againſt the growing and dangerous practices of Seditious Sectaries, and other Diſloyal Perſons, who under pretence of Tender Conſciences, have or may at their Meetings contrive Inſurrections (as late experience hath ſhewn) (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon of the Age of Sixteen years or upwards, being a Subject of this Realm, at any time after the Tenth day of May next, ſhall be preſent at any Aſſembly, Conventicle or Meeting, under colour or pretence of any Exerciſe of Religion, in other manner than according to the Liturgy and practiſe of the Church of England, in any place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, at which Conventicle, Meeting or Aſſembly, there ſhall be five perſons or more aſſembled together, over and beſides thoſe of the ſame Houſhold, if it be in a Houſe where there is a Family inhabiting; or if it be in a Houſe, Field or place where there is no Family Inhabiting; Then where any five perſons or more, are ſo aſſembled as aforeſaid, it ſhall and may be lawful to and for any one or more Juſtices of the Peace of the County, Limit, Diviſion, Corporation or Liberty wherein the offence aforeſaid ſhall be committed, or for the chief Magiſtrate of the place where the offence aforeſaid ſhall be committed; And he and they are hereby required and enjoyned upon proof to him or them reſpectively made of ſuch offence either by Confeſſion of the party, or Oath of two Witneſſes; (3) (which Oath the ſaid Juſtice and Juſtices of the Peace, and chief Magiſtrate reſpectively, are hereby impowred and required to adminiſter) or by notorious Evidence and Circumſtance of the Fact to make a Record of every ſuch offence under his or their Hands and Seals reſpectively: which Record ſo made as aforeſaid, ſhall to all intents and purpoſes be in Law taken and adjudged to be a full and perfect Conviction of every ſuch Offender for ſuch Offence; and thereupon the ſaid Juſtice, Juſtices and chief Magiſtrate reſpectively, ſhall impoſe on every ſuch Offender ſo Convict as aforeſaid, a Fine of Five ſhillings for ſuch firſt Offence; which Record and Conviction ſhall be certified by the ſaid Juſtice, Juſtices or chief Magiſtrate, at the next Quarter-Seſſions of the Peace, for the County or place where the Offence was committed.

Conventicles &c. forbidden after the 10. of May, 1670.

How the offenders muſt be convicted.

The penalty for the firſt offence.

The record and conviction to be returned to the next Quarter-Seſſions.

II. And be it further enacted by the authority aforeſaid, That if ſuch Offender ſo Convicted as aforeſaid, ſhall at any time again commit the like Offence or Offences, contrary to this Act, and be thereof in manner aforeſaid Convicted, Then ſuch Offender ſo Convict of ſuch like Offence or Offences, ſhall for every ſuch Offence incur the penalty of Ten ſhillings; (2) which Fine and Fines, for the firſt and every other Offence ſhall be levied by Diſtreſs and Sale of the Offenders Goods and Chattels; or in caſe of the poverty of ſuch Offender, upon the Goods and Chattels of any other perſon or perſons who ſhall be then convicted in manner aforeſaid of the like Offence, at the ſame Conventicle, at the diſcretion of the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively, ſo as the Sum to be levied on any one perſon in caſe of the poverty of other Offenders, amount not in the whole to above the ſum of Ten pounds, upon occaſion of any one Meeting, as aforeſaid; (3) And every Conſtable, Headborough, Tythingman, Church-wardens and Overſeers of the Poor reſpectively, are hereby authoriſed and required to levy the ſame accordingly, having firſt received a Warrant under the Hands and Seals of the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively ſo to do; (4) the ſaid Moneys ſo to be levied, to be forthwith delivered to the ſame Juſtice, Juſtices or chief Magiſtrate, and by him or them to be diſtributed, The one third part thereof, to the uſe of the Kings Majeſty, his Heirs and Succeſſors, to be paid to the High Sheriff of the County for the time being, in manner following; that is to ſay, the Juſtice or Juſtices of Peace ſhall pay the ſame into the Court of the reſpective Quarter Seſſions, which ſaid Court ſhall deliver the ſame to the Sheriff, and make a Memorial on Record of the payment and delivery thereof, which ſaid Memorial ſhall be a ſufficient and final Diſcharge to the ſaid Juſtice and Juſtices, and a Charge to the Sheriff, which ſaid Diſcharge and Charge ſhall be certified into the Exchequer together, and not one without the other: And no Juſtice ſhall or may be queſtioned or accountable for the ſame in the Exchequer or elſewhere, than in Quarter Seſſions; Another third part thereof to and for the uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed; And the other third part thereof to the Informer and Informers, and to ſuch perſon and perſons as the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively ſhall appoint, having regard to their diligence and induſtry in the diſcovery, diſperſing and puniſhing of the ſaid Conventicles.

The penalty for the ſecond offence.

The penalties how to be levied.

Conſtables, &c. to levy the ſame, and pay it to the Juſtice immediately.

How the penalties are to be divided.

Certificate into the Exchequer.

III. And be it further enacted by the authority aforeſaid, That every perſon who ſhall take upon him to Preach or Teach in any ſuch Meeting, Aſſembly or Conventicle, and ſhall thereof be convicted as aforeſaid, ſhall forfeit for every ſuch firſt Offence the Sum of Twenty pounds, to be levied in manner aforeſaid upon his Goods and Chattels; (2) And if the ſaid Preacher or Teacher ſo Convicted, be a Stranger, and his Name and Habitation not known, or is fled, and cannot be found, or in the judgment of the Juſtice, Juſtices or chief Magiſtrate before whom he ſhall be Convicted, ſhall be thought unable to pay the ſame, the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively, are hereby impowred and required to levy the ſame by Warrant as aforeſaid, upon the Goods and Chattels of any ſuch perſons who ſhall be preſent at the ſame Conventicle; Any thing in this or any other Act, Law or Statute to the contrary notwithſtanding; And the Money ſo levied, to be diſpoſed of in manner aforeſaid: (3) And if ſuch Offender ſo Convicted as aforeſaid, ſhall at any time again commit the like Offence or Offences contrary to this Act, and be thereof Convicted in manner aforeſaid, then ſuch Offender ſo convicted of ſuch like Offence or Offences, ſhall for every ſuch Offence, incur the penalty of Forty pounds, to be levied and diſpoſed as aforeſaid.

The penalty of ſuch as preach or teach in a Conventicle. How to be levied and diſpoſed.

IV. And be it further enacted by the authority aforeſaid, That every perſon who ſhall wittingly and willingly ſuffer any ſuch Conventicle, Meeting or unlawful Aſſembly aforeſaid, to be held in his or her Houſe, Out-houſe, Barn, Yard, or Backſide, and be Convicted thereof in manner aforeſaid, ſhall forfeit the ſum of Twenty pounds, to be levied in manner aforeſaid, upon his or her Goods and Chattels; or in caſe of his or her poverty or inability as aforeſaid, upon the Goods and Chattels of ſuch perſons who ſhall be Convicted in manner aforeſaid, of being preſent at the ſame Conventicle; and the Mony ſo levied, to be diſpoſed of in manner aforeſaid.

The forfeiture of ſuch as ſuffer Conventicles in their houſes.

V. Provided always, and be it enacted by the authority aforeſaid, That no perſon ſhall by any Clauſe of this Act be liable to pay above Ten pounds for any one Meeting, in regard of the poverty of any other perſon or perſons.

Proviſo.

Appeals may be and to whom, and in what caſes.

VI. Provided alſo, and be it further enacted, That in all caſes of this Act, where the penalty or ſum charged upon any offender exceeds the ſum of Ten ſhillings, and ſuch offender ſhall find himſelf agrieved, it ſhall and may be lawful for him within one week after the ſaid penalty or Money charged ſhall be paid or levied, to appeal in writing from the perſon or perſons convicting, to the judgment of the Juſtices of the Peace in their next Quarter Seſſions, (2) to whom the Juſtice or Juſtices of Peace, chief Magiſtrate or Alderman, that firſt convicted ſuch offender, ſhall return the Mony levied upon the Appellant, and ſhall certifie under his and their Hands and Seals, the Evidence upon which the Conviction paſt, with the whole Record thereof, and the ſaid Appeal: (3) Whereupon ſuch offender may plead and make defence, and have his Trial by a Jury thereupon: (4) And in caſe ſuch Appellant ſhall not proſecute with effect, or if upon ſuch Trial he ſhall not be acquitted, or Judgment paſs not for him upon his ſaid Appeal, the ſaid Juſtices at the Seſſions, ſhall give treble Coſts againſt ſuch offender for his unjuſt Appeal: (5) And no other Court whatſoever ſhall intermeddle with any Caſe or Cauſes of Appeal upon this Act, but they ſhall be finally determined in the Quarter Seſſions only.

Appellant to enter into a Recognizance.

VII. Provided always, and be it further enacted, That upon the delivery of ſuch Appeal as aforeſaid, the perſon or perſons Appellant ſhall enter before the perſon or perſons convicting, into a Recognizance, to proſecute the ſaid Appeal with effect: (2) Which ſaid Recognizance the perſon or perſons convicting is hereby impowred to take, and required to certifie the ſame to the next Quarter-Seſſions: (3) And in caſe no ſuch Recognizance be entred into, the ſaid Appeal to be null and void.

VIII. Provided always, That every ſuch Appeal ſhall be left with the perſon or perſons ſo convicting as aforeſaid, at the time of the making thereof.

Juſtices of Peace, Conſtables, &c. upon refuſal, may break open doors.

IX. And be it further enacted by the authority aforeſaid, That the Juſtice, Juſtices of the Peace and chief Magiſtrate reſpectively, or the reſpective Conſtables, Headboroughs and Tything-men by Warrant from the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively, ſhall and may with what aid, force and aſſiſtance they ſhall think fit, for the better execution of this Act, after refuſal or denial to enter, break open, and enter into any Houſe or other place, where they ſhall be informed any ſuch Conventicle as aforeſaid, is or ſhall be held, as well within Liberties as without, (2) and take into their cuſtody the perſons there unlawfully aſſembled, to the intent they may be proceeded againſt according to this Act: (3) And that the Lieutenants or Deputy Lieutenants, or any Commiſſionated Officer of the Militia, or other of his Majeſties Forces, with ſuch Troops or Companies of Horſe and Foot; and alſo the Sheriffs, and other Magiſtrates and Miniſters of Juſtice, or any of them, joyntly or ſeverally, within any the Counties or places within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, with ſuch other Aſſiſtance as they ſhall think meet, or can get in readineſs with the ſooneſt, on Certificate made to them reſpectively under the Hand and Seal of any one Juſtice of the Peace or chief Magiſtrate, of his particular Information or Knowledge of ſuch unlawful Meeting or Conventicle held, or to be held in their reſpective Counties or places, and that he with ſuch aſſiſtance as he can get together, is not able to ſuppreſs and diſſolve the ſame, ſhall and may, and are hereby required and enjoyned to repair unto the place where they are ſo held, or to be held, and by the beſt means they can to diſſolve, diſſipate or prevent all ſuch unlawful Meetings, and take into their Cuſtody ſuch and ſo many of the ſaid perſons ſo unlawfully aſſembled as they ſhall think fit, to the intent they may be proceeded againſt according to this Act.

Lieutenants, Deputy Lieutenants, and Commiſſionated Officers of the Militia, muſt diſperſe Conventicles either with Horſe or Foot

Proviſo for Peers of the Realm.

X. Provided always, That no Dwelling-houſe of any Peer of this Realm, where he or his Wife ſhall be then reſident, ſhall be ſearched by vertue of this Act, but by immediate Warrant from his Majeſty, under his Sign Manual or in the preſence of the Lieutenant, or one Deputy Lieutenant, or two Juſtices of the Peace, whereof one to be of the Quorum, of the ſame County or Riding.

The penalty of all Juſtices of Peace, Conſtables, and other Officers, Civil and Military, that omit their duty in performing this Act.

XI. And be it further enacted by the authority aforeſaid, That if any Conſtable, Headborough, Tythingman, Churchwarden or Overſeer of the Poor, who ſhall know, or be credibly informed of any ſuch Meetings or Conventicles held, within his Precincts, Pariſhes or Limits, and ſhall not give information thereof to ſome Juſtice of the Peace, or the chief Magiſtrate, and endeavour the conviction of the parties according to his duty; but ſuch Conſtable, Headborough, Tything-man, Churchwardens, Overſeers of the Poor, or any perſon lawfully called in aid of the Conſtable, Headborough or Tything-man, ſhall wilfully and wittingly omit the performance of his duty, in the execution of this Act, and be thereof convicted in manner aforeſaid, he ſhall forfeit for every ſuch offence, the ſum of Five pounds, to be levied upon his Goods and Chattels, and diſpoſed in manner aforeſaid: (2) And that if any Juſtice of the Peace, or chief Magiſtrate, ſhall wilfully and wittingly omit the performance of his duty in the execution of this Act, he ſhall forfeit the ſum of One hundred pounds, the one moiety to the uſe of the Informer, to be recovered by Action, Suit, Bill or Plaint, in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall lie.

All perſons indempnified that put this Act in execution.

XII. And be it further enacted by the authority aforeſaid, That if any perſon be at any time Sued for putting in execution any of the powers contained in this Act, otherwiſe than upon Appeal allowed by this Act, ſuch perſon ſhall and may plead the general Iſſue, and give the ſpecial matter in Evidence; (2) and if the Plaintiff be Non-ſuit, or a Verdict paſs for the Defendant, or if the Plaintiff diſcontinue his Action, or if upon Demurrer, Judgment be given for the Defendant, every ſuch Defendant ſhall have his full treble Coſts.

This Act to be interpreted moſt beneficially for the ſuppreſſing Conventicles.

XIII. And be it further enacted by the authority aforeſaid, That this Act, and all Clauſes therein contained, ſhall be conſtrued moſt largely and beneficially for the ſuppreſſing of Conventicles, and for the juſtification and encouragement of all perſons to be employed in the execution thereof; (2) And that no Record, Warrant or Mittimus to be made by vertue of this Act, or any proceedings thereupon, ſhall be reverſed, avoided or any way impeached by reaſon of any default in form. (3) And in caſe any perſon offending againſt this Act, ſhall be an

Inhabitant in any other County or Corporation, or flie into any other County or Corporation after the offence committed, the Juſtice of Peace or chief Magiſtrate before whom he ſhall be convicted as aforeſaid, ſhall certifie the ſame under his Hand and Seal, to any Juſtice of Peace, or chief Magiſtrate of ſuch other County or Corporation wherein the ſaid perſon or perſons are Inhabitants, or are fled into, (4) which ſaid Juſtice or chief Magiſtrate reſpectively, is hereby authorized and required to levy the penalty or penalties in this Act mentioned, upon the Goods and Chattels of ſuch perſon or perſons, as fully as the ſaid other Juſtice of Peace might have done in caſe he or they had been Inhabitants in the place where the offence was committed.

XIV. Provided alſo, That no perſon ſhall be puniſhed for any offence againſt this Act, unleſs ſuch Offender be proſecuted for the ſame within three months after the Offence committed. (2) And that no perſon who ſhall be puniſhed for any offence by vertue of this Act, ſhall be puniſhed for the ſame offence by vertue of any other Act or Law whatſoever.

Offenders to be proſecuted within three months after the offence.

XV. Provided, and be it further enacted by the authority aforeſaid, That every Alderman of London for the time being, within the City of London, and the Liberties thereof, ſhall have (and they and every of them are hereby impowred and required to execute) the ſame power and authority within London, and the Liberties thereof, for the examining, convicting and puniſhing of all offences within this Act committed within London, and the Liberties thereof, which any Juſtice of the Peace hath by this Act in any County of England, and ſhall be ſubject to the ſame penalties and puniſhments, for not doing that which by this Act is directed to be done by any Juſtice of Peace in any County of England.

Aldermen within London have the ſame power there, as Juſtice of Peace elſewhere.

XVI. Provided, and be it enacted by the authority aforeſaid, That if the perſon offending, and convicted as aforeſaid, be a Feme-covert, cohabiting with her Husband, the penalties of Five ſhillings, and Ten ſhillings, ſo as aforeſaid incurred, ſhall be levied by Warrant, as aforeſaid, upon the Goods and Chattels of the Husband of each Feme-covert.

Feme-covert.

XVII. Provided alſo, That no Peer of this Realm, ſhall be attached or impriſoned by vertue or Force of this Act; Any thing, matter or clauſe therein to the contrary notwithſtanding.

Peers of the Realm.

XVIII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to invalidate or void his Majeſties Supremacy in Eccleſiaſtical Affairs; (2) But that his Majeſty, and his Heirs and Succeſſors may from time to time, and at all times hereafter, exerciſe and enjoy all powers and authority in Eccleſiaſtical Affairs, as fully and as amply as himſelf or any of his Predeceſſors have or might have done the ſame; Any thing in this Act notwithſtanding.

Proviſon for the Kings Supremacy.

CAP. II.

An Act for Repairing of the Haven and Piers of Great Yarmouth.

Whereas the Borough of Great Yarmouth in the County of Norfolk, is an ancient Borough bordering upon the Sea, and of great ſtrength to reſiſt the Enemy in time of War, and at all times of great neceſſity and importance, as well for his Majeſties Service as alſo for the general good and benefit of the whole Kingdom, eſpecially in reſpect of the preſervation of the Fiſhery, and the breeding and employing many thouſand of skilful Mariners and Seamen; The truth whereof by long experience hath been ſufficiently evinced: (2) And whereas the Inhabitants of the ſaid Borough have waſted the Revenues in and about the defraying the daily, great, unſupportable and unavoidable charge, of repairing and maintaining the Haven belonging to the ſaid Borough, and the Piers thereof, and of themſelves are in no wiſe able to repair and maintain the ſame as formerly they have done, being much impoveriſhed by the late War and Plague, and by the great decay of all Trading, eſpecially the Fiſhery; ſo that the great benefit accruing by the ſaid Haven muſt of neceſſity be loſt (unles timely prevented) to the ruin of the Inhabitants of the ſaid Borough, and the great prejudice of the whole Kingdom:

Yarmouth an ancient Borough, and of great importance.

II. For the prevention whereof, and to the end the ſaid Haven and Piers may with all convenient ſpeed be repaired, and at all times hereafter maintained, preſerved and kept in good reparations, and Timber and other Materials for that end and purpoſe provided and furniſhed from time to time as occaſion ſhall require;

The intent of this Act.

III. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for ten years from and after the Four and twentieth day of June now next enſuing, there ſhall be paid by the Maſter or other perſon having the Rule and Command of any Ship, or Veſſel unlading within the ſaid Haven of great Yarmouth, at the time of the unlanding thereof, for the Goods hereafter mentioned (that is to ſay) for every Chalder of Coals (Wincheſter Meaſure) Laſt of Wheat, Rye, Barley, Mault or other Grain, and for every Weigh of Salt, and every Tun of any other Goods and Merchandizes whatſoever, Cod-fiſh, Ling, Herrings, and other Fiſh only excepted, which ſhall be imported and unladen in the ſaid Haven, ſuch ſum or ſums of money not exceeding the ſum of Twelve pence for every Chalder of Coals (Wincheſter Meaſure) Laſt of Wheat, Rye, Barley, Mault or other Grain, and for every Weigh of Salt, and every Tun of any other Goods and Merchandizes whatſoever, (except before excepted) as the Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Borough of Great Yarmouth in Common Council aſſembled, ſhall from time to time order or appoint.

A rate impoſed upon Seacoals, Wheat, Rye, Barley, Mault, &c. for ten years, towards the repair of Yarmouth Haven and Pier.

IV. And to the intent that the ſums of Money to be paid as aforeſaid, may be duly collected and levied for the uſe and purpoſe aforeſaid, (2) Be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Borough in Common Council aſſembled, from time to time and at all times hereafter for and during the ſaid term of ten years, to nominate and chuſe ſuch perſon or perſons to be Collector or Collectors, Receiver or Receivers of every ſuch ſum and ſums of mony, as ſhall be ordered or appointed to be paid as aforeſaid, as they ſhall think

Bayliffs, Aldermen and Burgeſſes there, may appoint Collectors of the ſaid Rate.

fit: (3) All which ſums of money the ſaid Collector or Collectors, Receiver or Receivers, ſhall from time to time pay, or cauſe to be paid into the hands of the Chamberlains of the ſaid Borough for the time being for the uſe of the ſaid Bailiffs, Aldermen, Burgeſſes and Commonalty, for the intent and purpoſe aforeſaid, and to none other intent or purpoſe whatſoever.

Commiſſioners appointed to have inſpection of the receipts and diſburſments of all ſuch Moneys. When and by whom to be appointed.

V. And to the intent that all and every the ſum and ſums of money which ſhall be collected and levied by vertue of this Act, may be employed for and towards the repairing the ſaid Haven and Piers, (2) Be it enacted by the authority aforeſaid, That there ſhall be eight Commiſſioners from time to time nominated and appointed to have the Inſpecttion, and to take account of the Receipts and diſburſements of all ſuch moneys as ſhall be ſo collected and levied during the term aforeſaid: Two of which ſaid Commiſſioners ſhall be yearly, and every year from time to time nominated and appointed by the ſaid Bailiffs, Aldermen, Burgeſſes and Commonalty of the ſaid Borough in Common Council aſſembled; and other two of the ſaid eight Commiſſioners to be in like manner nominated and appointed by the Mayor, Aldermen and Commons of the City of Norwich, in Common Council aſſembled; and other two of them, to be in like manner nominated and appointed by the Juſtices of the Peace for the ſaid County of Norfolk; and other two of them to be in like manner nominated and appointed by the Juſtices of the Peace for the County of Suffolk at the reſpective Seſſions of the Peace to be holden for the ſaid Counties of Norfolk and Suffolk reſpectively: (3) Which ſaid Commiſſioners, or any five or more of them, ſhall and may from time to time during the ſaid term, call before them the Collectors, Receivers or others who ſhall be intruſted with the Collection, Receipt or Employment of the moneys to be Collected and received in purſuance of this Act, who ſhall, and are by vertue of this Act required to render unto the Commiſſioners, or any five or more of them, a true Account thereof, and of all and every Sum and Sums of money which ſhall reſt due upon ſuch Account; (4) And the ſaid Commiſſioners, or any five or more of them, ſhall and may order and appoint all ſuch moneys which ſhall reſt due upon ſuch Accompt, to be laid out and expended for and towards the uſes and purpoſes aforeſaid, as there ſhall be cauſe; (5) and the Bayliffs of the ſaid Borough for the time being, or one of them, are hereby enabled and required to adminiſter an Oath to every ſuch Collector or Collectors, Receiver or Receivers as ſhall be nominated and choſen as aforeſaid, for the true and faithful executing his or their Office in and about the Premiſſes, according to the true intent and meaning of this preſent Act.

The Commiſſioners power.

Allowance to the Collectors, Receivers, &c.

VI. Provided, That the ſaid Collector and Collectors, Receiver or Receivers to be nominated and choſen as aforeſaid, and every of them, ſhall from time to time be allowed for their pains in executing the ſaid Office, out of the Sums of mony by them received, ſo much as the ſaid Bayliffs, Aldermen, Burgeſſes, and Commonalty in Common Council aſſembled, ſhall think fit, not exceeding Two pence in the pound.

Collectors may at ſeaſonables times enter Ships to ſee what Goods are there.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers for the time being, and every or any of them, from time to time, and at all convenient and ſeaſonable times, to enter into any Ship or Veſſel being within the ſaid Haven, there to ſee and inform themſelves what Goods ſhall be in the ſame unladen out thereof.

And for non-payment of the Rate, diſtrain upon the ſaid Ship &c.

VIII. And in caſe the ſaid Sum or Sums of money ſo ordered or appointed to be paid, as aforeſaid, ſhall not be paid by the Maſter, or other perſon or perſons having the rule and command of any Ship or Veſſel unlading within the ſaid Haven, as aforeſaid, according to the true intent and meaning of this Act, That then, and ſo often it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers, and every or any of them, by Warrant obtained from the Bayliffs of the ſaid Borough of Great Yarmouth for the time being or one them, under their, or one of their Hands and Seals, to take and diſtrain every ſuch Ship or Veſſel, and all Tackle, Apparel and Furniture thereunto belonging, or any part thereof, and the ſame to detain and keep until he or they be ſatisfied and paid the ſaid ſums of money, and every of them.

Diſtreſſes to be ſold.

IX. And in caſe of neglect or delay of or in the payment of the ſaid ſum or ſums of money or any of them, within ten days after any Diſtreſs or Diſtreſſes ſo taken as aforeſaid, That then it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers, and every, or any of them, to ſell the ſaid Diſtreſs or Diſtreſſes ſo taken, and therewith to ſatisfie him or themſelves, as well for and concerning the Duty ſo neglected or delayed to be paid, and for which a Diſtreſs ſhall be ſo taken, as aforeſaid: As alſo for his and their reaſonable charge in the taking or keeping of ſuch Diſtreſs, rendring to the Maſter, or other perſon having the rule and command of the Ship or Veſſel, in or from which ſuch Diſtreſs ſhall be ſo taken, the Overplus, if any there ſhall be.

What is exempted from payment of the ſaid Duty.

X. Provided always, and be it further enacted by the authority aforeſaid, That ſuch Oyls and Fiſh-livers, as ſhall be obtained in and upon any Fiſhing Voyage or Voyages, and ſuch remainder of Salt, Bread, Beer and other Proviſion, as ſhall be taken in any Ship or Veſſel, for the accompliſhing any Fiſhing Voyage or Voyages, or into any Ship or Veſſel for the maintenance of the Maſter and Mariners ſerving therein, upon any other Voyage or Voyages to be made with ſuch Ship or Veſſel, and not ſpent therein, ſhall be exempted from the payment of the ſaid Duty; Any thing herein contained to the contrary notwithſtanding.

XI. And to the end the Haven and Pier aforeſaid may be repaired and maintained with as much thrift and good husbandry as may conſiſt with the effectual and ſubſtantial performance thereof, and that all parties who are by this Act made Contributary to the ſame, may be ſatisfied therein, (2) Be it further enacted by the authority aforeſaid, That at the next Quarter Seſſions which ſhall be after the firſt day of May next holden at the Caſtle of Norwich, there ſhall be three perſons choſen by the Juſtices of the Peace at the ſaid Quarter Seſſions for the County of Norfolk, and the like number ſhall be choſen at the aforeſaid Quarter Seſſions to be holden at Beckles for the County of Suffolk, as alſo two perſons ſhall be choſen by the City of Norwich, and two by the Town of Great Yarmouth aforeſaid, in ſuch manner as is in this Act before directed, who are hereby authorized and required to meet at Great Yarmouth, on or before the Twenty ninth day of September next, and to Adjourn to ſuch further time or times, place or places, as occaſion ſhall require: (3) which ten perſons choſen as aforeſaid, or any Five or more of them meeting as aforeſaid, upon conſideration and examination upon Oath (which Oath they or any Five of them have hereby power to adminiſter) to be had of the preſent ſtate of the Haven and Pier aforeſaid, and of the repair neceſſary to the ſame, are hereby authorized and impowred to Treat and Contract with any perſon or perſons (whom they ſhall think fitly qualified for the undertaking the Repair aforeſaid, and capable ſufficiently to ſecure the performance thereof) concerning the preſent Repair of the ſaid Haven and Pier, and maintaining the ſame in good repair for the ſpace of ſeven years, and to be obliged at the determination thereof to leave the ſame in good and ſufficient Repair, in ſuch manner and under ſuch Covenants and Conditions as they ſhall think fit: (4) And if the ſaid ten perſons aforeſaid, or any five or more of them ſhall find it convenient to make any ſuch Contract as aforeſaid, before the Five and twentieth day of December next enſuing, Then the Impoſition authorized by this Act to be levied as aforeſaid, upon Goods unladen in the Port of Great Yarmouth, ſhall be continued no longer than till the ſum neceſſary for performance of ſuch Contract, together with the neceſſary Charges for levying the ſame, to be accounted and allowed as aforeſaid, ſhall be raiſed and paid: (5) But if the ſaid ten perſons, or any five or more of them, as aforeſaid, thereunto appointed by this Act, ſhall not make and conclude a Contract for the repairing and maintaining the ſaid Haven and Pier, as is hereby directed, before the Five and twentieth day of December next enſuing, Then the ſame ſhall be repaired by the direction and care of the Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Town of Great Yarmouth in Common Council aſſembled for the time being, and the money raiſed and levied by vertue of this Act ſhall be accounted for, as in the former part of this Act is directed, and as if no mention had been made of any Bargain or Contract to be made for the performance thereof.

Ten perſons to be choſen to contract with Workmen for the repair of the the Haven.

In default of ſuch Contract who ſhall take care of the ſaid Reparations.

XII. Provided, That if by the Annual Impoſition hereby impoſed, the Pier ſhall be repaired within leſs than ten years, That then the ſaid Impoſition ſhall ceaſe, when the ſum ſo employed in the repair of the Pier ſhall have been raiſed thereby. 22 Car. 2. 10. Sect. 2. N. 2.

The continuance of this Act.

CAP. III.

An Act for granting to his Majeſty an Impoſition upon all Wines and Vinegar Imported between the Four and twentieth day of June, One thouſand ſix hundred ſeventy, and the Four and twentieth day of June, One thouſand ſix hundred ſeventh eight.

WE your Majeſties moſt Dutiful and Loyal Subjects the Commons aſſembled in Parliament, for a ſupply of your Majeſties weighty and important occaſions, and with an humble and thankful acknowledgment of your Majeſties favourable and tender regard of us your Commons, have chearfully and unanimouſly given and granted unto your Majeſty, an Aid and Aſſiſtance to be raiſed and levied upon all Wines and Vinegar to be Imported into this your Majeſties Kingdom, according to ſuch Rates, and during ſuch time, and in ſuch manner and form as herein after followeth:

II. And we do humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled and by the authority of the ſame, That for all French Wines, Spaniſh Wines, or other Wines whatſoever; as alſo for oll Vinegar, which at any time after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred and ſeventy, and before the Four and twentith day of June, in the year of our Lord, One thouſand ſix hundred ſeventy eight, ſhall be Imported into England or Wales, or the Town and Port of Berwick upon Tweed, there ſhall be duly anſwered and paid to his Majeſty the further Rates and Duties hereafter mentioned; (that is to ſay) (2) For every Tun of French Wine, and of Vinegar which ſhall be Imported within the time aforeſaid, the ſum of eight pounds by the Tun, and ſo after that Rate for any greater or leſſer quantity: (3) And alſo for every Tun of Spaniſh Wines, or of any other Wines which ſhall be Imported within the time aforeſaid the ſum of Twelve pounds by the Tun, and ſo after that Rate for any greater or leſſer quantity.

An Impoſition upon French Wine, Spaniſh Wine, and all other Wines and Vinegar, from the 24 of June 1670. to the 24 of June, 1678.

III. And for the better and more ſure collecting and receiving of all and ſingular the Duties hereby impoſed, (2) Be it further enacted by the authority aforeſaid, That if any perſon or perſons within the time aforeſaid ſhall Import or cauſe to be Imported by way of Merchandize, any of the Liquors aforeſaid; ſuch Importer ſhall upon the Entry made of ſuch Liquors, and before the Landing thereof, pay down the Duties hereby impoſed in ready mony, deducting the Allowance hereafter mentioned, or otherwiſe become bound unto his Majeſty with two or more ſufficient Sureties, or procure three other perſons to become bound to his Majeſty to anſwer and pay unto his Majeſty the whole Rates and Duties hereby impoſed by three ſeveral and equal payments: The firſt payment thereof to be made within three months after the Date of the ſaid Obligation; The ſecond payment to be made within ſix months after the Date of the ſaid Obligation; And the third and laſt payment to be made within nine months after the Date of the ſaid Obligation; the taking which Bonds, and the Approbation of the Sureties therein to be named, is hereby left to the diſcretion of ſuch Farmers, or other Commiſſioners for the time being, as ſhall be entruſted with the receipt and management of his Majeſties Cuſtoms and Subſidies, of Tunnage and Poundage, or their Deputy-Collectors, in the ſeveral Ports, or ſuch other perſon or perſons as his Majeſty ſhall authoriſe and appoint to collect the Duties ariſing by this Act: (3) And if any perſon or perſons ſhall Import any of the Liquors aforeſaid within the time aforeſaid, not by way of Merchandiſe, nor with the intent to ſell the ſame again, but for his own private uſe or occaſion; ſuch perſon ſo Importing the ſame, ſhall upon Entry thereof made, immediately

Importers before landing to pay the Impoſition, and in what manner and before Landing thereof, pay down the whole Duties by this Act impoſed, in ready mony, without any further time given, or any Security to be accepted for the ſame, or any Abatement or Diſcount to be therefore made upon any pretence whatſoever.

Abatement upon paying ready mony.

IV. Provided always, and it is hereby declared and enacted, That all and every perſon and perſons Importing any of the Liquors aforeſaid, within the time aforeſaid, by way of Merchandiſe, who ſhall pay the Duties which by this Act are due and payable, in ready moneys, ſhall be allowed and abated out of the ſaid Duties, after the rate of Ten pounds per Cent. for a year, in conſideration of ſuch ready money ſo paid down and advanced.

Penalties for non-payment of the Rates and Duties impoſed by this Act.

V. And be it further enacted by the authority aforeſaid, That if any of the ſaid Liquors ſhall be Imported within the time aforeſaid, and landed without preſent payment made of the Rates and Duties by this Act impoſed, in caſes where this Act requires preſent payment to be made, or without Security given for payment thereof in caſes where this Act admits of Security to be taken, That then and in every ſuch caſe, all and every the Liquors ſo Imported and Landed, or the value thereof ſhall be forfeited: One moiety thereof to his Majeſty, and the other moiety to him or them that ſhall or will ſue for the ſame: And ſhall and may be recovered in any Court of Record by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; nor any more than one Imparlance: (2) And yet nevertheleſs the perſon ſo Importing and Landing any of the ſaid Liquors ſhall notwithſtanding ſuch Forfeitures ſo as aforeſaid incurred, remain and continue liable unto, and ſhall anſwer and pay unto his Majeſty the Rates and Duties for ſuch Liquors, which by this Act are due and payable.

12 Car. 2. c. 4.

VI. And whereas by the Act for Tunnage and Poundage, and the Inſtructions and Rules for collecting his Majeſties Duties ariſing thereby, it is directed, that certain Allowances be made upon Importation of Wines and other Liquors;

Allowances.

VII. Be it further enacted, That no Importer thereof ſhall be chargeable by vertue of this Act to pay the Duty hereby required for any greater proportion of Wines or other Liquors duly entred at the Cuſtom-houſe, than what ſhall remain Neat after all ſuch Allowances and Abatement.

Importers not Retailers ſhall have abatements.

VIII. And whereas this preſent Act gives no Abatement to any perſon upon Exportation of any the Liquors aforeſaid, (2) Be it further enacted and Declared, That all Importers not being Vintners or Retailers, (who are hereby declared ſhall pay ready money for the whole Duty) who ſhall Import any of the aforeſaid Liquors within the time aforeſaid, and ſhall make Oath that the ſame are Imported by way of Merchandiſe, and with intent to ſell again, (which Oath the Farmers or Commiſſioners of his Majeſties Cuſtoms for the time being, or in their abſence the Collector of his Majeſties Cuſtoms in each ſeveral reſpective Port, or ſuch other perſon or perſons as his Majeſty ſhall authoriſe and appoint to collect the Duties ariſing by this Act, have hereby power to adminiſter) That then and in every ſuch caſe, for and in conſideration of any defect or damage that may happen by any of the aforeſaid Liquors lying longer on the ſaid Importers hands than heretofore, or by reaſon of any other Accident, there ſhall be allowed and abated to every ſuch Importer, the further allowance of Eight pounds per Cent. and no more.

Prizage-wine

IX. Provided, That no Merchant ſhall be charged with any Duty impoſed by this Act, for the Prizage-Wine which he Imports in any Ship or Veſſel, nor ſhall any Security be by him given for the ſame, but that it be received and taken from the perſon who hath or enjoyeth the benefit of the ſaid Prizage-Wine, who is hereby appointed to pay the ſame.

None ſhall receive back any Duties impoſed by this Act.

X. Provided always, and it is hereby declared and enacted, That if any of the ſaid Imported Liquors, for which any of the Rates and Duties by this Act impoſed, ſhall be paid down and advanced, or otherwiſe ſecured as aforeſaid, ſhall at any time after ſuch Importation be again exported into parts beyond the Seas, That then and in every ſuch caſe the perſon or perſons ſo exporting the ſame, ſhall be wholly barred and excluded from having or receiving back the Duties of this Act ſo paid down and advanced, or any part thereof: Nor ſhall the Security formerly given be ſuch perſon Exporting, for the due payment of the Duties by this Act impoſed, be any ways Raiſed, Leſſened, or Diſcharged by reaſon of ſuch Exportation, but the ſame Securities ſhall remain and continue in force, until the Duties thereby ſecured, be fully and wholly ſatisfied and paid; Any ſuch Exportation to the contrary notwithſtanding.

Power given to the Officers of the Cuſtoms to ſearch, &c.

XI. And for the better preventing of all ſuch Frauds, which at any time hereafter may be committed to the prejudice of his Majeſty, in the due collecting and receiving of the Duties hereby Impoſed upon ſuch Liquors to be Imported as aforeſaid, (2) Be it further enacted by the authority aforeſaid, That the Officers of his Majeſties Cuſtoms, or ſuch other perſon or perſons as his Majeſty ſhall authoriſe and appoint to collect the Duties ariſing by this Act, ſhall have like Power and Authority to enter on Board Ships and Veſſels, and make Searches, and to do all other matters and things which may tend to ſecure the true payment of the Duties by this Act impoſed, and the due and orderly Collection thereof, which any Cuſtomers, Collectors, or other Officers of any his Majeſties Ports, can or may do touching or ſecuring his Majeſties Cuſtoms of Tunnage and Poundage, and all the ſaid Liquors to be Imported within the time aforeſaid, and Landed, without doing and performing what by this Act is required to be done and performed before the Landing thereof.

The Penalties of ſuch as ſhall be found to defraud his Majeſty of the ſaid Duties.

XII. And all Officers of his Majeſties Cuſtoms, and all perſons Importing any of the ſaid Liquors, and all others employed by his Majeſty in the Collection of Duties ariſing by this Act, who ſhall be found guilty of any act or neglect tending to defraud his Majeſty of any the Duties hereby impoſed, ſhall be ſubject and liable to the ſame Seizures, Penalties and Forfeitures, which by vertue of any former Act can or may be inflicted in ſuch caſes where his Majeſty is defrauded, or endeavoured to be defrauded of any his Cuſtoms and Subſidies, as fully and amply as if the ſame Clauſes of Seiſures, Penalties and Forfeitures, and the ſame diſtribution of ſuch Forfeitures, the ſame remedy for recovery thereof, had been again in this Act particularly repeated, applyed and enacted.

XIII. And if any Liquors ſeized for any offence committed againſt this Act, ſhall be claimed by any perſon as the Importer thereof, the proof whether the duties thereof be duly paid or ſecured, ſhall lie upon ſuch Claimer, and ſhall not be incumbent on his Majeſty, or any Proſecutor or Informer on behalf of his Majeſty, and himſelf.

XIV. And it is hereby further declared and enacted, That until the whole Moneys intended to be raiſed by an Act entituled, An Act for raiſing Three hundred and ten thouſand Pound, by an Impoſition upon Wines and other Liquors, be fully raiſed and ſatisfied, all Entries, Obligations and Securities made or entred into by any Retailer before the Four and twentieth day of June, One thouſand ſix hundred and ſeventy, for payment of any the duties by the ſaid Act impoſed, ſhall remain and continue in full force, although the Liquors, the duties whereof are ſo ſecured, ſhall be uttered by retail after the ſaid Four and twentieth day of June, One thouſand ſix hundred and ſeventy: (2) And alſo that his Majeſty, and all others claiming by, from and under his Majeſty, ſhall have the ſame power and authority for levying all arrearages of the rates and duties, fines and forfeitures which already are, or hereafter ſhall grow due by vertue of the ſaid Act, as fully and amply as he or they might have had, if this preſent Act had never been had nor made.

20 Car. 2. c. 13. Obligations and Securities given by any Retailers, before June 24. 1670. to continue in force.

XV. And whereas ſeveral perſons have advanced great ſums of money for his Majeſties Service, at the rate of Six pounds per Cent. upon the Security of the former Act, and in order to the ſatisfaction of their Debts, are Regiſtred in courſe in his Majeſties Court of Exchequer, as by the ſaid Act was required: To the end therefore, that all and every the Rates and Impoſitions by the ſaid former Act made due and payable, may be fully anſwered during ſuch time as the ſaid Act is to continue in force, and the ſaid Security made effectual, by a diſcovery of ſuch Wines, and other Liquors aforeſaid chargeable by the ſaid Act, which have been, or before the Four and twentieth day of June, One thouſand ſix hundred and ſeventy, ſhall be delivered out to any Retailer without due payment made, or Security given for the Duties by the ſaid Act impoſed;

XVI. Be it further enacted, That the Authority given to the preſent Commiſſioners for the execution of the ſaid former Act, ſhall continue in force until the firſt day of October next enſuing, and ſhall be transferred to, and put in execution by ſuch other perſons, as the Kings Majeſty ſhall for that purpoſe appoint: And ſuch other perſons ſo to be appointed, ſhall have power to inform themſelves by the Entries at the Cuſtom-Houſe, or otherwiſe, what Quantities of Wines have been Imported ſince the Firſt day of October laſt paſt, and what Quantity of other Liquors have been Imported ſince the Firſt day of Febuary, One thouſand ſix hundred ſixty and nine, and to examine each Importer upon Oath, to what Retailer the ſame were ſold or delivered: (2) And all Imoporters refuſing to be ſo examined, ſhall be, and are hereby charged with the payment of ſo much Money as the ſaid Wines, or other Liquors entred by ſuch Importer at the Cuſtom-Houſe, would have amounted to, in caſe the ſame had been ſold to any Retailer: (3) And the Oath of every Importer ſhall be, and is heredy declared a ſufficient Conviction of every Retailer touching the Quantities of Wines, or other Liquors, to him ſold or delivered to retail: And all and every Retailer ſhall be, and is hereby charged with ſo much mony as the duties of ſuch Liquors ſo ſworn to be delivered, do amount unto by the ſaid former Act; And his Majeſty ſhall and may the ſame to be levied accordingly.

The Commiſſioners authority to continue in force to the firſt of October, 1670. and to what purpoſes.

Importers examined upo Oath.

XVII. And foraſmuch as great quantities of Wine have been Imported ſince the Firſt day of October, One thouſand ſix hundred ſixty and eight, by perſons being Retailers of Wines; which Wines, or a great part thereof, have not paid the duty, as by the ſaid Act ought to have been done, (2) Be it therefore enacted by the authority aforeſaid, That all and every ſuch Retailer ſhall pay the duty for all ſuch Wine as was by him ſo imported, and the Cuſtom-Houſe Book, and his Entry thereof ſhall be a charge upon ſuch Retailer: (3) And the ſaid Retailer ſhall pay for all ſuch Wines ſo entred, as he ſhall not diſcharge himſelf either by his own corporal Oath, or by the Oath of two other credible Witneſſes, that he hath already paid the ſaid duty, or ſecured the ſame, or hath ſold ſuch Wine to ſome other Retailer.

Retailers to pay for all wines by them imported from the firſt day of October, 1668.

XVIII. Provided, That no perſon be compellable to travel out of the County where he dwelleth, to take the ſaid Oath.

XIX. And be it further enacted, That all Liquors aforeſaid, which upon the Four and twentieth day of June, One thouſand ſix hundred and ſeventy, ſhall remain in the Cellars or Store-houſes of any Merchant, Importer, Wine-Cooper, or other Trading perſon or Retailer (unleſs the ſaid Retailer hath paid or ſecured the duty) ſhall be liable unto, and charged with the duty impoſed by this Act, and ſhall pay or ſecure to his Majeſty the duty due for the ſame, having allowance of the ſame abatements and defalcations to all intents and purpoſes, as if he the ſaid Wine had been Imported within the time limted by this preſent Act.

All Liquors remaining in Cellars, Store-houſes &c. the 24th of June, 1670. liable to the duty impoſed by this Act.

XX. And to the end that there may be an Accompt taken of all ſuch Wines ſo remaining, Be it further enacted, That it ſhall and may be lawful for his Majeſty to appoint one or more perſons to ſearch for the ſame, and take an accompt thereof. (2) And if any Importer, or other perſon aforeſaid, ſhall ſell, remove, or otherwiſe diſpoſe any ſuch Wines before the Security given, or Money paid, as in this Act is directed in caſe of Importation, all ſuch Wines ſo ſold, removed or diſpoſed, or the value thereof, ſhall be forfeited and loſt, together with the value of the duty which ought to have been paid his Majeſty for the ſame; One half to his Majeſty, and the other half to him or them that ſhall ſue for the ſame in any Court of Record, to be recovered by Action of Debt, Bill, Plaint, or Information: (3) And all Moneys to be received or recovered by vertue of this Clauſe, ſhall in the firſt place be applyed for and toward the ſatisfaction of ſuch Creditors as have advanced Mony upon the Credit of the ſaid former Act, in ſuch order and courſe as they now ſtand Regiſtred in his Majeſties Court of Exchequer.

Account.

Wines removed or diſpoſed before the duty paid, ſhall be forfeited.

CAP. IV.

An Act for the ſetling the Impoſition on Brandy.

12 Car.2. c.23.
12 Car.2.c.24.

Whereas by two Acts made in the Twelfth year of his Majeſties Reign, and confirmed by thys preſent Parliament, there was laid upon every Gallon of Spirits, made of any kind of Wine or Sider Imported, the rate and duty of Four pence, namely, by each of the ſaid Acts Two pence: And upon every Gallon of Strong-water perfectly made, Imported from beyond the Seas, the rate and duty of Eight pence; (2) And whereas ſome doubts have been made and raiſed concerning a certain Liquor Imported from beyond the Seas, called Brandy, whether the ſame ſhould pay the rate and duty laid by the ſaid Acts upon Spirits made of any kind of Wine or Sider Imported, or the rate and duty thereby laid upon Strong-water perfectly made, Imported from beyond the Seas:

Brandy a Strong-water chargeable by the ſaid two Acts

II. Be it therefore declared by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That the ſaid Liquor called Brandy, was at the time of making and confirming the ſaid Acts, and is a ſtrong water perfectly made, and being imported from beyond the Seas, was and is charged and chargeable in and by the ſaid Acts, with the rate and duty of Eight pence per Gallon, ſet and impoſed in and by both the ſaid Acts upon Strong-waters perfectly made and imported from beyond the Seas, and was not, nor is not chargeable with the rate and duty of Four pence only per Gallon by the ſaid Acts ſet and impoſed upon the Spirits made of Wine or Sider imported.

Eighth pence per Gallon not demanded before the firſt of November, 1666.
No perſon before that chargeable for more than four pence.

III. Provided, always, and it is hereby enacted, That in regard it doth not appear, that the rate or duty of eight pence per Gallon was by his Majeſties Commiſſioners, Farmers, or other Officers, in that behalf claimed or demanded by vertue of the ſaid Acts before the Firſt day of November, in the year of our Lord, One thouſand ſix hundred ſixty and ſix, That no perſon or perſons who have imported any Brandies before that time ſhall be charged or chargeable with any more than the rate and duty of Four pence per Gallon, for any of the ſaid Liquor called Brandy, imported from beyond the Seas, before the ſaid Firſt day of November, in the year of our Lord, One thouſand ſix hundred ſixty and ſix; Any thing in the ſaid Acts, or in this preſent Act to the contrary notwithſtanding.

Penalties, how and when to be levied.

IV. Provided always, and be it further enacted, That no penalty inflicted by the two aforeſaid, or any other Act or Acts of Parliament for non-payment of the ſaid Duties ſince the Firſt day of November, One thouſaid ſix hundred ſixty and ſix, ſhall be levied upon any perſon now in arrear, until the ſaid perſon ſo in arrear, ſhall upon demand to be made after the paſſing of this Act, refuſe to pay the ſaid Duties, or to ſecure the ſame to be paid within three months after ſuch demand; and upon ſuch payment or ſecurity given, all former Bonds or Obligations given for the payment of the Four pences formerly in controverſie, ſhall be delivered up by the ſeveral perſon or perſons in whoſe cuſtody the ſame or any of them are; and that no Jury ſhall be ſubject to any attaint by reaſon of any Verdict heretofore by them given concerning any matter relating to this or any of the aforeſaid Acts.

CAP. V.

An Act for taking away the benefit of Clergy from ſuch as Steal Cloth from the Rack, and from ſuch as ſhall Steal or Imbezil his Majeſties Ammunition and Stores.

Whereas many evil diſpoſed perſons have of late more frequently than in former times, uſed and practiſed the cutting of Cloth and other woollen Manufactures in the night-time, off from the Racks or Tenters, where the ſaid Cloth is put for the drying thereof, and Feloniouſly ſteal and carry away the ſame; to the utter undoing and impoveriſhing of many Clothiers, and the great hinderance of the Trade of Clothing:

31 Eliz. cap.4.
22 & 23 Car.2 Cap.23 Sect. 11

II. And whereas, by an Act made in the One and thirtieth year of the Reign of the late Queen Elizabeth, it is amongſt other this enacted, That if any perſon having the charge or cuſtody of any Armour, Ordinance, Munition, Shot, Powder or Habiliments of War of the ſaid Queens, her Heirs or Succeſſors, or of any Victuals provided for the Victualling of any Souldiers, Gunners, Mariners or Pioniers, ſhall for any lucre or gain, or willingly, adviſedly, and of purpoſe, to hinder or impeach her Majeſties Service, imbezil, purloyn, or convey away any the ſaid Armour, Ordnance, Munition, Shot or Powder, Habiliments of War, or Victuals, to the value of Twenty ſhillings, at one or ſeveral times, That then every ſuch offence ſhall be adjudged Felony, and the offender therein to be proceeded on, and ſuffer as in caſe of Felony; (2) unto the committing of which ſeveral offences many perſons are the more emboldened, in reſpect that in thoſe Caſes the benefit of Clergy is allowed by Law.

Perſons ſtealing Cloth from the Rack, or imbezelling his Majeſties Stores to the value of 20 s. and thereof found guilty, ſhall be excluded from the benefit of Clergy.

III. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and the authority thereof, That no perſon or perſons who ſhall from and after the Five and twentieth day of May, in the year of our Lord, One thouſand ſix hundred and ſeventy, be indicted for felonious cutting and taking, ſtealing and carrying away of any Cloth or other woollen Manufactures, from the Rack or Tenter in the night-time; Or for any offence committed againſt the ſaid recited Act, made in the ſaid One and thirtieth year of Queen Elizabeth; Or ſhall feloniouſly ſteal or imbezil any of his Majeſties Sails, Cordage, or any other his Majeſties Naval Stores, to the value of twenty ſhillings, and thereupon found guilty by Verdict of twelve men, or ſhall confeſs the ſame upon his or their Arraignment, or will not anſwer directly to the ſame according to the Laws of this Realm, or ſhall ſtand wilfully, or of malice, and obſtinately mute, or challenge peremptorily above the number of Twenty, or ſhall be upon ſuch Indictment Outlawed, ſhall from and after the ſaid Five and twentieth day of May, be admitted to have the benefit of his or their Clergy, but utterly be excluded thereof, and ſhall ſuffer Death in ſuch manner and form as they ſhould if they were no Clerks.

IV. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the Judges or Juſtices of the Court before whom ſuch Offender ſhall be arraigned and condemned, at their diſcretion to grant a Reprieve for the ſtaying of execution of ſuch Offender, and to cauſe ſuch Offender to be tranſported to any of his Majeſties Plantations beyond the Seas, there to remain for the ſpace of Seven years, to be accounted from the time of ſuch Tranſportation, and during all that time there to be kept to Labour: (2) And if ſuch Offender ſhall refuſe to be ſo Tranſported, or after ſuch Tranſportation ſhall return, or come again into this Kingdom of England, or the Dominion of Wales, or Town of Berwick upon Tweed, within the time aforeſaid, That then, and in every ſuch caſe, the perſon ſo returning ſhall be put to execution upon the Judgment ſo given and pronounced againſt him.

Judges may reprieve and tranſport them.

Penalty for refuſing to be tranſported, or afterwards to return.

CAP. VI.

An Act for advancing the Sale of Fee-Farm Rents, and other Rents.

Whereas his Majeſty is ſeized of ſeveral Fee-Farm Rents, and other Rents in right of his Crown, ſome whereof are parcel of his Highneſs Dutchy of Cornwall, and is alſo ſeized of ſeveral Fee-farm Rents, and other Rents in right of his Highneſs Dutchy of Lancaſter.

II. And whereas it is convenient that ſome ſpecial Priviledges and Advantages ſhould be granted unto the Purchaſers, which cannot well be transferred unto them without Authority of Parliament; (2) And whereas the better to enable his Majeſty to pay ſuch Debts owing at Intereſt, whereof his Majeſty ſhall find reaſon to haſten the Diſcharge, his Majeſty is minded to grant and convey to certain perſons, and their Heirs and Aſſigns for ever, as Truſtees for Sale thereof, divers Fee-Farm Rents, Rent-Service, Rent-Seck, or Dry-Rents, Chauntry-Rents, Rents reſerved, Guild-Rents, Penſions, Vicontiel-Rents, Aſſart-Rents, Rents for Purpreſtures arented, Rents certain, or divers other Rents of what nature or kind ſoever they be, due and payable to his Majeſty, his Heirs and Succeſſors, as his Majeſty ſhall think fit to mention and expreſs in the ſaid Letters Patents, whether the ſame be due to his Majeſty in right of his Crown of England, or in right of his Dutchy of Lancaſter, or be parcel of, or annexed unto the Dutchy of Cornwal; (3) except always reſerved and forepriƶed out of ſuch Letters Patents, all Quit-rents and Copy-hold Rents, ſtanding in charge as parcel of, or belonging to any Manor, or reputed Manor; (4) and alſo all Tenths and Firſt-fruits, and Rents reſerved nomine Decimæ, due and payable by any Archbiſhop, Biſhop, Dean and Chapter, Archdeacon, Prebendary, Parſon, Vicar, or any other Spiritual or Eccleſiaſtical Corporation;

22 & 23 Car. 2. cap. 24.

Fee-farm Rents, Rents-ſervice, Chauntry, Rents, &c.

Except Quit-Rents, Copy-hold Rents, Tenths, Firſt-fruits, &c.

III. And alſo all Rents reſerved upon any Leaſes or Eſtates, whereof the reverſion is now in his Majeſty, and which are incident to ſuch reverſion; (2) And alſo all Rents reſerved upon any Leaſe or Farm made or granted, or to be made or granted of his Majeſties Cuſtoms or Exciſe: (3) And alſo except all Rents or Sums of Money due and payable to his Majeſty, his Heirs and Succeſſors, for, or in reſpect of any Fire-hearths or Stoves:

IV. Be it therefore enacted by the Kings moſt excellent Majeſty, with the Advice and Aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That all and every Letters Patents to be granted by his Majeſty before the Four and twentieth day of June, in the year of our Lord One thouſand ſix hundred ſeventy two, under his Great Seal, or under his Seal of his Dutchy of Lancaſter, or under the Seal of the County Palatine of Lancaſter, of all or any of the Rents aforeſaid (except before excepted) ſhall be, and are hereby declared and enacted to be good, ſufficient, and effectual in the Law, for the granting and aſſuring the ſeveral Rents aforeſaid, or any of them (except before excepted) and for veſting the ſame in ſuch perſons and their Heirs, as ſhall be therein nominated as Truſtees for the Sale thereof, againſt his Majeſty, his Heirs and Succeſſors, and againſt the Dukes of Cornwall for the time being, and againſt all perſon and perſons that ſhall have, or inherit or enjoy the Dukedom of Cornwall by force of any Act of Parliament, or other Limitation whatſoever, according to the tenour and effect of the ſaid Letters Patents; (2) and the ſame ſhall be expounded, conſtrued, deemed and adjudged moſt beneficially for the Patentees and Grantees of the ſame, and their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, according to the words and purport of the ſaid Letters Patents, without any confirmation, licence or toleration from his Majeſty, his Heirs or Succeſſors; any miſ-naming, miſ-recital, or non-recital of any the Honours, Manors, Caſtles, Lands, Tenements or Hereditaments ſubject and liable to, or charged with the payment of ſuch Rents, or any miſ-recital, or non-recital of any Eſtate-tail formerly made, or of the reverſion thereupon expectant, or any miſ-naming, or not true naming of the Towns, Hamlets, Pariſhes or Counties where the ſame Honours, Manors, Lands, Tenements or Hereditaments charged or chargeable with the ſaid Rents do lie, or any lack of the true naming of the Corporation, or any lack of Attornment, or any miſ-naming, or not naming of any the Tenants or Farmers of the Lands charged, or chargeable with ſuch Rents, or any part thereof, to the contrary notwithſtanding;

Letters Patents granted by the King of certain Rents before the 24th of June, 1672. confirmed.

V. And notwithſtanding any other defect or imperfection which ſhall happen therein, of what nature or kind ſoever it ſhall be: (2) And the ſaid Rents ſo to be granted, ſhall be afterwards conveyed and diſpoſed by the ſaid Patentees and Truſtees, according to the Directions and Inſtructions herein after mentioned.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Patentees and Truſtees, and the Survivor and Survivors of them, ſhall make and execute to all and every perſon and perſons, Bodies politick and corporate, their Heirs, Succeſſors and Aſſigns, who ſhall become purchaſer or purchaſers of the ſaid Rents, or any part thereof, an Indenture or Indentures of Bargain and Sale which ſhall be Inrolled in any of the four Courts at Weſtminſter, within Six months after the Date hereof, and ſhall contain a Conveyance and Aſſurance of the Rents ſo purchaſed, and transfer the ſame by words of Bargain and Sale,

The Patentees and Truſtees may ſell the ſame Rents to any Purchaſer, by Indenture of Bargain and Sale inrolled.

or by word of Grant, Releaſe or Confirmation, or by ſuch other apt words and clauſes as by the ſaid Purchaſer or Purchaſers, their Heirs, Succeſſors or Aſſigns, ſhall be reaſonably deviſed or required, and ſhall be thought moſt ſuitable and convenient to and for the ſeveral Caſes and Titles of ſuch Purchaſer or Purchaſers reſpectively, (2) and ſuch Conveyance or Aſſurance ſhall alſo recite the Conſideration in money paid or given, and thereof, and of every part and parcel thereof, ſhall exonerate, acquit and diſcharge the ſaid Purchaſer or Purchaſers, his and their Heirs, Succeſſors, Executors and Aſſigns.

Purchaſers by virtue of ſuch Deed peaceably to enjoy againſt all Claims.

VII. And be it further declared and enacted by the authority aforeſaid, That all and every perſon and perſons, Bodies Politick and Corporate, his and their Heirs, Succeſſors and Aſſigns, having and taking any ſuch Conveyance and aſſurance as aforeſaid, and cauſing the ſame to be inrolled as aforeſaid, within the ſpace of ſix months next after the Date thereof, ſhall be, and is hereby adjudged in actual Seiſin and Poſſeſſion of the Rents ſo purchaſed and conveyed, (2) and ſhall hold and enjoy the ſame in perfect peace, freed and diſcharged of, and from all Claims and Demands which can or may be made by his Majeſty, his Heirs or Succeſſors, either in right of his Crown, or any the Dutchies aforeſaid, or otherwiſe howſoever, or by any Dukes of Cornwall for the time being, or by any perſon or perſons that ſhall have, inherit or enjoy the Dukedom of Cornwall, by force of ony Act cf Parliament, or other limitation whatſoever, and alſo freed and diſcharged of and from any breach of Truſt which can or may be pretended to be committed by the ſaid Truſtees, in not ſtrictly purſuing the Powers given by this Act, or the Inſtructions herein after mentioned, or any other Inſtructions whatſoever, or the Orders to them directed at the time of the making and executing ſuch Conveyance; And ſhall alſo hold and enjoy all and every the Rents ſo purchaſed, as fully, freely and amply, as his Majeſty at the time of the paſſing of this Act, did or might have held or enjoyed the ſame.

And to ſue for and recover the ſame as his Majeſty might have done.

VIII. And be it further enacted, That all and every perſon and perſons, Bodies politick and corporate, who ſhall purchaſe any of the ſaid Rents, and their and every of their Heirs, Succeſſors and Aſſigns reſpectively, ſhall be, and are hereby enabled to have, ſue for, and recover the ſame, by ſuch and the like lawful ways and means, as his Majeſty or any of his Royal Progenitors could or might have recovered the ſame, be it by diſtraining in all or any of the Lands of the Tenant or Tenants for the time being, that ſhall hold any Lands charged with the ſaid Rent, or by having power to detain or ſell all ſuch diſtreſſes after the ſpace of fifteen days after ſuch Diſtreſs taken, in caſe the ſaid Rent ſhall not be then or before paid, returning the Overplus of what ſhall be ſo ſold, to the party diſtrained; or by having the full benefit and advantage of all ſums of money reſerved nomine Pœnæ, or as a penalty for non-payment of the ſaid Rent, or by uſing the like Action or Suit as his Majeſty might have uſed for the recovery of the ſame before ſuch Patent granted, ſo as the ſame extend not to any ſuch Proceſs of Extent, or other Prerogative Proceſs out of the Court of Exchequer, as his Majeſty might have had before the Patent granted. (2) And forasmuch as upon divers Commiſſions of defective Titles, Inquiſitions, or Suggeſtions of Concealments, divers Patents have formerly paſſed the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, or under the Seal of the County Palatine of Lancaſter, of divers Manors, Lands, Tenements and Hereditaments, whereupon divers Fee-farm Rents, or other Rents have been reſerved, and ſometimes put in charge, where in truth nothing hath paſſed by the ſaid Letters Patents, nor have the Manors, Lands and Tenements, Liberties or Hereditaments mentioned to have been granted, been enjoyed or held under the ſaid Letters Patents, but under other Titles, or by virtue of other Letters Patents whereupon other Rents are reſerved:

Fee-farm and other Rents not paid for 40 years laſt paſt, not to be inſerted in Patents.

IX. Be it therefore enacted, That ſuch Fee-farm Rents, or other Rents which have not been uſually paid by the Owners or Occupiers of the Manors, Lands or Tenements charged, or mentioned to be charged therewith, by the greater ſpace of Forty years now laſt paſt, ſhall not be inſerted or mentioned in any ſuch Letters Patents to be hereafter granted to Truſtees as aforeſaid: And further, That where any perſon or perſons, Bodies politick or corporate, have held any Manors, Lands, Tenements or Hereditaments ſubject to the payment of any Fee-farm Rent, or other Rent which hath been uſually paid or anſwered by the Owners or Occupiers of ſuch Lands ſo charged; and that by colour or pretence of ſome Patent of Concealment, or by pretence of Commiſſioners for defective Titles paſſed of the ſame Lands, ſome other or greater Rent hath been reſerved or put in charge, but the ſame hath been uſually anſwered or paid by the Owners or Occupiers of the ſaid Lands, by the greater ſpace of Forty years before-mentioned, That then, and in ſuch caſe the Tenant of the Lands ſhall hold the ſame diſcharged of the ſaid Rent ſo reſerved, by virtue of the ſaid Patent of Concealment, or by Commiſſion of defective Titles, and alſo diſcharged of all Seizures and Diſtreſſes for the ſame, until the ſame ſhall have been recovered by due courſe and proceedings of Law. (2) And if any Letters Patents of any Manors, Lands, Tenements, or Hereditaments, have been heretofore granted, whereupon any Fee-farm Rents, or other Rents, have been reſerved, which at any time after the paſſing of this Act, ſhall be ſold to any Purchaſer or Purchaſers, if any ſuch Letters Patents whereupon ſuch Rents ſo ſold have been reſerved, ſhall at any time hereafter be adnulled, defeated, repealed, cancelled, avoided or otherwiſe determined, whereby the Lands ſhall return to his Majeſty, his Heirs or Succeſſors; then, and in every ſuch caſe, all and every the Purchaſer and Purchaſers of ſuch Rents, their Heirs, Succeſſors and Aſſigns, ſhall have and receive out of the ſame Lands, Tenements and Hereditaments, the like Rent, and for the like eſtate therein, with that which was by them ſo purchaſed, and ſhall enjoy ſuch like Rent during ſuch Eſtate, againſt his Majeſty, his Heirs and Succeſſors, and againſt all perſons, Bodies politick and corporate, claiming by, from, or under his Majeſty, his Heirs and Succeſſors, by any Grant or Conveyance made or granted by his Majeſty, his Heirs or Succeſſors, ſubſequent to ſuch Purchaſe made; and ſhall have like remedy for recovery thereof, (any ſuch annulling, defeating, repeal, cancelling, avoidance, or other determination of ſuch Letters

Letters Patents of Manors, Lands, &c. heretofore granted.

Patents to the contrary notwithſtanding.) (3) And whereas by certain Covenants or Agreements on the Kings part contained in the Original Reſervation of ſome of the ſaid Fee-farm Rents, or by the true intent thereof, or by ſome Decrees in the Court of Augmentation, or Exchequer, made before the Three and twentieth day of October, in the year of our Lord, One thouſand ſix hundred forty and two, or ſince the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred and ſixty, divers Fee-Farmers were to be diſcharged, and allowances to be made of divers Penſions, Portions, Rents reſolute, or other things of the like nature, and the charge thereof hath been ſince allowed by his Majeſty out of the ſaid Fee-farm Rents, upon the accompts of Bailiffs, Miniſters and Receivers; It is hereby provided and declared, That this Act, or any thing herein contained, ſhall not be conſtrued to annul or avoid any ſuch Covenants or Decrees, but that the ſame ſhall be allowed againſt the ſaid Purchaſer or Purchaſers, as it ſhould have been againſt his Majeſty, his Heirs and Succeſſors, if the Letters Patents, or Grants of ſuch Fee-farm Rents hereby intended to be confirmed, had not been made, (4) ſaving unto the Queens Majeſty, and to all and every other perſon and perſons, Bodies politick and corporate, their Heirs and Succeſſors, and every of them (other than the Kings Majeſty, his Heirs and Succeſſors, and other than the Dukes of Cornwall for the time being, and other than ſuch perſon as ſhall have, inherit, or enjoy the ſaid Dukedom of Cornwall by force of any Act of Parliament, or other Limitation whatſoever) all ſuch Right, Title and Intereſt, Poſſeſſion, Leaſes or Eſtates, as they, or any of them had, or ſhould, or might have, or of right ought to have had, in or to the ſaid Rents, or any of them, or any of the Lands charged, or chargeable with them, or any of them, as fully and amply as they ſhould or might have had before the Letters Patent thereof made, as if this Act had never been had or made; Any thing herein before contained to the contrary notwithſtanding.

Fee-Farmers before the 23th of Octob. 1640. and ſince the 29th of May 1660. their diſcharges confirmed.

X. And be it further enacted, That it ſhall and may be lawful to and for any perſon or perſons, Bodies politick or corporate, to purchaſe any the Fee-farm Rents, or other Rents ſo to be conveyed as aforeſaid, and the ſame Rents ſo purchaſed, to retain and keep to them and their Succeſſors; Any Statutes of Mortmain to the contrary notwithſtanding.

Purchaſers may buy and enjoy the ſame Rents notwithſtanding the Statute of Mortmain.

XI. Provided alway, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to the Sale of any the Fee-farm Rents, Tenths, Chauntry-Rents, Rents-Seck, or any dry or other Rents whatſoever, due or payable to his Majeſty, or the Prince of Wales for the time being, iſſuing or ariſing within the Principality and Dominion of Wales; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Principality of Wales.

XII. Inſtructions Enacted to be obſerved in the Sale of Fee-farm Rents; yet ſo as the breach or nonpurſuance of theſe Inſtructions, ſhall not invalidate or weaken the Title of any Purchaſer.

1. ALL Contracts touching the Sale of any Fee-farm Rents, or other Rents before mentioned, ſhall be Signed by the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being, or any two of them.

Contracts to be ſigned by the Lord Treaſurer.

2. The Truſtees ſhall convey to ſuch perſons as by Order from the Lord Treaſurer, or Lords Commiſſioners of the Treaſury, or any two of them, they ſhall be directed.

3. Every Contracter ſhall at or before the time of the Sealing of his Conveyance, pay down one moiety at the leaſt of his Purchaſe-money into the Exchequer, and ſhall alſo before he ſhall receive his Deed of Conveyance, give Security, ſuch as the Lord Treaſurer, or Lords Commiſſioners of the Treaſury ſhall approve, for the payment of the ſecond moiety at the time appointed.

Purchaſe-money how to be paid.

4. Such Contractors as will pay down their whole Purchaſe-money, ſhall receive ſuch Allowance for their preſent payment of their ſecond moiety, as ſhall be thought fit, ſo as the ſame exceed not the Rate of Ten per Cent.

Allowance.

5. The immediate Tenant liable to the payment of any Rent, ſhall be preferred in the Purchaſe of it before any other, ſo as ſuch immediate Tenant render himſelf to the Lord Treaſurer, or Lords Commiſſioners of the Treaſury, to Contract within Six months after the paſſing of the ſaid Patent, and notice thereof publiſhed by his Majeſties Proclamation, and perfect his Contract, and pay or ſecure his money, as aforeſaid, within ſix months after, at ſuch Rate as ſhall be agreed, not exceeding Twenty years purchaſe.

Tenants to be preferred in point of purchaſe. Within what time Contracts to be preferred.

6. If the immediate Tenant, or ſome on his behalf, do not tender and perfect his Contract, as in the laſt precedent Article, all benefit of preference or pre-emption is to be loſt.

7. The Purchaſer may have his Conveyance in the name of any perſon or perſons he ſhall deſire.

8. If any Fee-farm Rent, or other Rent be ſubject to, or charged with any payment, or other Incumbrance, conſideration ſhall be had of it at the time of the Contract, and Reprize allowed for it accordingly; And where ſuch Reprize is allowed, the Purchaſer is to Covenant to take upon him ſuch Incumbrance ſo Reprized.

Incumbrance.

9. The Truſtees are to hold the Rents conveyed to them for the benefit of his Majeſty, his Heirs and Succeſſors, unti[illegible]ale.

10. The Truſtees in all Conveyances to be made by them, ſhall Covenant with the Purchaſers in uſual form, to free the Premiſſes, and ſave the Purchaſer harmleſs from any Act done or ſuffered by them, which may any way incumber the Premiſſes.

Covenant.

XIII. Provided always, and be it further enacted by the authority aforeſaid, That all Fee-farmers of any Mills formerly belonging to the Crown, or parcel of his Majeſties Dutchy of Lancaſter, ſhall have the protection and priviledge of his Majeſties Courts of Exchequer, and Dutchy of Lancaſter, and all Suits to Mill, and Aids of the ſaid Courts, and enjoy all other former priviledges and advantages, notwithſtanding the Sale of the ſaid Fee-farm Rents iſſuing out of the ſaid Mills, to all intents and purpoſes, and in as large and beneficial manner, as when the ſaid Fee-farm Rents, or any of them were payable to his Majeſty, his Heirs and Succeſſors.

Fee-Farmers of Mills.

XIV. Pro-

All ſums of Money, Rents, &c. to be allowed to maintain a School, &c. to remain as heretofore.

XIV. Provided always, and be it enacted by the authority aforeſaid, That ſuch, and ſo much of the ſaid Fee-farm Rents and Premiſſes, and ſuch Sums of Money, Rents, Reſolute Penſions, Stipends, Salaries, Annuities, Alms, Corodies, Profits and Allowances as are due and payable, or which are chargeable upon, have been, or ought to be paid or allowed to or for the maintenance of any Grammar School, or Scholars, or for or towards the Reparation of any Church, Chappel, High-way, Cauſeway, Bridges, Schools, Alms-houſes, Caſtles, or any other uſes, upon, out of, or for the premiſſes, or any of them, to be ſetled upon Truſtees according to this Act, as aforeſaid, ſhall be and continue to be paid and allowed as they were and have been heretofore. (2) And the ſaid Truſtees are hereby authorized and required to ſet out, convey and aſſure unto ſuch perſon and perſons, and their Heirs, Bodies politick and corporate, and their Succeſſors and Aſſigns, as they the ſaid Truſtees ſhall think fit in Truſt, for the performance of the uſes aforeſaid, or any of them, ſuch of the ſaid Fee-farm Rents, Duties or ſums of Money payable as aforeſaid, as ſhall amount to any of the Sums ſo charged, limited or allowed, to or for the uſes or purpoſes aforeſaid; Any thing in this Act or Inſtructions to the contrary notwithſtanding. And after ſuch Conveyance, the Purchaſers of the reſidue of the ſaid Fee-farm Rents ſhall be diſcharged of the ſaid Duties and Payments.

CAP. VII.

An Act to enable the Kings Majeſty to make Leaſes, Grants and Copies of Offices, Lands, Tenements, and Hereditaments, Parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame.

The Reaſons of this Act. 19 Car. 2. St. 2. cap. 4.

Whereas many of the Lands belonging to the Dutchy of Cornwall, have been granted by Leaſe to the Tenants, ſome for the term of one, two, or three Lives, and ſome for divers years determinable upon one, two or three Lives, and others for thirty one years, or under; Which Leaſes are deſired to be Renewed by many of the ſaid Tenants; And whereas of late years divers increaſed Rents have been reſerved, as well upon the ſaid Leaſed Lands, as upon many Copyhold Eſtates of the ſaid Dutchy, for the Improvement of that Revenue; whereof the Tenants have complained to the Kings Majeſty, who is graciouſly pleaſed, that they may compound with his Officers for the Diſcharge of the ſaid increaſed Rents, and be reſtored to the old Rents formerly paid for their reſpective Tenements and Lands: Now to the end the ſame may be accordingly effected, and the ſaid Tenants may be encouraged to Renew their Leaſes and Eſtates, and thereby the better enabled to repair their Houſes, and provide for their Families, and to improve their Lands holden of the ſaid Dutchy;

All Leaſes, Grants, &c. of Land, &c. in the Dutchy of Cornwall made within three years, confirmed.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Grants made or to be made by Copy of Court-Roll, according to the cuſtom of the reſpective Manor or Manors of the ſaid Dutchy, or thereunto annexed or belonging; and all Leaſes and Grants made or to be made within three years next enſuing, by our ſaid Sovereign Lord the King, by Letters Patents or Indentures under the Great Seal of England, or the Seal of the Court of Exchequer, of any Offices, Parks, Lands, Tenements or Hereditaments, other than Honours, Lordſhips or Manors, parcels of the Poſſeſſion of, or annexed or belonging to the ſaid Dutchy of Cornwall ſhall be good and effectual in Law, according to the purport and contents of the ſame Copies, Leaſes and Grants againſt our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and againſt all and every other perſon and perſons that ſhall at any time hereafter have, inherit or enjoy the ſaid Dutchy by force of any Act of Parliament, or by any other Limitation whatſoever.

The term for ſuch Leaſes and Grants.

III. Provided always, That every ſuch Leaſe or Grant ſo made, or to be made, ſhall not be made for more than one, two or three Lives, or for thirty one years, or under, or for ſome term of years determinable upon one, two or three Lives, and not above: (2) And if ſuch Leaſes or Grants be made in Reverſion or expectancy, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three Lives, or the term of Thirty one years, and not in any wiſe diſpuniſhable of Waſte; and ſo, as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been reſerved, yielded or paid for the ſame Lands, for the greater part of Twenty years next before the year of our Lord, One thouſand ſix hundred and ſixty, and ſhall be reſerved due or payable to him or her that ſhall have the Inheritance, or other eſtate of the ſaid Dutchy; (3) And where no ſuch Rent hath been reſerved or payable, that then upon every ſuch Leaſe there ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Parks, Lands, Tenements or Hereditaments contained in ſuch Leaſe, and all Leaſes and Grants otherwiſe made, or to be made, ſhall be null and void.

Rents to be reſerved.

Covenants, Conditions and Reſervations.

IV. And be it further ordained and enacted by the authority aforeſaid, That all Covenants, Conditions, Reſervations and other Agreements contained in every Leaſe, Grant or Copy of Court-Roll, made or to be made, as aforeſaid, ſhall be good and effectual in Law, according to the Words and Contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes, Grants or Copies ſhall come reſpectively, as if our Sovereign Lord the Kings Majeſty, at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeized of an abſolute Eſtate in Fee-ſimple in the ſame Lands, Tenements or Hereditaments: (2) Saving always to all and every perſon and perſons, Bodies politick and corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, other than to our ſaid Sovereign Lord the King and his Heirs, and the Duke and Dukes of Cornwall for the time being, and his and their Heirs, and all and every perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other Limitation whatſoever; All ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims and Demands

Proviſo.

mands whatſoever, of what nature, kind or quality ſoever, of, in, to, or out of the ſaid Offices, Lands, Tenements or Hereditaments, or any of them, as they, or any of them had, or ought to have had, before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form, as if this Act had never been had or made; This Act, or any thing herein contained to the contrary notwithſtanding.

Compoſitions for increaſed Rents;

V. And be it further enacted by the authority aforeſaid, That in caſe any of the Copyhold Tenants of the ſaid Dutchy, ſhall at any time within Three years next enſuing, Compound or Agree with the Lord High Treaſurer of England, or the Commiſſioners of the Treaſury for the time being, or with the Chancellor, or Under-Treaſurer of the Exchequer, or with any ſuch perſon or perſons as the Lord High-Treaſurer, Commiſſioners of the Treaſury, or Chancellor and Under-Treaſurer of the Exchequer for the time being, ſhall authorize, nominate and appoint for the taking off, and diſcharging of any increaſed Rent reſerved as aforeſaid, according to ſuch Rules and Directions as in that behalf ſhall be given in Writing under the Hands of the ſaid Lord Treaſurer, or Commiſſioners of the Treaſury, or Chancellor and Under-Treaſurer of the Exchequer, for the time being; Then upon ſuch Compoſition ſo made, and the money thereby ariſing duly paid to the Receiver General of the ſaid Dutchy, according to the tenor and contents of ſuch Compoſition and Agreement, and accordingly Enrolled before the Auditor of the Premiſſes; And from thenceforth ſuch increaſed Rents ſhall ceaſe and become void, and the old Rent only, or ſuch other Rent as in purſuance of this Act ſhall be directed, in or by ſuch Compoſition or Agreement, ſhall be charged upon all and every ſuch Tenements, Lands and other Hereditaments, for which ſuch Compoſition, Agreement, Payment and Enrolment ſhall be ſo made, and none other; Any reſervation, condition or other matter whatſoever to the contrary notwithſtanding. 25 Car. 2. 3.

CAP. VIII.

An Act for aſcertaining the Meaſures of Corn and Salt.

Stat. 9 H. 2. 25. 14 Ed. 3. 12. 27 Ed. 3. 10. 17 Car. 1. 19. Sect. 7. N. 2. 17 Car. 1. 19.

Whereas there is a great variety of Buſhels and other Meaſures of different Contents and Gauges uſed in ſeveral Counties, Cities, Boroughs, Ports and other places of this Realm, for the Meaſuring, Buying and Selling of all ſorts of Grain, Salt, and other Commodities uſually bought and ſold by the Buſhel, to the great defrauding and oppreſſing of the people, contrary to the Great Charter, and ſundry of the good Laws formerly made and enacted, That there ſhall be but one Meaſure to be uſed throughout all the Realm:

A Clauſe therein repealed.

II. For future redreſs hereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That this enſuing Clauſe contained in a Statute made in the Seventeenth year of King Charles the Firſt, Entituled, An Act for the better Ordering and Regulating of the Office of Clerk of the Market, Allowed and Confirmed by the Statute, and for the Reformation of Falſe Weights and Meaſures (by way of Proviſo, viz. That ſuch Meaſure as is commonly called Water-meaſure, in any Ports, Maritine Towns, or other places, ſhall be ſtill uſed and continued as formerly the ſame hath been) Any thing in this Statute contained to the contrary hereof in any wiſe notwithſtanding, ſhall from and after the Nine and twentieth day of September, One thouſand ſix hundred and ſeventy, be and ſtand Nulled and Repealed, as to the Meaſuring, Selling, or Buying of any ſort of Corn or Grain, ground or unground, or Salt within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed: (2) And that if any perſon or perſons after the time aforeſaid, ſhall ſell any ſort of Corn or Grain, ground or unground, or any kind of Salt, uſually ſold by the Buſhel, either in open Market, or any other place, by any other Buſhel or Meaſure than that which is agreeable to the Standard, marked in his Majeſties Exchequer, commonly called the Wincheſter Meaſure, containing Eight Gallons to the Buſhel, and no more or leſs, and the ſaid Buſhel ſtrucken even by the Wood or brim of the ſame by the Seller, and ſealed, as this Act directs, he or they ſhall forfeit for every ſuch Offence the ſum of Forty ſhillings, (3) to be levied in ſuch manner, and ſuch other penalties for want of Diſtreſs to be inflicted, as in and by the ſaid former Act is directed, by the Warrant or Order of any one or more of his Majeſties Juſtices of the Peace within the County, City or place where ſuch Offence ſhall be committed; which ſaid Juſtices reſpectively are hereby required and enabled to ſee this Statute duly executed.

Wincheſter Meaſure only to be uſed.

Forfeiture for offending againſt this Act.

The penalty of Mayors and all other Officers permitting the uſe of any other Meaſure.

III. And be it likewiſe further enacted by the authority aforeſaid, That if any Mayor, or other Head Officer of any City, Borough or Corporation, or Liberty within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, ſhall knowingly and wilfully permit or ſuffer any perſon or perſons within their reſpective Limits or Juriſdictions, to ſell or buy any ſort of Corn or Grain, ground or unground, or Salt, by any other Buſhel or Meaſure, or ſtrucken in any other manner than is hereby preſcribed, (2) or ſhall ſuffer within their reſpective Limits or Juriſdictions any other Meaſure to be uſed, than is of the Contents aforeſaid, and ſealed as this Act directs; (3) or if upon complaint of the breach of this Statute, he or they ſhall not duly puniſh and reform the ſame according to the purport thereof, (4) then he or they ſo offending, for every ſuch Offence upon due proof and conviction thereof by Preſentment or Indictment before the Juſtices of the Peace of the County where ſuch Offence ſhall be committed, at the General Seſſions of the Peace held for the ſame, ſhall forfeit the ſum of Five pounds; (5) the one moiety thereof to the Informer or Proſecutor, the other moiety to the uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, to be levied by Diſtreſs and Sale of the Offenders Goods and Chattels; And for default of ſuch Diſtreſs, by Impriſonment of the perſon or perſons ſo offending, till payment thereof made by Warrant of the ſaid Juſtices.

Clerk of the Market, &c. refuſing to ſeal or mark any Meaſure, his forfeiture.

IV. And be it further enacted, That if the Clerk of the Market of his Majeſties Houſe within the Verge, or the Mayor, or other Head-Officer, Lord of the Liberty, or other perſon authorized by the Laws of the Realm, to mark or ſeal Meaſures within their reſpective Juriſdictions, Exacting Fees, how puniſhable.

dictions, ſhall neglect or refuſe, being required, to Seal or Mark any Buſhel, Half-buſhel or Peck duly Gauged, as is hereby before directed and appointed, ſhall forfeit for the firſt offence Five pounds, and for every other offence Ten pounds, to be levied as aforeſaid; (2) or if the Clerk of the Market of his Majeſties Houſe within the Verge, ſhall take more than the lawful and accuſtomed Fees; or if any other perſon or perſons ſhall exact or take from any perſon more than one peny for the ſealing and marking of a Buſhel, or more thau one half-peny for the ſealing or marking of a Half-buſhel or Peck, or more than one farthing for the ſealing or marking of any meaſure containing one Gallon, Pottle, Quart, Pint or Half-pint, he or they ſhall for every ſuch offence, upon due proof and conviction thereof, incur the penalties mentioned and contained in the aforenamed Statute for the ſaid offence, made in the ſeventeenth year of King Charles the Firſt.

A Meaſure of Braſs to be chained in every publick Market-place.

V. And to the end that there may be a juſt and certain Meaſure (to determine all Controverſies) Gauged, as this Act directs, (2) Be it further enacted, That at the charge of ſuch perſon or perſons reſpectively, who ſhall have the Toll or Profit of the Market, where Toll is not taken, within any City, Corporation or Market Town within this Realm in their reſpective Juriſdictions, there ſhall be before the ſaid Nine and twentieth day of September, One Meaſure of Braſs provided, and chained in the publick Market-place, (3) upon pain to forfeit and loſe for every perſon ſo neglecting reſpectively, the ſum of Five pounds, to be recovered and levied as is by this Act directed; One moiety to the Poor of the Pariſh where ſuch offence ſhall be committed; the other moiety to him or them that ſhall Sue for the ſame.

Conſtables to ſearch if any perſons uſe other Meaſures.

VI. And be it further enacted by the authority aforeſaid, That all and every Conſtable or Conſtables within this Realm of England, in their reſpective Precincts, are hereby impowred and required to ſearch aud examine if any perſon or perſons uſe any other meaſure than according to the proportions aforeſaid, or ſhall ſtrike the ſame in any other manner than this Act directs, or ſell or buy by a meaſure Unſealed: (2) And in caſe he or they ſhall find any ſuch Unſealed meaſure, to ſeiſe and break the ſame; and for that and every other offence againſt this Act, ſhall preſent ſuch Offender at the next private or quarterly Seſſion to be held for ſuch County or place where ſuch offence ſhall be committed.

Once puniſhed.

VII. Provided always, and be it enacted, That no perſon or perſons puniſhed for any offence by virtue of this Act, ſhall be again queſtioned or puniſhed for the ſame offence, by virtue or colour of any other Act.

Toll.

VIII. Provided always, and be it further enacted and declared, That no perſon or perſons whatſoever ſhall take any Toll, or any thing in lieu thereof, but reſpectively according to ſuch proportion as the meaſures in this Act limited and appointed bear unto the meaſures whereby the ſame have been heretofore uſually taken; Any Law, Cuſtom or Uſage to the contrary notwithſtanding. 22 & 23 Car. 2. cap. 12.

CAP. IX.

An Act authorizing certain Commiſſioners of the Realm of England, to Treat with Commiſſioners of Scotland for the Weal of both Kingdoms.

The Proem of this Act. 3 Jac. cap. 2.

Whereas the Kings moſt Excellent Majeſty, out of his Princely Zeal and Fatherly Care, for the Welfare and Happineſs of his Subjects, perſiſting in the ſame pious and prudent Reſolution of his Royal Grandfather King James of ever bleſſed memory, to endeavour a nearer and more compleat Union between his two Kingdoms of England and Scotland, hath recommended it to the Parliaments of both Kingdoms, that Commiſſioners might be nominated to Treat and Conſult concerning this Union; To the end that his Majeſties Royal and Gracious Purpoſes therein may be accompliſhed, and ſuch a farther Union may be Treated and Agreed upon, as may compleat and confirm for ever a conſtant mutual Love and Friendſhip between the Subjects of both Realms;

His Majeſty may name Commiſſioners to Treat with Commiſſioners of Scotland, concerning a Union between both Realms.

II. Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſuch perſons to be nominated by his Majeſty under his Great Seal of England, or ſuch and ſo many of them as ſhall in that behalf be appointed by his Majeſty to be of the Quorum, ſhall by force of this Act have full Power, Commiſſion and Authority, at ſuch time and times, and in ſuch place or places as his Majeſty ſhall pleaſe to appoint, to aſſemble and meet; and thereupon to Treat and Conſult according to the Tenor or Purport of their Authority or Commiſſion in that behalf, with certain Commiſſioners to be authorized by Authority of the Parliament of Scotland, of, and coucerning ſuch an Union of the ſaid Realms of England and Scotland, and of and concerning ſuch other matters, clauſes and things whatſoever, as upon mature deliberation and conſideration of the greateſt part of the ſaid Commiſſioners aſſembled as aforeſaid, and the Commiſſioners authorized, or to be authorized by the Parliament of Scotland, according to the Tenor or Purport of their Commiſſion in that behalf, ſhall in their Wiſdoms think convenient and neceſſary for the Honour of his Majeſty, and the weal and common Good of both the ſaid Kingdoms, during his Majeſties Life (which Almighty God long preſerve) and of his Heirs and lawful Succeſſors for ever: (2) Which Commiſſioners of both the ſaid Realms ſhall according to the Tenor or Purport of their ſaid Authorities or Commiſſions in that behalf, reduce their doings and proceedings therein into Writings or Inſtruments Tripartite, every part to be Subſcribed and Sealed by them; to the end that one part thereof may in all humbleneſs be preſented to the Kings moſt Excellent Majeſty; Another part thereof to be offered to the conſideration of the Parliament for the Realm of England; and another to be offered to the conſideration of the Parliament for the Realm of Scotland, at their next Seſſions which ſhall be held in each Kingdom reſpectively, after ſuch Writings or Inſtruments ſhall be Subſcribed and Sealed by the ſaid Commiſſioners, that thereupon ſuch further Proceedings may be had as by his Majeſty and both the ſaid Parliaments ſhall be thought fit and neceſſary for the weal and common Good of both the ſaid Kingdoms, to whom the entire Conſideration of the whole,

Their proceedings to be reduced into writings tripartite, one for the King, one for the Parliament of England and the other for the Parliament of Scotland.

whole, and the allowing or diſallowing thereof, or any part thereof, as they ſhall think fit, is wholly reſerved.

III. Provided alſo, and be it enacted and declared, That no matter or thing to be Treated of, agreed or propoſed by the ſaid Commiſſioners by virtue of this Act, ſhall have any force or effect, be put in Execution until it be confirmed and eſtabliſhed by Act of the Parliament of England.

CAP. X.

An Act for ſale of part of the Eſtate of Sir John Prittiman, for ſatisfaction of a Debt by him due to the King's Majeſty.

Accomptant.

Whereas Sir John Prittiman of Loddington in the County of Leiceſter, Baronet, late Receiver to your moſt Excellent Majeſty of your Majeſties Firſt-fruits and Tenths, hath before the Barons of your Majeſties Exchequer been found by Inquiſition, and other due Proceſs of Law, indebted to your Majeſty upon his Accompt of the laſt of December, One thouſand ſix hundred ſixty and three, in the Sum of Nineteen thouſand eight hundred ſixty four pounds nine ſhillings and nine pence, by him received of your Majeſties ſaid Revenue, and ſtill remains indebted to your Majeſty in the Sum of Sixteen thouſand ſix hundred pounds more than he hath anſwered to the Receipt of your Majeſties Exchequer, in great Diminution of your Highneſſes Revenue: (2) And whereas upon Proceſs of Extent iſſued out of your Majeſties ſaid Exchequer, the ſaid Sir John Prittiman hath been by Inquiſition duly executed and returned the Nineteenth of June, One thouſand ſix hundred ſixty eight, found ſeiſed in his Demeſne, as of Fee, of and in the Manor of Loddington in the County of Leiceſter, with the Rights, Members and Appurtenances of the clear yearly value of Seven hundred eighty eight pounds nineteen ſhillings and eight pence, which will not ſatisfie your Majeſties ſaid Debt by perception of the Profits thereof at the ſaid extended value in a long time:

II. Wherefore to the end your Majeſty may be more ſpeedily ſatisfied your ſaid Debt, may it pleaſe your moſt Excellent Majeſty, That it may be enacted, (2) And be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, That the ſaid Manor, or reputed Manor of Loddington, with the Meſſuages, Lands, Tenements and Hereditaments, parcel or reputed parcel thereof, with their and every of their Appurtenances in the ſaid County of Leiceſter, be, and is hereby Veſted and Setled in Henry Coventry and Edward Progers, Eſquires, Grooms of your Majeſties Bed-Chamber, Sir Allen Apſley, and Sir Winſton Churchill, Knights, and their Heirs, upon Truſt, that the ſaid Sir Henry Coventry, Edward Progers, Sir Allen Apſley and Sir Winſton Churchill, and the Survivor of them, and the Heirs of the ſaid Survivor, ſhall forthwith ſell the ſaid Manor, and every part and parcel thereof, with the Appurtenances, and out of the proceed of ſuch Sale, and of the mean Profits by them to be received, until ſuch Sale or Sales made, ſatisfie and reimburſe themſelves all ſuch Charges and Expences which they ſhall any ways ſuſtain, in or by reaſon of ſuch Sales of the Truſt hereby in them repoſed: (3) And out of the reſidue of ſuch Purchaſe-money, ſhall pay or cauſe to be paid in his Majeſties Receipt of the Exchequer, the full ſum of Sixteen thouſand pounds with Intereſt for the ſame, only at the Rate of Six pounds per Cent. from the ſaid laſt day of December, One thouſand ſix hundred ſixty and three, in Diſcharge of the ſaid Debt of the ſaid Sir John Prittiman; (4) the reſidue of the moneys to be raiſed by ſuch Sale, to be paid into the hands of John Morris, and Robert Clayton of London, Gentlemen, to be diſpoſed and employed as followeth; (videlicet) In the firſt place to reimburſe Sir Edward Hungerford, and Sir Thomas Doleman, and either of them, ſuch moneys as they, or either of them have paid for the proper Debts of Sir John Prittiman; in the next place for the payment of ſuch Debts of the ſaid Sir John Prittiman, as they or either of them are obliged to pay: In the next place for the payment unto William Prittiman, Brother of Sir John, ſuch moneys as he hath paid for the proper Debt of Sir John, upon any Obligation, where the ſaid Sir Edward Hungerford, Sir Thomas Doleman, Sir George Prittiman, and the ſaid William Prittiman, or any two of them, ſtood or ſtand joyntly bound: In the next place, for the payment of all the Debts of the ſaid Sir John Prittiman, where any of them the ſaid Sir George Prittiman, Sir Edward Hungerford and Sir Thomas Doleman ſtand bound: In the next place, for the payment unto Sir Edward Hungerford and Sir Thomas Doleman, and either of them, all ſuch moneys as they or either of them have paid, or are obliged to pay for the proper Debts of the ſaid Sir George Prittiman, as far as the ſame will extend; the reſidue (if any) to be divided between Sir John Prittiman and Sir George Prittiman, as Francis Winnington and James Hayes, Eſquires, and the ſaid John Morris and Robert Clayton, or the ſurvivor or ſurvivors of them ſhall think fit.

The Manor of Loddington in the County of Leiceſte to be ſold, and to that end ſetled in Truſtees.

How the money ariſing by the Sale ſhall be diſpoſed.

III. And further be it enacted, That from and after the ſaid Sum of Sixteen thouſand pounds ſo paid to his Majeſty, as aforeſaid, as well the ſaid Sir John Prittiman, his Heirs Executors, Adminiſtrators and Aſſigns, as all his Manors, Lands, Tenements and Hereditaments whatſoever; and alſo all and every perſon and perſons, their Heirs, Executors, Lands, Tenements and Hereditaments who were Security for the ſaid Sir John Prittiman, for or concerning any matter or thing relating to the ſaid Firſt-fruits, or his the ſaid Sir John Prittimans Office of Receiver thereof, ſhall be by virtue hereof acquitted for ever, releaſed and indempnified, ſaving to all and every perſon and perſons, Bodies Politick and Corporate, other than the ſaid Sir John Prittiman, and Sir George Prittiman, and his and their Heirs, all ſuch Eſtate, Right, Title, Intereſt, Truſt, Uſe and Demand, which he or they have or claim of, in, to, or out of the ſaid Manor of Loddington, or any part thereof, in ſuch ſort and manner, and no other, as if this Act had never been made; Any thing herein to the contrary notwithſtanding.

Saving to other than Sir John and Sir George Prittiman, all right, &c.

IV. Provided, That ſuch perſon or perſons, their Heirs, Executors or Adminiſtrators, and ſuch Bodies Politick and Corporate, do by themſelves, or their reſpective lawful Attorny or Guardian, produce and cauſe to be entred and enrolled in the Office of the Kings Re-

So as the ſame be entred in the Exchequer before March 1670.

membrancer in the Exchequer, a ſufficient and certain particular of his and their ſaid Title, Claim or Incumbrance, before the Firſt day of March, which ſhall be in the year One thouſand ſix hundred and ſeventy.

The Truſtees may mortgage the ſaid Manor till it can be ſold.

V. And be it further enacted by the authority aforeſaid, That for the ſpeedy raiſing of moneys for and towards ſatiſfaction of your Majeſty, and performance of the Truſts aforeſaid, it ſhall and may be lawful to and for the ſaid Henry Coventry, Edward Progers, Sir Allen Apſley, and Sir Winſton Churchill, and the ſurvivor and ſurvivors of them, and his heirs, to mortgage the ſaid Manor and Premiſſes, or any part thereof, for any Eſtate or Eſtates, ſubject nevertheleſs to a further ſale of the Reverſion, or equity of Redemption thereof to be made according to this Act for the purpoſes aforeſaid.

All extents for the King, and all his claim to the ſaid Manor ſhall be aſſigned to the Purchaſers.

VI. And it is hereby declared, and further enacted by the authority aforeſaid, for the encouragement of ſuch perſon or perſons as ſhall be willing to purchaſe the ſaid Manor and Premiſſes, or any part or parts thereof, That all extents already had, or to be had, and returned of the ſaid Manor and Premiſſes, for ſatiſfaction of the ſaid Debt of Sixteen thouſand pounds, and Eſtate and Intereſt of your Majeſty, of and in the ſaid Manor and Premiſſes by virtue thereof, upon payment or ſatiſfaction of the ſaid Debt of Sixteen thouſand pounds, and Intereſt as aforeſaid to your Majeſty, your Heirs and Succeſſors, your or their Aſſignee or Aſſignees, ſhall and may be aſſigned to ſuch perſon or perſons as ſhall purchaſe the ſaid Manor and Premiſſes, or any part or parcel thereof, or to any other perſon or perſons which he or they ſhall for that purpoſe nominate or appoint, and ſhall remain, continue, and be in force and virtue for the protecting of the ſaid Premiſſes againſt all Incumbrances and Charges of Sir John Prittiman, and Sir George Prittiman his Son, in ſuch ſort and manner as the ſame would have done, if this Act had never been made, until ſuch Purchaſer or Purchaſers ſhall out of the Rents, Iſſues and Profits of the ſaid Premiſſes, have received the ſaid ſum of Sixteen thouſand pounds, with Intereſt for the ſame, after the rate of Six pounds per Cent. per Annum, from the ſaid laſt day of December, One thouſand ſix hundred ſixty three: (2) Saving nevertheleſs to the Wife of the ſaid Sir John Prittiman (if he hath any) all ſuch Right and Title of Dower, as ſhe might have claimed, or may claim in the Premiſſes, if this Act had never been made; And alſo ſaving unto Sir John Heath Knight, and Dame Margaret his Wife, and their Aſſigns, all ſuch Eſtate, Right of Entry, Title, Intereſt, Uſe, Truſt, Claim or Demand whatſoever in Law or Equity, of and into any of the Meſſuages, Lands, Tenements and Hereditaments aforeſaid, parcel or reputed parcel of the ſaid Manor of Loddington, as if this Act had never been made; Any thing in the ſame to the contrary notwithſtanding.

Proviſo for the Lady Prittiman, and Sir John Heath and his Lady.

CAP. XI.

An Additional Act for the Rebuilding of the City of London, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City.

19 Car. 2. c. 8.

Whereas by virtue, and in purſuance of an Act of this preſent Parliament, Entituled, An Act for Rebuilding of the City of London, ſeveral Streets in the ſaid Act particularly mentioned and deſcribed, have been enlarged and made wider, by the Mayor, Aldermen and Commons of the ſaid City, by and with the approbation of the Kings moſt Excellent Majeſty; And foraſmuch as certain other Streets within the ſaid City, not particularly mentioned in the aforeſaid Act, did alſo require ſome Regulation and Enlargement (that is to ſay) the Street called Pater-noſter-row, the Lane called Warwick-lane at the North-ſide thereof, Watling-ſtreet, Candlewike-ſtreet, Eaſtcheap, St. Swithins-lane, Little Wood-ſtreet, Milk-ſtreet, Tower-ſtreet, Water-lane, ſituate on the Eaſt-ſide of London-bridge near the Cuſtom-houſe, Rood-lane, St. Mary-hill, Thames ſtreet from London-bridge to Puddle-dock, Pye-corner next to Smithfield, and Threadneedle-ſtreet; And to that end and purpoſe, the ſame by Order and Direction of the Mayor, Aldermen and Commons of the ſaid City in Common-Council aſſembled, by and with his ſaid Majeſties approbation have been ſurveyed, and are found neceſſary to be enlarged:

Streets requiring enlargement and regulation.

II. Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Streets and Lanes in this Act before nominated and appointed to be enlarged, and every of them, ſhall be enlarged and regulated in ſuch parts and places thereof, and in ſuch manner, and according as the ſame are marked and ſtaked out for that purpoſe, and not otherwiſe. (2) And to the end that fit and commodious places within the ſaid City and Liberties thereof, may be ſet out and appointed for the Rebuilding and keeping of Markets with more convenience than heretofore they were, ſo as the principal Streets may not be peſtred and obſtructed thereby, as heretofore hath been accuſtomed: And that the Royal-Exchange, Guild-hall, the Seſſions-houſe in the Old-baily, and the common Gaols and Priſons within the ſame City, may be enlarged and made more commodious for the publick uſe and ornament of the City, and better ſecured from the danger and caſualty of Fire; and that ſome convenient diſtance, interval and circuit of Ground may be left between the Royal-Exchange and other Houſes to be built within the ſaid City:

They ſhall be enlarged as they are now ſtaked out. Royal Exchange, Guild-Hall, Seſſions-houſe in the Old-baily.

III. Be it further enacted by the authority aforeſaid, That the Mayor, Aldermen and Commons of the ſaid City in Common-Council aſſembled, ſhall and may, and are hereby impowred to employ ſuch places and portions of Ground within the ſaid City and Liberties thereof, as by and with his ſaid Majeſties approbation now are, or before the tenth day of March, One thouſand ſix hundred ſixty nine, ſhall be ſet out and adjudged neceſſary and convenient, as well for the publick Market-places there, as alſo for the ornament, enlargment and convenience of the ſaid Royal-Exchange, and other places aforementioned, and every or any of them reſpectively;

Ground to be aſſigned for publick Market-places.

IV. And to the intent that reaſonable ſatiſfaction may be given to the Owners and others having any Eſtate or Intereſt in the Grounds and places which have been or ſhall be ſet out to be taken and employed for publick Market-places, or for the ornament and convenience of the Royal Exchange, Guild-hall, and other places in this Act mentioned, or any of them, or for

Satisfaction to Owners for Ground taken away.

for enlarging the ſaid Streets, or any part thereof, called Pater-noſter-row, Warwick-lane, Watling-ſtreet, Candlewike-ſtreet, Eaſtcheap, St. Swithins-lane, Little Wood-ſtreet, Milk-ſtreet, Tower-ſtreet, Water-lane, Rood-lane, Saint Mary Hill, Thames ſtreet, Pye-corner next unto Smithfield, and Threadneedle-ſtreet before mentioned; The ſaid Mayor, Aldermen and Commons ſhall and may (by themſelves or others in that behalf to be appointed and authorized) treat and agree with the Owners, and others intereſſed therein: (2) And in caſe of wilful refuſal, or any ſuch diſability or impediment as in the aforeſaid Act are mentioned, or other incapacity whatſoever, in the Owners thereof, or others intereſſed therein, to treat and agree; The ſaid Mayor and Court of Aldermen ſhall and are hereby authorized and required to cauſe a Jury to be Impannelled in ſuch manner and form as by the aforeſaid Act is directed and appointed; So as no two of the ſaid Jurors ſo to be Impannelled, ſhall come out of one and the ſame Ward to adjudge and aſſeſs what recompence and ſatisfaction in every of the caſes aforeſaid ought to be awarded and given to the reſpective Owners, and others intereſſed in the Grounds and places to ſet out, to be taken and employed for any the uſes or purpoſes as aforeſaid: In purſuance of this Act, according to ſuch their reſpective Eſtates and Intereſts, (3) and the Verdict of ſuch Jury in that behalf to be taken, and the Judgment of the ſaid Mayor and Court of Aldermen thereupon, and the payment of the money ſo awarded or adjudged at or in the Office of the Chamberlain of the ſaid City of London for the time being, to the ſaid Chamberlain, there to remain by the ſpace of ſix months, for the Owners or others intereſſed therein as aforeſaid, and after that time to be paid unto them by the ſaid Chamberlain upon demand, (if that within that time there ſhall not ariſe controverſie touching the payment thereof, by reaſon of different claims made thereunto, as hereafter is expreſſed) ſhall be binding and concluſive to and againſt the Owners, and all others having, or claiming, or to claim any Eſtate, Right, Title or Intereſt of, in, to or out of the ſame, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and every of them; And ſhall be a full authority for the ſaid Mayor, Aldermen and Commons, to cauſe the ſame to be converted and uſed to and for the reſpective uſes and purpoſes aforeſaid: (4) And in caſe any Controverſie ſhall ariſe between any perſon or perſons, Bodies Politick or Corporate, or his or their Aſſigns, or Under-tenants, or other perſons claiming any Eſtate, Right, Title or Intereſt in Law or Equity, Truſt, Charge or Incumbrance, of or in the ſaid Ground ſo to be purchaſed or converted as aforeſaid, who ſhall find him or themſelves agrieved, for or by reaſon that the ſaid moneys ſo given in ſatisfaction for the ſaid Ground, is not or ſhall not be equally or indifferently apportioned, according to the true value of his or their Intereſts in the ſaid Grounds, that then the Juſtices of the Courts of Kings-Bench and Common-Pleas, and Barons of the Coif of the Court of Exchequer for the time being, or any three or more of them ſitting together at the ſame time and place, upon the petition of the ſaid party or parties grieved, to be preferred to any one of them within ſix months after the ſaid Verdict ſo had and given, and not after, are hereby authorized to hear and finally determine the ſame, and to order and award ſuch diſtribution of the moneys ſo paid unto the Chamberlain as aforeſaid, to the ſaid perſon or perſons, Bodies Politick or Corporate reſpectively, according to his and their ſeveral and reſpective Intereſts in the ſame, in ſuch manner and form as the ſaid Juſtices and Barons, or any three of them, may determine any Differences or Demands which have ariſen, or ſhall ariſe between any Landlord or Tenant, touching Repairing or Rebuilding any of the Houſes burnt down, or demoliſhed by the late Fire, by virtue of an Act of this preſent Parliament, Entituled, An Act for erecting a Judicature for determination of Differences, touching Houſes burnt down or demoliſhed by the late Fire which happened in London; According to which Order and Diſtribution the ſaid ſum and ſums ſhall be paid by the ſaid Chamberlain to the ſaid ſeveral perſons reſpectively.

The Mayor, Aldermen and Commons, to treat and agree with Owners, and in caſe of wilful refuſal, to impannel a Jury, whoſe Verdict and the Judgment of the Mayor and Court of Aldermen thereupon, with payment of the money ſo awarded into the Chamberlains Office, ſhall be binding and concluſive.

Controverſies to be decided by the Judges, and in what manner.

19 Car. 2. c. 2.

V. And be it further enacted by the authority aforeſaid, That in caſe it ſhall happen that where there were two or more Copartners, Joynt-tenants, or Tenants in common of any Houſe or Houſes Burned or Demoliſhed by the ſaid late Fire, or that two or more perſons, Bodies Politick or Corporate, had ſeveral Eſtates or Intereſts in ſeveral Rooms, Stories or parts of any ſuch Houſe or Houſes Burned or Demoliſhed, and that ſome or one of them is deſirous and willing to build the ſame, or ſuch Part, Room or Story of or in the ſame, as to him or them doth or may appertain, according to his or their Eſtate or Intereſt as aforeſaid: And that any other of the Copartners, Joynt-tenants, or Tenants in common, or others, having ſuch Eſtate or Intereſt as aforeſaid in any of the Rooms, Stories or Parts thereof, ſhall delay or refuſe to joyn in Rebuilding of the ſame, or to continue his and their reaſonable part and proportion towards the charge thereof; That then it ſhall and may be lawful to or for any one or more of ſuch Copartners, Joynt-tenants, Tenants in common, or others having Eſtate or Intereſt in any the Rooms, Stories or Parts thereof as aforeſaid, that will Rebuild the ſaid Houſe or Houſes, to cauſe ſuch Houſe or Houſes to be wholly Rebuilt in ſuch ſort and manner as the ſame was or were before the ſaid late Fire, or as near thereunto as conveniently may be (the preſent Model of Building conſidered) and reſpect being had to the different Intereſts of the parties concerned as aforeſaid, and the ſame Houſe or Houſes ſo Rebuilt, to hold and enjoy to his and their own proper uſe and benefit, until that he or they ſhall be fully ſatisfied and re-imburſed all ſuch, and ſo many of the charge of ſuch Building as in a due proportion ought to have been contributed or allowed towards the Building thereof, by ſuch Copartners, Joynt-tenants, Tenants in common, or others having ſuch Eſtate or Intereſt as aforeſaid, according to his or their Eſtate or Intereſt therein as aforeſaid, together with Damages for the ſame, after the rate of Six pound per Cent. per Annum, for the forbearance thereof, to be accompted from the covering of the ſaid Building. (2) And in caſe of neglect or refuſal, to ſatisfie and pay ſuch proportion of the charge of Rebuilding thereof, by the ſprce of Two years, to be accompted from the covering as aforeſaid, that then it ſhall and may be lawful to and for the Rebuilders, from and after the end and expiration of the ſaid Two years, to be accompted as aforeſaid, paying to ſuch Copartners, Joynt-tenants, Tenants in common, or others having ſuch Eſtate or Intereſt as aforeſaid

Where ſeveral perſons having ſeveral Eſtates in one Houſe or Ground, and ſome delay to build, to the prejudice of others, the reſt may rebuild the whole, if they will, and enjoy it to their own uſe, till re-imburſed.

Difference about charge of building to be determined by the City Surveyors.

therein,ſo much as ſuch their Eſtate or Intereſt ſhall be reaſonably worth;or upon tender and refuſal thereof,to hold and enjoy ſuch Houſe or Houſes ſo rebuilt as aforeſaid, wholly and intirely againſt the parties ſo refuſing, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, for and during the continuance of ſuch joynt,or other Eſtate or Intereſt aforeſaid,as the party and parties by whom ſuch Houſe or Houſes ſhall be ſo rebuilt, had in the ſame or in any Room,Story, or other part thereof: (3) And in caſe any Difference ſhall happen between ſuch Builders,and any the parties refuſing to Build as aforeſaid, concerning the charge of rebuilding the ſame, or concerning the value of the Eſtate or Intereſt of the parties ſo refuſing to Build as aforeſaid,and what money ought to be paid or given for the ſame by ſuch Rebuilder after ſuch time and in manner as aforeſaid, that then the ſame ſhall be referred to the Surveyors to be appointed for the ſaid City for the time being,who,or any two of them,ſhall and may upon their view,adjudge,eſtimate and determine the ſame reſpectively: And in caſe the ſaid parties, or either of them ſhall refuſe to ſubmit to ſuch the judgment and determination of the ſaid Surveyors, that then the ſaid matters ſhall be referred to the examination of the ſaid Mayor and Court of Aldermen, who ſhall hear and finally determine the ſame without further Appeal.

Party-walls.

VI. And be it further enacted and declared, That where there were ſeveral Owners or others intereſſed of, or in ſeveral Rooms, Stories, or other parts of any Houſe or Houſes, which ſhall or may obſtruct or hinder the making of the Party-walls intire and upright, and that the parties therein concerned, cannot, or will not come to an Agreement touching the ſame; that then it ſhall be referred to the ſaid Surveyors for the time being, or any two of them, to determinate the difference thereby ariſing; (if they can) who ſhall and may order and appoint an indifferent exchange to be made betwixt the ſaid parties, dividing their Ground, Rooms or Stories, or otherwiſe, as to them ſhall ſeem moſt meet and reaſonable, for accommodating of their ſeveral Intereſts, or otherwiſe ſhall and may award ſatisfaction to be given in money to ſuch of the ſaid parties as there ſhall be cauſe,to the intent the Walls may be made upright according to the direction of the aforeſaid Act for Re-building; (2) And in caſe the parties therein concerned,or either or any of them ſhall refuſe to ſubmit to ſuch the Order and Determination of the ſaid Surveyors,that then the ſaid matters ſhall be referred to the ſaid Mayor and Court of Aldermen,to hear and finally determine the ſame without further Appeal.

Holbourn-Bridge Paſſage to be enlarged.

VII. And whereas the Way or Paſſage of Holbourn-bridge is now too ſtrait and incommodious for the many Carriages and Paſſengers daily uſing and frequenting the ſame, and is therefore neceſſary to be enlarged, (2) Be it therefore likewiſe enacted, That it ſhall and may be lawful for the ſaid Mayor, Aldermen and Commons, ſo to enlarge and make wider the ſame, as that the ſaid Way and Paſſage may run in a Bevil-Line, from a certain Timber-houſe on the North-ſide thereof, commonly called or known by the Name or Sign of the Cock, unto the Front of the Building of a certain Inn called the Swan-Inn,ſituate on the North-ſide of Holbourn-Hill, as aforeſaid.

The dimenſion of Corner-piers.

VIII. And to prevent any doubts that may hereafter ariſe concerning Corner-piers, and with what Materials the ſame ought to be made, (2) Be it enacted and declared by the authority aforeſaid,That all Corner-piers of Stone or Brick hereafter to be erected, ſhall be of the Dimenſions of the Piers of Stone mentioned in the ſaid Act.

IX. And that it be left to the liberty of all and every the Builders of Corner-houſes, to uſe a ſubſtantial Poſt of Oak-Timber, to prevent the danger that may happen by Carts and Carriages, inſtead of the Corner-pier of Brick or Stone, of ſuch Dimenſions and Scantlings as the Surveyors of the ſaid City ſhall direct or appoint; The ſaid Act, or any thing therein contained to the contrary notwithſtanding.

Water from the tops of the Houſes to be carried down by the ſides in Pipes.

X. And be it enacted, That the Water from the tops of all Houſes already Built ſince the late Fire, and hereafter to be Built,and Fronting,or that ſhall Front upon any the Streets, Lanes or Paſſages within the ſaid City and Liberties, ſhall be carried and conveyed into the Channels by Pipes and Party-pipes (as the caſe ſhall require) to be brought down on the Sides or Fronts of the ſaid Houſes.

Thames-ſtreet to be raiſed three Foot at leaſt.

XI. And whereas by the ſaid Act for the Rebuilding of the ſaid City of London, It is alſo enacted for the preventing of Inundations, and for eaſineſs of aſcent,That the Street called Thames-ſtreet,and all the Ground between the ſaid Street and the River of Thames, ſhould be raiſed and made higher by three Foot at the leaſt, above the ſurface of the Ground as then it lay; And alſo,that the Lord Mayor and Aldermen of London, ſhould and might open and enlarge a Street or Paſſage to the River of Thames from Cheapſide through Soaper-lane, and thence to Thames-ſtreet, and thenceforth to the River of Thames; And from Three Cranes to the Thames aforeſaid, and to make the ſame Streets and Paſſages four and twenty Foot in Breadth: (2) Now for prevention of any doubt that may ariſe touching the manner of Cutting the ſaid Streets,and ordering the ſame; and to the end the ſaid Street called Thames-ſtreet, and the Ground between the ſame and the River of Thames, may be raiſed according to the intent of the ſaid Act,and that other Streets and Paſſages leading to and from the ſame, may be anſwerable to their Levels thereunto,and that the ſteepneſs and difficulty of the riſing and aſcent from the ſaid River may with the more eaſe be abated; (3) Be it enacted by the authority aforeſaid, That the ſaid Streets or Paſſages from Cheapſide through Soaper-lane to Thames-ſtreet, and thenceforth to the River of Thames, and alſo from the Three Cranes to the ſaid River, ſhall be and remain in ſuch manner and form as now they are; Any matter or thing to the contrary in any wiſe notwithſtanding.

The enlarged Paſſage from Cheapſide to the Thames, confirmed.

XII. And all Owners,Occupiers, and all other perſon and perſons, any way intereſſed of or in any Grounds ſo Staked and ſet out for the cutting, opening and enlarging of the ſaid Streets,Lanes or Paſſages,or any of them,are hereby required to take notice thereof,and to conform thereunto accordingly; (2) And alſo, that the Levels and Marks for raiſing or ſinking as well of the ſaid Street called Thames-ſtreet,and the Ground between the ſame and the River of Thames,as all other Streets in and about the ſaid City and Liberties thereof,in ſuch manner as the ſame are, or ſhall be appointed to be done before the twenty ninth day of September, One thouſand ſix hundred ſeventy one, by the Commiſſioners of Sewers and Pavements, appointed by Act of Parliament, be henceforth obſerved in all places within the ſame.

XIII. Provided nevertheleſs, That where any Houſe or Houſes for Habitation have been built, or were in building within the ſaid City and Liberties thereof, on or before the Fourteenth day of May, in the year of our Lord One thouſand ſix hundred ſixty and eight, at which time the ſaid Rules and Levels, for raiſing or ſinking of the ſaid Streets, were either not publiſhed, or not generally known; that it ſhall and may be lawful for the ſaid Surveyors (who are hereby authorized and required ſo to do) with as little variation from the ſaid Rule as conveniently may be, ſo to alter the ſaid Levels or Marks or any of them, as that the ſaid Buildings ſo erected, may receive as little damage thereby as may be; And if the ſaid Surveyors or either of them, upon requeſt and due notice to be given by the Owner or Occupier of ſuch Houſe, ſhall refuſe to do his or their duty herein, or the ſaid Owner or Occupier ſhall have any juſt Exceptions to their determination in the premiſſes; That then and in ſuch caſe, it ſhall and may be lawful for the ſaid Owner or Occupier of ſuch Houſe, (ſo thereby grieved) to appeal by his Petition in Writing to the Lord Mayor and Court of Aldermen, who upon deliberate hearing of both ſides, ſhall finally determine ſuch Controverſie without further or other Appeal.

XIV. And whereas in and by the ſaid Act for Rebuilding of the ſaid City, It is further provided, That the Surveyors, by virtue of this ſaid Act appointed, and every of them within their ſeveral Precincts, ſhall take care for the equal ſetting out of all Party-Walls and Party-Piers, and that they permit no perſon to build either on the ſaid Party-Walls, or on his own contiguous Ground, till the ſame be performed accordingly:

XV. Now to the intent that all Exaction in taking the ſaid Surveys, and that all Differences which may hereafter ariſe between any the ſaid Builders, may be prevented, (2) Be it enacted, That no Builders be permitted by the ſaid Surveyors to lay his or their Foundations, until the ſaid Surveyors, or one of them, according to the true intent of the ſaid Act, have firſt viewed the ſame, and ſeen the ſaid Party-Walls and Piers equally ſet out accordingly, for the defraying whereof, and all incident charges of Meaſuring, Staking out, taking the Level, and Surveying the ſaid Streets and Grounds:

XVI. Be it further enacted, That all and every the ſaid Builders before his or their Foundation ſhall be laid, or ſuch Survey taken, ſhall repair to the Chamberlain of London, and there enter his Name, together with the Place where his ſaid Building is ſo to be ſet out, and pay down to the ſaid Chamberlain the ſum of ſix ſhillings and eight pence for every Foundation ſo to be built reſpectively, upon Receipt whereof, the ſaid Chamberlain ſhall give his Acquittance, which ſaid Acquittance being produced to the ſaid Surveyors, or any of them, they and every of them are hereby required within three days next after ſuch Requeſt, to Survey and ſet out all and every the ſaid Foundations accordingly.

Builders muſt pay to the Chamberlain of London 6 s. 8 d. **before they lay their Foundation.**

XVII. And be it further enacted, That all and every the ſaid Builders who have at any time ince the making of the ſaid Act for Rebuilding the ſaid City, laid any Foundations to be built upon, ſhall forthwith pay unto the Chamberlain aforeſaid, for every the Foundations ſeverally erected to be inhabited, the ſum of Six ſhillings and eight pence, unleſs the ſame hath een formerly paid; And in default thereof, it ſhall and may be lawful to and for the ſaid Chamberlain for the time being, by Action of Debt, to be Commenced in the Name of the aid Chamberlain, in the Kings Majeſties Court, to be holden in the Chamber of the Guildall of the ſaid City, before the Lord Mayor and Aldermen of the ſame City, to recover the ame, in which Action no Eſſoin or Wager of Law ſhall be allowed.

XVIII. And whereas it is provided in and by the ſaid Act, That all Differences ariſing beween any the Builders within the ſaid City or Liberties thereof, concerning the true Vaue of the Party-Walls, and all Differences ariſing between the ſaid Builders, or any others oncerning the placing or ſtopping up of any Lights, Windows, Water-courſes or Gutters, hich may hinder or retard the ſaid Buildings, ſhall and may be heard, Mediated and Determined (if it may be) by the Aldermen of the Ward where the cauſe of any ſuch Difference hall ariſe, and his Deputy; (2) and where the ſaid Alderman and his Deputy, or any of hem be concerned as parties in the Controverſies, or that they cannot determine the ſaid Differences, That then and in every ſuch caſe the ſame be certified by the ſaid Alderman or is Deputy concerned therein to the ſaid Mayor and Court of Aldermen, who upon deliberate earing of all parties ſhall finally determine the ſame without other Appeal. (3) Neverthe-eſs, in the ſaid Act there is no certain Penalty provided for ſuch as ſhall obſtinately refuſe to bey the ſaid Determination.

Differences about the true Value of Party-walls to be decided by the Alderman of the Ward, or elſe upon appeal, by the Lord Mayor and Court of Aldermen.

XIX. Now to the end there may be a due Obedience yielded to ſuch Determinations as ave been, or ſhall be made in any of the caſes laſt mentioned, and in all other Caſes hereby ſt to the final Determination of the ſaid Mayor and Court of Aldermen, (2) Be it enacted y the Authority aforeſaid, That all and every party and parties any way concerned to give bedience to any ſuch Determination as aforeſaid, ſhall obey and perform the ſame, under ch pains and penalties as by the ſaid Act are or may be inflicted upon the Builder or Levier f any irregular built Houſe, contrary to the meaning of the ſame late Act.

Penalties for Irregular Buildings.

XX. And be it further enacted, That all Differences which ſhall or may ariſe concerning e miſplacing, ſtraigthning, or ſtopping up, or any ways obſtructing any common or priate Entries, Alleys, Ways, Stairs, Landing-places or Paſſages, Houſes of Office, Tunels, Draughts and other Eaſements heretofore uſed and enjoyed within the ſaid City of ondon, or the Liberties thereof, ſhall and may by virtue of this Act be heard, mediated and etermined (if it may be) by the Alderman of the Ward where the Cauſe of any ſuch Differnce ſhall ariſe, and his Deputy. (2) And where the ſaid Alderman and his Deputy, or one f them be concerned as Parties in the ſaid Controverſie, or that they cannot determine e ſame Differences, That then upon complaint of the party or parties concerned, to the ſaid Mayor and Court of Aldermen, they ſhall hear and finally determine the ſame in ſuch manner as by the aforeſaid Act for the Rebuilding of the ſaid City of London, is appointed in caſe of differences concerning placing and ſtopping of Lights, Windows and Water-courſes; And all parties concerned, are hereby required to obey and ſubmit to ſuch their Determination, under ſuch and the like penalties as by the aforeſaid Act are or may be inflicted upon ſuch irregular Builders as aforeſaid: (3) And that all ſuch Obſtructions, as well where any Lights, Windows, Water-courſes, or Gutters are, or ſhall be hindred and ſtopped up, as whereby any common or private Alleys, Entries, Ways, Stairs, Landing-places, or paſſages, are or ſhall be ſtopped up, ſtraitned or miſplaced as aforeſaid, ſhall and may by Order of the ſaid Mayor and Court of Aldermen be abated and removed by virtue of this Act.

Rates for Wharfage and Cranage to be aſſeſſed by his Majeſty and Privy-Council.

XXI. And foraſmuch as great Exactions have been and are exerciſed by Wharfingers and others employed about the Wharfage and Cranage of Goods Landed or Shipped off, at or from the ſaid City of London: (2) For remedy thereof, Be it enacted, That ſuch Rates and no other ſhall from time to time be taken for Wharfage and Cranage, as well of Timber and other Materials for Building, as of Coals and other Goods and Merchandizes, as by the ſaid Majeſty with the Advice of his Privy Council, ſhall for that purpoſe be aſſeſſed and allowed to be taken, a Table of which Rates ſhall be hanged up at every of the ſaid Wharfs reſpectively; (3) And if any Wharfinger or other ſhall exact or demand, or directly or indirectly take or receive for Wharfage or Cranage, or by colour thereof, more than according to the Rates which ſhall be ſo aſſeſſed, or ſhall refuſe to ſuffer any Goods or Merchandize to be Landed or Shipped at, off, or from any Wharf or Wharfs within the ſaid City or the Liberties thereof at the Rates aforeſaid, ſuch Offender ſhall forfeit for every ſuch offence the ſum of Ten pounds to the party or parties thereby grieved, to be recovered with full Coſts of Suit; by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record at Weſtminſter, or within the ſaid City of London, as the cauſe ſhall ariſe, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor any more than one Imparlance.

19 Car. 2. c. 2. revived, with an additional authority to the Judges.

XXII. And whereas the aforeſaid Act for erecting a Judicature for determination of Differences touching Houſes burned, or demoliſhed by reaſon of the late Fire which happened in London, is expired; And for that there were many Cauſes brought before the ſaid Judicature which yet are undetermined, and divers other Cauſes proper to receive a determination before the ſaid Juſtices and Barons, which they found not to be within the authority given them by the aforeſaid Act; and that many more differences do and may ariſe, which could not be heard and determined within the time limited by the ſaid Act; And for the further and additional authority to the ſaid Juſtices and Barons, to hear and determine all the aforeſaid differences, and for a more eaſie Execution of the ſaid authority; (2) It is hereby further enacted and declared, That the ſame Act, and the Judicature thereby erected, and all and every the Powers and Authorities thereby given to the Juſtices of the Court of Kings Bench, and Common-Pleas, and Barons of the Coif of the Exchequer for the time being, or any three or more of them, and all other matters and things therein contained, ſhall from henceforth ſtand and be revived, and remain in full force until the Twenty ninth day of September, One thouſand ſix hundred ſeventy one; Any clauſe, matter or thing in the ſaid Act contained to the contrary notwithſtanding.

No term to exceed ſixty years.

XXIII. Provided always, and be it enacted, That the term of forty years ſhall not be added to any Eſtate for life, or term of years in being, ſo as thereby to make the whole term exceed the number of ſixty years by any Decree hereafter to be made, by virtue of this or the ſaid former Act.

XXIV. Provided always, and it is hereby declared, That the ſaid Judges and Barons of the reſpective Courts aforeſaid, or any of them, ſhall not take Cognizance of, nor proceed to hear or determine any Differences or Demands which have ariſen, or may in any wiſe ariſe between any Landlords, Proprietors, Tenants, Leſſees, Under-tenants, or late Occupiers of any the ſaid Houſes or Buildings, or any other matter or things by the aforeſaid Act in that behalf made, referred to the determination of the ſaid Judicature, upon any Complaint or Requeſt, unleſs the ſame ſhall be exhibited, or depending before the ſaid Judicature, at or before the twenty ninth day of September, One thouſand ſix hundred and ſeventy: (2) And that in all ſuch caſes where no Complaint or Requeſt ſhall before that time be exhibited or depending before the ſaid Judges and Barons, it ſhall and may be lawful to and for all Landlords and Proprietors, from and after the ſaid twenty ninth day of September, One thouſand ſix hundred and ſeventy, to re-enter upon the Ground or Soyl to be rebuilt upon, and to avoid the Intereſt and Term as well of the Tenants in poſſeſſion, as all other Mean-Tenants, and to Rebuild thereupon, whereby to preſerve his or their Eſtate or Intereſt therein from being ſold by the ſaid Mayor, Aldermen and Common Council, by virtue of the ſaid late Act for Rebuilding the City of London.

Complaints to be exhibited before the 29th of Sept. 1670.

Leſſees omitting to build, loſe their term.

XXV. And whereas divers Leſſees for years, having Terms to come at the time of the ſaid Fire, have omitted to Rebuild, and their Landlords, for ſaving their Inheritances from forfeiture, have Rebuilt or begun to Rebuild Houſes thereupon, and many of them have Let the ſame to other Tenants, who with their Trades and Families are ſetled therein: (2) To the end the ſaid Rebuilders and their Aſſigns, may not be diſquieted in their Poſſeſſions, Be it enacted, That where any Termer for years to come at the time of the ſaid Fire hath ſo omitted to Rebuild, and that the Landlord or his Aſſignee or Aſſignees hath Rebuilt, or begun to Rebuild, that the Leaſes of ſuch Termors who have omitted to Rebuild, be from henceforth abſolutely void; Nevertheleſs, the ſaid Judges are hereby authorized to award ſuch Contribution or Recompence to the ſaid Termors as they ſhall think fit.

Decrees ſigned by two Judges, effectual in ſome caſes.

XXVI. And be it further enacted by the authority aforeſaid, That if after any Order, Judgment or Decree hath been, or hereafter ſhall be pronounced by any three or more of the ſaid Juſtices or Barons, any one or more of the ſaid Juſtices or Barons ſo pronouncing the ſame are already dead, or ſhall die before ſuch Order, Judgment or Decree ſhall be Signed according to the ſaid recited Act, the Signing thereof by the Survivor or Survivors of the ſaid Juſtices and Barons, ſhall be as good and effectual to all intents and purpoſes, as if the ſame were Signed by Three or more of the ſaid Juſtices and Barons; Any thing in the ſaid recited Act contained to the contrary thereof notwithſtanding.

Abſent perſons or beyond Sea.

XXVII. And be it enacted by the authority aforeſaid, That where any perſon or perſons concerned in any of the demoliſhed premiſſes, is or ſhall be beyond the Seas, or cannot be found, or ſummoned to apppear in the ſaid Court, that upon the Complaint or Petition of the Party agrieved, Filed in the ſaid Court for the ſpace of three months or more, and Oath in Writing made of the endeavour to ſummon ſuch abſent perſon or perſons, That then the ſaid Court ſhall or may after the end of the ſaid three months proceed to hear and determine the ſaid Cauſe: And that ſuch Order, Judgment or Decree as the ſaid Juſtices and Barons, or any three or more of them ſhall make in ſuch caſe, ſhall be binding to ſuch abſent perſon or perſons, their Heirs, Executors, Adminiſtrators and Aſſigns, as if he or they were actually ſummoned, and preſent at the making ſuch Decree.

Leaſes to be made according to Decree of the ſaid Judicature good.

XXVIII. And alſo be it enacted by the authority aforeſaid, That for the avoiding difficulties in the recovering of Rents, and for the aſcertaining of Covenants, Terms and Conditions, Ordered or to be Ordered or Decreed according to this, or the ſaid recited Act; All and every perſon and perſons, Bodies Politick and Corporate reſpectively, bound by ſuch Order or Decree, their reſpective Heirs, Succeſſors and Aſſigns, ſhall and may execute Leaſes and Counter-parts thereof, according to the tenor of the ſaid Orders and Decrees, as they are thereunto required by vertue of this preſent Act: All which Leaſes ſhall be binding and good in Law; Any Law, Statute or Inability whatſoever to the contrary notwithſtanding. (2) And that where Leaſes in Reverſion or additional Terms are, or ſhall be Ordered or Decreed by force of this, or the ſaid Recited Act, the reſpective Parties concerned ſhall or may at their pleaſure unite and joyn together, both the preſent and additional Terms into one Leaſe, which ſhall be good and effectual againſt the Leſſors, their Heirs, Executors, Succeſſors and Aſſigns; Any Law, Statute, Uſage or Cuſtom whatſoever to the contrary thereof notwithſtanding.

Juſtices and Barons may appoint a Seal.

XXIX. And be it enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or the greater number of them, ſhall or may appoint a Seal to be and remain with the Regiſter of the ſaid Court for the Sealing of Warrants, and that all ſuch Warrants which ſhall be Sealed with the ſaid Seal, and Signed by the ſaid Regiſter for the ſummoning or warning any perſon, Bodies Politick and Corporate, concerned in the late demoliſhed Houſes and Premiſſes, or Witneſſes, ſhall oblige them to appear according to the tenor of ſuch Warrants; Any thing in the ſaid former Act to the contrary thereof notwithſtanding.

Infants, how Decrees may be made againſt them.

XXX. And be it enacted by the authority aforeſaid, That where the Inheritance or other Eſtate of or in any of the ſaid Houſes or Premiſſes, are, or ſhall be in any Infant or Infants under the age of One and twenty years, or in any Truſtees for them, or any of them; It ſhall be in the Power of the ſaid Juſtices and Barons, or any Three or more of them, upon the Petition of the Father, Mother, or next of Kin, or other Friend to ſuch Infant or Infants, to Order or Decree a Leaſe or Leaſes againſt ſuch Infant or Infants, and their Truſtees, for any term or terms of years, not exceeding Fifty one years in the whole, to ſuch Father, Mother, or other perſon that ſhall or will undertake the rebuilding of ſuch Houſes, at and under ſuch Rent or Rents, and under ſuch Covenants, Conditions and Agreements, as they the ſaid Juſtices and Barons, or any three or more of them ſhall think fit and adjudge; which ſaid Leaſes and Terms ſo Decreed, ſhall and may be held and enjoyed accordingly, by vertue of this preſent Act; And that ſuch Infant or Infants, upon requeſt, after they ſhall attain to their reſpective ages of One and twenty years, and in caſe the death of ſuch Infant or Infants, his and their Heirs, Executors or Adminiſtrators, ſhall and are hereby required to execute ſuch Leaſes accordingly, and the reſpective Tenants the Counter-parts thereof.

For encouragement of Builders terms ordered by Decrees of the Judges ſhall be accordingly enjoyed.

XXXI. And be it enacted by the authority aforeſaid, That for the encouragement of Builders, and ſecuring their Eſtates, every Order, Judgment and Decree that hath been, or ſhall hereafter be made by the ſaid Juſtices and Barons, or any three or more of them, by force of this, or the ſaid recited Act, touching the Intereſts and Eſtates of Tenants in Tail, ſhall conclude and bind as well Tenants in Tail and their Iſſues, as alſo the Eſtates in Remainder and Reverſion, according to the tenor of ſuch Order, Judgment or Decree.

XXXII. And for better ſecuring the Eſtates of the ſaid Builders, Be it further enacted by the authority aforeſaid, That all and every perſon and perſons, and their Executors, Adminiſtrators and Aſſigns, who are or ſhall be Decreed by the ſaid Judicature, to build any Meſſuages or Tenements, or any the ſaid demoliſhed Premiſſes, upon any Term or Eſtates, rendring an annual Rent, have, or ſhall build the ſame accordingly, ſhall hold and enjoy ſuch their ſeveral and reſpective Terms and Eſtates, under the Rents and Covenants Decreed, notwithſtanding any other Eſtate, Right, Title, Intereſt in Law or Equity, Truſt, Charge, or other Incumbrance whatſoever.

Actions may be brought to inforce the performance of the Judges Decrees.

XXXIII. And for the better obliging of all perſons to the performance of the Orders and Decrees made or to be made by the ſaid Judicature, (2) Be it enacted by the authority aforeſaid, That where any perſon or perſons are or ſhall be ordered or decreed to pay any Rate, Contribution, Sum or Sums of Money, in purſuance of this, or the ſaid recited Act, for erecting the ſaid Judicature, it ſhall be lawful for the parties concerned, upon any non-payment thereof, to ſue for and recover the ſame by Action of Debt, or upon the Caſe, in any of his Majeſties Courts of Record at Weſtminſter, or within the City of London, and to give ſuch Order or Decree in Evidence to prove the ſame; In which Action, no Eſſoin, Protection or Wager of Law ſhall be allowed. (3) And where any perſon or perſons are or ſhall be ordered, adjudged or decreed to build, ſeal a Leaſe, give Security, or do any other Act in purſuance of this or the aforeſaid Act, It ſhall and may be lawful for the party or parties concerned, in default of performance thereof, by Action upon his Caſe to be brought in any of his ſaid Majeſties Courts of Record aforeſaid, to recover Damages for ſuch non-performance, to have or bring his Bill in any Court of Equity, to inforce the actual performance of the ſame.

Adminiſter Oaths.

XXXIV. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid Juſtices and Barons, or any of them, out of Court to Adminiſter Oaths, and take Affidavits in Writing, concerning any matter relating to the proceedings in the ſaid Judicature, which Affidavits ſhall or may be made uſe of in Court, as the ſaid Juſtices and Barons, or any three or more of them ſhall think fit.

Appeals allowed, and in what caſes.

XXXV. And whereas ſome Orders and Decrees in the late Court of Judicature, erected by the late Act of Parliament, touching the houſes burnt in London, were made the ſame week that the power of the ſaid Court of Judicature determined, whereby the parties concerned had not the ſame time and liberty of exception and appeal as others had; (2) Be it therefore provided and enacted by this preſent Parliament, and the authority thereof, That where any ſuch Order or Decree was made by a leſſer number of Juſtices and Barons than Seven, if the ſaid Order or Decree were made ſince the One and twentieth day of December, in the year of our Lord, One thouſand ſix hundred ſixty and eight, It ſhall be lawful for any perſon agrieved by ſuch Order or Decree, to preſent their Exceptions to the ſame in Writing, within Seven days next after the firſt ſitting of the ſaid Juſtices and Barons, by vertue of this preſent Act: And that the ſame Examination, Proceedings, Review and Determination, ſhall be thereupon had and made, and as effectually to all intents, as if the ſaid Exceptions had been preſented within the due time limited and appointed by the ſaid late Act of Parliament; Any thing in this, or the ſaid late Act of Parliament to the contrary in any wiſe notwithſtanding.

Further power given to the Judges.

XXXVI. And whereas there were ſeveral Houſes in the City of London conſumed by Fire within three years next before the ſaid late dreadful Fire, which by reaſon of ſome differences and doubts ariſing in point of Title, the ſame were not, nor are likely to be rebuilt, unleſs ſome courſe be taken for the deciding of ſuch differences: (2) For remedy whereof, Be it further enacted by the authority aforeſaid, That the ſaid Judges and Barons, or any three or more of them be and are hereby authorized and impowred, to hear and determine all ſuch caſes for all ſuch Houſes and Tenements as fully and amply, and in like manner to all intents and purpoſes, as they can or may hear and determine any other matter herein mentioned: And all Decrees and Orders in ſuch caſes to be made, ſhall bind and be obeyed by all parties therein concerned, and ſhall be of like effect, as if the ſame were made for any other matter or thing herein mentioned.

A Jury.

XXXVII. And whereas by reaſon of enlarging ſeveral Streets, and of making the new Streets called Kings-ſtreet, leading from Guild-hall into Cheapſide, and Queen-ſtreet, leading from Soaper-lane to the River of Thames, there are divers ſlips and ſmall parcels of ground remaining altogether uſeleſs to the Owners thereof, in regard the ſame are not capable of any houſe being built thereupon: (2) It is therefore hereby further provided and enacted, That for the making the ſaid Streets and Buildings conformable, and for the better determining of all Controverſies concerning the ſame, that the ſaid Juſtices and Barons or any Three or more of them be, and are hereby authorized and impowred to hear and determine all Controverſies and Differences ariſing by reaſon or occaſion thereof, in like manner as they can or may hear or determin any other Matter or Cauſe referred to their Judgment, by vertue of this or the aforeſaid Act for erecting the ſaid Judicature, and may make ſuch Orders and Decrees, either for the transferring the propriety of ſuch parcels of Ground, left next the ſaid Streets to the Owners of the backward Ground, or by transferring the propriety of a proportion of the backward Ground to the Owners of any the ſaid ſmall parcels of Ground, or by annexing it to the next adjoyning and contiguous Ground, in order to the regular Building thereupon; (3) And for all ſuch parcels of Ground, the propriety whereof ſhall be ſo transferred by ſuch Order or Decree of the ſaid Juſtices and Barons, or any Three or more of them as aforeſaid, and for all Charges and Damages concerning the ſame, ſuch Recompence and ſatisfaction ſhall be given by the Builders to the reſpective Proprietors and others intereſſed therein, as ſhall be awarded by a Jury for that purpoſe, to be impannelled by the Lord Mayor and Court of Aldermen in like manner, as by the aforeſaid Act for Rebuilding the ſaid City of London is appointed in caſe of ſatisfaction to be given for grounds taken and imployed for the uſes in that Act mentioned, in caſe the parties concerned will not, or by reaſon of Infancy, or other impediment cannot come to agreement touching the ſame; (4) Which Orders and Decrees in that behalf to be made, ſhall bind all parties therein concerned, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and ſhall be of like effect as other Decrees made by the ſaid Juſtices and Barons, or any Three or more of them, by vertue of this, or the aforeſaid Act, to the intent that the Building thereupon may extend to the ſaid Streets in a right line with other Houſes there built, and the Owners and others intereſſed of and in the ſaid adjacent and contiguous Grounds, paying to the Owners and others intereſſed of and in the ſaid ſmall ſlips and parcels of Ground, ſuch ſatisfaction as ſhall be ordered and awarded by the ſaid Juſtices and Barons, or any Three or more of them, upon hearing of the parties concerned (who are hereby authorized and impowred to hear and determine the ſame, and therein to make ſuch Orders and Decrees as in other Cauſes referred to their Judgment and Determination by this, or the aforeſaid Act) ſhall and may for ever hold and enjoy the ſame by vertue of this preſent Act.

An Impoſition on Sea-coals and all other Coals to be received by the Mayor, &c. and imployed for enlarging the Streets, and other publick Works, from the 24 of June, 1667. to 24 June, 1677.

XXXVIII. And whereas for the further enabling of the ſaid Mayor and Commonalty, and Citizens of the ſaid City of London, and their Succeſſors, to perform and accompliſh the works in the ſaid Act for Rebuilding the ſaid City mentioned; It was thereby enacted, That for all ſorts of Coals, which from and after the Twenty fourth day of June, One thouſand ſix hundred ſixty ſeven, and before the Twenty fourth day of June, One thouſand ſix hundred ſeventy ſeven, ſhould be brought into the Port of London, or River of Thames, within the Liberties of the ſaid City, upon the ſaid River to be ſold, there ſhould be paid by way of Impoſition thereupon for every Chaldron or Tun of Coals, the ſum of Twelve pence, to be anſwered to the ſaid Mayor or Commonalty, Citizens, and their Deputies and Aſſigns, and to be applied and diſpoſed unto and for the ſatisfaction of ſuch perſons, whoſe Grounds ſhould, by vertue and in purſuance of the ſaid Act, be taken and imployed for the inlarging of the Streets and narrow Paſſages within the ſaid City, and other uſes and purpoſes in the ſaid Act mentioned: (2) But foraſmuch as it doth and will require far greater ſums of money to give ſatisfaction for the Ground to be taken and imployed for the enlarging of the Streets, by this and the aforeſaid Act appointed to be enlarged, and for publick Market-places, and other the publick uſes and purpoſes in this Act mentioned, than at the time of the paſſing of the ſaid Act was, or could be foreſeen; Therefore for the further enabling of the ſaid Mayor, Commonalty, and Citizens of the ſaid City, and their Succeſſors, to perform the Works in this and the ſaid Act for Rebuilding, mentioned: And alſo for the Rebuilding of the reſpective Pariſh-churches by this Act appointed to be Rebuilt; (3) Be it enacted by the authority aforeſaid, That for all ſorts of Coles which (from and after the Firſt day of May, One thouſand ſix hundred and ſeventy, and before the Twenty ninth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred eighty ſeven) ſhall be Imported and brought into the ſaid Port of the City of London, or the River of Thames, within the Liberties of the ſaid City, upon the ſame River, there ſhall be paid by way of Impoſition thereupon, according to the Rates hereafter mentioned, (that is to ſay) for all ſuch Coles as ſhall be there Imported and brought in, from and after the Firſt day of May, One thouſand ſix hundred and ſeventy, and before the Twenty fourth day of June, One thouſand ſix hundred ſeventy ſeven, there ſhall be paid for every Chaldron or Tun thereof, Two ſhillings, over and beſide the aforeſaid Impoſition of Twelve pence the Chaldron or Tun, by the ſaid Act for the Rebuilding the City of London, appointed to be paid; (4) And for all ſuch Coles which ſhall be there Imported and brought in, from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ſeventy ſeven, and before the ſaid Twenty ninth day of September, One thouſand ſix hundred eighty ſeven, there ſhall be paid for every Chaldron or Tun thereof, Three ſhillings, (5) and the ſame ſhall by vertue of this Act be collected, levied, and paid in ſuch ſort and manner, in all and in every reſpect, as in and by the ſaid Act is limited and appointed for the collecting and levying the Duty of Twelve pence the Chaldron or Tun of Coles, impoſed by the ſaid Act, and all and every the powers, authorities, directions and proviſions, in or by the ſaid Act mentioned or provided, for the levying and collecting thereof, or for the ordering or regulating the payments of the ſaid Cole-meters, or others in diſcharge of their reſpective Offices and Duties, or for the preventing of Fraud and Covin, and diſcovery of the juſt Quantities of all ſorts of Coles to be Imported as aforeſaid, and all other things relating thereunto, ſhall remain and be in force, and by vertue of this preſent Act, ſhall and may be exerciſed and put in ure, for the collecting and levying the ſeveral Duties aforeſaid, and of either of them reſpectively, according to the purport and effect of the aforeſaid Act in all and every reſpect, and that for and during all the time by this Act limited and appointed for the payment of the ſaid Impoſitions, or either of them reſpectively, as the ſame were expreſly mentioned in this preſent Act, with reference to the ſaid Impoſitions thereby impoſed; (6) all which moneys ſo to be received upon accompt of the ſaid reſpective Impoſitions, or either of them, ſhall from time to time be paid into the Receipt of the Chamber of the City of London, and from thence ſhall be iſſued and paid according to the direction and appointment of this preſent Act, and not otherwiſe. And the ſaid Chamber of the City of London ſhall ſtand and be charged with all the reſidue of the ſaid moneys there paid in, which ſhall not be iſſued out and paid accordingly.

19 Car. 2 3. Sect. 36. N. 2.

Rules and Authorities for collecting the ſaid Impoſitions.

How the money received by means of the ſeveral impoſitions ſhall be diſpoſed.

XXXIX. And be it further enacted, That all and every Sum and Sums of money which ſhall be raiſed upon the Receipt of the ſeveral and reſpective Impoſitions aforeſaid, or by ſuch Additional Duty, in caſe of concealment thereof, as by the aforeſaid Act is appointed, ſhall be imployed and diſpoſed in manner and form following, (that is to ſay) Three fourth parts of all the moneys which from and after the ſaid Firſt day of May, One thouſand ſix hundred ſeventy, and before the ſaid Twenty fourth day of June, One thouſand ſix hundred ſeventy and ſeven, ſhall be raiſed or payably upon the Receipt of the aforeſaid Impoſition of Two ſhillings for every Chaldron or Tun of Coles, or in caſe of concealment thereof as aforeſaid, ſhall be imployed and diſpoſed for and towards the Rebuilding, Erecting or Repairing of the ſaid Pariſh-churches reſpectively, according to ſuch Order and Direction as by the Lord Archbiſhop of Canterbury, the Lord Biſhop, and Lord Mayor of London for the time being, or any two of them, ſhall be given in that behalf, and the ſame ſhall from time to time be iſſued out and paid accordingly, unto ſuch perſon and perſons as they, or any two of them, ſhall by Warrant under their Hands and Seals for that purpoſe, direct and appoint: (2) And the other fourth part, reſidue thereof, ſhall be imployed for and towards the giving Satisfaction for Grounds ſet out and imployed for inlarging of the Streets, making of Wharfs, Keys, Publick Market places, and other Publick uſes, in this and the aforeſaid Act mentioned and appointed: (3) And that one moiety of all the moneys which from and after the ſaid twenty fourth day of June, One thouſand ſix hundred ſeventy and ſeven, ſhall be raiſed, or payable upon the aforeſaid Impoſition of Three ſhilling the Chaldron or Tun of Coles, or in caſe of concealment thereof as aforeſaid, ſhall be imployed and diſpoſed for and towards the Rebuilding, Erecting and Repairing of the ſaid reſpective Pariſh-churches, by ſuch Order and Direction, and to be iſſued and paid by ſuch Warrant of the ſaid Lord Archbiſhop of Canterbury, Lord Biſhop, and Lord Mayor of London for the time being as aforeſaid: And the other moiety thereof ſhall from time to time be imployed and diſpoſed for the giving of Satisfaction for Ground ſet out and imployed as aforeſaid, and ſuch other publick uſes and purpoſes as in this and the aforeſaid Act are mentioned and appointed.

XL. And be it further enacted and declared by the authority aforeſaid That for all moneys ariſing upon the Receipt of the ſeveral Impoſitions aforeſaid, or either of them reſpectively, which in purſuance of this Act ſhall be paid into the Chamber of the City of London, It ſhall and may be lawful for the Chamberlain, or ſuch other perſon or perſons who ſhall be appointed to iſſue out and pay the ſame, thereout to defaulk and retain for the uſe of the ſaid Mayor and Commonalty and Citizens of the ſaid City, and their Succeſſors, the ſum of Ten ſhillings for every hundred pounds, and ſo after that rate for any greater or leſſer ſum thereof, in lieu of the Trouble, Hazard, and incident Charges attending the Receipt and Payment thereof.

Ten ſhillings out of every hundred pounds to be defaulked for the Mayor, &c.

XLI. Pro-

One fourth part of the whole may be imployed in the repair of Saint Pauls Church.

XLI. Provided always, and be it enacted, That it ſhall and may be lawful for the Lord Archbiſhop of Canterbury, the Lord Biſhop of London, and Lord Mayor of London for the time being, or any two of them as aforeſaid, to imploy or diſpoſe, for and towards the building, or repairing the Cathedral Church of Saint Paul, One fourth part of the money by this Act given and appointed for the building, erecting or repairing the Pariſh-churches aforeſaid.

XLII. And for as much as the moneys to be raiſed by ſuch Receipt of the Impoſitions aforeſaid, for every Chaldron or Tun of Coals, by vertue of this and the aforeſaid Act, will not at preſent raiſe ſuch a ſtock or ſum of mony as may be ſufficient for the effecting the ends and purpoſes in this and the aforeſaid Act mentioned and intended.

The Profits ariſing from the impoſitions may be ingaged to raiſe a preſent ſtock of money.

XLIII. It is hereby further enacted and declared, That the Lord Archbiſhop of Canterbury, the Lord Biſhop of London, and Lord Mayor of London for the time being, ſhall be and are hereby impowred by Indenture under their Hands and Seals, to engage the profits ariſing of the reſpective Impoſitions, by this Act impoſed, and thereby appointed to be imployed for and towards the rebuilding, and erecting, or repairing of the Cathedral and Pariſh-churches within the ſaid City reſpectively, for any part or parts thereof, as a Security for any ſum or ſums of money by them to be borrowed for that purpoſe, to any perſon or perſons that ſhall or will advance any ſums of money upon that Security; All which moneys ſo to be borrowed, ſhall be imployed for and towards the rebuilding, and erecting, or repairing of the ſaid Cathedral and Pariſh-churches reſpectively, according to the true intent and meaning of this Act: (2) And in like manner alſo, are hereby further impowred to Aſſign ſuch proportion or proportions of the moneys to be paid in courſe, out of the ſaid Impoſitions to the Pariſhioners of any of the reſpective Pariſh-churches, or any other perſon or perſons, who ſhall and will ſecure the advancement of preſent moneys, for the rebuilding of their reſpective Pariſh-churches, and ſhall be willing to accept of ſuch Aſſignments for his or their ſatisfactions of the moneys to be diſburſed and laid out in the rebuilding thereof; (3) And that the ſaid Mayor, Commonalty and Citizens of the City of London, and their Succeſſors, ſhall be and are hereby enabled to engage the reſidue of the profits ariſing of the ſaid Impoſition, either by vertue of this or the aforeſaid Act reſpectively, as a Security for any ſum or ſums of money by them to be borrowed and taken up for that purpoſe by Indenture under their Common Seal, to any perſon or perſons that ſhall or will upon that Security, advance any preſent ſum or ſums of money; All which ſum or ſums of money ſo to be borrowed, ſhall be imployed for and towards the making of ſuch ſatisfaction, and other the uſes, intents and purpoſes whereunto the ſaid reſpective Impoſitions are by this and the aforſaid Act appointed to be converted and imployed, and not otherwiſe: And alſo in like manner ſhall and may aſſign any ſum or ſums of money to be paid in courſe out of the ſaid Impoſition, to any perſon or perſons whoſe Grounds ſhall be taken as aforeſaid, who are or ſhall be willing to accept thereof for his or their ſatisfaction.

A new Key or Wharf to be made from London bridge to the Temple Forty Foot broad.

19 Car. 2. c. 8.

XLIV. And be it further enacted by the authority aforeſaid, That for the better benefit and accommodation of Trade, and for other great Conveniences, there ſhall be left a continued Tract of Ground, all along from London-bridge to the Temple, of the breadth of Forty foot of Aſſize, from the North ſide of the River of Thames, to be converted to a Key, or publick and open Wharf; and that in order thereunto, all Buildings, Sheds, Pales, Walls, Incloſures, and other obſtructions and impediments whatſoever, now ſtanding or being within Forty Foot Northward of the ſaid River of Thames, between the places aforeſaid, (Cranes, Stairs and Docks only excepted) ſhall within eight months now next enſuing, be taken down and removed, and the ſaid Ground cleared and levelled, and that from henceforth there ſhall be no Building or Erection whatſoever (except only Cranes, Stairs and Docks as aforeſaid) placed or ſet within, or upon the ſaid Forty Foot of Ground, or any part thereof, between the places aforeſaid: (2) And that all Buildings that ſhall hereafter immediately border upon any part of the ſaid Ground, upon the North-ſide thereof, ſhall Front and be placed in the Line that ſhall be ſet out for the Bounds of the Breadth of the ſaid Forty Foot of Ground Northward. And that the ſame Building ſhall be of the Second or Third ſort or rate of Buildings mentioned in a former Act of this preſent Parliament, Intituled, An Act for the Rebuilding of the City of London, at the Election of the Rebuilder thereof; wherein ſuch regularity of Building ſhall be obſerved, and under ſuch penalties as are contained in the ſaid Act in that behalf, and wherein ſuch Uniformity alſo ſhall be had, as in other Streets of the ſaid City, except Common Halls for Companies, and other Building, which ſhall be otherwiſe allowed of by his Majeſty.

XLV. And be it further enacted, That all the ſaid Tract of Ground of the ſaid breadth of Forty Foot from the ſaid River, ſhall be open and at large, without any diviſion or ſeparation, and that the Bounds of each Proprietors Ground therein, ſhall be diſtinguiſhed only by Denter-ſtones to be placed in the Pavement thereof; And that the Line of the whole Key or Wharf, between the places aforeſaid, and alſo the ſeveral Cranes and Stairs within the ſame places, ſhall be aſcertained by the direction of the Lord Mayor and Court of Aldermen, and ſet out by their Surveyor accordingly, with his Majeſties Approbation, on or before the Four and twentieth day of June, One thouſand ſix hundred and ſeventy; (2) And further, That no Lighter, Boats, or other Veſſels ſhall lie before any the ſaid Wharfs or Keys between the places aforeſaid, or the North-ſide of the ſaid River, longer than ſhall be neceſſary for the Lading or Unlading of Goods, without the conſent and permiſſion of the Wharfingers or Proprietors thereof.

XLVI. And be it further enacted and declared, That it ſhall and may be lawful for any perſon or perſons to Lade or Unlade any Goods or Merchandiſes at any of the ſaid Wharfs or Keys for Wharfage and Cranage, whereof every Proprietor, Wharfinger, or other perſon concerned, ſhall and may demand and receive ſuch Rates, and no other, for the ſame, as ſhall from time to time be ſet out and appointed by his Majeſty, with the advice of his Privy-Council.

XLVII. And be it further enacted by the authority aforeſaid, That for the further convenience of Trade, the Channel of Bridewel-dock, from the Channel of the River of Thames to Holbourn-bridge, ſhall be ſunk to a ſufficient Level, whereby to make it Navigable; and that the Ground to be ſet out for the breadth of the ſaid Channel, and of the Wharfs on each ſide thereof, ſhall not be leſs in breadth than One hundred foot; nor ſhall exceed One hundred and twenty foot in breadth: And that the Line of the ſaid Channel, and Wharfs and Levels thereof, together with the Cranes and Stairs to be placed thereon, ſhall be aſcertained by the ſaid Lord Mayor and Court of Aldermen, with his Majeſties Approbation, and ſet out by the Surveyors accordingly, at or before the firſt day of May next enſuing; And that all the ſaid Wharf-ground on each ſide of the ſaid intended River ſhall lie open and at large (Cranes and Stairs only excepted) without any diviſion or ſeparation, and each perſons propriety therein to be diſtinguiſhed only by Denter-ſtones in the pavement thereof; (2) And that all Buildings that ſhall hereafter immediately border upon each ſide of the ſaid Wharfs, ſhall front and be placed in the Line that ſhall be ſet out for the bounds of the breadth of the Wharfs from the Channel; And that the ſaid Buildings ſhall be of the ſecond rate of Buildings mentioned in the ſaid Act for Rebuilding, wherein ſuch Regularity of Building ſhall be obſerved, and under ſuch penalties as are contained in the ſaid Act; (3) And that no Lighter, Boat or Veſſel ſhall lie before any the ſaid laſt mentioned Wharfs or Keys, longer than ſhall be neceſſary for the Lading or Unlading of Goods, without the conſent or permiſſion of the Wharfingers or Propietors thereof; (4) and that it ſhall and may be lawful for any perſon or perſons to land any Goods or Merchandizes at any of the ſaid Wharfs or Keys within the intended Channel or Cut, ſo to be made for Wharfage or Cranage; whereof every Proprietor, Wharfinger or other perſon concerned ſhall demand and receive ſuch Rates, and no other for the ſame as ſhall from time to time be ſet and appointed by his ſaid Majeſty, with the advice of his Privy-Council as aforeſaid: (5) And that certain reaſonable Rates for Tolls and other Profits ariſing by the Navigation of the ſaid Channel or Cut, ſhall be ſet and appointed by the Lord Mayor and Court of Aldermen, with Approbation of the Barons of the Exchequer, or two or more of them, and the ſame Tolls or Profits veſted in the Mayor, Commonalty and Citizens of the City of London, for preſervation of the ſaid Navigation, Sluces, and other incident charges thereof.

The Channel of Bridewel Dock from the Thames to Holbourn-Bridge to be made Navigable.

XLVIII. Provided always, and be it further enacted and declared, That the ſinking and making of the ſaid intended Channel of Bridewel-dock and Fleet-ditch, from the Channel of the Thames to Holbourn-bridge, and the Saſſes and Sluces for the better Navigation thereon, and the raiſing and ſinking other Wharfs or Keys, on each ſide of the ſaid Bridewel-dock and Fleet-ditch, (whereby to bring the ſame to a Level) ſhall be born and firſt defrayed by the Mayor and Commonalty and Citizens of the ſaid City of London, out of the ſaid fourth part of the Impoſition to be raiſed upon Coals, by vertue of this Act; (2) And that the ſaid Mayor and Commonalty and Citizens, ſhall cauſe the ſaid Channels to be ſunk, and Wharfs or Keys to be reduced to ſuch a Level as may be proper for the Proprietors of the Ground immediately bordering upon the ſaid Wharfs or Keys, to Build upon with convenient acceſs thereto, before the firſt of Auguſt, One thouſand ſix hundred and ſeventy; And in the next place after the charge before mentioned ſhall be born out of the ſaid fourth part, ſatisfaction ſhall be made out of the ſame fourth part, to the Proprietors whoſe Ground hath been or ſhall be laid open, or from whom any Ground hath been or ſhall be taken for the ſaid publick uſe.

How the charge ſhall be defrayed.

XLIX. And whereas ſome part of the ſaid Ground ſo as aforeſaid deſigned for publick Wharfs on the North ſide of the River of Thames, and on each ſide of the ſaid Channel or Cut will be much improved, and ſome other places thereof will be much impaired in value, by reaſon of converting the ſame to the uſes aforeſaid: To the end therefore, that an equal and reaſonable courſe may be held and uſed on each hand, without wrong to any party therein concerned, (2) Be it enacted by the authority aforeſaid, That as well for the giving ſatisfaction to ſuch perſons, whoſe Ground ſhall be imployed as aforeſaid, or thereby impaired or leſſened in value; As alſo, for the Aſſeſſing and Raiſing of moneys upon thoſe that ſhall by the means aforeſaid, make improvement or melioration of any of the ſaid Ground ſo imployed; The ſame powers, authorities, form and courſe of proceedings, ſhall in all things be uſed, exerciſed, put in practiſe, and obſerved, as are by the ſaid recited Act (made for the Rebuilding of London) ordained, provided and appointed for ſatisfaction to be made for Ground imployed for the enlargement of Streets and Paſſages, and for Aſſeſſments to be made in conſideration of improvements and melioration of Houſes and Ground, and that the return of the Key about White-Friers-dock, ſhall not exceed the breadth of Twenty Foot.

White-Friers-Dock.

L. And for the ſecurity and encouragement of ſuch as have or ſhall rebuild upon the Scite of any Houſe or Houſes burned or demoliſhed by reaſon of the ſaid late Fire, againſt ſecret Charges and Incumbrances, wherewith, or whereunto the ſame ſhall or may be charged or liable, (2) Be it further enacted by the authority aforeſaid, That no ſuch Houſe or Houſes already Built, or to be Rebuilt within the ſaid City of London, or Liberties thereof, nor the Owners, or others intereſſed therein, ſhall after the Rebuilding thereof, be further liable to the ſatisfaction of any charge or charges, incumbrance or incumbrances, wherewith, or whereunto the ſame are or may be liable, by any matter or thing before the ſaid late Fire, then the value of the Ground or Soyl, in caſe the ſame had not been Rebuilt upon, might or would extend to ſatisfie, unleſs ſuch Charges or incumbrances as were contracted thereupon by the now Owners, or others intereſſed therein, who ſhall themſelves be and remain liable to ſatisfie the ſame as if this preſent Act had never been had or made.

Proviſion for ſuch as ſhall rebuild againſt ſecret charges and incumbrances.

LI. And whereas many Deeds, Evidences and other Writings were in the ſaid late Fire loſt burnt or imbezelled, by which misfortune, many perſons who have Land in the ſaid City are rendred unable to make their Right and Title ſo apparent, as can ſatisfie ſuch as would take Leaſes of their ſaid Lands, and Build upon them, (2) Be it enacted, That if any perſon or perſons, who have been lawful Poſſeſſors, and eſteemed Owners of any Ground within the

One and twenty years poſſeſſion or more, ſhall enable the owner to make Leaſes.

ſaid City, for the ſpace of One and twenty years or more, ſhall grant a Leaſe to any perſon or perſons of the ſaid Land upon a valuable Ground-rent, ſo to be eſteemed by the ſaid Mayor and Aldermen, or any three of them, if the ſaid Lands ſhall afterward be recovered from the ſaid perſon ſo granting, That the Leaſe ſhall be good and valid, the Builders only paying the aforeſaid Ground-rent to the perſon to whom the Ground ſhall rightly belong, ſhall be freed from all charge and trouble; Any Law or Cuſtom to the contrary notwithſtanding.

Water-houſe at Broken-wharf.

LII. And whereas the Water-houſe at or near Broken-Wharf, was wholly burnt down and conſumed in the time of the late dreadful Fire, which being found impoſſible to be Rebuilt with Brick, the Owners thereof have at their very great charge lately Rebuilded the ſaid Houſe with Timber, and made the ſame uſeful for ſerving the Inhabitants of the City with Water, (2) Be it therefore enacted and declared by the authority aforeſaid, That the ſaid Owners and their Aſſigns, are hereby and ſhall for ever hereafter be ſaved harmleſs and indemnified from all trouble or penalties, for or by reaſon of their Building the ſaid Houſe with Timber as aforeſaid; Any thing in this Act, or in the former Act for Rebuilding the City of London, to the contrary thereof in any wiſe notwithſtanding.

LIII. Provided, That no continuance of the ſaid reſtraint from Building, ſhall extend to the Water-houſe at London-bridge, but that the ſame may be built according as in the former Act provided.

LIV. Provided always, That it may be lawful for any perſon or perſons, Bodies Politick or Corporate, Owners and Proprietors of any ſuch Ground, meant or contained within this Act, to leave any old Foundations of his or theirs Unbuilt, to make any new Street or Paſſage or to enlarge any old ones, the ſaid Owners or Proprietors taking care within convenient time after their Building, ſufficiently to Pave and amend all ſuch Streets and Paſſages; Any thing in this Act, or one other Act entituled, An Act for Rebuilding of the City of London, to the contrary notwithſtanding.

A Street to open Fourteen foot wide from Thread-needle-Street to Loathbury.

LV. Provided alſo, and be it enacted, That the Lord Mayor and Court of Aldermen ſhall be hereby Impowred to cauſe a Street to be opened fourteen Foot wide, if they ſhall ſo think fit, from the Weſt end of Thread-nedle-ſtreet, down to Loathbury, in caſe the Proprietors do not voluntarily ſo open it before the Four and twentieth day of June next, making ſuch Allowance to the Owners and others Intereſſed, as by the former Act for opening of Streets is directed; which Street ſhall be and continue an open Street for ever.

Bury-ſtreet in Beavis-Marks.

LVI. Provided always, and be it hereby enacted, That the remainder of Bury-ſtreet in Beavis-Marks, which is not yet New built, may be Built after the Patern and Model of the other New Building in the ſaid Street; Any thing in this or the ſaid former Act to the contrary notwithſtanding.

Proviſo to ſave harmleſs Builders.

LVII. And whereas many Builders of Houſes within the ſaid City, and the Liberties thereof, have ((for the more Regularity of Building, and making many of the Streets and Lanes more ſtraight and beautiful than otherwiſe they would have been) by and with the appointment and approbation of the ſaid Surveyors, advanced their Foundations in many places further into the Streets and Lanes thereof, upon the Soyl of the ſaid Streets and Lanes, than the ſame formerly ſtood, whereby ſome difference may hereafter poſſibly ariſe, either between our Sovereign Lord the King, his Heirs and Succeſſors, or between the Mayor, Commonalty and Citizens of the ſaid City, or other Proprietors of the Ground ſo built upon, and the ſaid Builders, or ſuch perſon or perſons, Bodies Politick and Corporate, to whom the Inheritance of the ſaid Houſes ſo to be Built, now doth, or hereafter ſhall belong: (2) For prevention whereof, Be it further enacted, That all Ground and Soyl ſo taken, or which hereafter ſhall or may be ſo taken out of the ſaid Streets or Lanes, or any of them, ſhall from henceforth for ever be united and annexed to the ſaid Houſes: And that all and every perſon and perſons whatſoever, Bodies Politick and Corporate, giving ſuch ſatisfaction to his Majeſty, or to the ſaid Mayor, Commonalty and Citizens of the ſaid City, or other the reſpective Owners or Proprietors of the Ground ſo Built upon, and according to ſuch rates as are, or ought to be given and allowed for Ground taken and imployed for the enlarging of Streets, by vertue of the aforeſaid Act for Rebuilding of the ſaid City, ſhall and may hold and enjoy the ſaid reſpective parcels of Ground or Soyl ſo built upon, united and annexed to ſuch Buildings, for and during ſuch Terms and Eſtates as he and they reſpectively have, or hereafter ſhall have, of and in the ſaid Houſes and Buildings; Any matter or thing to the contrary in any wiſe notwithſtanding.

Pauls School new built by the Company of Mercers upon part of Saint Pauls Churchyard, and confirmed to them.

LVIII. And whereas the Wardens and Commonalty of the Myſtery of the Mercers of the City of London are now Building, purſuant to a Deſign approved of by his Majeſty, a new School-houſe, with Houſes thereto adjoyning, for the Accommodation of the Maſter, Submaſter and Chaplain thereof, partly upon the Scites and Tofts of the late School called Saint Pauls-ſchool, and the former Houſe of the ſaid Maſters and Chaplain, and partly upon ſome Ground next adjoyning, being part of the Church-yard belonging to the Cathedral Church of Saint Pauls London; And whereas other parts of the former Scite of the ſaid late School, and of other Houſes adjoyning, have been alſo by his Majeſties directions cut off and laid into the ſaid Church-yard, for the enlargement and accommodation of the Paſſage at the Eaſt end of the ſaid Cathedral, (2) Be it therefore enacted, That ſo much of the ſaid Ground adjoyning to the Scite of the ſaid late School and former Houſes, as is comprized within the Foundation of the ſaid new School and Houſes, now Building for the ſaid Maſters and Chaplain, be, and are hereby veſted and ſetled on the ſaid Wardens and Commonalty and their Succeſſors for ever, as the ſaid late School and former Houſes were before the Fire; And that the ſaid other parts of the former Scite of the ſaid late School and other Houſes adjoyning, laid unto the ſaid Church-yard as aforeſaid, for the enlargement of the Paſſage, ſhall continue a Paſſage for ever, and be and are hereby veſted and ſetled on the Dean and Chapter of the Cathedral Church of Saint Pauls aforeſaid, and their Succeſſors for ever, as the reſidue of the ſaid Church-yard is and was heretofore; Any thing in this Act to the contrary notwithſtanding.

LIX. Provided always, That nothing in this Act contained, ſhall extend or be taken to veſt or ſettle the Church of St. Paul and St. Faith, or any part thereof, or the Church of St. Gregory by St. Pauls, or any of them, or the Church-Yards to any of them belonging or appertaining, or any part of any of them, in the Mayor, Aldermen and Commons of the City of London, or any of them, or in any other perſon or perſons, Bodies Politick or Corporate, other than the Ground whereupon St. Pauls-School and Houſes thereunto belonging, are by this Act appointed to be rebuilt; any thing in this Act notwithſtanding.

Proviſo for the Churches of St. Faith, and St. Pauls, and St. Gregory.

LX. Provided always, and be it enacted by the authority aforeſaid, That whereas the Ally called Whites Ally in Coleman-ſtreet, London, was not wholly burnt down in the ſaid late Fire, but the one half part thereof, or near thereabouts is yet ſtanding, neither was the ſaid Ally ever any through Paſſage, nor will the enlarging thereof be any Ornament or advantage to the ſaid City, Therefore it ſhall and may be lawful to and for the ſeveral Proprietors of and in the ſaid Ally, to rebuild their ſeveral Houſes, on both ſides thereof, which were burnt or demoliſhed by reaſon of the ſaid late Fire, upon their old Foundations reſpectively: This preſent or the ſaid former Act for rebuilding the City of London, or any thing therein contained or any other matter or thing to the contrary notwithſtanding.

Whites Ally in Coleman-ſtreet.

LXI. And farther, be it enacted by the authority aforeſaid, That for ever hereafter the ſaid Mayor and Commonalty, and Citizens of London, may and ſhall have a Market to be kept three or four days in the week, as to them ſhall ſeem convenient, upon the Ground now ſet out by the aſſent of the Dean and Chapter of the Cathedral Church of St. Pauls London, for a Market-place within New-gate. (2) And that the ſaid Dean and Chapter ſhall make and give one or more Leaſe or Leaſes of the ſaid Ground, to the ſaid Mayor, Commonalty and Citizens, and alſo of the Wall of the ſaid Church-Yard, abutting ſeverally upon Pater-noſter-Row and the Old Change, for the Term of forty years, reſerving the yearly Rent of four pounds for the Ground of the ſaid Market-place, and two pence for every Superficial Foot of the Ground or Soil of the ſaid Wall, as it is now ſet out by the Surveyors of the City, and of the ſaid Dean and Chapter; and ſo from forty years to forty years for ever, at the like yearly Rent, and one years Rent after the Rates aforeſaid, to be paid by way of Fine, for each of the ſaid Grounds reſpectively, upon the making every new Leaſe thereof; Which ſaid Leaſe and Leaſes ſhall be good and effectual in the Law, as againſt the ſaid Dean and Chapter, and their Succeſſors, and all perſons claiming by, from or under them: and that no Houſe, Shed or other Building ſhall ſtand, or hereafter be erected and fixed upon the ſaid Market-place, other than the Market-houſe already built, without the conſent of the ſaid Dean and Chapter; any thing in this or any other Act to the contrary notwithſtanding.

Market place within New-gate to be granted to the City by Leaſe or otherwiſe.

LXII. And whereas by a late Act of this preſent Parliament, entituled, An Act for rebuilding the City of London, It was enacted, That the Pariſhes to be rebuilded within the ſaid City of London, in lieu of thoſe which were demoliſhed by the late dreadful Fire, ſhould not exceed the number of Thirty nine: But foraſmuch as upon an exact Survey taken of the number of Houſes to be rebuilded, and of the Extent of the reſpective Pariſhes neceſſary to be ſetled and continued within the ſaid City, It doth appear that the Pariſhes to be ſetled and continued, and the Pariſh Churches to be rebuilded within the ſaid City of London, in lieu of thoſe demoliſhed or conſumed by the late Fire, cannot conveniently by Union or otherwiſe, be reduced to a leſs number than Fifty one: (2) Be it farther enacted by the authority aforeſaid, That the number of Pariſhes to be ſetled, and of Pariſh Churches to be rebuilded within the ſaid City of London, ſhall be Fifty one; The aforeſaid Act, or any thing therein contained to the contrary notwithſtanding.

19 Car. 2. cap. 3. Sect. 31. N. 1.

Fifty one Pariſhes to be within the City of London.

LXIII. And that the Fifty one Pariſhes ſo to be continued, as hereafter followeth, That is to ſay, Alhallows Lumbard-ſtreet, St. Bartholomew-Exchange, St. Bridges, *alias* Brides, St. Bennets-Finck, St. Michaels Crooked-lane, St. Chriſtophers, St. Dyonis Back-Church, St. Dunſtans in the Eaſt, St. James Garlick-hithe, St. Michael Cornhill, St. Baſſiſhaw, St. Margaret Loathbury, St. Mary Aldermanbury, St. Martin Ludgate, St. Peters Cornhill, St. Stephens Coleman-ſtreet and St. Sepulchres, ſhall remain and continue as heretofore they were: (2) And that the reſpective Pariſh Churches to each of the ſaid Pariſhes belonging ſhall be rebuilded and continued for the uſe of the ſaid Pariſhes, and that the ſeveral Pariſhes hereafter mentioned ſhall be reſpectively united into one Pariſh, in manner hereafter following, that is to ſay, The Pariſhes of Alhallows Bred-Street and St. John Evangeliſt, ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of St. Alhallows Bred-ſtreet ſhall be rebuilded, and ſhall be the pariſh Church of the pariſhes ſo united: (3) The pariſhes of Alhallows the Great and Alhallows the Leſs ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Alhallows the Great ſhall be the pariſh Church of the ſaid pariſhes ſo united: (4) The pariſhes of St. Albans Wood-ſtreet and St. Olaves Silver-ſtreet ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Albans Wood-ſtreet ſhall be the pariſh Church of the ſaid pariſhes ſo united: (5) The pariſhes of St. Anne and Agnes, and St. John Zachary ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Anne and Agnes ſhall be the pariſh Church of the ſaid pariſhes ſo united: (6) The pariſhes of St. Auſtins and St. Faiths ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Auſtins ſhall be the pariſh Church of the ſaid pariſhes ſo united: (7) The pariſhes of St. Andrew Wardrobe and St. Anne Black-Friars ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Andrew Wardrobe ſhall be the pariſh Church of the ſaid pariſhes ſo united: (8) The pariſhes of St. Antholins and St. John Baptiſt ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of Saint Antholins ſhall be the pariſh Church of the ſaid pariſhes ſo united: (9) The pariſhes of Saint Bennet Grace-Church and St. Leonard Eaſtcheap ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Bennet Grace Church ſhall be the pariſh Church of the ſaid pariſhes ſo united: (10) The pariſhes of St. Benne tPauls-Wharf and

The names of the fifty one Pariſhes.

Pariſhes united and joyned, and which ſhall be Pariſh-Churches.

Saint Peter Pauls-wharf ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of St. Bennet Pauls-wharf ſhall be the pariſh Church of the ſaid pariſhes ſo united: (11) The pariſhes of Chriſt-Church and St. Leonard Foſter-lane ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Chriſt-Church, ſhall be the pariſh Church of the ſaid pariſhes ſo united: (12) The pariſhes of St. Edmond the King and St. Nicholas Acons, ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Edmond the King ſhall be the pariſh Church of the ſaid pariſhes ſo united: (13) The pariſhes of St. George Botolph-lane and St. Botolph Billinſgate ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. George Botolph-lane ſhall be the pariſh Church of the ſaid pariſhes ſo united: (14) The pariſhes of St. Lawrence Jury and St. Magdalens Milkſtreet ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Lawrence Jury ſhall be the pariſh Church of the ſaid pariſhes ſo united: (15) The pariſhes of St. Magnus and St. Margaret New Fiſh-ſtreet ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Magnus ſhall be the pariſh Church of the ſaid pariſhes ſo united: (16) The pariſhes of St. Michael Royal and St. Martins Vintry ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of St. Michael Royal ſhall be the pariſh Church of the ſaid pariſhes ſo united: (17) The pariſhes of St. Matthew Friday-ſtreet, and St. Peters Cheap ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Matthew Friday-ſtreet ſhall be the pariſh Church of the ſaid pariſhes ſo united: (18) The pariſhes of St. Margaret Pattens and St. Gabriel Fen-Church ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Margaret Patens ſhall be the pariſh Church of the ſaid pariſhes ſo united: (19) The pariſhes of St. Mary Atthil and St. Andrew Hubbord ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Atthil ſhall be the pariſh Church of the ſaid pariſhes ſo united: (20) The pariſhes of St. Mary Woolnoth and St. Mary Wool-Church ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Woolnoth ſhall be the pariſh Church of the ſaid pariſhes ſo united: (21) The pariſhes of St. Clement Eaſtcheap and St. Martins Orgars ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Clement Eaſt-Cheap ſhall be the pariſh Church of the ſaid pariſhes ſo united: (22) The pariſhes of St. Mary Ab-Church and St. Lawrence Poutney ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Ab-Church ſhall be the pariſh Church of the ſaid pariſhes ſo united: (23) The pariſhes of St. Mary Aldermary and St. Thomas Apoſtles ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Aldermary ſhall be the pariſh Church of the ſaid pariſhes ſo united: (24) The pariſhes of St. Mary le Bow, St. Pancras Soper-lane and Alhallows Honey-lane ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary le Bow ſhall be the pariſh Church of the ſaid pariſhes ſo united: (25) The pariſhes of St. Mildreds Poultry and St. Mary Cole-Church ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mildreds Poultrey ſhall be the pariſh Church of the ſaid pariſhes ſo united: (26) The pariſhes of St. Michael Wood-Street and St. Mary Staining ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Michael Wood-ſtreet ſhall be the pariſh Church of the ſaid pariſhes ſo united: (27) The pariſhes of St. Mildred Bred-Street and St. Margaret Moſes ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mildred Bred-ſtreet ſhall be the pariſh Church of the pariſhes ſo united: (28) The pariſhes of Saint Michael Queen-Hith and Trinity ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of St. Michael Queen-Hith ſhall be the pariſh Church of the ſaid pariſhes ſo united: (29) The pariſhes of St. Mary Magdalen Old Fiſh-ſtreet and St. Gregories ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Magdalen Old Fiſh-ſtreet ſhall be the pariſh Church of the pariſhes ſo united: (30) The pariſhes of St. Mary Somerſet and St. Mary Munthaw ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Somerſet ſhall be the pariſh Church of the pariſhes ſo united: (31) The pariſhes of St. Nicholas Cole Abbey and St. Nicholas Olaves ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Nicholas Cole Abbey ſhall be the pariſh Church of the ſaid pariſhes ſo united: (32) The pariſhes of St. Olaves Jury and St. Martins Pomroy *alias* Ironmonger-lane ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Olaves Jury ſhall be the pariſh Church of the ſaid pariſhes ſo united: (33) The pariſhes of St. Stephen Walbrook and St. Bennet Sherehog ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Stephen Walbrook ſhall be the pariſh Church of the ſaid pariſhes ſo united: (34) The pariſhes of St. Swithin and St. Mary Bothaw ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Swithin ſhall be the pariſh Church of the ſaid pariſhes ſo united: (35) The pariſhes of St. Vedoſt *alias* St. Foſters and St. Michael Quern ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Vedoſt *alias* St. Foſters ſhall be the pariſh Church of the ſaid pariſhes ſo united.

The ſame Pariſh Churches ſhall be rebuilt according to Models appointed by the Archbiſhop of Canterbury, Biſhop of London, and Lord Mayor of London, with the Kings Approbation.

LXIV. And it is hereby farther enacted and declared, That the ſaid reſpective Churches to be rebuilded within the ſaid City of London and Liberties thereof, ſhall be built and erected according to ſuch Models, and of ſuch Dimenſions, and in ſuch Manner and Form in all reſpects, as by the ſaid Lord Archbiſhop of Canterbury, Lord Biſhop of London, and Lord Mayor of London for the time being (with his Majeſty's Approbation thereof) ſhall be directed and appointed: (2) And the ſaid reſpective Pariſhes herein before mentioned and appointed to be united as aforeſaid, ſhall for ever hereafter remain and continue ſo united and conſolidated and annexed unto the ſeveral and reſpective Pariſh Churches by this Act appointed to be rebuilded as aforeſaid; And the reſpective Pariſhioners, and the Inhabitants of the ſaid ſeveral Pariſhes ſo to be united as aforeſaid, by force of the preſent Act, ſhall hereafter reſort to the ſaid Churches reſpectively, as their proper Pariſh Church: And all Tythes and other Duties heretofore due and payable to the reſpective Incumbents, of the ſaid Pariſh Churches reſpectively, ſhall hereafter be paid and payable to the Incumbent of that Church only, which by this Act is appointed to be rebuilded and eſtabliſhed for the Pariſh Church of the Pariſhes ſo united as aforeſaid.

LXV. And be it farther enacted, That all Plate and Goods heretofore belonging to any of the Church-wardens of any the Pariſhes of thoſe Pariſhes burnt down, which are not now to be rebuilded for the uſe of the ſaid Churches, ſhall be enjoyed by the reſpective Church-wardens and their Succeſſors of their reſpective Pariſhes of ſuch Churches to be rebuilded reſpectively, whereunto the ſaid other Churches burnt down are united by this Act, to the uſe of the ſaid Churches and Pariſhes reſpectively.

Plate and Goods belonging to Churches not to be rebuilt, ſhall be enjoyed by the Church-wardens, &c. of thoſe rebuilded.

LXVI. Provided always, That the Scites of the Churches to be demoliſhed, and the Church-Yards belonging to the ſame, ſhall be incloſed with Brick or Stone-walls for burial for the Pariſhes formerly belonging to the ſame, and the Pariſhes to which they are reſpectively united as aforeſaid, and not uſed or imployed for any other purpoſe whatſoever; Excepting ſuch of the Scites and Church-Yards, or parts of Scites and Church-Yards of the ſaid Pariſh Churches ſo demoliſhed, as aforeſaid, as are already laid into the Streets and Market-places ſo ſet out for that purpoſe, or ſuch other as ſhall within two years next following be thought fit by the Mayor and Aldermen of the ſaid City, with the conſent of the Lord Archbiſhop of Canterbury, and Lord Biſhop of London, and by his Majeſty's Approbation, to be laid into the Streets and Markets for enlargement and accommodation thereof, or for publick Store-places.

Church yards to be incloſed with Walls to make Burial-places.

LXVII. Provided always, That where any part of the Churches or Church-Yard of any of the ſaid Pariſh Churches hereby appointed to be rebuilt and continued, have been thought fit by the Mayor and Court of Aldermen of the ſaid City, to be laid into any of the Streets within the ſaid enlargement thereof; and by Order of the ſaid Mayor and Court of Aldermen ſhall have been before the five and twentieth day of March, one thouſand ſix hundred and ſeventy, ſtaked and ſet out accordingly: It is hereby farther enacted and declared, That the Grounds ſo ſtaked out ſhall be made uſe of for the enlarging of the ſaid Streets, according as the ſame were for that purpoſe ſtaked and ſet out as aforeſaid; This preſent Act or any thing therein contained to the contrary notwithſtanding.

LXVIII. Provided always, and it is hereby enacted and declared, That notwithſtanding ſuch Union as aforeſaid, each and every of the Pariſhes ſo united, as to all Rates, Taxes, Parochial Rites, Charges and Duties, and all other Priviledges, Liberties and Reſpects whatſoever, other than what are herein before mentioned and ſpecified, ſhall continue and remain diſtinct, and as heretofore they were, before the making of this preſent Act: (2) And that the ſeveral and reſpective Patrons of the ſaid Churches ſo united, ſhall and may preſent by turns to that Church only which by this Act is appointed to be rebuilded and eſtabliſhed for the Pariſh Church of the Pariſhes ſo united as aforeſaid: The firſt preſentment to be made by the Patron of ſuch of the ſaid Churches, the Endowments whereof are of the greateſt yearly value.

Notwithſtanding the Union, the Pariſhes as to all Rates, charges and priviledges to remain diſtinct.

LXIX. Provided always, and it is hereby declared, That this Act, or any thing therein contained, ſhall not extend or be conſtrued to deprive the preſent Incumbents, which at the time of the ſaid late Fire, were or now are in poſſeſſion of any of the ſaid Pariſh Churches not to be rebuilded, or any of them, of the Tythes or other profits heretofore belonging to their reſpective Churches, ſo long as they ſhall aſſiſt in ſerving the Cure, and other Offices belonging to their Duty in the Pariſh Church whereunto their reſpective Pariſhes ſhall be united and annexed by vertue of this Act, according to the direction of the Ordinary; any thing in this preſent Act contained to the contrary notwithſtanding: (2) Saving to the Kings Majeſty, his Heirs and Succeſſors, the Tenths and Firſt-fruits of all ſuch Pariſh Churches as by force of this preſent Act ſhall be united and conſolidated as aforeſaid, according to ſuch Rates and Valuations as the ſame do reſpectively ſtand rated and valued at, in his Majeſty's Court of Firſt-fruits and Tenths, any thing in this preſent Act notwithſtanding: (3) Saving alſo to all other perſon and perſons, Bodies Politick and Corporate, Eccleſiaſtical and Civil, their Heirs and Succeſſors, all Penſions, Annuities and Payments whatſoever, heretofore due from, and payable by any Rectors, Vicars and Curates of any of the ſaid Churches united and conſolidated as aforeſaid; any thing in this preſent Act notwithſtanding.

Proviſo for the preſent Incumbents of Churches not to be rebuilded.

LXX. Provided always, That it ſhall and may be lawful to and for the Warden and Minor Canons of Saint Pauls Church London, Parſon and Proprietors of the Rectory of the Pariſh of Saint Gregories aforeſaid, to receive and enjoy all Tythes, Oblations and Duties ariſing or growing due within the ſaid Pariſh, in as large and beneficial manner as formerly they have or lawfully might have done; any thing herein to the contrary notwithſtanding.

LXXI. And whereas the Wardens and Commonalty of the Myſtery of the Mercers of the City of London, at the time of the ſaid Fire, were ſeized in Fee of the Rectory and Pariſh Church Impropriate of Saint Mary Cole-Church (the ſaid Church being an upper Room about Ten Foot higher than the Street, and lying over certain Rooms and arched Vaults or Cellars of the ſaid Wardens and Commonalty) upon the Scite of which Church they have deſigned to build a Free-School, and other Buildings conformable to the Rules of the ſaid former Act, and to remove the Dead Bodies and Bones of ſuch as have been buried upon the Arches, and to cauſe them to be decently repoſed within the Body of their Chappel commonly called Mercers-Chappel; (2) Be it therefore hereby enacted, That the Scite of the ſaid Pariſh Church, and the Materials thereof remaining upon the ſaid Scite, be and are hereby ſetled upon the ſaid Wardens and Commonalty, and their Succeſſors for ever: And that the ſaid Wardens and Commonalty ſhall pay to the Lord Mayor and Aldermen of the City of London for the ſame, ſuch ſum of Mony towards the rebuilding of the Church whereunto the ſame is by this Act appointed to be united, as ſhall be agreed upon be-

Saint Mary Cole-Church.

A Free-ſchool.

tween the ſaid Lord Mayor and Aldermen, and the ſaid Wardens and Commonalty, or be aſſeſſed by a Jury impannelled and ſworn, as by the ſaid former Act is directed in any other caſe; any thing in this Act to the contrary notwithſtanding.

Proviſion that Parſons may not be ſued for Dilapidations.

LXXII. And whereas ſeveral Pariſh Churches, Chancels, Parſonage and Vicarage-Houſes were conſumed in the late diſmal Fire; To the end therefore the Incumbents, Parſons and Vicars may not be liable to the rebuilding of their Chancels, Parſonage and Vicarage-houſes, nor be ſued for Dilapidations; (2) Be it enacted by the authority aforeſaid, That the Incumbents, Parſons and Vicars of the aforeſaid Churches, their Executors and Adminiſtrators, ſhall be, and are hereby indempnified, as to the Rebuilding of their reſpective Chancels, Parſonage and Vicarage-houſes, and ſhall not be liable to any Suits, Troubles or Moleſtations that may ariſe for Dilapidations afore-ſaid; And that no Proceſs ſhall be iſſued out of any Court whatſoever, againſt the perſons aforeſaid, for their not rebuilding their reſpective Chancels and Parſonage and Vicarage-Houſes; any Law or Statute to the contrary in any wiſe notwithſtanding.

Parſons and Vicars exempted from Firſt-fruits, Tenths and Penſions.

LXXIII. And whereas Firſt-fruits, Tenths and ſeveral Penſions are from the ſaid Parſons and Vicars to be yearly paid to his Majeſty, and ſeveral Duties to the Ordinary and Arch-deacon, That his Majeſty will be graciouſly pleaſed, that it may be enacted; And be it farther enacted by the authority aforeſaid, That the ſaid Parſons and Vicars be indempnified, and are hereby indempnified from the payment of all Firſt-fruits, Tenths and Penſions due, and which ſhall be due to his Majeſty; And from all Dues to the Ordinary and Arch-Deacon, and all other Dues whatſoever chargeable upon them reſpectively, until ſuch time as they ſhall receive the Profits ariſing from the ſame as formerly: (3) And that no Proceſs ſhall be iſſued out of any Court whatſoever, againſt the perſons aforeſaid, for their Non-payment of Firſt-fruits, Tenths, Penſions, or any other the Dues aforeſaid; Any Law or Statute to the contrary in any wiſe notwithſtanding.

Indempnified for not reading the thirty nine Articles.

LXXIV. And whereas divers Miniſters have been already ſince the Fire, and may be from time to time preſented and inſtituted; and being ſo, are liable to the Forfeitures of their ſeveral Livings for not reading the Thirty nine Articles, and for not doing other things enjoyned by Law, in their ſeveral Pariſh Churches, (2) Be it enacted by the authority aforeſaid, That all ſuch Miniſters as have been, or ſhall be from time to time preſented and inſtituted ſince the ſaid Fire, be, and are here indempnified from the ſeveral Penalties and Forfeitures incurred, and to be incurred by, or for not reading of the Thirty nine Articles, or not doing other things enjoyned by Law as aforeſaid, until ſuch time as the ſaid ſeveral Churches be re-edified, or made fit for publick Worſhip.

Impowred to let Leaſes of their Glebe Lands.

LXXV. And whereas the ſaid Parſons and Vicars, or ſome of them are intereſſed in ſeveral Glebe-Lands or Grounds, the which they cannot rebuild themſelves, nor let ſuch Leaſe or Leaſes as may be an Encouragement for others to rebuild the ſame; (2) Be it enacted by the authority aforeſaid, That the ſaid Parſons and Vicars, and every of them reſpectively, be impowred, and are hereby impowred to let ſuch Leaſe or Leaſes of their ſaid Glebe-Lands or Grounds, with the conſent and approbation of the Patron or Patrons and Ordinary, for any term not exceeding forty years, and at ſuch yearly Rents without Fine, as can be obtained for the ſame: (3) And that no Lapſes incurred upon any Non-preſentation, in due time of any of the Patrons of the ſaid Livings ſince the ſaid Fire, ſhall any ways prejudice or make void the Preſentations that the ſaid Patrons have ſince made, whereupon any Incumbent is ſince inſtituted and inducted; any Law or Statute to the contrary in any wiſe notwithſtanding.

LXXVI. Provided always, and it is hereby declared and enacted, That if the Mayor and Commonalty and Citizens of the ſaid City of London, ſhall be concerned in Eſtate or Title in any controverſie or difference, whereof the determination is by this or the aforeſaid Act referred to the Hearing and Judgment of the ſaid Mayor and Court of Aldermen; That then, and in every ſuch caſe, the Juſtices of the Courts of Kings Bench and Common-Pleas, and the Barons of the Coif of the Exchequer for the time being, or any three or more of them, upon complaint to them made, ſhall be, and are hereby authoriſed to hear and finally order and determine the ſame; any thing in this, or the aforeſaid Act to the contrary notwithſtanding.

Two Poſterns at Ludgate, and the Gate to be enlarged.

LXXVII. Provided always, and be it enacted, And the Lord Mayor and Court of Aldermen are hereby authoriſed and required to cauſe to be made two Poſterns, one on either ſide of the Gate commonly called Ludgate, for the better eaſe and convenience of Foot-Paſſengers, and in order hereunto are alſo impowred to enlarge the ſaid Gate as they ſhall find cauſe.

LXXVIII. And whereas by the ſaid Act for the rebuilding the City of London, it was enacted, That where any Ground formerly builded upon (the Houſes whereupon built were demoliſhed at the time of the ſaid late Fire) ſhould not within three years then next enſuing be rebuilded upon, Then after Proclamation publickly made, and Inquiry and Valuation made and taken of the Ground whereupon ſuch Houſes were ſcituate by Inqueſt of a Jury, in ſuch ſort and manner as in and by the ſaid Act is mentioned and appointed, the ſaid Mayor and Aldermen and Common Council might make Sale thereof: (2) It is hereby declared and enacted, That the ſaid Mayor, Aldermen and Common Council ſhall not by vertue of the ſaid Act, proceed to the Sale of any ſuch Ground or Soyl whereupon any ſuch Houſes were ſcituate, for not rebuilding thereupon, before the four and twentieth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one; nor ſhall any Ground be ſold by vertue of this or the aforeſaid Act, in caſe any perſon for the making of any Court, Yard, Garden or other Eaſement, ſhall leave ſome part of the ancient Foundation unbuilt upon backwards.

Salvo for not rebuilding.

LXXIX. And be it farther enacted and declared, That all perſons ſeiſed or intereſſed of any Houſe or Houſes burned or demoliſhed by reaſon of the ſaid late Fire, in Tail, for life or lives, or years determinable upon life, with remainder to their Heirs or Iſſue, male or female, or to

their

Tenant in tail, &c. may demiſe their ground at the moſt improved Rent.

their firſt or other Son or Sons, Daughter or Daughters in Tail, or other like Eſtate; That it ſhall and may be lawful to and for ſuch Tenant in Tail, for Life or Years with ſuch Remainder as aforeſaid, by Indenture under their reſpective Hands and Seals, to demiſe the Ground or Soil of ſuch burned or demoliſhed Houſes, without any Fine or Fines, and at the moſt improved annual Rent, to any perſon or perſons that ſhall or will rebuild thereupon for any term of years, not exceeding fifty years: Which Leaſes ſo made ſhall bind and conclude, as well all and every the Heirs and Iſſues of ſuch Tenant in Tail, as the firſt and every other Son and Sons, Daughter or Daughters, or other Iſſue of ſuch Tenant for Life or Years, as thoſe in Reverſion or Remainder; and the Houſes thereupon built ſhall be held and enjoyed by the reſpective Leſſees thereof, and their Aſſigns, (paying the ſaid Rent to the perſons in Reverſion or Remainder during the Term, and according to the purport of ſuch Leaſes) by virtue of this preſent Act.

Serjeants-Inn in Fleetſtreet.

LXXX. Provided always, and be it further enacted by the authority aforeſaid, That as to the Houſe called Serjeants-Inn in Fleetſtreet, of which the Society of Judges and Serjeants at Law were Tenants at the time of the late Fire, and many years before; That the Kings moſt Excellent Majeſty, his Heirs and Succeſſors, and his or their Privy Council, ſhall be, and are hereby impowred to hear and determine all Differences and Demands whatſoever touching the ſaid Houſe with the appurtenances, and all things alſo to do relating to the Rebuilding thereof; and to make Orders and Decrees concerning the ſame, as fully to all intents and purpoſes, as the Judges of the Court of Kings-Bench and Common-Pleas, and Barons of the Exchequer might, could or may do concerning any other Houſes burnt down by the late Fire, by virtue of this and the ſaid former Act, or either of them. (2) And his ſaid Majeſty and Council are hereby alſo impowred to order and decree ſuch ſatisfaction and recompence unto Robert Melliſh of the Inner-Temple Eſquire, as to them ſhall ſeem juſt and reaſonable; and to order and decree one Leaſe of the Premiſſes whereof the Inheritance belongeth to the Dean and Chapter of York, not exceeding in the whole, ſixty years, for the uſe of the ſaid Society, and the ſaid Dean and Chapter, and their Succeſſors are hereby enabled and enjoyned to make accordingly: And what ſhall be ſo ordered and decreed by his ſaid Majeſty and Council as aforeſaid, ſhall be good and effectual in Law to all intents and purpoſes by virtue of this Act: And the ſaid Judges and Barons of the Exchequer are hereby excluded from making any Order or Decree touching the ſaid Houſe with the appurtenances.

The Houſes pulled down near Tower-Ditch, never to be rebuilt.

LXXXI. And whereas a great number of Houſes heretofore erected and built upon, or very near to the Tower-Ditch of the City of London, were at, or a little time after the ſaid late great Fire, pulled or blown down for ſafeguard of the ſaid Tower, and are not thought fit to be rebuilt there: And whereas ſome Houſes are yet ſtanding which were in Leaſe for ſeveral years yet to come, with other Houſes pulled down, at and for certain intire yearly Rents; which ſaid Rents are wholly now claimed by divers Landlords, as if the ſaid Houſes were yet ſtanding; and divers Suits in Law are, and will be daily brought againſt Tenants for breach of Covenants of the ſaid Leaſes incurred ſince that time; (2) Be it therefore enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or any three or more of them ſhall have full power and authority to hear and determine all Differences that may ariſe between the ſaid Landlords and Tenants, as if the ſaid Houſes had periſhed by the late dreadful Fire.

Differences about the ſame referred to the Judges.

Shops in Smithfield, Moor-fields, and other void places to be taken down and removed before the 29th of Sept. 1674.

LXXXII. And whereas ſeveral Sheds, Shops and other Buildings have been erected (ſince the late dreadful Fire) in Smithfield, Moore-fields, and other void places within the ſaid City and Liberties thereof, by Licence of the Lord Mayor, Aldermen and Common Council of the ſaid City, for the accommodation of ſuch Inhabitants whoſe Houſes were then burnt or demoliſhed, for the better carrying on of their reſpective Trades; which if they hould be ſuffered to have longer continuance than the preſent Exigence of the Occupiers thereof doth require, would be an occaſion to divert the Trade of the City, and to diſcourage ſuch as have rebuilt Houſes within the ſaid City: (2) Be it therefore enacted by he authority aforeſaid, That the Lord Mayor and Court of Aldermen for the time being, hall be, and are hereby impowred and required to cauſe all and every the ſaid Sheds, Shops, and other Buildings aforeſaid, to be taken down and removed, at or before the nine nd twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix undred ſeventy four.

In any Action brought for putting this Act in execution, the general Iſſue may be pleaded and this Act, &c. given in Evidence.

LXXXIII. Provided alway, and be it enacted by the authority aforeſaid, That if any Action r Suit ſhall be brought or proſecuted againſt any perſon or perſons, for any matter or thing one, committed or executed by virtue of this or the aforeſaid Act for rebuilding the ſaid City f London, or of any Clauſe or Article in this or the aforeſaid Act contained; That then, and n every ſuch Caſe, the Defendant or Defendants may plead the General Iſſue, (Not uilty) and give this Act, and the ſpecial matter in Evidence at any Tryal thereunto to be ad; and if a Verdict ſhall paſs for the Defendant, or the Plaintiff ſhall be Non-ſuit or diſcontinue his Action after the Defendant hath appeared, the Defendant ſhall recover double Coſts, to be awarded for his or their wrongful vexation in that behalf.

1 Eliz.

14 Car. 2.

LXXXIV. Provided always, That this Act, or any thing therein contained, ſhall not exend to be conſtrued to alter or make void any matter or thing done, or to be done by vertue f any Commiſſion, or Commiſſions given or granted, or to be given or granted by his Maſty, his Heirs or Succeſſors, in purſuance of two Acts of Parliament; viz. One in the firſt ear of Queen Elizabeth, and another in the fourteenth year of his now Majeſty's Reign, or ither of them, or of any other Law or Right, whereby his Majeſty, his Heirs and Succeſſors, ay or ought to appoint ſuch and ſo many open places to be Keys and Wharfs within the ity of London, and may alſo declare the Bounds, Limits, Extents and Privileges of the Port of London; and all other Ports of England, with ſeveral other Powers and Privileges n the preſervation of his Majeſty's Revenue of the Cuſtoms collected there; any thing in is Act contained to the contrary notwithſtanding.

CAP. XII.

An Additional Act for the better repairing of High-Ways and Bridges.

All the ſeveral Acts of Parliament for repairing the High-ways to be put in Execution.

FOR the better repairing and amending of the High-ways now generally ſpoiled by the extraordinary and unreaſonable lading of Waggons and other Carriages, and the neglect of repairing and preſerving the ſame; (2) Be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Conſtables and Surveyors of the High-ways, from time to time during their continuance in ſuch their Office or Offices, ſhall cauſe the ſeveral Acts of Parliament heretofore made, and yet in force, for or touching the repairing, amending or enlarging of High-ways, not hereby in any part altered or repealed, to be put in Execution within the Limits of their reſpective Pariſhes and places, and the penalties thereby impoſed, to be levied and diſpoſed of, as by the ſaid ſeveral Acts is directed: (3) And every Conſtable or Surveyor of the High-ways, refuſing or neglecting to put the ſaid Acts in Execution, or wilfully ſuffering any Waggons or Carts to paſs through his reſpective Limits, with any more Horſes or other Cattel, or in any other manner than by this Act is allowed, ſhall upon complaint thereof made to any Juſtice of the Peace of the place or diviſion where ſuch neglect ſhall be proved to be done, by the Oath of any one credible Witneſs (which Oath ſuch Juſtice is hereby impowred to adminiſter) or upon view of the Juſtice himſelf be thereof convicted, (4) and ſhall incur ſuch Fine as the ſame Juſtice ſhall think fit to impoſe on ſuch Officer, not exceeding the ſum of forty ſhillings for any one offence: The ſame Fine to be levied by the High Conſtable of ſuch place or diviſion, or any other Officer, by Warrant under the Hand and Seal of ſuch Juſtice of the Peace, upon the Goods and Chattels of the perſon ſo offending, (rendring the overplus to the Owner thereof, all neceſſary charge in levying the ſame being firſt deducted) to be imployed for the amending of the High-ways of the Pariſh or place where ſuch neglect ſhall be found, as the ſaid Juſtice or Juſtices ſhall appoint for the doing thereof.

Penalty for neglect.

Lands given for the maintenance of Cawſeys, High-ways, Bridges, &c. to be farmed at the moſt improved yearly value.

II. And be it farther enacted, That where any Lands have been, or ſhall be given for the maintenance of Cawſeys, Pavements, High-ways and Bridges, all ſuch perſons that are or ſhall be enfeoffed or truſted with any ſuch Lands, ſhall let them to Farm at the moſt improved yearly value without Fine; (2) And that the Juſtices of the Peace in their open Seſſions, ſhall and may enquire by ſuch ways and means as they think fitting, into the value of all ſuch Lands ſo given, or to be given, and order the improvement and imployment of the Rents and Profits thereof, according to the Will and Direction of the Donor of ſuch Lands, if they find that the perſon ſo intruſted, have been negligent or faulty in the performance of their Truſt (except ſuch Lands have been given to the Uſes aforeſaid, to any Colledge or Hall in either of the Univerſities of this Kingdom, which have Viſitors of their own) Any Law, Statute, Uſage or Cuſtom to the contrary notwithſtanding.

14 Car. 2. cap. 6. repealed.

III. And it is hereby enacted, That one Clauſe contained in the Act of this preſent Parliament, Entituled, An Act for enlarging of High-ways, concerning the breadth of the Tyre of all Waggons and Cart-wheels, is and ſhall hereby ſtand repealed and be void. (2) And it is further enacted, That in caſe any perſon or perſons ſhall reſiſt, or make forcible oppoſition againſt any perſon or perſons imployed in the due Execution of this Act, or any the Acts before mentioned, or ſhall make any Reſcue of any Cattel or other Goods diſtrained by virtue of this, or any of the ſaid Acts, That every ſuch perſon being convicted thereof in manner aforeſaid, ſhall for every ſuch Offence, forfeit the ſum of forty ſhillings: (3) And in caſe he do not pay the ſaid ſum within ſeven days after notice of ſuch Conviction, Then it ſhall and may be lawful for any Juſtice of the Peace, reſiding near the place where ſuch Oppoſition or Reſcue ſhall be made, to commit ſuch perſon or perſons to the Common Gaol of the County where ſuch Offence ſhall be committed, there to remain until the ſaid Forfeiture ſhall be paid to the Surveyor or Surveyors of the High-ways for that Pariſh where the Offence was committed, to be imployed for the amendment of the Highways of the ſame Pariſh; (4) And if any Action or Suit ſhall be brought againſt any perſon or perſons, for, or by reaſon of any matter or thing done by means of this Act, the ſame ſhall be laid in the proper County where the Fact was done, and not elſewhere; and the Defendants may plead the general Iſſue, and give the ſpecial matter in Evidence; (5) And if it appear at the Trial, that the Fact was done by Authority of this Act, and the Jury ſhall ſhall find for the Defendant, he thereupon (as alſo in caſe the Plaintiff be Non-ſuit, or diſcontinue his Action) ſhall recover his treble Coſts ſuſtained by reaſon of ſuch Action or Suit. (6) Provided, That in ſuch places where the High-ways cannot be ſufficiently repaired before the Feaſt of the Nativity of Saint John Baptiſt yearly, the ſame may, and ſhall be ſufficiently repaired before the Feaſt of Saint Luke yearly, without incurring any penalty for the not doing thereof before the ſaid Feaſt of the Nativity of Saint John Baptiſt, according to the ſaid former Act.

Forfeiture for perſons reſiſting the Officers.

Treble coſts.

Times for repairing the High-ways.

Defects to be preſented where the places defective lie.

IV. And be it further enacted by the Authority aforeſaid, That all defects of Repairs of Cawſeys, Pavements, High-ways or Bridges, ſhall be preſented in the County only where ſuch Cawſeys, Pavements, High-ways or Bridges do lie, and not elſewhere; (2) and that no ſuch Preſentment or Indictment ſhall be removed by Certiorari, or otherwiſe, out of the ſaid County, till ſuch Indictment or Preſentment be traverſed, and Judgment thereupon given.

Lands, Houſes &c. in the Suburbs of London, Southwark and Weſtminſter, made liable to Aſſeſſments for the Scavengers.

V. Provided always, and be it enacted, That the ſeveral Occupiers and Inhabitants, or where there are no Inhabitants or Occupiers, the reſpective Owners of all and ſingular the Lands, Houſes, Out-houſes, Walls and Buildings, Fronting and Adjoyning to any of the High ways, Streets or Lanes within the Suburbs of London and the Liberties thereof, and the Borough of Southwark, and the City and Liberties of Weſtminſter, or Precincts thereof, which are or ſhall be paved, ſhall, and are hereby liable to all Rates, Aſſeſſments, Penalties and Diſtreſſes which ſhall be had or made towards the Scavengers Rates for the places aforeſaid, in ſuch manner as by an Act of this preſent Parliament, made and enacted in the fourteenth year of his Majeſties Reign, for repairing the High-ways and Sewers is directed and appointed: (2) And that where any Ground ſhall lie at the end of any of the ſaid Streets or Lanes, or any other place of which there may be a diſpute who ought to have or amend the ſame, that in ſuch caſe the Juſtices of Peace for the ſaid places reſpectively, ſhall have hereby full power and authority in their Quarter Seſſions, to order and determine the ſame; which Order ſhall be binding to all perſons whatſoever therein concerned; any Law or Statute to the contrary in any wiſe notwithſtanding. 14 Car. 2. cap. 6.

Travelling Waggons, Wayns, &c. carrying goods &c. ſhall be drawn but with five Horſe Beaſts.

VI. And be it further enacted by the authority aforeſaid, That from and after the four and twentieth day of June next enſuing, no travelling Waggon, Wain, Cart or Carriage, wherein any Burthens, Goods or Wares are or ſhall be carried (other than ſuch Carts and Carriages as are imployed in and about Husbandry and Manuring of Lands, and in the carrying of Hay, Straw, Corn unthreſht, Coal, Chalk, Timber for Shipping, Materials for Building, Stones of all ſorts, or ſuch Ammunition or Artillery which ſhall be for his Majeſty's Service) ſhall at any one time travel, or be drawn, or go in any common or publick High-way or Road with above Five Horſe Beaſts at length; and if any ſhall draw with a greater number of Horſes or Oxen, they ſhall all draw in pairs, that is to ſay, two a breaſt for ſuch a number as they ſhall uſe, except one Horſe; any Law, Statute or Uſage to the contrary notwithſtanding.

The forfeiture for offending this Act.

VII. And be it further enacted, That every Owner of any Waggon, Cart, Carriage, Horſe Beaſts or Oxen, offending contrary to this Act, ſhall forfeit for every of the ſaid Offences the ſum of forty ſhillings; One third part thereof to the Surveyors of the High-ways of the Town, Village or Hamlet where any the ſaid Offences ſhall be committed, to be imployed in the Repairs of the ſaid High-ways; One other third part to the Overſeers of the Poor of the Pariſh where any of the ſaid Offences ſhall be committed, to the uſe of the Poor of the ſaid Pariſh; and the other third part to him that ſhall diſcover the ſame, to be impoſed and levied in ſuch manner as the penalties in this Act impoſed on every Conſtable or Surveyor of the High-ways, for refuſing or neglecting to put in Execution the ſeveral Acts of Parliament yet in force, for or touching the repairing, amending or enlarging of ſuch High-ways are directed and appointed.

Mending the High-ways.

VIII. And it is further enacted by the authority aforeſaid, That in ſuch places where there is no uſe of Carts and Teems for the amending of High-ways, but the Uſage and Practice is to carry Stones, Gravel, Earth or other Materials for ſuch amendment, upon the backs of Horſes, or by any other kinds of Carriages; That in all ſuch places the Inhabitants uſing any ſuch Horſes or other Carriages, ſhall ſend in ſuch their Horſes as are accuſtomed to that kind of labour, and ſuch their other Carriages, with able perſons to work with the ſame, in like manner, and under the like Directions, Forfeitures and Penalties, as by any former Statute for Repairing of High-ways, is appointed for Carts and Teems.

Defaulters therein, their puniſhment.

IX. Provided alſo, and it is further enacted by the authority aforeſaid, That if any perſon or perſons ſhall fail or make default to make their reſpective Days Labour in every year for and towards the repairing of the High-ways, or neglect to ſend their reſpective Carriages, Horſes and Carts, according as by Law they are reſpectively required; It ſhall and may be lawful for the Surveyor or Surveyors of every Pariſh, and they are hereby required to make complaint thereof to the next Juſtices of the Peace, who are hereby authorized and required upon proof of any ſuch Default or Neglect made before them, by the Oath of one credible Witneſs, (which Oath they are hereby impowred to adminiſter) to levy by Diſtreſs and Sale of the Goods of every perſon failing or neglecting, as aforeſaid, (and not having a reaſonable Excuſe to be allowed by the ſaid Juſtices) the ſeveral Penalties hereafter mentioned (rendring the Overplus, reaſonable Charges of Diſtraining being firſt deducted) that is to ſay, (2) For every Day-labourer failing or neglecting, as is aforeſaid, One ſhilling and ſix pence; and for every Man and Horſe that ſhall make default, three ſhillings; and for every Cart with two Men, ten ſhillings, for every reſpective day wherein they ſhall make default; which reſpective Penalties ſo levied, ſhall be imployed for and towards the repairing of the High-ways in every reſpective place and Pariſh.

Aſſeſſment, when to be made for repairing the High-ways.

X. And be it farther enacted by the authority aforeſaid, That where the Juſtices of the Peace of any County, City or other place, or the major part of them at their general Quarter Seſſions, ſhall be fully ſatisfied, that the common High-ways, Cauſeys or Bridges within any Pariſh, Townſhip or Hamlet within their reſpective Juriſdiction, may not, or will not be ſufficiently amended, repaired and ſupported by means of the Laws now in force, without the help of this preſent Act, in all ſuch caſes one or more Aſſeſſment or Aſſeſſments upon all and every the Inhabitants, Owners and Occupiers of Lands, Houſes, Tenements and Hereditaments, or any perſonal Eſtate uſually ratable to the poor, within any ſuch Pariſh, Townſhip or Hamlet, ſhall be made, levied, collected and allowed by ſuch perſon or perſons, and in ſuch manner as the ſaid Juſtices by their Order at ſuch Seſſions ſhall direct and appoint in that behalf: (2) And the Mony thereby raiſed ſhall be imployed and accompted for according to the order and directions of the ſaid Juſtices, for and towards the amending, repairing and ſupporting ſuch High-ways, Cauſeys and Bridges, from time to time, as need ſhall require; (3) And the ſaid Aſſeſſments ſhall be levied by Diſtreſs and Sale of the Goods of every perſon ſo aſſeſſed (not paying the ſame within ten days after demand) rendring the Overplus of the value of the Goods ſo diſtrained, to the Owner and Owners thereof, (the neceſſary charges of making and ſelling ſuch Diſtreſs being firſt deducted.)

Six pence in the pound.

XI. Provided nevertheleſs, and be it enacted, That no ſuch Aſſeſſment or Aſſeſſments to be made in any one year, ſhall exceed the rate of ſix pence in the pound, of the yearly value of any Lands, Houſes, Tenements and Hereditaments ſo aſſeſſed, nor the rate of ſix pence for twenty pounds in perſonal Eſtate; and that no ſuch Aſſeſſment be made or levied, from and after the five and twenty day of March, in the year One thouſand ſix hundred ſeventy and three.

Surveyors of the High-ways, when to be choſen.

XII. And be it farther enacted by the authority aforeſaid, That from and after the nine and twentieth day of September next in every Pariſh within this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, the Surveyors and Orderers of the work for the amendment of the High-ways within their reſpective Pariſhes, ſhall be yearly choſen and nominated by ſuch perſons as by the Act made in the ſecond and third Years of King Philip and Queen Mary is appointed, upon ſome day in the ſame week that the Feaſt of the Birth of our Lord, commonly called Chriſtmas-day, ſhall be: (2) Which perſons ſo nominated and choſen, ſhall take upon them the ſaid Office, and ſhall appoint ſix days for the providing of Stones, Gravel and other Materials for the amendment of, and for working in the High-ways, having reſpect to the Seaſon of the Year, and the Weather, and giving Notice publickly ſome convenient time before the ſeven days; at which days all perſons liable to the ſaid Work, ſhall attend and work accordingly: (3) And the ſaid Surveyors and Orderers ſhall make Return of the Defaulters and every of them, within one month after every default made, to ſome neighbouring Juſtice of the Peace of the ſame County; and the ſaid Juſtice ſhall preſent the ſame at the Quarter-Seſſions of the Peace held next after ſuch Return made unto him: (4) And the Offenders againſt this Act, in all caſes not particularly directed in this Act, ſhall reſpectively incur the ſame Forfeiture, Pains and Penalties inflicted and appointed by the Laws and Statutes of this Kingdom, now in force, for the amending of the High-ways, as fully as if they had been particularly mentioned and impoſed in and by this Act.

2 & 3 P. & M. cap. 8.
14 Car. 2. 6.
Sect. 2. N. 1.

XIII. And whereas in the Counties of Cheſter and Lancaſter, there are many and ſundry great and deep Rivers, which run croſs and through the common and publick High-ways and Roads within the ſaid Counties, which many times cannot be paſſed over without hazard and loſs of the Lives and Goods of the Inhabitants and Travellers within the ſaid Counties, for want of convenient, good and ſufficient Bridges in the ſaid High-ways and Roads; to build and erect which, there is no Law in force: (2) Therefore be it farther enacted by the authority aforeſaid, That for ten years next following, and no longer, the reſpective Juſtices of Peace within the ſaid reſpective Counties, ſhall upon the preſentment of the Grand Jury, at their reſpective and general Quarter Seſſions, have power and authority by Order and Warrant under the Hands and Seals of all, or the major part of the ſaid Juſtices, being ſix at leaſt, then preſent, to cauſe to be erected and builded, any new Bridge or Bridges, in ſuch place or places in any of the ſaid High-ways, over any of the ſaid Rivers within their reſpective Juriſdictions, as they ſhall judge fit and neceſſary, and ſo declare by ſuch Order as aforeſaid, and likewiſe to repair or rebuild ſuch other Bridges as were demoliſhed in the late War: (3) And by their ſaid Order to charge either their whole reſpective Counties, or any Hundred or Hundreds within their ſaid reſpective Counties, with the erecting and building any ſuch Bridge or Bridges, and from time to time (as need ſhall require) with the repairing and amending of all or any the ſaid Bridges, which ſhall be aſſeſſed, levied and gathered in ſuch ſort, manner and form, as the Monies for repairing of Bridges now in being, are uſed to be aſſeſſed, levied and gathered by vertue of the late Statute in the two and twentieth year of the Reign of the late King Henry the Eighth, in that caſe made and provided.

Bridges to be built in Cheſhire and Lancaſhire within ten years.

22 H. 8. 5.

XIV. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any ſix or more Juſtices of Peace of the County of Monmouth, whereof two to be of the Quorum, at their general Seſſions of the Peace to be held for that County, at any time hereafter during ten years, and no longer, to impoſe or levy any ſum or ſums of Mony upon the ſaid County, for the repairing and amending of Usk and Baſalegg Bridges, which are ſcituated upon great Rivers, and lie on very publick Roads of that County, ſo as the ſums ſo impoſed as aforeſaid, exceed not in the whole in any one year, the ſum of forty pounds; Which Impoſition ſo laid, ſhall be levied and accompted for by the ſame way and manner as the other Rates raiſed for Bridges, formerly ſetled by Act of Parliament for that County, are made and provided.

Monmouth.

Uſk and Baſalegg Bridges.

CAP. XIII.

An Act for Improvement of Tillage, and the Breed of Cattel.

Merchants.

FOR the farther Incouragement of Tillage for the common good and welfare of this Kingdom, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the twenty fourth day of June, which ſhall be in the year of our Lord, one thouſand ſix hundred and ſeventy, and from thence forward, It ſhall be lawful for all and every perſon or perſons, Native or Foraign, at any time or times, to ſhip, lade, carry and tranſport as Merchandize, all ſorts of Corn and Grain, although the Prizes thereof ſhall exceed the Rates ſet down in one Act of this preſent Parliament, made in the fifteenth year of his Majeſty's Reign, Entituled An Act for the Encouragement of Trade, The ſaid Act or any other Law, Statute, Uſage or other Prohibition to the contrary thereof in any wiſe notwithſtanding, paying for the ſame ſuch Rates as are to be paid when the ſame might have been tranſported by one Act of this preſent Parliament, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and none other. And it is hereby farther Enacted by the authority aforeſaid, That when the Prices of Corn and Grain, at the times, Havens and places when and where the ſaid Corn or Grain ſhall be imported into this Kingdom, exceed not the Rates hereafter following, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof theſe Rates; That is to ſay, For every Quarter of Wheat, when the ſame ſhall not exceed the Price of Three and fifty ſhillings and four pence the Quarter, there ſhall be paid for the Cuſtom and Poundage thereof, the ſum of ſixteen ſhillings: And when the ſame ſhall exceed the ſum of three and fifty ſhillings and four pence the Quarter, and yet not above four pounds the Quarter, That then there ſhall be anſwered and paid for the Cuſtom and Poundage of

Corn and Grain may be tranſported at certain times.
15 Car. 2. cap. 7.

12 Car. 2. cap. 4.
13 Car. 2. cap. 7.

of every Quarter of Wheat the ſum of eight ſhillings; (4) for every Quarter of Rye when the ſame doth not exceed the price of forty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof the ſum of ſixteen ſhillings the Quarter; (5) for every Quarter of Barley or Mault, when the ſame doth not exceed the price of two and thirty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof the ſum of ſixteen ſhillings the Quarter; (6) for every Quarter of Buck-wheat when the ſame doth not exceed the price of two and thirty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof the ſum of ſixteen ſhillings the Quarter; (7) for every Quarter of Oates, when the ſame doth not exceed the ſum of ſixteen ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof, the ſum of five ſhillings and four pence the Quarter, (8) for every Qarter of Peaſe or Beans, when the ſame doth not exceed the ſum of forty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof, the ſum of ſixteen ſhillings the Quarter, each Quarter to contain eight Buſhels, and each Buſhel to contain eight Gallons and no more.

II. But when the prices of the ſeveral ſorts of Corn or Grain above mentioned, ſhall exceed the reſpective Rates aboveſaid, at the times and places of Importation; That then and in every ſuch caſe there be anſwered and paid for the ſame, the Duties payable in ſuch caſe, before the making of this Act.

French or Pearl Barley.

III. And for the farther Encouragement of French or Pearl Barley in this Kingdom, That there ſhall be paid for the Cuſtom of every hundred weight of French or Pearl Barley, the ſum of five ſhillings.

Encouragement for breeding and feeding of Cattel.

IV. And for the farther Encouragement of Breeding and Feeding of Cattel of all ſorts, (2) Be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, which ſhall be in the year of our Lord God, One thouſand ſix hundred and ſeventy, and from thence forward, It ſhall be lawful for every perſon or perſons, Native or Foreigner, at any time or times to ſhip, lade and tranſport, by way of Merchandize, theſe ſorts of Goods following, That is to ſay, Beef, Pork, Bacon, Butter, Cheeſe and Candles, though the ſame do exceed in price at the Ports from whence they are laden; and at the time of their lading the prices ſet down and limited in the aforeſaid Act of this preſent Parliament; Entituled, A Subſidy granted to the King of Tonnage and Poundage, The ſaid Act or any other Law, Statute, Uſage or other Prohibition to the contrary thereof in any wiſe notwithſtanding; paying for the ſame the reſpective Rates appointed by the ſaid Act, and no more.

12 Car. 2. cap. 4.
13 Car. 2. cap. 7.

Butter and Cheeſe.

V. Except, and always provided, That for the Cuſtom and Poundage of every Barrel of Butter, there ſhall be paid one ſhilling, and for every hundred weight of Cheeſe, four pence, and no more; The aforeſaid Act of Tonnage and Poundage, or any other Law or Statute to the contrary notwithſtanding.

Ox or Steer.

VI. And it is hereby farther enacted by the authority aforſaid, That from and after the twenty fourth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, there ſhall be paid for every Ox or Steer that ſhall be tranſported into the parts beyond the Seas by any perſon or perſons, Native or Foreigner, the ſum of twelve pence, and no more; The aforeſaid Act of Tonnage and Poundage, or any other Law, Statute, Uſage or other Prohibition to the contrary hereof in any wiſe notwithſtanding.

Cows or Heifers.

VII. And it is hereby farther enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June in the year aforeſaid, It ſhall be lawful for any perſon or perſons, Native or Foreigner, to ſhip, lade or tranſport Cows or Heifers, paying for each Cow or Heifer the ſum of twelve pence, and no more: And alſo to ſhip, lade and tranſport all ſorts of Swine or Hogs, paying for each Swine or Hog, two pence, and no more; Any Statute, Law, Uſage or other Prohibition to the contrary thereof in any wiſe notwithſtanding.

Swine or Hogs.

Horſes and Mares may be tranſported.

VIII. And for the farther Encouragement of the Breed of Horſes, Be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred and ſeventy, and from thence forward, it ſhall be lawful for any perſon or perſons, Native or Foreigner, at any time or times to ſhip, lade and tranſport by way of Merchandiſe, Horſes or Mares into any parts beyond the Seas, in Amity with his Majeſty, paying for each Horſe or Mare the ſum of five ſhillings, and for each Gelding the ſum of five ſhillings, and no more; The aforeſaid Act of Tonnage and Poundage, or any other Law, Statute, Uſage or any other Prohibitian to the contrary hereof in any wiſe notwithſtanding.

Anno Regni C A R O L I *II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, viceſimo ſecundo, & viceſimo tertio.*

AT the Parliament begun at *Weſtminſter* the Eighth day of *May, Anno Dom.* 1661. in the Thirteenth year of the Reign of our moſt gracious Soveraign Lord CHARLES, by the Grace of God, of *England, Scotland, France* and *Ireland*, King, Defender of the Faith, &c. And there by ſeveral Prorogations and Adjournments held the Twenty fourth of *October*, 22 *Car.* 2. and continued to the Sixth of *March*, 1670. *Anno* 23 *Car.* 2.

CAP. I.

An Act to prevent Malitious Maiming and Wounding.

Preamble.

WHereas upon the one and twentieth day of December, in the year of our Lord, One thouſand ſix hundred and ſeventy, a violent and inhumane Attempt was made upon the perſon of Sir John Coventry, Knight of the honourable Order of the Bath, being a Member of the Commons Houſe of Parliament, and then attending the Parliament, and upon the perſon of his Servant William Wylkes, by a conſiderable number of armed men, both on Foot and Horſeback, whereby the ſaid Sir John Coventry and his Servant then loſt ſeveral Goods, and the ſaid Sir John Coventry received divers Wounds, ſome of which were given him in ſuch barbarous manner, that ſome of the Offenders held him whilſt other wounded him.

II. And whereas by ſeveral Bills of Indictment found by the Grand Jury for the City and Liberty of Weſtminſter, where the ſaid Facts were committed, Sir Thomas Sandys Knight, Charles Orbian Eſquire, Simon Parry, and Miles Reeves, among others, ſtand indicted of Felony and Robbery for the ſame, but have fled from Juſtice, not daring to abide a legal Tryal: (2) Be it therefore enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons aſſembled in Parliament, and by the authority of the ſame, That if the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, ſhall not render themſelves to the Lord Chief Juſtice of his Majeſty's Court of Kings Bench, or to ſome other of the Juſtices of the ſaid Court, on or before the tenth day of March, in the year of our Lord One thouſand ſix hundred and ſeventy, in order to their Trials for the Facts aforeſaid; That then ſuch of them the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, as ſhall not ſo render himſelf as aforeſaid, ſhall and do ſuffer perpetual Exile, and be for ever baniſhed this Realm, and all other his Majeſty's Dominions.

Sir Thomas Sandys, &c. not rendring themſelves ſhall be perpetually baniſhed.

III. And be it enacted, That the Gaol-delivery for the County of Middleſex, and the City of London, which is intended to be holden the two and twentieth day of February, One thouſand ſix hundred and ſeventy, ſhall be adjourned till the ſaid tenth day of March, and the Juſtices of the ſaid Gaol-delivery, or any two of them, are hereby authorized and required to adjourn the ſame accordingly; and that no Trials ſhall be there proceeded upon before the tenth day of March aforeſaid.

Adjournment of the Gaol-delivery for Middleſex.

IV. And if the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, or any of them, ſhall not render themſelves as aforeſaid, and ſhall at any time return into, or be found in England, or any other his Majeſty's Dominions, after the ſaid tenth day of March; Then ſuch of them the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, as ſhall not render himſelf, and yet return or be found as aforeſaid, ſhall from the ſaid one and twentieth day of December, in the year of our Lord, One thouſand ſix hundred and ſeventy, be deemed and adjudged to be guilty of the ſaid Felonies and Robberies, and ſhall by vertue of this Act be adjudged to be convicted and attainted of Felony and Robbery, without any benefit of Clergy, to all intents and purpoſes, as if they had been thereof convicted and attainted by due Tryal and Judgment of Law, and ſhall ſuffer ſuch pains, puniſhments and forfeitures, as by Law are to be inflicted upon Felons attaint, not having benefit of Clergy.

Sir Thomas Sandys, &c. not rendring themſelves, ſhall be adjudged Felons.

V. And be it farther enacted by the Authority aforeſaid, That neither the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry, Miles Reeves, nor any who upon the attempt aforeſaid, actually took away any Goods from the perſons of Sir John Coventry or his ſaid Servant, or actually gave any Blow or Wound to the ſaid Sir John Coventry or his ſaid Servant, or held or kept down the ſaid Sir John Coventry or his ſaid Servant, while they the ſaid Sir John Coventry and his ſaid Servant, or either of them were robbed, beaten or wounded, nor any who commanded the Party, either of Horſemen or Footmen, in executing the aforeſaid villanous and barbarous attempt, ſhall be pardoned any of the Offences in this Act mentioned; but are made incapable of any Pardon for the ſame from the Kings Majeſty, his Heirs and Succeſſors, unleſs by Act of Parliament, wherein ſuch perſon or perſons ſhall be particularly named.

No pardon but by Act of Parliament.

VI. And be it farther enacted by the authority aforeſaid, That if any the ſaid Offenders, other than the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, and ſuch as did actually rob, ſtrike or wound the ſaid Sir John Coventry, or his ſaid Servant, or held or kept them or any of them down, till they or either of them were robbed, beaten or wounded as aforeſaid, and other than ſuch as commanded any Party in the ſaid attempt, ſhall before the eighth day of March, in the year of our Lord, One thouſand ſix hundred and ſeventy, voluntarily render him or themſelves to the Lord Chief Juſtice of the ſaid Court of Kings Bench, or to ſome other of the Juſtices of the ſaid Court, and acknowledge his ſaid Offences, and declare his whole knowledge of the Facts aforeſaid, and of the perſons acting therein, and ſhall diſcover to the Lord Chief Juſtice, or other Juſtice as aforeſaid, ſome of the perſons who wounded or held, robbed or ſtruck as aforeſaid, Sir John Coventry, or his Servant, or commanded as aforeſaid, and ſhall give ſuch Security as the ſaid Chief Juſtice, or other the ſaid Juſtice before whom ſuch Render ſhall be made as aforeſaid, ſhall think reaſonable to give Evidence, if lawfully required, againſt the Offenders by this Act made incapable of Pardon; ſo that the ſaid Lord Chief Juſtice, or ſuch other Juſtice of the ſaid Court to whom ſuch Render ſhall be made as aforeſaid, ſhall be ſatisfied, that he or they ſo rendring him or themſelves, have declared the truth according to the beſt of their knowledge, and obtain a Certificate from the ſaid reſpective Chief Juſtice or Juſtice before whom ſuch Render was made to that effect, under the Hand and Seal of the ſaid Chief Juſtice or Juſtice; He and they ſo rendring him or themſelves, and declaring as aforeſaid, ſhall by the authority aforeſaid be pardoned the ſaid Aſſaults, Felonies and Robberies, and immediately from and after the obtaining ſuch Certificate as aforeſaid, he and they ſo rendring him and themſelves, and declaring as aforſaid, ſhall be deemed, adjudged and taken to be hereby to all intents and purpoſes, pardoned, acquitted and diſcharged from the ſaid Crimes and Felonies, and from all farther Proſecutions and Impriſonments, Indictments, Convictions, Attainders, Pains, Penalties or Forfeitures that may accrue for the ſame.

A Pardon granted to any one that was guilty of the Fact, and will make a diſcovery of any others beſides thoſe mentioned in the Act.

VII. And for prevention of the like miſchiefs for the time to come, Be it farther enacted by the authority aforeſaid, That if any perſon or perſons from and after the four and twentieth day of June, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and one, on purpoſe and of malice forethought, and by lying in wait ſhall unlawfully cut out or diſable the Tongue, put out an Eye, ſlit the Noſe, cut off a Noſe or Lip, or cut off or diſable any Limb or Member of any Subject of his Majeſty, with intention in ſo doing to maim or diſfigure in any the manners before mentioned ſuch his Majeſty's Subject;

Malicious Maiming made Felony.
3 Inſt. 62.
5 H. 4. 5.

ject; that then and in every ſuch caſe the perſon or perſons ſo offending, their Counſellors, Aiders and Abettors, (knowing of, and privy to the Offence as aforeſaid) ſhall be and are hereby declared to be Felons, and ſhall ſuffer Death as in caſes of Felony, without benefit of Clergy.

VIII. Provided, That no Attainder of ſuch Felony ſhall extend to corrupt the Bloud, or forfeit the Dower of the Wife, or the Lands, Goods or Chattels of the Offender.

Forfeitures.

IX. Provided always, and it is hereby declared and enacted, That his Majeſty's Royal Aſſent to this Bill ſhall not determine this Seſſion of Parliament.

Seſſion of Parliament not determine

CAP. II.

An Act for Continuance of a former Act, Entituled, An Act to prevent Delays in extending Statutes, Judgments and Recognizances.

Preamble, 16 & 17 Car. 2. cap. 5.

WHereas one Act of Parliament made in a late Seſſion of this preſent Parliament held in the ſixteenth and ſeventeenth years of the Reign of our Soveraign Lord the King that now is, Entituled, An Act to prevent Delays in extending Statutes, Judgments and Recognizances, to continue in force for three years, and to the end of the next Seſſion of Parliament after the ſaid three years, and no longer: Now foraſmuch as it appears that the ſaid Law is beneficial to the people of this Realm, (2) Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Act ſhall remain and be perpetual from the end of the laſt Seſſion of Parliament.

Made perpetual.

CAP. III.

An Act for granting a Subſidy to his Majeſty, for Supply of his Extraordinary Occaſions.

Preamble.

MOſt gracious Soveraign, We your Majeſty's moſt dutiful and loyal Subjects, the Commons aſſembled in Parliament; Having entred into a due and ſerious conſideration of the extraordinary Occaſions which oblige your Majeſty to a great and preſent Expence, for the neceſſary Defence of your Realms, and conſidering your Majeſty's great Debts, and being deſirous to raiſe ſuch Aids and Supplies as may be proportionable to theſe Occaſions; Do humbly preſent your Majeſty with the free gift of the Rates, Subſidies and Aſſeſſments herein after mentioned, which we humbly beſeech your Majeſty graciouſly to accept of, as a Teſtimony of the dutiful affections of us your Subjects; and that your Majeſty would be pleaſed that it may be enacted:

II. And be it enacted by the Kings moſt Excellent Majeſty, the Lords Spiritual and Temporal and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That our Soveraign Lord the King, his Heirs and Succeſſors, ſhall have and receive the Rates, Subſidies and Aſſeſſments hereafter mentioned, of and from every perſon Spiritual and Temporal, of what Eſtate or Degree ſoever he or they be of; which ſaid Rates, Subſidies and Aſſeſſments ſhall be taxed, aſſeſſed, levied and paid into his Majeſty's Receipt of Exchequer, according to the tenor of this Act, and in manner and form following: That is to ſay, Whereas ſeveral perſons being Goldſmiths, and others, by taking or borrowing great ſums of mony, and lending out the ſame again for extraordinary lucre and profit, have gained and acquired to themſelves the Reputation and Name of Bankers.

The mony to be paid into the Exchequer.

III. It is hereby farther Enacted, That all and every ſuch perſons having any perſonal Eſtates in Debts owing to them, or to any others in truſt for them within the Realm, or without, or having any ready monies, ſhall yield or pay unto his Majeſty for every one hundred pounds of ſuch debts or ready monies, the ſum of fifteen ſhillings, and ſo after that rate for any greater ſum than an hundred pounds.

Bankers to pay 15 s. for every 100 l.

IV. And be it farther enacted, That all monies lent to his Majeſty, for which above ſix pounds per Cent. ſhall be owing or payable by Majeſty, upon the firſt day of May, One thouſand ſix hundred and ſeventy one, either as Intereſt, Conſideration, Gratuity or otherwiſe, ſhall pay per Cent. fifteen ſhillings; (2) And the Auditor of the Receipt, and the ſeveral Impreſt-Accomptants for the time being, are hereby required to deliver ſeveral Certificates of all ſuch monies, and by whom they are ſeverally lent, (that is to ſay) the Auditor of the Receipt to certifie the Names of all ſuch perſons to whom ſuch Reward is then payable in the Exchequer, and the reſpective Impreſt-Accomptants to certifie the Names of the reſpective perſons of whom they have borrowed any ſum of mony, for which ſuch gratuity or reward is then payable over and above the uſual Intereſt of ſix pounds per Cent. per Annum, and to deliver, or cauſe to be delivered, ſuch their ſeveral Certificates to the Alderman of the Ward of Cheap in the City of London, before the twentieth of May, One thouſand ſix hundred and ſeventy one, on penalty of the loſs of the reſpective Offices and Places which they reſpectively hold, for any wilful default herein; Which Alderman of the Ward within ſix days after receipt of ſuch Certificates, to deliver the ſame over to the Aſſeſſors appointed for the ſaid Ward, or within ſix days after ſuch Aſſeſſors ſhall be appointed; which Aſſeſſors are accordingly to aſſeſs the ſame, and to return to the reſpective Commiſſioners the aſſeſſment by them made of all ſuch monies; which ſaid Commiſſioners are hereby impowred and required to cauſe all ſuch aſſeſſments to be levied and paid to his Majeſty by the power of this Act, and in caſe of failer of payment, to levy ſuch Forfeitures as are due, and do all other things to be done in the like caſe, according to the tenor or vertue of this Act.

Monies owing by his Majeſty upon the firſt of May, 1671. for which above 6 l. per cent. is paid, to pay 15 s.

The Auditor of the Receipt and the ſeveral Impreſt Accomptants to make Certificates by whom the mony is lent.

To be delivered to the Alderman of the Ward of Cheap before the 20th of May.

Upon wilful default thereof, the Officers to loſe their places.

The Certificate in ſix days to be delivered to the Aſſeſſors who are to return the Aſſeſſment to the Commiſſioners, who are to cauſe the ſame to be levied.

V. Provided always, and be it enacted, That in every caſe aforeſaid, where fifteen ſhillings ſhall be paid for one hundred pounds, and after that rate for a greater ſum, it ſhall be lawful for every ſuch Banker, Goldſmith, or other perſon as aforeſaid, to make ſtop or deduct ten ſhillings, and no more, of every ſuch fifteen ſhillings ſo by him paid for monies which he ſhall have ſo borrowed or taken up, when he ſhall pay back all ſuch monies ſo by him bor-

rowed

The Bankers to ſtop 10 s. for every 100 l. upon re-payment to his Creditors.

rowed or taken up, and it ſhall be allowed him upon account, by all and every ſuch his Creditor or Creditors, their Executors, Adminiſtrators or Aſſigns accordingly, and the remaining five ſhillings ſhall be born and paid by the ſaid Banker, Goldſmith or other perſon, as aforeſaid, and upon their own account only.

VI. Provided always, That no ſuch Banker, Goldſmith or other perſon as aforeſaid ſhall by vertue of this Act pay to his Majeſty more than fifteen ſhillings for one and the ſame Hundred pounds; any thing in this Act to the contrary notwithſtanding. But if it ſhall happen that any of them ſhall be twice aſſeſſed for the ſame mony, then the Certificate under the reſpective Collector and two Commiſſioners Hands of the due payment thereof in one place, ſhall for ſo much diſcharge every of them in all other places.

Mony lent to his Majeſty upon the Credit of this Act, to have Intereſt at 7 per Cent. and no more.

No mony ſo lent to be aſſeſſed.

VII. Provided always, and it is hereby enacted, That it ſhall and may be lawful to and for any perſon or perſons to advance and lend unto his Majeſty upon the ſecurity of this Act, any ſum or ſums of mony, and to have and receive for the forbearance thereof, after the rate of ſeven pounds per Cent. for one whole year, any other Law or Statute to the contrary notwithſtanding, and no more directly or indirectly, either for Intereſt, Gratuity or Reward. (2) And moreover, that no mony ſo lent upon the Security of this Act, or upon the Security of any other Act of Parliament paſſed or to be paſſed during this preſent Seſſion of Parliament, at the rate of ſeven pounds per Cent. ſhall be rated or aſſeſſed by vertue of this Act; any thing herein contained to the contrary notwithſtanding.

Perſonal Eſtates to pay ſix ſhillings per Cent.

VIII. And be it farther enacted by the authority aforeſaid, That all and every perſon and perſons, Bodies Politick and Corporate, Guilds or Fraternities within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, having any perſonal Eſtate in Goods, Wares, Merchandizes, Stock, or other Chattels perſonal whatſoever, not otherwiſe charged by this Act, either in their own poſſeſſion, or in the poſſeſſion of others in truſt for them, except and out of the Premiſſes deducted, ſuch ſums of mony as he or they do owe, and in his or their Conſcience intend truly to pay, the Stock upon Land, or the Product thereof in the Hands of the Occupier or firſt Owner, and ſuch Goods as are uſed for Houſholdſtuff, Mony and Debts excepted, ſhall yield and pay unto his Majeſty for every Hundred pounds worth of ſuch Goods, Wares, Merchandizes, Stock or other Chattels perſonal, the Sum of ſix ſhillings, and ſo after that rate for every greater quantity of ſuch Goods and Chattels to be aſſeſſed, levied and collected, in manner herein after mentioned.

Officers to pay 2 s. per pound.

IX. And be it farther enacted by the authority aforeſaid, That all and every perſon and perſons, Commiſſioner and Commiſſioners, having, uſing or exerciſing any Office or Place of publick Employment whatſoever, (ſuch perſons who are or ſhall be in Muſter or Pay at Land or Sea only excepted) and all and every their Deputies, Agents, Clerks, Secondaries, Subſtitutes, and other their inferior Miniſters and Servants whatſoever, ſhall yield and pay unto his Majeſty, the ſum of Two ſhillings for every Twenty ſhillings which he or they do receive in one year, by vertue of any Fees, Profits, Perquiſites, or other advantages to him or them accruing, or by reaſon or occaſion of their ſeveral Offices, Agencies, or Employments, the third part being deducted for the Charges for the managing of the ſaid Offices, to be aſſeſſed, impoſed, levied and collected in ſuch manner as is herein after mentioned.

Deducting the third part for Charges.

Lands, Mines, &c. to pay 12 d. per l. of the yearly value for one year.

X. And to the end a farther Aid and Supply of his Majeſty's Occaſion may be raiſed and levied by a Charge upon all Lands and Tenements, and that the ſame may be laid with as much equality and indifferency as is poſſible, and by a Pound-Rate of Twelve pence for every Twenty Shillings of the clear yearly Value (for one year only, and no longer) and ſo upwards: (2) Therefore it is farther enacted by the authority aforeſaid, That all and every the Meſſuages, Manors, Lands and Tenements, as well Free-hold as Copyhold, all and every the Mines of Coal, Tin or Lead, all Allum-mines or Works, all Parks, Chaſes, Warrens, Woods, Under-Woods and Coppices, Fiſhings, Tythes, Tolls and all other yearly Profits and Hereditaments of what nature or kind ſoever they be, ſcituate, lying and being within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or within any the Counties, Cities, Boroughs, Towns, Diviſions, Hundreds, Ridings, Lathes, Wapentakes, Pariſhes and places thereof, as well within ancient Demeſne, and other Liberties and priviledged places, as without, ſhall be and are hereby charged for one year only, and no longer, with the Sum of Twelve pence for every Twenty Shillings of the clear yearly Value, and ſo upwards. (3) And all and every perſon and perſons, Bodies Politick and Corporate, Guilds Myſteries, Fraternities and Brotherhoods, whether Coporate or not Corporate having or holding any Meſſuages, Manors, Lands, Tenements, Hereditaments, or any other the Premiſſes, ſhall yield and pay unto his Majeſty the Sum of Twelve Pence for every Twenty Shillings by the year; which the ſaid Meſſuages, Manors, Lands, Tenements and Hereditaments, and other the Premiſſes are now worth to be leaſed, if the ſame were truly and bona fide leaſed or demiſed at a Rack Rent, and according to the full, true, real and clear yearly Value thereof, without any reſpect had to the preſent Rents therefore reſerved, if the ſame had been reſerved upon ſuch Leaſes or Eſtates made, for which any Fine or Income hath been paid or ſecured, and without any reſpect had to any former Rates or Taxes thereupon impoſed; Which ſaid Sum of Twelve Pence for every Twenty Shillings by the year, of the ſaid full and clear yearly Value of the Premiſſes, ſhall be aſſeſſed, levied and collected, in manner hereafter mentioned, and ſhall be paid into his Majeſty's Receipt of Exchequer, by four equal and ſucceſſive Quarterly Payments; The firſt Payment thereof to begin and to be made upon the Twenty fourth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy one.

To be rated as now worth, if let at a Rack Rent, and without reſpect to former Taxes.

Theſe Aſſeſſments to be paid in four quarterly payments: the firſt to be made the 24th of June, 1671.

XI. And whereas many of the Meſſuages, Manors, Lands, Tenements, Tythes, Hereditaments, or Premiſſes intended by this Act to be charged with the Pound Rate as aforeſaid, ſtand incumbred with, or are ſubject and liable to the Payment of ſeveral Rent-Charges, or

Annuities iſſuing out of the ſame, or to the payment of divers Fee-farm Rents, Rents-Services or other Rents thereupon reſerved, by reaſon whereof, the true Owners and Proprietors of ſuch Meſſuages, Manors, Lands, Tenements, Hereditaments and Premiſſes, do not in truth receive to their own uſe, the full yearly value of the ſame; For which nevertheleſs they are by this Act charged to pay the full Pound-rate, of twelve pence for every twenty ſhillings of the true yearly value; (2) It is therefore declared and enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Land-Lords, Owners and Proprietors of ſuch Meſſuages, Lands, Tenements, Hereditaments and Premiſſes as are charged with the Pound-Rate, as aforeſaid, to abate and deduct, and o retain and keep in his or their Hands, Twelve pence in the pound out of every Fee-farm Rent, and other annual Rent and Payment charged upon, or iſſuing out of the Premiſſes, or any part thereof, or thereupon reſerved; (3) And all and every perſon or perſons, Bodies Politick or Corporate, being indebted in any Sum or Sums of Mony upon Contract for Intereſt, ſhall for the better enabling them to pay and bear the Subſidies, and Charges herein before reſpectively impoſed upon them, be allowed by vertue of this Act, fter the rate of Twelve pence in the pound, out of all ſuch Intereſt-mony which ſhall be paid and grow due for any time between the five and twentieth day of March, One thouſand ſix hundred ſeventy and one, and the five and twentieth day of March, One thouſand ix hundred ſeventy and two, by his or their reſpective Creditor or Creditors, out of the Debts ſo by them owing as aforeſaid, and may and are hereby enabled to deduct, retain nd diſcount the ſame; Any Contract or Agreement, Mortgage, Bond, Condition, Proviſion or other Aſſurance to the contrary in any wiſe notwithſtanding. (4) And all and every erſon and perſons who are or ſhall be any-way Entituled to ſuch Rents and Annual Payments, are hereby required to allow ſuch Deductions and Payments upon the Receipt of he reſidue of ſuch Monies as ſhall be due and payable to them as aforeſaid; And all Tenants are hereby ſaved harmleſs from any farther payment of the Twelve pence in the ound ſo deducted, as fully and amply as if the ſame had been paid into his Majeſty's Exchequer, or to ſuch Creditor or other perſon to whom the ſame would otherwiſe have become ue and payable.

The Proprietors of any Land to deduct 12 d. per l. out of every Fee farm Rent or other annual Rent.

Perſons indebted upon Contract.

To deduct 12 d. per l. out of the Intereſt-mony, which ſhall grow due from 25 March, 1671. to 25 March, 1672.

XII. And be it farther enacted by the Authority aforeſaid, That for the better Aſſeſſing, Ordering, Levying and Collecting of the ſeveral Sums of Mony ſo as aforeſaid limited and appointed to be paid, and for the more effectual putting of this preſent Act n Execution, It ſhall and may be lawful for his Majeſty to iſſue out, or cauſe to be ſued out under the Great Seal of England, ſuch and ſo many Commiſſions as his Majeſty ſhall think fit, and therein, and thereby to Nominate, Conſtitue and Appoint ch and ſo many perſons to be Commiſſioners for putting this preſent Act in Execution, and alſo ſo many of them to be a Quorum, as his Majeſty ſhall think convenient r the Service of this Act; (2) Which ſaid Commiſſioners ſo as aforeſaid to be nominated and appointed, ſhall in their reſpective Counties, Cities, Boroughs, Diviſions, Towns, and Places in their reſpective Commiſſions mentioned, meet together at the oſt uſual or common place of Meeting within each of the ſaid Counties, Cities, Boroughs, Diviſions, Towns and Places reſpectively, at or before the tenth day of May, hich ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, or ch other day as his Majeſty by his Commiſſion ſhall appoint; (3) And the ſaid Commiſſioners, or ſo many of them as ſhall be preſent, at the firſt general Meeting, or the ajor part of them, may by their Conſents and Agreements, divide as well themſelves, s other the Commiſſioners not then preſent for the Execution of this Act, in Hundreds, athes, Wapentakes, Rapes, Wards, Towns and other places within their Limits, Priviledged or not Priviledged, in ſuch manner and form, as to them ſhall ſeem expedient; And ſhall direct their ſeveral or joynt Precept or Precepts to ſuch Inhabitants, igh-Conſtables, Petty-Conſtables, Bayliffs, and other like Officers and Miniſters, d ſuch number of them as they in their Diſcretions ſhall think moſt convenient, requiring them to appear before the ſaid Commiſſioners at ſuch time and place as they ll appoint, not exceeding ten days; And at ſuch their Appearances, the ſaid Commiſſioners ſhall openly read, or cauſe to be read unto them the Rates and Aſſeſſments this Act mentioned, and alſo openly declare the Effect of their Charge unto them, d how and in what manner they ought, and ſhould make their Certificates, and w they ought to proceed in the Execution of this Act, according to the Rates aforeſaid.

His Majeſty to appoint Commiſſioners by Commiſſions under the Great Seal.

Who ſhall meet at or before the 10th day of May, 1671.

The Commiſſioners to ſend their Precepts to the Conſtables, &c. to appear in ten days, and to read to them the Rates of the Act, and declare to them how they ought to proceed.

XII. And if any High-Conſtable, Petty-Conſtable, Bailiff, or other Officer or Miniſter, to whom any Precept ſhall be directed, ſhall abſent themſelves without lawful Excuſe, to be witneſſed by the Oaths of two credible Witneſſes; Or if any perſon pearing ſhall refuſe to ſerve, Then every ſuch perſon ſo making Default, or refuſing ſerve, ſhall for every time of ſuch Default or Refuſal, forfeit and loſe unto the Kings Majeſty ſuch Sum as the Commiſſioners ſhall think fit, not exceeding the Sum of forty llings.

Perſons making Default, or refuſing to ſerve, to be fined at the diſcretion of the Commiſſioners not exceeding 40 s.

XIV. And after ſuch general Meeting had, and Charge given, as aforeſaid, the ſaid ommiſſioners ſhall take care that Warrants be iſſued forth and directed to two at e leaſt, of the moſt able and ſufficient Inhabitants of each Pariſh, Town or Place thin their reſpective Diviſions, thereby appointing and requiring them to be Aſſeſſors all and every the Rates and Duties by this Act impoſed, and ſhall therein alſo appoint and prefix a certain day and place for the ſaid Aſſeſſors to appear before them, d to bring in their Certificates in Writing, of the Names and Sirnames of every rſon dwelling and reſiding within the Limits of thoſe places with which they ſhall be arged, and of the Subſtances and Values of every of them, or in Goods or Chattels (Stock upon Land, or the Product thereof, in the Hands of the Occupier or firſt ner, and Houſholdſtuff excepted) or in Offices, or publick places and Employments;

The Commiſſioners to appoint Aſſeſſors.

Who are to bring Certificates of the Names of all the Inhabitants, and of the value of their Eſtates.

And to inform themſelves of the Rents of the Lands, &c.

(2) And the ſaid Aſſeſſors are therein alſo to be required, and are hereby enjoyned to aſcertain and inform themſelves by all lawful ways and means they can, of the true and full Rate and Valuation of the clear yearly Rents and Profits of all Meſſuages, Manors, Lands, Tenements, Mines of Coal, Tin or Lead, all Allom-mines or Works, Parks, Chaſes, Warrens, Woods, Under-woods and Coppices, Fiſhings, Tithes, Tolls, or other Hereditaments, of what nature or kind ſoever, ſcituate, lying and being within the limits of thoſe places with which they ſhall be charged: And being ſo thereof aſcertained, they are to aſſeſs all and every the ſaid Meſſuages, Manors, Lands, Tenements and Premiſſes before charged, after the rate of twelve pence for every twenty ſhillings, of the clear yearly value as the ſame are let for, or are worth to be let at the time of the aſſeſſing thereof as aforeſaid, and to bring with them at the time and place ſo as aforeſaid prefixed for their appearance, a Certificate in Writing of the ſaid Aſſeſſment, and ſhall then alſo return the Names of two or more able and ſufficient perſons living within the Limits and Bounds of thoſe Pariſhes, Townſhips, Conſtableries or places where they ſhall be chargeable reſpectively, to be Collectors of the Monies due to his Majeſty by this Act, for whoſe paying into the Head Collectors in manner hereafter mentioned, ſuch Monies as they ſhall be charged withal, the Pariſh or place wherein they are imployed, ſhall be anſwerable.

Perſons refuſing or neglecting to execute the office of Aſſeſſors to forfeit as the Commiſſioners ſhall think fit, not exceeding 10 l.

XV. And if any Aſſeſſor ſo as aforeſaid appointed or to be appointed, ſhall neglect or refuſe to ſerve, or ſhall make Default at the time appointed for his Appearance, not having a lawful Excuſe to be witneſſed by the Oaths of two credible Witneſſes, every ſuch Aſſeſſor ſhall for every ſuch Neglect, Refuſal or Default, forfeit and loſe unto the Kings Majeſty ſuch Sum as the Commiſſioners ſhall think fit, not exceeding the Sum of ten pounds.

The Aſſeſſors to take an Oath.

XVI. And every Aſſeſſor ſo as aforeſaid appointed or to be appointed, ſhall before he take upon him the Execution of the ſaid Employment, take an Oath to be adminiſtred in theſe words following:

(2) YOU ſhall ſwear well and truly to execute the Duty of an Aſſeſſor, and to cauſe the Rates and Duties impoſed by an Act Entituled, An Act for Granting a Subſidy to his Majeſty, for Supply of his Extraordinary Occaſions, to be duly and impartially aſſeſſed according to the beſt of your Skill and Knowledge, and therein you ſhall ſpare no perſon for Favour or Affection, nor any perſon grieve for Hatred or ill Will. So help you God.

Two of the Commiſſioners to adminiſter the Oath.

(3) Which Oath any two Commiſſioners in the County where the ſaid Aſſeſſment is to be made, have hereby power to adminſter.

The Rates upon Goods, Places, &c to be certified upon or before the 27th of May.

XVII. And be it farther enacted by the authority aforeſaid, That the Rates and Aſſeſſments upon all Goods, Chattels, Offices and publick Places and Employments charged by this Act, ſhall be aſcertained, and the Certificates thereof returned to the Commiſſioners upon or before the ſeven and twentieth day of May aforeſaid, unleſs the Commiſſioners ſhall think fit to give farther time.

Alſo the Tax upon Land.

XVIII. And alſo the Taxation and Aſſeſſments of the Pound-rate of twelve pence in the pound for every twenty ſhillings of the yearly value of all Meſſuages, Lands, Tenements, Hereditaments and Premiſſes charged by this Act, ſhall be made and aſcertained, and the ſeveral and reſpective Certificates thereof returned into the Commiſſioners upon or before the ſeven and twentieth day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, unleſs the Commiſſioners ſhall think fit to give farther time.

The Aſſeſſors to deliver a Copy of their Certificates to the Commiſſioners, and they to ſign and ſeal ſeveral Duplicates, to be delivered to the Sub collector, Receiver, &c.

XIX. And the ſaid Aſſeſſors are hereby required to deliver one Copy of their Certificates or Aſſeſſments fairly written and ſubſcribed by them, unto the ſaid Commiſſioners by whom they were appointed: (2) And the ſaid Commiſſioners, or any two or more of them, are hereby ordered and required to cauſe the ſaid ſeveral and reſpective Aſſeſſments ſo to them delivered (if by them approved of) to be fairly written, and to ſign and ſeal ſeveral Duplicates or Copies of the ſaid Aſſeſſments; And one of them ſo ſigned and ſealed, forthwith to deliver, or cauſe to be delivered unto the ſaid Sub-Collectors, and ſhall likewiſe deliver, or cauſe to be delivered, other Copies thereof ſo ſigned and ſealed, unto the Head-Collectors and Receivers-General, according to their ſeveral and reſpective Collections and Receipts.

The Commiſſioners to return an Extract into the Exchequer of the whole ſums aſſeſſed upon or before the 23d of June, or in thirty days after, all Appeals being determined

XX. And moreover, the Commiſſioners ſhall cauſe a true Copy or Extract of the whole Sums aſſeſſed and charged within every Hundred, Lathe, Wapentake, Pariſh, Ward or Place rated or aſſeſſed in purſuance of this Act, and of the whole Sums rated or aſſeſſed upon perſonal Eſtates or Offices, to be certified and tranſmitted into his Majeſty's Court of Exchequer, under the Hands and Seals of any two or more of the Commiſſioners, but without naming the perſons in ſuch their Certificates: And this the ſaid Commiſſioners ſhall cauſe to be done upon or before the three and twentieth day of June then next enſuing, or within thirty days after; All Appeals to them made being firſt determined.

The Commiſſioners to give Warrants to the Sub-collectors to levy mony;

Who are to demand it in ſix days after.

XXI. And be it farther enacted by the authority aforeſaid, That the Commiſſioners, or any two or more of them, ſhall iſſue out, and deliver their Warrants or Eſtreats to the Sub-Collectors, under their Hands and Seals, thereby requiring them to levy and collect all and every the Aſſeſſments, and all Monies and Rates due thereupon, according to the Duplicate thereof by them received, and according to the intent and ſubſequent Directions of this preſent Act; Which ſaid Sub-Collectors are hereby required to demand all and every the Rates and Aſſeſſments therein mentioned, which are laid upon perſons in reſpect of their Goods or Offices, and to make ſuch Demands of the parties themſelves, within ſix days after the Receipt of ſuch Warrants, and to levy and pay in the ſame upon or before the twelfth day of June, in the year of our Lord, One thouſand ſix hundred ſeventy and one, or within twenty days after, at ſuch place as the Commiſſioners ſhall appoint, unto their reſpective Head-Collectors, who are hereby required to call upon, and haſten their Sub-Collectors to the ſaid payment. And after the nineteenth day of June then next enſuing, or within twenty days after, to levy by Warrant under the Hands and Seals of any two or more of the ſaid Commiſſioners, by Diſtreſs upon the Sub-Collectors reſpectively, ſuch ſum and ſums of mony as by him or them ought to have been paid, and is not paid by reaſon of his failer in doing his Duty according to the directions of this Act, ſo as every Head-Collector may or ſhall make payment unto the Receiver-general of the ſaid County, City or Place, the full ſums by him to be paid, on the three and twentieth day of June aforeſaid, or within twenty days after; (2) And the Receiver-general is likewiſe required to call upon, and haſten the ſaid Head-Collectors, and to pay what he ſhall ſo receive from the ſaid Head-Collector, into his Majeſties Receipt of Exchequer upon or before the four and twentieth day of June aforeſaid, or within thirteen days after, to the end that all and every the Rates and Aſſeſments which by this Act are impoſed upon any perſon or perſons in reſpect of his or their Goods and Chattels, or Offices and Employments, may be ſpeedily brought into his Majeſties Receipt of Exchequer, and there paid in upon or before the four and twentieth day of June aforeſaid, or within thirty days after, at one intire Payment.

When diſtreſs to be made upon the Sub-collectors upon failer of payment.

Times of the firſt payment.

XXII. And the ſaid Sub-Collectors are alſo required and enjoyned to levy one fourth part of the Pound-rate charged upon all Meſſuages, Lands, Tenements, Hereditaments and Premiſſes, as aforeſaid, within ſix days after the receipt of ſuch Warrants, and to pay the ſame unto their reſpective Head-Collectors on or before the twelfth day of June aforeſaid, or within twenty days after. (2) And the ſaid Head-Collectors are to haſten the ſaid Sub-collectors; and in caſe the ſame ſhall not be collected by reaſon of the neglect or failer of Duty in the ſaid Sub-collector, the ſaid Head-collector is to proceed againſt him by Diſtreſs, in like manner, and by like Warrant as aforeſaid. And every Head-collector is hereby required to make payment of what ſhall be ſo levied or received, unto the Receiver-general of the ſaid County, City or Place, upon or before the three and twentieth day of June aforeſaid, or within thirty days after: (3) And the Receiver-general is likewiſe required to call upon and haſten the ſaid Head-collector, and to pay what he ſhall ſo receive from the ſaid Head-collector, into his Majeſties Receipt of Exchequer, upon or before the twenty fourth day of June aforeſaid, or within thirty days after; to the end that the firſt quarterly-payment of the ſaid Pound-rate of twelve pence in every twenty ſhillings yearly, may by that time by fully anſwered and paid in to his Majeſty.

Times of the ſecond payment

XXIII. And the Sub-collectors ſhall alſo levy one other fourth part of the ſaid Pound-rate charged as aforeſaid, upon or before the three and twentieth day of Auguſt then next enſuing, or within twenty days after; and ſhall alſo pay the ſame unto the ſaid Head-collectors, upon or before the thirtieth day of Auguſt aforeſaid, or within twenty days after: And the ſaid Head-collectors ſhall make payment thereof to the Receiver-general of the ſaid County, City or Place, upon or before the ſeventh day of September then next enſuing, or within twenty days after; (2) And the ſaid Receiver-general is alſo required to make payment of all which he ſhall ſo receive, into his Majeſties Receipt of Exchequer, upon or before the twenty ninth day of September aforeſaid, or within twenty days after; to the end that the ſecond quarterly payment of the ſaid Pound-rate ſo charged as aforeſaid, may by that time be fully anſwered and paid in to his Majeſty.

Times of the third payment.

XXIV. And the ſaid Sub-collectors, ſhall alſo levy one other fourth part of the ſaid Pound-rate ſo charged as aforeſaid, upon or before the three and twentieth day of November then next enſuing, or within twenty days after; and ſhall alſo pay the ſame unto the ſaid Head-collectors upon or before the ſeventh day of December then next enſuing, or within twenty days after; (2) And the ſaid Head-collectors, ſhall make payment thereof to the Receiver-general, upon or before the five and twentieth day of December then next enſuing, or within twenty days after: And the ſaid Receiver-general is alſo required to make payment of all that he ſhall ſo receive, into his Majeſties Receipt of Exchequer, upon or before the firſt day of January then next enſuing, or within twenty days after; to the end that the third quarterly-payment of the ſaid Pound-rate ſo charged as aforeſaid, may by that time be fully anſwered and paid in to his Majeſty.

Times of the fourth payment

XXV. And the Sub-collectors ſhall alſo levy one other fourth part of the ſaid Pound-rate ſo charged as aforeſaid, upon or before the three and twentieth day of February then next enſuing, or within twenty days after; and ſhall alſo pay the ſame unto the ſaid Head-collectors, upon or before the ſeventh day of March then next enſuing, or within twenty days after: And the ſaid Head-collectors ſhall alſo make payment thereof to the Receiver-general, upon or before the four and twentieth day of March then next enſuing, or within twenty days after; (2) And the ſaid Receiver-general is alſo required to make payment of all that he ſhall ſo receive, into his Majeſties Receipt of Exchequer, upon or before the five and twentieth day of March, which ſhall be in the year of our Lord one thouſand ſix hundred ſeventy two, or within twenty days after; to the end that the fourth and laſt quarterly-payment of the ſaid Pound-rate ſo charged as aforeſaid, may by that time be fully anſwered and paid in to his Majeſty.

XXVI. And all Commiſſioners, Aſſeſſors, Collectors and Receivers, are hereby required and enjoyned to apply themſelves with all diligence to the moſt ſpeedy and effectual execution of their ſeveral and reſpective Duties, that ſo his Majeſties Service herein may not be delayed or hindred through any of their wilful neglect or default.

The Head-collectors Receipt, a diſcharge to the Sub-collector, who is to retain 3 d. per l.

XXVII. And it is farther enacted and declared by the authority aforeſaid, That the monies received, by the Sub-collectors within the reſpective Diviſions or Hundreds, ſhall from time to time be duly paid to a Head-collector, whoſe Receipt ſhall be a ſufficient diſcharge unto every ſuch Sub-collector; which Sub-collector, for gathering the ſaid particular Sums, ſhall retain in his hand for every twenty ſhillings by him ſo paid, three pence, as a reward for his pains and ſervice; And the Head-collector ſhall accordingly pay over the ſaid Monies unto the Receiver-general of each County, City or Place re-

The Head-collector to be appointed by the Receiver-general, and he to be anſwerable for him.
No Sub-collector to carry the mony above ten miles.
The Head-collector to have one peny per l.
The Receiver-general to have 2 d. per l.
The Commiſſioners Clerks to have one peny in the pound, to be paid by the Head-collector.

ſpectively, in manner aforeſaid, which Head-collector or Collectors ſhall be nominated and appointed by the Receivers-general of the reſpective Counties, which ſaid Receivers-general ſhall be anſwerable for all ſuch Sums of mony as ſhall be by him or them collected or received; And that no Sub-collector ſhall be enforced to travel above the ſpace of ten miles for the payment of the ſaid monies that ſhall be by him collected or received: (2) And the ſaid Receiver-generals Acquittance ſhall be a ſufficient Diſcharge unto every ſuch Head-collector, who ſhall retain in his Hand for every twenty ſhillings ſo by him paid, one peny as a reward for his pains and ſervice; and the Receiver ſhall pay the whole Sums by him received, into his Majeſties Receipt of Exchequer, in ſuch manner, and at or before ſuch days and times as are herein before limited, and ſhall have an allowance of two pence in the pound for all monies which ſhall be by him paid, into the Receipt of Exchequer, upon or before the time prefixed in this Act.

XXVIII. And for the careful Writing and Tranſcribing the ſaid Warrants, Eſtreats and Duplicates in due time, It is farther enacted, That the Commiſſioners Clerks who ſhall reſpectively perform the ſame, ſhall by Warrant under two or more of the Commiſſioners hands, have and receive from the reſpective Head-collectors, one peny in the pound, of all ſuch monies as as he ſhall have received by virtue of ſuch Warrants and Eſtreats, who is hereby appointed and allowed to pay the ſame accordingly.

Diſtreſſes to be made upon refuſal or neglect of payment of the Duty.
The Diſtreſs to be kept four days, and then to be appriſed and ſold if the Duty not ſatisfied.

XXXI. And if any perſon or perſons ſhall neglect or refuſe to pay the ſeveral Rates and Aſſeſſments wherewith he is charged by this Act, for or in reſpect of his Goods and Chattels, Offices or Employments, and which he ought to pay; Or if the Pound-rate, or any quarterly payment thereof, ſo as aforeſaid charged upon any Meſſuages, Manors, Lands, Tenements, Hereditaments and Premiſſes, ſhall be neglected or refuſed to be paid, then upon demand by the Officer or Collector, of the Place, according to the Precept or Eſtreats to him delivered by the ſaid Commiſſioners, It ſhall and may be lawful to and for ſuch Officer or Collector, and they are hereby required for non-payment thereof, to diſtrain the perſon or perſons ſo refuſing or neglecting to pay, by his or their Goods or Chattels, or to diſtrain in and upon the Meſſuages, Lands and Tenements ſo charged, and the Goods and Chattels then and there found, and the diſtreſs ſo taken, to keep by the ſpace of four days, at the coſts and charges of the Owner thereof; And if the ſaid Owner do not pay the ſum of mony due by this Act, within the ſaid four days, then the ſaid Diſtreſs to be apprized by two or three of the Inhabitants where the ſaid Diſtreſs is taken, and there to be ſold by the ſaid Officer, for the payment of the ſaid mony, and the overplus coming by the ſaid Sale (if any be) over and above the charges of taking and keeping the Diſtreſs, to be immediately reſtored to the the Owner thereof.

Where any neglect or reſiſtance ſhall be made to break open Houſes in the day-time.

XXX. And moreover, It ſhall and may be lawful to break open in the day-time any Houſe; And upon Warrant under the Hands and Seals of any two or more of the ſaid Commiſſioners, any Cheſt, Trunk or Box, or other things where ſuch Goods are, and call to their Aſſiſtance the Conſtables, Tythingmen or Headboroughs within the Counties, Cities, Towns or Places where any refuſal, neglect or reſiſtance ſhall be made; Which ſaid Officers are hereby required to be aiding and aſſiſting in the Premiſſes.

Upon default of payment by perſons under age, the Guardians or Tutors liable to pay.
But to be allowed by the Infant upon their Account.
The Tenant to pay the Duty, but to deduct it out of the Landlords Rent.

XXXI. And be it farther enacted by the authority aforeſaid, That where any perſon or perſons chargeable with any Rates or Aſſeſſments by this Act impoſed, ſhall be under the Age of one and twenty years, There, and in every ſuch caſe, the Parents, Guardians or Tutors of ſuch Infants reſpectively, upon default of payment by ſuch Infants, ſhall be, and are hereby made liable to, and chargeable with the payments which ſuch Infants ought to have made: (2) And if ſuch Parents, Guardians or Tutors, ſhall neglect or refuſe to pay as aforeſaid, It ſhall and may be lawful to proceed againſt him in like manner as againſt other perſon or perſons making default of payment, as herein before appointed; (3) And all Parents, Guardians or Tutors, making payment as aforeſaid, ſhall be allowed all and every the Sums ſo paid for ſuch Infants upon his and their Accompt. And the ſeveral and reſpective Tenants of all and every the Meſſuages, Manors, Lands, Tenements, Hereditaments and Premiſſes, which by virtue of this Act ſhall be charged with any Pound-rate as aforeſaid, are hereby required and authorized to pay ſuch Sum or Sums of Mony as ſhall be rated upon ſuch Meſſuages, Lands, Tenements, Hereditaments and Premiſſes, and to deduct out of the Rents ſo much of the ſaid Rates, as in reſpect of the ſaid Rents payable for ſuch Meſſuages, Lands, Tenements, Hereditaments or Premiſſes, the Land ſhould and ought to bear. And all Landlords, both mediate and immediate, according to their reſpective Intereſts, are hereby required to allow ſuch Deductions and Payments upon receipt of the reſidue of the Rents, and every Tenant paying the ſaid Aſſeſſment of the Pound-rate, ſhall be, and is hereby acquitted and diſcharged for ſo much mony as the ſaid Aſſeſment ſhall amount unto, as if the ſame had been actually paid unto ſuch perſon or perſons, unto whom his Rent ſhould have been due and payable.

The duty upon Offices to be paid upon the places where the Offices are executed, and upon Perſonal Eſtates where the perſon reſides.
Perſons out of the Realm, for their Perſonal Eſtate to be rated at the place where he was laſt abiding.

XXXII. And be it farther enacted, That every perſon rated and aſſeſſed for his Office or Employment, ſhall be rated, and pay for his ſaid Office and Employment in the County, City or Place where ſuch Office or Employment is executed: And every perſon who is or ſhall be rated for, or in reſpect of any Perſonal Eſtate to him any way belonging, ſhall be rated, and the Sum or Sums on him or her ſet, ſhall be levied at ſuch places where he or ſhe, with his or her Family ſhall be reſident at the time of the Execution of this Act. And all perſons not being Houſholders, not having a certain place of reſidence, ſhall be taxed at the place where they are reſident at the time of the Execution of this Act; And if any perſon who ought to be taxed by virtue of this Act, ſhall at the time of his Aſſeſment, for or in reſpect of his ready Monies or Perſonal Eſtate, be out of the Realm, ſuch perſon ſhall be rated therefore in ſuch County, City or Place where he was laſt abiding within the Realm: And every perſon who ſhall be rated and aſſeſſed for or in reſpect of any Meſſuages, Manors, Lands, Tenements, Hereditaments, or other the

Premiſſes, according to the Pound-rate of Twelve pence in every Twenty ſhillings yearly, as aforeſaid, ſhall be Rated and aſſeſſed in the place where ſuch Meſſuages, Manors, Lands, Tenements, Hereditaments and Premiſſes reſpectively do lie, and not elſewhere.

Lands to be rated where they lie.

XXXIII. Provided always, That if any perſon or perſons having ſeveral Manſion Houſes or Places of Reſidence, ſhall be doubly charged by virtue of this Act, for or in reſpect of his or their perſonal Eſtate, That then upon Certificate made by two or more of the Commiſſioners for the County, City or Place, which Certificate the ſaid Commiſſioners are required to give without Delay, Fee or Reward, of his or their laſt perſonal Reſidence, under their Hands and Seals, of the ſum or ſums charged upon him or them, and in what capacity or reſpect he or they were ſo charged, and upon Oath made of ſuch Certificate before the Commiſſioners to whom ſuch Certificate ſhall be tendred, (which Oath the ſaid Commiſſioners are hereby authorized to adminiſter) Then the perſon and perſons ſo doubly charged, ſhall for ſo much as ſhall be ſo certified, be diſcharged in every other County, City or Place.

No perſon to be doubly charged

XXXIV. And if any perſon that ought to be taxed by virtue of this Act, for or in reſpect of his perſonal Eſtate, ſhall by changing his place of Reſidence, or any other Fraud or Covin, eſcape from the Taxation, and not be taxed, and the ſame be proved before the Commiſſioners, or any two of them, or before any two Juſtices of Peace of the County where ſuch perſon dwelleth or reſideth, at any time within Six Months next enſuing after ſuch Tax made, every perſon that ſhall ſo eſcape from the Taxation and Payment, ſhall be charged, upon proof thereof, at the double value of ſo much as he ſhould or ought to have been taxed at by this Act; The ſaid double value upon Certificate thereof made into the Exchequer, by the Commiſſioners or Juſtices before whom ſuch proof ſhall be made, to be levied of the Goods, Lands and Tenements of ſuch perſons, towards the Supply aforeſaid.

Perſons who by changing their Reſidence, or other fraud, ſhall eſcape this Taxation upon proof thereof within Six Months, to be taxed double.

XXXV. And be it farther enacted by the authority aforeſaid, That the Commiſſioners which ſhall be within any County, City or Place within their reſpective Limits, or the major part of them, ſhall Rate, Tax and Aſſeſs every other Commiſſioner joined with them, for and in reſpect of the Goods, Chattels, and perſonal Eſtate whereof ſuch Commiſſioner ſhall be poſſeſſed; And alſo for and in reſpect of the Offices and publick Places and Employments which at the time of ſuch Taxation ſhall be held and enjoyed by ſuch Commiſſioner, ſo as the Reſidence and uſual Dwelling-place of ſuch Commiſſioner ſo to be taxed, be within the Diviſion of ſuch Commiſſioners by whom he is taxed; and ſo as the Office or Employment held and enjoyed by ſuch Commiſſioner ſo to be taxed, be likewiſe to be exerciſed within the Diviſion or Limits of ſuch Commiſſioners by whom he is to be taxed: And the Commiſſioners within their Diviſion ſhall alſo Aſſeſs every Aſſeſſor within their Diviſion, who ſhall be poſſeſſed of any Goods and Chattels, or other perſonal Eſtate, for which by this Act he ought to be rated and aſſeſſed: And as well all Summons upon every the ſaid Commiſſioners and Aſſeſſors, in the Aſſeſſments made and ſet by the Aſſeſſors aforeſaid, ſhall be Written, Eſtreated, Levied and Gathered, as it ſhould and ought to have been, if the ſaid Commiſſioners had not been named Commiſſioners.

The Commiſſioners to aſſeſs one another.

The Commiſſioners to aſſeſs every Aſſeſſor.

XXXVI. Provided always, and it is hereby declared, That the ſeveral Rates and Taxes o which the Lords and Peers of this Realm ſhall be liable by virtue of this Act, for or in reſpect of their perſonal Eſtates and Offices, ſhall be received by a Collector to be nominated y the Peers; Which ſaid Collector ſhall cauſe the ſame to be paid into his Majeſties Receipt of Exchequer at Weſtminſter, upon or before the four and twentieth day of June now next nſuing, or within thirty days after.

The Rates to which the Lords and Peers are liable, to be received by a Collector to be nominated by the Peers, and to be by him paid into the Exchequer.

XXXVII. Provided alſo, That this Act ſhall not extend to the Inhabitants of Scotland, Ireland, Jerſey or Guernſey, for or concerning any ſuch perſonal Eſtate aforeſaid, which they or any o their uſes have within the Places aforeſaid.

This Act is not to extend to Scotland, Ireland, Jerſey or Guernſey.

XXXVIII. And if any perſon or perſons certified, aſſeſſed or rated, for or in reſpect of any al or perſonal Eſtate, or for or in reſpect of any matter or thing for which by this Act he or hey is or may be rated or charged, do find him or themſelves agrieved with ſuch aſſeſſing rating, and do within ten days after Demand thereof made, complain to the Commiſſioners, the ſaid Commiſſioners, or any two or more of them, whereof one of the Commiſſioners who ſigned or allowed his or their Rate, to be one, ſhall and may within fourteen ays next after ſuch Complaint, particularly examine any perſon or perſons upon his or eir Oath, other than the party complaining, touching the value of his or their real or perſonal Eſtate, and other the matters aforeſaid: And upon due examination or knowledge ereof, abate, defalk, increaſe or inlarge the ſaid Aſſeſſment; And the ſame ſo abated, increaſed or inlarged, ſhall be certified or eſtreated by them into the Exchequer, in manner foreſaid; and to that end, the ſaid Commiſſioners are hereby required to meet together the determining of ſuch Complaints and Appeals accordingly.

Perſons agrieved may complain to the Commiſſioners within ten Days after Demand made of the Mony, who upon examination may abate, if they ſee cauſe

XXXIX. And it is farther enacted by the authority aforeſaid, That if any Aſſeſſor, Collector, eceiver, or other perſons appointed by the Commiſſioners, ſhall wilfully neglect or refuſe perform his Duty, in the due and ſpeedy execution of this Act, the ſaid reſpective Commiſſioners, or any three or more of them, may and ſhall by virtue of this Act, impoſe on ſuch rſon and perſons ſo refuſing or neglecting their Duties, any Fine not exceeding the ſum five pounds for any one Offence, the ſame to be levied and certified as aforeſaid, into s Majeſties Court of Exchequer, and charged upon the reſpective Receiver-general nongſt the reſt of the Rates aforeſaid.

Aſſeſſors, Collectors, &c. neglecting or refuſing to perform their Duty, to be fined by the Commiſſioners.

XL. And the ſaid Commiſſioners, or any two or more of them, may or ſhall from time to me call for and require an account from the reſpective Receiver-general, of all the Mo- es received by him of the ſaid Head Collectors, and of the payment thereof into his ajeſties Receipt of Exchequer, according to the Direction of this Act: And in caſe of any failer in the Premiſſes, the ſaid Commiſſioners, or any two or more of them, are hereby required to cauſe the ſame to be forthwith levied and paid according to the true intent and meaning of this Act.

The Commiſſioners may call for an account from the Receiver-general, of the mony received by him, and the payment of it into the Exchequer.

Upon Controverſies ariſing between the Commiſſioners about the Rates, the Commiſſioners concerned ſhall withdraw and the debate be decided by the reſt of the Commiſſioners.

Controverſies to be determined by the Commiſſioners.

XLI. And in caſe any Controverſie ariſing between the ſaid Commiſſioners concerning any Rates or Aſſeſments to be laid by virtue of this Act, the Commiſſioners that ſhall be concerned therein ſhall have no Voice, but ſhall withdraw during the Debate of ſuch Controverſie, until it be determined by the reſt of the Commiſſioners; and all Queſtions and Differences that ſhall ariſe touching any of the ſaid Rates, Taxes, Aſſeſments or Levies, ſhall be heard, and finally determined by two or more of the Commiſſioners, upon complaint thereof to them made by any perſon or perſons thereby grieved, without farther Trouble or Suit in Law.

The Receiver-general to give Acquittance gratis to the Head-collectors, and they to the Sub-collectors.

XLII. And the ſaid Receiver-general ſhall give Acquittances gratis to the ſaid Head-collectors for any monies of them received; And the ſaid Head-collectors ſhall alſo give Acquittances gratis to the Sub-collectors for all ſuch monies as ſhall be paid by them in purſuance of this Act.

The Sub-collectors to deliver Schedules to the Head-collectors, of the perſons who fail to pay, and where no ſufficient diſtreſs is found, who is to return it to the Receiver, to be by him ſent into the Exchequer for Proceſs to go out upon.

XLIII. And the ſaid Sub-collectors ſhall make and deliver to the ſaid Head-collectors, a perfect Schedule fairly writ in Parchment under their Hands and Seals, ſigned and allowed by any two or more of the reſpective Commiſſioners, containing the Names, Sirnames and Places of abode of every perſon within their reſpective Collection, that ſhall make default of payment of any of the ſums that ſhall be rated or aſſeſſed on ſuch perſon by virtue of this Act, where no ſufficient Diſtreſs is to be found, and not otherwiſe, and the ſum and ſums charged on every ſuch perſon; the ſame Schedule to be delivered by the Head-collector to the Receiver-general of the County, City or Place reſpectively, to be by him returned into his Majeſties Court of Exchequer, whereupon every perſon ſo making default of payment, may be charged by Proceſs of the Court, according to the courſe of the Court of Exchequer in ſuch caſes.

No priviledges granted by his Majeſty to exempt any perſons from the payment of theſe Rates.

XLIV. And be it farther enacted by the authority aforeſaid, That no Letters Patents granted by the Kings Majeſty, or any of his Royal Progenitors, to any perſon or perſons, Cities, Boroughs or Towns-corporate, within this Realm, of any manner of Liberties, Priviledges or Exemptions from Subſidies, Tolls, Taxes, Aſſeſments or Aids, ſhall be conſtrued or taken to exempt any perſon or perſons, City, Borough or Town-corporate, or any the Inhabitants of the ſame, from the burthen and charge of any ſum or ſums of mony, granted by this Act; But that all and every ſuch perſon and perſons, City, Borough and Town-corporate, ſhall pay their proportion of all Rates and Aſſeſments by this preſent Act impoſed; any ſuch Letters Patents, Grants or Charters, or any Clauſe of Non obſtante, or other matter or thing therein contained, or any Law, Statute, Cuſtom or Preſcription to the contrary notwithſtanding.

No inhabitant in any Corporation to be compelled to be an Aſſeſſor or Collector without the Limits of the Corporation where he dwells.

XLV. Provided alſo, That no perſon inhabiting in any City, Borough or Town-corporate, ſhall be compelled to be an Aſſeſſor or Collector of or for any part of the Rates and Aſſeſments hereby granted, in any place or places out of the Limits of the ſaid Borough or Town-corporate.

The two Univerſities, the Colledges of Winſor, Eton, Winton and Weſtminſter, Hoſpitals, Alms houſes, Free-ſchools, &c. exempted from theſe Rates.

XLVI. Provided alſo, That nothing in this Act contained, ſhall be extended to charge any Colledge or Hall in either of the Univerſities, or the Colledges of Windſor, Eaton, Winton or Weſtminſter, or any Hoſpitals or Alms-houſes, or any Free-School, for or in reſpect of the Scites of the ſaid Colledges, or Halls, or Hoſpitals, or Alms-houſes, or any Free-School; Nor any Maſter, Fellow or Scholar of any ſuch Colledge or Hall, or in any other Free-Schools, or any Reader, Officer or Miniſter of the ſaid Univerſities, Colledges or Schools, or of any Alms-men of any Hoſpitals or Alms-houſes, for or in reſpect of any Stipend, Wages or Profits whatſoever, ariſing or growing due to them in reſpect of the ſaid ſeveral Places and Employments in the ſaid Univerſities, Colledges, Halls, Schools, Hoſpitals or Alms-houſes; Nor to charge any of the Houſes or Lands belonging to Chriſts-Hoſpital, or the Hoſpitals of Saint Bartholomew, Bridewell, Saint Thomas and Bethlehem-Hoſpital, within the City of London, and Borough of Southwark, or any of them, or to any Colledge or Hall, in either of the Univerties, or to the Colledges of Eaton, Wincheſter or Weſtminſter, or to any Hoſpital, Alms-houſe or Free-ſchool whatſoever, for or in reſpect of any Rents or Revenues payable to the ſaid Hoſpitals, being to be received and diſburſed for the immediate uſe and relief of the Poor in the ſaid Hoſpitals.

Tenants to Hoſpitals, Colledges, Alms-houſes, &c to be rated according to the worth of the Lands which they hold above the Rents reſerved to the ſaid Hoſpitals, Colledges, &c.

XLVII. Provided, That no Tenants of any Lands or Houſes, by Leaſe or Grant from any the ſaid Hoſpitals, Colledges, Alms-houſes or Free-Schools, ſhall claim or enjoy any freedom or exemption by this Act, but that all the Houſes and Lands which they ſo hold, ſhall be rated for ſo much as they are yearly worth, over and above the Rents reſerved and payable to the ſaid Hoſpitals, Colledges, Halls, Alms-houſes or Free-Schools.

Perſons dwelling in one Pariſh and having Goods in another, to be aſſeſſed for the ſame in the Pariſh where they dwell, and not elſewhere.

XLVIII. Provided alſo, That where any perſon inhabiting within the City of London, or any other City or Town-corporate, hath his Dwelling-houſe in one of the Pariſhes and Wards therein, and hath any Goods, Wares or Merchandizes chargeable by this Act in one or more of the other Pariſhes or Wards in the ſame City; That then ſuch perſon ſhall be charged, taxed and aſſeſſed for ſuch his Goods or Merchandizes, in the Pariſh or Ward where he dwelleth, and not elſewhere in the ſaid City.

XLIX. Provided always, and be it farther declared and enacted by the authority aforeſaid, That for the avoiding of all Obſtructions and Delays in aſſeſſing and collecting the Sums which by this Act are to be rated and aſſeſſed, all Places, Conſtablewicks, Diviſions and Allotments which have uſed to be rated and aſſeſſed, ſhall pay and be aſſeſſed in ſuch County, Hundred, Rape, Wapentake, Conſtablewick, Diviſion, Place and Allotment, as the ſame hath heretofore uſually been aſſeſſed and not elſewhere.

Where Lands or Houſes are unoccupied, and

L. Provided always, and be it farther enacted, That in caſe any Lands or Houſes, in any Pariſh, Place or Conſtablewick, ſhall lie unoccupied, and no Diſtreſſes can be found on the ſame, nor the perſon of the true Owner or Proprietor can be found within the ſaid County, by reaſon whereof the Rate and Aſſeſment upon ſuch unoccupied Lands cannot be levied; That then upon complaint thereof made to the Commiſſioners for the County where ſuch caſe ſhall happen to be, the ſaid Commiſſioners, or any two or more of them, ſhall certifie into his Majeſties Court of Exchequer, the Name of the perſon whoſe Land or Houſe ſo lieth unoccupied, together with the ſum thereupon aſſeſſed, and the Pariſh or Place where ſuch Land lieth; which Certificate is hereby declared to be a ſufficient charge upon the perſon and Land therein named, and ſhall make the perſon Debtor to his Majeſty for the ſum ſo aſſeſſed, and the Court of Exchequer ſhall iſſue out Proceſs thereupon againſt the Body, Goods, and all other the Lands of ſuch Debtor, until the ſaid ſum ſo aſſeſſed be fully and effectually levied and paid to his Majeſty.

no Diſtreſs can be found, nor the true Owner within the County where it lieth, the Commiſſioners to return a Certificate thereof into the Exchequer, and of the rate aſſeſſed thereupon, upon which Proceſs to iſſue out againſt the Debtor.

LI. And it is hereby farther enacted and declared, That at the expiration of the reſpective times in this Act preſcribed, for the full payment of the ſeveral and reſpective Rates and Aſſeſments herein before granted, the ſeveral and reſpective Commiſſioners, or any two or more of them within their Diviſion and Hundred, ſhall and are hereby required to call before them the chief Collectors and Sub-collectors within each reſpective Diviſion and Hundred, to examine and aſſure themſelves of the full and whole payment of the particular ſum and ſums of mony charged within, and upon the ſaid Diviſion and Hundred, and every Pariſh and Place therein, and of the due return of the ſame into the hands of the Receivers general of the ſaid County, City, Town and Place reſpectively; And by ſuch Receivers general into the Receipt of his Majeſties Exchequer, to the end there may be no failer in the payment of any part of the rates and aſſeſments which by this Act ought to be levied and paid, and in caſe of any failer in the Premiſſes, the Commiſſioners or any two of them, are to cauſe the ſame forthwith to be levied and paid according to the true intent and meaning of this Act.

Before the expiration of the times limited for payment of theſe Rates, the Commiſſioners to call the Sub-collectors and Head collectors before them, and to examine and aſſure themſelves of the payment of each particular ſum, and in caſe of failer, to cauſe the ſame to be levied.

LII. And to the end that all monies which ſhall be lent unto his Majeſty upon the Credit of this Act, may be well and ſufficiently ſecured out of the monies ariſing and payable by this Act, (2) Be it farther enacted by the authority aforeſaid, That there ſhall be provided and kept in his Majeſties Exchequer, that is to ſay, in the Office of the Auditor of the Receipt, one Book or Regiſter, in which all monies that ſhall be paid into the Exchequer by virtue of this Act, ſhall be entred and regiſtred apart and diſtinct from all other monies paid or payable to his Majeſty, or to his Heirs and Succeſſors, upon any other Branch of his Majeſties Revenue, or upon any other account whatſoever: (3) And that there be one other Book or Regiſtry provided and kept in the ſaid Office, of all Orders to be ſigned by the Lord Treaſurer and Under-Treaſurer, or by the Lords Commiſſioners of the Treaſury for the time being, for payment of all and every ſum and ſums of mony to all perſons, for monies lent, or other payments directed thereupon; (4) And that no monies leviable by this Act, be iſſued out of the Exchequer, but by ſuch Orders, mentioning that the monies lent, or other the Orders, are for monies payable by ſuch occaſions aforeſaid: (5) And that alſo there be the like Book or Regiſtry provided and kept by the ſame Auditor, of all monies paid out or iſſued by virtue of ſuch Orders.

For ſecuring Creditors that ſhall lend his Majeſty any mony upon this Act, a Regiſter to be kept in the Office of the Auditor of the Receipt, of all monies paid in by virtue of this Act. And another Book of Regiſtry to be kept of all Orders ſigned for repayment of mony lent, or other payments

The like Regiſter to be kept of the Iſſues of the monies.

LIII. And that it ſhall be lawful for any perſon or perſons willing to lend any mony for his Majeſties Service, on the Credit of this Act, at the uſual times when the Exchequer is open, to have acceſs thereunto, and review and peruſe all or any the Books for their Information of the ſtate of thoſe monies, and all Engagements upon them, for their better encouragement to lend any monies as aforeſaid; And that the Auditor of the Receipt, his Deputies and Clerks, ſhall be aſſiſtant to ſuch perſons for their better and ſpeedier ſatiſfaction in that behalf.

All perſons to have acceſs and liberty to peruſe the ſaid Regiſters.

LIV. And that all and every perſon and perſons who ſhall lend any monies to his Majeſty, and pay the ſame into his Receipt of Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his Repayment, bearing the ſame date with his Tally; In which Order there ſhall be alſo contained a Warrant for payment of Intereſt for forbearance, at the rate of ſeven pounds per Cent. per Annum for his conſideration, and no more, nor any Gratuity, Reward or other Conſideration whatſoever, to be paid every ſix months until the repayment of his principal: And that all Orders for repayment of mony lent, ſhall be regiſtred in courſe according to the date of the Tallies reſpectively: And that all other Orders ſhall be entred in courſe according to their reſpective dates; And neither of the ſorts of Orders above mentioned, either for Loans of mony, or other uſes, ſhall have preference one before another, but ſhall all be entred in their courſe, according to the dates of the Tallies, and the dates of the Orders for other payments, as they are in point of time reſpectively before each other.

Lenders to have a Tally of Loan, and Order of repayment with Intereſt at 7 l. per Cent. and no more, to be paid every ſix months. Orders to be entred in courſe according to their dates, and to be paid in courſe.

LV. And that all and every perſon and perſons ſhall ſtand entred in the ſaid Regiſter Book, ſo as that the perſon, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt entred in the ſaid Book of Regiſtry, ſhall be taken and accounted as the firſt perſon to be paid upon the monies to come in by virtue of this Act, and ſo ſucceſſively and in courſe, according to the priority of Entry: And the monies to come in by this Act, ſhall be in the ſame Order liable to the ſatiſfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, nor ſhall the ſame be diverted to any other uſe, intent or purpoſe whatſoever.

LVI. And no Fee, Demand or Gratuity, ſhall directly or indirectly be taken by any of his Majeſties Officers, their Clerks or Deputies, of any of his Majeſties Subjects, for providing or making of any ſuch Books, Regiſters, Entries, View, Search or Certificate, in or for payment of mony lent, or the Intereſt thereof, on pain of payment of treble Damages to the party grieved, by the party offending, with Coſts of Suit.

LVII. And if the Officer himſelf take or demand any ſuch Fee or Reward, then the Officer to loſe his place alſo.

No Fees to be demanded or taken for ſuch Books, entries, Searches, &c. by the Clerk, upon pain of treble damage. If the Officer himſelf take ſuch Fee, then to loſe his Place.

LVIII. And if any undue preference of one before another ſhall be made, either in point of

Upon undue preference of any Debt, the Offender to render the value of the Debt ſo poſtpon'd, to the party agrieved.

Regiſtring, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party ſo offending ſhall render the value of the Debt ſo poſtpon'd, together with Coſts and Damages to the party grieved, to be recovered by Action of Debt, or on the Caſe, Bill, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint ſhall be in any wiſe allowed or granted.

LIX. And if ſuch preference be unduly made by any Deputy or Clerk to ſuch Officer, without the privity or direction of his Maſter, Then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Place or Office.

If the Auditor ſhall not direct the Order, the Clerk of the Pells Record it, or the Teller pay it in due place, they are to be liable to anſwer the Debt to the perſon agrieved as aforeſaid.

LX. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action of Debt, Damages and Coſts, in ſuch manner as aforeſaid.

LXI. Provided always, and it is hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payments as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt, to be regiſtred, then it ſhall not be interpreted an undue preference to enter any of theſe firſt, ſo as they be entred the ſame day.

Subſequent Orders to be paid, if the preceding Orders be not demanded: for which mony nevertheleſs to be kept, but Intereſt to ceaſe from the time the mony is kept in bank.

LXII. Provided alſo, That it ſhall not be interpreted any undue preference to incur any penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, and the Tellers do pay ſubſequent Orders of perſons that come and demand their mony, and bring their Orders before other perſons that did not come to demand their monies, and bring their Order in their courſe, ſo as there be ſo much mony reſerved as will ſatisfie their Orders, which ſhall not be otherwiſe diſpoſed, but kept for them, Intereſt upon Loan being to ceaſe from the time the mony is ſo reſerved and kept in bank for them.

LXIII. And be it farther enacted by the authority aforeſaid, That every perſon or perſons to whom any monies ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Endorſement of his Order, may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry and Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders, which the Officers ſhall on requeſt accordingly make without Fee or Charges, for monies lent unto his Majeſty as aforeſaid, ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, to the benefit thereof, and payment thereon: and ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties; and afterwards it ſhall not be in the power of ſuch perſon or perſons who have made ſuch Aſſignment, to make void, releaſe or diſcharge the ſame, or any the monies thereby due, or any part thereof.

In caſe of Suits commenced againſt any perſon for what they ſhall do in execution of this Act, they may plead the General Iſſue.

LXIV. And be it farther enacted by the authority aforeſaid, That if any Action, Suit, Plaint or Information ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance, or in execution of this Act, ſuch perſon or perſons ſo ſued in any Court whatſoever, ſhall or may plead the General Iſſue, Not-guilty; and upon any Iſſue joined may give this Act and the ſpecial Matter in Evidence: and if the Plaintiff or Proſecutor ſhall become Nonſuit, or forbear farther proſecution, or ſuffer diſcontinuance, or if a Verdict paſs againſt him, the Defendants ſhall recover their treble Coſts, for which they ſhall have the like remedy as in caſe where Coſts by Law are given to the Defendants.

The Rates upon Houſes inhabited by any Foreign Publick Miniſter, to be paid by the Landlord.

LXV. Provided always, and be it enacted, That every Rate, Tax or Aſſeſſment which ſhall be made or impoſed by virtue of this Act of Parliament, in reſpect of any Houſe or Tenement, which an Ambaſſador, Reſident, Agent, or other publick Miniſter of any Foreign Prince or State, now doth, or ſhall hereafter inhabit or occupy, ſhall be paid by the Landlord or Owner of the ſaid Houſe or Tenements reſpectively.

Where Houſes in London have been burnt down, and are yet unbuilt, or new Houſes that ſtand empty, and have not been inhabited, to be exempted.

LXVI Provided always, and be it farther enacted by the authority aforeſaid, That no perſon or perſons, Bodies Politick or Corporate, ſhall be taxed or charged by virtue of this Act, for any toft or parcel of Ground lying unbuilt, and yielding no profit, nor for any Houſe or Houſes now built, and ſtanding empty or uninhabited at the time of making the Aſſeſſment or Aſſeſſments, which ſince the building thereof have not been inhabited within any part of the City of London, and Liberties thereof, burnt down in the late diſmal Fire: But that all ſuch Ground and Houſes ſhall be freed and exempted from the payment of the Rate and Sums of Mony before impoſed or charged, to be taxed and paid for Lands and Houſes, for ſo many of the quarterly payments as they ſhall continue unlet and uninhabited; Any thing herein contained to the contrary notwithſtanding.

Priviledged Places to pay, although they have not been aſſeſſed in any other Tax.

LXVII. And be it farther enacted by the authority aforeſaid, That in all priviledged and other places being Extra-parochial, or not within any the Conſtablewicks or Precincts of the reſpective Aſſeſſors to be appointed by virtue of this Act, although in any monthly or other Tax they have not been aſſeſſed or rated heretofore, the ſaid Commiſſioners, or any two or more of them, ſhall and are hereby required to nominate and appoint two fit perſons living in or near the ſaid priviledged or other places as aforeſaid, to be Aſſeſſors for the ſaid places, and to make and return their Aſſeſſments in like manner, as by this Act is appointed in any Pariſh, Tything or Place, and alſo to appoint one or more Collectors, who are hereby required to collect and pay the ſame according to the Rules appointed by this Act for collecting and paying all ſums of mony payable by this Act.

Nothing in this Act to be drawn into example to the prejudice of the Lords Spiritual & Temporal, Clergy, &c.

LXVIII. Provided always, That nothing herein contained, ſhall be drawn into Example to the prejudice of the ancient Rights belonging unto the Lords Spiritual and Temporal, or Clergy of this Realm, or unto either of the Univerſities, or unto any Colledges, Schools, Alms houſes, Hoſpitals or Cinque-Ports.

LXIX. Provided alſo, That nothing in this Act contained, ſhall be conſtrued to alter, change, determine, or make void any Contracts, Covenants or Agreements whatſoever between the Landlord and Tenant, touching the payment of Taxes or Aſſeſments; any thing herein before mentioned to the contrary notwithſtanding.

Nor make void any Covenants between Landlord and Tenant, touching payment of Taxes.

CAP. IV.

An Act for continuance of a former Act, to prevent Arreſts of Judgments, and ſuperſeding Executions.

Whereas an Act of Parliament was made in the ſixteenth and ſeventeenth years of the Reign of our Sovereign Lord the Kings Majeſty that now is, Entituled, An Act to prevent Arreſts of Judgments, and ſuperſeding Executions, to continue in force for three years, and to the end of the next Seſſion of Parliament after the expiration of the ſaid three years, and no longer; Now foraſmuch as it hath ſince by experience appeared, That the ſame is a good and wholſom Law, and very beneficial to the People of this Realm, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act ſhall remain, continue and be perpetual from the end of the laſt Seſſion of Parliament.

Cap. 1.

CAP. V.

An Act for an Additional Exciſe upon Beer, Ale and other Liquors.

Preamble.

THE Commons aſſembled in Parliament, as an Aid to your moſt excellent Majeſty, whoſe weighty and urgent Affairs require an extraordinary Supply towards the diſcharging of your Majeſties great Debts, have given and granted, and do hereby give and grant unto your moſt excellent Majeſty, the ſeveral additional Rates and Duties of Exciſe herein after mentioned, And do moſt humbly beſeech your Majeſty, that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the four and twentieth day of June, which ſhall be in the year of our Lord one thouſand ſix hundred and ſeventy one, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto your Majeſty, your Heirs and Succeſſors, during the ſpace and term of ſix years, from the four and twentieth day of June aforeſaid, and no longer, for Beer, Ale, Cider and other Liquors herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges and Impoſitions, by any former Act or Acts ſet and impoſed, and in manner and form following, (that is to ſay)

The additional Duty to commence the 24th of June 1671.

To continue for ſix years from the ſaid 24th of June 1671.

The Rates;

(3) For every Barrel of Beer or Ale above ſix ſhillings the Barrel, brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſs quantity, nine pence.	ix d.
(4) For ever Barrel of Beer or Ale, of ſix ſhillings the Barrel, or under, brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the ſaid Common Brewer, or by ſuch other perſon or perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſs quantity, Three pence.	iii d.
(5) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſs meaſure, One ſhilling three pence.	i s. iii d.
(6) For all Metheglin or Mead ſold, whether by Retail or otherwiſe, to be paid by the maker thereof for every Gallon, One half-peny.	Ob.
(7) For every Barrel of Beer, commonly called Vinegar-Beer, brewed or made to be ſold, Six pence.	vi d.
(8) For every Gallon of Strong-water or Aqua-vitæ, made and ſold, to be paid by the maker thereof, One penny.	i d.
(9) For every Barrel of Beer or Ale Imported from beyond the Seas, and proportionably for a greater or a leſs quantity, to be paid by the Importers before Landing, Three ſhillings.	iii s.
(10) For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſs quantity, to be paid by the Importer before Landing, Four pounds.	iv l.
(11) For every Gallon of Low Wines of the firſt Extraction, made of any kind of Imported Wine or Cyder, or other Materials Imported, to be paid by the Maker or Seller, Two pence.	ii d.
(12) For every Gallon of Coffee made and ſold, and to be paid by the maker thereof, Two pence.	ii d.
(13) For every Gallon of Chocolatte, Sherbet and Tea, made and ſold, to be paid by the maker thereof, Eight pence.	viii d.

II. And be it farther enacted by the authority aforeſaid, That all and every the Common Brewers and Retailers of Ale and Beer, and all and every other perſon and perſons, liable to, and chargeable with the payment of any Exciſe, or new Impoſt upon Beer or Ale, or other exciſeable Liquors, by virtue of any former Law of Exciſe now in force, ſhall alſo be liable to, and charged with the payment of the additional Rates and Duties hereby impoſed; which ſaid additional Rates and Duties ſhall be collected, levied and paid in the ſame manner; (2) and the perſons liable to, and chargeable with the payment thereof, ſhall in caſe of neglect or default of Entry or Payment, or in caſe of any other neglect or offence tending to defraud his Majeſty, or any of his Officers, Farmers or Collectors of the Duties or Rates hereby impoſed, be alſo ſubject to the like Proceedings, Judgments and Executions, and ſhall likewiſe incur the ſame Penalties, Fines and Forfeitures, as he or they, his or their Heirs and Executors, or Adminiſtrators, ſhould or might have been ſubject to, or ought to have incurred for the non-payment of any former Duty of Exciſe, or for the like offence committed againſt any former Law of Exciſe now in force.

Perſons chargeable by any former Law, likewiſe liable to pay theſe additional Rates.

Defaults of Entries or Payments, and other neglects or offences, to be ſubject to the ſame penalties and forfeitures, as for offences committed againſt any Law of Exciſe.

III. Provided always, and it is hereby declared and enacted, That nothing in this Act contained, ſhall be underſtood to give any Common Brewer or Retailer, or other perſon liable to and chargeable with the payment of Exciſe, by virtue of any former Law now in force, any farther or other allowances for waſte, by filling or leakage, than by the ſaid former Laws are given; any thing in this preſent Act contained to the contrary notwithſtanding: Which ſaid allowances are hereby declared to be three Barrels in every three and twenty Barrels of Beer returned by the Gauger, whether ſtrong or ſmall; And two Barrels in every two and twenty Barrels of Ale returned by the Gauger, whether ſtrong or ſmall, and ſo after that rate, and no more, for a greater or leſſer quantity, and are in full compenſation for all ſuch waſtes or other loſſes or damages whatſoever; any repetition of the ſaid allowances in ſeveral Acts to the contrary notwithſtanding.

The allowances to the Brewer for waſte to be no other than what are given by the former Laws.

The Commiſſioners, Sub-Commiſſioners or Farmers may compound for this Duty.

IV. Provided alſo, That it ſhall and may be lawful to and for the Commiſſioners and Sub-Commiſſioners of Exciſe reſpectively within their Diviſion, and to and for the ſeveral and reſpective Farmers of Exciſe, within the Limits of their ſeveral and reſpective Farms, to compound for theſe new Duties, with all and every perſon and perſons, who by Brewing his or their Beer and Ale, contrary to the form of this Statute, ſhall be liable to pay the new Duties herein before impoſed, and that from time to time, and in ſuch manner and form as may be moſt for the advantage and improvement of the Receipts thereof; Any thing herein before contained to the contrary notwithſtanding.

Forfeitures, Offences and all Appeals, to be determined as is appointed by former Laws.

V. And be it farther enacted by the authority aforeſaid, That all forfeitures and offences made and committed againſt this Act, or any Clauſe, Article or Sentence herein contained, and all Appeals ſhall be heard, and adjudged and determined by ſuch perſon and perſons, and in ſuch manner and form, as the like forfeitures and offences againſt the former Laws of Exciſe are thereby appointed to be heard and determined, and not otherwiſe.

VI. And moreover, That all Commiſſioners and Sub-Commiſſioners of Exciſe, all Commiſſioners of Appeals, Juſtices of Peace, Conſtables, and all other Officers and Miniſters whatſoever, ſhall have, uſe and exerciſe the ſame Juriſdiction, Power and Authority, whether it be Judicial or Miniſterial, for the better ordering, collecting, levying and ſecuring the new Duties, and additional Rates and Duties hereby impoſed, as he or they could have had, uſed or exerciſed, for the better ordering, collecting, levying or ſecuring any former Rates or Duties of Exciſe whatſoever.

Fines and forfeitures to be divided, one moiety to his Majeſty, and the other to him that will ſue for the ſame.

VII. And it is farther declared and enacted, That all Fines, Penalties and Forfeitures which ſhall be incurred by reaſon of any offence committed againſt this Act, ſhall be employed, one moiety thereof to the uſe of the Kings Majeſty, his Heirs and Succeſſors; another moiety thereof to him or them that ſhall or will inform or ſue for the ſame.

The Juſtices of the Peace, Commiſſioners, &c may mitigate the Fines, &c where they ſee cauſe; ſo as the ſame be not made leſs than double the Duty beſides Coſts.

VIII. Provided nevertheleſs, That it ſhall and may be lawful to and for the Juſtices of Peace, Commiſſioners of Exciſe, or any two of them, or their Sub-Commiſſioners reſpectively, from time to time, where they ſhall ſee cauſe, to mitigate, compound or leſſen any Fine, Forfeiture or Penalty which ſhall be incurred by reaſon of any offence committed againſt this Act, or againſt any other Act of Exciſe now in force, as they in their diſcretions ſhall think fit; and that every ſuch mitigation and payment thereupon made, ſhall be a ſufficient diſcharge of ſuch penalties and forfeitures to the perſons ſo offending, ſo as by ſuch mitigation the ſame be not made leſs than double the value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable coſts and charges of ſuch Officer or Officers or others, as were imployed therein, to be allowed unto them by the ſaid Juſtices or Commiſſioners; Any thing in this Act contained to the contrary notwithſtanding.

Foreign imported exciſeable Liquors not to be landed till Entry made and the Duty paid. Warrants from the Officers of the Cuſtoms for delivering ſuch foreign Liquors, to be ſigned by the Collector of Exciſe. Liquors delivered contrary to the intent of this Act to be forfeited.

IX. And for the better levying and collecting the Duties of Exciſe upon all ſuch foreign and imported Liquors for which Exciſe ought to be paid, (2) It is farther enacted by the authority aforeſaid, That no ſuch foreign or imported Liquors ſhall be landed or put on ſhore before due Entry be firſt made thereof with the Officer or Collector appointed for the Exciſe in the Port or Place where the ſame ſhall be imported, or before the Duty of Exciſe due and payable for the ſame, ſhall be fully ſatisfied and paid: And that every Warrant from any Officer or Officers of the Cuſtoms, for the landing or delivering of any ſuch foreign Liquors, ſhall be ſigned by the Hand of the ſaid Officer or Collector of the Exciſe in the ſaid Port or Place reſpectively, (3) upon pain that all ſuch foreign Liquors as ſhall be landed or put on ſhore, or delivered contrary to the true intent and meaning of this Act, or the value thereof, ſhall be forfeited and loſt, one moiety thereof to the Kings Majeſty, the other moiety to him or them who ſhall or will ſeize, inform or ſue for the ſame, to be recovered of the Importer or Proprietor thereof.

Perſons inhabiting in a Market town where there is a common Brew-houſe, may not lend their private Brewing-veſſels, or ſuffer any Ale, Beer or Worts to be brewed therein, other than for their own Families. Not to lend unleſs upon penalty of 50 l. for lending any Brewing-veſſels in any ſuch places unleſs ſuch as are moveable and unfixt.

X. And for the better prevention of ſuch Frauds as are daily practiſed to defeat his Majeſty of the Duties of Exciſe which ought to be paid for Ale and Beer, (2) It is farther enacted by the authority aforeſaid, That if any perſon or perſons inhabiting in any Market-Town, or in any City or Town-corporate, or parts adjoyning to any City or Town-corporate where there is or ſhall be a common Brew-houſe, having and lawfully uſing any private Brewing-veſſels for the brewing and making of Beer or Ale, to be ſpent and conſumed in his or their private Families, ſhall permit and ſuffer any Beer, Ale or Worts to be brewed there in their reſpective Houſes, Out-houſes, or other Places thereunto adjoyning, other than for their reſpective Families, Servants, Labourers, or to other perſons by way of Charity, Hoſpitality or Free-gift, or ſhall lend out any of their Brewing-veſſels, other than which are moveable and unfixt, to be made uſe of by any other perſon or perſons, not being of his or their Family, for the brewing of Beer or Ale for the uſe of any other perſon or perſons, then ſuch perſon or perſons ſhall forfeit for every ſuch Offence the ſum of fifty pounds, to be recovered by Bill, Plaint or other Information in any Court of Record, (3) and the proſecution of ſuch Action to begin within ſix months after the Fact committed, and to be tried within the County where the ſaid Offence is committed, and not elſewhere, wherein no Eſſoin, Protection or Wager in Law to be allowed: (4) And one moiety of ſuch Forfeiture to be to the Kings moſt excellent Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall inform and ſue for the ſame.

XI. And for the avoiding of Frauds and Deceits by reaſon of brewing of Beer, Ale or

Worts of an extraordinary ſtrength, and afterwards mixing the ſame with ſmall Beer, Ale or Worts after the Gauge thereof taken, (2) Be it farther enacted by the authority aforeſaid, That no Retailer of Beer or Ale, ſhall after the receipt thereof from the common Brewer, mix any Beer, Ale or Worts of extraordinary ſtrength, with any ſmall Beer, Ale or Worts, in any Veſſel or Tub containing three Gallons or more, upon pain to forfeit for every Barrel ſo mixt, double the Duty of Exciſe for ſtrong Beer or Ale, and ſo proportionably for any greater quantity, to be heard, adjudged and determined before the Juſtices of the Peace, and Commiſſioners reſpectively, as is done in other caſes before them, upon breach of the Laws of Exciſe; and all Forfeitures for the ſame ſhall be levied, recovered and diſpoſed as by thoſe Laws are directed and appointed; (3) And the ſaid Juſtices and Commiſſioners reſpectively, are hereby impowred and authorized to ſummon Evidence for diſcovery thereof, other than the party or parties accuſed; and upon refuſal or neglect of any perſon ſo ſummoned to give Evidence when he and they ſhall be thereunto required, every ſuch perſon ſo refuſing, ſhall forfeit and loſe for every ſuch Offence, any Sum of Mony not exceeding forty ſhillings, to be impoſed and levied, recovered and diſpoſed as other Penalties againſt the ſaid Laws for the better collecting and recovering the Duty of Exciſe.

For avoiding frauds by mixing ſmall Beer with ſtrong, after the Gauge taken.

Double the Duty to be forfeited for every Barrel ſo mixt by the Retailer

Perſons refuſing to give Evidence for diſcovery thereof, to be fined.

XII. And provided alſo, and be it farther enacted, That no Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any time hereafter, during the continuance of this Act, be ſued, impleaded or moleſted by any Indictment, Information or popular Action, or otherwiſe, for ſelling or uttering any Beer or Ale at any other or higher prices, than the prices heretofore limitted and appointed; any thing in this Act, or any other Law or Statute to the contrary notwithſtanding.

Retailers not to be moleſted by any Indictments for ſelling Ale or Beer at higher prices than heretofore appointed.

XIII. Provided always, and be it enacted, That if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done in purſuance or execution of this Act, he or they ſhall or may plead the general Iſſue, and give this Act in Evidence for their defence; And if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be Nonſuited, then every ſuch Defendant or Defendants ſhall recover his and their double Coſts.

XIV. Provided alſo, and be it enacted, That no Writ or Writs of Certiorari, ſhall ſuperſede Execution, or other Proceedings upon any Order or Orders made by the Juſtices aforeſaid, in purſuance of this Act, but that Execution and other Proceedings ſhall and may be had and made thereupon; any ſuch Writ or Writs, or Allowance thereof, notwithſtanding.

No Writs of Certiorari to ſuperſede Execution upon Orders of the Juſtices

XV. Provided always, and be it enacted, That the Exciſe of the Liquors chargeable and payable by this Act, ſhall be re-allowed and repaid to the Exporter, for ſuch part thereof as ſhall be exported as Merchandize, to be ſpent beyond the Seas; any thing herein contained to the contrary notwitſtanding.

Upon Exportation beyond Seas, the Duty to be repayed.

XVI. Provided always, and be enacted, That this Act, and all the powers, matters and things therein contained, and every of them, ſhall begin and commence from the four and twentieth day of June, One thouſand ſix hundred and ſeventy one, and not ſooner; Any Uſage or Law to the contrary notwithſtanding.

CAP. VI.

An Act for Reveſting the Power of granting Wine-Licences in his Majeſty, his Heirs and Succeſſors, and for ſettling a Recompence on his Royal Highneſs in lieu thereof.

Whereas in and by one Act paſſed this preſent Parliament, in the fifteenth year of his Majeſty's Reign, Entituled, An Act for ſettling the Profits of the Poſt-Office, and Power of granting Wine-Licences on his Royal Highneſs the Duke of *York*, and the Heirs Males of his Body; It is amongſt other things enacted, That the ſaid Duke of York, and the Heirs Males of his Body begotten, or to be begotten, ſhould have all and every the powers and authorities of granting Licences to ſuch perſon or perſons as he or they ſhall think fit to ſell and utter by Retail, all, every and any kind of Wine or Wines whatſoever, to be drunk or ſpent as well within the Houſe and Houſes, or other place in the Tenure and Occupation of the party ſo licenſed, as without, in any City, Town or other place whatſoever within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, together with all benefit thereof: And alſo that the ſaid Duke, and the Heirs Males of his Body begotten, or to be begotten, ſhould have that moiety of the Forfeiture and Penalties which by vertue of a former Act therein recited, was given to his Majeſty, his Heirs and Succeſſors: (2) And therein it was farther provided, That it ſhould be lawful for the ſaid Duke, and the Heirs Males of his Body begotten and to be begotten, to ſettle any part of the Premiſſes, not exceeding a third part of the clear yearly value above Charges and Repriſes, for a Joynture for his or their Wife or Wives; and alſo to leaſe any other part of the ſaid Premiſſes for any number of years, not exceeding One and twenty years, and not exceeding one other third part of the clear yearly value of the Premiſſes, in order to raiſe Portions for his and their younger Children, as by the ſaid recited Act, amongſt other things therein contained, relation being thereunto had, more at large may appear:

Preamble.
15 Car. 2. cap. 14.

II. And whereas by reaſon of one other Act paſſed this preſent Parliament, in the twentieth year of his now Majeſty's Reign, Entituled, An Act for raiſing three hundred and ten thouſand pounds by an Impoſition upon Wines and other Liquors; And one other Act paſſed this Parliament in the two and twentieth year of his now Majeſty's Reign, Entituled, An Act for granting unto his Majeſty an Impoſition on all Wines and Vinegar imported between the four and twentieth day of *June*, one thouſand ſix hundred and ſeventy, and the four and twentieth day of *June*, one thouſand ſix hundred ſeventy eight, the prices of Wines have been much raiſed, and the Retailers much diſcouraged from taking Licence: Whereupon his Majeſty hath thought it fit and moſt advantagious for his Service, that the Revenue ariſing by granting Licences to ſell Wine by Retail, ſhould be veſted in his Majeſty, his Heirs and Succeſſors: (2) And in compenſation and full ſatisfaction thereof, hath agreed to and with his ſaid deareſt Brother James Duke of York, to grant and convey by his Letters Patents under the great Seal of England hereafter to be made, the yearly Rent or yearly Sum of twenty four thouſand pounds, to be iſſuing out

20 Car. 2. cap. 1.
27 Car. 2. cap. 3.

of

12 Car. 2. cap. 14.

13 Car. 2. cap. 7.

of that part of his Majeſty's Revenue ariſing from the Exciſe of Beer, Ale, and other Liquors, which is ſettled upon his Majeſty, his Heirs and Succeſſors, by vertue of an Act, or reputed Act, made in the Twelfth year of his Majeſty's Reign, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knight-Service and Purveyance, taken away, and for ſettling a Revenue upon his Majeſty in lieu thereof: And of another Act paſt in this Parliament, in the thirteenth year of his now Majeſty's Reign; whereby the laſt mentioned Act is confirmed: The which ſaid yearly ſum of twenty four thouſand pounds, is to be iſſuing out of the Exciſe of Beer, Ale and other Liquors ariſing and growing due unto his Majeſty, out of all and every the ſeveral Counties and Shires of Buckingham, Eſſex, Kent, Norfolk, Suffolk, Berkſhire, Bedfordſhire, Cambridgeſhire, Yorkſhire, Hertfordſhire and Sommerſetſhire, to have and to hold the ſaid yearly Rent, or yearly Sum of twenty four thouſand pounds, ſo iſſuing out of the ſaid Counties as aforeſaid, from the four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and two, unto the ſaid James Duke of York, and the Heirs Males of his Body begotten, or to be begotten, payable upon the four moſt uſual Feaſts in the year; That is to ſay, Upon the Feaſts of Saint Michael the Archangel, the Nativity of our Lord Chriſt, the Annunciation of the Bleſſed Virgin Mary, and the Nativity of St. John the Baptiſt, by even and equal portions; The firſt payment to begin and be made at the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and two; And with the like Powers for the ſaid Duke, and the Heirs Males of his Body begotten, or to be begotten, to make proviſion for his and their Wives and Children, as the ſaid Duke, and the Heirs Males of his Body had in the Revenue of the Wine-Licences ſettled upon him by the ſaid firſt recited Act of Parliament: (3) The which ſaid yearly Sum of twenty four thouſand pounds, his Majeſty by his Letters of Privy Seal, dated, or to be dated, on or about the eight and twentieth day of September, in the two and twentieth year of his Majeſty's Reign, did grant to be paid for two years, to commence from the four and twentieth day of June, in the two and twentieth year of his Majeſty's Reign, in ſuch manner, and by ſuch quarterly payments as is therein mentioned for the payment thereof.

The Revenue of Wine-Licences, and moiety of all Forfeitures veſted in the King.

15 Car. 2. cap. 14.

III. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Revenue of Wine-Licences, with all the Profits thereof, together with all ſuch Eſtate, Right, Title and Intereſt thereof, which was ſetled upon the ſaid Duke, and the Heirs Males of his Body begotten, by the ſaid firſt recited Act of Parliament, together with all and every the Powers of granting Licences for the Retailing of Wines within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, and all Benefits, Profits and Advantages of the ſaid Powers, and alſo all that moiety of the Forfeitures, and all other the Forfeitures and Penalties for Retailing Wines without Licence, incurred for any Offence which ſhall be committed after the four and twentieth day of June, which ſhall be in the year of Lord One thouſand ſix hundred and ſeventy, except as is hereafter in this Act excepted, ſhall from and after the four and twentieth day of June, in the year of our Lord One thouſand ſix hundred and ſeventy, be ſettled and veſted in his ſaid Majeſty, his Heirs and Succeſſors, diſcharged of all Joyntures and Powers of making Joyntures and Proviſions for younger Children, made by the ſaid James Duke of York, if any ſuch be, for or notwithſtanding any Act, Matter or Thing contained in the ſaid firſt recited Act, whereby the ſaid Revenue is ſettled upon the ſaid James Duke of York, in manner as as aforeſaid:

Freed from Joyntures and Proviſions for Children.

A moiety of the Forfeitures incurred before the 24th of November, 1670. ſaved to the Duke.

IV. Saving and excepting out of this Act unto the ſaid Duke of York, all that moiety or moieties of all and every the Forfeitures and Penalties incurred, or to be incurred for Retailing of Wines without Licence before the four and twentieth day of November, in the year of our Lord One thouſand ſix hundred and ſeventy: And alſo reſerving to the ſaid Duke all Rents and Arrears of Rents due on or before the twenty fourth of June, in the ſaid year of our Lord One thouſand ſix hundred and ſeventy, for the benefit of the ſaid Duke, with the like Power to ſue for the ſame, as the ſaid Duke had before the paſſing of this Act; Any thing therein contained to the contrary notwithſtanding.

The Kings Letters Patents for granting 24000 l. per annum to the Duke of York and his Heirs Males in lieu of the Wine-Licences, ſhall ſtand good in Law.

V. And be it farther enacted by the authority aforeſaid, That his Majeſty's Letters Patents under the Great Seal of England, to bear date any time after the firſt day of November, in the two and twentieth year of his Majeſty's Reign, or at any time hereafter to be made, wherein and whereby there ſhall be granted, or mentioned to be granted unto the ſaid James Duke of York, and the Heirs males of his Body begotten, or to be begotten, the ſaid yearly Rent or yearly ſum of twenty four thouſand pounds, to be iſſuing out of his Majeſty's Revenue of Exciſe of Beer, Ale, and other Liquors, ſettled upon his Majeſty, his Heirs and Succeſſors, in manner as aforeſaid: And out of the ſaid Counties of Buckingham, Eſſex, Kent, Norfolk, Suffolk, Berks, Bedfordſhire, Cambridgeſhire, Yorkſhire, Hertfordſhire and Sommerſetſhire, liable to the payment thereof, and to be paid at ſuch days and times, and by ſuch proportions, and ſubject to ſuch powers for making Joyntures and Proviſions for younger Children of the ſaid Duke, and the Heirs males of his Body begotten, or to be begotten, as ſhall be mentioned in the ſaid Letters Patents, or in any other Letters Patents, or Writings, hereafter to be made, for the granting, conveying and ſetling of the ſaid yearly Rent, or yearly Sum of twenty four thouſand pounds to the ſaid Duke, and to the Heirs Males of his Body begotten, or to be begotten, or which ſhall concern the yearly payment of the ſaid twenty four thouſand pounds unto the ſaid Duke, aud the Heirs Males of his Body, and alſo his Majeſty's Letters of Privy Seal, for payment of twenty four thouſand pounds per annum, during the two years therein mentioned, ſhall ſtand, be good, effectual, and available in the Law, to all purpoſes, conſtructions and intents whatſoever.

Non-recitals, or miſ-recitals in the ſame Letters Patents, ſaved.

VI. And alſo it is hereby farther enacted, That all and every the Clauſes, Articles, Proviſoes, Reſervations, Powers, Limitations and Agreements to be contained in his ſaid Majeſty's Letters Patents hereafter to be made, or in any other Letters Patents or Writings hereafter to be made, of, for, or concerning his Majeſty's conveying and ſettling of the ſaid yearly Sum of twenty four thouſand pounds unto the ſaid Duke of York, and to the Heirs Males of his Body begotten, or to be begotten, or of, for, or concerning the yearly or quarterly payments thereof, at ſuch reſpective times as ſhall be appointed for the true payment thereof, and every part thereof, ſhall be, and are hereby enacted to be good and effectual in Law, according to the tenor and purport thereof, in the ſaid Letters Patents to be expreſſed; Any miſ-recital, or non-recital, omiſſion, or other defect or imperfection in the ſaid Letters Patents, or Writings made, or hereafter to be made, of, for or concerning the granting of the ſaid yearly Rent, or yearly Sum of twenty four thouſaud pounds unto the ſaid Duke, and to the Heirs Males of his Body begotten, or to be begotten, in any wiſe notwithſtanding.

By whom and how the 24000l per annum is to be paid.

VII. Provided always, and it is hereby farther enacted and declared, That the ſaid yearly Rent, or yearly Sum of twenty four thouſand pounds, ſhall be paid unto the ſaid Duke of York, and to the Heirs Males of his Body begotten, or to be begotten, at the ſaid four uſual Feaſts of the year, by and from the immediate Hands of all and every the Farmers, Commiſſioners, Sub-commiſſioners, Receivers or Collectors for the time being, of the ſaid Revenue ariſing from the ſaid Exciſe of Beer, Ale and other Liquors, in all and every the ſaid Counties, or of any other perſon or perſons who ſhall receive the ſaid Revenue of the ſaid Counties, before the ſame be paid into the Receipt of his Majeſty's Exchequer without any abatement, deduction or defalcations whatſoever, for, or by reaſon of the payment of the ſame; and that the Acquittance of the ſaid Duke, or of the Heirs Males of his Body, or of his or their Receiver, ſhall be a ſufficient diſcharge, to all intents and purpoſes whatſoever, for the true payment thereof; any Contract, Covenant, or other matter or thing made, or to be made to the contrary in any wiſe notwithſtanding.

No Fee to be paid upon the receipt thereof.

VIII. And it is hereby farther enacted and declared, That the ſaid yearly Rent, or yearly Sum of twenty four thouſand pounds, ſhall be ſatisfied and paid unto the ſaid Duke of York, and to the Heirs Males of his Body begotten, or to be begotten, or to his or their Receiver-general for the time being, at the ſaid four uſual Feaſts, of St. Michael the Archangel, the Nativity of our Lord Chriſt, the Annunciation of the Bleſſed Virgin Mary, and the Nativity of St. John Baptiſt, by equal portions, without paying or allowing any Fees, or other abatement whatſoever, either in the ſaid Court of Exchequer, or to any Officers of the ſaid Court, or elſewhere, upon payment of the ſaid yearly Sum of twenty four thouſand pounds, or upon payment of any part thereof.

If default of payment ſhall be made, power given to ſue for it.

IX. And if the ſaid Farmers, Commiſſioners, Sub-commiſſioners, Receivers, Collectors, or ſuch other perſon or perſons which ſhall receive the ſaid Duty of the ſaid Counties for the time being, or any of them, ſhall refuſe or neglect to pay the ſaid twenty four thouſand pounds per annum, or any part thereof, to the ſaid Duke, and the Heirs Males of his Body begotten, or to be begotten, That then the ſaid Duke, and the Heirs Males of his Body begotten, or to be begotten, may ſue, proſecute and implead the ſaid Farmers, Commiſſioners, Sub-commiſſioners, Receivers, Collectors, or ſuch other perſon or perſons as ſhall receive the ſaid Duty of the ſaid Counties, or any of them, and all or any of their Securities, by Bill, Plaint, Action of Debt or Information, either in his Majeſty's Name, or in his or their own Names, and ſhall and may recover, have Judgments and Executions thereupon againſt the ſaid Farmers, Commiſſioners, Sub-commiſſioners, Receivers, Collectors, or ſuch other perſon or perſons as ſhall receive the ſaid Duty in the ſaid Counties, their Securities, or any of them, their Executors or Adminiſtrators.

X. Provided always, That no perſon or perſons ſhall be ſued, proſecuted, impleaded or moleſted for the ſelling and uttering of Wines by Retail without Licence, before the ſaid four and twentieth day of November, in the two and twentieth year of his Majeſty's Reign, or for any the herein before excepted Penalties and Forfeitures therefore incurred, unleſs ſuch perſon or perſons already have been, or ſhall be ſued, proſecuted and impleaded by ſome Action of Debt, Bill, Plaint or Information to be therefore commenced or exhibited before the fourteenth day of February, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy two; any thing before contained to the contrary notwithſtanding.

CAP. VII.

An Act to prevent the malicious burning of Houſes, Stacks of Corn and Hay, and killing or maiming of Cattel.

Preamble.

Felony for wilful burning of any Ricks of Corn, Hay, &c. or Barns, &c. in the night-time.

3 Inſt. 66, 67.

Whereas divers lewd and evil diſpoſed perſons intending the ruine and impoveriſhment of their Fellow Subjects, have deviſed, and of late ſecretly in the night-time, and at other times when they think their deeds are not known, frequently practiſed in ſeveral parts of this Kingdom, unlawful and wicked courſes in burning of Ricks and Stacks of Hay, Corn and Grain, deſtroying of Buildings, Trees, and cutting, maiming, wounding and killing of Horſes, Sheep, Beaſts, and other Cattel, in contempt of the Laws, and the inſupportable wrong and damage of many of his Majeſty's good Subjects:

II. For prevention whereof, and diſcovery of the offenders, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That where, in any part of this Kingdom, any perſon or perſons after the firſt day of March, in the year of our Lord One thouſand ſix hundred and ſeventy, ſhall in the night-time maliciouſly, unlawfully and willingly burn, or cauſe to be burnt or deſtroyed, any Ricks or Stacks of Corn, Hay or Grain, Barns, or other Houſes or Buildings, or Kilns, or ſhall in the night-time maliciouſly, unlawfully and willingly kill, or deſtroy any Horſes, Sheep, or other Cattel, of any perſon or perſons whatſoever; every ſuch offence ſhall be adjudged Felony, and the Offenders, and every of them ſhall ſuffer as in caſe of Felony.

Attainder ſhall not work corruption of Bloud, &c.

III. Provided always, That not Attainder for any the Offences made Felony by virtue of this Act, ſhall make or work any corruption of Bloud, loſs of Dower, or Diſinheritance of Heir or Heirs.

The party at liberty to be tranſported for ſeven years.

IV. And be it farther enacted and declared, That in caſe any perſon or perſons who ſhall be convict or attainted of any the Offences made Felony by vertue of this Act as aforeſaid (to avoid Judgment of Death, or Execution thereupon for ſuch Offence) ſhall make his Election to be tranſported beyond the Seas, to any of his Majeſty's Plantations: That then the Juſtices of Aſſize, Oyer and Terminer, Gaol-delivery, or Juſtices of the Peace before whom ſuch Offender ſhall be convict or attaint by vertue of this Act, and every of them reſpectively ſhall cauſe Judgment to be entred againſt every ſuch Offender, that he be tranſported beyond the Seas, to ſome of his Majeſty's Plantations, in the ſaid Judgment to be particularly mentioned and expreſſed, there to remain for the ſpace of ſeven years, and that in purſuance of the ſaid Judgment, the Sheriff or Sheriffs of the County or City where ſuch Offender ſhall be ſo convict or attainted, ſhall cauſe the ſaid Offender to be ſafely conveyed and imbarqued to be tranſported as aforeſaid; and if any ſuch Offender ſhall return into this Kingdom before the expiration of the ſaid ſeven years, he ſhall ſuffer death as a Felon, and as if no ſuch Election to be tranſported had been made by him.

Felony to return before the ſeven years expired.

Treble Damages for maiming of Cattel, or throwing down Incloſures, &c. in the night-time.

V. And be it farther enacted by the authority aforeſaid, That if any perſon or perſons ſhall in the night-time maliciouſly, unlawfully and willingly maim, wound or otherwiſe hurt any Horſes, Sheep, or other Cattel, whereby the ſame ſhall not be killed or utterly deſtroyed, or ſhall deſtroy any Plantations of Trees, or throw down any Incloſures in manner aforeſaid; That then every ſuch Offender or Offenders ſhall loſe and forfeit to the party grieved, treble the Damage which he or they ſhall thereby ſuſtain, the ſame to be recovered by Action of Treſpaſs, or upon the Caſe, or be taken at the Common Law.

Three or more Juſtices of the Peace have liberty to enquir of the Offence, and puniſh the Offenders.

VI. And be it farther enacted by the authority aforeſaid, That upon complaint and requeſt of the party or parties injured in any ſuch manner, any three or more Juſtices of the Peace for the County, Diviſion, City, Town-corporate, or place, whereof one to be of the Quorum, ſhall and may, and they are thereunto authorized and required by vertue of this Act, to enquire as well by the Oaths of twelve lawful men or more of the ſame County, as by examination of Witneſſes upon Oath, or by any lawful ways or means which to them ſhall ſeem meet, of and concerning any the Offences before incurred, and Offenders therein; and in order thereunto, to iſſue out Warrants, as well for the ſummoning of Jurors, as for the apprehending of all ſuch perſons as ſhall or may be thereof ſuſpected, and to take their Examination touching the ſame; as alſo to cauſe all ſuch other perſons as to them ſhall ſeem likely to make diſcovery thereof to appear before them, and to give Information upon Oath, of and concerning their knowledge of the Premiſſes, ſo as no perſon ſo to be examined by the ſaid Juſtices of the Peace, ſhall be convicted, or in any wiſe proceed againſt, for or by reaſon of any Offence concerning which he or they ſhall be ſo examined as a Witneſs, and ſhall upon ſuch his Examination make a true diſcovery thereof: (2) And in caſe any perſon or perſons who by the ſaid Juſtices be thought likely to make diſcovery as aforeſaid, ſhall refuſe to appear or to be examined as a Witneſs, being duly ſummoned by the ſaid Juſtices in purſuance of this Act, It ſhall and may be lawful for the ſaid Juſtices of the Peace to commit the party ſo refuſing, to the common Gaol for the ſaid County, without Bail or Mainpriſe, until he ſhall ſubumit to be examined upon Oath, of and concerning his knowledge touching the ſame Offence, or the Offenders by whom the ſame was committed.

A Witneſs refuſing to appear, ſhall be committed to Priſon.

No perſon ſhall be twice puniſhed for this Offence.

The proſecution muſt be within ſix months.

VII. Provided, That no perſon who ſhall be puniſhed for any Offence by vertue of this Act, ſhall be puniſhed for the ſame Offence by vertue of any other Act or Law whatſoever; nor ſhall be queſtioned for the ſame, unleſs he be proceeded againſt within ſix months after the Offence committed.

CAP. VIII.

An Act for the regulating the making of Kidderminſter Stuffs.

Preamble.

WHereas divers Abuſes and Deceits have of late years been had and uſed in the making of Stuffs called Kidderminſter Stuffs, within the Borough and Pariſh of Kidderminſter in the County of Worceſter, tending to the debaſing of the ſaid Manufacture, and to the great prejudice of the Publick:

A Corporation of Weavers in Kidderminſter.

II. For the prevention of which abuſes and deceits, may it pleaſe your Majeſty that it may be enacted: (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there ſhall be choſen one Preſident, four Wardens, and eight Aſſiſtants, all which ſhall be Maſter Weavers within the ſaid Borough, the firſt Monday after Pentecoſt, in the year of our Lord One thouſand ſix hundred ſeventy and one, and from thenceforth yearly and every year, on the next Monday after Pentecoſt, at ſome publick place, by the Maſter Weavers of the ſaid Borough, or the greater part of them then preſent; (3) And the ſaid Preſident, Wardens and Aſſiſtants reſpectively, ſhall within fourteen days after they ſhall be ſo choſen or elected, and notice thereof given, take the Oath enſuing, to be adminiſtred by the Bayliff, or any one of the Juſtices of the Peace of the ſaid Borough for the time being, or either of them: Which Oath they and every of them are hereby required from time to time to adminiſter accordingly, (viz.)

The Oath to be taken by them.

(4) I *A.B.* do ſwear, That I will well, faithfully and honeſtly perform and diſcharge the Office of Preſident or Warden, or Aſſiſtant, *Mutatis mutandis*, of the Trade of Clothiers and Stuff-Weavers within the Borough and Pariſh of *Kidderminſter*, according to the beſt of my Skill, Power and Knowledge.

Refuſal to take the ſaid Oath, or Death.

III. And if it ſhall happen, That the ſaid Preſident, or any of the ſaid Wardens or Aſſiſtants choſen as aforeſaid, ſhall refuſe to take the ſaid Oath, or after his or their being ſworn as aforeſaid, ſhall die before the end of the year; That then from time to time, ſo often as need ſhall be, it ſhall and may be lawful to and for the Maſter Weavers of the ſaid Borough, to chooſe one other Preſident, Warden or Wardens, Aſſiſtant or Aſſiſtants, in the place of him or them ſo dying or refuſing, who ſhall be ſworn in ſuch manner as aforeſaid.

IV. And for the Regulation and good Government of the ſaid Trade or Manufacture, the ſaid Preſident, Wardens and Aſſiſtants, or any ſeven or more of them, whereof the Preſident, and three or more of the ſaid Wardens are to be preſent, ſhall and may from time to time meet and conſult together for the good and benefit of the ſaid Trade and Manufacture, and for the due execution of the powers and authority given by this Act, and to make and ordain By-Laws, Rules and Ordinances for the better regulating of the ſaid Trade and Manufacture, and the Artificers of the ſame; and to make Seals from time to time, for ſealing of the ſame Stuffs: (2) Which By-Laws, Rules and Ordinances being ratified and confirmed by the Juſtices of Aſſize for the County of Worceſter for the time being, ſhall be publiſhed at leaſt twice in the year, at two publick Aſſemblies for the ſaid Trade and Manufacture, and ſhall be obeyed and kept by the Artificers of the ſaid Trade and Manufacture, and by the ſeveral perſons uſing the ſame within and under the ſaid Regulation. (3) And the ſaid Preſident, Wardens and Aſſiſtants, or any ſeven or more of them, ſhall have, and hereby have power to impoſe a Fine or Penalty upon any perſon or perſons uſing the ſaid Trade, or that ſhall be under the Regulation thereof, as ſhall not conform to ſuch Rules, Orders, By-Laws, and Ordinances ſo made and to be made and confirmed, as aforeſaid.

A power given them to make By-Laws.

To be confirmed by the Juſtices of Aſſize.

To be publiſhed twice a year.

Power to impoſe Fines.

V. Provided, That the ſaid Fine or Penalty upon any perſon for not conforming as aforeſaid, ſhall not exceed the Sum of forty ſhillings for any one Offence.

The Fine not to exceed 40s.

VI. And if any perſon or perſons duly choſen as aforeſaid, to be Preſident, or Warden, or Aſſiſtant, and due notice thereof given by the Bailiff of the ſaid Borough for the time being, ſhall refuſe or neglect to execute the place of Preſident, Warden or Aſſiſtant, or to take the ſaid Oath, according to the purport of this Act, every ſuch perſon ſo refuſing or neglecting, ſhall be fined at the diſcretion of the Bayliff, or any one of the Juſtices of the Peace of the ſaid Borough for the time being, ſo as ſuch Fine doth not exceed the Sum of five pounds for any one Offence: (2) Which ſaid Fine ſhall be levied by Warrant under the Hands and Seals of the ſaid Bayliff, and any one Juſtice of the Peace for the ſaid Borough, on the Goods and Chattels of the ſaid Offender by Diſtreſs and Sale, rendring the Overplus, if any ſhall be, and ſhall be employed and diſpoſed of to the uſe and benefit of the poor Artificers of the ſaid Trade, at the diſcretion of the ſaid Bailiff, and any one Juſtice of the Peace of the ſaid Borough.

The Preſident &c. being choſen, and neglecting to execute ſhall be fined.

How to be levied.

How the Fines ſhall be employed.

VII. And for the better Regulation of the ſaid Trade and Manufacture, and the avoiding of Frauds and Deceits therein, (2) Be it farther enacted by the authority aforeſaid, That all Linen-Yarn reeled, and uſually bought and ſold, or eſtimated by the Lea, to be hereafter uſed by any of the ſaid Artificers and Stuff-Weavers within the ſaid Borough or Pariſh of Kidderminſter, or Liberties thereof, ſhall be made without fraud or deceit, and be openly bought and ſold in ſome publick Market-place on the Market-day within the ſaid Borough, to be appointed by the Bayliff of the ſaid Borough for the time being: And before the ſame be expoſed to Sale, ſhall be reeled on a Reel four Yards about, every Lea of the ſaid Yarn containing two hundred Threds.

Linen-yarn to be reeled on a Reel four yards about, and ſold openly in the Market.

VIII. And in caſe any perſon or perſons ſhall hereafter ſell or expoſe to ſale any the Yarns aforeſaid, made or reeled in any other manner than as aforeſaid, it ſhall and may be lawful to and for the ſaid Preſident, Wardens and Aſſiſtants, or any two or more of them, to ſeize, take and carry away all ſuch deceitful and defective Yarns; (2) which ſaid Yarns within twenty days after ſuch Seizure, ſhall be tried by a Jury of twelve honeſt and able Artificers of the ſaid Trade, who ſhall be from time to time impannelled and ſummoned by a Precept under the Hands and Seals of the Bayliff, and any one Juſtice of the Peace of the ſaid Borough, to appear at the Guild-Hall of the ſaid Borough, at a time certain in the ſaid Precept ſpecified, and then and there be ſworn by the ſaid Bayliff and Juſtice, to enquire of the defects of all Yarns ſeized as aforeſaid, and to try whether the ſaid Yarns be made and reeled according to the true intent and meaning of this Act, and the By-Laws and Ordinances made by vertue thereof: (3) And if the ſaid Jury impannelled and ſworn as aforeſaid, ſhall find any of the ſaid Yarns not made and reeled according to the intent and meaning of this Act, and the By-Laws and Ordinances made by vertue thereof, That then the ſaid Bayliff and Juſtice of the Peace of the ſaid Borough, ſhall impoſe ſuch Fine or Fines upon the Owner or Owners of ſuch defective Yarns, as in their diſcretions ſhall be thought meet, not exceeding the value of the moiety of ſuch defective Yarns: (4) Which ſaid Fine or Fines, the Owners of the ſaid defective Yarns ſhall pay to the ſaid Preſident for the time being (to be diſpoſed of as to the ſaid Preſident, Wardens and Aſſiſtants, or the major number of them ſhall ſeem meet, at their next publick Meeting, within thirty days after the ſaid Trial) and in default thereof the ſaid Yarns to be ſold by the Preſident, or any two of the ſaid Wardens, and the Overplus of the Monies thereof coming, after the Fine or Fines deducted, to be reſtored to the ſaid Owner or Owners upon demand.

The Penalty.

How to be tried.

Fines.

The Overplus to be reſtored.

IX. And be it farther enacted by the authority aforeſaid, That all ſorts of Cloths and Stuffs woven with Wool only, or of Wool and other Materials, within the ſaid Borough or Pariſh of Kidderminſter, or the Liberties thereof, ſhall be under the Power, Government and Regulation of the ſaid Preſident, Wardens and Aſſiſtants, in ſuch manner as by this Act, and by the By-Laws and Ordinances made or to be made by vertue thereof, or by the Laws and Statutes of this Realm, are or ſhall be eſtabliſhed.

All Kidderminſter Stuffs ſhall be regulated by the By-Laws aforeſaid.

X. And that all Cloths and Stuffs made or to be made under the Regulation aforeſaid, before the ſame ſhall be expoſed or put to ſale, ſhall be brought to ſome convenient place within the ſaid Borough, to be appointed by the ſaid Preſident and Wardens, or the greater part of them, to be viewed and ſearched by the ſaid Preſident, and any one of the ſaid Wardens, or by any two of the ſaid Wardens in the abſence of the ſaid Preſident, and if the ſame ſhall be found to be well and ſufficiently made and wrought, according to the Rules and Ordinances of the ſaid Trade and Manufacture, Then all ſuch Cloths and Stuffs ſhall be by

To be viewed and ſearched by the Preſident, &c.

Sealed.

When to be ſeized.

Fine.

the ſaid Preſident and any one of the ſaid Wardens, or by any two of the ſaid Wardens for the time being, ſealed and allowed accordingly; (2) and if upon ſuch Search and View, any Cloths or Stuffs ſhall be found or conceived not to be well and ſufficiently made and wrought, according to the Rules and Ordinances of the ſaid Trade and Manufacture, Then ſuch Cloths and Stuffs ſhall be ſeized by the ſaid Preſident and Warden, or any two of the ſaid Wardens, and be brought to Trial, and the Owner or Owners fined in ſuch manner and form as in this preſent Act is before limited and appointed for the Trial of defective Linen Yarn.

Power to enter into Houſes and ſearch.

Penalty.

XI. And be it farther enacted by the authority aforeſaid, That the ſaid Preſident, Wardens and Aſſiſtants, or any two or more of them, ſhall have, and hereby they have power and authority to enter into and ſearch the Houſes and Work-houſes of any Artificer under the Regulation of the ſaid Trade, at all times of the day, and uſual times of opening Shops and Working; and into the Shops, Houſes and Ware-houſes of any common Buyer, Dealer in, or Retailer of any of the ſaid Cloths or Stuffs, and into the Houſes and Work-houſes of any Dyer, Sheerman and all other Workmens Houſes, and places of Sale or Dreſſing of the ſaid Cloths, Stuffs and Yarns, and may there ſearch and view the ſaid Cloths, Stuffs and Yarns reſpectively, whether they be made and wrought according to the Laws, Orders and Ordinances of the ſaid Trade; And if any Cloth, Stuff or Yarns, ſhall be found faulty or defective, to ſeize and carry away the ſame to be tried by a Jury as afore in this Act is appointed.

Penalty for buying of Cloth before it be ſealed.

XII. And be it alſo enacted by the authority aforeſaid, That it ſhall not be lawful for any perſon or perſons to buy any piece or pieces of Cloths or Stuffs, made or to be made within the ſaid Borough or Pariſh, or Liberty thereof, before the ſame be ſealed as aforeſaid, and if any piece or pieces of ſuch Cloth or Stuff, ſhould be found in the poſſeſſion of any perſon or perſons unſealed (except in the poſſeſſion of the firſt Owner or Maker thereof) the perſon or perſons in whoſe cuſtody the ſame ſhall be found, ſhall be guilty of Deceit, and ſhall forfeit for every ſuch piece of Cloth or Stuff ſo found in his or their poſſeſſion unſealed as aforeſaid, the Sum of four ſhillings, and the Maker and Seller of the ſame, who ſhall deliver the ſame out of his or their poſſeſſion before the ſame be ſealed, ſhall likewiſe forfeit for every ſuch piece other four ſhillings, to the uſe of the Poor of the ſaid Trade.

Penalty for counterfeiting the Seal.

XIII. And if any perſon ſhall counterfeit any Seal of the ſaid Trade, or ſhall ſeal any piece of Cloth or Stuff made under the Regulation of the ſaid Trade, with any counterfeit Seal, or ſhall remove a Seal off one piece, and ſet it unto another piece which hath not been ſealed as before in this Act is appointed to be ſealed, every perſon ſo offending, and being thereof convicted by his own Confeſſion, or by the Oath of two more Witneſſes, to be taken by the Bayliff or any Juſtice of the Peace of the ſaid Borough for the time being, who reſpectively have hereby power to adminiſter an Oath for that purpoſe, ſhall forfeit for every ſuch offence the Sum of twenty pounds.

How Journeymen ſhall be provided for.

XIV. And for the better providing that poor Journymen who have ſerved in the ſaid Trade, and are not able to ſet up for themſelves, may be imployed in Work, It is hereby enacted, That every perſon under the Regulation of the ſaid Trade, who ſhall employ two Apprentices in the ſaid Trade, ſhall likewiſe imploy and ſet on work two Journymen in the ſaid Trade, during the time he ſhall have or employ two Apprentices, upon pain that every perſon ſhall forfeit for every month ſo offending as aforeſaid, the Sum of twenty ſhilligs.

To what uſes the Fines ſhall be.

XV. And be it enacted by the authority aforeſaid, That the one moiety of all Fines, Forfeitures and Penalties before in this Act mentioned, other than ſuch as are expreſly otherwiſe appointed, ſhall be to the uſe of the Kings Majeſty, his Heirs and Succeſſors, the other moiety to the uſe of the Poor of the ſaid Trade; (2) And ſhall and may be levied by diſtreſs and ſale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of the Bayliff, and one of the Juſtices of the Peace of the ſaid Borough, or be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

All Bayliffs, Juſtices, Conſtables, &c. ſhall aid and aſſiſt them.

If ſued, plead the general Iſſue.

Double Coſts.

XVI. And be it alſo enacted, That all Bayliffs, Juſtices, Sheriffs, Conſtables, and all other Officers, ſhall be aiding and aſſiſting to the ſaid Preſident, Wardens and Aſſiſtants, or any of them, as often as they ſhall be thereunto required; (2) And in all Actions and Suits that ſhall be brought againſt any perſon or perſons, for what he or they ſhall do in purſuance, or in execution of this Act, or any of the authorities hereby given, the perſon or perſons ſo ſued or moleſted, ſhall or may plead the General Iſſue of Not-guilty, and give the ſpecial Matter in Evidence, and ſhall recover double Coſts in every ſuch Caſe, if the Verdict paſs for ſuch perſon or perſons, or that the Plaintiff or Plaintiffs be Nonſuit therein, or forbear farther proſecution, or ſuffer diſcontinuance; For which Coſts the ſaid perſon or perſons ſhall have the like Remedy, as in any Caſe where Coſts by Law ſhall be given to Defendants.

Anno viceſimo ſecundo, & viceſimo tertio CAROLI II. *Regis.*

AT the ſame Parliament held by ſeveral Prorogations and Adjournments, *Octob.* 24 *Car.* 2. And thence continued on to *March* 6. 1670. *Anno* 23 *Car.* 2. *Stat.* 2.

CAP. IX. (Stat. 2. Cap. 5.)

An Act for laying Impoſitions on Proceedings at Law.

Preamble.

WE your Majeſty's moſt Dutiful and Loyal Subjects, the Commons aſſembled in Parliament, having entred into a due and ſerious conſideration of the extraordinary Occaſions which oblige your Majeſty to a great and preſent Expence, for the neceſſary Defence of your Realms, and conſidering your Majeſty's great Debts, and being deſirous to raiſe ſuch aids and ſupplies as may be proportionable to theſe Occaſions, do humbly preſent your Majeſty with the free Gift of the Rates and Aids herein after mentioned; And do beſeech your Majeſty that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and by authority of the ſame, That from and after the firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto your Majeſty, your Heirs and Succeſſors, during the term of nine years, for the ſeveral and reſpective things herein after mentioned, over and above the Rates, Duties and Sums of Mony now due and payable to your Majeſty, or to any perſon or perſons, Bodies Politick or Corporate whatſoever, for the ſame, the ſeveral and reſpective Rates, Impoſitions, Duties, Charges, and Sums of Mony herein after expreſſed, in manner and form following, (That is to ſay)

To commence the 1ſt of May, 1671.

For the term of nine years.

II. FOR every Charter or Grant which ſhall be made of any Franchiſe, Liberty or Priviledge to any perſon or perſons, Bodies Politick or Corporate, that ſhall paſs the Great Seal of England, or the Seal of the County Palatine of Lancaſter, not exceeding one Skin of Parchment, written in ſuch manner as things of that nature are, or heretofore have been uſually written; Forty ſhillings ——— xl s.

For a Grant under the great Seal, or County Palatine Seal, to a Corporation, or of a Franchiſe, &c. not above one Skin.

III. And if the ſame ſhall exceed one Skin ſo to be written, then for every other Skin of Parchment ſo to be written; Twenty ſhillings ——— xx s.

If more than one Skin.

IV. For every Grant of Lands in Fee, Perpetuity, Leaſe for years, and other Grant that ſhall paſs the Great Seal of England, Seal of the Exchequer, Seal of the Dutchy or County Palatine of Lancaſter, not exceeding one skin of Parchment, written in ſuch manner as things of that nature are now, or heretofore have been uſually written; Twenty ſhillings ——— xx s.

Other Grants under the great Seal, Exchequer Seals, Seals of the Dutchy or County Palatine of Lancaſter.

V. And if the ſame ſhall exceed one Skin ſo to be written, then for every other Skin of Parchment ſo to be written; Ten ſhillings ——— x s.

VI. For every Grant for any Sum of Mony, and for every Pardon of or for any Crime or Offence, or of any Sum of Mony or Forfeiture, that ſhall paſs the Great Seal, or Privy Seal, not directed to the Great Seal, not exceeding one Skin of Parchment, to be written in ſuch manner as things of that nature are now, or heretofore have been uſually written; Forty ſhillings ——— xl s.

Grants of Mony, or Pardons, under the great or privy Seal.

VII. And if the ſame ſhall exceed one Skin ſo to be written, then for every other Skin of Parchment ſo to be written; Twenty ſhillings ——— xx s.

VIII. For every Preſentation and Donation which ſhall paſs the Great Seal of England, and for every Collation to be made by any Archbiſhop, or other Biſhop, and for every Preſentation and Donation to be made by any Patron whatſoever, of or to any Benefice, Dignity or Spiritual or Eccleſiaſtical Promotion whatſoever, provided ſuch Benefice, Dignity or Promotion be of the value of Twenty pounds, or above, in the Kings Books; Forty ſhillings ——— xl s.

Preſentation to Benefices.

IX. But if ſuch Spiritual Promotion, Dignity or Benefice be but of the value of Ten pounds or above, in the Kings Books; then but Ten ſhillings ——— x s.

X. Provided, That this Act ſhall not extend to charge any Vicarage under the Improved value of One hundred pounds per annum, the ſame to be proved by the Certificates of the reſpective Ordinaries.

Vicarages under 100 l. per annum.

XI. For every Conveyance, Surrender, Releaſe, and other Deed whatſoever, which ſhall be enrolled of Record, in any of the Courts at Weſtminſter, or in any other Court of Record whatſoever, or by any Cuſtos Rotulorum, or Clerk of the Peace; Five ſhillings ——— v s.

Deeds enrolled.

XII. For every Writ of Covenant for levying of Fines in the Alienation Office, at or above Six ſhillings eight pence, and under Twenty ſhillings, and for which there is now Six ſhillings eight pence, or above, uſually paid, there ſhall be paid over and above ſuch Six ſhillings and eight pence, or above; the Sum of three ſhillings and four pence ——— iij s. jv d.

Writs of Covenant for levying of Fines

XIII. And for every Writ of Covenant for levying of Fines in the Alienation Office, at or above Twenty ſhillings, and for which there is now Twenty ſhillings or above uſually paid, there ſhall be paid over and above ſuch Twenty ſhillings, or above; the Sum of Six ſhillings and eight pence ——— vj s. viij d.

XIV. The ſaid Additional Sums not to be accompted any part of the Præ-fine, or to extend to the Poſt-fine.

XV. For every Writ of Entry for ſuffering of Common Recoveries in the Alienation Office, there ſhall be paid over and above the Fines now, or heretofore uſually rated and paid there, upon ſuch Writs; Six ſhillings and eight pence ——— vj s. viij d.

Writs of Entry for ſuffering of Common Recoveries.

XVI. For every Original Writ not before this Act charged, Subpœna, Bill of Middleſex, Latitat, Writ of Capias, Quo minus, Writ of Dedimus Poteſtatem to take Anſwers, examine Witneſſes, or ſwear Guardians, and every other Writ whatſoever, and alſo for every other Proceſs or Mandate that ſhall iſſue out of, or paſs the Seals of any of the Courts of Weſtminſter, Courts of the Great Seſſions in Wales, Courts in Counties Palatine, or any other Court whatſoever holding Plea, where the Debt or Damage doth amount to Forty ſhillings or above; Six pence ——— vj d.

Original Writs, and other Writs, and Proceſs.

XVII. For the renewing of every ſuch Proceſs or Mandate; Four pence ——— jv d.

Renewing Proceſs.

(31) XVIII. For the Entry of every Action in the Mayors and Sheriffs Courts of London, and in Courts in all Corporations, and other Courts whatſoever, out of which no Writs, Proceſs,

Entry of Actions.

ceſs, or Mandates Iſſue holding Plea, where the Debt or Damage doth amount to forty ſhillings or above; Six pence —— vj d.

Exemplifications.

(32) XIX. For every exemplification of what nature ſoever, that ſhall paſs the Seal of any Court whatſoever, not exceeding one Skin of Parchment, to be written with as many Words in every Line, and with as many Lines in every Skin as are now, or heretefore have been uſually written in things exemplified; Seven ſhillings and ſix pence —— vij s. vj d.

(33) XX. And if the ſame ſhall exceed one Skin ſo to be written, then for every other Skin of Parchment ſo to be written; Five ſhillings —— v

Bills and Pleadings in Equity.

(34) XXI. For every Bill, Anſwer, Plea, Demurrer and every other Pleading whatſoever in the Courts of Chancery, Exchequer and Dutchy-chamber of Lancaſter; One ſhilling — i s.

Copies of Bills and Pleadings in Equity.

(35) XII. For the Copy of every Bill, Anſwer, Plea, Demurrer, and of all other Pleadings whatſoever, and of all Interrogatories and Depoſitions taken out of the reſpective Offices, and atteſted by the reſpective Officers in the Courts of Chancery, Exchequer and Dutchy-Chamber of Lancaſter, there ſhall be paid for every Sheet to be written with as many Words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies; One peny —— i d.

(36) XXIII. For the Copy of every Bill, Anſwer, Plea, Demurrer, and of all other Pleadings whatſoever, and of all Interrogatories and Depoſitions, in all and every other Court of Equity or Conſcience whatſoever, holding Plea, where the Debt or Damage doth amount to Forty ſhillings or above, there ſhall be paid for every Sheet to be written with as many Words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies; One peny —— i d.

Orders and Reports in Equity.

(37) XXIV. For every Order entred, and Report filed in any of the Courts of Chancery, Exchequer and Dutchy-Chamber of Lancaſter; Six pence —— vj d.

Copies of Orders and Reports in Equity.

(38) XXV. For the Copy of every ſuch Order and Report ſigned by the proper Officer; Three pence —— iij d.

Declarations and Pleadings in the Courts at Weſtminſter.

(39) XXVI. For the Copy of every Declaration, Plea, Demurrer, Iſſue, and of all and every other Proceedings whatſoever, in any of the Courts at Weſtminſter, for which there is now payable Eight pence per Sheet, there ſhall be paid for every Sheet to be written with as many Words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies; One peny —— i d.

Copies of ſuch Declarations and Pleadings

(40) XXVII. For the Copy of every Declaration, Plea and Iſſue, Demurrer, and of all and every other Proceedings in any of the Courts at Weſtminſter, for which there is now payable but Four pence per Sheet, there ſhall be paid for every Sheet to be written with as many Words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies, over and above the ſaid Four pence per Sheet; One peny —— i d.

Copies of Declarations and Pleadings in inferior Courts

(41) XXVIII. For the Copy of every Declaration, Plea, Iſſue, Demurrer, and of all and every other Proceedings whatſoever, in all and every other Court whatſoever, holding Plea, where the Debt or Damage doth amount to Forty ſhillings, or above, for every Sheet to be written with as many Words in every Line, and with as many Lines in every Sheet as are now, or heretofore have been uſually written in ſuch Copies; One peny — i d.

Affidavits.

(42) XXIX. For every Affidavit that ſhall be made in writing, and ſworn to before any perſon whatſoever authorized to take an Oath, where any Fee by Law is due to any Officer for the ſame; Six pence —— vj d.

Copies of Affidavits.

(43) XXX. For the Copy of every Affidavit that ſhall be filed or read in any Court whatſoever; Four pence —— iv d.

Bails and Appearances.

(44) XXXI. For every Special Bail to be taken in any of the Courts at Weſtminſter, or before any of the Judges of the ſaid Courts, or in any other Court whatſoever, and for every Common Bail whatſoever, that ſhall be filed in any of the ſaid Courts, or any other Court whatſoever, and for every appearance that ſhall be made or entred in any of the ſaid Courts, or any other Court whatſoever, or in any Office belonging to the ſame; Six pence — vj d.

Rules and Orders at Common Law in the Courts at Weſtminſter.

(45) XXXII. For every Rule or Order to be made or given in any of the Courts at Weſtminſter, except in the Engliſh ſide of the Chancery, the Engliſh ſide of the Exchequer, and the Engliſh ſide of the Court of the Dutchy, or County Palatine of Lancaſter, and Rules for Anſwer; Two pence —— ij d.

Copies of Rules and Orders.

(46) XXXIII. And for the Copy of every ſuch Rule or Order; Two pence —— ij d.

Judgments.

(47) XXXIV. For every Judgment in Debt or other Judgment whatſoever, which ſhall be ſigned by the Maſter of any Office, or his Deputy, or Secondary, or by any Prothonotary, or his Secondary, Deputy or Clerk, or any other Officer belonging to any of the Courts at Weſtminſter, who hath power, or uſually doth, or ſhall ſign Judgments; One ſhilling —— i s.

Decrees and Diſmiſſions.

(48) XXXV. For every Decree and Diſmiſſion made by or in the Court of Chancery, Exchequer, Court of the Dutchy of Lancaſter, Courts of the Counties Palatine of Cheſter and Durham; Five ſhillings —— v s.

Niſi prius.

(49) XXXVI. For every Record of Niſi Prius; Two ſhillings and ſix pence —— ij s. vj d.

Copies of Records.

(50) XXXVII. For Copies of all Records to be taken out of any of the Courts at Weſtminſter, or any Office belonging to the ſame, and not herein before charged, and for Copies of all Pro-

ceedings upon Writs of Error in the Exchequer Chamber, not herein before charged, for every Sheet to be written with as many Words in every Line, and with as many Lines in every Sheet as are now, or heretofore have been uſually written in ſuch Copies; One peny—i d

Copies of Proceedings upon Writs of Error.

(51) XXXVIII. For every Poſtea that ſhall be returned by any Clerk of Aſſize, Aſſociate, or other perſon authorized to return Poſtea's; One ſhilling——i s.

Poſteas.

(52) XXXIX. For every Recognizance and Statute of the Staple, or Statute-Merchant that ſhall be enrolled or entred of Record in any Court or Office whatſoever; Two ſhillings ſix pence——ij s. vj d.

Recognizances and Statutes.

(53) XL. For every Writ of Error over and above what is before charged; Six pence—vj d.

Writs of Error.

(54) XLI. For every Order or Rule; One ſhilling——i s.

Orders and Rules upon Writs of Error.

(55) XLII. For every Citation or Monition, Ad inſtantiam partis, which ſhall iſſue out of, or be made in any Eccleſiaſtical Court whatſoever; Four pence——iv d.

Citations.

(56) XLIII. For every Libel or Allegation; One ſhilling——i s.

Libels.

(57) XLIV. For every Depoſition of Witneſſes; Four pence——iv d.

Depoſitions.

(58) XLV. For every Anſwer, Sentence or Final Decree; Six pence——vj d.

Anſwers and final Decrees.

(59) XLVI. For every Commiſſion iſſuing out of any Eccleſiaſtical Court, Ad inſtantiam partis; Two ſhillings——ii s.

Commiſſions.

(60) XLVII. For every Inventory that ſhall be exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to Forty pounds, or above, and not to One hundred pounds; One ſhilling——i s.

Inventories.

61) XLVIII. For every Inventory that ſhall be exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to One hundred pounds, or above, and not to Five hundred pounds; Six ſhillings——vj s.

(62) XLIX. For every Inventory that ſhall be exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to Five hundred pounds, or above, and not to One thouſand pounds; Twelve ſhillings——xij s.

(63) L. For every Inventory which ſhall be exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to One thouſand pounds, or above; One pound two ſhillings——i l. ii s.

(64) LI. For every Inſtitution that ſhall paſs the Seal of any Archbiſhop, or Biſhop, Chancellor or other Ordinary, or of any Eccleſiaſtical Court whatſoever; Five ſhillings——v s.

Inſtitutions.

(65) LII. For every Licence whatſoever, that ſhall paſs the Seal of any Eccleſiaſtical Court (except Licences for diſpenſing the eating of Fleſh in Lent;) One ſhilling——i s.

Licences from Eccleſiaſtical Courts.

(66) LIII. For the Copy of every Will Regiſtred in any Eccleſiaſtical Court whatſoever, for every Sheet containing as many Words in every Line, and as many Lines in every Sheet, as are now, or heretofore hath been uſually written in ſuch Copies; One peny—i d.

Copies of Wills.

(67) LIV. For the Copy of every Inventory which ſhall be exhibited in any Eccleſiaſtical Court, there ſhall be paid per Preſs; Two pence——ii d.

Copies of Inventories.

(68) LV. For every Appeal to the Delegates; Ten ſhillings——x s.

Appeals to Delegates.

(69) LVI. For every other Appeal from any Inferior Eccleſiaſtical Court to a Superior; Three ſhillings and four pence——iij s. iv d.

Other Appeals.

(70) LVII. For every Significavit pro Corporis deliberatione; Five ſhillings——v s.

Significavit pro Corporis deliberatione.

(71) LVIII. For every Diſpenſation to hold Two Eccleſiaſtical Dignities, or both a Benefice and a Dignity; Fifteen ſhillings——xv s.

Diſpenſation.

(72) LIX. For every other Diſpenſation which ſhall be paſſed by the Lord Archbiſhop of Canterbury, for the time being, or the Maſter of the Faculties; Ten ſhillings——x s.

(73) LX. For every Warrant, Monition and perſonal Decree, and for every Libel, Allegation, and for every Depoſition of every Witneſs, and every perſonal Anſwer, which ſhall iſſue out of, or be made in the Court of the High Admiral of England, or in any Court of his Vice-Admirals, or the Cinque-Ports exerciſing Juriſdiction; One ſhilling——i s.

Admiralty.

(74) LXI. For every Commiſſion that ſhall iſſue under the Seal of any of the ſaid Courts of Admiralty laſt mentioned; Five ſhillings——v s.

(75) LXII. For evey Sentence that ſhall be given in any of the ſaid Courts of Admiralty; Five ſhillings——v s.

(76) LXIII. For every Attachment that ſhall be made out of any of the ſaid Courts of Admiralty; Three ſhillings and four pence——iij s. iv d.

(77) LXIV. For every Relaxation of every Attachment made out of any of the ſaid Courts of Admiralty; Three ſhillings and four pence——iij s. iv d.

(78) LXV. Which ſaid ſeveral Rates, Impoſitions, Duties, Charges and Sums of Mony, ſhall be collected and received by the ſeveral and reſpective Officers for the time being, and other perſons hereafter appointed, or their ſufficient Deputies for whom they will anſwer, and in ſuch manner as is hereafter directed: That is to ſay, The ſaid Duty for every Charter, Writ, and other thing that ſhall paſs the Great Seal of England, as aforeſaid, ſhall be received

Who to collect the Duties.

Duties ariſing from the Great Seal.

ceived by the Clerk of the Hanaper, before the ſaid Charter or other thing, as aforeſaid, be ſealed.

The Privy Seal.

(79) LXVI. And the ſaid Duty for every Grant of any Sum of Mony, or other thing, as aforeſaid, that ſhall paſs the Privy Seal, and not be directed to the Great Seal, ſhall be received by the Clerk attending, before the ſaid Grant or other thing, as aforeſaid, ſhall be ſealed.

Court of Chancery.

(80) LXVII. And the ſaid Duty for every Deed and Recognizance that ſhall be inrolled in the Court of Chancery, ſhall be received by the Deputy-Clerks of the Inrolments reſpectively, before the Inrolling thereof.

(81) LXVIII. And the ſaid Duty for every Order and Report in the ſaid Court, and for Copies of the ſame, ſhall be received by the Regiſter of the ſaid Court, before the entring or ſigning of the ſame; and that the ſame ſhall not be of any effect until they are ſo ſigned.

(82) LXIX. And the ſaid Duty for the Copy of every Bill, Anſwer, Plea, Demurrer and all other Pleadings whatſoever, as aforeſaid, in the ſaid Court, and of all Interrogatories and Depoſitions taken by Commiſſion out of the ſaid Court; and alſo the ſaid Duties for all Decrees and Diſmiſſions in the ſaid Court, ſhall be received by the Six Clerks of the ſaid Court reſpectively, before the ſigning of the ſame.

(83) LXX. And the Duties for all Copies of all other Interrogatories and Depoſitions, not taken by Commiſſion, as aforeſaid, ſhall be received by the Examiners of the ſaid Court reſpectively, before the ſigning of the ſame.

(84) LXXI. And no Declaration, Plea, Demurrer, or other Proceeding in the Petty-Bag in the ſaid Court of Chancery, ſhall be of any effect until the reſpective Copies of the ſame ſhall be ſigned by the Clerks of the Petty-Bag reſpectively, who are hereby required before ſuch ſigning thereof, to receive the Duties by this Act appointed to be paid for the ſame reſpectively.

(85) LXXII. And the ſaid Duty for every Affidavit made before any of the Maſters of the Chancery in Ordinary, ſhall be received by the ſaid Maſter reſpectively, who alſo is hereby required to ſign the Affidavit, and to receive the ſaid Duty upon the ſigning thereof.

Weekly Accounts of Affidavits in Chancery.

(86) LXXIII. And the ſaid Duty ſhall be accounted for every Week to ſuch perſon and perſons as his Majeſty, his Heirs and Succeſſors ſhall for that purpoſe nominate and appoint, as is hereafter provided.

(87) LXXIV. And the ſaid duty for every Affidavit made before any Maſter of the Chancery extraordinary, ſhall be received by the ſaid Maſter reſpectively, and the ſaid Maſter is hereby required to ſign the ſame, and to receive the ſaid Duty upon the ſigning thereof.

Court of Kings Bench.

(88) LXXV. And the ſaid Duty for every Writ, Proceſs or Mandate, as aforeſaid, that ſhall iſſue out, or paſs the Seal of the Court of Kings Bench, ſhall be received by the Keeper of the ſaid Seal, before the ſealing of the ſame.

(89) LXXVI. And the ſaid Duty for every Bill of Middleſex, as aforeſaid, ſhall be received by the Clerk that ſigns and ſeals them, before the ſigning and ſealing the ſame.

(90) LXXVII. And the ſaid Duty for every Deed that ſhall be inrolled in the ſaid Court of Kings Bench, ſhall be received by the Prothonotary of the ſaid Court, before the inrolling the ſame.

(91) LXXVIII. And the ſaid Duty for every Recognizance, as aforeſaid, that ſhall be acknowledged in the ſaid Court, ſhall be received by the Secondary on the Crowns ſide in the ſaid Court, at the time of the acknowledgment of the ſame.

(92) LXXIX. And no Declaration, Plea, Replication, Demurrer, Rejoynder, Iſſue or other Proceeding upon the ſame in the ſaid Court of Kings Bench, ſhall be of any effect, until the reſpective Copies of the ſame ſhall be ſigned by the Secondary of the Pleas ſide, who ſhall, and is hereby required, before ſuch Signature, to receive the Duties by this Act appointed to be for the ſame reſpectively.

(93) LXXX. And the ſaid Duty for every Bail and Appearance in the ſaid Court, ſhall be received by the Clerk of the Bails in the ſaid Court, before the filing and entring of the ſame reſpectively.

(94) LXXXI. And the ſaid Duty for every Rule and Ordeer, as aforeſaid, made or given in the ſaid Court, ſhall be received by the Clerk of the Rules before the entring of the ſame.

(95) LXXXII. And the ſaid Duty for every Affidavit made in the ſaid Court, ſhall be received by the Clerk of the Rules of the ſaid Court, upon the ſigning or making thereof.

(96) LXXXIII. And the ſaid Duty for every Affidavit made before any of the Judges of the ſaid Court, out of Court, ſhall be received by ſuch perſon or perſons from time to time, as the ſaid Judges ſhall for that purpoſe reſpectively appoint.

(97) LXXXIV. And the ſaid Duty for every Record of Niſi Prius in the ſaid Court, ſhall be received by the Cuſtos Brevium of the ſaid Court, before the ſealing of the ſame.

(98) LXXXV. And the ſaid Duty for every Poſtea in the ſaid Court, ſhall be received by the reſpective Clerks of Aſſize and Aſſociates reſpectively, upon recording of the Verdicts.

Court of Common Pleas.

(99) LXXXVI. And the ſaid Duty for every Judgment as aforeſaid in the ſaid Court ſhall be received by the ſaid Secondary of the Pleas ſide, before the ſinging of the ſame.

(100) LXXXVII. And the ſaid Duty for every Writ or Proceſs that ſhall paſs the Seal of the Court of Common Pleas as aforeſaid, ſhall be received by the Seal-keeper of the ſaid Court, before the ſealing thereof.

(101) LXXXVIII. And the ſaid Duty for every Deed that ſhall be enrolled in the ſaid Court of Common Pleas, ſhall be received by the Clerk of the Warrants of the ſaid Court, before the enrolling thereof.

(102) LXXXIX. And the ſaid Duty for every Recognizance entred into the ſaid Court of Common Pleas, ſhall be received by the Prothonotaries of the ſaid Court reſpectively, at the time of the acknowledging of the ſame.

(103) CX. And no Declaration, Plea, Replication, Demurrer, Rejoynder, Iſſue or other Proceeding upon the ſame in the ſaid Court of Common Pleas, ſhall be of any effect, until the reſpective Copies of the ſame ſhall be ſigned by the reſpective Prothonotaries of the ſaid

Court; who ſhall and are hereby required before ſuch Signature, to receive the ſeveral and reſpective Duties by this Act appointed to be paid for the ſame.

(104) XCI. And the ſaid Duty for every Bail taken in the ſaid Court, ſhall be received by the reſpective Prothonotaries of the ſaid Court, before the entring and filing of the ſame reſpectively.

(105) XCII. And the ſaid Duty for every Appearance given upon any Proceſs made by any of the Filizers of the ſaid Court, ſhall be received by the ſaid reſpective Filizers, and upon all other Proceſs by the reſpective Prothonotaries, before the entring of the ſame.

(106) XCIII. And the ſaid Duty for every Rule and Order, as aforeſaid, made or given in the ſaid Court, ſhall be received by the reſpective Secondary of the ſaid Court, before the entring of the ſame.

(107) XCIV. And the ſaid Duty for every Record of Niſi Prius in the ſaid Court, ſhall be received by the reſpective Prothonotaries of the ſaid Court, before the ſealing of the ſame.

(108) XCV. And the ſaid Duty for every Poſtea in the ſaid Court, ſhall be received by the reſpective Clerk of Aſſizes or Aſſociates that record the Verdict, upon recording the ſaid Verdict.

(109) XCVI. And the ſaid Duty for every Judgment, as aforeſaid, in the ſaid Court of Common Pleas, ſhall be received by the Prothonotaries of the ſaid Court reſpectively, before the ſigning of the ſame.

(110) XCVII. And the ſaid Duty for every Affidavit made in the ſaid Court, ſhall be received by the Secondaries of the ſaid Court reſpectively, upon the ſigning or making of the ſame.

(111) XCVIII. And for every Affidavit made out of the Court before any of the Judges of the ſaid Court, the ſaid Duty ſhall be received by ſuch perſon or perſons as the ſaid Judges reſpectively ſhall from time for that purpoſe appoint.

The Exchequer Seal.

(112) XCIX. And the ſaid Duty for every Grant or other thing as aforeſaid, which ſhall paſs the Exchequer Seal, ſhall be received by the Chancellor of the Exchequer for the time being, before ſuch Grant or other thing ſhall be ſealed.

The Court of Exchequer.

(113) C. And the ſaid Duty for every Deed or Recognizance that ſhall be enrolled either in the Kings or Treaſurers Remembrancers Office, or in the Office of Pleas in the Court of Exchequer, ſhall be received by the Maſters of the ſaid ſeveral Offices reſpectively, before the enrolling the ſame.

(114) CI. And no Declaration or Information, Plea, Replication, Demurrer, Rejoynder, Iſſue or other Proceeding upon the ſame in the Kings or Treaſurers Remembrancers Offices in the ſaid Court of Exechequer, ſhall be of any effect until the reſpective Copies of the ſame ſhall be ſigned by the reſpective Attornies of the ſaid ſeveral Offices, who are hereby required before ſuch Signature, to receive the Duties by this Act appointed to be paid for the ſame reſpectively; the like to be done by the Clerk of the Pleas of the ſaid Court of Exchequer within his Office reſpectively.

(115) CII. And the ſaid Duty for every Bail and Appearance in the ſaid ſeveral Offices in the ſaid Court of Exchequer, ſhall be received by the Attornies of the ſaid Court reſpectively, before the filing and entring the ſame.

(116) CIII. And the ſaid Duty for every Rule, Order and Report as aforeſaid, to be made in the ſaid Court of Exchequer, and for Copies of the ſame, ſhall be received by the reſpective Officers or Clerks that ſign the ſame, before the entring, ſigning or filing of the ſame.

(117) CIV. And the ſaid Duty for every Record of Niſi prius in the ſaid Court of Exchequer, ſhall be received by ſuch Officer or Clerk as ſhall ſign the ſame, or the Warrant for the ſame, before the ſigning of ſuch Record or Warrant.

(118) CV. And the ſaid Duty for every Poſtea in the ſaid Court of Exchequer, ſhall be received by the reſpective Clerk of Aſſizes and Aſſociates reſpectively, upon recording of the Verdicts.

(119) CVI. And the ſaid Duty for every Judgment in the ſaid Court of Exchequer, as aforeſaid, ſhall be received by the ſeveral Officers of the ſaid Court, who ſhall ſign the ſame reſpectively, upon ſigning of the ſame.

(120) CVII. And the ſaid Duty for the Copy of every Bill, Anſwer, Plea, Demurrer and all other Pleadings whatſoever as aforeſaid, in the ſaid Court of Equity in the Exchequer; and of all Interrogatories and Depoſitions taken by Commiſſion out of the ſaid Court; and alſo the ſaid Duty for all Decrees and Diſmiſſions in the ſaid Court, ſhall be received by the Attornies in the Kings Remembrancers Office in the ſaid Court reſpectively.

(121) CVIII. And the Duties for all Copies of all other Interrogatories and Depoſitions not taken by Commiſſion as aforeſaid, ſhall be received by the Examiners of the ſaid Court reſpectively, before the ſigning of the ſame.

Errors in the Exchequer-chamber.

(122) CIX. And the ſaid Duty for all Copies of any Proceedings upon Writs of Error in the Exchequer-Chamber, upon Judgments given in the ſaid Court of Exchequer, ſhall be received by the reſpective Officer that ſigns the ſame, upon the ſigning thereof, and upon Judgments out of any other Court, by the Clerk of the Errors in like manner.

Seal of the County Palatine of Lancaſter.

(123) CX. And the ſaid Duty for every Charter or Grant that ſhall paſs the Seal of the County Palatine of Lancaſter, ſhall be received by the Keeper of the ſaid Seal, before the ſealing of the ſame.

Dutchy Court of Lancaſter.

(124) CXI. And the ſaid Duty for every Deed inrolled, and every other thing as aforeſaid, charged by this Act as aforeſaid, in the Court of the Dutchy of Lancaſter, the ſame ſhall be received in manner aforeſaid, by the Clerk of the ſaid Dutchy Court.

Deeds inrolled.

(125) CXII. And the ſaid Duty for every Deed inrolled in any other Court of Record than the Courts before mentioned in this Act, ſhall be received by the reſpective Officer of the ſaid Courts that ſhall inrol the ſame, before the inrolling thereof; and if by any Cuſtos Rotulorum, or Clerk of the Peace, then by the Clerk of the Peace reſpectively, in manner as aforeſaid.

Other Counties Palatine.

(126) CXIII. And the ſaid ſeveral Duties by this Act ariſing within any other County Palatine,

latine ſhall in like manner be received by the reſpective Chancellors or Chamberlain of the ſaid Counties Palatine, or ſuch as they from time to time ſhall for that purpoſe nominate and appoint reſpectively.

Courts of the Mayor and Sheriffs of London.

(127) CXIV. And the ſaid Duty for Entry of any Action or Plaint in the Courts of the Mayor or Sheriffs of the City of London, and the Duty of, or for any other thing ariſing within the ſaid Courts, or any of them, ſhall be received in manner as aforeſaid, by the proper Officer that ſhall act in thoſe ſeveral things, from, or for which the ſaid Duty doth ariſe reſpectively.

(128) CXV. And if any doubt or queſtion ſhall ariſe who is the ſaid proper Officer, the ſame ſhall be judged and determined by the ſaid Courts reſpectively.

Court of Marſhalſey. Corporation Courts.

(129) CXVI. And the ſaid ſeveral Duties charged by this Act, ariſing within the Court of Marſhalſey, or within any other Court within any other Corporation than thoſe already mentioned in this Act, ſhall be received by the reſpective Prothonotary, Town-Clerk, or Clerk of ſuch Court, and in other inferiour Courts by the reſpective Stewards, or other like Officers of the ſaid Courts in manners as aforeſaid.

Preſentations.

(130) CXVII. And the ſaid ſeveral Duties for every Preſentation, Collation, Inſtitution, and other thing charged by this Act, which ſhall paſs the Epiſcopal Seal, or the Seal of the Ordinary, ſhall be received by the ſaid Ordinary reſpectively before the ſealing of the ſame; who is hereby required to keep a Regiſter or Entry of the ſame.

Eccleſiaſtical Courts.

(131) CXVIII. And the ſaid ſeveral Duties ariſing within the Court of Arches, or any other Eccleſiaſtical Court aforeſaid, ſhall be received by the Regiſters of the ſaid ſeveral Courts reſpectively.

(132) CXIX. And the ſaid Duty for every Inhibition that ſhall iſſue upon an Appeal as aforeſaid, ſhall be received by the reſpective Regiſters of the Courts to which the ſaid Appeals ſhall be made.

(133) CXX. And the ſaid Duty for every Diſpenſation, Faculty and Licence as aforeſaid, which ſhall be paſſed by the Lord Archbiſhop of Canterbury, or Maſter of the Faculties, ſhall be received by the ſaid Maſter of the Faculties for the time being.

Admiralty.

(134) CXXI. And the ſaid Duties ariſing within any of the ſaid Courts of the Admiral, or his Vice-Admirals, or of the Cinque-Ports, ſhall be received by the reſpective Regiſters of the ſaid Courts.

Copies of Records.

(135) CXXII. And the ſaid Duties for the Copies of any other Records that ſhall be taken out of any of the ſaid Courts of Weſtminſter, or any Office belonging to the ſaid Courts, the Receipt and Collection whereof is not herein before already diſpoſed or appointed, ſhall be received by the ſeveral Officers, and other perſons that ſhall make or ſign the ſame, upon the making or ſigning of them.

Marches of Wales.

(136) CXXIII. And the ſaid Duties ariſing within the Court or Council of the Marches of Wales as aforeſaid, ſhall be received by the Clerk of the Signet, or Secretary of the ſaid Court or Council, in manner as aforeſaid.

Courts in Wales.

(137) CXXIV. And the ſaid Duties ariſing within the ſeveral Counties of the Grand Seſſions in Wales as aforeſaid, ſhall be received by the Barons of the Exchequer in each Circuit, and by the Prothonotary, and the Regiſter and the two Attornies in Chancery of each Circuit reſpectively, in manner following, that is to ſay;

(138) CXXV. For Original Writs and other matters that paſs the Seal for Originals, ſhall be received by the ſaid Barons reſpectively; and for Judicial Writs, Inrolment of Deeds and Recognizances, Rules and Orders in Proceedings at Common Law, and Copies of them, Copies of Declarations, Pleas and other Proceedings at the Common Law, and for Bails and Appearances, Judgments, and other things, as aforeſaid relating to the Common Law, to be received by the reſpective Prothonotaries of each Circuit; and for Copies of all Bills, Anſwers, Pleas, Demurrers, and other Proceedings as aforeſaid, relating to Equity, to be received by the reſpective Regiſter and the ſaid two Attornies in Chancery of each Circuit reſpectively.

(139) CXXVI. And the ſaid ſeveral Rates, Impoſitions, Duties, Charges and Sums of Mony ſo to be received by the ſaid ſeveral and reſpective Officers and other perſons, as aforeſaid, ſhall be reſpectively charged upon them, and by them duly and particularly accounted for, anſwered and paid to ſuch perſon and perſons as by his Majeſty, his Heirs, and Succeſſors ſhall be thereunto ſpecially appointed to be the General-Receiver or Receivers by Warrant under the Great or Privy Seal, at, or before the days hereafter limited; that is to ſay, at or before the firſt day of Michaelmas Term, the firſt day of Hillary Term, and the firſt day of Eaſter Term, in every year during the continuance of this Act.

Receiver-general.

Receivers of the Duties, to account upon Oath.

(140) CXXVII. And as to the Duties ariſing in any of the ſaid Courts, every of the ſaid reſpective perſons who ſhall receive any of the ſaid Duties, ſhall from time to time make Oath before ſome or one of the Juſtices of the ſame Court where the ſaid Duties do or ſhall ariſe, of the truth of their reſpective Accounts.

(141) CXXVIII. And for all ſuch of the ſaid Duties as ſhall ariſe otherwhere, and are not relating to any of the ſaid Courts Eccleſiaſtical or Temporal, or the Officers or Miniſters of the ſame, the perſons by this Act appointed to receive the ſame, ſhall make Oath of the truth of ſuch their Accounts before ſome Juſtice of the Peace, or Maſter in Chancery in Ordinary or Extraordinary; who are hereby authorized and required to adminiſter ſuch Oaths.

The Receiver-generals Acquittance, a Diſcharge.

(142) CXXIX. And be it enacted by the authority aforeſaid, That the ſaid Receiver or Receivers-general at every time of payment appointed by this Act, as aforeſaid, ſhall give unto the ſaid ſeveral Officers and perſons aforeſaid, upon the payment of any the Sums of Mony due by this Act, ſeveral Acquittances under their Hands and Seals, without taking any thing for the ſame; Which ſaid Acquittances ſhall be a full and perfect diſcharge for the Sums of Mony therein mentioned to the ſaid ſeveral Officers and perſons paying the ſame.

The Receivers to keep Books of Entries.

(143) CXXX. And to the end the ſaid ſeveral Duties may be the better accounted for, and anſwered to his Majeſty, his Heirs and Succeſſors in manner aforeſaid, Be it farther enacted, That every of the ſaid Officers, and other perſons ſo as aforeſaid appointed to re-

ceive the ſaid Duties reſpectively, ſhall keep Books, wherein all Monies by him to be received in purſuance of this Act, expreſſing the Names of the perſons from whom, and for what the ſame were received, ſhall be duly entred and ſet down; which Books ſhall from time to time be produced and ſhewn to the ſaid Receiver or Receivers-general ſo to be appointed, or ſuch other perſon or perſons as ſhall be thereunto lawfully authorized by his Majeſty, his Heirs and Succeſſors.

The Receiver-general to have view of Records.

(144) CXXXI. And the ſaid Receiver or Receivers-general, or ſuch other perſon or perſons as ſhall be thereunto lawfully authorized by his Majeſty, his Heirs and Succeſſors, as aforeſaid, ſhall likewiſe have free reſort at any ſeaſonable time to any Record or Entry of any proceedings, or other matters aforeſaid, to ſearch, view and peruſe the ſame, and as occaſion ſhall be, to take Notes or Abſtracts out of the ſame, without any thing paying for the ſame; and the Officers of the ſeveral Courts before mentioned, are hereby required to be aiding and aſſiſting to ſuch Receiver or Receivers-general therein.

Receivers to give Security.

(145) CXXXII. And the ſaid ſeveral Officers, and other perſons in their reſpective Courts aforeſaid, ſhall give ſuch Security for the due entring, accompting for, anſwering and paying the ſaid ſeveral Duties and Sums of Mony by them reſpectively to be received, as aforeſaid, as by the ſaid Court reſpectively ſhall be directed and appointed.

Neglecting to pay or receive the Duties.

Forfeiture for the firſt offence.

The ſecond offence.

(146) CXXXIII. And if any Attorny, Solicitor, or other perſon whatſoever charged or chargeable with any of the ſaid Duties by vertue of this Act, ſhall not duly and fully anſwer and pay the ſame to the proper Officer appointed to receive the ſame, as aforeſaid, or if ſuch Officer ſhall wilfully refuſe or neglect to receive the ſame, or ſhall not truly enter the ſame in a Book, and juſtly accompt for, anſwer and pay the ſame to the reſpective Receiver-general in manner aforeſaid, then every ſuch perſon offending, ſhall upon conviction for the firſt default for which he ſhall be queſtioned and convicted, forfeit and pay to the Kings Majeſty, his Heirs and Succeſſors, ten times the value of the Duty or Duties which his Majeſty, his Heirs or Succeſſors, ſhall loſe by ſuch default, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record, wherein no Eſſoin, Wager of Law, or Protection is to be allowed; and upon a ſecond conviction for the like default afterwards committed, ſhall forfeit ſuch his Office and Employment, and be for ever uncapable of holding or enjoying the ſame, or the like Office or Employment.

The Judges of the reſpective Courts to make Rules and Orders.

(147) CXXXIV. And the Judges of the ſeveral Courts reſpectively, are hereby authorized, and required from time to time to take ſuch ſecurity, as aforeſaid, and to give, make and publiſh ſuch Rules, Orders and Directions, for the better entring, collecting, accompting for, anſwering and paying of the ſaid ſeveral Duties by the Officers of the ſaid reſpective Courts, or ſuch other Officers, as ſhall be thereunto authorized by his Majeſty in the ſaid ſeveral Courts, and for preventing all Frauds and Abuſes therein, as to the ſaid Judges of the reſpective Courts aforeſaid ſhall ſeem meet; So as they impoſe no other Forfeitures or Penalties then are contained in this Act.

Criminal proceedings. Suits in forma pauperis.

(148) CXXXV. Provided always, and it is hereby farther enacted and declared, That none of the Rates, Impoſitions, Duties, Charges, or Sums of Mony before in this Act expreſſed, ſhall be raiſed, levied, collected or paid, or payable unto his Majeſty by vertue of this Act, upon any Information, Indictment or other Proceeding at his Majeſty's Suit in any of the ſaid Courts, for, or in reſpect of any Felony, Treſpaſs, or other criminal matter whatſoever, nor to any perſon or perſons that ſhall be admitted to ſue, or defend in forma pauperis; Any thing herein contained to the contrary notwithſtanding. EXP. May 1. 1680.

43 Eliz. cap. 6.

Perſonal Actions wherein no Title of Land is in queſtion.

(149) CXXXVI. And for prevention of trivial and vexatious Suits in Law, whereby many good Subjects of this Realm have been, and are daily undone, contrary to the intention of an Act made in the three and fortieth year of Queen Elizabeth, for avoiding infinite numbers of ſmall and trifling Suits commenced in the Courts at Weſtminſter, (2) Be it farther enacted, for making the ſaid Law effectual, That from and after the firſt of May aforeſaid, in all Actions of Treſpaſs, Aſſault and Battery, and other perſonal Actions, wherein the Judge at the Trial of the Cauſe ſhall not find and certifie under his Hand upon the back of the Record, that an Aſſault and Battery was ſufficiently proved by the Plaintiff againſt the Defendant, or that the Freehold, or Title of the Land mentioned in the Plaintiffs Declaration was chiefly in queſtion, the Plaintiff in ſuch Action, in caſe the Jury ſhall find the Damages to be under the value of forty ſhillings, ſhall not recover or obtain more Coſts of Suit than the Damages ſo found ſhall amount unto: (3) And if any more Coſts in any ſuch Action ſhall be awarded, the Judgment ſhall be void, and the Defendant is hereby acquitted of, and from the ſame, and may have his Action againſt the Plaintiff for ſuch vexatious Suits, and recover his Damages and Coſts of ſuch his Suit in any of the ſaid Courts of Record.

CAP. X. (6.)

An Act for the better ſettling of Inteſtates Eſtates.

All Ordinaries who have power to grant Adminiſtrations, have power to take Bond. Vaughn 96.

BE it enacted by the Kings moſt excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Ordinaries, as well the Judges of the Prerogative Courts of Canterbury and York for the time being, as all other Ordinaries, and Eccleſiaſtical Judges, and every of them, having power to commit Adminiſtration of the Goods of perſons dying Inteſtate, ſhall and may upon their reſpective granting and committing of Adminiſtrations of the Goods of perſons dying Inteſtate, after the firſt day of June, One thouſand ſix hundred ſeventy and one, of the reſpective perſon or perſons to whom any Adminiſtration is to be committed, take ſufficient Bonds with two or more able Sureties, reſpect being had to the value of the Eſtate, in the Name of the Ordinary, with the Condition in form and manner following, *mutatis mutandis*, viz.

II. The

The Condition of the Bonds.

II. THE Condition of this Obligation is ſuch, That if the within bounden *A.B.* Adminiſtrator of all and ſingular the Goods, Chattels and Credits of *C.D.* deceaſed, do make, or cauſe to be made, a true and perfect Inventory of all and ſingular the Goods, Chattels and Credits of the ſaid Deceaſed, which have or ſhall come to the Hands, Poſſeſſion or Knowledge of him the ſaid *A. B.* or into the Hands and Poſſeſſion of any other perſon or perſons for him, and the ſame ſo made, do exhibit, or cauſe to be exhibited into the Regiſtry of   Court, at or before the   day of   next enſuing; (2) And the ſame Goods, Chattels and Credits, and all other the Goods, Chattels and Credits of the ſaid Deceaſed at the time of his Death, which at any time after ſhall come to the Hands or Poſſeſſion of the ſaid *A. B.* or into the Hands and Poſſeſſion of any other perſon or perſons for him, do well and truly adminiſter acccording to Law; (3) And farther do make or cauſe to be made, a true and juſt accompt of his ſaid Adminiſtration, at or before the   day of   And all the reſt and reſidue of the ſaid Goods, Chattels and Credits which ſhall be found remaining upon the ſaid Adminiſtrators Accompt, the ſame being firſt examined and allowed of by the Judge or Judges for the time being, of the ſaid Court, ſhall deliver and pay unto ſuch perſon or perſons reſpectively, as the ſaid Judge or Judges, by his or their Decree or Sentence purſuant to the true intent and meaning of this Act, ſhall limit and appoint.

(4) And if it ſhall hereafter appear, That any laſt Will and Teſtament was made by the ſaid Deceaſed, and the Executor or Executors therein named do exhibit the ſame into the ſaid Court, making requeſt to have it allowed and approved accordingly, if the ſaid *A.B.* within bounden being thereunto required, do render and deliver the ſaid Letters of Adminiſtration (Approbation of ſuch Teſtament being firſt had and made) in the ſaid Court; Then this Obligation to be void and of none effect, or elſe to remain in full Force and Vertue.

Ordinaries have power to call Adminiſtrators to account, and to make diſtribution amongſt the Wife and Children, &c.

III. Which Bonds are hereby declared and enacted to be good to all intents and purpoſes, and pleadable in any Courts of Juſtice; (2) And alſo that the ſaid Ordinaries, and Judges reſpectively, ſhall and may, and are enabled to proceed and call ſuch Adminiſtrators to account, for and touching the Goods of any perſon dying Inteſtate, (3) and upon hearing and due Conſideration thereof, to order and make juſt and equal diſtribution of what remaineth clear (after all Debts, Funerals and juſt Expences of every ſort firſt allowed and deducted) amongſt the Wife and Children, or Childrens Children, if any ſuch be, or otherwiſe to the next of Kindred to the dead perſon in equal degree, or legally repreſenting their Stocks pro ſuo cuique jure, according to the Laws in ſuch caſes, and the Rules and Limitation hereafter ſet down, and the ſame diſtributions to decree and ſettle, and to compel ſuch Adminiſtrators to obſerve and pay the ſame by the due courſe of his Majeſty's Eccleſiaſtical Laws: (4) Saving to every one, ſuppoſing him or themſelves aggrieved, their Right of Appeal as was always in ſuch caſes uſed.

The Cuſtoms of London, and Province of York ſaved.

IV. Provided, That this Act, or any thing herein contained, ſhall not any ways prejudice or hinder the Cuſtoms obſerved within the City of London, or within the Province of York, or other places, having known and received Cuſtoms peculiar to them, but that the ſame Cuſtoms may be obſerved as formerly; any thing therein contained to the contrary notwithſtanding.

How, and to whom the ſurpluſage is to be diſtributed.

V. Provided always, and be it enacted by the authority aforeſaid, That all Ordinaries, and every other perſon who by this Act is enabled to make diſtribution of the Surpluſage of the Eſtate of any perſon dying inteſtate, ſhall diſtribute the whole Surpluſage of ſuch Eſtate or Eſtates in manner and form following: That it is to ſay, (2) One third part of the ſaid Surpluſage to the Wife of the Inteſtate, and all the reſidue by equal portions, to and amongſt the Children of ſuch perſons dying inteſtate, and ſuch perſons as legally repreſent ſuch Children, in caſe any of the ſaid Children be then dead, other than ſuch Child or Children (not being Heir at Law) who ſhall have any Eſtate by the Settlement of the Inteſtate, or ſhall be advanced by the Inteſtate in his Life-time, by portion or portions equal to the ſhare which ſhall by ſuch diſtribution be alotted to the other Children to whom ſuch diſtribution is to be made; (3) And in caſe any Child, other than the Heir at Law, who ſhall have any Eſtate by Settlement from the ſaid Inteſtate, or ſhall be advanced by the ſaid Inteſtate in his Life-time by portion not equal to the ſhare which will be due to the other Children by ſuch diſtribution as aforeſaid, then ſo much of the Surpluſage of the Eſtate of ſuch Inteſtate, to be diſtributed to ſuch Child or Children as ſhall have any Land by Settlement from the Inteſtate, or were advanced in the Life-time of the Inteſtate, as ſhall make the Eſtate of all the ſaid Children to be equal as near as can be eſtimated; (4) But the Heir at Law notwithſtanding any Land that he ſhall have by deſcent or otherwiſe from the Inteſtate, is to have an equal part in the diſtribution with the reſt of the Children, without any conſideration of the value of the Land which he hath by deſcent, or otherwiſe from the Inteſtate.

Avancement by Portion.

Heir at Law to have an equal part.

If no Wife then to be diſtributed amongſt the Children.

VI. And in caſe there be no Children, nor any legal Repreſentatives of them, then one Moiety of the ſaid Eſtate to be allotted to the Wife of the Inteſtate, the reſidue of the ſaid Eſtate to be diſtributed equally to every of the next of Kindred of the Inteſtate, who are in equal degree, and thoſe who legally repreſent them.

VII. Provided, That there be no Repreſentations admitted among Collaterals after Brothers and Siſters Children: (2) And in caſe there be no Wife, then all the ſaid Eſtate to be diſtributed equally to and amongſt the Children: (3) And in caſe there be no Child, then to the next of Kindred in equal degree of, or unto the Inteſtate, and their legal Repreſentatives, as aforeſaid, and in no other manner whatſoever.

No diſtribution till after one year.

If debts afterwards appear, then all to refund proportionably.

VIII. Provided alſo, and be it likewiſe enacted by the authority aforeſaid, To the end that a due regard be had to Creditors, that no ſuch diſtribution of the Goods of any perſon dying inteſtate be made till after one year be fully expired after the Inteſtates death, (2) and that ſuch and every one to whom any diſtribution and ſhare ſhall be allotted ſhall give Bond with ſufficient Sureties in the ſaid Courts, that if any debt or debts truly owing by the Inteſtate ſhall be afterwards ſued for and recovered, or otherwiſe duly made to appear; That then and in every ſuch caſe he or ſhe ſhall reſpectively refund and pay back to the Adminiſtrator his or her rateable part of that Debt or Debts, and of the Coſts of Suit and Charges of the Adminiſtrator by reaſon of ſuch Debt, out of the part and ſhare ſo as aforeſaid alloted to him or her, thereby to enable the ſaid Adminiſtrator to pay and ſatisfie the ſaid Debt or Debts ſo diſcovered after the diſtribution made as aforeſaid.

This Act ſhall not extend to Adminiſtration cum teſtamento annexo.

IX. Provided always, and be it enacted by the authority aforeſaid, That in all caſes where the Ordinary hath uſed heretofore to grant Adminiſtration cum Teſtamento annexo, he ſhall continue ſo to do, and the Will of the Deceaſed in ſuch Teſtament expreſſed, ſhall be performed and obſerved in ſuch manner as it ſhould have been if this Act had never been made.

X. Provided alſo, That this Act ſhall continue in force for ſeven years, and from thence to the end of the next Seſſion of Parliament, and no longer. 29 Car.2.3. Sect.25. N.1. 30 Car.2.6.

C A P. XI. (1.)

An Act to prevent the delivery up of Merchants Ships, and for the Increaſe of good and ſerviceable Shipping.

Preamble. 16 Car.2. cap.6.

WHereas it often happeneth that Maſters and Commanders of Merchants Ships do ſuffer their Ships to be boarded, and the Goods to be taken out by Pyrates and Sea-rovers, notwithſtanding they have ſufficient force to defend themſelves: whereby not only the Merchants are much prejudiced, but the Honour of the Engliſh Navigation is thereby much diminiſhed, and Merchants diſcouraged from lading their Goods on Board Engliſh Ships, to the decay of Shipping; In the preſervation of which, the Wealth, Honour and Safety of this Nation is ſo much concerned: (2) To which the ſaid Maſters are encouraged by a practice uſed towards them by the Turks and others, who, after they have taken out the Goods, as an encouragement to Maſters of Ships to yield, do not only reſtore the Ship with ſuch Goods as are claimed by the Maſters or Seamen, but many times pay unto the Maſters all, or ſome part of the Freight; which hath many times cauſed ſuſpicion of Treachery in the ſaid Maſters, to the great Diſhonour of the Engliſh Nation:

No Maſter ſhall deliver up any Ship (of 200 Tuns) and 16 Guns) to any Pyrates or others, without fighting.

II. For the prevention thereof for the future, and for the better encouragement to Merchants, as well Foreigners as Engliſh, to freight and uſe Engliſh Ships, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by authority of the ſame, That where any Goods or Merchandizes ſhall be laden on Board any Engliſh Ship, which Ship ſhall be of the Burthen of two hundred Tuns or upwards, and mounted with ſixteen Guns or more, if the Maſter or Commander ſhall yield up the ſaid Goods to any Turkiſh Ships or Veſſels, or to any Pyrates or Sea-rovers whatſoever without fighting, that then and in ſuch caſe the Maſter ſhall upon proof thereof made in the High Court of Admiralty, be from thenceforth incapable of taking charge of any Engliſh Ship or Veſſel, as Maſter or Commander thereof; (3) and if he ſhall at any time hereafter preſume to take upon him to command any Engliſh Ship or Veſſel, he ſhall ſuffer Impriſonment by Warrant from the ſaid Court, during the ſpace of ſix months for every ſuch Offence; (4) And in caſe the perſons ſo taking the ſaid Goods, ſhall releaſe, give back, or let paſs the ſaid Ship, ſhall pay unto the ſaid Maſter any Sum or Sums of mony, or any goods in lieu of mony for Freight, or other reward or gift; That in all, or any ſuch caſes the ſaid goods or mony ſo given, or to the value thereof, as alſo the Maſters part of ſuch Ship, her Tackle, Apparel and Furniture ſo releaſed, given back, or let paſs, out of which the ſaid goods were taken, ſhall be liable to repair the perſons whoſe goods were ſo delivered or taken, by Action in the High-Court of Admiralty; (5) And in caſe the Commanders or Maſters part of the Ship, Tackle, Apparel and Furniture, together with ſuch mony and goods given as aforeſaid, ſhall not be ſufficient to repair all the Damages ſuſtained, then the Reparations to be recovered on the Maſters or Commanders part of the Ship, to be divided pro rata, amongſt the perſons proſecuting and proving their Damages, and the perſons damaged to have their Action againſt the Maſter for the Remainder.

The Maſter not to depart out of his Ship.

III. And be it farther enacted by the authority aforeſaid, That no Maſter of any ſuch Engliſh Ships as aforeſaid, being at Sea, and having diſcovered any Ship to be a Turkiſh Ship, Pyrate, or Sea-rover, ſhall depart out of his Ship upon any pretence whatſoever, leſt by his detention on Board any ſuch Ship, the ſafety of his own Ship be hazarded.

The penalty when the Ship is under 200 Tuns and 16 Guns.

IV. And be it farther enacted, That if the Maſter of any Engliſh Ship or Veſſel, though not of the Burthen of two hundred Tuns, or mounted with ſixteen Guns as aforeſaid, ſhall yield his Ship unto any Turkiſh Ship, Pyrate or Sea-rover, (not having at the leaſt his double number of Guns) without fighting, every ſuch Maſter ſhall be liable to all and every the Penalties in this Act contained.

To ſeize by Proceſs out of the Admiralty.

V. And be it farther enacted by the authority aforeſaid, That upon Proceſs made out of the High Court of Admiralty, It ſhall and may be lawful to and for all Commanders of his Majeſty's Ships of War, or the Commanders of any other Engliſh Ships, to ſeize ſuch Ships or Maſters ſo offending, according to the ſaid Proceſs in ſuch caſe to be iſſued, and the ſame to bring or ſend in Cuſtody into any Ports of his Majeſty's Dominions, there to be proceeded againſt according to the intent and meaning of this Act.

VI. Provided, That none be hereby encouraged to violate the Rights of the Ports of any Foreign Prince or State in Amity with the Kings Majeſty.

Penalty for Mariners refuſing to fight.

VII. And be it farther enacted by the authority aforeſaid, That if the Mariners or inferior Officers of any Engliſh Ship, laden with goods and merchandizes as aforeſaid, ſhall decline or refuſe to fight and defend the Ship, when they ſhall be thereunto commanded by the Maſter or Commander thereof, or ſhall utter any words to diſcourage the other Mariners from defending the Ship, That every Mariner who ſhall be found guilty of declining or refuſing, as aforeſaid, ſhall loſe all his Wages due to him, together with ſuch goods as he hath in his Ship, and ſuffer Impriſonment, not exceeding the ſpace of ſix months, and ſhall during ſuch time be kept to hard labour for his or their maintenance.

Where the Maſter is forced to yield his Ship there he is excuſed.

VIII. Provided always, That if any Ship ſhall have been yielded, as aforeſaid, contrary to the will and endeavour of the Maſter or Commander, by the diſobedience of the Mariners, teſtified by their having laid violent hands on him; That in ſuch caſe the Maſter or Commander ſhall not be liable to the Sentence of Incapacity, as aforeſaid; Nor to any Action for the Loſſes ſuſtained by the Merchants, unleſs he ſhall have received back from the takers thereof, his Ship or Recompence, Gift or Reward, as aforeſaid.

Penalty for the Mariners to force him to yield his Ship, Felony.

IX. And be it farther enacted by the authority aforeſaid, That every Mariner who ſhall have laid violent hands on his Commander, whereby to hinder him from fighting in defence of his Ship and Goods committed to his Truſt, ſhall ſuffer death as a Felon.

When any Officers or Seamen are wounded in defence of their Ship, Proviſion is made for their Maintenance.

X. And for the better encouragement to Captains, Maſters, Officers and Seamen, to defend their Ship, (2) Be it enacted by the authority aforeſaid, That when any Engliſh Ship ſhall have been defended by Fight, and brought to her deſigned Port, in which Fight any of the Officers or Seamen ſhall have been wounded, It ſhall and may be lawful to and for the Judge of his Majeſty's High Court of Admiralty, or his Surrogate, or the Judge of the Vice-Admiralty within which the Ship ſhall arrive at her return, upon petition of the Maſter or Seamen of ſuch Ship ſo defending as aforeſaid, to call unto him ſuch, and ſo many as he ſhall be informed to be Adventurers or Owners of the Ship and Goods ſo defended, and by advice with them to raiſe and levy upon the reſpective Owners and Adventurers, by Proceſs out of the ſaid Court, ſuch Sum or Sums of mony, as himſelf with the major part of the Adventurers or Owners then preſent, ſhall judge reaſonable, not exceeding the value of two per Cent. of the Ship and Goods ſo defended, according to the firſt Coſt of the Goods, to be made appear by the Envoyce (which the Owner or his Factor, or Correſpondent, is hereby required to produce) or by the Oath of the ſaid Owner, Factor or Correſpondent, if thereunto required; (3) which mony ſo raiſed, ſhall be paid unto the Regiſter of the ſaid Court, who ſhall receive for the ſame, three pence in each pound, and no more, thence to be diſtributed amongſt the Captain, Maſter, Officers and Seamen of the ſaid Ship, or Widows and Children of the ſlain, according to the direction of the Judge of the ſaid Court, the approbation of three or more of the Owners or Adventurers aforeſaid, who ſhall proportion the ſame according to their beſt Judgments, unto the Ships Company as aforeſaid, having ſpecial regard unto the Widows and Children of ſuch as have been ſlain in that Service, and to ſuch as ſhall have been wounded and maimed.

The benefit they are to receive by taking a Ship that ſhall aſſault them.

XI. And in caſe the Company belonging unto any Engliſh Merchant Ship, ſhall happen to take any Ship, which Ship ſhall firſt have aſſaulted them, the reſpective Officers and Mariners belonging to the ſame, ſhall after condemnation of ſuch Ship and Goods, have and receive to their own proper uſe and benefit, ſuch part and ſhare thereof, as is uſually practiſed in private Men of War.

Felony for any Officer or other perſon wilfully to deſtroy any Ship.

XII. And whereas it often happeneth, that Maſters and Mariners of Ships, having enſured, or taken upon Bottomary, greater ſums of mony than the value of their Adventure, do wilfully caſt away, burn, or otherwiſe deſtroy the Ships under their Charge, to the Merchants and Owners great loſs: (2) For the prevention thereof for the future, Be it enacted by the authority aforeſaid, That if any Captain, Maſter, Mariner, or other Officer belonging to any Ship, ſhall wilfully caſt away, burn or otherwiſe deſtroy the Ship unto which he belongeth, or procure the ſame to be done, he ſhall ſuffer death as a Felon.

Encouragement given for building good Ships.

XIII. And for the better encouragement of building good and defenble Ships, Be it enacted, That all and every perſon or perſons, that ſhall within the ſpace of ſeven years, from and after the firſt of May next enſuing, build or cauſe to be built within any of his Majeſty's Dominions, any Ship or Veſſel of three Decks, with a Forecaſtle, and five Foot between Deck, mounted with thirty Pieces of Ordnance at leaſt, and other Ammunition proportionable, ſhall for the firſt two Voyages which the ſaid Ship or Ships make from his Majeſty's Dominions to any Foreign part, have and receive to his and their own proper uſe and benefit, One tenth part.

XIV. And all perſons that ſhall build any Ships of two Decks, above three hundred Tuns, and thirty Guns, ſhall have one twentieth part of the Cuſtoms that ſhall be paid to his Majeſty, for all ſuch Goods or Merchandizes as ſhall be exported, or imported on the ſaid Ship or Ships, to, and from this Kingdom: And the Commiſſioners and Officers of his Majeſty's Cuſtoms, are hereby impowred and required to pay the ſame to the Owner or Owners of the ſaid Ship or Ships accordingly.

CAP. XII. (2.)

An Additional Act for aſcertaining the Meaſures of Corn and Salt.

22 Car. 2. cap 8.

Whereas notwithſtanding there hath been great care taken in a late Act, Entituled, An Act for aſcertaining the Meaſures of Corn and Salt, throughout the Realm; Yet the ſame is in a great meaſure avoided, by ſelling in private places, as well as in publick Markets, by the Bag, or without Meaſuring, by the Buyers ſhaking of the Buſhel before it be ſtrook, ſo that thoſe places who have given Obedience to the ſaid Act, are greatly prejudiced and their Markets likely to be loſt by ſuch undue practices:

No Corn or Salt ſhall be bought by the Bag, without meaſuring.

II. For prevention whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every perſon or perſons, who ſhall from and after the five and twentieth day of March next, ſell or buy any Corn ground or unground, or Salt by the Bag, or without Meaſuring, being thereunto required, or in any other manner than is by the ſaid Act directed, and that without ſhaking the ſaid Buſhel or Meaſure by the Buyer, ſhall forfeit and loſe, beſides the Penalty of the former Act appointed, all Corn, Grain, or Salt, bought or ſold contrary to this Act, or the Value thereof to the perſon or perſons complaining.

Forfeiture.

III. And whereas a great cauſe of the miſchief hereby intended to be prevented, doth ariſe by the ſelling in private places, and ſo voiding, not only the intention of the ſaid Act, but to the great damage of publick Markets; (2) Be it farther enacted, That upon Complaint made to any one or more Juſtices of the Peace, That any kind of Corn, ground or unground, or Salt, hath been ſold or bought, or delivered contrary to this Act, the proof ſhall lie upon the Defendant, to make it appear by the Oaths of one or more credible Witneſſes, That he or they did ſell or buy the ſame in every reſpect, according to this and the ſaid former Act; wherein, if ſuch perſon complained of ſhall fail, he or they ſhall forfeit and loſe as is by this Act before directed, to be levied by Diſtreſs and Sale of his or their Goods or Chattels, reſtoring the Overplus by Warrant under the Hand and Seal of one or more Juſtice before whom he or they ſhall be ſo convicted; Which Penalties by this Act appointed to be levied, ſhall by the ſaid Juſtice or Juſtices be diſtributed, one half to the Poor of the Pariſh where ſuch Offence was committed, and the other half to the Informer or Proſecutor.

The proof to lie upon the Defendant when he brought the Corn.

Forfeiture.

How to be diſpoſed of.

IV. And whereas in all places where Markets are holden, there is not a Clerk of the Market to ſeal all Meaſures, as by the former Act is directed: Be it therefore farther enacted, That in every ſuch caſe it ſhall and may be lawful for the Mayor, Bayliffs, or Head-Officer, or other perſon or perſons who hath the Benefit of ſuch Market; And they, and every of them are hereby authorized and required to ſeal, or cauſe to be ſealed, all Meaſures duly gauged, that ſhall be brought unto them for that purpoſe; which Sealing ſhall be as effectual in the Law to all intents and purpoſes, as if ſuch Meaſure had been ſealed by any Clerk of the Market, every ſuch Mayor, Bailiff, or Head-Officer, taking no more for ſo doing, than is by the ſaid Act appointed.

Where there is no Clerk of the Market, then what perſons are appointed to ſeal the Meaſures.

V. Provided always, and be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful for every perſon or perſons, Bodies Politick or Corporate, or any of them to whom any Salt, Rent-corn, or Tythe-Corn is reſerved, or due by any Leaſe, Grant, Contract, Cuſtom or Uſage, to receive and take all ſuch Rent, or other Duties of Salt and Corn, as is or ſhall be ſo reſerved, or due, or the juſt and full value thereof in ready mony, according to the proportion and quantity, and by the like meaſures, and in ſuch manner as the ſame were due and paid before the beginning of this Parliament; Any thing herein, or in any other Law or Statute to the contrary in any wiſe notwithſtanding.

This Act ſhall not extend to Rent-Corn or Tythe-Corn.

CAP. XIII. (3.)

An Act for exporting of Beer, Ale and Mum.

FOR the advancement of Trade, and encouragement of the Tillage and Manufacture of this Realm, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by authority of the ſame, That from and after the ſix and twentieth day of June, One thouſand ſix hundred ſeventy one, It ſhall be lawful for any perſon in any Sea-Port, or upon any navigable River, to export and ſhip off as Merchandize within any of the uſual and allowed Ports by Law, and at the common Keys for exportation and lading on Board of Merchandize, or Keys to be appointed for that purpoſe, and within the uſual Hours of Exciſe, for accompt of himſelf, or any other (to be exported into Foreign Parts) in the preſence of a ſworn Gauger, or other ſworn Officer to be appointed by the Farmers, Commiſſioners, or Sub-Commiſſioners of his Majeſty's Exciſe, upon notice thereof to them given at the Office of Exciſe, within the limits whereof the ſaid Ale, Beer or Mum was brewed, of the reſpective Port or Place whence the ſame ſhall be ſhipped, any ſort of ſtrong Ale, ſtrong Beer or Mum, to be ſpent beyond the Seas, paying Cuſtom for the ſame, after the Rate of one ſhilling for every Tun which ſhall be exported in any Engliſh or Foreign Veſſel, and no more, or other Duty whatſoever; (3) Which ſaid Gauger or Officer aforeſaid, ſhall certifie the quantity of the ſaid Beer, Ale or Mum ſhipt off, to the Commiſſioners and Officers of Exciſe where the Entry thereof ſhall be made, who are hereby required to make allowance, or repay the Exciſe of the Beer, Ale or Mum ſo exported, unto the Brewer thereof, deducting one ſhilling per Tun for the Charges of their Officers, and no more.

Strong Ale, ſtrong Beer and Mum may be exported paying Cuſtom

The Rates of the Cuſtom.

II. And be it farther enacted, That if any Merchant, or Maſter of any Ship or Veſſel, or other perſon, ſhall cauſe or ſuffer any of the ſaid Liquors ſo ſhipt in any Veſſel as Merchandiſe, to be unſhipt, unladen, and laid on Land, or put into any other Ship or Veſſel within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, he ſhall forfeit the ſame, and One hundred pounds of lawful mony of England more, for every Cask he ſhall ſo unduly land, or put aboard any Veſſel, to be recovered in any of his Majeſty's Courts of Record, by Information, Bill or Plaint, The one moiety of which Forfeiture ſhall be to the uſe of our Soveraign Lord the King, the other moiety to the Informer or Proſecutor.

The Penalty for unlading the ſame in any places but beyond the Seas.

III. And to the intent his Majeſty's Duty of Exciſe may not be prejudiced for ſuch Beer, Ale or Mum, as ſhall be ſpent on Shipboard, his Majeſty's Commiſſioners and Officers of the Cuſtoms are herby required and enjoyned to charge every Maſter of any Ship or Veſſel in his Victualling-Bill, with ſo much Beer, Ale or Mum, and no more, as ſuch number of men uſe to ſpend in ſend Voyages; the Exciſe whereof to be recovered according to the Laws and Rules already eſtabliſhed.

IV. And be it farther enacted, That the aforeſaid Rate of One ſhilling the Tun for Beer, Ale and Mum to be exported as aforeſaid, ſhall be levied and paid under ſuch Rules and Penalties, and for ſuch time, and in ſuch manner, as by the Laws of Tunnage and Poundage are ordained.

V. Provided always, and be it farther enacted by the authority aforeſaid, That no Mum imported from Foreign Parts during the continance of this Act, ſhall have any part of the Duty of Cuſtom or Exciſe paid at the Importation thereof, repaid upon Exportation; any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Foreign Mum

VI. This Act to continue in force for ſix years, from the twenty ſixth of June, One thouſand ſix hundred ſeventy one, and from thence to the end of the next Seſſion of Parliament, and no longer. 29 Car. 2. 2. Sect. 17. N. 1.

CAP. XIV. (4.)

An Act for determination of Differences touching Houſes burnt or demoliſhed within four years ſince the late dreadful Fire in *London*.

Preamble.

Whereas there were ſeveral Houſes and Buildings in the Cities of London, and Borough of Southwark, and other places within the Weekly Bill of Mortality, conſumed by Fire, or otherwiſe demoliſhed by reaſon thereof, between the firſt day of October, One thouſand ſix hundred ſixty and ſix, and the firſt day of October, One thouſand ſix hundred and ſeventy; which by reaſon of ſome differences and doubts ariſing therein, the ſame are not likely to be rebuilt, unleſs ſome courſe be taken for the deciding of ſuch differences:

All differences about any Houſes within the Bills of Mortality, demoliſhed by Fire, ſhall be determined by the Judges for the Judicature of Houſes demoliſhed by Fire within London.
19 Car. 2. cap. 2.
22 Car. 2. cap. 11.

II. For Remedy whereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Juſtices of the Courts of Kings Bench and Common Pleas, and the Barons of the Coif of the Exchequer for the time being, or any three or more of them, be and are hereby authorized and impowred to hear and determine all ſuch Caſes, for all ſuch Houſes and Buildings, as fully and amply, and in like manner, to all intents and purpoſes, as they can or may hear and determine any other matter mentioned in one Act of this preſent Parliament, Entituled, An Act for erecting a Judicature for determination of Differencces touching Houſes burned, or demoliſhed by reaſon of the late Fire which happened in *London*, and in another Act of this preſent Parliament, Entituled, An Additional Act for the Rebuilding of the City of *London*, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, or in either of them: And that all Decrees and Orders in ſuch Caſes to be made, ſhall bind and be obeyed by all parties therein concerned, and ſhall be of like Effect and Force as any Orders or Decrees made for any matter or thing in the ſaid recited Act, or either of them mentioned.

Longer time given to the Judicature.

III. And foraſmuch as the Judicature by the ſaid recited Acts appointed, or either of them, are to continue in force but until the nine and twentieth day of September, One thouſand ſix hundred ſeventy and one; (2) It is hereby farther enacted and declared, That the Judicature by the ſaid recited Acts, and every Clauſe, Article, and Thing therein mentioned or contained, relating to the ſaid Judicature, and all and every the Powers and Authorities thereby or by either of them given to the ſaid Juſtices and Barons, or any three or more of them, ſhall ſtand and be continued, and remain in force until the nine and twentieth day of September, One thouſand ſix hundred ſeventy and two; Any clauſe, matter or thing in the ſaid Acts, or either of them contained to the contrary notwithſtanding.

The time limited for receiving of Complaints.

IV. And be it enacted by the authority aforeſaid, That the ſaid Judges and Barons, ſhall and may receive any Complaint and Petition concerning any Differences or Demands by this, or the ſaid recited Act, or either of them, referred to the determination of the aforeſaid Judicature, and proceed and determine the ſame, ſo as the ſaid Complaints or Petitions be exhibited, or depending before the ſaid Judicature, on or before the twenty ninth day of September, One thouſand ſix hundred ſeventy and one; Any thing herein, or any other Statute to the contrary notwithſtanding.

Lord Mayor, when to diſpoſe of Ground unbuilt.

VI. Provided always, and it is hereby farther enacted, That the Mayor, Aldermen and Common Council of the City of London, ſhall not proceed to the Sale of any Ground or Soil whereon any Houſe was ſituate at the time of the late dreadful Fire, for not building thereupon before the nine and twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and two; Any thing in this, or the afore-recited Acts, or either of them to the contrary hereof notwithſtanding.

Authority given to grant long Leaſes of the Savoy-Ground.

VI. And whereas the Brothers Lodgings in the Savoy, lately burnt down, are not by the Laws and Statutes of this Land demiſeable for any long term of years; (2) Be it therefore enacted by the authority aforeſaid, That for the encouragement of the preſent Rebuilding the ſame it ſhall and may be lawful to and for the Maſter and Chaplains of the Savoy, to demiſe the ſaid Lodgings for any term, not exceeding forty years, under ſuch yearly Rent or Rents as the Maſter and Chaplains can reaſonably procure, without renewing any time for the ſame; Any Law, Statute, or Cuſtom to the contrary notwithſtanding.

CAP. XV. (9.)

An Act for the better Settlement of the Maintenance of the Parſons, Vicars and Curats in the Pariſhes of the City of *London*, burnt by the late dreadful Fire there.

The reaſons of the Act.

Whereas the Tythes in the City of London were levied and paid with great Inequality, and are ſince the late dreadful Fire there, in the Rebuilding of the ſame, by taking away of ſome Houſes, altering the Foundations of many, and the new erecting of others, ſo diſordered, that in caſe they ſhould not for the time to come be reduced to a certainty, many Controverſies and Suits of Law might thence ariſe; (2) Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Annual certain Tythes of all and every Pariſh and Pariſhes within the ſaid City of London and the Liberties thereof, whoſe Churches have been demoliſhed, or in part conſumed by the late Fire, and which ſaid Pariſhes by vertue of an Act of this preſent Parliament, Entituled, An Additional Act for the Rebuilding of the City of *London*, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, remain and continue ſingle, as heretofore they were, or are by the ſaid Act annexed or united into one Pariſh reſpectively, ſhall be as followeth; (That is to ſay) The Annual certain Tythes, or Sum of Mony in lieu of Tythes.

22 Car. I. cap. 11.

II. A

II. Of the Pariſh of Alhallows Lumbard-ſtreet; One hundred and ten pounds——cx l.
(2) Of Saint Bartholomew-Exchange; One hundred pounds——c l.
(3) Of St. Bridget, *alias* Brides; One hundred and twenty pounds——cxx l.
(4) Of St. Bennet Finck; One hundred pounds——c l.
(5) Of St. Michaels Crooked-lane; One hundred pounds——c l.
(6) Of St. Chriſtopher; One hundred and twenty pounds——cxx l.
(7) Of St. Dyonis Back-Church, One hundred and twenty pounds——cxx l.
(8) Of St. Dunſtan in the Eaſt; Two hundred pounds——cc l.
(9) Of St. James Garlick-hithe; One hundred pounds——c l.
(10) Of St. Michael Cornhill; One hundred and forty pounds——cxl l.
(11) Of St. Michael Baſſiſhaw, One hundred thirty two pounds and eleven ſhillings--cxxxii l. xi s.
(12) Of St. Margaret Lothbury; One hundred pounds——c l.
(13) Of St. Mary Aldermanbury; One hundred and fifty pounds——cl l.
(14) Of St. Martin Ludgate; One hundred and ſixty pounds——clx l.
(15) Of St. Peter Cornhill; One hundred and ten pounds——cx l.
(16) Of St. Stephen Coleman-ſtreet; One hundred and ten pounds——cx l.
(17) Of St. Sepulchre; Two hundred pounds——cc l.
(18) Of Alhallows Bred-ſtreet and St. John Evangeliſt; One hundred and forty pounds—cxl l.
(19) Of Alhallows the Great and Alhallows the Leſs; Two hundred pounds——cc l.
(20) Of St. Alban Woodſtreet and St. Olaves Silverſtreet; One hundred & ſeventy pounds—clxx l.
(21) Of St. Anne and Agnes, and St. John Zachary; One hundred and forty pounds—cxl l.
(22) Of St. Auguſtine and St. Faith; One hundred ſeventy two pounds——clxxii l.
(23) Of St. Andrew Wardrobe, and St. Anne Black-Friars; One hundred and forty pounds--cxl l.
(24) Of St. Antholin and St. John Baptiſt; One hundred and twenty pounds——cxx l.
(25) Of St. Bennet Grace-Church and St. Leonard Eaſtcheap; One hundred & forty pounds--cxl l.
(26) Of St. Bennet Pauls-Wharf and St. Peters Pauls Wharf; One hundred pounds——c l.
(27) Of Chriſt-Church, and St. Leonard Foſter-lane; Two hundred pounds——cc l.
(28) Of St. Edmond the King, and St. Nicholas Acons; One hundred & eighty pounds---clxxx l.
(29) Of St. George Botolph-lane, & St. Botolph Billingſgate; One hundred & eighty pounds-clxxx l.
(30) Of St. Lawrence Jury, and St. Magdalen Milkſtreet; One hundred & twenty pounds—cxx l.
(31) Of St. Magnus, and St. Margaret New Fiſhſtreet; One hundred and ſeventy pounds—clxx l.
(32) Of St. Michael Royal, and St. Martin Vintry; One hundred and forty pounds——cxl l.
(33) Of St. Matthew Fridayſtreet, and St. Peter Cheap; One hundred and fifty pounds——cl l.
(34) Of St. Margaret Pattons, & St. Gabriel Fenchurch; One hundred & twenty pounds—cxx l.
(35) Of St. Mary at Hill, and St. Andrew Hubbard, Two hundred pounds——cc l.
(36) Of St. Mary Woolnoth, & St. Mary Woolchurch; One hundred and ſixty pounds—clx l.
(37) Of St. Clement Eaſtcheap, and St. Martin Orgars; One hundred and forty pounds—cxl l.
(38) Of St. Mary Abchurch, & St. Lawrence Pountny; One hundred and twenty pounds—cxx l.
(39) Of St. Mary Aldermary, and St. Thomas Apoſtles; One hundred and fifty pounds——cl l.
(40) Of St. Mary le Bow, St. Pancras Soper-lane, & Alhallows Hony-lane; Two hundred pounds-cc l.
(41) Of St. Mildred Poultry, & St. Mary Cole-Church; One hundred & ſeventy pounds—clxx l.
(42) Of St. Michael Woodſtreet, and St. Mary Staining; One hundred pounds——c l.
(43) Of St. Mildred Bredſtreet, & St. Margaret Moſes; One hundred and thirty pounds—cxxx l.
(44) Of St. Michael Queenhith, and Trinity; One hundred and ſixty pounds——clx l.
(45) Of St. Magdalen Old Fiſhſtreet, and St. Gregory; One hundred and twenty pounds--cxx l.
(46) Of St. Mary Sommerſet, and St. Mary Mounthaw; One hundred and ten pounds——cx l.
(47) Of St. Nicholas Coleabby, and St. Nicholas Olives; One hundred and thirty pounds--cxxx l.
(48) Of St. Olave Jewry, & St. Martin Ironmonger-lane; One hundred & twenty pounds—cxx l.
(49) Of St. Stephen Walbrook, and St. Bennet Sherehogg; One hundred pounds——c l.
(50) Of St. Swythin, and St. Mary Bothow; One hundred and forty pounds——cxl l.
(51) Of St. Vedaſt *alias* Foſters, and St. Michael Quern; One hundred and ſixty pounds——clx l.

The Rate. Tythes ſhall be paid beſides Glebes, Perquiſits and Bequeſts.

III. Which reſpective Sums of Mony to be paid in lieu of Tithes within the ſaid reſpective Pariſhes, and aſſeſſed as herein after is directed, ſhall be, and continue to be eſteemed, deemed and taken to all intents and purpoſes, to be the reſpective certain Annual Maintenance (over and above Glebes and Perquiſites, Gifts and Bequeſts to the reſpective Parſon, Vicar and Curate of any Pariſh for the time being, or to his or their reſpective Succeſſors, or to other perſons for his or their uſe) of the ſaid reſpective Parſons, Vicars and Curates who ſhall be legally inſtituted, inducted and admitted into the reſpective Pariſhes aforeſaid.

Who to make the Aſſeſſments, and when.

IV. And that the ſaid ſeveral Sums of Mony for Tithes, may be more equally aſſeſſed upon the ſeveral Houſes, Buildings, and other Hereditaments whatſoever, within all the ſaid reſpective Pariſhes; (2) Be it enacted by the authority aforeſaid, That the Alderman of ſuch reſpective Ward or Wards within the ſaid City, wherein any of the ſaid Pariſhes reſpectively lie, and his or their Deputy or Deputies, and the Common-council-men of ſuch reſpective Ward or Wards, with the Churchwardens, and one or more of the Pariſhioners of ſuch reſpective Pariſh, wherein the Maintenance aforeſaid is reſpectively to be aſſeſſed, to be nominated by ſuch reſpective Alderman, Deputy, Common-council-men, and Churchwardens, or any five of them, whereof the Alderman or his Deputy to be one, ſhall at ſome convenient and ſeaſonable time before the twentieth day of May, in the year of our Lord God, One thouſand ſix hundred and ſeventy one, aſſemble and meet together in ſome convenient place within every of the reſpective Pariſhes, in ſuch reſpective Ward wherein the Maintenance aforeſaid is to be aſſeſſed, (3) And they or the major part of them ſo aſſembled, ſhall proportionably aſſeſs upon all Houſes, Shops, Ware-houſes and Cellars, Wharfs, Keys, Cranes, Water-houſes, (which Water-houſes ſhall pay in their reſpective Pariſhes where they ſtand, and not elſewhere) and Tofts of Ground (remaining unbuilt) and all other Hereditaments whatſoever (except Parſonage and Vicarage Houſes) the whole reſpective Sum by this Act appointed, or ſo much of it as more than what each Impropriator is by this Act enjoyned reſpectively to allow, in the moſt equal way that the ſaid Aſſeſſors according to the beſt of their Judgments can make it; which ſaid Aſſeſſments ſhall be made and finiſhed before the four and twentieth day of July then next enſuing.

If any variance ariſe upon the Aſſeſſments who to determine it.

V. And be it farther enacted by the authority aforeſaid, That if any variance or doubt ſhall happen or ariſe about any Sum ſo aſſeſſed, as aforeſaid, or that any Pariſhioner or Pariſhioners, or Owner or Owners of any Houſe, Shop, Ware-houſe or Cellar, Wharf, Key, Crane, Water-houſe, Toft of Ground, or other Hereditament withithin any the ſaid Pariſhes, ſhall find himſelf or themſelves agrieved by the aſſeſſing of any Sum or Sums of Mony, in manner and form aforeſaid, That then upon complaint made by the party or parties agrieved, to the Lord Mayor and Court of Aldermen of the ſaid City, within fourteen days after notice given to the party or parties aſſeſſed, of ſuch Aſſeſſments made, the ſaid Lord Mayor and Court of Aldermen ſummoning as well the party or parties agrieved, as the Alderman and ſuch others as made the Aſſeſſment, ſhall hear and determine the ſame in a ſummary way, and the Judgment by them given ſhall be final, and without Appeal.

A review, if occaſion be, of any Aſſeſſment.

VI. Provided always, and be it enacted, That any Aſſeſſment or Rate to be made or laid by vertue of this Act, ſhall or may in all or any the Pariſhes aforeſaid, in like manner be reviewed, or altered, or laid again within three Months after the twenty fourth day of June, One thouſand ſix hundred and ſeventy four, according to the aforeſaid Rules, and any ſuch Aſſeſſment or Rate, ſhall or may be again reviewed, or re-aſſeſſed within three Months after the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred eighty one; And that all and every ſuch new Aſſeſſment and Rate ſhall be liable to the like Appeals, as aforeſaid, and ſhall be collected, levied and paid as any other Aſſeſſment or Rate mentioned in this Act, may or ought to be.

If the perſons appointed by this Act refuſe to act, then others to be choſen by the Lord Mayor, &c.

VII. And if the ſaid Alderman, Deputy, Common-council-men, and Pariſhioner or Pariſhioners appointed, as aforeſaid, ſhall after ſummons and requeſt made in that behalf unto them, by the Lord Mayor and Court of Aldermen, or the Incumbent or Incumbents of any of the ſaid reſpective Pariſh or Pariſhes, refuſe and neglect to meet and make ſuch Aſſeſſments, as aforeſaid, Then it ſhall and may be lawful to, and for ſuch perſon or perſons as ſhall be thereunto authorized and required by the ſaid Lord Mayor and Court of Aldermen, to make ſuch Aſſeſſment, as by the ſaid Aldermen, Deputy, Common-council-men, Churchwardens, Pariſhioner or Pariſhioners aforeſaid, ſhould or ought to have been made.

Three Tranſcripts thereof to be made by the Aſſeſſors.

VIII. And be it farther enacted by the authority aforeſaid, That the ſaid Aſſeſſors within ten days after ſuch Aſſeſſments made, and the reſpective Appeals (if any be) determined, ſhall make three Tranſcripts thereof in Parchment, containing the reſpective Sums to be payaale, or appointed to be paid out of all and every the Premiſſes within ſuch reſpective Pariſh, and ſubſcribe the ſame under their Hands, and within twenty days after ſuch Subſcription as aforeſaid, one of the ſaid Tranſcripts ſhall be returned to the Lord Mayor of the City of London, to be kept and preſerved by the ſaid Lord Mayor, in and among the Records of the ſaid City, for a perpetual memorial thereof; And another of the ſaid Tranſcripts ſhall be returned into the Regiſtry of the Lord Biſhop of London, to be kept and preſerved, as aforeſaid; And the other of the ſaid Tranſcripts ſhall remain and be kept in the Veſtry of ſuch reſpective Pariſh, for a perpetual memorial, as aforeſaid.

One to be returned to the Lord Mayor. Another to the Biſhop of London's Regiſtry. The other to remain in the Veſtry. When the ſame Mony ſhall be paid, and to whom.

IX. And for the ſurer and better payment of the ſaid reſpective Sums of Mony ſo to be aſſeſſed and taxed towards the raiſing of the ſaid Maintenance of the reſpective Parſons, Vicars and Curates of the ſaid reſpective Pariſhes, as aforeſaid, (2) Be it farther enacted by the authority aforeſaid, That all and every ſuch reſpective Sum and Sums of Mony ſo to be aſſeſſed and taxed, as aforeſaid, towards the raiſing of the ſaid Maintenance of the ſaid reſpective Parſons, Vicars and Curates, of the ſaid reſpective Pariſhes, ſhall be paid to the ſaid reſpective Parſons, Vicars and Curates, and their Succeſſors reſpectively, at the four moſt uſual Feaſts, (that is to ſay, at the Annunciation of the Bleſſed Virgin Mary, the Nativity of St. John Baptiſt, the Feaſt of St. Michael the Archangel, and the Nativity of our Bleſſed Saviour, or within fourteen days after each of the Feaſts aforeſaid, by equal ayments;

payments; The reſpective payments thereof to begin and commence only from ſuch time and times as the Incumbent or Incumbents of ſuch reſpective Pariſh ſhall begin to officiate or preach as Incumbent or Parſon in the reſpective Church belonging to the reſpective Pariſh, or in ſome other convenient place or places in ſuch reſpective Pariſh or Pariſhes, to be nominated or appointed by the Lord Biſhop of London for the time being, or by the Archbiſhop of Canterbury, in any place within his peculiars.

X. And in any Pariſh or Pariſhes where any Impropriations be, Be it enacted by the authority aforeſaid, That all and every the Impropriator or Impropriators of any of the ſaid Pariſhes, ſhall pay and allow what really, and bona fide, they have uſed, and ought to pay and ſatisfie to the reſpective Incumbent of ſuch reſpective Pariſh, at any time before the ſaid late Fire, and the ſame ſhall be eſteemed and computed as part of the maintenance of ſuch Incumbent; notwithſtanding this Act, or any Clauſe or Matter, or thing therein contained.

Impropriators to make the ſame allowances they did before the Fire.

XI. And be it farther enacted by the authority aforeſaid, That if any the Inhabitants in any reſpective Pariſh or Pariſhes as aforeſaid, ſhall, or do refuſe or neglect to pay to the reſpective Incumbents aforeſaid, of any of the ſaid reſpective Pariſhes, any Sum or Sums of Mony to him reſpectively payable, or appointed to be paid by this Act, or any part thereof, contrary to the true intent and meaning of this Act, (being lawfully demanded at the Houſe or Houſes, Wharf, Key, Crane, Cellar or other Premiſſes whereout the ſame is payable) that then it ſhall and may be lawful to and for the Lord Mayor of the City of London for the time being, upon Oath to be made before him of ſuch refuſal or neglect, to give and grant out Warrants for the Officer or perſon appointed to collect the ſame, with the aſſiſtance of a Conſtable in the day-time, to levy the ſame Tythes or Sums of Mony ſo due, and in arrear and unpaid, by Diſtreſs and Sale of the Goods of the party or parties ſo refuſing or neglecting to pay, reſtoring to the Owner or Owners, the Overplus of ſuch Goods, over and above the ſaid Arrears of the ſaid Monies ſo due and unpaid, and the reaſonable Charges of making ſuch Diſtreſs, which he is to deduct out of the Monies raiſed by Sale of ſuch Goods.

Upon refuſal of payment, how to levy, &c.

XII. Provided always, and be it enacted, That in caſe the Lord Mayor, or Court of Aldermen ſhall refuſe or neglect to execute any of the reſpective powers to them by this Act granted, or to perform all and every ſuch thing relating either to the aſſeſſing or levying of the reſpective Sums aforeſaid, as they are by this Act authorized and required to perform, That then it ſhall and may be lawful for the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, or any two or more of the Barons of his Majeſties Court of Exchequer, by Warrant or Warrants under his or their reſpective Hands and Seals, to do and perform what the ſaid Lord Mayor and Court of Aldermen, according to the true intent or meaning of this preſent Act, might or ought to have done, and by ſuch Warrant either to impower any perſon or perſons to make the reſpective Aſſeſſments, as aforeſaid, or to authorize the reſpective Officers or perſons appointed to collect the Sums aforeſaid, to levy the ſame by Diſtreſs and Sale of the Goods of any perſon or perſons that ſhall refuſe or neglect to pay the ſame in manner and form aforeſaid.

If the Lord Mayor refuſe to execute this Act, then who are appointed to execute it.

XIII. Provided always, and be it enacted, That where any of the Pariſhes within the ſaid City, have ſince the late Fire, by Death or otherwiſe, become vacant, the ſurviving or remaining Incumbent of the other Pariſh thereto united, or therewith conſolidated, ſhall have and enjoy, and have like remedy to recover the Tithes hereby ſetled to be paid, as if he had been actually preſented, admitted, inſtituted and inducted into both the ſaid Pariſhes, ſince the Union and Conſolidation thereof.

XIV. Provided always, That no Court or Judge Eccleſiaſtical or Temporal, ſhall hold Plea of, or for any Sum or Sums of Mony due and owing, or to be paid by vertue of this Act, or any part thereof, other than the perſons hereby authorized to have Cognizance thereof: Nor ſhall it be lawful to or for any Parſon, Vicar, Curate or Incumbent, to convent or ſue any perſon or perſons aſſeſſed as aforeſaid, and refuſing or neglecting to pay the ſame in any Court or Courts, or before any Judge or Judges, other than what are authorized and appointed by this Act, for the hearing and determining of the ſame, in manner aforeſaid.

No Court whatſoever ſhall hold plea for any Duty ariſing upon this Act.

XV. Provided always, That it ſhall and may be lawful to and for the Warden and Minor Canons of St. Pauls Church London, Parſon and Proprietors of the Rectory of the Pariſh of St. Gregory, aforeſaid, to receive and enjoy all Tithes, Oblations and Duties ariſing or growing due within the ſaid Pariſh, in as large and beneficial manner as formerly they have, or lawfully might have done; any thing herein to the contrary notwithſtanding.

An Exception for St. Gregories Church, out of this Act.

CAP. XVI. (10.)

An Act for the diſcovery of ſuch as have defrauded the Poor of the City of *London*, of the Monies given for their Relief, at the times of the late Plague and Fire, and for recovery of the Arrears thereof.

The Preamble.

IN moſt humble manner ſhew unto your moſt Excellent Majeſty, the Lord Mayor, Aldermen and Commons of the City of London in Common Council aſſembled, That in the late dreadful Calamities of the Plague and Fire happening in your Majeſties City of London, and Liberties thereof, and other parts of this Kingdom, divers well-diſpoſed perſons, as well within your Majeſty's Dominions as in other parts beyond the Seas, were pleaſed to contribute their Charity towards the Relief of the Poor, Viſited, and Sufferers thereby, and moſt were excited by your Majeſty's gracious Proclamations to do the ſame, the one bearing Date the ſixth day of July, in the ſeventeenth year of your Majeſty's Reign; Another bearing Date the thirteenth day of September, in the eighteenth year of your Majeſty's Reign; The other bearing Date the twenty ſixth day of September, One thouſand ſix hundred ſixty eight; But a great part thereof hath been miſemployed,

ployed, concealed, or in an unchriſtian-like manner detained, or at leaſtwiſe never came to the uſes intended, by means whereof many thouſands of the ſaid Poor, for want of that Relief, remain in great extremity, and are likely to periſh:

All Monies received upon Charity for the Poor of the City of London to be paid in.

II For remedy and recovery thereof, may it pleaſe your Majeſty that it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority thereof, That all and every perſon or perſons, who have received any of the Monies collected for the uſes, intents and purpoſes aforeſaid, or any of them, or in purſuance of any of the ſaid Proclamations for thoſe purpoſes made, and have not hitherto paid the ſame according to the directions of the ſaid Proclamation reſpectively, that then ſuch perſon or perſons, in caſe they are now living, and in caſe they are dead, then the Executors or Adminiſtrators of ſuch perſons, having Aſſets wherewith to pay the ſame, ſhall pay the ſame before the firſt day of November, which ſhall be in the year of our Lord God, one thouſand ſix hundred ſeventy one, to the Chamberlain of the City of London for the time being, at his Office in the Guild-hall London, or to ſuch perſon or perſons as he ſhall depute or give authority unto for the receipt thereof, within the ſeveral Counties wherein any Mony is behind and unpaid, upon pain of forfeiture and payment of twenty ſhillings for every twenty ſhillings ſo unpaid or detained, and ſo proportionably for a greater or leſſer Sum, beſides the Mony ſo unpaid or detained.

If the Receivers are dead, their Executors or Adminiſtrators to pay it.

Forfeiture.

All Biſhops and Officials, &c. ſhall in their Viſitations give it in charge to the Churchwardens, &c.

III. And for the better diſcovery of the Offenders in detaining the ſaid Monies, all Archbiſhops, Biſhops, Arch-deacons, Deans and Officials, in their Viſitations ſhall give it in charge to all Miniſters, Churchwardens and Sideſmen, that they preſent the Names of all ſuch perſons as they know or believe do detain any of the ſaid Monies, and the Sum ſo detained by them; And farther, that upon requeſt made unto them by the ſaid Chamberlain of the City of London, or his Attornies or Agents, or any of them, by cauſing ſearch to be made into their Regiſteries, and other Offices, and by other expedient means, they ſhall contribute their aſſiſtance to the diſcovery of ſuch perſons and Offenders as may juſtly be ſuſpected to have or detain any ſuch Monies.

So likewiſe ſhall Juſtices of Aſſize, and Juſtices of the Peace.

IV. And likewiſe, that all Judges and Juſtices of Aſſizes, and general Gaol-delivery, and all Juſtices of Peace in their Quarter-Seſſions, ſhall in open Court give in charge unto the Grand Juries to enquire of, and preſent ſuch Offenders.

Juſtices of the Peace may hear and determine this matter at the Seſſions.

V. And that upon complaint made to any Juſtices of Peace in any County, City or Town-Corporate, by the Chamberlain of the City of London, or his Attornies, Solicitors, Receivers, Agents, or any of them, made or appointed by him, by any Writing under his hand and Seal, for proſecuting the Recovery, or for recovering the ſaid Monies, or any of them, againſt any perſon or perſons for their unjuſt detaining of any Monies collected for the uſes aforeſaid, or any of them, that then ſuch Juſtice of Peace ſhall grant his Warrant againſt ſuch perſons ſo complained of, for the bringing of them before him, (2) and upon their appearance before him, if it ſhall ſeem probable to the ſaid Juſtice, upon examining of the matter, and evidence given by any witneſs upon Oath, which the ſaid Juſtice may adminiſter, or other evidence, that the perſon complained of, doth unjuſtly detain any Monies collected or appointed for the uſes aforeſaid, or any of them, then ſuch Juſtice ſhall by ſufficient Recognizance bind him to appear at the next General Quarter Seſſions, to anſwer the matter complained of, and to obſerve and abide ſuch Order touching the ſame as the Juſtices ſhall then make; and upon his refuſal ſo to be bound, to commit to the Gaol, there to remain without Bail or Mainpriſe, until he ſhall become bound by ſuch Recognizance: (3) And at the ſaid Quarter Seſſions, whether he ſhall there appear, or make default, yet the Juſtices then ſhall ſummarily proceed to the Examination of the matter complained of; And if upon Oath of one or more Witneſs or Witneſſes, or any other Evidence, the Court ſhall be ſatisfied that he doth unjuſtly detain any ſuch Monies, the Court ſhall adjudge and order the payment of the ſame preſently, together with the penalty hereby appointed for not paying thereof, and ſuch coſts for the proſecution of the ſame, as the Court ſhall think fit; And if he ſhall not preſently pay the ſame accordingly to the ſaid Chamberlain of London, or his Attorny or Agents, or ſome of them, ſhall commit him to the Gaol, if he be there preſent, there to remain without Bail or Mainpriſe, until he ſhall obſerve the ſaid Order of Seſſions; (4) And if he ſhall be abſent, that then they ſhall grant their Warrant for the apprehending and committing of him to the Gaol, there to remain until he pay the Mony ſo ordered; And that if he cannot be taken, then for the diſtraining of his Goods or Chattels, and ſale of the ſame, rendring the Overplus, whereby the Monies ſo ordered may be anſwered and paid: (5) And that the definitive Order of the ſaid Juſtices ſhall be final, as touching the matters complained of, or contained in ſuch Order, from which there ſhall be no Appeal or Review, nor ſhall any Writ of Error or Certiorari lie for the Removal or Reverſal of the ſame, nor ſhall the ſame be any ways impeached.

Diſtreſs of Goods.

No Appeal from their Judgment.

Diſtinct Accounts to be returned by the Collectors.

VI. And be it farther hereby enacted, That the Receivers or Agents for the Chamberlain of the City of London, ſhall within two Months after the Receipt of any ſuch Monies, pay or cauſe the ſame to be tranſmitted and paid to him the ſaid Chamberlain, and that diſtinct Accompts according to the ſeveral Dioceſſes and Counties, ſhall be made and kept by him, of all ſuch Monies as he ſhall hereafter receive in reference to the Sufferers by the Fire, and of ſuch as he ſhall receive in reference to the Plague.

That the Biſhops ſhall certifie what Mony hath been expended out of publick Stocks, or lent towards the ſupport of perſons ſick of the Plague within their Dioceſſes.

VII. And be it farther enacted by the authority aforeſaid, That each Biſhop of the ſeveral Dioceſſes which were viſited by the Plague, in the years One thouſand ſix hundred ſixty five, One thouſand ſix hundred ſixty ſix, or One thouſand ſix hundred ſixty ſeven, ſhall within ſix Months after the end of this Seſſion of Parliament, by Certificate under his Hand and Seal, deliver or cauſe to be delivered unto the Lord Biſhop of London, and the Chamberlain of the City of London, to be entred in a Regiſter of his Office, a particular Accompt of ſuch Sums of Mony, as have been lent or taken out of the publick Stock, of any, and every City, Town Corporate, or places adjacent to them reſpectively, or borrowed of any perſon or perſons, for the Relief of the Poor ſo infected with the Plague, within any City, or Town-corporate, or the places adjacent to them in his Dioceſs, and particularly from whence they were ſo taken, and by whom lent; (2) And that the Monies ſo certified to be taken out of the Publick Stocks, or lent, as aforeſaid, ſhall by Order of the Lord Biſhop of London, to the ſaid Chamberlain of London, be by him repaid in the firſt place, out of the Monies which ſhall hereafter be received in reference to the Plague, in caſe the Monies ſo received out or from ſuch Dioceſs which was ſo infected, ſhall ſuffice for repayment thereof, without any reſpect or conſideration had to the charge in getting or bringing in the ſame; And if there ſhall not be ſufficient for ſuch repayment, each Sum ſo lent by any perſon, or taken out of ſuch Publick Stock, ſhall ſuffer and abate proportionably. (3) And that the payment of ſuch Monies by Order, as aforeſaid, ſhall be made to the Biſhop or Deputy of the Biſhop of every ſuch Dioceſs reſpectively, to be forthwith repaid to every City, Town Corporate, or Perſon, according to the intent of this Act: (4) And if there ſhall be any Surpluſage left, that then the ſame, as alſo all other monies which ſhall hereafter be ſo received by the ſaid Chamberlain of London, in reference to the ſaid Plague, or Fire, the neceſſary Charges in getting and bringing in of the ſame being firſt deducted and abated, ſhall by the Order and Advice of the Lord Biſhop of London, and Lord Mayor of London, be paid by the ſaid Chamberlain, for re-imburſing the ſaid City of London all ſuch monies as were by them disburſed, taken or borrowed out of their Pariſh Stock, for the Relief of the Sufferers by the ſaid Fire or Plague in London, or the Suburbs thereof; the reſidue (if any be) to go for and towards the relief of the Poor of the ſaid City, Sufferers by the ſaid Fire.

How to be repaid again.

To whom it muſt be paid.

How the Surpluſage to be diſpoſed of.

VIII. Provided, and be it enacted by the authority aforeſaid, That nothing in this Act contained, ſhall be any way prejudicial or hurtful to the Juriſdiction or Power of the Ordinary, or any other Juriſdiction whatſoer; and that this Act, as to the recovery of any monies herein mentioned or intended, ſhall continue and be in force until the firſt day of November, which ſhall be in the year, One thouſand ſix hundred ſeventy four, and no longer.

A ſaving to the Ordinaries Juriſdiction.

IX. And laſtly, it is hereby enacted, That if any Action or Suit ſhall be brought againſt any perſon, for any matter or thing done or executed by vertue of this Act, that then and in every ſuch caſe the Defendant or Defendants may plead the general Iſſue, Not guilty, and give this Act, and the ſpecial matter in Evidence of any Trial thereupon to be had, and if a Verdict ſhall paſs for the Defendant, or the Plaintiff ſhall be Non-ſuit, or diſcontinue his Action, after the Defendant hath appeared, the Defendant ſhall recover double Coſts, to be awarded for his or their wrongful vexations in that behalf.

Upon any Suit brought for the Execution of this Act, the Defendant to plead, Not-guilty, and recover double Coſts.

C A P. XVII. (11.)

An Act for the better Paving and Cleanſing the Streets and Sewers in and about the City of *London*.

WHereas by a late Act of this preſent Parliament, Entituled, An Act for rebuilding the City of *London*, It is enacted (amongſt other things) that the numbers and places for all Common-Sewers, Drains and Vaults, and the order and manner of Paving and Pitching the Streets and Lanes within the ſaid City and Liberties thereof, ſhall be deſigned and ſet out by ſuch and ſo many perſons as the ſaid Mayor, Aldermen, and Commonalty in Common-council aſſembled, ſhall from time to time authorize and appoint under their Common Seal, or the more part of them; (2) Which ſaid perſons ſo authorized and appointed, or any ſeven or more of them, together with the ſaid Surveyors, or ſome, or more of them, within his or their Precinct reſpectively, ſhall at their Meeting have power and authority to order and direct the making of any new Vaults, Drains and Sewers, or to cut into any Drain or Sewer already made, and for the altering, enlarging, amending, cleanſing and ſcowring of any old Vaults, Sinks or Common-Sewers.

That the number of Sewers Drains, &c. and paving the Streets, ſhall be ſet out by ſo many perſons as the Lord Mayor and Common Council ſhall appoint.
19 Car. 2. cap. 3. Sect. 10.

II. For the better effecting whereof, it ſhall and may be lawful, to and for the ſaid perſons ſo authorized and appointed, as aforeſaid, or any ſeven or more of them, at their ſaid Meeting, to impoſe any reaſonable Tax upon all Houſes within the ſaid City and Liberties thereof, in proportion to the benefit they ſhall receive thereby, for and towards the new making, cutting, altering, enlarging, amending, cleanſing and ſcowring all and ſingular the ſaid Vaults, Drains, Sewers, Pavements, and Pitching aforeſaid; And in default of payment of the ſaid Sums ſo to be charged, it ſhall and may be lawful, to and for the ſaid perſons ſo authorized, as aforeſaid, or any ſeven or more of them, by Order and Warrant under their Hands and Seals, to levy the ſaid Sum and Sums of Mony ſo aſſeſſed by Diſtreſs and Sale of the Goods of the party chargeable therewith, and refuſing or neglecting to pay the ſame, rendring the Overplus (if any be;) (2) and that all other Commiſſioners whatſoever be altogether ſuſpended to intermeddle in the Premiſſes within the ſaid City and Liberties thereof, for the ſpace of ſeven years next, and for ſo long after until the ſaid intended Building ſhall be fully finiſhed; Any Law or Statute to the contrary in any wiſe notwithſtanding.

A power to impoſe a Tax.

To levy by Diſtreſs.

III. Be it enacted and declared by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Clauſe or Branch of the ſaid Act herein before recited, ſhall remain and continue in force, and be made perpetual, and the powers and authorities thereby given, and appointed to be executed by ſuch perſons as ſhall in that behalf be authorized and appointed by the ſaid Mayor, Aldermen and Commons in Common-council aſſembled, according to the tenor thereof, under their Common Seal, or any ſeven or more of them, ſhall and may from time to time, for ever hereafter, be put in execution according to the purport and effect of the aforeſaid Act; (2) and that no other Commiſſioners, or any other perſons whatſoever, ſhall at any time hereafter intermeddle in the Premiſſes within the ſaid City or Liberties thereof; Any Law or Statute to the contrary notwithſtanding.

The Lord Mayor and Common Council to order the cleanſing and paving of the Streets.

IV. And to the end that for the future all Irregularities in Paving and Pitching of the Streets, Lanes and Paſſages within the ſaid City and Liberties thereof, and the frequent defaults of cleanſing the ſame, may be prevented and remedied, (2) Be it farther enacted by the authority aforeſaid, That from hence forth, the ſole power and authority of ordering, deſigning and regulating, as well the keeping clean all the Streets, Lanes and Paſſages whatſoever within the ſaid City and Liberties, and the pitching and paving, with the order and manner thereof, and for making and cleanſing Drains and Sewers, ſhall be and remain in the Mayor, Commonalty and Citizens of the ſaid City, to be managed, executed and done by ſuch perſons, as by the ſaid Mayor, Aldermen and Commons in Common Council aſſembled, ſhall be thereupon authorized and appointed, or by any ſeven or more of them (being all Members of the ſaid Court) and no other perſons whatſoever, and in ſuch ſort and manner, as from time to time ſhall by them be found moſt convenient for the publick benefit of the Inhabitants of the ſaid City in general.

All Paviers and Scavengers required to obſerve their directions.

V. And all Paviers, Scavengers, Carters, Labourers and Lighter-men, and all other perſons that have been heretofore, or that may hereafter be imployed in any of the works belonging to the Drains or Sewers, pitching, paving or cleanſing of the Streets, Lanes or Paſſages within the ſaid City, or Liberties thereof, are hereby enjoyned and required duly and conſtantly to obey, obſerve and execute all ſuch Orders, Rules and Directions, as ſhall be from time to time appointed or preſcribed by the perſons in that behalf to be authorized, or any ſeven or more of them.

The puniſhment of the Offenders.

VI. And that the parties therein offending, contrary to this preſent Act, ſhall and may be proceeded againſt, and thereof convicted by Indictment at the next Seſſions of the Peace to be held for the ſaid City and Liberties thereof, according to his or their ſeveral Offences, unleſs they ſhall ſubmit to the Judgment and Cenſure of the perſons ſo to be authorized and appointed, as aforeſaid, or any ſeven or more of them, and ſhall ſatisfie and pay ſuch mulct or penalty as by them ſhall be ſet and impoſed for ſuch Offence, into the Chamber of the City of London, to be imployed for and towards the Works in this Act mentioned; Any Law, Statute, Uſage or Cuſtoms to the contrary notwithſtanding.

Power to impoſe a reaſonable Tax.

VII. And be it farther enacted by the authority aforeſaid, That for the better enabling the ſaid Mayor, Commonalty and Citizens, to effect and perform all and ſingular the Works in and by this preſent Act mentioned and appointed to be done, and for the defraying the Charge thereof, It ſhall and may be lawful to and for the ſaid perſons ſo to be authorized and appointed as aforeſaid, or any ſeven or more of them, at their publick meetings, from time to time as oft as need ſhall be, or require, to impoſe any reaſonable Tax or Aſſeſſment upon the ſeveral Wards and Precincts thereof, within the ſaid City and Liberties, and to direct Precepts or Warrants under their Hands and Seals, or of any ſeven or more of them, unto the reſpective Deputies and Common-council-men of the ſaid ſeveral Wards, thereby requiring them to rate and aſſeſs the ſaid Taxes and Aſſeſſments, in manner hereafter following; (2) And alſo to direct like Precepts or Warrants to ſuch and ſo many of the Scavengers within the reſpective Wards, as they ſhall think fit, thereby requiring them to collect and levy the monies ſo aſſeſſed, upon receipt whereof the ſaid Deputies and Common-council-men thereunto appointed, are hereby required to make an Aſſeſſment and Diſtribution of the proportion charged upon their reſpective Wards and Precincts thereof, as aforeſaid, as well upon the Tenants and Occupiers of Houſes, Shops or other Tenements or Hereditaments, as upon the Owners or others intereſſed of, or in ſuch Houſes, Tofts of Ground unbuilt, and other Hereditaments whereof there ſhall be no preſent Occupier.

Houſes unbuilt

The Churchwardens to pay for a Church, or Church-yard.

VIII. And where any Church or Church-yard ſhall be fronting and adjoyning to any of the ſaid Streets, Lanes or Paſſages, to rate and aſſeſs a reaſonable proportion thereof upon the Pariſh thereunto belonging, the ſame to be paid by the Churchwardens of every ſuch Pariſh for the time being, who are hereby required to pay the ſame accordingly, in the behalf of the ſaid Pariſh: (2) Of which Aſſeſſments, the ſaid Deputies and Common-council-men ſhall return Duplicates in writing, together with the Names of the Scavengers to be appointed for the collection thereof, within twenty days next after the receipt of ſuch Precept or Warrant reſpectively, and in caſe of their neglect or default in rating or aſſeſſing the ſame, or in returning ſuch Duplicates of their Aſſeſſments within the time limited, as aforeſaid, it ſhall and may be lawful to and for the ſaid perſons ſo to be authorized and appointed, or any ſeven or more of them, to rate and aſſeſs the reſpective Taxes and Aſſeſſment within the ſeveral Wards and Precincts where ſuch defaults ſhall be, upon the reſpective Inhabitants and others, in manner as aforeſaid: (3) all which Sum and Sums of mony ſo to be rated and aſſeſſed in purſuance of this Act, ſhall from time to time be collected and levied by the Scavengers to be appointed for the collecting thereof as aforeſaid, who are hereby authorized and required to collect and levy the ſame accordingly; And in default of payment of the Sums to be charged and aſſeſſed, as aforeſaid, or any part thereof, by the ſpace of ſix days after demand thereof, it ſhall and may be lawful to and for the ſaid Scavengers to be appointed for the collecting and levying thereof as aforeſaid, and they are hereby authorized and required thereunto, to levy all ſuch Sum and Sums of mony ſo aſſeſſed, by Diſtreſs and Sale of the Goods of the parties refuſing or neglecting to pay the ſame, rendring the Overplus, if any ſhall be, beſides the reaſonable Charge of taking ſuch Diſtreſs, to the party or parties ſo diſtrained.

Duplicates in writing of the Aſſeſſments to be returned, together with the Scavengers names who are to collect.

Penalty for non-payment after ſix days.

The mony to be paid into the Chamber of London.

IX. All which ſum and ſums of mony from time to time hereafter to be collected and levied by vertue of this preſent Act, ſhall be paid into the Chamber of the City of London, by the ſaid Scavengers who ſhall collect the ſame reſpectively, where Books of Accounts ſhall be kept of the Receipt thereof, by the Chamberlain of the ſaid City of London for the time being: (2) And no monies ſhall be iſſued thereout, otherwiſe than by Order or Warrant under the Hands of the ſaid perſons ſo to be appointed and authorized, as aforeſaid, or any ſeven or more of them, for the uſes and purpoſes in and by this Act mentioned and appointed.

In caſe any defect of paving, how to be redreſſed.

X. And it is hereby farther enacted, That where any Citizen or Inhabitant within the ſaid City or Liberties thereof, ſhall find himſelf agrieved through the defect or decay of the Pavements in any of the ſaid Streets, Lanes or Paſſages within the ſaid City or Liberties

ties thereof or for want of due cleanſing thereof, the ſame being made appear to the perſons ſo to be authorized and appointed by the ſaid Mayor, Aldermen, and Commons as aforeſaid, or any ſeven or more of them, at their publick Meeting; And upon due proof made, that ſuch grievance is unreformed, that then, and in ſuch caſe, the perſon and perſons complaining, ſhall forthwith receive the order and directions of the ſaid perſons ſo authorized and appointed, or any ſeven or more of them, for redreſſing thereof, together with a Warrant under their Hands and Seals, directed to the Chamberlain of the City of London for the time being, to iſſue out monies for defraying the Charge thereof, together with any Sum of mony, not exceeding ten ſhillings, for encouragement of his or their Diligence therein, who, upon Receipt of ſuch Warrant, ſhall pay the ſame accordingly.

The Proſecutor encouraged.

XI. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to, and for the ſaid Mayor, Aldermen and Commons in Common-council aſſembled, to appoint, ſet out, and purſchaſe for the publick Uſe and Benefit of the ſaid City of London, in places convenient, and where the ſame may be leaſt Annoyance, ſuch and ſo many pieces, or parcels of Ground for Layſtalls, and places for publick Stores, as they ſhall adjudge neceſſary and convenient for the Receipt of the Soyl, Dirt, and Rubbiſh which ſhall be removed and carried out of the ſaid City and Liberties thereof, as for other Materials and Commodities.

Layſtalls to be provided for the receipt of the Dirt, &c.

XII. And that all ſuch pieces of Ground for Layſtals, and places for publick Stores, as by them ſhall be purchaſed, as aforeſaid, ſhall be ſatisfied and paid for out of the monies raiſed, or hereafter to be raiſed by the Impoſition upon Coals, appointed for publick Uſes of the ſaid City, by vertue of the ſaid Act for Rebuilding the City, and of another Act, Entituled, An Additional Act for Rebuilding the City of *London*, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, (other than the mony appointed for building of the Cathedral Church of Saint Pauls, and other Churches within the ſaid City, and reſerving ſufficient to ſatisfie ſuch perſons whoſe Grounds have been taken from them) or either of them; Any Law or Staute to the contrary thereof in any wiſe notwithſtanding.

To be purchaſed with the monies to be raiſed out of the Impoſition on Coals.
22 Car. 2. cap. 11. Sect. 38.

XIII. And in caſe that any perſon or perſons ſhall find him or themſelves agrieved by reaſon of any Tax, Aſſeſſment, or other Charge to be impoſed by vertue or colour of this preſent Act, that then it ſhall and may be lawful to and for the party or parties ſo agrieved, within five days after demand thereof, to appeal to the Mayor and Court of Aldermen of the ſaid City for the time being, for Redreſs therein, whoſe Order in that behalf ſhall be final.

If any perſon is agrieved, he may appeal.

XIV. Provided always, and it is hereby declared, That no perſon or perſons, Bodies Politick or Corporate, who by this Act are made liable to be rated or aſſeſſed towards the publick Charge of altering, enlarging, amending or cleanſing of the ſaid Vaults, or Sewers, or of cleanſing, pitching or paving the Streets, Lanes, Allies, and other common Paſſages within the ſaid City and Liberties thereof, for or in reſpect of any Houſes, Tofts or other Hereditaments, ſhall from and after the firſt day of May, One thouſand ſix hundred ſeventy one, be otherwiſe charged therewith, or liable thereunto, or to be troubled, moleſted, or proſecuted for or in reſpect thereof; any other Law, Statute, Cuſtom, or Uſage to the contrary notwithſtanding.

No perſons who are liable to the publick charge of altering or cleanſing any Lanes, Sewers, &c. to be farther chargeable.

CAP. XVIII. (12.)

An Act for the better Regulating of Work-houſes for ſetting the Poor on Work.

FOR the more effectual putting in Execution of an Act of Parliament made in the fourteenth year of your Majeſty's Reign, Entituled, An Act for the better Relief of the Poor of this Kingdom; And to the end that the Poor of the ſeveral Pariſhes within the City and Liberties of Weſtminſter, and other Pariſhes within the County of Middleſex, mentioned within the weekly Bill of Mortality, may for the future be duly provided for, according to the intent and meaning of the ſaid Act, May it pleaſe your moſt excellent Majeſty that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all monies aſſeſſed or ordered to be aſſeſſed, upon any perſon, in purſuance of the ſaid Act, ſince the firſt day of March, in the year of our Lord, One thouſand ſix hundred ſixty and five, ſhall be collected and paid to the Treaſurers of the reſpective Corporations, by or before the nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſeventy and one: And all monies already collected by authority of the ſaid Act, ſhall be paid in to the ſaid Treaſurers, by or before the firſt day of June, in the year of our Lord, One thouſand ſix hundred ſeventy and one: (3) And that the Officers of the ſaid Corporations erected and conſtituted, in purſuance of the ſaid Act, and their Treaſurers, ſhall make and give Quarterly Accounts to the Juſtices of Peace, who are hereby required to demand and call for the ſaid Accompts, and are not to raiſe any more monies upon any new Certificates whatſoever, until there be juſt Account given to, and allowed by the Juſtices of the Peace aforeſaid, according to the true intent and meaning of the ſaid former, and this preſent Act.

14 Car. 2. cap. 12.
To whom the mony, when collected, ſhall be paid.
To whom to account.

II. And whereas ſome Accounts have been made by the former Governours, of part of the monies raiſed by the Act aforeſaid, and ſome of them ſtand engaged for payment of certain Sums of mony which were borrowed and expended in purſuance of the ſaid former Act; Be it farther enacted, That all ſuch Accounts which ſhall appear to the ſaid Juſtices (not having been Governours of the ſaid Corporations) to have been made according to the Act aforſaid, ſhall be and are hereby ratified and confirmed; and that ſuch monies as have not been accounted for, as aforeſaid, ſhall be accounted for according as in the ſaid Act is provided.

Monies lent ſhall be paid.

III. And that all monies lent, and all ſuch Debts as any of them, or any of the Members of the ſaid Corporations aforeſaid, ſtand engaged for, and have been contracted for the Uſes expreſſed in the ſaid Act, ſhall upon order from the Juſtices aforeſaid (aſcertaining the ſame) be diſcharged and ſatisfied by the reſpective Treaſurer or Treaſurers for the time being, and ſhall from time to time be allowed in their reſpective accompts.

The Tax not to exceed one fourth of the poors Aſſeſſment.

IV. And be it farther enacted by the authority aforeſaid, That no Sum or Sums of mony to be levied upon the Inhabitants of any of the ſaid reſpective Pariſhes, according to the ſaid former, or this preſent Act, ſhall in any one year exceed one fourth part of the Aſſeſſment to the Poor for that year, laid on any of the Pariſhes and Liberties aforeſaid: Which ſaid Sum ſhall be paid by the reſpective Inhabitants of the ſaid Pariſhes, at two ſeveral payments, to the Treaſurer or Treaſurers for the ſaid Corporations (that is to ſay) at the Feaſt of St. Michael the Archangel, and the Annunciation of the bleſſed Virgin Mary, or within fourteen days after either of the ſaid Feaſts, as aforeſaid.

When to be paid.

When the Aſſeſſments to be laid.

V. And be it alſo enacted, That no Aſſeſſment ſhall be laid, or made on any of the Pariſhes aforeſaid, after the nine and twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and five, any thing in the ſaid former, or this preſent Act to the contrary in any wiſe notwithſtanding.

A ſaving for London, and St. Margarets Weſtminſter.

VI. Provided always, That nothing herein contained, ſhall in any ſort extend to the ſuperſeding, altering or vacating any of the Powers given by the ſaid former Act, to the Lord Mayor and Governours for the Corporation within the City of London, or the Pariſh of St. Margarets Weſtminſter, but that the ſame and all the other Clauſes and Articles in the ſaid former Act, ſhall to all intents and purpoſes, be fully executed and obſerved within the City of London, and Pariſh of St. Margarets Weſtminſter, as if this Act had not been made; any thing herein contained to the contrary thereof, in any wiſe notwithſtanding.

CAP. XIX. (13.)

An Act to prevent Frauds in the buying and ſelling of Cattel in *Smithfield*, and elſewhere.

FOR the preventing of Frauds and Abuſes in buying and ſelling of Cattel, Be it enacted by the Kings moſt Excellent Majeſty, and by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That one Act made in the ſecond and third years of the Reign of King Edward the Sixth, Entituled, An Act touching Victuals and Handicrafts-men; And one other Act made in the fifteenth year of his now Majeſty's Reign, Entituled, An Act to prevent the buying and ſelling of live fat Cattel by Butchers; And every Article, Clauſe and Sentence therein, be, and are hereby revived, continued and confirmed, Except one Branch of the ſaid Statute concerning Victuallers and Handicrafts-men, ſince Repealed by a Statute made in the third and fourth years of the Reign of the ſaid King Edward the Sixth, and except all ſuch Clauſes, matters or things therein, or in any of them contained, as ſhall be altered or repealed by this enſuing Act; And that the ſame ſhall for ever hereafter be duly holden, obſerved and kept in all points, for all times to come.

2 & 3 Ed. 6. cap. 15.

15 Car. 2. cap. 8.

3 & 4 Ed. 6. cap. 20.

No Jobber, or Broker, &c. to buy any Cattel, except Swine or Calves, within fourſcore miles of London.

Forfeiture.

II. And be it farther enacted by the authority aforeſaid, That no Jobber, Saleſman, or other Broker or Factor, who do or ſhall commonly buy or ſell Cattel for others, be allowed, or employed, either for buying or ſelling any fat Cattel, other than Swine or Calves, by or for any Butcher, or other perſon or perſons whatſoever, within fourſcore miles of the Cities of London and Weſtminſter, upon pain of the Forfeiture of the value of the ſaid Cattel ſo bought or ſold for him or them, as aforeſaid, to be paid by the Owner of ſuch Cattel; (2) And upon farther pain, That all and every perſon and perſons taking upon him or them to uſe or exerciſe the ſaid Employment of a Jobber, or Broker, or of any Saleſman, or Factor, for the buying and ſelling of Cattel, contrary to this preſent Act, ſhall forfeit for every ſuch Offence, the Value of ſuch Cattel bought, or ſold, or expoſed to Sale by him or them, as aforeſaid. This Clauſe is repealed by an Act 25 Car. 2. cap. 4.

One Butcher ſhall not ſell to another Butcher.

Forfeiture.

III. And be it farther enacted, That if any perſon or perſons exerciſing the Trade of a Butcher within the Cities of London or Weſtminſter, or within ten miles thereof, ſhall buy any fat Cattel, and ſell the ſame again, either alive or dead, to any perſon or perſons exerciſing or uſing the ſame Trade, that the Seller thereof ſhall forfeit for every ſuch Offence the value of ſuch Cattel ſo bought and ſold, as aforeſaid.

No Drover ſhall be licenſed by any Juſtice of Peace within fourſcore miles of London.

IV. And be it farther enacted, That no Drover, from and after the Twenty fourth day of June, One thouſand ſix hundred ſeventy and one, ſhall be licenſed, appointed or aſſigned, by the Juſtices of Peace in their Quarter Seſſions, or otherwiſe, within London and Weſtminſter, or fourſcore miles of the ſaid Cities of London and Weſtminſter: And that all ſuch Licenſes ſhall be null and void; any former Law or Statute to the contrary in any wiſe notwithſtanding.

Who ſhall be licenſed Drovers.

To be bound with Sureties.

V. And that from and after the four and twentieth day of June, One thouſand ſix hundred ſeventy and one, It ſhall not be lawful for any Juſtices of the Peace at their Quarter Seſſions, or otherwiſe, to licence any perſon to be a Drover, who doth uſe or exerciſe the Profeſſion or Trade of a Graſier or Butcher, nor any other perſon or perſons whatſoever, unleſs the perſon or perſons ſo licenſed, ſhall become bound to his Majeſty, his Heirs and Succeſſors, with two ſufficient Sureties of the ſame County, Diviſion, or place where ſuch Licence ſhall be obtained, by a Recognizance, in ſuch Sum as the ſaid Juſtices ſhall think fit, not to ſell any Cattel by him or them to be bought, within the diſtance of ſixty miles from the place where he bought the ſame; (2) and that the perſon ſo licenſed, ſhall be known to the ſaid Juſtices, or ſome of them, to be of ſufficient Eſtate and Ability to anſwer the Penalty of ſuch Recognizance, in caſe he ſhall incur the Forfeiture thereof.

The proof ſhall be upon the party offending.

VI. And be it farther enacted and declared, That where upon any Information or other Proſecution to be brought or proſecuted for any Offence committed in buying or ſelling of Cattel contrary to this preſent Act, or any other Act or Statute now in force, any queſtion ſhall ariſe concerning the interval or diſtance of time or place between the buying and ſelling of ſuch Cattel, the proof thereof ſhall be incumbent upon the Offender, or party accuſed of ſuch Offence: And in caſe any ſuch Saleſman or Factor, as aforeſaid, upon any proſecution againſt him for the ſelling the Cattel of any other perſon, ſhall plead or affirm, That the Cattel ſo ſold were his own, it ſhall be incumbent upon him to make proof of his Power therein, and a lawful Sale, bona fide, made to him of the ſame.

VII. But nevertheleſs for preventing of vexatious Informations and Proſecutions by colour of this Act, (2) Be it farther enacted, That if upon any Information, or other Proſecution grounded upon this Act, it ſhall appear to the Juſtices before whom the ſaid cauſe ſhall be brought, that any ſuch Information or Proſecution was promoted only for vexation, and without any reaſonable cauſe, the ſaid Juſtices ſhall, and are hereby required, by vertue of this Act, to award to the party ſo unjuſtly accuſed or proſecuted, treble Coſts, to be occaſioned by ſuch vexatious Proſecution, the ſame to be recovered by Action of Debt, or upon the Caſe, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

No vexatious Information ſhall be brought upon this Act.

The Penalty.

VIII. And be it farther enacted by the authority aforeſaid, That the Juſtices of the Peace in every County, Riding, Diviſion, City, or Town Corporate, within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, at their Quarter-Seſſions, ſhall have full power and authority, by vertue of this Act, to enquire, hear and determine all and every the defaults and offences in buying and ſelling of Cattel, committed contrary to this Act, or any other Law or Statute now in force, within the County, Riding, Diviſion, City, or Town Corporate where any ſuch Offence ſhall be committed, by Inquiſition, Preſentment, Bill or Information before them exhibited, and to make Proceſs thereupon, and upon Conviction of the Offender, to make Extracts of the one moity of the Forfeitures to be levied to the Kings uſe, as they uſe to do of other Fines, Iſſues and Amerciaments grown in Seſſions of the Peace, and to award Execution of the other moiety to the Informer or Proſecutor, by Fieri Facias or Capias, as the Kings Bench at Weſtminſter may do, and uſe to do.

Juſtices of the Peace at their Quarter Seſſions have power to hear and determine.

To make Extracts.

To award Execution.

IX. And be it enacted by the authority aforeſaid, That no Certiorari ſhall be allowed to remove any Information or other Proceedings in the Quarter-Seſſions, for or concerning any matter or thing in this, or the before recited Acts, or any of them, but the Juſtices of the Peace then preſent, ſhall proceed thereupon, any ſuch Writ or Writs of Certiorari notwithſtanding.

No Certiorari to be allowed to remove any Information.

X. And be it farther enacted, That if any fat Cattel bought in Smithfield Market, from, and after the four and twentieth day of June, One thouſand ſix hundred ſeventy and one, as aforeſaid, ſhall afterwards be brought into the ſaid Market, to be ſold or expoſed to ſale alive, the ſame ſhall and may be ſeized by the Bailiff, Toll-taker, or other Officer appointed to have the Care and Overſight of the ſaid Market, to the uſe of the Mayor, Aldermen and Commonalty of the City of London.

Fat Cattel bought in Smithfield, ſhall not be there ſold again. Penalty.

XI. And for the better diſcovery thereof, Be it farther enacted, That the ſaid Bailiff, Toll-taker, or other Officer aforeſaid, ſhall cauſe all Cattel which ſhall be ſold, to be marked, by cutting off two inches or more of the farther Horn of every Ox, Steer or other Bullock ſo ſold, to the intent the ſame may be ſeized, as forfeit by vertue of this preſent Act, as aforeſaid.

Cattel there ſold, how to be marked.

XII. And foraſmuch as the Cuſtoms of Foreign bought, and Foreign ſold, uſed within the City of London, is found to be prejudicial to the Sellers of Cattel, in the Markets of Smithfield, (2) Be it enacted, from, and after the four and twentieth day of June, One thouſand ſix hundred ſeventy and one, it ſhall and may be lawful, as well for Foreigners as Free-men to buy and ſell any Cattel in the ſaid Markets, without Reſtraint; any ſuch Cuſtom or other Uſage to the contrary notwithſtanding.

Cuſtoms of Foreign bought, and Foreign ſold, taken away.

XIII. And it is hereby farther enacted and declared, That one certain Clauſe reſtraining the killing of any Calf to ſell, being under five Weeks old, upon pain to forfeit ſix ſhillings eight pence for every Calf ſo to be killed and ſold, contained in a certain Act of Parliament, made in the firſt year of the Reign of King James over England, &c. Entituled, An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the Cutting of Leathers, ſtand Repealed, and be utterly Null and Void.

Calves under five weeks old may be killed.

1 Jac. cap. 22. Sect. 3.

XIV. Provided always, and be it enacted by the authority aforeſaid, that neither this Act, nor any thing therein contained, ſhall extend to charge any perſon or perſons, for any the Offences above mentioned, unleſs he or they be proſecuted for the ſame within ſix Months next after ſuch Offence done or committed.

The proſecution to be within ſix months.

XV. Provided always, That this Act ſhall continue in force for three years, to commence from the twenty fourth day of June, One thouſand ſix hundred ſeventy one, aforeſaid, and from thence to the end of the next Seſſions of Parliament, and no longer.

The continuance hereof.

XVI. And if any perſon or perſons diſcovering any Offence committed againſt this Act, ſhall make any Compoſition for the ſame, and not proſecute according to the direction of this Act, every ſuch perſon or perſons ſo offending, ſhall forfeit twenty pounds for every ſuch Offence, to be recovered, and diſpoſed in like manner as all Penalties and Forfeitures in this Act are directed.

No Compoſition to be made.

Forfeiture.

CAP. XX. (7.)

An Act for the Relief and Releaſe of poor diſtreſſed Priſoners for Debt.

FOraſmuch as very many perſons now detained in Priſon, are miſerably impoveriſhed either by reaſon of the late unhappy Times, the ſad and dreadful Fire, their own Misfortunes, or otherwiſe, ſo as they are totally diſabled to give any Satiſfaction to their Creditors, and ſo become, without advantage to any, a Charge and Burthen to the Kingdom, and by Noiſomneſs (inſeparably incident to extream Poverty) may become the occaſion of Peſtilence and contagious Diſeaſes, to the great prejudice of the Kingdom, (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for any Juſtice

Preamble.

Juſtices of the Peace ſhall command the Body of any Priſoner to be brought before him.

of the Peace of any County, City, Town or Liberty within the Kingdom of England, Dominion of Wales, or Town of Berkwick upon Tweed, by Warrant under his Hand and Seal, to require the Sheriff, Gaoler, or Keeper of any Priſon within his reſpective Juriſdiction, to bring without delay, the Body of any perſon being in Priſon for Debt, on the fourteenth day of April, One thouſand ſix hundred ſeventy and one, or damages (and petitioning ſuch Juſtice to be diſcharged) to ſome convenient place within the diſtance of One mile from the ſaid Priſon, (3) and ſhall certifie the cauſe and cauſes of the Impriſonment, before the ſame Juſtice; which Warrant every ſuch Sheriff, Gaoler and Keeper is hereby commanded to obey.

II. And in caſe ſuch Priſoner coming before ſuch Juſtice ſhall take an Oath to this effect, viz.

The form of the Oath.

I *A. B.* do upon my corporal Oath ſolemnly profeſs and declare before Almighty God, That I have not any Eſtate Real or Perſonal, in Poſſeſſion, Reverſion or Remainder, of the value of ten pounds in the whole, or ſufficient to pay the Debt or Damages for which I am impriſoned; (2) and that I have not directly or indirectly ſold, leaſed, or otherwiſe conveyed, diſpoſed of, or entruſted all or any part of my Eſtate, thereby to ſecure the ſame, to receive or expect any Profit or Advantage thereof, or defraud or deceive any Creditor or Creditors whatſoever to whom I ſtand indebted:

The Priſoner to be remanded. Notice to be left with the Plaintiff to appear at the Seſſions.

III. Then after the taking of ſuch Oath, that ſaid Juſtice ſhall remand the Priſoner to Priſon, and ſhall give a Certificate thereof in writing under his Hand and Seal, to the ſame Priſoner, to be ſerved upon ſuch perſon or perſons, his or her Executors or Adminiſtrators, or to be left at the place of the uſual abode of ſuch perſon or perſons at whoſe Suit the Priſoner ſtandeth charged and impriſoned, thereby appointing as well the ſaid perſon or perſons, as the ſaid Priſoner to appear before the Juſtices at the next general Quarter-Seſſions of the Peace to be holden for the ſame County, City, Town, or Liberty, (2) when if it ſhall appear upon Oath (which Oath the ſaid Juſtices are impowred to adminiſter) that the ſaid Certificate was ſo ſerved or left, forty days or more before the ſaid Seſſions, and that the ſaid Oath taken by the ſaid Priſoner, be not diſproved by good Teſtimony of any credible perſon or perſons upon Oath to be adminiſtred by the ſaid Juſtices, by vertue of this Act, then the ſaid Juſtices being ſatisfied therewith, ſhall direct their Warrant under their Hands and Seals, commanding the ſaid Sheriff, Gaoler, or Keeper of the Priſon, to ſet at Liberty, and diſcharge the ſaid Priſoner, if impriſoned for the cauſes aforeſaid, and no other, without paying any thing for Fee, or Chamber-Rent; (3) which Warrant ſhall be a ſufficient Diſcharge to the ſame Sheriff, Gaoler or Keeper of Priſon, and no Action of Eſcape, or other Action ſhall be brought againſt them, or any of them, for the ſame in any wiſe.

When the Priſoner to be diſcharged.

30 Car. 2. cap. 4. Sect. 4. N. 2.

IV. Provided alſo, and be it enacted by the authority aforeſaid, That when ſuch priſoner or priſoners for debt ſhall have legally taken the ſaid oath in this act propoſed to be taken, and ſhall have duly ſummoned his or their Creditor or Creditors; and after the ſaid forty days time, if the ſaid Creditor or Creditors ſhall make no diſcovery of his, her, or their Eſtates, nor diſprove or detect the ſaid priſoner or priſoners of forſwearing themſelves, that then if ſuch Creditor or Creditors will not be ſatisfied therewith (that the ſaid priſoner or priſoners may be ſet at liberty, or will inſiſt to have the ſaid priſoner continued in Gaol) that then the ſaid Creditor or Creditors ſhall at his and their own proper coſts and charges, allow and pay weekly a reaſonable Maintenance to the ſaid priſoner or priſoners, ſuch as the ſaid Commiſſioners of the Peace, or any three of them, in their reſpective Diviſions ſhall order and appoint, not exceeding eighteen pence a week; (2) And upon non-payment of the ſame weekly, the ſaid priſoner or priſoners, ſhall be ſet at liberty, according to the true intent and meaning of this Act.

Wilfulneſs in the Creditor.

The Sheriff, &c. diſcharged from all Eſcapes.

30 Car. 2. cap. 4. Sect. 8. N. 1.

V. And be it farther enacted by the authority aforeſaid, That upon any Action of Eſcape, or other Suit brought or to be brought againſt any Sheriff, Gaoler or Keeper of any ſuch Priſon, or other officer or perſon, for any thing done in obedience to this Act, it ſhall and may be lawful, to, and for ſuch Sheriff, Gaoler, or Keeper of Priſon, or other Officer or perſon, to plead the general Iſſue, and give this Act in Evidence, which ſhall be a good and ſufficient Diſcharge, and ſhall ſave harmleſs every ſuch Sheriff, Gaoler, or Keeper of Priſon, pleading the ſame; (2) And if the Plaintiff, in any ſuch Action, ſhall be non-ſuited, or Verdict paſs againſt him, the Defendant ſhall have double Coſts to be taxed by the Court, where ſuch Action ſhall be brought.

Double Coſts.

The Judgments ſhall ſtand good notwithſtanding the diſcharge.

VI. Provided always, and be it farther enacted by the authority aforeſaid, That notwithſtanding the diſcharge of the perſon of ſuch priſoner, as aforeſaid, upon taking the Oath aforeſaid, all and every Judgment had and taken againſt him or her, ſhall be, and ſtand good and effectual in Law, to all intents and purpoſes, againſt the Lands, Tenements, Hereditaments, Goods and Chattels only of the ſaid priſoner ſo diſcharged as aforeſaid; (2) And it ſhall and may be lawful, to and for ſuch Creditor of ſuch priſoner or priſoners ſo diſcharged as aforeſaid, his Executors, Adminiſtrators or Aſſigns, to take out any new Execution, againſt the Lands, Tenements, Hereditaments, Goods and Chattels of ſuch priſoner or priſoners (his or her wearing Apparel, Bedding for him and his or her Family, and Tools neceſſary for his or her Trade and Occupation only excepted) for the ſatisfaction of his or their ſaid Debt, in ſuch ſort, manner, and form, as he or they might have done, if the perſon or perſons of ſuch priſoner or priſoners had never been taken in Execution; any Act, Statute or Cuſtom to the contrary notwithſtanding.

The Priſoner taking a falſe Oath, ſhall be indicted of Perjury.

VII. Provided alſo, and be it farther enacted by the authority aforeſaid, That if at any time after the taking of the ſaid Oath, the ſaid priſoner or priſoners ſhall upon any Indictment or Indictments, or by his or their own Confeſſion or Verdict of twelve men, be convicted of falſe ſwearing, in any point or Article contained in the ſaid Oath, as he or they ſhall or may be, by force of this Act; then ſuch priſoner or priſoners ſo convicted as aforeſaid, ſhall ſuffer all ſuch pains and forfeitures as by the Statute of Quinto of Queen Elizabeth, are to be inflicted upon any perſon convicted of wilful Perjury: (2) And alſo the Court, by Proceſs out of which the ſaid priſoner was impriſoned, ſhall award a Capias ad ſatisfaciendum infinite, or other Proceſs, directed to any Sheriff or Sheriffs, for the apprehending of the ſaid priſoner, and upon return of Cepi Corpus, ſhall remand the ſaid priſoner into the priſon whence he or ſhe was diſmiſſed, there to remain in Execution, in ſuch manner and condition as he or

A new Execution to be awarded againſt him.

ſhe was, before his or her ſaid Enlargement; (3) And then, and from thenceforth, he or ſhe ſhall be adjudged to be in Execution fully, as if he or ſhe had never been diſcharged thereof: And the Execution and Executions, upon his or her Lands, Tenements, Hereditaments, Goods and Chattels, if any ſuch happen to be, after his or her ſaid diſcharge out of Priſon, and before he or ſhe ſhall be remanded, ſhall ſtand alſo good and effectual in Law; any Act, Statute, or Cuſtom to the contrary notwithſtanding.

No Officer ſhall delay to bring any Priſoner before a Juſtice of the Peace. The Penalty. 30 Car. 2. 4. Sect. 7. N. 1.

VIII. Provided, and be it enacted by the authority aforeſaid, That in caſe any Sheriff, Goaler, or Keeper of Priſon, ſhall refuſe or delay to bring, or diſcharge, or ſet at Liberty any Priſoner according to the order of the Juſtice or Juſtices to be made in manner as aforeſaid; every ſuch Sheriff, Gaoler, or Keeper of Priſon, ſhall forfeit and pay to ſuch Priſoner detained contrary to ſuch Order, the ſum of one hundred pounds, to be recovered by Action of Debt in any Court of Record, and ſhall be alſo ſubject to any Fine and puniſhment, as the ſaid Juſtices ſhall order or award.

No Sheriff, Bailiff, or other Officer, ſhall carry any perſon to any Tavern, Ale-houſe, &c. or call up for any Wine, or Ale, without his free conſent;

IX. And whereas it is found by common experience, That ſuch perſon or perſons that are under Arreſts, or committed to the Cuſtody of Sheriffs, Bayliffs, Gaolers, Keepers of Priſons, or Gaols, are much abuſed and wronged by extorting of great Fees, Rewards, and other Exactions, and put to great Expences under pretences of favour or otherwiſe, whereby they are greatly oppreſſed, and many times ruined in their Eſtates: (2) For remedy thereof, Be it enacted by the authority aforeſaid, That if any Under-Sheriff, Bayliff, Serjeant at Mace, or other Officer or Miniſter whatſoever, ſhall at any time or times hereafter, have in his or their Cuſtody, any perſon or perſons by vertue or colour of any Writ, Proceſs, or other Warrant whatſoever, it ſhall not be lawful for ſuch Officer or Officers, to convey or carry, or cauſe to be conveyed or carried the ſaid perſon or perſons, to any Tavern, Ale-houſe or other publick Victualling or Drinking-houſe, without the free and voluntary conſent of the ſaid perſon or perſons, ſo as to charge ſuch Priſoner with any Sum of Mony for any Wine, Beer, Ale, Victuals, Tobacco, or any other things whatſoever, but what the ſaid perſon or perſons ſhall call for, of his, her, or their own accord; (3) and ſhall not demand, take or receive, or cauſe to be demanded, taken or received, directly or indirectly, any other or greater Sum or Sums than what by Law ought to be taken or demanded for ſuch Arreſt, taking, or waiting (until ſuch perſon or perſons ſhall have procured an appearance, found Bail, agreed with his or their Adverſaries, or be ſent to the proper Gaol belonging to the County, City, Town or place where ſuch Arreſt or taking ſhall be) (4) nor take and exact any other reward or gratuity for ſo keeping the ſaid perſon or perſons out of the Gaol or Priſon, than what he, ſhe or they ſhall or will of his, her, or their own accord, voluntarily and freely give; (5) Nor take, nor receive any other or greater ſum or ſums for each nights lodging, or other expences, than what is reaſonable and fitting in ſuch caſes, or ſhall be ſo adjudged by the next Juſtice of the Peace, or at the next Quarter-Seſſions, (6) and ſhall not cauſe or procure the ſaid perſon or perſons, to pay for any other Wine, Beer, Ale, Victuals, Tobacco, or other things than what the ſaid perſon or perſons ſhall voluntarily, particularly and freely call for.

Nor demand or receive greater Sum than what by Law ought to be taken for waiting.

That all Sheriffs, Gaolers, &c. ſhall permit their Priſoners to ſend for neceſſary food where they pleaſe;

X. And that every Under-Sheriff, Gaoler, Keeper of Priſon or Gaol, and every perſon or perſons whatſoever, to whoſe cuſtody any perſon or perſons ſhall be delivered or committed, by vertue of any Writ of Proceſs, or any pretence whatſoever, ſhall permit and ſuffer the ſaid perſon or perſons, at his and their will and pleaſure, to ſend for, and have any Beer, Ale, Victuals, and other neceſſary food, where, and from whence they pleaſe; as alſo to have and uſe ſuch Bedding, Linen, and other things as the ſaid perſon or perſons ſhall think fit, without any purloyning, detaining or paying for the ſame, or any part thereof, nor ſhall demand, take or receive of the ſaid perſon or perſons, any other or greater Fee or Fees whatſoever, for his, her, or their commitment, releaſe or diſcharge, for his, her or their Chamber-rent, than what is allowable by Law, until the ſame ſhall be ſetled by three Juſtices of the Peace, whereof one to be of the Quorum, of each particular County, City and Town Corporate, in their ſeveral Precincts; and for the City of London, and Counties of Middleſex and Surrey, the two Lord Chief Juſtices of the Kings Bench and Common Pleas, and the Lord Chief Baron, or any two of them, and the Juſtices of the Peace of the ſame, in their ſeveral Juriſdictions.

Nor demand any greater fee for their Commitment or diſcharge then what is allowable.

That inquiry be made into all charitable Uſes given for the benefit of poor Priſoners.

XI. And likewiſe that the ſaid Lord Chief Juſtices, Lord Chief Baron, and Juſtices of the Peace, in their ſeveral Juriſdictions, and all Commiſſioners for charitable Uſes, do their beſt endeavours and diligence to examine and find out the ſeveral Legacies, Gifts and Bequeſts beſtowed and given for the benefit and advantage of the poor Priſoners for Debt, in the ſeveral Gaols and Priſons in this Kingdom; and to ſend for any Deeds, Wills, Writings and Books of Accounts whatſoever, and any perſon or perſons concerned therein, and to examine them upon Oath, to make true diſcovery thereof (which they have full power and authority hereby to do) and the ſame ſo found out and aſcertained, to order and ſettle in ſome manner and way, that the Priſoners hereafter may not be defrauded, but receive the full benefit thereof, according to the true intent of the Donors.

That the Rates of Fees and Government of Priſons be ſigned by the Lord Chief Juſtices &c. and hung up in every Gaol, fairly written.

XII. And that theſe Accompts of the ſeveral Legacies, Gifts and Bequeſts given and beſtowed upon the ſeveral Priſoners for Debt, within this Kingdom, and the ſeveral Rates of Fees, and the future Government of Priſons, be ſigned and confirmed by the Lord Chief Juſtices, and Lord Chief Baron, or any two of them for the time being, and the Juſtices of the Peace in London, Middleſex and Surrey, and by the Judges for the ſeveral Circuits, and Juſtices of the Peace for the time being, in their ſeveral Precincts, and fairly written and hung up in a Table in every Gaol and Priſon, before the firſt day of November, One thouſand ſix hundred ſeventy and one, and likewiſe be regiſtred by each, and every Clerk of the Peace within his or their particular Juriſdiction: And after ſuch Eſtabliſhment, no other or greater Fee or Fees, than ſhall be ſo eſtabliſhed, ſhall be demanded or received.

Felons and Priſoners for Debt, not to be lodged together.

XIII. And whereas it is become the common practice of Gaolers and Keepers of Newgate, the Gatehouſe at Weſtminſter, and ſundry other Gaols and Priſons, to lodge together in one Room or Chamber and Bed, Priſoners for Debt and Felons, whereby many times honeſt Gentlemen, Tradeſmen and others, Priſoners for Debt, are diſturbed and hindred in the night time from their natural reſt by reaſon of their Fetters and Irons, and otherwiſe much offended and troubled by their lewd and prophane language and diſcourſes, with moſt horrid curſing and ſwearing (much accuſtomed to ſuch perſons) (2) Be it enacted by the authority aforeſaid, That it ſhall not be lawful hereafter for any Sheriff, Gaoler, or Keeper of any Gaol or Priſon, to put, keep or lodge Priſoners for Debt, and Felons together in one Room or Chamber; but that they ſhall be put, kept and lodged ſeparate and apart one from another, in diſtinct Rooms, (3) upon pain that he, ſhe, or they which ſhall offend againſt this Act, or the true intent and meaning thereof, or any part thereof, ſhall forfeit and loſe his or her Office, Place or Imployment, and ſhall forfeit treble damages to the party grieved to be recovered by vertue of this Act; Any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

1 Ed. 3. 7.
2 Inſt. 35.
The forfeiture for offending againſt this Act.

CAP. XXI. (8.)

An Act for taking the Accompts of Sixty thouſand pounds, and other Monies given to the Loyal and Indigent Officers.

14 Car. 2. cap. 8.

Whereas by an Act of this preſent Parliament, made in the fourteenth year of the Reign of our moſt gracious Soveraign Lord King Charles the Second, Entituled, An Act for diſtributing of Threeſcore thouſand pounds, amongſt the truly Loyal and Indigent Commiſſion Officers, and for aſſeſſing of Offices, and diſtributing the Monies thereby raiſed for their farther Supply, It was enacted, That the ſum of Threeſcore thouſand pounds ſhould with the moſt convenient ſpeed be diſtributed amongſt ſuch truly Loyal and Indigent Officers, who have had real Command of Souldiers according to their ſeveral Commiſſions, and who had never deſerted his Majeſty's, nor his bleſſed Fathers Service, during the late times of Rebellion and Uſurpation, and who have not a ſufficient Livelyhood of their own, nor have ſince his Majeſty's Return obtained any Reward, Office or Imployment ſufficient for a Livelyhood, by ſuch ways, means and proportions, as by the ſaid Act is appointed: And by the ſaid Act, the ſaid Threeſcore thouſand pounds was to be paid to ſuch Treaſurer as ſhould be nominated and appointed according to the true meaning of the ſaid Act;

II. And whereas the ſaid Commiſſioners, by the ſaid Act, were to aſſeſs all and every Office and Offices within the Realm of England, Principality of Wales, and Town of Berkwick upon Tweed, of the yearly value of five pounds, or more; and foraſmuch as ſeveral perſons were appointed Treaſurers, Collectors and Receivers for the receipt of the ſaid Threeſcore thouſand pounds, and for the receipt of the ſums of mony to be raiſed by the Aſſeſſment of Offices;

III. And foraſmuch as ſeveral ſums of mony have been paid to the ſaid Treaſurers, Collectors and Receivers in purſuance of the ſaid Acts, whereof complaint hath been made, that ſome of them have given no Accompt, Be it therefore enacted, and it is enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the perſons hereafter to be named by his Majeſty, under his Great Seal, or any three or more of them, ſhall be Commiſſioners for the taking of the reſpective Accounts of the ſaid Treaſurers, Collectors and Receivers, upon the reſpective Oaths of the ſaid Treaſurers, Collectors and Receivers, and alſo to examine Witneſſes, and to take Depoſitions upon Oath, concerning the Charging or Diſcharging of the ſaid Treaſurers, Collectors or Receivers, which Oaths the ſaid Commiſſioners, or any three or more of them, are hereby authorized to adminiſter; and by all other ways and means to examine what monies have been, bona fide, received or paid in purſuance of the former Act for diſtribution of Threeſcore thouſand pounds by any perſon or perſons whatſoever.

Commiſſioners to take the Treaſurers Accompts.

Power to adminiſter oaths.

IV. And be it farther enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, may from time to time iſſue their Warrants under their Hands and Seals, to the ſaid Treaſurers, Collectors and Receivers, to appear before them, or any three or more of them, at ſuch time and place as by the ſaid Warrants ſhall be appointed, ſo as the place in which the ſaid Treaſurers, Collectors and Receivers be appointed to appear, be within three miles of the Cities of London and Weſtminſter.

Power given to ſummon the Collectors.

V. And be it farther enacted by the authority aforeſaid, That the ſaid Commiſſioners ſo as aforeſaid to be appointed by his Majeſty, or any three or more of them, ſhall upon the taking the Accompts of the ſaid Treaſurers, Receivers and Collectors, make and tranſmit into his Majeſty's Court of Exchequer, a Duplicate of the ſame Account fair written in Parchment, and ſigned by the ſaid Commiſſioners, or any three or more of them: Which ſaid Accompt ſo ſigned and tranſmitted, is by the authority aforeſaid declared and adjudged to be, and ſhall to all intents and purpoſes be received and taken by all and every the Officers and Miniſters of his Majeſty's ſaid Court of Exchequer, as an Accompt declared before the Lord Treaſurer, Chancellor, or Barons of the ſaid Exchequer, according to the uſual courſe of the ſaid Court, and ſhall have the ſame effect, and be accordingly proceeded upon, either for paſſing a Quietus eſt to the ſeveral and reſpective Accomptants, or for iſſuing of Proceſs, where the caſe requires: All which the ſaid Court of Exchequer, and the ſeveral and the reſpective Officers and Miniſters thereof, to whom it ſhall or may appertain, are hereby authorized and required to perform and do accordingly.

A Duplicate of the Accounts to be tranſmitted into the Exchequer.

A Quietus to be thereupon.

VI. And be it farther enacted by the authority aforeſaid, That after the ſaid ſum and ſums of mony ſhall be levied and paid into his Majeſty's Court of Exchequer as aforeſaid, That then the ſaid ſum or ſums of mony, or ſo much thereof as ſhall be levied and paid as aforeſaid, ſhall be iſſued forth, and paid without any Fee, unto ſuch Treaſurer as his Majeſty ſhall appoint, or unto his Deputy, to be appointed under his hand and ſeal; for whom he is to be reſponſible; to which Treaſurer ſhall be from time to time paid all mony due, ariſing or levied by vertue of the firſt recited Act, or this preſent Act; which ſaid Commiſſioners, or any three or more of them, ſhall by their Warrants under Hand and Seal to the ſaid Treaſurer or his Deputy as aforeſaid, cauſe to be paid out the ſaid monies, to ſuch truly loyal indigent Commiſſion Officers as aforeſaid, as have not already received their full Share, having relation and reſpect to the methods and directions of the ſaid former Act or Acts, and proceedings thereupon, and alſo to the methods already proceeded in by Lots, as the Counties ſtand in the rule of Lots, had and made by the former Commiſſioners for this purpoſe ſitting in

The mony to be paid without Fee.

How to be diſtributed.

in the Star-chamber; And therefore the ſaid former Treaſurers, Receivers and Collectors, as alſo the former Regiſters and Clerks, and every of them, for diſtribution of the ſaid threeſcore thouſand pounds, are hereby required to deliver to the ſaid Commiſſioners, all ſuch Books and Papers relating to this affair, as came to their or any of their hands or cuſtody.

VII. And farther be it enacted, That the ſaid Warrants of the ſaid Commiſſioners, and the Acquittances of the reſpective Commiſſion-officers thereupon, ſhall be vouchees and ſufficient diſcharges to the ſaid Treaſurer, for ſuch monies as he ſhall accordingly pay: And ſuch Treaſurer ſhall give obedience to every ſuch Warrant, and make ready payment accordingly, if any ſuch monies remain in his hand, and he ſhall pay no ſuch mony without ſuch Warrant; and for all ſuch mony as he ſhall ſo receive and pay as aforeſaid, he is hereby made accomptable to the ſaid Commiſſioners, and his Accompts ſo taken by them or the major part of them, ſhall be certified under their hands and ſeals into the Exchequer; which Accompt ſo certified by the ſaid Commiſſioners or any three or more of them, is hereby declared and adjudged, and ſhall be taken by all the Officers and Miniſters of the ſaid Exchequer, as an Accompt declared in manner as is before in this Act expreſſed, and ſhall accordingly be proceeded upon.

The Commiſſioners Warrant a ſufficient diſcharge to the Treaſurer.

VIII. And be it enacted, That if it ſhall appear upon Oath before the ſaid Commiſſioners, or any three or more of them, that any Certificate is falſe, or counterfeit, or corruptly, or not duly procured or granted, according to the former Acts made for that purpoſe, That then it ſhall and may be lawful for ſuch Commiſſioners to Poſt-pone the payment of the monies due upon ſuch Certificate, until the party concerned therein, ſhall upon Oath prove the contrary, or clear himſelf, or his ſaid Certificate, from all ſuch Objections. All which Oaths aforeſaid, the ſaid Commiſſioners are hereby impowered to adminiſter.

If any Certificate is counterfeit, then to Poſtpone the payment.

IX. And be it enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, are hereby authorized and required by Warrant as aforſaid, to levy or cauſe to be levied according to the powers of the ſaid Acts, or any of them, all ſuch monies formerly aſſeſſed, as ſhall appear to them not to have been accordingly paid; and to aſſeſs all and every Officer and Officers for their reſpective Offices within the Realm of England, Principality of Wales, and Town of Berwick upon Tweed, as hath not been formerly aſſeſſed according to the true intent of the ſaid firſt mentioned Act, Entituled, An Act for the diſtribution of Threeſcore thouſand pounds, amongſt the truly loyal and indigent Commiſſion-officers, and for aſſeſſing of Offices, and diſtributing the monies thereby raiſed for their future Supply: And they are hereby impowred and directed by Oath (other than of the Officer himſelf) if they find cauſe, and by all other lawful means, to find out with convenient ſpeed, the full value of all Offices aforeſaid, to the intent all Officer and Officers may be truly aſſeſſed for their reſpective Offices, according to the rates and proportions hereafter mentioned; that is to ſay, To rate every Officer and Officers as hath not already been aſſeſſed, and to rate and aſſeſs every of them ſo much as he or they ought to have been aſſeſſed and paid, according to the true intent and meaning of the ſaid Act.

Power to levy all monies formerly aſſeſſed and not paid.

14 Car. 2. cap. 8.

To adminiſter an Oath.

X. And the ſaid Commiſſioners, or any three or more of them are hereby enabled to nominate ſuch Collector or Collectors for the Counties, Cities and Corporations within the Kingdom of England, Principality of Wales, and Town of Berwick upon Tweed, for the collecting, receiving and gathering every ſum and ſums of mony impoſed, or to be impoſed or taxed upon every Officer and Officers as aforeſaid, for their reſpective Offices, and alſo to appoint a Regiſter; which ſaid Regiſter is hereby appointed to enter all Rates and Aſſeſments ſo made by the ſaid Commiſſioners, or any three or more of them, into a Book fairly writ, and to deliver Duplicates to the ſaid Collector and Collectors, under the hands and ſeals of the ſaid Commiſſioners, or any three or more of them; And the ſaid Collectors, and every of them, are hereby impowred to demand and levy reſpectively, according to the powers of the ſaid Act, the ſeveral ſums of mony therein contained, in the ſaid Duplicates.

To appoint Collectors and a Regiſter.

Power to levy.

XI. And be it enacted, That if any ſuch Officer ſhall not pay his Tax or Proportion ſo rated or aſſeſſed, ſometime within ten days after notice thereof in writing left at his Office, or at the uſual place of his aboad, and after demand thereof made at ſuch place by ſome Collector, That then it ſhall and may be lawful for ſuch Collector or Collectors, to diſtrain upon any of the Goods and Chattels of ſuch Officer, and the ſame to ſell, and reſtore the Overplus, deducting his own reaſonable Charges in taking the Diſtreſs.

Diſtreſs for non-payment within ten days.

XII. And be it farther enacted, That the Collector or Collectors herein appointed, for the better levying and receiving the ſeveral Rates and Taxes that are or ſhall be impoſed according to this Act, are hereby impowred to make uſe of all Powers and Authorities as are given to any Collector or Sub-collectors, by the late Act, Entituled, An Act for granting a Royal Aid unto the Kings Majeſty of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred pounds, to be raiſed, levied and paid in the ſpace of three years.

A farther power given them.

16 & 17 Car. 2. cap. 1.

XIII. Provided always, and be it farther enacted by the authority aforeſaid, That all payments of Mony made by Sir John Bennet Knight, of the Honourable Order of the Bath, late Treaſurer, or his Deputy, according to the direction of the ſaid Act, which ſhall appear upon Oath before the ſaid Commiſſioners to be really paid, ſhall be allowed by the ſaid Treaſurer, notwithſtanding the ſaid payments, or any of them, were made upon falſe and ſurreptitious Certificates, or Letters of Attorny, unleſs upon examination there ſhall appear any privity thereof, deceit or colluſion in the ſaid Treaſurer, or his Deputy, and the ſaid Commiſſioners are hereby impowred to adminiſter all or any the Oaths aforeſaid.

All payments made by Sir John Bennet, to be allowed, although paid upon falſe Certificates.

XIV. Provided alſo, and be it enacted, That all Warrants and Orders ſigned by the former Commiſſioners, for the payment of Officers, according to the rules and directions of the former Acts, being transferred and made over to the preſent Treaſurer, ſhall be ratified, confirmed, and allowed by the Commiſſioners to be appointed, as aforeſaid, and payments made thereupon accordingly; Any thing in this Act to the contrary notwithſtanding.

A confirmation of all Orders ſigned by former Commiſſioners.

XV. Provided always, and be it farther enacted, That all ſuch Receivers as have accounted in the Exchequer for any ſum or ſums of mony, that were received and paid by vertue of the ſaid Act, or any other Act, and have their Quietus eſt, ſhall not be accomptable for the ſaid ſum or ſums already accounted for by this Act; Any thing in this Act to the contrary notwithſtanding.

Thoſe Receivers which have their Quietus, ſhall not be accomptable for any monies accompted for by this Act.

C A P. XXII. (14.)

An Act for the better and more certain Recovery of Fines and Forfeitures due to his Majeſty.

Preamble.

WHereas by divers Statutes in old time made, it was provided, That the Eſtreats of Fines, Iſſues, Amerciaments and other Forfeitures, ſhould be certified and delivered into the Exchequer yearly, and that from thence, the Eſtreats of the Summons ſhould go forth through all Shires, for levying thereof; (2) Since the making of which Laws, many are the abuſes and miſchiefs ariſen and practiſed, not only by the not timely certifying and eſtreating the ſaid Fines and Forfeitures, but alſo by the ſiniſter practice amongſt Officers, in ſparing, diſcharging, and not certifying at all, or if they do certifie, yet by miſcertifying and eſtreating the ſaid Fines and Forfeitures in and into the ſaid Court of Exchequer:

All Fines, Poſt-fines, Iſſues, Amerciaments, Recognizances, and other Forfeitures forfeited in the Kings Bench, or Common Bench, to be certified twice every year into the Exchequer.

Hillary Term.

Trinity Term.

II. For remedy whereof, and miſchiefs of the like kind, Be it enacted and ordained by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth all Fines, Poſt-Fines, Iſſues, Amerciaments forfeited, Recognizances, Sum and Sums of Mony paid, or to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever, which already are, or hereafter ſhall be ſet, impoſed, loſt or forfeited in his Majeſty's Courts of Kings Bench, Common-Bench, or Exchequer, ſhall be certified and eſtreated in and into the ſaid Court of Exchequer, twice in every year yearly (that is to ſay) All Fines, Poſt-Fines, Iſſues, Amerciaments forfeited, Recognizances, Sum and Sums of mony paid, or to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever ariſing in any of the ſaid Courts from the beginning of every Hillary Term in every year, to the beginning of every Trinity Term in every year, ſhall be, and are hereby ordained to be certified and eſtreated in and into the ſaid Court of Exchequer, the laſt day of every Trinity Term in every year.

Penalty.

III. And all Fines, Poſt-Fines, Iſſues, Amerciaments forfeited, Recognizances, Sum and Sums of Mony paid and to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever ariſing in any of the ſaid Courts, from the beginning of every Trinity Term in every year, to the beginning of every Hillary Term in every year, ſhall be in like manner certified and eſtreated in and into the ſaid Court of Exchequer, the ſaid laſt day of every Hillary Term in every year, (2) on pain that every Officer or Miniſter of or belonging to the ſaid Courts, or any of them to whom it doth, ought, or ſhall belong or appertain to make Certificate or Eſtreat of any of the ſaid Fines or Forfeitures, making default, or offending therein, to forfeit and pay fifty pounds for every ſuch default or failer that ſhall be made in certifying and eſtreating, as aforeſaid; The one moiety to the uſe of his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons that ſhall or will ſue for the ſame in any Court of Record, by Action of Debt, Bill or Information, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed.

A ſaving out of this Act.

IV. Provided always, That nothing in this Act contained, ſhall alter or change the courſe now uſed in the certifying and eſtreating of Iſſues from the ſaid Court of Common-Bench, nor of Fines Pro licentia concordandi, commonly called Poſt-Fine, being Termly certified and eſtreated into the ſaid Court of Exchequer, nor the Termly eſtreating of Iſſues certified out of the Office of Pleas belonging to the ſaid Court of Exchequer, to the Clerk of the Eſtreats there.

All Fines and Forfeitures, &c. before Judges of Aſſize, Clerks of the Market, or Commiſſioners of Sewers, to be in like manner certified.

The time when.

V. And be it farther enacted and ordained by the authority aforeſaid, That all Fines, Iſſues, Amerciaments forfeited, Recognizances, Sum and Sums of Mony paid, or to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever, which already are, or hereafter ſhall be ſet, impoſed, loſt or forfeited, or before any Judge or Judges of Aſſize, Clerk of the Market, or Commiſſioners of Sewers throughout the Kingdom of England, ſhall be, and are hereby ordained to be certified and eſtreated into the ſaid Court of Exchequer, twice in every year yearly, (that is to ſay) all Fines, Iſſues, Amerciaments forfeited, Recognizances, Sum and Sums of Mony paid, or to be paid in lieu or ſatisfaction of them or any of them ariſing or happening in any of the ſaid Courts laſt mentioned, or before any Judge or Judges of the ſame, from the Feaſt of St. Michael the Archangel, in every year, to the Feaſt of Eaſter in every year, ſhall be certified and eſtreated in and into the ſaid Court of Exchequer, before the firſt day of Trinity Term in every year.

Forfeiture.

VI. And all Fines, Iſſues, Amerciaments forfeited, Recognizances, Sum and Sums of Mony paid, or to be paid in lieu or ſatisfaction of them or any of them ariſing or happening in any of the ſaid Courts laſt mentioned, from the ſaid Feaſt of Eaſter in every year, to the ſaid Feaſt of St. Michael the Archangel in every year, ſhall be certified and eſtreated into the ſaid Court of Exchequer, before the firſt day of Hillary Term in every year, (3) on pain that every ſuch perſon and perſons to whom it doth, ought or ſhall belong or appertain to make Certificate or Eſtreats of the ſaid Fines or Forfeitures, making default herein, to forfeit and pay fifty pounds for every ſuch default or failer that ſhall be made in certifying and eſtreating as aforeſaid, The one moiety to the uſe of his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons that ſhall or will ſue for the ſame in any Court of Record, by Action of Debt, Bill or Information, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed.

All Clerks of the Peace, and Town-clerks, to deliver to the Sheriff a Schedule of all Fines, &c.

VII. And be it farther enacted and ordained by the authority aforeſaid, That all and every the Clerk and Clerks of the Peace, and all Town-clerks, and every of them, within the Kingdom of England, do, and ſhall make and deliver to the Sheriff or Sheriffs of the County, City or Town-corporate where the Seſſions of the Peace is or ſhall be kept, within twenty days after the nine and twentieth day of September, in every year yearly, a true or perfect

Eſtreat or Schedule of all Fines, Iſſues, Amerciaments forfeited, Recognizances, Sum and Sums of Mony, and other Forfeitures whatſoever, that are or ſhall happen to be impoſed, ſet, loſt, or forfeited in any of the ſaid Seſſions of the Peace reſpectively, which ſhall be held before Michaelmas, by, or upon any perſon or perſons whatſoever, due to his Majeſty.

And return a Duplicate into the Exchequer.

VIII. And alſo do and ſhall yearly, and every year, on or before the ſecond Monday after the morrow of All Souls, make and deliver into the ſaid Court of Exchequer, a true and perfect Duplicate, Certificate and Eſtreat of all ſuch Eſtreats and Schedules ſo delivered to the reſpective Sheriffs aforeſaid, That ſo the reſpective Sheriffs on their Appoſals in the ſaid Court of Exchequer, may be charged with the monies levied and received by him or them reſpectively, upon ſuch Schedules delivered as aforeſaid; (2) on pain that every ſuch perſon and perſons offending herein, for every ſuch default or failer made to forfeit and pay fifty pounds: The one moiety to the uſe of his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons that ſhall or will ſue for the ſame, to be recovered in any Court of Record, by Action of Debt, Bill or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Penalty.

All perſons whatſoever ſhall not withhold, but eſtreat all Fines, &c. into the Exchequer.

IX. And be it farther enacted and ordained by the authority aforeſaid, That no Officer or Miniſter, of or belonging to any of his Majeſty's Courts of Kings Bench, Common Bench or Exchequer, nor any Clerk of Aſſize, Clerk of the Peace, Town-Clerk, nor any Officer or Miniſter under them or any of them, nor other perſon or perſons whatſoever, do or ſhall ſpare, take off, diſcharge, or wittingly or willingly conceal any Indictment, Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance, or other Forfeiture whatſoever, exhibited, ſet, impoſed, loſt or forfeited, or to be exhibited, ſet, impoſed, loſt or forfeited in any of the ſaid Courts before mentioned, or before any Judge or Judges of, or belonging to the ſame, or any Sum or Sums of mony paid or to be paid to any Officer or Officers, in lieu or ſatisfaction of any Fine or Forfeiture, unleſs it be by Rule or Order in Court where ſuch Indictment, Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance or other Forfeiture, is or ſhall be exhibited, ſet, impoſed, loſt or forfeited; (2) Nor ſhall any of the ſaid Officers or Miniſters aforeſaid, or any of them, or any other, wittingly or willingly miſcertifie, or eſtreat in or into the ſaid Court of Exchequer, any Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance or other Forfeiture whatſoever, whereby the Proceſs of the ſaid Court of Exchequer for the levying of the ſame, may be made invalid and of none effect; (3) but every ſuch Officer and Officers, and all and every other perſon and perſons offending herein, ſhall for every ſuch Offence, forfeit and pay treble the value of ſuch Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance, Sum or Sums of mony, and other Forfeiture ſo ſpared, taken off, diſcharged, concealed, not certified, or eſtreated, or miſcertified, or eſtreated as aforeſaid; The one moiety thereof to the uſe and behoof of his Majeſty, his Heirs and Succeſſors, and the other moiſty to ſuch perſon or perſons as ſhall or will ſue for the ſame in any Court of Record, by Action of Debt, Bill or Information, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed: And alſo ſhall loſe his and their Office and Place, and be for ever incapable to be imployed in any Office or Place where any part of his Majeſty's Revenue is to be managed or paid.

Penalty.

Upon all Certificates, the Green-wax ſhall go forth for the levying of the ſame.

X. And laſtly, Be it enacted and ordained by the authority aforeſaid, That where any Fine or Fines, Sum or Sums of mony, or other Forfeitures due to his Majeſty, his Heirs or Succeſſors, ſhall from henceforth at any time or times be paid to any Sheriff, Clerk of Aſſize, Clerk of the Peace, or other Officer or Miniſter whatſoever, belonging to any Court or Courts, and be according to the intent and directions of this Act, certified and eſtreated in, or into the ſaid Court of Exchequer, there and in ſuch caſe, the Summons or Proceſs of the Green-wax ſhall go forth, and be awarded to the reſpective Sheriffs, againſt ſuch Officer and Officers, and other perſons to whom ſuch Fine or Fines, Sum or Sums of mony, or other Forfeiture is, or ſhall be ſo paid for levying and receiving of the ſame, That ſo it may appear when, to whom, and how ſuch monies are received and anſwered, and paid to his Majeſty, his Heirs and Succeſſors; Any Cuſtom or Uſage to the contrary notwithſtanding.

A ſaving of all Rights and Liberties.

XI. Provided always, and be it enacted by the authority aforeſaid, That nothing in this Act contained, ſhall in any ſort extend, or be conſtrued to extend to the prejudicing of the Rights and Privileges of any Bodies Politick or Corporate, or their Succeſſors, or of any Lord or Lords of any Manor, Liberty or Franchiſe whatſoever; any thing herein to the contrary thereof in any wiſe notwithſtanding.

A ſaving to the City of London.

XII. Provided always, and be it enacted by the authority aforeſaid, That nothing in this Act contained, ſhall extend to, or be any ways prejudicial to the Rights, Cuſtoms, Priviledges, Liberties, Charter or Charters of the City of London; But that the ſaid City may enjoy the ſame accordingly, as they formerly have enjoyed the ſame, in all reſpects, and to all intents and purpoſes whatſoever, in the ſame manner and form as they before this Act had enjoyed the ſame; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

How long to continue.

XIII. And be it farther enacted by the authority aforeſaid, That this Act ſhall continue for three years, and from thence, until the end of the next Seſſion of Parliament, and no longer.

CAP. XXIII. (19.)

An Act to revive an Act, Intituled, An Act to prevent the diſturbance of Seamen and others, and to preſerve the Stores belonging to his Majeſty's Navy-Roal, with ſome Alterations and Additions.

Recital of the Act made 19 Car. 2. cap. 2.

Whereas at a Seſſion of this preſent Parliament holden at Weſtminſter the eighteenth day of September, One thouſand ſix hundred ſixty and ſix, An Act of Parliament was made, Entituled, An Act to prevent the diſturbances of Seamen and others, and to preſerve the Stores belonging to his Majeſty's Navy Royal, which was to continue two years, from the firſt of February, One thouſand ſix hundred ſixty and ſix, and from thence to the end of the next Seſſion of Parliament, which is already paſt, and the time for the continuance of the ſaid Act expired.

II. And whereas the ſaid Act is by experience found to be of neceſſary uſe, and fit to be revived and continued, in all the matters therein contained, except as is hereafter excepted, Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in Parliament aſſembled, and by the authority of the ſame, That the ſaid Act of Parliament, and all and every the Clauſes, Sentences and Articles therein contained (excepting one Claſe in the ſaid Act contained, whereby it is enacted, That no Ordinary, Regiſter or other Officer, belonging to any Eccleſiaſtical Court, or Court of Ophans, or any Juriſdiction whatſoever, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berkwick* upon *Tweed*, ſhall take or receive of the Executor or Adminiſtrator, Executors or Adminiſtrators of any Mariner or Souldier dying in the Pay of his Majeſty's Navy during this preſent War, above the Sum of Twelve pence for the Probate of any Will, Regiſtring the ſame, granting Letters of Adminiſtration, exhibiting any Inventory, or for any other matter or thing relating thereunto; Together with ſuch Forfeitures and Penalties as is therein expreſſed, for the Defaults and Tranſgreſſions therein mentioned) ſhall by vertue of this Act be revived and continued, and have the full force and vertue of a Law, during the continuance of this Act.

III. And whereas divers ill diſpoſed perſons, upon pretence of carrying his Majeſty's Naval Goods, Proviſions, Victuals, Stores and Ammunition, from his Majeſty's Yards, Wharfs, Store-houſes or other places, to his Majeſty's Ship or Ships, or to ſuch Ship or Ships as are imployed in his Majeſty's Service, or ſuch perſons as are imployed to recarry or remove from the ſaid Ship or Ships, ſuch Naval Goods, Proviſions, Victuals, Stores and Ammunition, to ſuch his Majeſty's Yards, Wharfs, Store-houſes, or other places, do frequently imbezil, take and carry them away, where they cannot be found, and remove themſelves to places unknown, before they can be convicted by due proceſs of Law, by reaſon that thoſe Witneſſes that ſhould prove the ſaid Facts, are bound forth to Sea, or otherwiſe employed elſewhere.

No perſon ſhall imbezil any of his Majeſty's Naval Goods, Victuals, &c.

Power to adminiſter an Oath.

Penalty.

IV. And it is found neceſſary, That Juſtice be more ſpeedily done in ſuch caſes, than by ordinary courſe of Law it can be; (2) Be it therefore enacted by the authority aforeſaid, That the Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and Commiſſioners of the Navy for the time being, or any one or more of them, where the value of the Goods ſo imbezilled, taken or carried away, ſhall be under the value of Twenty ſhillings, ſhall have full power, and authority, upon the Oath of two or more Witneſſes (which they or any of them have hereby power to adminiſter) or confeſſion of ſuch party ſo offending as aforeſaid, or other legal proof thereof, to convict the party or parties ſo offending, by writing under his or any of their Hands and Seals; (3) and to impoſe ſuch Fine or Fines upon all or every ſuch perſon or perſons ſo offending, and convicted as aforeſaid, as to the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any one or more of them, ſhall in his or their diſcretion ſeem meet; The ſaid Fine or Fines not exceeding double the value of the Naval Goods ſo imbezilled or carried away: (4) Which Fine or Fines ſhall be levied by diſtreſs and ſale of the Goods of ſuch Offender, by vertue of the Warrant of ſuch Officer or Officers who ſhall ſo convict the ſaid Offender, directed in manner aforeſaid, to the perſon or perſons aforeſaid: Or in caſe no ſufficient diſtreſs can be found as aforeſaid, the party or parties ſo offending, ſhall by vertue of the Warrant of ſuch perſon before whom ſuch perſon or perſons ſhall be convicted, be impriſoned in the next Goal, for any ſpace of time not exceeding three Months, without Bail or Mainprize.

Power to enter any Ship in the day-time and ſearch for ſtolen Goods.

Warrant.

V. And be it farther enacted by the authority aforeſaid, That the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and Commiſſioners of the Navy for the time being, or any one or more of them, upon Oath of two or more credible Witneſſes (which he and they have hereby power to adminiſter) teſtifying that his Majeſty's Naval Goods, Stores and Naval Proviſions, or any part thereof, are conveyed into any Ship or Veſſel whatſoever, and mentioning the name of ſuch Ship or Veſſel being at Anchor, and not ready to ſail that Tide, within any of the Roads, Harbours, Creeks or Rivers within his Majeſty's Dominions, or any perſon or perſons, by their or one of their Warrant or Warrants, in which Warrant or Warrants, the quantity or quality of ſuch Goods ſhall be ſpecified, thereunto authorized and appointed in the day-time, in the preſence of any known Officer or Officers of the Admiralty, ſhall have full power and authority to go on board any ſuch Ship or Veſſel whatſoever, being within any of the places aforeſaid; (2) and in caſe reſiſtance or refuſal be made upon demand, to enter and break open the Hatches and Cabins, or other places of the ſaid Ship, and ſearch therein for Stores, Ammunition, Proviſions, or any other Naval Goods belonging to his Majeſty's Navy, which have been imbezilled, purloyned and taken away, and the ſame to ſeize, take and carry away to his Majeſty's Store-houſe, to be applied to the Kings uſe, unleſs the ſaid Officers and Commiſſioners, upon hearing the matter, ſhall find they were unduly ſeized, and thereupon reſtore them to the party claiming the ſame, which they are hereby impowred to do, with liberty hereby reſerved to the ſaid party, finding himſelf agrieved with the Judgment of the ſaid Officers or Commiſſioners, to take his remedy for his ſaid Goods ſo ſeized, by courſe of Law.

No perſon ſhall perſonate any Seaman, Souldier or Labourer, &c. in the preſence of any of his Majeſty's Commiſſioners or Paymaſter, in order to the receiving any mony due to the Seaman, &c.

VI. And be it farther enacted by the authority aforeſaid, That whatſoever perſon or perſons ſhall be diſcovered fraudulently to perſonate any Seaman, Souldier, Artificer, Workman or Labourer aforeſaid, in the preſence of any of his Majeſty's ſaid Officers or Commiſſioners, or in the preſence of the Paymaſter, or Caſhier of his Majeſty's Navy, in order to his or their receiving of any mony due from his Majeſty to the Sea-man, Souldier, Artificer, Workman or Labourer aforeſaid; The perſon or perſons ſo offending, may be immediately arreſted and committed to priſon, by any of the ſaid principal Officers or Commiſſioners, until he or they ſhall find Bail to anſwer the ſaid Offence at the next Aſſizes, or Quarter-Seſſions, for the County or place where he or they ſhall be ſo arreſted; and being there convicted of the ſaid Offence, ſhall for every ſuch Offence, forfeit double the Sum he would by fraud have gained, to the Governours of the Cheſt at Chatham, for the uſe of the poor and maimed Seamen belonging thereunto; and ſhall moreover ſuffer Impriſonment by any ſpace of time, not exceeding one whole year, without Bail, at the diſcretion of the Court where he or they ſhall be ſo convicted.

The puniſhment.

VII. And be it farther enacted by the authority aforeſaid, That every perſon or perſons, who ſhall counterfeit the Hands of the Treaſurer, Comptroller, Surveyor, Clerk of the Acts, or of the Commiſſioners of the Navy, or any of them, or the Hand or Hands of the Signing or Vouching Officers of his Majeſty's Navy, Ships or Yards, or the Hand or Hands of any one or more of them, to any Bill, Ticket or other Papers, by vertue whereof his Majeſty's Naval Treaſure is, or may be paid or diſpoſed of, or ſhall knowingly produce any ſuch counterfeit Ticket, Bill or other Paper, every ſuch perſon or perſons ſo offending, ſhall or may be lawfully committed to priſon by the ſaid Officers or Commiſſioners, or any one of them, until he ſhall find Surety at the next general Aſſizes, or Quarter-Seſſions of the Peace for the County, Town or place where ſuch Offender ſhall be ſo committed to priſon, to be there proceeded againſt according to Law.

None ſhall counterfeit the Hands of the Treaſurer, &c. of the Navy;

Nor produce a counterfeit Ticket.

The penalty.

VIII. And be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of his Majeſty's Navy for the time being, or for any one or more of them, to adminiſter an Oath or Oaths, in any caſe or caſes relating to the receiving, keeping, iſſuing and accompting for any part of his Majeſty's Treaſure, Victuals, Stores, or Proviſions of his Majeſty's Navy, or for the preſervation of due Order and Diſcipline therein, in all matters cognizable by the ſaid Officers and Commiſſioners.

Power given to adminiſter an Oath.

IX. And it is hereby farther declared and enacted by the authority aforeſaid, That the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any one or more of them, may execute all and every the Powers hereby given them, or any of them, on all and every the Offenders aforeſaid, in all places as well within Liberties as without; any Law, Statute, Ordinance, Charter or Priviledge to the contrary notwithſtanding.

A general liberty given to execute their power.

X. And be it farther enacted by the authority aforeſaid, That no Ordinary, Regiſter or other Officer or Officers belonging to any Eccleſiaſtical Court, or Courts of Orphans, or any Juriſdiction whatſoever, within the Kingdom of England, Ireland or Dominion of Wales, or Town of Berkwick upon Tweed, ſhall take or receive of the Executor or Adminiſtrator, Executors or Adminiſtrators (being the Wife, Child or Children or next of Kindred) of any Mariner, Souldier, Seaman, or before named Artificer or Workman (except where the deceaſed ſhall leave an Eſtate of twenty pounds or more) dying in the pay of his Majeſty's Navy, above the ſum of five ſhillings, for the whole Charges of the Probate of any Will, and Regiſtring the ſame, and granting Letters of Adminiſtration, and exhibiting an Inventory, or in doing any other matter or thing relating thereunto; Every Officer performing his Duty in the ſaid Probate, to have his proportion of the ſaid Sum, according as the Judge of the ſaid Court ſhall direct; (2) And if any ſuch Officer or Officers ſhall preſume to take more than the ſaid ſum of five ſhillings for the whole Probate of the ſaid Will, or ſhall wilfully delay the doing, granting or executing the Premiſſes, the perſon or perſons ſo offending, ſhall forfeit to the party grieved, the ſum of ten pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record, or elſewhere, wherein no Eſſoin, Priviledge, Protection or Wager of Law ſhall be allowed; any Law, Statute or Uſage to the contrary notwithſtanding.

But five ſhillings to be paid for the Probate of any Will, or granting Letters of Adminiſtration of the Eſtate of any perſon dying in the pay of his Majeſty's Navy, except the Eſtate exceed 20 l.

Penalty.

XI. Provided always, and it is hereby declared, That no clauſe, ſentence or other matter in this Act contained, ſhall repeal, alter, change or be interpreted to make void any of the clauſes, matters or things ſpecified or contained in one Act of Parliament made in the two and twentieth year of his now Majeſty's Reign, Intituled, An Act for taking away the Benefit of Clergy from ſuch as ſteal Cloth from the Rack, and from ſuch as ſhall ſteal or imbezel his Majeſty's Ammunition and Stores; But that the ſame Act ſhall remain in full force and vertue, for, and notwithſtanding any thing herein contained.

The Act of 22 Car. 2. cap. 5. confirmed.

22 Car. 2. cap. 5. Sect. 3.

XII. Provided alſo, and be it farther enacted, That all and every the Powers hereby given to any Officer or Commiſſioner of the Navy, may be exerciſed by the Lord High Admiral of England for the time being.

XIII. Provided alſo, and be it farther enacted, That no perſon or perſons who ſhall be puniſhed by vertue of this Act, ſhall be puniſhed by force of any other Law for the ſame Offence.

No Offender againſt this Act ſhall be twice puniſhed.

XIV. Provided laſtly, and be it farther enacted, That this Act ſhall continue in force, during the ſpace of ſeven years, from the firſt day of June, in the year of our Lord, One thouſand ſix hundred ſeventy and one; and from thence to the end of the Seſſion of Parliament then next enſuing, and no longer.

How long it ſhall continue.

CAP. XXIV. (16.)

An Act for veſting certain Fee-Farm Rents, and other ſmall Rents in Truſtees.

Whereas his Majeſty in purſuance of a late Act, Intituled, An Act for advancing the Sale of Fee-Farm Rents, and other Rents, hath by ſeveral Letters Patents (one bearing date the thirteenth day of June, in the two and twentieth year of his Reign, and the other bearing date the eleventh day of November, in the two and twentieth year of his Reign) granted and conveyed divers Fee-Farm Rents, and other Rents, unto Francis Lord Hawley, Sir Charles Harbord Knight, Sir William Haward Knight, Sir John Talbot Knight, Sir Robert Stewart Knight, and William Harbord Eſquire, and their Heirs, as Truſtees for Sale thereof, moſt of which Rents are of the yearly value of forty ſhillings per annum, and upwards.

22 Car. 2. cap. 6.

II. And whereas there are yet remaining very many ſmall Rents left out of the ſaid Letters Patents which were intended by the ſaid Act to be ſold and conveyed away, the collection of which ſmall Rents is very chargeable to his Majeſty, and very troubleſome to the Subject, by means of Under-Sheriffs, Bailiffs and Meſſengers, neceſſarily employed therein; (2) and yet if the ſaid ſmall Rents ſhould be conveyed by Letters Patents to Truſtees for ſale thereof, the ſaid Letters Patents would be of extraordinary length, and require a multitude of recitals of many ſmall ſums, which beſides the charge in Writing, would alſo be an occaſion of great hindrance and delay to his Majeſty's Service: (3) Be it therefore enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority thereof, That all Fee-farm Rents, Rents-ſervice, Rents-ſeck, or Dry-rents, Chauntry-rents, Guild-rents, Caſtle-guard-rents, and other Rents within the Survey of the Exchequer or Dutchy of Lancaſter, due and payable to his Majeſty, his Heirs and Succeſſors, in Poſſeſſion, Reverſion or Remainder (other than ſuch Rents and Sums of Mony as are ſpecially ſaved and excepted out of the ſaid Act) be, and are hereby veſted and ſettled in the ſaid Francis Lord Hawley, Sir Charles Harbord, Sir William Haward, Sir John Talbot, Sir Robert Stewart, and William Harbord, and their Heirs, as fully and abſolutely to all intents and purpoſes whatſoever, as if the ſame had been particularly granted unto them by Letters Patents by vertue of the ſaid Act, and in ſuch manner as is hereby directed in that behalf; (4) and the ſaid Rents hereby veſted in the ſaid Truſtees ſhall be by them conveyed and diſpoſed according to the Directions and Inſtructions mentioned in the ſaid Act, to any perſon or perſons, Bodies Politick or Corporate, who ſhall deſire to purchaſe the ſame Rents, or any of them, upon a particular, or certificate thereof made by the Auditor or other Officer of Record, before whom the ſame do or ſhall ſtand in charge reſpectively; which Conveyance of the ſaid Truſtees, and the Survivors and Survivor of them, ſhall be as good and effectual in Law to all intents and purpoſes, as if the Rents ſo conveyed had been particularly, immediately, and well and ſufficiently granted by his Majeſty under the Great Seal of England, or the Seal of the Dutchy or County Palatine of Lancaſter.

All purchaſers of Fee farm Rents to be kept harmleſs from all Incumbrances made by the Truſtees.

III. And for the better ſecurity and ſatisfaction of the Purchaſers of any of the ſaid Rents, (2) Be it enacted by the authority aforeſaid, That all and every perſon or perſons, Bodies Politick and Corporate, their Heirs, Succeſſors and Aſſigns, who have already been, or hereafter ſhall become Purchaſer or Purchaſers of any of the ſaid Rents granted by the ſaid recited Letters Patents, or mentioned, or intended to be veſted in, or conveyed by theſe Preſents to the ſaid Truſtees, ſhall quietly hold and enjoy the ſame, according to their ſeveral and reſpective Purchaſes, and ſhall be, and are hereby ſaved and imdenipnified, and kept harmleſs of and from all, and all manner of Incumbrances whatſoever heretofore had, or hereafter to be had, made or done by the ſaid Truſtees, or any of them, to charge or incumber the ſaid Rents with any Incumbrances whatſoever.

The Receivers general may receive them till ſale made.

IV. Provided always, and it is the true intent and meaning of theſe Preſents, That until Sale ſhall be made of the ſaid ſeveral Rents, by the Truſtees afore mentioned, or the Survivors or Survivor of them, their Heirs, Executors or Adminiſtrators, That the Receiver or Receivers-general of his Majeſty's Revenue, ſhall and may receive, collect and gather the ſame, and every part thereof as fully to all intents and purpoſes, as if the ſaid Letters Patents, or this preſent Act had not been made.

Advantages allowed to Purchaſers.

The ſhewing of this Act and Deed ſhall be a good evidence in any Court of Juſtice.

V. And laſtly, be it enacted, That all ſuch perſons as ſhall purchaſe any of the ſaid Rents by vertue of this Act, ſhall have and enjoy all the benefits and advantages given or allowed to Purchaſers by the ſaid former Act, and the ſhewing of the printed Copies of this and the ſaid former Act, and of the Conveyance made by the ſaid Truſtees, and enrolled according to the direction of the ſaid former Act, ſhall be ſufficient Evidence in any Court of Juſtice, to entitle the Purchaſer and Purchaſers, their Heirs and Aſſigns, to any Rent by him, her, or them purchaſed, and contained in ſuch Conveyance, without any farther Proof or Evidence in that behalf.

No Tenant in Tail of any of the ſaid Rents, ſhall ſuffer any Recovery to bar the Remainder.

VI. Provided, That no Tenant in Tail of any the ſaid Rents, ſhall be enabled by this Act to ſuffer any Recovery, or do any other Act or Deed to bar the Remainder, hereby veſted in the ſaid Truſtees and their Heirs, nor ſhall ſuch Tenant in Tail have any other or greater power over the ſaid Rent, than he had before the paſſing of this Act; any thing herein before contained to the contrary notwithſtanding.

The Truſtees duly executing their authority, ſhall be diſcharged againſt his Majeſty, &c.

VII. And be it farther enacted, That the ſaid Truſtees, and the Survivors and Survivor of them, conveying and diſpoſing of the ſaid Rents according to ſuch contracts and agreements as ſhall be ſigned by the Lord Treaſurer of England, and Chancellor of the Exchequer, or the Lords Commiſſioners of his Majeſty's Treaſury for the time being, purſuant to the ſaid former, or this preſent Act, and the Heirs, Executors or Adminiſtrators of the ſaid Truſtees ſhall be for ſo doing, and are hereby freed and diſcharged againſt his Majeſty, his Heirs and Succeſſors for ever.

All Purchaſers may make a general Juſtification, by ſaying that the Truſtees were ſeized in Fee, and ſo granted to them.

VIII. And be it farther enacted by the authority aforeſaid, That every Purchaſer of any of the Rents and Premiſſes, by the intent of this or any former Act, ſold, or appointed to be ſold, their Heirs and Aſſigns, and all perſon and perſons, their Heirs, Executors, Adminiſtrators and Aſſigns, claiming by, from, or under ſuch Purchaſer or Purchaſers, may ſue for, make Avowry, Juſtification or Conuzance, as the caſe ſhall require, for ſuch Rent or Rents, and Premiſſes, and Arrears thereof, without ſetting forth how his Majeſty or his Progenitors became entituled to ſuch Rents, or other the Premiſſes, or ſetting forth or producing in Court any Letters Patents, or other matter, whereby ſuch Rents or Premiſſes had commencement, or the ſaid Letters Patents whereby the Premiſes were granted, or intended to be granted to the ſaid Francis Lord Hawley, Sir Charles Harbord, Sir William Haward, Sir John Talbot, Sir Robert Stewart, and William Harbord; (2) But it ſhall be ſufficient in every ſuch Suit, Avowry, Conuzance or Juſtification, where occaſion ſhall be, to ſet forth the Title of ſuch Purchaſer, to declare or alledge, that the ſaid Francis Lord Hawley, Sir

Charles Harbord, Sir William Haward, Sir John Talbot, Sir Robert Stewart, and William Harbord, were ſeized in Fee, or in Demeſn, as of Fee, of ſuch Rent or Premiſſes in Poſſeſſion or Reverſion as the caſe requires, and ſo ſeized, granted the ſame.

Liberty given to purchaſe by the words expreſſed in the Letters Patents, the Auditors Certificates or Grants from the Crown.

IX. Whereas many of the Rents veſted in the ſaid Truſtees by the two Patents herein before mentioned, are either miſrecited, or not ſo fully and particularly expreſſed, as may be reaſonably deſired by ſome Purchaſers: (2) Be it therefore farther enacted by the authority aforeſaid, That the ſaid Truſtees, and the Survivor and Survivors of them, and the Heirs of ſuch Survivors, ſhall and may convey the ſaid Rents, or any of them, to the reſpective Purchaſers, either by the words expreſſed in the ſaid Letters Patents, or by particulars to be made out by the reſpective Auditors, or by the original Grants from the Crown, wherein thoſe Rents are reſerved, as the ſaid Truſtees ſhall find moſt convenient for the ſatisfaction of the ſaid Purchaſers; (3) Saving unto the Queens Majeſty all ſuch Right, Title, Intereſt, Poſſeſſion, or Eſtate as her Majeſty had, ſhould, or might have, or of right ought to have had in, or unto the Rents hereby veſted, or any of them, as fully and amply as her Majeſty would or might have had before this preſent Act, and as if this Act had never been had or made; any thing herein before contained to the contrary notwithſtanding.

A ſaving to the Queens Majeſty of all her Rights, &c.

CAP. XXV. (17.)

An Act for the better preſervation of the Game, and for ſecuring Warrens not incloſed, and the ſeveral Fiſhings of this Realm.

Preamble.

Whereas divers diſorderly perſons, laying aſide their lawful Trades and Imployments, do betake themſelves to the ſtealing, taking and killing of Conies, Hares, Pheaſants, Partridges, and other Game intended to be preſerved by former Laws, with Guns, Dogs, Tramels, Lowbels, Hays, and other Nets, Snares, Harepipes, and other Engins, to the great damage of this Realm, and prejudice of Noblemen, Gentlemen, and Lords of Manors and others, Owners of Warrens:

Who may appoint Game-keepers.

II. For remedy thereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Lords of Manors, or other Royalties, not under the degree of an Eſquire, may from henceforth by Writing under their Hands and Seals authorize one or more Game-keeper, or Game-keepers within their reſpective Manors or Royalties, who being thereunto ſo authorized, may take and ſeize all ſuch Guns, Bows, Grey-hounds, Setting-dogs, Lurchers or other Dogs to kill Hares or Conies, Ferrets, Tramels, Lowbels, Hays, or other Nets, Hare-pipes, Snares, or other Engins for the taking and killing of Conies, Hares, Pheaſants, Partridges, or other Game, as within the precincts of ſuch reſpective Manors ſhall be uſed by any perſon or perſons who by this Act are prohibited to keep or uſe the ſame: (2) And moreover, That the ſaid Game-keeper or Game-keepers, or any other perſon or perſons (being thereunto authorized by Warrant under the Hand and Seal of any Juſtice of the Peace of the ſame County, Diviſion or Place) may in the day-time, ſearch the Houſes, Out-houſes, or other places of any ſuch perſon or perſons by this Act prohibited to keep or uſe the ſame, as upon good ground ſhall be ſuſpected to have or keep in his or their Cuſtody any Guns, Bows, Grey-hounds, Setting-dogs, Ferrets, Cony-dogs, or other Dogs to deſtroy Hares or Conies, Hays, Tramels, or other Nets, Lowbels, Hare-pipes, Snares, or other Egins aforeſaid, and the ſame, and every or any of them to ſeize, detain and keep, to and for the uſe of the Lord of the Manor or Royalty where the ſame ſhall be ſo found or taken, or otherwiſe to cut in pieces or deſtroy, as things by this Act prohibited to be kept by perſons of their degree.

What ſuch Game-keepers may ſeize.

Power to ſearch Houſes.

What perſons are prohibited the keeping of Guns, Bows, Dogs, &c.

III. And it is hereby enacted and declared, That all and every perſon and perſons not having Lands and Tenements, or ſome other Eſtate of Inheritance in his own or his Wifes right, of the clear yearly value of one hundred pounds per annum, or for term of life, or having Leaſe or Leaſes of ninety nine years, or for any longer term, of the clear yearly value of one hundred and fifty pounds, other than the Son and Heir apparent of an Eſquire, or other perſon of higher degree; and the Owners and Keepers of Foreſts, Parks, Chaſes or Warrens, being ſtocked with Deer or Conies for their neceſſary uſe, in reſpect of the ſaid Foreſts, Parks, Chaſes, or Warrens, are hereby declared to be perſons by the Laws of this Realm, not allowed to have or keep for themſelves, or any other perſon or perſons, any Guns, Bows, Grey-hounds, Setting-dogs, Ferrets, Cony-dogs, Lurchers, Hays, Nets, Lowbels, Hare-pipes, Guns, Snares, or other Engins aforeſaid; But ſhall be, and are hereby prohibited to have, keep, or uſe the ſame.

No perſon ſhall kill Conies in a Warren not incloſed.

IV. And foraſmuch as divers Warrens and Grounds not incloſed, are uſed for the breeding and keeping of Conies in ſeveral parts of this Kingdom, and that ſundry diſſolute and diſorderly perſons have been much encouraged to kill and deſtroy the Conies in ſuch Warrens and Grounds not incloſed, in the night-time, for that the ſame is not prohibited or puniſhable by the Statutes in that behalf made and provided, which extend only to the ſtealing and killing of Conies in Warrens or Grounds incloſed: (2) For remedy thereof, Be it enacted and declared, That if any perſon or perſons ſhall at any time enter wrongfully into any Warren or Ground lawfully uſed, or kept for the breeding or keeping of Conies (although the ſame be not incloſed) and there ſhall chaſe, take, or kill any Conies againſt the will of the Owner or Occupier thereof, not having lawful Title or Authority ſo to do, and ſhall be thereof lawfully convicted in manner hereafter following, the parties ſo offending ſhall yield to the party grieved treble damages and coſts, and ſuffer Impriſonment by the ſpace of three months, and after, till they ſhall find Sureties for their good abearing.

Forfeiture.

No perſon ſhall in the night kill any Conies on the borders of any Warren except the Owner of the Ground.

V. And foraſmuch as divers idle and diſorderly perſons living near unto Warrens, have of late time uſed to kill and take Conies upon the borders of the ſame, and under colour thereof do oft-time enter into the ſaid Warrens, and there take and kill Conies in the night time, when they cannot eaſily be diſcovered: (2) It is farther provided and enacted, That no perſon or perſons ſhall at any time hereafter kill or take in the night-time, any Conies upon

The Penalty.

Impriſonment.

the borders of any Warrens, or other Grounds lawfully uſed for the breeding or keeping of Conies; excepting only ſuch perſon or perſons as ſhall be Owner of the Soil, or lawful Occupier or Poſſeſſor of the Ground, or any perſon or perſons imployed by him, her, or them, whereupon ſuch Conies ſhall be ſo killed or taken; (2) upon pain that every perſon ſo offending, and being thereof lawfully convicted in manner hereafter following, ſhall give the party or parties injured ſuch recompence or ſatisfaction for his or their damages, and within ſuch time as ſhall be appointed by the Juſtice before whom ſuch Offender ſhall be convicted, and over and above pay down preſently unto the Overſeers for the uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, ſuch ſum of mony not exceeding ten ſhillings, as the ſaid Juſtice ſhall think meet: (4) And if ſuch offender or offenders do not make recompence or ſatisfaction to the ſaid party or perſons injured, and alſo pay the ſaid ſum to the Poor in manner and form aforeſaid, then the ſaid Juſtice ſhall commit the ſaid offender or offenders to the houſe of Correction for ſuch time as the ſaid Juſtice ſhall think fit, not exceeding one month.

No perſon ſhall kill, or ſet Snares for Hares, &c.

The Penalty.

VI. And whereas divers idle and diſorderly perſons, have of late time taken up a practice to take and kill Hares and Conies with Snares, Harepipes, and other Engines, in or near Woods, Warrens, or other places; (2) It is hereby farther enacted and declared by the authority aforeſaid, That if any perſon or perſons from and after the firſt day of May, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and one, ſhall be found or apprehended ſetting or uſing any Snares, Harepipes, or other like Engines, and ſhall be thereof convicted in manner following; The perſon or perſons ſo offending, ſhall be liable to the penalties in the immediate foregoing Clauſe of this Act, in manner as aforeſaid.

No perſon ſhall fiſh in the Pond of any perſon without his conſent, with Nets or other Engins.

The Penalty.

To be levied by Diſtreſs.

VII. And whereas divers idle, diſorderly and mean perſons, do from time to time betake themſelves to the ſtealing, taking and killing of Fiſh out of Ponds, Pools, Motes, Stews, and other ſeveral Waters and Rivers, to the great damage of the Owners thereof: (2) Be it therefore farther enacted by the authority aforeſaid, That if any perſon or perſons, from and after the firſt day of May, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and one, ſhall at any time uſe any Caſting-net, Thief-net, Drag-net, Tramel, Shove-net, or other Net whatſoever; or any Angle, Hair, Nooſe, Troll or Spear; or ſhall lay any Wears, Pots, Nets, Fiſh-hooks, or other Engines; or ſhall take any Fiſh by any means or device whatſoever in any River, Stew, Pond, Mote, or other Water as aforeſaid, or ſhall be aiding or aſſiſting thereunto, without the Licence or Conſent of the Lord or Owner of the ſaid Water, and be thereof, or of any other the Offence or Offences mentioned in this Act, convict by Confeſſion of the Offender, or by Oath of one ſufficient Witneſs within one month after the Offence committed, before any Juſtice of the Peace of ſuch County, Riding, Diviſion, or Place wherein ſuch Offence as aforeſaid ſhall be committed, which Oath the ſaid Juſtice of Peace is hereby impowred to adminiſter: Every ſuch Offender or Offenders in ſtealing, taking or killing Fiſh, ſhall for every ſuch Offence, give to the party or parties injured, ſuch recompence or ſatisfaction for his or their damages, and within ſuch time as the ſaid Juſtice ſhall appoint, not exceeding treble damages; (3) and over and above, pay down preſently unto the Overſeers for the uſe of the Poor where the ſaid Offence ſhall be committed, ſuch ſum of mony, not exceeding ten ſhillings, as the ſaid Juſtice ſhall think meet: (4) And in default of payment as aforeſaid, the ſame to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal of ſuch Juſtice before whom the Offender ſhall be convicted, rendring the Overplus, if any be; (5) And for want of Diſtreſs, the Offender or Offenders ſhall be committed to the Houſe of Correction for ſuch time as the Juſtice ſhall think fit, not exceeding one month; unleſs the party offending ſhall enter into Bond with one competent Surety or Sureties, to the party injured, not exceeding the ſum of ten pounds never to offend in like manner.

Juſtice of the Peace may cut the Nets, &c.

VIII. And be it farther enacted, That it ſhall and may be lawful for every Juſtice of Peace before whom ſuch Offender, as aforeſaid, ſhall be convict, to take, cut in pieces, and deſtroy all and every ſuch Angles, Spears, Hairs, Nooſes, Trolls, Wears, Pots, Fiſh-hooks, Nets, or other Engines whatſoever, wherewith ſuch Offender, as aforeſaid, ſhall be taken or apprehended.

The party grieved may appeal to the Quarter-Seſſions.

IX. Provided always, and be it farther enacted by the authority aforeſaid, That if any perſon or perſons ſhall find him or themſelves agrieved by any Judgment which ſhall happen to be given by any Juſtice of the Peace by vertue of this Act, it ſhall and may be lawful for ſuch perſon or perſons ſo agrieved, to appeal unto the Juſtices of Peace in their general Quarter-Seſſions which ſhall happen to be held next after ſuch Judgment given; Who, or the greater number of them, are hereby authorized and impowred to give ſuch Relief, and make ſuch Order therein, as ſhall be agreeable to the Tenor of this Act; (2) And ſuch Judgment, Order or Determination, as by the ſaid Juſtices ſhall be made upon the ſaid Appeal, ſhall be final to all intents and purpoſes whatſoever, if no Title to any Land, Royalty or Fiſhery be therein concerned.

A ſaving of all Royalties and Prerogatives to his Majeſty. And Foreſt Laws.

X. Provided always, and be it farther enacted, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to the taking away or abridging of any Royalty, or Prerogative-royal of his Majeſty, nor to abridge, change or alter any part of the Foreſt-Laws of this Realm, but all and every ſuch Laws, Rights, Powers, Royalties and Prerogatives-royal, ſhall remain and be in as full and ample force and vertue, as the ſame ought to have been in, if this Act had not been made; any thing herein before contained to the contrary notwithſtanding.

CAP. XXVI. (18.)

An Act to prevent the Planting of Tobacco in *England*, and Regulating the Plantation Trade.

Preamble. Husbandry.

WHereas the Sowing, Setting, Planting and Curing of Tobacco within divers parts of the Kingdom of England, doth continue and increaſe, to the apparent Loſs of his Majeſty's Cuſtoms, and the diſcouragement of his Majeſty's Plantations in America, and great prejudice of the Trade and Navigation of this Realm, and the vent of its Commodities

ties thither, notwithſtanding an Act of Parliament made in the twelfth year of his Majeſty's Reign that now is, for the prevention thereof, Intituled, An Act for Prohibiting the Planting, Setting or Sowing of Tobacco in *England* and *Ireland*; And alſo one other Act of this preſent Parliament, made in the fifteenth year of his ſaid Majeſty's Reign, Intituled, An Act for the Encouragment of Trade.

12 Car. 2. cap. 34.

15 Car. 2. cap. 7.

II. And foraſmuch as the remedies and proviſions by thoſe Laws are found not large enough to obviate and prevent the planting thereof, (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of May, which ſhall be in the year of our Lord, one thouſand ſix hundred ſeventy and one, all Juſtices of the Peace, within their ſeveral Limits and Juriſdictions, ſhall and do a month before every general Quarter-ſeſſions to be holden for their reſpective Counties, iſſue forth their Warrants to all High-Conſtables, Petty-Conſtables and Tythingmen, within their ſeveral Limits, thereby requiring the ſaid High-conſtables, Petty-conſtables and Tythingmen, and every of them, to make diligent ſearch and inquiſition, what Tobacco is then ſown, ſet, planted, growing, curing, cured or made within their ſeveral and reſpective Limits and Juriſdictions, and by whom; And to make a true and lawful preſentment in Writing upon Oath, at the next general Quarter-ſeſſions to be holden for ſuch County, of the names of all ſuch perſons as have ſown, ſet, planted, cured or made any Tobacco, and what the full quantity of Land is, or was ſown, ſet or planted therewith, and who are the immediate Tenant or Tenants, or preſent Occupiers of the Land ſo ſown, ſet or planted, who are and ſhall be deemed planters thereof, to all intents and purpoſes.

Juſtices of the Peace are to command all Conſtables, &c. to make a Return to them of what Tobacco is planted, and upon whoſe Land.

III. Which ſaid preſentment upon oath, ſhall be received and filed by the Clerk of the Peace of the ſaid County, in open Seſſions; and after ſuch receipt and filing, ſhall be a ſufficient Conviction in Law to all intents and purpoſes, of all ſuch perſons as ſhall be ſo preſented for the ſowing, ſetting, planting, improving to grow, making or curing Tobacco, either in Seed, Plant, Leaf, or otherwiſe, contrary to the ſaid recited Act, or either of them; unleſs ſuch perſon or perſons ſo preſented (having notice given to him or them of ſuch preſentment made, by the delivery of a Copy of ſuch preſentment to him or them, or by leaving a Copy of ſuch preſentment at his or their Dwelling Houſe or Houſes, or uſual place of abode, in the preſence of one or more credible Witneſſes, ten days at the leaſt before the next Quarter-ſeſſions, ſhall at the Quarter-ſeſſions next after ſuch notice ſhall be given to him or them) traverſe ſuch preſentment, and find ſufficient Sureties for the proſecuting and trying ſuch Traverſe, at the Quarter-ſeſſions to be holden for the ſaid County, next after ſuch Traverſe ſhall be entred or made.

Which Preſentment being filed, ſhall be a ſufficient Conviction;

Except upon notice, it ſhall be traverſed.

IV. And it is hereby farther enacted, That all Conſtables, Tythingmen, Bayliffs and other publick Officers, ſhall and do within their reſpective Juriſdictions, from time to time, as often as occaſion ſhall require, within fourteen days after Warrant from two or more of the Juſtices of the Peace within ſuch County, Town, City or place to them, calling to their aſſiſtance ſuch perſon or perſons as they and every of them ſhall find convenient and neceſſary, pluck up, burn, conſume, tear in pieces, and utterly deſtroy all Tobacco-ſeed, Plant, Leaf planted, ſowed, or growing in any Field, Earth or Ground.

Power given to all Officers, &c. to pull up, &c. and deſtroy all the Plants, &c.

V. And if any ſuch Tobacco ſhall be ſuffered or permitted to grow, or be conſumed in Seed, Plant or Leaf, in any Townſhip, Tything, Pariſh, Hamlet or place, by the ſpace of fourteen days after the receipt of ſuch Warrant or Warrants, by the ſaid Conſtables, Tything-men, Bailiffs, or other publick Officers of the reſpective Townſhips, Tythings, Pariſhes or Hanilets, as aforeſaid, That then ſuch Conſtables, Tythingmen, Bailiffs or other publick Officers reſpectively, ſhall for every ſuch offence forfeit and pay the ſum of five ſhillings for every Rod, Perch or Pole of Ground ſo ſet, planted or ſowed with Tobacco, and ſo proportionably for a greater or leſſer quantity of Ground, one moiety thereof to the Kings Majeſty, and the other moiety thereof to him or them that ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at Weſtminſter.

The penalty of Officers not doing their duty in deſtroying of it.

VI. And it is hereby farther enacted, That in caſe any perſon or perſons ſhall refuſe or neglect to aid or aſſiſt (being thereunto required) any Conſtable, Bailiff or other publick Officer, in the due execution of this Act, That every ſuch perſon or perſons for every ſuch offence, upon conviction thereof made before two Juſtices of the Peace of the ſaid County where ſuch offence ſhall be committed, ſhall forfeit and pay the ſum of five ſhillings, to be levied by Warrant from the ſaid Juſtices, diſtreſs and ſale of the offenders Goods; And in ſuch caſe no diſtreſs can be found, then every ſuch offender ſhall be committed to the common Gaol, of the ſaid County, there to remain for the ſpace of one week, without Bail or Mainpriſe.

The penalty for refuſing to aſſiſt the Officers.

VII. And if any perſon or perſons whatſoever, ſhall forceably reſiſt any Conſtable, Bailiff or other publick Officer, or other perſon or perſons whatſoever, in the due execution of this Act, That then every ſuch perſon for every ſuch offence, upon conviction thereof made before two Juſtices of the Peace of the ſaid County where ſuch offence ſhall be committed, ſhall forfeit and pay the ſum of five pounds, to be levied by Warrant from the ſaid Juſtices, by diſtreſs and ſale of the offenders Goods; And in caſe no diſtreſs can be found, then every ſuch offender ſhall be committed to the common Gaol of the ſaid County, there to remain for the ſpace of three months without Bail or Mainprize.

The forfeiture for reſiſting the Officers.

VIII. And be it farther enacted by the authority aforeſaid, That if any Action, Plaint, Suit or Information, ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance or execution of this Act, or either of the recited Acts, ſuch perſon or perſons ſo ſued in any Court whatſoever, ſhall or may plead the General Iſſue, Not Guilty, and upon any Iſſue joyned, may give this Act, or the ſaid recited Acts, or either of them, and the ſpecial matter in Evidence; (2) And if the Plaintiff or Proſecutor ſhall become Non-ſuit, or forbear farther proſecution, or ſuffer diſcontinuance, or if a Verdict ſhall paſs againſt him, the

The Officers to any Action brought againſt them, may plead Not Guilty.

If Judgment paſs for him, he ſhall recover double Coſts.

Defendant or Defendants ſhall recover their Coſts, for which they ſhall have the like remedy, as in caſe where Coſts are given by Law to the Defendants.

A ſaving for Tobacco planted in the Phyſick Gardens.

IX. Provided always, and it is hereby enacted, That this Act, nor any thing therein contained, ſhall extend to the hindring of the planting of Tobacco in any Phyſick Garden of either Univerſity, or in any other private Garden for Phyſick or Chyrurgery only, ſo as the quantity ſo planted exceed not one half of one Pole, in any one place or Garden.

15 Car. 2. cap. 7.

X. And whereas by one Act of Parliament, in the fifteenth year of his Majeſty's Reign, Intituled, An Act for the encouraging of Trade, It is declared, That inaſmuch as his Majeſty's Plantations beyond the Seas, are inhabited with his Subjects of England, for the maintaining a better correſpondency betwixt them, and keeping them in a firmer dependence upon it, and rendring them yet more beneficial and advantagious unto it, in the farther employment and increaſe of Engliſh Shipping and Seamen, vent of Woollen and other manufactures, rendring the Navigation to and from the ſame more ſafe and cheap, and making this Kingdom a Staple, not only of the Commodities of thoſe Plantations, but alſo of the Commodities of other Countries, for the ſupplying them (it being the uſage of other Nations to keep their Plantation trades to themſelves) (2) It was therefore enacted, That no Goods or Commodities of Europe ſhall be carried into any the Plantations of Aſia, Africa or America, but what ſhall, bona fide, be laden and ſhipped in England, and in Engliſh built Ships, or Ships made free, and navigated with Engliſh, according to an Act of Parliament on that behalf: (3) And that no Officer of the Cuſtoms in England or Wales ſhall give any Warrant, or ſuffer any Sugar, Tobacco, and other Plantation goods therein particularly named, to be carried into any other Country or place whatſoever, until they have been firſt bona fide unladed in England, as by the ſaid Act doth more at large appear.

12 Car. 2. cap. 18. Sect. 9.

XI. Notwithſtanding which, ſome perſons taking advantage of the not mentioning the Repealing of the word Ireland, in one Clauſe in an Act of Parliament made in the twelfth year of his Majeſty's Reign, Intituled, An Act for the encouraging and increaſe of Shipping and Navigation; where Bonds are directed to be taken for all Ships that ſhall lade any Sugar, or other Commodities therein particularly mentioned, in any of the ſaid Plantations, That the ſame Commodities ſhall be by the ſaid Ship brought to ſome Port of England, Ireland, Wales or Town or Port of Berwick, and ſhall there unload, and put the ſame on ſhore, the ſaid perſons having either refuſed to give Bond for the return of their Ships in ſuch caſe to England, Wales, or Town or Port of Berwick only, or having given ſuch Bonds, have nevertheleſs gone with their Ships to Ireland; By which means (although this Kingdom hath, and doth daily ſuffer a great prejudice by the tranſporting great numbers of the people thereof to the ſaid Plantations, for the peopling of them) yet that the Trade of them would thereby in a great meaſure be diverted from hence, and carried elſewhere, his Majeſty's Cuſtoms, and other Revenues much leſſened, and this Kingdom not continue a Staple of the ſaid Commodities of the ſaid Plantations, nor that vent for the future, of the Victual, and other native Commodities of this Kingdom; (2) Be it therefore enacted, and it is hereby enacted by the authority aforeſaid, That the word Ireland ſhall from and after the twenty fourth day of May, in the year of our Lord, one thouſand ſix hundred and ſeventy one, be left out of all ſuch Bonds which ſhall be taken for any Ship or Veſſel which ſhall ſet ſail out of, or from England, Ireland, Wales or Town of Berwick upon Tweed, for any Engliſh Plantation in America, Aſia, Africa; (3) And that in caſe the ſaid Ship or Veſſel ſhall lode any of the ſaid Commodities at any of the ſaid Engliſh Plantations, That the ſaid Commodities ſhall be by the ſaid Ship or Veſſel brought to ſome Port of England or Wales, or to the Town of Berwick upon Tweed, and ſhall there unlode and put on ſhore the ſame (the danger of the Seas only excepted) and in like manner for all Ships coming from any other port or place, to any of the aforeſaid Plantations, who by the aforeſaid Act for encouraging and increaſe of Shipping, are permitted to trade there; (3) That from and after the nine and twentieth day of September, in the year of our Lord, one thouſand ſix hundred ſeventy and one, the Governour of ſuch Engliſh Plantations ſhall before the ſaid Ship or Veſſel be permitted to lode on Board any of the ſaid Commodities, take Bond in manner, and to the value mentioned and directed in the above mentioned Act for the encouraging and increaſe of Shipping and Navigation, for each reſpective Ship or Veſſel, That ſuch Ship or Veſſel ſhall carry all the aforeſaid Goods that be laden on Board in the ſaid Ship, to ſome other of his Majeſty's Engliſh Plantations, or to England, Wales or Town of Berwick upon Tweed; (5) And that every ſuch Ship or Veſſel which from and after the ſaid nine and twentieth day of September, in the year of our Lord, one thouſand ſix hundred ſeventy and one, ſhall lode or take on Board any of the ſaid Commodities, until ſuch Bond given to ſuch Governor, or Certificate produced from the Officers of ſome Cuſtom-houſe of England, Wales, or of the Town of Berwick, that ſuch Bond hath been there duly given, or which contrary to the Tenor of ſuch Bond, ſhall carry the ſaid Goods to any Land, Iſland, Territory, Dominion, Port or Place whatſoever, other then to ſuch other Engliſh Plantations as do belong to his Majeſty, his Heirs and Succeſſors, or to the Kingdom of England, Principality of Wales, or Town of Berwick upon Tweed, and there lay the ſame on ſhore, That every ſuch Ship or Veſſel ſhall be forfeited, with all her Guns, Tackle, Apparel, Ammunition, Furniture and Lading, the one moiety to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall ſeize and ſue for the ſame in any of the ſaid Plantations, in the Court of the High Admiral of England, or of any of his Vice-admirals, or in any Court of Record in England, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The word Ireland ſhall be left out of all Bonds that be taken for any Ship that ſhall ſet ſail out of, or from England Ireland, Wales, &c. for any Engliſh Plantation in America, &c.

What Bonds the Governors of the Engliſh Plantations are directed to take.

Forfeiture.

The Governours of the American Plantations to return yearly to the Cuſtom-houſe a Liſt of all Ships and Commodities therein.

XII. And whereas many complaints have been made of ſhipping, and Veſſels belonging to ſome of his Majeſty's Colonies in America, that contrary to the intent and meaning of this, and other aforementioned Laws, they have brought and tranſported the ſaid Commodities to divers parts of Europe, and there unloded the ſame: (2) Be it farther enacted by the authority aforeſaid, That the Governours or their Commanders in Chief, of his Majeſty's reſpective Plantations, do once a year at leaſt, make a Return to his Majeſty's Officers of his Cuſtoms in the Port of London, or to ſuch other perſon or perſons as his Majeſty ſhall appoint to receive the ſame, a Liſt of all ſuch Ships or Veſſels as ſhall lade any of the ſaid Commodities in ſuch Plantations reſpectively, as alſo a Liſt of all the Bonds taken by them; (3) And in caſe any Ship or Veſſel belonging to any of his Majeſty's Plantations, which ſhall have on Board her any Sugars, Tobacco, Cotton-wool, Indicoes, Ginger, Fuſtick or other Dying-wood, ſhall be found to have unladen in any Port or Place of Europe, other then England, Wales, or the Town of Berwick upon Tweed, That ſuch Ship or Veſſel ſhall be forfeited, with all her Guns, Tackle, Apparel, Ammunition, Furniture and Lading, to be recovered and divided as aforeſaid.

If they ſhall unlade any Sugars, &c. other than in England, &c.

The forfeiture.

XIII. And that it ſhall and may be lawful for any perſon or perſons, to proſecute ſuch Ship or Veſſel in any Court of Admiralty in England, the one moiety of the forfeiture in caſe of condemnation, to be to his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch Proſecutor or Proſecutors thereof.

Where to be preſented.

XIV. And laſtly it is hereby enacted, and be it farther enacted by the authority aforeſaid, That Tangier ſhall not be deemed or taken to be a Plantation to his Majeſty belonging in Aſia, Africa or America, within the intent or meaning of this Act, or any of the aforementioned Acts, ſo as to enjoy any right, priviledge or benefit of Trading, to or from the ſaid Plantations, or any of them; any Law, Act, Uſage or Declaration to the contrary notwithſtanding.

Tangier, ſhall not be taken to be a Plantation within this Act.

XV. Provided always, and be it enacted, That this Act ſhall continue in force for nine years, and from thence to the end of the next Seſſion of Parliament, and no longer.

How long to continue.

Anno Regni C A R O L I *II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ viceſimo quinto.*

AT the Parliament begun at *Weſtminſter* the Eighth day of *May, Anno Dom.* 1661. in the Thirteenth year of the Reign of our moſt gracious Soveraign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Fourth day of *February*, 167$\frac{2}{3}$.

CAP. I.

An Act for raiſing the Sum of Twelve hundred thirty eight thouſand ſeven hundred and fifty pounds for Supply of his Majeſty's Extraordinary Occaſions. Exp.

CAP. II.

An Act for preventing Dangers which may happen from Popiſh Recuſants.

FOR preventing dangers which may happen from Popiſh Recuſants, and quieting the minds of his Majeſty's good Subjects, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lord Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every perſon or perſons, as well Peers as Commoners, that ſhall bear any Office or Offices, Civil or Military, or ſhall receive any Pay, Salary, Fee or Wages, by reaſon of any Patent or Grant from his Majeſty, or ſhall have Command or Place of Truſt from, or under his Majeſty, or from any of his Majeſty's Predeceſſors, or by his or their authority, or by authority derived from him or them, within the Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, or in his Majeſty's Navy, or in the ſeveral Iſlands of Jerſey and Guernſey, or ſhall be of the Houſhold, or in the Service or Employment of his Majeſty, or of his Royal Highneſs the Duke of York, who ſhall inhabit, reſide or be within the City of London or Weſtminſter, or within thirty miles diſtant from the ſame, on the firſt day of Eaſter Term that ſhall be in the year of our Lord, one thouſand ſix hundred ſeventy three; or at any time during the ſaid Term, all and every the ſaid perſon and perſons ſhall perſonally appear before the end of the ſaid Term, or Trinity Term next following, in his Majeſty's High Court of Chancery, or in his Majeſty's Court of Kings Bench, and there in publick and open Court, between the hours of nine of the Clock and twelve in the Forenoon, take the ſeveral Oaths of Supremacy and Allegiance; which Oath of Allegiance is contained in the Statute made in the third year of King James, by Law eſtabliſhed, (3) and during the time of the taking thereof by the ſaid perſon and perſons, all Pleas and Proceedings in the ſaid reſpective Courts ſhall ceaſe; (4) And that all and every of the ſaid reſpective perſons and Officers, not having taken the ſaid Oaths in the ſaid reſpective Courts aforeſaid, ſhall on or befor the firſt day of Auguſt, one thouſand ſix hundred ſeventy three, at the Quarter-Seſſions for that County or place where he or they ſhall be, inhabit or reſide, on the twenteth day of May, take the ſaid Oaths in open Court, between the ſaid hours of nine and twelve of the Clock in the Forenoon; (5) And the ſaid reſpective Officers aforeſaid, ſhall alſo receive the Sacrament of the Lords Supper, according to the Uſage of the Church of England, at or before the firſt day of Auguſt, in the year of our Lord, one thouſand ſix hundred and ſeventy three, in ſome Pariſh Church, upon ſome Lords-day, commonly called Sunday, immediately after Divine Service and Sermon.

All perſons that ſhall bear any offices or places of truſt under his Majeſty, &c. muſt take the Oaths of Allegiance and Supremacy, and the following Oaths, &c.

When and where to appear and make Oath.

To receive the Sacrament according to the uſage of the Church of England.

II. And be it farther enacted by the authority aforeſaid, That all and every perſon or perſons that ſhall be admitted, entred, placed or taken into any Office or Offices, Civil or Military, or ſhall receive any Pay, Salary, Fee or Wages, by reaſon of any Patent or Grant of his Majeſty, or ſhall have command or place of Truſt, from, or under his Majeſty, his Heirs or Succeſſors, or by his or their authority, or by authority derived from him or them, within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, or in his Majeſty's Navy, or in the ſeveral Iſlands of Jerſey and Guernſey, or that ſhall be admitted into any Service or Employment in his Majeſties or Royal Highneſſes Houſhold or Family, after the firſt day of Eaſter Term aforeſaid, and ſhall inhabit, be or reſide, when he or they is, or are ſo admitted or placed, within the Cities of London or Weſtminſter, or within thirty miles of the ſame, ſhall take the ſaid aforeſaid Oaths, in the ſaid reſpective Court or Courts afore-

All perſons to be admitted into any Office, &c. after the firſt day of Eaſter Term, to take the ſaid Oath, &c.

When, and where to be taken.

Quarter-Seſſions.

ſaid, in the next Term after ſuch his or their admittance or admittances into the Office or Offices, Employment or Employments aforeſaid, between the hours aforeſaid, and no other, and the proceedings to ceaſe as aforeſaid; (2) And that all and every ſuch perſon or perſons to be admitted after the ſaid firſt day of Eaſter Term, as aforeſaid, not having taken the ſaid Oaths in the ſaid Courts aforeſaid, ſhall at the Quarter-Seſſions for that County or place where he or they ſhall reſide, next after ſuch his admittance or admittances into any of the ſaid reſpective Offices or Employments aforeſaid, take the ſaid ſeveral and reſpective Oaths as aforeſaid; (3) and all and every ſuch perſon and perſons ſo to be admitted as aforeſaid, ſhall alſo receive the Sacrament of the Lords Supper, according to the Uſage of the Church of England, within three months after his or their admittance in, or receiving their ſaid authority and Employment, in ſome publick Church, upon ſome Lords day, commonly called Sunday, immediately after Divine Service and Sermon.

A Certificate to be delivered into Court, of his receiving the Sacrament.

III. And every of the ſaid perſons in the reſpective Court where he takes the ſaid Oaths, ſhall firſt deliver a Certificate of ſuch his receiving the ſaid Sacrament, as aforeſaid, under the Hands of the reſpective Miniſter and Churchwarden, and ſhall then make proof of the truth thereof, by two credible Witneſſes at the leaſt upon Oath; All which ſhall be enquired of, and put upon Record in the reſpective Courts.

Whoſoever ſhall refuſe to take the Oaths ſhall be adjudged uncapable of any other Office.

IV. And be it farther enacted by the authority aforeſaid, That all and every the perſon or perſons aforeſaid, that do or ſhall neglect or refuſe to take the ſaid Oaths and Sacrament in the ſaid Courts and places, and at the reſpective times aforeſaid, ſhall be ipſo facto adjudged incapable and diſabled in Law, to all intents and purpoſes whatſoever, to have, occupy or enjoy the ſaid Office or Offices, Employment or Employments, or any part of them, or any matter or thing aforeſaid, or any profit or advantage appertaining to them, or any of them, (2) and every ſuch Office or Place, Employment and Employments ſhall be void and is hereby adjudged void.

No perſon ſhall execute any Office, after refuſal to take the Oaths.

The Penalty.

Shall not proſecute any Suit in Law or Equity, or be Guardian to any Child, or Executor, &c.

The forfeiture.

V. And be it farther enacted, That all and every ſuch perſon or perſons that ſhall neglect or refuſe to take the ſaid Oaths, or the Sacrament as aforeſaid, within the times, and in the places aforeſaid, and in the manner aforeſaid; and yet after ſuch neglect or refuſal, ſhall execute any of the ſaid Offices or Employments, after the ſaid times expired, wherein he or they ought to have taken the ſame, and being thereupon lawfully convicted, in, or upon any Information, Preſentment or Indictment, in any of the Kings Courts at Weſtminſter, or at the Aſſizes, every ſuch perſon and perſons ſhall be diſabled from thenceforth, to ſue or uſe any Action, Bill, Plaint or Information in courſe of Law, or to proſecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Adminiſtrator of any perſon, or capable of any Legacy or Deed of Gift, or to bear any Office within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed; (2) and ſhall forfeit the Sum of five hundred pounds, to be recovered by him or them that ſhall ſue for the ſame, to be proſecuted by any Action of Debt, Suit, Bill, Plaint or Information in any of his Majeſty's Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall lie.

The names of perſons taking the Oaths, where to be regiſtred.

VI. And be it farther enacted by the authority aforeſaid, That the Names of all and ſingular ſuch perſons and Officers aforeſaid, that do or ſhall take the Oaths aforeſaid, ſhall be in the reſpective Courts of Chancery, and Kings Bench, and the Quarter Seſſions inrolled, with the day and time of their taking the ſame, in Rolls made and kept only for that intent and purpoſe, and for no other; (2) The which Rolls, as for the Court of Chancery, ſhall be publickly hung up in the Office of the Petty-Bag, and the Roll for the Kings Bench in the Crown Office of the ſaid Court, and in ſome publick place in every Quarter-Seſſions, and there remain during the whole Term, every Term, and during the whole time of the ſaid Seſſions, in every Quarter-Seſſions, for every one to reſort to, and look upon, without Fee or Reward; (3) and likewiſe none of the perſon or perſons aforeſaid ſhall give or pay as any Fee or Reward to any Officer or Officers belonging to any of the Courts aforeſaid, above the Sum of twelve pence for his or their Entry of his or their taking of the ſaid Oaths aforeſaid.

The Fees allowed.

Upon tender made to the Courts, they are obliged to adminiſter the Oaths

VII. And farther, That it ſhall and may be lawful to and for the reſpective Courts aforeſaid, to give and adminiſter the ſaid Oaths aforeſaid, to the perſon or perſons aforeſaid, in manner as aforeſaid; and upon the due tender of any ſuch perſon or perſons to take the ſaid Oaths, the ſaid Courts are hereby required and enjoyned to adminiſter the ſame.

No perſon not bred up in the Popiſh Religion by his Parents ſhall breed up or ſuffer his Children to be bred up in the Popiſh Religion.

The Penalty.

VIII. And be it farther enacted, That if any perſon or perſons not bred up by his or their Parent or Parents from their Infancy in the Popiſh Religion, and profeſſing themſelves to be Popiſh Recuſants, ſhall breed up, inſtruct or educate his or their Child or Children, or ſuffer them to be inſtructed or educated in the Popiſh Religion, every ſuch perſon being thereof convicted, ſhall be from thenceforth diſabled of bearing any Office or place of Truſt or Profit in Church or State: (2) And all ſuch Children as ſhall be ſo brought up, inſtructed or educated, are and ſhall be hereby diſabled of bearing any ſuch Office or place of Truſt or Profit, until he and they ſhall be perfectly reconciled and converted to the Church of England, and ſhall take the Oaths of Supremacy and Allegiance aforeſaid, before the Juſtices of the Peace, in the open Quarter-Seſſions of the County or Place where they ſhall inhabit, and thereupon receive the Sacrament of the Lords Supper, after the Uſage of the Church of England, and obtain a Certificate thereof under the Hands of two or more of the ſaid Juſtices of the Peace.

At the taking of the Oaths to ſubſcribe the Declaration following.

IX. And be it farther enacted by the authority aforeſaid, That at the ſame time when the perſons concerned in this Act, ſhall take the aforeſaid Oaths of Supremacy and Allegiance, they ſhall likewiſe make and ſubſcribe this Declaration following, under the ſame Penalties and Forfeitures as by this Act is appointed;

The Declaration.

(2) I *A. B.* do declare, That I do believe there is not any Tranſubſtantiation in the Sacrament of the Lords Supper, or in the Elements of Bread and Wine, at or after the Conſecration thereof by any perſon whatſoever.

X. Of which Subſcription there ſhall be the like Regiſter kept, as of the taking the Oaths aforeſaid.

A Regiſter to be kept of the Subſcription.

XI. Provided always, That neither this Act, nor any thing therein contained, ſhall extend, be judged or interpreted any ways to hurt or prejudice the Peerage of any Peer of this Realm, or to take away any right, power, priviledge or profit, which any perſon (being a Peer of this Realm) hath or ought to enjoy by reaſon of his Peerage, either in time of Parliament, or otherwiſe, (2) or to take away Creation-mony, or Bills of Impoſt, nor to take away or make void any Penſion or Salary granted by his Majeſty to any perſon for valuable and ſufficient conſideration for Life, Lives or Years, other then ſuch as relate to any Office, or to any place of Truſt under his Majeſty, and other then Penſions of bounty or voluntary Penſions; (3) nor to take away, or make void any Eſtate of Inheritance granted by his Majeſty, or any his Predeceſſors, to any perſon or perſons, of, or in any Lands, Rents, Tythes, or Hereditaments, not being Offices; (4) nor to take away or make void any Penſion or Salary already granted by his Majeſty to any perſon who was Inſtrumental in the happy preſervation of his Sacred Majeſty after the Battel at Worceſter, in the year One thouſand ſix hundred fifty one, until his Majeſty's Arrival beyond the Seas; (5) nor to take away or make void the Grant of any Office or Offices of Inheritance, or any Fee, Salary or Reward for executing ſuch Office or Offices, or thereto any way belonging, granted by his Majeſty, or any his Predeceſſors, to, or enjoyed, or which hereafter ſhall be enjoyed by any perſon or perſons who ſhall refuſe or neglect to take the ſaid Oaths, or either of them, or to receive the Sacrament, or to ſubſcribe the Declaration mentioned in this Act in manner therein expreſſed: (6) Nevertheleſs ſo as ſuch perſon or perſons having or enjoying, any ſuch Office or Offices of Inheritance, do or ſhall ſubſtitute and appoint his or their ſufficient Deputy or Deputies (which ſuch Officer or Officers reſpectively are hereby impowred from time to time to make or change, any former Law or Uſage to the contrary notwithſtanding) to exerciſe the ſaid Office or Offices, until ſuch time as the perſon or perſons having ſuch Office or Offices, ſhall voluntarily in the Court of Chancery, before the Lord Chancellor or Lord Keeper for the time being, or in the Court of Kings Bench, take the ſaid Oaths, and receive the Sacrament according to Law, and ſubſcribe the ſaid Declaration, and ſo as all and every the Deputy and Deputies ſo as aforeſaid to be appointed, take the ſaid Oaths, receive the Sacrament, and ſubſcribe the ſaid Declaration from time to time, as they ſhall happen to be ſo appointed, in manner as by this Act ſuch Officers whoſe Deputies they be, are appointed to do; and ſo as ſuch Deputies be from time to time approved of by the Kings Majeſty under his Privy Signet: (7) but that all and every the Peers of this Realm ſhall have, hold and enjoy what is provided for as aforeſaid, and all and every other perſon or perſons before mentioned, denoted or intended within this Proviſo, ſhall have, hold and enjoy what is provided for as aforeſaid, notwithſtanding any incapacity or diſability mentioned in this Act.

This Act not to extend to Peerage,

Or Creation-mony, Impoſt, Penſions, &c.

Or Offices of Inheritance.

Or to make void any Penſion granted to any perſon inſtrumental in preſerving the King at Worceſter.

Popiſh Officers who have Offices of Inheritance, muſt appoint Deputies who muſt take the Oaths &c.

And ſubſcribe.

XII. Provided alſo, That the ſaid Peers and every of them may take the ſaid Oaths, and make the ſaid Subſcription, and deliver the ſaid Certificates before the Peers ſitting in Parliament, if the Parliament be ſitting within the time limited for doing thereof, and in the Intervals of Parliament in the High Court of Chancery, in which reſpective Courts all the ſaid Proceedings are to be recorded in manner aforeſaid.

The Peers may take the Oaths, &c. in Parliament.

XIII. Provided always, That no married Woman, or perſon under the age of eighteen years, or being beyond, or upon the Seas, or found by the lawful Oaths of twelve Men, to be non compos mentis, and ſo being and remaining at the end of Trinity Term in the year of our Lord one thouſand ſix hundred ſeventy three, having any Office, ſhall by vertue of this Act, loſe or forfeit any ſuch his or her Office (other then ſuch married Woman during the life of her Huſband only) for any neglect or refuſal of taking the Oaths, and doing the other things required by this Act to be done by perſons having Offices, ſo as ſuch reſpective perſons within four months after the death of the Huſband, coming to the age of eighteen years, returning into this Kingdom, and becoming of ſound mind, ſhall reſpectively take the ſaid Oaths, and perform all other things in manner as by this Act is appointed for perſons to do, who ſhall happen to have any Office or Offices to them given or fallen after the end of the ſaid Trinity Term.

A Saving for married Women, &c.

XIV. Provided alſo, That any perſon who by his or her neglect or refuſal, according to this Act ſhall loſe or forfeit any Office, may be capable by a new Grant of the ſaid Office, or of any other, and to have and hold the ſame again, ſuch perſon taking the ſaid Oaths, and doing all other things required by this Act, ſo as ſuch Office be not granted to, and actually enjoyed by ſome other perſon at the time of the regranting thereof.

Any perſon forfeiting his Office by vertue hereof may upon taking of the Oaths, &c. be capable of a new Grant thereof.

XV. Provided alſo, That nothing in this Act contained ſhall extend to make any Forfeiture, Diſability or Incapacity in, by or upon any Non-Commiſſion-Officer or Officers in his Majeſty's Navy, if ſuch Officer or Officers ſhall only ſubſcribe the Declaration therein required, in manner as the ſame is directed.

Not to extend to non-Commiſſion Officers in the Navy if they ſubſcribe the Declaration.

XVI. Provided alſo, That nothing in this Act contained, ſhall extend to prejudice George Earl of Briſtol, or Anne Counteſs of Briſtol his Wife in the Penſion or Penſions granted to them by Patent under the Great Seal of England, bearing date the ſixteenth day of July in the year of our Lord, one thouſand ſix hundred ſixty and nine, being in lieu of a juſt Debt due to the ſaid Earl from his Majeſty, particularly expreſſed in the ſaid Patent.

A Saving for the Penſions granted to the Earl of Briſtol and his Lady.

XVII. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to the Office of any High-Conſtable, Pety-Conſtable, Tythingman, Headborough, Overſeer of the Poor, Churchwardens, Surveyor of the High-ways, or any like inferiour Civil Office, or to any Office of Foreſter, or Keeper of any Park, Chaſe, Warren or Game, or of Bailiff of any Manor or Lands, or to any like private Offices, or to any perſon or perſons having only any the before mentioned, or any the like Offices.

Not to extend to Conſtables, Tythingmen, Churchwardens, &c.

Or private Officers.

CAP. III.

An Act for enabling his Majeſty to make Leaſes of his Lands belonging to the Dutchy of *Cornwal.*

The Reaſons of the Act. 13 Car. 2. Stat. 2. cap. 4.

WHereas many of the Lands belonging to the Dutchy of Cornwal have been granted by Leaſe to the Tenants, ſome for the Term of one, two or three Lives, and ſome for divers years, determinable upon one, two or three Lives, and others for one and thirty years and under, which Leaſes are deſired to be renewed by many of the ſaid Tenants.

II. And whereas of late years divers increaſed Rents have been by Order of the late Lord Treaſurer reſerved upon the ſaid leaſed Lands of the ſaid Dutchy, for the Improvement of that Revenue, whereof the Tenants have complained to the Kings Majeſty, who is graciouſly pleaſed that they may compound with his Officers for the diſcharge of thoſe increaſed Rents; and be reſtored to the old Rents formerly paid for their reſpective Tenements and Lands:

What Leaſes ſhall be made of Lands belonging to the Dutchy of Cornwal, and how.

III. Now to the end the ſame may be accordingly effected, and that the ſaid Tenants may be encouraged to renew their Leaſes and Eſtates, and thereby the better enabled to repair their Houſes, and provide for their Families, and to improve their Lands holden of the ſaid Dutchy, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in the preſent Parliament aſſembled, and by authority of the ſame, That all Leaſes and Grants made and to be made within three years next enſuing the end of this preſent Seſſion of Parliament, by our Sovereign Lord the King, by Letters Patents, or by Indenture under the Great Seal of England, or under the Seal of the Court of Exchequer, of any Offices in the diſpoſition of the Owner of the ſaid Dutchy, as Duke of Cornwal, or of any Parks, Lands, Tenements or Hereditaments now in Leaſe, or out of Leaſe and not granted by Copy of Court-Roll, other then entire Honours, Lordſhips or Manors, parcel of the poſſeſſions of, or annexed or belonging unto the ſaid Dutchy of Cornwal, ſhall be good and effectual in Law, according to the purport and contents of the ſame Leaſes and Grants, againſt our ſaid Sovereign Lord the King his Heirs and Succeſſors, and againſt all and every other perſon and perſons that ſhall at any time hereafter have, inherit, or enjoy the ſaid Dutchy by force of any Act of Parliament, or by any other Limitation whatſoever.

An exception to entire Honours, Lordſhips or Manors.

For what Terms or Times.

IV. Provided always, That every ſuch Leaſe or Grant ſo made or to be made, be not made for more then one, two, or three Lives in Poſſeſſion, or for thirty one years or under, or for ſome term of years determinable upon one, two or three Lives, and not above; (2) And if ſuch Leaſes and Grants be made in Reverſion of Expectancy, That then the ſame, together with the Eſtates in Poſſeſſion, do not exceed threes Lives, or the term of thirty and one years, and not in any wiſe diſpuniſhable of Waſte, and ſo as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been reſerved, yielded or paid for the ſaid Lands, for the greater part of twenty years next before the making of the ſaid Leaſes, and ſhall be reſerved due and payable to him or them that ſhall have the Inheritance, or other Eſtate of the ſaid Dutchy; (3) And where no ſuch Rent hath been reſerved or payable, That then upon every ſuch Leaſe, there ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Parks, Lands, Tenements or Hereditaments contained in ſuch Leaſe, and all Leaſes and Grants otherwiſe made, or to be made, ſhall be null and void.

Not diſpuniſhable of Waſte. Ancient Rent reſerved.

Where no Rent was payable, then a reaſonable Rent.

All Covenants in the Leaſes ſhall bind all perſons.

V. And be it farther ordained and enacted by the authority aforeſaid, That all Covenants, Conditions, Reſervations, and other Agreements contained in every Leaſe or Grant made, or to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes or Grants ſhall come reſpectively, as if our Soveraign Lord the Kings Majeſty at the time of the making of ſuch Covenants, Conditions and Reſervations and other Agreements, were ſeiſed of an abſolute Eſtate in Fee-ſimple in the ſame Lands, Tenements or Hereditaments: (2) Saving always to all and every perſon and perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, other then to our Sovereign Lord the King and his Heirs, and the Duke and Dukes of Cornwal for the time being, and his and their Heirs, and all and every perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwal, by force of any Act of Parliament, or other Limitation whatſoever; all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims and Demands whatſoever, of what nature, kind or quality ſoever, of, in, to, or out of the ſaid Offices, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; This Act or any thing therein contained to the contrary notwithſtanding.

A ſaving of the Rights of all perſons, except the Right of the King, the Duke of Cornwal, and thoſe which ſhall be Dukes.

CAP. IV.

An Act for Repeal of a Clauſe in a former Act to prohibit Saleſmen from ſelling Fat Cattel.

22 & 23 Car. 2. cap. 19. Sect. 2.

WHereas by an Act made this preſent Parliament, Entituled, An Act to prevent Frauds in the buying and ſelling of Cattel in *Smithfield* and elſewhere, (amongſt other things) It is enacted, That no Jobber, Saleſman, or other Broker or Factor, who do or ſhall commonly buy or ſell Cattel for others, be allowed or employed either for buying or ſelling any Fat Cattel, other then Swine or Calves, by or for any Butcher or other perſon or perſons whatſoever, within fourſcore miles of the Cities of London and Weſtminſter, upon pain of the Forfeiture of the value of the ſaid Cattel ſo bought or ſold for him or them as aforeſaid, to be paid by the Owner of ſuch Cattel, (2) And upon farther pain, That all and every perſon and perſons taking upon him or them to uſe or exerciſe the ſaid Employment of a Jobber or Broker, or of a Saleſman or Factor for the buying and ſelling of Cattel contrary to the ſaid Act, ſhall forfeit for every ſuch offence, the value of all ſuch Cattel ſo bought or ſold, or expoſed to ſale by him or them as aforeſaid; (3) But for that the ſaid Clauſe in the ſaid Act contained, is found by experience to be very prejudicial to the ſale of the Cattel of this Realm, and a great inconvenience and diſcouragement to thoſe that feed the ſaid Cattel, in their reſpective Counties, who by reaſon thereof are forced to make Journies up in their own perſons to London, or to ſend others purpoſely for that Employment, which commonly taketh up and waſteth all or the greateſt part of the Profit or Gain that they make of their ſaid Cattel; (4) Be it therefore enacted by the Kings moſt excellent Majeſty, and by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Clauſe, and all and ſingular Penalties in the ſaid Act relaing thereunto, ſo far forth as the ſame do or may any ways concern Saleſmen or Factors employed by Feeders or Farmers; but not as the ſame do concern Saleſmen or Factors employed by Butchers, Jobbers or Brokers, ſhall be and do ſtand repealed, and be utterly null and void to all intents and purpoſes whatſoever.

Part of the Act made 22 & 23 Car. 2. cap. 19. Sect. 2. repealed.

CAP. V.

An Act for the Kings Majeſty's moſt Gracious, General and Free Pardon.

The Inducements for paſſing this Act.

THE Kings Majeſty moſt graciouſly conſidering the dutiful affections, and faithful hearts of his moſt loyal and obedient Subjects, and underſtanding that his good Subjects have many and ſundry ways, by the Laws and Statutes of this Realm, fallen into the danger of divers great Penalties and Forfeitures, and that the Perſons and Fortunes of his Subjects do lie open to manifold inconveniences, and may be queſtioned for ſeveral matters and things in his Majeſty's Courts both Eccleſiaſtical and Temporal, Is of his Princely and merciful Diſpoſition, moſt graciouſly inclined to extend unto them his General and Free Pardon, and that in a more bountiful manner then hath been accuſtomed: his Majeſty moſt aſſuredly truſting, That all his Subjects, by this his Clemency and Indulgent Grace and Favour to them, will be the rather moved and induced from henceforth more carefully to obſerve his Highneſs Laws and Statutes and to continue in their Loyal and due Obedience to his Majeſty:

His Majeſty's General Pardon till the 25th of March, 1673.

II. And therefore his Majeſty is well pleaſed and contented, That it be enacted by authority of this preſent Parliament, And be it enacted by authority of the ſame in manner and form following; That is to ſay, That all and every the ſaid Subjects, as well Spiritual as Temporal, of this his Highneſs Realm of England, Dominion of Wales, and the Town of Berwick upon Tweed, their Heirs, Succeſſors, Executors and Adminiſtrators of them and every of them, and all and ſingular Bodies in any manner of wiſe Corporated, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets, and Tythings, and every of them, and the Succeſſor and Succeſſors of every of them, ſhall be by Authority of this preſent Parliament, acquitted, pardoned, releaſed and diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors, and every of them, of and from all manner of Treaſons, Felonies, Miſpriſions of Treaſon, Treaſonable or Seditious Words or Libels, Miſpriſions of Felony, Seditious and unlawful Meetings and Conventicles, and all Offences whereby any perſon may be charged with the penalty and danger of Præmunire; And all Stamping and Coynings of Farthings, Half-pence, Pence, Two-pence, or ſuch like ſmall Monies to be uſed, in common payments, without any lawful authority derived from his Majeſty, and all utterings thereof in ordinary payments as currant Mony: And alſo of and from all Riots, Routs, Offences, Contempts, Treſpaſſes, Entries, Wrongs, Deceits, Miſdemeanours, Forfeitures, Penalties, and Sums of Mony, pains of Death, pains Corporal, and pains Pecuniary, and generally of and from all other Things, Cauſes, Quarrels, Suits, Judgments and Executions, in this preſent Act not hereafter excepted nor forepriſed, which may be, or can be by his Highneſs in any wiſe, or by any means pardoned, before and unto the five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſeventy three, to any the Subjects or Bodies Corporate aforeſaid.

This Act in general words ſhall as freely pardon all Offences (except what therein is excepted) as if they had been all there particularly mentioned.

III. And alſo the Kings Majeſty is contented that it be enacted by authority of this preſent Parliament, And be it enacted by the authority of the ſame, That this his Free Pardon ſhall be as good and effectual in Law to every of his ſaid Subjects, Bodies Corporate, and others before rehearſed, in, for, and againſt all things which be not hereafter in this preſent Act Excepted and Forepriſed, as the ſame Pardon ſhould have been, if all Offences, Contempts, Forfeitures, Cauſes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things not hereafter in this preſent Act excepted and forepriſed, had been particularly, ſingularly, ſpecially and plainly named, rehearſed and ſpecified, and alſo pardoned by proper and expreſs words and names in their kinds, natures and qualities, by words and terms thereunto requiſite to have been put in and expreſſed in this preſent Act of Free Pardon: And that his ſaid Subjects, nor any of them, nor the Heirs, Executors or Adminiſtrators of any of them, nor the ſaid Bodies Corporate, and others before named and rehearſed, nor any of them, be, or ſhall be ſued, vexed or unquieted in their Bodies, Goods, Chattels, Lands or Tenements, for any manner of Matter, Cauſe, Contempt, Miſdemeanour, Forfeiture, Treſpaſs, Offence, or any other thing ſuffered, done or committed, or omitted before the ſaid five and twentieth day of March, againſt his Majeſty, his Crown, Dignity, Prerogative, Laws or Statutes; but only for ſuch Matters, Cauſes and Offences, as be rehearſed, mentioned, or in ſome ways touched in the Exceptions of this preſent Act to be forepriſed and excepted, and for none other; Any Statute or Statutes, Laws, Cuſtoms, or Uſages heretofore had, made or uſed to the contrary in any wiſe notwithſtanding.

IV. And

All Fines, Debts, Iſſues, Amerciaments, Forfeitures, (except what is afterwards excepted) due to his Majeſty, March 25. 1673. pardoned.

IV. And the Kings Majeſty of his bounteous Liberality, by the authority of this preſent Parliament granteth and freely giveth to every of his Subjects, every of the ſaid Bodies Corporate, and others before rehearſed, and every of them, all Goods, Chattels, Debts, Fines, Iſſues, Profits, Amerciaments, Forfeitures, and Sums of Mony by any of them forfeited, which to his Majeſty do or ſhall belong or appertain, by reaſon of any Offence, Contempt, Treſpaſs, Entry, Miſdemeanour, Matter, Cauſe or Quarrel, ſuffered, done or committed by them, or any of them, before the ſaid five and twentieth day of March, which be not hereafter in this preſent Act forepriſed and excepted. (2) And be it enacted nevertheleſs, That all Grants thereof, or of any part thereof, made by any ſuch as have ſo forfeited the ſame, and are hereby reſtored as aforeſaid, and all Executions thereof, or of any part thereof had againſt any ſuch after ſuch forfeiture thereof committed or made, ſhall be of ſuch force and effect as if no ſuch forfeiture had been had or made, and of no other; The ſame forfeiture, or any thing before in this Act to the contrary notwithſtanding.

Any perſon may plead this Act, and ſhall pay but 1 s. 4 d. to the Clerk for entring of Judgment for his diſcharge.

V. And be it farther enacted, That all and every the Kings Subjects, and all and ſingular Bodies Corporate, and others before rehearſed, may by him or themſelves, or by his or their Deputy or Deputies, or by his or their Attorny or Attornies, according to the Laws of this Realm, plead and miniſter this preſent Act of Free Pardon for his or their diſcharge, of and for any thing that is by vertue of this preſent Act Pardoned, Diſcharged, Given or Granted, without any Fee or other thing paying to any perſon or perſons for Writing or Entry of the Judgments, or other Cauſe concerning ſuch Plea, Writing or Entry, but only ſixteen pence to be paid to the Officer or Clerk that ſhall enter ſuch Plea, Matter for Judgment or the parties diſcharge in that behalf; Any Law, Cuſtom or Uſage to the contrary notwithſtanding.

This Act ſhall be in all Courts expounded more beneficially for the Subject.

VI. And farthermore, the King-Majeſty is contented and pleaſed, that it be enacted by the authority aforeſaid, That this his ſaid Free Pardon by the general Words, Clauſes and Sentences, before rehearſed, ſhall be reputed, deemed, adjudged, expounded, allowed and taken in all manner of Courts of his Highneſs and elſewhere, moſt beneficial and available to all and ſingular his ſaid Subjects, Bodies Corporate, and others before rehearſed, and to every of them, in all things not in this preſent Act excepted or foreprized, without any ambiguity, queſtion or other delay whatſoever, it ſhall be to be made, pleaded, objected or alledged by the Kings Majeſty, his Heirs or Succeſſors, or his, or any of their General Attorny or Attornies, or by any perſon or perſons for his Majeſty, or any of his Heirs or Succeſſors.

No Officer or Clerk ſhall make out any Proceſs for any offence pardoned in this Act.

VII. And be it farther enacted by the authority aforeſaid, That if any Officer or Clerk of any of his Majeſty's Courts, commonly called the Chancery, Kings Bench, Common Pleas, or Exchequer, or any other Officer or Clerk of any other of his Majeſty's Courts within this Realm at any time after the laſt day of this preſent Seſſion of Parliament, make out, or write out any manner of Writs, Proceſs, Summons or other Precepts, whereby any of the ſaid Subjects, or of the Bodies Corporate, or others before rehearſed, or any of them, ſhall be in any wiſe arreſted, attached, diſtrained, ſummoned or otherwiſe vexed, inquieted, or grieved in his or their Bodies, Lands, Tenements, Goods or Chattels, or any of them, for, or becauſe of any matter of thing pardoned or diſcharged by vertue of this Act; or if any Sheriff or Eſcheator, or any of their Deputy or Deputies, or any Bailiff or other Officer whatſoever, by colour of his or their Office, or otherwiſe, after the ſaid laſt day of this preſent Seſſion of Parliament, do levy, receive, take or withhold, of or from any perſon or perſons, any thing pardoned or diſcharged by this Act, That then every ſuch perſon ſo offending, and thereof lawfully convicted or condemned by any ſufficient Teſtimony, Witneſs or Proof, ſhall yield and pay for recompence thereof to the party ſo grieved or offended thereby, his or their treble Damages, beſides all Coſts of the Suit, and ſhall alſo forfeit and loſe to the Kings Majeſty for every ſuch Offence, Ten pounds; And nevertheleſs, all and ſingular ſuch Writs, Proceſs and Precepts ſo to be made, for or upon any manner of thing pardoned or diſcharged by this preſent Act of Free Pardon, ſhall be utterly void, and of none effect.

Neither ſhall any Sheriff or Bayliff take any thing from any man which is pardoned by this Act.

Penalty.

All Treaſons and other Offences committed againſt his Majeſty's perſon, excepted.

VIII. Excepted and always foreprized out of this General and Free Pardon, all and all manner of High Treaſons, and other Offences committed or done by any perſon or perſons againſt the Kings Majeſty's moſt Royal Perſon, and all Conſpiracies and Confederacies Traiteroſly had, committed or done by any perſon or perſons againſt his Majeſty's moſt Royal Perſon.

And all Treaſons committed beyond the Seas.

IX. And alſo excepted all and every manner of Treaſons committed or done by any perſon or perſons in the Parts beyond the Seas, or in any other Place out of this Realm, and alſo all Suits, Puniſhments, Executions, Pains of Death, Forfeitures and Penalties, for, or by reaſon or occaſion of any the Treaſons and Offences before excepted.

Forging the Great or Privy Seal or Signet or Monies currant, and diminiſhing of Monies excepted. Abettors, &c.

X. And alſo excepted out of this Free Pardon all Offences in forging and falſe counterfeiting the Kings Majeſties Great or Privy Seal, Sign Manual, or Privy Signet, or of any the Monies currant within this Realm; and alſo all Offences of unlawful diminiſhing any of the ſaid Monies by any way or means whatſoever, contrary to the Laws and Statutes of this Realm; and all Miſpriſions and Concealments of the Treaſons before excepted; and all abetting, aiding, comforting and procuring of the ſame offences, or any of the ſaid Treaſons before excepted.

Voluntary Murders, Petit Treaſons, Poyſonings, and their Acceſſaries excepted.

XI. And alſo excepted out of this Pardon all manner of voluntary Murders, Petit Treaſons, and wilful Poyſonings done or committed by any perſon or perſons, and all and every the Acceſſaries to the ſame Offences, or any of them, before the ſaid Offences commited.

Pyracies and Robberies upon the Seas excepted.

XII. And alſo excepted and foreprized out of this General Pardon all Pyracies and Robberies done upon the Seas; and all and every procuring or abetting any ſuch Offenders, and the comforting and receiving of them or any of them, or of any Goods taken by way of Pyracy or Robbery upon the Seas, as aforeſaid.

As likewiſe all Burglaries.

XIII. And alſo excepted out of this Pardon all Burglaries committed or done in any Dwelling-houſe or Houſes, and all Acceſſaries to any the ſaid Burglaries before the ſame Burglary committed.

XIV. And alſo excepted, the deteſtable and abominable Vice of Buggery committed with Mankind or Beaſt.

And Buggery;

XV. And alſo excepted all Rape and Carnal Raviſhments of Women.

And Rapes.

XVI. And alſo excepted all Raviſhments, and wilful taking away, or Marrying of any Maid, Widow or Damſel againſt her will, or without the aſſent or agreement of her Parents, or of ſuch as had her then in Cuſtody; and alſo all offences of aiding, comforting, procuring or abetting any ſuch Raviſhment, wilful taking or marrying, had, committed or done.

Alſo all wilful taking away, and marrying of Women, Maids and Widows againſt their Wills;

XVII. And alſo excepted out of this Pardon all Offences of Perjury, and the ſubornation of Witneſſes, and the offences of forging and counterfeiting any falſe Deeds, Eſcripts or Writings, and all offences of forging or counterfeiting any Examinations or Teſtimonies of any Witneſs or Witneſſes tending to bring any perſon or perſons into danger of his life, and all procuring and counſelling of any ſuch forging or counterfeitings had, made, committed or done.

And all Perjuries and Subornations, forging of Deeds.

VIII. And alſo excepted all Forfeitures, and other Penalties and Profits now due, accrued and grown, or which ſhall or may be due, accrew or grow to the Kings Majeſty, by reaſon of any Offence, Miſdemeanour or Contempt, or other act or deed, had, ſuffered, committed or done, contrary to any Act, Statute or Statutes, or contrary to the Common Laws of this Realm, and whereof, or for the which any Action, Bill, Plaint or Information at any time within ſix years next before the thirteenth day of February, in the year of our Lord one thouſand ſix hundred ſeventy two, have been commenced or ſued in any of his Majeſty's Courts at Weſtminſter, and was then and there depending, and remaining to be proſecuted, or whereupon any Verdict, Judgment or Decree is already given or entred, other then ſuch Information as ſhall be then and there depending for ſtamping and coyning of Farthings, Half-pence, Pence, and ſuch ſmall Mony as aforeſaid, or for uttering the ſame.

All Forfeitures upon penal Laws for which an Action or Information was depending before Feb. 13. 1672.

XIX. And alſo excepted out of this Pardon all Informations and other Proceedings depending, concerning any common High-ways or Bridges, and all Iſſues returned upon any Proceſs concerning the ſame, ſince the five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty and three.

And alſo all Informations concerning High-ways and Bridges;

XX. And alſo excepted all Offences in taking away, imbezelling or purloyning any of the Kings Majeſty's Goods, Monies, Chattels, Jewels, Armour, Munition, Stores, Naval Proviſions, Shipping, Ordnance, or other Habiliments of War.

And alſo imbezelling any of his Majeſties Goods or naval proviſions.

XXI. And alſo excepted all Conditions and Covenants, and all Penalties, Titles and Forfeitures of Condition or Conditions, Covenant or Covenants accrued or grown to the Kings Majeſty by reaſon of the Breach, and not performing of any Covenant or Condition whatſoever.

Conditions and Covenants to the King, excepted.

XXII. And alſo excepted all Offences of Inceſt, Simony, or Dilapidations, for which any Suit is, or was depending upon the firſt day of this Seſſion of Parliament.

And alſo Simony and Dilapidations;

XXIII. And alſo excepted out of this Pardon all Firſt-fruits and Tenths, Penſions, Procurations, Synodals, and other payments out of any Eccleſiaſtical Promotion or Benefice.

And all firſt-fruits, tenths, ſynodals, &c.

XXIV. And alſo excepted out of this Free Pardon all and every the Sums of Mony and Duties following, and the concealments or wrongful detainments thereof, (that is to ſay) of any Cuſtom or Subſidy, Exciſe, Hearth-mony, Impoſition upon Wines or other Liquors, Impoſitions upon Proceedings at Law, Duties ariſing by Wine-Licences, or the Poſt-Office, or any other Tax, Aſſeſſment, Duty or Impoſition due to the Kings Majeſty, or given by any Act of Parliament, and all arrears thereof, and all Forfeitures ariſing thereby, or for the Non-payment thereof; and all Corruptions and Miſdemeanours of any Officer or Miniſter, of, in, or concerning the ſame, and all Accounts and Suits whatſoever to be had, made or proſecuted for the ſame; and all Concealments, Frauds and Offences, by which his Majeſty hath been deceived, and not truly anſwered of, or for the ſame.

Several ſums of mony and duties ariſing by ſeveral Acts of Parliament, excepted.

XXV. And alſo excepted out of this Pardon, all Debts, Duties, Sums of Mony, Accounts, Obligations, Recognizances, and other Securities, which by a former Act, entituled, An Act of Free and General Pardon, Indempnity and Oblivion, do therein ſtand excepted, and are not yet anſwered and paid, or otherwiſe diſcharged.

All debts, duties, bonds, &c. excepted in the Act of Oblivion, 12 Car. 2. c. 11. excepted;

XXVI. And alſo excepted all and every manner of taking from the Kings Majeſty any Goods or Chattels forfeited unto him by reaſon of any Treaſon, Petit-Treaſon, Murders or Felony heretofore committed or done: (2) And alſo all and every manner of taking from the Kings Majeſties the Iſſues, Rents, Revenues or Profits of any Manors, Lands, Tenements or Hereditaments, which were of any Traytor, Murderer, Felon, Clerk or Clerks attainted, or any of them: (3) And alſo all and every manner of taking from the Kings Majeſty, the Iſſues, Rents, Revenues and Profits of any Manors, Lands, Tenements or Hereditaments, parcel of the Poſſeſſions of any Biſhoprick, the Temporalities whereof, upon the ſaid five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty three, or at any time ſince were, or of right ought to have been in his Majeſty's hands.

Alſo the taking away of felons or traitors lands or goods which do belong to his Majeſty.

As alſo the taking of his Majeſty's Rents, parcel of the Poſſeſſion of the Biſhoprick,

XXVII. And alſo excepted out of this Pardon all Arrerages of Rent due from any Farmer of any part of his Majeſty's Revenue ariſing by Cuſtoms, Exciſe, or Hearth-Mony, or Impoſitions upon Proceedings at Law, and all Arrerages of Fee-farm Rents, or other Rents due to his Majeſty.

Arrears due from the Farmers of the Exciſe, Cuſtoms, Fire-hearths, &c. excepted.

XXVIII. And alſo excepted all and ſingular Accompts of all and every Collector and Collectors, Commiſſioners, Treaſurers or Receivers, who have received or collected any Subſidy, Cuſtom, Subſidy of Tonnage and Poundage, additional Duty, Prize-goods, or other things grown due, or happening ſince the ſaid five and twentieth day of March, in the year of our Lord one thouſand ſix hundred ſixty and three, and all Accompts of every other perſon whatſoever, that ought to be accomptant to the Kings Majeſty, for, or in reſpect of any Receipt, or other charge which hath grown ſince the ſaid five and twentieth day of March, and the Heirs, Executors, Adminiſtrators and Sureties of every ſuch perſon that ought to account

All Collectors or Receivers, who have received any Subſidy, Cuſtom, Poundage.

for all things touching only the ſame accounts. And all and ſingular arrerages of accounts, and untrue accounts made or rendred ſince the ſaid five and twentieth day of March, and all Impoſitions, Charges, Seizures, Suits, Demands and Executions which may or can be had, of, or for any ſuch account or accounts, or any arrerages of the ſame.

And alſo all Securities entred into by any Receiver to his Majeſty.

XXIX. And alſo excepted all Recognizances, Obligations and other Securities given or entred into by any Receiver, Reeve, Bailiff, Collector, or other Accomptant in the Court of Exchequer, and their Sureties, and their Accounts reſpectively, and all other Recognizances and Obligations whatſoever conditioned for the payment of Mony.

This Act not to pardon any Bond not forfeited.

What Obligations and Debts, &c. are not pardoned.

XXX. Provided always, and be it enacted, That this Act ſhall not extend, or be conſtrued to pardon or diſcharge any Recognizance or Obligation not yet forfeited; nor to pardon or diſcharge any forfeited Recognizance or Obligation, or any other Forfeiture or Penalty, whereof the Farmers of his Majeſty's Cuſtom or Exciſe, or the Farmers of any other part of his Majeſty's Revenue, ought to receive any benefit or advantage; nor to pardon or diſcharge any Debt due by Recognizance, Obligation or other Specialty to any other perſon or perſons indebted to his Majeſty, which hath been duly ſeized in aid of his Majeſty's Debt; nor to pardon or diſcharge any debt due by Recognizance, Obligation, Condemnation or otherwiſe, whereupon any Eſtallment or Seizure hath been at any time heretofore made, upon which Eſtalment or Seizure any thing is, or at any time ſince the ſaid five and twentieth day of March hath been anſwered or paid to his Majeſty's Uſe; nor to pardon or diſcharge any Penalties, Forfeitures, or Sums of Mony due or accrued to his Majeſty by reaſon of any Act, Statute or Statutes; which Forfeiturs, Penalties, and Sums of Mony ſince the ſaid five and twentieth day of March, be converted into the nature of debt by any Judgment, Order, Decree, or by the Agreement of the offender or offenders; or have been eſtalled, or any Seizure made for the ſame, and upon ſuch Seizure or Eſtalment any thing anſwered or paid to his Majeſty's Uſe ſince the ſaid five and twentieth day of March, in the year of our Lord one thouſand ſix hundred ſixty and three.

All Bonds forfeited ſince the 25th of March, for Non-appearance, or keeping the Peace, &c. are pardoned.

XXXI. Nevertheleſs it is hereby declared, That all Obligations and Recognizances forfeited ſince the ſaid five and twentieth day of March for Non-appearance in any Court, or other place whatſoever, or for not keeping the Peace, or not being of the Good-behaviour, ſhall be clearly pardoned and diſcharged.

What Fines and Amerciaments are excepted.

XXXII. And alſo excepted out of this Pardon all Iſſues, Fines and Amerciaments loſt, impoſed or aſſeſſed ſince the ſaid five and twentieth day of March, one thouſand ſix hundred ſixty and three, being totted, levied, or received by any Sheriff, Under-Sheriff, Bailiff, Miniſter, or other Officer, to or for the Kings Majeſty's uſe or behoof, before the laſt day of this preſent Seſſion of Parliament.

XXXIII. And alſo excepted all Iſſues, Fines and Amerciaments loſt, impoſed or aſſeſſed ſince the ſaid five and twentieth day of March, affeer'd, taxed, ſet, eſtreated or entred ſeverally or particularly, touching or concerning any one or more perſons joyntly or ſeverally, above the ſum of ſix pounds.

XXXIV. And alſo excepted all Iſſues, Fines and Amerciaments returned, affeer'd, taxed, ſet or entred ſeverally or particularly in any Court of Record at Weſtminſter, at any time within the ſpace of one whole year before the firſt day of this preſent Seſſion of Parliament.

What Fines, &c. are pardoned.

XXXV. And yet nevertheleſs all other Fines, as well Fines pro Licentia concordandi, as other ſet, taxed, eſtreated or entred before that time, and alſo all Iſſues and Amerciaments, as well real as others within any Liberties or without, being ſet, taxed, eſtreated or entred before the time aforeſaid, and which ſeverally and particularly extend to or under the Sum of ſix pounds, and not above, whether they be eſtreated or not eſtreated, or whether they be turned into debt or not turned into debt, and not being totted, levied or received by any Sheriff, Under-Sheriff, Miniſter or other Officer, to or for the Kings Majeſty's uſe or behoof, before the firſt day of this preſent Seſſion of Parliament, ſhall be freely, clearly and plainly pardoned and diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors, by force of this preſent Act.

If in charge with the Sheriff he may diſcharge them upon Petition.

XXXVI. And yet nevertheleſs, all Eſtreats of ſuch Fines, Iſſues and Amerciaments as be now pardoned by this Act, and which be already eſtreated forth of the Court of Exchequer, and be remaining in the hands of the Sheriff, Under-Sheriff or Bailiff for collecting of the ſame Fines, Iſſues and Amerciaments, ſhall upon the Return of the ſame Eſtreats, be duly and orderly charged and delivered by Scrowes into the Office of the Pipe in the Court of Exchequer, as heretofore hath been accuſtomed, to the intent that thereupon order may be taken that his Majeſty may be truly anſwered all ſuch Fines, Iſſues and Amerciaments not by this Act pardoned, and which any Sheriff, Under-Sheriff, Bailiff, or other Officer or Miniſter hath received, or ought to anſwer by force or colour of any ſuch Eſtreat, Proceſs or Precept to him or them made for the levying thereof: And yet, that notwithſtanding all and every Sheriff and Sheriffs, and other Accomptant, upon his or their Petition or Petitions to be made for the allowance of any ſuch Fines, Iſſues and Amerciaments, as by this Act are pardoned, ſhall have all and every ſuch his and their Petition allowed in his or their Account or Accounts, without paying any Fee or Reward to any Officer, Clerk or other Miniſter, for the making, entring or allowing of any ſuch Petition or Petitions; any Uſage or Cuſtom to the contrary hereof in any wiſe notwithſtanding.

No Fee.

No perſon excepted in the Act of Oblivion is hereby pardoned.

Nor doth it make them capable of Offices.

XXXVII. Provided always, That this Act ſhall not extend to pardon, diſcharge or give any benefit whatſoever, unto any perſon or perſons who are by Name particularly Excepted out of the ſaid former Act of Free and General Pardon, Indempnity and Oblivion, for their execrable Treaſon, and horrid Murder of his Majeſty's Royal Father of glorious memory; (2) nor to thoſe two perſons, or either of them, who being diſguiſed by Frocks and Vizors, appeared upon the Scaffold at the time when the ſaid Murder was committed; (3) Nor ſhall this preſent Act give or reſtore any ability or capacity to take any Office or Employment to ſuch perſon or perſons, who in and by the ſaid former Act are made incapable to bear any Office Eccleſiaſtical, Civil or Military within this Realm of England, or Dominion of Wales, or of ſerving as a Member in Parliament: But all and every ſuch perſon and perſons ſhall remain and continue under all and every the Diſabilities and Incapacities by the ſaid former Act impoſed; any thing in this preſent Act to the contrary notwithſtanding.

XXXVIII. Nor ſhall this Act extend to pardon, diſcharge, or give any benefit to any perſon or perſons, who if they ſhall after the firſt day of September, one thouſand ſix hundred and ſixty, accept or exerciſe any Office Eccleſiaſtical, Civil or Military, or any other publick Employment within England, Wales, or the Town of Berwick upon Tweed, are by the ſaid former Act to ſtand, and be as if he or they had been totally by name excepted out of the ſaid former Act: But all and every ſuch perſons ſhall, if they accept any Office or Employment contrary to the tenour of the ſaid former Act, be out of this Act wholly excepted and foreprized.

12 Car. 2. 11. Sect. 43 N. 1.

XXXIX. Provided always, and be it enacted, That notwithſtanding the ſaid Diſability by this or the ſaid former Act, any of the ſaid perſons ſo diſabled by either of the ſaid Acts, ſhall and may be liable and chargeable with the Office of Sheriff of any County, in caſe it ſhall be his Majeſties pleaſure, to impoſe the ſame.

Perſons diſabled from bearing Offices, may be Sheriffs.

XL. And alſo excepted out of this Pardon all ſuch perſons as be and remain ſtill attainted or condemned by Act of Parliament, or otherwiſe of or for any Rebellion, or levying of War, or of or for any Conſpiracy of any Rebellion, or levying of War within this Realm, or any other his Majeſty's Dominions; and all ſuch perſons who are attainted or outlawed of, or for any other Treaſon, Petit-Treaſon, Murder, wilful Poyſoning, or Burglary, and all Executions therefore.

An Exception of all perſons attainted for Rebellion, &c. And all perſons outlawed for Treaſon, Murder, &c.

XLI. And alſo excepted out of this Pardon all ſuch perſons, who by vertue of any former Act of this preſent Parliament, are by expreſs name exiled, or made liable to any other pains, penalties or diſabilities whatſoever.

And all perſons exiles.

XLII. And alſo excepted all ſuch perſons, who after Conviction or Attainder of, or for any manner of Felony, have deſired to be tranſported into any of his Majeſty's Foreign Plantations.

And all perſons who after Conviction, have deſired to be tranſported.

XLIII. And alſo excepted all ſuch perſons, who being excepted out of the ſaid former Act of General Pardon, Indempnity and Oblivion, have had any pains or penalties impoſed upon them by any ſubſequent Act of Parliament.

And all perſons excepted out of the Act of Oblivion, as have been puniſhed by any ſubſequent Act.

XLIV. And alſo except out of this Pardon all ſuch perſons, who upon the firſt day of this preſent Seſſion of Parliament were in priſon within the Tower of London, or within the priſon of the Marſhalſea, or in the priſon of the Fleet, or in the priſon of the Gatehouſe, or elſewhere in any part of his Majeſty's Dominions, or otherwiſe reſtrained of Liberty by expreſs Commandment, or Direction of his Majeſty, or any of his Majeſty's Privy Council.

And alſo Priſoners impriſoned by his Majeſty's Command or any of his Privy Council.

XLV. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for all and every Clerk, and all other Officers of the Kings Courts, to award and make Writs of Capias utlagatum, at the Suit of the party Plaintiff, againſt ſuch perſons outlawed as be pardoned by this Act, to the intent to compel the Defendant or Defendants to make anſwer to the Plaintiff or Plaintiffs at whoſe Suit he or they were outlawed, and that every perſon ſo outlawed ſhall ſue a Writ of Scire facias againſt the party or parties at whoſe Suit he or they were outlawed, before this Pardon in that behalf ſhall be allowed to him or them that were ſo outlawed.

Capias Utlagatum to be ſued out at the Suit of the Plaintiff. The Defendant to ſue out a Scire facias to have his Pardon allowed.

XLVI. Provided alſo, and be it enacted by the authority aforeſaid, That this Act of General Pardon ſhall not in any wiſe extend to any perſon outlawed upon any Writ of Capias ad ſatiſfaciendum, until ſuch time as the party ſo outlawed ſhall ſatisfie, or otherwiſe agree with the party at whoſe Suit he was ſo outlawed or condemned.

Not to extend to Outlawries after Judgment.

XLVII. And it is farther enacted by the authority aforeſaid, That every perſon or perſons hereby pardoned, may plead the General Iſſue, without ſpecial pleading of this Pardon, and give this Act of Pardon in Evidence for his diſcharge, and that the ſame ſhall be thereupon allowed, and the advantage thereof had as fully to all intents and purpoſes, as if the ſame had been fully and well pleaded, and in ſuch manner as any Juſtice of Peace, Conſtable, or other Officer queſtioned for matters acted by them as Officers, may have advantage of the matter of their Juſtification upon the General Iſſue by them pleaded, by the Laws and Statutes of this Realm.

Every perſon pardoned, may plead the General Iſſue, give this Act in Evidence.

XLVIII. And be it farther enacted by the authority aforeſaid, That this preſent Pardon ſhall be of as good force and effect to pardon and diſcharge all and ſingular the Premiſſes above mentioned, and intended to be pardoned and diſcharged, as well againſt ſuch perſon or perſons, Bodies Politick and Corporate, as do or ſhall claim the ſame by or under any Letters Patents, Leaſe or Grant made by the Kings Majeſty, or any his Predeceſſors, as againſt the Kings Majeſty himſelf.

CAP. VI.

An Act for taking off Aliens Duty upon Commodities of the Growth, Product and Manufacture of the Nation.

Whereas by a Statute made in the eleventh year of King Henry the Seventh, it is enacted, That all Merchant-Strangers, and others that be made Denizens by the Kings Letters Patents, or otherwiſe, ſhall pay ſuch Cuſtoms and Subſidies for their Goods and Merchandize Inwards and Outwards, as they ſhould have paid if ſuch Letters Patents had never to them been made; (2) And whereas by one other Statute made in the twelfth year of the Reign of our Sovereign Lord the King that now is, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Mony payable upon Merchandizes exported and imported, and afterwards confirmed by an Act of Parliament made in the thirteenth year of his ſaid Majeſty's Reign, It is enacted, That every Merchant natural born Subject, Denizen and Alien ſhall pay the Sum of xii d. for all manner of Goods or Merchandize to be carried out of this Realm, or to be brought into the ſame by way of Merchandize, amounting to the value of xx s. according to the Book of Rates, whereto Reference

11 H. 7. cap. 14.

12 Car. 2. cap. 4. Sect. 6.

13 Car. 2. cap. 7.

12 Car. 2. cap. 4. Sect. 2.

is made by the ſaid Statute; (3) and that every Merchant Alien ſhall pay the Sum of xii d. over and above the xii d. aforeſaid, for all manner of the Native Commodities of this Realm, or Manufactures wrought of any ſuch Native Commodities of the value of xx s. to be carried out of this Realm by ſuch Merchant-Aliens; (4) And whereas by another Clauſe of the ſaid Statute of the twelfth year of his Majeſty's Reign that now is, It is enacted, That all Strangers and Aliens ſhall pay vi s. viii d. per Piece for every ſhort Cloth to be carried out of this Realm by ſuch Strangers or Aliens; (5) And whereas by the twelfth Article of Rules, Orders, Directions and Allowances annexed to the ſaid Book of Rates, it is recited, ordered and directed, That Merchant-Strangers ſhould pay double petty Cuſtom for Lead, Tyn, Woollen Cloth, and for Native Manufactures of Wool, or part of Wool, and for all other Goods, as well inwards as outwards, rated to pay the Subſidy of Poundage, three pence in the pound, and other Duties payable by Charta Mercatoria, beſides the Subſidy; (6) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſo much, and ſuch Clauſes only of the ſaid Statutes of the eleventh year of Henry the Seventh, and of the twelfth year of our Sovereign Lord the King that now is, and of the ſaid twelfth Article of Rules, Orders, Directions and Allowances, and of Charta Mercatoria therein mentioned, and all other Clauſes contained in any other Act or Statutes of this Realm whatſoever, as do any ways concern any Cuſtom or Subſidy upon any of the Native Commodities of this Kingdom, (except Coals) or Manufactures wrought or made in this Kingdom, or Town of Berwick upon Tweed, to be exported out of this Realm, payable by any Merchant-Alien made Denizen, or other Stranger or Alien, over and above the Cuſtom and Subſidy payable by his Majeſty's natural born Subjects, and no more be hereby Repealed.

Part of the ſaid Statutes of 11 H. 7. cap. 14. 12 Car. 2. cap. 4. &c. is hereby repealed.

Denizens Strangers and Aliens ſhall pay no more for the Native Commodities of this Nation than the Kings natural born Subjects. Except for Coals or Manufactures wrought in this Kingdom or Berwick.

II. And for the farther explanation hereof, Be it farther enacted by the authority aforeſaid, That from and after the firſt day of May, which ſhall be in the year one thouſand ſix hundred and ſeventy three, every ſuch Merchant, Denizen, Stranger or Alien, ſhall pay for all Merchandize conſiſting of any of the Native Commodities of this Realm (except Coals) or Manufactures wrought or made in the Kingdom of England, or Town of Berwick upon Tweed, to be carried out of this Realm by any ſuch Merchant, Denizen, Stranger or Alien, ſuch Cuſtoms and Subſidies only, and no other or greater then Merchants being the Kings natural born Subjects do by vertue of the ſaid Statute of the twelfth year of his Majeſty that now is, pay for any Merchandize of the Native Commodities of this Realm (except Coals) or Manufactures wrought or made in this Kingdom, or Town of Berwick upon Tweed, to be exported out of this Realm by ſuch natural born Subjects; any Law, Cuſtom or Statute to the contrary notwithſtanding.

What they ſhall pay for Fiſh.

III. And be it farther enacted by the authority aforeſaid, That from and after the firſt day of May, which ſhall be in the year of our Lord one thouſand ſix hundred ſeventy and three, every Merchant, Denizen or Alien, ſhall pay for all ſorts of Fiſh caught by Engliſhmen, and exported in Engliſh Shipping, and whereof the Maſter and three fourths of the Mariners ſhall be Engliſh, ſuch Cuſtoms and Subſidies only, and no greater or other then Merchants being Natives of this Realm, do pay for the ſame.

CAP. VII.

An Act for the encouragement of the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trade.

The reaſons for this Act.

FOraſmuch as the Whale-fiſhing is a very conſiderable and profitable Trade, giving employments to great numbers of Seamen and Shipping; and whereas Neighbouring Nations do yearly make great advantage thereby; not only ſupplying themſelves with that ſort of Oyl and Fins, but vending into other parts great quantities thereof, and particularly into this Kingdom, where the ſaid Trade is in a manner quite decayed and loſt: For remedy thereof, and encouragement of ſuch as ſhall be willing to employ themſelves and their Eſtates in this Trade; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful for all his Majeſty's Subjects of this his Realm of England and Wales, and Town of Berwick upon Tweed, and for every other perſon or perſons of what Nation ſoever, reſiding and inhabiting here, during the time of ſuch their Reſidence, freely to trade into and from Greenland, and thoſe Seas, and there to take Whales, and all other ſorts of Fiſh, and to import into this Kingdom all ſorts of Oyl, Blubber and Fins thereof, and to uſe and exerciſe all other Trade to and from Greenland, and thoſe parts. (3) And for the farther encouraging of the ſaid Trade, Be it enacted by the authority aforeſaid, That it ſhall be lawful for any perſon or perſons, Native or Foreigner, to import Train-oyl, or Blubber of Greenland, and parts adjacent, and thoſe Seas, or of New-found-land, or of any other his Majeſty's Colonies and Plantations, made of Fiſh, or of any other Creature living in the Seas, and Whale-fins caught in any Ships or Veſſels truly and properly belonging to England or Wales, or Town of Berwick upon Tweed, and imported in ſuch Ships, without paying any Cuſtom or other Duty for the ſame; (4) And for the Tun of ſuch Oyl taken by any Shipping belonging to any of his Majeſty's Colonies and Plantations, and imported in ſuch Shipping, there ſhall be paid the ſum of ſix ſhillings; (5) and for every Tun of Whale-fins taken and imported in ſuch Shipping, the ſum of fifty ſhillings; (6) and for the Tun of ſuch Oyl taken by the ſaid ſhipping, but imported in ſhipping belonging to England, Wales or the Town of Berwick upon Tweed, the ſum of three ſhillings; (7) and for every Tun of Whale-fins taken and imported in ſuch ſhipping, the ſum of five and twenty ſhillings; (8) and for the Tun of all ſuch Oyl and Blubber of Foreign Fiſhing, the ſum of nine pounds; (9) and for every Tun of Whale-fins of Foreign Fiſhing, the ſum of eighteen pounds, and no more. (10) And in

Liberty given to all perſons to trade into Greenland and to import all ſorts of Oyl, &c.

Without paying any Cuſtom or Duty for any ſuch Goods brought in by any Engliſh or Welſh Veſſel.

If by any ſhipping of the Kings Colonies or Plantations, the ſeveral Rates mentioned in this Act.

in regard there are at preſent great want of Harpiniers and Seamen skilled and exerciſed in the Trade of Whale-fiſhing, (11) Be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful for any Ship or Veſſel truly belonging to England, Wales or the Town of Berwick upon Tweed, and whereof the Maſter ſhall be an Engliſhman, and inhabiting within the places aforeſaid, from and after the firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and three, and until the five and twentieth of March, which ſhall be in the year of our Lord, One thouſand ſix hundred eighty and three, employed for the catching of Whales during ſuch Voyage, to be navigated with one moiety of the Harpiniers, and the one moiety of the reſt of the Mariners only Engliſh, and yet to pay no farther or other Cuſtom for the Oyl, Blubber, or Fins caught and imported in ſuch Ship or Veſſel, then if ſuch Ship or Veſſel had been navigated with three fourths of the Mariners Engliſh; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Liberty given to have one moiety of Harpiniers, and one moiety of Engliſh Mariners in an Engliſh Veſſel with the ſame priviledge as before.

II. Provided always, and it is hereby farther enacted by the authority aforeſaid, That no Engliſh built Ship, or other Ship or Veſſel belonging to England, Wales or the Town of Berwick upon Tweed, importing Whale-oyl, or Blubber, or other Fiſh, Oyl or Whale-fins of Greenland, or thoſe Seas, ſhall enjoy any benefit or priviledge by this Act, unleſs ſuch Ship or Veſſel did proceed on her Voyage to Greeland and thoſe Seas, from England or Wales, or the Town of Berwick upon Tweed, and was victualled for the ſaid Voyage in ſome of thoſe places, to be atteſted by the Collector of the Port where the ſaid Ship or Veſſel was victualled; (2) And whereas by one Act paſſed in this preſent Parliament, in the twelfth year of your Majeſty's Reign, Entituled, An Act for encouragement of Shipping and Navigation, and by ſeveral other Laws paſſed ſince that time, it is permitted to ſhip, carry, convey and tranſport Sugar, Tobacco, Cotton-wool, Indico, Ginger, Fuſtick, and all other Dying-wood of the Growth, Production and Manufacture of any of your Majeſty's Plantations in America, Aſia, or Africa, from the places of their Growth, Production and Manufacture, to any other of your Majeſty's Plantations in thoſe Parts, (Tangier only excepted) and that without paying of Cuſtom for the ſame, either at the lading or unlading of the ſaid Commodities, by means whereof the Trade and Navigation in thoſe Commodities from one Plantation to another is greatly increaſed; (3) and the Inhabitants of divers of thoſe Colonies, not contenting themſelves with being ſupplied with thoſe Commodities for their own uſe, free from all Cuſtoms (while the Subjects of this your Kingdom of England have paid great Cuſtoms and Impoſitions for what of them hath been ſpent here) but contrary to the expreſs Letter of the aforeſaid Laws, have brought into divers parts of Europe great quantities thereof, and do alſo daily vend great quantities thereof to the ſhipping of other Nations, who bring them into divers parts of Europe, to the great hurt and diminution of your Majeſty's Cuſtoms, and of the Trade and Navigation of this your Kingdom; (4) For the prevention thereof, We your Majeſty's Commons in Parliament aſſembled, do pray that it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the firſt day of September, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and three, If any Ship or Veſſel which by Law may trade in any of your Majeſty's Plantations, ſhall come to any of them to ſhip and take on board any of the aforeſaid Commodities, and that Bond ſhall not be firſt given with one ſufficient Surety, to bring the ſame to England or Wales, or Town of Berwick upon Tweed, and to no other place, and there to unload and put the ſame on ſhore, (the danger of the Seas only excepted) that there ſhall be anſwered and paid to your Majeſty, your Heirs and Succeſſors, for ſo much of the ſaid Commodities as ſhall be laded and put on board ſuch Ship or Veſſel, theſe following Rates or Duties: That is to ſay, For Sugar White, the hundred Weight containing one hundred and twelve pounds, five ſhillings; and Brown Sugar and Muſcavadoes, the hundred weight containing one hundred and twelve pounds, one ſhilling and ſix pence; (5) For Tobacco, the pound one peny; For Cotton-wool, the pound one half-peny; For Indico, the pound two pence; For Ginger, the hundred weight containing one hundred and twelve pounds, one ſhilling; (6) For Log-wood, the hundred Weight containing one hundred and twelve pounds, five pounds; For Fuſtick, and all other Dying-wood, the hundred Weight containing one hundred and twelve pounds, ſix pence: And alſo for every pound of Coco-nuts, one peny, (7) to be levied, collected and paid at ſuch places, and to ſuch Collectors and other Officers as ſhall be appointed in the reſpective Plantations to collect, levy and receive the ſame, before the lading thereof, and under ſuch Penalties both to the Officers, and upon the Goods, as for non-payment of, or defrauding his Majeſty of his Cuſtoms in England.

The Engliſh built Ship which is to have the benefit of this Act, muſt proceed from England to Greenland.

12 Car. 2. cap. 18.

Bond to be given to bring all Goods of the American Plantations to England.

The Rates for the Cuſtoms to be paid.

Penalty.

III. And for the better collection of the ſeveral Rates and Duties aforeſaid impoſed by this Act, Be it enacted, and it is hereby farther enacted by the authority aforeſaid, That this whole buſineſs ſhall be ordered and managed, and the ſeveral Duties hereby impoſed, ſhall be cauſed to be levied by the Commiſſioners of the Cuſtoms in England, now and for the time being, by and under the authority and directious of the Lord Treaſurer of England, or Commiſſioners of the Treaſury for the time being.

The Duty to be levied by the Commiſſioners of the Cuſtoms in England.

IV. And in caſe any perſon or perſons liable by this Law to pay any of the Duties aforementioned, ſhall not have monies wherewith to anſwer and pay the ſame, Be it farther enacted by the authority aforeſaid, That the Officers appointed to collect the ſame, ſhall accept in ſtead of ſuch monies ſuch a proportion of the Commodities to be ſhipped, as ſhall amount to the Value thereof, according to the current Rate of the ſaid Commodities in ſuch Plantation reſpectively.

If the party ſhall not have ready mony, then the Commiſſioners to take a proportion of the Commodities.

V. And for encouragement of the Eaſtland Trade, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for every perſon and perſons, Native or Foreigner, from and after the firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred

It ſhall be free for all perſons to trade to Sweden, Denmark and Norway.

ſeventy and three, at all times to have free liberty to trade into and from Sweden, Denmark and Norway; any thing in the Charter of the Governor, Aſſiſtants, and Fellowſhip of Merchants of Eaſtland, or any other Charter, Grant, Act, or any thing elſe heretofore made or done, or hereafter to be done to the contrary in any wiſe notwithſtanding.

Any perſon Subject of this Realm, ſhall be admitted into the Eaſtland Company, paying for his admittance 40 s.

VI. And it is hereby farther enacted by the authority aforeſaid, That whatſoever perſon or perſons, Subjects of this Realm, ſhall deſire to be admitted into the ſaid Fellowſhip of Merchants of Eaſtland, That every ſuch perſon ſhall be admitted into the ſaid Fellowſhip, paying for his Admiſſion the ſum of forty ſhillings, and no more.

CAP. VIII.

An Act for continuing a former Act concerning Coynage.

18 Car. 2. cap. 5.

FOraſmuch as great advantage hath accrued to this Kingdom by one Act of this preſent Parliament, Paſſed in the eighteenth year of your Majeſty's Reign, Entituled, An Act for Encouragement of Coynage, for that very great quantities of Gold and Silver have been brought into this Realm, and converted into the current Coyns thereof, by reaſon of the encouragement given thereto by the ſaid Act; (2) And whereas the ſaid Act was to continue until the twentieth of December, in the year of our Lord One thouſand ſix hundred ſeventy and one, and until the end of the firſt Seſſion of Parliament then next following, and no longer, ſo as that unleſs the ſaid Act be now renewed, the encouragement given thereby to Coynage will ceaſe, and this Kingdom be deprived for the future of ſo great a good as it hath thereby for theſe years laſt paſt enjoyed: We therefore, your Majeſty's Dutiful and Loyal Subjects, do humbly pray that it may be enacted, (3) and Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons now in Parliament aſſembled, and by the authority of the ſame, That the ſaid Act ſhall continue and be in force for the ſpace of ſeven years, to commence from and after the determination of this preſent Seſſion of this Parliament, and until the end of the firſt Seſſion of Parliament then next following, and no longer.

How long to continue.

Where the monies collected upon the Act of 18 Car. 2. was to be paid.

II. Provided always, that whereas by the ſaid Act it is enacted, That the monies levied, collected and paid by vertue thereof, ſhould be levied, collected and paid at the reſpective Cuſtom-houſes, to the Collectors and other Officers of the Cuſtoms for the time being, and be by them reſpectively paid into the Receipt of the Exchequer, whereby each of the ſaid Collectors are obliged to paſs a diſtinct accompt in the Exchequer, for the monies received by them by vertue of the ſaid Acts, although the ſums received by many of them are very ſmall and inconſiderable, and yet no allowance to be made unto them for the doing thereof:

III. For the avoiding of this unneceſſary trouble and inconvenience to the ſaid Collectors, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That during ſuch time as the Cuſtoms ſhall be in Collection, under the management of Commiſſioners, the monies collected, levied and paid by vertue of this Act, ſhall be levied, collected and paid to ſuch Officers as do or ſhall from time to time collect and receive the Cuſtoms in the reſpective Ports, upon the Commodities charged by this Act, and ſhall be by them reſpectively anſwered and paid to the Receiver-general of the Cuſtoms now, and for the time being, whoſe acquittance ſhall be to them and every of them a ſufficient diſcharge, for the monies by them paid to him, and a Certificate by them obtained yearly or oftner, from the Comptroller-general of the Accompts of the Cuſtoms now, and for the time being, with the allowance of the Commiſſioners of the Cuſtoms, or any three or more of them, of their having ſo paid all the monies by them received, ſhall be to them and every of them a Quietus, and free them from all other accompts or trouble for the ſame.

Quietus.

IV. And in caſe the Cuſtoms ſhall be farmed, that the monies levied, collected and paid by vertue of this Act, during ſuch time, ſhall be collected, levied and paid in the reſpective Ports, to ſuch perſons as ſhall be appointed by the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, to levy, collect and receive the ſame, and be by them paid to ſuch perſon as ſhall be in like manner appointed to receive the ſaid monies from them, whoſe acquittance ſhall be to them and every of them a ſufficient diſcharge for the mony by them paid to him; and a certificate by them obtained yearly or oftner, from ſuch perſon or peſons as ſhall be in like manner appointed to give ſuch Certificate of their having ſo paid all the monies by them received, ſhall be to them and every of them a Quietus, and free them from all other accompts or trouble for the ſaid monies; any thing in the ſaid Act for the encouragement of Coynage, or any other Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Quietus.

To be paid at the Importation of the Commodities.

V. And it is hereby enacted by the authority aforeſaid, That the monies to be levied, collected and paid by vertue of this Act, ſhall be levied, collected and paid at the Importation of the Commodities charged thereby, and that over and above all other Duties and Sums of Monies charged and payable upon the ſame, and under the ſame Penalties and Forfeitures as for non-payment of, or defrauding his Majeſty of his Cuſtoms upon the ſaid Commodities.

Penalty.

The mony to be kept by it ſelf, and paid monthly.

VI. And it is hereby farther enacted by the authority aforeſaid, That the monies collected in the reſpective Ports by vertue of this Act, ſhall be by the reſpective Officers who ſhall collect the ſame, diſtinguiſhed and kept apart from all other monies by them collected upon the ſame Commodities, or upon any other Commodity or Merchandize whatſoever, and ſhall be by them reſpectively ſo anſwered and paid monthly at leaſt from the Officers of the Port of London, and quarterly at leaſt from the Officers of the Out-ports, to the Receiver-general of the Cuſtoms for the time being; And when there ſhall be no ſuch Receiver-general, to ſuch other perſon as ſhall be appointed as aforeſaid to receive the ſame from them; (2) And that ſuch Receiver-general or other perſon who ſhall receive the ſaid monies from the Officers of the reſpective Ports, ſhall alſo keep the ſame diſtinct from all other monies whatſoever, and ſo pay the ſame once in every month at leaſt into the Receipt of the Exchequer;

there alſo to be kept diſtinct and apart from all other monies ariſing by the Cuſtoms, or by any other way or Revenue whatſoever.

VII. And laſtly, Be it enacted by the authority aforeſaid, That for the encouragement of the reſpective Officers before mentioned, it ſhall be lawful for the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, to allow unto them out of the monies ariſing by this Act for the Services above mentioned, ſuch Salaries and Allowances as to them ſhall ſeem meet and reaſonable; ſo as that the ſaid Salaries and Allowances do not exceed in the whole the ſum of twelve pence in the pound of the monies collected by this Act.

Salaries to be allowed to the Officers for collecting of it.

CAP. IX.

An Act to enable the County Palatine of *Durham* to ſend Knights and Burgeſſes to ſerve in Parliament.

Preamble.

Whereas the Inhabitants of the County Palatine of Durham have not hitherto had the liberty and priviledge of electing and ſending any Knights and Burgeſſes to the High Court of Parliament, although the Inhabitants of the ſaid County Palatine are liable to all Payments, Rates and Subſidies granted by Parliament, equally with the Inhabitants of other Counties, Cities and Boroughs in this Kingdom, who have their Knights and Burgeſſes in the Parliament, and are therefore concerned equally with others the Inhabitants of this Kingdom, to have Knights and Burgeſſes in the ſaid High Court of Parliament of theit own election, to repreſent the Condition of their County, as the Inhabitants of other Counties, Cities and Boroughs of this Kingdom have; (2) Wherefore may it pleaſe your Majeſty, that it may be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from time to time, and at all times from and after the end of this preſent Seſſion of Parliament, the ſaid County Palatine of Durham may have two Knights for the ſame County, and the City of Durham two Citizens to be Burgeſſes for the ſame City, for ever hereafter to ſerve in the High Court of Parliament, (3) to be elected and choſen by vertue of your Majeſty's Writ, to be awarded by the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, in that behalf, to the Lord Biſhop of Durham, or his Temporal Chancellor of the ſaid County of Durham, and a Precept to be thereupon grounded and made by the Lord Biſhop of Durham, or his Temporal Chancellor for the time being, to the Sheriff of the ſaid County for the time being, (4) and the ſame Election from time to time to be made in manner and form following, that is to ſay, the Elections of the Knights to ſerve for the ſaid County Palatine from time to time hereafter, to be made by the greater number of Freeholders of the ſaid County Palatine of Durham, which from time to time ſhall be preſent at ſuch Elections, accordingly as is uſed in other Counties in this your Majeſty's Kingdom; (5) and that the Election of the ſaid Burgeſſes from time to time to ſerve in the High Court of Parliament, for the City of Durham, to be made from time to time by the Mayor, major part of the Aldermen and Freemen of the ſaid City of Durham, which from time to time ſhall be preſent at ſuch Elections; (6) which ſaid Knights and Burgeſſes, and every of them ſo elected or choſen, ſhall be returned by the ſaid Sheriff into the Chancery of England, in due form, and upon the like pains as be ordained for the Sheriff or Sheriffs of any other County of this Kingdom, to make his or their Returns in like caſes; (7) and that the ſaid Knights and Burgeſſes, and every of them ſo elected and returned, ſhall be by authority of this preſent Act, Knights and Burgeſſes of the High Court of Parliament, to all intents and purpoſes, and have and uſe the like Voice, Authority and Places therein, to all intents and purpoſes, as any other the Knights and Burgeſſes of the ſaid High Court of Parliament have, uſe and enjoy, and likewiſe ſhall and may by vertue of this preſent Act, take, have, uſe and enjoy, all ſuch and the like Liberties, Advantages, Dignities and Priviledges concerning the ſaid Court of Parliament, to all intents, conſtructions and purpoſes, as any other the Knights and Burgeſſes of the ſaid High Court of Parliament have taken, had, uſed or enjoyed, or ſhall, may or ought hereafter to have, take or enjoy.

The County Palatine of Durham to ſend two Knights, and the City of Durham to ſend two Burgeſſes to Parliament.

How the Elections are to be made.

To be Returned by the Sheriff.

CAP. X.

An Act for Reviving the Judicature for determination of Differences touching Houſes burnt down and demoliſhed by reaſon of the late Fire which happened in *London*, and for Rebuilding of the Navy-Office.

Whereas an Act lately paſſed in the nineteenth year of his Majeſty's Reign, Entituled, An Act for Erecting a Judicature for determination of Differences touching Houſes burnt down and demoliſhed by reaſon of the late Fire which happened in *London*, which ſaid Act expired upon the laſt day of December, in the year of our Lord one thouſand ſix hundred ſixty eight; And by another Act made in the two and twentieth year of his Majeſty's Reign, Entituled, An additional Act for Rebuilding the City of *London*, Uniting the Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, was revived with an additional authority to the ſaid Judicature, which ſaid laſt additional Act expired upon the twenty ninth of September, one thouſand ſix hundred ſeventy and one: (2) And whereas there are yet remaining nine hundred Tofts of Ground of Houſes burnt down and demoliſhed in the ſaid late great Conflagration, and a conſiderable number of others which were burnt down and demoliſhed, by reaſon of a Fire which happened and begun in his Majeſty's Navy Office, ſituate in Seething-Lane, London, on the twenty ninth day of January laſt paſt, the rebuilding whereof may be much expedited by the determination of Differences which are or may be between the Landlords and Tenants of the ſaid Houſes ſo burnt or demoliſhed reſpectively; (3) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled,

19 Car. 2. cap. 2.

22 Car. 2. cap. 11.

The Judicature for determination of Differences occaſioned by the Fire, continued until Febr. 15. 1675.

and by the authority of the ſame, That the Judicature erected by the ſaid two ſeveral Acts, and all and every the powers and authorities thereby given to the Juſtices of the Courts of the Kings-Bench and Common-Pleas, and Barons of the Coif of the Exchequer for the time being, or any three or more of them, and all other matters and things therein contained touching the ſaid Judicature, ſhall from henceforth ſtand, and be revived until the twenty fifth day of February, one thouſand ſix hundred ſeventy five; Any clauſe, matter or thing in the ſaid Acts contained to the contrary notwithſtanding.

The Kings Surveyor ſhall have power to ſet out ſo much Ground near the Navy-Office lately burnt, as ſhall be commodious for it.

II. And to the end that his Majeſty's Navy-Office in the Rebuilding thereof may be enlarged, and made more commodious for his Majeſty's uſe, and better ſecured from the dangers and caſualties of Fire, and that ſome convenient diſtance, interval, and circuit of Ground may be left between the ſaid Office, and any other Houſes that are or may be contiguous thereunto; (2) Be it farther enacted by the authority aforeſaid, That his Majeſty's Surveyor-general ſhall and may, and is hereby impowred to employ ſuch places and portions of Ground of the Houſes lately burnt down and demoliſhed, adjacent to the late Navy-Office, as by and with his Majeſty's approbation ſhall before the firſt day of May, one thouſand ſix hundred ſeventy and three, be ſet out and adjudged neceſſary for the ornament, enlargement, ſecurity and conveniency of the ſaid Office.

What ſatisfaction ſhall be made for the ſame Ground.

The Lord Mayor to impanel a Jury.

III. And to the intent that reaſonable ſatisfaction may be given to the Owners, and others having any Eſtates or Intereſts in the Grounds of the houſes lately burnt down and demoliſhed, and places which ſhall be ſet out to be taken and employed for the ornament, ſecurity and conveniency of the Navy-Office aforeſaid, the ſaid Surveyor-general, and ſuch other perſons as ſhall be impowred and appointed by his Majeſty in that behalf, ſhall and may treat and agree with the Owners, and others intereſſed therein; (2) And in caſe of wilful refuſal, or any ſuch diſability or impediment as in the aforeſaid Acts are mentioned, or other incapacity whatſoever, as the Owners thereof, or others intereſſed therein, ſhall delay or be diſabled to treat and agree, the Lord Mayor, and the Court of Aldermen of the City of London, ſhall and are hereby impowred, authorized and required to cauſe a Jury to be impannelled in ſuch manner and form as by the aforeſaid Acts is directed and appointed, ſo as no two of the ſaid Jurors (ſo to be appointed) ſhall come out of the ſame Ward to adjudge and aſſeſs what recompence and ſatisfaction in any or every of the caſes aforeſaid, ought to be awarded and given to the reſpective Owners, and others intereſſed in the Ground and Places ſo ſet out, to be taken and employed for the uſe and purpoſe aforeſaid, in purſuance of this Act, according to ſuch their reſpective Eſtates and Intereſts; (3) and the Verdict of ſuch Jury in that behalf to be taken, and the Judgment of the ſaid Lord Mayor and Court of Aldermen of London thereupon, and the payment of the mony ſo awarded and adjudged at or in the Office of the Chamberlain of the City of London, there to remain by the ſpace of ſix months for the Owners, or others intereſſed therein, as aforeſaid, and after that time to be paid unto them by the ſaid Chamberlain upon demand, if that within that time there ſhall not ariſe any Controverſie touching the payment thereof by reaſon of different Claims made thereunto, ſhall be binding and concluſive to and againſt the Owners, and all others having or claiming, or to claim any Eſtate, Right, Title or Intereſt of, in, or out of the ſame, their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, and every of them; and ſhall be a full authority for his Majeſty, his Heirs and Succeſſors, to cauſe the ſame to be converted to and for the uſe and purpoſe aforeſaid.

Concluſive againſt the Owners.

If any Controverſie ſhall ariſe between any perſon concerning the dividend of the mony for the Ground, then it is referred to the Court of Judicature to determine.

IV. And in caſe any Controverſie ſhall ariſe between any perſon or perſons, Bodies Politick or Corporate, or his or their Aſſigns, or Under-tenants, or other perſons claiming any Eſtate, Right, Title or Intereſt in Law or Equity, Truſt, Charge or Incumbrance of, or in the ſaid places or grounds ſo to be purchaſed or converted as aforeſaid, who ſhall find him or themſelves aggrieved for, or by reaſon that the ſaid mony ſo given in ſatisfaction for the ſaid places or ground, is not or ſhall not be equally or indifferently apportioned, according to the true value of his or their Intereſt in the ſaid places or grounds; That then the ſaid Juſtices of the Courts of Kings-Bench and Common-Pleas, and Barons of the Coif of the Court of Exchequer for the time being, or any three or more of them ſitting together at the ſame time and place, upon the petition of the ſaid party or parties grieved, to be preferred to any one of them, within ſix months after the ſaid Verdict ſo had and given, and not after, are hereby authorized to hear and finally determine the ſame, and to order and award ſuch Diſtribution of the mony ſo paid unto the Chamberlain as aforeſaid, to the ſaid perſon or perſons, Bodies Politick or Corporate reſpectively, according to his and their ſeveral and reſpective Intereſts in the ſame, in ſuch manner and form as the ſaid Juſtices and Barons, or any three of them, may determine any Differences or Demands which have or ſhall ariſe between any Landlord or Tenant touching repairing or rebuilding any of the ſaid Houſes burnt down or demoliſhed by the late Fire aforeſaid, by vertue of the ſaid Acts, or either of them: (2) And whereas ſome Differences are and may ariſe between Landlords and Tenants of the ſeveral Houſes lately burnt or demoliſhed in Seething-Lane, London, aforeſaid; (3) Be it farther enacted by the authority aforeſaid, That the ſaid Judges and Barons, or any three or more of them, be and are hereby authorized and impowred to determine all ſuch Caſes for all ſuch Houſes and Tenements, as fully and amply, and in like manner to all intents and purpoſes, as they could or might hear and determine any the like Differences by vertue of both or either of the Acts aforeſaid, and all Decrees and Orders in ſuch Caſes to be made, ſhall bind and be obeyed by all parties therein concerned accordingly.

Power given to the Court of Judicature to determine Differences between Landlord and Tenant concerning Houſes demoliſhed in Seething-Lane.

Anno Regni C *AROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ viceſimo ſeptimo.*

AT the Parliament begun at *Weſtminſter* the Eighth day of *May, Anno Dom.* 1661. in the Thirteenth year of the Reign of our moſt gracious Soveraign Lord CHARLES, by the Grace of God, of *England, Scotland, France* and *Ireland*, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Thirteenth day of *October*, 1675.

An Act for the better and more eaſie Rebuilding the Town of *Northampton*.

Foraſmuch as the greateſt part of the Town of Northampton hath been burnt down by a ſudden and dreadful Fire, which happened in September laſt, and divers Suits and Controverſies by reaſon thereof, are likely to ariſe between the ſeveral Proprietors, and others claiming under them, tending (if not prevented) to the great Vexation and Damage of the poor Inhabitants, and hindring the Rebuilding the ſaid Town: (2) For Remedy whereof, as alſo for the promoting the Rebuilding of the ſaid Town, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Judges of Aſſize for the County of Northampton, and other the Juſtices of the Courts of Kings-Bench and Common-Pleas, and the Barons of the Coif of the Exchequer for the time being, the Juſtices of Peace for the ſaid County for the time being, and the Mayor of the Town of Northampton for the time being, and Sir John Holman Baronet, Sir Edmund Bray Knight, Thomas Willughby, James Stedman, Robert Heſlerige, Thomas Andrews, Thomas Ward, Charles Fleetwood, Daniel Danvers, Salathiel Lovel and William Kimbold Eſquires, or any five or more of them, ſitting at the ſame time and place together at the Guildhall, or ſome other place within the ſaid Town of Northampton, ſhall be, and by authority aforeſaid are made and conſtituted a Court of Record, (3) and ſhall or may, with or without the adjournment from time to time, ſummarily, and without the Formalities of Proceedings in Courts of Law or Equity, by Verdict, Teſtimony of Witneſſes upon Oath, Examination of Parties intereſted, or by all or any of the ſaid ways, or otherwiſe at their diſcretions, ſhall and are hereby authorized from time to time to hear and to determine all Differences and Demands whatſoever, which have ariſen, or may any wiſe ariſe between Landlords, Proprietors, Tenants, Leſſees, Under-Tenants, or late Occupiers of any the ſaid Houſes or Buildings with their Appurtenances, or their Courts, Yards or Grounds, or any perſon or perſons having or claiming any Eſtate, Right, Title, Intereſt in Law or Equity, Charge or Incumbrance of or in the ſame, or their or any of their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſons, for, touching or concerning the Repairing, Building or not Building of the ſaid Houſes or Buildings, Yards, Courts and Grounds, or for or concerning the payment, defalcation, apportioning, or abatement of any Rent or Rents, other then Arrears of Rent only, due on or before the nine and twentieth day of September, one thouſand ſix hundred ſeventy and five, or for or touching any Covenant, Condition or Penalty relating thereunto, or for, touching or concerning the prefixing or limiting of any time for ſuch Repairs or new Building, or any Rate or Contribution to be born or paid thereunto by any perſon or perſons, Bodies Politick or Corporate intereſted in the Premiſſes, and all Incidents relating thereunto: (4) And that the definitive Order of the ſaid Court as aforeſaid, ſhall be final, as well between the ſaid Parties, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and all claiming by, from or under them, as touching the matter contained in ſuch Orders, from which there ſhall be no Appeal or Review, otherwiſe then as is hereafter expreſſed.

The Preamble.

A Court of Record conſtituted.

How to proceed, and what to determine.

Landlord and Tenant.

Defalcation, or apportioning of Rent.

Bodies Politick.

Definitive Order to be final.

II. And be it farther enacted by the authority aforeſaid, That the ſaid Judges of Aſſize for the County of Northampton, and other the Juſtices of the Courts of Kings-Bench and Common-Pleas, and the Barons of the Coif of the Exchequer for the time being, the Juſtices of the Peace for the ſaid County for the time being, and the Mayor of the Town of Northampton for the time being, and Sir John Holman Baronet, Sir Edmund Bray Knight, Thomas Willughby, James Stedman, Robert Heſlerige, Thomas Andrews, Thomas Ward, Charles Fleetwood, Daniel Danvers, Salathiel Lovel, and William Kimbold Eſquires, or any five or more of them as aforeſaid, ſhall have authority, and are hereby impowred where they ſhall think it convenient, to order the ſurrendring, increaſing, abridging, ceaſing, determining or charging of any Eſtates in the Premiſſes, or to order new, or longer Eſtates to be made of any of the Premiſſes, by the Proprietors or Owners thereof, or other perſons intereſſed therein, to any Tenant or Sub-Tenant or late Occupier of the ſame, their Executors, Adminiſtrators, Succeſſors or Aſſigns, at ſuch Rent or Fine as they ſhall think fit, unleſs in ſuch Caſes where the Laws of this Realm do forbid the diminiſhing of ancient and accuſtomable Rent; (2) All which Orders, according to the tenors thereof, ſhall be obeyed by all perſons concerned therein reſpectively, and ſhall conclude and bind them, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, notwithſtanding any diſability in reſpect of Coverture, Infancy, Non-ſanity of memory, Eſtate-Tail, or in right of Church, or otherwiſe: And that Infants, Femes-covert, Ideots, perſons of non-ſane memory, or beyond the Seas, Tenants in Tail, Biſhops, Deans and Chapters, and other Eccleſiaſtical perſons, and their Succeſſors, Corporations, and all other perſon or perſons, Bodies Natural and Politick, their Heirs and Succeſſors, and their reſpective Intereſt, ſhall be bound and concluded by ſuch reſpective Order or Orders, according to the tenor or purport thereof; Any Law, Statute or Cuſtom, or other matter or thing to the contrary notwithſtanding.

Power to make a Decree to charge, &c. an Eſtate, or to order a new or longer Eſtate to be made, notwithſtanding Infancy, Coverture, &c.

Infants, &c.

Biſhops, &c. Corporations.

III. And be it farther enacted by the authority aforeſaid, That the ſaid Court ſhall have power and authority to make and appoint from time to time, ſuch Rules and Directions in the Forms and Orders of Building, to be obſerved in the Rebuilding of ſuch Houſes as were demoliſhed by or by reaſon of the ſaid late Fire, or any of them, and for other Buildings made or to be made ſince the ſaid dreadful Fire, as they ſhall think fit and convenient for the better Security and Ornament of the ſaid Town; And that the new Buildings of the ſaid demoliſhed Houſes, and all ſuch other Buildings, ſhall be purſuant to ſuch Rules and Directions ſo given: (2) And alſo that the ſaid Court ſhall and may appoint and decree the enlargement or alteration of any the Streets, Lanes, Roads and Paſſages, and other places of publick uſe in the ſaid Town, for the better uſe and conveniency thereof. (3) And to the end that reaſonable ſatisfaction may be given for all ſuch Ground as ſhall be made uſe

To make Rules and Directions in the Forms and Order of Buildings.

To enlarge or alter Streets, Lanes, Roads and Paſſages.

To treat and compound for Ground to be uſed for thoſe purpoſes.

In caſe of refuſal or diſability by Infancy, &c. then to Impannel a Jury.

of, and employed to and for the uſes aforeſaid, the ſaid Court ſhall and may treat and agree with the Owners and others intereſted therein; and if any perſon ſhall wilfully refuſe to treat and agree as aforeſaid, or through any diſability by Nonage, Coverture, eſpecial Entail, or other Impediment, cannot accept thereof, That in ſuch caſes the ſaid Court are hereby impowred to Impannel and Summon a Jury before them, which Jury upon their Oaths (to be adminiſtred by the ſaid Court) are to Aſſeſs ſuch Damage and Recompence as they ſhall adjudge fit to be awarded, to the Owners and others intereſted in the ſaid Ground, for their reſpective Intereſts in the ſame; and upon payment of the ſaid money ſo awarded, or tendred, and refuſal thereof, the Intereſt of all perſons in the ſaid Ground, ſhall be for ever bound, and the ſame ſhall for ever after remain to the uſes aforeſaid.

To make alterations in the Foundations if they ſee cauſe.

Satisfaction to be awarded.

A Jury to be Impannelled in caſe of diſability.

IV. And further, That the ſaid Court for the better Regulation of the new Building of the ſaid demoliſhed Houſes, or any of them, ſhall by the authority of this Act, have power to order or appoint the alteration of the Foundations, or to take from one Houſe and add to another, or to order or appoint ſuch other alterations as ſhall in their Judgments be expedient for the better Rebuilding of the ſaid Town: (2) And that the ſaid Court ſhall and may award what ſum of money ſhall be paid by the perſon who hath any benefit by ſuch alteration, unto the perſon or perſons who hath any loſs or damage thereby, in ſatisfaction for the ſame: (3) and in caſe the ſaid perſon or perſons will not, or through any ſuch diſability or other impediment as is before in this Act expreſſed, cannot accept thereof; in ſuch caſes the ſaid Court are hereby impowred to Impannel and Summon a Jury before them; (4) which Jury upon their Oaths, to be adminiſtred by the ſaid Court, are to Aſſeſs ſuch Damage and Recompence as they think fit to be awarded by the perſon who hath benefit by ſuch alteration or addition, to the perſon or perſons damnified, for his or their loſs and damage thereby: and upon payment of the ſaid money ſo awarded, or tender and refuſal thereof, the perſon or perſons damnified ſhall be for ever barred, and the perſon having benefit thereby, his Heirs and Aſſigns, ſhall for ever after hold and enjoy that which ſhall be ſo appointed and aſſigned to him by the ſaid Court, as aforeſaid.

A Proviſo not to take away any Ground but onely for enlargement of the Streets.

The Corner Houſe taken away.

Several other Houſes to be taken away.

If any perſon ſhall not build within three years, then the Court to diſpoſe of the Ground to ſuch perſon as will build.

Satisfaction to be made to the Proprietor of the Soyl,

In caſe of refuſal, a Jury to be Impannelled.

Perpetual bar.

V. Provided, That the ſaid Rules and Directions do not extend to the taking away of the Ground or Soyl of any perſon or perſons, Bodies Politick or Corporate, or others, otherwiſe then to enlarge the Paſſages at the Corners and Places herein after mentioned, and to take away the Houſes herein after expreſſed, that is to ſay, To enlarge the Paſſage at the Corner which ſtands in the Paſſage between the South Street and the Street called the Drapery, the Corner Houſe there being late in the Tenure of Bartholomew Manning; and at the Corners which ſtand in the Paſſage between the ſaid Street called the Drapery, and the Street called the Sheep-Market, on the North end of the ſaid Street called the Drapery; and to enlarge all the Street or Paſſage between the North ſide of All Saints Church, and the Houſes to be built over againſt it, and the Street or Paſſage on the South ſide of the ſaid Church, and the Houſes to be built over againſt it; and to take away all thoſe Houſes which ſtood between the Row of Buildings lying on the South ſide of the Market Hill, called the Mercers Row, and the Row of Buildings lying on the North ſide of the ſaid Market Hill; and to enlarge the North corner of the Paſſage between the Market-place and the Street called Abington Street; and to enlarge the paſſage which went about the middle of the Eaſt ſide of the Drapery Street into the Market-place. (2) And further, in caſe the Proprietors or Owners of the Houſes demoliſhed by or by reaſon of the ſaid Fire, or their Aſſigns, ſhall not within the ſpace of three years next enſuing after the ſaid Fire, lay the Foundations of their Houſes to be Rebuilt, and ſhall not within the time to be limited by the ſaid Court, Rebuild and finiſh the ſame, that upon ſuch default the ſaid Court ſhall have power and authority by their Order and Decree, to diſpoſe of the ſaid Houſes ſo to be Rebuilt, and of the Soyl thereof and of all Yards, Backſides, Orchards, Gardens, and other Appurtenances thereunto belonging, to ſuch perſon as will Rebuild the ſame, their Heirs and Aſſigns: (3) And that the ſaid Court ſhall and may award what ſum of money or other ſatisfaction the perſon who undertakes to be the Rebuilder, ſhall give for the ſame, to the Proprietor or Proprietors, Owner or Owners making ſuch default as aforeſaid: And in caſe the ſaid perſon or perſons making default, will not, or through any ſuch diſabitity, or other impediment, as is before in this Act expreſſed, cannot accept thereof, in ſuch caſes the ſaid Court are hereby impowred to Impannel and Summon a Jury before them; which Jury upon their Oaths (to be adminiſtred by the ſaid Court) are to Aſſeſs ſuch recompence and ſatisfaction as they ſhall think fit to be awarded and payed, unto the perſon or perſons making default in Rebuilding, for the ſaid Houſes to be Rebuilt, and for the Soyl thereof, and for the Yards, Backſides, Orchards, Gardens, and other Appurtenances thereunto belonging, by the perſon who undertakes to be the Rebuilder: And upon payment of the ſaid recompence and ſatisfaction ſo awarded, or tender and refuſal thereof, the ſaid perſon or perſons making default in Rebuilding, his Heirs and Aſſigns, and all others ſhall be for ever barred; and the ſaid Houſes to be rebuilt, and the Soyl, and other the Appurtenances thereof, ſo aſſigned by the ſaid Court unto the Undertaker to rebuild the ſame, ſhall for ever after be and remain unto the ſaid Rebuilder, his Heirs and Aſſigns for ever, in ſuch manner as the ſaid Court ſhall have aſſigned and appointed the ſame.

All Houſes to be covered with Lead, Slatt or Tyle,

Perilous Trades prohibited.

Penalty.

VI. And for the preventing of future danger by Fire, It is further enacted by the authority aforeſaid, That all Houſes, Out-houſes, and other Buildings demoliſhed by the late Fire, or hereafter to be built within the ſaid Town, ſhall be covered with Lead, Slatt or Tyle, and not otherwiſe; and that no perilous Trade in reſpect of Fire, ſhall hereafter be uſed or exerciſed in the principal publick parts or Streets of the ſaid Town; and that all Houſes and Buildings hereafter to be built, which ſhall be covered contrary to this preſent Act, and all Houſes demoliſhed by the ſaid Fire, built contrary to the Form, Order and Direction of the ſaid Court, ſhall be adjudged, and are hereby declared to be common and publick Nuſances, and be proceeded againſt and dealt with accordingly.

VII. And be it alſo enacted by the authority aforeſaid, That where any ſuch Order or Decree as aforeſaid, ſhall be made by a leſſer number of the ſaid Judges, Juſtices of Peace, and other the perſons above named and authorized, then Seven, It ſhall be lawful for any perſon agrieved by ſuch Order or Decree, to preſent his Exceptions to the ſame in Writing, within twenty days next after ſuch Order or Decree made, to one of the Judges of Aſſize for the ſaid County of Northampton for the time being, or other the Juſtices of the Courts of Kings-Bench or Common-Pleas, or the Barons of the Coif of the Exchequer for the time being; and if one of them ſhall ſubſcribe thereunto, that he finds probable cauſe of complaint, then it ſhall be lawful to or for any ſeven or more of the Judges of Aſſize, Juſtices of the Peace, and other perſons above named (that made not the ſaid Order or Decree) ſitting at the ſame time together at the Guild-Hall, or ſome other place within the ſaid Town of Northampton, to review the ſaid former Order or Decree, and thereupon to reverſe, confirm, enlarge, diminiſh, or otherwiſe alter any ſuch Order or Decree, as in their Judgments they ſhall think fit, or otherwiſe to award Coſts againſt ſuch Appellants for their vexation and delay, and to levy the ſame by diſtreſs and ſale of his, her, or their Goods, rendring the over-plus, if any be. Provided always, That ſuch Appeals be fully finiſhed and determined within the ſpace of ſix months next following, after the delivering in of ſuch Exceptions as aforeſaid.

To appeal from an Order made by leſs then ſeven of the Judges.

A Review of the Decree.

Coſts.

VIII. And for the better ſatisfaction of Builders, Purchaſers, and others concerned, It is further enacted by the authority aforeſaid, That all and every Judgment, Order and Decree ſo made as aforeſaid, ſhall be good, valid and effectual both in Law and Equity to all intents and purpoſes, and ſhall be obeyed by all perſons concerned therein, and ſhall bind and conclude Infants, Feme-coverts, Ideots, perſons of non ſane memory, or beyond the Sea, Tenants in Tail, Biſhops, Deans and Chapters, and all other Eccleſiaſtical Perſons, and their Succeſſors, and all other perſons, Bodies Natural and Politick whatſoever, and that no Writ of Error or Certiorari ſhall be for the removal or reverſal of the ſame: (2) And for the perpetuating the ſame to all Poſterity, that the ſaid Judgments, Orders and Decrees ſhall be fairly entred into one or more Books, and be ſubſcribed with the Names of the perſons that made the ſame, and that the ſaid Books be delivered in unto the Mayor and Aldermen of the ſaid Town of Northampton for the time being, to the end the ſame may be ſafely diſpoſed and kept in the Chamber of the ſaid Town for ever, amongſt their Records and Evidences, and that all perſons concerned may have free liberty of recourſe unto the ſaid Books, to peruſe the ſame from time to time as occaſion ſhall require. The powers and authorities given and mentioned in this Act, to continue for the ſpace of ten years and no longer.

All Judgments and Decrees ſhall be good both in Law and Equity.

There ſhall lie no Writ of Error or Certiorari.

A Regiſter-Book for the Orders, to be kept by the Mayor.

IX. And for the better encouragement of Gentlemen and others to build and reſide in the ſaid Town, Be it enacted by the authority aforeſaid, That the Juſtices of the Peace for the County of Northampton from time to time being, who ſhall be Inhabitants within the ſaid Town, may for ever hereafter uſe and exerciſe their ſaid Office to all intents and purpoſes, within the ſaid Town and Liberties thereof and in the Seſſions of the ſaid Town to be held, as they may or can do in the ſaid County at large, or in the publick Seſſions thereof: And that all other perſons who from time to time ſhall be Juſtices of the Peace for the ſaid County, ſhall for ever hereafter uſe and exerciſe the ſaid Office within the ſaid Town and Liberties thereof, during the time in which the Aſſizes and publick Seſſions of the Peace for the ſaid County ſhall be there kept: (2) And that all and every ſuch perſons as are not Free of the ſaid Town, and ſhall build any Houſe or Houſes in the ſaid Town to the value of Three hundred pounds or upwards (within ſeven years) from the twentieth day of September laſt paſt, by and according to the Order of the ſaid Court, ſuch perſons ſhall have liberty to exerciſe any Trade within the ſaid Town, as any Freeman of the ſaid Town may do.

All Juſtices of the County that inhabit in the Town, ſhall be Juſtices in the Town.

Any perſon that ſhall build a Houſe worth 300 l. to have thereby his Freedom.

X. Provided always, and it is hereby enacted, That all and every perſon and perſons, before they execute any of the powers or authorities in the ſaid Act mentioned, ſhall take this Oath following, before any two Juſtices of Peace of the ſaid County of Northampton for the time being, which they are hereby impowred to adminiſter: That is to ſay,

All perſons that execute any power by this Act, to take an Oath.

(2) I Do hereby Swear, That I will juſtly and truly Execute the Powers and Authorities in this Act contained, according to the beſt of my knowledge, without favour or affection to any of the Parties concerned: So help me God.

The Oath.

XI. And laſtly it is enacted, That if any perſon or perſons ſhall be Sued or Impleaded for any matter or thing done in the execution of this Act, or in purſuance thereof, he or they may plead the General Iſſue, and give the ſpecial matter in Evidence; and if the Plaintiff ſhall be Non-ſuit, or a Verdict do paſs againſt him, ſuch Defendant ſhall have and recover his double Coſts.

To plead the General Iſſue.

Anno Regni **CAROLI II.** *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Viceſimo nono.*

AT the Parliament begun at *Weſtminſter* the Eighth day of *May*, *Anno Dom.* 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, *&c.* And from thence continued by ſeveral Prorogations to the 15th of *February*, $167\frac{6}{7}$.

CAP. I.

An Act for Raiſing the Sum of Five hundred eighty four thouſand nine hundred ſeventy eight pounds two ſhillings and two pence half-peny, for the ſpeedy Building 30 Ships of War.

CAP. II.

An Act for an Additional Exciſe upon Beer, Ale, and other Liquours, for three Years. Exp.

CAP. III.

An Act for prevention of Frauds and Perjuries.

Preamble.

FOR prevention of many fraudulent Practices, which are commonly endeavoured to be upheld by Perjury, and Subornation of Perjury, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the four and twentieth day of June, which ſhall be in the year of our Lord, one thouſand ſix hundred ſeventy and ſeven, All Leaſes, Eſtates, Intereſts of Free-hold, or Terms of years, or any uncertain Intereſt of, in, or out of any Meſſuages, Manors, Lands, Tenements or Hereditaments made or created by Livery and Seiſin only, or by Parol, and not put in Writing, and ſigned by the parties ſo making or creating the ſame, or their Agents thereunto lawfully authorized by Writing, ſhall have the force and effect of Leaſes, or Eſtates at Will only, and ſhall not either in Law or Equity be deemed or taken to have any other or greater force or effect; Any conſideration for making any ſuch Parol Leaſes or Eſtates, or any former Law or Uſage to the contrary notwithſtanding.

Parol Leaſes and Intereſt of Freehold ſhall have the force of Eſtates at Will only.

Except Leaſes not exceeding three years, &c.

II. Except nevertheleſs all Leaſes not exceeding the term of three years from the making thereof, whereupon the Rent reſerved to the Landlord, during ſuch term, ſhall amount unto two third parts at the leaſt of the full improved value of the thing demiſed.

No Leaſes or Eſtates of Freehold or Copyhold ſhall be granted or ſurrendred by word.

III. And moreover, That no Leaſes, Eſtates, or Intereſts, either of Free-hold, or Terms of years, or any uncertain Intereſt, not being Copy-hold, or Cuſtomary Intereſt, of, in, to or out of any Meſſuages, Manors, Lands, Tenements, or Hereditaments, ſhall at any time after the ſaid four and twentieth day of June, be aſſigned, granted or ſurrendred, unleſs it be by Deed or Note in Writing, ſigned by the party ſo aſſigning, granting or ſurrendring the ſame, or their Agents thereunto lawfully authorized by writing, or by act and operation of Law.

Promiſes and Agreements by Parol.

IV. And be it farther enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of June, no Action ſhall be brought whereby to charge any Executor or Adminiſtrator upon any ſpecial promiſe, to anſwer damages out of his own Eſtate, (2) or whereby to charge the Defendant upon any ſpecial promiſe to anſwer for the debt, default or miſcarriages of another perſon, (3) or to charge any perſon upon any Agreement made upon conſideration of Marriage, (4) or upon any Contract or Sale of Lands, Tenements, or Hereditaments, or any Intereſt in or concerning them, (5) or upon any Agreement that is not to be performed within the ſpace of one year from the making thereof, (6) unleſs the Agreement upon which ſuch Action ſhall be brought, or ſome Memorandum or Note thereof ſhall be in Writing, and ſigned by the party to be charged therewith, or ſome other perſon thereunto by him lawfully authorized.

Deviſes of Lands ſhall be in writing and atteſted by three or four Witneſſes.

V. And be it farther enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of June, all Deviſes and Bequeſts of any Lands or Tenements, deviſable either by force of the Statute of Wills, or by this Statute, or by force of the Cuſtom of Kent, or the Cuſtom of any Burrough, or any other particular Cuſtom, ſhall be in Writing, and ſigned by the party ſo deviſing the ſame, or by ſome other perſon, in his preſence, and by his expreſs directions, and ſhall be atteſted and ſubſcribed in the preſence of the ſaid Deviſor, by three or four credible Witneſſes, or elſe they ſhall be utterly void and of none effect.

How the ſame ſhall be recoverable.

VI. And moreover, No Deviſe in Writing, of Lands, Tenements or Hereditaments, or any Clauſe thereof, ſhall at any time after the ſaid four and twentieth day of June, be revocable, otherwiſe then by ſome other Will or Codicil in Writing, or other Writing declaring the ſame, or by burning, cancelling, tearing or obliterating the ſame by the Teſtator himſelf, or in his preſence, and by his directions and conſent; (2) But all Deviſes and Bequeſts of Lands and Tenements ſhall remain and continue in force until the ſame be burnt, cancelled, torn or obliterated by the Teſtator, or his directions, in manner aforeſaid, or unleſs the ſame be altered by ſome other Will or Codicil in Writing, or other Writing of the Deviſor, ſigned in the preſence of three or four Witneſſes, declaring the ſame; any former Law or Uſage to the contrary notwithſtanding.

All Declarations or Creations of Truſts ſhall be in writing.

VII. And be it farther enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of June, all Declarations or Creations of Truſts or Confidences, of any Lands, Tenements or Hereditaments, ſhall be manifeſted and proved by ſome Writing ſigned by the party who is by Law enabled to declare ſuch Truſt, or by his laſt Will in Writing, or elſe they ſhall be utterly void and of none effect.

Truſts ariſing, transferr'd or extinguiſhed by implication of Law, are excepted.

VIII. Provided always, That where any Conveyance ſhall be made of any Lands or Tenements by which a Truſt or Confidence ſhall or may ariſe or reſult by the Implication or Conſtruction of Law, or be transferred or extinguiſhed by an act or operation of Law, Then and in every ſuch Caſe, ſuch Truſt or Confidence ſhall be of the like force and effect as the ſame would have been if this Statute had not been made; any thing herein before contained to the contrary notwithſtanding.

Aſſignments of Truſts ſhall be in writing.

IX. And be it farther enacted, That all Grants and Aſſignments of any Truſt or Confidence, ſhall likewiſe be in Writing, ſigned by the party granting or aſſigning the ſame by ſuch laſt Will or Deviſe, or elſe ſhall likewiſe be utterly void and of none effect.

Lands, &c. ſhall be liable to the Judgments, &c. of Ceſtuy que truſt.

X. And be it farther enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of June, it ſhall and may be lawful for every Sheriff, or other Officer, to whom any Writ or Precept is or ſhall be directed, at the Suit of any perſon or perſons, of, for, and upon any Judgment, Statute or Recognizance hereafter to be made or had, to do, make and deliver Execution unto the party in that behalf ſuing, of all ſuch Lands, Tenements, Rectories, Tythes, Rents and Hereditaments, as any other perſon or perſons be in any manner of wiſe ſeiſed or poſſeſſed, or hereafter ſhall be ſeiſed or poſſeſſed in Truſt for him againſt whom Execution is ſo ſued, like as the Sheriff or other Officer might or ought to have done, if the ſaid party againſt whom Execution hereafter ſhall be ſo ſued, had been ſeiſed of ſuch Lands, Tenements, Rectories, Tythes, Rents, or other Hereditaments of ſuch Eſtate as they be ſeiſed of in Truſt for him at the time of the ſaid Execution ſued; (2) which Lands, Tenements, Rectories, Tythes, Rents, and other Hereditaments, by force and virtue of ſuch Execution, ſhall accordingly be held and enjoyed, freed and diſcharged from all Incumbrances of ſuch perſon or perſons as ſhall be ſo ſeiſed or poſſeſſed in Truſt for the perſon againſt whom ſuch Execution ſhall be ſued; (3) And if any Ceſtuy que Truſt hereafter ſhall dye, leaving a Truſt in Fee-ſimple to deſcend to his Heir, there, and in every ſuchcaſe, ſuch Truſt ſhall be deemed and taken, and is hereby declared to be Aſſets by deſcent, and the Heir ſhall be lyable to and chargable with the Obligation of his Anceſtors for and by reaſon of ſuch Aſſets, as fully and amply as he might or ought to have been, if the Eſtate in Law had deſcended to him in poſſeſſion in like manner as the Truſt deſcended; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And held free from the Incumbrances of the perſons ſeized in truſt.

Truſt ſhall be Aſſets in the hands of Heirs.

XI. Provided always, That no Heir that ſhall become chargable by reaſon of any Eſtate or Truſt made Aſſets in his hands by this Law, ſhall by reaſon of any kind of Plea, or confeſſion of the Action, or ſuffering Judgment by Nient dedire, or any other matter be chargable to pay the Condemnation out of his own Eſtate, (2) but Execution ſhall be ſued of the whole Eſtate ſo made Aſſets in his hands by deſcent, in whoſe hands ſoever it ſhall come, after the Writ purchaſed, in the ſame manner as it is to be at and by the Common Law, where the Heir at Law pleading a true Plea, Judgment is prayed againſt him thereupon; any thing in this preſent Act contained to the contrary notwithſtanding.

No Heir ſhall by reaſon thereof become chargeable of his own Eſtate

XII. And for the amendment of the Law in the particulars following, (2) Be it farther enacted by the authority aforeſaid, That from henceforth any Eſtate pur auter vie ſhall be deviſable by a Will in writing, ſigned by the party ſo deviſing the ſame, or by ſome other perſon in his preſence, and by his expreſs directions, atteſted and ſubſcribed in the preſence of the Deviſor by three or more Witneſſes; (3) and if no ſuch Deviſe thereof be made, the ſame ſhall be chargeable in the hands of the Heir, if it ſhall come to him by reaſon of a ſpecial Occupancy, as Aſſets by deſcent, as in caſe of Lands in Fee-ſimple; (4) and in caſe there be no ſpecial Occupant thereof, it ſhall go to the Executors or Adminiſtrators of the party that had the Eſtate thereof by vertue of the Grant, and ſhall be Aſſets in their hands.

Eſtates pur auter vie ſhall be deviſable.

And ſhall be Aſſets in the Heir's hand. And where there is no ſpecial occupant ſhall go to the Executors.

XIII. And whereas it hath been found miſchievous, that Judgments in the Kings Courts at Weſtminſter do many times relate to the firſt day of the Term whereof they are entred, or to the day of the Return of the Original, or Filing of Bail, and bind the Defendants Lands from that time, although in truth they were acknowledged, or ſuffered and ſigned in the Vacation-time after the ſaid Term, whereby many times Purchaſers find themſelves aggrieved.

XIV. And be it enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of June, any Judge or Officer of any of his Majeſty's Courts of Weſtminſter, that ſhall ſign any Judgments, ſhall at the ſigning of the ſame, without Fee for doing the ſame, ſet down the day of the month and year of his ſo doing, upon the Paper, Book, Docket or Record which he ſhall ſign; which day of the month and year ſhall be alſo entred upon the Margent of the Roll of the Record where the ſaid Judgment ſhall be entred.

The day of ſigning any Judgment ſhall be entred on the margent of the Roll.

XV. And be it enacted, That ſuch Judgments as againſt Purchaſers bona fide for valuable conſideration of Lands, Tenements or Hereditaments to be charged thereby, ſhall in conſideration of Law, be Judgments only from ſuch time as they ſhall be ſo ſigned, and ſhall not relate to the firſt day of the Term whereof they are entred, or the day of the Return of the Original, or Filing the Baill; any Law, Uſage or Courſe of any Court to the contrary notwithſtanding.

And ſuch Judgments as againſt Purchaſers ſhall relate to ſuch time only.

XVI. And be it farther enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of June, no Writ of Fieri facias, or other Writ of Execution, ſhall bind the Property of the Goods againſt whom ſuch Writ of Execution is ſued forth, but from the time that ſuch Writ ſhall be delivered to the Sheriff, Under-Sheriff, or Coroners, to be executed: And for the better manifeſtation of the ſaid time, the Sheriff, Under-Sheriff, and Coroners, their Deputies and Agents, ſhall upon the receipt of any ſuch Writ, (without Fee for doing the ſame) endorſe upon the back thereof, the day of the month or year whereon he or they received the ſame.

Writs of Execution ſhall bind the property of Goods but from the time of their delivery to the Officer.

XVII. And be it farther enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of June, no Contract for the Sale of any Goods, Wares and Merchandizes, for the price of ten pounds Sterling, or upwards, ſhall be allowed to be good, except the Buyer ſhall accept part of the Goods ſo ſold, and actually receive the ſame, or give ſomething in earneſt to bind the bargain, or in part of payment, or that ſome Note or Memorandum in writing of the ſaid bargain be made and ſigned by the parties to be charged by ſuch a Contract, or their Agents thereunto lawfully authorized.

Contracts for Sales of Goods for Ten pounds, or more.

XVIII. And be it farther enacted by the authority aforeſaid, That the day of the month and year of the Enrollment of the Recognizances, ſhall be ſet down in the Margent of the Roll where the ſaid Recognizances are enrolled, (2) and that from and after the ſaid four and twentieth day of June, no Recognizance ſhall bind any Lands, Tenements or Hereditaments, in the hands of any Purchaſor bona fide, and for valuable conſideration, but from the time of ſuch Enrolment; any Law, Uſage or Courſe of any Court to the contrary in any wiſe notwithſtanding.

The day of the Enrollment of Recognizances ſhall be ſet down;

And Lands in the hands of Purchaſers bound from that time only.

XIX. And for prevention of fraudulent Practices, in ſetting up Nuncupative Wills, which have been the occaſion of much Perjury, (2) Be it enacted by the authority aforeſaid, That from and after the aforeſaid four and twentieth day of June, no Nuncupative Will ſhall be good, where the Eſtate thereby bequeathed ſhall exceed the value of thirty pounds,

Nuncupative Wills.

pounds, that is not proved by the Oaths of three Witneſſes (at the leaſt) that were preſent at the making thereof, (3) nor unleſs it be proved that the Teſtator at the time of pronouncing the ſame, did bid the perſons preſent, or ſome of them, bear witneſs, that ſuch was his Will, or to that effect; (4) nor unleſs ſuch Nuncupative Will were made in the time of the laſt ſickneſs of the deceaſed, and in the houſe of his or their habitation or dwelling, or where he or ſhe hath been reſident for the ſpace of ten days, or more, next before the making of ſuch Will, except where ſuch perſon was ſurprized or taken ſick, being from his own home, and died before he returned to the place of his or her dwelling.

XX. And be it farther enacted, That after ſix months paſſed after the ſpeaking of the pretended Teſtamentary words, no Teſtimony ſhall be received to prove any Will Nuncupative, except the ſaid Teſtimony, or the ſubſtance thereof were committed to writing within ſix days after the making of the ſaid Will.

Probates of Nuncupative Wills.

XXI. And be it farther enacted, That no Letters Teſtamentary, or Probate of any Nuncupative Will, ſhall paſs the Seal of any Court, till fourteen days at the leaſt after the deceaſe of the Teſtator be fully expired, (2) Nor ſhall any Nuncupative Will be at any time received to be proved, unleſs Proceſs have firſt iſſued to call in the Widow, or next of kindred to the deceaſed, to the end they may conteſt the ſame, if they pleaſe.

XXII. And be it farther enacted, That no Will in writing concerning any Goods or Chattels, or Perſonal Eſtate, ſhall be repealed, nor ſhall any Clauſe, Deviſe or Bequeſt therein, be altered or changed by any Words, or Will by word of mouth only, except the ſame be in the life of the Teſtator committed to writing, and after the writing thereof read unto the Teſtator, and allowed by him, and proved to be ſo done by three Witneſſes at the leaſt.

Souldiers and Mariners Wills excepted.

XXIII. Provided always, That notwithſtanding this Act, any Souldier being in actual Military Service, or any Mariner or Seaman being at Sea, may diſpoſe of his Moveables, Wages and Perſonal Eſtate, as he or they might have done before the making of this Act.

The Juriſdiction of Courts ſaved.

XXIV. And it is hereby declared, That nothing in this Act ſhall extend to alter or change the Juriſdiction or Right of Probate of Wills concerning Perſonal Eſtates, but that the Prerogative Court of the Archbiſhop of Canterbury, and other Eccleſiaſtical Courts, and other Courts having Right to the Probate of ſuch Wills, ſhall retain the ſame Right and Power as they had before, in every reſpect; Subject nevertheleſs to the Rules and Directions of this Act.

22 & 23 Car. 2. Stat. 2. cap. 10.

(6.) Husbands not compellable to make diſtribution of the perſonal Eſtates of their Wives.

XXV. And for the explaining one Act of this preſent Parliament, Entituled, An Act for the better ſetling of Inteſtates Eſtates, (2) Be it declared by the authority aforeſaid, That neither the ſaid Act, nor any thing therein contained, ſhall be conſtrued to extend to the Eſtates of Feme-Coverts that ſhall die Inteſtate, but that their Husbands may demand and have Adminiſtration of their Rights, Credits, and other Perſonal Eſtates, and recover and enjoy the ſame, as they might have done before the making of the ſaid Act.

CAP. IV.

An Act for erecting a Judicature to determine Differences touching Houſes burnt and demoliſhed by the late dreadful Fire in *Southwark*.

Preamble.

Foraſmuch as great part of the Houſes within the ancient Burrough of Southwark, by reaſon of a ſudden and lamentable Fire therein happening on or about the ſix and twentieth day of May laſt paſt, were conſumed and burned down, or otherwiſe deſtroyed, demoliſhed or defaced, by reaſon whereof many Suits and Controverſies are ariſen, and more daily are likely to ariſe between the Proprietors, Tenants, Under-tenants or late Occupiers, for and concerning the repairing, rebuilding and payment of Rents, who are not relieveable therein in any ordinary courſe of Law, inſomuch that if the ſame ſhould not be ſpeedily determined, many of the late Inhabitants muſt be ruined, and the rebuilding much obſtructed; (2) And for that it is juſt that every one concerned ſhould bear a proportionable ſhare in the loſs, according to their ſeveral Intereſts, wherein, in reſpect of the multitude of Caſes varying in their ſeveral circumſtances, no certain general Rule can be preſcribed; (3) And whereas many Tenants and Under-tenants, late Occupiers of the ſaid Houſes, for the continuance of their Trade, and to encourage the rebuilding, have built up and finiſhed ſeveral Houſes of much better uſe and ornament then ever the ſame were before, depending upon the Juſtice of the Nation for an Act of Parliament to be paſſed for determination of the Premiſſes, and encouragement of Builders, according to many late Examples in Caſes of the like Calamity:

Who ſhall be Commiſſioners

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Juſtices of the Courts of Kings Bench and Common Pleas, and the Barons of the Coif of Exchequer for the time being, the Lord Mayor of London, and the Recorder for the time being, and every Alderman who hath heretofore born the State and Dignity of Lord Mayor of London, the Steward of Southwark for the time being, Francis Viſcount Longford, Sir Francis Vincent Baronet, Sir Adam Browne Baronet, Sir William More Baronet, Sir Edmond Bowyer, Knight, Sir William Haward Knight, Sir Nicholas Carew Knight, Arthur Onſlow Eſquire, George Evelyn Eſquire, Roger James Eſquire, Thomas Dalmahoy Eſquire, George Woodroffe Eſquire, William Eliot Eſquire, Roger Duncomb Eſquire, Thomas Turges Eſquire, Thomas Barker, James Reading, Richard Howe, Peter Rich, John Freeman and John Aplebee Eſquires, or any five or more of them, whereof one of the ſaid Juſtices or Barons to be one, at the ſame time and place aſſembled, ſhall be, and by authority of theſe Preſents are made and conſtituted a Court of Record, (2) and ſhall and may with or without adjournment, from time to time ſummarily, and without the Formalities of Proceedings uſed in Courts of Law or Equity, by Verdict, Teſtimony of Witneſſes upon Oath, Examination of parties intereſſed, or by all or any of the ſaid ways, or otherwiſe at their diſcretions, ſhall and are hereby authorized

Their power and manner of Proceeding.

thorized from time to time to hear and determine all differences and demands whatſoever, which have ariſen, or may any wiſe ariſe between Landlords, Proprietors, Tenants, Leſſees, Under-tenants or late Occupiers of any of the ſaid Houſes or Buildings with their Appurtenances, or the Yards or Grounds thereunto belonging, in or of any perſon or perſons having or claiming any Eſtate, Right, Title or Intereſt in Law or Equity, Charge or Incumbrance of or in the ſame, or their, or any of their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſon or perſons, for,touching or concerning the Repairing, Building or not Building of the ſaid Houſes and Buildings, Yards and Grounds, or for or concerning the payment, defalcation, apportioning or abating any Rent or Rents, (other then Arrears of Rent only, due on or before the five and twentieth day of March, one thouſand ſix hundred ſeventy and ſix) or for or touching any Covenant, Condition or Penalty relating thereunto, or for or touching or concerning the prefixing or limiting of any time for ſuch Repairs or new Buildings, or any Rate or Contribution to be born or paid thereunto, by any perſon or perſons, Bodies politick and corporate,intereſſed in the Premiſſes, and all Incidents relating thereunto; (3) and that the definitive Order of the ſaid Court as aforeſaid, ſhall be final, as well between the ſaid parties, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and all claiming by, from or under them, as touching the matters contained in ſuch Orders or Decrees, as alſo againſt all perſons claiming, or hereafter to claim any Right, Title or Intereſt in or unto the ſaid Premiſſes, by vertue of any Claim or Demand precedent to the ſaid Orders or Decrees, from which there ſhall be no Appeal or Review, otherwiſe then is hereafter expreſſed.

III. And be it farther enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, and other perſons above named, or any five or more of them as aforeſaid, ſhall have authority, and are hereby impowred, where they ſhall judge it convenient, to order the ſurrendring, increaſing, abridging, ceaſing determining or charging of any Eſtates in the Premiſſes, or to order new or longer Leaſes or Eſtates to be made of any of the Premiſſes by the Proprietors or Owners thereof, or other perſon or perſons intereſſed therein, to any Tenant, or Sub-tenant, or late Occupier of the ſame, their Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſon or perſons who ſhall undertak to be the Builder, in caſe the Tenant or Occupier ſhall refuſe at ſuch Rent or Fine as they ſhall judge fit; (2) all which Orders or Decrees, according to the Tenors thereof, ſhall be obeyed by all perſons concerned therein reſpectively, and ſhall conclude and bind them, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, notwithſtanding any diſability in reſpect of Coverture, Infancy, Nonſanity of Memory, Eſtates Tail in poſſeſſion, Reverſion or Remainder, or in Right of the Church, or other Corporations, or otherwiſe; and that Infants, Feme-Coverts, Ideots, Perſons of non ſane memory, or beyond the Seas, Tenants in Tail or in Remainder, Biſhops, Deans and Chapters, Eccleſiaſtical perſons, or other Bodies Natural, or any way Incorporated, their Heirs, Executors, Adminiſtrators, Succeſſors or aſſigns, and all other perſon and perſons whatſoever, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, ſhall be bound and concluded by ſuch reſpective Order or Orders, according to the Tenor or Purport thereof; Any Law, Statute or Cuſtom, or other matter or thing to the contrary notwithſtanding.

Their Decrees ſhall be binding and concluſive.

IV. And for the better enabling the ſaid Court to proceed with effect in the ſaid Cauſes, (2) Be it farther enacted by the authority aforeſaid, That upon the Petition or Complaint made to the ſaid Court in writing, by any perſon or perſons, Bodies politick or corporate, any way concerned in the Premiſſes,That it ſhall and may be lawful for any three of the ſaid Juſtices and Barons, and perſons above named, whether then ſitting in Court, or out of Court, to grant Summons in Writing to be directed to the party or parties therein mentioned, and alſo to any Witneſs or Witneſſes, to be and appear before the ſaid Court, at a day therein to be prefixed; the Service whereof, in ſuch manner and form as is uſually allowed to be a good Service in caſes of Subpœna, ſhall be accounted to be a good Service in the Caſes aforeſaid; (3) and that upon appearance or default of any perſon or perſons, Bodies politick or corporate intereſſed in any manner as aforeſaid, upon Oath thereof made before the ſaid Court, the ſame Court ſhall and may notwithſtanding proceed to the determination of ſuch Controverſie or Demand; (4) Saving always, that when any perſon or perſons ſo to be ſummoned at the time of the iſſuing of ſuch Summons, ſhall be beyond the Seas, or cannot be found to be ſummoned, that no proceeding ſhall be thereupon had until after ſix months then next following; and then (Oath being made of endeavouring to ſerve the ſaid Summons) the ſaid Court ſhall and may proceed, as if the ſaid party had been actually ſummoned, unleſs the ſaid perſon or perſons ſo abſent, upon a new Summons after his or their return or being found, ſhall ſooner appear.

Their Summons of parties and witneſſes how to be granted.

And how to be ſerved.

Upon default they may proceed to determine the Controverſie.

If the perſons cannot be found to be ſummoned, no proceedings ſhall be thereon till after ſix months.

V. And be it farther enacted, That in caſe the Proprietors and Owners, or other perſons intereſſed of and in the Houſes burned or demoliſhed by or by reaſon of the ſaid Fire, or their Aſſigns, ſhall not, within the ſpace of two years after the five and twentieth day of March next enſuing, lay the Foundation of their Houſes to be rebuilt, and ſhall not, within the time to be limitted by the Court, rebuild and finiſh the ſame, that upon ſuch default, the ſaid Court ſhall have power and authority by their Order and Decree, to diſpoſe of ſuch Tofts, and of the Houſes ſo begun to be rebuilt, and of the Soyl thereof, and of all Ground belonging thereunto, to ſuch perſon or perſons as will rebuild the ſame, their Heirs and Aſſigns; (2) and that the ſaid Court ſhall and may award what ſum and ſums of mony or ſatisfaction the perſon who undertakes to be the Rebuilder, ſhall give for the ſame to the Proprietor or Proprietors, Owner or Owners, or other perſon or perſons, Bodies Politick or Corporate, their Heirs, Succeſſors or Aſſigns making ſuch default according to his and their reſpective Eſtate and Intereſt in the ſame; (3) and in caſe the perſon or perſons, Bodies Politick or Corporate making ſuch default, will not, or through any diſability by Nonage, Coverture, eſpecial Entail, or other Impediment, cannot accept thereof, the ſaid Court are hereby impowred by their Warrant directed to the chief

Tofts of ſuch as will not begin to build within two years, &c. may be diſpoſed of to ſuch as will build.

And ſatisfaction awarded to the Proprietors

Bailiff

Or aſſeſſed by a Jury where the parties will not or cannot accept the ſame.

Bailiff of the ſaid Burrough of Southwark, to impannel and ſummon a Jury before them; (4) which Jury, upon their Oaths to be adminiſtred by the ſaid Court, ſhall aſſeſs ſuch Recompence and Satisfaction as they ſhall think fit to be awarded and paid unto the perſon or perſons, Bodies Politick and Corporate making default as aforeſaid, according to their ſeveral Intereſts, by the perſon who undertakes to be the Rebuilder; (5) and upon payment of the ſaid Recompence ſo to be awarded, or in caſe of refuſal, upon tender thereof, the ſaid perſon or perſons, Bodies Politick and Corporate making default in Rebuilding, as aforeſaid, his and their Heirs, Succeſſors and Aſſigns, and all others, ſhall be for ever barred, (6) and the ſaid Houſes to be rebuilt, and the Soyl and the Ground thereunto belonging, ſo aſſigned by the ſaid Court to the Undertaker to rebuild, as aforeſaid, ſhall for ever be and remain to the ſaid Rebuilder, his Heirs and Aſſigns for ever, in ſuch manner as the ſaid Court ſhall have aſſigned, adjudged and decreed the ſame.

Decrees made by fewer then ſeven, and excepted to within thirty days, may be revers'd or altered by any ſeven or more, &c.

VI. And be it alſo enacted by the authority aforeſaid, That where any ſuch Order and Decree, as aforeſaid, ſhall be made by a leſſer number of the ſaid Juſtices and Barons, and other the perſons above named and authorized, then ſeven, it ſhall be lawful for any perſon aggrieved by ſuch Order and Decree, to preſent his Exceptions to the ſame in writing, within thirty days next after any ſuch Order and Decree made, to one of the Juſtices of the Courts of Kings Bench, or Common Pleas, or the Barons of the Coif of the Exchequer for the time being; and if one of them ſhall ſubſcribe thereunto, that he finds probable cauſe of Complaint, then it ſhall be lawful to and for any ſeven or more of the ſaid Juſtices and Barons, and perſons above named, other then ſuch who made the ſame Order and Decree) ſitting together at the ſame time and place, to review the ſame Order and Decree, and to reverſe, affirm, enlarge, diminiſh or otherwiſe alter any ſuch Order and Decree, as in their Judgments they ſhall think fit, or otherwiſe to award Coſts againſt ſuch Appellants for their unjuſt Complaint, to be recovered as herein after is expreſſed.

Such Appeals to be finiſhed within ſix months.

VII. Provided always, That ſuch Appeals be fully finiſhed and determined within the ſpace of ſix months next following after the delivery of ſuch Exceptions, as aforeſaid, or otherwiſe the ſame Appeal ſhall ſtand diſcontinued, and the firſt Order and Decree to remain in force.

Such Orders and Decrees ſhall be effectual, and conclude all perſons.

VIII. And for the better ſatisfaction of Builders, Purchaſers and others concerned, it is farther enacted by the authority aforeſaid, That all and every Judgment, Order and Decree to be made as aforeſaid, ſhall be good and effectual both in Law and Equity, to all intents and purpoſes, and ſhall be obeyed by all perſons concerned therein; and ſhall bind and conclude all perſons, Bodies Corporate or Politick, notwithſtanding any diſability, matter or thing to the contrary. (2) And all ſuch Builders and perſons intereſſed, ſhall hold and enjoy their Eſtates, Terms and Intereſts ſo decreed, according to the tenor of ſuch Order and Decree, notwithſtanding any other Eſtate, Right, Title or Intereſt in Law or Equity, Truſt, Charge or other Incumbrance whatſoever; (3) and that no Writ of Error, or Certiorari, ſhall be admitted or allowed for the reverſal or removal of the ſame.

And not revers'd or remov'd by Writ of Error or Certiorari.

Such Judgments and Decrees how to be entred.

The Books to be kept by the Town-Clerk of London.

IX. And for preſervation of the ſame Judgments, Orders and Decrees for the uſe of this and future Ages, Be it farther enacted, That the ſaid Judgments, Orders and Decrees, ſhall be fairly entred into one or more Books of Parchment, and be ſubſcribed with the names of perſons that made the ſame: (2) And that the ſaid Book or Books (after the finiſhing thereof) be delivered to the Town-Clerk of the City of London; to be ſafely by him kept amongſt the Records and Evidences of the ſaid City of London; and that all perſons therein concerned may have liberty to peruſe the ſame from time to time, and take Copies thereof, as occaſion ſhall require: (3) And that the powers and authorities given to the ſaid Court by this Act, ſhall continue for the ſpace of three years, to be accompted from the ſaid five and twentieth day of March, and no longer.

The powers given by this Act to continue for three years.

An Oath to be taken by the Judges of the Court.

X. Provided always, and it is hereby enacted, That all and every perſon and perſons above named, hereby conſtituted Judges of the ſaid Court, (other then the ſaid Juſtices of the one Bench, and of the other, and Barons of the Coif of the Exchequer) before they execute any of the powers or authorities in this Act mentioned, ſhall take this Oath following, before the Lord Mayor of London for the time being, which is hereby impowred to adminiſter, (viz.)

(2) I Do hereby ſwear, That I will juſtly and truly execute the Powers and Authorities in this Act contained, and according to the beſt of my knowledge, without Favour or Affection to any of the Parties concerned. So help me God.

XI. And that the ſaid perſons ſo conſtituted, or any five or more of them, after they have taken the ſaid Oath, ſhall, and are hereby impowred to adminiſter the ſame to the ſaid Lord Mayor for the time being.

Encroachments and Purpreſtures upon the High Street, how to be regulated.

A proviſo for Stall-boards notwithſtanding.

XII. And be it farther enacted by the authority aforeſaid, That all Encroachments and Purpreſtures upon the High Street, and moſt eſpecially ſuch as are or ſhall be from the Foot of London Bridge to the Lane called Compter-Lane, whereby the Market is or ſhall be ſtraitned, or the paſſage of the people obſtructed, ſhall be regulated, reduced and reformed by the ſaid Court, as they upon deliberate hearing of the parties concerned, ſhall judge fit and convenient for the purpoſes aforeſaid; (2) Saving always to the Inhabitants of the High Street, full power to permit and ſuffer their Stall-boards, when their Shops or Shop-windows are ſet open, to turn over, and extend into the Street one Foot, and no more for the Conveniencies of their Shops.

Differences concerning Party-walls, and other Walls, and Lights, Paſſages, &c. how to be mediated.

XIII. And it is farther enacted, That all differences concerning Party-walls, or other Walls, placing or ſtopping up of any Lights, Ways, Windows, Paſſages, Water-courſes, Gutters, and ſuch like annoyances between party and parties, ſhall be mediated, ordered and decreed by the ſaid Court, in ſuch manner and form, and ſuch ſatisfaction ſhall and may be therein awarded to any perſon or perſons thereby damnified, as upon hearing both parts ſhall be judged reaſonable.

XIV. And for the better diſpatch of the Buſineſs in the ſaid Court, be it farther enacted, That the ſaid Court ſhall and may by their wiſdoms and diſcretions order ſuch Fees and Rewards for ſuch and ſo many Officers as they ſhall judge neceſſary to be attending in the ſaid Court; which being ordered and determined, ſhall be hung or ſet up in ſome publick place, by the Court to be directed, to the intent that every perſon concerned may have and take notice of the ſame.

The Court ſhall order what Fees their Officers ſhall take.

XV. And it is farther enacted, That the ſaid Juſtices and Barons, and other perſons above named, or any of them, as well in Court as out of Court, ſhall and may take the Affidavits of any perſon or perſons, for or concerning the ſerving of Proceſs, which ſhall and may be read and filed in the ſaid Court; and that all and every perſon and perſons committing wilful and corrupt Perjury therein, ſhall and may be proceeded againſt, and puniſhed as for any other wilful and corrupt Perjury, at the Common Law.

Affidavits of ſerving Proceſs how to be taken.

The penalty of committing Perjury in the ſame.

XVI. And be it farther enacted, That in caſe any of the ſaid Juſtices and Barons, or other perſons above named, Judges of the ſaid Court, preſent at the making of any ſuch Decree, ſhall happen to die before the ſame ſhall have been by him or them ſigned as aforeſaid; that then the ſigning thereof by the Survivor or Survivors who were preſent at the making thereof, ſhall be good and effectual to all intents and purpoſes: any thing in theſe Preſents to the contrary thereof in any wiſe notwithſtanding.

Decrees may be ſigned by the Survivors of thoſe that made them.

XVII. Provided always, That this Act, or any thing herein contained, ſhall not be extended to alter, abridge or avoid any Leaſe, or other Contract or Agreement made ſince the ſaid Fire, between any Landlord, Tenant, Under-tenant, or late Occupier of any of the ſaid Houſes burned, demoliſhed, defaced or diſabled by reaſon of the ſaid Fire, but the ſame ſhall be and remain of ſuch and the like effect, as if this Act had never been had or made; but that any ſuch Builder ſhall and may have the Decree of the ſaid Court for the farther corroborating of ſuch Agreement, if he deſire the ſame.

Leaſes and Agreements ſince the Fire ſhall be of force and may be corroborated by Decree of the Court.

XVIII. Provided alſo, That no perſon or perſons whatſoever, hereby conſtituted a Judge of the ſaid Court, ſhall have any Vote or Place in the ſaid Court, at ſuch time as he or they ſhall have any Intereſt in or to the Premiſſes which ſhall be in debating or determining, but that he or they ſo concerned, do withdraw during the debate, until after the determination thereof.

Perſons intereſſed ſhall not have Votes.

XIX. And be it farther enacted, That where any perſon or perſons, Bodies Politick or Corporate, ſhall be ordered or decreed to build any Houſe or other Edifice, ſeal any Leaſe, or give Security, or to do any other matter or thing ſo to be decreed or ordered in purſuance of this Act, it ſhall be lawful to and for every perſon or perſons, Bodies Politick and Corporate, concerned in the default thereof, by his Action upon his Caſe in any of his Majeſty's Courts of Record at Weſtminſter, to recover his damage for Non-performance thereof or at his Election, to have and maintain his Bill in Equity for the performance thereof in ſpecie; (2) and where any perſon or perſons ſhall be ordered or adjudged to abate any annoyance or purpreſture, and ſhall refuſe or neglect to do the ſame by ſuch day or time as by the ſaid Order or Decree ſhall be enjoyned, the ſaid perſon or perſons ſo offending, ſhall and may be indicted for ſuch his Obſtinacy and Contempt.

Damages may be recovered at Law for non-performance of any Decree, or a Bill in Equity maintained for a performance in ſpecie.

Perſons not abating anoyances may be indicted.

XX. And be it farther enacted by the authority aforeſaid, That where any perſon or perſons, Bodies Politick or Corporate, ſhall be ordered or decreed by the ſaid Courts to pay any ſum or ſums of mony, it ſhall be lawful for the party or parties concerned, upon Non-payment thereof, to bring an Action at the Common Law for recovery thereof, and to give ſuch Order or Decree in evidence to prove the ſame; in which Action no Eſſoin, Protection or Wager of Law ſhall be allowed.

An Action at Law given for mony decreed.

The Decree may be given in evidence.

XXI. And laſtly it is enacted by the authority aforeſaid, That if any Suit or Action be commenced or proſecuted againſt any perſon or perſons for what he or they ſhall do in purſuance or execution of this Act, ſuch perſon or perſons ſo ſued may plead the general Iſſue, and upon any Iſſue joyned, may give the ſpecial matter in evidence; and if the Plaintiff ſhall diſcontinue his Suit, or Judgment paſs againſt him, the Defendant ſhall recover his and their double Coſts for his and their unjuſt vexation.

Perſons proſecuted may plead the general Iſſue, &c.

XXII. Provided always, and be it enacted by the authority aforeſaid, That the Market of the Town and Burrough of Southwark aforeſaid, ſhall continue and be kept in the ſame place, and at the ſame times, where it hath been anciently, and is at this preſent kept; and that the ſaid Market ſhall not be kept in, or removed to any other place, or held at any other time whatſoever.

Southwark Market ſhall be kept where it anciently has been.

CAP. V.

An Act for taking *Affidavits* in the Country, to be made uſe of in the Courts of Kings-Bench, Common-Pleas and Exchequer.

FOR the greater eaſe and benefit of all perſons whatſoever, in the taking Affidavits to be made uſe of and read in his Majeſty's Courts of Kings-Bench, Common-Pleas and Exchequer at Weſtminſter, as well in matters and things relating to his Majeſty and his Revenue, as in all other matters and cauſes whatſoever depending or to be depending in all or any of the Courts aforeſaid, or any wiſe concerning the proceedings of or in the ſame;

Preamble.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Chief Juſtice, and other the Juſtices of the ſaid Court of Kings-Bench for the time being, or any two of them, whereof the Chief Juſtice for the time being to be one for the ſaid Court of Kings-Bench, (2) and the Chief Juſtice of the Common-Pleas, and the reſt of the Juſtices there for the time being, or any two of them, whereof the Chief Juſtice of the ſame Court to be one for the ſaid Court of Common-Pleas, (3) and alſo the Lord Treaſurer, Chancellor and Barons of the Court of Exchequer for the time being, or any two or more of them, whereof the Lord Treaſurer,

Who may impower perſons by Commiſſion to take Affidavits.

Chancellor, or Lord Chief Baron for the time being, to be one for the ſaid Court of Exchequer, (4) ſhall and may by one or more Commiſſion or Commiſſions under the ſeveral Seals of the ſaid reſpective Courts, from time to time as need ſhall require, impower what and as many perſons as they ſhall think fit and neceſſary, in all and every the ſeveral Shires and Counties within the Kingdom of England, and Dominion of Wales, and Town of Berwick upon Tweed, to take and receive all and every ſuch Affidavit and Affidavits as any perſon or perſons ſhall be willing and deſirous to make before any of the perſons ſo impowred, in or concerning any Cauſe, Matter or Thing depending, or hereafter to be depending, or any wiſe concerning any of the proceedings to be in the ſaid reſpective Courts, as Maſters of Chancery in extraordinary do uſe to do; (5) and that it ſhall and may be lawful for any Judge of Aſſize in his Circuit, to take and receive any Affidavit or Affidavits as any perſon or perſons ſhall be willing and deſirous to make before him, in or concerning any Cauſe, Matter or Thing depending, or hereafter to be depending, or in any wiſe concerning any proceedings to be in the ſaid Courts of Kings-Bench, Common-Pleas and Exchequer, or any of them: (6) which ſaid Affidavits taken as aforeſaid, ſhall be filed in their ſeveral and reſpective Offices of the ſaid Courts the ſame do concern, and then be read and made uſe of in the ſaid Courts, to all intents and purpoſes as other Affidavits taken in the ſaid Courts now are; and that all and every Affidavit and Affidavits taken as aforeſaid ſhall be of the ſame force as Affidavits taken in the ſaid reſpective Courts now are; (7) and all and every perſon and perſons forſwearing him, her or themſelves in ſuch Affidavit or Affidavits, ſhall incur and be liable unto the ſame penalties, as if ſuch Affidavit or Affidavits had been made and taken in open Court.

Judges of Aſſize in their Circuits may take Affidavits concerning matters depending in the Kings-Bench, Common-Pleas and Exchequer.

The Penalty on ſuch as forſwear themſelves in ſuch Affidavits.

The perſon taking the ſame ſhall receive but 12 d. beſides the Kings Duty.

III. Provided, That for the taking of every ſuch Affidavit, the perſon or perſons ſo impowred and taking the ſame, ſhall for ſo doing receive only the Sum or Fee of twelve pence, and no more, beſides the Duty payable to his Majeſty for the ſame; which ſaid Duty to his Majeſty ſhall not be paid to the ſaid Commiſſioner, but to the proper Officers in the ſaid reſpective Courts, before ſuch Affidavit or Affidavits be therein filed, or made uſe of.

CAP. VI.

An Act for the Naturalizing of Children of his Majeſty's Engliſh Subjects, born in Foreign Countries during the late Troubles.

Preamble.

Whereas during the late unhappy Troubles in England, which began in the year of our Lord one thouſand ſix hundred forty one, and continued until the time of his Majeſty's moſt happy Reſtauration, divers of his Majeſty's Engliſh Subjects, as well of the Nobility as others, did either by reaſon of their Attendance upon his Majeſty, or for fear of the then Uſurped Powers, reſide in parts beyond the Seas out of his Majeſty's Dominions, and it may hereafter become difficult to make proof of the occaſion of ſuch their reſidence; (2) Now for preventing of all Diſputes and Queſtions that may ariſe, whether the Children of ſuch his Majeſty's Subjects of this Realm are Natural born Subjects of our Sovereign Lord the King, and to expreſs a due ſenſe of the merit of all ſuch Loyal perſons, as out of their duty and fidelity to his Majeſty and his Father of Bleſſed Memory, did forego, or were driven from their Nativy Country;

All perſons whoſe Parents were Subjects born out of the Kings Dominions between the 14th of June, 1641. and the 24th of March, 1660. declared natural born Subjects.

II. Be it declared and enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Charles Gerard, and Elizabeth Gerard, Children of the Right Honourable Charles Lord Gerard of Brandon, Trever Wheler, Dorothy and Elizabeth Wheler, Children of Sir Charles Wheler Baronet, Anne Ravenſcroft the Wife of Edward Ravenſcroft of Bretton in the County of Flint Eſquire, one of the Daughters of Sir Richard Lloyd Knight deceaſed, born at Calice in France, and all other perſons who at any time between the fourteenth day of June in the ſaid year of our Lord one thouſand ſix hundred forty one, and the four and twentieth day of March in the year of our Lord one thouſand ſix hundred and ſixty, were born out of his Majeſty's Dominions, and whoſe Fathers or Mothers were Natural born Subjects of this Realm, are hereby declared, and ſhall for ever be eſteemed and taken, to all intents and purpoſes, to be and to have been the Kings Natural born Subjects of this Kingdom; (2) and that the ſaid Children and all other perſons born as aforeſaid, and every of them, are and ſhall be adjudged, reputed and taken to be and to have been in every reſpect and degree, Natural born Subjects, and Free to all intents, purpoſes and conſtructions, as if they and every of them had been born in England.

III. And be it farther enacted and declared by the authority aforeſaid, That the Children, and all other perſons as aforeſaid, and every of them, ſhall be, and are hereby enabled and adjudged able, to all intents, conſtructions and purpoſes whatſoever, as well to demand, as to have and enjoy any Titles of Honour, Manors, Lands, Tenements and Hereditaments, and all other Priviledges and Immunities belonging to the Liege People and Natural Subjects of this Kingdom, and to make his or their reſort or pedigree, as Heir to his, their or any of their Anceſtors, Lineal or Collateral, by reaſon of any Deſcent, Remainder, Reverter, Right or other Title, Conveyance, Legacy or Bequeſt whatſoever, which hath, may or ſhall deſcend, remain, revert, accrue, come or grow unto the ſaid Children, or the perſons born as aforeſaid, or any of them, as alſo to have and enjoy all Manors, Lands and Tenements, or other Hereditaments, by way of Purchaſe or Gift, of any perſon or perſons whatſoever; as alſo to proſecute, purſue, maintain, avow and juſtifie all and all manner of Actions, Suits and Cauſes, and all other things to do as lawfully, liberally, freely and fully, as if the ſaid Children, and the perſons born as aforeſaid, and every of them, had been and were born of Engliſh Parents within this Kingdom, or as any other perſon or perſons born within this Kingdom may lawfully in any wiſe do; any Law, Act, Statute, Proviſion, Cuſtom, or other thing whatſoever, had, made, done, promulged, proclaimed or provided, to the contrary thereof in any wiſe notwithſtanding; (2) Provided always, That no perſon, other then the perſons expreſly named in this Act, ſhall have any benefit thereby, except ſuch perſon ſhall within ſeven years next enſuing, receive the Sacrament of the Lords Supper, and within one month next after ſuch Receiving the Sacrament, take the Oaths of Allegiance and Supremacy in ſome of his Majeſty's Courts at Weſtminſter, and deliver into the Court at the ſame time, a Certificate of ſuch his Receiving the ſaid Sacrament, and then make proof thereof by Witneſſes to be examined *viva voce* upon Oath.

Such perſons ſhall within ſeven years receive the Sacrament, and within one month after, take the Oaths of Allegiance and Supremacy.

IV. And be it farther enacted, That no perſon or perſons, others then the perſons expreſly named in this Act, ſhall have any benefit thereby, until he or they ſhall have received the Sacrament, and made proof thereof by Certificate and Witneſſes, and taken the ſaid Oaths in manner aforeſaid.

And have no benefit of this Act till proof thereof made by Certificate and Witneſſes.

V. And for the better manifeſtation and proof of ſuch qualifications as may entitle any perſon to the benefit of this Act, which in proceſs of time may be very hard to be proved; (2) Be it farther enacted, That any perſon having received the Sacrament, and made proof thereof by Certificate and Witneſſes, and taken the ſaid Oaths within the time aforeſaid, in any of his Majeſty's Courts, in manner aforeſaid, ſhall and may be admitted to make proof of ſuch his qualification in the ſaid Court, by Witneſſes *viva voce* to be examined upon Oath; and if he ſhall make proof thereof to the ſatisfaction of the ſaid Court, he ſhall thereupon have a Certificate thereof under the Seal of the ſaid Court, to be likewiſe enrolled in the ſaid Court, (3) and for ever after upon ſhewing ſuch Certificate or Enrolment thereof, every ſuch perſon ſhall have full benefit of this Law, as if he had been therein expreſly named.

Upon proof whereof by Certificate and Witneſſes, ſuch perſon may prove his qualification *viva voce*, and have a Certificate thereof under Seal of the Court.

CAP. VII.

An Act for the better Obſervation of the Lords day, commmonly called Sunday.

FOR the better obſervation and keeping holy the Lords day, commonly called Sunday, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all the Laws enacted and in force concerning the obſervation of the Lords day, and repairing to the Church thereon, be carefully put in execution: (3) And that all and every perſon and perſons whatſoever, ſhall on every Lords day apply themſelves to the obſervation of the ſame, by exerciſing themſelves thereon in the duties of Piety and true Religion, publickly and privately; (4) And that no Tradeſman, Artificer, Workman, Labourer, or other perſon whatſoever, ſhall do or exerciſe any worldly Labour, Buſineſs or Work of their ordinary Callings upon the Lords day, or any part thereof (Works of Neceſſity and Charity only excepted;) (5) And that every perſon being of the age of fourteen years or upwards, offending in the Premiſſes, ſhall for every ſuch offence forfeit the ſum of five ſhillings; (6) And that no perſon or perſons whatſoever, ſhall publickly cry, ſhew forth, or expoſe to ſale, any Wares, Merchandizes, Fruit, Herbs, Goods or Chattels whatſoever, upon the Lords day, or any part thereof upon pain that every perſon ſo offending, ſhall forfeit the ſame Goods ſo cryed, or ſhewed forth, or expoſed to ſale.

3 Car. 1. 1.

Tradeſmen, Artificers and Labourers.

None ſhall cry or expoſe to ſale Wares.

II. And it is farther enacted, That no Drover, Horſe-courſer, Waggoner, Butcher, Higler, their or any of their Servants, ſhall travel, or come into his or their Inn or Lodging upon the Lords day, or any part thereof, upon pain that each and every ſuch offender ſhall forfeit twenty ſhillings for every ſuch offence; (2) and that no perſon or perſons ſhall uſe, employ or travel upon the Lords day, with any Boat, Wherry, Lighter or Barge, except it be upon extraordinary occaſion, to be allowed by ſome Juſtice of the Peace of the County, or Head-officer, or ſome Juſtice of the Peace of the City, Burrough or Town-corporate where the Fact ſhall be committed; (3) upon pain that every perſon ſo offending, ſhall forfeit and loſe the ſum of five ſhillings for every ſuch offence. (4) And that if any perſon offending in any of the Premiſſes, ſhall be thereof convicted before any Juſtice of the Peace of the County, or the chief Officer or Officers, or any Juſtice of the Peace of or within any City, Borough or Town Corporate where the ſaid Offence ſhall be committed, upon his or their view, or confeſſion of the party, or proof of any one or more Witneſſes by Oath (which the ſaid Juſtices chief Officer or Officers is by this Act authorized to adminiſter) the ſaid Juſtice, or chief Officer or Officers ſhall give Warrant under his or their Hand and Seal, to the Conſtables or Churchwardens of the Pariſh or Pariſhes where ſuch Offence ſhall be committed, to ſeize the ſaid Goods cryed, ſhewed forth, or put to ſale as aforeſaid, and to ſell the ſame, and to levy the ſaid other forfeitures or penalties, by way of diſtreſs and ſale of the Goods of every ſuch Offender diſtrained, rendring to the ſaid Offenders the overplus of the monies raiſed thereby; (5) and in default of ſuch diſtreſs, or in caſe of inſufficiency, or inability of the ſaid Offender to pay the ſaid forfeitures or penalties, that then the party offending be ſet publickly in the Stocks by the ſpace of two hours. (6) And all and ſingular the forfeitures or penalties aforeſaid, ſhall be employed and converted to the uſe of the Poor of the Pariſh where the ſaid Offences ſhall be committed, ſaving only that it ſhall and may be lawful to and for any ſuch Juſtice, Mayor or Head-Officer or Officers, out of the ſaid forfeitures or penalties to reward any perſon or perſons that ſhall inform of any Offence againſt this Act, according to their diſcretions, ſo as ſuch Reward exceed not the third part of the forfeitures or penalties.

Drovers, Horſe-courſers, Waggoners, Butchers and Higlers.

Boats and Barges.

In what manner the conviction ſhall be.

The penalty how to be levied.

In caſe of inſufficiency, the offender ſhall be ſet in the Stocks.

The forfeitures how to be diſpoſed of.

III. Provided, That nothing in this Act contained, ſhall extend to the prohibiting of dreſſing of Meat in Families, or dreſſing or ſelling of Meat in Inns, Cooks Shops or Victualling-houſes, for ſuch as otherwiſe cannot be provided, nor to the crying or ſelling of Milk before nine of the clock in the morning, or after four of the clock in the afternoon.

A proviſion for private families, victualling-houſes, &c.

IV. Provided alſo, That no perſon or perſons ſhall be impeached, proſecuted or moleſted for any offence before mentioned in this Act, unleſs he or they be proſecuted for the ſame within ten days after the offence committed.

The proſecution to be within ten days.

The Hundred not reſponſible for Robberies committed on the Lords Day.

But ſhall make freſh ſuit after the offenders.

Cap. 13:

V. Provided, and be it farther enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, which ſhall travel upon the Lords Day, ſhall be then robbed, That no Hundred, or the Inhabitants thereof, ſhall be charged with, or anſwerable for any Robbery ſo committed, but the perſon or perſons ſo robbed, ſhall be barred from bringing any Action for the ſaid Robbery; any Law to the contrary notwithſtanding: (2) Nevertheleſs, the Inhabitants of the Counties and Hundreds (after notice of any ſuch Robbery to them or ſome of them given, or after Huy and Cry for the ſame to be brought) ſhall make, or cauſe to be made, freſh Suit and Purſuit after the Offenders, with Horſemen and Footmen, according to the Statute made in the twenty ſeventh year of the Reign of Queen Elizabeth, upon pain of forfeiting to the Kings Majeſty, his Heirs and Succeſſors, as much mony as might have been recovered againſt the Hundred by the party robbed, if this Law had not been made.

Service of Proceſs on the Lords day ſhall be void.

VI. Provided alſo, That no perſon or perſons, upon the Lords Day, ſhall ſerve or execute, or cauſe to be ſerved or executed, any Writ, Proceſs, Warrant, Order, Judgment or Decree (except in caſes of Treaſon, Felony, or breach of the Peace) but that the ſervice of every ſuch Writ, Proceſs, Warrant, Order, Judgment or Decree, ſhall be void to all intents and purpoſes whatſoever: (2) And the perſon or perſons ſo ſerving or executing the ſame, ſhall be as liable to the Suit of the party grieved, and to anſwer damages to him for doing thereof, as if he or they had done the ſame without any Writ, Proceſs, Warrant, Order, Judgment or Decree at all.

CAP. VIII.

An Act for confirming and perpetuating Augmentations made by Eccleſiaſtical Perſons, to ſmall Vicarages and Curacies.

Preamble.

Whereas divers Archbiſhops, Biſhops, Deans and Chapters, and other Eccleſiaſtical perſons, in obedience to his Majeſty's Letters, bearing date the firſt day of June, in the twelfth year of his ſaid Majeſty's Reign, and out of a pious care to improve poor Vicarages and Curacies, where the endowment thereof was found too ſmall to afford a competent maintenance to thoſe that ſerve the Cure, have ſince his Majeſty's happy Return, upon their renewing of Leaſes of Rectories, or Tythes Impropriate, or Appropriate, made or may hereafter make divers Reſervations beyond the ancient Rent, to the intent the ſame ſhould or might become payable to the ſaid Vicars or Curates, in augmentation of their Endowments, which have been for the moſt part enjoyed accordingly: (2) But in regard that ſuch Reſervations were not made to the Vicars or Curates, or if they were, no convenient remedy could be had by ſuch Vicars or Curates for the recovery thereof, and they were not at the time thereof capable of taking any Intereſt to their own uſe, whereby the ſaid Proviſions will depend upon the good pleaſure of the Succeſſors, and may in time be diſappointed;

Augmentations ſhall continue during the Eſtate upon which they are reſerved, and afterwards.

Remedy for the ſame.

II. For the eſtabliſhment thereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Augmentation of what nature ſoever, granted, reſerved or agreed to be made payable, or intended to be granted, reſerved or made payable ſince the ſaid firſt day of June, in the twelfth year of his ſaid Majeſty's Reign, or which ſhall at any time hereafter be granted, reſerved, or made payable to any Vicar or Curate, or reſerved by way of increaſe of Rent to the Leſſors, but intended to be to or for the uſe or benefit of any Vicar or Curate, by any Archbiſhop, Biſhop, Dean, Provoſt, Dean and Chapter, Archdeacon, Prebendary, or other Eccleſiaſtical Corporation, perſon or perſons whatſoever, ſo making the ſaid Reſervation out of any Rectory Impropriate, or Portion of Tythes belonging to any Archbiſhop, Biſhop, Dean, Provoſt, Dean and Chapter, or other Eccleſiaſtical Corporation, perſon or perſons, ſhall be deemed and adjudged to continue, and be, and ſhall for ever hereafter continue and remain, as well during the continuance of the Eſtate or Term upon which the ſaid Augmentations were granted, reſerved or agreed to be made payable, as afterwards, in whoſe hands ſoever the ſaid Rectories or Portion of Tythes ſhall be, or come; which Rectories or Portion of Tythes ſhall be chargeable therewith, whether the ſame be reſerved again, or not; (2) and the ſaid Vicars and Curates reſpectively, are hereby adjudged to be in the actual poſſeſſion thereof, for the uſe of themſelves and their Succeſſors, and the ſame ſhall for ever hereafter be taken, received, and enjoyed by the ſaid Vicars and Curates, and their Succeſſors, as well during the continuance of the Term or Eſtate upon which the ſaid Augmentations were granted, reſerved or agreed to be made payable, as afterwards; (3) and the ſaid Vicars and Curates ſhall have remedy for the ſame, either by Diſtreſs upon the Rectories Impropriate or Portions of Tythes charged therewith, or by Action of Debt againſt that perſon who ought to have paid the ſame, his Executors or Adminiſtrators; any diſability in the perſon or perſons, Bodies Politick or Corporate ſo granting, or any diſability or incapacity in the Vicars or Curates to whom, or to or for whoſe uſe or benefit the ſame are granted, or intended to be granted, the Statute of Mortmain, or any other Law, Cuſtom, or other matter or thing whatſoever to the contrary notwithſtanding.

Augmentations exceeding one moyety of the value of the Rectory, not confirmed.

III. Provided always, That no future Augmentation be confirmed by vertue of this Act, which ſhall exceed one moiety of the clear yearly value, above all Reprizes, of the Rectory Impropriate out of the which the ſame ſhall be granted or reſerved.

Augmentation-Leaſes, where to be entred.

IV. And to the end the ſaid Vicars and Curates may the better make appear the certainty of the ſaid Augmentations; (2) Be it enacted by the authority aforeſaid, That every Archbiſhop, Biſhop, Dean and Chapter reſpectively, on, or before the nine and twentieth day of September next coming, ſhall cauſe every Leaſe or Grant whereon any ſuch Augmentation is made to be fairly entred in a Book of Parchment, to be kept by their reſpective Regiſters for that purpoſe. (3) And every Dean, Archdeacon, Prebendary, or other Eccleſiaſtical perſon reſpectively, ſhall cauſe every Leaſe or Grant whereon any ſuch Augmentation hath been made by himſelf, his Predeceſſor or Predeceſſors, to be entred in the ſaid Book, to be kept by the egiſter of the Biſhop of the Dioceſs; for the entring whereof no Fee ſhall be paid, nor any ing demanded, ſave only a reaſonable Reward to the Clerk for entring the ſame, not ex- eding five ſhillings: (4) which ſaid Entry being examined by the reſpective Archbiſhop, Biſhop or Dean, and by them reſpectively atteſted in the ſaid Book, to be a true Copy of the riginal Leaſe or Grant, and that the Augmentation in the ſame was intended for ſuch uſe, all be as a Record; a true Copy whereof, proved by Witneſſes to be a true Copy, ſhall be eemed, taken, adjudged and expounded to be good and ſufficient Evidence in the Law, hereupon the ſaid Vicars and Curates reſpectively, ſhall and may by vertue of this Act, om time to time recover the benefit of ſuch Augmentation.

Fee for entring.

Such entry how to be atteſted; to be a Record and Evidence at Law.

V. And be it farther enacted by the authority aforeſaid, That where any Archbiſhop, Biſhop, Dean and Chapter, or any other Eccleſiaſtical Corporation or perſon whatſoever, upon the renewing or granting any Leaſe or Eſtate, have made any Agreement for an Augmentation the Vicar or Curate, and ſuch Augmentation hath for any time been accordingly paid, lthough the ſaid Agreement is not expreſſed or mentioned in the ſaid Leaſe or Grant, every uch Eccleſiaſtical perſon ſhall cauſe the ſubſtance of ſuch Agreement to be entred in the ſaid Book, to remain for a memorial of it to perpetuity.

Agreements for augmentations, to be entred likewiſe.

VI. And be it farther enacted, That ſuch Augmentation ſo entred, ſhall likewiſe continue, nd be for ever hereafter good and available in the Law, for the benefit of the Vicar or Curate for whom it was intended, and their Succeſſors, as well againſt the Archbiſhop, Biſhop other Eccleſiaſtical Corporation or perſon who agreed for the ſame, and his and their Succeſſors, as againſt every other perſon enjoying the ſaid Rectories or Portions of Tythes intended to be charged therewith, in the ſame manner, and for which they ſhall have the ſame remedy as they ſhould or ought to have by vertue of this Act, if the ſame had been mentioned and reſerved in and by the Leaſe.

VII. And if any queſtion ſhall hereafter ariſe concerning the validity of ſuch Grants, or any other matter or thing in this Act mentioned and contained, ſuch favourable conſtructions, and ſuch farther remedy, if need be, ſhall be had and made for the benefit of the Vicars and Curates, as heretofore hath been had and made, or may be had for other Charitable Uſes, upon the Statutes for Charitable Uſes.

Augmentations to be favoured in conſtruction, as charitable uſes.

VIII. Provided always, and be it farther enacted by the authority aforeſaid, That if upon the Surrender, Expiration or other Determination of any Leaſe wherein any ſuch Augmentation as aforeſaid, hath been or ſhall be granted, any new Leaſe of the Premiſſes, or any part thereof ſhall hereafter be made, without expreſs continuance of the ſaid Augmentation, every ſuch new Leaſe ſhall be utterly void to all intents and purpoſes.

New Leaſes without expreſs continuance of the Augmentations to be void

IX. Provided always, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to invalidate, alter or make void one Leaſe, bearing date the nineteenth of October, one thouſand ſix hundred ſeventy and ſix, made by the Dean and Chapter of York, of the Parſonage and Tythes of Stourton in the County of Nottingham, wherein there is an Augmentation of ſix and thirty pounds per annum reſerved, and made due and payable to the Vicar of Stourton aforeſaid, but that the ſaid ſum of ſix and thirty pounds be always paid to the Vicar and his Succeſſors accordingly; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

A Leaſe of the Parſonage of Stourton ſaved.

X. Provided, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to invalidate, alter or make void one Leaſe lately made by the Dean and Chapter of Exon, unto Arthur Sprey Eſquire, of the Tythe-ſheaf of the Pariſh of Saint Evall in the County of Cornwal, whereon there is an Augmentation of twenty pounds per annum already made due and payable to the Vicar of the ſaid Pariſh during the ſaid Leaſe, but that the ſaid ſum of twenty pounds be always paid to the Vicar and his Succeſſors accordingly; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

A Leaſe of St. Eval in Cornwal ſaved.

CAP. IX.

An Act for taking away the Writ *De Hæretico comburendo*.

Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Writ commonly called, Breve de Hæretico comburendo, with all Proceſs and Proceedings thereupon, in order to the executing ſuch Writ, or following, or depending thereupon, and all puniſhment by death, in purſuance of any Eccleſiaſtical Cenſures, be from henceforth utterly taken away and aboliſhed; any Law, Statute, Canon, Conſtitution, Cuſtom or Uſage to the contrary heretofore, or now in force, in any wiſe notwithſtanding.

II. Provided always, That nothing in this Act ſhall extend, or be conſtrued to take away or abridge the Juriſdiction of Proteſtant Archbiſhops or Biſhops, or any other Judges of any Eccleſiaſtical Courts, in caſes of Atheiſm, Blaſphemy, Hereſie or Schiſm, and other damnable Doctrines and Opinions, but that they may proceed to puniſh the ſame according to his Majeſty's Eccleſiaſtical Laws, by Excommunication, Deprivation, Degradation, and other Eccleſiaſtical Cenſures, not extending to death, in ſuch ſort, and no other, as they might have done before the making of this Act; any thing in this Law contained to the contrary in any wiſe notwithſtanding.

A ſaving of the Eccleſiaſtical Juriſdicton

CAP. X.

An Act for the better Repairing and Maintaining the Pier of *Great Yarmouth*.

Whereas by an Act made in this preſent Parliament, Entituled, An Act for Repair of the Haven and Piers of *Great Yarmouth*, power was given to the Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Burrough in Common-council aſſembled, to levy ſuch

Preamble. 22 Car. 2. cap. 2.

ſums of mony as they ſhall think fit, not exceeding twelve pence upon every Chaldron of Coals, (Wincheſter Meaſure) and every Laſt of Wheat, Rye, Barley, Mault, or other Grain, and for every Weight of Salt, and every Tun of any other Goods and Merchandizes whatſoever, (Fiſh only excepted) unladen in the ſaid Haven, with divers Powers, Limitations and Proviſoes, as by the ſaid Act may appear, whereby the ſaid Piers, then much in decay, have been repaired, ſo that the power of the ſaid Act will ſoon determine; and whereas the like decay cannot be prevented without a conſtant Charge: To the end therefore that the ſaid Haven and Piers (in which the good and benefit, not only of the ſaid Town, but of the Counties and parts adjacent, are highly concerned) may at all times hereafter be preſerved, maintained and kept in good reparation;

The Duty not to exceed ſix pence per Chaldron, Laſt, Weigh and Tun, &c.

The Powers in the former Act revived. 22 Car. 2. cap. 1. Sect. 12. N. 2.

Sect. 12. N. 1, &c.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the ſaid Bailiffs, Aldermen, Burgeſſes, and Commonalty in Common-council aſſembled, for ſeven years from and after the expiration and determination of the powers in the ſaid former Act, to levy ſuch ſum or ſums of mony as they ſhall think fit, from time to time, not exceeding ſix pence upon every Chauldron of Coals, (Wincheſter Meaſure) and every Laſt of Wheat, Rye, Barley, Mault, or other Grain, and for every Weigh of Salt, and every Tun of any other Goods and Merchandizes whatſoever (Fiſh only excepted) which ſhall be unladen in the ſaid Haven; Which ſaid ſum and ſums of mony ſo levied, ſhall be expended in and for the maintenance of the ſaid Haven and Piers, and for no other uſe or purpoſe whatſoever, For the better obſervation whereof, all the Powers, Limitations and Directions in the ſaid former Act, are hereby Revived, Confirmed and Enacted, (2) except the laſt Clauſe of the ſaid former Act, Providing, That if by the Annual Impoſition, the Piers ſhould be repaired within leſs then ten years, That then the ſaid Impoſition ſhould ceaſe. Which ſaid Clauſe is not intended to be hereby revived; (3) Excepting likewiſe ſuch Clauſes as do direct and appoint particular days and times in the ſaid Act expreſſed for the meeting of Commiſſioners for making a contract, and for inſpecting and taking the Accompts.

Commiſſioners how to be choſen,

And how often to meet.

III. Which days and times being now paſt, Be it enacted, That at the Quarter-ſeſſions to be holden for the Counties of Suffolk and Norfolk next after the five and twentieth day of December next enſuing, and likewiſe by the Corporations of the City of Norwich, and Town of Yarmouth, ſuch number of Commiſſioners ſhall be choſen, in ſuch manner as in the ſaid former Act is directed; (2) which ſaid Commiſſioners ſhall meet once every year, or oftner, if occaſion ſhall require, at the ſaid Town of Great Yarmouth, there to view the ſaid Pier, and inſpect the Accompts of all the monies expended thereupon, according to the power given in the forementioned Act.

This Act when to commence.

IV. This Act to commence and take effect from the five and twentieth day of March, One thouſand ſix hundred ſeventy and eight: At which time the powers of the ſaid former Act, as to the charge of twelve pence therein mentioned, are to ceaſe and determine.

Anno Regni C A R O L I II. *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Viceſimo nono & triceſimo.*

AT the Parliament begun at *Weſtminſter* the Eighth day of *May*, *Anno Don.* 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, *&c.* And by ſeveral Prorogations and Adjournments there continued to the 28th day of *January*, in the 29th year of his Majeſty's Reign. And there continued to the 20th day of *March*, in the 30th year of his Majeſty's Reign.

CAP. I.

An Act for raiſing Mony by a Poll, and otherwiſe, to enable his Majeſty to enter into an actual War, againſt the French King, and for Prohibiting French Commodities. Exp.

CAP. II.

An Act for Continuance of two former Acts for preventing of Theft and Rapine upon the Northern Borders of *England*.

Preamble.

13 & 14 Car. 2. 22.

18 Car. 2. 3.

The Acts of 14 Car. 2. cap. 22. & 18 Car. 2. c. 3. continued.

WHereas an Act was made in the fourteenth year of the Reign of our Sovereign Lord the King that now is, Entituled, An Act for preventing of Theft and Rapine upon the Northern Borders of *England* And whereas alſo another Act was made in the eighteenth year of the Reign of our ſaid Sovereign Lord the King, Entituled, An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of *England*: Both which Acts are expired, and have been found very neceſſary for the preſervation of thoſe places from that great number of lewd, diſorderly and lawleſs perſons, that uſually frequented thereabouts: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority thereof, That the ſaid two former Acts, and either of them, and every matter, Clauſe and Clauſes therein contained, and all and every the Powers and Authorities thereby given, ſhall be, continue and remain in full force from henceforth, for and during the ſpace and time of ſeven years; and alſo from thence until the end of the firſt Seſſion of the next Parliament.

The Juſtices of Peace ſhall take ſecurity of ſuch as they employ to anſwer the damages ſuſtained by their neglect.

II. And for the better management of the Powers and Authorities in or by the ſaid two former Acts given, (2) Be it farther enacted by the authority aforeſaid, That the ſaid ſeveral Juſtices of the Peace of the ſaid reſpective Counties, ſhall from time to time, at the reſpective Quarter-ſeſſions, take good and ſufficient Security of the perſon or perſons by them employed in the ſaid Service, for the preſervation of the ſaid reſpective Counties from Theft and Rapine, to anſwer the Damages ſuſtained by any perſon or perſons by his or their neglect or default therein, and to pay and ſatisfie the ſame within four months after that proof thereof ſhall be made by the Oath of one or more credible Witneſſes before the Juſtices of Peace of the ſaid reſpective Counties, at the next Quarter Seſſions in the reſpective County; (3) which Oath or Oaths the ſaid Juſtice or Juſtices are hereby authorized to adminiſter, ſo as the Goods ſtolen be entred in one of the Books to be kept for that purpoſe within the ſpace of forty eight hours after the ſame ſhall be ſtolen or gone; (4) and that Books ſhall be kept for that end in every Market Town of the ſaid reſpective Counties, and at ſuch other convenient places therein, and by ſuch perſon or perſons as the ſaid Juſtices of the Peace in the ſaid reſpective Counties, at their General Seſſions of the Peace, ſhall order or appoint.

Books ſhall be kept in Market Towns for entry of goods ſtoln.

III. And be it farther enacted by the authority aforeſaid, That the ſaid ſeveral Juſtices of the Peace of the ſaid reſpective Counties, at the General Quarter Seſſions of the Peace for the ſaid Counties, reſpectively, ſhall yearly, or every two years at the fartheſt, in open Court, make choice of, and appoint ſuch perſon or perſons as they ſhall reſpectively think fit, for the ſaid Counties reſpectively, to be employed in the ſaid Service.

The Juſtices of Peace ſhall yearly, or every two years appoint perſons to be employed in the ſervice.

IV. Provided, that every perſon and perſons employed for the preſervation of the ſaid reſpective Counties from Theft and Rapine, or as Treaſurer for the ſaid Service, do receive the Sacrament of the Lords Supper, according to the Uſage of the Church of England, in ſome publick Church, upon ſome Lords Day, commonly called Sunday, within the ſpace of three months after they ſhall enter upon ſuch Employment, and deliver a Certificate thereof to the next Quarter-Seſſions in the reſpective County where they ſhall be ſo employed, and take the Oaths of Allegiance and Supremacy, and make and ſubſcribe the Declaration appointed to be made and ſubſcribed in and by one Act of this preſent Parliament, Entituled, An Act for preventing dangers which may happen from Popiſh Recuſants, under the Penalties and Forfeitures by the ſaid Act appointed.

The perſons to be employed ſhall take the Sacrament and the Oaths of Allegiance and Supremacy, and make the Declaration appointed by 25 Car. 2. cap. 2.

25 Car. 2. cap. 2.

Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, triceſimo.

AT the Parliament begun at *Weſtminſter* the Eighth day of *May*, *Anno Dom.* 1661. in the Thirteenth year of the Reign of our moſt gracious Soveraign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. And by ſeveral Prorogations and Adjournments there continued to the 15th of *July*, in the 30th year of his Majeſty's Reign.

CAP. I.

An Act for granting a Supply to his Majeſty of Six hundred ninteen thouſand three hundred eighty eight pounds eleven ſhillings and nine pence, for Disbanding the Army, and other uſes therein mentioned.

CAP. II.

An Act for Granting an Additional Duty to his Majeſty upon Wines for Threes years. Exp.

CAP. III.

An Act for burying in Woollen.

WHereas an Act made in the eighteenth year of his Majeſty's Reign that now is, Entituled, An Act for burying in Woollen only, was intended for the leſſening the Importation of Linen from beyond the Seas, and the encouragement of the Woollen and Paper Manufactures of this Kingdom, had the ſame been obſerved; (2) but in reſpect there was not a ſufficient Remedy thereby given for the diſcovery and proſecution of Offences againſt the ſaid Law, the ſame hath hitherto not had the ſame effect thereby intended:

Drapery, cap. 4.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and all the Clauſes and Proviſoes therein, ſhall be, and are hereby annulled and repealed, to all intents, conſtructions and purpoſes whatſoever.

The Stat. of 18 Car. 2. cap. 4. repealed.

III. And it is hereby enacted by the authority aforeſaid, That from and after the firſt day of Auguſt, one thouſand ſix hundred and ſeventy eight, no Corps of any perſon or perſons ſhall be buried in any Shirt, Shift, Sheet or Shroud, or any thing whatſoever made or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or in any Stuff or thing, other then what is made of Sheeps Wool only, or be put into any Coffin lined or faced with any ſort of Cloth or Stuff, or any other thing whatſoever, that is made of any material but Sheeps Wool only, (2) upon pain of the forfeiture of five pounds of lawful mony of England, to be recovered and divided as is hereafter in this Act expreſſed and directed.

No Corps ſhall be buried but in Woollen.

The Penalty.

IV. And it is enacted by the authority aforeſaid, That all perſons in Holy Orders, Deans, Parſons, Deacons, Vicars, Curates and their or any of their Subſtitutes, do within their reſpective Pariſhes, Precincts and Places, take an exact Account, and keep a Regiſter of all and every perſon or perſons buried in his or their reſpective Pariſhes or Precincts, or in ſuch common Burial-places as their reſpective Pariſhioners are uſually buried; (2) and that ſome one or more of the Relations of the party deceaſed, or other credible perſon, ſhall within eight days next after ſuch Interment, bring an Affidavit in Writing under the Hands and Seals of two or more credible Witneſſes (and under the Hand of the Magiſtrate or Officer before whom the ſame was ſworn, for which nothing ſhall be paid) to the Miniſter or Parſon, That the ſaid perſon was not put in, wrapt or wound up, or buried in any Shirt, Shift, Sheet, or Shroud, made or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or other than what is made of Sheeps Wool only, or in any Coffin lined or faced with any Cloth, Stuff or any other thing whatſoever, made or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or any other Material but Sheeps Wool only; (3) And if no Relation of the party buried, or other perſon, ſhall bring an Affidavit as aforeſaid, to the Parſon or Miniſter, within the time aforeſaid, That then the Goods and Chattels of the party deceaſed,

Regiſters ſhall be kept in every Pariſh, of perſons buried there.

Affidavit to be made within eight days after each Burial, that the perſon was buried in Woollen.

The forfeiture in default thereof.

ceaſed, ſhall be, and are hereby made liable to the aforeſaid Forfeiture of five pounds, (4) to be levied by way of Diſtreſs and Sale thereof, by Warrant of the chief Magiſtrate in any Town-corporate, or any Juſtice of the Peace, or in default thereof, by like Diſtreſs and Sale of the Goods of the perſon in whoſe Houſe the ſaid party died, or of any that had a hand in putting ſuch perſon into any Shirt, Shift, Sheet, Shroud or Coffin, contrary to this Act, or did order or diſpoſe the doing thereof; (5) and in caſe ſuch perſon were a Servant, and that he or ſhe died in the Family of his or her Maſter or Miſtreſs, That the ſame be levied on the Goods or Chattels of his or her Maſter or Miſtreſs; (6) and if ſuch perſon died in the Family of his or her Father or Mother, That then the ſame be levied upon the Goods and Chattels of his or her Father or Mother, in maner, and by Warrant as aforeſaid; (7) which ſaid Forfeiture or Forfeitures ſhall be levied, paid and allowed out of the Eſtate of the ſaid deceaſed perſon, before any Statute, Judgment, Debt, Legacy, or any other Duty whatſoever, due, owing or payable from the ſaid deceaſed.

Such Affidavits before whom to be taken.

V. And it is hereby farther enacted, That the ſaid Affidavit ſhall be made or taken before ſome one Juſtice of the Peace, or Maſter of Chancery, Ordinary or Extraordinary, Mayor, Bailiff, or other chief Officer of the City, County, Burrough, Corporation, or Market-Town in the County where the ſaid party was buried, who are hereby authorized and required to adminiſter the ſaid Oath, and to atteſt the ſame under their Hands upon ſuch Affidavit gratis: (2) And in caſe no ſuch Affidavit ſhall be brought to the Parſon or Miniſter where the ſaid party was buried as aforeſaid, within the ſaid eight days, That ſuch Parſon or Miniſter ſhall forthwith give, or cauſe notice thereof to be given in writing under his Hand, to the Churchwarden or Overſeers of the Poor of ſuch Pariſh, who ſhall within eight days after ſuch notice, repair to the chief Magiſtrate in any Town-corporate, if ſuch party was buried in ſuch City or Town-corporate, or elſe to any Juſtice of the Peace, who upon the Certificate thereof from the ſaid Parſon, Miniſter or Curate, officiating in the ſaid Pariſh, ſhall forthwith grant a Warrant for the levying of the ſaid Forfeiture on the Goods and Chattels of the parties before mentioned, rendring the overplus to the parties whoſe Goods were ſo diſtrained upon, all reaſonable Charges being deducted; (3) one moiety of which Forfeitures ſhall be to the uſe and benefit of the Poor of the Pariſh where ſuch party ſhall be buried contrary to the directions of this Act, and the other moiety thereof to the uſe of the perſon that ſhall inform and ſue for the ſame, to be recovered by Warrant of the chief Magiſtrate, or any Juſtice of the Peace in the City, Town-corporate, or County where ſuch party was buried.

What courſe ſhall be taken for levying the Forfeiture, if no ſuch Affidavit be brought to the Parſon within eight days after Interment.

The Parſon, Churchwardens, &c. or chief Magiſtrate, &c. neglecting their Duty, ſhall forfeit 5 l.

VI. And in caſe any Parſon or Miniſter ſhall neglect to give notice to the Churchwardens or Overſeers of the Poor as aforeſaid; or not give unto them a Note or Certificate under his Hand, teſtifying that ſuch an Affidavit and Certificate was not brought to him within the time limited by this Act, concerning the parties being interred according to the directions thereof; (2) or that the Churchwardens or Overſeers of the Poor ſhall not within eight days after the receipt of ſuch Certificate, repair to ſuch chief Magiſtrate, or to ſome other Juſtice of the Peace, with ſuch Certificate, and ſhew the ſame to him, and demand his Warrant thereupon, for levying the Forfeiture by this Act before appointed; (3) and in caſe ſuch chief Magiſtrate or Juſtice of the Peace ſhall neglect his Duty in not iſſuing his Warrant for the levying the ſaid Forfeiture, (4) he or they ſo neglecting or offending, ſhall forfeit for every ſuch Offence the ſum of five pounds of lawful mony of England, (5) to be recovered by ſuch perſon as ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Wager of Law or Protection ſhall be allowed, and wherein alſo the Proſecutor ſhall recover his full Coſts, ſo as the Suit be commenced within ſix months after the Offence ſhall be committed; (6) One fourth part of which ſaid Forfeitures ſhall be to the uſe of his Majeſty, his Heirs and Succeſſors; two other fourth parts thereof ſhall be to the uſe of the Poor of the Pariſh where the perſon ſo offending or neglecting his Duty ſhall dwell; and one other fourth part to the perſon that ſhall inform and ſue for the ſame.

The forfeiture how to be recovered.

And how diſtributed.

All burials and Affidavits, and where no Affidavits are brought, Memorials thereof ſhall be entred.

VII. And it is hereby farther enacted, That the Parſon or Miniſter of every Pariſh ſhall keep a Regiſter in a Book to be provided at the charge of the Pariſh, and make a true Entry of all Burials within his Pariſh, and of all Affidavits brought to him as aforeſaid, within the time limited as aforeſaid; (2) and where no ſuch Affidavit ſhall be brought to him within ſuch time, that he enter a Memorial thereof in the ſaid Regiſtry, againſt the name of the party interred, and of the time when he notified the ſame to the Churchwardens or Overſeers of the Poor.

Accounts of Burials, and Miniſters Certificates, and levying the Penalties, and the diſpoſal thereof, ſhall be made from time to time by the Overſeers of the Poor.

VIII. And it is hereby farther enacted by the authority aforeſaid, That in the firſt account to be given in by any Overſeers of the Poor, after the firſt day of Auguſt, one thouſand ſix hundred ſeventy eight, they do, and ſhall give an Account, as by this Act is hereafter directed of all Burials within their Pariſhes from the ſaid firſt day of Auguſt, one thouſand ſix hundred ſeventy eight, to the time of the giving in the ſaid account; (2) and that for the future when, and as often as the Overſeers of the Poor do give up their accounts to the Juſtices of the Peace at the Quarter-Seſſions, or Petty Seſſions, or any two Juſtices of the Peace in their monthly Meetings, that they do and ſhall give an account of the Name and Quality of every perſon interred within the Pariſh, from the time of their former account, and of ſuch Certificates as came to their Hands from the Parſon or Miniſter of the ſaid Pariſh, that the perſons therein mentioned were interred contrary to the directions and true intent of this Act, and of their levying the penalty on the Offenders according to this Act, and alſo a true account of the diſpoſal of the ſame, (3) under the penalty of five pounds, to be levied by Diſtreſs and Sale of the Goods of ſuch Churchwardens or Overſeers, by Warrant from the ſaid Juſtices of the Peace, or any two of them; (4) And that no account of any Overſeers of the Poor ſhall be allowed after the firſt day of Auguſt, one thouſand ſix hundred ſeventy eight, until they ſhall therein account for the Burials within the reſpective Pariſhes as is before directed.

IX. Provided, That no Penalty appointed by this Act, ſhall be incurred for or by reaſon any perſon that ſhall die of the Plague, although ſuch perſons ſhall not be Buried as by this Act is directed.

Perſons that dye of the Plague excepted.

X. And it is further enacted by the Authority aforeſaid, That from and after the ſaid Firſt day of Auguſt, the ſaid Judges at their reſpective Aſſizes, and the Juſtices of the Peace at their reſpective Quarter Seſſions, ſhall give this Act in Charge; (2) And moreover that this Act ſhall be publickly Read upon the firſt Sunday after the Feaſt of St. Bartholomew every year for ſeven years next following, preſently after Divine Service.

This Act to be given in charge at the Aſſizes and Quarter-Seſſions; and read the firſt Sunday after St. Bartholomews day for ſeven years.

XI. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit, or Information, ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance or execution of this Act, ſuch perſon or perſons ſo Sued ſhall and may plead the General Iſſue, Not-guilty, and upon Iſſue joyned, may give this Act in evidence; And if the Plaintiff or Proſecutor ſhall become Non-ſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, or if upon a Demurrer Judgment paſs againſt him, the Defendant ſhall recover his treble Coſts for ſuch moleſtation.

Perſons proſecuted for any thing done in purſuance of this Act, may plead the general Iſſue, &c.

CAP. IV.

An Act for the further Relief and Diſcharge of the poor diſtreſſed Priſoners for Debt.

Preamble.

Whereas by an Act of this preſent Parliament, made in the Two and twentieth and Three and twentieth years of the Reign of our Sovereign Lord King Charles the Second (Entituled An Act for Relief and Releaſe of poor diſtreſſed Priſoners for Debt) Proviſion hath been made for Relief and Releaſe of ſuch Priſoners as were in Priſon for Debt or Damages upon the Fourteenth day of April, One thouſand ſix hundred ſeventy and one, in ſuch way and manner as in the ſaid Act is provided and declared; (2) Notwithſtanding which, the perſons of ſuch Priſoners have not been diſcharged of their Impriſonment, the words Debt or Damages mentioned in the ſaid Act, being conſtrued doubtful, as not warranting the Diſcharge of any Priſoner, unleſs charged in Execution:

Cap. 20.

II. For explanation whereof, and to ſupply other Defects which have obſtructed the good ends and purpoſes of the ſaid Act, (2) Be it now enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all perſons being in Priſon upon the Nine and twentieth day of May, one thouſand ſix hundred ſeventy and eight, being the Anniverſary day of his Majeſties Birth and happy Reſtauration, for Debt or Damages, (3) or for or upon any Action or Actions, or upon any Meanproceſs for Debt, Account or Treſpaſs upon the Caſe, which Actions by proſecution of Law may be Judgments for Debt or Damages, (4) or who may have Judgments entred upon Record againſt them, or are charged in Execution, (5) or Impriſoned upon Attachments for Debt, or upon Outlawries before or after Judgment for Debts, (6) or upon any other Proceſs whatſoever iſſuing out of any Court of Law or Equity, for the cauſe of Debt or Damages, or Coſts only, (7) whether the ſaid Perſons were in Priſon upon the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, and have taken the Oath in the ſaid Act mentioned, or have been committed to Priſon ſince that time, who ſhall take the Oath in the ſaid recited Act mentioned, ſhall and may be Releaſed and Diſcharged from their Impriſonment, in ſuch way and manner as ſuch were in Priſon for Debt or Damages upon the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, by the former Act were or might have been, in caſe the ſaid Debt and Damages had been aſcertained by Judgment.

What perſons ſhall be Diſcharged by vertue of this Act.

III. And all Juſtices of the Peace within their ſeveral Counties and Diviſions, are hereby authorized and impowred to put in execution all ſuch Powers, Directions and Authorities, for the full Releaſe and Diſcharge of ſuch perſons as were in Priſon on the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, as aforeſaid, (2) and of all ſuch other perſons as have been ſince that time committed to Priſon, and are in Priſon on the ſaid Nine and twentieth day of May, as aforeſaid, as the ſaid former Act hath made and provided for the Releaſe and Diſcharge of ſuch who were in Priſon for Debt or Damages upon the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, (3) and every Clauſe, Matter and Thing in the ſaid former Act contained, ſhall be conſtrued and taken to the benefit and advantage of ſuch as ſhall be in Priſon upon the ſaid Nine and twentieth day of May, One thouſand ſix hundred ſeventy and eight, as fully and amply as by the ſaid Act it ought to have been, for the Benefit and Diſcharge of ſuch as were in priſon on the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one.

IV. And whereas by the ſaid former Act it is provided, That if any Creditor ſhall inſiſt to have his Debtor continued in priſon after he hath taken the ſaid Oath, and will allow him a weekly Maintenance to be appointed by the Juſtices of the Peace, not exceeding Eighteen pence the week, the ſame Priſoner ſhall continue and be detained in priſon: (2) Be it now enacted by the authority aforeſaid, That ſuch weekly allowance ſhall be paid to the Priſoner himſelf, and not to the Goal-keeper, or any other perſon for him: (3) and if within the ſpace of three Months after ſuch weekly Allowance by any Creditor, no Eſtate of the Priſoner ſhall be diſcovered or made out before two Juſtices of the Peace of that County and Diviſion where the ſaid Priſoner is kept in priſon, then the ſaid Priſoner ſhall forthwith be Diſcharged by Warrant under the Hands and Seals of any two Juſtices of the Peace of the ſame County and Diviſion where the ſaid Priſoner ſhall be ſo in priſon, to the keeper of ſuch priſon in that behalf directed, as fully and amply as if ſuch Priſoner had been Diſcharged by the Juſtices of the Peace at their Quarter Seſſions, as in the ſaid recited Act is mentioned; and that then and from thenceforth the ſaid weekly Allowance ſhall ceaſe and determine, as if the ſame had never been made.

22 & 23 Car. 2. c. 20. ſect. 4. N. 2.

The weekly allowance ſhall be paid to the Priſoner himſelf.

And if within three Months after ſuch allowance made no Eſtate be diſcovered, the Priſoner ſhall be diſcharged.

V. And

Priſoners diſcharged, ſhall pay no Fees.

V. And all Priſoners by this preſent Act, or by the ſaid former Act freed and diſcharged from their Impriſonments, are hereby acquitted and diſcharged of and from the payment of Chamber Rent, and all and every other Fee and Fees due to the Gaoler or Keeper of ſuch priſon or priſons in any manner or wiſe.

Priſoners diſcharged, not to be impriſoned again for any debt contracted before the diſcharge.

VI. And be it farther enacted by the authority aforeſaid, That no priſoner diſcharged out of priſon by vertue of this preſent Act, or by vertue of the ſaid recited Act, ſhall at any time hereafter be impriſoned for or by reaſon of any debt or damages, or any ſum or ſums of mony contracted or grown due to, or recovered by any perſon or perſons at whoſe Suit the ſaid priſoner did then ſtand charged in any priſon, or any other perſon or perſons to whom ſuch priſoner did give notice under the Hand and Seal of ſome Juſtice of Peace of the ſame County, City or place, the ſpace of forty days before the time of his diſcharge, of his intention to receive the benefit of this Act, and of the way and courſe he intended to take for obtaining the ſame, before the time of their diſcharges, as aforeſaid; (2) But that upon any arreſt for ſuch debt, damages, or ſums of mony, it ſhall or may be lawful for them, ſhewing a duplicate of their diſcharge under the Hands and Seals of the Juſtices of the Peace by whom they were diſcharged, or any two of them, or of ſuch Juſtices of the Peace, in caſe ſuch priſoner be diſcharged after an allowance of maintenance by the Creditor for three months, as aforeſaid, which the ſaid Juſtices are hereby required to give to every priſoner ſo by them diſcharged, to retain an Attorny to appear for them, and file common Bail to every ſuch Action, and plead thereunto; (3) ſo that the Plaintiff, if he pleaſe may recover, and enter Judgment againſt ſuch priſoner, to be executed and levied upon the Lands, Tenements, Goods and Chattels of ſuch priſoner ſo diſcharged, as aforeſaid, his or her wearing Apparel, Furniture for his or her Dwelling houſe, the ſaid Furniture not exceeding ten pounds in value, and neceſſary Tools for his or her Trade and Occupation only excepted, (4) but not upon the perſon of the priſoner, the perſons of ſuch priſoners being hereby for ever freed and diſcharged from Impriſonment for any Debt, Treſpas upon the Caſe, Duty, Sum or Sums of Mony, or thing thereunto relating, contracted or due before the time of their diſcharge, having had notice as aforeſaid.

The penalty for refuſing to bring and diſcharge Priſoners, &c.
22 & 23 Car. 2. c. 20. Sect. 8. N. 1.

VII. And be it enacted by the authority aforeſaid, That in caſe any Sheriff, Gaoler and Keeper of priſon ſhall refuſe and delay to bring and diſcharge, and ſet at liberty any priſoner or priſoners, according to the Order of the Juſtice or Juſtices of the Peace, made in purſuance of this Act, or of the ſaid former recited Act: Every ſuch Gaoler, Sheriff, or Keeper of priſon, ſhall forfeit and pay to ſuch priſoners ſo detained contrary to ſuch Order, the ſum of twenty pounds, to be recovered by Action of Debt in any of his Majeſty's Courts of Record, (2) and ſhall alſo be ſubject to ſuch fine and puniſhment as the ſaid Juſtices of the Peace ſhall upon complaint thereof to them made, order and award.

Juſtices of Peace, Sheriffs, &c. ſued for any thing done in obedience to this Act, may plead the general Iſſue, &c.
22 & 23 Car. 2. c. 20. Sect. 5. N. 1.

VIII. And be it farther enacted by the authority aforeſaid, That upon any Action of Eſcape, or other Suit brought or to be brought againſt any Juſtice of the Peace, Sheriff, Gaoler or Keeper of priſon, for any thing done in obedience to this Act, it ſhall and may be lawful to and for any ſuch Juſtice of the Peace, Sheriff, Gaoler and Keeper of priſon, to plead the general Iſſue, and give this Act in Evidence, which ſhall be a good and ſufficient diſcharge, and ſhall ſave harmleſs every ſuch Juſtice of the Peace, Sheriff, Gaoler or Keeper of priſon pleading the ſame; (2) And if the Plaintiff in any ſuch Action ſhall be nonſuited, or Verdict paſs againſt him, the Defendant ſhall have double Coſts, to be taxed by the Court where ſuch Action is brought.

Other perſons bound joyntly or ſeverally for the ſame debts not diſcharged hereby.

IX. Provided always, and be it enacted, That the diſcharge of any perſon or perſons by vertue of this Act, ſhall not amount unto, or be conſtrued to free or diſcharge any other perſon or perſons joyntly or ſeverally bound for, or liable to anſwer or ſatisfie the ſaid debt, or any part thereof, either as principal or ſurety, but that ſuch other perſon or perſons ſhall be liable to anſwer the ſaid debt and damages in ſuch manner to all intents and purpoſes, as they were before the diſcharge of ſuch priſoner.

None to be diſcharged that have not been ſix months in priſon;

X. Provided alſo, That no perſon ſhall be diſcharged by this Act, that hath not, or ſhall not before ſuch Oath made, have remained in priſon by the ſpace of ſix months.

Nor that are in Execution for more then 500 l.

XI. Provided alſo, That no perſon by vertue of this Act ſhall be diſcharged out of priſon, who ſhall ſtand charged in Execution with more then the ſum of five hundred pounds to any one perſon, principal mony and damages.

No weekly allowance to be made where they that are bound to maintain ſuch priſoner in diſcharge of the Pariſh, are of ability.

XII. Provided alſo, That no Creditor inſiſting to have his Debtor continued in priſon, ſhall be bound to make any weekly allowance for the ſubſiſtance of the priſoner, where the Father, Mother, Son or Daughter, or other perſon who by the Laws of this Realm are bound to maintain him in diſcharge of the Pariſh, if he were at large, are of ſufficient ability to maintain ſuch priſoner.

Priſoners that have uſed Handicrafts, may be removed to publick Work-houſes.

XIII. Provided alſo, and be it enacted, That if any Creditor inſiſting to have his Debtor continued in priſon, and ordered to make allowance towards his Maintenance, ſhall deſire to have his Debtor, being a perſon formerly uſing any Handicraft or Day-labour, removed to any publick Work-houſe, there to be kept at hard labour, and ſhall within one Week next after ſuch notice of ſuch Order for making allowance, at his own proper Coſts and Charges, cauſe ſuch priſoner by *Habeas Corpus* and Commitment, or other Order, to be removed to any publick Work-houſe in the ſame County where the ſaid priſon is, or within twenty miles diſtance of the ſaid priſon, That then ſuch priſoner ſo removed to the ſaid Work-houſe, ſhall and may be there held to labour ſuitable to his ability, and the Creditor or Creditors ſhall afterwards contribute towards his Maintenance, only ſuch ſum as over and above the profit of his Labour ſhall be requiſite to maintain him, to be aſcertained by the two next Juſtices of the Peace; (2) and in caſe the profit of his Labour ſhall exceed the value of his Maintenance, one moiety of the overplus ſhall go towards the payment of his Debts, for which he remains in Execution; the other moiety ſhall be paid to the Hands of the ſaid priſoner, the ſaid moieties to be diſtributed accordingly by the two next Juſtices of the Peace.

XIV. And be it farther enacted, That after any perſon ſhall by vertue of this Act have continued at any Work-houſe by the ſpace of two years, he is then to be diſcharged from his Impriſonment, and enjoy the full benefit of this Law.

None ſhall continue at any Work-houſe above two years.

XV. And be it enacted, That any Judge of ſuch Court whereto ſuch Debtor is a Priſoner, or the two next Juſtices of the Peace to ſuch Work-houſe, ſhall and may have power to commit ſuch Debtor, being brought before him or them by Habeas Corpus, or Order under the Hands and Seals of two ſuch Juſtices, unto any Work-houſe within the County where ſuch priſon is, there to remain according to this Act.

Who may commit to Work-houſes.

XVI. Provided always, and be it enacted, That if any priſoner that ſhall be releaſed by vertue of this Act, ſhall at any time afterwards be found or ſuſpected by any of his Creditors to have in ready Mony, Goods or Chattels, in his own hands and poſſeſſion, or in the hands of any others, to his or her uſe, or in truſt for him or her, in value over and above what he or ſhe is allowed by this or the ſaid former Act to have, other then ſuch Goods in his Shop or Work-houſe as he ſhall have been credited or truſted with ſince the time of his diſcharge, and for what he ſhall be really indebted at the time of his making ſuch Oath, and he or ſhe will not or do not upon convenient demand, pay his or her Debt or Debts therewith, as far as the ſame will reach, That then, and in ſuch caſe, at the requeſt of any Creditor, the ſaid Oath ſhall be tendred to him or her again, by any Juſtice of the Peace in this Act before impowred to adminiſter the ſaid Oath for diſcharge of priſoners, or by any Judge of the Court wherein there is Judgment againſt him, which he or ſhe refuſing to take, ſhall be remanded to priſon in Execution for ſuch Debt or Debts; any thing in this Act to the contrary notwithſtanding.

The Oath may be tendred again to ſuch as are ſuſpected to have more then is allowed by this Act.

XVII. Provided alſo, That this Act ſhall not extend to any perſon or perſons in Execution for any Fine on him or her impoſed for any Offence committed before the ſaid nine and twentieth day of May, one thouſand ſix hundred ſeventy and eight.

Perſons in Execution for Fines impoſed before the 29th of May, 1678. excepted.

XVIII. Provided that ſuch perſon or perſons as is or are detained in priſon upon any Mean-Proceſs, if it ſhall be deſired by any Creditor, before any Juſtice of the Peace to whom ſuch priſoner hath applied for his diſcharge, ſhall forthwith give a Warrant to ſome Attorny to appear, or file Common Bail for him or them, in the Court out of which the ſaid Mean-proceſs is ſued, and to receive a Declaration at the Plaintiffs Suit, and that ſuch priſoner ſhall thereupon have the full benefit of this Law, as to the Liberty of his perſon, againſt his ſaid Impriſonment upon the ſaid Mean-proceſs, and againſt any Judgment or Execution that ſhall be had againſt him in that Suit, and againſt any other Suit that ſhall be brought againſt him for the ſame matter or cauſe of Action, to all intents and purpoſes, as fully and beneficially as if he had been charged in Execution at the ſaid Plaintiffs Suit before the nine and twentieth day of May, one thouſand ſix hundred ſeventy and eight; (2) but ſuch priſoner upon Mean-proceſs, ſhall in caſe of his refuſal to give ſuch Warrant of Attorny, loſe the whole benefit of this Law.

Perſons arreſted upon Mean-proceſs, ſhall have the benefit of this Law.

XIX. Provided always, That no Merchant-Stranger, or other Alien or Foreigner that hath been arreſted, and is in priſon on any Action or Suit, for or by reaſon of any Debt, or other Engagement contracted or entred into beyond the Seas, ſhall have any benefit by this Act; but that all and every ſuch Merchant-Stranger, or other Alien or Foreigner, ſhall and may be detained in priſon, and proceeded againſt as if this Act had never been made.

Aliens excepted as to Debts contracted beyond the Seas.

XX. Provided always, That no priſoner ſhall be diſcharged by vertue of this Act, until he ſhall before the Juſtices of the Peace who are by this Act impowred to diſcharge him, declare upon his Corporal Oath (which Oath the ſaid Juſtices are hereby appointed to adminiſter) what effects are belonging to him, or what Debt or Debts are then owing to him within any of his Majeſty's Dominions, or elſewhere, and by whom, and for what cauſe, and upon what Security; (2) of all which a Schedule ſhall be made in the preſence of ſuch Juſtices, and ſubſcribed by the priſoner, and ſhall be by ſuch Juſtices returned to the next Seſſions, there to be kept for the better Information of the Creditors of ſuch priſoner, who, or ſuch of them as will joyn, may thereupon ſue for ſuch Debts, or ſo much thereof as will reaſonably ſatisfie them, in the name of the priſoner, and after the ſame recovered and received, to render the Overplus (their own Debts and Charges firſt deducted) to the priſoner.

Priſoners to be releaſed, ſhall ſwear what Effects are belonging, or Debts owing to them.

XXI. Provided always, (and to deter all perſons who are by the Charitable intention of this Act to be relieved, from abuſing the Favour hereby to them intended) That if any perſon, who ſhall in purſuance of this Act take his Oath for any of the purpoſes hereby appointed, ſhall forſwear or perjure himſelf, Then ſuch perſon being thereof lawfully convicted, ſhall beyond, and over and above the penalties which may by the Law now in being be inflicted, ſuffer Impriſonment for the ſpace of ſeven years, without Bail or Mainprize.

Perjury in taking the ſaid Oath, how to be puniſhed.

CAP. V.

An Act for Repealing certain Words in a Clauſe in a former Act, Entituled, An Act for Enlarging and Repairing of Common High-ways.

Whereas by an Act of Parliament made in the fourteenth year of his Majeſty's Reign, Entituled, An Act for enlarging and repairing Common High-ways, it is provided, That no travelling Waggon, Wain, Cart or Carriage, wherein any Burthens, Goods or Wares, are or ſhall be drawn for Hire (otherwiſe than is therein excepted) ſhall at any time travel, be drawn, or go in any publick High-ways or Roads, with above ſeven Horſe-beaſts, whereof ſix ſhall draw in pairs, and not with above eight Oxen, or ſix Oxen and two Horſe-beaſts; (2) nor ſhall at any time carry above twenty hundred weight between the firſt of October and the firſt day of May, nor above thirty hundred weight from the firſt of May to the firſt of October, (3) nor above five Quarters of Wheat, Meal, Meſlin, Rye, Peaſe, Beans, and Tares, nor above eight Quarters of Barley, Malt or Oats, and after that proportion, under ſuch penalties as by the ſaid Act is expreſſed; (4) which Act, by reaſon of thoſe

Preamble. Cap.6.Sect.9.N.1

Words For Hire, hath not that good effect which was expected, many pretending that they carry not for Hire, but the Goods and Wares they carry are their own, and many Actions have been brought by colour thereof againſt ſuch perſons as have endeavoured to put the ſaid Law in execution, and others diſcouraged from doing their Duty therein:

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That theſe Words For Hire in the ſaid Act expreſſed, ſhall from henceforth ſtand void, and be repealed to all intents and purpoſes whatſoever.

CAP. VI.

An Act for Reviving a former Act, Entituled, An Act for avoiding unneceſſary Suits and Delays, and for continuance of one other Act, Entituled, An Act for the better ſetling of Inteſtates Eſtates.

12 Car. 2. cap. 6.
22 & 23 Car. 2. St. 2. Cap. 10. (6.)

Whereas one Act of this preſent Parliament, Entituled, An Act for avoiding unneceſſary Suits and Delays, and alſo one other Act, Entituled, An Act for the better ſetling of Inteſtates Eſtates, have been found to be very beneficial, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Acts of Parliament ſhall be in force from the firſt day of this preſent Seſſion of Parliament, and ſo to continue for ſeven years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. VII.

An Act to enable Creditors to recover their Debts of the Executors and Adminiſtrators of Executors in their own wrong.

Preamble.

Whereas the Executors and Adminiſtrators of ſuch perſons who have poſſeſſed themſelves of conſiderable perſonal Eſtates of other dead perſons, and converted the ſame to their own uſe, have no remedy by the Rules of the Common Law, as it now ſtands, to pay the Debts of thoſe perſons whoſe Eſtate hath been ſo converted by their Teſtator or Inteſtate, which hath been found very miſchievous, and many Creditors defeated of their juſt Debts, although their Debtors left behind them ſufficient to ſatisfie the ſame, with a great Overplus:

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority thereof, That all and every the Executors and Adminiſtrators of any perſon or perſons, who as Executor or Executors in his or their own wrong, or Adminiſtrators, ſhall from and after the firſt day of Auguſt next enſuing, waſte or convert any Goods, Chattels, Eſtate or Aſſets of any perſon deceaſed, to their own uſe, ſhall be liable and chargeable in the ſame manner as their Teſtator Inteſtate would have been if they had been living. (2) This Act to continue in force for three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. VIII.

An Act for the Admeaſurement of Keels and Boats carrying Coals.

Preamble. Cap. 10.

Whereas by a Statute made in the Parliament holden at Weſtminſter in the ninth year of the Reign of King Henry the Fifth, Entituled, Keels that carry Sea-coals to *Newcaſtle* ſhall be Meaſured and Marked; It is ordained and eſtabliſhed for remedy of Deceits therein complained of, That all Keels that then were, or thereafter ſhould be in the Port of Newcaſtle, ſhould be meaſured by certain Commiſſioners thereto aſſigned by the King, and marked of what Portage they were, before that any carriage ſhould be made by the ſame, upon pain of Forfeiture to the King, of all the ſaid Veſſels called Keels, by which any ſuch Coals ſhall be carried, before that they be marked in manner aforeſaid.

Commiſſioners ſhall be appointed for meaſuring and marking Boats and Wains, uſed for carriage of Coals.

II. And whereas divers doubts have riſen concerning the intent and meaning of the ſaid Act, and whether Sunderland and other the Members of the Port of Newcaſtle were compriſed within the ſaid Act, and that divers new Frauds, Deceits and Abuſes have of late ariſen, and are daily practiſed in the carriage of Coals by Keels and other Boats, to the diminution of his Majeſty's Cuſtoms, and the damage and prejudice of the Sellers and Buyers of Coals; (2) For remedy thereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Commiſſioners ſhall from time to time be appointed by his Majeſty, his Heirs and Succeſſors, for the meaſuring and marking all and every the Keels and other Boats, and Carts and Wains uſed, or in any time hereafter to be uſed for the carriage of Coals in the Port of Newcaſtle upon Tyne, Sunderland upon the River Ware Callercoats, Seaton Sluce, Blythe Nook, and all and every other the Members, Havens, Creeks and Places whatſoever to the ſaid Port of Newcaſtle belonging, or in any wiſe appertaining, by the Bowl-tub of Newcaſtle, containing two and twenty Gallons and a Pottle Wincheſter Meaſure, and being ſeven and twenty Inches Diameter upon the top from out-ſide to out-ſide, and no more, and allowing one and twenty Bowls of Coals to be meaſured by ſuch Bowl-tub by heap meaſure to each Chalder, and no more.

The Content of a Wain, of a Cart, of a Chalder.

III. Provided always, That the Content of each Wain ſhall be ſeven Bowls, and the Content of each Cart three Bowls and one Buſhel heaped meaſure; and that three ſuch Wains or ſix ſuch Carts ſhall be reckoned and allowed for a Chalder, and no more; (2) and no Coals to be made uſe of in ſuch admeaſurement, other then what ſhall be good and Merchantable, and new wrought and led to the Steath or Wharf within three Months before ſuch Admeaſurement, and one moiety thereof to be dry, and the other moiety thereof being made wet, as hath been anciently accuſtomed to be done and practiſed; (3) and that all Keels and other Boats ſo admeaſured, ſhall be marked by the ſaid Commiſſioners of what Portage they are, or by ſuch perſon or perſons as ſhall be by them or any three of them thereunto authorized and appointed, either by Nails upon Bulk heads, or Partitions to be affixed to the fore and after Beam of every ſuch Keel or Boat, or by Nails to be driven into the Stemm or Stern-poſt of every ſuch Keel or Boat, or by ſuch other way or manner as to the ſaid Commiſſioners, or any three or more of them, in their diſcretions ſhall ſeem moſt meet and convenient to direct and appoint, for prevention of the evils aforeſaid; (4) nor ſhall any Keel or Boat be admeaſured or marked, but between the five and twentieth day of March, and the nine and twentieth day of September in any year.

Keels and Boats, how and by whom to be marked.

And when.

IV. And it is hereby farther enacted by the authority aforeſaid, That every Keel or other Boat, or Wain or Cart, which from and after the firſt day of Auguſt, which ſhall be in the year of our Lord one thouſand ſix hundred ſeventy and nine, ſhall carry any Coals in any of the places beforeſaid, before they ſhall be meaſured and marked as aforeſaid, by three or more of the ſaid Commiſſioners, ſhall be, and are hereby declared to be forfeited, together with the Coals that ſhall be found laden upon them; (2) One moiety of all which forementioned Forfeitures ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall ſeize and ſue for the ſame, in any of his Majeſty's Courts of Record at Weſtminſter, by Bill, Plaint, or other Information, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed; Any Law, Statute or Uſage to the contrary notwithſtanding.

The Penalty.

V. And it is hereby farther enacted by the authority aforeſaid, That the Mayor of the Town of Newcaſtle for the time being, is hereby authorized and required to adminiſter any Oath to every perſon or perſons employed and appointed by the ſaid Commiſſioners, or any three or more of them, for the admeaſuring or marking of Boats and Keels in the River of Tyne, for true and faithful execution and diſcharge of their reſpective Truſts; (2) and that the Commiſſioners to be at any time appointed for the meaſuring Boats and Keels, or any three of them, ſhall and may adminiſter the like Oath to every perſon or perſons by them employed and appointed for the meaſuring or marking of Boats and Keels, or Wains, or Carts in all places within the limits of this Act, for the true and faithful execution and diſcharge of their reſpective Truſts.

Oaths by whom to be adminiſtred to Officers.

VI. And it is hereby farther enacted by the authority aforeſaid, That in caſe after the admeaſuring or marking of any Boat, or Keel, or Cart, or Wain, the Marks ſhall be removed or altered, that every perſon or perſons who had a hand in the doing thereof, ſhall upon proof thereof by one or more credible Witneſſes before any Juſtice of the Peace, forfeit the ſum of ten pounds, to be levied upon his Goods and Chattels, by diſtreſs and ſale thereof, by Warrant of ſuch Juſtice of the Peace, (rendring the overplus) and for failer of ſuch diſtreſs, to be committed to the common Gaol, there to remain for the ſpace of three months without Bail or Mainprize.

The Penalty for removing or altering the Marks.

CAP. IX.

An Act for Preſervation of Fiſhing in the River of *Severn.*

FOR preſervation of the fiſhing in the River of Severn in the Counties of Worceſter, Salop, and Glouceſter, and for the preventing of ſeveral Abuſes lately practiſed by divers perſons fiſhing in the ſaid River, tending to the deſtruction of the common Piſcary, eſpecially of the Spawn, Fry and young Breed of Fiſh in the ſaid River; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons whatſoever, from and after the firſt day of Auguſt next, ſhall in the ſaid River of Severn fiſh with any Net, Device or Engine, or make uſe of any Net, Wear, Spear, or other Engine or Device whatſoever, whereby any Salmon, Trout, Pike or Barbel, under the length appointed by the Statute made in the firſt year of the Reign of our late Sovereign Lady Queen Elizabeth, ſhall be taken or killed, (3) or if any perſon or perſons whatſoever, ſhall from and after the ſaid firſt day of Auguſt, within the ſaid River fiſh with any Net whatſoever, for the taking of Salmon, Salmon-mart, Salmon-peal, Pike, Carp, Trout, Barbel, Chub or Grayling, (4) the Meſh whereof ſhall be under two Inches and a half ſquare by the Standard, and not extended, that is to ſay, two Inches and a half ſquare from knot to knot, allowing to each Meſh four knots, or which ſhall be above twenty yards in length, and two yards in breadth or depth, or above fifty yards in length and ſix yards in breadth or depth in the wing of the Net, (5) in any part of the ſaid River of Severn, from Ripple-Lockſtake on the edge of the ſaid County of Worceſter, to Glouceſter Bridge, which is upon the ſaid River of Severn, or above ſixty yards in length, in any part of the River of Severn below Glouceſter Bridge, and ſix yards in breadth or depth in the wing of the Net, (5) or ſhall fiſh with more than one of thoſe Nets at any one time, (that is to ſay) with two or more fixed together, or with any Drag-net, Tramel, or any other Net fixed to the ſame, or ſhall uſe any Net, Engine, Inſtrument, or Device whatſoever, for the taking of the Fry of Eels commonly called Elvers; (6) Every ſuch perſon offending as aforeſaid, ſhall forfeit the ſum of five pounds for every time that he or they ſhall fiſh with any of the ſaid unlawful Nets, Inſtruments, Devices or Engines; and alſo the Fiſh ſo taken or killed, together with the ſaid unlawful Nets, Engines, Devices and Inſtruments, whatſoever they be, wherewith or whereby ſuch Offences ſhall be made, committed or done, (7) and alſo ſhall forfeit the like ſum of five pounds for every time that he or they ſhall water any manner of Hemp or Flax in the ſaid River.

1 Eliz. cap. 17.

The Penalty.

II. And be it farther enacted by the authority aforeſaid, That if any perſon or perſons ſhall, during the time of Spawning of Fiſh, (to wit) between the firſt day of March and the laſt

The Penalty for deſtroying the Spawn of Fry of Fiſh. Conſervators of the River.

day of May, draw or lay any kind of Nets, Inſtruments or Engines, in the Fords, Streams or Shallows of the ſaid River where Fiſh doth uſually ſpawn, or ſhall do or commit, or cauſe to be done or committed any act whatſoever, whereby the Spawn or ſmall Fry of Fiſh ſhall be taken, killed or deſtroyed, every ſuch perſon or perſons ſo offending, ſhall forfeit and loſe the ſum of forty ſhillings for every Offence, and the Nets, Inſtruments, or other Engines ſo uſed, placed or employed for the purpoſes aforeſaid.

III. And to the intent that a perfect execution may be had of this preſent Act, (2) Be it enacted by the authority aforeſaid That the Juſtices of the Peace within the ſaid reſpective Counties of Worceſter, Salop and Glouceſter, wherein they ſhall be Juſtices, ſhall be, and are hereby appointed Conſervators of the ſaid River, and to make one or more Under-Conſervators within their reſpective Limits; (3) and that the ſaid Juſtices of the Peace ſhall iſſue forth their Warrants under the Hands and Seals of any two of them, directed to ſuch Under-Conſervator or Conſervators, or to any Conſtable, Tything-man or Headborough where any ſuch Offence ſhall be committed upon their own knowledge, or information to them given, to ſearch in the day-time in all ſuſpected Houſes and places for all ſuch Nets, Inſtruments, Devices and other Engines, and the ſame to ſeize, and bring before the ſaid Juſtices, or in their open Quarter-Seſſions, that the ſaid unlawful Nets, Inſtruments, Devices and Engins, may upon the view thereof, be burnt, deſtroyed or made uſeleſs.

Unlawful Inſtruments, how to be deſtroyed.

The ſaid Offences, how to be puniſhed.

IV. Provided always, That no perſon or perſons offending as aforeſaid, ſhall be puniſhed for any of the Offences aforeſaid, unleſs by Information or Indictment before his Majeſty's Juſtices of Aſſize, of Niſi prius, Oyer and Terminer, and general Gaol-delivery, or in the general Seſſions of the Peace to be holden for the ſaid Counties reſpectively wherein the ſame ſhall be committed, (2) and upon conviction of any perſon or perſons for any the Offences aforeſaid, the ſaid reſpective Courts ſhall award Execution for the ſaid Forfeitures, the one moiety thereof to the uſe and benefit of the Poor of the Pariſh where the ſaid Offence ſhall be committed, and the other moiety to ſuch perſon or perſons as ſhall proſecute the ſame by Fieri facias, or Capias ad ſatisfaciendum, as the Kings Majeſty's Juſtices at Weſtminſter may and uſe to do.

The Forfeitures, how to be diſpoſed.

The Juriſdiction of Lords of Leets and Franchiſes ſaved.

V. Provided alſo, That this preſent Act, or any thing herein contained, do not extend to abridge the Juriſdiction of the Lords of Leets or Franchiſes, within their reſpective Leets and Franchiſes, but that they may proceed to enquire, hear and determine any the Offences aforeſaid, within their reſpective Leets and Franchiſes, as formerly they have lawfully uſed to do:

A Saving of the Kings Rights.

VI. Saving always unto our Sovereign Lord the King, his Heirs and Succeſſors, and to all and every perſon and perſons whatſoever, all Rights, Titles, and Intereſts whatſoever, that they either have, or may lawfully claim in the ſaid River, as if this Act had never been made.

Anno Regni C A R O L I II. *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Triceſimo.*

AT the Parliament begun at *Weſtminſter* the Eighth day of *May*, *Anno Dom.* 1661. In the Thirteenth year of the Reign of our Sovereign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, *&c.* And by ſeveral Prorogations and Adjournments there continued to the 30th day of *November*, in the 30th year of his Majeſty's Reign.

CAP. I. (Stat. 2.)

An Act for the more effectual Preſerving the Kings Perſon and Government, by diſabling Papiſts from Sitting in either Houſe of Parliament.

Preamble.

FOraſmuch as divers good Laws have been made for preventing the increaſe and danger of Popery in this Kingdom, which have not had the deſired Effects, by reaſon of the free acceſs which Popiſh Recuſants have had to his Majeſty's Court, and by reaſon of the Liberty which of late ſome of the Recuſants have had and taken to Sit and Vote in Parliament:

II. Wherefore, and for the ſafety of his Majeſty's Royal Perſon and Government, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of December, which ſhall be in the year of our Lord God one thouſand ſix hundred ſeventy and eight, no perſon that now is, or hereafter ſhall be a Peer of this Realm, or Member of the Houſe of Peers, ſhall Vote, or make his Proxy in the Houſe of Peers, or Sit there during any Debate in the ſaid Houſe of Peers; (2) Nor any perſon that now is, or hereafter ſhall be a Member of the Houſe of Commons, ſhall Vote in the Houſe of Commons, or Sit there during any Debate in the ſaid Houſe of Commons, after their Speaker is choſen, (3) until ſuch Peer or Member ſhall from time to time reſpectively, and in manner following, firſt take the ſeveral Oaths of Allegiance and Supremacy, and make, ſubſcribe, and audibly repeat this Declaration following;

The Declaration.

III. I *A. B.* do ſolemnly and ſincerely in the preſence of God, Profeſs, Teſtifie and Declare, That I do believe, that in the Sacrament of the Lords Supper, there is not any Tranſubſtantiation of the Elements of Bread and Wine, into the Body and Blood of Chriſt, at or after the Conſecration thereof, by any perſon whatſoever: (2) And that the Invocation, or Adoration of the Virgin *Mary*, or any other Saint, and the Sacrifice of the Maſs, as they are now uſed in the Church of *Rome*, are Superſtitious and Idolatrous. (3) And I do ſolemnly in the preſence of God, Profeſs, Teſtifie and Declare, That I do make this Declaration, and every part thereof, in the plain and ordinary ſenſe of the Words read unto me, as they are commonly underſtood by Engliſh Proteſtants, without any Evaſion, Equivocation, or Mental Reſervation whatſoever, and without any Diſpenſation already granted me for this purpoſe by the Pope, or any other Authority or Perſon whatſoever, or without any hope of any ſuch Diſpenſation from any Perſon or Authority whatſoever, or without thinking that I am, or may be acquitted before God or Man, or abſolved of this Declaration, or any part thereof, although the Pope, or any other Perſon or Perſons, or Power whatſoever, ſhould diſpenſe with or annul the ſame, or declare that it was null or void from the beginning.

The time and place of taking the Oaths, and making and ſubſcribing the Declaration.

IV. Which ſaid Oaths and Declaration ſhall be in this and every ſucceeding Parliament ſolemnly and publickly made and ſubſcribed betwixt the hours of nine in the Morning and four in the Afternoon, by every ſuch Peer and Member of the Houſe of Peers, at the Table in the middle of the ſaid Houſe, before he take his Place in the ſaid Houſe of Peers, and whilſt a full Houſe of Peers is there with their Speaker in his place; (2) and by every ſuch Member of the Houſe of Commons, at the Table in the middle of the ſaid Houſe, and whilſt a full Houſe of Commons is there duly Sitting with their Speaker in his Chair; (3) and that the ſame be done in either Houſe in ſuch like order or method, as each Houſe is called over by reſpectively.

Members of Parliament not ſwearing and declaring as aforeſaid, and Recuſants convict, forbidden the King or Queens preſence.

V. And be it farther enacted, That from and after the ſaid firſt day of December, every Peer of this Realm, and Member of the Houſe of Peers, and every Peer of the Kingdom of Scotland, or of the Kingdom of Ireland, being of the age of one and twenty years or upwards, not having taken the ſaid Oaths, and made and ſubſcribed the ſaid Declaration; (2) and every Member of the ſaid Houſe of Commons, not having as aforeſaid taken the ſaid Oaths, and made and ſubſcribed the ſaid Declaration; (3) and every perſon now, or hereafter convicted of Popiſh Recuſancy, (4) who hereafter ſhall at any time after the ſaid firſt day of December, come adviſedly into, or remain in the preſence of the Kings Majeſty, or Queens Majeſty, or ſhall come into the Court or Houſe where they or any of them reſide, as well during the Reign of his preſent Majeſty (whoſe Life God long preſerve) as during the Reigns of any his Royal Succeſſors Kings or Queens of England, (5) ſhall incur and ſuffer all the pains, penalties, forfeitures and diſabilities in this Act mentioned or contained, (6) unleſs ſuch Peer, Member or Perſon ſo convicted, do reſpectively in the next Term after ſuch his coming or remaining, take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration in his Majeſties High Court of Chancery, between the hours of nine and twelve in the Forenoon.

The Penalty upon Members of Parliament offending contrary to this Act.

VI. And be it farther enacted by the authority aforeſaid, That if any perſon that now is, or hereafter ſhall be a Peer of this Realm, or Member of the Houſe of Peers, or Member of the Houſe of Commons, ſhall preſume to do any thing contrary to this Act, or ſhall offend in any of the Caſes aforeſaid, That then every ſuch Peer and Member ſo offending, ſhall from thenceforth be deemed and adjudged a Popiſh Recuſant convict to all intents and purpoſes, whatſoever, (2) and ſhall forfeit and ſuffer as a Popiſh Recuſant convict, (3) and ſhall be diſabled to hold or execute any Office or Place of Profit or Truſt, Civil or Military, in any of his Majeſties Realms of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or in any of his Majeſties Iſlands or Foreign Plantations to the ſaid Realms belonging; (4) and ſhall be diſabled from thenceforth to Sit or Vote in either Houſe of Parliament, or make a Proxy in the Houſe of Peers, (5) or to Sue or Uſe any Action, Bill, Plaint or Information in courſe of Law, or to proſecute any Suit in any Court of Equity, (6) or to be Guardian of any Child, or Executor or Adminiſtrator of any perſon, (7) or capable of any Legacy or Deed of Gift; (8) and ſhall forfeit for every wilful offence againſt this Act, the ſum of five hundred pounds, to be recovered and received by him or them that ſhall ſue for the ſame; and to be proſecuted by any Action of Debt, Suit, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter, where no Eſſoign, Protection or Wager of Law ſhall lie.

Either Houſe of Parliament may cauſe any of their Members to ſwear and ſubſcribe as aforeſaid.

VII. And be it farther enacted by the authority aforeſaid, That from the ſaid firſt day of December, it ſhall and may be lawful to and for the Houſe of Peers, and Houſe of Commons, or either of them reſpectively, as often as they or either of them ſhall ſee occaſion, either in this preſent Parliament, or any other hereafter to be holden, to order and cauſe all, or any of the Members of their reſpective Houſes of Parliament, openly in their reſpective Houſes of Parliament, to take the ſaid Oaths, and to make and ſubſcribe the ſaid Declaration at ſuch times, and in ſuch manner as they ſhall appoint. (2) And if any Peer ſhall contrary to ſuch Order made by their ſaid Houſe, wilfully preſume to Sit therein, without taking the ſaid Oaths, and ſubſcribing the ſaid Declaration, according to the ſaid Order, every ſuch Peer, or Member of the Houſe of Peers, ſo preſuming to ſit, ſhall be adjudged, and is hereby declared to be uncapable and diſabled in Law to all intents and purpoſes whatſoever, to ſit in the ſaid Houſe of Peers, and give any Voice therein, either by Proxy, or otherwiſe howſoever, during that Parliament. (3) And if any Member or Members of the Houſe of Commons, ſhall contrary to ſuch Order made by their Houſe, wilfully preſume to ſit therein, without taking the ſaid Oaths, and making and ſubſcribing the ſaid Declaration, Every ſuch Member or Members of the Houſe of Commons, ſo preſuming to ſit, ſhall be adjudged, and is hereby declared to be uncapable, and diſabled in Law, to all intents and purpoſes whatſoever, to ſit in the ſaid Houſe of Commons, or give any Voice therein during that Parliament.

The places of Members of the Houſe of Commons diſabled to Vote, ſhall be void, and Writs iſſue out for new Elections.

VIII. And be it enacted, That in every caſe where any Member or Members of the Houſe of Commons ſhall by virtue of this Act be diſabled to ſit or vote in the Houſe of Commons, Then, and in every ſuch caſe, without any farther conviction, or other proceedings againſt ſuch Member or Members, the place or places for which they or any of them were elected, is hereby declared void, (2) and a new Writ or Writs ſhall iſſue out of the High Court of Chancery, by Warrant or Warrants from the Speaker of the Houſe of Commons for the time being, and by Order of the ſaid Houſe, for the Election of a new Member or Members, to ſerve in the Houſe of Commons, in the place or places of ſuch Member or Members ſo diſabled, to all intents and purpoſes, as if ſuch Member or Members were naturally dead.

The Kings and Queens ſworn Servants ſhall ſwear as aforeſaid, and make and ſubſcribe the ſaid Declaration. 25 Car. 2. cap. 2.

IX. And be it farther enacted by the authority aforeſaid, That from and after the firſt day of December, one thouſand ſix hundred ſeventy and eight, every perſon then being, and who after that time ſhall be a ſworn Servant to the Kings or Queens Majeſty, not having before that time duly taken the Oaths, and made and ſubſcribed the Declaration contained in an Act, Entituled, An Act for preventing Dangers which may happen from Popiſh Recuſants, ſhall take the ſaid Oaths, and make and ſubſcribe the Declaration before expreſſed, in his Majeſty's High Court of Chancery, in the manner aforeſaid, either in the next Term after the ſaid firſt day of December, or in the next Term after any ſuch perſon ſhall be ſo ſworn a Servant, or in caſe of lawful Impediment by Sickneſs, proved upon Oath, and allowed to be ſuch, under the Hand of the Lord Chancellor, or Lord Keeper for the time being, then in the next Term after ſuch Impediment removed; (2) and if any ſuch perſon ſhall refuſe or neglect to do the ſame, and yet after ſuch refuſal or neglect, ſhall adviſedly come into, or remain in the preſence of the Kings or Queens Majeſty, or ſhall come into the Court or Houſe where they or any of them reſide, as well during the Reign of his preſent Majeſty, as during the Reigns of his and their Royal Succeſſors, Kings or Queens of England, and every of them, every ſuch perſon ſhall be diſabled to hold any place as ſuch ſworn Servant, and ſhall incur and ſuffer all the pains, penalties, forfeitures and diſabilities in this Act mentioned or contained.

A Proviſion for the Queen to have eighteen Popiſh Servants.

X. Provided, That nothing in this Act ſhall relate to, or have any effect upon any perſon being a natural-born Subject of the King of Portugal, who now is, or hereafter ſhall be a ſworn Servant to the Queens Majeſty, not exceeding nine in number at any one time: (2) nor to ſuch Women-Servants as her Majeſty ſhall under her Hand and Seal from time to time for that purpoſe be pleaſed to nominate, the ſaid Women-Servants ſo nominated, not exceeding the number of nine at any one time.

XI. And be it enacted, That during the time of taking of the ſaid Oaths, and making and ſubſcribing the ſaid Declaration, all other Matters and Proceedings, as well in the ſaid Houſes of Parliament, as in the ſaid Court, ſhall ceaſe; (2) And the ſaid Oaths, Declaration, and Subſcription, together with a Schedule of the Names of the perſons who ſhall by vertue of this Act take and ſubſcribe the ſame, ſhall be made, entred and filed in Parchment Rolls from time to time, duly provided for that purpoſe by the Clerk of the Houſe of Lords, and the Clerk of the Houſe of Commons, and by the Clerk of the Petty-Bag in Chancery, for the ſeveral and reſpective uſes as aforeſaid; (3) and none of the Peers or Members ſhall give or pay any Fee or Reward to any ſuch Clerk, above the ſum of twelve pence for the Entry of his taking the ſaid Oaths, and making and ſubſcribing the ſaid Declaration: (4) All which Rolls reſpectively the ſaid Clerks are hereby required from time to time, without any Fee or Reward, to ſhew to any perſon deſiring to look upon the ſame: (5) And the ſaid Houſe of Peers, and Houſe of Commons, and Court of Chancery, are hereby ſeverally impowred and required in the firſt place, all other Buſineſs laid aſide, to adminiſter the ſaid Oaths, Declaration and Subſcription reſpectively, as occaſion ſhall be from time to time, to all and every the perſon and perſons aforeſaid, duly demanding the ſame, according to the directions, purport and meaning of this preſent Act.

Such as have Licence from ſix Privy Counſellors, may come into the Kings or Queens Preſence, this Act notwithſtanding.

XII. Provided always, That this Act, nor any thing herein contained, ſhall extend to the prejudice of any perſon for coming into, or remaining in the preſence of the King or Queens Majeſty, who ſhall firſt have Licence ſo to do, by any Warrant under the Hands and Seals of ſix or more Privy Councellors, by Order of his Majeſty's Privy Council, upon ſome urgent occaſion therein to be expreſſed, ſo as ſuch Licence exceed not the ſpace of ten days, and that the ſaid Licence be firſt filed and put upon Record in the Office of the Petty-Bag in Chancery, for any body to view without Fee or Reward, and no perſon be licenſed for above the number of thirty days in any one year.

Offenders againſt this Act that ſhall take the ſaid Oaths, &c. ſhall be diſcharged of all Penalties, &c.

XIII. Provided neverthleſs, That if any Offender contrary to this Act, ſhall at any time after ſuch Offence take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration in his Majeſty's High Court of Chancery, and in the manner aforeſaid, Every ſuch perſon ſhall be from thenceforth freed and diſcharged of and from all Seizures, Penalties and Loſſes which he might otherwiſe ſuſtain or bear for or by reaſon of being a Popiſh Recuſant Convict by vertue of this Act; (2) and ſhall be freed and diſcharged from all Diſabilities and Incapacities incurred thereby, (3) ſo as ſuch Freedom and Diſcharge extend not to reſtore any ſuch perſon to any Office or Place filled and ſupplied upon voidance by this Act, (4) nor to any other Officer, till after the expiration of one year, from the taking the ſaid Oath, and making the Declaration aforeſaid, (5) nor to make void, or at any time diſcharge the ſaid Forfeiture of five hundred pounds, incurred as aforeſaid.

A Proviſo for the Duke of York.

XIV. Provided always, That nothing in this Act contained, ſhall extend to his Royal Highneſs the Duke of York.

Anno Regni C A R O L I II. *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Triceſimo primo.*

AT the Parliament begun and held at *Weſtminſter* on the Sixth day of *March*, 1678. in the one and thirtieth year of the Reign of our Sovereign Lord CHARLES the Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, *&c.* on the ninth day of *May*, 1679. the following Acts paſſed the Royal Aſſent.

CAP. I.

An Act for Granting a Supply to his Majeſty of two hundred and ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, for paying off and disbanding the Forces raiſed ſince the nine and twentieth of *September*, one thouſand ſix hundred ſeventy ſeven, Exp. except the laſt Clauſe.

LIV. And whereas by the Laws and Cuſtoms of this Realm, the Inhabitants thereof cannot be compelled againſt their wills to receive Souldiers into their houſes, and to ſojourn them there, (2) Be it declared and enacted by the Authority aforeſaid, That no Officer, Military or Civil, nor any other perſon whatever, ſhall from henceforth preſume to Place, Quarter or Billet any Souldier or Souldiers upon any Subject or Inhabitant of this Realm, of any degree, quality or profeſſion whatever, without his conſent; (3) And that it ſhall and may be lawful for every ſuch Subject and Inhabitant, to refuſe to Sojourn or Quarter any Souldier or Souldiers, notwithſtanding any Command, Order, Warrant or Billeting whatever.

Soldiers ſhall not be quartered on any perſons againſt their conſent.

CAP. II.

An Act for the better ſecuring the Liberty of the Subject, and for Prevention of Impriſonment beyond the Seas.

Preamble.

Whereas great delays have been uſed by Sheriffs, Goalers, and other Officers to whoſe cuſtody any of the Kings Subjects have been committed for Criminal, or ſuppoſed Criminal Matters in making Return of Writs of Habeas Corpus to them directed, by ſtanding out an Alias and Pluries, Habeas Corpus, and ſometimes more, and by other ſhifts to avoid their yielding Obedience to ſuch Writs, contrary to their duty, and the known Laws of the Land, whereby many of the Kings Subjects have been, and hereafter may be long detained in Priſon, in ſuch Caſes where by Law they are Bailable, to their great charges and vexation:

II. For the prevention whereof, and the more ſpeedy relief of all perſons impriſoned for any ſuch Criminal or ſuppoſed Criminal Matters, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority thereof, That whenſoever any perſon or perſons ſhall bring any Habeas Corpus directed unto any Sheriff or Sheriffs, Goaler, Miniſter or other perſon whatſoever, for any perſon in his or their cuſtody, and the ſaid Writ ſhall be ſerved upon the ſaid Officer, or left at the Goal or Priſon with any of the Under-officers, Under-keepers or Deputy of the ſaid Officers or Keepers, that the ſaid Officer or Officers, his or their Under-Officers, Under-keepers or Deputies, ſhall within three days after the Service thereof as aforeſaid (unleſs the commitment aforeſaid were for Treaſon or Felony, plainly and ſpecially expreſſed in the Warrant of commitment) upon payment or tender of the charges of bringing the ſaid Priſoner to be aſcertained by the Judge or Court that awarded the ſame, and endorſed upon the ſaid Writ, not exceeding twelve pence per Mile, and upon Security given by his own Bond to pay the charges of carrying back the Priſoner, if he ſhall be remanded by the Court or Judge, to which he ſhall be brought according to the true intent of this preſent Act, and that he will not make any eſcape by the way, make return of ſuch Writ, (3) and bring, or cauſe to be brought the Body of the Party ſo committed or reſtrained, unto or before the Lord Chancellor, or Lord Keeper of the Great Seal of England, for the time being or the Judges or Barons of the ſaid Court from whence the ſaid Writ ſhall iſſue, or unto and before ſuch other perſon or perſons before whom the ſaid Writ is made returnable, according to the command thereof; (4) and ſhall then likewiſe certifie the true caſes of his Detainer or Impriſonment, unleſs the commitment of the ſaid Party be in any place beyond the diſtance of twenty miles from the place or places where ſuch Court or Perſon is or ſhall be reſiding; and if beyond the diſtance of twenty miles, and not above one hundred miles, then within the ſpace of ten days; and if beyond the diſtance of one hundred miles, then within the ſpace of twenty days after ſuch the delivery aforeſaid, and not longer.

Writs of Habeas Corpus within three days after ſervice to be returned, and the Body brought, if within twenty miles, &c.

III. And to the intent that no Sheriff, Goaler or other Officer may pretend ignorance of the Import of any ſuch Writ, (2) Be it enacted by the authority aforeſaid, That all ſuch Writs ſhall be marked in this manner, Per Statutum triceſimo primo Caroli Secundi Regis, and ſhall be ſigned by the perſon that awards the ſame; (3) And if any perſon or perſons ſhall be, or ſtand committed or detained as aforeſaid, for any Crime unleſs for Felony or Treaſon, plainly expreſſed in the Warrant of commitment in the Vacation time, and out of Term, it ſhall and may be lawful to and for the perſon or perſons ſo committed or detained (other then perſons Convict or in Execution) by legal Proceſs, or any one on his or their behalf, to appeal or complain to the Lord Chancellor or Lord Keeper, or any one of his Majeſties Juſtices, either of the one Bench or of the other, or the Barons of the Exchequer of the degree of the Coif; (4) and the ſaid Lord Chancellor, Lord Keeper, Juſtices or Barons, or any of them, upon view of the Copy or Copies of the Warrant or Warrants of commitment and detainer, or otherwiſe upon Oath made, that ſuch Copy or Copies were denied to be given by ſuch perſon or perſons in whoſe cuſtody the Priſoner or Priſoners is or are detained, are hereby authoriſed and required, upon requeſt made in writing by ſuch perſon or perſons, or any on his, her or their behalf, atteſted and ſubſcribed by two Witneſſes who were preſent at the delivery of the ſame, to award and grant an Habeas Corpus under the Seal of ſuch Court whereof he ſhall then be one of the Judges, (5) to be directed to the Officer or Officers in whoſe cuſtody the party ſo committed or detained ſhall be returnable immediate before the ſaid Lord Chancellor or Lord Keeper, or ſuch Juſtice, Baron, or any other Juſtice or Baron of the degree of the Coif of any of the ſaid Courts; (6) and upon Service thereof as aforeſaid, the Officer or Officers, his or their Under-officer or Under-officers, Under-keeper or Under-keepers or Deputy in whoſe cuſtody the party is ſo committed or detained, ſhall within the times reſpectively before limited, bring ſuch Priſoner or Priſoners before the ſaid Lord Chancellor or Lord Keeper, or ſuch Juſtices, Barons, or one of them, before whom the ſaid Writ is made returnable, and in caſe of his abſence, before any other of them, with the Return of ſuch Writ, and the true caſes of the commitment and detainer; (7) and thereupon within two days after the party ſhall be brought before them, the ſaid Lord Chancellor or Lord Keeper, or ſuch Juſtice or Baron before whom the Priſoner ſhall be brought as aforeſaid, ſhall diſcharge the ſaid Priſoner from his Impriſonment, taking his or their Recognizance, with

Such Writs how to be marked.

Writs of Habeas Corpus, and the proceedings thereon in Vacation time.

one or more Surety or Sureties in any ſum, according to their diſcretions, having regard to the quality of the Priſoner, and nature of the offence, for his or their appearance in the Court of Kings Bench the Term following, or at the next Aſſizes, Seſſions or General Goal-delivery of and for ſuch County, City or Place where the commitment was, or where the offence was committed, or in ſuch other Court where the ſaid offence is properly cognizable, as the caſe ſhall require, and then ſhall certifie the ſaid Writ, with the return thereof, and the ſaid Recognizance or Recognizances, into the ſaid Court where ſuch Appearance is to be made, (6) unleſs it ſhall appear unto the ſaid Lord Chancellor or Lord Keeper, or Juſtice or Juſtices, Baron or Barons, that the party ſo committed is detained upon a legal Proceſs, Order or Warrant, out of ſome Court that hath Juriſdiction of Criminal Matters, or by ſome Warrant ſigned and ſealed with the Hand and Seal of any of the ſaid Juſtices or Barons, or ſome Juſtice or Juſtices of the Peace for ſuch matters or offences for the which by the Law the Priſoner is not bailable.

Perſons neglecting two Terms to pray a Habeas Corpus, ſhall have none in Vacation-time, in purſuance of this Act.

IV. Provided always, and be it enacted, That if any perſon ſhall have wilfully neglected by the ſpace of two whole Terms after his Impriſonment, to pray a Habeas Corpus for his enlargment, ſuch perſon ſo wilfully neglecting, ſhall not have any Habeas Corpus to be granted in Vacation-time, in purſuance of this Act.

Officers how to be proceeded againſt for not obeying ſuch Writs.

V. And be it farther enacted by the authority aforeſaid, That if any Officer or Officers, his or their Under-officer or Under-officers, Under-keeper or Under-keepers, or Deputy, ſhall neglect or refuſe to make the returns aforeſaid, or to bring the body or bodies of the Priſoner or Priſoners according to the command of the ſaid Writ, within the reſpective times aforeſaid, or upon demand made by the priſoner or perſon in his behalf, ſhall refuſe to deliver, or within the ſpace of ſix hours after demand, ſhall not deliver to the perſon ſo demanding, a true Copy of the Warrant or Warrants of commitment and detainer of ſuch priſoner, which he and they are hereby required to deliver accordingly, all and every the Head Goalers and Keepers of ſuch Priſons, and ſuch other perſon in whoſe cuſtody the priſoner ſhall be detained, ſhall for the firſt offence forfeit to the priſoner or party grieved, the ſum of one hundred pounds, (2) and for the ſecond offence the ſum of two hundred pounds, and ſhall and is hereby made incapable to hold or execute his ſaid Office; (3) the ſaid Penalties to be recovered by the priſoner or party grieved, his Executors or Adminiſtrators, againſt ſuch Offendor, his Executors or Adminiſtrators, by any Action of Debt, Suit, Bill, Plaint or Information, in any of the Kings Courts at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Injunction, Wager of Law, or ſtay of proſecution by Non vult ulterius proſequi or otherwiſe, ſhall be admitted or allowed, or any more then one Imparlance; (4) and any Recovery or Judgment at the Suit of any party grieved, ſhall be a ſufficient Conviction for the firſt offence; and any after Recovery or Judgment at the Suit of a party grieved for any offence after the firſt Judgment, ſhall be a ſufficient Conviction to bring the Officers or Perſon within the ſaid penalty for the ſecond offence.

Perſons ſet at large not to be recommitted but by order of Court.

VI. And for the prevention of unjuſt vexation by reiterated commitments for the ſame offence, (2) Be it enacted by the authority aforeſaid, That no perſon or perſons which ſhall be delivered or ſet at large upon any Habeas Corpus, ſhall at any time hereafter be again impriſoned or committed for the ſame offence, by any perſon or perſons whatſoever, other then by the legal Order and Proceſs of ſuch Court wherein he or they ſhall be Bound by Recognizance to appear, or other Court having Juriſdiction of the Cauſe; (3) and if any other perſon or perſons ſhall knowingly contrary to this Act recommit or impriſon, or knowingly procure or cauſe to be recommitted or impriſoned for the ſame offence, or pretended offence, any perſon or perſons delivered or ſet at large as aforeſaid, or be knowingly aiding or aſſiſting therein, then he or they ſhall forfeit to the priſoner or party grieved, the ſum of five hundred pounds, Any colourable pretence or variation in the Warrant or Warrants of commitment notwithſtanding, to be recovered as aforeſaid.

Perſons committed for Treaſon or Felony, ſhall be indicted the next Term, or let to bail.

VII. Provided always, and be it farther enacted, That if any perſon or perſons ſhall be committed for High Treaſon or Felony, plainly and ſpecially expreſſed in the Warrant of commitment, upon his Prayer or Petition in open Court the firſt week of the Term, or firſt day of the Seſſions of Oyer and Terminer, or General Goal-delivery, to be brought to his Trial, ſhall not be indicted ſome time in the next Term, Seſſions of Oyer and Terminer, or General Goal-delivery after ſuch commitment, it ſhall and may be lawful to and for the Judges of the Court of Kings Bench, and Juſtices of Oyer and Terminer, or General Goal-delivery, and they are hereby required upon motion to them made in open Court the laſt day of the Term, Seſſions or Goal delivery, either by the Priſoner, or any one in his behalf, to ſet at liberty the Priſoner upon Bail, unleſs it appear to the Judges and Juſtices upon Oath made, that the Witneſſes for the King could not be produced the ſame Term, Seſſions, or General Goal-delivery; (2) And if any perſon or perſons committed as aforeſaid, upon his Prayer or Petition in open Court the firſt week of the Term, or firſt day of the Seſſions of Oyer and Terminer and General Goal-delivery, to be brought to his Tryal, ſhall not be indicted and tried the ſecond Term, Seſſions of Oyer and Terminer or General Goal-delivery after his commitment, or upon his Trial ſhall be acquitted, he ſhall be diſcharged from his Impriſonment.

And tryed the Term, &c. after, or diſcharged.

VIII. Provided always, That nothing in this Act ſhall extend to diſcharge out of Priſon any perſon charged in Debt, or other Action, or with Proceſs in any Civil Cauſe, but that after he ſhall be diſcharged of his Impriſonment for ſuch his Criminal Offence, he ſhall be kept in cuſtody according to the Law, for ſuch other Suit.

IX. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons Subjects of this Realm, ſhall be committed to any Priſon, or in cuſtody of any Officer or Officers whatſoever, for any Criminal, or ſuppoſed Criminal Matter, that the ſaid perſon ſhall not be removed from the ſaid priſon and cuſtody, into the cuſtody of any other Officer or Officers, (2) unleſs it be by Habeas Corpus, or ſome other legal Writ; or where the Priſoner is delivered to the Conſtable, or other inferiour Officer to carry ſuch Priſoner to ſome common Goal; (3) or where any Perſon is ſent by Order of any Judge of Aſſiſe, or Juſtice of the Peace, to any common Work-houſe or houſe of Correction; (4) or where the Priſoner is removed from one priſon or place to another within the ſame County, in order to his or her Trial or Diſcharge in due courſe of Law; (5) or in caſe of ſudden Fire or Infection, or other neceſſity; (6) and if any perſon or perſons ſhall after ſuch commitment aforeſaid, make out and ſign, or counterſign any Warrant or Warrants for ſuch removal aforeſaid, contrary to this Act, as well he that makes or ſigns, or counterſigns ſuch Warrant or Warrants, as the Officer or Officers that obey or execute the ſame, ſhall ſuffer and incur the Pains and Forfeitures in this Act before mentioned, both for the firſt and ſecond Offence reſpectively, to be recovered in manner aforeſaid by the Party grieved.

X. Provided alſo, and be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any Priſoner and Priſoners as aforeſaid, to move and obtain his or their Habeas Corpus as well out of the High Court of Chancery, or Court of Exchequer, as out of the Courts of Kings Bench or Common Pleas, or either of them; (2) and if the ſaid Lord Chancellor or Lord Keeper, or any Judge or Judges, Baron or Barons for the time being, of the Degree of the Coif, of any of the Courts aforeſaid, in the Vacation-time, upon view of the Copy or Copies of the Warrant or Warrants of Commitment or Detainer, or upon Oath made that ſuch Copy or Copies were denied as aforeſaid, ſhall deny any Writ of Habeas Corpus by this Act required to be granted, being moved for as aforeſaid, they ſhall ſeverally forfeit to the Priſoner or Party grieved, the ſum of five hundred pounds, to be recovered in manner aforeſaid.

The penalty for denying a Habeas Corpus.

XI. And be it declared and enacted by the authority aforeſaid, That an Habeas Corpus according to the true intent and meaning of this Act, may be directed and run into any County Palatine, the Cinque-ports, or other priviledged Places within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, and the Iſles of Jerſey or Guernſey; Any Law or Uſage to the contrary notwithſtanding.

Habeas Corpus ſhall run into County Palatine, and priviledged places.

XII. And for preventing illegal Impriſonments in Priſons beyond the Seas, (2) Be it farther enacted by the authority aforeſaid, That no Subject of this Realm that now is, or hereafter ſhall be an Inhabitant or Reſiant of this Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, ſhall or may be ſent Priſoner into Scotland, Ireland, Jerſey, Guernſey, Tangier, or into Parts, Garriſons, Iſlands or Places beyond the Seas, which are, or at any time hereafter ſhall be within or without the Dominions of his Majeſty, his Heirs or Succeſſors, (3) and that every ſuch Impriſonment is hereby enacted and adjudged to be illegal; (4) and that if any of the ſaid Subjects now is, or hereafter ſhall be ſo impriſoned, every ſuch perſon and perſons ſo impriſoned, ſhall and may for every ſuch Impriſonment, maintain by vertue of this Act, an Action or Actions of Falſe Impriſonment, in any of his Majeſties Courts of Record, againſt the perſon or perſons by whom he or ſhe ſhall be ſo committed, detained, impriſoned, ſent priſoner or tranſported contrary to the true meaning of this Act, and againſt all or any perſon or perſons that ſhall Frame, Contrive, Write, Seal or Counterſign any Warrant or Writing for ſuch Commitment, Detainer, Impriſonment or Tranſportation, or ſhall be adviſing, aiding or aſſiſting in the ſame, or any of them; (5) and the Plaintiff in every ſuch Action ſhall have Judgment to recover his treble Coſts, beſides Damages; which Damages ſo to be given, ſhall not be leſs then five hundred pounds; (6) In which Action no delay, ſtay or ſtop of Proceeding by Rule, Order or Command, nor no Injunction, Protection or Priviledge whatſoever, nor any more then one Imparlance ſhall be allowed, excepting ſuch Rule of the Court wherein the Action ſhall depend, made in open Court, as ſhall be thought in Juſtice neceſſary, for ſpecial cauſe to be expreſſed in the ſaid Rule; (7) and the perſon or perſons who ſhall knowingly frame, contrive, write, ſeal or counterſign any Warrant for ſuch Commitment, Detainer or Tranſportation, or ſhall ſo commit, detain, impriſon or tranſport any Perſon or Perſons contrary to this Act, or be any ways adviſing, aiding or aſſiſting therein, being lawfully convicted thereof, ſhall be diſabled from thenceforth to bear any Office of Truſt or Profit within the ſaid Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, or any of the Iſlands, Territories or Dominions thereunto belonging, (8) and ſhall incur and ſuſtain the Pains, Penalties and Forfeitures limited, ordained and provided in and by the Statute of Proviſion and Præmunire, made in the ſixteenth year of King Richard the ſecond, (9) and be incapable of any Pardon from the King, his Heirs or Succeſſors of the ſaid Forfeitures, Loſſes or Diſabilities, or any of them.

No Subjects ſhall be ſent to Foreign Priſons.

The penalty.

XIII. Provided always, That nothing in this Act extend to give benefit to any perſon who ſhall by Contract in Writing agree with any Merchant or Owner of any Plantation, or other perſon whatſoever, to be tranſported to any parts beyond the Seas, and receive Earneſt upon ſuch Agreement, although that afterwards ſuch perſon ſhall renounce ſuch Contract.

Perſons receiving Earneſt upon contracts to be tranſported excepted.

XIV. Provided always, and be it enacted, That if any perſon or perſons lawfully convicted of any Felony, ſhall in open Court pray to be tranſported beyond the Seas, and the Court ſhall think fit to leave him or them in Priſon for that purpoſe, ſuch perſon or perſons may be tranſported into any parts beyond the Seas; This Act or any thing therein contained to the contrary notwithſtanding.

Perſons convicted of Felony, and praying tranſportation, excepted.

XV. Provided alſo, and be it enacted, That nothing herein contained, ſhall be deemed, conſtrued, or taken to extend to the Impriſonment of any perſon before the firſt day of June, one thouſand ſix hundred ſeventy and nine, or to any thing adviſed, procured, or otherwiſe done, relating to ſuch Impriſonment; Any thing herein contained to the contrary notwithſtanding.

Impriſonments before the firſt of June 1679. excepted.

XVI. Provided alſo, That if any perſon or perſons at any time reſiant in this Realm, ſhall have committed any Capital Offence in Scotland or Ireland, or any of the Iſlands, or Foreign Plantations of the King, his Heirs or Succeſſors, where he or ſhe ought to be tried for

Offenders may be ſent to be tried where their Offences were committed.

ſuch Offence, ſuch perſon or perſons may be ſent to ſuch place, there to receive ſuch Trial in ſuch manner as the ſame might have been uſed before the making of this Act; Any thing herein contained to the contrary notwithſtanding.

Proſecutions for Offences within what time to be made.

XVII. Provided always, and be it enacted, That no perſon or perſons ſhall be ſued, impleaded, moleſted or troubled for any Offence againſt this Act, unleſs the party offending be ſued or impleaded for the ſame within two years at the moſt after ſuch time wherein the Offence ſhall be committed, in caſe the party grieved ſhall not be then in Priſon, and if he ſhall be in Priſon, then within the ſpace of two years after the deceaſe of the perſon impriſoned, or his, or her delivery out of priſon, which ſhall firſt happen.

After the Aſſiſes proclaimed, no Priſoner to be removed, but before the Judge of Aſſize.

XVIII. And to the intent no perſon may avoid his Tryal at the Aſſiſes, or General Gaol-delivery, by procuring his Removal before the Aſſiſes, at ſuch time as he cannot be brought back to receive his Tryal there, (2) Be it enacted, That after the Aſſiſes proclaimed for that County where the Priſoner is detained, no perſon ſhall be removed from the Common Gaol upon any Habeas Corpus granted in purſuance of this Act, but upon any ſuch Habeas Corpus ſhall be brought before the Judge of Aſſiſe in open Court, who is thereupon to do what to Juſtice ſhall appertain.

XIX. Provided nevertheleſs, That after the Aſſiſes are ended, any perſon or perſons detained, may have his or her Habeas Corpus according to the direction and intention of this Act.

In Suits for offence againſt this Law, the Defendants may plead the general iſſue, &c.

XX. And be it alſo enacted by the authority aforeſaid, That if any Information, Suit or Action ſhall be brought or exhibited againſt any perſon or perſons for any offence committed or to be committed againſt the form of this Law, it ſhall be lawful for ſuch Defendants to plead the general Iſſue, that they are Not Guilty, or that they owe nothing, and to give ſuch ſpecial matter in Evidence to the Jury that ſhall try the ſame, which matter being pleaded, had been good and ſufficient matter in Law to have diſcharged the ſaid Defendant or Defendants againſt the ſaid Information, Suit or Action, and the ſaid matter ſhall be then as available to him or them, to all intents and purpoſes, as if he or they had ſufficiently pleaded, ſet forth or alledged the ſame matter in Bar or Diſcharge of ſuch Information, Suit or Action.

Perſons committed as Acceſſaries before to Petty Treaſon or Felony, ſhall not be removed or bailed otherwiſe then before this Act made.

XXI. And becauſe many times perſons charged with Petty Treaſon or Felony, or as Acceſſaries thereunto, are committed upon Suſpicion only, whereupon they are bailable or not, according as the circumſtances making out that Suſpicion are more or leſs weighty, which are beſt known to the Juſtices of Peace that committed the perſons, and have the Examinations before them, or to other Juſtices of the Peace in the County, (2) Be it therefore enacted, That where any perſon ſhall appear to be committed by any Judge or Juſtice of the Peace, and charged as acceſſary before the Fact, to any Petty Treaſon or Felony, or upon Suſpicion thereof, or with Suſpicion of Petty Treaſon or Felony, which Petty Treaſon or Felony ſhall be plainly and ſpecially expreſſed in the Warrant of Commitment, that ſuch perſon ſhall not be removed or bailed by vertue of this Act, or in any other manner then they might have been before the making of this Act.

CAP. III.

An Act for Reingroſſing of the Records of Fines Burnt or Loſt in the late Fire in the Temple.

Preamble.

WHereas by the late dreadful Fire in the Temple London, the Office of the Chirographer of Fines of the Court of Common Pleas there kept, was ſo ſuddenly burnt down, that although all poſſible endeavours were uſed for the preſervation of the Records of Fines there remaining, from the ſaid Fire, nevertheleſs ſeveral Records of Fines engroſſed of Trinity and Michaelmas Term laſt, were either conſumed by the ſaid Fire, or loſt in the haſty removing of the ſaid Records, and are not to be found;

II. And whereas the ſaid Fines ſo burnt, or loſt, had duly paſt all the Offices, ſo that by the Records of the Kings Silver, the Notes of the Curſitor that made out the Writs of Covenant, and the Entries thereof at the Office of Alienation, and by the Book of Entries of Fines kept by the Chirographers Deputy, and the ſeveral Indentures and Exemplifications delivered out to the Parties, and by divers other Entries and Notes upon ſuch Fines taken, the full Contents of all ſuch Fines, upon Examination, will evidently appear: (2) Nevertheleſs, for want of the Records of the ſaid Fines burnt or loſt as aforeſaid, divers Purchaſors and others, whoſe Titles were ſecured by and under the ſaid Fines, are in danger to have the ſame Impeached, unleſs ſome ſpeedy remedy be taken herein.

The Chirographer ſhall certifie the Notes of Fines loſt or burnt.

A Copy of ſuch Certificate to be ſet up near the Common Pleas.

And at the Aſſiſes or Quarter-Seſſions.

III. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by and with the authority of the ſame, That the ſaid Chirographer or his Deputy, ſhall before the end of Trinity Term next, upon Oath, certifie to the Juſtices of the Common Pleas, a Note of all ſuch Fines entred into the ſaid Book kept by the ſaid Deputy, that he upon diligent ſearch ſhall find were either burnt or loſt by reaſon of the ſaid Fire; (2) which Certificate is to be in Parchment fairly written, and a Copy thereof ſet up in Weſtminſter Hall, in ſome publick place near the ſaid Court of Common Pleas, there to remain during the four next Terms after the ſaid Certificate made as aforeſaid; (3) and alſo Tranſcripts ſhall be made of the ſaid Certificate, by the ſaid Chirographer, of all the Fines in every County that are miſſing, and the ſame delivered to the reſpective Sheriffs of every County, or their Deputies, within a week after the end of the ſaid Trinity Term next, who are required to cauſe the ſame to be ſet up at the next Summer Aſſiſes, and if no ſuch Aſſiſes be held, then at the next general Quarter-Seſſions of the Peace after Michaelmas next, in ſome publick place where ſuch Aſſiſes or Quarter-Seſſions ſhall be held, and there to continue during the ſaid Aſſiſes or Quarter-Seſſions, to the end all perſons concerned, may have thereof timely and due notice.

IV. And be it farther enacted by the authority aforeſaid, That at any time within the ſpace of three years now next enſuing, the chief Juſtice of the ſaid Court of Common Pleas, together with any one or more of the Juſtices of the ſaid Court, ſhall have power, and are hereby required in or out of Term, to ſend for any Officers, Records, Books, Entries or other matter or thing relating to the ſaid Fines, as to them ſhall ſeem meet for their fuller Information in the Premiſſes; (2) and upon full Examination by them taken of and concerning any ſuch Fine, the Records whereof were burnt or loſt as aforeſaid, by ſuch ways or means as they ſhall think fit, for the better diſcovery of the full Contents of ſuch Fines, they ſhall direct the ſaid Chirographer or his Deputy to new engroſs the Note and Foot of ſuch Fines, which the ſaid Chirographer is hereby required to do without Fee, (3) and after ſuch Note and Foot engroſſed, to carry the ſame before the ſaid Chief Juſtice, and ſuch other of the ſaid Juſtices that ſhall have taken the Examinations concerning the burning or loſs of the ſaid Fine or Fines, who are required to ſubſcribe their Names at the bottom of the ſaid Note and Foot, with theſe words being engroſſed next above ſuch Subſcription, Ingroſ' ſecundum formam Statuti de Anno triceſimo primo Caroli Secundi Regis: (4) And thereupon the Foot of ſuch Fine and Fines ſo engroſſed, with the Proclamations thereof of that Term, and of the three ſubſequent Terms thereupon endorſed, ſhall be delivered to, and filed up by the Cuſtos Brevium of the ſaid Court, amongſt the Foot of Fines of the ſame Term, and the Notes thereof ſo new engroſſed, to be filed by the ſaid Chirographer, amongſt the Notes of Fines of the ſame Term.

The Juſtices of the Common Pleas may upon examination direct the Chirographer to new engroſs the note and foot of Fines burnt or loſt. And ſhall ſubſcribe their names at the bottom thereof. How the ſame ſhall be filed.

V. And it is hereby farther enacted, That every ſuch Fine and Fines, the Records whereof being ſo new ingroſt as aforeſaid, ſhall be of the ſame force and effect as if the Writ of Covenant, Writ of Dedimus Poteſtatem, where ſuch Fine was taken by Commiſſion with the Concord, Foot and Note of the ſaid Fine or Fines, had ſtill remained upon Record inconſumed or not loſt, (2) and that no ſuch Fine ſhall at any time hereafter be avoided or reverſed for lack of any Writ of Covenant, Writ of Dedimus Poteſtatem, Concord or other Record, conſumed or loſt by the ſaid Fire, (3) and that upon any Writ or Writs of Error, hereafter at any time to be brought for the reverſing of any ſuch Fine, the Cuſtos Brevium, and Chirographer, ſhall together with the Note and Foot of ſuch Fine, certifie the ſaid Subſcription of the ſaid Chief Juſtice, or other Juſtice or Juſtices of the ſaid Court, to the end it may appear to the Judges before whom ſuch Writ of Error ſhall depend, that the ſame Fine was new engroſſed by vertue of this Act.

The force and effect of ſuch Fines.

The Judges ſubſcription to be certified, together with the note and foot of ſuch Fines.

VI. And be it farther enacted by the authority aforeſaid, That no perſon or perſons ſhall take any Fee or Reward for any thing by him or them to be done in the Execution of this Act.

All this to be done without Fee.

Anno Regni C A R O L I *II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Triceſimo ſecundo.*

AT the Parliament Summoned to begin at *Weſtminſter* on the Seventeenth day of *October*, 1679. in the One and Thirtieth year of our Soveraign Lord CHARLES the Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And by ſeveral Prorogations continued to the One and Twentieth day of *October*, 1680. in the Thirty ſecond year of his ſaid Majeſty's Reign. And thence continued to the Tenth of *January* next enſuing, on which day the following Acts paſſed the Royal Aſſent.

CAP. I.

An Additional Act for Burying in Woollen.

WHereas in one Act of Parliament paſſed in the thirtieth year of his Majeſty's Reign that now is, Entituled, An Act for burying in Woollen, it was amongſt other things, enacted and ordained, That the Affidavits which were to be made of any perſons being interred in Woollen according to the directions in the ſaid Act, ſhould be made or taken before ſome one Juſtice of the Peace or Maſter of Chancery, Ordinary or Extraordinary, Mayor, Bailiff, or other chief Officer of the City, County, Borough, Corporation or Market-Town in the County where the ſaid party was buried who are hereby authorized and required to adminiſter the ſaid Oath, and to atteſt the ſame under their Hands upon ſuch Affidavit gratis:

A recital of former Affidavits. Cap. 3. Sect. 5. N. 1.

II. And whereas by reaſon of the diſtance of the Habitations of the perſons before whom ſuch Affidavit is to be made, and other accidents, divers perſons who have had occaſion to make ſuch Affidavits, have been neceſſitated to travel many miles for the making thereof, to their great loſs of time, and hinderance of their other Affairs:

The hindrance of Affidavits by diſtance of place.

III. Be it therefore enacted, and it is hereby enacted by the Kings moſt excellent Majeſty, at and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the ſecond day of February, in the year of our Lord, One thouſand ſix hundred and eighty, (where no Juſtice of the Peace ſhall reſide or be to be found in any Pariſh where any party ſhall be interred) the ſaid Oaths or Affidavits may be adminiſtred, not only by any Juſtice of the Peace, or Maſtery of Chancery, Ordinary or Extraordinary, Mayor, Bailiff, or other Chief Officer of the City, County, Burrough, Corporation, or Market-Town in the County where any party was buried; but alſo that the Parſons, Vicars, and Curates, in every Pariſh or Chappel of Eaſe, within the County where any party ſhall be interred, (except only the Parſon, Vicar, and Curate of the Pariſh or Chappel of Eaſe where the party is interred, concerning whoſe Interment in Woollen ſuch Affidavit is to be made) be, and are hereby authorized and required to adminiſter the ſaid Oaths or Affidavits, and to atteſt the ſame under their Hands gratis: (2) And that every ſuch Affidavit taken before them, ſhall be of like force and effect, as if the ſame had been taken and adminiſtred by the perſons authorized to adminiſter the ſame by the Act aforeſaid.

Where no Juſtice reſides or is found in the Pariſh of burial, the Parſon, Vicar, and Curate may take Affidavit of burial in Woollen only.

Affidavit taken by Parſon, &c. as effectual as by 30 Car. 2. c. 3. Sect. 5. N. 1.

CAP. II.

An Act prohibiting the Importation of Cattel from *Ireland*.

A recital of 18 Car. 2. cap. 2.

Whereas an Act of Parliament was made in the eighteenth year of the Reign of our Sovereign Lord the King that now is, Entituled, An Act againſt Importing Cattel from *Ireland*, and other parts beyond the Seas, and Fiſh taken by Foreigners; which was to continue until the end of ſeven years, and from thence to the end of the firſt Seſſion of the next Parliament, which is now expired:

The benefit of it. That 18 Car. 2. cap. 2. be revived and continued for ever.

II. And foraſmuch as by long experience the ſaid Law hath been found to be very beneficial to this Kingdom, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and every Clauſe, Article, and Thing therein contained, together with the additions and alterations herein after mentioned and expreſſed, ſhall from and after the ſecond day of February, which ſhall be in the year of our Lord God, one thouſand ſix hundred and eighty, be revived, continue and remain, and is hereby revived and continued in force, to all intents, conſtructions, and purpoſes for ever.

Not only Officers, but all perſons may ſeize Iriſh Cattel and Goods imported. All Seizors to have benefit.

III. And be it farther enacted by the authority aforeſaid, That not only the Conſtables, Officers, and Inhabitants mentioned in the aforeſaid recited Act, but any and every other perſon and perſons whatſoever, ſhall and may take and ſeize, in any place or places whatſoever, the Cattel and Goods imported contrary to the ſaid recited Act, (2) and that all and every ſuch perſon and perſons that ſhall ſeize as aforeſaid, ſhall from time to time have the benefit and advantage hereafter given by this Act to any Seizor or Seizors whatſoever.

To prevent fraudulent ſales and compoſitions.

IV. And to prevent all fraudulent Seizures, Sales and Compoſitions, to be made by any perſon or perſons whatſoever, in any Pariſh or place whatſoever, where any great Cattel, Sheep, or Swine ſhall be imported or found contrary to this, or the Act aforeſaid, and to make the Prohibitions therein more effectual,

Seizor ſhall cauſe the Cattel to be killed. Hides and Tallow to be the Seizors, the reſt to be diſtributed to the Poor by the Churchwardens, &c.

V. Be it enacted by the authority aforeſaid, That all and every the reſpective Seizor or Seizors of ſuch Cattel, Sheep or Swine, ſhall within ſix days after Conviction and Forfeiture thereof, cauſe the ſaid Cattle, Sheep, and Swine to be killed, (2) and the Hides and Tallow of ſuch great Cattel, Sheep and Swine, ſhall be and remain to the uſe of the ſaid Seizor or Seizors, and the remainder of the ſaid great Cattel, Sheep and Swine, ſhall be forthwith diſtributed amongſt the Poor of the ſaid Pariſh, by the Churchwardens and Overſeers of the Poor there, or ſome of them, upon notice thereof to be given them, or any of them, by ſuch Seizor or Seizors as aforeſaid; any thing in the ſaid former Law, or any other Law to the contrary notwithſtanding.

Seizors, Churchwardens and Overſeers on neglect forfeit xl s. each great Cattel, and x s. each Sheep or Swine. To be levied by diſtreſs and ſale of Chattels by Warrant of any Juſtice, &c.

VI. And be it farther enacted, That in caſe the ſaid Seizor or Seizors, or the Churchwardens and Overſeers of the Poor, ſhall fail in their reſpective Duties, in the Execution of this Act, They and every of them reſpectively, ſhall forfeit the ſum of forty ſhillings for every one of the great Cattel, and ten ſhillings for every Sheep or Swine, which ſhould have been killed and diſtributed as aforeſaid, one moiety thereof to the Poor of the ſaid Pariſh, and the other moiety to the Informer: (2) The ſame to be levied by diſtreſs and ſale of the Goods and Chattels of the perſon or perſons ſo offending, by Warrant under the Hand and Seal of any Juſtice of the Peace of the ſaid County or place where the ſaid Offence ſhall be committed, upon confeſſion of the party, view of the ſaid Juſtice, or Oath thereof made before ſuch Juſtice by one or more credible Witneſs or Witneſſes, other then the Informer: Which Oath the ſaid Juſtice hath hereby power to adminiſter, rendring the overplus to the Owners thereof, neceſſary Charges of diſtraining being firſt deducted. (3) And for want of ſuch Diſtreſs, the ſaid Offender or Offenders to be committed to the common Goal of the ſaid County or place, there to remain for the ſpace of three months without Bail or Mainprize.

For want of diſtreſs, the party to be impriſoned without bail three months. Nothing herein to hinder Importation of Stock-fiſh and Eels. Any perſon may import Stock-fiſh and live Eels.

VII. Provided always, and be it farther enacted by the authority aforeſaid, That neither this Act nor any other Act whatſoever hereafter made, ſhall either hinder or be conſtrued to extend to hinder the Importation of Stock-fiſh or live Eels into this Kingdom of England; (2) but that it ſhall and may be lawful to and for all and every perſon and perſons whatſoever to import into this Kingdom of England, any Stock-fiſh or live Eels as aforeſaid; any thing in this Act or any other Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

Want of ſufficient proviſion againſt Importation of Mutton and Lamb. No Mutton or Lamb ſhall be imported. Mutton or Lamb imported or expoſed to ſale, ſubject to former penalties.

VIII. And whereas the preſent Laws do not ſufficiently provide againſt the Importation of Mutton and Lamb out of Ireland, and other parts beyond the Seas into this Kingdom, but that great quantities thereof are daily imported and ſold, to the great loſs and prejudice of this Kingdom, (2) Be it therefore enacted by the authority aforeſaid, That from and after the ſaid ſecond day of February, no Mutton or Lamb ſhall be imported into this Kingdom from the Kingdom of Ireland or any foreign parts; (3) And all Mutton and Lamb imported from Ireland, or beyond the Seas, or that ſhall be expoſed to ſale within this Kingdom, ſhall be ſubject to the like Seizures, and the Importers and Sellers thereof reſpectively to the like penalties as are provided and appointed in any former Law againſt any Importer or Seller, or Importation of any Beef, Pork or Bacon, from the Kingdom of Ireland, or any foreign parts; any thing in this or any former Law or Statute to the contrary notwithſtanding.

Want of Proviſion againſt Importation of Cheeſe and Butter. No Butter or Cheeſe ſhall be imported. Butter and Cheeſe imported and expoſed to ſale ſubject to former penalties.

IX. And whereas the preſent Laws do not ſufficiently provide againſt the Importation of Butter and Cheeſe out of Ireland into this Kingdom, but that great quantities thereof are daily imported and ſold to the great loſs and prejudice of this Kingdom; (2) Be it therefore enacted by the authority aforeſaid, That from and after the ſaid ſecond day of February, no Butter or Cheeſe ſhall be imported into this Kingdom from the Kingdom of Ireland; (3) And all Butter and Cheeſe imported from Ireland, or that ſhall be expoſed to ſale within this Kingdom, ſhall be ſubject to the like Seizures, and the Importers or Sellers thereof reſpectively, to the like penalties as are provided or appointed in any former Law againſt any Importer or Seller, or Importation of any Beef, Bacon or Pork from the Kingdom of Ireland, or any Foreign parts; Any thing in this or any former Law or Statute to the contrary notwithſtanding.

For execution of 18 Car. 2. c. 2. ſeizure to be in any Pariſh into which Cattel remove.

X. And for the more effectual execution of this and the aforeſaid Act, (2) Be it farther enacted by the authority aforeſaid, That if any great Cattel, Sheep or Swine ſhall be once or oftner ſeized in purſuance of this or the aforeſaid Act, and afterwards either by permiſſion, connivance, negligence or otherwiſe ſhall be removed into, and found alive in any Pariſh or place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, other then ſuch Pariſh or place wherein they ſhall have been reſpectively ſeiſed, That then the ſaid Cattel, Sheep and Swine, ſhall be liable to like Seizure, and the Seizor and Poor of the Pariſh or place have like benefit and advantage, and the Cattel, Sheep and Swine be forfeited, and the proof be incumbent upon the Owner, as if ſuch Cattel had never before been ſeized.

Fraud in intermixing droves.

English Cattel driven or intermixed with Iriſh, to be ſeized as Iriſh.

XI. And whereas divers perſons on purpoſe to diſcourage others from making Seizure of Iriſh Cattel, have intermixed ſome few Engliſh or other Cattel in droves of Iriſh Cattel, and ſo created many vexatious and chargeable Suits againſt thoſe that have ſeized Iriſh Cattel in purſuance of the aforeſaid Act, (2) Be it farther enacted by the authority aforeſaid, That if any Engliſh or other Cattel driven or intermixed with Iriſh Cattel ſhall be ſeized together with them, ſuch Cattel ſo intermixed and ſeiſed ſhall be deemed Iriſh Cattel, and ſhall be ſubject to like forfeiture, and be ordered and diſpoſed of in all reſpects as if they were Iriſh Cattel, and imported contrary to this and the aforeſaid Act.

Not to ſeize Cattel in England before Feb. 2. 1680.

XII. Provided that nothing in this Act ſhall be conſtrued to extend to the Forfeiture or Seizing any Cattel that are or ſhall be in England before the ſaid ſecond day of February.

Here end the Statutes of King *Charles* the Second.

Anno Regni JACOBI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, primo.

AT the Parliament begun at *Weſtminſter* the Nineteenth Day of *May*, *Anno Dom.* 1685. in the Firſt Year of the Reign of our moſt gracious Sovereign Lord *JAMES*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, *&c.*

CAP. I.

An Act for Setling the Revenue on his Majeſty for his Life, which was ſettled on his late Majeſty for his Life, Repealed by 2 W. & M. Seſſ. 1. C. 3. Sect. 11.

CAP. II.

An Act to Attaint *James* Duke of *Monmouth* of High Treaſon.

WHereas James Duke of Monmouth has in an hoſtile manner invaded this Kingdom, and is now in open Rebellion, levying War againſt the King, contrary to the Duty of his Allegiance; Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this Parliament aſſembled, and by the authority of the ſame, That the ſaid James Duke of Monmouth ſtand and be convicted and attainted of High-Treaſon, and that he ſuffer pains of Death, and incur all Forfeitures as a Traitor convicted and attainted of High-Treaſon.

CAP. III.

An Act for granting his Majeſty an Impoſition upon all Wines and Vineger, imported between the four and twentieth day of *June*, one thouſand ſix hundred eighty five, and the four and twentieth day of *June*, one thouſand ſix hundred ninety and three, and from thence continued by 2 W. & M. Seſſ. 2. C. 5. till 24 *June*, 1696. and from thence continued by 4 & 5 W. & M. C. 15. till 24 *June*, 1698.

Moſt Gracious Sovereign,

Preamble.

Wine and Vineger.

WE your Majeſties moſt dutiful and loyal Subjects the Commons aſſembled in Parliament, towards a Supply for Repairs of the Navy, and providing Stores for the Navy and Ordnance, and other your Majeſties weighty and important occaſions; and with an humble and thankful acknowledgment of your Majeſties favourable and tender regard of us your Commons, have chearfully and unanimouſly given and granted unto your Majeſty an Aid and Aſſiſtance to be raiſed and levied upon all Wines and Vineger to be imported into this your Majeſty's Kingdom according to ſuch rates, and during ſuch time, and in ſuch manner and form as herein after followeth.

II. And we do humbly beſeech your Majeſty that it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for all French Wines, Spaniſh Wines, or other Wines whatſoever, as alſo for all Vineger which at any time after the four and twentieth day of June, in the year of our Lord one thouſand ſix hundred eighty five, and before the four and twentieth day of June, in the year of our Lord one thouſand ſix hundred ninety three, ſhall be imported into England or Wales, or the Town or Port of Berwick upon Tweed, there ſhall be duly anſwered and paid to his Majeſty the farther Rates and Duties hereafter mentioned (that is to ſay) For every Tun of French Wine, and of Vineger which ſhall be imported within the time aforeſaid, the ſum of eight pounds by the Tun, and ſo after that rate for any greater or leſſer quantity. And alſo for every Tun of Spaniſh Wines, or of any other Wines which ſhall be imported within the time aforeſaid, the ſum of twelve pounds by tht Tun, and ſo after that rate for any greater or leſſer quantity.

Impoſition of 8 l. per Tun on Wine and Vineger. 12 l. per Tun on Spaniſh Wine.

III. And

Importer to pay before landing, or to be bound with two, or procure three to be bound for payment at three equal payments within nine months.

The approbation of the Securities left to the Farmers or Commiſſioners.

III. And for the beter and more ſure Collecting and receiving of all and ſingular the Duties hereby impoſed, Be it farther enacted by the authority aforeſaid, That if any perſon or perſons within the time aforeſaid ſhall import, or cauſe to be imported by way of Merchandize, or otherwiſe, any of the Liquors ſuch Importers ſhall upon the Entry made of ſuch Liquors, and before the landing thereof, pay down the Duties hereby impoſed, in ready Mony, deducting the Allowance hereafter mentioned, or otherwiſe become bound unto his Majeſty with two or more ſufficient Sureties, or procure three other perſons to become bound to his Majeſty to anſwer and pay unto his Majeſty the whole Rates and Duties hereby impoſed, by three ſeveral and equal payments: The firſt payment thereof to be made within three months after the date of the ſaid Obligation; The ſecond payment to be made within ſix months after the date of the ſaid Obligation; And the third and laſt payment to be made within nine months after the date of the ſaid Obligation. The taking which Bonds, and the approbation of the Sureties therein to be named, is hereby to be left to the diſcretion of ſuch Farmers or other Commiſſioners, for the time being, as ſhall be intruſted with the receipt and management of his Majeſty's Cuſtoms and Subſidies of Tonnage and Poundage, or their Deputy-Collectors in the ſeveral Ports, or ſuch other perſon or perſons as his Majeſty ſhall authorize and appoint to collect the Duties ariſing by this Act.

10 l. per Cent. allowed to thoſe that pay ready mony.

IV. Provided always, and it is hereby declared and enacted, That all and every perſon and perſons importing any of the Liquors aforeſaid, within the time aforeſaid, by way of Merchandize or otherwiſe, who ſhall pay the Duties which by this Act are due and payable in ready mony, ſhall be allowed and abated out of the ſaid Duties, after the rate of ten pounds per cent. for a year, in conſideration of ſuch ready mony ſo paid down and advanced.

Forfeiture of the value.

V. And be it farther enacted by the authority aforeſaid, That if any of the ſaid Liquors ſhall be imported within the time aforeſaid, and landed without preſent payment made of the Rates and Duties by this Act impoſed, in Caſes where this Act requires preſent payment to be made; or withont Security given for payment thereof, in Caſes where this Act admits of Security to be taken, That then and in every ſuch Caſe all and every the Liquors ſo imported and landed, or the value thereof, ſhall be forfeited, one moiety thereof to his Majeſty, and the other moitey to him or them that ſhall or will ſue for the ſame; and ſhall and may be recovered in any Court of Record by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, nor any more than one Imparlance: And yet nevertheleſs the perſons ſo importing and landing any of the ſaid Liquors, ſhall, notwithſtanding ſuch Forfeitures ſo as aforeſaid incurred, remain and continue liable unto, and ſhall anſwer and pay unto his Majeſty the Rates and Duties for ſuch Liquors, which by this Act are due and payable.

Allowances upon importation of Wines, &c.

Allowance to be made on exportation upon Oath that the Liquors are imported with intent to ſell again.

Merchant not chargeable to pay the Duty for Priſage Wine.

VI. And whereas by the Act for Tonnage and Poundage, and the Inſtructions and Rules for collecting his Majeſty's Duties ariſing thereby, it is directed that certain allowances be made upon Importation of Wines and other Liquors: Be it farther enacted, That no Importer thereof ſhall be chargeable by vertue of this Act to pay the Duty hereby required, for any greater proportion of Wines or other Liquors duly entred at the Cuſtom-Houſe, then what ſhall remain neat after all ſuch allowances and abatements. And whereas this preſent Act gives no abatement to any perſon upon exportation of any the Liquors aforeſaid, Be it farther enacted and declared, That all Importers not being Vintners or Retailers (who are hereby declared, ſhall pay ready mony for the whole Duty) who ſhall import any of the aforeſaid Liquors within the time aforeſaid, and ſhall make Oath that the ſame are imported by way of Merchandize, and with intent to ſell again (which Oath the Farmers or Commiſſioners of his Majeſty's Cuſtoms for the time being, or in their abſence the Collector of his Majeſty's Cuſtoms in each ſeveral and reſpective Port, or ſuch other perſon or perſons as his Majeſty ſhall authorize and appoint to collect the Duties ariſing by this Act, have hereby power to adminiſter) That then and in every ſuch Caſe for, and in conſideration of any defect or damage that may happen by any of the aforeſaid Liquors, lying longer on the ſaid Importers hands then heretofore, or by reaſon of any other accident, there ſhall be allowed and abated to every ſuch Importer the farther allowance of eight pounds per Cent. and no more: Provided, That no Merchant ſhall be charged with any Duty impoſed by this Act for the Prizage Wine which he imports in any Ship or Veſſel, nor ſhall any Security be by him given for the ſame, but that it be received and taken from the perſon who hath or enjoyeth the benefit of the ſaid Prizage Wine, who is hereby appointed to pay the ſame.

Unleſs Oath made as aforeſaid no allowance to be made upon exportation.

VII. Provided always, and it is hereby declared and enacted, That if any of the ſaid imported Liquors, for which any of the Rates and Duties by this Act impoſed ſhall be paid down and advanced, or otherwiſe ſecured as aforeſaid, ſhall at any time after ſuch Importation be again exported into parts beyond the Seas; That then, and in every ſuch caſe, the perſon or perſons ſo exporting the ſame ſhall be wholly barred and excluded from having or receiving back the Duties of this Act ſo paid down or advanced or any part thereof, nor ſhall the Security formerly given by ſuch perſoh exporting for the true payment of the Duties by this Act impoſed, be any ways razed, leſſened or diſcharged by reaſon of ſuch Exportation, but the ſame Securities ſhall remain and continue in full force until the Duties thereby ſecured be fully and wholly ſatisfied and paid, any ſuch Exportation to the contrary notwithſtanding.

Officers to have like power as for Tonnage and Poundage.

VIII. And for the better prevention of all ſuch Frauds, which at any time hereafter may be committed to the prejudice of his Majeſty in the due collecting and receiving of the Duties hereby impoſed upon ſuch Liquors to be imported as aforeſaid. Be it farther enacted by the authority aforeſaid, That the Officers of his Majeſty's Cuſtoms, or ſuch other perſon or perſons as his Majeſty ſhall authorize and appoint to collect the Duties ariſing by this Act, ſhall have like power and authority to enter on board Ships and Veſſels, and make ſearches, and to do all other matters and things which may tend to ſecure the true payment of the Duties by this Act impoſed, and the due and orderly Collection thereof, which any Cuſtomers, Collectors or other Officers of any of his Majeſty's Ports can or may do touching the ſecuring his Majeſty's Cuſtoms of Tonnage and Poundage, and all the ſaid Liquors to be imported within the time aforeſaid, and landed without doing and performing what by this Act is required to be done and performed before the landing thereof: And all Officers of his Majeſty's Cuſtoms, and all perſons importing any of the ſaid Liquors, and all others imployed by his Majeſty in the collection of the Duties ariſing by this Act, who ſhall be found guilty of any act or neglect tending to defraud his Majeſty of any the Duties hereby impoſed ſhall be ſubject and lyable to the ſame Seizures, Penalties and Forfeitures which by virtue of any former Act can or may be inflicted in ſuch Caſes, where his Majeſty is defrauded, or endeavoured to be defrauded of any of his Cuſtoms and Subſidies, as fully and amply, as if the ſame Clauſes of Seizures, Penalties and Forfeitures, and the ſame Diſtribution of ſuch Forfeitures, and the ſame Remedy for Recovery thereof, had been again in this Act particularly repeated, applied and enacted.

Perſons guilty of act, &c. tending to defraud his Majeſty, ſubject to penalties in other Acts.

On Seizure proof of Duty paid lies upon Claimer.

IX. And if any Liquors ſeiſed for any Offence committed againſt this Act, ſhall be claimed by any perſon as the Importer thereof, the proof whether the Duties thereof be duly paid or ſecured ſhall lie upon ſuch Claimer, and ſhall not be incumbent on his Majeſty, or any Proſecutor or Informer on behalf of his Majeſty and himſelf.

CAP. IV.

An Act for granting to his Majeſty an Impoſition upon all Tobacco and Sugar imported between the four and twentieth day of *June*, one thouſand ſix hundred eighty five, and the four and twentieth day of *June*, one thouſand ſix hundred ninety three, and from thence continued (as for Tobacco only) by 2 W. & M. Seſſ. 2. C. 5. till 24 *June*, 1693. and from thence (as for Tobacco only) continued by 4 & 5 W. & M. C. 15. till 24 *June*, 1698.

Preamble.

Tobacco and Sugar.

WE your Majeſty's moſt dutiful and loyal Subjects the Commons aſſembled in Parliament, for a farther Supply for the Repairs of the Navy, and providing Stores for the Navy and Ordnance, and payment of the Debt due to his late Majeſty's Servants and Family, and other your Majeſty's weighty and important Occaſions, have chearfully and unanimouſly given and granted unto your Majeſty an aid and aſſiſtance to be raiſed and levied upon all Tobacco and Sugar to be imported, into your Majeſty's Kingdom, according to ſuch Rates, and during ſuch time, and in ſuch manner and form as herein after followeth. And we do humbly beſeech your Majeſty that it may be enacted: And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for all ſorts of Tobacco; as alſo for all ſorts of Sugar, which at any time after the four and twentieth day of June, in the year of our Lord one thouſand ſix hundred eighty and five, and before the four and twentieth day of June, which ſhall be in the year of our Lord God one thouſand ſix hundred ninety and three, ſhall be imported into England or Wales, or the Town and Port of Berwick upon Tweed, there ſhall be duly anſwered and paid to his Majeſty the farther Rates and Duties hereafter mentioned (that is to ſay) for all ſorts of Tobacco of the Growth and Producion of any of his Majeſty's Plantations, Iſlands or Territories in America, three pence for every pound weight thereof, above what it now pays; and for every pound weight of Spaniſh or Foreign Tobacco, not of the Engliſh Plantations, ſix pence above what it now pays; and for all Muſcovade Sugar of the aforeſaid Plantations, Iſland, Lands or Territories, one farthing the pound weight above what it now pays; and for every pound weight of Sugar of the Engliſh Plantations, made fit for common uſe or ſpending, three farthings above what it now pays; and or every pound weight of Muſcovade Sugar of Brazile or any other Foreign part not of Enliſh Plantations, one half penny above what it now pays; and for all Panele Sugar, one alf penny the pound weight above what it now pays; and for every pound weight of Foeign white powder Sugar, one peny farthing above what it now pays; and for all foreign ugar imported in the Loaf, three pence the pound weight above what it now pays: All hich Duties to be paid for any the Commodities aforeſaid imported as aforeſaid, ſhall om time to time, and at all times during the continuance of this Act be levied on the onſumptioner of the ſaid Commodities in England or Wales, or Town of Berkwick upon weed, to be paid in manner following; (that is to ſay) The Importer, Merchant, Plant or other that ſhall import the ſaid Goods, if he be a Retailer, Conſumptioner or Shopeeper dealing in thoſe Commodities, the Duties aforeſaid ſhall be paid and ſatisfied by ch Importer, Shop-keeper, Retailer or Conſumptioner upon the importing or landing of s or their Goods, and before he or they be permitted or ſuffered to carry away his or their oods from the Cuſtom-houſe or other place in the Port in which they may happen to be nded or brought on Shore.

Impoſition of 3 d. per pound upon Tobacco from America.

6 d. per pound upon Spaniſh.

The Impoſitions to be levied upon the Conſumptioner.

Retailer to pay before he carry away the Goods from the Cuſtom-houſe, &c.

Merchant to give Security to pay the Duties before he deliver the Goods to any Buyer.

II. And be it farther enacted, That every Merchant or Importer that is not a Retailer, onſumptioner or Shop-keeper, dealing in thoſe Commodities after Entry of his or their oods by Bill under his or their Hands, or the Hand of ſuch perſon from whom he or they all engage to be anſwerable preſently, before he or they be admitted or permitted to have y Warrant to receive his or their Goods out of the Ship, or from the Water-ſide, ſhall come bound unto his Majeſty with one or more ſufficient Sureties, or procure two other rſons to become bound to his Majeſty in ſuch Sums of mony as ſhall amount to the lue of the Duties hereby impoſed upon his or their Goods, with condition, That he or ey ſhall not and will not deliver or cauſe or ſuffer any of the ſaid Goods to be delivered to any of the Buyers thereof, or put or delivered into the Cuſtody or Poſſeſſion of y Retailer Conſumptioner or Shop-keeper dealing in the ſaid Commodities, before

If he do not ſell within 18 months to pay the Duties.

Shall upon ſale certifie the weight and number of the Goods and name of the Buyer.

Buyer ſhall pay the Duties upon Receipt of the Goods.

Penalty upon Buyer or Seller for breach of this Act.

ſuch time as the Duty impoſed by this Act upon his or their ſaid Goods be firſt duly paid and ſatisfied, or that in caſe he ſhall not ſell or export the ſame before the expiration of eighteen months from the Importation thereof, that he will pay all and every the Duties impoſed by this Act, and that every Merchant or other Importer of any the Commodities liable to the Duties impoſed by this Act after he hath entred his Goods, and given Bond as aforeſaid, ſhall afterwards upon Sale of all or any part of the ſame under his own hand, or the hand of ſuch perſon for whom he or they ſhall be reſponſible, certifie in Writing the Quantity and Quality and Weight of his Goods ſold, with the name of the Buyer, who bringing and delivering of the ſame to the next Office appointed for the Collection of this Duty, ſhall then and there pay the Duties aforeſaid of the Goods ſo certified to be ſold unto the Officer appointed to receive the ſame, who thereupon ſhall give him a Receipt for ſuch his Duties paid, and a Certificate to be left with the Merchant Importer of the Payment of the ſame, and no Merchant Importer aforeſaid, before his Receipt of ſuch Certifitate of Payments of the Duties as aforeſaid, ſhall deliver or cauſe to be delivered, nor Buyer nor any other perſon receive all or any ſuch Goods, upon pain of Forfeiture of double Duties impoſed by this Act, or the value of the Goods ſo delivered and received; which Forfeiture the ſaid Importer and Receiver ſhall each of them be liable unto.

Barter reputed a Sale.

III. And be it farther enacted, That a Barter, Truck or Exchange of one Goods for another, ſhall to all intents and purpoſes be deemed and reputed a Sale, and the Duties preſently paid for both Commodities, if they be both liable thereunto, or for ſuch of the Commodities as are liable, upon pain of forfeiting by the Parties bartering, trucking or exchanging, as in caſe of not paying the Duties for the like Goods upon the Sale of them.

Buyer with deſign to export ſhall give Security to do it in four months.

Certificate of ſuch Bond ſhall diſcharge the Importer.

The manner how ſuch Bond ſhall be diſcharged.

IV. Provided always, That where the firſt Buyer or Receiver of the ſaid Goods in Truck, Barter or Exchanger does buy or receive the ſaid Goods with intent to export the ſame, in ſuch caſe the Importer ſhall certifie in writing, the quantity and quality, and weight of the Goods ſold or bartered, with the name of the Buyer or Barterer, who bringing and delivering of the ſame unto the Chief Officer or Officers, in the next Office appointed for the Collection of this Duty, ſhall then and there enter into Bond with Sureties and Penalty of double Duties as aforeſaid, to export the ſame bona fide within the ſpace of four months, who thereupon ſhall give him a Certificate of ſuch Bond entred into, the which Certificate he ſhall deliver to the Merchant Importer, and by vertue of the ſame, receive Poſſeſſion of the Goods; and ſuch Certificate being produced by the Importer ſhall dicharge his account for ſo much, as if the Duties had been paid, the which Bond for the Exportation of the Goods ſo entred into, ſhall again be diſcharged and vacated by the Certificate of his Majeſty's Searcher, or Under-Searcher in the Port of London, and of the Searcher of any other of the Out-Ports, certifying the ſhipping of the ſame, and the Merchant or Merchants Oath that the ſame have not again been relanded in England or Wales, or Town of Berwick upon Tweed; for which Oath and Certificate no Fee is to be taken.

Commiſſioners have power once in three months to call the Merchant to bring in an account.

Penalty upon Merchant not bringing in his account.

Commiſſioners power to appoint Searchers if the Merchant brings in his account.

They are to be governed by the Report of the Searchers.

Oath to be taken by the Merchant before the paſſing his account.

V. And be it farther enacted by the authority aforeſaid, That the Commiſſioners or chief Managers and Collectors appointed for the collecting of this Duty reſpectively and in their ſeveral and reſpective Offices once every three months without fail, or oftner if they ſhall ſee cauſe, ſhall take care for the balancing and adjuſting of the Merchants their Import Accounts, by calling them, and requiring them and every of them, to bring and deliver to them reſpectively a particular account of all the Goods and Merchandize liable to this Duty, which ſhall be then remaining in his or their hands at the time he or they ſhall be ſo called upon, and required; and if any ſuch Merchant, Importer or other perſon ſhall upon notice given him or them, or upon notice or ſummons left at his or their uſual place of abode or habitation, warning him or them thereunto, refuſe or neglect to give in ſuch account for the ſpace of fourteen days after ſuch notice, warning or ſummons as aforeſaid, every ſuch Merchant or Importer ſhall then be liable to the payment of the full Duty of all the Goods he ſhall ſtand duly charged within his or their Import Account, and ſhall pay the ſame within fourteen days next after following, at the fartheſt; or in default thereof every ſuch Merchant and Importer ſhall forfeit double the value of all the duties of ſuch Goods as ſhall be found reſting and remaining on his Import Account, and ſhall ever after be incapable of taking up any Goods liable to this Duty, in any Port of this Realm, for his own or any other uſe, without payment down of the Duty of ſuch Goods, as if he were a Retailer, Conſumptioner or Shop-keeper dealing in ſuch Goods; But if ſuch Importer ſhall upon demand or within fourteen days after, give in ſuch account as aforeſaid, then the ſaid Commiſſioners, Collectors, or chief Managers of this Duty may (if they ſee cauſe ſo to do) appoint one or more Officer or Officers to enter into all the Cellars, Warehouſes, Store-Cellars or other places whatſoever belonging to ſuch Importer, to ſearch, ſee and try by taking an account of the quantity and quality of the Goods and Merchandize therein remaining, whether ſuch Importers Remainder do agree with his Account, or no, and to make Report thereof to the ſaid Commiſſioners, or Collectors reſpectively; Which Report of ſuch Officer or Officers, in caſe of differences between the Remainder and Account of ſuch Merchant, ſhall be reputed, taken and eſteemed for the true and juſt Remainder, according to which the ſaid Commiſſioners or Collectors ſhall proceed in making up his Account: And then ſuch Importer making Oath before the ſaid Commiſſioners, Collectors or chief Managers of this Duty reſpectivly, that the Goods and Merchandize, remaining, viewed by the Officer or Officers aforeſaid, and all other Goods ſhipt out by him or others, by which his account is to be diſcharged, were all and every part and parcel of them ſuch Goods and Merchandize as had been bona fide formerly imported by himſelf, and entred in the Office appointed for the ſame, and there charged on his proper import account, and that the ſaid Goods and Merchandizes found ſo remaining had not been ſold or altered, either directly or indirectly, in their property ſince the firſt Importation and bringing in of the ſame into this Realm, the ſaid Commiſſioners, Collectors, or chief Managers of this Duty, ſhall ſettle and adjuſt the aforeſaid Importers Accounts accordingly; But if any Merchant Importer aforeſaid ſhall refuſe to permit any Officer or Officers authorized by Warrant from the Commiſſioner or Commiſſioners for the collecting of this Duty in the day time, to enter into or ſearch his or their Cellars, Ware-houſes, Store-houſes, Store-Cellars, or other places, and to take an account of the quality and quantity of his and their Goods therein remaining, every ſuch Merchant ſhall for every ſuch refuſal, forfeit one hundred pounds; and if permitting Entrance and Search as aforeſaid, ſhall nevertheleſs refuſe to make Oath that the Goods and Merchandize viewed and ſeen, and ſhewn unto the Officer and Officers as aforeſaid, or ſhipt out as aforeſaid, were all of them imported by himſelf from beyond the Seas, and entred upon his import account in the Office appointed for this Duty, and without any alteration of property, all and every ſuch Goods ſhall be eſteemed and reputed the Goods and Merchandize of ſome other then ſuch Importer, and therefore not at all to be reckoned in diſcharge of his account; and if ſuch Merchant ſhall make Oath, and yet ſhall neglect or refuſe for the ſpace of fourteen days following after the doing thereof, to pay and ſatisfie ſuch Duties as by this Act ſhall be due and payable thereupon, every ſuch Importer his Bond given upon Entry of thoſe Goods which he found wanting, ſhall be returned into the Exchequer, there to be proſecuted according to the courſe of Law, and ſhall not afterwards upon his or their Importation of Goods into any Port of this Realm, be permitted to take up, land or lay on ſhore his or their Goods before payment down of the full Duties by this Act impoſed unto the Officer appointed to receive the ſame at the Port where his Goods ſhall arrive or be brought in.

100 l. penalty upon Merchant refuſing Officer to ſearch.

If he refuſe to ſwear the Goods found ſhall not be reputed his.

Bond returned into the Exchequer upon Non-payment.

VI. Provided always, and it is hereby declared, That the Importers accounts ſhall be diſcharged by Exportations by him made, for which he ſhall produce Certificate under the hands of his Majeſty's Searcher or Under-ſearcher, in the Port of London, and of the Searcher of any other of the Out-ports, certifying the ſhipping out of the ſame, and his or their Oath that the ſame have not been again re-landed in England, Wales or Town of Berwick upon Tweed.

Importers accounts to be diſcharged by Exportations.

VII. Provided alſo, That every Importer who ſhall be Retailer, Conſumptioner or Shopkeeper, dealing in the Commodities aforeſaid, who are to pay down the aforeſaid Duty upon ſuch his Importation, ſhall upon his Exportation of the ſaid Commodities, within the ſpace of eighteen months next after ſuch his Importation, be repaid the Duties ſo by him paid down upon his Importation of the ſame, by the Officer appointed to receive the ſaid Duty.

Importer, Retailer to be repaid his Duties upon Exportation.

VIII. And foraſmuch as the Commodities aforeſaid, are liable to damage on the Seas, And whereas by the Act of Tonnage and Poundage, and the Rules and Inſtructions for collecting his Majeſty's Duties ariſing thereby, It is directed that allowance be made for damage by Salt-water or otherwiſe. Be it farther enacted by the authority aforeſaid, That no Importer of the Commodities chargeable by this Act, ſhall be charged for any greater proportion of the Goods herein mentioned, duly entred at the Cuſtom-houſe, then what ſhall remain neat after ſuch allowance or abatement.

Importers charged only with the neat effects.

IX. And foraſmuch as the Commodities aforeſaid are liable to waſte and decay, during the time they may remain in the hands of the Importer, before the Sale or Exportation of the ſame, the aforeſaid Commiſſioner or Commiſſioners, Collectors, or chief Managers of this Duty, are hereby impowred and authorized to make ſuch farther allowance for the ſame, as to their Judgments ſhall ſeem meet, conſidering the circumſtances of the Commodities, and the time of their lying by in conſideration of all damages, want of Weight, Diminution or Prejudice whatſoever that may happen to the ſaid Commodities: Provided ſuch allowance exceed not eight pounds per cent. in the whole, for all Cauſes whatſoever.

Commiſſioners may allow for decay.

X. And whereas it is provided, That this Duty be collected on the Retailer, Conſumptioner, or Shopkeeper trading in the ſaid Commodities importing the ſame, or on the firſt Buyer not exporting the ſame, as is before declared: Be it farther enacted by the authority aforeſaid, That in caſe the Merchant or others importing the ſame (who ſhall be admitted to receive Poſſeſſion of his Goods on Security, as aforeſaid) ſhall not clear his or their import account, either by Sales or Exportation, as aforeſaid, within the term of eighteen months, from the time of the Importation of the ſaid Goods; He or they the ſaid Importer or Importers ſhall be charged with the Duty impoſed by this Act on the Commodities aforeſaid, and anſwer and pay the ſame as if the ſaid Goods had then been ſold by Retail, although the ſaid Goods ſhall ſtill remain without any alteration of property in his or their Hands; any thing in this Act to the contrary notwithſtanding; Provided always, That in ſuch Cauſe Allowance be made for waſte and decay in the manner already provided for.

If no Sale nor Exportation within eighteen months Duties to be paid.

Allowance for decay.

XI. And to the end that all Importers, Merchants, and perſons concerned in the payment of the Duties aforeſaid, may know to whom, and where to pay the ſame, and to make Entry of their Goods, in manner as by this Act is intended; It is hereby enacted, That his Majeſty may from time to time nominate, commiſſionate and authorize ſuch Commiſſioner or Commiſſioners, Collector or Collectors, or other Officer or Officers, as he ſhall think fit to manage, collect and levy the ſaid Duties in every Port of the Kingdom, which ſaid Commiſſioners, Collectors, or other Officer or Officers ſo apointed, ſhall duly attend at the Cuſtom Houſe, or other place publickly appointed in the Port or place to which he or they ſhall be reſpectively appointed at the uſual hours and times in which the Officers of the Cuſtoms do or ought to attend, and there ſhall do and execute whatſoever ought to be done and executed on his or their parts purſuant to the Truſt repoſed in him or them, according to the true intent and meaning of this Act.

Commiſſioners to be in every Port.

Double Duties upon Entry in another mans name.

Goods to be landed, &c. according to the Acts about Cuſtoms.

Penalties in thoſe Acts in force here.

Commiſſioners, &c. have like power as there.

Penalties how recoverable.

One moiety to the King. The other to the Proſecutor.

Officer only ſhall proſecute.

Officers ſhall ſwear to execute.

Defendant to prove Duty paid upon Tryal.

XII. And be it farther enacted by the authority aforeſaid, That no Merchant or Merchants, or any other perſon or perſons whatſoever entring any Goods, Wares and Merchandizes from beyond the Seas, that are liable to the Duties impoſed by this Act, ſhall enter his or their Commodities in any other then the Name of the true Importer of the ſaid Commodities; Nor ſhall make uſe of any Name of any perſon whatſoever to colour his or their Goods, whether it be with or without the conſent of ſuch perſon, upon pain of forfeiture of double Duties on ſuch Goods ſo found or diſcovered to be entred or coloured contrary to the true meaning hereof. And for the better levying and collecting all and every of the ſaid Duties impoſed by this Act, and preventing the many Frauds and Deceits which may be had and uſed by evil diſpoſed perſons, and undue practices to elude this Act, Be it farther enacted by the authority aforeſaid, That no Goods, Wares or Merchandizes liable to the Duties by this Act impoſed, ſhall from and after the ſaid four and twentieth day of June in the year of our Lord one thouſand ſix hundred eighty and five, during the continuance of this Act, be diſcharged or laid on Land out of any Ship, Bottom, Hoy, Bark, Lighter, Boat or Veſſel whatſoever, or put off from any Wharf, Key, or Place, or land into any Ship, Bottom, Hoy, Bark, Lighter, Boat or other Veſſel whatſoever, but only in ſuch manner and at ſuch times and places, and no otherwiſe then the ſaid Goods and Merchandizes may or ought to be unſhipped, unladen or put into any Ship or other Veſſel to be laid on Shore or laden, put off from Land into any Ship or other Veſſel by vertue of and according to the true intent and meaning of the ſeveral Laws and Statutes made and enacted for the payment of his Majeſty's Cuſtoms and Subſidies of Tonnage and Poundage, and for collecting and levying the ſaid Duties; And for preventing Frauds, and regulating abuſes in his Majeſty's Cuſtoms, and all the Clauſes, Penalties and Forfeitures mentioned in the aforeſaid Acts againſt Maſters of Ships, Wharfingers, Seamen and Boatmen, Carmen and Porters, ſhall be to all intents and purpoſes in full force touching and concerning any of the Goods and Merchandizes mentioned in this Act, and the Duties impoſed thereupon (as well in relation to their Landing at their Importation as at the Loading of the ſame at Exportation, as alſo for their carrying at any time Coaſtwiſe from one Port to another) as if the ſame were herein particularly and at large recited; And the Commiſſioner or Commiſſioners, Collector or Collectors, Officer or Officers appointed as aforeſaid for the collecting of this Duty, are hereby impowred for the better collecting the Duties hereby impoſed, and therein avoiding all frauds and undue practices, with all the powers and authorities the Commiſſioners, Collectors or Officers of the Cuſtom-houſe have, or may have, by vertue of the aforementioned Laws in relation to the management of the Cuſtoms. And be it farther enacted by the authority aforeſaid, That all Penalties and Forfeitures incurred by vertue of this Act, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in his Majeſty's Court of Exchequer, or in any of his Majeſty's Courts of Record at Weſtminſter: And that one moiety of all Penalties and Forfeitures herein mentioned ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall ſue for the ſame, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, or any more then one Imparlance; Provided always, That no perſon or perſons ſhall ſue for the aforeſaid Penalties or Forfeitures but ſuch Officer or Officers as ſhall be appointed by his Majeſty, or by any authority derived from him for the management of his Cuſtoms, or the Duties impoſed by this Act. And be it hereby alſo enacted, That all Officers, Deputies, Clerks or Servants which ſhall have any Office or Employment in the managing, collecting or attending upon the Collection of this Duty, ſhall before their entring upon their reſpective Offices, Truſts or Employments, take their reſpective Corporal Oaths for the due and faithful Execution and Diſcharge to the beſt of their knowledge and power of the ſeveral Truſts and Employments committed to their charge before the Commiſſioners or chief Managers of the Cuſtoms of this Duty, or before the Cuſtomer or Comptroller in any Out-port of the Kingdom: And if any Commodity ſeized for any Offence committed againſt this Act, ſhall be claimed by any perſon whatſoever, or any perſonal Information ſhall be brought or commenced againſt any perſon for the recovering of the Duties or Forfeitures granted by this Act, the Onus probandi, or the proof whether the Duties thereof be paid or ſecured, ſhall lie upon the Claimer, or Defendant, and ſhall not be incumbent on his Majeſty, or any Proſecutor or Informer on behalf of his Majeſty or himſelf; Provided ſuch Seizure or Information be made or brought by Officers or perſons imployed in his Majeſty's Cuſtoms, or the Duties ariſing by vertue of this Act.

CAP. V.

An Act for granting an Aid to his Majeſty by an Impoſition on all *French* Linnens, and all *Eaſt-India* Linnen, and ſeveral other Manufactures of *India*, and on all *French* wrought Silks and Stuffs, and on all other wrought Silks, and on all Brandies imported after the firſt day of *July*, One thouſand ſix hundred eighty five, and before the firſt day of *July*, One thouſand ſix hundred and ninety, for the Kings Extraordinary Occaſions, and ſuppreſſing the Duke of *Monmouth*'s Rebellion. Exp.

CAP. VI.

An Act for Repealing certain Clauſes in an Act of Parliament made in the nine and twentieth and thirtieth years of the Reign of his late Majeſty for Prohibiting *French* Commodities.

Preamble. Several French Commodities prohibited by 29 & 30 Car. 2. cap. 1.

WHereas by a certain Act made in the twenty ninth and thirtieth year of the Reign of his late Majeſty of ever bleſſed Memory, Entituled, An Act for the raiſing Mony by a Poll and otherwiſe to enable his Majeſty to enter into an Actual War againſt the French King, and for prohibiting French Commodities, It is amongſt other things provided and enacted, That from and after the twentieth of March, one thouſand ſix hundred ſeventy ſeven, no

French Wine, Vineger, Brandy, Linnen, Cloth, Silks, Salt, Paper or any Manufactures made of or mixed with Silk, Thread, Wool, Hair, Gold or Silver, or Leather being of the Growth, Product and Manufacture of any of the Dominions or Territories of the French King, ſhould during the term of three years, to be accounted from the twentieth day of March, or before the end of the firſt Seſſion of Parliament after the expiration of the ſaid three years, be brought in or imported into any Port or place within his Majeſty's Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or Iſles of Jerſey, Guernſey, Alderney, Sark or Iſle of Man, from any place or Port whatſoever, mixt or unmixt with any Commodity of the Growth or Product of any other Nation, Place or Country whatſoever under certain pains, penalties and forfeitures to be adjudged, recovered and executed as by the ſaid Act appeareth:

The ſecond Clauſe of Prohibition repealed.

Now for the repealing the ſaid Clauſe of Prohibition, and all the pains, penalties and forfeitures thereupon depending, Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforward the ſaid Clauſe of Prohibition and every part thereof, and every matter and thing therein contained, and all other Clauſes in the ſaid Act mentioned, whereby any pains, penalties or forfeitures are impoſed for or by reaſon of the Importation or bringing in of any French Commodities contrary to the ſaid Prohibition, all, and every of them is hereby repealed, annulled and made void as if the ſame had never been made.

CAP. VII.

An Act for Reviving and Continuing two former Acts for Encouragment of Coynage.

Preamble. The advantage of 18 Car. 2. of Coynage. Cap. 5. Cap. 8.

Whereas great benefit and advantage hath accrued to this Kingdom by one Act of Parliament paſſed in the eighteenth year of the Reign of his late Majeſty King Charles the Second of bleſſed memory, Entituled, An Act for encouragement of Coynage and continued by another Act of Parliament paſſed in the five and twentieth year of the Reign of the ſaid late King; both which ſaid Acts are ſince determined and expired, ſo that unleſs the ſaid Acts be revived and continued, the encouragement given thereby will ceaſe, and this Kingdom be deprived for the future of ſo great a good as it hath thereby for theſe years laſt paſt enjoyed.

The Impoſts in the ſaid Act given to the King.

II. We therefore your Majeſty's dutiful and loyal Subjects, do give and grant unto your Majeſty, the Rates, Duties, and Impoſitions mentioned in the ſaid Act of Parliament made in the eighteenth year of the Reign of his late Majeſty King Charles the Second, Entituled, An Act for Encouragement of Coynage; and do humbly pray that it may be enacted: And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Acts of Parliament, and every the Clauſes, Articles and Sentences therein contained, ſhall be and are by vertue of this Act revived and continued, and ſhall be in force for the ſpace of ſeven years, to commence from the firſt day of Auguſt, one thouſand ſix hundred eighty five, and until the end of the firſt Seſſion of Parliament then next following, and no longer.

The Act revived for ſeven years.

CAP. VIII.

An Act againſt the Importation of Gunpowder, Arms, and other Ammunition, and Utenſils of War.

Preamble.

Whereas to the great prejudice of this Kingdom, and the diſcouragement and impoveriſhment of the Gun-ſmiths and others, Artificers, great quantities of Arms and Ammunition have of late years been imported to the endangering the Peace and Quiet of this Kingdom.

None ſhall import Gunpowder, &c. without Licence.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall not at any time from and after the tenth day of July, one thouſand ſix hundred eighty and five, be lawful to or for any perſon or perſons whatſoever, without Licence from his Majeſty, his Heirs and Succeſſors, to import or bring into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, by way of Merchandize, any Gunpowder, Arms, Ammunition, or Utenſils of War, upon pain and forfeiture of all and every ſuch Goods ſo imported as aforeſaid, to his Majeſty, his Heirs and Succeſſors, and the perſon or perſons who ſhall ſo import or bring in the ſame, or in whoſe Cuſtody any ſuch Gunpowder, Arms, Ammunition, or Utenſils of War ſhall be found, being thereof lawfully convicted, ſhall forfeit treble the value of the Goods ſo imported, one moiety thereof unto his Majeſty, his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon or perſons who will ſue for the ſame, by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at Weſtminſter, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed.

Upon Forfeiture of Goods imported. And treble the value, one moiety to the King, the other to the Proſecutor.

If any merchandiſe by colour of a Licence.

III. Provided always, That if any perſon or perſons whatſoever, Bodies Politick or Corporate, ſhall by colour of this Act, or otherwiſe, obtain from his Majeſty, his Heirs or Succeſſors, any Letters Patents, Licence or Grant for the ſole making or importing any Gunpowder, Arms, Ammunition or other Utenſils of War, and ſhall put the ſame in execution, or by colour thereof moleſt or hinder any perſon or perſons who lawfully make any the things before mentioned, in this Kingdom, or ſhall obtain any Letters Patents, Licence or Grant for the Importation of Gunpowder, Arms, Ammunition or other Utenſils of War, by way of Merchandize, to make profit thereof, other then for the immediate furniſhing of the publick Stores of his Majeſty, his Heirs and Succeſſors; That then the perſon

Incur Præmunire.
Diſabled from Office.
The Grant made void.

ſon and perſons ſo offending, ſhall incur and ſuſtain the pains, penalties and forfeitures contained and provided in the Statute of Proviſion and Præmunire made in the ſixteenth year of the Reign of King Richard the Second, and be diſabled to hold any Office or Imployment under his Majeſty, his Heirs and Succeſſors, and all and every ſuch Letters, Licence, Patent and Grant, and every of them for the ſole making and importing the ſaid Commodities, ſhall be void to all intents and purpoſes, as if the ſame had never been had or made; any Clauſe of Non obſtante, or other Proviſion or Covenant to the contrary thereof in any wiſe notwithſtanding.

CAP. IX.

An Act to enable his Majeſty to make Grants, Leaſes and Copies of Offices, Lands and Hereditaments, parcel of his Highneſs Dutchy of *Cornwall*, or annexed to the ſame, and for Confirmation of Leaſes and Grants already made.

Preamble.

WHereas many of the Lands belonging to the Dutchy of Cornwall have been granted by Leaſe to the Tenants, ſome for the term of one, two or three Lives, and ſome for divers years determinable upon one, two or three Lives, and others for thirty one years or under, which Leaſes are deſired to be renewed by many of the ſaid Tenants. And whereas ſeveral years next following after the happy Reſtauration of our late Soveraign Lord King Charles the Second of ever bleſſed memory, divers increaſed Rents were reſerved, as well upon the ſaid leaſed Lands, as upon many Copyhold Eſtates of the ſaid Dutchy for the improvement of that Revenue, whereof the Tenants made complaint to his ſaid late Majeſty, who was graciouſly pleaſed that they might compound with his Officers for the diſcharge of the ſaid increaſed Rents, and be reſtored to the old Rents formerly paid for their reſpective Tenements and Lands.

Grants of the Dutchy Lands made by the late King, or within ſeven years next, good.

II. Now to the end the ſame may be accordingly effected, and the ſaid Tenants may be encouraged to renew their Leaſes and Eſtates, and thereby the better enabled to repair their Houſes, and provide for their Families, and to improve their Lands holden of the ſaid Dutchy. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Grants made in the time of his ſaid late Majeſty, or to be made by Copy of Court Roll, according to the Cuſtom of the reſpective Manour or Manours of the ſaid Dutchy, or thereunto annexed or belonging, and all Leaſes and Grants ſo made by his ſaid late Majeſty, or made, or to be made within ſeven years next enſuing, by Letters Patents or Indentures under the Great Seal of England, or Seal of the Court of Exchequer, or by Copy of Court Roll, according to the Cuſtoms of the reſpective Manours of any Offices, Meſſuages, Parks, Lands, Tenements, or Hereditaments (other then Honours, Lordſhips or Manours) parcel of the poſſeſſions of the ſaid Dutchy of Cornwall, or annexed to the ſame, ſhall be good and effectual in Law, according to the purport and contents of the ſame Copies, Leaſes and Grants againſt our ſaid Soveraign Lord the King, his Heirs and Succeſſors, and againſt all and every other perſon and perſons that ſhall at any time hereafter have, inherit or enjoy the ſaid Dutchy, by force of any Act of Parliament, or by any other Limitation whatſoever.

Grant to be for no more then three Lives, or one and thirty years.
Not diſpuniſhable of waſte.
The ancient Rent reſerved.
If no ancient, a reaſonable Rent.

III. Provided always, That every ſuch Leaſe or Grant ſo made, or to be made, be not made for more then one, two, or three Lives, or for thirty one years or under, or for ſome term of years determinable upon one, two, or three Lives, and not above. And if ſuch Leaſes or Grants be made in Reverſion or Expectancy, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three Lives, or the term of thirty one years, and not in any wiſe diſpuniſhable of waſte, and ſo as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent or more, or ſuch Rent as hath been reſerved, yielded, or paid for the ſame Lands, for the greater part of twenty years next before the year of our Lord one thouſand ſix hundred and ſixty, and ſhall be reſerved due or payable to him or her that ſhall have the Inheritance or other Eſtate of the ſaid Dutchy; and where no ſuch Rent hath been reſerved or payable, that then upon every ſuch Leaſe there ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Meſſuages, Parks, Lands, Tenements or Hereditaments, contained in ſuch Leaſe, and all Leaſes and Grants otherwiſe made or to be made, ſhall be null and void.

Covenants, &c. ſhall bind thoſe to whom the Reverſion ſhall come.
Rights ſaved to all except the King and Dukes of Cornwall.

IV. And be it farther ordained and enacted by the authority aforeſaid, That all Covenants, Conditions, Reſervations, and other Agreements contained in every Leaſe, Grant or Copy of Court Roll, made or to be made as aforeſaid, ſhall be good and effectual in Law, according to the Words and Contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes, Grants or Copies ſhall come reſpectively, as if our Sovereign Lord the Kings Majeſty at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeized of an abſolute Eſtate in Fee-ſimple, in the ſame Lands, Tenements or Hereditaments; Saving always to all and every perſon and perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, other then to our ſaid Sovereign Lord the King and his Heirs, and the Duke and Dukes of Cornwall for the time being, and his and their Heirs, and all and every perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwall by force of any Act of Parliament, or other Limitation whatſoever, all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims and Demands whatſoever, of what nature, kind or quality ſoever, of, in, to or out of the ſaid Offices, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; this Act, or any thing herein contained to the contrary notwithſtanding.

V. And be it farther enacted by the authority aforeſaid, That in caſe any of the Leaſe-hold, or Copyhold Tenants of the ſaid Dutchy ſhall at any time within ſeven years next enſuing, compound or agree with the Lord High Treaſurer of England, or the Commiſſioners of the Treaſury for the time being, or with any ſuch perſon or perſons as the Lord High Treaſurer, or Commiſſioners of the Treaſury for the time being ſhall authorize, nominate and appoint for the taking off, and diſcharging of any increaſed Rent reſerved as aforeſaid, according to ſuch Rules and Directions as in that behalf ſhall be given in Writing under the Hands of the ſaid Lord Treaſurer, or Commiſſioners of the Treaſury for the time being: Then upon ſuch Compoſition ſo made, and the mony thereby ariſing duly paid to the Receiver-general of the ſaid Dutchy, according to the tenor and contents of ſuch Compoſition and Agreement, and accordingly inrolled before the Auditor of the Premiſſes, from thenceforth ſuch increaſed Rents ſhall ceaſe and become void, and the old Rent only, or ſuch other Rent as in purſuance of this Act ſhall be directed, in or by ſuch Compoſition or Agreement ſhall be charged upon all and every ſuch Tenements, Lands and other Hereditaments, for which ſuch Compoſition, Agreement, Payment and Inrollment ſhall be ſo made, and none other; any Reſervation, Condition or other Matter whatſoever to the contrary notwithſtanding.

Tenants have liberty to compound the increaſed Rent within ſeven years next.

CAP. X.

An Act for Providing neceſſary Carriages for his Majeſty in his Royal Progreſs and Removals.

Preamble.
12 Car. 2. cap. 24.

Whereas by an Act made in Parliament the twelfth year of his late Majeſty's Reign, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures *in Capite*, and by Knights Service and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof, It was (amongſt other things) enacted for the reaſons and recompence therein expreſſed, That from thenceforth no perſon or perſons by any Warrant, Commiſſion or Authority under the Great Seal or otherwiſe, by colour of buying or making proviſion or purveyance for his Majeſty or any Queen of England for the time being, or of any of the Children of any King or Queen of England that ſhall be, or for his, their, or any of their Houſhold, ſhall take any Cart, Carriage, or other thing whatſoever, of any of the Subjects of his Majeſty, his Heirs or Succeſſors, without the free and full conſent of the Owner or Owners thereof had and obtained, without menace and enforcement; nor ſhall ſummon, warn, take, uſe or require any the ſaid Subjects to furniſh or find any Horſes, Oxen or other Cattel, Carts, Ploughs, Wains or other Carriages for the uſe of his Majeſty, his Heirs or Succeſſors, or of any Queen of England, or of any Child or Children of any of the Kings or Queens of England for the time being, for the carrying the Goods of his Majeſty, his Heirs or Succeſſors, or the ſaid Queens, or Children of any of them, without ſuch full and free conſent as aforeſaid; any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding. Which Act may prove very prejudicial and inconvenient to the Kings Majeſty in his Royal Progreſs upon his neceſſary occaſions to ſeveral parts of this Realm, in caſe any perſon or perſons ſhall obſtinately refuſe voluntarily to provide ſufficient Carriages for Royal Service, at ordinary and uſual Rates for ſuch Carriages as are paid by others of his Subjects in ſuch places, contrary to the true intent and meaning of the ſaid Act.

Carriages for the King, &c. how provided.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Clerk or Chief Officer of his Majeſty's Carriages, ſhall three days at leaſt before his Majeſty's Arrival by Warrant from the Green-Cloth give notice in writing to two or more of his Majeſty's Juſtices of the Peace next adjoyning, to provide ſuch a number of Carts and Carriages from the places next adjacent, as his Majeſty ſhall have preſent uſe of, expreſſing the certainty of that number, as alſo the time and place when and where the ſaid Carts and Carriages are to attend; which Carriages ſhall conſiſt of four able Horſes, or ſix Oxen, or four Oxen and two Horſes; for each of which Cart or Carriage, the reſpective Owners ſhall receive ſix pence for each mile they ſhall go laden; And that in caſe any of his Majeſty's Subjects of this Realm ſhall refuſe to provide and furniſh his Majeſty that now is, or his Queen that is or ſhall be, or his his or her Houſhold, or her Majeſty Catherine Queen Dowager, or her Houſhold, in their Progreſs or Removals, with ſuch ſufficient and neceſſary Carriages for their Wardrobe and other neceſſaries for ready monies tendered to them, or ſhall without juſt and reaſonable cauſe refuſe to make their appearance with ſuch ſufficient Carts and Carriages as are before expreſt, That then upon due proof and conviction of ſuch neglect and refuſal by the Oath of the Conſtable or other Officer, or two other credible Witneſſes before the ſaid Juſtices of the Peace of the County, or Mayor or other Chief Officer of the City or Corporation where he or they inhabit, (which Oath they ſhall have power to adminiſter) the party ſo refuſing, ſhall for ſuch his refuſal and neglect forfeit the ſum of forty ſhillings to the Kings Majeſty's uſe, to be forthwith levied by Diſtreſs and Sale of his Goods and Chattels (rendring to the parties the overplus upon every ſuch Sale, if there ſhall be any) by Warrant from the ſaid Juſtices of the Peace, Mayor or other Officer.

Penalty.

Days Journey.

III. Provided always, That no Horſes, Oxen, Cart or Wain ſhall be inforced to travel above one days Journy from the place where they receive their lading, and that ready payment ſhall be made in hand for the ſaid Carriages at the place of Lading without delay, according to the aforeſaid Rates; and in caſe any Juſtice of the Peace, Mayor, Officer or Conſtable ſhall take any gift or reward to ſpare any perſon or perſons from making ſuch Carriage, or ſhall injuriouſly charge or grieve any perſon through envy, hatred or evil will, who ought not to make ſuch Carriage, or ſhall impreſs more Carriages then he ſhall be directed from the Green-Cloth to do, that then upon due proof and conviction thereof the party ſo offending ſhall forfeit the ſum of ten pounds to the party thereby grieved, or any other who ſhall ſue for the ſame, to be recovered by Action of Debt in any of his Majeſty's Courts of

Penalty upon Juſtice of Peace offending.

Records,

Record, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed. Penalty upon petron impreſſing. And in caſe any perſon or perſons ſhall preſume to take upon him or them to impreſs any Horſes, Oxen, Cart, Wain or Carriages for his Majeſty's Service, other then the perſon ſo impowred, then he or they ſo offending, ſhall upon due Conviction of the ſaid Offence, incur and ſuffer the puniſhment contained in the firſt recited Act.

What the King's Servants ſhall pay. IV. And whereas of late in his Majeſty's Progreſſes exceſſive Rates and Prices have been exacted from his Majeſty's Servants for Lodging, Horſe-meat, Stable-room, and other Accomodations: Be it therefore enacted by the authority aforeſaid, That none of his Majeſty's ſaid Servants ſhall be compelled to pay above ſix pence by the Night for every Bed they themſelves, nor above three pence by the Night for every Bed that they ſhall uſe for their Servants; and that in all ſuch Houſes where any of his Majeſty's ſaid Servants ſhall pay for their Dyet, or for Hay and Provender for their Horſes, convenient Lodging ſhall be provided for themſelves and their Servants, without paying any thing for the ſame.

Two Juſtices of Peace ſhall ſettle the Rates V. And be it farther enacted by the authority aforeſaid, That any two or more of the Juſtices of the Peace near adjoyning to the Road through which his Majeſty is to paſs, ſhall immediately after notice in writing from the ſaid Green-cloth and Avenor under their Hands and Seals, ſet down and appoint ſuch reaſonable Rates and Prices to be paid during his Majeſty's abode there, both for Hay and Oats, and other Accommodations for Horſes, as they in their diſcretion ſhall think meet; which Rates one day at the leaſt before his Majeſty's coming to ſuch place, the ſaid Juſtices ſhall cauſe to be proclaimed in the Market-Town next to ſuch place, and in ſuch of the Neighbouring Towns and Villages as to them ſhall ſeem meet, to the end that notice may be taken of ſuch Rates and Prices; and if any perſon ſhall take any other ſum then what is or ſhall be ſo limited, either for Lodging, Horſe-meat, Stable-room, or other ſuch Accommodations, and be thereof convicted by Confeſſion of the party, or by the Oath of one credible Witneſs before any one Juſtice of the Peace, (which Oath the ſaid Juſtice of the Peace is hereby authorized to adminiſter) that then in ſuch caſe, every perſon ſo offending ſhall forfeit and pay to the party grieved the ſum of forty ſhillings, the ſame to be levied by Diſtreſs by Warrant from the ſaid Juſtice of Peace, and Sale thereof, returning the Overplus to the party (the Charge of the Diſtraining being firſt deducted.) This Act to have continuance till the end of the firſt Seſſion of the next Parliament, and no longer.

Carts ſummoned ſhall be paid though not imployed. VI. Provided always, That where any Cart, or number of Carts ſhall be ſo ſummoned to attend at the place directed for taking in their Loading or Carriage, and ſhall not be employed, in every ſuch caſe or caſes the ſaid Cart-taker or Officer ſhall pay to the Owner or Servant of every ſuch Cart with four Horſes or more, which ſhall ſo appear and not be employed, the ſum of five ſhillings for every Cart ſo employed; and in caſe any Officer or Cart-taker ſhall neglect or refuſe to pay the ſame, upon proof thereof made to the Board of Green-Cloth, he ſhall forfeit the ſum of forty ſhillings to the party aggrieved for every ſuch neglect.

Conſtables, &c. ſhall give an account of the perſons ſummoned. VII. And be it farther enacted, That the High Conſtables or Conſtables, the Mayor, Bailiff or other chief Officer who ſhall be required by this Act to warn in the ſaid Carts and Carriages, as in the ſaid Act directed, do make a Return in Writing to the Clerk or other Officer of the Carriages, of the Names and Places of abode of every ſuch perſon who is ſo warned to bring in his Cart or Carriage, to the intent it may be known (in caſe of any failure) who is in default, and the ſaid Conſtables and other chief Officer or Officers appointed by this Act to warn in the ſaid Carriages, as abovesaid, may be diſcharged and indemnified, and the Defaulters puniſhed, as in this Act is provided.

CAP. XI.

An Act for Reviving an Act for Providing of Carriages by Land and by Water, for the Uſe of his Majeſty's Navy and Ordnance.

Preamble. Cap. 20. Whereas an Act of Parliament was made and paſſed in the thirteenth and fourteenth years of the Reign of his late Majeſty of bleſſed memory, Entituled, An Act for providing Carriages by Land and by Water for the Uſe of his Majeſty's Navy and Ordnance; Which ſaid Act is ſince expired:

And whereas the ſaid Act hath been by experience found to be of neceſſary Uſe, and fit to be Revived and Continued;

12, 13 Car. 2. revived. II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and all and every the Clauſes, Sentences and Articles therein contained, ſhall by virtue of this Act be Revived and Continued, and have the full force, power and virtue of a Law, during the continuance of this Act.

Continue for ſeven years. III. And be it farther enacted and declared by the authority aforeſaid, That this Act ſhall continue and be in force during the ſpace of ſeven years, from the four and twentieth day of June, in the year of our Lord, one thouſand ſix hundred eighty and five, and from thence to the end of the firſt Seſſion of Parliament then next enſuing, and no longer.

CAP. XII.

An Act for Conſolidating the Eſtates Tail and Reverſion in Fee, which his Majeſty hath in the Poſt-Office, and Twenty four thouſand pounds *per Annum* of the Hereditary Exciſe.

Preamble. 15 Car. 2. 14. Whereas by one Act of Parliament made in the fifteenth year of the Reign of his late Majeſty King Charles the Second of ever bleſſed memory, all the yearly Rents, Sum or Sums of mony, Revenues, Iſſues and Profits whatſoever that ſhould grow due, accrue or be payable unto his late Majeſty, his Heirs and Succeſſors, for or by reaſon of the general Letter-Office, or Poſt-Office, or Office of Poſt-Maſter-General were veſted and ſettled in his Majeſty that now is, by the Name of James Duke of York, and the Heirs Males of his Body begotten, or to be begotten, with ſuch powers as in and by the ſaid Act are provided for.

II. And whereas alſo in purſuance of an agreement made by his Majeſty, then Duke of York, with his late Majeſty, his dearly beloved Brother, for accepting of the yearly Rent or Sum of twenty four thouſand pounds to be iſſuing out of the Hereditary Exciſe of Beer, Ale, and other Liquors, in compenſation and full ſatisfaction of the Revenue ariſing by Wine-Licences, and of one Act of Parliament, Entituled, An Act for Reveſting the Power of Granting Wine-Licences in his Majeſty, his Heirs and Succeſſors, and for ſettling a Recompence on his Royal Highneſs in lieu thereof, made in the two and twentieth and three and twentieth years of the Reign of his late Majeſty, for confirming and ratifying of all ſuch Letters Patents, as ſhould be granted of and for the ſaid Sum of twenty four thouſand pounds, his ſaid late Majeſty by his Letters Patents under the Great Seal of England, bearing date the eighteenth day of January, in the two and thirtieth year of his Reign, did give and grant unto his Majeſty, by the Name of James Duke of York, and the Heirs Males of his Body begotten, and to be begotten, the yearly Rent or Sum of twenty four thouſand pounds to be iſſuing out of the Exciſe of Beer, Ale, and other Liquors within the ſeveral Counties and Shires of Bucks, Eſſex, Kent, Norfolk, Suffolk, Berks, Bedfordſhire and Somerſetſhire, with ſuch Powers as in the ſaid Letters Patents are granted.

III. And whereas by the Demiſe of his late Majeſty, the Reverſion, Fee-ſimple and Inheritance as well of the ſaid Revenues, Iſſues and Profits of the General Letter-Office or Poſt-Office, as of the ſaid Rent or Sum of twenty four thouſand pounds iſſuing out of the Exciſe of Beer, Ale and other Liquors, are come, and veſted to and in the Kings Majeſty, his Heirs and Succeſſors in the Right of the Crown of England: And his Majeſty being graciouſly pleaſed to obviate all doubts and ſcruples which may at any time hereafter be moved or ſtirred for or concerning the due Execution of any powers given to his Majeſty by the Name of James Duke of York, in and by the ſaid Acts of Parliament, and Letters Patents for ſetling a Jointure upon his Royal Conſort, or in relation to any farther proviſion which his Majeſty ſhall pleaſe to make out of the ſaid Revenues for the better and more honourable ſupport of the Royal State and Dignity of his deareſt Conſort Maria now Queen of England.

The King to be ſeized in Fee of the Poſt-Office, &c.

IV. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Kings Majeſty, his Heirs and Succeſſors, ſhall from henceforth be and ſtand ſeized of and in all and ſingular the Revenues, Iſſues and Profits of the ſaid General Letter-Office or Poſt-Office, and of and in the ſaid yearly Rent or Sum of twenty four thouſand pounds, iſſuing out of the Hereditary Exciſe of one intire and indefeaſable Eſtate in Fee-ſimple, the ſaid Acts of Parliament, and Letters Patents for creating of Eſtates Tail in his Majeſty notwithſtanding.

Queens Joynture ſaved.

V. Provided always, That this Act, nor any thing therein contained, ſhall not avoid the Joynture heretofore ſettled by his Majeſty upon his ſaid Royal Conſort the Queens Majeſty, but the ſame is hereby Confirmed and Ratified.

CAP. XIII.

An Act for Reviving a former Act for Exporting of Leather, Revived by 1 *W. & M. Seſſ.* 1. *Cap.* 23.

Preamble. 20 Car. 2. c. 5.

Whereas it hath been found by Experience, that one Act paſſed in the twentieth year of his late Majeſty's Reign King Charles the Second, Entituled, An Act for giving Liberty to Buy and Export Leather and Skins Tanned and Dreſſed, hath been very beneficial to this Kingdom and is expired:

To continue for three years.

II. We therefore your Majeſty's moſt Loyal and Obedient Subjects, the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, do humbly pray that it may be Enacted. And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and every part thereof, ſhall be, and are hereby Revived and Continued in full force and virtue, to all intents and purpoſes, from the twenty fourth day of June in the year of our Lord, one thouſand ſix hundred eighty and five, and ſhall ſo continue for the ſpace of three years, and from thence to the end of the firſt Seſſion of Parliament then next enſuing, and no longer.

CAP. XIV.

An Act for Continuance of three former Acts for preventing of Theft and Rapine upon the Northern Borders of *England.*

Preamble. Cap. 22. Cap. 3. Cap. 2.

Whereas an Act was made in the thirteenth and fourteenth years of the Reign of our late Sovereign Lord King Charles the Second, Entituled, An Act for preventing of Theft and Rapine upon the Nothern Borders of *England*; And whereas alſo another Act was made in the eighteenth year of the Reign of the ſaid King, Entituled, An Act to continue a former Act to prevent Theft and Rapine upon the Northern Borders of *England*; Both which Acts were continued by another Act made in the twenty ninth and thirtieth years of the Reign of the ſaid late King, Entituled, An Act for Continuance of two former Acts for preventing of Theft and Rapine upon the Nothern Borders of *England*, for and during the ſpace and time of ſeven years, and alſo from thence until the end of the firſt Seſſion of this preſent Parliament, which Laws have been found very neceſſary for the preſervation of thoſe places from that great number of lewd, diſorderly and lawleſs perſons that uſually infeſted and frequented in thoſe parts:

II. Be

Revived for eleven years.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid three former Acts, and all and every of them, and every Matter, Clauſe and Clauſes therein contained, and all and every the Powers and Authorities thereby given, ſhall be, continue and remain in full force from henceforth, for and during the ſpace and term of eleven years: And alſo from thence unto the end of the firſt Seſſion of the next Parliament.

CAP. XV.

An Act for Rebuilding, Finiſhing and Adorning of the Cathedral Church of St. *Pauls*, *London*.

Preamble.

Eighteen pence per Chaldron or Tun laid upon Coals.

To be paid to the Archbiſhop of Canterbury, &c. before Bulk be broken.

Receipt given upon payment.

Whereas by a late Act of Parliament a ſmall part of the Impoſition upon Coals imported in or near the City of London was given towards the rebuilding the Cathedral Church of St. Pauls wholly ruined by the dreadful Fire of London, which (and all other Supplies) carefully expended, have made ſome conſiderable Advance in the ſaid Work, but ſo far ſhort of finiſhing a Fabrick of ſo large dimenſions, That without farther Encouragment by a Supply from the Publick, the ſaid Work in a little time muſt be left imperfect and uſeleſs, and conſequently all the ſaid former Expence totally loſt, to the diſhonour of our eſtabliſht Religion, and to the reproach of the ſaid City: And whereas by the ſaid late Act the Lord Arch-biſhop of Canterbury, the Lord Biſhop of London, and the Lord Mayor of London for the time being, or any two of them were impowred to imploy and diſpoſe part of the ſaid Impoſition upon Coals towards the building the ſaid Cathedral of St. Pauls; Therefore for enabling of the ſaid Lord Archbiſhop and Lord Biſhop of London, and the Lord Mayor of London for the time being, or any two of them to finiſh ſo great and pious a Work, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for all ſorts of Coals which from and after the twenty ninth day of September, one thouſand ſix hundred eighty ſeven, and before the twenty ninth day of September, one thouſand ſeven hundred ſhall be imported or brought into the Port of the ſaid City of London or the River of Thames within the Liberty of the ſaid City upon the ſame River, there ſhall be paid by way of Impoſition thereupon over and beſides all other Impoſitions and Duties according to the Rates hereafter mentioned, that is to ſay, for all ſuch ſorts of Coals or Culm as are uſually ſold by the Chaldron, for every Chaldron thereof containing thirty ſix Buſhels Wincheſter meaſure the ſum of eighteen pence; and for ſuch ſorts of Coals as are ſold by the Tun, for every Tun thereof containing twenty hundred weight the like ſum of eighteen pence, which ſaid Impoſition of eighteen pence for every Chaldron or Tun of Coals ſhall from time to time during the term aforeſaid be anſwered and paid unto the ſaid Lord Archbiſhop of Canterbury, Lord Biſhop of London, and Lord Mayor of London for the time being, or any two of them, or to their Deputy or Deputies, Officer or Aſſigns thereunto appointed and conſtituted under their Hands and Seals, or the Hands and Seals of two of them, by every Maſter, Owner or Owners, or other perſon or perſons taking charge of any Ship or Veſſel whereupon ſuch Coals ſhall be laden, before they ſhall break bulk or deliver out any Coals or have a Meeter aſſigned for the meaſuring or weighing of any Coals aforeſaid to be delivered from on board any ſuch Ship or Veſſel, the ſaid Impoſition to be paid at ſuch place or places as by the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor, or any two of them ſhall from time to time be appointed for the receipt thereof, whereupon the party appointed to receive the ſame ſhall without delay, fee or reward deliver a receipt to the perſon or perſons who ſhall pay the ſaid Impoſition or Duty, which Receipt ſhall for ſo much be a ſufficient diſcharge.

Coal-meeters ſhall give to the Archbiſhops Officer a Certificate of the quantity.

The penalty for not doing of it.

5 s. per Chaldron or Tun more upon concealed Coals.

Ship may be attached for Non-payment.

II. And to the end that the ſaid Impoſition may be duly anſwered and paid without Fraud or Covin, and for the better levying and collecting thereof, and for diſcovery of the juſt quantities of all ſorts of Coals to be imported as aforeſaid, Be it farther enacted by the authority aforeſaid, That the Coal-meeters for the City of London appointed or to be appointed, and every of them and their reſpective Deputies in their turn and courſe of attendance reſpectively ſo ſoon as any Ship or Veſſel freight with Coals ſhall be unladen, ſhall forthwith deliver a true Certificate in writing unto the Deputy or Deputies, Officers or Aſſigns of the ſaid Lord Archbiſhop, Lord Biſhop and Lord Mayor for the time being, or any two of them (who ſhall be appointed to receive the ſaid Impoſition) of the ſorts, quantities or number of Chaldrons or Tuns of Coals reſpectively, which ſhall be meaſured or weighed and delivered from on board any Ship or Veſſel, on pain for his or their default therein to be ſuſpended from the execution and benefit of his or their Office or Imployment for one whole year from thence next following, and to forfeit the ſum of ten pounds; and in caſe it ſhall appear by ſuch Certificate or otherwiſe, that there was on board any ſuch Ship or Veſſel a greater number of Chaldrons or Tuns of Coals then for which the ſaid Impoſition ſhall have been anſwered and paid as aforeſaid, that then in ſuch caſe there ſhall be paid to the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them, for every Chaldron or Tun of Coals ſo concealed over and above the Impoſition aforeſaid, the farther Impoſition or Sum of five ſhillings, for all which Impoſitions (in caſe of refuſal to pay the ſame) ſuch Ship or Veſſel, or any the Tackle, Furniture or Apparel thereof may be attached and detained by Warrant from the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them until payment thereof.

Penalty diſcharged if firſt Impoſt paid within twenty four hours.

III. Provided neverthereleſs, That if the Importer upon ſuch Certificate delivered in by the Coal-meeter, ſhall within four and twenty hours give in his Poſt-entry, and ſatisfie and pay the whole Duty for the Surpluſage of Coals appearing upon the unlading of ſuch Ship or Veſſel, that then upon ſuch payment the penalty aforeſaid ſhall be diſcharged.

IV. Be

Archbiſhop, &c. may appoint Searchers.

IV. Be it farther enacted, That it ſhall be lawful for the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them, by Warrant under their Hands, to appoint an Officer or Officers to go on board all Ships and Veſſels laden with Coals, and to inſpect the Coal-meeters and their Deputies in their Work, ſcore and full clearing and livering every ſuch Ship and Veſſel, and to certifie as directed by the ſaid Warrant.

Mony to be applied to build St. Pauls.

V. And be it farther enacted, That all and every ſuch Sum and Sums of Mony which ſhall be raiſed upon the Receipt of the Impoſition of eighteen pence for every Chaldron or Tun of Coals, or by ſuch Additional Impoſition or Duty in caſe of Concealment as aforeſaid, ſhall in the firſt place be applied and diſpoſed unto the rebuilding, finiſhing and adorning the ſaid Cathedral of St. Pauls.

Books to be kept of receipts and disburſements.

VI. And to the end the Monies to be raiſed upon the Impoſition aforeſaid may be duly applied to the uſes for which the ſame is by this Act appointed; Be it farther enacted, That there ſhall from time to time be provided and kept by the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor, or two of them, or by their Deputy or Deputies, Officer or Aſſigns appointed as aforeſaid, one or more Book or Books of Vellom or Parchment in which all Monies thereupon to be received ſhall from time to time be entred and ſet down; and alſo other like Book or Books wherein the Accompts of all Payments and Disburſements out of the ſame ſhall be likewiſe entred, expreſſing the time when, the occaſion for which, and the Name of the Perſon or Perſons to whom the ſame were ſo paid or disburſed; and that it ſhall and may be lawful to and for all and every Perſon or Perſons that ſhall or may be in any wiſe concerned ſo to do, to have free acceſs unto, and view the ſaid reſpective Books of Receipts and Disburſements at all times when the Office is open, without any Fee or Reward to be taken or demanded for view or inſpection thereof. And that the Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them, before the end of Michaelmas-Term in every year after the year one thouſand ſix hundred eighty ſeven, ſhall tranſmit and deliver into the Receipt of Exchequer a true Abſtract of the aforeſaid Books of Accompts containing the Receipts and Disburſements of all Monies which ſhall be raiſed and paid by or out of the ſaid Impoſition upon Coals in the year preceeding, and ending upon the four and twentieth day of June next before, there to be received gratis by the proper Officer, and kept amongſt the Records of the ſaid Court, where it ſhall be lawful for any Perſon or Perſons who ſhall be in any wiſe concerned ſo to do, to have acceſs thereunto, and to view and peruſe the ſaid Books of Accompts without any Fee or Reward to be taken or received for the ſame.

The Books may be ſeen without Fee.

An Abſtract to be annually tranſmitted into the Exchequer

Which may be viewed.

The Mony to be paid as the Archbiſhop, &c. ſhall appoint.

VII. And be it farther enacted, That all and every Sum and Sums of Mony which ſhall be raiſed or paid by virtue of this Act, ſhall be imployed and diſpoſed for and towards the rebuilding, finiſhing and adorning the ſaid Cathedral Church of St. Pauls, according to ſuch Order and Direction as by the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them, ſhall be given in that behalf; and the ſame ſhall from time to time be iſſued out and paid accordingly unto ſuch Perſon and Perſons as they or any two of them ſhall by Warrant under their Hands and Seals for that purpoſe direct and appoint; which Warrant and ſuch Perſon or Perſons Acquittance ſhall be a ſufficient diſcharge in Law to him or them who ſhall thereupon pay any ſuch Sum or Sums of Mony.

Allowance to Officers.

VIII. And be it farther enacted, That for all Monies paid and disburſt by virtue of this Act, it ſhall and may be lawful for the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them, under their Hands and Seals, to diſpoſe of any Sum or part of the ſaid Monies, not exceeding in the whole four pence in the pound, unto ſuch Perſon or Perſons who ſhall be appointed from time to time to be Treaſurer or Treaſurers, Paymaſters, Book-keepers, Collectors or Accomptants for the ſaid Mony in lieu of the trouble, hazard and incident charges attending the Receipt and Payment thereof. And foraſmuch as the Monies to be raiſed by the Impoſitions aforeſaid will not in a long time raiſe ſuch a Stock or Sum of Mony as may be ſufficient for the effecting the Ends and Purpoſes of this Act:

The borrowing Clauſe.

IX. It is hereby farther enacted, That the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them, ſhall be and are hereby impowered by Indenture under their Hands and Seals to ingage the Profit ariſing out of the reſpective Impoſitions by this Act, or any part or parts thereof, as a Security for any Sum or Sums of Mony by them to be borowed for the Ends and Purpoſes of this Act, to any Perſon or Perſons that ſhall or will advance any Sum or Sums upon ſuch Security. All which Mony ſo to be borrowed ſhall be imployed for or towards the rebuilding, finiſhing and adorning the ſaid Cathedral Church according to the true intent of this Act.

Perſon ſued may plead General Iſſue, and recover double Coſts.

X. Provided always, and be it enacted, That if any Action or Suit ſhall be brought or proceeded againſt any Perſon or Perſons for any matter or thing done, committed or executed by virtue of this Act, or of any Clauſe or Article herein, That then and in every ſuch caſe the Defendant or Defendants may plead the General Iſſue (Not Guilty) and give this Act and the ſpecial Matter in Evidence at any Tryal thereupon to be had; and if a Verdict ſhall paſs for the Defendant, or the Plaintiff ſhall be Non-ſuit or diſcontinue his Action after the Defendant hath appeared, the Defendant ſhall recover double Coſts to be awarded for his or their wrongful Vexation in that behalf.

The Mony ſhall be paid to ſuch as the Archbiſhop, &c. ſhall appoint.

Receivors ſhall give Security approved by the Lord Chancellor, &c.

XI. And be it farther enacted, That all ſuch Monies ſo to be received upon accompt of the ſaid Impoſition ſhall from time to time be paid to ſuch Perſon or Perſons as the ſaid Lord Archbiſhop, Lord Biſhop, Lord Mayor, or any two of them, ſhall from time to time appoint under their Hands and Seals to be Receiver or Receivers-General, ſo as ſuch Perſon or Perſons do firſt give good Security to the Dean and Chapter of the ſaid Cathedral Church of St. Pauls, London, for the due repayment of all ſuch Monies as they ſhall receive in purſuance of this Act, that they may be expended according to this Act; the ſaid

Security being firſt approved under the Hands of the Lord Chancellor or Lord Keeper of the Great Seal, Lord Chief Juſtice of the Kings Bench, Lord Chief Juſtice of the Common Pleas, and Lord Chief Baron for the time being, or any two or more of them.

Farther Preamble.

XII. And whereas by the Additional Act for rebuilding the City of London, made in the two and twentieth year of King Charles the Second, an impoſition of eighteen pence per Chaldron upon Coals was appointed for rebuilding fifty one Parochial Churches named in the ſaid Act, by the Warrant and Direction of the ſaid Lord Archbiſhop of Canterbury, the Lord Biſhop of London, and Lord Mayor of London for the time being, or any two of them; And whereas by a Proviſo in the ſaid Act, one fourth part of the ſaid Impoſition was appointed to be imployed by the like Warrants for the rebuilding the Cathedral Church of St. Pauls, by which means the Fabrick of the ſaid Cathedral hath been conſiderably advanced; Now ſo it is, that the ſaid fourth part having been deducted, the remainder of the ſaid Impoſition will by eſtimate fall ſhort of finiſhing all the ſaid Parochial Churches, ſo that four of the ſaid fifty one Churches may remain unbuilt, and the Towers of ſome other Churches not perfected; to the end therefore that the ſaid Pariſh Churches appointed by Name in the ſaid Act to be rebuilt may have due benefit of the ſaid Impoſition upon Coals; Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Lord Archbiſhop of Canterbury, the Lord Biſhop of London, and Lord Mayor of London for the time being, or any two of them, to appropriate by Warrant under their Hands and Seals ſuch part of the Impoſition granted by this Act as ſhall in their diſcretions ſeem ſufficient for the compleating of any the ſaid Parochial Churches that may happen to remain unfiniſhed at the expiration of the aforeſaid Act made in the two and twentieth year of King Charles the Second, ſo as the ſame do not in any one year exceed one fifth part of the Impoſition granted by this Act; And when the ſaid Churches ſhall be competently finiſhed, then to apply and appropriate the whole Remainder of the ſaid Impoſition to the rebuilding of the ſaid Cathedral of St. Pauls, and to no other uſe nor purpoſe whatſoever.

Archbiſhop, &c. may appropriate any part under a 5th to the finiſhing the other Churches

Coals delivered to Chelſea-Colledge diſcharged.

XIII. Provided, That this Act nor any thing therein contained ſhall not extend or be conſtrued to extend during the continuance of this Act, to charge or lay any the Duties or Impoſitions aforeſaid upon a certain yearly Rent or Allowance of one hundred Chalders of Coals which are to be anſwered and delivered by the Mayor and Burgeſſes of New Caſtle upon Tine for the uſe of his Majeſty's Royal-Hoſpital now in Building in or near Chelſea in the County of Middleſex, for a certain long term of years yet to come, (the ſaid Mayor and Burgeſſes for the time being, or their Agents, giving notice from time to time during the continuance of this Act, to the Lord Archbiſhop of Canterbury, Lord Biſhop of London, and Lord Mayor of London, or any two of them, of the intended delivery of ſuch Coals for the uſe aforeſaid, three days at the leaſt before the delivery thereof) any thing before herein contained to the contrary notwithſtanding.

CAP. XVI.

An Act for clearing, preſerving, maintaining and repairing the Haven and Piers of *Great-Yarmouth*, explained by 1 *W.* & *M.* Seſſ. 1. Cap. 11.

Preamble.

WHereas the Borough of Great-Yarmouth in the County of Norfolk is of great importance as well for his Majeſty's Service and Revenue, as for the good of the whole Kingdom, eſpecially in the preſervation of the Fiſhery, and the breeding and imploying many thouſands of skilful Mariners and Seamen. And the Haven and Piers of the ſaid Burgh have been of late much (more then heretofore) obſtructed and ruined by Sands thrown up by the Sea in ſuch ſort as that the benefit thereof muſt of neceſſity be loſt (if not timely prevented) the great charge of clearing, preſerving, maintaining and repairing whereof the Mayor, Aldermen, Burgeſſes and Commonalty of the ſaid Burgh are in no wiſe able to bear, the ſaid Corporation ancient real Eſtate being near four hundred pounds per Annum being ſold and expended, and they very much indebted by the great charge of the repair thereof, and the powers of the former Acts of Parliament concerning the ſame being now wholly determined; to the end therefore that the ſaid Haven and Piers may be cleared, preſerved, maintained and kept in good repair;

Power given to the Mayor, &c. to lay 12 d. a Chaldron upon Coals and other Commodities for the repair of the Harbor.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for fourteen years and to the end of the next Seſſion of Parliament, from and after the twenty fourth day of July next enſuing, there ſhall be paid by every the Maſter or other Perſon or Perſons having the rule and command of any Ship or Veſſel unlading, or which ſhall unlade within the ſaid Haven of Great-Yarmouth, or in the place in the Sea called Yarmouth-Road, near or adjoyning to the ſaid Burgh, extending from the South part of the Town of Scratby in the County of Norfolk, to the North part of the Town of Corton in the County of Suffolk, at the time of the unlading thereof, for the Goods hereafter mentioned; (that is to ſay) for every Chalder of Coals (Wincheſter meaſure) Laſt of Wheat, Rye, Barley, Malt and other Grain, and for every Weight of Salt, and every Tun of any other Goods or Merchandizes whatſoever, Fiſh only excepted, which ſhall be imported and unladeu in the ſaid Haven or Road, ſuch Sum or Sums of Mony not exceeding the Sum of twelve pence of lawful Mony of England, as the ſaid Mayor, Aldermen, Burgeſſes and Commonalty in Common-Council aſſembled ſhall from time to time order or appoint. And to the intent that the Sums of Mony to be paid as aforeſaid, may be duly collected and levied to the uſe and purpoſe aforeſaid.

Mayor, &c. to nominate Collectors.

III. Be it farther enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, Burgeſſes and Commonalty in Common-Council aſſembled, from time to time, and at all times hereafter during the ſaid Term of fourteen years, and to the end of the next Seſſion of Parliament, to nominate and chooſe ſuch perſon or perſons to be Collector or Collectors, Receiver or Receivers of every ſuch ſum or ſums of Mony as ſhall be ordered or appointed to be paid as aforeſaid, as they ſhall think fit. All which ſums of Mony the ſaid Collector or Collectors, Receiver or Receivers ſhall from time to time pay or cauſe to be paid into the Hands of the Chamberlain of the ſaid Burgh for the time being, for the uſe of the ſaid Mayor, Aldermen, Burgeſſes and Commonalty for the uſe, intent and purpoſe aforeſaid, and to none other uſe, intent or purpoſe whatſoever. And to the intent that all and every the ſum and ſums of Mony which ſhall be collected and levied by virtue of this Act may be imployed for the clearing, preſerving, maintaining and keeping in Repair of the ſaid Haven and Piers.

Collectors to pay the Mony to the Chamberlain.

IV. Be it enacted by the authority aforeſaid, That there ſhall be eight or any five of them Commiſſioners nominated and appointed to have the Inſpection, and take the Account of the Receipts and Disburſements of all ſuch Monies as ſhall be ſo collected and levied during the Term aforeſaid; Two of which ſaid Commiſſioners ſhall be yearly and every year from time to time nominated and appointed by the Mayor, Aldermen, Burgeſſes and Commonalty in Common-Council aſſembled, and other two of the ſaid eight Commiſſioners ſhall be in like manner nominated and appointed by the Mayor, Aldermen and Commons of the City of Norwich in Common-Council aſſembled; and other two of them ſhall be in like manner nominated and appointed by the Juſtices of the Peace for the ſaid County of Norfolk; and the other two of them ſhall be in like manner nominated and appointed by the Juſtices of the Peace for the County of Suffolk at the reſpective Seſſions of the Peace to be holden for the ſaid Counties of Norfolk and Suffolk reſpectively, which ſaid Commiſſioners or any five or more of them ſhall and may from time to time during the ſaid Term call before them the Collectors, Receivers and others who ſhall from time to time be intruſted with the Collection, Receipt or Imployment of the Monies to be collected and received in purſuance of this Act, who ſhall and are by virtue of this Act required to render unto tye ſaid Commiſſioners or any five or more of them a true accompt thereof, and of all and every ſum or ſums of Mony which ſhall reſt due upon ſuch accompt; and the ſaid Commiſſioners or any five or more of them ſhall and may order and appoint all ſuch Monies as ſhall reſt due upon ſuch accompt to be laid out and expended for and towards the uſes and purpoſes aforeſaid as there ſhall be cauſe; And the Mayor of the ſaid Burgh for the time being, is hereby enabled and required to adminiſter an Oath to every ſuch Collector or Collectors, Receiver or Receivers as ſhall be nominated and choſen as aforeſaid for the true and faithful executing his or their Office in and about the Premiſſes, according to the true intent and meaning of this preſent Act.

To be eight Commiſſioners.

The Manner of their choice.

The Commiſſioners or any five may take the Accounts and diſpoſe of the Mony.

Oath to be given to the Collectors.

V. Provided, That the ſaid Collector and Collectors, Receiver and Receivers to be nominated and choſen, as aforeſaid, and every of them, ſhall from time to time be allowed for their pains in executing the ſaid Office out of the ſums of Mony by him received, ſo much as the ſaid Mayor, Aldermen, Burgeſſes, and Commonalty in Common-Council aſſembled, ſhall think fit, not exceeding two pence in the pound.

Allowance to the Collectors.

VI. And be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers for the time being, and every or any of them from time to time, and at all convenient and ſeaſonable times, to enter into any Ship or Veſſel within the ſaid Haven and Road, or any of them, there to ſee and inform him and themſelves what Goods ſhall be in the ſame unladen out thereof; And in caſe the ſaid ſum or ſums of Mony ſo ordered or appointed to be paid as aforeſaid, ſhall not be paid by the Maſter or other perſon or perſons having the Rule and Command of any Ship or Veſſel unlading as aforeſaid, according to the true intent and meaning of this Act, That then and ſo often it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Recievers, and every or any of them, by Warrant obtained from the Mayor of the Burgh of Great-Yarmouth aforeſaid for the time being, under his Hand and Seal, to take and diſtrain every ſuch Ship or Veſſel, and all Tackle, Apparel and Furniture thereto belonging, or any part thereof, and the ſame to detain and keep until he or they be ſatisfied and paid the ſaid ſums of Monies and every of them. And in caſe of neglect or delay of or in payment of the ſaid ſum or ſums of Mony, or any of them, or any part thereof within ten days next after any Diſtreſs or Diſtreſſes ſo taken as aforeſaid, That then it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers and every or any of them to ſell the ſaid Diſtreſs or Diſtreſſes ſo taken, and therewith to ſatisfie him or themſelves as well for and concerning the ſaid Duty ſo neglected or delayed to be paid, and for which any Diſtreſs or Diſtreſſes ſhall be ſo taken as aforeſaid, and alſo for his and their reaſonable Charges in taking or keeping of ſuch Diſtreſs, rendring to the Maſter or other perſon having the Rule or Command of the Ship or Veſſel of, in, or from which ſuch Diſtreſs ſhall be ſo taken, the Overplus, if any there ſhall be.

Collectors may ſearch Ships.

Collectors upon Non-payment may by Warrant from the Mayor diſtrain Ships.

Upon ten days neglect may ſell the Ship.

Muſt reſtore the Overplus.

VII. Provided always, and be it enacted by the authority aforeſaid, That ſuch Fiſh, Oyls and Fiſh-Livers as ſhall be obtained in and upon any Fiſhing-Voyage or Voyages, and ſuch remainder of Salt, Bread, Beer and other Proviſion as ſhall be taken into any Ship or Veſſel for accompliſhing any Fiſhing-Voyage or Voyages, or into any Ship or Veſſel for the Maintenance of the Maſter and Mariners ſerving therein upon any Voyage or Voyages to be made with ſuch Ship or Veſſel, and not ſpent therein, ſhall be exempted from the payment of the ſaid Duty, any thing herein contained to the contrary thereof notwithſtanding.

Fiſh, Oyls and Maintenance, for the Seamen excepted.

CAP. XVII.

An Act for Reviving and Continuance of ſeveral Acts of Parliament therein mentioned.

Preamble.

WHereas many good and wholſom Laws were made in the Reign of your Majeſty's Royal Brother King Charles the Second of bleſſed Memory, as Probationary Laws which by Experience have been found very uſeful and beneficial both for the Service of the Crown, and Good of the Subjects of this your Majeſty's Realm; which ſaid Acts being made Temporary, are moſt of them expired, and others near expiring; your Commons in this preſent Parliament aſſembled, taking the ſame into their ſerious Conſideration, do moſt humbly beſeech your Majeſty, That it may be enacted:

13 & 14 Car. 2. cap 12. revived for ſeven years, except as to the Corporation.

II. And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That one Act of Parliament made in the thirteenth and fourteenth years of his ſaid late Majeſty's Reign, Entituled, An Act for the better Relief of the Poor of this Kingdom, (except what relates unto the Corporation therein mentioned and conſtituted thereby) ſhall be in force from the firſt day of this preſent Seſſion of Parliament, and ſo to continue for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament.

Settlement to be accounted from notice in Writing.

III. And foraſmuch as ſuch poor perſons at their firſt coming to a Pariſh do commonly conceal themſelves, Be it therefore hereby provided and enacted by the authority aforeſaid, That the forty days continuance of ſuch perſon in a Pariſh intended by the ſaid Act to make a Settlement ſhall be accompted from the time of his or her delivery of Notice in Writing (which they are hereby required to do) of the Houſe of his or her abode, and the number of his or her Family, if he or ſhe have any, to one of the Churchwardens or Overſeers of the Poor of the ſaid Pariſh to which they ſhall ſo remove.

13 & 14 Car. 2. cap. 21 Sheriffs made perpetual.

IV. And be it farther enacted by the authority aforeſaid, That one other Act made in the ſaid thirteenth and fourteenth years of his ſaid late Majeſty's Reign, Entituled, An Act for Preventing the unneceſſary Charge of Sheriffs, and for Eaſe in paſſing their Accounts, ſhall be in force, and is hereby made perpetual.

17 Car. 2. cap. 8. Avoiding Delays, and 22 & 23 Car. 2. cap. 10. Diſtribution, made perpetual. Explanatory Clauſe in 29 Car. 2. c. 3. §. 25. of 22 & 23 Car. 2. cap 10. Of Diſtributions, made perpetual. 30 Car. 2. cap. 6. For reviving the two former Acts revived and made perpetual.

V. And be it enacted by the authority aforeſaid, That one other Act made in the ſeventeenth years of his ſaid late Majeſty's Reign, Entituled, An Act for avoiding unneceſſary Suits and Delays: And alſo one other Act made in the two and twentieth and three and twentieth years of his late Majeſty's Reign, Entituled, An Act for the better ſetling Inteſtates Eſtates, (which ſaid latter Act is explained by a Clauſe in one other Act made in the nine and twentieth year of his ſaid late Majeſty's Reign, Entituled, An Act for prevention of Frauds and Perjuries) both which ſaid Acts with the ſaid Clauſe, are continued by one other Act made in the thirtieth year of his ſaid late Majeſty's Reign, Entituled, An Act for Reviving both the ſaid former Acts. All which ſaid Acts and Clauſes ſhall be in force, and is hereby made perpetual.

Adminiſtrator compellable to account only to perſons intereſted.

VI. Provided always, and it is hereby farther enacted, That no Adminiſtrator ſhall from the four and twentieth day of July next, be cited to any the Courts in the ſaid laſt Act mentioned, to render an account of the perſonal Eſtate of his Inteſtate (otherwiſe then by an Inventory or Inventories thereof) unleſs it be at the inſtance or proſecution of ſome perſon or perſons in behalf of a Minor, or having a demand out of ſuch perſonal Eſtate as a Creditor or next of kin; nor be compellable to accompt before any the Ordinaries or Judges by the ſaid laſt Act impowred and appointed to take the ſame, otherwiſe then as is aforeſaid; any thing in the ſaid laſt Acts contained to the contrary notwithſtanding.

Brother and Siſter ſhall ſhare equally with the Mother.

VII. Provided alſo, and it is farther enacted by the authority aforeſaid, That if after the death of a Father, any of his Children ſhall die inteſtate without Wife or Children in the Life-time of the Mother, every Brother and Siſter, and the Repreſentatives of them ſhall have an equal ſhare with her; any thing in the laſt mentioned Acts to the contrary notwithſtanding.

Clauſe of ſaving Cuſtoms of London and Province of York in Act of Diſtributions, not to extend to Inteſtates Eſtates claimed by an Adminiſtrator quaſi Adminiſtrator.

VIII. Provided, and it is hereby, for the determining ſome Doubts ariſing upon the Acts aforementioned, for the better ſettling Inteſtates Eſtates, enacted and declared, That the Clauſe therein by which it is provided, That that Act, or any thing therein contained ſhould not any ways prejudice or hinder the Cuſtoms obſerved within the City of London and Province of York, was never intended, nor ſhall be taken or conſtrued to extend to ſuch part of any Inteſtates Eſtate, as any Adminiſtrator by virtue only of being Adminiſtrator by pretence or reaſon of any Cuſtom, may claim to have to exempt the ſame from Diſtribution, but that ſuch part in the hands of ſuch Adminiſtrator, ſhall be ſubject to Diſtribution as in other Caſes within the ſaid Act.

19 Car. 2. cap. 12. Aſſigning Exchequer Orders, continued for ſeven years.

IX. And be it farther enacted by the authority aforeſaid, That one other Act made in the nineteenth year of King Charles the Second, Entituled, An Act for aſſigning Orders in the Exchequer without Revocation, ſhall be in force from the firſt day of this preſent Seſſion of Parliament, and ſo to continue for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament.

22 & 23 Car. 2. cap. 19. Cattel in Smithfield, for ſeven years.

X. And be it farther enacted by the authority aforeſaid, That one other Act made in the two and twentieth and three and twentieth years of his ſaid late Majeſty's Reign, Entituled, An Act to prevent Frauds in the Buying and Selling of Cattle in *Smithfield* and elſewhere, ſhall be in force from the four and twentieth day of June, one thouſand ſix hundred eighty five, and ſo to continue for ſeven years, and from thence to the end of the next Seſſion of Parliament; Provided, That the ſaid Act, or any therein contained, ſhall not extend to Sales-men or Factors imployed by Farmers or Feeders.

Factors excepted.

22 & 23 Car. 2. cap. 22. For better recovery of Fines and

XI. And be it farther enacted by the authority aforeſaid, That one other Act made in the two and twentieth and three and twentieth years of his ſaid late Majeſty's Reign, Entituled, An Act for the better and more certain Recovery of Fines and Forfeitures due to his

Majeſty, ſhall be in force from the firſt day of this preſent Seſſion of Parliament, and ſo to continue for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament.

Forfeitures revived for ſeven years.

XII. And be it farther enacted by the authority aforeſaid, That one other Act of the two and twentieth and three and twentieth of King Charles the Second, Entituled, An Act to Revive an Act, Entituled, An Act to prevent the Diſturbance of Seamen and others, and to preſerve the Stores belonging to his Majeſty's Navy-Royal, with ſome Alterations and Additions, ſhall be in force from the firſt day of this preſent Seſſion of Parliament, and ſo to continue for ſeven years, and from thence to the end of the firſt Seſſion of the next Parliament.

22 & 23 Car. 2. cap. 23. To prevent diſturbance of Seamen revived for ſeven years.

XIII. And be it farther enacted by the authority aforeſaid, That one other Act of the two and twentieth and three and twentieth of King Charles the Second, Entituled, An Act to prevent the Planting of Tobacco in *England*, and for Regulating the Plantation Trade, ſhall be in force from the firſt day of this preſent Seſſion of Parliament, and ſo to continue for ſeven years, and from thence to the end of the next Seſſion of Parliament.

22 & 23 Car. 2. cap. 26. Tobacco, revived for ſeven years.

XIV. And be it farther enacted by the authority aforeſaid, That one other Act made in the thirtieth year of King Charles the Second, Entituled, An Act to Enable Creditors to Recover their Debts of the Executors and Adminiſtrators of the Executors in their own wrong ſhall be in force from the firſt day of this preſent Seſſion of Parliament, and ſo to continue for ſeven years, and from thence to the end of the firſt Seſſion of the next Parliament.

30 Car. 2. cap. 7. Executor de ſon tort for ſeven years.

XV. And be it farther enacted by the authority aforeſaid, That one other Act made in the thirteenth and fourteenth years of his ſaid late Majeſty's Reign, Entituled, An Act for preventing the frequent Abuſes in Printing Seditious, Treaſonable and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing-Preſſes, and every Clauſe, Article and thing therein contained be Revived, and continue in force from the four and twentieth day of June, in the year of our Lord, one thouſand ſix hundred eighty five, for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament.

13 & 14 Car. 2. cap. 33. Preſs, for ſeven years.

CAP. XVIII.

An Act to encourage the Building of Ships in *England*.

Whereas for ſome years paſt, and more eſpecially ſince the laying a Duty upon Coals brought into the River of Thames, there hath been obſerved a more than ordinary Decay in Building Ships in England, and particularly in New Caſtle, Hull, Yarmouth, Ipſwich, Alborough, Dunwich, Walderſwich, Woodbridge and Harwich, where many ſtout Ships were yearly built for the Coal and other Trade, which were of great uſe to his Majeſty in time of War, and a Nurſery for able Seamen, but by the Diſcouragement that Trade hath ever ſince lain under, occaſioned chiefly by the freedom which Foreign Ships and Veſſels bought and brought into this Kingdom have enjoyed in the Coal and other Inland-Trade equal to that of Engliſh built Ships, the Merchants, Owners and others have not been able to build as formerly, which hath cauſed many of our Engliſh Ship-wrights, Calkers and Seamen to ſeek their Imployments abroad, whereby the Building-Trade is not only wholly loſt in ſeveral of the aforementioned places, and in others very much decayed, but alſo the Importation of Timber, Plank, Hemp, Pitch, Tar, Iron, Maſts, Canvas and other Commodities uſed in building and fitting out Ships are greatly leſſened, to the apparent prejudice of his Majeſty's Cuſtoms, the loſs of a conſiderable Employment for Shipping, and conſequently of all other Trades depending thereupon, to the too great advantage of Foreign Nations.

Preamble.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Foreign-built Ships and Veſſels which ſhall from henceforth be bought and brought into the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, and be imployed in carrying or tranſporting any Goods or Merchandize from Port to Port as aforeſaid, for every Voyage ſhall pay to his Majeſty, his Heirs and Succeſſors at the Port of delivery of the reſpective Lading (before the delivery thereof) over and above all Duties now paid, or that ſhall hereafter be payable by Engliſh built Ships, the ſum of five ſhillings per Tun, to be collected and received by ſuch perſon or perſons as his Majeſty ſhall appoint in that behalf; one moiety whereof to be for the uſe of the Cheſt at Chatham, the other moiety to the Maſter, Wardens and Aſſiſtants of the Trinity Houſe of Deptford-Strond, for and towards the Relief of wounded and decayed Seamen, their Widows and Children. And whereas there are now in England belonging or pretended to belong to Engliſh Owners, many Foreign-built Ships and Veſſels which do tranſport Coals and other Goods from Port to Port in England as aforeſaid, paying no more Duty then Engliſh Ships pay;

Foreign-built Ships to pay 5 s. per Tun.

Diſpoſal of the Mony.

Farther Preamble.

III. Be it farther enacted by the authority aforeſaid, That all ſuch Foreign Ships (which are not free) for every Voyage ſhall pay, after the Feaſt of St. Michael in the year of our Lord one thouſand ſix hundred eighty and nine, at the Rate of twelve pence per Tun over and above all Duties now paid, or that ſhall hereafter be payable by Engliſh built Ships, to be diſpoſed of unto the Cheſt of Chatham, and the Trinity Houſe of Deptford-Strond by Moieties as aforeſaid, and for the Uſes before mentioned, which ſaid laſt mentioned Duty of twelve pence per Tun ſhall alſo be collected and received in manner aforeſaid, at their reſpective Ports of delivery of their reſpective Lading before the delivery thereof.

Foreign Ships already in Engliſh hands 1 s. per Tun.

IV. And be it farther enacted by the authority aforeſaid, That his Majeſty ſhall have the ſame remedy for receiving and recovering of the Duties above mentioned, as are provided in a certain Act of Parliament made in the twelfth year of the Reign of our late Sovereign Lord King Charles the Second, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Mony payable upon Merchandize Exported and Imported.

How the Duties to be recovered as provided by 12 Car. 2. cap. 4.

The Duties not to be farmed.

V. Provided always, That the ſaid Duties of five ſhillings per Tun, and twelve pence per Tun, or any part thereof hereby impoſed upon ſuch Foreign built Ships which have been heretofore, or ſhall hereafter be bought or brought into England, ſhall not be ſet to Farm to any perſon or perſons for any term or time, or for any Rent or certain payment whatſoever, but that the ſeveral perſons who ſhall be appointed to receive the ſame, ſhall actually receive the ſaid whole Duty payable by every ſuch Ship; and account for the ſame as by this Act is directed.

CAP. XIX.

An Additional Act for the Improvement of Tillage.

Preamble.

FOraſmuch as by an Act made in the two and twentieth year of the Reign his late Majeſty of ever bleſſed Memory, Entituled, An Act for Improvement of Tillage, and the Breed of Cattel; It is amongſt other things provided and enacted, That from and after the nine and twentieth day of June, one thouſand ſix hundred and ſeventy, and from thence forward certain Rates ſhould be paid for the Cuſtom and Poundage of Foreign Corn and Grain imported into this Kingdom, according to the prices of Engliſh Corn at the Times, Havens and Places when and where the ſame ſhould be imported, as by the ſaid Act particularly appeareth.

II. And in as much as no Proviſion was made by the ſaid Act for aſcertaining and determining the ſaid prices, by reaſon whereof divers great quantities of Foreign Corn and Grain have been imported without paying the reſpective Duties by the ſaid Act appointed, contrary to the true intent and meaning of the ſaid Act:

Juſtices upon the Coaſts have power by the Oath of two men to determine the prices of Corn.

III. Now for ſupplying the ſaid Defect, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Feaſt of St. Michael the Arch-Angel next, and from thence forward, it ſhall and may be lawful to and for all and every the Juſtices of the Peace for the ſeveral and reſpective Counties within his Majeſty's Kingdom of England, Dominion of Wales, and the Town of Berwick upon Tweed, wherein Foreign Corn or Grain ſhall or may be hereafter imported; and they and every of them are hereby injoyned and required at their next reſpective Quarter-Seſſions after Michaelmas and Eaſter-day yearly by the Oaths of two or more honeſt and ſubſtantial perſons of the reſpective Counties being neither Merchants nor Factors for the importing of Corn, nor any ways concerned nor intereſſed in the Corn ſo imported, and each of them having a Freehold Eſtate of twenty pounds per Annum, or a Leaſe-hold Eſtate of fifty pounds per Annum, above all Charges and Reprizes, and being skilful in the prizes of Corn (which Oaths all and every the ſaid Juſtices are hereby impowred to adminiſter) and by ſuch other ways and means as to them ſhall ſeem fit, to examine and determine the Common Market-prices of midling Engliſh Corn and Grain of the reſpective ſorts in the ſaid Acts mentioned, as the ſame ſhall be commonly bought and ſold in the ſaid reſpective Counties into which any Foreign Corn and Grain ſhall be imported, and to certifie the ſame with two ſuch Oaths made as aforeſaid, in Writing annext, unto his Majeſty's chief Officer and Collector of the Cuſtoms for the time being, reſiding in the ſaid reſpective Ports or Havens where the ſaid Corn and Grain ſhall be imported, to be hung up in ſome publick place in the Cuſtom-houſe, to which all perſons may reſort for their Information.

Juſtices to certifie the price to the Head-Collector who is to publiſh it.

Foreign Corn to pay Duty according to the Juſtices Certificate.

IV. And it is hereby farther enacted by the authority aforeſaid, That from and after the ſaid Feaſt of Saint Michael the Archangel next, the Cuſtom and Duty of Foreign Corn and Grain imported into any of his Majeſty's ſaid Dominions of England, Wales, and Town of Berwick upon Tweed, appointed by the ſaid Act to be paid, ſhall be collected and paid according to the prices contained in ſuch reſpective Certificates as aforeſaid, and not otherwiſe; any thing in this Act, or in any other Law or Statute contained to the contrary notwithſtanding.

The ſame power to the Lord Mayor, &c. of London.

V. Provided always, and be it farther enacted by the authority aforeſaid, That all that by virtue of this Act is to be done by the Juſtices of the Peace at their Quarter-Seſſions in their ſeveral Counties, ſhall be done and performed in like manner in the City of London, in the Months of October and April yearly by the Mayor, Aldermen and Juſtices of Peace there, and that the perſons making ſuch Oaths ſhall be no Corn-Chandler, Mealman, Factor, Merchant or other perſon intereſſed in ſuch Corn ſo to be imported, but ſhall be ſome ſubſtantial Houſe-keepers living in Middleſex or Surrey, qualified as aforeſaid.

CAP. XX.

An Act to Enable the Inhabitants of the Pariſh of St. *Anne* within the Liberty of *Weſtminſter*, to raiſe Mony to build a Church to be the Pariſh Church there.

Builders of Houſes in Kemps-Field apply themſelves to the Biſhop of London to ſet out the Scite of a Church and Churchyard in the ſaid Field. Which the Biſhop accordingly directed. The Foundation advanced. Subſcriptions made.

WHereas ſeveral perſons who erected and built new Houſes in a certain Field called Kemps Field, and the parts adjacent in the Pariſh of St. Martins in the Fields in the County of Middleſex, did apply themſelves to the Right Reverend Father in God Henry Lord Biſhop of London, humbly requeſting him to cauſe a parcel of Ground part of the ſaid Field to be ſet out for the Scite of a Church, and a Coemitary or Church-yard for the Burial of Chriſtian People there; which the ſaid Lord Biſhop accordingly directed, and the ſaid perſons did thereupon lay the Foundation of a Church and Steeple, and advance the Building thereof to a convenient height above ground, with a purpoſe to proceed and finiſh the ſame to be a Pariſh Church, and made divers Subſcriptions amongſt themſelves in order thereunto, and preferred a Bill in a Seſſion of Parliament holden at Weſtminſter in the thirtieth year of the Reign of his late Majeſty King Charles the Second, of ever bleſſed

Memory, which paſſed into an Act of Parliament, Entituled, An Act for making part of the Pariſh of St. *Martins in the Fields* a new Pariſh, to be called the Pariſh of St *Anne* within the Liberty of *Weſtminſter*. And a certain Precinct in the ſaid Act deſcribed was from and after the four and twentieth day of March which ſhall next happen after the Conſecration of the ſaid Church thereby made and ever thereafter enacted to be taken and eſteemed an entire Pariſh ſeparate from the ſaid Pariſh of St. Martin to be called the Pariſh of St. Anne within the Liberty of Weſtminſter, as in and by the ſaid Act, relation being thereunto had, it doth and may appear: And foraſmuch as the Inhabitants, Owners and Occupiers of the Houſes, Lands, Tenements and Hereditaments within the Precinct or Bounds of the ſaid intended Pariſh are deſirous to have the ſaid Church finiſhed, that it may be conſecrated and uſed for the publick Worſhip of God, and for the better Inſtruction of the People inhabiting and to inhabit therein, in the true Chriſtian Religion, as it is now profeſſed in the Church of England, and eſtabliſhed by the Laws of this Realm, but cannot legally make an equal Diſtribution amongſt themſelves for the performance thereof.

An Act paſs'd 30 Car. 2. to conſtitute the Pariſh of St. Anne.

The Precinct to be the Pariſh ſeparate from the Pariſh of St. Martin, and to be called the Pariſh of St. Anne.

The Inhabitants deſire to have the Church finiſhed.

But cannot make a legal Diſtribution amongſt themſelves to do it.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Henry Lord Biſhop of London, or the Lord Biſhop of London for the time being, ſhall and is hereby authorized and required within thirty days after the Royal Aſſent given to this Act, to conſtitute and appoint a certain number of perſons by an Inſtrument in Writing under the Seal of his Office, not exceeding the number of thirty of the beſt and moſt diſcreet Inhabitants in the ſaid Precinct, who together with ſuch others as ſhall be hereby appointed, ſhall be Superviſors and Commiſſioners for the ſaid Church, and ſhall continue in the ſaid Office until the ſaid Church ſhall be finiſhed and paid for, and after that to be Veſtry-men for the ſaid Pariſh as in other Pariſhes, and no otherwiſe, (if they ſhall ſo long inhabit there) except for ſome Offence or Miſgovernment by them or any of them committed, they ſhall be diſplaced by the Lord Biſhop of London for the time being; and when any of them ſhall be ſo diſplaced, die, or leave the ſaid Pariſh, the remaining Commiſſioners, or any ſeven or more of them, ſhall elect another of the ſaid Inhabitants to ſucceed in his room.

The Biſhop of London authorized to conſtitute thirty perſons to be Superviſors for the Church.

To continue therein till the Church be built and paid for.

Veſtry men as in other Pariſhes.

Diſplaced by the Biſhop.

Supplyed by the ſurviving Veſtry-men.

III. And be it farther enacted, That the ſaid Commiſſioners ſhall and are hereby authorized and required to aſſemble and meet together in the Veſtry of the Pariſh Church of St. Martin within one and twenty days after their Conſtitution by the ſaid Inſtrument of the ſaid Lord Biſhop of London, as aforeſaid, and they and every of them ſhall take a Corporal Oath to be adminiſtred by the Vicar of the ſaid Pariſh of St. Martin for the time being (who is hereby authorized to adminiſter the ſame) to do, and well and truly execute all things to them committed and authorized by this Act; and they or any ſeven or more of them after they ſhall have taken the ſaid Oath, ſhall nominate and appoint one able and diſcreet perſon to be their Clerk to regiſter the Acts and Orders to be by them made in and for the Execution of this Act, and ſhall from time to time hold their Meetings in the ſaid Veſtry of the Pariſh-Church of St. Martin, until there ſhall be a Veſtry-room erected in the ſaid Pariſh of St. Anne, where they are thenceforth from time to time to aſſemble as occaſion ſhall require; and they, or any ſeven or more of them, are hereby authorized to adminiſter the ſaid Oath to all and every of the ſaid Commiſſioners as did not take the ſame at their firſt Meeting, and to all ſucceeding Commiſſioners to be put in upon any Vacancy as aforeſaid, or otherwiſe by virtue of this Act.

Commiſſioners to meet in St. Martins Veſtry in 21 days after their Conſtitution by the Biſhop.

Oath to be adminiſtred to them by the Vicar of St. Martins.

Clerk appointed to regiſter their Orders.

Meetings held at St. Martins Veſtry till their own be built.

The Oath to be adminiſtred to all that took it not at their firſt meeting.

IV. And be it enacted by the authority aforeſaid, That the Rector to be hereafter collated or inſtituted to the ſaid Church after the Conſecration thereof, and the Rector and Church-wardens thereof for the time being, ſhall and are hereby appointed to be additional Superviſors and Commiſſioners for the ſaid Church.

The Rector and Church-wardens to be additional Commiſſioners.

V. And be it farther enacted, That the ſaid Commiſſioners, or any ſeven of them, ſhall within thirty days after their Conſtitution, make or cauſe to be made, an Eſtimate in Writing under the Hands of ſome ſufficient perſon or perſons qualified for the ſame, of the Charge of Building and Finiſhing the ſaid Church and Steeple, and a Houſe for the Rector, and a Veſtry-Room, and incloſing the Church-yard, and erecting Galleries, Pulpit, Deſk and Pews in the ſaid Church, and providing a Clock and Dyal, and one or more Bells for the ordinary uſage of the Church; and for ſuch Sum or Sums of Mony for the ſaid Charge as they ſhall judge they ſhall not be able to raiſe by Sale of the Pews to be made and erected therein, they or any nine or more of them ſhall, and are hereby impowred equally to aſſeſs, or cauſe the ſaid Sum (not exceeding five thouſand pounds) to be aſſeſſed and levied in four years by ſixteen quarterly Payments (over and above the Charge of collecting the ſame) upon all and every the Inhabitants, Owners and Occupiers of Lands, Houſes, Tenements and Hereditaments, or any Perſonal Eſtate within the ſaid Pariſh, according to an equal Pound-Rate of the yearly value of the Lands, Houſes, Tenements and Hereditaments ſo to be aſſeſſed, or otherwiſe as it may ſeem meet to the ſaid Commiſſionrrs.

The Eſtimate of the Charge of the Church, Pews, Deſks, Bells, &c.

Commiſſioners to raiſe beſides the ſale of the Pews, not exceeding 5000 l.

How and on whom to be taxed.

VI. Provided always, That no Tenant or Occupier of any of the ſaid Lands, Tenements and Hereditaments ſhall be rated for his or her perſonal Eſtate at leſs then a fifth part of the Sum aſſeſſed upon the Landlord for the ſame: And the ſaid Commiſſioners or any ſeven or more of them are hereby authorized yearly or oftner to nominate and appoint under their Hands and Seals twelve or more of the Inhabitants of the ſaid Pariſh to be Aſſeſſors of the ſaid quarterly payment, giving them convenient time to aſſeſs and make return thereof in Writing, in Books fairly written, in ſuch manner as they ſhall direct; which ſaid Aſſeſſments ſhall be from time to time collected by ſuch perſon or perſons as ſhall be thereunto authorized to collect the ſame by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any ſeven or more of them; And the ſaid Collectors ſhall in the ſaid Warrant be required from time to time to pay the mony by them collected, to ſuch Treaſurer as ſhall be by the ſaid Commiſſioners, or any ſeven or more of them thereunto

Tenant not to be taxed under a 5th part of what the Landlord is.

Aſſeſſors appointed by the Commiſſioners.

Collectors by whom appointed.

The Mony to whom to be paid.

At what time.

nominated and conſtituted by Warrant under their Hands and Seals (which Nomination and Conſtitution the ſaid Commiſſioners as aforeſaid are hereby authorized to make) and to make payment thereof at ſuch time and times as they ſhall be by the ſaid Warrant limited and directed.

Diſtreſs on neglect or refuſal of payment

Rendring the Overplus to the Owners.

Sheriff of Middleſex, &c. to be aiding.

Queſtions about Diſtreſſes determined by Commiſſioners

Tenants to pay Taxes on them aſſeſſed, or on their Houſes or Lands, and to deduct what ſhall be aſſeſſed on the Landlord.

Tenants paying their Aſſeſſments are diſcharged for ſo much thereof as ſhall be payable by the Landlord.

VII. And be it enacted and declared, That if any perſon ſhall refuſe or neglect to pay any Sum or Sums of Mony which he or ſhe ſhall be rated or aſſeſſed, That then it ſhall and may be lawful to and for the ſaid Collectors (who are hereby anthorized and required thereunto) by Warrant under the Hands and Seals of ſeven or more of the ſaid Commiſſioners, to levy the ſame by diſtreſs and ſale of the Goods of ſuch perſons ſo refuſing or neglecting to pay, deducting the Sum aſſeſſed, and reaſonable Charge of diſtraining, and then reſtoring the Overplus to the Owners thereof; And the ſaid Collectors ſhall and may call to their aſſiſtance the Shriffs of Middleſex, or their Under-Sheriffs, or any of the Conſtables of the ſaid Pariſh of St. Martin (who are hereby authorized and required to be aiding and aſſiſting to them or any of them in the Premiſſes:) And if any queſtion or difference happen upon taking of ſuch Diſtreſſes between the parties diſtreſſed or diſtrained, the ſame ſhall be heard and finally determined by the ſaid Commiſſioners or any ſeven or more of them; and the ſeveral and reſpective Tenant and Tenants of all Houſes and Lands which ſhall be rated by virtue of this Act, are hereby required and authorized to pay ſuch Sum or Sums of Mony as ſhall be taxed or aſſeſſed upon ſuch Houſe or Land, or upon them or any of them in reſpect thereof; and to deduct out of the Rent ſo much of the ſaid Taxes as in reſpect of the ſaid Rents of every ſuch Houſe and Lands the Landlord ſhould or ought to pay and bear: And the ſaid Landlords both mediate and immediate according to their reſpective Intereſts, are hereby required to allow ſuch Deductions and Payments upon Receipt of the Reſidue of the Rents; And every Tenant paying the ſaid Aſſeſſment ſhall be acquitted and diſcharged for ſo much mony as the ſame Aſſeſſment ſhall amount unto, as if the ſame had been actually paid unto ſuch perſon or perſons unto whom his or her Rent ſhould have been due and payable.

Differences between Landlord and Tenant to be determined by the Commiſſioners.

Perſons over-rated to whom to complain.

Aſſeſſments rated on perſons unable to pay them,

Or on void Houſes,

Or if there be deficiency in one quarterly payment the ſame ſhall be re-aſſeſſed and added to the next payment.

Deficiency in the laſt quarterly Aſſeſſment how to be ſupplied.

VIII. And be it farther enacted, That if any difference ſhall ariſe between Landlord and Tenant, or any other, concerning the ſaid Rates, the ſaid Commiſſioners or any ſeven or more of them ſhall, and have hereby power finally to hear, ſettle and determine the ſame as they ſhall think meet: And that if any perſon ſhall find him or her ſelf grieved, in that the Aſſeſſors have over-rated them, and ſhall within one and twenty days after the firſt demand made of the Sum aſſeſſed on him or her, complain thereof to three or more of the ſaid Commiſſioners, whereof one who ſigned the Aſſeſſment to be one, the Commiſſioners, or any ſeven or more of them, ſhall and have hereby power within one and twenty days after ſuch Complaint made, to relieve ſuch perſon, and charge the ſame on ſome other perſon or perſons as they ſhall ſee cauſe; and that if any of the ſaid Aſſeſſments ſhall be rated or aſſeſſed on any perſon not of ability to pay the ſame; Or upon any Houſe that after the Aſſeſſment made, ſhall become void, whereby the ſame cannot be then collected; Or that through any Wilfulneſs or Deficiency of a Collector, or any other miſtake or accident whatſoever, there be a deficiency in one of the ſaid quarterly Payments or Sums payable by this Act: The ſame ſhall be re-aſſeſſed or added to the Aſſeſſments of the next ſucceeding quarterly Payments; And if there be any like deficiency in the laſt of the ſaid ſixteen quarterly Payments, the ſame ſhall be aſſeſſed, collected and levied the then next ſucceeding Quarter, in manner as aforeſaid.

The Clerks Salary.

The Clerks Allowance.

Aſſeſſors and Collectors Allowance.

IX. And be it farther enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any ſeven or more of them, ſhall and are hereby authorized and required out of ſuch ſums of mony as ſhall be raiſed as aforeſaid, to pay, or cauſe to be paid, a convenient Salary to their Clerk, to be continued to him until the ſaid Church, Steeple, Church-yard and Premiſſes ſhall be finiſhed, and the ſaid Church conſecrated, and to make him convenient allowance for Pen, Ink, Paper, Wax, Fuel, and other neceſſary Expences to be made in and about the Execution of this Act; and alſo to pay and ſatisfie, or cauſe to be paid and ſatisfied, a ſufficient recompence from time to time to the Aſſeſſors for writing and tranſcribing the Books of Aſſeſſment hereby to be aſſeſſed and provided, and to make a moderate allowance to the Collectors to be from time to time hereby appointed for their pains in collecting the ſaid Aſſeſſments.

Debts and Contracts with Artificers to be entred in a Book.

Commiſſioners to pay out of the Aſſeſſments or otherwiſe coming to them the Workmens Debts as they are regiſtred.

X. And be it farther enacted, That the ſaid Commiſſioners, or any nine or more of them, ſhall take care to have all the Debts, Credits and Contracts made with, or by the Artificers and Workmen imployed or to be imployed, for the Building of the ſaid Church, Steeple and Premiſſes, to be fairly entred in one or more Book or Books to be kept for that purpoſe, and ſhall pay and ſatisfie, or cauſe to be paid and ſatisfied out of the Aſſeſſments hereby appointed, or any other Sum or Sums of Mony that ſhall come to their Hands or to the Hands of the Treaſurer by them to be appointed to the Artificers and Workmen imployed in and about the Building of the ſaid Church and Premiſſes, all and every Sum and Sums of Mony payable unto them and every of them for the ſame, together with moderate Intereſt for Forbearance thereof, and to pay ſuch Sum and Sums of Mony to them, their Executors, Adminiſtrators or Aſſigns in courſe, according to the date of the Entries, and regiſtring of their Debts and Credits as aforeſaid.

Collectors refuſing or neglecting to be fined, not exceeding 40 s.

XI. And be it farther enacted, That if any perſon ſhall refuſe to be a Collector or Aſſeſſor, or wilfully neglect or refuſe to perform his or their Duty in due and ſpeedy Execution of this Act; The ſaid Commiſſioners, or any ſeven or more of them, ſhall and have hereby power to impoſe on ſuch perſon or perſons ſo refuſing or neglecting their Duty, ſuch Fine or Fines as to them ſhall be thought fit, not exceeding forty ſhillings for any one Offence, and to cauſe the ſame to be levied by Diſtreſs and Sale of his and their Goods, rendring the Overplus to the Owner after Deduction of reaſonable Charges for making the Diſtreſs.

XII. And be it farther enacted, That if any Collector ſhall neglect or refuſe to pay any Sum or Sums of mony by him collected, to the Treaſurer appointed as aforeſaid, the ſaid Commiſſioners or any ſeven or more of them, are hereby authorized by their Warrant to impriſon the Offender till he ſhall have made payment thereof.

Collectors refuſing to pay ſhall be impriſoned.

XIII. And be it farther enacted, That the ſaid Commiſſioners are hereby required and enjoyned by themſelves, or any ſeven or more of them, to make a yearly accompt under their Hands, until the ſaid Church, Steeple, Houſe for a Rector, and the Premiſſes ſhall be fully finiſhed, to the Lord Biſhop of London for the time being, whoſe allowance thereof by any Writing under his Seal Epiſcopal ſhall be to them and every of them a ſufficient diſcharge.

Commiſſioners to account yearly to the Biſhop of London.

The Biſhops allowance under Seal to be Commiſſioners diſcharge.

XIV. Provided always, and be it enacted, That the Quorum of the Superviſors and Commiſſioners and their Succeſſors eſtabliſhed by virtue of this Act (after the Conſecration of the ſaid Church) ſhall to all other purpoſes not hereby directed, conſiſt of ſeven of them.

Quorum of ſeven.

XV. And be it farther enacted by the authority aforeſaid, That if any Action, Plaint, Suit or Information ſhall be commenced or proſecuted againſt any perſon or perſons for what he or they ſhall do in purſuance or execution of this Act, ſuch perſon or perſons ſo ſued may plead the general Iſſue of Not-guilty; and upon any Iſſue joyned, give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Proſecutor ſhall become Nonſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, the Defendants ſhall recover their treble Coſts; for which they ſhall have the like remedy as in any Caſe where Coſts by the Law are given to Defendants.

Officers ſued may plead the General Iſſue, and recover treble Coſts.

CAP. XXI.

An Act for Repealing a Clauſe for dividing of Commons, in an Act of Parliament made in the Fifteenth Year of King *Charles* the Second, Entituled, An Act for ſetling the Dreyning of the Great Level of the Fens called *Bedford-Level.*

Whereas in and by an Act of Parliament made in the fifteenth year of the Reign of his late Majeſty King Charles the Second of ever bleſſed memory, Entituled, An Act for Settling the Dreyning the Great Level of the Fens called *Bedford-Level*, there is a Proviſo, and it was enacted, That it ſhould and might be lawful for any perſon or perſons, Bodies Politick or Corporate, their Heirs and Succeſſors that were or ſhould be Lords of Manours, or have Right of Common in the Commons and Waſtes in the ſaid Level, or within any Town, Pariſh or Place into which the Works of dreyning or any of them did extend, to improve, ſet out and incloſe, divide and ſever ſuch proportion or proportions as to them ſhould or might ſeverally and reſpectively belong, or be adjudged and allotted unto them in ſeveralty by certain Commiſſioners appointed in the ſaid Act, and as they ſhould adjudge and determine as by the ſaid Clauſe in the ſaid Act more fully appears.

Cap. 17.

II. And whereas ſince the paſſing of the ſaid Act ſeveral Lords of Manours and others who had right of Common in the ſaid Commons and Waſtes, did divide and take their ſeveral ſhares and proportions thereof.

III. And whereas ſuch taking and cutting of the ſaid Commons and Waſtes into ſmall pieces, is ſince found to be very prejudicial to the Owners and Country, being a great Waſte of Ground in diviſion, which are hard to be kept as Fences between party and party, the Road-ways and Paſſages through ſuch Commons as ſet forth being very low, and generally in bad ground, not paſſable or well to be amended, whereby ſuch diviſions are of little value.

IV. And whereas it occaſions great diminution of Stock, and decay of Houſes, many perſons ſelling their ſhares of Common from the Houſe it belongs unto, to a great Impoveriſhment and Increaſe of the Poor, to prevent any farther inconveniences thereby; Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and aſſent of the Lords Spiritual and Temporal, and Commons in this Parliament aſſembled, and by the authority of the ſame, That the ſaid Clauſe in the ſaid Act for ſuch dividing and incloſing, ſhall be, and is hereby Repealed and made Void, to all intents and purpoſes; And that no more Diviſions or Incloſures ſhall be hereafter made of the ſaid Waſtes and Commons therein mentioned purſuant to the ſaid Act; any thing therein contained to the contrary notwithſtanding.

V. Provided always, and it is farther enacted, That all Incloſures already made and certified into the Petty-Bag Office purſuant to the ſaid Act, ſhall be held and enjoyed by the Owners thereof, as fully to all intents and purpoſes, as if this Act had not been made.

VI. And whereas ſeveral Perſons and Townſhips finding the Inconveniences of dividing and cutting aforeſaid, did come unto Agreements, and bound themſelves not to divide, but to feed and order the ſaid Commons and Waſtes by way of an equal ſtint of Cattel in a like proportion to their great advantage and improvement; and thoſe Agreements have been confirmed by the Decrees of his Majeſty's High Court of Chancery.

VII. Be it therefore enacted, That all ſuch Agreements ſo made and confirmed by the Decrees as aforeſaid, ſhall be, and are hereby ratified, and binding to all ſuch perſon or perſons who were parties conſenting to the ſame, and all claiming by, from or under them, or any of them, and according as in the ſaid Decrees are expreſſed and contained.

VIII. And whereas divers perſons have had Decrees and Adjudications for Incloſures and Allotments within the ſaid Level already made, by Commiſſioners in the ſaid Act appointed, purſuant to the ſame Act, have neglected to get the ſaid Decrees and Adjudications to be ſigned, ſealed and certified into the Petty-Bag Office, as by the ſaid Act is directed; It is now farther provided and enacted, That ſo many of the ſaid Decrees and Adjudications already made and imperfect as aforeſaid, which ſhall be made perfect by being ſigned and ſealed by the ſaid Commiſſioners, and certified into the Petty-Bag Office in ſuch manner as by the ſaid Act is appointed, before the four and twentieth day of June, which ſhall be in the year of our Lord one thouſand ſix hundred eighty ſix, ſhall be good and valid in Law to all intents and purpoſes, as if the ſame had been ſo perfected at the time of making this Act, and all Incloſures and Allotments by virtue thereof, ſhall be enjoyed by the reſpective perſons intereſſed, as if this Act had never been made. And all ſuch of the ſaid Decrees which ſhall not be perfected by the ſaid time in manner and form aforeſaid, ſhall be utterly void and null to all intents and purpoſes whatſoever, and all Incloſures by virtue thereof ſhall be thrown open, as if ſuch Decrees or Adjudications had never been made; any thing in this Act, or in any Law, Statute or Uſage contained to the contrary notwithſtanding.

C A P. XXII.

An Act for Erecting a new Pariſh to be called the Pariſh of St. *James* within the Liberty of *Weſtminſter*.

Church and Steeple built in Jermin-Street. Conſecrated by the Biſhop of London. Erected at the Charge of the late Earl of St. Albans and others. 7000 l. expended. Steeple unfiniſhed, and no Houſe for the Rector. The Precinct to be Parochial and divided from St. Martins. And Proviſion made to maintain a Miniſter and others to aſſiſt him And paying the Debts.

WHereas a Church and Steeple have been lately built in or near to a Street called Jermin-Street in the Pariſh of St. Martins in the Fields in the County of Middleſex, and the ſame (together with the Coemetery or Church-yard thereunto adjoyning) hath been conſecrated by the Right Reverend Father in God Henry Lord Biſhop of London; which ſaid Church and Steeple, and the Wall incloſing the Church-yard, and other Buildings and Ornaments therein and thereunto belonging have been built and erected at the Charge and Credit of Henry late Earl of St. Albans, and the Inhabitants, Owners and Occupiers of the Houſes, Lands, Tenements and Hereditaments in the Precinct hereafter deſcribed, wherein the Sum of ſeven thouſand pounds or more hath been expended, part whereof is yet a Debt unpaid, and the ſaid Steeple is yet unfiniſhed, and no Houſe provided for the habitation of a Miniſter to officiate in the ſaid Church, which will occaſion a greater Expence. And foraſmuch as it is found neceſſary, and for the better accommodation and conveniency of the Inhabitants of the ſaid Precinct, that the ſame be made Parochial and divided from the ſaid Pariſh of St. Martins, and that Proviſion be made for the building and providing a convenient Houſe for a Rector or Miniſter to officiate in the ſaid Church, and a competent Maintenance for him, and ſuch others as ſhall be aſſiſtant to him therein, as alſo for paying the Debts incurred for building the ſaid Church, and making ſuch Proviſion as ſhall be needfull, to perfect and finiſh the Steeple, and otherwiſe as it is hereafter expreſſed;

The Bounds and Limits of the Pariſh deſcribed.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all that Precinct included within the Bounds and Limits hereafter expreſſed, that is to ſay, all the Houſes, Lands and Grounds comprehended in a place heretofore called St. James's Fields, with certain other Lands, Tenements and Hereditaments in the Confines thereof, beginning at a Houſe ſituate at the South-ſide of the Eaſt-end of a Street called Catherine-Street *alias* Pall-Mall-Street, in the Tenure or Occupation of John Valentine Coffee-Man, having an Iron Balcony, including the ſaid Houſe, and extending from thence to the middle Denter of the Pavement of the Hay-Market-Street over againſt a Houſe there in the Occupation of one Thomas Batten a Sadler, taking in the Weſt-ſide of the ſaid Street, from the ſaid middle Denter to the Weſt-end of Coventry-Street, comprehending the North-ſide thereof, and from thence inclining Northward by a Houſe in the Occupation of one John Bolton Carver by the Weſt-ſide of a Street called Prince's Street, including the Weſt-ſide thereof, and proceeding from thence to the South-end of the place called Sohoe, and paſſing on the Weſt-ſide of the ſaid Street or place called Sohoe, including the ſaid Weſt-ſide thereof, to a Houſe being the Sign of the Talbot on the North-eaſt Corner of a place called Currance his Corner, including the ſaid Houſe, and from thence taking in the South-ſide of the Road-way called Tyburn-Road Weſtward to a Houſe being the Sign of the Plough at the North-weſt Corner of a Lane called Marybone-Lane, including the ſaid Houſe, and from thence proceeding Southward on the Eaſt-ſide of the ſaid Lane to the North-eaſt Corner of a little Field called Crabtree Field, comprehending the ſame, and the Ground from thence Weſtward to the North-weſt Corner of a Field called or known by the name of the Ten-Acres-Field in the Tenure and Occupation of Richard Earl of Burlington, his Aſſignee or Aſſigns, including the ſaid Field, and the High-way between the ſame and the Garden Wall of the ſaid Earl of Burlington to the North-weſt Corner of the ſaid Garden Wall, including the ſaid Garden and the Manſion Houſe of the ſaid Earl, called Burlington Houſe, fronting the Street called Portugal Street, with all the Out-Houſes, Stables, Yards and Buildings thereof, and thereunto appertaining, and croſſing from the South-weſt Corner of the Wall of the ſaid Houſe in the ſaid Portugal Street, to the middle Denter thereof, excluding all the North ſide of the ſaid Street Weſtward from the South-weſt Corner of the ſaid Wall, and proceeding from the ſaid middle Denter Weſtward on the South-ſide of the ſaid Portugal Street to St. James's Street, paſſing down the middle part or Denter thereof towards St. James's Houſe, to the middle Channel on the South-ſide of a new Street called Park Place, comprehending all the Eaſt-ſide of St. James's Street to St. Jame's Houſe, and all the Weſt-ſide thereof, from the ſaid middle Channel downwards as far as the ſame extends, and including the South-ſide of the ſaid Park Place, to the Garden of Barbara Dutcheſs of Cleveland, comprehending the ſame, together with Cleeveland Houſe, and all the Yards, Stables, Out-houſes and Buildings thereunto appertaining, and alſo the Street which leads from the outward Gate of the ſaid Houſe, fronting part of St. James's Houſe, to the Gate of the ſaid Houſe, and from thence to the ſaid Pall-Mall-Street, comprehending all the Houſes, Buildings and Yards backwards to the Wall which incloſes that part of St. James's Park which hath been lately made into a Garden, extending to a Houſe inhabited by Anthony Verreo Painter, lately in the Occupation of one Leonard Girle Gardener, and from thence to the Houſe and Garden of Thomas Earl of Suſſex, including the ſame, together with the South-ſide of a little Street called Warwick Street to an Inn there, being the Sign of the White Hart, excluding the ſaid White-Hart Inn, is and ſhall be from henceforth for ever a diſtinct Pariſh of it ſelf, and be called by the name of the Pariſh of Saint *James* within the Liberty of *Weſtminſter*, and be divided and exempt from the ſaid Pariſh of St. Martin, and from all Dependances, Offices, Charges and Contributions for or in reſpect thereof, and from the Cure of the Rector and Vicar of the ſaid Pariſh of St. Martin and their reſpective Succeſſors, and alſo diſcharged of all Tythes, Oblations, Obventions, Mortuaries, Eaſter-Books, and all other Parochial Duties whatſoever relating to the ſame.

The end of the Bounds and Limits.
Diſtinct from St. Martins by the name of St. James.
Diſcharged from all Dependances on St. Martins.
And from all Tythes, &c.

III. And be it farther enacted, That the ſaid Church ſituate within the Precinct aforeſaid, and the Ground thereunto adjoyning, incloſed and uſed for a Coemetery or Church-yard, ſhall be the Pariſh Church and Church-yard of the ſaid Pariſh of St. James.

The Church and Church-yard ſhall be the Pariſh Church and Church-yard of St. James.

IV. And the ſame is hereby enacted and declared to be for ever ſeparated and dedicated to the Service of God, and to be applied therein to the uſe and behalf of the Inhabitants from time to time inhabiting and to inhabit there; and that there ſhall be a Rector to have Care of the Souls of the Inhabitants of the ſaid Pariſh, and a perpetual Succeſſion of Rectors there.

Separated and dedicated to the Service of God.
A Rector and ſucceſſive Rectors.

V. And be it enacted, That Thomas Tenniſon Doctor of Divinity, the preſent Vicar of the ſaid Pariſh of St. Martins (who hath ſince the Conſecration of the ſaid Church, very well and religiouſly by himſelf, and other pious and learned Miniſters (by him procured) ſupplied the ſame in all Divine Offices for the Service of God, and the Inſtruction of the Inhabitants in the true Chriſtian Religion) is hereby conſtituted the firſt Rector thereof, and he and his Succeſſors Rectors of the ſaid Pariſh ſhall be incorporate, and ſhall have Capacity and Succeſſion by the Name of the Rector of the Pariſh-Church of St. James within the Liberty of Weſtminſter, and ſhall be hereby enabled to ſue, and be ſued by that Name in all Courts and Places in this Realm, and ſhall have the Care of the Souls of the Inhabitants within the ſaid Pariſh, and have and enjoy to him and his Succeſſors for ever, one Meſſuage or Tenement for his Habitation, intended to be erected on part of the ſaid Church-yard, or near thereunto, and alſo to purchaſe and take Lands, Tenements and Hereditaments to him and them, Rectors of the ſaid Pariſh and Pariſh-Church, over and above the Rents, Tenements and Hereditaments hereby ſettled on the ſaid Rector, and his Succeſſors, not exceeding the yearly value of two hundred pounds.

Dr. Tenniſon conſtituted the firſt Rector.
To be incorporate and have Succeſſion.
Enabled to ſue and be ſued.
To have an Houſe erected for him.
To purchaſe Lands over and above the preſent Endowment, not exceeding 200 l. per annum.

VI. And that the Patronage, Advowſon, Donation, or Preſentation of and to the ſaid Rectory after the Deceaſe of the ſaid firſt Rector, or next Avoidance thereof, ſhall appertain and belong to, and be hereby veſted in the Lord Biſhop of London and his Succeſſors, and Thomas Lord Jermine and his Heirs for ever; that is to ſay, the firſt Rector after ſuch Deceaſe or Avoidance ſhall be preſented or collated by the Lord Biſhop of London for the time being; and the next to ſucceed him ſhall be preſented by the Lord Jermine and his Heirs, and the two next ſucceeding turns by the Lord Biſhop of London and his Succeſſors, and the next Turn by the Lord Jermine and his Heirs; and the like Succeſſion of two Turns for the Lord Biſhop of London and his Succeſſors, and one Turn for the Lord Jermine and his Heirs ſhall be uſed for all time to come.

The Advowſon after the firſt Avoidance to be in the Biſhop of London and Lord Jermine and their Heirs, &c.
Two Turns to be in the Lord Biſhop of London, and one in the Lord Jermine in ſucceſſion for all times to come.

VII. Provided always, and be it enacted, That all the ſucceeding Rectors of the ſaid Pariſh, and Pariſh-Church, (except the firſt Rector thereof hereby conſtituted) ſhall be preſented, collated, inſtituted and inducted as other Rectors, Parſons and Vicars reſpectively are accuſtomed to be.

The Rector to be collated, preſented and inſtituted as other Rectors are.

VIII. And be it farther enacted, That the firſt Rector, and all the ſucceeding Rectors thereof, ſhall and may have, take and enjoy ſuch and the like Oblations, Mortuaries, Eaſter-Books or Offerings, and other Eccleſiaſtical Duties ariſing within the ſaid Pariſh of St. James, as the Vicar of St. Martin now enjoyeth, and ſhall have ſuch and the like Profits of Burials in the Chancel of the ſaid Church of St. James, as the ſame is limited in the Inſtrument of Conſecration thereof, and as the ſaid Vicar of St. Martin hath or might uſually take for Burial in the Chancel of the ſaid Church of St. Martin, and ſhall alſo be ſeized in his and their Demeſn as of Fee, as in the Right of the Church, of and in a certain Toft ſituate on the North-ſide, and Eaſt-end of the ſaid Church-yard, containing in Front towards Pickedilly-Street, *alias* Portugal-Street, thirty three Feet of a-ſize a little more or leſs, and in depth backward thirty two foot and ſix inches, and of and in a certain piece or parcel of Ground whereon ſome Stables and Tenements are erected, now or late in the Tenure or Occupation of Sir Thomas Bond of Peckham in the County of Surrey Baronet, and Thomas Bond Eſquire, youngeſt Son of the ſaid Sir Thomas Bond, their Aſſign or Aſſigns, Tenant or Under-Tenants, containing in Front next the ſaid Street, forty feet, and in depth backward ſeventy five feet, a little more or leſs, abutting on the ſaid Street North, and on the Eaſt and South on the ſaid Church-yard, and the Ground now or late of Anthony Hart Bricklayer on the Weſt, and the two Meſſuages or Tenements fronting the ſaid Street, are now or late in the Tenure and Occupation of Richard Hayburne Carpenter, and the other now or late in the Tenure of John Eliſon, with all the Rents, Iſſues and Profits thereof, after the expiration of a Term of years therein granted to the ſaid Sir Thomas Bond, and Thomas Bond, by one Indenture bearing date the ſeven and twentieth day of January, one thouſand ſix hundred eighty four; and alſo of and in five Houſes or Tenements with the Appurtenaces, ſituate in the ſaid Street called Jermine Street, now or late in the Tenure or Occupation of Sir Cæſar Wood, *alias* Cranmer Knight, his Aſſign or Aſſigns, Tenant or Tenants, containing in Front from Eaſt to Weſt one hundred twenty ſix feet, and in depth backward fourſcore and three feet, a little more or leſs, and of and in the yearly Rent of ſixty pounds reſerved upon a Demiſe thereof to the ſaid Sir Cæſar Wood, *alias* Cranmer, for the Term of fifty ſix years five months and twenty days, bearing date the tenth day of March, one thouſand ſix hundred eighty three, and other the Rents, Iſſues and

To take the like Duties, &c. as the Vicar of St. Martins.
Like Profit of Burials in the Chancel.
The Endowment of the Rector deſcribed.

and Profits thereof after the expiration of the ſaid Term, and the Reverſion and Reverſions, Remainder and Remainders of the Premiſſes and every of them: Saving unto the ſaid Thomas Tenniſon all his Right, Title and Intereſt in and to the Premiſſes, or any of them which he hath or may claim by virtue of one Indenture of Mortgage bearing date the eighteenth day of May, one thouſand ſix hundred eighty and four, and to all and every other perſon or perſons other then the Kings Majeſty, his Heirs and Succeſſors, and other then the Truſtees of the ſaid Henry late Earl of St. Albans, or any other perſon or perſons in Truſt for him, his Heirs, Executors, Adminiſtrators and Aſſigns, all their Right, Title, Intereſt, Claim or Demand to the Premiſſes or any of them.

The Rector may grant Leaſes for 41 years upon improved Rent without Fines.

IX And it ſhall and may be lawful for the ſaid Rector and his Succeſſors Rectors of the ſaid Pariſh of St. James for the time being to grant and demiſe ſuch of the Premiſſes or any part thereof (as are now in Leaſe) at the expiration or other ſooner determination of ſuch Leaſe for the Term of one and forty years upon a reaſonable improved yearly Rent, without taking any Fine for the ſame.

The Inhabitants ſubject to the Law for Choice of Churchwardens and other Pariſh Officers and Parochial Duties.

Officers of St. Martins in being at the end of this Seſſion of Parliament, ſhall execute thoſe Offices in the Pariſh of St. James till Eaſter and Chriſtmas next.

X. And be it enacted by the authority aforeſaid, That the Inhabitants of the ſaid Pariſh of St. James ſhall be from time to time ſubject to the Laws and Statutes now in force, or hereafter to be made for the Choice of Churchwardens, Overſeers of the Poor, Scavengers, Surveyors of the High-ways, Conſtables and ſuch other like Pariſh Officers and other Parochial Duties within the ſaid Pariſh in like manner as the Inhabitants of the ſaid Pariſh of St. Martins, are or might be ſubject and liable unto (except where it ſhall be otherwiſe hereby appointed) and that the Overſeers of the Poor, Conſtables, Beadles and Scavengers of the ſaid Pariſh of St. Martins which ſhall be in thoſe Offices at the end of this preſent Seſſion of Parliament, ſhall continue therein, and execute thoſe Offices in the ſaid Pariſh of St. James till the Feaſt of Eaſter then next enſuing, and the Surveyors of the High-ways of the ſaid Pariſh of St. Martin then in being ſhall execute their Office in the ſaid Pariſh of St. James from the ſaid end of this Seſſion of Parliament till the Feaſt of Chriſtmas then next following, and no longer.

Mr. Haynes and Mr. Nott the firſt Churchwardens of St. James.

To continue till Eaſter, 1686.

To receive ſuch Duties as the Churchwardens of S. Martins, and ſhall be accountable for the ſame.

XI. And be it farther enacted, That John Haynes Carpenter, and William Nott Bookbinder ſhall and are hereby conſtituted the firſt Churchwardens of the ſaid Pariſh of St. James, to have, hold and execute the ſaid Offices till the Feaſt of Eaſter which ſhall be in the year of our Lord, one thouſand ſix hundred eighty ſix, and they and their Succeſſors Churchwardens of the ſaid Pariſh of St. James, ſhall have and receive ſuch and the like Church Duties and Perquiſites as the Churchwardens of the ſaid Pariſh of St. Martins do, may, might or ought to receive, and ſhall be accountable for the ſame, and all other Mony that ſhall come to them as Churchwardens, in ſuch manner as Churchwardens of other Pariſhes within the City and Liberties of Weſtminſter are or ought to be.

The Veſtrymen of St. Martins inhabiting in St. James Pariſh and the Superviſors of the Church ſhall be the Veſtrymen thereof.

They ſhall elect additional Veſtrymen.

The Rector and Veſtrymen have the like Power as Veſtrymen of St. Martins.

XII. Provided always, and be it enacted, That all ſuch Veſtrymen of the ſaid Pariſh of St. Martin as are Inhabitants within the Precincts aforeſaid, and all ſuch others as are now conſtituted to be Superviſors and Commiſſioners for the ſaid Church of St. James by the ſaid Lord Biſhop of London, ſhall be Veſtrymen of the ſaid Pariſh of St. James, and they together with the ſaid Rector of the ſaid Pariſh, or any ſix or more of them ſhall and are hereby authorized at their firſt or ſecond Meeting after the end of this preſent Seſſion of Parliament, to elect ſo many additional Veſtrymen Inhabitants and Houſholders within the ſaid Pariſh, as ſhall make the number of the whole with the Rector and Churchwardens for the time being to be four and thirty perſons, and the ſaid Veſtrymen, or any ſix or more of them, (whereof the Rector for the time being, or his Aſſiſtant or Clerk, by his appointment, and one of the Chuchwardens to be two) ſhall and may have and exerciſe the like power and authority for ordering and regulating the Affairs of the ſaid Pariſh of St. James as the Veſtrymen of the ſaid Pariſh of St. Martin now have and exerciſe in reference to the ſaid Pariſh of St. Martin; and upon the death or other Voidance of any ſuch Veſtryman, they or any ſix or more of them, ſhall and may elect a fit perſon, Inhabitant and Houſholder in the ſaid Pariſh, to ſupply the ſame.

Pews not to be diſpoſed of but by conſent of the Veſtrymen.

XIII. Provided always, and be it enacted, That the Churchwardens of the ſaid Pariſh for the time being, ſhall not at any time diſpoſe of any of the Pews or Places in Pews in the ſaid Church, to any perſon not an Inhabitant thereof, nor without the conſent and allowance of the Veſtrymen for time being or any ſix or more of them.

The Rector with conſent of the Veſtry to nominate a Preacher to be aſſiſtant to him.

And to nominate a Clerk to be in Prieſts Orders.

One or more Sextons.

To have the Fees as Clerk and Sexton of St. Martins.

Preacher, Clerk and Sexton to be for Life.

Yet ſubject for Miſgovernment to be diſplaced.

XIV. And be it enacted by the authority aforeſaid, That the Rector of the ſaid Pariſh for the time being ſhall and may, by and with the conſent of the ſaid Veſtrymen and Churchwardens thereof for the time being, or any ſix or more of them, whereof one of the Churchwardens to be one from time to time, nominate one able Miniſter in Prieſts Orders to reſide in the ſaid Pariſh, to be Preacher and Aſſiſtant to the ſaid Rector and his Succeſſors in the Celebration of the Divine Offices of Praying and Preaching, and other Duties incident to be performed in the ſaid Church and Pariſh, as the Rector ſhall require of him; and likewiſe to nominate a fit perſon in like Orders to be Clerk of the ſaid Pariſh and Pariſh-Church, and one or more Sexton or Sextons; to which Clerk and Sextons reſpectively there ſhall be ſuch and the like Dues, Fees, Perquiſites and Profits paid and allowed, as are or have at any time been paid or payable, or belonging to the Clerk and Sextons of the ſaid Pariſh-Church of St. Martin reſpectively: which ſaid Preacher, Aſſiſtant, Clerk and Sexton or Sextons, and every of them, ſhall continue in his ſaid place during his or their natural Lives, if they ſhall ſo long inhabit there, except for ſome Offence or Miſgovernment by them or any of them committed (and unleſs for Cauſe reaſonable proved) they ſhall be diſplaced by the ſaid Rector for the time being by and with the conſent of the ſaid Veſtrymen, or any ſix or more of them.

Thirty pounds a year payable to the Clerk.

XV. And be it enacted, That the Churchwardens of the ſaid Pariſh of St. James for the time being, ſhall and are hereby required from time to time to pay the yearly Sum of thirty pounds to the Clerk to be appointed as aforeſaid out of the Profits of the Pews in the ſaid Church, and other the Duties, Profits and Perquiſites to them accruing as aforeſaid by four quarterly payments; that is to ſay, on the Feaſt of St. Michael the Archangel, the Birth of our Lord God, the Annunciation of the bleſſed Virgin Mary, and St. John the Baptiſt, or ten days after every of the ſaid reſpective Feaſts by equal and even portions; the firſt payment to be accounted due and payable from the firſt of the ſaid Feaſts that ſhall happen after the end of this preſent Seſſion of Parliament.

XVI. And be it enacted by the authority aforeſaid, That the ſaid Churchwardens and Veſtrymen, or any ſix or more of them, ſhall and are hereby authorized and required within ten days after the end of this Seſſion of Parliament, to make or cauſe to be made an Eſtimate in writing under the Hand or Hands of ſome ſufficient perſon or perſons qualified for the ſame, of the Charge of finiſhing the Steeple of the ſaid Church, and providing a Clock, and one or more Bells for the ſame, and other Works neceſſary and requiſite in and about the ſaid Church and Steeple, and of building a convenient Houſe for the Rector. And ſuch ſum or ſums of Mony as ſhall appear to them upon ſuch Eſtimate to be in their Judgments competent to accompliſh the Premiſſes, and to ſatisfie and pay the Debts incurred for or by reaſon of the ſaid Church, ſhall be by them, or any ſix or more of them charged upon all and every of the Inhabitants, Owners and Occupiers of Lands, Tenements and Hereditaments, or any perſonal Eſtate within the ſaid Pariſh, to be by them paid in four years by ſixteen quarterly and ſucceſſive payments; the firſt whereof to commence and become payable to the Churchwardens for the time being, (who are hereby authorized to receive the ſame at the firſt of the Feaſt-days aforeſaid, as ſhall happen after the aſſeſſing and taxing thereof) and the reſt to be ſucceſſively to them alſo quarterly paid at the ſucceeding Feaſt-days aforeſaid until all the ſaid ſixteen quarterly payments ſhall be made and finiſhed; and the ſaid Churchwardens and Veſtrymen, or any ſix or more of them, are hereby required and authorized within ten days after the firſt of the Feaſts that ſhall happen after the end of this Seſſion of Parliament, to aſſeſs, tax and rate the firſt of the ſaid quarterly payments after a pound-rate, according to the improved yearly values of the Premiſſes, or otherwiſe as they ſhall think meet, and in like manner to aſſeſs every other of the ſaid quarterly payments within ten days after the time of payment of the next preceeding quarterly payment, all which ſaid Aſſeſſments ſhall be confirmed and allowed by the two next Juſtices of the Peace of and dwelling within the City and Liberty of Weſtminſter, under their Hands and Seals, and be collected by ſuch perſons Inhabitants of the ſaid Pariſh, as the ſaid Veſtrymen, or any ſix or more of them ſhall from time to time under their Hands and Seals appoint.

An Eſtimate to be made of the Charge of finiſhing the Steeple.

And building a Houſe for the Rector.

And to pay the Debts incurred for building the Church.

Which ſhall be charged on the Owners and Occupiers of Houſes, to be paid in four years by ſixteen quarterly payments.

The Churchwardens and Veſtrymen ſhall aſſeſs and tax the ſaid quarterly payments.

Which ſhall be confirmed by two Juſtices of the Peace.

XVII. Provided always, and be it enacted, That no Tenant or Occupier of any of the ſaid Lands, Tenements and Hereditaments ſhall be rated for his or her perſonal Eſtate in any one quarterly payment, at leſs then a fifth part of the Sum aſſeſſed upon the Landlord of the ſame.

No Tenant ſhall be taxed at leſs then a fifth part of the Tax on the Landlord.

XVIII. And that if the Eſtimate and Computation to be made as aforeſaid, ſhall not be ſufficient to diſcharge the Debts incurred about the building of the ſaid Church, and finiſh the ſaid Steeple, and other the Works hereby intended to be done, The ſaid Veſtrymen, or any ſix or more of them, ſhall and may charge and aſſeſs any ſuch additional Sum or Sums upon the ſaid Inhabitants, Owners and Occupiers, as ſhall be needful to perfect and accompliſh the ſame, ſo as ſuch additional Sum, together with the Sum hereby charged and payable by the ſaid ſixteen quarterly payments exceed not in the whole, the Sum of two thouſand pounds.

If the eſtimate be not ſufficient, a new Charge may be made.

So as the whole Tax to be raiſed in 4 years for the Church, do not exceed 2000 l.

XIX. And be it enacted, That the ſeveral and reſpective Tenants or Tenant of all Houſes and Lands which ſhall be taxed or rated by virtue of this Act for the purpoſes aforeſaid, are hereby authorized and required to pay ſuch ſum or ſums of Mony as ſhall be taxed, rated or aſſeſſed upon ſuch Houſe or Land, or upon them or any of them in reſpect thereof, and to deduct out of their Rent ſo much of the ſaid Rates, as in reſpect of the ſaid Rent of every ſuch Houſe and Land, the Landlord ſhould or ought to pay and bear, and the ſaid Landlords mediate and immediate, according to their reſpective Intereſts, are hereby required to allow ſuch Deductions and Payments upon the Receipt of the reſidue of the Rents; and every Tenant paying the ſaid Tax or Aſſeſſment, ſhall be acquitted and diſcharged for ſo much Mony as the ſaid Tax or Aſſeſſment ſhall amount unto, as if the ſame had been actually paid unto ſuch perſon or perſons unto whom his or her Rent ſhould have been due and payable.

Tenants to pay the Tax rated on them.

And deduct the ſame out of their Rent.

Landlords ſhall allow of ſuch deduction.

XX. And be it farther enacted, That the Churchwardens of the ſaid Pariſh of St. James ſhall cauſe all the Debts, Credits and Contracts made and to be made, with or by the Artificers and Workmen employed or to be employed for any Work or Building to be made or done in or about the Premiſſes, to be entred and regiſtred in one or more Book or Books (to be kept for that purpoſe) and the ſaid Veſtrymen, or any ſix or more of them, out of the Mony collected and paid to the ſaid Churchwardens upon the ſaid quarterly payments, ſhall in the firſt place pay and diſcharge, or cauſe to be paid and diſcharged, all ſuch Debts, Mortgages and Incumbrances wherewith any of the Houſes hereby ſettled on the Rector, are in any manner affected or incumbred, and after the diſcharge thereof, ſhall then iſſue and pay, or cauſe to be iſſued and paid to the Artificers and Workmen employed or to be employed in and about the finiſhing of the ſaid Steeple, Houſe and Premiſſes, all and every ſum and ſums of Mony now or hereafter due and payable unto them, their Executors, Adminiſtrators or Aſſigns, proportionably, according to the dates of the Regiſtring of their Debts and Credits, as aforeſaid, with moderate Intereſt for their forbearance thereof.

Debts and Contracts with Artificers ſhall be regiſtred.

Incumbrances on the Houſes ſettled on the Rector ſhall be firſt diſcharged.

Workmen ſhall be paid in courſe according to the dates of the Regiſtring their Debts.

And moderate Intereſt for forbearance.

XXI. And be it enacted by the authority aforeſaid, That the Churchwardens of the ſaid Pariſh for the time being, together with four, three or more ſubſtantial Houſholders thereof, ſhall upon the Tueſday in Eaſter-week next after the end of this Seſſion of Parliament, or at any time within ten days after the ſaid Tueſday, and ſo yearly for ever, proportionably tax, rate and aſſeſs the yearly Sum of One hundred pounds upon the Inhabitants and Occupiers of Lands, Houſes, Tenements and Hereditaments within the ſaid Pariſh for

100 l. per ann. ſhall be yearly taxed for the Preacher.

the payment of the Preacher Aſſiſtant to be nominated and appointed as aforeſaid; which ſaid Aſſeſſment ſhall be confirmed and allowed in ſuch manner as other the Aſſeſſments hereby appointed to be made as aforeſaid, and be collected and paid yearly to the Churchwardens for the time being, by ſuch perſon or perſons as the ſaid Churchwardens ſhall appoint at the four uſual Feaſts, or times of the year before mentioned. The firſt payment to begin and be made at the Feaſt of St. John the Baptiſt next after the taxing and aſſeſſing thereof; And the ſaid Churchwardens, or either of them, ſhall pay the ſaid yearly Sum of one hundred pounds over and above all Charges and Deductions for collecting the ſame to the ſaid Preacher Aſſiſtant for the time being, to be nominated as aforeſaid, upon the ſaid four uſual Feaſts or Terms in the year, by even and equal portions; The firſt payment to begin at the ſaid Feaſt of the Nativity of St. John the Baptiſt laſt mentioned.

To be collected and paid to the Churchwardens.

The 100 l. per annum ſhall be paid to the Preacher by quarterly payments.

XXII. And it is hereby enacted and ordained, That in Caſe a default of payment happen of any of the Sums aforeſaid, to be paid by the Churchwardens for the time being, or any of them, to the ſaid Preacher Aſſiſtant, or Clerk, and lawful Demand thereof being made at the Dwelling-houſe of any of the ſaid Churchwardens, that then the two next Juſtices of the Peace of the place ſhall and may upon Complaint of the Party grieved in this behalf give Relief according to the true intent of this Act, and ſhall and may cauſe the Churchwarden or Churchwardens offending therein, to be impriſoned, till payment be made of what ſhall be ſo behind and unpaid.

Upon default of payment to the Preacher or Clerk. The Juſtices ſhall give Relief. And impriſon the Churchwardens till payment be made.

XXIII. And be it enacted, That the ſaid Churchwardens together with four, three or more ſubſtantial Houſholders as aforeſaid, ſhall and are hereby authorized from time to time, to make Rates and Aſſeſſments upon the Inhabitants and Occupiers as aforeſaid, for the raiſing Mony for the payment of Scavengers or Rakers for cleanſing the Streets of the ſaid Pariſh, and likewiſe for repairing and amending the Church, Steeple, Church-yard and Veſtry-Room of the ſaid Pariſh when need ſhall be. The ſaid Rates, Taxes and Aſſeſſments for repairing and amending the Church and Premiſſes, to be paid to the Churchwardens of the ſaid Pariſh, and thoſe and all other the ſaid laſt mentioned Rates, Taxes and Aſſeſſments to be made and collected, confirmed and allowed as aforeſaid.

Taxes may be made to repair the Church and cleanſe the Streets. The Taxes for the Church to be paid to the Churchwardens. Confirmed and allowed as other Taxes.

XXIV. Provided always, and be it enacted, That for the better and more eaſie taxing and making of the Aſſeſſments for the payment of a Preacher Aſſiſtant as aforeſaid, the Churchwardens ſhall on every Eaſter-day after the end of this Seſſion of Parliament give Notice in the Church by Name to ſuch and ſo many ſubſtantial Houſholders as they think fit to aſſemble and meet with them on the next Tueſday after in the Veſtry or Chancel of the ſaid Church to make the ſaid Aſſeſſment. And if notice be not given, and a Meeting thereupon had by and with the perſons ſo named, then every of them offending therein, which ſhall not make proof of a reaſonable Cauſe of his abſence before ſome one Juſtice of the Peace of the City and Liberty of Weſtminſter, ſhall forfeit the ſum of five pounds to the ſaid Preacher to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal of any one Juſtice of the Peace as aforeſaid, rendring the Overplus to the Owner thereof after deduction of reaſonable Charges for levying the ſame.

Notice to be given in the Church at Eaſter to Houſholders by name to make Taxes.

Remedy for default of Notice or Meeting.

The offender to pay 5 l. to the Preacher.

XXV. And be it farther enacted, That if any of the ſaid Aſſeſſments ſhall be taxed or aſſeſſed on any perſon not of ability to pay the ſame, or upon any Houſe that after the making thereof ſhall become void, whereby the ſame cannot be collected; Or that through any wilfulneſs or deficiency of a Collector, or any Miſtake or Accident whatſoever there be a deficiency in one of the ſaid quarterly or other payments, or ſums of Mony payable by this Act, the ſame ſhall be re-aſſeſſed, or added to the next ſucceeding Aſſeſſment, and be therewith re-aſſeſſed, collected and levied in manner as aforeſaid.

Remedy for deficiencies in the Aſſeſſments.

The ſame to be re-aſſeſſed.

XXVI. Provided always, and be it enacted, That if any perſon nominated to be a Collector of, or for any Tax or Aſſeſſment made by virtue of this Act, ſhall refuſe to accept the Office, or be negligent in his Duty therein, he ſhall forfeit for every Offence the ſum of forty ſhillings to the uſe of the Poor of the ſaid Pariſh, to be levied by Warrant of any one Juſtice of the Peace as aforeſaid, under his Hand and Seal, by Diſtreſs and Sale of his Goods, to be taken and juſtified to the uſe aforeſaid. And if any perſon ſhall refuſe or neglect to pay the ſum or ſums of Mony on him or her rated or aſſeſſed by virtue of this Act, it ſhall and may be lawful for the ſaid Collectors by Warrant under the Hands and Seals of any two Juſtices of the Peace of the place, to levy the ſame by Diſtreſs and Sale of the Goods of the Offender, rendring the Overplus to the Owners thereof after deduction of reaſonable Charges for making the ſame. And if any perſon or perſons ſo refuſing or neglecting as aforeſaid ſhall convey away their Goods, whereby the ſum aſſeſſed cannot be levied, any two Juſtices of the Peace as aforeſaid are hereby impowred by Warrant under their Hands and Seals to impriſon the Offender, (not being a Peer or Peereſs of this Realm) and to cauſe him or her to be detained in the Common Goal of the ſaid City and Liberty of Weſtminſter till the Sum on him or her be taxed, and the Charges for bringing in the ſame, be ſatisfied. And if any difference ſhall ariſe between Landlord and Tenant, or any other perſon concerning any of the ſaid quarterly Aſſeſſments, or if any perſon ſhall find him or her ſelf grieved with any Aſſeſſment or Tax made by virtue of this Act, any two Juſtices of the Peace as aforeſaid, ſhall and have hereby power finally to hear, ſettle and determine the ſame as they ſhall think meet.

Negligence of Officers puniſhed.

Remedy to levy the Tax on Refuſers or Neglecters to pay. Penalty for conveying away Goods. Two Juſtices may decide Differences between Landlord and Tenant, and relieve Perſons over-rated.

XXVII. Provided always, That ſuch Sums of Mony as ſhall be yearly aſſeſſed in the ſaid Pariſh of St. James for cleanſing the Streets, and repairing the High-ways, ſhall be yearly accounted for by the Scavengers and Surveyors of the High-ways reſpectively which collected the ſame, to two or more of the Juſtices aforeſaid, within four days after the electing of new Scavengers and Surveyors of the Highways for the enſuing year, and ſuch ſum or ſums as ſhall be remaining in their Hands, ſhall be by them paid over to the next ſucceeding Scavengers and Surveyors of the High-ways reſpectively, and any two ſuch Juſtices of the Peace ſhall and may by virtue hereof, commit every of the ſaid Scavengers or

Scavengers and Surveyors of the Highways ſhall yearly account. And ſhall pay the Mony remaining in their Hands to the ſucceeding Scavengers.

or Surveyors to the ſaid Common Goal, which ſhall refuſe to account, there to remain without Bail or Mainprize until he have made a true account, and ſatisfied and paid ſo much as upon the ſame ſhall be remaining in his hands, and the Sheriffs of Middleſex, or his or their Under-Sheriffs, and the Bayliff of Weſtminſter and his Deputy or Deputies, and all Conſtables in the City and Libertis of Weſtminſter, are hereby required to be aiding and aſſiſting when thereunto required, in the execution of this Act.

Scavengers and Surveyors refuſing to account, ſhall be impriſoned.

XXVIII. And be it enacted, That the Dean of the Collegiate Church of St. Peters in Weſtminſter, or his Succeſſors, or the High Steward there for the time being, ſhall and are hereby required and authorized on the next Thurſday in Eaſter-Week next after the end of this Seſſion of Parliament, and ſo yearly for ever hereafter to nominate and elect two ſufficient perſons inhabiting within the ſaid Pariſh of St. James, to be additional Bugeſſes to thoſe already conſtituted by virtue of one Act of Parliament made in the twenty ſeventh year of the Reign of Queen Elizabeth, Entituled, An Act for the good Government of the City and Burrough of *Weſtminſter* in the County of *Middleſex*; Unto the Government of every which Burgeſſes, there ſhall be a Ward ſet out by fit Metes and Bounds in the ſaid Pariſh of St. James.

The Dean of Weſtminſter, &c. to elect additional Bugeſſes.

Wards to be ſet out for ſuch Burgeſſes.

XXIX. And for the more aid and aſſiſtance of the ſaid Burgeſſes, It is hereby enacted, That the ſaid Dean or his Succeſſors, or the ſaid High Steward or his lawful Deputy, with all the Burgeſſes then in being, or the more part of them, within eight days after the Election and Choice of the ſaid two Burgeſſes, nominate and elect two other able perſons inhabiting in the ſaid Pariſh, to be Aſſiſtants to the ſaid Burgeſſes; which ſaid Burgeſſes and Aſſiſtants ſhall take the Oaths appointed by the ſaid Act to be taken by Burgeſſes and Aſſiſtants, and continue in their places, (if they ſhall inhabit in the ſaid Pariſh) for ſuch time, and be ſupplied upon Death or Removal, as other Burgeſſes and Aſſiſtants are thereby to continue and be ſupplied, and ſhall alſo accept, occupy and enjoy the ſaid Rooms upon the pains to be reſpectively impoſed by the ſaid Act upon Burgeſſes and Aſſiſtants that ſhall refuſe the ſame, to be levied of every of them, as therein it is ordained. And every of the ſaid Burgeſſes, together with his Aſſiſtant ſhall and may do, and deal within the Ward, to them appointed in every thing and things, as Aldermens Deputies in the City of London lawfully do or might at any time lawfully have done, and ſhall have and enjoy ſuch and the like Liberties, Priviledges and Authorities in all reſpects, as other Burgeſſes and Aſſiſtants of the ſaid City and Liberties of Weſtminſter by the ſaid Act do or may enjoy. And ſhall and are hereby enabled to do and execute all and every the like Act and Deed, Thing and Things to be thereby done and executed by them or any of them.

The Dean, &c. and Burgeſſes to chuſe Aſſiſtants to the Burgeſſes.

Burgeſſes and Aſſiſtants to take the Oaths appointed. And to continue and be ſupplyed.

To accept the Offices upon pains to be inflicted.

The Power of the Burgeſſes and Aſſiſtants.

Their Priviledges and Authorities.

XXX. Provided always, That in caſe the Dean of Weſtminſter aforeſaid, or his Succeſſors, and the High Steward for the time being, and his lawful Deputy, ſhall not nominate and elect Burgeſſes and Aſſiſtants for the ſaid Pariſh of St. James at the Times before limited, that then it ſhall and may be lawful for two Juſtices of the Peace within the County of Middleſex or City and Liberty of Weſtminſter, whereof one to be of the Quorum, to nominate and chooſe the ſaid Burgeſſes and Aſſiſtants, which being ſo by them nominated and choſen, ſhall occupy and enjoy the ſaid Rooms upon the pains in the ſaid recited Act limited, and have and enjoy ſuch Rights and Liberties and Authorities in all reſpects, as if they had been nominated and elected by the ſaid Dean and High Steward as aforeſaid.

Remedy if the Dean of Weſtminſter, &c. ſhall not elect Burgeſſes and Aſſiſtants.

XXXI. Provided always, and be it enacted, That the Lord Biſhop of London and his Succeſſors ſhall and may at all times hereafter execute Eccleſiaſtical Juriſdiction in the ſaid Pariſh of St. James as he or they may do in any other Pariſh within the Dioceſs of London.

The Lord Biſhop of London to execute Eccleſiaſtical Juriſdiction in the Pariſh of St. James.

XXXII. And be it enacted, That if any Actions, Plaint, or Suit, or Information ſhall be commenced or proſecuted againſt any perſon or perſons for what he or they ſhall do in purſuance or Execution of this Act, ſuch perſon and perſons ſo ſued may plead the general Iſſue of Not Guilty, and upon any Iſſue joyned, give this Act and the eſpecial Matter in Evidence; and if the Plaintiff or Proſecutor ſhall become nonſuit or ſuffer a Diſcontinuance, or if a Verdict paſs againſt him, the Defendants ſhall recover treble Coſts, for which they ſhall have the like Remedy as in any Caſe where Coſts by the Law are given to Defendants.

Perſons ſued may plead the General Iſſue, and recover treble Coſts.

Here end the Statutes of King *James* the Second.

SESSIO PRIMA:

Anno Regni GULIELMI *&* MARIÆ *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Primo.*

CAP. I.

An Act for removing and preventing all Queſtions and Diſputes concerning the aſſembling and ſitting of this preſent Parliament.

FOR preventing all Doubts and Scruples which may in any wiſe ariſe concerning the meeting, ſitting and proceeding of this preſent Parliament; Be it declared and enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons now aſſembled, and by authority of the ſame;

Preamble.

II. That the Lords Spiritual and Temporal, and Commons convened at Weſtminſter, the two and twentieth day of January in the year of our Lord one thouſand ſix hundred eighty eight, and there ſitting on the thirteenth day of February following, are the two Houſes of Parliament, and ſo ſhall be, and are hereby declared, enacted and adjudged to be, to all intents, conſtructions and purpoſes whatſoever, notwithſtanding any want of Writ or Writs of Summons, or any other defect of Form, or Default whatſoever, as if they had been ſummoned according to the uſual form. And that this preſent Act, and all other Acts,

The Convent declared a Parliament.

to which the Royal Aſſent ſhall at any time be given before the next Prorogation after the ſaid thirteenth of February, ſhall be underſtood, taken and adjudged in Law, to begin and commence upon the ſaid thirteenth of February, on which day their ſaid Majeſties, at the requeſt, and by the advice of the Lords and Commons, did accept the Crown and Royal Dignity of King and Queen of England, France and Ireland, and the Dominions and Territories thereunto belonging.

The old Oaths of Allegiance, &c. not be taken by Members. Cap. 1.

III. And be it farther enacted by the authority aforeſaid, That the Act made in the thirtieth year of King Charles the Second, Entituled, An Act for the more effectual preſerving the Kings Perſon and Government, by diſabling of Papiſts from ſitting in either Houſe of Parliament, and all other Acts of Parliament, as to ſo much of the ſaid Act or Acts only, as concerns the taking the Oaths of Supremacy ant Allegiance, or either of them, in the ſaid Act or Acts reſpectively mentioned, by any Member or Members of either Houſe of Parliament, with relation to their ſitting and voting in Parliament, ſhall be, and are hereby repealed to all intents and purpoſes; any thing in the ſaid recited Act or Acts to the contrary notwithſtanding.

New Oaths ſubſtituted in the place of the old, &c.

IV. And be it farther enacted, That the taking the Oaths herein after mentioned, and the making, ſubſcribing and repeating the Declaration in the ſaid Act of the thirtieth year of King Charles the Second mentioned, by every Member of either Houſe of this preſent Parliament, from and after the firſt day of March next enſuing, in ſuch manner as the taking the ſaid Oaths of Allegiance and Supremacy, and the making, ſubſcribing and repeating the ſaid Declaration in the ſaid laſt mentioned Act are required, ſhall be good and effectual to all intents and purpoſes, as if the ſaid Oaths of Allegiange and Supremacy had been taken, and the ſaid Declaration had been made, ſubſcribed and repeated in ſuch manner, and at ſuch time as by the ſaid Act or Acts, or any of them, they are required. And that in all future Parliaments the Oaths herein after mentioned, and the Declaration in the ſaid Act made in the thirtieth year of King Charles the Second mentioned, ſhall be taken, made, ſubſcribed and repeated by every Member of either Houſe of Parliament, within the time and in the ſame manner and form, and under the Penalties and Diſabilities as the ſaid Oaths of Allegiance and Supremacy, and the ſaid Declaration, by the ſaid Act of the thirtieth year of King Charles the Second are limited, ordained and appointed to be taken, made, ſubſcribed and repeated, and not at any other time, or in any other manner, to enable them to ſit and vote in Parliament; any thing in the ſaid Act or Acts or any of them to the contrary notwithſtanding.

The Oaths.

V. And it is hereby farther enacted and declared by the authority aforeſaid, That the Oaths above appointed by this Act to be taken in the ſtead and place of the Oaths of Allegiance and Supremacy, ſhall be in the Words following, and no other.

Allegiance.

VI. I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance to their Majeſties, King *William* and Queen *Mary*.

So help me God.

Supremacy.

VII. I *A. B.* do ſwear, That I do from my Heart Abhor, Deteſt and Abjure as Impious and Heretical, that damnable Doctrine and Poſition, *That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of* Rome, *may be depoſed or murdered by their Subjects, or any other whatſoever.* And I do declare, That no Foreign Prince, Perſon, Prelate, State or Potentate hath, or ought to have any Juriſdiction, Power, Superiority, Preeminence, or Authority, Eccleſiaſtical or Spiritual, within this Realm.

So help me God.

Parliament diſſolved as formerly.

VIII. Provided always, and be it declared, That this preſent Parliament may be diſſolved after the uſual manner, as if the ſame had been ſummoned and called by Writ.

CAP. II.

An Act for Impowring his Majeſty to apprehend and detain ſuch Perſons as he ſhall find juſt Cauſe to ſuſpect are Conſpiring againſt the Government. Exp.

CAP. III.

An Act for the granting a preſent Aid to their Majeſties for the Extraordinary Occaſions which oblige them to a great and preſent Expence. Exp.

CAP. IV.

An Act for Reviving of Actions and Proceſs lately depending in the Courts at *Weſtminſter*, and diſcontinued by the not holding of *Hillary* Term, and for ſupplying other Defects relating to Proceedings at Law.

Preamble.

WHereas the Term of St. Hillary in the year of our Lord one thouſand ſix hundred eighty eight, could not be holden and kept, for which if due Proviſion be not made, great delay of Juſtice, and conſequently great expences to the Suitors in the ſeveral Courts uſually held at Weſtminſter will enſue: Therefore for the continuing and reviving all manner of Actions or Pleas lately depending, and all manner of Proceſs that were returnable or depending in any of the ſaid Courts, and which were diſcontinued and put without day by the not holding the ſaid Term,

Pleas, &c. of Hillary Term continued to Quinden. Paſchæ.

II. Be it enacted by our Sovereign Lord and Lady the King and Queen, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, or other things whatſoever, that were returnable or had day or days in the Courts of Chancery, Kings Bench, Common Pleas or Exchequer, in Octabis Hillarii, Quendena Hillarii, Craſtino Purificationis Beatæ Mariæ, or Octabis Purificationis Beatæ Mariæ laſt paſt, or at any day or days certain, after any of the ſaid Returns, ſhall ſtand, continue and be revived to all intents and purpoſes, and are hereby by continued and adjourned unto, and ſhall and may be pleaded, heard and proceeded upon, at and on the Return in Quindena Paſchæ next enſuing; and that all Parties that had day by any Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, or other thing or things whatſoever, at or in any of the ſaid Returns in the ſaid Term of St. Hillary, or at any day or days certain, after any of the ſaid Returns in the ſaid Courts or any of them, ſhall appear in the ſaid Courts reſpectively, at and on the ſaid Return in Quindena Paſchæ, under the Penalty of forfeiting any Obligations or Recognizances conditioned for the appearance of the ſaid Parties, at any time of the ſaid Returns or Days in the ſaid Term of St. Hillary, or under any other Penalty that might have incurred upon the ſaid Parties, their Pledges and Sureties for not appearing at any of the ſaid Returns or Days, if the ſaid Term had been holden or kept.

Parties bound to appear to forfeit their Bonds if they don't appear.

III. And be it farther enacted by the authority aforeſaid, That all Writs of Error brought upon any Judgments given in the Kings Bench returnable, or upon which any day was given before the Juſtices of the Common Bench and Barons of the Exchequer, in the Exchequer-Chamber, to any time in the ſaid Term of St. Hillary, and all Pleadings and Proceedings thereupon, ſhall and are hereby revived, recontinued and adjourned unto the twentieth day of April in the year of our Lord one thouſand ſix hundred eighty nine, before the Juſtices of the Common Bench and Barons of the Exchequer, in the Exchequer Chamber, to be then and there heard and proceeded upon in ſuch manner as if the ſaid Writs, Pleadings and Proceedings had been continued to the ſaid twentieth day of April, and all Parties are to appear at the ſaid day, under the ſame Penalty that would have been incurred by them, their Pledges and Sureties, if they had made Default at the day in the ſaid Term of St. Hillary in which the ſaid Writs were returnable, or day thereupon was given.

Proceedings in the Exchequer-Chamber continued till the 20th of April.

IV. And be it farther enacted by the authority aforeſaid, That all Writs of Error brought upon any Judgments given in the Court of Exchequer at Weſtminſter returnable, or upon which any day was given before the Lord Chancellor and Lord Treaſurer, in the Exchequer-Chamber at any time in the ſaid Term of St. Hillary, and all Pleadings and Proceedings thereupon, ſhall be, and are hereby revived, recontinued and adjourned unto Tueſday the twenty third day of April in the year of our Lord one thouſand ſix hundred eighty nine, in the Exchequer-Chamber, to be then and there heard and proceeded upon, as if the ſame had been continued to the ſaid twenty third day of April; and all Parties are to appear at the ſaid day under the ſame Penalty that would have been incurred by them, their Pledges and Sureties, if they had made default at the day in the ſaid Term of St. Hillary, in which the ſaid Writs were returnable, or day thereupon was given.

Proceedings before Chancellor, Treaſurer, &c. continued to the 23d of April.

V. And foraſmuch as no Proclamation upon any Fine levied in the ſaid Court of Common Pleas, by reaſon of the not holding the ſaid Term of St. Hillary, could be then made; For remedy whereof, Be it enacted by the authority aforeſaid, That every Fine upon which any Proclamation ought to have been made if the ſaid Term had been held, ſhall be as good and effectual, as if ſuch Proclamation had been made; and if the fourth and laſt Proclamation was to have been made in the ſaid Term of St. Hillary the five years in which any perſon and perſons were to make his or their Entry in, or Claim to any Land and Tenements compriſed in ſuch Fine, ſhall begin and be accounted from the twelfth day of February, in the year of our Lord one thouſand ſix hundred eighty eight.

Proclamation upon Fines ſhall be accounted made.

VI. And be it enacted, That where any Judgment or Judgments was or were by virtue of any Warrant of Attorny to have been confeſſed, or entred in any of the ſaid Courts of Weſtminſter, againſt any perſon or perſons in the ſaid Hillary Term, the ſame ſhall, and may be entred in the ſaid Eaſter Term, ſo as the Parties be then living.

Judgments by Confeſſion to be entred in Eaſter-Term.

VII. And for the preventing of any farther delay in proſecuting of Suits; Be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons whatſoever, before the ſeventeenth day of April in the year of our Lord, one thouſand ſix hundred eighty nine, to bring, ſue or proſecute any Precept, Writ, Mean Proceſs or Execution, or any other Proceſs whatſoever, returnable in the ſaid reſpective Courts in ſome Return, or day in Eaſter Term next enſuing the ſaid Writs returnable in the Courts of Kings Bench, Common-Pleas and Exchequer, ſhall be dated on the day, the ſame are actually ſued out, which Writs and Proceſs ſo ſued, proſecuted and executed, ſhall be good and available in Law, to all intents and purpoſes whatſoever, notwithſtanding the want of any original Writ, or being atteſted.

Mean Proceſs before the 17th of April without original, good.

VIII. And alſo it ſhall and may be lawful before the ſaid ſeventeenth day of April, to proſecute any Writ or Writs of Habeas Corpus in Civil Cauſes, ſo to be dated as aforeſaid, returnable immediately before any of the Juſtices of the Kings Bench, Common Pleas, and Barons of the Exchequer reſpectively, who may take ſuch Courſe, and proceed thereupon in granting Procedendo's to be dated as aforeſaid, or otherwiſe in ſuch manner as if the ſaid Term of St. Hillary had been holden and kept.

Habeas Corpus.

IX. And be it farther enacted, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, Proceedings, Indictments and Informations, Cauſes, Matters or Things whatſoever, pleaded, returned, depending or being in the Court of the Dutchy Chamber at Weſtminſter, in the Courts of the Great Seſſions in the Dominion of Wales, or in the Courts within the Counties Palatine of Cheſter, Lancaſter or Durham, or in any other Court or Courts of Law or Equity within this Kingdom, upon the eleventh day of December, in the year of our Lord God one thouſand ſix hundred eighty eight, ſhall ſtand continued, and be revived to all Conſtructions and Purpoſes, and are hereby revived and continued, and ſhall and may be pleaded, tryed, adjudged, heard and proceeded upon without any Continuance or Adjournment whatſoever.

All Proceſs in all Courts revived.

X. And foraſmuch as ſince the eleventh day of December in the year of our Lord one thouſand ſix hundred eighty eight, and before the thirteenth day of February following divers Crimes and Offences have been committed and done, and divers Cauſes of Actions have

All Offences and Actions, during the Interregnum ſuable.

ariſen and accrued; Be it enacted by the authority aforeſaid, That all perſons that have within the time mentioned committed any Murder, Man-ſlaughter, Burglary, Perjury or Forgery, and likewiſe any other perſon or perſons who have within that time committed or done any other Crimes and Offences for which he or they were in cuſtody, or ſtood upon Bail on the ſaid thirteenth day of February, ſhall and may be proceeded againſt, and puniſhed in ſuch manner as he or they might have been by Law, if the ſaid Crimes and Offences had been committed or done before the ſaid eleventh day of December, and all perſons whatſoever for any Cauſe or Matter ariſen or accrued ſince the ſaid eleventh day of December, and before the ſaid thirteenth day of February, ſhall be lyable to any Action to be brought or proſecuted againſt him or them for the ſame, and it ſhall and may be ſufficient in all Indictments and Informations for any ſuch Crimes and Offences to be preferred and exhibited; And in all Actions and Declarations for any ſuch Cauſe or Matter to be brought to alledge the year of our Lord God, inſtead of the year of the King's Reign: And in any ſuch Indictments, Informations or Actions wherein Concluſions uſed to be Contra pacem Domini Regis, to conclude Contra pacem Regni: And all Indictments for any Felonies commited within that time ſhall be good and effectual, having the words Contra pacem Regni, though the words Domini Regis Coronam & Dignitatem ſuas be omitted.

Actions in the year of our Lord.

Indictments, &c. contra pacem Regni.

Bonds, &c. made to King James in force.

XI. And be it farther enacted by the authority aforeſaid, That all Recognizances, Statutes, or Obligations whatſoever made ſince the ſaid eleventh day of December, and before the ſaid thirteetnh day of February following, in the name of, and to the late King James the Second, ſhall be good and effectual in the Law, to all intents and purpoſes whatſoever; and ſhall be ſued by, and in the Name of our Sovereign Lord and Lady the King and Queen, and their Succeſſors: And all perſon and perſons whatſoever, which within that time were bound by any Recognizance or Recognizances to the ſaid late King James, with Condition for his, and their appearance in the ſaid Court of Kings Bench, at any time in the Term of Saint Hillary then next following, or at the next Aſſizes, Seſſions of Oyer and Terminer, general Goal-Delivery, or of the Peace to be held for any City, County or Place, ſhall be obliged to appear in the ſaid Court of Kings Bench, at, and on the firſt day of Eaſter Term, in the year of our Lord one thouſand ſix hundred eighty nine, and at the next Aſſizes, Seſſions of Oyer and Terminer, general Goal-delivery, and of the Peace to be held for the ſaid City, County or Place reſpectively under the Penalty of Forfeiting the ſaid Recognizance or Recognizances by him, them and their Sureties.

All Proceſs, &c. of Michaelmas Term good.

XII. And be it farther enacted by the authority aforeſaid, That all Writs and Proceſs whatſoever, iſſuing out of any of the ſaid Courts of Weſtminſter, as of Michaelmas Term in the year of our Lord one thouſand ſix hundred eighty eight, that have been executed before the ſame were returnable; And all Bills, Plaints, Judgments and Proceedings in the Courts of Cities or Towns Corporate, or any other inferior Court, and all Executions thereupon had ſince the ſaid eleventh day of December, and before the ſaid thirteenth day of February, ſhall be good and effectual in the Law, as if the ſaid late King had remained in the Exerciſe of his Regal Power.

Bail Bonds taken by a Judge before 11th of December, and Commitments upon them good.

XIII. And be it farther enacted, That all Bail Bonds taken by perſons who were in the places of, or acted as Sheriffs, though they were not lawfully qualified or authorized ſo to do ſince the firſt day of November one thouſand ſix hundred eighty ſeven; and that all Recognizances of Bail taken or acknowledged ſince the ſaid eleventh day of December, before any perſon who upon the firſt day of the ſaid Month of December was Juſtice of the Kings Bench, Common Pleas, or Baron of the Exchequer, ſhall be good and effectual to all intents and purpoſes, and ſhall and may be inrolled in the ſaid reſpective Courts in the ſaid Term of Eaſter one thouſand ſix hundred eighty nine; and that all Commitments to Priſon on any Writ or Proceſs of any perſon or perſons by the ſaid Judges, any or either of them, ſince the ſaid eleventh day of December, ſhall be as available in Law to all intents and purpoſes, as if the ſame had been done by or before lawful Sheriffs or Judges.

The time betwixt 10th of December and 12th of March not reckoned in Quare Impedit or Statute of Limitations.

XIV. And foraſmuch as ſince the tenth day of December one thouſand ſix hundred eighty eight, the Chancery was not open nor yet is, whereby the Subject was hindred from proſecuting any original Writ:

XV. Be it therefore enacted by the authority aforeſaid, That no part of the time from the ſaid tenth day of December until the twelfth day of March one thouſand ſix hundred eighty eight, ſhall be eſteemed or accounted as any part of the ſix months from the time of the avoidance of any Church in which any Patron upon any diſturbance is bound to bring his Darreign Preſentment, or Quare Impedit, or as any part of the time within which any perſon or perſons by vertue of any Statute for Limitation of Actions ought to bring his or their Action or Actions, But that all and every perſon and perſons ſhall have allowance of ſo much time from the twelfth day of March as did or ſhall incur between the ſaid tenth day of December, and the ſaid twelfth day of March.

CAP. V.

An Act for puniſhing Officers and Souldiers who ſhall mutiny or deſert their Majeſties Service, to continue till *November*, 1689. and no longer.

CAP. VI.

An Act for Eſtabliſhing the Coronation Oath.

Preamble.

Whereas by the Law and ancient Uſage of this Realm, the Kings and Queens thereof have taken a Solemn Oath upon the Evangeliſts at their reſpective Coronations, to maintain the Statutes, Laws and Cuſtoms of the ſaid Realm, and all the People and Inhabitants thereof in their Spiritual and Civil Rights and Properties.

But foraſmuch as the Oath it ſelf on ſuch occaſion adminiſtred, hath heretofore been framed in doubtful Words and Expreſſions, with relation to ancient Laws and Conſtitutions at this time unknown: To the end therefore that one uniform Oath may be in all times to come taken by the Kings and Queens of this Realm, and to them reſpectively adminiſtred at the times of their and every of their Coronation.

An Oath to be taken by the King and Queen.

II. May it pleaſe your Majeſties, That it may be enacted; And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Oath herein mentioned, and hereafter expreſſed, ſhall and may be adminiſtred to their moſt excellent Majeſties King William and Queen Mary, (whom God long preſerve) at the time of their Coronation, in the preſence of all perſons that ſhall be then and there preſent at the ſolemnizing thereof by the Archbiſhop of Canterbury, or the Archbiſhop of York, or either of them, or any other Biſhop of this Realm, whom the King's Majeſty ſhall thereunto appoint, and who ſhall be hereby thereunto reſpectively authorized; which Oath followeth, and ſhall be adminiſtred in this manner; that is to ſay,

The Archbiſhop or Biſhop ſhall ſay,

Coronation Oath.

III. Will you ſolemnly promiſe and ſwear to govern the People of this Kingdom of *England*, and the Dominions thereto belonging, according to the Statutes in Parliament agreed on, and the Laws and Cuſtoms of the ſame?

The King and Queen ſhall ſay,

I ſolemnly promiſe ſo to do.

Archbiſhop or Biſhop.

Will you to your power cauſe Law and Juſtice in Mercy to be executed in all your Judgments?

King and Queen.

I will.

Archbiſhop or Biſhop.

Will you to the utmoſt of your power maintain the Laws of God, the true Profeſſion of the Goſpel and Proteſtant Reformed Religion eſtabliſhed by Law? And will you preſerve unto the Biſhops and Clergy of this Realm, and to the Churches committed to their Charge, all ſuch Rights and Priviledges as by Law do or ſhall appertain unto them, or any of them?

King and Queen.

All this I promiſe to do.

After this, the King and Queen laying his and her Hand upon the Holy Goſpels, ſhall ſay,

King and Queen.

The things which I have here before promiſed, I will perform and keep. *So help me God.*

Then the King and Queen ſhall kiſs the Book.

All Kings, &c. to take the Oath.

IV. And be it farther enacted, That the ſaid Oath ſhall be in like manner adminiſtred to every King or Queen who ſhall ſucceed to the Imperial Crown of this Realm, at their reſpective Coronations, by one of the Archbiſhops or Biſhops of this Realm of England for the time being, to be thereunto appointed by ſuch King or Queen reſpectively, and in the preſence of all perſons that ſhall be attending, aſſiſting, or otherwiſe preſent at ſuch their reſpective Coronations; any Law, Statute or Uſage to the contrary notwithſtanding.

CAP. VII.

An Act for Impowring his Majeſty to apprehend and detain ſuch Perſons as he ſhall find juſt Cauſe to ſuſpect are Conſpiring againſt the Government. Exp.

CAP. VIII.

An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths.

Preamble.

WHereas by a Statute made in the firſt year of the Reign of our late Sovereign Lady Queen Elizabeth, Entituled, An Act to Reſtore to the Crown the ancient Juriſdiction over the Eſtate Eccleſiaſtical and Spiritual, and Aboliſhing all Foreign Powers repugnant to the ſame, the perſons therein mentioned were obliged to take an Oath therein mentioned, commonly called the Oath of Supremacy: And whereas by another Statute made in the third year of the Reign of our late Sovereign Lord King James the Firſt, Entituled, An Act for the better Diſcovering and Repreſſing Popiſh Recuſants, another Oath, commonly called the Oath of Allegiance or Obedience was required to be taken by the perſons therein mentioned,

The old Oaths of Allegiance and Supremacy abrogated.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon whatſoever ſhall be obliged to take the ſaid Oaths, or either of them, by force or virtue of the ſaid Statutes, or either of them, or any other Statute whatſoever; But that the ſaid Statutes, and every other Statute, for ſo much only as concerns the ſaid Oaths, and the ſaid Oaths themſelves, ſhall be and are hereby Repealed, utterly Abrogated and made void.

The new Oaths and Declaration by whom and how to be taken.

III. And be it farther enacted by the authority aforeſaid, That the Oaths appointed by this preſent Act to be taken, and the Declaration likewiſe appointed by this preſent Act to be made, repeated and ſubſcribed, ſhall from and after the firſt day of May, in the year one thouſand ſix hundred eighty nine, be taken, made, repeated and ſubſcribed by every ſuch perſon and perſons as were appointed and required by any Act or Acts whatſoever, to take the ſaid abrogated Oaths of Supremacy and Allegiance, or either of them, before ſuch perſon or perſons, as hereafter in this Act is expreſſed; that is to ſay, all and every Archbiſhop, and Biſhop, that now is, and all and every perſon, of, or above the Degree of a Baron of Parliament, in their Majeſties High Court of Chancery, or in their Majeſties Court of Kings Bench, in publick and open Court, between the Hours of nine of the Clock and twelve in the Forenoon, before the end of Trinity Term next, or at the general quarter Seſſions to be holden for that County or place where he or they ſhall be, inhabit or reſide, in open Court, between the ſaid hours of nine and twelve of the Clock in the Forenoon, before the firſt day of Auguſt next, all which ſhall be put on Record in the reſpective Courts.

Before whom the new Oaths are to be taken and Declaration to be made and ſubſcribed.

IV. And all and every other ſuch perſon and perſons ſhall take the ſaid Oaths, and make, repeat and ſubſcribe the ſaid Declaration by this preſent Act required to be taken, made and ſubſcribed before ſuch perſon or perſons reſpectively, as by any Act or Acts were authorized or impowred to tender the ſaid Oaths of Allegiance now abrogated and made void; which ſaid perſon or perſons ſo reſpectively authorized to miniſter or tender the ſaid Oaths and Declaration, are hereby required to miniſter and tender the ſame accordingly.

All perſons which ſhall be in Office ſhall take the Oaths &c.

V. And be it farther enacted by the authority aforeſaid, That all perſons (other then ſuch concerning whom other proviſion ſhall be made in this Act, or in any other Act of this preſent Seſſion of Parliament) that ſhall hereafter be admitted into any Office or Employment Eccleſiaſtical or Civil, or come into any Capacity in reſpect, or by reaſon whereof they ſhould have been obliged by any Statute to take the ſaid abrogated Oaths, or either of them, ſhall take the Oaths hereby appointed, in ſuch manner, at ſuch times, before ſuch perſons, and in ſuch Courts and places as they ſhould, or ought to have taken the ſaid former Oaths, or either of them, in caſe the ſame had not been abrogated, as aforeſaid.

The Penalty for neglect.

And that every ſuch perſon who ſhall neglect, or refuſe to take the ſame, ſhall incur and be liable to the ſame Penalties, Forfeitures, Diſabilities and Incapacities, as by any ſuch Statute was appointed, for, or upon neglect, or refuſal to take the ſaid former Oaths hereby abrogated, or either of them.

Perſons now in Office neglecting makes the Office void.

VI. And be it farther enacted, That if any perſon now having any Office or Employment Civil or Military, ſhall neglect or refuſe to take the ſaid Oaths hereby appointed to be taken, in ſuch manner as by this Act is directed, before the firſt day of Auguſt in the year one thouſand ſix hundred eighty nine, or ſooner, if required thereunto by any Order from his Majeſty in Council, before ſuch perſons as by the ſaid Order ſhall be appointed to take and receive the ſame, That in every ſuch Caſe the ſaid Office and Employment of every perſon ſo neglecting or refuſing, ſhall be void, and is hereby adjudged void.

Eccleſiaſtical perſons now in benefice, &c. neglecting, Penalty.

VII. And be it farther enacted by the authority aforeſaid, That if any Archbiſhop or Biſhop, or any other perſon now having any Eccleſiaſtical Dignity, Benefice or Promotion, ſhall neglect or refuſe to take the Oaths by this Act appointed to be taken, in ſuch manner as by this Act is directed, before the firſt day of Auguſt in the year one thouſand ſix hundred eighty nine, every ſuch perſon and perſons ſo neglecting or refuſing, ſhall be, and is, and are hereby declared and adjudged to be ſuſpended from the Execution of his or their Office by the ſpace of ſix months, to be accounted from the ſaid firſt day of Auguſt; And if the ſaid perſon or perſons (ſo having neglected or refuſed) ſhall not within the ſaid ſpace of ſix months take the ſaid Oaths in ſuch manner, Court or place, as they ought to have taken the ſame before the ſaid firſt day of Auguſt; Then he or they ſhall be ipſo facto deprived, and is, and are hereby adjudged to be deprived of his and their Offices, Benefices, Dignities and Promotions Eccleſiaſtical.

Perſons who are now Maſters of Colledges, &c. neglecting, how puniſhed.

VIII. And be it farther enacted, That if any perſon or perſons now being Maſter, Governour, Head or Fellow of any College or Hall, in either of the two Univerſities, or of any other Colledge, or Maſter of any Hoſpital or School, or Profeſſor of Divinity, Law, Phyſick, or other Science in either of the ſaid Univerſities, or in the City of London, ſhall neglect or refuſe to take the Oaths by this Act appointed to be taken, in ſuch manner, and before ſuch perſons as by this Act is directed, before the firſt day of Auguſt, in the year one thouſand ſix hundred eighty nine; every ſuch perſon and perſons ſo neglecting or refuſing, ſhall be, and is, and are hereby declared and adjudged to be ſuſpended from the Execution of his or their Office and Employment, and from his or their Maſterſhip, Government, Fellowſhip and Profeſſorſhip, reſpectively, for the ſpace of ſix months, to be accounted from the ſaid firſt day of Auguſt: And if the ſaid perſon or perſons (ſo having neglected or refuſed) ſhall not within the ſaid ſpace of ſix months take the ſaid Oaths in ſuch Court or place, and before ſuch perſons, and in ſuch manner as they ought to have taken the ſame before the ſaid firſt day of Auguſt, That in every ſuch Caſe the ſaid Office and Employment, Maſterſhip, Government, Fellowſhip and Profeſſorſhip of every perſon ſo neglecting or refuſing, ſhall be void, and is hereby adjudged void.

Any perſon refuſing to take upon tender.

Firſt refuſal.

IX. And be it farther enacted, That if any ſuch other perſon or perſons (other then the perſons ſpecially above mentioned) ſhall refuſe to take the ſaid Oaths, or either of them, when tendred to him or them by any perſons lawfully authorized, as is aforeſaid, to adminiſter or tender the ſame, the perſon or perſons ſo tendring the ſaid Oaths or either of them, ſhall commit the ſaid perſon and perſons ſo refuſing, to the Common Goal or Houſe of Correction, there to remain without Bail or Mainprize for the ſpace of three months, unleſs ſuch Offender ſhall pay down to the ſaid perſon or perſons ſo tendring the ſaid Oaths, or either of them, ſuch Sum of Mony not exceeding forty ſhillings, as the ſaid perſon or perſons

ſons ſo tendring the ſaid Oaths or either of them ſhall require ſuch Offender to pay for his or her ſaid refuſal; which Mony ſhall be paid to the Churchwardens or Overſeers of the Poor, for the relief of the Poor of the Pariſh or place where ſuch Offender did laſt inhabit; and if at the end of three months after ſuch refuſal, the perſon and perſons ſo refuſing, ſhall again refuſe to take the ſaid Oaths or either of them, when lawfully tendred to him or them, as is aforeſaid, the ſaid perſon or perſons ſo tendring the ſaid Oaths or either of them, ſhall commit the ſaid perſon and perſons ſo refuſing, to the Common Goal or Houſe of Correction, there to remain for the ſpace of ſix months, unleſs every ſuch Offender ſhall pay down to the perſon or perſons ſo tendring the ſaid Oaths or either of them, ſuch Sum of Mony, not exceeding ten pounds, nor under five pounds, as the ſaid perſon or perſons ſo tendring the ſaid Oaths, or either of them, ſhall require ſuch Offender to pay for his or her ſaid ſecond refuſal; the ſaid Mony to be diſpoſed in manner aforeſaid. And unleſs every ſuch Offender ſhall become bound with two ſufficient Sureties, with Condition to be of the good Behaviour, and alſo to appear at the next Aſſizes or general Goal-delivery to be holden for the County, Liberty or place where ſuch Offender ſhall then inhabit or reſide; at which Aſſiſes or Goal-delivery the ſaid Oath ſhall be again tendred to every ſuch Offender by the Juſtices of Aſſizes or Goal-delivery, in their open Aſſizes or Goal-delivery; and if the ſaid Offender ſhall refuſe to take the ſaid Oaths, or either of them, when tendred to him or her by the ſeid Juſtices of Aſſizes or Goal-delivery, as is aforeſaid, Then every perſon and perſons ſo refuſing, ſhall be, and is, and are hereby adjuged incapable of any Office, Civil or Military, within this Kingdom, and ſhall likewiſe be and remain bound to the good Behaviour, until he or they do take the ſaid Oaths. And in caſe ſuch perſon or perſons ſhall refuſe alſo to make and ſubſcribe the Declaration mentioned in the Statute made in the thirtieth year of the Reign of King Charles the Second, Entituled, An Act for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament, ſuch perſon and perſons ſhall ſuffer all Pains, Penalties, Forfeitures and Diſabilities as a Popiſh Recuſant-Convict, and be taken and deemed a Popiſh Recuſant Convict, to all intents and purpoſes whatſoever.

Second refuſal

Third refuſal;

Penalty for refuſing Declaration. 30 Car. 2.

X. And be it farther enacted by the authority aforeſaid, That all and every Commiſſion Officer and Officers, and Non-Commiſſion or Warrant Officer and Officers that are already employed in their Majeſties Service by Sea or Land, ſhall take the ſaid Oaths, and alſo make, repeat and ſubſcribe the Declaration mentioned in the ſaid Statute made in the thirtieth year of the Reign of King Charles the Second, before the Lord High Admiral of England, or the Commiſſioners for executing the Office of Lord High Admiral, or their Deputies, or ſuch other perſons as their Majeſties ſhall authorize or appoint to adminiſter, and accept the ſame reſpectively; and that all and every ſuch perſon and perſons as ſhall hereafter be put into any ſuch Employment by Sea or Land, ſhall before the delivery of ſuch Commiſſion or Warrant to ſuch Officer, take the ſaid Oaths, and make, repeat and ſubſcribe the ſaid Declaration before the Lord High Admiral, or Commiſſioners of the Admiralty or their Deputies, as aforeſaid; or ſuch perſon as ſhall iſſue ſuch Commiſſion or Warrant, or ſuch others as ſhall be authorized to adminiſter the ſame as aforeſaid reſpectively, who are hereby reſpectively authorized and required to tender, adminiſter and accept the ſame; and all and every ſuch Officer or Officers that ſhall refuſe to take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration, ſhall be incapable of receiving, taking, holding or executing ſuch Office or Employment.

Land and Sea-Officers to take the Oaths and Declaration.

Penalty.

XI. And be it farther enacted, That the Oath appointed by the Statute made in the thirteenth and fourteenth years of King Charles the Second, Entituled, An Act for ordering the Forces in the ſeveral Counties of this Kingdom, the Form and Words of which Oath are in the ſame Statute expreſſed; and alſo ſo much of a Declaration preſcribed in another Act made in the ſame year, Entituled, An Act for the Uniformity of Publick Prayers, and Adminiſtration of the Sacraments, and other Rites and Ceremonies. And for Eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of *England*, as is expreſſed in theſe Words, (viz.)

The Oath and Declaration appointed by two Acts of 13 & 14 Car. 2. made void. Cap. 3. Cap. 4.

I *A. B.* declare, That it is not lawful upon any Pretence whatſoever to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him:

Shall not from henceforth be required or enjoyned, nor any perſon ſuffer any Forfeiture, Penalty or Loſs, by the not taking, ſubſcribing or making the ſaid Oath, or the ſaid recited part of the ſaid Declaration; the laſt forementioned Statutes, or any other Law or Statute to the contrary in any wiſe notwithſtanding.

XII. And be it enacted, That the Oaths that are intended and required to be taken by this Act, are the Oaths in theſe expreſs Words hereafter following;

Oaths by this Act.

I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance to their Majeſties, King *William* and Queen *Mary*.

So help me God, &c.

I *A.B.* do ſwear, That I do from my Heart Abhor, Deteſt and Abjure as Impious and Heretical, that damnable Doctrine and Poſition, *That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of* Rome, *may be depoſed or murdered by their Subjects, or any other whatſoever.*

And I do declare, That no Foreign Prince, Perſon, Prelate, State or Potentate hath, or ought to have any Juriſdiction, Power, Superiority, Preeminence, or Authority, Eccleſiaſtical or Spiritual, within this Realm.

So help me God, &c.

XIII. And

Names of perſons who take the Oaths to be inrolled.

XIII. And be it farther enacted by the authority aforeſaid, That the Names of all and ſingular ſuch perſons and Officers aforeſaid, that do, or ſhall in the Court of Chancery, Kings Bench, or Quarter Seſſions, take the Oaths by this Act required, or appointed to be taken, ſhall be in the ſaid reſpective Courts of Chancery and Kings Bench, and the Quarter Seſſions, inrolled with the day and time of their taking the ſame, in Rolls made and kept only for that intent and purpoſe, and for no other. The which Rolls as for the Court of Chancery, ſhall be publickly hung up in the Office of the Petty Bagg. And the Rolls for the Kings Bench, in the Crown Office of the ſaid Court, and in ſome publick place in every Quarter Seſſions, and there remain during the whole Term, every Term, and during the whole time of the ſaid Seſſions, in every Quarter Seſſions, for every one to reſort to, and look upon without Fee or Reward. And none of the perſon or perſons aforeſaid, ſhall give or pay as any Fee or Reward to any Officer or Officers belonging to any of the Courts, as aforeſaid, above the Sum of twelve pence for his or their Entry of his or their taking of the ſaid Oaths by this Act required, or appointed to be taken.

Fee to ſee the Roll.

Proviſion for Members of Corporations who could not take the abrogated Oaths ſince December laſt.

XIV. And whereas ſince the eleventh day of December, in the year of our Lord one thouſand ſix hundred eighty eighty, the ſaid abrogated Oaths could not be taken by any perſon that was elected, or placed in any Office of Magiſtracy, or place of Truſt relating to, or concerning the Government of any City, Corporation, Borough, Cinque-Port, or their Members, or other Port Town, at the time of his being admitted and ſworn into ſuch Office, Place or Employment, by reaſon whereof his ſaid Election, Placing and Choice into ſuch Office or Employment, by one Act entituled, An Act for the well governing of Corporations, is enacted and declared to be void, Be it therefore enacted by the authority aforeſaid, That if any ſuch Officer ſhall before the firſt day of Auguſt, in the year of our Lord one thouſand ſix hundred eighty nine, take the Oaths herein mentioned and required to be taken before ſuch perſon or perſons, who by the ſaid Act ſhould have adminiſtred the ſaid abrogated Oaths, at the time of his admiſſion into ſuch Office or Employment, the ſaid Election and Placing into ſuch Office or Employment ſhall be taken and adjudged to be as good and effectual, as if he had taken the ſaid abrogated Oaths; any thing in the ſaid Act, or in any other Statute to the contrary in any wiſe notwithſtanding.

Proviſion for Officers who could not take the abrogated Oaths ſince Michaelmas laſt. Cap. 2.

XV. And whereas ſince the Feaſt of St. Michael laſt paſt, divers perſons have been admitted into Offices, Employments or places of Truſt, and could not take the ſaid abrogated Oaths, and ſubſcribe the Declaration at ſuch time, and in ſuch manner as is directed and appointed by one Act made the five and twentieth of the late King Charles the Second, Entituled, An Act for preventing of Dangers that may happen from Popiſh Recuſants; Be it therefore enacted by the authority aforeſaid, That if any ſuch perſon ſhall before the end of Trinity Term next, in the High Courts of Chancery or Kings Bench, or before the firſt of Auguſt, in the year of our Lord one thouſand ſix hundred eighty nine, at the Quarter Seſſions for that County or Place where he or they ſhall inhabit or reſide, or execute the ſaid Office or Employment, take the Oaths in this Act mentioned and appointed to be taken, and repeat and ſubſcribe the ſaid Declaration, and take the Sacrament of the Lords Supper according to the Uſage of the Church of England, and procure Certificate thereof in ſuch manner as in the ſaid Act is required, directed and appointed, That then ſuch perſon ſhall and is hereby indempnified and diſcharged from any Penalty or Diſability that he might or ſhould have incurred by the ſaid Act, and ſhall and is hereby adjudged to have been, and be as good and ſufficient an Officer from the time of his Admiſſion, as if he had taken the ſaid abrogated Oaths, and performed all other things required by the ſaid Act; any thing to the contrary in any wiſe notwithſtanding.

King may allow to twelve of the Non-jurant Clergy Subſiſtance.

XVI. Provided always, and be it enacted by the authority aforeſaid, That it be left to the King to allow to ſuch of the Clergy as ſhall refuſe the Oaths preſcribed by this Act, as he ſhall think fit, not exceeding the number of Twelve, an allowance out of their Eccleſiaſtical Benefices or Promotions for their Subſiſtance, not exceeding a third part, and to continue during his Majeſty's Pleaſure, and no longer.

CAP. IX.

An Act for the amoving Papiſts, and reputed Papiſts from the Cities of *London* and *Weſtminſter*, and ten Miles diſtance from the ſame.

Preamble.

Whereas the great numbers of Papiſts reſorting to the Cities of London and Weſtminſter, are, and for a long time have been found dangerous to the Peace and Safety of this Kingdom; For the better preſervation of the Common Safety, and avoiding their miſchievous Practices and Deſigns,

Lord Mayor, &c. may tender Declaration of 30 Car. 2. to Papiſts or ſo reputed.

Cap. 1. St. 2.

Penalty for refuſal.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for the better diſcovering and amoving all Papiſts and reputed Papiſts out of the ſaid Cities and ten miles of the ſame, it ſhall and may be lawful, and it is hereby required, that the Lord Mayor of London for the time being, and every Juſtice of the Peace of the City of London, and for the City and Liberties of Weſtminſter and Borough of Southwark, and of the Counties of Middleſex, Surrey, Kent and Suſſex, within their reſpective Counties, Cities, Boroughs and Limits, do from time to time cauſe to be arreſted and brought before him every perſon or perſons, not being a Merchant Foreigner within the ſaid Cities, or within ten miles of the ſame, as are, or are reputed to be Papiſts, and tender unto him the Declaration mentioned in the Statute made in the thirtieth year of King Charles the Second, Entituled, An Act for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament; And in caſe ſuch perſon upon ſuch tender refuſe audibly and ſolemnly to repeat, make and ſubſcribe the ſaid Declaration, and ſhall after ſuch refuſal remain, continue or be within the ſaid City or Cities, or ten miles diſtance from the ſame, That in every ſuch

Caſe he or ſhe ſhall forfeit and ſuffer as a Popiſh Recuſant Convict by the Laws already eſtabliſhed, ſhall or may forfeit or ſuffer.

III. And it is hereby farther enacted, That every Juſtice of Peace ſhall and do certifie all and every Subſcription before him by virtue of this Act taken, and likewiſe the Names of all and every perſon refuſing to repeat, take, make or ſubſcribe, as aforeſaid, upon tender, under the Hand and Seal of the ſaid Juſtice, into the Court of Kings Bench, the next Term, or elſe at the next Quarter Seſſions that ſhall be of or for the County or Place where ſuch taking, ſubſcribing or refuſal ſhall happen; And if the ſaid perſon ſo refuſing and certified, ſhall not within the next Term or Seſſions after ſuch refuſal, appear in the Court of Kings Bench or Seſſions where ſuch Certificate ſhall be returned, and in open Court audibly and ſolemnly repeat, take, make and ſubſcribe the Declaration aforeſaid, and indorſe or enter his ſo doing, upon the Certificate ſo returned, ſhall be from the time of ſuch his neglect or refuſal, taken, eſteemed and adjudged a Popiſh Recuſant Convict, and as ſuch to forfeit and be proceeded againſt.

Juſtices of Peace ſhall certifie Subſcribers and refuſers into the Kings Bench, &c.

Penalty upon perſon certified refuſer if he take not the Oaths next Term, &c.

IV. Provided always, That this Act ſhall not extend to ſuch perſon or perſons as now uſe any Trade, Myſtery or Manual Occupation within the ſaid Liberties of London and Weſtminſter, or within ten miles of the ſame; Nor to ſuch as within ſix months before the thirteenth day of February, one thouſaud ſix hundred eighty eight, had their Dwelling or places of abode within the ſaid Cities, or ten miles compaſs of the ſame, not having any Dwelling or place of abode elſewhere, ſo as he or they before the firſt day of Auguſt, one thouſand ſix hundred eighty nine, do certifie his or their Names, Additions and places of abode, at the Seſſions of the Peace to be held for the ſaid reſpective Cities, Counties or Places; And the Clerk of the Peace ſhall not take, or receive above two pence for the Entry of the Name, Addition and place of abode of any one perſon.

Tradeſmen, &c. excepted if they certifie their names, &c. at the Seſſions.

V. Provided that nothing in this Act ſhall relate to, or have any effect upon any Foreigner that is or ſhall be a Menial Servant to any Ambaſſador, or Publick Agent.

Ambaſſador's Servants excepted.

VI. Provided, That nothing in this Act ſhall relate to, or have any effect upon any perſon being a natural born Subject of the King of Portugal, who now is, or hereafter ſhall be a ſworn Servant to the Queen Dowager, nor to any other Servants being natural born Subjects of their Majeſties, as her Majeſty the Queen Dowager, ſhall under her Hand and Seal from time to time for that purpoſe be pleaſed to nominate, the ſaid Servants ſo nominated not exceeding the number of thirty at any one time, ſo as none of the ſaid Servants being natural born Subjects of their Majeſties, be a Jeſuit, Prieſt, Monk or Fryar; any Law or Statute to the contrary notwithſtanding.

Queen Dowager's Servants excepted.

CAP. X.

An Act for the taking away the Revenue ariſing by Hearth-Mony.

Whereas his Majeſty having been informed that the Revenue of Hearth-Mony was grievous to the People, was pleaſed by his gracious Meſſage ſent to the Commons aſſembled in Parliament, to ſignifie his pleaſure, either to agree to a Regulation of it, or to the taking it wholly away, as ſhould be thought moſt convenient by the ſaid Commons. And whereas upon mature deliberation, the ſaid Commons do find, That the ſaid Revenue cannot be ſo regulated, but that it will occaſion many Difficulties and Queſtions, and that it is in its ſelf not only a great Oppreſſion to the poorer ſort, but a Badge of Slavery upon the whole People, expoſing every Mans Houſe to be entred into, and ſearched at pleaſure by perſons unknown to him.

Preamble.

II. We your Majeſty's moſt dutiful and loyal Subjects the Commons, being filled with a moſt humble and grateful ſence of your Majeſty's unparallell'd Grace and Favour to your People, not only by reſtoring their Rights and Liberties which have been invaded contrary to Law, but in deſiring to make them happy and at eaſe, by taking away ſuch Burthens as by Law were fixed upon them, by which your Majeſty will erect a laſting Monument of your Goodneſs in every Houſe in the Kingdom; do moſt humbly beſeech your Majeſty, That the ſaid Revenue of Hearth-Mony may be wholly taken away and aboliſhed.

III. And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That an Act made in the Parliament begun at Weſtminſter the eight day of May in the thirteenth and fourteenth year of the Reign of his late Majeſty King Charles the Second, Entituled, An Act for the eſtabliſhing an additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better Support of his and their Crown and Dignity; And another Act made in the ſecond Seſſion of the ſaid Parliament in the fifteenth year of his ſaid late Majeſty's Reign, Entituled, An Additional Act for the better Ordering and Collecting the Revenue ariſing by Hearth-Mony; And another Act made in the ſixteenth year of the Reign of his ſaid late Majeſty, Entituled, An Act for Collecting the Duty ariſing by Hearth-Mony, by the Officers to be appointed by his Majeſty; And all and every the Articles, Clauſes and things in the ſaid ſeveral Acts contained, ſhall be, and are hereby wholly repealed and annulled, and utterly made void, and are hereby enacted and declared to be null and void to all intents and purpoſes whatſoever.

The Acts eſtabliſhing Chimney-mony repealed.

Cap. 10.

15 Car. 2. cap. 13.

16 Car. 2. cap. 3.

IV. Provided always, and be it declared and enacted, That nothing in this Act contained, ſhall be taken or conſtrued to hinder or prejudice the collecting, levying, anſwering or paying the ſaid Revenue ariſing by Hearth-Mony, which ſhall grow due on the five and twentieth day of March in the year of Lord one thouſand ſix hundred eighty nine, and all Arrears of the ſaid Duty which now are due and payable by the ſaid Acts; But that all and every the Powers, Clauſes, Articles and Matters in the ſaid former Acts, ſhall continue and remain in force for the collecting, levying and recovering of the ſaid Duty of Hearth-Mony ſo growing due on the ſaid five and twentieth day of March one thouſand ſix hundred eighty nine, and all the Arrears of the ſaid Duty already due, as by the ſaid Acts they might have been collected, levied and recovered, if this Act had not been made, and no otherwiſe.

Hearth Mony due next March excepted.

CAP.

CAP. XI.

An Act for the explaining and making effectual a Statute made in the firſt year of King *James* the Second, concerning the Haven and Piers of Great *Yarmouth*.

Preamble.

FOR the preventing all Doubts and Scruples which may in any wiſe ariſe concerning the power and authority of the Bailiffs, Aldermen, Burgeſſes and Commonalty of the Borough and Town of Great Yarmouth in the County of Norfolk, to put in execution, and take the benefit of an Act made in the firſt year of the Reign of the late King James the Second, Entituled, An Act for Clearing, Preſerving, Maintaining and Repairing the Haven and Piers of *Great Yarmouth*, and for the amendment of the ſaid Act, and making the ſame effectual according to the true intent and meaning thereof.

Power given to the Mayor, &c. now given to the Bayliffs, &c.

The Mayor's Power given to the Bayliffs.

II. Be it declared and enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons now aſſembled in Parliament, and by the authority of the ſame, That all and every the powers, authorities and benefits by the ſaid Act given, or intended to be given to the Mayor, Aldermen, Burgeſſes and Commonalty in the ſaid Act mentioned, or to any of them, ſhall be, and hereby are, for and during the reſt and reſidue of the time in the ſaid Act limited, veſted in the Bailiffs, Aldermen, Burgeſſes and Commonalty of the ſaid Borough that now are, and their Succeſſors, and ſhall be taken, deemed and adjudged to be by virtue hereof, ſo veſted as aforeſaid; and that the Powers, Authorities and Benefits, by the ſaid Act given or intended to be given to the ſaid Mayor, ſhall and hereby are veſted in the Bailiff or Bailiffs for the time being, and their Succeſſors, to be by them joyntly or ſeverally executed, in ſuch manner as the ſaid Mayor by the ſaid Act might, or was intended to have done.

All Officers may execute the Powers.

III. And that all and every Officer and Officers, Collector or Collectors, Receiver or Receivers, Commiſſioner or Commiſſioners, to be nominated, choſen or appointed by the forementioned, or this preſent Act, ſhall and may execute and purſue the ſeveral and reſpective Powers therein given and directed.

Mony to be paid to perſons appointed by the Bayliffs, &c.

IV. Provided always, That all and every Sum or Sums of Mony directed or appointed to be paid by the ſaid Act into the Hands of the Chamberlain of the ſaid Borough for the time being, ſhall hereafter be paid into the hands of ſuch perſon or perſons as the Bailiffs, Aldermen, Burgeſſes and Commonalty in Common Council aſſembled ſhall direct and appoint; any thing in the ſaid Act to the contrary notwithſtanding.

Powers ſhall change with the Corporation.

V. Provided likewiſe, That if it ſhall happen that there ſhall be within the ſaid reſt and reſidue of the ſaid time by the ſaid recited Act limited, any alteration by any new Charters in the ſaid Corporation from Bailiffs to Mayors, That then the Mayor, Aldermen, Burgeſſes and Commonalty, and every of them, ſhall have and execute the Powers, Authorities and Benefits in the recited Act mentioned, in ſuch manner as in the ſaid Act is expreſſed.

CAP. XII.

An Act for the Encouraging the Exportation of Corn.

Preamble.

FOraſmuch as it hath been found by experience, That the Exportation of Corn and Grain into Foreign parts, when the Price thereof is at a low Rate in this Kingdom, hath been a great advantage not only to the Owners of Land, but to the Trade of this Kingdom in general:

Perſons exporting Corn at ſuch a Rate ſhall have a Reward.

Rates of the Corn.

Exporter gives Certificate of Quantity and Bond to export.

II. Be it therefore enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons now aſſembled in Parliament, and by the authority of the ſame, That when Malt or Barley Wincheſter Meaſure, is, or ſhall be at four and twenty ſhillings per Quarter, or under; Rye at two and thirty ſhillings per Quarter or under; and Wheat at eight and forty ſhillings a Quarter or under, in any Port or Ports of this Kingdom, or Dominion of Wales; every Merchant or other perſon, who ſhall put on Ship-board in Engliſh Shipping, the Maſter and two thirds of his Mariners at leaſt, being their Majeſties Subjects, any ſorts of the Corn aforeſaid, from any ſuch Ports where the Rates ſhall not then be higher then as aforeſaid, with intent to export the ſaid Corn to parts beyond the Seas: Every ſuch Merchant or other perſon ſhall bring a Certificate in Writing under his or their Hands, containing the quantity and quality of Corn ſo ſhipped to the Farmers, Commiſſioners, Collectors, or other perſons appointed, or to be appointed, for the time being, to collect the Duties and Rates ariſing by Cuſtoms within any ſuch Port, and upon proof made of any ſuch Certificate by one or more credible perſon or perſons upon their Oaths, which Oaths the ſaid Commiſſioners, or other perſons are hereby authorized and required to adminiſter, and upon Bond given by every ſuch Merchant or other perſon, in the Sum of two hundred pounds at leaſt for every hundred Tuns of Corn ſo ſhipped, and ſo proportionably, that the ſaid Corn (danger of the Seas excepted) ſhall be exported into parts beyond the Seas, and not be again landed in the Kingdom of England, Dominion of Wales, the Iſlands of Guernſey and Jerſey, or Town of Berwick upon Tweed; Every ſuch Merchant ſo ſhipping off any of the aforeſaid Corn, and giving Certificate and Bond as aforeſaid, ſhall have and receive from ſuch Farmers, Commiſſioners, Collectors, or other perſons in any Port reſpectively, where the ſame Corn ſhall be ſo ſhipped, for every Quarter of Barley or Malt ground or unground, two ſhillings and ſix pence; For every Quarter of Rye ground or unground, three ſhillings and ſix pence; For every Quarter of Wheat ground or unground, five ſhillings; Which Sum or Sums, every ſuch Commiſſioner, Farmer or other perſon, are hereby authorized and required upon demand by ſuch Exporter, to make preſent Payment accordingly, without taking or requiring any thing for Cuſtom, or any Fee or Reward for Corn ſo laden to be exported, or for ſo much Grain as ſhall be exported in any Ship wherein any other Goods ſhall be ſhipped; any Law, Statute or Uſage in any wiſe to the contrary notwithſtanding;

Reward paid to the Exporter by the Collectors.

ſtanding: And upon Certificate returned under the Common Seal of the Chief Magiſtrate in any place or places beyond the Seas, or under the Hands and Seals of two known Engliſh Merchants upon the place, that ſuch Corn was there landed, or upon Proof by credible perſons, that ſuch Corn was taken by Enemies, or periſhed in the Seas, the Examination and Proof thereof, being left to the Judgment of ſuch Commiſſioners, Farmers, Collectors, or other perſons; which Proof being made, or Certificate delivered to ſuch perſon or perſons reſpectively, as took Bond as aforeſaid, the ſaid Bond ſhall be delivered up to ſuch Importer or his Order, to be cancelled, without any Fee for the ſame; And the Monies by any ſuch Commiſſioners, Farmers, Collectors, or other perſon, ſo paid in obedience to this Act, ſhall be accepted of in his or their Accompts, as ſo much paid to their Majeſties, and he and they is and ſhall be diſcharged therefore accordingly.

Exporters Bond how diſcharged.

Collectors allowed the Mony in their Accounts.

CAP. XIII.

An Act for Raiſing Mony by a Poll, and otherwiſe, towards the Reducing of *Ireland*. Exp.

CAP. XIV.

An Act for preventing Doubts and Queſtions concerning the Collecting the Publick Revenue.

Preamble.

FOR the preventing all Diſputes and Queſtions, concerning the collecting, levying and anſwering of the Publick Revenue, due and payable in the Reigns of the late Kings, Charles the Second, and James the Second, whilſt the better ſettling of the ſame is under the Conſideration of this preſent Parliament,

All the Revenue payable to the late Kings ſhall be paid to their Majeſties till December next.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the authority of the ſame, That the Subſidy of Tonnage and Poundage, and other Sums of Mony payable upon Merchandize Exported and Imported, and the ſeveral Impoſitions, Duties and Charges upon Liquors, Manufactures, and other things; and all and ſingular the Revenue and Revenues whatſoever, except the Duties ariſing by Fire-hearths and Stoves, other then ſuch as are or ſhall be incurred at or before the five and twentieth day of March one thouſand ſix hundred eighty nine, given, granted and payable to, or lawfully enjoyed by the ſaid late Kings, or either of them, which remained and had continuance on the fifth day of November laſt, and all Arrears of the ſame ſhall be raiſed, levied, collected, anſwered and paid to their Majeſties until the twenty fifth day of December, which ſhall be in the year of our Lord one thouſand ſix hundred eighty and nine, in the ſame manner and form, according to ſuch Rates and Orders, and by ſuch Rules, Means and Ways, and under ſuch Penalties and Forfeitures as are mentioned, expreſſed and appointed in the Statutes made in the Reigns of the ſaid late Kings, or either of them, concerning the ſame reſpectively, and as by Law the ſame might or ought to have been during the ſaid Reigns.

All Acts concerning the Revenue in force.

III. And that all and ſingular Acts of Parliament made during the Reigns of either of the ſaid late Kings for the granting, ſettling, raiſing, levying, collecting, anſwering and paying the ſame, or for preventing Frauds or Concealments, or regulating Abuſes therein, or for the better ordering or recovering the ſame; and all Powers, Proviſions, Penalties, Articles, Clauſes and Things contained in the ſaid Acts, or any of them, be and are hereby continued and confirmed, and ſhall ſtand and be in force, and be applyed, practiſed, executed and put in uſe for the raiſing, levying, collecting, paying and anſwering the ſaid Subſidy, Sums of Mony, Impoſitions, Duties and Revenues to their Majeſties according to the tenor and intent of this preſent Act.

Orders about Fees continued

Cap. 9.

IV. And alſo that an Order of the Commons in Parliament aſſembled, made in purſuance of the Rules and Orders annexed to the Act of Parliament made in the twelfth year of the Reign of the ſaid late King Charles the Second, Entituled, A Subſidy granted to the King, of Tonnage and Poundage, and other Sums of Mony payable upon Merchandize Exported and Imported, for ſetling of Officers Fees, dated the ſeventeenth day of *May*, one thouſand ſix hundred ſixty two, and ſigned by Sir *Edward Turner*, then Speaker, ſhall be of full force and effect until the ſaid five and twentieth day of December, one thouſand ſix hundred eighty nine, as if the ſame were particularly, and at large recited in this Act.

Perſons who have received indempnified, but anſwerable to the King.

V And be it farther enacted by the authority aforeſaid, That all and every perſon and perſons that have received or collected the ſaid Subſidy, Sums of Mony, Impoſitions, Duties or any other publick Revenue, or any part or parcel thereof, ſince the ſaid fifth day of November, ſhall and are hereby indempnified againſt all perſons from whom he or they levied, received or collected the ſame, to be anſwerable nevertheleſs to their Majeſties for what he or they have ſo received or collected.

Seizures and Forfeitures betwixt December and February valued.

VI. And be it farther enacted by the authority aforeſaid, That all Seizures and Diſtreſſes made or to be made by any Officer or Officers of the Cuſtoms, or Exciſe, or any perſon or perſons thereunto lawfully authorized, and all Forfeitures and Penalties for any Offence againſt any Law, concerning the Cuſtoms or Exciſe, or relating to the Tranſportation of Wool, or Importation or Exportation of Prohibited Goods, incurred ſince the eleventh day of December, and before the thirteenth day of February one thouſand ſix hundred eighty eight, ſhall be proſecuted and ſued, and all Recoveries, Judgments and Proceedings thereupon, ſhall and may be had and proſecuted as well by any Informer ſuing and proſecuting for the King and Queen's Majeſties and himſelf, as by their Majeſties Attorny General, for their Majeſties, in the ſame manner and form as if ſuch Seizures, Diſtreſſes and Offences had been made and committed after the ſaid thirteenth day of February.

CAP.

CAP. XV.

An Act for the better ſecuring the Government by diſarming Papiſts and reputed Papiſts.

Preamble.

FOR the better ſecuring of the Government againſt Papiſts and reputed Papiſts,

Two Juſtices of Peace may tender Declaration of 30 Car. 2. to Papiſt, &c.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That it ſhall and may be lawful for any two or more Juſtices of the Peace, who ſhall know or ſuſpect any perſon to be a Papiſt, or ſhall be informed that any perſon is, or is ſuſpected to be a Papiſt, to tender, and they are hereby authorized and required forthwith to tender to ſuch perſon ſo known or ſuſpected to be a Papiſt, the Declaration ſet down and expreſſed in an Act of Parliament made in the thirtieth year of the Reign of the late King Charles the Second, Entituled, An Act for the more effectual Preſerving the Kings Perſon and Government by diſabling Papiſts from ſitting in either Houſe of Parliament, to be by him made, repeated and ſubſcribed; And if ſuch perſon ſo required, ſhall refuſe to make, repeat and ſubſcribe the ſaid Declaration, or ſhall not make, repeat and ſubſcribe the ſaid Declaration, or ſhall refuſe or forbear to appear before the ſaid Juſtices, for the making, repeating and ſubſcribing the ſaid Declaration, upon notice to him given, or left at his uſual place of abode, by any perſon authorized in that behalf, by Warrant under the Hands and Seals of the ſaid two Juſtices, ſuch perſon from thenceforth ſhall be taken to be, and is hereby declared to be lyable and ſubject to all and every the Penalties, Forfeitures and Diſabilities hereafter in this Act mentioned.

Cap. 1. St. 2.

Penalty upon Refuſers.

Juſtices of Peace ſhall certifie the Subſcribers Refuſers to the Seſſions.

III. And be it hereby farther enacted, That the ſaid Juſtices of Peace ſhall certifie the Name, Sirname, and uſual place of abode of every perſon, who being required, ſhall refuſe or neglect to make, repeat and ſubſcribe the ſaid Declaration, or to appear before them for the making, repeating and ſubſcribing the ſaid Declaration: As alſo of every perſon, who ſhall make, repeat and ſubſcribe the ſaid Declaration at the next General Quarter Seſſions to be holden for the Shire, Riding, Diviſion or Liberty, for which they ſhall be Juſtices of the Peace, to be there recorded by the Clerk of the Peace, or Town-Clerk, and kept amongſt the Records of the ſaid Seſſions.

Refuſer ſhall keep no Arms.

IV. And for the better ſecuring their Majeſties Perſons and Government, Be it farther enacted and declared, That no Papiſt or reputed Papiſt ſo refuſing or making default as aforeſaid, ſhall or may have or keep in his Houſe, or elſewhere, or in the Poſſeſſion of any other perſon to his uſe, or at his diſpoſition, any Arms, Weapons, Gunpowder or Ammunition (other then ſuch neceſſary Weapons, as ſhall be allowed to him by Order of the Juſtices of the Peace, at their General Quarter Seſſions, for the defence of his Houſe or perſon.) And that any two or more Juſtices of the Peace, from time to time by Warrant under their Hands and Seals, may authorize and impower any perſon or perſons in the day time, with the aſſiſtance of the Conſtable or his Deputy, or the Tythingman, or Headborough, where the Search ſhall be, (who are hereby required to be aiding and aſſiſting herein) to ſearch for all Arms, Weapons, Gunpowder or Ammunition which ſhall be in the Houſe, Cuſtody or Poſſeſſion of any ſuch Papiſt or reputed Papiſt, and ſeize the ſame for the uſe of their Majeſties, and their Succeſſors; which ſaid Juſtices of the Peace ſhall from time to time, at the next General Quarter Seſſions to be held for the County, Riding, Diviſion or Liberty where ſuch Seizure ſhall be made, deliver the ſaid Arms, Weapons, Gunpowder and Ammunition in open Court, for the uſe aforeſaid.

Two Juſtices of Peace may ſeize Arms.

Penalty upon refuſer for not diſcovering or hindring the ſearch for his Arms.

V. And be it farther enacted, That every Papiſt or reputed Papiſt, who ſhall not within the ſpace of ten days, after ſuch refuſal, or making default as aforeſaid, diſcover and deliver, or cauſe to be delivered to ſome of their Majeſties Juſtices of the Peace all Arms, Weapons, Gunpowder, or Ammunition whatſoever, which he ſhall have in his Houſe, or elſewhere, or which ſhall be in the poſſeſſion of any perſon, to his uſe or at his diſpoſition, or ſhall hinder or diſturb any perſon or perſons authorized by Warrant under the Hands and Seals of any two Juſtices of the Peace, to ſearch for and ſeize the ſame, that every ſuch perſon ſo offending, contrary to the Statute in this behalf made, ſhall be committed to the Common Goal of the County or place, where he ſhall commit ſuch Offence, by Warrant under the Hands and Seals of any two Juſtices of the Peace, there to remain without Bail or Mainpriſe, for the ſpace of three months; and ſhall alſo forfeit and loſe the ſaid Arms, and pay treble the value of them to the uſe of their Majeſties, and their Succeſſors to be appraized by the Juſtices of the Peace, at the next general Quarter Seſſions to be held for the ſaid County, Riding or Diviſion, to their Majeſties and their Succeſſors.

Penalty upon hiders to conceal Arms.

VI. And be it farther enacted, That every perſon who ſhall conceal, or be privy, or aiding or aſſiſting to the concealing, or who knowing thereof ſhall not diſcover or declare to ſome of their Majeſties Juſtices of the Peace, the Arms, Weapons, Gunpowder, or Ammunition of any perſon ſo refuſing, or making default as aforeſaid, or ſhall hinder or diſturb any perſon or perſons authorized as aforeſaid, in ſearching for, taking and ſeizing the ſame, ſhall be committed to the Common Goal of the County, or place where he ſhall commit ſuch Offence, by Warrant under the Hands and Seals of any two Juſtices of the Peace, there to remain without Bail or Mainprize for the ſpace of three Months; and ſhall alſo forfeit and loſe treble the value of the ſaid Arms to their Majeſties and their Succeſſors.

Reward to diſcoverer of refuſers Arms.

VII. And be it farther enacted, That if any perſon or perſons ſhall diſcover any concealed Arms, Weapons, Ammunition or Gunpowder belonging to any refuſing or making default as aforeſaid, ſo as the ſame may be ſeized as aforeſaid, for the uſe of their Majeſties and their Succeſſors, the Juſtices of the Peace, upon delivery of the ſame at the general Quarter Qeſſions as aforeſaid, ſhall have power, and they are hereby required, as a Reward for ſuch a diſcovery, by Order of Seſſions, to allow to him or them a Sum of Mony, amounting to the full value of the Arms, Weapons, Ammunition or Gunpowder ſo diſcovered, the ſaid Sum to be aſſeſſed by the Judgment of the ſaid Juſtices at their ſaid Seſſions, and to be levied by diſtreſs and ſale of the Goods of the perſon offending againſt this Act, rendring the Overplus which ſhall ariſe by ſuch ſale, above the ſaid ſum ſo allowed, and above the neceſſary Charges of taking ſuch diſtreſs to the Owner.

Refuſers taking the Declaration, Penalty diſcharged.

VIII. Provided always, That if any perſon, who ſhall have refuſed or made default as aforeſaid, ſhall deſire to ſubmit and conform, and for that purpoſe ſhall preſent himſelf before the Juſtices of Peace at the General Quarter Seſſions to be holden, for the County, Riding, Diviſion, or Liberty where his refuſal, or making default as aforeſaid, ſhall be certified as aforeſaid, and ſhall there in open Court, make, repeat and ſubſcribe the ſaid Declaration contained in the ſaid Act made in the ſaid thirtieth year of the Reign of the ſaid late King Charles the Second, and take the ſeveral Oath scontained in an Act made in this preſent Parliament, Entituled, An Act for Removing and Preventing all Queſtions and Diſputes concerning the aſſembling and ſitting of this preſent Parliament; He ſhall from thenceforth be diſcharged of and from all diſabilities and forfeitures which he might or ſhould be lyable to for the future, by reaſon of his refuſal or default as aforeſaid.

Papiſts Horſes above 5 l. value forfeited.

IX. And be it farther enacted, That no Papiſt or reputed Papiſt ſo refuſing, or making default as aforeſaid, at any time after the fifteenth day of May, in the year of our Lord one thouſand ſix hundred eighty nine, ſhall or may have or keep in his own poſſeſſion, or in the poſſeſſion of any other perſon to his uſe, or at his diſpoſition, any Horſe or Horſes which ſhall be above the value of five pounds, to be ſold; and that any two or more Juſtices of the Peace from time to time by Warrant under their Hands and Seals, may and ſhall authorize any perſon or perſons with the aſſiſtance of the Conſtable or his Deputy, or the Tythingman, or Headborough, when the Search ſhall be (who are hereby required to be aiding and aſſiſting herein) to ſearch for, and ſeize for the uſe of their Majeſties and their Succeſſors, all ſuch Horſes, which Horſes are hereby declared to be forfeited to their Majeſties and their Succeſſors.

Penalty upon Concealer of Papiſts Horſes

X. And be it farther enacted, That if any perſon ſhall conceal, or be aiding or aſſiſting in the concealing any ſuch Horſe or Horſes belonging to any Papiſt, or reputed ſo, refuſing or making default, as aforeſaid, after the ſaid fifteenth day of May, ſuch perſon ſhall be committed to priſon by ſuch Warrant, as aforeſaid, there to remain without Bail or Mainpriſe by the ſpace of three months, and ſhall alſo forfeit and loſe to their Majeſties and their Succeſſors treble the value of ſuch Horſe or Horſes, which value is to be ſetled as aforeſaid.

CAP. XVI.

An Act that the Simoniacal Promotion of one Perſon may not prejudice another.

Preamble.

Whereas it hath often happened that perſons Simoniack or Simoniacally promoted to Benefices or Eccleſiaſtical Livings, have enjoyed the benefit of ſuch Livings many years, and ſometimes all their Life-time, by reaſon of the ſecret carriage of ſuch Simoniacal dealing; and after the death of ſuch Simoniack perſon, another perſon innocent of ſuch Crime, and worthy of ſuch Preferment, being preſented or promoted by another Patron innocent alſo of that Simoniacal Contract, have been troubled and removed upon pretence of Lapſe (or otherwiſe) to the prejudice of the innocent Patron in Reverſion, and of his Clerk, whereby the Guilty go away with profit of his Crime, and the innocent ſucceeding Patron and his Clerk are puniſhed contrary to all reaſon and good Conſcience:

Simoniacal Contract where it ſhall not prejudiſe.

II. For prevention whereof, Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That after the death of the perſon ſo Simoniacally promoted, the Offence or Contract of Simony ſhall neither by way of Title in Pleading, or in Evidence to a Jury, or otherwiſe hereafter be alledged or pleaded, to the prejudice of any other Patron innocent of Simony, or of his Clerk by him preſented or promoted upon pretence of Lapſe to the Crown, Metropolitan or otherwiſe, unleſs the perſon Simoniack or Simoniacally preſented, or his Patron was convicted of ſuch Offence at the Common Law, or ſome Eccleſiaſtical Court, in the Life time of the perſon Simoniack or Simoniacally promoted or preſented; any Law or Statute to the contrary notwithſtanding.

Leaſe made bona fide by Simoniſt good.

III. And be it alſo provided, enacted and declared by the authority aforeſaid, That no Leaſe or Leaſes, really and bona fide made, or hereafter to be made, by any ſuch perſon, as aforeſaid, Simoniack or Simoniacally promoted to any Deanry, Prebend or Parſonage, or other Eccleſiaſtical Benefice or Dignity, for good and valuable conſideration to any Tenant or perſon not being privy unto or having notice of ſuch Simony, ſhall be impeached or avoided for or by reaſon of ſuch Simony, but ſhall be good and effectual in Law, the ſaid Simony notwithſtanding.

CAP. XVII.

An Act for Rectifying a Miſtake in a certain Act of this preſent Parliament, *For the amoving Papiſts from the Cities of* London *and* Weſtminſter.

Preamble.

Whereas in an Act of this preſent Parliament, Entituled, An Act for the amoving Papiſts, and reputed Papiſts from the Cities of *London* and *Weſtminſter*, and ten Miles diſtance from the ſame, The County of Suſſex is by miſtake in the ſaid Act inſerted for the County of Eſſex;

Suſſex changed into Eſſex.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every the Powers and Authorities by the ſaid recited Act, given to the Juſtices of the Peace of the County of Suſſex be, and are hereby declared and enacted to extend to the County of Eſſex, and the Juſtices of Peace of the ſaid County of Eſſex and Limits thereof.

CAP. XVIII.

An Act for Exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of *England*, from the Penalties of certain Laws.

Preamble.

FOraſmuch as ſome eaſe to ſcrupulous Conſciences in the Exerciſe of Religion may be an effectual means to unite their Majeſties Proteſtant Subjects in Intereſt and Affection,

Two ſeveral Laws againſt Diſſenters repealed.
23 El. 1.
29 El. 6.
1 El. 2.
Sect. 14.
3 Jac. 1. 4.
3 Jac. 5.
Exception.
25 Car. 2. 2.
30 Car. 2. Cap. 1. St. 2.
Cap. 1.
Cap. 1. St. 2.
Taking Declaration to be regiſtred.
Fee for Regiſter and Certificate.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That neither the Statute made in the three and twentieth year of the Reign of the late Queen Elizabeth, Entituled, An Act to Retain the Queens Majeſties Subjects in their due Obedience; Nor the Statute made in the twenty ninth year of the ſaid Queen, Entituled, An Act for the more ſpeedy and due Execution of certain Branches of the Statute made in the three and twentieth year of the Queens Majeſties Reign, *viz.* The aforeſaid Act, nor that Branch or Clauſe of a Statute made in the firſt year of the Reign of the ſaid Queen, Entituled, An Act for the Uniformity of Common Prayer and Service in the Church, and Adminiſtration of the Sacraments: whereby all perſons having no lawful or reaſonable excuſe to be abſent, are required to reſort to their Pariſh Church or Chappel, or ſome uſual place where the Common Prayer ſhall be uſed upon pain of Puniſhment by the Cenſures of the Church, and alſo upon pain that every perſon ſo offending ſhall forfeit for every ſuch Offence twelve pence; Nor the Statute made in the third year of the Reign of the late King James the Firſt, Entituled, An Act for the better diſcovering and repreſſing Popiſh Recuſants; Nor that other Statute made in the ſame year, Entituled, An Act to Prevent and Avoid Dangers which may grow by Popiſh Recuſants; Nor any other Law, or Statute of this Realm made againſt Papiſts or Popiſh Recuſants, Except the Statute made in the five and twentieth year of King Charles the Second, Entituled, An Act for preventing Dangers which may happen from Popiſh Recuſants; And except alſo the Statute made in the thirtieth year of the ſaid King Charles the Second, Entituled, An Act for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament; Shall be conſtrued to extend to any perſon or perſons diſſenting from the Church of England, that ſhall take the Oaths mentioned in a Statute made this preſent Parliament, Entituled, An Act for removing and preventing all Queſtions and Diſputes concerning the aſſembling and ſitting of this preſent Parliament; And ſhall make and ſubſcribe the Declaration mentioned in a Statute made in the thirtieth year of the Reign of King Charles the Second, Entituled, An Act to prevent Papiſts from ſitting in either Houſe of Parliament; Which Oaths and Declaration, the Juſtices of Peace at the general Seſſions of the Peace to be held for the County or place where ſuch perſon ſhall live, are hereby required to tender and adminiſter to ſuch perſons as ſhall offer themſelves to take, make and ſubſcribe the ſame, and thereof to keep a Regiſter: And likewiſe none of the perſons aforeſaid, ſhall give or pay as any Fee or Reward to any Officer or Officers belonging to the Court aforeſaid, above the ſum of ſix pence, nor that more then once for his or their Entry of his taking the ſaid Oaths, and making and ſubſcribing the ſaid Declaration; Nor above the farther ſum of ſix pence for any Certificate of the ſame to be made out, and ſigned by the Officer or Officers of the ſaid Court.

Perſons convicted, &c. taking the Oaths, &c. ſhall be diſcharged.

III. And be it farther enacted by the authority aforeſaid, That all and every perſon and perſons already convicted or proſecuted in order to Conviction of Recuſancy by Indictment, Information, Action of Debt, or otherwiſe grounded upon the aforeſaid Statutes, or any of them, that ſhall take the ſaid Oaths mentioned in the ſaid Statute made this preſent Parliament, and make and ſubſcribe the Declaration aforeſaid, in the Court of Exchequer, or Aſſizes, or General or Quarter Seſſions to be held for the County where ſuch perſon lives, and to be thence reſpectively certified into the Exchequer, ſhall be thenceforth exempted and diſcharged from all the Penalties, Seizures, Forfeitures, Judgments and Executions incurred by force of any the aforeſaid Statutes, without any Compoſition, Fee or farther Charge whatſoever.

35 El. 1.
22 Car. 2. 1.
Eccleſiaſtical Court.

IV. And be it farther enacted by the authority aforeſaid, That all and every perſon and perſons that ſhall as aforeſaid, take the ſaid Oaths, and make and ſubſcribe the Declaration aforeſaid, ſhall not be liable to any Pains, Penalties or Forfeitures mentioned in an Act made in the five and thirtieth year of the Reign of the late Queen Elizabeth, Entituled, An Act to retain the Queen's Majeſties Subjects in their due Obedience; Nor in an Act made in the two and twentieth year of the Reign of the late King Charles the Second, Entituled, An Act to prevent and ſuppreſs ſeditious Conventicles; Nor ſhall any of the ſaid perſons be proſecuted in any Eccleſiaſtical Court, for or by reaſon of their Non-conforming to the Church of England.

Private Meetings excluded.

V. Provided always, and be it enacted by the authority aforeſaid, That if any Aſſembly of perſons diſſenting from the Church of England ſhall be had in any place for Religious Worſhip with the doors locked, barred or bolted during any time of ſuch Meeting together, all and every perſon or perſons that ſhall come to and be at ſuch Meeting, ſhall not receive any benefit from this Law, but be liable to all the Pains and Penalties of all the aforeſaid Laws recited in this Act for ſuch their Meeting, notwithſtanding his taking the Oaths, and his making and ſubſcribing the Declaration aforeſaid.

Tythes ſaved.

VI. Provided always, That nothing herein contained ſhall be conſtrued to exempt any of the perſons aforeſaid from paying of Tythes or other Parochial Duties, or any other Duties to the Church or Miniſter, nor from any Proſecution in any Eccleſiaſtical Court or elſewhere for the ſame.

VII. And

Officers ſcrupling Oaths, &c. allowed to act by Deputy.

VII. And be it farther enacted by the authority aforeſaid, That if any perſon diſſenting from the Church of England, as aforeſaid, ſhall hereafter be choſen or otherwiſe appointed to bear the Office of High Conſtable, or Petit Conſtable, Churchwarden, Overſeer of the Poor, or any other Parochial or Ward Office, and ſuch perſon ſhall ſcruple to take upon him any of the ſaid Offices in regard of the Oaths, or any other Matter or Thing required by the Law to be taken or done in reſpect of ſuch Office, every ſuch perſon ſhall and may execute ſuch Office or Employment by a ſufficient Deputy, by him to be provided, that ſhall comply with the Laws on this behalf. Provided always the ſaid Deputy be allowed and approved by ſuch perſon or perſons, in ſuch manner as ſuch Officer or Officers reſpectively ſhould by Law have been allowed and approved.

Perſons in Orders how exempted from 17 Car. 2. 1. & 14, 15 Car. 2. 4.

VIII. And be it farther enacted by the authority aforeſaid, That no perſon diſſenting from the Church of England in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, nor any Preacher or Teacher of any Congregation of diſſenting Proteſtants, that ſhall make and ſubſcribe the Declaration aforeſaid, and take the ſaid Oaths at the General or Quarter Seſſions of the Peace to be held for the County, Town, Parts or Diviſion where ſuch perſon lives, which Court is hereby impowred to adminiſter the ſame, and ſhall alſo declare his approbation of, and ſubſcribe the Articles of Religion mentioned in the Statute made in the thirteenth year of the Reign of the late Queen Elizabeth, Except the thirty fourth, thirty fifth and thirty ſixth, and theſe words of the twentieth Article, viz. [the Church hath power to decree Rites or Ceremonies, and Authority in Controverſies of Faith, and yet] ſhall be liable to any of the pains or penalties mentioned in an Act made in the ſeventeenth year of the Reign of King Charles the Second, Entituled, An Act for reſtraining Non-Conformiſts from inhabiting in Corporations; Nor the penalties mentioned in the aforeſaid Act made in the two and twentieth year of his ſaid late Majeſty's Reign, for or by reaſon of ſuch perſons preaching at any Meeting for the Exerciſe of Religion; Nor to the penalty of one hundred pounds mentioned in an Act made in the thirteenth and fourteenth of King Charles the Second, Entituled, An Act for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies: And for eſtabliſhing the Form of making, ordaining and conſecrating of Biſhops, Prieſts and Deacons in the Church of *England*, for officiating in any Congregation for the Exerciſe of Religion permitted and allowed by this Act.

Cap. 12.

17 Car. 2. 2.

13 14 Car. 2. 4.

Taking the Oaths, &c. to be regiſtred.

IX. Provided always, That the making and ſubſcribing the ſaid Declaration, and the taking the ſaid Oaths, and making the Declaration of Approbation and Subſcription to the ſaid Articles, in manner as aforeſaid, by every reſpective perſon or perſons herein before mentioned, at ſuch General or Quarter Seſſions of the Peace, as aforeſaid, ſhall be then and there entred of Record in the ſaid Court, for which ſix pence ſhall be paid to the Clerk of the Peace and no more. Provided that ſuch perſon ſhall not at any time preach in any place, but with the doors not locked, barred or bolted as aforeſaid.

Meeting doors to be unlocked.

Anabaptiſts.

X. And whereas ſome diſſenting Proteſtants ſcruple the baptizing of Infants, Be it enacted by the authority aforeſaid, That every perſon in pretended Holy Orders, or pretending to Holy Orders, or Preacher, or Teacher, that ſhall ſubſcribe the aforeſaid Articles of Religion, Except before excepted, and alſo except part of the ſeven and twentieth Article touching Infant Baptiſm, and ſhall take the ſaid Oaths, and make and ſubſcribe the Declaration aforeſaid, in manner aforeſaid, every ſuch perſon ſhall enjoy all the Priviledges, Benefits and Advantages which any other diſſenting Miniſter as aforeſaid, might have or enjoy by virtue of this Act.

Teacher exempt from Office.

XI. And be it farther enacted by the authority aforeſaid, That every Teacher or Preacher in Holy Orders, or pretended Holy Orders, that is a Miniſter, Preacher or Teacher of a Congregation, that ſhall take the Oaths herein required, and make and ſubſcribe the Declaration aforeſaid, And alſo ſubſcribe ſuch of the aforeſaid Articles of the Church of England, as are required by this Act in manner aforeſaid, ſhall be thenceforth exempted from ſerving upon any Jury, or from being choſen or appointed to bear the Office of Churchwarden, Overſeer of the Poor, or any other Parochial or Ward Office, or other Office in any Hundred of any Shire, City, Town, Pariſh, Diviſion or Wapentake.

Juſtice of Peace may tender the Oaths, &c.

XII. And be it farther enacted by the authority aforeſaid, That every Juſtice of the Peace, may at any time hereafter require any perſon that goes to any Meeting for Exerciſe of Religion, to make and ſubſcribe the Declaration aforeſaid, and alſo to take the ſaid Oaths or Declaration of Fidelity herein after mentioned, in caſe ſuch perſon ſcruples the taking of an Oath, and upon refuſal thereof, ſuch Juſtice of the Peace is hereby required to commit ſuch perſon to Priſon without Bail or Mainprize, and to certifie the Name of ſuch perſon to the next General or Quarter Seſſions of the Peace to be held for that County, City, Town, Part or Diviſion where ſuch perſon then reſides, and if ſuch perſon ſo committed, ſhall upon a ſecond tender at the General or Quarter Seſſions refuſe to make and ſubſcribe the Declaration aforeſaid, ſuch perſons refuſing ſhall be then and there recorded, and he ſhall be taken thenceforth to all intents and purpoſes, for a Popiſh Recuſant Convict, and ſuffer accordingly, and incur all the penalties and forfeitures of all the aforeſaid Laws.

Penalty for refuſing.

Quakers how exempted.

XIII. And whereas there are certain other perſons, Diſſenters from the Church of England, who ſcruple the taking of any Oath, Be it enacted by the authority aforeſaid, That every ſuch perſon ſhall make and ſubſcribe the aforeſaid Declaration, and alſo this Declaration of Fidelity following, viz.

Declaration of Fidelity.

I *A. B.* do ſincerly promiſe and ſolemnly declare before God and the World, that I will be true and faithful to King *William* and Queen *Mary*; And I do ſolemnly profeſs and Declare, That I do from my Heart Abhor, Deteſt and Renounce as Impious and Heretical, that damnable Doctrine and Poſition, *That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of* Rome, *may be Depoſed or Murthered by their Subjects, or any other whatſoever.* And I do declare, that no Foreign

Prince, Perſon, Prelate, State or Potentate hath, or ought to have any Power, Juriſdiction, Superiority, Preeminence or Authority Eccleſiaſtical or Spiritual within this Realm.

And ſhall ſubſcribe a Profeſſion of their Chriſtian Belief in theſe Words,

Profeſſion.

I *A. B.* profeſs Faith in God the Father, and in Jeſus Chriſt his Eternal Son, the true God, and in the Holy Spirit, one God bleſſed for evermore; And do acknowledge the Holy Scriptures of the Old and New Teſtament to be given by Divine Inſpiration.

Which Declarations and Subſcription ſhall be made and entred of Record at the general Quarter Seſſions of the Peace for the County, City or place where every ſuch perſon ſhall then reſide. And every ſuch perſon that ſhall make and ſubſcribe the two Declarations and Profeſſion aforeſaid, being thereunto required, ſhall be exempted from all the pains and penalties of all and every the aforementioned Statutes made againſt Popiſh Recuſants, or Proteſtant Nonconformiſts, and alſo from the penalties of an Act made in the fifth year of the Reign of the late Queen Elizabeth, Entituled, An Act for the Aſſurance of the Queens Royal Power over all Eſtates and Subjects within her Dominions; For or by reaſon of ſuch perſons not taking or refuſing to take the Oath mentioned in the ſaid Act; And alſo from the penalties of an Act made in thirteenth and fourteenth years of the Reign of King Charles the Second, Entituled, An Act for preventing Miſchiefs that may ariſe by certain perſons called *Quakers*, refuſing to take lawful Oaths; And enjoy all other the Benefits, Priviledges and Advantages under the like Limitations, Proviſoes and Conditions which any other Diſſenters ſhall or ought to enjoy by virtue of this Act.

5 El. 1.

13, 14 Car. 2. 1.

How purged after refuſal of the Oaths.

XIV. Provided always, and be it enacted by the authority aforeſaid, That in caſe any perſon ſhall refuſe to take the ſaid Oaths, when tendred to them, which every Juſtice of the Peace is hereby impowred to do, ſuch perſon ſhall not be admitted to make and ſubſcribe the two Declarations aforeſaid, though required thereunto either before any Juſtice of the Peace, or at the General or Quarter Seſſions before or after any Conviction of Popiſh Recuſancy, as aforeſaid, unleſs ſuch perſon can within thirty one days after ſuch tender of the Declarations to him, produce two ſufficient Proteſtant Witneſſes, to teſtifie upon Oath that they believe him to be a Proteſtant Diſſenter, or a Certificate under the Hands of four Proteſtants who are conformable to the Church of England, or have taken the Oaths and ſubſcribed the Declaration above mentioned, and ſhall alſo produce a Certificate under the Hands and Seals of ſix or more ſufficient Men of the Congregation to which he belongs, owning him for one of them.

XV. Provided alſo, and be it enacted by the authority aforeſaid, That until ſuch Certificate under the Hands of ſix of his Congregation as aforeſaid, be produced, and two Proteſtant Witneſſes come to atteſt his being a Proteſtant Diſſenter, or a Certificate under the Hands of four Proteſtants as aforeſaid, be produced, the Juſtice of the Peace ſhall, and hereby is required to take a Recognizance with two Sureties in the penal Sum of fifty pounds, to be levied of his Goods and Chattels, Lands and Tenements, to the uſe of the King and Queen's Majeſties, their Heirs and Succeſſors, for his producing the ſame; and if he cannot give ſuch Security, to commit him to priſon, there to remain until he has produced ſuch Certificates, or two Witneſſes as aforeſaid.

Laws for Divine Service in force.

XVI. Provided always, and it is the true intent and meaning of this Act, That all the Laws made and provided for the frequenting of Divine Service on the Lord's Day, commonly called Sunday ſhall be ſtill in force, and executed againſt all perſons that offend againſt the ſaid Laws, except ſuch perſons come to ſome Congregation or Aſſembly of Religious Worſhip, allowed or permitted by this Act.

Papiſts, &c. excepted.

XVII. Provided always, and be it farther enacted by the authority aforeſaid, That neither this Act nor any Clauſe, Article or Thing herein contained ſhall extend or be conſtrued to extend to give any eaſe, benefit or advantage to any Papiſt or Popiſh Recuſant whatſoever; or any perſon that ſhall deny in his Preaching or Writing the Doctrin of the Bleſſed Trinity as it is declared in the aforeſaid Articles of Religion.

Diſturbers of Religious Worſhip how puniſhed.

XVIII. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons at any time or times after the tenth day of June, do and ſhall willingly and of purpoſe, maliciouſly or contemptuouſly come into any Cathedral or Pariſh Church, Chappel or other Congregation permitted by this Act, and diſquiet or diſturb the ſame, or miſuſe any Preacher or Teacher, ſuch perſon or perſons upon proof thereof, before any Juſtice of Peace, by two or more ſufficient Witneſſes, ſhall find two Sureties to be bound by Recognizance in the penal Sum of fifty pounds, and in default of ſuch Sureties ſhall be committed to priſon, there to remain till the next General or Quarter Seſſions; and upon conviction of the ſaid offence at the ſaid General or Quarter Seſſions, ſhall ſuffer the pain and penalty of twenty pounds, to the uſe of the King and Queen's Majeſties their Heirs and Succeſſors.

Place for Worſhip to be certified.

XIX. Provided always, That no Congregation or Aſſembly for Religious Worſhip, ſhall be permitted or allowed by this Act, until the place of ſuch Meeting ſhall be certified to the Biſhop of the Dioceſs, or to the Arch-Deacon of that Archdeaconry, or to the Juſtices of the Peace at the General or Quarter Seſſions of the Peace for the County, City, or place in which ſuch Meeting ſhall be held, and regiſtred in the ſaid Biſhops, or Archdeacons Court reſpectively, or recorded at the ſaid General or Quarter Seſſions; The Regiſter or Clerk of the Peace whereof reſpectively is hereby required to regiſter the ſame, and to give Certificate thereof to ſuch perſon as ſhall demand the ſame, for which there ſhall be none greater Fee nor Reward taken then the Sum of ſix pence.

CAP. XIX.

An Act for Impowring their Majeſties to commit without Bail, ſuch perſons as they ſhall find juſt cauſe to ſuſpect are conſpiring againſt the Government. Exp.

CAP.

CAP. XX.

An Act for a Grant to their Majeſties of an Aid of Twelve pence in the Pound for one year, for the neceſſary Defence of their Realms. Exp.

CAP. XXI.

An Act for enabling Lords Commiſſioners for the Great Seal, to execute the Office of Lord Chancellor or Lord Keeper.

Preamble.

Whereas their moſt excellent Majeſties King William and Queen Mary, have thought fit that the Office of the Lord Chancellor or Lord Keeper of the Great Seal of England, ſhould be executed by Commiſſioners appointed for the ſame under the Great Seal of England; And whereas ſeveral Authorities, Juriſdictions and Powers are by ſeveral Acts of Parliament, and otherwiſe, veſted, ſettled and placed in the Lord Chancellor of England, or Lord Keeper of the Great Seal of England for the time being: Now for the preventing of all Doubts and Queſtions that may ariſe, whether all or any of thoſe Authorites, Juriſdictions and Powers may be exerciſed by ſuch Commiſſioners,

Commiſſioners of the Great Seal may execute the power of Chancellor.

II. Be it enacted and declared, and it is hereby enacted and declared by the King and Queens moſt excellent Majeſties, and by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That ſuch Commiſſioners for the time being, may uſe and exerciſe at all times according to their Commiſſions, as of right belonging to the Lords Commiſſioners of the Great Seal of England for the time being, all and every the ſame and like Offices, Authority, Juriſdiction and Execution of Laws, and all other Cuſtoms, Priviledges, Emoluments and Advantages, which the Lord Chancellor of England, or Lord Keeper of the Great Seal of England for the time being, of right ought to uſe, have or execute, as belonging to their, or either of their ſaid Offices, or otherwiſe howſoever, to all intents and purpoſes, as if the ſaid Lords Commiſſioners for the time being were Lord Chancellor, or Lord Keeper of the Great Seal of England, and ſhall have, and take place next after the Peers of this Realm, and Speaker of the Houſe of Commons, unleſs any of them ſhall happen to be a Peer, and then to take place according to his Peerage.

Their place.

One Commiſſioner may hear Motions, &c.

III. Provided always, and be it enacted by the authority aforeſaid, That any one Commiſſioner (in the abſence of the others) may hear Motions, and give Orders and Directions touching the interlocutory Proceedings in any Cauſe, ſo as ſuch one Commiſſioner in the abſence of the others ſhall not make any Decrees, or put the Great Seal to any thing whatſoever, whereunto the whole Broad Seal ought to be affixt, unleſs there be two Commiſſioners preſent.

Cuſtos Rotulorum how to be choſen.

IV. And be it farther enacted by the authority aforeſaid, That the nominating and appointing of the Cuſtos Rotulorum throughout all the Shires and Counties of this Realm, is and ſhall be as is directed by a Statute made in the thirty ſeventh year of Henry the Eighth, Entituled, A Bill for *Cuſtos Rotulorum*, and the Clerkſhip of the Peace, any Law, Uſage or Statute to the contrary in any wiſe notwithſtanding.

Cap. 1.

Clerk of the Peace how to be appointed.

V. And be it farther enacted by the authority aforeſaid, That the Cuſtos Rotulorum, or other perſon to whom of right it doth or ſhall belong, to nominate or appoint the Clerk of the Peace for any County, Riding, Diviſion or other place, ſhall from time to time where the Office of the Clerk of the Peace now is, or hereafter ſhall be void, nominate and appoint one able and ſufficient perſon reſiding in the ſaid County, Riding, Diviſion or other place, for which he is ſo appointed or to be appointed Clerk of the Peace, to execute the ſame by himſelf or his ſufficient Deputy, and to take and receive the Fees, Profits and Perquiſits thereof, for ſo long time only as ſuch Clerk of the Peace ſhall well demean himſelf in his ſaid Office.

Juſtices of Peace may diſcharge Clerk of the Peace.

VI. And be it enacted by the authority aforeſaid, That if any Clerk of the Peace already nominated or to be nominated as aforeſaid, ſhall miſdemean himſelf in the Execution of the ſaid Office, and thereupon a Complaint and Charge in Writing of ſuch Miſdemeanor, ſhall be exhibited againſt him to the Juſtices of the Peace in their general Quarter Seſſions, it ſhall be lawful for the ſaid Juſtices, or the major part of them, from time to time, upon Examination and due proof thereof, openly in their ſaid general Quarter Seſſions, to ſuſpend or diſcharge him from the ſaid Office; and that in ſuch Caſe the Cuſtos Rotulorum, or other perſon to whom it ſhall of right belong to nominate and appoint the Clerk of the Peace for ſuch County, Riding, Diviſion or place, ſhall nominate and appoint one other able and ſufficient perſon reſiding in the ſaid County, Riding, Diviſion or place as aforeſoſaid, to be Clerk of the Peace in the place of ſuch perſon ſo amoved as aforeſaid; and in caſe of refuſal or neglect to make ſuch Nomination and Appointment, before the next general Quarter-Seſſions to be holden after the ſaid refuſal, that it ſhall and may be lawful for the ſaid Juſtices of the Peace at their general Quarter-Seſſions for the ſaid County, Riding, Diviſion or place, or the major part of them, to nominate and appoint one able and ſufficient perſon reſiding in the ſaid County, Riding, Diviſion or place, to be Clerk of the Peace in the place of ſuch perſon ſo amoved as aforeſaid, to have, hold and enjoy the ſaid Office of Clerk of the Peace, and to execute the ſame by himſelf or his ſufficient Deputy, and to receive the Fees, Profits and Perquiſits thereof.

Who ſhall nominate upon ſuch Vacancy.

New Clerk of the Peace lyable to penalties &c.

VII. Provided always, and be it enacted by the authority aforeſaid, That he ſhall be liable and ſubject to all the Penalties, Forfeitures, Conditions, Limitations and Proviſions herein, and hereby mentioned and expreſſed, and may be amoved or diſcharged by the ſaid Juſtices, or the major part of them in ſuch manner and way as is above ſpecified.

Cuſtos Rotulorum, &c. ſhall take no Fee.

VIII. And be it farther enacted by the authority aforeſaid, That it ſhall not be lawful for any Cuſtos Rotulorum, or other perſon to whom of right it doth, or ſhall belong to nominate, elect or appoint any Clerk of the Peace, to ſell the ſaid Place of Clerk of the Peace, or to take any Bond or other aſſurance to receive or have any Reward, Mony, Fee or Profit, directly or indirectly, to him or any other perſon for ſuch nominating, electing or appointing, but that every ſuch Cuſtos Rotulorum, or other perſon that ſhall ſo ſell the Clerkſhip of the Peace, and every Clerk of the Peace who ſhall ſo buy his place, are hereby diſabled to hold their places of Cuſtos Rotulorum, or Clerkſhip of the Peace, and ſhall alſo each of them reſpectively forfeit double the Sum or Value of other thing that ſhall be ſo given or taken, to be recovered by him or them to their own uſe, that ſhall ſue for the ſame, to be proſecuted by any Action of Debt, Suit, Bill, Plaint, or Information, in any of their Majeſties Courts at Weſtminſter, wherein no Eſſoign, Protection or Wager of Law ſhall lie.

Penalty upon Buyer and Seller.

Clerk of the Peace take the Oath.

IX. And be it farther enacted by the authority aforeſaid, That every Clerk of the Peace, before he enter upon the execution of his ſaid Office, ſhall in open Seſſions take the Oath following, viz.

I *A. B.* do Swear, That I have not, nor will pay any Sum or Sums of Mony, or other Reward whatſoever, nor given any Bond or other Aſſurance to pay any Mony, Fee or Profit, directly or indirectly to any perſon or perſons whomſoever, for ſuch Nomination or Appointment.

So help me God.

Not to extend to Lancaſter.

X. Provided always, That nothing in this Act contained, ſhall any ways affect or relate to the Clerk of the Peace, for the Dutchy and County Palatine of Lancaſter only; which ſaid Clerk of the Peace holds his ſaid Office for Lives, by Grants from his late Majeſty King Charles the Second, as his Predeceſſors in the ſaid place have done, from former Kings and Queens of this Realm in right of their Dutchy and County Palatine aforeſaid. This Act to commence from the firſt day of May, one thouſand ſix hundred eighty nine.

CAP. XXII.

An Act for the Exportation of Beer, Ale, Syder and Mum.

Preamble.

Ale, &c. may be exported.

The Cuſtom.

Exciſe repay'd.

FOR the Advancement of Trade, and Encouragement of Tillage and Manufacture of this Realm, Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth of June in the year of our Lord one thouſand ſix hundred eighty nine, It ſhall and may be lawful for any perſon in any Sea-port, or upon any Navigable River, to export and ſhip off as Merchandize, within any of the uſual and allowed Ports by Law, and at the common Keys for Exportation and lading on Board of Merchandize, or Keys to be appointed for that purpoſe, and within the uſual hours of Exciſe, for accompt of himſelf or any other (to be exported into Foreign parts) in the preſence of a ſworn Gauger, or other ſworn Officer to be appointed by the Farmers, Commiſſioners, or Sub-Commiſſioners of their Majeſties Exciſe, upon notice thereof to them given at the Office of Exciſe, within the Limits whereof the ſaid Ale, Beer, Syder, and Mum was brewed or made, of the reſpective Port or place whence the ſame ſhall be ſhipped, any ſort of ſtrong Ale, ſtrong Beer, Syder or Mum, to be ſpent beyond the Seas, paying Cuſtom for the ſame after the Rate of one ſhilling for every Tun, which ſhall be exported in any Engliſh or Foreign Veſſel, and no more, or other Duty whatſoever; Which ſaid Gauger or Officer aforeſaid, ſhall certifie the quantity of the ſaid Beer, Ale, Syder or Mum ſhipped off, to the Commiſſioners and Officers of Exciſe, where the Entry thereof ſhall be made, who are hereby required to make allowance, or repay the Exciſe of the Beer, Ale, Syder or Mum ſo exported unto the Brewer or Maker thereof, within one month after ſuch Exportation, deducting three pence per Tun for the Charges of their Officers and no more.

Penalty upon Merchant unlading, &c.

Ale, &c. ſpent on Shipboard.

II. And be it farther enacted by the authority aforeſaid, That if any Merchant or Maſter of any Ship or Veſſel, or other perſon ſhall cauſe or ſuffer any of the ſaid Liquors ſo ſhipped in any Veſſel, as Merchandize to be unſhipped, unladen and laid on Land, or put into any other Ship or Veſſel within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, he or they ſhall forfeit the ſame, and fifty pounds of lawful Monies of England more for every Caſk, he or they ſhall ſo unduly land, or put a board any Veſſel to be recovered in any of his Majeſty's Courts of Record, by Information, Bill or Plaint; The one moiety of which Forfeiture ſhall be to the uſe of the King and Queens moſt excellent Majeſties, the other moiety to the Informer or Proſecutor. And to the intent their Majeſties Duty of Exciſe may not be prejudiced for ſuch Beer, Ale, Syder or Mum as ſhall be ſpent on Shipboard, their Majeſties Commiſſioners, and Officers of the Cuſtoms are hereby required and enjoyned to charge every Maſter of any Ship or Veſſel in his Victualling Bill with ſo much Beer, Ale, Syder or Mum, and no more as ſuch number of Men uſe to ſpend in ſuch Voyages; The Exciſe whereof to be recovered according to the Laws and Rules already eſtabliſhed.

Cuſtom how levied.

III. And be it farther enacted by the authority aforeſaid, That the aforeſaid rate of one ſhilling the Tun for Beer, Ale, Syder and Mum to be exported, as aforeſaid, ſhall be levied and paid under ſuch Rules and Penalties, and for ſuch time and in ſuch manner, as by the Laws of Tonnage and Poundage are ordained.

Exciſe, &c. for Foreign Mum not repaid.

IV. Provided always, and be it farther enacted by the authority aforeſaid, That no Mum imported from Foreign parts, during the continuance of this Act, ſhall have any part of the Duty of Cuſtom or Exciſe, which was paid at the Importation thereof, repaid upon Exporation; any Law, Statute or Uſage to the contrary, in any wiſe notwithſtanding.

CAP. XXIII.

An Act for Reviving two former Acts for Exporting of Leather.

Whereas an Act was made in the twentieth year of the Reign of King Charles the Second, Entituled, An Act for giving Liberty to Buy and Export Leather and Skins Tanned or Dreſſed; Which Act being expired, was revived by another Act made in the firſt year of the Reign of the late King James the Second, Entituled, An Act for Reviving a former Act for Eporting of Leather; Which Act will expire at the end of this Seſſions of Parliament. And whereas theſe Laws have been found very beneficial to this Kingdom, We therefore your Majeſties moſt Loyal and Obedient Subjects, the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, do humbly pray that it may be enacted:

Preamble.

20 Car. 2. cap. 5.

Cap. 13.

II. And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the authority of the ſame, That the ſaid two Acts and every part of them, ſhall be and are hereby Revived and Continued in full force and virtue, to all intents and purpoſes, from the end of this Seſſions of Parliament, and ſhall ſo continue for the ſpace of ſeven years, and from thence to the end of the firſt Seſſions of Parliament then next enſuing and no longer.

Revived for ſeven years.

CAP. XXIV.

An Act for an Additional Duty of Exciſe upon Beer, Ale and other Liquors, *Vide* 2 W. & M. Seſſ. 2. Cap. 14.

We your Majeſties moſt dutiful and loyal Subjects, the Commons aſſembled in Parliament, taking into ſerious conſideration the great and urgent Occaſions which do preſs your Majeſties to an extraordinary Expence of Treaſure for the defence of your Kingdoms and Dominions againſt Invaſion, and for preſerving to your ſaid Subjects the intercourſe of Trade, for which purpoſe your Majeſties have found your ſelves obliged to equip and ſet out to Sea a Royal Navy, and to make and maintain a War againſt the French King; and in moſt thankful acknowledgment of your Majeſties tender Care of the Welfare of your People, have cheerfully and unanimouſly given and granted, and do hereby give and grant to your Majeſties the ſeveral additional Rates and Duties of Exciſe herein after mentioned, and do moſt humbly beſeech your Majeſties that it may be enacted,

Preamble.

II. And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the four and twentieth day of July, which ſhall be in the year of our Lord one thouſand ſix hundred eighty and nine, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto your Majeſties and your Succeſſors, during the ſpace and term of three years, from the four and twentieth day of July aforeſaid, and no longer, for Beer, Ale, Syder and other Liquors herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges and Impoſitions by any former Act or Acts, ſet and impoſed, and in manner and form following, that is to ſay, For every Barrel of Beer or Ale above ſix ſhillings the Barrel, excluſive of the Duty of Exciſe, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately to be paid by the common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, over and above the Duties already payable for the ſame, nine pence; For every Barrel of Beer or Ale of ſix ſhillings the Barel or under, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately to be paid by the ſaid common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer quantity over and above the Duty already payable for the ſame three pence; For every Barrel of Vinegar or Vinegar-Beer brewed or made of any Engliſh Materials by any common Brewer, or any other perſon for Sale to be paid by the maker thereof, and ſo proportionably for a greater or leſſer quantity over and above the Duties of Exciſe already payable for the ſame one ſhilling ſix pence; For every Barrel of Vinegar, or Liquor prepared for Vinegar made here for Sale of any Foreign Materials or any mixture with Foreign Materials to be paid by the maker thereof, and ſo proportionably for a greater or leſſer quantity four ſhillings; For every Barrel of Beer, Ale or Mum, imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importers before landing, over and above the Duties already payable for the ſame three ſhillings; For every Tun of Syder or Perry imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importer before landing, over and above the Duties already payable for the ſame four pounds; For every Gallon of ſingle Brandy, Spirits or Aqua vitæ imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties already payable for the ſame two ſhillings; For every Gallon of Brandy, Spirits or Aqua vitæ above proof, commonly called double Brandy imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties already payable for the ſame four ſhillings; For all Syder and Perry made and ſold by Retail upon every Hogſhead to be paid by the Retailer thereof, over and above the Duties already payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure one ſhilling three pence; For all Metheglin or Mead made for Sale, whether by Retail or otherwiſe, to be paid by the maker, for every Gallon three pence.

Additional Exciſe upon Ale, &c. given for three years. The Duties appropriated by Cap. 28. of this Seſſion to the payment of 6000 l. to the States General, and the reſidue by 2 W. & M. Seſſ. 2. cap. 10. to other uſes.

Beer or Ale above 6 s. the Barrel 9 d. a Barrel.

Beer or Ale 6 s. the Barrel or under, 3 d. a Barrel.

Vinegar of Engliſh materials 6 d. a Barrel.

Vinegar of Foreign materials 3 s. a Barrel.

Syder or Perry imported 4 l. a Tun.

Single Brandy imported 2 s. the Gallon.

Double Brandy imported 4 s. a Gallon.

Syder and Perry retail'd 1 s. 3 d. the Hogſhead.

Metheglin or Mead 3 d. the Gallon.

III. And

Diſtiller.

III. And be it farther enacted by the authority aforeſaid, That if any Diſtiller or Maker of any Low Wines, ſhall at any time after the twentieth day of July one thouſand ſix hundred eighty nine, after an account hath been taken by the Gauger of the quantity of his Low Wines, ſell, diſpoſe of or remove the ſame, or any part thereof, without diſtilling or drawing it off a ſecond time, every ſuch Diſtiller or maker of Low Wines, for every Gallon ſo ſold, diſpoſed of or removed, ſhall forfeit the ſum of five ſhillings, to be levyed in manner as any penalties or forfeitures are levyable by any Act relating to the Revenue of Exciſe.

Exciſe how collected.

Cap. 29.

Cap. 11.

What ſhall be accounted a Barrel.

IV. And be it farther enacted by the authority aforeſaid, That the ſeveral Rates and Duties of Exciſe hereby impoſed on the Liquors aforeſaid, ſhall be raiſed, levied, collected, recovered and paid unto their Majeſties and their Succeſſors during the time before mentioned, and in the ſame manner and form, and by ſuch rules, ways and means, and under ſuch penalties and forfeitures as are mentioned, expreſſed and directed in and by one Act of Parliament made in the twelfth year of the Reign of the late King Charles the Second, Entituled, An Act for taking away the Court of Wards and Liveries and Tenures *in Capite*, and by Knights Service and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof; And alſo in and by one other Act of Parliament made in the fifteenth year of his ſaid Majeſty's Reign, Entituled, An Additional Act for the better ordering and collecting the Duties of Exciſe, and preventing the Abuſes therein, or in either of them; Or by any other Law now in force, relating to the Revenue of Exciſe, not otherwiſe herein and hereby altered and provided againſt. And for the avoiding all uncertainty, and all differences and diſputes which of late have been between the Gaugers and the Brewers, Victuallers, Retailers and other perſons chargeable with the duties of Exciſe touching Beer and Ale, and touching the Returns or Charges made or to be made of Beer or Ale, by the Gaugers or Officers appointed to take account and aſcertain the ſame,

Allowace for Leakage.

V. Be it enacted and declared by the authority aforeſaid, That every four and thirty Gallons of Beer or Ale, whether ſtrong or ſmall, brewed or made in any part of England, Wales or Town of Berwick upon Tweed, by any the perſon or perſons aforeſaid, other then within the Cities of London and Weſtminſter, and within the Weekly Bills of Mortality, taken by the Gauger according to the Standard of the Ale Quart, four whereof ſhall make the Gallon, remaining in the Cuſtody of the Chamberlain of their Majeſties Exchequer, ſhall be reckoned, accounted and returned by the Gauger or Gaugers, or other Officers aforeſaid, for a Barrel of Beer or Ale; And that the allowances appointed to be made and allowed to the Common Brewers, other then within the Cities of London and Weſtminſter, and the Weekly Bills of Mortality aforeſaid, for Waſte by filling and leakage of their Beer and Ale, out of the ſaid Returns or Charges made by the ſaid Gaugers or other Officers aforeſaid, ſhall be two Barrels and an half upon every three and twenty Barrels of Beer or Ale, whether ſtrong or ſmall, and no more; any thing in the above mentioned Acts, or any other Act of Exciſe, or any Law or Uſage to the contrary in any wiſe notwithſtanding; and that every Barrel of Beer and Ale made and brewed within the ſaid Cities of London and Weſtminſter, and within the Weekly Bills of Mortality aforeſaid, by any the perſons aforeſaid, ſhall be reckoned, accounted and returned as the ſame are reſpectively to be reckoned, accounted and returned by the former Acts of Exciſe; and that the Common Brewers within the Cities of London and Weſtminſter, and within the Weekly Bills of Mortality, ſhall have the like allowances for waſte by filling and leakage, out of the ſaid Gaugers Returns, as by the ſaid former Acts are directed.

Brewer chargeable with the quantity of Worts miſſing

VI. And whereas by the Laws relating to their Majeſties Revenue of Exciſe, It is enacted, That Gaugers have power to gauge all Coppers, Fats and Veſſels in any Brewhouſe, and all other places whatſoever belonging to, or uſed by any Brewer, Inn-keeper, Victualler or other Retailer of Beer or Ale, and to take an account of Beer, Ale and Worts from time to time brewed or made, and thereof to make Return and Report in Writing to the Commiſſioners and Subcommiſſioners of Exciſe, and ſuch Returns to be a Charge upon ſuch Brewers; Now for the preventing of Frauds and Diſputes which may happen or ariſe by the Gaugers making their Returns aforeſaid, Be it enacted by the authority aforeſaid, That where it ſhall appear to the Gauger or Gaugers that any Worts are miſſing, or not let fairly down into the Tun, and ſuch Gauger cannot find the ſame; in ſuch Caſe it ſhall be lawful for ſuch Gauger to charge ſuch Brewer, Victualler or other Retailer, with ſo much, Beer or Ale as ſuch Worts ſo miſſing would reaſonably make; And for the avoiding as much as may be all Diſputes,

Gaugers may make returns upon warm Worts.

VII. Be it enacted, That it ſhall and may be lawful for all Gaugers to take their gauges, and make their Returns and Charges upon warm Worts in the Backs, Coolers or other Veſſels, and in ſuch Caſe ſhall make allowance to the Brewer, Inn-keeper, Victualler or other Retailer, of one tenth part thereof for Waſh and Waſte for all Worts ſo Returned and Charged; which Worts, nor any part of the ſame, are to be in any ſort afterwards charged with the payment of any Duty of Exciſe when brewed or made into Beer or Ale.

Ale-ſeller not ſuable for ſelling at a higher rate then formerly.

VIII. Provided always, and be it enacted by the authority aforeſaid, That no Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any time hereafter during the continuace of this Act, or of the additional Duties hereby impoſed, be ſued, impleaded or moleſted by Indictment, Information or Popular Action, or otherwiſe, for ſelling or uttering any Beer or Ale at any other or higher Prizes then the Prizes heretofore limited and appointed; any thing in this Act, or any other Law or Statute to the contrary notwithſtanding.

IX. And foraſmuch as it is found by Experience, that the payment of their Majeſties Duties on Strong Waters, Aqua vitæ, and Spirits, is much avoided and defrauded by the Diſtillers or makers of the Commodities aforeſaid, by reaſon that the Gaugers and Officers appointed to gauge and charge thoſe Liquors, are not duly admitted and permitted to enter and come into the Houſes, Diſtilling-houſes or Store-houſes, and other places belonging to, or uſed by ſuch Diſtillers or Makers of ſuch Strong Waters, Aqua vitæ and Spirits, and the penalties impoſed by the former Acts, are often avoided for ſuch denial or refuſal, becauſe proof cannot be made by the Informers or Officers of any Sale made of any their Commodities before the duty thereof is paid, Be it enacted by the authority aforeſaid, That from henceforth in caſe any Diſtiller or Maker of the Commodities aforeſaid, ſhall upon due requeſt or demand made by the Gauger or Officer in the day time or in the night time, in the preſence of a Conſtable, refuſe to permit ſuch Gaugers to enter and come into his or their Houſe, Diſtilling-houſe, Store-houſe, or other places belonging to, or uſed by ſuch Diſtillers or Makers of Strong Waters, Aqua vitæ or Spirits, the party and parties ſo offending, ſhall forfeit and incur the Forfeitures and Penalties by the ſaid former Acts impoſed and inflicted, to be recovered in manner as therein and thereby is directed; and the Informer or Proſecutor ſhall not be obliged to prove that ſuch Offenders ſold, carried or delivered out part of his Commodities aforeſaid, before he had paid or cleared the Duties due for the ſame; any thing in the ſaid former Act or any other Act or Statute to the contrary notwithſtanding.

Puniſhment upon Diſtiller refuſing Gauger to come into his Store-houſe, &c.

Sect. 6.

Sect. 7.

X. And whereas in and by the ſaid Act made in the fifteenth year of the Reign of the late King Charles the Second, It is amongſt other things therein provided or enacted in the words or to the effect following, (viz.) That no Common Brewer or Brewers ſhall be ſued or proſecuted for any Penalty or Forfeiture by him or them incurred, for or by reaſon of any Miſentry or ſhort Entry, if he or they ſhall within one Week after the delivery of the Copy of the Gaugers Return made on him, certifie his or their Entry made for the Week for which ſuch Copy of the Return is delivered according to ſuch Return for each reſpective Charge or Brewing, or otherwiſe diſcharging himſelf, Be it enacted by the authority aforeſaid, That no Brewer or Brewers ſhall from henceforth have or claim any benefit by the ſaid Proviſo, on any Information to be brought againſt him or them for Non-Entry, wilful falſe Entry, or Non-payment, If it ſhall appear by the Evidence given, that ſuch Brewer ſo ſued for Non-Entry or ſhort or falſe Entry, or Non-payment, did not (bona fide) ſhew to the Gauger or Gangers appointed to take account of the Beer or Ale by them brewed, all the Beer, Ale and Worts of each reſpective Guile for ſuch time for which ſuch Copy of the Return was made or given; Or if any apparent Fraud was acted or made to defraud their Majeſties of their Duty for any part of the Drink brewed in the time for which ſuch Copy of the Return is made or given by the Gauger, in ſuch caſe, ſuch Brewer ſhall incur all the Penalties and Forfeitures by the former Acts provided or inflicted; The ſaid Proviſo or any thing in any Acts or Statute relating to the Exciſe, in any wiſe notwithſtanding.

Brewer not diſcharged from miſentry except he ſhew'd an account of the Beer, &c. at the time of the Return.

XI. And for avoiding ſome Doubts that have ariſen, It is hereby declared and enacted by the authority aforeſaid, That every Common Brewer, Innkeeper, Victualler or Retailer of Beer or Ale, who contrary to the ſaid Act made in the ſaid fifteenth year of the Reign of the late King Charles the Second, ſhall make uſe of any private or concealed Store-houſe, Cellar or place for the laying of any Beer or Ale, or Worts in Caſk, ſhall forfeit the Sum of fifty pounds for every ſuch Offence; And every ſuch Brewer, Inkeeper, Victualler or Retailer, who contrary to the ſaid Act made as aforeſaid, ſhall mix, conceal or convey away any Worts, ſhall forfeit twenty ſhillings for every Barrel of Worts by him or them ſo mingled, concealed or conveyed away contrary to the ſaid Act; And the Commiſſioners of Exciſe, and Juſtices of the Peace, and all others authorized to hear and determine Forfeitures and Offences againſt the Laws relating to the Exciſe reſpectively, on Complaints or Informations brought for theſe Offences, or either of them, and duly proved before them, are hereby authorized to give Judgment or Sentence for the reſpective Forfeitures accordingly, any Omiſſion, or not repeating of the ſaid Offences, or either of them, in and by the ſaid Act notwithſtanding. And to the end Common Brewers and other perſons paying the Duty of Exciſe, may not be overcharged,

Puniſhment for concealing Worts.

XII. It is hereby declared and enacted, That true Notes in Writing, of the laſt Gaugers made or taken by the ſaid Gaugers, ſhall be left by them with all Brewers, Makers or Retailers of Beer, Ale, or other exciſable Liquors reſpectively, or ſome of their Servants, at the times of their taking their ſaid Gauges, containing the quantity and quality of the Liquors ſo gauged, upon penalty of forty ſhillings for every Offence or Neglect of the ſaid Gauger or Gaugers.

Gaugers to leave Notes of their Gauges.

XIII. And it is hereby enacted, That the Commiſſioners of Exciſe or Appeals, or Juſtices of Peace within whoſe Juriſdiction reſpectively any ſuch Brewer, Maker or Retailer ſhall inhabit or dwell, upon Complaint to them made by or on the behalf of ſuch Brewers, Makers or Retailers, of any Over-charge returned upon them by any of the ſaid Gaugers, ſhall, and are required to hear and determine all ſuch Complaints, and examine the Witneſſes upon Oath, which ſhall be produced as well on the behalf of the party making ſuch Complaint, as on the behalf of all and every other party and parties (which Oath they have hereby power to adminiſter) and thereupon, or by other due proof, to diſcharge or acquit ſuch Brewer, Maker or Retailer of ſo much of his and their reſpective Charges, as ſhall be ſo made out before them; any thing in this or in any former Law or Statute to the contrary notwithſtanding.

By whom and how Complaints of Overcharge may be determined.

XIV. And whereas there is but one Market-Town in the County of Angleſey, by reaſon of which the Inhabitants of ſome parts of the ſaid County are put to extraordinary trouble and expence to make their Entries and Payments, being four and twenty miles diſtant from the ſaid Market-Town, Be it enacted by the authority aforeſaid, That for the eaſe of the ſaid Inhabitants living remote from the ſaid Market-Town there ſhall be Offices kept for the making Entries and Payments in the ſeveral Towns of Holyhead, Newborough and Llanerchthmeth, as well as in the Town of Beaumaris where only the ſaid Office has been accuſtomed to be kept.

Officers for Angleſey.

XV. And

Puniſhment of Commiſſioner of Exciſe for taking mony of any perſon but the King.

XV. And whereas ſeveral Collectors, Surveyors, Gaugers, and other perſons imployed about collecting, ſurveying or gauging the Duty of Exciſe have been forced to pay ſeveral ſums of mony to the Commiſſioners of Exciſe, or their Regiſters or Clerks under pretence that the ſame is for writing, ſigning and ſealing Inſtructions, or Orders for every ſuch Officer to execute his place, which muſt cauſe ſuch Officer to reimburſe himſelf upon the People, by one means or other; For prevention whereof, Be it enacted, That no Commiſſioner or other perſon imployed about the Duty of Exciſe ſhall demand, take or receive any ſum of mony or other reward whatſoever from any perſon, other then their Majeſties, upon pain of forfeiting his or their Office, upon proof thereof by two or more credible Witneſſes before any two of their Majeſties Juſtices of the Peace, ſo as every ſuch perſon ſo offending is hereby made uncapable of executing any Office in their Majeſties Revenue of Exciſe for the future.

Information of Brewer, &c. to be within three months after offence, and notice within a week after Information.

XVI. Provided alſo, That no Information ſhall be brought, laid or proſecuted againſt any Common Brewer or Brewers or Alehouſe-keeper, for any falſe or miſentry, or Offence made or committed from and after the four and twentieth day of July one thouſand ſix hundred eighty and nine, unleſs the ſame Information or Informations be laid and entred before ſuch perſons appointed to determine the ſame, within three months next after every ſuch Offence committed; and that notice thereof be given to ſuch perſon or perſons (againſt whom ſuch Information ſhall be laid) in writing, or left at their Dwelling Houſes, within one Week after the laying and entring ſuch Information, to the end a timely proviſion may be had and made in defending the ſame; any thing in this Act, or other Law to the contrary notwithſtanding.

100 l. Penalty for uſing Moloſſus in Brewing.

XVII. And be it farther enacted by the authority aforeſaid, That from and after the firſt of September one thouſand ſix hundred eighty nine, no Common Brewer, or Retailer of Beer or Ale, ſhall uſe in the brewing or working of any Beer or Ale any Moloſſus, Courſe Sugar, Hony, or Compoſition or Extract of Sugar, upon the penalty of the Forfeiture for every ſuch Offence, of all ſuch Liquors wherein any Moloſſus or Courſe Sugar, Hony, or ſuch Compoſition or Extract ſhall be put, and alſo of the Sum of one hundred pounds, one moiety of all the ſaid Forfeitures to be to their Majeſties, the other moiety to the Informer, to be recovered by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record, wherein no Eſſoyn, Wager of Law, or any more then one Imparlance ſhall be allowed, ſo as ſuch Suit be commenced within ſix months after ſuch Forfeiture incurred.

Exporter of Corn from Berwick to have the advantage of the Act of exporting Corn except it be Scotch Corn.

XVIII. And be it farther enacted, That when Mault or Barley of Engliſh Growth Wincheſter Meaſure, ſhall be at four and twenty ſhillings by the Quarter or under; Rye of Engliſh Growth, at two and thirty ſhillings by the Quarter, or under; and Wheat of Engliſh Growth, at eight and forty ſhillings by the Quarter, or under, in the Town or Port of Berwick upon Tweed, every Merchant or other perſon, who ſhall put on Shipboard in Engliſh Shipping, the Maſter and two thirds of his Mariners at leaſt being their Majeſties Subjects, any ſorts of the Corn aforeſaid, from the ſaid Port or Town of Berwick, with intent to export the ſaid Corn to parts beyond the Seas, and ſhall purſue all and every the Methods and Things preſcribed and appointed in that behalf, in and by an Act made in this preſent Seſſion of Parliament, Entituled, An Act for Encouraging the Exportation of Corn, ſhall have the benefit and advantage of the ſaid Act, and of every thing therein contained, as fully to all intents and purpoſes, as if the ſaid Corn had been put on Shipboard from any Port or Ports of this Kingdom or Dominion of Wales.

XIX. Provided always, and be it enacted, That if any Merchant or other perſon whatſoever ſhall put on Shipboard any Corn, of the growth of Scotland, out of the ſaid Port of Berwick upon Tweed, That all ſuch Corn ſhall be forfeited (that is to ſay) one third part to their Majeſties, one other third part to the Informer, and the other third part to the Poor of the ſaid Town of Berwick.

CAP. XXV.

An Act to Regulate the Adminiſtration of the Oaths required to be taken by Commiſſion or Warrant Officers Employed in their Majeſties Service by Land, by Virtue of an Act made this preſent Seſſion of Parliament, Entituled, *An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths.*

Preamble.

Whereas by an Act made this preſent Seſſion of Parliament, Entituled, An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths, all perſons that ſhall hereafter be put into any Military Employment, ſhall be obliged to take the Oaths, and make and ſubſcribe the Declaration therein mentioned, before ſuch perſon as ſhall iſſue the Commiſſion or Warrant for ſuch Employment; And whereas their Majeſties Service does require the Regiments and Troops of Soldiers to march, and be at great diſtances from London, and upon any Vacancy of any ſuch Military Employment by death or otherwiſe, 'tis neceſſary to fill up ſuch Vacancies, by granting new Commiſſions for perſons that may be at a great diſtance from London, ſo as their Majeſties Service will not permit them to repair to London to take the ſaid Oaths, and make the ſaid Declaration as aforeſaid:

Commiſſion Officers twenty miles from London how to take the Oaths.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Commiſſion for ſuch Military Employment, ſhall hereafter be granted to any perſon at any diſtance from London exceeding twenty miles, that ſuch perſon ſhall and may take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration at the next Muſter, after the receipt of the ſaid Commiſſion before the Commiſſary of the Muſters or his Deputy, who is hereby authorized to tender, adminiſter and take the ſame, and are hereby required to ſend up a Certificate thereof under his Hand and Seal, to the perſon who iſſued ſuch Commiſſion; any thing in the aforeſaid Act to the contrary notwithſtanding.

Penalty.

III. And in caſe ſuch perſon who ſhall receive ſuch Commiſſion, ſhall refuſe to take the ſaid Oaths, and ſubſcribe the ſaid Declaration as aforeſaid, ſuch perſon ſhall not be allowed upon the Muſters, but his Commiſſion ſhall be void to all intents and purpoſes whatſoever.

Militia ſaved.

IV. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to the Militia or Trained Bands of England.

CAP. XXVI.

An Act to veſt in the two Univerſities the Preſentations of Benefices belonging to Papiſts.

Preamble.
3 Jac. 1. 5.

WHereas in and by a certain Clauſe mentioned in one Act of Parliament made in the third year of the Reign of King James the Firſt, Entituled, An Act to prevent and avoid Dangers which may grow by Popiſh Recuſants, It is enacted, That every perſon or perſons that is or ſhall be a Popiſh Recuſant Convict, during the time that he ſhall be or remain a Recuſant, ſhall from and after the end of that preſent Seſſion of Parliament, be utterly diſabled to preſent to any Benefice with Cure or without Cure, Prebend or any other Eccleſiaſtical Living, or to collate or nominate to any Free School, Hoſpital, or Donative whatſoever, and from the beginning of the ſaid Parliament ſhall likewiſe be diſabled to grant any avoidance to any Benefice, Prebend or other Eccleſiaſtical Living.

Perſons refuſing Declaration diſabled to preſent, &c.
Cap. 15.
Univerſities ſhall preſent, &c.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every perſon who ſhall refuſe or neglect to make, repeat and ſubſcribe the Declaration mentioned in one Act of this preſent Parliament, Entituled, An Act for the better Securing the Government by diſarming Papiſts and Reputed Papiſts, when the ſame ſhall be tendred to ſuch perſon by any two or more Juſtices of the Peace, as in the ſaid Act is enacted, or who ſhall upon notice given, as in the ſaid Act is directed, refuſe or forbear to appear before them for the making, repeating and ſubſcribing thereof, and ſhall thereupon have his Name, Sirname and uſual place of aboad certified and recorded at the general Quarter Seſſions to be holden for the Shire, Riding, Diviſion or Liberty for which ſuch two Juſtices ſhall be Juſtices of the Peace by the Clerk of the Peace, or Town Clerk, as in the ſaid Act is appointed; Every ſuch perſon ſo recorded, ſhall be from and after the time of ſuch Record made, adjudged, taken and eſteemed, diſabled to make ſuch Preſentation, Collation, Nomination, Donation or Grant of any avoidance of any Benefice, Prebend or Eccleſiaſtical Living, as fully and amply as if ſuch perſon were a Popiſh Recuſant Convict by the Laws or Statutes of this Realm; any Law, Statute or Uſage to the contrary notwithſtanding. And that the Chancellor and Scholars of the Univerſity of Oxford, and the Chancellor and Scholars of the Univerſity of Cambridge, by what Name or Names ſoever they or either of them are incorporated, ſhall reſpectively have the Preſentation, Nomination, Collation and Donation of and to every ſuch Benefice, Prebend or Eccleſiaſtical Living, School, Hoſpital and Donative ſet, lying and being in the reſpective Counties, Cities and other the Places and Limits in the ſaid Act of the third of King James mentioned, as in and by the ſaid Act is directed and appointed, ſo often as any of them ſhall become void, according to the Limitations, Directions and Proviſions in that behalf limited, enacted and provided.

Truſtees diſabled.

III. And be it farther enacted by the authority aforeſaid, That where any perſon or perſons are or ſhall be ſeized or poſſeſſed of any Advowſon, Right of Preſentation, Collation or Nomination to any ſuch Eccleſiaſtical Living, Free-School, or Hoſpital, as aforeſaid, in Truſt for any Papiſt or Popiſh Recuſant, who ſhall be convicted or diſabled, according to the true intent and meaning of the ſaid Statute, made in the third year of the Reign of the ſaid King James the Firſt, or by this preſent Act, Every ſuch perſon and perſons ſo ſeized and poſſeſſed in Truſt for any Papiſt or Popiſh Recuſant convict or diſabled, ſhall be and are hereby adjudged to be diſabled to preſent, nominate or collate to any ſuch Eccleſiaſtical Living, Free-School, or Hoſpital, or to grant any Avoidance thereof, and their and every of their Preſentations, Nominations, Collations and Grants, ſhall be null and void to all intents and purpoſes whatſoever; And the Chancellors and Scholars of the ſaid reſpective Univerſities, as aforeſaid, upon every Avoidance, ſhall have the Preſentations, Nominations and Collations to ſuch Eccleſiaſtical Livings, Free-Schools and Hoſpitals, in ſuch manner as they ſhould have the ſame, in caſe ſuch Recuſant convict or diſabled were ſeized or poſſeſſed thereof;

Penalty upon Truſtees preſenting without notice.

IV. And in caſe any Truſtee or Truſtees, or Mortgagee or Grantee of any Avoidance, hereafter preſent, nominate or collate, or cauſe to be preſented, nominated or collated any perſon to any ſuch Eccleſiaſtical Living, Free-School or Hoſpital, whereof the Truſt ſhall be for any Recuſant convict or diſabled, without giving notice of the Avoidance in Writing to the Vice-Chancellor for the time being of the Univerſity, to whom the Preſentation, Nomination or Collation ſhall belong, according to the true intent of this Act, within three months after the Avoidance ſhall happen, ſuch Truſtee or Truſtees, Mortgagees or Grantees, ſhall forfeit and pay the ſum of five hundred pounds to the ſaid reſpective Chancellors and Scholars of either of the ſaid Univerſities, to whom ſuch Preſentation, Nomination or Collation ſhall belong, according to the true intent of this preſent Act, to be recovered in any of their Majeſties Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed.

V. Provided

Preſentation of perſon beneficed, void.

V. Provided always, That the ſaid Chancellors and Scholars of either of the ſaid Univerſities, ſhall not preſent or nominate to any Benefice with Cure, Prebend or other Eccleſiaſtical Living, any perſon as ſhall then have any other Benefice with Cure of Souls; And if any ſuch Preſentation ſhall be had or made of any ſuch perſon ſo beneficed, the ſaid Preſentation ſhall be utterly void; any thing in this Act to the contrary notwithſtanding.

What abſence makes Living void.

VI. Provided, That if any perſon ſo preſented or nominated to any Benefice with Cure, ſhall be abſent from the ſame above the ſpace of ſixty days in any one year, that in ſuch Caſe the ſaid Benefice ſhall become void.

Taking the Oaths purges the Diſability.

Cap. 8.

VII. Provided nevertheleſs, That if any ſuch perſon ſhall preſent himſelf before the Juſtices of the Peace at the general Quarter Seſſions to be holden for the County, Riding, Diviſion or Liberty where his Name was recorded, and ſhall there in open Court make, repeat and ſubſcribe the ſaid Declaration, and take the ſeveral Oaths contained in one Act of this preſent Parliament, Entituled, An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths, he ſhall from thenceforth be diſcharged of and from the ſaid Diſability, and be enabled to make ſuch Preſentation, Collation, Nomination and Donation, and Grant of any Avoidance to any Benefice, Prebend or Eccleſiaſtical Living, School or Hoſpital, as if this Act had not been made.

CAP. XXVII.

An Act for taking away the Court holden before the Preſident and Council of the Marches of *Wales*.

Preamble. 34 & 35 H. 8. cap. 26.

WHereas by the Statute made in the thirty fourth and thirty fifth year of King Henry the Eighth, Entituled, An Act for certain Ordinances in the Kings Majeſty's Dominion and Principality of *Wales*, It is enacted, That there ſhall be and remain a Preſident and Council in the ſaid Dominion and Principality of Wales, and the Marches of the ſame, with all Officers, Clerks and Incidents to the ſame, in manner and form as hath been heretofore uſed and accuſtomed; which Preſident and Council ſhall have power and authority to hear and determine by their wiſdoms and diſcretions, ſuch Cauſes and Matters as be, or hereafter ſhall be aſſigned to them by the King's Majeſty, as heretofore hath been accuſtomed and uſed; And foraſmuch as the Proceedings and Decrees of that Court have by Experience been found to be an intolerable burthen to the Subject within the ſaid Principality, contrary to the great Charter, the known Laws of the Land, and the Birthright of the Subject, and the means to introduce an Arbitrary Power and Government; And foraſmuch as all Matters examinable or determinable or pretended to be examinable or determinable before the ſaid Court of Preſident and Council, may have their proper Redreſs in the ordinary courſe of Juſtice provided and ſettled in the ſeveral Shires within the ſaid Principality and Dominion; For remedy whereof,

The Court of Marches taken away.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the before recited Clauſe in the ſaid Statute made in the thirty fourth and thirty fifth year of King Henry the Eighth, ſhall be, and is hereby repealed. And that the ſaid Court, commonly called the Court before the Preſident and Council in the Marches of Wales, and all Juriſdiction, Power and Authority belonging unto, or exerciſed in the ſame Court, or by any the Judges, Officers or Miniſters thereof, be clearly and abſolutely diſſolved, taken away and determined.

Sheriffs in Wales how choſen.

III. And be it hereby farther enacted, by the authority aforeſaid, That the Juſtices of the great Seſſions in Wales reſpectively for the time being, ſhall yearly nominate three ſubſtantial perſons for each Shire in their reſpective Circuits, to be Sheriffs of the ſame and ſhall certifie their Names to the Lords of the moſt honourable Privy Council Craſtino Animarum, to the intent the King and Queen's Majeſties, and the Survivor of them, and their Succeſſors being thereof advertiſed, may appoint one of the perſons ſo certified in every of the ſaid Shires, to be Sheriff for that year.

Errors in Pleas perſonal

IV. And be it farther enacted, That all Errors in Pleas perſonal within the ſaid Principality or Dominion of Wales, ſhall be redreſſed by Writ of Error in the ſame manner as Errors in Pleas real and mixed are appointed to be redreſſed by the ſaid Statute made in the thirty fourth and thirty fifth year of King Henry the Eighth.

Commencement of the Act.

V. Provided always, That no Judgments nor Decrees paſſed in the ſaid Court before the firſt day of June one thouſand ſix hundred eighty nine, ſhall be by this Act repealed or annulled, but all and every of them ſhall remain in the ſame force, and all Executions upon them, in the ſame State in which they were before the making of this Act; any thing in this Act to the contrary notwithſtanding.

CAP. XXVIII.

An Act for appropriating certain Duties for paying the *States General* of the *United Provinces* their Charges for his Majeſty's Expedition into this Kingdom, and for other Uſes. Exp.

CAP. XXIX.

An Act for Relief of the Proteſtant *Iriſh* Clergy.

The Promotion of an Iriſh Clergy-man in England ſhall not prejudice him in Ireland.

THE King and Queen, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, do hereby enact; And be it enacted by the authority aforeſaid, That no Eccleſiaſtical perſon, of what dignity or degree ſoever, promoted or beneficed in the Kingdom of Ireland, and who hath been enforced to forſake the ſaid Kingdom, or hath ſo done for fear of the Iriſh Rebels, and being of the Proteſtant Religion, who are or ſhall be preſented, promoted, collated, inſtituted or inducted to any Church or Benefice with Cure, or without Cure, or to any Eccleſiaſtical Promotion whatſoever in the Kingdom of England, ſhall thereby, or by acceptance thereof loſe any Eccleſiaſtical Benefice or Promotion in the ſaid Kingdom of Ireland; but that he, and every of them, be continued and enabled ſtill to hold and enjoy his Benefice and Promotion in the ſaid Kingdom of Ireland, of what Dignity or Degree ſoever the ſame was; any Law, Statute or Canon notwithſtanding. This Statute to be in force till that ſuch perſon preferred in England, may and ſhall be reſtored to ſuch his Promotion or Benefice in Ireland, ſo as he may take and enjoy the ſame as before the time of the Troubles he might have done.

The Continuance of the Act.

II. Provided always, and be it farther enacted by the authority aforeſaid, That if any ſuch Eccleſiaſtical perſon or perſons ſo preſented, promoted or collated, or to be preſented, promoted or collated to any Benefice or other Eccleſiaſtical Preferment or Dignity within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, ſhall not within three Calendar Months after the Courts of Juſtice of Ireland ſhall be open and furniſhed with Proteſtant Judges, ſo as he may enjoy his or their Benefices, Eccleſiaſtical Promotions or Dignities there, reſign all ſuch Benefices, or other Eccleſiaſtical Preferments to which he ſhall be preſented, collated or promoted, within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed as aforeſaid, into the hands of the Ordinary, who is hereby required to accept of the ſame, and thereof to give notice to the reſpective Patrons for the time being, to the intent ſuch Patron for the time being, may preſent or collate de Novo, That then the ſame ſhall be void to all intents and purpoſes whatſoever; and in ſuch caſe the Patron for the time being, ſhall and may, if he think fit, preſent or collate again.

How he muſt make his Claim in Ireland.

III. And be it alſo enacted by the authority aforeſaid, That ſuch Eccleſiaſtical perſon or perſons ſo preſented, collated or promoted to any Benefice, or other Eccleſiaſtical Dignity or Promotion within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, as aforeſaid, ſhall be exempted from all manner of Firſt-fruits and Tenths which may become due; any Law or Statute to the contray notwithſtanding.

Exemption from Firſt-fruits.

C A P. XXX.

An Act to Repeal the Statute made in the fifth year of King *Henry* the Fourth, againſt the Multiplying Gold and Silver.

Whereas by a Statute made and enacted in the Parliament held in the fifth year of the Reign of King Henry the Fourth, late King of England, It was amongſt other things enacted in theſe Words, or to this Effect, namely; That none from thenceforth ſhould uſe to multiply Gold or Silver, or uſe the Craft of Multiplication; and if any the ſame do, they ſhould incur the Pain of Felony: And whereas ſince the making of the ſaid Statute, divers perſons have by their Study, Induſtry and Learning arrived to great Skill and Perfection in the Art of Melting and Refining of Metals, and otherwiſe improving them and their Ores (which very much abound within this Realm) and extracting Gold and Silver out of the ſame; but dare not exerciſe their ſaid Skill within this Realm, for fear of falling under the Penalty of the ſaid Statute, but exerciſe the ſaid Art in Foreign parts to the great Loſs and Detriment of this Realm.

Preamble.

II. Be it therefore enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That from henceforth the aforeſaid Branch, Article or Sentence contained in the ſaid Act, and every Word, Matter and Thing contained in the ſaid Branch or Sentence, ſhall be repealed, annulled, revoked, and for ever made void; any thing in the ſaid Act to the contrary in any wiſe whatſoever notwithſtanding.

5 H. 4. cap. 2, 4. repealed.

III Provided always, and be it enacted by the authority aforeſaid, That all the Gold and Silver that ſhall be extracted by the aforeſaid Art of Melting and Refining of Metals, and otherwiſe improving of them and their Ores as before ſet forth, be from henceforth employed for no other Uſe or Uſes whatſoever, but for the Increaſe of Monies; and that the place hereby appointed for the Diſpoſal thereof, ſhall be their Majeſties Mint within the Tower of London; at which place they are to receive the full and true value for their Gold and Silver ſo extracted from time to time, according to the Aſſay and Fineneſs thereof; and ſo for any greater or leſſer weight: And that none of that Metal of Gold and Silver ſo refined and extracted, be permitted to be uſed or diſpoſed in any other place or places within their Majeſties Kingdoms and Dominions.

Conditions of Repeal.

IV. Provided alſo, and be it farther enacted by the authority aforeſaid, That no Mine of Copper, Tin, Iron or Lead, ſhall hereafter be adjudged, reputed or taken to be a Royal Mine, although Gold or Silver may be extracted out of the ſame. Vide 5 W. & M. Cap. 6.

Royal Mine.

C A P. XXXI.

An Additional Act for the Appointing Commiſſioners for the Executing an Act of this preſent Parliament, Entituled, *An Act for a Grant to their Majeſties, of an Aid of Twelve Pence in the Pound for One Year, for the neceſſary Defence of their Realms.* Exp.

CAP. XXXII.

An Act for the better preventing the Exportation of Wool, and Encouraging the Woollen Manufactures of this Kingdom; continued by 4 & 5 *W.* & *M. Cap.* 24. *Sect.* 10. (except what relates to free Importation of Woollen Manufacture) for three years, with Proviſo that no Wool ſhall be imported from *Ireland* to *Exeter*.

Preamble.

WHereas through the Remiſneſs and Negligence of Officers and others in not putting the Laws in Execution againſt the Exportation of Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, Fulling-Clay, and Tobacco-Pipe Clay; And alſo by reaſon of the doubtfulneſs of ſome Expreſſions in the Statute made in the twelfth year of the Reign of King Charles the Second, divers great quantities of Wool and other the things above mentioned, have been exported out of the Kingdoms of England and Ireland into France, and other parts beyond the Seas, which if not prevented for the future will tend to the utter Ruine and Undoing of many thouſands of their Majeſties Subjects, and the great Diminution of the Trade of this Kingdom; For preventing whereof, and for the better explanation and execution of the Laws made againſt the ſaid Exportation; and for the preventing Frauds generally practiſed to avoid the Penalties therein mentioned,

Wool carried to the Sea-Coaſts to be entred.

Penalty.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Owner of Wool, or their Agent or Agents, that ſhall at any time carry or cauſe to be carried any Wool to any Port or place on the Sea Coaſts, with an intention to convey the ſame to any other Port or place on the Sea Coaſts within the Kingdom of England, Dominion of Wales, or from the Town of Berwick upon Tweed, from whence the ſame may be ſhipped off, or otherwiſe tranſported, conveyed or carried into Foreign parts, that the ſaid Owner or Owners ſhall in the firſt place cauſe a due Entry to be made of the ſaid Wool, at the Port from whence the ſame ſhall be ſo intended to be conveyed, containing the exact Weight, Marks and Numbers of the ſame, before he or they preſume to load or carry away any of the ſaid Wool, within five miles of any ſuch Port or place on the Sea Coaſts, from whence the ſame is ſo to be conveyed. And if any Wool ſhall be carrying towards the Sea without being firſt entred in manner aforeſaid, the Wool ſo found, as alſo the Horſe or Horſes, Cart, Waggon or other Beaſts, or Carriages conveying the ſame, ſhall be forfeited and loſt: And the perſon or perſons carrying, driving, aiding or abetting the ſame, ſhall ſuffer and forfeit in ſuch manner as by the Laws and Statutes now in force againſt the Exportation of Wool is provided.

Perſons carrying Wool from Shearing to certifie.

Regiſter of the Certificates.

III. Provided always, and it is hereby enacted and declared, That the foregoing Clauſe is not intended, nor ſhall be conſtrued to extend to the hindring any perſon or perſons from carrying his or their Wool from the place of Shearing the ſame on Horſes, or by Carts and Waggons to his or their own Dwelling-Houſe or Houſes, or Out-houſes thereunto belonging, though the ſame be within five miles or leſs of the Sea, ſo as ſuch perſon or perſons within ten days after the Shearing of the ſaid Wool, and before he or they remove or otherwiſe diſpoſe of the ſame or any part thereof, from the place where it was firſt carried after Shearing, do under his or their Hands certifie to the Officer of the Cuſtoms in the next adjacent Port the true quantity of the ſaid Wool (that is to ſay) of the number of Fleeces and where the ſame is houſed, and that ſuch perſon or perſons do not remove, or otherwiſe diſpoſe of the ſaid Wool to any other place, without firſt certifying the Officer of ſuch Port, under his or their Hands of his intention to remove the ſame three days at leaſt before ſuch removal: And the Officer and Officers in the reſpective Ports, and the Limits of ſuch Ports are hereby required to receive and keep ſuch Certificates, and to make a Regiſter of them. But in caſe any ſuch perſon or perſons ſhall neglect to make and ſend ſuch Certificate to the Officer or Officers of the next adjacent Port, as aforeſaid, or ſhall remove, or otherwiſe diſpoſe of any of the ſaid Wool before ſuch Certificate of his intention ſo to do, be made and delivered, as aforeſaid, ſuch perſon or perſons ſhall have no benefit by this Proviſo, but be liable to the Penalties expreſſed in the foregoing Clauſe.

Cocquet and Certificate how to be made.

IV. And be it farther enacted by the authority aforeſaid, That all Cocquets for carrying Wool from any Port within the Kingdom of England, Dominion of Wales, or from the Port of Berwick upon Tweed, ſhall be written upon Paper, and not Parchment, and ſigned by three of the chief Officers of ſuch reſpective Port at leaſt; And all Certificates of Landing the ſame again in any other of the ſaid Ports, or from the Kingdom of Ireland, ſhall be ſigned in like manner; and that all ſuch Wool, both at Shipping and Landing, ſhall be weighed in the preſence of the ſaid Officers, giving ſuch Cocquets and Certificates reſpectively; and that the exact Weight, Marks and Numbers of ſuch Wool ſo ſhipped and landed, ſhall be likewiſe particularly expreſſed in both Cocquet and Certificate.

Officers Penalty.

Cap. 32.
Cap. 18.

V. And be it farther enacted and declared by the authority aforeſaid, That all and every ſuch Officer and Officers, as ſhall not obſerve the directions in this Act before mentioned on their parts to be performed, ſhall be deemed and adjudged as Aiders and Abettors of the ſaid Tranſportation, and ſuffer the Penalties contained in the Statutes made in the Twelfth, and Thirteenth and Fourteenth Years of King Charles the Second, againſt Tranſportation of Wool, and other the things before mentioned.

Ports of Import and Export.

VI. Be it farther enacted by the authority aforeſaid, That no Wool ſhall be ſhipped from the Kingdom of Ireland, but from theſe Ports following, (viz.) Dublin, Waterford, Youghall, Kingſale, Cork and Drogheda; And that no Wool ſhall be imported from the Kingdom of Ireland, into any Ports but theſe following, (viz.) Liverpool, Cheſter, Briſtol, Minehead, Barnſtaple, Bidiford and Exeter. And for the better and more effectual Execution of this and other Acts made againſt Exportation of Wool,

VII. Be it farther enacted by the authority aforeſaid, That the Right Honourable Sir Thomas Pilkington Lord Mayor of the City of London, Sir Henry Goodrick Baronet, Sir Patience Ward Knight, Sir Mathew Andrews Knight, Sir Benjamin Newland Knight, Sir John Matthews Knight, Sir Peter Rich Knight, Sir Robert Daſhwood, Sir William Portman Knight and Baronet, Sir Henry Aſhurſt Baronet, Sir William Aſhurſt Knight, Sir Richard Newdigate, Sir John Fleet, William Harbord, John Summers, John Sandford, Foot Onſlow, John Pollexfen, Richard Bret, William Cranmore, Edward Montague Eſquires, Samuel Haſſel, William Haſſel ſenior, John Pariſh, John Voyer, John Gibbon, Barnard Carter Gentlemen, Mr. Montague of Horton, Sir Thomas Samuell Baronet, William Dugdale Eſquire, John Aſtley of Woley Eſquire, Sir William Langham, Sir John Poley Knight, Sir Benjamine Ayloffe Baronet, Sir Robert Jefferyes Knight, Sir John Lethuellier Knight, Sir Gabriel Roberts Knight, Sir Samuel Daſhwood Knight, Sir Thomas Vernon Knight, Nathaniel Tench, William Huſſey, Thomas Canham, William Gore, Hugh Strode, Samuel Meverel, John Smith, Thomas Firmin, Arthur Moore, William Crouch, Thomas Heatly, Thomas Sandys, William Jolly Eſquires, Paris Slaughter, Henry Corniſh, John Devinck, Richard Scott, David Prole, Thomas Crandal, Philip Bickly, John Paris, Richard Harriſon, John Buſtfield, John Haines, Edward Bickly, Nicholas Broking, William Sandford, Benjamin Ivie, Daniel Ivie, Andrew Jeffery, Thomas Turner, Peter Par, Henry Newcomb, Joſeph Pince, Matthew Ferris, William Spry, John Keeſe Senior, John Monkly Junior, William Wrayford, John Youat, Robert Foſter, John Lavington, Thomas Potter, Robert Burridge, John Upcot, John Smith, John Mudford, or any five of them, be authorized for putting this and other the ſaid Laws in Excution, who are hereby impowred from time to time, by their Agents or Subſtitutes to be deputed under the Hands and Seals of any five or more of them, to ſeize all Wool, Wool-fells and other the things above mentioned, which ſhall be endeavoured to be tranſported contrary to this Act; and alſo to ſue and proſecute all perſons offending againſt this or any the ſaid Laws; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Commiſſioners to execute the Act.

VIII. Provided always, That if any Owner of any Ship or Veſſel, or any Maſter or Mariner knowing of the Exportation of any Sheeps-wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, Fulling-Clay, or Tobacco-Pipe Clay, contrary to the true meaning of this and the other Acts above mentioned, ſhall within three months next after the knowledge thereof, or after his return into the Kingdom of England or Ireland, or to the ſaid Town of Berwick, or into the Dominion of Wales aforeſaid, give the firſt Information bona fide, before any of the Barons for the time being of the Court of Excheque in England, or the Court of Excheque in Ireland, or before any three of the Commiſſioners appointed by this Act, for the more effectual putting in Execution this and other Laws, made againſt the Exportation of Wool, or before the Head Officer of any Port where he ſhall firſt arrive, upon his or their Oath, of the Number and Quantity of ſuch Sheeps-Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-Flocks, Fullers-Earth, Fulling-Clay, or Tobacco-Pipe Clay, ſo carried, conveyed or exported as aforeſaid, and by whom, where, and in what Ship or Veſſel, and afterwards ſhall be ready upon reaſonable Warning, by Proceſs to juſtifie and prove the ſame, That then ſuch Owner and Owners, Maſter, Mariner and Mariners, ſhall not be liable or ſubject to any the Penalties or Forfeitures in this or any other Act contained or enacted, for the Offence aforeſaid, but ſhall and is hereby enabled to recover and receive ſuch benefit and advantages as is appointed to be allowed by the precedent Act or Acts.

Owner of Ship, &c. diſcovering, their Reward.

IX. Provided nevertheleſs, That the Powers given to the ſaid Commiſſioners ſhall not hinder any perſon or perſons lawfully authorized from ſeizing Wool, or proſecuting any perſon offending againſt this or any former Act made againſt the Tranſportation of Wool, and other the things above mentioned.

Perſons authorized may ſeiſe, &c.

X. And be it farther enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit or Information ſhall be commenced or proſecuted againſt any perſon for what he ſhall do in purſuance of this Act, ſuch perſons ſo ſued ſhall and may file a Common Bail, or enter into a Common Appearance, and plead the general Iſſue, Not Guilty; And upon Iſſue joyned, may give this Act in Evidence: And if the Plaintiff or Proſecutor ſhall become Nonſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, or if upon a Demurrer Judgment paſs againſt him, the Defendant ſhall recover treble Coſts and Damages for his Moleſtation.

XI. And for the better Execution of the Powers granted by this Act, Be it enacted by the authority aforeſaid, That a Regiſter be kept at the Cuſtom-Houſe, London, of all the Wool from time to time imported from Ireland; and alſo of what Wool ſhall be ſent from one Port to another in this Kingdom; the particular Weights and Numbers, the Ship, Maſters Name, Owners Name, and to whom conſigned; To the end the ſaid Commiſſioners appointed to put this Act in Execution, may have an inſpection thereinto, or Copies thereof from time to time. This Act to continue for three years, and from thence to the end of the next Seſſion of Parliament.

A Regiſter of Wool.

Continuance of the Act.

XII. And for the better Encouragement of the Manufacture as well as the Growth of Wool, Be it farther enacted by the authority aforeſaid, That from henceforward it ſhall and may be lawful to, and for any perſon or perſons whatſoever, to buy any Cloth, Stuffs, Stockings, or other Manufacture of Wool made in the Kingdom of England, Dominion of Wales, or the Town of Berwick upon Tweed, and the ſame freely, without any Moleſtation or Trouble whatſoever, to export into any parts beyond the Seas, paying the uſual Cuſtoms.

Woollen Manufacture may be exported. Saving to the Companies Charters.

XIII. Provided, That nothing contained in this Act, ſhall be conſtrued to avoid the Charters and Grants made to the Levant Company, to the Eaſtland Company, to the Ruſſia Company, to the African Company, or to the Priviledges granted to them, or any of them.

Saving to the Companies Charters.

Wool from Southampton.

XIV. Provided alſo, and it is hereby enacted by the authority aforeſaid, That it ſhall and may be lawful to tranſport from the Port of Southampton only, for the only uſe or behoof of the Inhabitants of the Iſlands of Guernſey, Jerſey, Alderney and Sarke, and of the Woollen Manufactures there made, one thouſand Tods of unkembed Wool for the Iſland of Guernſey, two thouſand Tods of unkembed Wool for the Iſland of Jerſey, two hundred Tods of unkembed Wool for the Iſland of Alderney, and one hundred Tods of unkembed Wool for the Iſland of Sarke, more then by the ſaid Act made in the twelfth year of the Reign of King Charles the Second is directed and provided for the ſame, to be done according to the ſame Rules, Orders and Directions, and under the like penalties and forfeitures as in the ſaid Act is directed, ordained, appointed and inflicted, and on the farther penalty of twenty pounds for every Tod of Wool, and forfeiture of the Wool it ſelf (one half thereof to his Majeſty, one quarter part thereof to the Informer, and the other quarter part to the Poor of the ſaid Iſlands) in caſe any perſon ſhall again tranſport, or attempt to tranſport any of the ſaid Wool from the ſaid Iſlands, for every Offence therein; And alſo that every perſon ſo offending, ſhall from and after the firſt Offence be incapable of having or enjoying any Grant of any Wool from the ſaid Port of Southampton, nor ſhall ever hereafter have any Warrant given or granted him for that purpoſe; the ſaid penalties to be recovered by ſuch perſon as ſhall ſue for the ſame by any Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint is to be allowed, or any more then one Imparlance.

C A P. XXXIII.

An Act for Explaining part of an Act made in the firſt year of King *James* the Firſt, concerning Tanned Leather.

Preamble. Cap.22. Sect.29.

Whereas by a Statute made in the firſt year of King James the Firſt, It was enacted, That the Maſter and Wardens of the ſeveral Myſteries of the Cordwayners, Curriers, Girdlers and Sadlers of the City of London for the time being, or the major part of the ſaid Maſter and Wardens of every the ſaid ſeveral Myſteries under the penalty therein mentioned, ſhould four times in the year at leaſt, (that is to ſay) once every quarter of the year, or oftner, if need ſhould require, ſearch and view all Boots, Shooes, Buskins and other Wares and things whatſoever made of tanned Leather, in all and every Houſe and Houſes, place and places, priviledged or not priviledged, as well within the City of London and Suburbs thereof, as in every other place within three miles of the ſame City, where any Shoemaker, Sadler, Girdler, Currier or other Artificer uſing, cutting, working or dreſſing of Leather, whether the ſame Boots and Shoes, Wares, Stuff or other things, were made of tanned Leather, and were wrought according to the purport, effect and true meaning of the ſaid Statute, or not;

II. And whereas ſome Doubts have been made, whether tanned Leather, when and after it hath been fully dreſſed and curried by the Currier, be a Ware within the ſaid Statute and ſeveral Suits of Law have been carried on againſt the Maſter and Wardens of the Company of Curriers, to their great Charge and Vexation, and tending to the utter avoiding the good proviſion made in the ſaid Statute for the due and lawful currying and dreſſing of Leather, and the Search and View thereof, to be made as by the ſaid Statute is required: For the removing therefore of all Doubts, and that Search and View may be duly made according to the ſaid Statute,

What ſhall be Ware within 1 Jac. 1. Cap. 22. Sect. 29.

III. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Hide, Skin or Piece of tanned Leather, Shaved or Liquored of what Colour ſoever, with any lawful Liquoring or Dreſſing, and being well and truly curried according to the directions of the ſaid Statute, ſhall be adjudged, reputed and taken to be the made Ware and Manufacture of the ſaid Currier, and ſubject to the View, Search and Seizure of the ſaid Maſter and Wardens, or the major part, as in and by the ſaid Statute is provided, and ſhall be liable to be ſeized, and ſubject to the ſame Penalties as other Wares inſufficiently made of tanned Leather by the ſaid Statute are liable and ſubject unto.

The power of the Maſter, &c.

IV. Provided always, That nothing in this or any other Act, ſhall extend to give any Power to the Maſter and Wardens of the Company of Curriers, to viſit, ſearch or ſeize any Leather, Hide or Skin, but ſuch only as ſhall be curried or dreſſed within the City of London, or three miles thereof, by ſome Members of their own Company, nor in any other place, but in the open Market, or in the Shops, Houſes or Warehouſes of ſuch Curriers.

Red tanned Leather how bought and ſold.

V. And be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful to and for all Leather-ſellers, Curriers, Shoemakers, and all other perſon and perſons whatſoever, that do deal or work in Leather, freely to buy all ſorts of Red tanned Leather in any open Fair or Market, whether curried or uncurried, the ſame being firſt ſearched and ſealed according to the Form of the Statutes in that caſe made and provided, and having ſo bought the ſame, to ſell it again to any perſon or perſons whatſoever, in their publick and open Shops, or to cut and convert the ſame into other made Ware, according to their ſeveral and reſpective Trades.

Leather by Weight good.

VI. And be it farther enacted, That it ſhall and may be lawful for any perſon or perſons to buy or ſell Leather, Hides and Skins by weight; any Law, Statute or other Proviſion to the contrary in any wiſe notwithſtanding.

CA

CAP. XXXIV.

An Act for Prohibiting all Trade and Commerce with *France*, Vid. 2 *W.* & *M. Seſſ.* 2. *Cap.* 14. for more effectual executing this Act, and both revived by 4 & 5 *W.* & *M. Cap.* 25. for three years, if War with *France* laſt ſo long.

Preamble.

Forasmuch as your Majeſties, upon juſt and honourable grounds, have been pleaſed to declare an actual War with France, and to enter into ſeveral Confederacies for carrying on the ſame; and that it hath been found by long experience, that the Importing of French Wines, Vinegar, Brandy, Linen, Silks, Salt, Paper, and other the Commodities of the Growth, Product or Manufacture of France, or of the Territories or Dominions of the French King, hath much exhauſted the Treaſure of this Nation, leſſened the value of the native Commodities and Manufactures thereof, and greatly impoveriſhed the Engliſh Artificers and Handicrafts, and cauſed great detriment to this Kingdom in general.

French Commodities prohibited for three years.

II. Be it therefore enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the four and twentieth day of Auguſt, in the year of our Lord, one thouſand ſix hundred eighty nine, none of the Commodities aforeſaid, or any other Goods or Commodities whatſoever of the Growth, Product or Manufacture of any of the Dominions or Territories of the French King, or any Goods, Commodities or Manufactures made of, or mixed with Silk, Thread, Wool, Hair, Gold, Silver, Leather, or other Goods or Commodities being of the Growth, Product or Manfacture of any the Dominions or Territories of the French King, ſhall during or within the Term of three years, to be accounted from the ſaid four and twentieth day of Auguſt, or at any time or times before the end of the firſt Seſſion of Parliament next after the Expiration of the ſaid three years, be brought in by Land, or ſhall be imported in any Ship or Ships, Veſſel or Veſſels whatſoever, into any Port, Haven, Creek or other place whatſoever, in the Kingdoms of England, or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or Iſles of Jerſey, Guernſey, Alderny, Sark or Iſle of Man, from any place or Port whatſoever, either mixt or unmixt, with any Commodity of the Growth or Product of any other Nation, Place or Country whatſoever. And that all and every Importation and Importations, vending or ſelling, or uttering or retailing of any French Wines, Vinegar, Brandy, Linen, Silks, Salt or Paper, or other Commodities imported contrary to this Act or any of them ſhall be, and is hereby declared and adjudged to be a common Nuſance to this Kingdom in general, and to all their Majeſties Subjects thereof: And that if any French Wines, Brandy, Vinegar, Linens, Silks, Salt, Paper or other Commodities whatſoever (mixt or unmixt) ſhall be imported contrary to this Act, the ſame ſo imported in whoſe Hands or Cuſtody, or in what place ſoever they ſhall or may remain, or be found or kept, ſhall and may be forthwith ſeized and carried by any perſon or perſons whatſoever, into their Majeſties Warehouſe of the Port or place where ſuch Goods ſhall be ſeized, or to the Warehouſe of the next Port, Member or Creek to the place of ſuch Seizure. And if any perſon or perſons ſhall make any Claim to all or any part of the ſaid Goods ſo ſeized and brought in, as aforeſaid, he ſhall be obliged to tender good and ſufficient Security to anſwer the Penalties of the ſaid Act, and to make the ſaid Claim within twenty days after ſuch Seizure, to the Collector or Cuſtomer, or his ſufficient Deputy where no other Collector is eſtabliſhed, or to the Commiſſioners of the Cuſtoms in time of Vacation, or within ten days in Term time by delivery of a Bill to ſuch Officer ſubſcribed with his Name, Addition and place of aboad, together with the particulars of the reſpective Goods by him ſo claimed, and date of ſuch Claim, and the Names of two or more ſuch ſufficient perſons whom he ſhall propoſe and tender to be ſecurity with him to anſwer the Penalties of the ſaid Act, and every one of them being worth five hundred pounds at the leaſt, and to be approved of by the ſaid Commiſſioners, Collectors or Cuſtomers to whom the perſons are alſo to be tendred at the ſame time, and if approved to give Bond unto their Majeſties in the penal ſum of double the value of the Goods and the Penalties in this Act, to anſwer the Value of the Goods and other Penalties in this Act; and after ſuch Security given, the ſaid Claim with the Names of the perſons giving ſuch Security, and the Sum and Date of the ſaid Bonds to be regiſtred in a Book herein after mentioned, to be kept in the Warehouſe for that purpoſe, and ſubſcribed by the ſaid Claimer and Collector or Cuſtomer to whom ſuch Bill ſhall be delivered. And in caſe Default ſhall be made in giving ſuch Security, and making ſuch Claim within the times limited, as aforeſaid, That then and in every ſuch caſe, the ſaid Goods ſhall be adjudged, deemed and taken to all intents and purpoſes, to be imported contrary to this Act, and to be forfeited to their Majeſties, and ſhall within ſeven days after ſuch default, be deſtroyed in ſuch manner as is herein after appointed; but in caſe ſuch Security ſhall be given, and Claim made in manner, as aforeſaid, an Information thereof ſhall the next Term or ſooner, as ſoon as the Method and Courſe of Proceedings will admit, be exhibited into their Majeſties Court of Exchequer; and all the Barons and Officers of the ſaid Court of Exchequer, are hereby required and ſtrictly enjoyned to cauſe due, ſpeedy and effectual Proſecution in the ſaid Court, of every ſuch Information, and not to grant any Writ of Delivery or Reſtitution, for ſuch Goods, or any of them, on any Security or pretence whatſoever, until the Cauſe ſhall be finally determined in Law, by or upon the Verdict of a Jury of twelve good and lawful Men, to be returned by the proper Officers in the preſence of a Commiſſioner of the Cuſtoms in London, and in the preſence of the principal Officer in ſuch Out-Port where the Goods ſo ſeized ſhall be brought and lodged as aforeſaid; Which Jury upon the Taſte or View of any of the Commodities ſeized or ſtaid as aforeſaid, or upon proof before them made, ſhall and may judge the Quality and Value thereof, and whether any of the Commodities ſo ſeized, and which of them were

Such Importation a Nuſance.

Perſon claiming ſuch Goods ſhall give Security to anſwer Penalty, otherwiſe ſuch Goods deemed to be imported.

If Security given the Importation ſhall be tryed in the Exchequer, and if Goods be found to be imported they ſhall be deſtroyed.

of the Growth, Product or Manufacture of any of the Dominions or Territories of the French King, or mixed with any Goods or Commodities of ſuch Growth, Product or Manufacture, or were imported contrary to this Act, and in what Ship or Ships, Veſſel or Veſſels the ſame were imported, and by whom the ſame were imported or vended, retailed or ſold, and in whoſe Cuſtody they were at the time when the ſaid Seizure or Stay was made; and whether the ſaid Commodities, or any of them, or any part of them, were of the Growth, Product or Manufacture of any of the Territories or Dominions of the French King, or mixed with any Goods or Commodities of ſuch Growth, Product or Manufacture; and in caſe the ſaid Jury ſhall find and return their Verdict upon their Oaths, that the Commodities ſo ſeized or ſtaid, or any of them, or any part of them, or any of them were of the Growth, Product or Manufacture of any of the Dominions or Territories of the French King, or mixed with any Goods or Commodities of ſuch Growth, Product or Manufacture, that then immediately Judgment ſhall be paſſed upon the Goods ſo found, and the Judgment executed accordingly, (to wit) That all ſuch Wines, Vinegar and Brandies, or other liquid Commodities ſo found, whether ſingle or mixt, ſhall in ſome River, Stream or Sea near the place where they were ſo ſeized, or ſhall remain in the Warehouſes, as aforeſaid, be there ſtaved and ſpilt, and deſtroyed; and the ſaid Linnens, Silks, Salt or Paper, and other Commodities ſo found by the ſaid Jury, (whether mixed or unmixed) ſhall be publickly burnt and deſtroyed in the open Fields or Streets near the place where they were ſo ſeized, or ſhall remain in the Warehouſes, as aforeſaid, in the preſence of one of the Sheriffs of the City of London in the Port of London, the Chief Magiſtrate in every other Port or place, who are hereby required, upon Notice of the Chief Officer of the Cuſtoms in ſuch Port, to be preſent at, and aſſiſting in the deſtruction of the ſaid Goods, to prevent all Abuſes, Hindrances or other Diſturbances or Frauds in the deſtruction of the ſame, as alſo to open, view, taſte and examine the ſaid Commodities, as to kind, quality and quantity, according to the firſt Entry made in the Warehouſe-Book, and to joyn with the Collector, Cuſtomer or his ſufficient Deputy, who are alſo required to be preſent at the deſtruction thereof, in a Certificate of the ſame, to be entred in the ſaid Book under their Hands, as aforeſaid, on the day of the deſtruction thereof; And that no perſon or perſons whatſoever, do preſume to take up or ſave any of the ſaid Commodities ſo adjudged to be ſpilt, burnt or deſtroyed, under the penalty of forty ſhillings over and above the value of the ſaid Goods.

Reſiſter of Execution puniſhable by 2 W. & M. Seſſ. 2. Cap. 14.

40 s. penalty for ſaving ſuch Goods.

Puniſhment upon Importer, Poſſeſſor and Seller.

III. And moreover it is farther enacted, That every perſon and perſons that ſhall have imported the ſame, ſhall forfeit the full value thereof, according to the Rates and Prices hereafter in this Act reſpectively mentioned; and every perſon and perſons in whoſe Cuſtody the ſame ſhall be found at the time of ſuch Seizure or Stay, or that ſhall ſell, utter or retail within the Kingdoms of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or the Iſles of Jerſey, Guernſey, Alderney, Sarke, or Iſle of Man, any of the Commodities imported contrary to this Act, ſhall for the firſt Offence forfeit the full Value thereof, according to the Rates and Prices hereafter mentioned; and for the ſecond Offence, (after Conviction for ſuch firſt Offence) ſhall forfeit double the full value thereof, according to the Rates aforeſaid; and ſhall alſo after Conviction of ſuch ſecond Offence, ſtand and be diſabled, and be incapable in Law to bear or execute any Office or Employment for, or concerning or relating to the Collection or Managery of the Cuſtoms, or any part of their Majeſties Revenue, or any other Office or Publick Employment whatſoever. And if any of the Commodities aforeſaid, whether they be ſingle, or mixt with any Commodity of the Growth or Product of any other Nation, Country or Place whatſoever, imported contrary to this Act, ſhall during the ſaid Term of three years, or before the end of the Seſſion of the next Parliament after the end of the ſaid three years, upon any pretence whatſoever be vended, ſold, retailed or uttered, or be found or remain within the Kingdoms of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or Iſles of Jerſey, Guernſey, Alderney, Sarke, or Iſle of Man, the ſame ſhall and may be ſeized by any perſon or perſons whatſoever, in whoſe Poſſeſſion or Cuſtody ſoever they ſhall or may be found; and like Information thereof, and Judgment and Execution for the deſtruction of them, ſhall be had, made and given, as is before expreſſed.

Onus probandi to lie upon Importer, &c.

IV. And moreover every perſon in whoſe Cuſtody or Poſſeſſion they ſhall be found, or that ſhall vend, ſell, retail or utter the ſame, ſhall incur the Forfeitures and Penalties aforeſaid, to be recovered as herein is mentioned: And if any Queſtion, Diſpute or Doubt ſhall ariſe, whether any of the Commodities aforeſaid, ſeized, ſold, found or uttered as aforeſaid, or any part thereof, either ſingle or mixt, were of the Growth, Product or Manufacture of any of the Territories or Dominions of the French King, or were imported contrary to this Act, the Proof ſhall be incumbent only upon the Importer, Claimer, Owner, Proprietor, Seller and Retailer, or ſuch perſon or perſons with whom the ſaid Goods ſhall be found reſpectively, and not upon the Informer: And for default of ſuch Proof, that then a Judgment thereupon ſhall be given for the deſtruction of the ſaid Commodities, and for Recovery of the aforeſaid Forfeiture; and Execution of ſuch Judgment ſhall be immediately granted and awarded, according to the true intent and meaning of this Act, without any ſtay or delay whatſoever. And if any Informer or other perſon or perſons ſhall take upon him or them to ſeize or proſecute any Goods or Commodities, or any perſon or perſons upon or by virtue or means of this preſent Act, ſhall by Fraud or Colluſion, deſiſt or delay the proſecution of the Condemnation of any the Commodities aforeſaid, after ſeizure or ſtay of the ſame, or the Proſecution of any perſon or perſons for any Offence againſt this Act, he and they ſo deſiſting or delaying, ſhall for every ſuch Offence, upon due Conviction thereof, forfeit the Sum of five hundred pounds: And all Cuſtomers, Searchers, and other Officers belonging to the Cuſtoms, And all Sheriffs, Mayors, Bailiffs, Conſtables and other Officers, ſhall be, and are hereby ſtrictly injoyned and required to be aiding and aſſiſting in the due Execution of this Act, in reference to the Commodities aforeſaid, which are to

Puniſhment upon Informer acting by Colluſion.

All Officers to aid in executing the Act.

to be deſtroyed or diſpoſed of, as aforeſaid; And no Commiſſioner or Commiſſioners, Cuſtomer, Surveyor-General or Surveyor, or other Officer or perſon whatſoever, relating to the Cuſtoms, ſhall ſign, ſuffer or allow of any Warrant, free Warrant, or Order for paſſing or delivery of any Goods prohibited by this Act, either to any perſon, or into any place whatſoever, other then into one of their Majeſties Warehouſes, there to remain in ſafe Cuſtody, until a Judgment or Condemnation in Law upon, or touching the ſaid Goods, to be given and paſſed according to the true intent and meaning of this Act; nor ſhall any Surveyor of the Land-Waiters, or Surveyor of the Tide-Waiters, or Kings Waiter, or Land-Waiter, or other Officer or perſon whatſoever relating to the Cuſtoms, either by virtue, colour or pretext of any Warrant, or Order whatſoever, take up or deliver any of the Goods prohibited by this Act, or carry them, or ſuffer them to be carried to any other place then one of their Majeſties Warehouſes, there to remain until a Judgment or Condemnation upon, or touching the ſaid Coods, be given or paſſed, according to the true intent of this Act; And all ſuch Goods, ſo as aforeſaid, brought into any of their Majeſties Warehouſes ſhall be forthwith viewed, opened or examined in the preſence of two or more principal Officers of that Port, whereof the Collector, Cuſtomer or Cuſtomers Deputy to be one, and the Marks, Numbers of each Veſſel or Package, and the Nature, Kind, Quality, Quantity and true Contents of the ſaid Goods, together with the time when they were ſo brought in, and the time of their delivery out of the ſaid Warehouſes, ſhall by ſpecial direction of the Commiſſioners, or other Chief Officers that ſhall have the Managery, Direction or Collection of the Cuſtoms, be fairly regiſtred in a Book to be kept for that purpoſe, and for entry of the Claims, as is herein before directed, and for no other purpoſe whatſoever: And every ſuch Entry of each Seizure, with the time of viewing, opening and examining thereof, to be duly entred and ſubſcribed by the Officers aforeſaid, and by the Warehouſe-keeper, or Surveyor where no Warehouſe-keeper is eſtabliſhed; Which Examination ſhall alſo be repeated and entred in manner aforeſaid, by the ſaid Officers after Condemnation of the ſaid Goods, at the time of the delivery out of any the ſaid Goods, to be deſtroyed, or otherwiſe diſpoſed of, and to be diligently compared with the firſt Entry, to prevent any Fraud, Challenge or Imbezelment: And in caſe any ſhall be found upon ſuch Examination, or after delivery upon the deſtruction of the ſaid Goods, the ſame to be entred and ſubſcribed in the ſaid Book by the principal Officer of the ſaid Port, not having Charge of the ſaid Warehouſe, and true Copies of all the ſaid Entries and Examiuations, with the Claims, as aforeſaid, as alſo a true Certificate of the deſtruction of the ſaid Goods, ſigned as aforeſaid, be from time to time tranſmitted by the Collector of the ſaid Port, to the Commiſſioners, Farmers, principal Officers, or other perſons having the Managery of their Majeſties Cuſtoms for the time being, together with the monthly Abſtracts of the ſaid Ports, which ſhall be carefully filed, and a diſtinct account kept thereof, by the Regiſter of the Seizures in the Port of London.

Such Goods to be put into the Kings Warehouſe. Where and by whom they are to be viewed, regiſtred and accounted for.

The Goods not to be delivered out of the Warehouſe till Judgment except upon the Tryal.

V. And be it farther enacted, That the ſaid Goods or any of them be produced at any Tryal that ſhall be had for, and in order to the Condemnation or deſtruction of the ſaid Goods, or touching the unlawful importing thereof, or for the Recovery of any Forfeiture or Penalty incurr'd by reaſon of the importing of ſuch Goods contrary to this Act, nor ſhall ſuch Goods be delivered out of any of the ſaid Warehouſes by any Officer whatſoever relating to the Cuſtoms, until a Judgment or Condemnation ſhall have been given and paſſed upon, or touching the ſaid Goods, other then to be produced at ſuch Trial, as aforeſaid, according to the true intent and meaning of this Act.

Puniſhment of perſon not being a Merchant ſelling ſuch Goods.

VI. And foraſmuch as the Commodities and Manufactures of the Territories and Dominions of the French King prohibited by this Act, are often ſold by perſons not being known Merchants, Vintners or Shopkeepers, Be it enacted by the authority aforeſaid, That if any perſon not being a known Merchant, Vintner or Shopkeeper, ſhall from and after the firſt day of September, one thouſand ſix hundred eighty nine, ſell or expoſe to ſale, or be found to have ſold or expoſed to ſale, any of the Commodities or Manufactures ſo prohibited, as aforeſaid, (and ſhall be thereof lawfully convicted by Indictment, Information or otherwiſe in any of their Majeſties Courts of Record) ſhall over and above the penalties aforeſaid, ſuffer twelve months Impriſonment without Bail or Mainprize.

Ship importing forfeited.

VII. And to the end the Prohibition and Reſtraint of Importation of the Commodities aforeſaid, hereby intended may be more effectually put in Execution; It is hereby farther enacted, That all and every Ship or Veſſel with all her Guns, Tackle, Apparel and Furniture, in which any of the ſaid French Wines, Vinegar, Brandy, Linens, Silks, Salt, Paper, or other Commodities before mentioned, ſhall after the ſaid twenty fourth day of Auguſt, and during the ſaid Term of three years, or before the end of the next Seſſion of Parliament after the ſaid three years be imported: And alſo all and every Bark, Hoy, Lighter, Barge, Wherry, Boat, Ship or other Veſſel whatſoever, out of which the ſame or any of them ſhall be put on ſhore ſhall be forfeit: And moreover the Maſter, Purſer, Boatſwain, or other perſon taking care of ſuch Ship or Veſſel for the Voyage, or out of which any of the Commodities ſhall be unſhipt into a Hoy, Boat or Veſſel, or landed or put on ſhore, ſhall forfeit the Sum of five hundred pounds, and alſo being apprehended by Warrant of any one or more Juſtices of the Peace of the County, City or Borough where ſuch Importation or Landing ſhall be, or where the perſon or perſons offending ſhall or may be found; Which the ſaid Juſtices of the Peace are hereby authorized to iſſue and to examine Witneſſes upon Oath concerning ſuch Fact, and the ſame being proved by the Oath of two Witneſſes, ſhall and may be by ſuch Juſtice of the Peace, committed to the next Goal, there to remain without Bail or Mainprize for the ſpace of twelve months. And all and every the Seamen, Mariners, Watermen, Carmen, Porters, Labourers or other perſons whatſoever aſſiſting in the unſhipping, landing, taking up, carrying or conveying of any of the ſaid Commodities either by Land or by Water, ſhall upon Examination and Proof, as aforeſaid,

Puniſhment upon Maſter, Seamen, &c. importing.

Carts, &c. bringing ſuch Goods forfeited.

aforeſaid, be ſubject to like Impriſonment or be publickly whipt at the diſcretion of the Juſtice of Peace before whom ſuch Conviction ſhall be: And all and every the Carts, Wains, Waggons, Carriages, Ploughs, Teams, Horſes or Oxen made uſe of, aſſiſting, carrying or moving in the Carriage or Conveyance of any of the ſaid Goods or Commodities hereby prohibited to be imported, ſhall and may be ſeized and ſtaid, and upon proof made before ſome Juſtice of the Peace of the County where the ſame ſhall be ſo ſeized, by the Oaths of two credible Witneſſes (which Oaths the ſaid Juſtice of the Peace is hereby impowred and required to adminiſter) That the ſaid Carts, Wains, Waggons, Carriages, Ploughs, Teams, Horſes or Oxen reſpectively were made uſe of, aſſiſting, carrying or moving in the Carriage or Conveyance of any the ſaid Goods and Commodities hereby prohibited to be imported, the ſame ſhall be forfeited, one half thereof to be diſpoſed of to the uſe of the Poor of the Pariſh where the ſame ſhall be ſo found and ſeized, and the other half to his or their own uſe that ſhall ſo ſeize the ſame: And if the Maſter, Purſer, Boatſwain or other perſon belonging to any Ship or Veſſel laden, or part laden, with any of the Commodities aforeſaid, ſhall after the ſaid four and twentieth day of Auguſt, unſhip or diſcharge, or wittingly or willingly permit or ſuffer any of the ſaid Goods hereby prohibited to be unſhipt or diſcharged, either at Sea, or in any Harbour, Creek or Bay of the Kingdoms aforeſaid, into any leſſer Veſſel, Lighter, Barge or Boat, ſhall forfeit the Sum of five hundred pounds and ſuffer like Impriſonment as aforeſaid.

Puniſhment upon Maſter, &c. letting go ſuch Goods.

All Brandy, &c. prohibited.

VIII. And be it farther enacted, That no ſort of Brandy, Aqua vitæ, or other Spirits or diſtilled Waters of any Kingdom, Country or place whatſoever, ſhall after the ſaid four and twentieth day of Auguſt be imported into the Kingdoms of England or Ireland aforeſaid, Dominion or Iſlands aforeſaid, under pain of forfeiture thereof, as alſo of the Ship or Veſſel wherein the ſame ſhall be imported: Repealed by 5 & 6 W. & M. cap. 2.

The value of Goods to be according to the Book of Rates. The Goods not there ſetled to be valued by a Jury, except Wine which is 30 l. per Tun and Brandy 40 l.

IX. And it is hereby farther enacted, That where any Forfeitures or Penalties are given by this Act upon the Value of the Goods hereby prohibited, that the Values and Price of the ſaid Goods and Commodities, although the ſame are to be deſtroyed, are to be, and ſhall be reckoned, ſtated and eſteemed, as followeth, (that is to ſay) The value and price of every Tun of Wines thirty pounds; the value and price of every Tun of Brandy forty pounds, and ſo after that Rate for a greater or leſſer quantity; And that the value and price of all other the Commodities aforeſaid, which are rated in the Book of Rates, made in the twelfth year of the Reign of his late Majeſty King Charles the Second, ſhall be eſteemed according to the Rate, Price or Value at which they are valued in the ſame Book of Rates; And that the value and price of all other the Commodities aforeſaid, not rated in the ſaid Book of Rates, ſhall be enquired and determined by the Jury that ſhall try the Cauſe, or which ſhall be impannelled to enquire, whether the ſaid Goods were of the Growth, Production or Manufacture of the French Kings Dominions, and the Values above ſtated, and thoſe returned by the ſaid Jury, which ſhall be eſteemed according to the Value the ſaid Goods would have born, if they were not to have been deſtroyed, ſhall be the ſtated Values thereof; And in caſe of Condemnation by Default, the Value to be enquired and determined by a Jury to be returned before the Mayor or Bayliff of the City or Town Corporate, or before the next Juſtice of the Peace of the County where the ſame Goods ſhall happen to be brought, and the Forfeitures impoſed by this Act upon any perſon or perſons, relating to the Values of any of the ſaid Goods, ſhall be reckoned accordingly.

X. And for the Encouragement of all ſuch, whether Officers of the Cuſtoms or others, that ſhall effectually put in Execution the Prohibition hereby intended, by ſeizing and proſecuting the Goods aforeſaid, to Condemnation and Deſtruction, and alſo by proſecuting all or any other the Offences or Offenders againſt this Act, It is hereby farther enacted by the authority aforeſaid, That all and every ſuch perſon and perſons ſo proſecuting ſhall be recompenſed and rewarded with one third part of the Value of all the Goods by him or them ſo proſecuted, to Condemnation and Deſtruction as aforeſaid, to be paid unto them by the Owners and Proprietors of the ſaid Goods ſo imported.

Third part of the value given to Proſecutor.

Diviſion of the part of Penalty not diſpoſed of.

XI. And it is hereby farther enacted, That all the Reſidue of the Forfeiture and Penalties before in this Act mentioned and provided, (and not before diſtributed and diſpoſed of) ſhall be divided into three ſeveral parts, two third parts thereof to their Majeſties, their Heirs and Succeſſors; and the other third part to ſuch perſon and perſons as ſhall ſeize or ſue for the ſame by Bill, Plaint or Information in their Majeſties Court of Exchequer, or in any other their Majeſties Courts of Record, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed: The Charge of which Suit and Proſecution ſhall be born by their Majeſties, their Heirs and Succeſſors, and iſſued by the Receiver General or Caſhire of their Majeſties Cuſtoms, by Warrant from the Commiſſioners of the Cuſtoms for the time being, as there ſhall be occaſion.

Proſecution to be at the Kings Charge.

Foreigner to give Security.

XII. And for the avoiding of Fraud, Vexation and Delay in proſecuting the ſaid Goods or Ships to Condemnation, by entring Claims in falſe or unknown Names, or in the Names of abſent perſons, It is hereby farther enacted, That no Foreigner or other perſon be admitted to claim any of the ſaid Goods or Commodities, which ſhall be ſeized or ſtayed as aforeſaid, until Security firſt given to the ſatisfaction of the Collector of ſuch Port, where the ſaid Goods ſhall be brought and lodged as aforeſaid, to anſwer ſuch Penalties or Forfeitures as ſhall be incurred by him as the Importer of the ſaid Goods, or which the Owner, Importer or Poſſeſſor of the ſaid Goods or Commodities, as ſhall or may be ſubject or liable to by force or virtue of this Act, or the true meaning thereof.

Officer conniving incapable of any Office. Officers ſuffering Entry or Imbezelment of prohibited Goods to forfeit 500 l. and be uncapable of Office: 2 W. & M. Seſſ. 2. Cap. 14.

XIII. And be it farther enacted, That if any Officer or perſon of or belonging to the Cuſtoms, ſhall by Fraud or Corruption connive at the Importation of any of the Commodities aforeſaid, contrary to the true meaning of this Act, he ſhall not only forfeit the Sum of five hundred pounds to be recovered, as aforeſaid, but be made incapable of any Office or Employment under their Majeſties, their Heirs and Succeſſors, and alſo forfeit the Penalties of ſuch Bonds wherein they ſtand obliged to their Majeſties, for the true performance of their Truſt as Officers of the Cuſtoms.

XIV. And for the more effectual diſcovery and ſeizure of any of the Commodities aforeſaid, It ſhall and may be lawful to and for any perſon or perſons whatſoever, authorized by Writ of Aſſiſtance, under the Seal of their Majeſties Court of Exchequer, to take a Conſtable, Headborough or other publick Officer inhabiting near unto the place, and in the day time to enter and go into any Houſe, Shop, Cellar, Warehouſe or Room, or other place, and in caſe of Reſiſtance to break open Doors, Cheſts, Trunks or other Package, there to ſeize, and from thence to bring to their Majeſties Warehouſe any of the Commodities aforeſaid, prohibited by and imported contrary to this Act. And for the more ſpeedy and effectual Proſecution of the Offences and Offenders againſt this Act,

Perſon authorized may ſearch any Houſe and break open Doors.

Perſons reſiſting puniſhable by 2 W. & M. Seſſ. 2. Cap. 14.

XV. Be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for their Majeſties Attorny General, and all and every other perſon and perſons that ſhall ſeize or ſtay any of the Goods or Commodities aforeſaid, or proſecute any of the Offences or Offenders againſt this Act, to lay his or their Information or Action, and to try the ſame in ſuch place or places, and to uſe ſuch and the like Method and Courſe of Proceedings in proſecuting and condemning of the Goods or Commodities aforeſaid, as is in this Act directed, are, have been, or may be uſed in or about the ſeizing, trying, condemning or proſecuting of any Goods or Commodities, for Non-payment of Cuſtoms or other Duties, or any perſon or perſons for offending againſt any the Laws or Statutes relating to the Cuſtoms; and that if any Action or Suit ſhall be brought or proſecuted againſt any perſon or perſons for what he or they ſhall do in or about the Proſecution, or putting in Execution this preſent Act, or any of the Powers therein, It ſhall and may be lawful to and for the Defendant or Defendants in ſuch Action or Suit, to plead the general Iſſue, and to give the ſpecial Matter in Evidence; And if the Plaintiff or Plaintiffs in any ſuch Action or Suit, ſhall diſcontinue or delay the proſecution thereof, or ſhall become Non-ſuit, or that a Verdict or Judgment ſhall paſs againſt him or them, that then the Defendant and Defendants in every ſuch Action or Suit ſhall recover his and their treble Coſts, and ſhall have Judgment and Execution for the ſame, in ſuch ſort and manner as Defendants by any the Laws and Statutes of this Realm ſhall or may have for Coſts.

Attorny General or any perſon ſtaying the Commodities may proſecute.

Proſecutor Defendant plead general Iſſue and recover treble Coſts.

XVI. And be it farther enacted by the authority aforeſaid, That from and after the firſt day of September, one thouſand ſix hundred eighty nine, none of the Goods, Commodities or Manufactures prohibited by this Act, ſhall be imported from the Iſlands of Guernſey, Jerſey, Alderney, Sarke and Man, or any of them, into any of the Ports, Creeks or Havens of England, Ireland, Dominion of Wales, or Town of Berwick upon Tweed, under the Penalties and Forfeitures contained in this Act.

Not to be imported from Guernſey, &c.

XVII. Provided always, and be it enacted by the authority aforeſaid, That Gilbert Heathcote and Arthur Shallot of London Merchants, or either of them, have leave to import into the Port of London, any Quantity of Spaniſh Brandy, not exceeding two hundred Tun at moſt, paying to their Majeſties all Duties payable for the ſame, before this Seſſion of Parliament, importing the ſame at or before the five and twentieth of March, one thouſand ſix hundred and ninety, and not leſs then fifty Tun thereof in any one Veſſel, and producing a Certificate and Teſtimonial from the Governour of Catalonia and the Engliſh Conſul there, together with an Affidavit of the Diſtiller made before the ſaid Governor, that it is all Bran- made of Wine of the Growth of Spain, and likewiſe the ſeveral Affidavits of the Maſter, Mate and Purſer of ſuch Ship and Ships as ſhall import the ſaid Brandies, that the ſame was taken in at Sallow, one of the Sea-ports of the Province of Catalonia aforeſaid, any thing contained in this Act to the contrary notwithſtanding.

G. Heathcoate, &c. licenſe to import 200 Tun of Brandy.

Licenſed till November, 1690, 2 W. & M. Seſſ 1. Cap. 4. Sect. 12.

XVIII. Provided that no perſon ſhall ſell at, or demand a greater Price for any French Wines, or Wines ſo reputed, or other Wines mixed with French Wines, from and after the tenth day of September, one thouſand ſix hundred eighty nine, to the tenth day of September, one thouſand ſix hundred and ninety, then twelve pence by the Quart, and from and after the ſaid tenth day of September, one thouſand ſix hundred and ninety, the Sum of ſix pence the Quart and no more, and ſo proportionably for a greater or leſſer quantity upon penalty of forfeiting for every Quart for which a greater price than what is above mentioned, is either demanded or taken, the Sum of five pounds for the firſt Offence to the Informer, and the Sum of ten pounds for the ſecond and every other Offence to the Informer, to be recovered by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record, wherein no Protection or Wager of Law ſhall be allowed, or any more then one Imparlance.

Rate of French Wine ſetled upon a penalty.

Penalty 50 s. 2 W. & M. Seſſ. 2. Cap. 14.

XIX. And it is hereby enacted, That from and after the tenth day of September, one thouſand ſix hundred eighty nine, no Vintner or Retailer of Wines whatſoever ſhall ſell or utter any Wines by Retail, other then by and in Meaſures made of Pewter, and ſealed according to the Statute, under the pain and penalty of five pounds for every ſuch Offence, to the Informer, to be levied and recovered in any of ſuch Courts, and in ſuch manner, as aforeſaid.

Retailers to ſell Wine in Pewter.

Penalty 50 s. 2 W. & M. Seſſ. 2. Cap. 14.

XX. And for the preventing of the Miſchiefs which may be occaſioned by the ſophiſticating, corrupting and adulterating of Wines during ſuch time as they are by this Act allowed to be ſold, Be it enacted, That if any Merchant, Vintner, Wine-Cooper, or other perſon ſelling Wine by Wholeſale or Retail, ſhall corrupt, ſophiſticate or adulterate any Wine, or ſhall utter or ſell any Wine corrupted, ſophiſticated or adulterated, ſuch perſon ſhall forfeit the Sum of three hundred pounds for every ſuch Offence, the one moiety thereof to their Majeſties and their Succeſſors, and the other moiety thereof to ſuch perſon as ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection or Wager of Law, or more then one Imparlance ſhall be allowed, and alſo ſhall ſuffer Impriſonment by the ſpace of three months without Bail or Mainprize.

300 l. Penalty for ſelling ſophiſticated Wine.

SESSIO

SESSIO SECUNDA.

Anno Regni GULIELMI *&* MARIÆ *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Primo.*

CAP. I. (35.)

An Act for a Grant to their Majeſties of an Aid of two ſhillings in the Pound for one year. Exp.

CAP. II. (36.)

An Act declaring the Rights and Liberties of the Subject, and Setling the Succeſſion of the Crown.

Preamble.

WHereas the Lords Spiritual and Temporal, and Commons aſſembled at Weſtminſter, **lawfully, fully and freely repreſenting all the Eſtates of the People of this Realm, did upon the thirteenth day of** February **in the year of our Lord one thouſand ſix hundred eighty eight, preſent unto their Majeſties, then called and known by the Names and Style of** William **and** Mary, **Prince and Princeſs of** Orange, **being preſent in their proper Perſons, a certain Declaration in Writing, made by the ſaid Lords and Commons in the Words following**; viz.

The Heads of Abdication.

WHereas the late King *James* the Second, by the Aſſiſtance of divers evil Councellors, Judges and Miniſters employed by him, did endeavour to ſubvert and extirpate the Proteſtant Religion, and the Laws and Liberties of this Kingdom;

Diſpenſing Power.

1. By Aſſuming and Exerciſing a Power of Diſpenſing with, and Suſpending of Laws, and the Execution of Laws, without Conſent of Parliament.

Committing Prelates.

2. By Committing and Proſecuting divers Worthy Prelates, for humbly Petioning to be excuſed from Concurring to the ſaid Aſſumed Power.

Eccleſiaſtical Commiſſion.

3. By iſſuing and cauſing to be executed a Commiſſion under the Great Seal, for Erecting a Court called, *The Court of Commiſſioners for Eccleſiaſtical Cauſes.*

Levying Mony

4. By Levying Mony for and to the Uſe of the Crown by pretence of Prerogative; for other time, and in other manner then the ſame was granted by Parliament.

Standing Army.

5. By raiſing and keeping a ſtanding Army within this Kingdom in time of Peace, without Conſent of Parliament, and Quartering Souldiers contrary to Law.

Diſarming Proteſtants.

6. By cauſing ſeveral good Subjects, being Proteſtants, to be diſarmed at the ſame time, when Papiſts were both Armed and Employed, contrary to Law.

Violating Elections.

7. By Violating the Freedom of Election of Members to ſerve in Parliament.

Wrong Proſecutions.

8. By Proſecutions in the Court of Kings Bench, for Matters and Cauſes cognizable only in Parliament; and by divers other Arbitrary and Illegal Courſes.

Juries.

9. And whereas of late years Partial, Corrupt and Unqualified Perſons, have been returned and ſerved on Juries in Trials, and particularly divers Jurors in Trials for High Treaſon, which were not Freeholders.

Exceſſive Bail.

10. And exceſſive Bail hath been required of Perſons committed in Criminal Caſes, to elude the Benefit of the Laws made for the Liberty of the Subjects.

Fines and Puniſhments.

11. And exceſſive Fines have been impoſed; and illegal and cruel Puniſhments inflicted.

Grants of Fines, &c.

12. And ſeveral Grants and Promiſes made of Fines and Forfeitures, before any Conviction or Judgment againſt the Perſons, upon whom the ſame were to be levyed.

All which are utterly and directly contrary to the known Laws and Statutes, and Freedom of this Realm.

And whereas the ſaid late King *James* the Second having Abdicated the Government, and the Throne being thereby Vacant, His Highneſs the Prince of *Orange*, (whom it hath pleaſed Almighty God to make the glorious Inſtrument of Delivering this Kingdom from Popery and Arbitrary Power) did (by the Advice of the Lords Spiritual and Temporal, and divers principal Perſons of the Commons) cauſe Letters to be written to the Lords Spiritual and Temporal, being Proteſtants; and other Letters to the ſeveral Counties, Cities, Univerſities, Burroughs and Cinque-Ports for the Chooſing of ſuch Perſons to repreſent them, as were of right to be ſent to Parliament, to meet and ſit at *Weſtminſter* upon the two and twentieth day of *January*, in this Year one thouſand ſix hundred eighty and eight, in order to ſuch an Eſtabliſhment, as that their Religion, Laws and Liberties might not again be in danger of being Subverted: Upon which Letters Elections having been accordingly made,

The Subjects Rights.

And thereupon the ſaid Lords Spiritual and Temporal, and Commons, purſuant to their reſpective Letters and Elections, being now aſſembled in a full and free Repreſentative of this Nation, taking into their moſt ſerious Conſideration the beſt means for attaining the Ends aforeſaid; Do in the firſt place (as their Anceſtors in like Caſe have uſually done) for the Vindicating and Aſſerting their ancient Rights and Liberties, Declare;

No diſpenſing Power.

1. That the pretended Power of Suſpending of Laws, or the Execution of Laws by Regal Authority, without Conſent of Parliament, is Illegal.

Late diſpenſing illegal.

2. That the pretended Power of Diſpenſing with Laws, or the Execution of Laws by Regal Authority, as it hath been aſſumed and exerciſed of late, is illegal.

Eccleſiaſtical Courts illegal.

3. That the Commiſſion for erecting the late Court of Commiſſioners for Eccleſiaſtical Cauſes, and all other Commiſſions and Courts of like nature, are Illegal and Pernicious.

Levying Mony.

4. That levying Mony for or to the Uſe of the Crown, by pretence of Prerogative, without Grant of Parliament, for longer time, or in other manner, then the ſame is or ſhall be granted, is Illegal.

Right to petition.

5. That it is the Right of the Subjects to petition the King, and all Commitments and Proſecutions for ſuch Petitioning, are Illegal.

Standing Army.

6. That the raiſing or keeping a ſtanding Army within the Kingdom in time of Peace, unleſs it be with Conſent of Parliament, is againſt Law.

Subjects Arms.

7. That the Subjects, which are Proteſtants, may have Arms for their Defence ſuitable to their Conditions, and as allowed by Law.

Freedom of Election.

8. That Election of Members of Parliament ought to be free.

Freedom of Speech.

9. That the Freedom of Speech, and Debates or Proceedings in Parliament, ought not to be impeached or queſtioned in any Court or Place out of Parliament.

Exceſſive Bail.

10. That exceſſive Bail ought not to be required, nor exceſſive Fines impoſed; nor cruel and unuſual Puniſhments inflicted.

Juries.

11. That Jurors ought to be duly impannelled and returned, and Jurors which paſs upon Men in Trials for High Treaſon ought to be Freeholders.

Grants of Forfeitures.

12. That all Grants and Promiſes of Fines and Forfeitures of particular perſons before Conviction, are illegal and void.

Frequent Parliaments.

13. And that for Redreſs of all Grievances, and for the amending, ſtrengthening and preſerving of the Laws, Parliaments ought to be held frequently.

And they do Claim, Demand and Inſiſt upon all and ſingular the Premiſſes, as their undoubted Rights and Liberties; and that no Declarations, Judgments, Doings or Proceedings to the Prejudice of the People in any of the ſaid Premiſſes, ought in any wiſe to be drawn hereafter into Conſequence or Example.

To which Demand of their Rights they are particularly encouraged by the Declaration of his Highneſs the Prince of *Orange*, as being the only means for obtaining a full Redreſs and Remedy therein.

Having therefore an intire Confidence, That his ſaid Highneſs the Prince of *Orange* will perfect the Deliverance ſo far advanced by him, and will ſtill preſerve them from the Violation of their Rights, which they have here aſſerted, and from all other Attempts upon their Religion, Rights and Liberties;

Tender of the Crown.

II. The ſaid Lords Spiritual and Temporal, and Commons aſſembled at *Weſtminſter* do Reſolve, That *William* and *Mary* Prince and Princeſs of *Orange* be, and be declared, King and Queen of *England*, *France* and *Ireland*, and the Dominions thereunto belonging, to hold the Crown and Royal Dignity of the ſaid Kingdoms and Dominions, to them the ſaid Prince and Princeſs during their Lives, and the Life of the Survivor of them; And that the ſole and full Exerciſe of the Regal Power be only in, and executed by the ſaid Prince of *Orange*, in the Names of the ſaid Prince and Princeſs during their joynt Lives; And after their Deceaſes, the ſaid Crown and Royal Dignity of the ſaid Kingdoms and Dominions to be to the Heirs of the Body of the ſaid Princeſs; And for default of ſuch Iſſue, to the Princeſs *Anne* of *Denmark*, and the Heirs of her Body; And for default of ſuch Iſſue to the Heirs of the Body of the ſaid Prince of *Orange*. And the Lords Spiritual and Temporal, and Commons do pray the ſaid Prince and Princeſs to accept the ſame accordingly.

New Oaths of Allegiance, &c.

III. And that the Oaths hereafter mentioned be taken by all Perſons of whom the Oaths of Allegiance and Supremacy might be required by Law, inſtead of them; And that the ſaid Oaths of Allegiance and Supremacy be abrogated.

Allegiance.

I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance to their Majeſties, King *William* and Queen *Mary*.

So help me God.

Supremacy.

I *A. B.* do ſwear, That I do from my Heart Abhor, Deteſt and Abjure as Impious and Heretical, this damnable Doctrine and Poſition, *That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of* Rome, *may be depoſed or murdered by their Subjects, or any other whatſoever.* And I do declare, That no Foreign Prince, Perſon, Prelate, State or Potentate hath, or ought to have any Juriſdiction, Power, Superiority, Preeminence, or Authority, Eccleſiaſtical or Spiritual, within this Realm.

So help me God.

Acceptance of the Crown.

IV. Upon which their ſaid Majeſties did accept the Crown and Royal Dignity of the Kingdoms of England, France and Ireland, and the Dominions thereunto belonging, according to the Reſolution and Deſire of the ſaid Lords and Commons contained in the ſaid Declaration.

The two Houſes to ſit.

V. And thereupon their Majeſties were pleaſed, That the ſaid Lords Spiritual and Temporal, and Commons, being the two Houſes of Parliament, ſhould continue to ſit, and with their Majeſties Royal Concurrence, make effectual Proviſion for the Settlement of the Religion, Laws and Liberties of this Kingdom, ſo that the ſame for the future might not be in danger again of being ſubverted; To which the ſaid Lords Spiritual and Temporal and Commons did agree and proceed to act accordingly.

Subjects Liberties to be allowed.

VI. Now in purſuance of the Premiſſes, the ſaid Lords Spiritual and Temporal, and Commons in Parliament aſſembled, for the ratifying, confirming and eſtabliſhing the ſaid Declaration, and the Articles, Clauſes, Matters and Things therein contained, by the Force of a Law made in due Form by Authority of Parliament, do pray that it may be declared and enacted, That all and ſingular the Rights and Liberties aſſerted and claimed in the ſaid Declaration, are the true, ancient and indubitable Rights and Liberties of the People of this Kingdom, and ſo ſhall be eſteemed, allowed, adjudged, deemed and taken to be; and that all and every the particulars aforeſaid, ſhall be firmly and ſtrictly holden and obſerved, as they are expreſſed in the ſaid Declaration; And all Officers and Miniſters whatſoever, ſhall ſerve their Majeſties and their Succeſſors according to the ſame in all times to come.

William and Mary declared King and Queen.

VII. And the ſaid Lords Spiritual and Temporal, and Commons, ſeriouſly conſidering how it hath pleaſed Almighty God, in his marvellous Providence, and merciful Goodneſs to this Nation, to provide and preſerve their ſaid Majeſties Royal Perſons moſt happily to Reign over us upon the Throne of their Anceſtors, for which they render unto him from the bottom of their Hearts their humbleſt Thanks and Praiſes, do truly, firmly, aſſuredly and in the Sincerity of their Hearts think, and do hereby recognize, acknowledge and declare, That King James the Second having abdicated the Government, and their Majeſties having accepted the Crown and Royal Dignity, as aforeſaid, Their ſaid Majeſties did become, were, are and of right ought to be, by the Laws of this Realm, our Soveraign Liege Lord and Lady, King and Queen of England, France and Ireland, and the Dominions thereunto belonging, in and to whoſe Princely Perſons, the Royal State, Crown and Dignity of the ſaid Realms, with all Honours, Styles, Titles, Regalities, Prerogatives, Powers, Juriſdictions and Authorities to the ſame belonging and appertaining, are moſt fully, rightfully and intirely inveſted and incorporated, united and annexed.

Limitation of the Crown.

VIII. And for preventing all Queſtions and Diviſions in this Realm, by reaſon of any pretended Titles to the Crown, and for preſerving a Certainty in the Succeſſion thereof, in and upon which the Unity, Peace, Tranquility and Safety of this Nation doth, under God, wholly conſiſt and depend, The ſaid Lords Spiritual and Temporal, and Commons do beſeech their Majeſties, That it may be enacted, eſtabliſhed and declared, That the Crown and Regal Government of the ſaid Kingdoms and Dominions, with all and ſingular the Premiſſes thereunto belonging and appertaining ſhall be and continue to their ſaid Majeſties, and the Survivor of them, during their Lives, and the Life of the Survivor of them; And that the entire, perfect and full Exerciſe of the Regal Power and Government be only in, and executed by his Majeſty, in the Names of both their Majeſties during their joynt Lives; And after their deceaſes the ſaid Crown and Premiſſes, ſhall be and remain to the Heirs of the Body of her Majeſty; and for default of ſuch Iſſue, to her Royal Highneſs the Princeſs Anne of Denmark, and the Heirs of her Body; and for default of ſuch Iſſue to the Heirs of the Body of his ſaid Majeſty: And thereunto the ſaid Lords Spiritual and Temporal, and Commons, do in the Name of all the People aforeſaid, moſt humbly and faithfully ſubmit themſelves, their Heirs and Poſterities for ever; and do faithfully promiſe, That they will ſtand to, maintain and defend their ſaid Majeſties; And alſo the Limitation and Succeſſion of the Crown herein ſpecified and contained, to the utmoſt of their Powers, with their Lives and Eſtates againſt all perſons whatſoever, that ſhall attempt any thing to the contrary.

Papiſts debarred the Crown.

IX. And whereas it hath been found by Experience, that it is inconſiſtent with the Safety and Welfare of this Proteſtant Kingdom, to be governed by a Popiſh Prince, or by any King or Queen marrying a Papiſt, the ſaid Lords Spiritual and Temporal, and Commons do farther pray that it may be enacted, That all and every perſon and perſons that is, are, or ſhall be reconciled to, or ſhall hold Communion with the See or Church of Rome, or ſhall profeſs the Popiſh Religion, or ſhall marry a Papiſt, ſhall be excluded, and be for ever uncapable to inherit, poſſeſs or enjoy the Crown and Government of this Realm, and Ireland, and the Dominions thereunto belonging, or any part of the ſame, or to have, uſe or exerciſe any Regal Power, Authority or Juriſdiction within the ſame; And in all and every ſuch Caſe or Caſes, the People of theſe Realms ſhall be, and are hereby abſolved of their Allegiance; And the ſaid Crown and Government ſhall from time to time deſcend to, and be enjoyed by ſuch perſon or perſons, being Proteſtants, as ſhould have inherited and enjoyed the ſame, in caſe the ſaid perſon or perſons ſo reconciled, holding Communion, or Profeſſing or Marrying, as aforeſaid, were naturally dead.

All Kings, &c. ſhall take the Declaration of 30 Car. 2.

X. And that every King and Queen of this Realm, who at any time hereafter ſhall come to and ſucceed in the Imperial Crown of this Kingdom, ſhall on the firſt day of the meeting of the firſt Parliamnet, next after his or her coming to the Crown, ſitting in his or her Throne, in the Houſe of Peers in the preſence of the Lords and Commons therein aſſembled, or at his or her Coronation, before ſuch perſon or perſons who ſhall adminiſter the Coronation Oath to him or her, at the time of his or her taking the ſaid Oath, (which ſhall firſt happen) make, ſubſcribe and audibly repeat the Declaration mentioned in the Statute made in the thirtieth year of the Reign of King Charles the Second, Entituled, An Act for the more effectual Preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament. But if it ſhall happen, that ſuch King or Queen upon his or her Succeſſion to the Crown of this Realm, ſhall be under the age of twelve years, then every ſuch King or Queen ſhall make, ſubſcribe and audibly repeat the ſaid Declaration at his or her Coronation, or the firſt day of the meeting of the firſt Parliament, as aforeſaid, which ſhall firſt happen after ſuch King or Queen ſhall have attained the ſaid Age of twelve years.

If under 12 years old to be done after attainment thereof.

Kings Aſſent.

XI. All which, Their Majeſties are contented and pleaſed, ſhall be declared, enacted and eſtabliſhed by authority of this preſent Parliament, and ſhall ſtand, remain and be the Law of this Realm for ever; And the ſame are by their ſaid Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the authority of the ſame, declared, enacted and eſtabliſhed accordingly.

Non obſtante's made void.

XII. And be it farther declared and enacted by the authority aforeſaid, That from and after this preſent Seſſion of Parliament, no Diſpenſation by Non obſtante of or to any Statute, or any part thereof, ſhall be allowed, but that the ſame ſhall be held void and of no effect, Except a Diſpenſation be allowed of in ſuch Statute; and except in ſuch Caſes as ſhall be ſpecially provided for by one or more Bill or Bills to be paſſed during this preſent Seſſion of Parliament.

Pardons excepted before October.

XIII. Provided that no Charter, or Grant, or Pardon granted before the three and twentieth day of October, in the year of our Lord one thouſand ſix hundred eighty nine, ſhall be any ways impeached or invalidated by this Act, but that the ſame ſhall be and remain of the ſame force and effect in Law, and no other then as if this Act had never been made.

CAP. III. (37.)

An Act for preventing all Doubts and Queſtions concerning the collecting the Publick Revenue. Exp.

CAP. IV. (38.)

An Act for puniſhing Officers or Soldiers who ſhall mutiny or deſert their Majeſties Service, and for puniſhing Falſe Muſters. Exp.

CAP. V. (39.)

An Act for a Grant to their Majeſties of an Additional Aid of twelve Pence in the Pound for one year. Exp.

CAP. VI. (40.)

An Act for the Charging and Collecting the Duties upon Coffee, Tea and Chocolate, at the Cuſtom-Houſe.

Preamble.

Whereas it hath been found by Experience, that the collecting of the Duty ariſing to your Majeſties, by virtue of ſeveral Acts of Parliament, by way of Exciſe upon the Liquors of Coffee, Chocolate and Tea, is not only very troubleſome and unequal upon the Retailers of thoſe Liquors, but requireth ſuch attendance of Officers, as makes the neat Receipt very inconſiderable: For remedy thereof,

Acts for collecting Exciſe upon Coffee, &c. repealed.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the nine and twentieth day of September, one thouſand ſix hundred and ninety, ſo much of every Act of Parliament as concerns and requires the collecting the reſpective Duties by any of thoſe Acts, by way of Exciſe upon any of the Liquors aforeſaid, ſhall ceaſe and determinate; And ſo much of every of the ſaid Acts as require the collecting of the ſaid Duty, by way of Exciſe, ſhall hereby be, and are repealed, as to that part only that require ſuch Collection: And to the end the Duty thereby ariſing to your Majeſties, may be brought in with little Charge or Trouble,

The Duties upon Coffee, &c. collected at the Cuſtom-houſe.
The particular Duties.
Half Duty on Coffee after 25 March, 1693. during this Act diſcharged by 4 & 5 W. & M. Cap. 5. Sect. 13.
One pound of Cacao Nuts imported from Engliſh Plantations 6 d. from other Countries 8 d. One pound of Tea 1 s. One pound weight of Chocolate ready made, 1 s.
All to be paid above Duties charged in the Book of Rates.
Penalty for Non-payment.

III. Be it farther enacted by the authority aforeſaid, That from and after the five and twentieth day of December, one thouſand ſix hundred eighty nine, the Duties and Charges hereafter mentioned, ſhall be collected and received by your Majeſties Officers at the Cuſtom-houſe, upon Coffee Berries, Tea in the Leaf, and Cacao Nuts, and alſo upon Chocolate ready made, being the materials from which the ſaid Liquors are now extracted, brewed or made; and according to ſuch proportions as are hereafter mentioned, over and beſides what is now paid or payable for the ſaid Commodities at the Cuſtom-houſe for the ſame; that is to ſay, upon every hundred weight of Coffee imported into any Ports within this Kingdom, Dominion of Wales, or Town of Berwick upon Tweed, accounting one hundred and twelve pounds to the Hundred, five pounds twelve ſhillings; and upon every hundred weight of Cacao Nuts imported, and containing, as aforeſaid, eight pounds eight ſhillings; and upon every pound weight of Tea imported five ſhillings; and upon every pound weight of Chocolate ready made, imported, five ſhillings; and ſo proportionably for any greater or leſſer quantity of any the Commodities aforeſaid reſpectively.

IV. And for the more effectual collecting and receiving of the ſaid Duty, Be it farther enacted by the authority aforeſaid, That if any of the Commodities aforeſaid, whereof the Duties are or ſhall be due, ſhall be unſhipped or laid on Land, the Duties due or to be due for the ſame, not paid or lawfully tendred to the Collector thereof, or his Deputy, with the conſent and agreement of the Comptroller and Surveyor there, nor agreed with for the ſame in the Cuſtom-houſe, according to the true meaning of this Act, that then from the ſaid five and twentieth day of December, one thouſand ſix hundred eighty nine, all the ſaid Goods and Merchandizes ſhall be forfeited; the one moiety of the ſaid Goods ſo forfeited ſhall be to your Majeſties uſe, and the other moiety to him or them that will ſeize or ſue for the ſame, without any Compoſition whatſoever; this Act to continue for the term of five years, and no longer.

Two thirds repaid upon Exportation.

V. Provided always, and it is farther enacted and declared by the authority aforeſaid, That every Merchant or other Importer, having paid the ſaid Duties and Impoſitions in and by this Act appointed to be paid for any of the ſaid Goods or Merchandizes herein before made liable to the payment thereof, who ſhall within ſix months next after ſuch his Importation thereof, again ſhip off and carry out of this Kingdom, or any Port thereof, the ſaid Goods or Merchandizes, or any part thereof, to any parts beyond the Seas, That ſuch Merchant or other Importer, on ſuch his Exportation thereof, ſhall be repaid two thirds of the Duties ſo by him paid by virtue of this Act, of ſo much of the ſaid Goods and Merchandizes which he ſhall ſo export or ſhip off.

Nutmegs, &c. how imported.

VI. And it is farther enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons to import into this Kingdom, Nutmegs, Cinamon, Cloves and Mace, in any Engliſh Ships (one third part at leaſt of the Mariners whereof to be Engliſhmen) from any parts beyond the Seas, paying double the Sums the ſame are charged with in the Book of Rates, for the Cuſtoms and Duties thereof, ſo as notice be firſt given to the Commiſſioners or Farmers of their Majeſties Cuſtoms, of the quality and quantity of the ſaid Spices ſo intended to be imported, with the Name of the Ship and Maſter or Commander on which they are to be loaden, and the place into which they intend to import the ſame, and taking a Licence under the hands of the Commiſſioners or Farmers for the time being, or any three of them, for the lading and importing thereof, as aforeſaid; which Licence they are hereby authorized and required to grant without any Fee or Reward, or any other Charge to the perſon demanding the ſame; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

CAP. VII. (41.)

An Act for Review of the late Poll granted to their Majeſties, and for an Additional Poll towards the Reducing of *Ireland*. Exp.

CAP. VIII. (42.)

An Act for Preventing vexatious Suits againſt ſuch as acted in order to the bringing in their Majeſties, or for their Service.

Preamble.

WHereas about the time of his Majeſties glorious Enterprize, for delivering this Kingdom from Popery and Arbitrary Power, and in aid and purſuance of the ſame, divers Lords, Gentlemen and other good People well affected to their Country, did act as Lieutenants, Deputy Lieutenants, Juſtices of the Peace, or other Officers, Civil or Military, though not ſufficiently authorized thereunto, and did apprehend and put into Cuſtody ſeveral criminous and ſuſpected perſons, and did ſeize and uſe divers Horſes, Arms, and other things, and did enter into the Houſes and Poſſeſſions of ſeveral perſons, and did quarter, and cauſe to be quartered, Soldiers and others there; In which Proceedings ſome Force and Violence, and defect of Form, was unavoidable, which in a time of Peace and Common Safety would not have been warrantable: And alſo ſince their Majeſties happy Acceſſion to the Crown, by reaſon of the Wars and Troubles raiſed and occaſioned by the Enemies of their Majeſties and this Kingdom, divers like Matters and Things have been acted and done, all which were neceſſary and allowable in regard of the exigence of publick Affairs, and ought to be juſtified, and the parties concerned therein indempnified: Nevertheleſs, ſome perſons ill affected to their Majeſties Government, and the Safety and Welfare of this Kingdom, have commenced and proſecuted, and threaten to commence and proſecute Actions and Suits againſt their Majeſties good Subjects, for and by reaſon of their Actings and Doings aforeſaid: Therefore for the preventing the Trouble and Charges which the ſaid good Subjects might be put to by the means of ſuch vexatious Suits,

Proſecutions againſt any perſons for doing any thing in bringing in their Majeſties void.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all perſonal Actions, Suits, Moleſtations and Proſecutions whatſoever, and Judgments had thereupon, if any be, for or by reaſon of any of the Premiſſes, or any Matter or Thing adviſed, commanded, appointed, happened or done in order to the bringing in their Majeſties to this Kingdom, or for their Service, or for the Safety of the Government, be, and are hereby diſcharged and made void; And if any Action or Suit hereby declared or intended to be diſcharged, ſhall be commenced or proſecuted, every perſon ſo ſued, may plead the General Iſſue, and give this Act and the Special Matter in Evidence; And if the Plaintiff ſhall become Nonſuit, or forbear farther Proſecution, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, the ſaid Defendant ſhall recover his double Coſts, for which he ſhall have the like Remedy as in Caſe where Coſts by Law are given to Defendants.

Defendant may plead general Iſſue and recover double Coſts.

CAP. IX. (43.)

An Act for the better Security and Relief of their Majeſties Proteſtant Subjects of *Ireland*.

Preamble.

WHereas the Kingdom of Ireland is (as well by the Laws of this Kingdom, as thoſe of Ireland) annexed and united to the Imperial Crown of England, and all Acts, Judgments, Sentences, Orders, Decrees or other Proceedings, of what kind ſoever, there had, made or done, without or againſt the authority of the Kings or Queens of this Kingdom of England, are abſolutely null and void; And all perſons in Ireland that oppoſe or ſubmit not to the Government of the Crown of this Realm, are Rebels and Guilty of High Treaſon; Notwithſtanding which ſeveral perſons, ſince the happy Acceſſion of their Majeſties, King William and Queen Mary, to the Imperial Crown of this Realm, have been lately aſſembled at or near the City of Dublin in the Kingdom of Ireland, without any authority from their ſaid Majeſties, pretending to be, or calling themſelves by the Name of a Parliament, and in ſuch Rebellious Aſſembly have made and paſſed ſeveral pretended Acts or Statutes in manifeſt oppoſition to the Soveraignty, and to the inherent Rights and Dignities of the Crown of this Realm, and to the general Prejudice and Violation of the Rights and Properties of their Majeſties good Subjects of that Kingdom. And although all the ſaid Proceedings are abſolutely null and void in themſelves, yet nevertheleſs, for the more plain and expreſs declaring and aſſerting the Soveraignty, Rights and Dignities of the Crown of England, and for the clearing all Doubts, and quieting the Minds of their Majeſties good Subjects of that Kingdom, as alſo for the remedying, preventing and avoiding the ſeveral Miſchiefs and Inconveniencies intended by this Act to be provided againſt,

The Iriſh Parliament declared void.

II. Be it enacted and declared by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the perſons now or of late aſſembled at Dublin, without any authority derived from their Majeſties, pretending to be, or calling themſelves by the Name of a Parliament, were not, nor are a Parliament, but an unlawful and rebellious Aſſembly; And that all Acts of Attainder, and all other Acts and Proceedings whatſoever had, made, done or paſſed, or to be had, made, done or paſſed in the ſaid pretended Parliament, ſhall be taken, deemed and adjudged to be, and are hereby declared to be abſolutely null and void to all intents, conſtructions and purpoſes whatſoever: And alſo that no Act, Statute, Judgment, Outlawry, Decree, Sentence, Order or other Proceedings, Matter, or thing whatſoever ſince the thirteenth day of February in the year of our Lord one thouſand ſix hundred eighty eight, had, made, paſſed, given, pronounced or done, or pretended to be had, made, paſſed, given, pronounced or done, or hereafter to be had, made, paſſed, given, pronounced or done, by any perſon or perſons whatſoever, by colour of any Commiſſion, Writ, Power or Authority within their Majeſties Kingdom of Ireland, (other then ſuch Commiſſion, Writ, Power or Authority as hath been, or ſhall be given by, or derived from or under their Majeſties) ſhall be of any Strength, Force, Virtue or Effect, but that the ſame to all intents, conſtructions and purpoſes, ſhall be and are hereby declared and adjudged to be abſolutely null and void.

All Acts, &c. ſince 13th of February, 1688. (except by, from or under the King, void.

III. And be it farther enacted by the authority aforeſaid, That all Cities, Boroughs and Towns, and all and ſingular Bodies Corporate, Eccleſiaſtical or Temporal, within the ſaid Kingdom of Ireland, ſhall be, and are hereby declared, adjudged and enacted to be reſtored unto the ſame ſtate and condition, to all intents, conſtructions and purpoſes whatſoever, which they, and every or any of them were in, at or upon the four and twentieth day of June which was in the year of our Lord one thouſand ſix hundred eighty three; any Proceedings againſt them, or any of them, by Quo Warranto's, Scire Facias, or Information in the nature of Quo Warranto, or any Proceedings, Judgments, Seizures or Executions thereon, or any new Charter, Grant, Commiſſion, or any Surrender, or other Act or Acts ſince that time, to the contrary notwithſtanding; All which Writs, Suits, Proceedings, Judgments, Seizures, Executions, Charters, Grants, Commiſſions, Surrenders, and other Act and Acts, are hereby declared and adjudged to be null and void, to all intents, conſtructions and purpoſes whatſoever.

All Cities and Corporations in Ireland to be in the ſame ſtate as they were in 1683. notwithſtanding Quo Warranto's, &c. which are declared void.

IV. And be it farther enacted by the authority aforeſaid, That no perſon or perſons whatſoever of the Proteſtant Religion, ſhall be ſubject or liable to any Loſs, Forfeiture or Prejudice in Eſtate, Office, Perſon or otherwiſe, for or by reaſon of his or their abſence out of the Kingdom of Ireland, at any time or times ſince the five and twentieth day of December, in the year of our Lord one thouſand ſix hundred eighty five; or for Nonpayment of Rent, or any other duty due or payable to their Majeſties, or the Crown, out of, for, or by reaſon of any Houſes, Lands, Tenements, Hereditaments, Rectories, Tythes or Church-Livings, ſince the five and twentieth day of December in the year of our Lord one thouſand ſix hundred eighty eight, until ſuch time as the ſaid Kingdom of Ireland ſhall be declared by their Majeſties to be reduced to their Majeſties Obedience, but ſhall be abſolutely diſcharged and acquitted of and from the payment of all Quit-Rents, Crown-Rents, Compoſition-Rents, Hearth-Mony, Twentieth-parts, Payments and other chief Rents, ariſing or payable out of any Houſes, Lands, Tenements, Hereditaments, Rectories, Tythes or Church-Livings, incurring or becoming due to their Majeſties or the Crown, at any time after the ſaid five and twentieth day of December, in the year of our Lord one thouſand ſix hundred eighty eight, until the ſaid Kingdom of Ireland ſhall be by their Majeſties declared to be reduced, and the War and Rebellion there ended.

No perſon ſhall be prejudiced by his abſence, or for non-payment of Rent, &c. to the King betwixt 1685. and the time that Ireland ſhall be reduced

V. And be it farther enacted by the authority aforeſaid, That all and every Proteſtant and Proteſtants of the Kingdom of Ireland, ſhall be, and are hereby reſtored to all their Poſſeſſions, as well Eccleſiaſtical as Temporal, in ſuch manner as they, or thoſe under whom they claim, had the ſame on the five and twentieth day of December one thouſand ſix hundred eighty eight; and that all and every perſon and perſons that do detain ſuch Poſſeſſions after a Demand by the party grieved, and intended to be hereby reſtored, ſhall and may be proceeded againſt, as in caſe of a forcible Detainer.

Proteſtants reſtored to their Poſſeſſions.

Forcible Detainer againſt perſon detaining.

SESSIO PRIMA.

Anno Regni GULIELMI *&* MARIÆ *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Secundo.*

CAP. I.

An Act for Recognizing King *William* and Queen *Mary*, and for avoiding all Queſtions touching the Acts made in the Parliament aſſembled at *Weſtminſter* the thirteenth day of *February*, one thouſand ſix hundred eighty eight.

WE your Majeſties moſt humble and loyal Subjects, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, do beſeech your moſt excellent Majeſties, That it may be publiſhed and declared in this High Court of Parliament, and enacted by authority of the ſame, That we do recognize and acknowledge your Majeſties were, are, and of Right ought to be by the Laws of this Realm, our Sovereign Liege Lord and Lady King and Queen of England, France and Ireland, and the Dominions thereunto belonging, in and to whoſe Princely Perſons the Royal State, Crown and Dignity of the ſaid Realms, with all Honours, Stiles, Titles, Regalities, Prerogatives, Powers, Juriſdictions and Authorities to the ſame belonging and appertaining, are moſt fully, rightfully and intirely inveſted and incorporated, united and annexed.

King and Queen recognized.

II. And for the avoiding of all Diſputes and Queſtions concerning the Being and Authority of the late Parliament aſſembled at Weſtminſter the thirteenth day of February one thouſand ſix hundred eighty eight, We do moſt humbly beſeech your Majeſties that it may be enacted; And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the Acts made and enacted in the ſaid Parliament, were and are Laws and Statutes of this Kingdom, and as ſuch ought to be reputed, taken and obeyed by all the People of this Kingdom.

Laſt Parliament declared good.

CAP. II.

An Act for Raiſing Mony by a Poll, and otherwiſe, towards the Reducing of *Ireland*, and Proſecuting the War againſt *France*. Exp.

CAP. III.

An Act for granting to their Majeſties for their Lives, and the Life of the Survivor of them, certain Impoſitions upon Beer, Ale and other Liquors.

THE Commons aſſembled in Parliament duly conſidering how much it conduceth to the Safety, Peace and Proſperity of a Kingdom, that the publick Revenue thereof be in ſome meaſure proportionable to the publick Charges, and with Thankfulneſs and Admiration calling to remembrance his Majeſties glorious and ſucceſsful Undertaking for the deliverance of the People of this Nation from Popery and Arbitrary Power, have unanimouſly given and granted, and do hereby give and grant unto their Majeſties (whom God long preſerve) the ſeveral Rates, Impoſitions, Duties and Charges upon Beer, Ale, Cyder, and other Liquors mentioned in an Act of Parliament made in the twelfth year of the Reign of his late Majeſty King Charles the Second, Entituled, A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life, and thereby granted to the ſaid King for his Life, (except ſuch, and ſo much of them, concerning which it is otherwiſe provided and ordained by any Act made in the laſt Parliament) and do moſt humbly beſeech their Majeſties that it may be enacted.

Cap. 23.

Rates upon Beer,&c. given by 15 Car. 2. 23. now given to the King and Queen for their Lives.

II. And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſeveral Rates, Duties and Impoſitions upon Beer, Ale, Cyder and other Liquors aforeſaid, be levied, collected and paid unto their Majeſties during their Lives, and the Life of the Survivor of them, in the ſame manner and form, and at ſuch places, and by ſuch rules, ways and means, and under ſuch penalties and forfeitures as are mentioned, expreſſed and directed in and by the ſaid Act; and alſo in and by another Act of Parliament made in the fifteenth year of the Reign of his ſaid late Majeſty, Entituled, An Additional Act for the better ordering and collecting the Duty of Exciſe, and preventing the Abuſes therein, or by any other Law now in force, relating to the ſaid Revenue of Exciſe; and that the aforeſaid Acts, and every Article, Rule and Clauſe therein mentioned, ſhall be of full force and effect, to all intents and purpoſes, during their Majeſties Lives, and the Life of the Survivor of them, in like manner as if the ſame were particularly and at large recited and ſet down in the Body of this Act.

Manner of Levying.

Cap. 11.

III. And whereas their Majeſties are contented and pleaſed that it be enacted, That the Rates, Impoſitions, Duties and Charges by this Act given and granted to them as aforeſaid, ſhould be made a Fond of Credit for the raiſing a Sum not exceeding two hundred and fifty thouſand pounds, towards the reducing of Ireland, and carrying on the preſent War againſt the French King, not doubting but that their good Subjects (in whoſe Love and dutiful Affections their Majeſties are firmly perſwaded the Strength and Glory of the Crown doth principally conſiſt) will in due time make proviſion for the taking off and diſcharging the ſaid Anticipations. Be it therefore enacted by the authority aforeſaid, That if it ſhould happen (which God forbid) that their Majeſties ſhould die before the four and twentieth day of December, which ſhall be in the year of our Lord one thouſand ſix hundred ninety three, That then the ſaid ſeveral Rates, Impoſitions, Duties and Charges, ſhall be continued, and ſhall be levied, collected and paid in manner aforeſaid, unto their Majeſties Suceſſors, until the ſaid four and twentieth day of December ſubject to and chargeable with the ſaid Sum to be borrowed or raiſed as aforeſold.

If their Majeſties die, given to their Succeſſors till Decemb. 1693.

Clauſe of Credit for 250000 l. at 8 l, per Cent.

IV. And for the enabling their Majeſties to borrow the ſaid Sum for the purpoſes aforeſaid, for which the ſaid ſeveral Rates, Impoſitions, Duties, and Charges are intended to be a Security, Be it enacted by the authority aforeſaid, That it ſhall and may be lawful, to and for any perſon or perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to their Majeſties into the Receipt of the Exchequer, upon the Credit of this Act any Sum or Sums of mony, not exceeding the Sum of two hundred and fifty thouſand pounds in the whole, and to have and receive the forbearance of all ſuch monies as ſhall be lent before the tenth day of June, one thouſand ſix hundred and ninety, Intereſt not exceeding the Rate of eight pounds per Centum per Annum; And for what ſhall be lent after the ſaid tenth day of June, Intereſt not exceeding ſeven pounds per Centum per Annum.

Three parts in four to be kept apart by the Commiſſioners of the Exciſe till December 1693. and the mony to be paid weekly into the Exchequer.

V. And to the end that all Monies which ſhall be ſo lent unto their Majeſties, may be well and ſufficiently ſecured out of the Monies ariſing and payable by this Act, with the Intereſt for the ſame, not exceeding the reſpective Rates aforeſaid, Be it farther enacted by the authority aforeſaid, That from and after the firſt day of November, one thouſand ſix hundred and ninety, until the ſaid twenty fourth day of December, which ſhall be in the year of Lord, one thouſand ſix hundred ninety three, the Commiſſioners and Governors for the management of the Receipt of Exciſe at the Head Office in London, ſhall ſeparate and keep apart three parts (the whole in four equal parts to be divided) of the Monies ariſing by the Rates and Duties of Exciſe hereby granted, as the ſame ſhall from time to time ariſe or be paid into the ſaid Office of Exciſe, by the Receivers or Collectors of the ſame, or by any other perſon whatſoever. And the Auditor and Comptroler of the Exciſe for the time being, or their reſpective Deputies, ſhall keep a perfect and diſtinct Account in Books fairly written of the ſaid three parts, as the ſame ſhall come in: To which Books all perſons concerned, ſhall have free acceſs at all ſeaſonable times without Fee or Charge. And the ſaid Commiſſioners and Governours of Exciſe, for the time being, are hereby required and ſtrictly enjoyned from time to time, to pay weekly, to wit, on Wedneſday in every Week, if it be not an Holy-day, and if it be, then the next day after that is not an Holy-day, the ſaid three parts into the Receipt of their Majeſties Exchequer, diſtinct and apart from the other Monies, which the ſaid Commiſſioners and Governours of the Exciſe, ſhall receive for their Majeſties uſe.

Tally, Order, Warrant, Regiſter and Payment in courſe.

VI. And be it farther enacted by the authority aforeſaid, That there ſhall be provided and kept in their Majeſties Exchequer, (that is to ſay) in the Office of the Auditor of the Receipts one Book in which all Monies that ſhall be paid into the Exchequer, of or for the ſaid three parts as aforeſaid, ſhall be entred apart and diſtinct from all other Monies, paid or payable to their Majeſties upon any account whatſoever. And that all and every perſon and perſons, Natives or Foreigners, Bodies Politick or Corporate, who ſhall lend any Mony to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his or their Repayment, bearing the ſame date with the Tally; in which Order ſhall be alſo contained a Warrant for Payment of Intereſt for Forbearance not exceeding the reſpective Rates aforeſaid, for his or their Conſideration to be paid every three Months until Repayment of the Principal. And that all Orders for Repayment of Mony ſhall be regiſtred in Courſe according to the date of the Tally reſpectively without preference of one before another. And that all and every perſon and perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Book, ſo as that the perſon, Native or Foreigner, his, her or their Executors, Adminiſtrators and Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Book, ſhall be taken and accounted as the firſt perſon to be paid upon the Monies to come in by virtue of this Act; And he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe. And that the Monies to come in by this Act ſhall be in the ſame Order liable to the Satiſfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and no to be divertible to any other uſe, intent or purpoſe whatſoever.

Puniſhment upon the Commiſſioners neglecting or miſapplying.

VII. And if the ſaid Commiſſioners or Governours of the Exciſe for the time being, ſhall refuſe or neglect to pay into the Exchequer the ſaid three parts of the Mony ariſing as aforeſaid, in ſuch manner as they are before required or enjoyned to do, or ſhall divert or miſapply any part of the ſame, Then they for any ſuch Offence ſhall forfeit their Offices of Commiſſioners and Governours for the management of the Receipt of the Exciſe, and be uncapable of any Office or place of truſt whatſoever, and ſhall be liable to pay the full Value of any Sum or Sums ſo diverted or miſapplyed to any perſon or perſons who will ſue for the ſame, by any Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter, where no Eſſoign, Protection, Wager of Law or Priviledge, or more then one Imparlance, ſhall be granted or allowed; And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any of their Majeſties Subjects for providing or making of any ſuch Books, Regiſters, Entries, View or Search, as aforeſaid, or in or for the Payment of Mony lent, or the Intereſt, as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble Damages to the Party grieved, by the Party offending, with Coſts of Suit; Or if the Officer or Officers themſelves take or demand any ſuch Fee or Reward, then to loſe their Places alſo; And if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſts to the Party grieved, and ſhall be forejudged from their Places or Offices; And if ſuch preference be unduly made by any their Deputies or Clerks without direction or privity of the Officer or Officers, then ſuch Deputy or Clerk only ſhall be lyable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make Payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner as aforeſaid: All which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any of the Officers aforeſaid, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

Puniſhment for taking Fee for Entry, &c.

Puniſhment for undue preference.

What preference lawful.

VIII. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan or Orders for payment as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue preference which of thoſe he enters firſt, ſo he enters them all the ſame day.

IX. Provided alſo, That it ſhall not be interpreted any undue preference to incur any Penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, and the Teller do pay ſubſequent Orders of perſons that come and demand their Mony, and bring their Order in their Courſe, ſo as there be ſo much Mony reſerved as will ſaisfie recedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them (Intereſt upn Loan, being to ceaſe from the time the Mony is ſo reſerved and kept in Bank for hem.)

Orders for monies how aſſignable.

X. And be it farther enacted by the authority aforeſaid, That every perſon or perſons, o whom any Monies ſhall be due, by Virtue of this Act, after Order entred in the Book f Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns, by ndorſement of his Order may aſſign and transfer his Right, Title, Intereſt and Beefit of ſuch Order, or any part thereof, to any other, which being notified in the Office pay weekly, to wit, on Wedneſday in every Week, if it be not an Holy-day, and if it be, then the next day after that is not an Holy-day, the ſaid three parts into the Receipt of their Majeſties Exchequer, diſtinct and apart from the other Monies, which the ſaid Commiſſioners and Governours of the Exciſe, ſhall receive for their Majeſties uſe.

Tally, Order, Warrant, Regiſter and Payment in courſe.

VI. And be it farther enacted by the authority aforeſaid, That there ſhall be provided and kept in their Majeſties Exchequer, (that is to ſay) in the Office of the Auditor of the Receipts one Book in which all Monies that ſhall be paid into the Exchequer, of or for the ſaid three parts as aforeſaid, ſhall be entred apart and diſtinct from all other Monies, paid or payable to their Majeſties upon any account whatſoever. And that all and every perſon and perſons, Natives or Foreigners, Bodies Politick or Corporate, who ſhall lend any Mony to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his or their Repayment, bearing the ſame date with the Tally; in which Order ſhall be alſo contained a Warrant for Payment of Intereſt for Forbearance not exceeding the reſpective Rates aforeſaid, for his or their Conſideration to be paid every three Months until Repayment of the Principal. And that all Orders for Repayment of Mony ſhall be regiſtred in Courſe according to the date of the Tally reſpectively without preference of one before another. And that all and every perſon and perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Book, ſo as that the perſon, Native or Foreigner, his, her or their Executors, Adminiſtrators and Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Book, ſhall be taken and accounted as the firſt perſon to be paid upon the Monies to come in by virtue of this Act; And he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe. And that the Monies to come in by this Act ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and no to be divertible to any other uſe, intent or purpoſe whatſoever.

Puniſhment upon the Commiſſioners neglecting or miſapplying.

VII. And if the ſaid Commiſſioners or Governours of the Exciſe for the time being, ſhall refuſe or neglect to pay into the Exchequer the ſaid three parts of the Mony ariſing as aforeſaid, in ſuch manner as they are before required or enjoyned to do, or ſhall divert or miſapply any part of the ſame, Then they for any ſuch Offence ſhall forfeit their Offices of Commiſſioners and Governours for the management of the Receipt of the Exciſe, and be uncapable of any Office or place of truſt whatſoever, and ſhall be liable to pay the full Value of any Sum or Sums ſo diverted or miſapplyed to any perſon or perſons who will ſue for the ſame, by any Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter, where no Eſſoign, Protection, Wager of Law or Priviledge, or more then one Imparlance, ſhall be granted or allowed; And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any of their Majeſties Subjects for providing or making of any ſuch Books, Regiſters, Entries, View or Search, as aforeſaid, or in or for the Payment of Mony lent, or the Intereſt, as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble Damages to the Party grieved, by the Party offending, with Coſts of Suit; Or if the Officer or Officers themſelves take or demand any ſuch Fee or Reward, then to loſe their Places alſo; And if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſts to the Party grieved, and ſhall be forejudged from their Places or Offices; And if ſuch preference be unduly made by any their Deputies or Clerks without direction or privity of the Officer or Officers, then ſuch Deputy or Clerk only ſhall be lyable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make Payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner as aforeſaid: All which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any of the Officers aforeſaid, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

Puniſhment for taking Fee for Entry, &c.

Puniſhment for undue preference.

What preference lawful.

VIII. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies f Loan or Orders for payment as aforeſaid, bear date, or be brought the ſame day to the uditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue preference which f thoſe he enters firſt, ſo he enters them all the ſame day.

IX. Provided alſo, That it ſhall not be interpreted any undue preference to incur any Penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, nd the Teller do pay ſubſequent Orders of perſons that come and demand their Mony, nd bring their Order in their Courſe, ſo as there be ſo much Mony reſerved as will ſatiſfie ecedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them (Intereſt upn Loan, being to ceaſe from the time the Mony is ſo reſerved and kept in Bank for em.)

Orders for monies how aſſignable.

X. And be it farther enacted by the authority aforeſaid, That every perſon or perſons, whom any Monies ſhall be due, by Virtue of this Act, after Order entred in the Book Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns, by ndorſement of his Order may aſſign and transfer his Right, Title, Intereſt and Be- fit of ſuch Order, or any part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book or Regiſter aforeſaid, for Orders (which the Officers ſhall, upon Requeſt, without Fee or Charge accordingly make) ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns to the benefit thereof, and payment thereon: And ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties; and afterwards it ſhall not be in the power of ſuch perſon or perſons, who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any part thereof.

Repeal 1 Jac. 2. cap. 1.

XI. Provided nevertheleſs, and be it enacted, That an Act of Parliament made in the firſt year of the Reign of the late King James the Second, Entituled, An Act for Settling the Revenue on his Majeſty for Life, which was ſettled on his late Majeſty for his Life, ſhall be, and is, hereby repealed and made void; And that no Article, Clauſe or Thing therein contained from henceforth, ſhall be, or be conſtrued to be, of any force or effect whatſoever.

Not to extend to 1 W. & M. Seſſ. 2. Cap. 3.

XII. Provided nevertheleſs, That nothing in this Act ſhall extend, or be conſtrued to repeal or alter an Act made in the laſt Seſſion of the Parliament, held in the firſt year of their Majeſties Reign, Entituled, An Act for Preventing all Doubts and Queſtions, concerning the Collecting the publick Revenue, but that the ſame ſhall have Continuance, and be in force until the twenty fifth day of December, one thouſand ſix hundred and ninety; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Power given to the King to ſettle 20000 l. per annum upon Princeſs Anne.

XIII. And whereas the King and Queens moſt excellent Majeſties are graciouſly pleaſed, out of their Princely Care, and great Love and Affection to their intirely beloved Brother and Siſter the Prince and Princeſs Anne of Denmark, to make a farther Proviſion for the better Maintenance and Support of the ſaid Prince and Princeſs, their Iſſue and Children, and of their State and Dignity; Be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the King and Queens moſt excellent Majeſties, by their Letters Patents under the Great Seal of England, hereafter to be made, to give and grant unto the ſaid Princeſs Anne of Denmark, the yearly Rent or Sum of twenty thouſand pounds of lawful Mony of England, to be iſſuing out of the Impoſitions and Duties of the Exciſe hereby given and granted, or out of any part thereof, to have and to hold to the ſaid Princeſs Anne of Denmark for her Life, during the Lives of their Majeſties, and the Life of the longeſt Liver of them, (freed from the Loans by this Act to be made) to be paid to the ſaid Princeſs or her uſe, at the four moſt uſual Feaſts in the Year; that is to ſay, St. Michael the Archangel, the Nativity of our Lord Chriſt, the Annunciation of the Virgin Mary, and the Nativity of St. John Baptiſt, by equal Portions; The firſt payment to begin and be made on the Feaſt of the Nativity of St. John Baptiſt now next enſuing, and the ſame and all other ſucceeding payments, to be made and paid out of the Receipt of the Exchequer, or by and from the immediate Hands of all and every the Farmers, Commiſſioners, Subcommiſſioners, Treaſurers, Receivers or Collectors for the time being reſpectively of the ſaid Impoſitions and Duties of Exciſe hereby given and granted with ſuch Fees for the payment of the ſame, or without, as their Majeſties by the ſaid Letters Patents ſhall direct and appoint, and that the Acquittance of the ſaid Princeſs, or of her Receiver General from time to time ſhall be a good diſcharge for the payment thereof.

Their Majeſties may ſettle 20000 l. per annum upon Prince George, &c. if Princeſs Anne dye before their Majeſties.

XIV. And be it farther enacted by the authority aforeſaid, That if it ſhall happen that the ſaid Princeſs ſhall depart this Life in the Life-time of their Majeſties, or either of them, that it ſhall be likewiſe lawful for their Majeſties by the ſaid Letters Patents, to give, grant and limit the ſaid yearly Sum of twenty thouſand pounds to the ſaid Prince of Denmark, and the Iſſue and Children of the ſaid Princeſs Anne of Denmark reſpectively, in ſuch proportions as their Majeſties by the ſaid Letters Patents ſhall limit, appoint and direct, the ſame to be held and enjoyed by the ſaid Prince of Denmark, and the Iſſue and Children of the ſaid Princeſs Anne of Denmark reſpectively, yearly and by quarterly payments, during the Lives of their Majeſties, and the Life of the longeſt Liver of them, and no longer.

All Clauſes in the Letters Patents good notwithſtanding miſrecital, &c.

XV. And be it farther enacted by the authority aforeſaid, That all and every the Clauſes, Articles and Limitations to be contained in their ſaid Majeſties Letters Patents hereafter to be made as aforeſaid, for or concerning their Majeſties granting, conveying and ſettling of the ſaid yearly Sum of twenty thouſand pounds unto the ſaid Prince and Princeſs Anne of Denmark, their Iſſue and Children reſpectively, as aforeſaid, or of, for, or concerning the yearly or quarterly payments thereof and every Clauſe and Article therein contained, ſhall be, and are hereby enacted to be good and effectual in Law, according to the tenour and purport thereof in the ſaid Letters Patents to be expreſſed; any miſrecital, non-recital, omiſſion or other defect in the ſaid Letters Patents hereafter to be made, in any wiſe notwithſtanding.

CAP. IV.

An Act for granting to their Majeſties a Subſidy of Tonnage and Poundage, and other Sums of Mony payable upon Merchandizes Exported and Imported. Continued by 6 *W.* & *M.* cap. 1.

THE Commons aſſembled in Parliament, repoſing Truſt and Confidence in your Majeſties, for the guarding and defending of the Seas againſt all perſons who ſhall attempt to invade this your Realm, or to diſturb your Subjects in their Trade and Commerce, towards the defraying the neceſſary Charge thereof; And alſo for the better enabling your Majeſties to proſecute the preſent War againſt the French King, and for the reducing of Ireland with ſpeed and vigour; have cheerfully and unanimouſly given and granted, and do hereby give and grant unto your Majeſties the Subſidy of Tonnage and

Poundage, and other Sums given and granted unto his late Majeſty King Charles the Second, for his Life, by an Act of Parliament made in the twelfth year of his Reign, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Mony payable upon Merchandize Exported and Imported, according to the Rates in the ſaid Act mentioned, and Rules and Orders thereunto annexed, (other then ſuch concerning which it is otherwiſe provided or ordained by any Act made in the laſt Parliament) And do moſt humbly beſeech your Majeſties, That it may be enacted;

Cap 4.

Tunnage and Poundage given to the King for four years.

II. And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the aforeſaid Subſidy of Tonnage and Poundage, and other Sums of Mony payable upon Merchandize, be levied, collected and paid unto their Majeſties for the Term of four years to commence and be computed from the four and twentieth day of December in the year of our Lord one thouſand ſix hundred and ninety; And that the aforeſaid Act, and every Article, Rule and Clauſe therein mentioned; And alſo an Order of the Commons in Parliament aſſembled, made in purſuance of the Rules and Orders annexed to the aforeſaid Act for ſettling of Officers Fees, dated the ſeventeenth of May, one thouſand ſix hundred ſixty two, and ſigned by Sir Edward Turnor, then Speaker, ſhall be of full force and effect to all intents and purpoſes, during the ſaid Term of four years, as fully and in like manner as if the ſame were particularly, and at large recited and ſet down in the Body of this Act.

Several Acts continued for four years.

III. And be it farther enacted by the authority aforeſaid, That an Act of Parliament made in the twelfth year of the Reign of the ſaid King Charles the Second, Entituled, An Act to prevent Frauds and Concealments of his Majeſty's Cuſtoms and Subſidies: As alſo an Act made in the thirteenth and fourteenth years of the Reign of the ſaid late King, Entituled, An Act for preventing Frauds, and regulating Abuſes in his Majeſty's Cuſtoms: And alſo an Act made in the two and twentieth year of the Reign of the ſaid late King Charles the Second, Entituled, An Act for the Improvement of Tillage, and the Breed of Cattel: And alſo one other Act made in the twenty fifth year of the Reign of the ſaid late King Charles the Second, Entituled, An Act for taking of Aliens Duties upon Commodities of the Growth, Product and Manufacture of the Nation: And alſo one other Act made in the ſaid twenty fifth year of the late King Charles the Second, Entituled, An Act for the Encouragement of the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trade: And alſo one other Act made in the firſt year of the late King James the Second, Entituled, An Additional Act for the Improvement of Tillage, be of full force and effect during the ſaid term of four years.

Cap. 19.
Cap. 11.
Cap. 13.
Cap. 6.
Cap. 7.
Cap. 19.

IV. Provided nevertheleſs, and be it declared and enacted, That nothing herein contained ſhall be conſtrued or taken to determine any Articles or Clauſes in any of the before mentioned Acts, which were appointed and intended to be perpetual, but that the ſame, and every of them ſhall continue and remain in force, as if this preſent Act had not been made; But ſuch of the ſaid Acts, and ſuch Clauſes in any of them as were temporary ſhall hereby be revived and ſtand, continue and be in force for the ſaid term of four years only, and no longer.

Clauſe of Credit for 500000 l. at 8 per Cent.

V. And whereas their Majeſties are contented and pleaſed, That the Subſidy of Tonnage and Poundage, and other Duties aforeſaid, ſhould be made a Fond of Credit, in confidence that their good Subjects will in due time make proviſion for taking off the anticipation thereof; Be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons, Natives or Foreigners, Bodies Politick or Corporate to advance and lend to their Majeſties in the Receipt of their Exchequer, upon the credit of this Act, any ſum or ſums of mony, not exceeding the ſum of five hundred thouſand pounds in the whole; and to have and receive for the forbearance of all ſuch monies as ſhall be lent before the tenth day of June, one thouſand ſix hundred and ninety, Intereſt not exceeding the Rate of eight pounds per Centum per Annum, and for what ſhall be lent after the ſaid tenth day of June, Intereſt not exceeding ſeven pounds per Centum per Annum.

Cuſtom Office to be kept in London, a ſeparation of three parts in four after Debentures paid, and weekly payment into the Exchequer.

VI. And to the end that all monies which ſhall be ſo lent unto their Majeſties, may be well and ſufficiently ſecured out of the monies ariſing and payable by this Act, with Intereſt for the ſame, not exceeding the reſpective Rates aforeſaid, Be it farther enacted by the authority aforeſaid, That from and after the firſt day of November, one thouſand ſix hundred and ninety, during the continuance of this Act, there ſhall be continued and be within the City of London, an Office for the general Receipt of all the Subſidies and other Sums by this Act granted, into which Office all the monies ariſing by the ſame, either within the Port of London, or in the Out-Ports, or elſewhere, ſhall be well and truly anſwered and paid unto the Hands of the Receiver or Receivers General for that purpoſe appointed or to be appointed by their Majeſties, their Heirs and Succeſſors; which ſaid Receiver or Receivers General is and are hereby directed and required from time to time at the ſaid Office, to ſeparate and keep apart three parts (the whole in four equal parts to be divided) of the whole Receipt of the ſaid monies (as the ſame ſhall from time to time become due, and be paid into the ſaid Office by the ſeveral Receivers, Collectors or any others who are or ſhall be employed to pay the ſame) which ſhall remain from time to time, after the Payments which ſhall be made thereout by virtue of any Laws now in force upon Debentures for Goods, that are or ſhall be re-ſhipt, or for Corn exported, or for Diſcounts upon Bonds, where Diſcounts are allowable by Law, and of ſuch allowances for damaged Goods, and of Bills of Portage as have uſually been made; and the Comptroller General of the accounts of the Cuſtoms for the time being, is hereby alſo required and commanded to keep a perfect and diſtinct account, in Books fairly written, of the ſaid three parts as the ſame ſhall come in; to which Books all perſons concerned ſhall have free acceſs at all ſeaſonable times without Fee or Charge; and the ſaid Receiver or Receivers

General is and are hereby required and ſtrictly enjoyned from time to time to pay weekly, to wit, on Wedneſday in every Week, unleſs it be an Holy-day, and if it be, then the next day after that is not an Holy-day, the ſaid three parts of all ſuch monies as aforeſaid, into the Receipt of their Majeſties Exchequer, diſtinct and apart from the other monies which he or they ſhall receive for their Majeſties uſe.

Tally, Order, Regiſter and Payment in courſe.

Puniſhment upon Cuſtom-Receiver neglecting to pay, or miſapplying.

Puniſhment upon Officer taking Fee for Entry, &c.

Puniſhment for undue preference.

VII. And be it farther enacted by the authority aforeſaid, That there ſhall be provided and kept in their Majeſties Exchequer; (that is to ſay) in the Office of the Auditor of the Receipts one Book, in which all monies that ſhall be paid into the Exchequer, of or for the ſaid parts, as aforeſaid, ſhall be entred apart and diſtinct from all other monies paid or payable to their Majeſties, upon any account whatſoever; and that all and every perſon and perſons, Natives or Foreigners, Bodies Politick or Corporate, who ſhall lend any mony to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his or their Repayment, bearing the ſame date with the Tally; in which Order ſhall be alſo contained a Warrant for payment of Intereſt for forbearance, not exceeding the reſpective Rates aforeſaid, for his or their conſideration, to be paid every three months, until Re-payment of his Principal; and that all Orders for Repayment of mony ſhall be regiſtred in courſe, according to the date of the Tally reſpectively without preference of one before another; and that all and every perſon and perſons ſhall be paid in courſe according as their Orders ſhall ſtand regiſtred in the ſaid Book, ſo as that the Perſon, Native or Foreigner, his, her or their Executors, Adminiſtrators and Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Book, ſhall be taken and accounted as the firſt perſon to be paid upon the monies to come in by virtue of this Act; And he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in courſe; And that the monies to come in by this Act, ſhall be in the ſame Order lyable to the ſatisfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever: And if the ſaid Receiver or Receivers General, for the time being, ſhall refuſe or neglect to pay into the Exchequer the ſaid three parts of the mony ariſing, as aforeſaid, in ſuch manner as he or they are before required or enjoyned to do, or ſhall divert or miſapply any part of the ſame, then he or they for any ſuch offence ſhall forfeit his or their Office of Receiver or Receivers General, and be uncapable of any Office, Imployment or Place of Truſt whatſoever, and ſhall be liable to pay the full value of any Sum or Sums ſo diverted or miſapplied to any perſon or perſons who will ſue for the ſame by any Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Wager of Law, or Priviledge, or more than one Imparlance ſhall be granted or allowed; And that no Fee, Reward, or Gratuity directly or indirectly be demanded or taken of any their Majeſties Subjects, for providing or making of any ſuch Books, Regiſters, Entries, View or Search, as aforeſaid, or in or for the Payment of Mony lent, or the Intereſt, as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble Damages to the party grieved, by the party offending with Coſts of Suit; Or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his place alſo; And if any undue Preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt, Damages and Coſts to the party grieved, and ſhall be forejudged from his Place or Office; And if ſuch Preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make Payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner as aforeſaid: All which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any of the Officers aforeſaid, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

What preference lawful.

VIII. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for payment, as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue preference which of thoſe he enters firſt, ſo he enters them all the ſame day.

IX. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, and the Teller do pay ſubſequent Orders of perſons that come and demand their Mony, and bring their Order before other perſons that did not come to demand their Mony, and bring their Order in their courſe, ſo as there be ſo much Mony reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them (Intereſt upon Loan being to ceaſe from the time the Mony is ſo reſerved and kept in Bank for them.)

Order for Monies how aſſignable.

X. And be it farther enacted by the authority aforeſaid, That every perſon or perſons to whom any Monies ſhall be due, by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns, by

Indorſement of his Order, may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof, to any other, which being notified in the Office of the Auditor of Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid, for Orders (which the Officers ſhall upon Requeſt, without Fee or Charge accordingly make) ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns to the benefit thereof, and payment thereon: And ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties; And afterwards it ſhall not be in the power of ſuch perſon or perſons, who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any part thereof.

IX. And whereas in an Act made in the firſt Seſſion of the laſt Parliament, Entituled, An Act for Prohibiting all Trade and Commerce with *France*, there is contained a certain Clauſe or Proviſo, whereby it is enacted, That Gilbert Heathcote and Arthur Shallett of London, Merchants, or either of them, have leave to import into the Port of London any quantity of Spaniſh Brandy not exceeding two hundred Tuns at moſt, paying to their Majeſties all Duties payable upon the ſame before the ſaid Seſſion of Parliament aforeſaid, importing the ſame at or before the five and twentieth day of March, one thouſand ſix hundred and ninety; And foraſmuch as for want of Convoy the ſaid Gilbert Heathcote and Arthur Shallett have not been able to ſend out ſuch Goods as they have provided for Spain, nor to bring home their ſaid Brandy from thence, and the time limited by the ſaid Act for importing the ſaid Brandy is now near expiring; Be it therefore enacted by the authority aforeſaid, That the ſaid Gilbert Heathcote and Arthur Shallett, or either of them, have leave to import the ſaid two hundred Tuns of Spaniſh Brandy, into the ſaid Port of London, at or before the firſt day of November next, under the ſame Conditions, Reſtrictions and Limitations, as in the ſaid Act for that purpoſe are mentioned and expreſſed, and no other.

Cap. 34.

G. Heathcote, &c. may import 200 Tun of Brandy before November.

CAP. V.

An Act for enabling the Sale of Goods diſtrained for Rent, in caſe the Rent be not paid in a reaſonable time.

Whereas the moſt ordinary and ready way for Recovery of Arrears of Rent is by Diſtreſs, yet ſuch Diſtreſſes not being to be ſold, but only detained as Pledges for enforcing the payment of ſuch Rent, the perſons diſtraining have little benefit thereby; for the remedying whereof,

Preamble.

II. Be it enacted and ordained by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of June, in the year of our Lord one thouſand ſix hundred and ninety, That where any Goods or Chattels ſhall be diſtrained for any Rent reſerved and due upon any Demiſe, Leaſe or Contract whatſoever, and the Tenant or Owner of the Goods ſo diſtrained, ſhall not within five days next after ſuch Diſtreſs taken and notice thereof (with the cauſe of ſuch taking) left at the chief Manſion Houſe, or other moſt notorious place on the Premiſſes, charged with the Rent diſtrained for, replevy the ſame, with ſufficient Security to be given to the Sheriff, according to Law, That then in ſuch Caſe after ſuch Diſtreſs and Notice as aforeſaid, and expiration of the ſaid five days, the perſon diſtraining ſhall and may with the Sheriff or Under-Sheriff of the County, or with the Conſtable of the Hundred, Pariſh or place where ſuch Diſtreſs ſhall be taken, (who are hereby required to be aiding and aſſiſting therein) cauſe the Goods and Chattels ſo diſtrained, to be appraiſed by two ſworn Appraiſers (whom ſuch Sheriff, Under-Sheriff, or Conſtable are hereby impowred to ſwear) to appraiſe the ſame truly according to the beſt of their Underſtandings; and after ſuch appraiſment ſhall and may lawfully ſell the Goods and Chattels ſo diſtrained, for the beſt price can be gotten for the ſame, towards ſatisfaction of the Rent for which the ſaid Goods and Chattels ſhall be diſtrained, and of the Charges of ſuch Diſtreſs, Appraiſment and Sale, leaving the Overplus (if any) in the Hands of the ſaid Sheriff, Under-Sheriff or Conſtable for the Owners uſe.

Goods diſtrained for Rent may be appriſed and ſold.

III. And whereas no Sheaves or Cocks of Corn looſe or in the Straw, or Hay in any Barn or Granery, or on any Hovel, Stack or Rick, can by the Law be diſtrained, or otherwiſe ſecured for Rent, whereby Landlords are oftentimes couſened and deceived by their Tenants, who ſell their Corn, Grain and Hay to Strangers, and remove the ſame from the Premiſſes chargeable with ſuch Rent, and thereby avoid the payment of the ſame; Be it farther enacted by the authority aforeſaid, That for remedying the ſaid practice and deceit, It ſhall and may, from and after the ſaid firſt day of June, be lawful to and for any perſon or perſons having Rent, Arrear and Due upon any ſuch Demiſe, Leaſe or Contract, as aforeſaid, to ſeize and ſecure any Sheaves or Cocks of Corn, or Corn looſe or in the Straw, or Hay lying or being in any Barn or Granery, or upon any Hovel, Stack or Rick, or otherwiſe upon any part of the Land or Pound charged with ſuch Rent, and to lock up or detain the ſame in the place where the ſame ſhall be found for or in the nature of a Diſtreſs, until the ſame ſhall be replevied upon ſuch Security to be given as aforeſaid; and in default of replevying the ſame, as aforeſaid, within the time aforeſaid, to ſell the ſame after ſuch appraiſment thereof to be made; ſo as nevertheleſs ſuch Corn, Grain or Hay ſo diſtrained, as aforeſaid, be not removed by the perſon or perſons diſtraining, to the damage of the Owner thereof, out of the place where the ſame ſhall be found and ſeized, but be kept there (as impounded) until the ſame ſhall be replevied, or ſold in default of replevying the ſame within the time aforeſaid.

Corn looſe, &c. may be detained and ſold.

Treble Damages for Pound-breach.

IV. And be it farther enacted by the authority aforeſaid, That upon any Pound-breach or Reſcous of Goods or Chattels diſtrained for Rent, the perſon or perſons grieved thereby, ſhall in a ſpecial Action upon the Caſe for the Wrong thereby ſuſtained, recover his and their treble Damages and Coſts of Suit againſt the Offender or Offenders in any ſuch Reſcous or Pound-Breach, any or either of them, or againſt the Owners of the Goods diſtrained, in caſe the ſame be afterwards found to have come to his uſe or poſſeſſion.

Double Damages and Coſts againſt wrongful Diſtreiner.

V. Provided always, and be it farther enacted, That in caſe any ſuch Diſtreſs and Sale as aforeſaid, ſhall be made by virtue or colour of this preſent Act for Rent, pretended to be arrear and due, where in truth no Rent is arrear or due to the perſon or perſons diſtraining, or to him or them in whoſe Name or Names, or Right, ſuch Diſtreſs ſhall be taken, as aforeſaid, That then the Owner of ſuch Goods or Chattels diſtrained and ſold, as aforeſaid, his Executors or Adminiſtrators, ſhall and may by Action of Treſpaſs, or upon the Caſe, to be brought againſt the perſon or perſons ſo diſtraining, any or either of them, his or their Executors or Adminiſtrators, recover double of the value of the Goods or Chattels ſo diſtrained and ſold, together with full Coſts of Suit.

CAP. VI.

An Act for the Exerciſe of the Government by her Majeſty during his Majeſty's Abſence.

Preamble.

WHereas by an Act of Parliament made in the firſt year of their Majeſties Reign, Entituled, An Act Declaring the Rights and Liberties of the Subject, and Settling the Succeſſion of the Crown, It is amongſt other things enacted, eſtabliſhed and declared, That the Crown and Regal Government of the Kingdoms of England and Ireland, and the Dominions thereunto belonging ſhall be and continue to their ſaid Majeſties and the Survivor of them during their Lives and the Life of the Survivor of them, and that the entire, perfect and full Exerciſe of the Regal Power and Government be only in and executed by his Majeſty in the Names of both their Majeſties during their joint Lives; And whereas the King's moſt excellent Majeſty hath reſolved to make a Royal Voyage, and go in Perſon into Ireland for the ſpeedy and effectual reducing of that Kingdom to its due Obedience to their Majeſties, and hath likewiſe declared his pleaſure to leave the Adminiſtration of the Government in the Hands of the Queens moſt excellent Majeſty during his Abſence out of this Kingdom,

The Queen ſhall govern in the Kings Abſence.

II. Be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whenſoever, and as often as it ſhall happen that his ſaid Majeſty ſhall be abſent out of this Realm of England, It ſhall and may be lawful for the Queens Majeſty to exerciſe and adminiſter the Regal Power and Government of the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, and the Plantations and Territories thereunto belonging, in the Names of both their Majeſties for ſuch time only, during their joint Lives, as his ſaid Majeſty ſhall be abſent or continue out of this Realm of England; any thing in the ſaid Act to the contrary notwithſtanding.

The Kings Acts in his abſence good.

III. Provided always, That nothing in this Act ſhall be taken or conſtrued to exclude or debar his Majeſty during ſuch his abſence out of this Realm, from the Exerciſe or Adminiſtration of any Act or Acts of Regal Power or Government within this Realm, the Kingdom of Ireland, or any other their Majeſties Dominions whatſoever; But that all and every ſuch Act and Acts ſhall be as good and effectual, as if his Majeſty was within this Realm, and ſhall not be contradicted or controlled but by his Majeſty only; And that neither the paſſing of this Act, nor his Majeſty's Royal Voyage or Abſence out of this Realm ſhall be any way taken or conſtrued to diſſolve this preſent Parliament, or avoid or determine any Commiſſion or Commiſſions, which have been or ſhall be granted by his or their Majeſties; Nor to avoid any other Act or Acts of Government, executed or to be executed by his Majeſty.

King when in England to govern.

IV. Provided always, That as often as his Majeſty ſhall return into this Kingdom of England, the ſole Adminiſtration of the Regal Power and Government thereof, and all the Dominions, Territories and Plantations thereunto belonging or annexed, ſhall be in his Majeſty only, as if this Act had never been made.

CAP. VII.

An Act to Declare the Right and Freedom of Election of Members to ſerve in Parliament for the *Cinque-Ports.*

Preamble.

WHereas the Election of Members to ſerve in Parliament ought to be Free; And whereas the late Lord Wardens of the Cinque-Ports have pretended unto, and claimed as of Right a Power of Nominating and Recommending to each of the ſaid Cinque-Ports, the two ancient Towns and their reſpective Members, one perſon whom they ought to elect to ſerve as a Baron or Member of Parliament for ſuch reſpective Port, ancient Town or Member contrary to the ancient Uſage, Right and Freedom of Elections:

Recommendations of Members to the Cinque-Ports void.

II. Be it therefore declared and enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all ſuch Nominations or Recommendations, were and are contrary to the Laws and Conſtitutions of this Realm, and for the future ſhall be ſo deemed and conſtrued, and hereby are declared to have been and are void to all intents and purpoſes whatſoever; any pretence to the contrary notwithſtanding.

CA

CAP. VIII.

An Act for Reverſing the Judgment in a *Quo Warranto* againſt the City of *London*, and for Reſtoring the City of *London* to its ancient Rights and Priviledges.

Preamble.

WHereas a Judgment was given in the Court of Kings Bench in or about Trinity Term in the five and thirtieth year of the Reign of the late King Charles the Second, upon an Information in the nature of a Quo Warranto, exhibited in the ſaid Court againſt the Mayor and Commonalty and Citizens of the City of London, That the Liberty, Priviledge and Franchiſe of the ſaid Mayor and Commonalty and Citizens, being a Body Politick and Corporate ſhould be ſeized into the Kings Hands as forfeited: And foraſmuch as the ſaid Judgment, and the Proceedings thereupon is and were illegal and arbitrary; and for that the Reſtoring of the ſaid Mayor and Commonalty and Citizens, to their ancient Liberties, of which they had been deprived, tends very much to the Peace and good Settlement of this Kingdom.

Judgment againſt the City Charter void.

II. Be it declared and enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Judgment given in the ſaid Court of Kings Bench in the ſaid Trinity Term, in the five and thirtieth year of the Reign of the ſaid King Charles the Second, or in any other Term; And all and every other Judgment given or recorded in the ſaid Court, for the ſeizing into the ſaid late Kings Hands, the Liberty, Priviledge or Franchiſe of the Mayor and Commonalty and Citizens of the City of London, of being of themſelves a Body Corporate and Politick, by the Name of the Mayor and Commonalty and Citizens of the City of London, and by that Name to plead and be impleaded, and to anſwer and to be anſwered, or in what manner or words ſoever ſuch Judgment was entred, is, ſhall be, and are hereby reverſed, annulled and made void, to all intents and purpoſes whatſoever; and that Vacates be entred upon the Rolls of the ſaid Judgment, for the Vacating and Reverſal of the ſame accordingly.

London made a Corporation.

III. And be it farther declared and enacted by the authority aforeſaid, That the Mayor and Commonalty, and Citizens of the City of London, ſhall and may for ever hereafter remain, continue, and be, and preſcribe to be a Body Corporate and Politick, in re, facto & nomine, by the Name of Mayor and Commonalty, and Citizens of the City of London, and by that Name and all and every other Name and Names of Incorporation, by which they at any time before the ſaid Judgment were incorporated, to ſue, plead and be impleaded, and to anſwer and to be anſwered, without any Seizure or Forejudger of the ſaid Franchiſe, Liberty and Priviledge, or being thereof excluded or ouſted, for or upon any pretence of any Forfeiture or Miſdemeanour at any time heretofore or hereafter to be done, committed or ſuffered; And the ſaid Mayor and Commonalty, and Citizens of the ſaid City, ſhall and may, as by Law they ought, peaceably have and enjoy all and every their Rights, Gifts, Charters, Grants, Liberties, Priviledges, Franchiſes, Cuſtoms, Uſages, Conſtitutions, Preſcriptions, Immunities, Markets, Duties, Tolls, Lands, Tenements, Eſtates and Hereditaments whatſoever, which they lawfully had, or had lawful Right, Title or Intereſt of, in or to, at the time of the recording or giving the ſaid Judgment, or at the time or times of the ſaid pretended Forfeitures.

Their Liberties granted to them.

Grants ſince the Judgment void.

IV. And be it enacted by the authority aforeſaid, That all Charters, Letters Patents, and Grants for incorporating the Citizens and Commonalty of the ſaid City, or any of them, and all Charters, Grants, Letters Patents, and Commiſſions touching or concerning any of their Liberties or Franchiſes, or the Liberties, Priviledges, Franchiſes, Immunities, Lands, Tenements and Hereditaments, Rights, Titles or Eſtates of the Mayor and Commonalty, and Citizens of the City of London, made or granted to any perſon or perſons whatſoever, by the late King Charles the Second, ſince the ſaid Judgment given, or by the late King James the Second, be and are hereby declared and adjudged null and void to all intents and purpoſes whatſoever.

Proceſs in the Mayors Court &c. good.

V. Provided nevertheleſs, That no Recoveries, Verdicts, Judgments, Statutes, Recognizances, Inquiſitions, Indictments, Preſentments, Informations, Decrees, Sentences, Executions, nor any Plaints, Proceſs or Proceedings in Law or Equity, had, made, given, taken or done, or depending in the Mayor or either of the Sheriffs Courts, or any other Court within the ſaid City or Liberties thereof, ſince the ſaid Judgment given, ſhall be avoided for want or defect of any legal Power in thoſe that acted as Judges, Juſtices, Officers or Miniſters of, in, or as belonging to any of the ſaid Courts; But that all and every ſuch Recoveries, Verdicts, Judgments, and other things above mentioned, and the Actings, Doings and Proceedings thereupon, ſhall be of ſuch and no other force, effect and virtue, then as if ſuch Judges, Juſtices, Officers and Miniſters had acted by virtue of legal authority; and that no perſon or perſons ſhall be in any wiſe proſecuted, ſued, impeached or moleſted for any cauſe or thing by him or them lawfully acted or done, in purſuance of any ſuch Charters, Letters Patents, Grants or Commiſſions.

Perſons not qualified lyable

VI. Provided that this Act ſhall not extend to diſcharge any perſon or perſons from any penalty or penalties or forfeitures by him or them incurred, for not duly qualifying him or themſelves to act upon the ſaid Charters, Letters Patents, Grants or Commiſſions.

Officers at the time of the Judgment confirmed.

VII. And be it enacted by the authority aforeſaid, That all Officers and Miniſters of the ſaid City, that rightfully held any Office or Place in the ſaid City or Liberties thereof, or in the Borough of Southwark, at the time when the ſaid Judgment was given, are hereby confirmed, and ſhall have and enjoy the ſame as fully as they held them at the time of the ſaid Judgment given; except ſuch as have voluntarily ſurrendred any ſuch Office or Place, or have been removed for any juſt Cauſe; and that every perſon who ſince the ſaid Judgment given, hath been choſen, admitted and placed into any Office or Employment within the ſaid

City, upon the Death, Surrender or Removal, as aforeſaid, of the former Officers, ſhall be, and is hereby confirmed in his ſaid Office or Employment, and ſhall have and enjoy the ſame in as full and ample manner, as if he had been admitted or placed therein according to the ancient Cuſtoms of the ſaid City.

Leaſes made ſince the Judgment, good.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That all Leaſes and Grants of any of the Lands, Tenements, Hereditaments and other things, before the time of the ſaid Judgment given, belonging to the ſaid Mayor and Commonalty and Citizens, and uſually leaſed or granted by them, made ſince the time of the ſaid Judgment given by the ſaid late King Charles the Second, or King James the Second, or by any perſon or perſons taking upon them to be Truſtees for the ſaid City, for the preſervation or maintenance of the Government or publick Offices of the ſaid City, by or upon pretence of any Grant or Commiſſion by their ſaid late Majeſties, King Charles the Second and King James the Second, or either of them, ſuch Grants and Leaſes being made for juſt, good and valuable conſiderations, and whereupon the old accuſtomed yearly Rent or more, hath been reſerved, payable into the Chamber or Bridgehouſe, or any of the Hoſpitals of the ſaid City, ſhall be as good and valid for the Terms, and under the Rents, Payments, Proviſoes, Conditions, Covenants and Agreements therein reſpectively contained, againſt the Mayor and Commonalty and Citizens of the ſaid City, and their Succeſſors, as if the ſame had been made by the Mayor and Commonalty and Citizens of the ſaid City, under their Common Seal, and the ſaid Judgment had never been given, and not otherwiſe: And the ſaid Mayor and Commonalty and Citizens, and their Succeſſors ſhall have the benefit and advantage of all Rents, Reſervations, Payments, Conditions, Covenants, Clauſes and Agreements in every ſuch Grant or Leaſe contained, and the like Remedy for Non-payment, Breach or Non-obſervance thereof, as if the ſaid Grants or Leaſes had been made by the ſaid Mayor and Commonalty and Citizens, and the ſaid Rents, Payments, Conditions, Covenants, Clauſes and Agreements had been made payable, reſerved, covenanted or agreed to, and with the ſaid Mayor and Commonalty and Citizens.

Judgments for the City good.

IX. And be it farther enacted by the authority aforeſaid, That all Judgments, Decrees and Sentences had or obtained by any perſon or perſons taking upon them to be Truſtees, as aforeſaid, for or concerning any Lands, Tenements, Duties, Tolls and Intereſts whatſoever, of or belonging to the ſaid Mayor and Commonalty and Citizens of the ſaid City, ſhall ſtand and remain in force, and ſhall be proſecuted and executed by, and to, and for the uſe of the ſaid Mayor and Commonalty and Citizens, as if the ſame had been obtained in the Name of the ſaid Mayor and Commonalty and Citizens; And that all perſons being natural born Subjects or Denizens, that have been admitted into the Freedom of the ſaid City ſince the ſaid Jugdment given, ſhall be free thereof, and have and enjoy the ſaid Freedom to all intents and purpoſes as if they had been thereunto admitted before the ſaid Judgment given.

Freedoms good.

Mayor, &c. continue till new Election.

X. Provided always, That the preſent Mayor, Sheriffs, Chamberlain and Common-Council of the ſaid City, ſhall continue until a new Election ſhall be made of ſuch Officers, and the perſons elected ſworn into their reſpective Offices, and that ſuch new Election be made at the times hereafter mentioned; that is to ſay, the Election of the Mayor and Sheriffs and Chamberlain, ſhall be made on the ſix and twentieth day of May, in the year one thouſand ſix hundred and ninety; And the Election of the Common Council, ſhall be made on the tenth day of June, in the year one thouſand ſix hundred and ninety; And ſuch perſons ſo elected, ſhall continue till the uſual times of Election of ſuch Officers, according to the ancient Uſage and Cuſtom of the ſaid City, and from thence ſhall continue for the year enſuing.

Old Mayor, &c. in, if no Choice.

XI. Provided nevertheleſs, and be it enacted, That if the Mayor, Sheriffs, Chamberlain and Common Council ſhall not be elected at the times hereby limited, the Mayor, Sheriffs, Chamberlain, and Commonn Council, which were in being at the time of the ſaid Judgment given, ſhall be and continue in thoſe reſpective Offices and places, till new Elections be made of the like Officers and Common Council, according to the ancient Uſage and Cuſtom of the ſaid City.

Perſons reſtored, &c. take new Oaths. Cap. 8.

XII. And be it farther enacted, That all perſons ſo to be reſtored and continued, ſhall be, and are hereby required to take the Oaths appointed by a certain Act made in the firſt year of their Majeſties Reign, Entituled, An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths, the next Term after ſuch Reſtitution, under the Penalties, Forfeitures, Diſabilities and Incapacities in the ſaid Act provided and appointed.

Mayor, &c. ſworn as uſual.

XIII. And be it enacted, That the Mayor, Sheriffs and Chamberlain ſo to be elected, ſhall be ſworn in uſual manner on or before the twentieth day of June next enſuing.

Companies reſtored.

XIV. And be it enacted by the authority aforeſaid, That all and every of the ſeveral Companies and Corporations of the ſaid City, ſhall from henceforth ſtand and be incorporated by ſuch Name and Names, and in ſuch ſort and manner as they reſpectively were at the time of the ſaid Judgment given, and every of them are hereby reſtored to all and every the Lands, Tenements, Hereditaments, Rights, Titles, Eſtates, Liberties, Powers, Priviledges, Precedencies and Immunities, which they lawfully had and enjoyed at the time of giving the ſaid Judgment; And that as well all Surrenders, as Charters, Letters Patents and Grants for new incorporating any of the ſaid Companies, or touching or concerning any of their Liberties, Priviledges or Franchiſes, made or granted by the ſaid late King James, or by the ſaid King Charles the Second, ſince the giving of the ſaid Judgment, ſhall be void, and are hereby declared null and void, to all intents and purpoſes whatſoever. Provided nevertheleſs, That no perſon or perſons ſhall be in any wiſe proſecuted, ſued, impeached or moleſted for any Cauſe or Thing by him or them lawfully acted or done in purſuance of any ſuch Charters, Letters Patents or Grants.

XV. Provided

Leaſes made ſince the Judgment good.

XV. Provided alſo nevertheleſs, and it is hereby farther enacted by the authority aforeſaid, That all Leaſes, Terms and Eſtates made or granted by any of the ſaid Companies ſince the giving of the ſaid Judgment, for juſt and valuable Conſiderations, and whereupon the old accuſtomed yearly Rents or more are reſerved, ſhall ſtand and be of the ſame force and effect, as if the ſame had been made or granted by the ſaid ſeveral Companies as hereby reſtored; and the ſaid reſpective Companies and their Succeſſors, ſhall have the benefit and advantage of all Rents, Reſervations, Payments, Conditions, Covenants, Clauſes and Agreements in all and every ſuch Leaſe or Grant contained, and the like remedy therefore, as if the ſame Grants and Leaſes had been made by the ſaid reſpective Companies as now reſtored, and the ſaid Rents, Payments, Conditions, Covenants, Clauſes and Agreements had been made payable, reſerved, covenanted and agreed to or with them reſpectively.

Freedoms good.

XVI. Provided alſo, and be it enacted, That all and every perſon and perſons, who at any time ſince the ſaid Judgment have been admitted into the Freedoms of, or into the Liveries of the ſaid Companies, according to the Uſages and Cuſtoms of the ſaid City, and their reſpective Companies, ſhall be, and enjoy all the Rights and Priviledges of a Freeman and of a Livery-man, to all intents and purpoſes, as if they had been admitted before the ſaid Judgment.

Publick Act.

XVII. Provided always, and be it enacted by the authority aforeſaid, That this preſent Act of Parliament ſhall be accepted, taken and reputed to be a General and Publick Act of Parliament; Of which all and every the Judge and Judges of this Kingdom in all Courts ſhall take notice on all Occaſions whatſoever, as if it were a publick Act of Parliament relating to the whole Kingdom; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

CAP. IX.

An Act for the diſcouraging the Importation of Thrown Silk.

Preamble.

WHereas the Importation of ſome ſorts of Thrown Silk into this Realm, is greatly prejudicial to the Exportation of the Woollen Manufactures thereof, and tends very much to the Impoveriſhing great Numbers of Artificers, whoſe Livelyhood and Subſiſtence depends upon the Throwing of Raw Silk, and if longer permitted, may endanger the Overthrowing of that Art or Myſtery in this Nation: And whereas of late, great quantities of Thrown Silk have been imported from ſeveral Parts and Places in Europe, which are not the places of its Growth or Production, and thereby the true intent and meaning of the Act, made in the twelfth year of King Charles the Second, Entituled, An Act for the Encouragement and Increaſing of Shipping and Navigation, is evaded: For the prevention of which miſchiefs, and for the better Encouraging the ſeveral Manufactures of this Kingdom, and of that uſeful and National Trade into Turkey, and the better ſupporting the Art of Throwing Silk in this Realm, and the Poor therein employed.

12 Car. 2. 18.

Thrown Silk no Manufacture within 12 Car. 2. 18.

II. Be it declared and enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Throwing of Silk, is not, nor ought to be conſtrued a Manufacture within the intention of the ſaid Act, for the Encouraging and Increaſing of Shipping and Navigation; and that no Thrown Silk of the Growth or Production of Turkey, Perſia, Eaſt-India or China, or of any other Country or place, (except only ſuch Thrown Silk, as is, or ſhall be of the Growth or Production of Italy, Sicily or of the Kingdom of Naples, and which ſhall be imported in ſuch Ships or Veſſels, and navigated in ſuch manner as in the ſaid Act of Navigation is directed or allowed, and brought from ſome of the Ports of thoſe Countries or places, whereof the ſame is of the Growth or Production, and which ſhall come directly by Sea and not otherwiſe;) ſhall at any time after the five and twentieth day of May, in the year of our Lord, one thouſand ſix hundred and ninety, be brought or imported into the Kingdom of England, Dominion of Wales, the Iſlands of Jerſey or Guernſey, or the Town of Berwick upon Tweed, under the Penalty and Forfeiture of all ſuch Thrown Silk, ſo imported contrary to the purport, true intent and meaning of this Act; one moiety whereof ſhall be to the uſe of the King and Queens Majeſties, their Heirs and Succeſſors; and the other moiety thereof to ſuch perſon or perſons as ſhall ſeize, inform or ſue for the ſame, to be recovered by Bill, Plaint, Information or other Action, in any of their Majeſties Courts of Record, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed.

Thrown Silk how imported.

Penalty.

Thrown Silk from Italy.

III. Provided nevertheleſs, That this Act ſhall not extend to any Thrown Silk of the Growth or Production of Italy, Sicily or Kingdom of Naples, that ſhall be brought in, or imported into England, otherwiſe then by this Act is directed, at, or before the firſt day of September, one thouſand ſix hundred and ninety, and which ſhall be proved by the Oath of the Party, his Servant or Agent, to whom the ſame doth belong or appertain, to have been provided and bought, by his and their Order from England, in ſome part or place in Italy, Sicily or the Kingdom of Naples, at, or before the firſt day of June, one thouſand ſix hundred and ninety; which ſaid Oath the Commiſſioners of the Cuſtoms, or any two of them, for the time being, are hereby impowred to adminiſter.

Thrown Silk from India, &c.

IV. Provided always, That no Thrown Silk, laden in India, Perſia or China to be imported into England, on, or before the twentieth day of September, one thouſand ſix hundred ninety one, ſhall be liable to any Forfeiture, by virtue of this Act; any thing to the contrary in any wiſe notwithſtanding. Vid. 5 & 6 W. & M. Cap. 3.

CAP. X.

An Act for the King and Queens moſt Gracious, General and Free Pardon.

Preamble.

THE King and Queens moſt excellent Majeſties, taking into their ſerious Conſideration the long and great Troubles and Diſcords that have been within this Kingdom, and that by occaſion thereof, and otherwiſe, many of their Subjects are fallen into danger of, and lie open to great Penalties and Forfeitures; and withal graciouſly conſidering the faithful Hearts, and dutiful Affections of their loyal Subjects: Out of an earneſt deſire to deliver their Subjects from the Penalties and Forfeitures aforeſaid, and to the intent that their Offences may not hereafter be brought in Judgment, Queſtion or Remembrance, to the leaſt endamagement of them, either in their Lives, Liberties, Eſtates or Reputations, but that they, having an entire Confidence in their Majeſties, and perfect Union among themſelves, may be encouraged in their Duty to their Majeſties Government, and more fully and ſecurely enjoy the benefit of it; Their Majeſties are of their Princely and Merciful Diſpoſition and meer Motion, moſt graciouſly inclined to extend unto them their General and Free Pardon, and that in a more bountiful manner then hath been accuſtomed: Their Majeſties aſſuredly truſting, that all their Subjects by this Clemency and indulgent Grace, will be the rather induced henceforth more carefully to obſerve the Laws, and perform their loyal and due Obedience to their Majeſties.

All perſons pardoned of Treaſon, &c.

II. And therefore their Majeſties are well pleaſed and contented, That it be enacted by authority of this preſent Parliament, and be it enacted by authority of the ſame in manner and form following; that is to ſay, That all and every the ſaid Subjects, as well Spiritual as Temporal, of this their Majeſties Realm of England, Dominion of Wales, and Town Berwick upon Tweed, their Heirs, Succeſſors, Executors and Adminiſtrators, and every of them; and all and ſingular Bodies in any manner of wiſe Corporated, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets and Tythings, and every of them, and the Succeſſor and Succeſſors of every of them, ſhall be by authority of this preſent Parliament acquitted, pardoned, releaſed and diſcharged againſt their Majeſties, their Heirs and Succeſſors, and every of them, of and from all manner of Treaſons, Felonies, Miſpriſions of Treaſon, Treaſonable or Seditious Words or Libels, Miſpriſions of Felony, Seditious and unlawful Meetings and Conventicles, and all Offences whereby any perſon may be charged with the Penalty and Danger of Præmunire; and alſo of and from all Riots, Routs, Offences, Contempts, Treſpaſſes, Entries, Wrongs, Deceits, Miſdemeanours, Forfeitures, Penalties and Sums of Mony, Pains of Death, Pains Corporal and Pains Pecuniary, and generally of and from all other Things, Cauſes, Quarrels, Suits, Judgments and Executions in this preſent Act not hereafter excepted or foreprized, which may be, or can be by their Majeſties in any wiſe, or by any means pardoned, before the ſixteenth day of May, in the year of our Lord, one thouſand ſix hundred and ninety, to any of the Subjects or Bodies Corporate aforeſaid.

The Pardon to be as good as if all things were particularly named.

III. And alſo the King and Queen's moſt excellent Majeſties are contented that it be enacted by authority of this preſent Parliament, and be it enacted by authority of the ſame, That this their Free Pardon ſhall be as good and effectual in Law to every of their ſaid Subjects, Bodies Corporate, and others before rehearſed, in, for, and againſt all things which be not hereafter in this preſent Act excepted and foreprized, as the ſame Pardon ſhould have been, if all Offences, Contempts, Forfeitures, Cauſes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things not hereafter in this preſent Act excepted and forepriſed, had been particulary, ſingularly, ſpecially and plainly named, rehearſed and ſpecified, and alſo pardoned by proper and expreſs Words and Names, in their Kinds, Natures and Qualities by Words and Terms thereunto requiſite to have been put in and expreſſed in this preſent Act of Free Pardon; and that their ſaid Subjects or any of them, the Heirs, Executors or Adminiſtrators of any of them, or the ſaid Bodies Corporate and others before named and rehearſed, or any of them be not nor ſhall be ſued, vexed or unquieted in their Bodies, Goods, Chattels, Lands or Tenements for any manner of Matter, Cauſe, Contempt, Miſdemeanour, Forfeiture, Treſpaſs, Offence, or any other thing ſuffered, done or committed, or omitted before the ſaid ſixteenth day of May, againſt their Majeſties, their Crown, Dignity, Prerogative, or the Laws or Statutes of this Realm, but only for ſuch Matters, Cauſes and Offences, as be rehearſed, mentioned or in ſome ways touched in the Exceptions of this preſent Act to be forepriſed and excepted, and for none other; any Statute or Statutes, Laws, Cuſtoms or Uſages heretofore had, made or uſed to the contrary in any wiſe notwithſtanding.

Grant of all Forfeitures to the Subject.

IV. And their Majeſties of their bounteous Liberality, and by the authority of this preſent Parliament, do grant and freely give to every of their Subjects, every of the ſaid Bodies Corporate, and others before rehearſed, and every of them, all Goods, Chattels, Debts, Fines, Iſſues, Profits, Amerciaments, Forfeitures and Sums of Mony by any of them forfeited, which to their Majeſties do or ſhall belong or appertain by reaſon of any Offence, Contempt, Treſpaſs, Entry, Miſdemeanour, Matter, Cauſe or Quarrel, ſuffered, done or committed by them, or any of them before the ſaid ſixteenth day of May, which be not hereafter in this preſent Act forepriſed and excepted.

Grants to any or Executions upon Forfeitures void.

V. And be it enacted nevertheleſs, That all Grants thereof, or of any part thereof, made by any ſuch as have ſo forfeited the ſame, and are hereby reſtored, as aforeſaid, and all Executions thereof, or of any part thereof, had againſt any ſuch after ſuch Forfeiture thereof, committed or made, ſhall be of ſuch force and effect, as if no ſuch Forfeiture had been had or made, and of no other; The ſame Forfeiture or any thing before in this Act to the contrary notwithſtanding.

VI. And be it farther enacted, That all and every their Majeſties Subjects, and all and ſingular Bodies Corporate, and others before rehearſed, may by him or themſelves, or by his or their Deputy or Deputies, or by his or their Attorny or Attornies, according to the Law of this Realm plead and miniſter this preſent Act of Free Pardon for his or their Diſcharge of or for any thing that is by virtue of this preſent Act pardoned, diſcharged, given or granted, without any Fee or other thing paying to any perſon or perſons, for Writing or Entry of the Judgments or other Cauſe concerning ſuch Plea, Writing or Entry, but only ſixteen pence to be paid to the Officer or Clerk that ſhall enter ſuch Plea, Matter for Judgment, or the Parties Diſcharge in that behalf, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Any perſon may plead this Pardon.

VII. And farthermore, their Majeſties are contented and pleaſed that it be enacted by the authority aforeſaid, That this their Free Pardon, by the general Words, Clauſes and Sentences before rehearſed, ſhall be reputed, deemed, adjudged, expounded, allowed and taken in all manner of Courts of their Majeſties and elſewhere, moſt beneficial and available to all and ſingular the ſaid Subjects, Bodies Corporate, and others before rehearſed, and to every of them in all things not in this preſent Act excepted and foreprized, without any Ambiguity, Queſtion or other Delay whatſoever, to be made, pleaded, objected, or alledged by the King and Queens Majeſties, their Heirs or Succeſſors, or their or any of their General Attorny or Attornies, or by any perſon or perſons for their Majeſties, or any of their Heirs or Succeſſors.

To be allowed without delay, &c.

VIII. And be it farther enacted by the authority aforeſaid, That if any Officer or Clerk of any of their Majeſties Courts, commonly called the Chancery, Kings-Bench, Common Pleas or Exchequer, or any other Officer or Clerk, of any other their Majeſties Courts, within this Realm, at any time after the laſt day of Eaſter Term next, make out or write out any Writs, Proceſs, Summons or other Precept, whereby any of the ſaid Subjects, or of the Bodies Corporate, or others before rehearſed, or any of them, ſhall be in any wiſe arreſted, attached, diſtrained, ſummoned or otherwiſe vexed, inquieted or grieved, in his or their Bodies, Lands, Tenements, Goods or Chattels, or any of them, for, or becauſe of any manner of thing pardoned or diſcharged by virtue of this Act; or if any Sheriff, or Eſcheatour, or any their Deputy or Deputies, or any Bailiff, or other Officer whatſoever, by colour of his or their Office or otherwiſe, after the ſaid laſt day of Eaſter Term next, do levy, receive, take or withhold, of, or from any perſon or perſons, any thing pardoned or diſcharged by this Act, That then every ſuch perſon ſo offending, and thereof lawfully convicted or condemned, by any ſufficient Teſtimony, Witneſs or Proof, ſhall yield and pay for Recompence thereof to the party ſo grieved or offended thereby, his or their treble Damages, beſides all Coſts of the Suit; and ſhall alſo forfeit and loſe to the King and Queens Majeſties for every ſuch Offence ten pounds: And nevertheleſs, all and ſingular ſuch Writs, Proceſs and Precepts, ſo to be made, for, or upon any manner of thing pardoned or diſcharged by this preſent Act of Free Pardon, ſhall be utterly void and of none effect.

Penalty of Officer offending in making out Proceſs, or taking mony for things pardoned.

Proceſs void.

1. IX. Excepted and always foreprized out of this General and Free Pardon, all and all manner of High Treaſons and other Offences, committed or done by any perſon or perſons, againſt the King and Queens Majeſties moſt Royal Perſons, or either of them, and all Conſpiracies and Confederacies, traiterouſly had, committed or done, by any perſon or perſons, againſt their Majeſties moſt Royal Perſons, or either of them.

Exceptions. High-Treaſon.

2. X. And alſo excepted all and every manner of Treaſons committed or done by any perſon or perſons in Ireland, or in any the parts beyond the Seas, or in any other places out of this Realm, ſince the thirteenth day of February, in the year of our Lord, one thouſand ſix hundred eighty and eight; and alſo all Suits, Puniſhments, Outlawries, Judgments, Executions, Pains of Death, Forfeitures and Penalties, for, or by reaſon or occaſion of any the Treaſons and Offences before excepted.

Treaſons in Ireland.

3. XI. And alſo excepted out of this Free Pardon all Offences in Forging and falſe Counterfeiting the Great or Privy Seal, Sign Manual or Privy Signet, or of any of the Monies currant within this Realm; and alſo all Offences of unlawful diminiſhing any of the ſaid monies, by any ways or means whatſoever, contrary to the Laws and Statutes of this Realm; and all Miſpriſions and Concealments of the Treaſons before excepted; and all abetting, aiding, comforting and procuring of the ſame Offences, or any of the ſaid Treaſons before excepted.

Forging the Great Seal, &c.

4. XII. And alſo excepted out of this Pardon all manner of voluntary Murders, Petit Treaſons, and wilful Poiſonings, done or committed by any perſon or perſons, and all and every the Acceſſaries of the ſame Offences, or any of them.

Murders, &c.

5. XIII. And alſo excepted and foreprized out of this General Pardon all Piracies and Robberies done upon the Seas, and all and every procuring or abetting any ſuch Offenders, and the comforting and receiving of them or any of them, or of any Goods taken by way of Piracy or Robbery upon the Seas, as aforeſaid.

Piracies, &c.

6. XIV. And alſo excepted out of this Pardon all Burglaries, and all breaking into and ſtealing out of any Dwelling-houſe or Houſes in the day, and all Acceſſaries to any the ſaid Burglaries and Felonies.

Burglaries, &c.

7. XV. And alſo except all Robberies of Churches, and ſtealing any Plate, Utenſils or Goods of or belonging to the ſame; and alſo all Robberies committed upon any perſon or perſons in or near the High-way.

Robberies.

8. XVI. And alſo excepted the deteſtable or abominable Vice of Buggery committed with Mankind or Beaſt.

Buggery.

9. XVII. And alſo excepted all Rapes and Carnal Raviſhments of Women.

Rape.

10. XVIII. And alſo excepted all Raviſhments, and wilful taking away or marrying of any Maid, Widow or Damſel againſt her Will, or without the aſſent or agreement of her Parents, or of ſuch as then had her in Cuſtody; And all Offences of aiding and comforting,

Taking away Women.

procuring or abetting any ſuch Raviſhments, wilful taking or marrying, had, committed or done.

Perjury, Forgery, Subornation.

XIX. And alſo excepted out of this Pardon all Offences of Perjury, and the Subornation of Witneſſes, and endeavouring to bribe and corrupt any perſon to give a falſe Teſtimony, and the Offences of Forging and Counterfeiting, and Solicitation of Forging or Counterfeiting any Fines, or other Records, Deeds, Wills, Eſcripts or Writings whatſoever; and all Offences of Forging or Counterfeiting any Examinations or Teſtimonies of any Witneſs or Witneſſes, tending to bring any perſon or perſons into danger of his Life; and all procuring or counſelling of any ſuch Forgings or Counterfeitings, had, made, committed or done.

Foreſt Offences.

XX. And alſo excepted all Offences committed in any Foreſt ſince the thirteenth day of February, in the year of our Lord, one thouſand ſix hundred eighty eight, in taking, killing or deſtroying any Deer, and in cutting down, taking away or deſtroying any Timber or Trees, or any Fences or Incloſures, of or in the ſaid Foreſts.

Forfeitures.

XXI. And alſo except all Forfeitures and other Penalties and Profits now due, accrued and grown, and which ſhall or may be due, accrue or grow to the King and Queens Majeſties by reaſon of any Offence, Miſdemeanour or Contempt, or other Act or Deed, had, ſuffered, committed or done contrary to any Act, Statute or Statutes (other then uſing or cauſing to be uſed any Craft, Myſtery or Occupation by any perſon not brought up therein ſeven years as an Apprentice) or contrary to the Common Law of this Realm; And whereof, or for the which any Action, Bill, Plaint or Information at any time within ſix years next before the day of the aſſembling and holding of this Parliament (videlicet) the twentieth day of March, in the year of our Lord, one thouſand ſix hundred eighty nine, hath been commenced or ſued in any of their Majeſties Courts at Weſtminſter, and is depending and remaining to be proſecuted, or whereupon any Verdict, Judgment or Decree is already given or entred, or whereof or whereupon their Majeſties by their Bill ſigned or otherwiſe, have made any Gift or Aſſignment to any perſon or perſons before the ſaid ſixteenth day of May; and all Awards of Court, Orders, Sentences, Judgments, Executions and Proceedings upon or concerning, or by reaſon or occaſion of any ſuch Offence, Miſdemeanour, Contempt, Act or Deed.

Informations about High-ways, &c.

XXII. And alſo excepted out of this Pardon all Informations and other Proceedings depending, concerning any Common High-ways or Bridges, and all Iſſues returned upon any Proceſs concerning the ſame, ſince the twentieth day of March, in the year of our Lord, one thouſand ſix hundred ſeventy and nine.

Imbezilling the Kings Goods, &c.

XXIII. And alſo excepted all Offences in taking away, imbezelling or purloyning any of the King and Queens Majeſties Goods, Monies, Chattels, Jewels, Armour, Munition, Stores, Naval Proviſions, Shipping, Ordnance and other Habiliments of War; and all Offences in conveying to the French King or any of his Subjects, any Naval Stores or Commodities, or Contraband Goods, or ſupplying him or them with the ſame.

Breach of Covenant with the King.

XXIV. And alſo excepted all Conditions and Covenants, and all Penalties, Titles and Forfeitures of Conditions or Covenants accrued or grown to their Majeſties, by reaſon of the Breach and not performing of any Covenant or Condition whatſoever.

Inceſt, Simony.

XXV. And alſo excepted all Offences of Inceſt, Simony or Dilapidations, for which any Suit is or was depending upon the ſaid firſt day of this Parliament.

Crimes of perſons in Orders.

XXVI. And alſo excepted Adultery, and all other enormous Crimes committed by any perſon in Holy Orders, puniſhable in any Eccleſiaſtical Court, and all Proceedings and Sentences thereupon.

Firſt-fruits, &c.

XXVII. And alſo excepted out of this Pardon all Firſt-fuits and Tenths, Penſions, Procurations, Synodals, and other Payments out of any Eccleſiaſtical Promotion or Benefice, other then Arrears of Tenths, which at any time before the ſaid firſt day of this Seſſion of Parliament did become due for, upon, or out of any ſmall Rectory, Vicaridge or Benefice, which at the true and greateſt Valuation and Improvement is not of the yearly Value of thirty pounds, and which ſhall be ſo certified by the reſpective Biſhop or Guardians of the Spiritualties to their Majeſties Court of Exchequer, before the laſt day of next Micaelmas Term.

Biſhops not diſcharged, &c.

XXVIII. Provided, That this ſhall not be conſtrued to pardon or diſcharge any Biſhop or Receiver of or from anſwering or paying any of the ſaid Arrears by him received.

Cuſtoms, &c.

XXIX. And alſo excepted out of this Pardon all and every the Sums of Mony and Duties following, and the Concealment or wrongful Detainments thereof; (that is to ſay) of any Cuſtom or Subſidy, Exciſe, Arrears of the Hearth-Mony, Impoſition upon Wine or other Liquors or Commodities, Duties ariſing by Wine-Licences or the Poſt-Office, or any other Tax, Aſſeſſment, Duty or Impoſition due or belonging to the King and Queens Majeſties, or given or leviable by any Act of Parliament, and all Arrears thereof, and all Forfeitures ariſing thereby, or for the Non-payment thereof, and all Corruptions and Miſdemeanours of any Officer or Miniſter of, in, or concerning the ſame, and all Accounts and Suits whatſoever, to be had, made or proſecuted for the ſame, and all Concealments, Frauds and Offences by which their Majeſties have been deceived, and not truly anſwered, of or for the ſame.

Taking away Goods or Rents forfeited to King Charles the Second, &c.

XXX. And alſo excepted all and every manner of taking from the King and Queens Majeſties, or the late Kings, Charles the Second, and James the Second, or either of them, any Goods or Chattels forfeited by reaſon of any Treaſon, Petit Treaſon, Murder or Felony heretofore committed or done; And alſo all and every manner of taking from their Majeſties, or either of the ſaid Kings, the Iſſues, Rents, Revenues or Profits of any Manors, Lands, Tenements or Hereditaments, which were of any Traitor, Murderer, Felon, Clerk or Clerks attainted, or any of them; And alſo all and all manner of taking from the King and Queens Majeſties, or either of the ſaid Kings, the Iſſues, Rents, Revenues and Profits of any Manor, Lands, Tenements or Hereditaments, parcel of the poſſeſſions of any Biſhoprick, the Temporalties whereof upon the ſaid twentieth day of March, in the year of our Lord, one thouſand ſix hundred ſeventy nine, or at any time ſince were, or of right ought to have been in their or either of their Hands.

Farmers Arrearages.

XXXI. And alſo excepted out of this Pardon, all Arrearages of Rent due from any Farmer of any part of the Revenue ariſing by Cuſtoms, Exciſe or Hearth-mony, or Impoſitions upon Proceedings at Law, and all Arrearages of Fee-Farm-Rents or other Rents.

All Accounts to the King.

XXXII. And alſo excepted all and ſingular accounts of all and every Collector and Collectors, Commiſſioners, Treaſurers or Receivers, who have received or collected any Subſidy, Cuſtom, Subſidy of Tonnage and Poundage, additional Duty, prize Goods, or other things grown due, or happening ſince the five and twentieth day of March, in the year of our Lord, one thouſand ſix hundred ſeventy three; And all accounts of every other perſon whatſoever that ought to be accomptant to the King and Queens Majeſties, for or in reſpect of any Receipt or other Charge which hath grown ſince the ſaid five and twentieth day of March, and the Heirs, Executors, Adminiſtrators and Sureties of any perſon that ought to account for all things touching only the ſame accounts, and all and ſingular arrearages of accounts, and untrue accounts made or rendred ſince the ſaid five and twentieth day of March; and all Impetitions, Charges, Seizures, Suits, Demands and Executions which may or can be had, of or for any ſuch account or accounts, or any arrearages of the ſame.

Receivers Recognizances.

XXXIII. And alſo excepted all Recognizances, Obligations, and other Securities given or entred into by any Receiver, Reeve, Bailiff, Collector, or other Accomptant in the Court of Exchequer, and their Sureties, and their Accounts reſpectively, and all other Recognizances and Obligations whatſoever conditioned for the payment of Mony.

Forfeited Recognizances, &c.

XXXIV. Provided always, and be it enacted, That this Act ſhall not extend or be conſtrued to pardon or diſcharge any Recognizance or Obligation not yet forfeited; nor to pardon or diſcharge any forfeited Recognizance or Obligation, or any other Forfeiture or Penalty whereof the Farmers of the Exciſe, or the Farmers of any other part of the publick Revenue, ought to receive any benefit or advantage; Nor to pardon or diſcharge any Debt due by Recognizance, Obligation, or other Specialty to any perſon or perſons indebted to their Majeſties, which hath been duly ſeized in aid of their Majeſties Debt; Nor to pardon or diſcharge any Debt due by Recognizance, Obligation, Condemnation, or otherwiſe, whereupon any Eſtallment or Seizure hath been at any time heretofore made, upon which Eſtallment or Seizure any thing is, or at any time ſince the ſaid five and twentieth day of March, hath been anſwered and paid; Nor to pardon or diſcharge any Penalties, Forfeitures or Sums of Mony due or accrued to their Majeſties, by reaſon of any Act, Statue or Statutes; which Forfeitures, Penalties, and Sums of Mony ſince the ſaid five and twentieth day of March be converted into the nature of any Debt, by any Judgment, Order, Decree, or by the Agreement of the Offender or Offenders; or have been eſtalled, or any Seizure made for the ſame, and upon ſuch Seizure or Eſtallment any thing anſwered or paid ſince the ſaid five and twentieth day of March.

Recognizances for appearance ſaved.

XXXV. Nevertheleſs, it is hereby declared, That all Obligations and Recognizances forfeited ſince the ſaid five and twentieth day of March, for Non-appearance in any Court or other place whatſoever, or not keeping the Peace, or not being of the Good Behaviour, ſhall be clearly pardoned and diſcharged, except Recognizances granted to or in truſt for the Lord Almoner.

Iſſues.

XXXVI. And alſo excepted out of this Pardon all Iſſues, Fines and Amerciaments loſt, impoſed, or aſſeſſed ſince the ſaid five and twentieth day of March, being totted, levied or received by any Sheriff, Under-Sheriff, Bayliff, Miniſter or other Officer, before the laſt day of this preſent Seſſion of Parliament.

XXXVII. And alſo excepted all Iſſues, Fines and Amerciaments loſt, impoſed or aſſeſſed ſince the ſaid five aud twentieth day of March, affeered, taxed, ſet, eſtreated, or entred ſeverally or particularly, touching or concerning any one or more perſons joyntly or ſeverally above the Sum of ſix pounds.

XXXVIII. And alſo excepted all Iſſues, Fines and Amerciaments, returned, affeered, taxed, ſet or entred ſeverally or particularly, in any Court of Record at Weſtminſter, at any time within the ſpace of a year before the ſaid firſt day of this Parliament.

Fines and Iſſues ſaved.

XXXIX. And yet nevertheleſs, all other Fines, as well Fines Pro Licentia Concordandi, as other ſet, taxed, eſtreated or entred before that time; And alſo all Iſſues and Amerciaments, as well real as others within any Liberties, or without, being ſet, taxed, eſtreated or entred before the time aforeſaid, and which ſeverally and particularly extend to or under the Sum of ſix pounds, and not above, whether they be eſtreated or not eſtreated, or whether they be turned into Debt, or not turned into Debt, and not being totted, levied or received by any Sheriff, Under-Sheriff, Miniſter or other Officer, before the ſaid firſt day of this Parliament, ſhall be freely, clearly and plainly pardoned and diſcharged againſt the King and Queens Majeſties, their Heirs and Succeſſors, by force of this preſent Act.

XL. And yet nevertheleſs all Eſtreats of ſuch Fines, Iſſues and Amerciaments as be not pardoned by this Act, and which be already eſtreated forth of the Court of Exchequer, and be remaining in the Hands of the Sheriff, Under-Sheriff, or Bayliff for collecting of the ſame Fines, Iſſues and Amerciaments ſhall upon the return of the ſame Eſtreats be duly and orderly charged and delivered by Scrowes into the Office of the Pipe in the Court of Exchequer, as heretofore hath been accuſtomed, to the intent that thereupon Order may be taken that their Majeſties may be truly anſwered all ſuch Fines, Iſſues and Amerciaments not by this Act pardoned, and which any Sheriff, Under-Sheriff, Bayliff or other Officer or Miniſter hath received, or ought to anſwer by force or colour of any ſuch Eſtreat, Proceſs or Precept to him or them made for the levying thereof.

XLI. And yet that notwithſtanding, all and every Sheriff and Sheriffs, and other Accomptant, upon his or their Petition or Petitions to be made for the allowance of any ſuch Fines, Iſſues and Amerciaments, as by this Act are pardoned, ſhall have all and every ſuch his and their Petition allowed in his and their account and accounts, without paying any Fee or Reward to any Officer, Clerk or other Miniſter, for the making, entring or allowing of any ſuch Petition or Petitions; any Uſage or Cuſtom to the contrary hereof in any wiſe notwithſtanding.

Kings Murderers. Cap. 11.

XLII. Provided always, that this Act ſhall not extend to pardon, diſcharge or give any benefit whatſoever unto any perſon or perſons who are by Name particularly excepted out of the Act of Free and General Pardon, Indemnity and Oblivion, made in the twelfth year of the Reign of his late Majeſty King Charles the Second for their execrable Treaſon, and horrid Murder of their Majeſty's Royal Grandfather of gracious Memory, nor to thoſe two perſons, or either of them, who being diſguiſed by Frocks and Vizors appeared upon the Scaffold at the time when the ſaid Murder was committed.

Shall not heal Diſabilities.

XLIII. Nor ſhall this preſent Act give or reſtore any Ability or Capacity to take, have, hold or exerciſe any Office, Place, Authority or Employment, Eccleſiaſtical, Civil or Military, to any perſon or perſons who in and by the ſaid laſt mentioned Act, or by virtue or reaſon of any other Act or Law were or are made, or become incapable or diſabled to have, take, hold or execute the ſame, or of ſerving as a Member in Parliament, but all and every ſuch perſon or perſons ſhall remain and continue under all and every the Diſabilities and Incapacities aforeſaid; any thing in this preſent Act to the contrary notwithſtanding.

Cap. 11.

XLIV. Nor ſhall this Act extend to pardon, diſcharge, or give any benefit to any perſon, who if he after the firſt day of September, one thouſand ſix hundred and ſixty, hath accepted or exerciſed, or hereafter ſhall accept or exerciſe any Office, Eccleſiaſtical, Civil or Military, or any other publick Employment within England, Wales or the Town of Berwick upon Tweed, is by the ſaid Act made in the twelfth year of King Charles the Second, to ſtand and be as if he had been totally by Name excepted out of the ſaid laſt mentioned Act, but all and every ſuch perſons ſhall, if they have, or ſhall accept any Office or Employment, contrary to the tenor of the ſaid laſt mentioned Act, be out of this Act wholly excepted and foreprized.

Perſons attainted of Rebellion.

XLV. And alſo excepted out of this Pardon all ſuch perſons as be and remain ſtill attainted or condemned by Act of Parliament, or otherwiſe, of or for any Rebellion, or levying of War, or of, or for any Conſpiracy of any Rebellion or levying War within this Realm, or any other their Majeſties Dominions, and all ſuch perſons who are attainted or outlawed of, or for any other Treaſon, Petit Treaſon, Murder, wilful Poyſoning or Burglary and all Executions therefore.

Perſons exiled, &c.

XLVI. And alſo excepted out of this Pardon all ſuch perſons who by virtue of any former Act of Parliament are by expreſs Name exiled or made liable to any other Pains, Penalties or Diſabilities whatſoever.

Tranſported.

XLVII. And alſo excepted all ſuch perſons who after Conviction or Attainder, of or for any manner of Felony, have deſired to be tranſported into any of their Majeſties Foreign Plantations.

XLVIII. And alſo except all ſuch perſons who being excepted out of the ſaid Act of General Pardon, have had any pains or penalties impoſed upon them by any ſubſequent Act of Parliament.

500 l. penalties. Cap. 2.

XLIX. And alſo excepted out of this Act all Penalties of five hundred pounds, which ſhall by any Act paſſed in this Seſſion of Parliament be inflicted or appointed to be levied upon any perſon or perſons, for or in reſpect of holding or exerciſing any Office or Place, and offending contrary to an Act of Parliament made in the five and twentieth year of the Reign of King Charles the Second, Entituled, An Act for preventing Dangers which may happen from Popiſh Recuſants.

Particular perſons.

L. Except alſo out of this preſent Act,

William Marqueſs of *Powis.*
Theophilus Earl of *Huntington.*
Robert Earl of *Sunderland.*
John Earl of *Meltford.*
Roger Earl of *Caſtlemain.*
The Lord *Thomas Howard.*
Nathaniel Lord Biſhop of *Durham.*
Thomas Lord Biſhop of St. *Davids.*
Henry Lord *Dover.*
William Molineux.
Sir *Edward Hales.*
Sir *Edward Herbert.*
Sir *Francis Wythens.*
Sir *Richard Holloway.*
Sir *Edward Lutwich.*
Sir *Richard Heath.*
Sir *Thomas Jenner.*
Sir *Roger L'Eſtrange.*
Sir *Nicholas Butler.*
Edward Petre.
Thomas Tindeſley, alias *Tildeſley.*
——*Townley*, lately called Colonel *Townley.*
Rowland Tempeſt.
Edward Morgan.
Obadiah Walker.
Robert Brent.
Richard Graham.
Philip Burton.
Robert Lundy.
Mathew Crone.
And alſo excepted *George* Lord *Jeffrys* deceaſed.

Crimes againſt 27 El. 2.

LI. And alſo excepted out of this Pardon, all and every Offence and Offences committed or done by any Jeſuit, Seminary or Romiſh Prieſts whatſoever, contrary to the tenor or effect of the Statute made in the ſeven and twentieth year of the Reign of the late Queen Elizabeth, Entituled, An Act againſt Jeſuits, Seminary Prieſts, and other Diſobedient Perſons, or of any part thereof, and all Outlawries, Proceedings, Judgments and Executions for the ſame Offences, or any of them.

Recuſants Convictions.

LII. And except alſo all Convictions of Popiſh Recuſants for their Recuſancy.

Outlawry how reverſed.

LIII. Provided always, and be enacted by the authority aforeſaid, That no Proceſs of Outlawry or Proceedings thereon, at the Suit of any perſon Plaintiff, ſhall be by virtue of this Pardon ſtayed or avoided, unleſs the Defendant appear and put in Bail where by Law Bail is neceſſary, and take forth a Writ of Scire facias againſt the party at whoſe Suit he was outlawed, and that this Pardon be not allowed to diſcharge any Outlawry after Judgment,

ment, till Satisfaction or Agreement be made to, or with the party at whoſe Suit the Outlawry was obtained.

Pardon may be given in Evidence.

LIV. And it is farther enacted by the authority aforeſaid, That every perſon or perſons hereby pardoned may plead the General Iſſue, without Special Pleading of this Pardon and give this Act of Pardon in Evidence for his diſcharge, and that the ſame ſhall be thereupon allowed, and the advantage thereof had as fully to all intents and purpoſes, as if the ſame had been fully and well pleaded, and in ſuch manner as any Juſtice of Peace, Conſtable or any other Officer, queſtioned for Matters acted by them as Officers, may have the advantage of the Matter of their Juſtification upon the General Iſſue by them pleaded, by the Laws and Statutes of this Realm.

Good againſt the Kings Grantee.

LV. And be it farther enacted by the authority aforeſaid, That this preſent Pardon ſhall be of as good force and effect to pardon and diſcharge all and ſingular the Premiſſes above mentioned and intended to be pardoned and diſcharged, as well againſt ſuch perſon or perſons, Bodies Politick and Corporate, as do or ſhall claim the ſame, by or under any Letters Patents, Leaſe or Grant by the King and Queens Majeſties, or any their Predeceſſors, as againſt the King and Queens Majeſties themſelves.

Levying War.

LVI. Provided, That nothing in this Act contained, ſhall extend to pardon or diſcharge any perſon of, or for any counſelling, contriving, abetting or procuring the Raiſing of War or Rebellion againſt their Majeſties, or adhering to their Enemies ſince the thirteenth day of February, in the year of our Lord one thouſand ſix hundred eighty and eight, unleſs ſuch perſon ſhall and do before the twentieth day of July next, or ſooner if required, take the following Oath publickly and duly in ſuch Court, and before ſuch perſons as have or ſhall have power to adminiſter the ſame, viz.

The Oath.

I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance to their Majeſties, King *William* and Queen *Mary*.

So help me God.

SESSIO SECUNDA.

Anno Regni GULIELMI *&* MARIÆ *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Secundo.*

CAP. I. (11.)

An Act for granting an Aid to their Majeſties of the Sum of ſixteen hundred fifty one thouſand ſeven hundred and two pounds eighteen ſhillings. Exp.

CAP. II. (12.)

An Act concerning the Commiſſioners of the Admiralty.

Preamble.

Whereas the Office of Lord High Admiral of England hath at ſundry times, and for ſeveral years been executed, and all the Authorities to the ſame belonging, exerciſed by divers Commiſſioners for that purpoſe appointed by their Majeſties and the late Kings, but of late ſome Doubt hath riſen, whether certain Authorities belonging to the ſaid Office of Lord High Admiral, did, or do of Right belong to, and might, may or ought to have been, or be exerciſed by ſuch Commiſſioners for the time being:

The power of Admiral may be executed by Commiſſioners.

II. Now for avoyding all ſuch Doubts and Queſtions, Be it declared and enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Authorities, Juriſdictions and Powers which by any Act of Parliament or otherwiſe, have been, and are lawfully veſted, ſetled and placed in the Lord High Admiral of England for the time being, have always appertained to, and of Right might have been, and may, and ſhall be had, enjoyed, uſed, exerciſed and executed by the Commiſſioners for executing the Office of High Admiral of England for the time being, according to their Commiſſions, to all intents and purpoſes, as if the ſaid Commiſſioners were Lord High Admiral of England.

This Act gives no new power.

III. Provided, That nothing in this Act contained ſhall extend, or be taken, or conſtrued to extend to give or allow to the Lord High Admiral, or to the Commiſſioners for executing the Office of High Admiral, any other Authority, Juriſdiction or Power then the Lord High Admiral lawfully had, or might have had, uſed and exerciſed, if this Act had not been made.

Officers Tryers ſhall take an Oath.

IV. Provided always, and be it enacted, That upon all Tryals of Offenders by Courts Martial to be held by virtue of any Commiſſion to be granted by the Lord High Admiral, or the Commiſſioners for executing the Office of High Admiral, every Officer preſent ſhall before any Proceeding to Tryal, take an Oath before the Court (which Oath the Judge Advocate, or his Deputy for the time being, are hereby reſpectively authorized to adminiſter) in theſe words following;

The Oath.

YOU ſhall well and truly try and determine the Matter now before you, between our Sovereign Lord and Lady the King and Queens Majeſties, and the Priſoner to be tryed;

So help you God.

CAP. III. (13.)

An Act for doubling the Duty of Exciſe upon Beer, Ale and other Liquors during the ſpace of one year. Exp.

CAP.

CAP. IV. (14.)

An Act for granting to their Majeſties certain Impoſitions upon all *Eaſt-India* Goods, and Manufactures, and upon all wrought Silks, and ſeveral other Goods and Merchandize to be imported after the five and twentieth day of *December*, one thouſand ſix hundred and ninety; This Act continued from 9 *Novemb.* 1695. till 10 *Novemb.* 1697. by 4 & 5 *W.* & *M.* cap. 15.

Moſt Gracious Sovereigns,

THE Commons aſſembled in Parliament, for a farther Supply of your Majeſties preſent Occaſions, in the neceſſary defence of your Realms, the perfect reducing of Ireland, and the effectual proſecution of the War againſt France, have given and granted, and hereby give and grant unto your Majeſties the additional and other Rates, Impoſitions, Duties and Charges upon the ſeveral ſorts of Goods and Merchandize to be imported into this your Majeſties Kingdom, herein after expreſſed, during ſuch time, and in ſuch manner and form as herein after followeth: And do humbly pray your Majeſties that it may be enacted;

II. And be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there ſhall be anſwered and paid to their Majeſties and their Succeſſors, for the ſeveral Goods and Merchandizes hereafter mentioned, over and above all Impoſitions, Duties and Charges already impoſed and payable upon and for the ſame, the farther Rates and Duties following, viz.

Callico altered by 4 & 5 W. & M. 5. III. For all Callicoes, and all other Indian Linen, and for all wrought Silks and other Manufactures of India and China, (except Indigo) imported after the five and twentieth day of December, one thouſand ſix hundred and ninety, and before the tenth day of November, one thouſand ſix hundred and ninety five, twenty pounds for every hundred pound Value thereof.

IV. For all Wrought Silks imported within the time aforeſaid, from any other place, ten pounds for every hundred pound Value thereof.

V. For all Raw Silks imported within the time aforeſaid, from China or from the Eaſt-Indies, five pounds for every hundred pound Value thereof.

Linen altered by 4 & 5 W. & M. 5. VI. For all Linen imported within the time aforeſaid, from any parts from whence the ſame may be by Law imported (other then Linen Cloth of the Manufacture of the Spaniſh Netherlands, or of the United Provinces, not exceeding an Engliſh Ell and half Quarter in breadth) one moiety over and above what is already impoſed upon the ſame in the Book of Rates.

VII. And for all Linen Cloth of the Manufacture of the Spaniſh Netherlands, or of the United Provinces, of the Breadth of two Ells or upwards, and under three Ells, as much more as what the ſame is charged with in the Book of Rates; and of the Breadth of three Ells or upwards, treble as much as what the ſame is charged with in the Book of Rates.

VIII. And for all Deal-Timber or other Timber-Boards, Wainſcot, Pipe-Staves, Box-Wood, and other Wood imported within the time aforeſaid from any part of Europe, (except Ireland) ten pounds for every hundred pound value thereof, above what is charged thereupon in the Book of Rates.

IX. For every Tun of Hempſeed-Oyl, Rape-Oyl, and other Seed-Oyl imported after the five and twentieth day of December, one thouſand ſix hundred and ninety, and before the tenth day of November, one thouſand ſix hundred and ninety five, eight pounds, and ſo in proportion for any greater or leſſer quantity of the reſpective Goods or Merchandize before mentioned.

X. For every hundred Weight of Hops containing one hundred and twelve pounds, imported from foreign part after the ſaid five and twentieth day of December, one thouſand ſix hundred and ninty, and before the tenth day of November, one thouſand ſix hundred and ninety five, twenty ſhillings, over and above what the ſame are charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XI. For every hundred Weight of Pepper, containing one hundred and twelve pounds, imported after the ſaid five and twentieth day of December, and before the ſaid tenth day of November, one thouſand ſix hundred and ninety five, twenty eight ſhillings, over and above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity; one third part of the ſaid Duty charged upon Pepper to be paid down, and Bond to be given for payment of the reſidue at the end of twelve months, or elſe to diſcompt after the Rate of ten pounds per Centum, on paying down the whole Duty.

Raiſins 100 l. **value after** 25 March, 1693. **to pay but** 5 l. **by** 4 & 5 W. & M. Cap. 5. Sect. 10. XII. For every hundred pound value of Grocery Wares and Drugs (other then Pepper and Liquoriſe, which are hereby particularly charged, and alſo except Currans, Sugar, Tobacco, Mace, Cinamon, Nutmegs and Cloves) imported after the ſaid five and twentieth day of December, one thouſand ſix hundred and ninety, and before the tenth day of November, one thouſand ſix hundred and ninety five, ten pounds.

100 l. **value of Currans, after** 25 March, 1693. **to pay but** 50 s. **by** 4 & 5 W. & M. Cap. 5. Sect. 10. XIII. And for every hundred pound value of Currans imported within the time aforeſaid, five pounds, over and above what the ſame are reſpectively charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XIV. For every Tun of Iron Wrought or Unwrought, or caſt (except Buſhel Iron) imported from any foreign parts after the five and twentieth day of December, one thouſand ſix hundred and ninety, and before the tenth day of November, one thouſand ſix hundred and ninety five, in any other Ship or Veſſel then ſuch as are Engliſh built, and whereof the Maſter and three fourths of the Mariners at leaſt are Engliſh, thirty three ſhillings.

XV. And for every Tun of ſuch Iron which ſhall be imported in ſuch Engliſh built Ship or Veſſel ſo navigated, three and twenty ſhillings over and above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XVI. And for all ſorts of foreign Iron Wyre (except Card Wyre, and all ſorts of Iron Wyre ſmaller then the ſorts commonly called or known by the names of Fine fine and Superfine, and all Wool Cards, or any other Wares made of Iron Wyre) to be imported between the five and twentieth day of December, one thouſand ſix hundred and ninety, and the tenth day of November, one thouſand ſix hundred and ninety five, there ſhall be paid for every hundred weight, containing one hundred and twelve pounds, two and twenty ſhillings and ſix pence, and alſo the Duty mentioned in the Book of Rates to be paid by the Importer, and ſo in proportion for any greater or leſſer quantity; which ſorts of Iron Wyre (except as aforeſaid) it ſhall and may be lawful for any perſon or perſons whatſoever to import within the time aforeſaid, and no longer; any Law, Statute or Uſage to the contrary notwithſtanding.

XVII. And for all ſorts of Steel Wyre imported within the time aforeſaid, the Sum of fourteen ſhillings for every hundred Weight, containing as aforeſaid, over and above the Duty charged in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XVIII. And for every Iron Pot, and Iron Kettle imported within the time aforeſaid, one ſhilling and three pence over and above what is charged in the Book of Rates.

XIX. For every ſmall Back for Chimnies, imported within the time aforeſaid, one ſhilling and two pence over and above what is charged in the Book of Rates.

XX. For every large Back for Chimnies imported within the time aforeſaid, two ſhillings and four pence, over and above what is charged in the Book of Rates.

XXI. For every hundred Weight of Iron ſlit or hammered into Rods, commonly known by the Name of Rod-Iron, containing one hundred and twelve pounds, imported within the time aforeſaid, five ſhillings over and above what is charged in the Book of Rates, and ſo in proportion for a greater or leſſer quantity.

XXII. For every hundred Weight of Frying Pans, containing as aforeſaid, imported within the time aforeſaid, four ſhillings over and above what is charged in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XXIII. For every hundred Weight of Steel containing one hundred and twelve pounds, imported within the time aforeſaid, five ſhillings and ſix pence, over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer quantity.

XXIV. For every hundred Weight of Anvils wrought, containing one hundred and twelve pounds, imported within the time aforeſaid, nine ſhillings and three pence over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer quantity.

XXV. For every hundred of ſingle white or black Plates, imported within the time aforeſaid, four ſhillings and four pence, over above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer quantity.

XXVI. For every hundred of double white or black Plates, imported within the time aforeſaid, eight ſhillings and eight pence, over and above what is charged in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XXVII. For every Harneſs Plate, or Iron double, imported within the time aforeſaid, one ſhilling and four pence over and above what is charged in the Book of Rates.

XXVIII. For every hundred Weight of Iron drawn or hammered, leſs then three quarters of an Inch ſquare, and all other Iron Ware manufactured, containing one hundred and twelve pounds, imported within the time aforeſaid, five ſhillings over and above what is charged in the Book of Rates.

XXIX. Provided, That no Manufactured Iron or Iron Ware, which by this Act is charged to pay by the piece or hundred Weight, ſhall be lyable to pay the Duty of thirty three ſhillings, or twenty three ſhillings by the Tun impoſed by this Act.

XXX. And for every hundred Weight of Braſs, Latten or Copper Wyre, containing one hundred and twelve pounds, imported within the time aforeſaid, fifteen ſhillings, over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer quantity.

XXXI. For every Laſt of Hempſeed, Coleſeed and Rapeſeed, imported after the ſaid five and twentieth day of December, one thouſand ſix hundred and ninety, and before the tenth day of November, one thouſand ſix hundred and ninety five, four pounds above what the ſame is charged in the Book of Rates.

XXXII. For all Yarn of Flax or Hemp, other then Cable Yarn, imported after the ſaid five and twentieth day of December, one thouſand ſix hundred and ninety, and before the tenth day of November, one thouſand ſix hundred and ninety five, an additional Duty of as much as what is now charged thereupon in the Book of Rates.

XXXIII. For every hundred Weight of Cable-Yarn, containing one hundred and twelve pounds, imported within the time aforeſaid, five ſhillings; and ſo in proportion for any greater or leſſer quantity of the ſaid Seeds or Yarn.

XXXIV. For all Drinking Glaſſes and other Glaſs, and all Manufactures of Glaſs (except Rheniſh and Muſcovia Window Glaſs) imported within the time aforeſaid, three ſhillings for every twenty ſhillings Value thereof above what the ſame is charged with in the Book of Rates.

XXXV. For every hundred Weight of Moloſſes, containing one hundred and twelve pounds, imported within the time aforeſaid from any other place then the Engliſh Plantations in America, eight ſhillings over and above what the ſame is charged with in the Book of Rates.

XXXVI. For every hundred Weight of Tallow, containing one hundred and twelve pounds, imported within the time aforeſaid, five ſhillings, and ſo in proportion for any greater or leſſer quantity.

XXXVII. For every hundred Weight of Tallow Candles imported within the time aforeſaid, and containing one hundred and twelve pounds, ten ſhillings; and ſo in proportion for any greater or leſſer quantity.

XXXVIII. For every pound of Bever-Wool cut and comb'd, imported within the time aforeſaid, (except Wool comb'd in Ruſſia, and imported from thence in Engliſh Ships) fifteen ſhillings.

XXXIX. For every Barrel of Pot-aſhes, containing two hundred Weight Neat, imported within the time aforeſaid, eight ſhillings, above what the ſame is charged with in the Book of Rates, and ſo proportionably for any greater or leſſer quantity.

XL. For every hundred Weight of Cordage ready wrought, containing one hundred and twelve pounds, imported within the time aforeſaid, five ſhillings over and above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XLI. For every Tun of Olive Oyl imported within the time aforeſaid, four pounds, above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XLII. For all Paper imported within the time aforeſaid, the ſeveral Duties following, over and above what the ſame are reſpectively charged with in the Book of Rates; (that is to ſay) for every Ream of Royal Paper, two ſhillings; For every Ream of Bleu Paper, Demy Paper, and Painted Paper, one ſhilling and ſix pence; For every Bundle of Brown Paper, two pence; and for all other Paper, ſo imported as much more as what the ſame is now charged with in the Book of Rates.

XLIII. For every hundred Weight of Liquoriſe, containing one hundred and twelve pounds, imported within the time aforeſaid, eighteen ſhillings and eight pence, above what the ſame is charged with in the Book of Rates, and ſo proportionably for any greater or leſſer quantity.

XLIV. And for every ſuch hundred Weight of Liquoriſe-Powder imported within the time aforeſaid, one pound ſeventeen ſhillings and four pence.

XLV. And for every pound Weight of Juice of Liquoriſe imported within the time aforeſaid, one ſhilling, and ſo proportionably for any greater or leſſer quantity.

XLVI. For every hundred Weight of Barilla or Saphora, containing one hundred and twelve pounds, imported within the time aforeſaid, two ſhillings and ſix pence above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XLVII. For every hundred Weight of Sope imported within the time aforeſaid, containing one hundred and twelve pounds, ten ſhillings over and above what is charged in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

XLVIII. For all Earthen Ware not mentioned in the Book of Rates, imported within the time aforeſaid, two ſhillings and ſix pence for every twenty ſhillings value thereof.

XLIX. For every hundred Weight of Starch, containing one hundred and twelve pounds, imported within the time aforeſaid, twenty ſhillings above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

L. For every hundred Weight of Allom, containing one hundred and twelve pounds, imported within the time aforeſaid, two ſhillings and ſix pence above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

LI. For every hundred Weight of Brimſtone, containing one hundred and twelve pounds, imported within the time aforeſaid, four ſhillings and eight pence above what the ſame is charged with in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

LII. For every hundred Weight of Tin, imported within the time aforeſaid, containing one hundred and twelve pounds, thirty ſhillings over and above what is charged in the Book of Rates, and ſo in proportion for any greater or leſſer quantity.

Value of Goods not here mentioned how ſetled.

LIII. Provided always, and be it enacted, That where any Duties upon Goods and Merchandize herein before granted, are to be levied according to the Value of the ſame, where ſuch Goods or Merchandizes are particularly rated in the Book of Rates, the Value ſhall be underſtood and taken according to ſuch Rate; and where they are not particularly rated, the Value ſhall be taken by and according to the Oath of the Importer, and not otherwiſe; The Duties impoſed by this Act not to be reckoned into the Value of the ſame.

12 Months time for paying Cuſtom or 10 per Cent. for prompt payment.

LIV. And be it farther enacted by the authority aforeſaid, That for all Additional Duties hereby impoſed upon the forementioned Goods and Merchandize to be imported, as aforeſaid, the Importer giving Security at the Cuſtom-houſe, ſhall have time not exceeding twelve Months (where the ſame is not otherwiſe hereby limited) for the payment of the ſame, from the Importation, to be paid by four equal and quarterly payments; Or in caſe ſuch Importer ſhall pay ready Mony, he ſhall have after the Rate of ten pounds per Centum for a year of the ſaid Duty abated to him or her; And if the Goods and Merchandize to be imported, as aforeſaid, for which the Additional Duty is paid or ſecured at the Importation thereof, be again exported within twelve Months after the Importation, then the aforeſaid Duties ſhall be wholly repaid, or the Security vacated, as to what ſhall be ſo exported.

Cuſtom repaid or Security vacated upon Exportation.

Foreign Stores already ſold to the Navy-Office excepted.

LV. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That the new or additional Duties impoſed by this Act, ſhall not extend to affect ſuch foreign Stores as have been ſold to the uſe of their Majeſties Navy, by Contract with the Navy Board, or Commiſſioners of the Victualling, before the fifteenth day of November, one thouſand ſix hundred and ninety, ſo as a Certificate be given from the Commiſſioners of the Navy or Victualling, that ſuch foreign Stores have been ſo contracted for by them for their Majeſties Service, as aforeſaid, and ſo as the Importer of the ſame do make Oath before the Commiſſioners appointed to manage the Cuſtoms, (which Oath they are hereby impowred to adminiſter) of the truth of the ſaid Contract, and that he will deliver the ſaid Goods into their Majeſties Stores, purſuant to the Contract ſo certified by the Commiſſioners of the Navy or Victualling.

LVI. And be it enacted, That the ſeveral Impoſitions and Duties above mentioned, ſhall be raiſed, levied, collected and paid unto their Majeſties and their Succeſſors, during the times aforementioned, in the ſame manner and form, with ſuch advantages, and by ſuch Rules, Means and Ways, and under ſuch Penalties and Forfeitures, as are mentioned and expreſſed in one Act of Parliament made in the twelfth year of the Reign of King Charles the Second, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Mony payable upon Merchandize Exported and Imported, and the Rules and Orders thereunto annexed; which ſaid Act, and every Article, Rule and Clauſe therein contained, ſhall ſtand and be in force for the purpoſes aforeſaid, during the continuance of this Act.

Duties how to be levyed.

Cap. 4.

LVII. Provided always, and it is hereby enacted, That it ſhall and may be lawful to and for any perſon and perſons to advance and lend unto their Majeſties upon the Security of this Act, any Sum or Sums of Mony, and to have and receive for the Forbearance thereof, any Sum not exceeding eight pounds by the hundred for one whole year and no more, directly or indirectly.

Clauſe of Creditors at 8 per Cent.

LVIII. And to the end that all Monies which ſhall be lent unto their Majeſties upon the Credit of this Act, may be well and ſufficiently ſecured out of the Monies ariſing and payable by this Act, Be it farther enacted by the authority aforeſaid, That there ſhall be provided and kept in their Majeſties Exchequer, (that is to ſay) in the Office of the Auditor of the Receipts, one Book or Regiſter, in which all Monies that ſhall be paid into the Exchequer by virtue of this Act, ſhall be entred and regiſtred apart and diſtinct from all other Monies paid or payable to their Majeſties upon any other Branch of their Majeſties Revenue, or upon any other account whatſoever; And that all and every perſon and perſons, who ſhall lend any Mony to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his Repayment, bearing the ſame date with his Tally; in which Order ſhall be alſo contained a Warrant for Payment of Intereſt for Forbearance after the Rate, ſo to be allowed for the ſame, ſo as ſuch Intereſt do not exceed the Rate of Eight pounds per Centum per Annum, for his Conſideration, to be paid every three Months, until Repayment of his Principal; and that all Orders for Repayment of Mony ſhall be regiſtred in courſe, according to the date of the Tally reſpectively, without preference of one before another; and that all and every perſon and perſons ſhall be paid in courſe according as their Orders ſhall ſtand entred in the ſaid Regiſter-Book, as that the perſon, Native or Foreigner, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt entred in the ſaid Book of Regiſter, ſhall be taken and accounted as the firſt perſon to be paid upon the Monies to come in by virtue of this Act; and he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe; and that the Monies to come in by this Act ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever; and that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any of their Majeſties Subjects for providing or making of any ſuch Books, Regiſters, Entries, View or Search in or for payment of Mony lent, or the Intereſt, as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble Damages to the Party grieved by the Party offending, with Coſts of Suit; Or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; And if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be lyable by Action of Debt or on the Caſe, to pay the value of the Debt, Damages and Coſts, to the Party grieved, and ſhall be forejudged from his Place or Office; And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office; and in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner as aforeſaid; All which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

An Office for receipt of thoſe Duties to be in London, and Duties paid Receiver General of Cuſtoms and kept apart, and paid weekly into the Exchequer, 2 W. & M. Seſſ. 2. Cap. 10.

Regiſter to be kept in the Exchequer, Tally, Order and Payment in courſe.

LIX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payment as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue preference which of thoſe he enters firſt, ſo he enters them all the ſame day.

LX Provided alſo, That it ſhall not be interpreted any undue preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells Record, and the Tellers do pay ſubſequent Orders of perſons that come and demand their Mony, and bring their Orders before other perſons that did not come to demand their Mony, and bring their Orders in their courſe, ſo as there be ſo much Mony reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them, Intereſt upon Loan being to ceaſe from the time the Mony is ſo reſerved and kept in Bank for them.

Orders for Mony how transferrable. LXI. And be it farther enacted by the authority aforeſaid, That every perſon or perſons to whom any Monies ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Indorſement of his Order, may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof, to any other; which being notified in the Office of the Auditor of Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders, (which the Officers ſhall upon Requeſt, without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, to the Benefit thereof, and payment thereon; And ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties, and afterwards it ſhall not be in the power of ſuch perſon or perſons who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any part thereof.

CAP. V. (15.)

An Act for the Continuance of ſeveral former Acts therein mentioned, for the laying ſeveral Duties upon Wines, Vinegar, and Tobacco.

Moſt Gracious Sovereigns,

Preamble. WE your Majeſties moſt Dutiful and Loyal Subjects, the Commons in Parliament aſſembled, taking into our ſerious Conſideration the great and neceſſary Expences in which your Majeſties are engaged for our Defence and Safety, have chearfully and unanimouſly given and granted unto your Majeſties the Impoſitions and Duties hereafter mentioned, for and during the Term hereafter expreſſed; And we do moſt humbly beſeech your Majeſties that it may be enacted,

Duties upon Wines and Vinegar given 3 Jac. 2. given this King till June, 1696. Cap. 3. II. And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſeveral Impoſitions and Duties upon Wines and Vinegar, granted by an Act made in the firſt year of the late King James, Entituled, An Act for Granting his Majeſty an Impoſition upon all Wines and Vinegar Imported between the four and twentieth day of *June*, one thouſand ſix hundred eighty five, and the four and twentieth day of *June*, one thouſand ſix hundred ninety and three, ſhall be continued from the three and twentieth day of June in the ſaid year, one thouſand ſix hundred ninety three, and ſhall be raiſed, levied, collected, anſwered and paid unto their Majeſties and their Succeſſors, until the four and twentieth day of June, one thouſand ſix hundred ninety ſix, and no longer: And that the ſaid Act and all Powers, Proviſions, Penalties, Articles and Clauſes therein contained, ſhall continue and be of full Force and Effect, until the ſaid four and twentieth day of June, one thouſand ſix hundred ninety ſix, and ſhall be applied, practiſed and executed for the raiſing, levying, collecting, anſwering and paying the ſaid Duties hereby continued according to the tenor and intent of this preſent Act.

Duty upon Tobacco and Sugar given 4 Jac. 2. continued till 1696. III. And be it farther enacted by the authority aforeſaid, That the Rates and Duties for all ſorts of Tobacco granted by an Act made in the firſt year of the Reign of the late King James, Entituled, An Act for granting to his Majeſty an Impoſition upon all Tobacco and Sugar, Imported between the four and twentieth day of *June*, one thouſand ſix hundred eighty five, and the four and twentieth day of *June*, one thouſand ſix hundred ninety three, ſhall be continued from the three and twentieth day of June in the ſaid year, one thouſand ſix hundred and ninety three, and ſhall be raiſed, levied, collected, anſwered and paid unto their Majeſties and their Succeſſors, until the four and twentieth day of June, one thouſand ſix hundred ninety ſix, and no longer; And that the ſaid laſt mentioned Act, as for and concerning Tobacco only, and all Powers, Proviſions, Penalties, Articles and Clauſes therein contained, concerning the ſaid Rates and Duties upon all ſorts of Tobacco, ſhall continue and be of full Force and Effect, until the ſaid four and twentieth day of June, one thouſand ſix hundred and ninety ſix, and ſhall be applied, practiſed and executed, for the raiſing, levying, collecting, anſwering and paying the ſaid Duties upon Tobacco hereby continued, according to the tenor and intent of this preſent Act.

Not to extend to 1 W.& M. 34. IV. Provided nevertheleſs, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued or taken to repeal or alter an Act made in the firſt year of their Majeſties Reign, Entituled, An Act for Prohibiting all Trade and Commerce with *France*, or any part of the ſame. Cap. 34.

Credit of Loan at 8 per Cent. V. Provided always, and it is hereby enacted, That it ſhall and may be lawful to and for any perſon and perſons, to advance and lend unto their Majeſties as well upon the Security of this Act, as upon the Security of the ſaid two former Acts made in the Reign of the late King James (from and after the Sum of ſix hundred thouſand pounds, mentioned in an Act made in the firſt year of their Majeſties Reign, Entituled, An Act for Appropriating certain Duties for paying the *States General* of the *United Provinces* their Charges for his Majeſty's Expedition into this Kingdom, and for other Uſes, ſhall be fully ſatisfied and paid to the ſaid States General) any Sum or Sums of Mony, and to have and receive for the Forbearance thereof, any Sum not exceeding Eight pounds by the Hundred for one whole year, and no more, directly or indirectly. Seſſ. 1. Cap. 28.

Regiſter, Tally, Order and Payment in courſe. VI. And to the end that all Monies which ſhall be lent unto their Majeſties upon the Credit of this Act, may be well and ſufficiently ſecured out of the Monies ariſing and payable by this Act, Be it farther enacted by the authority aforeſaid, That there ſhall be provided and kept in their Majeſties Exchequer, (that is to ſay) in the Office of the Auditor of the Receipts, one Book or Regiſter, in which all Monies that ſhall be paid into the Exchequer by virtue of this Act, ſhall be entred and regiſtred apart and diſtinct from all other Monies paid or payable to their Majeſties upon any other branch of their Majeſties Revenue, or upon any other account whatſoever; and that all and every perſon and perſons, who ſhall lend any Mony to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his Repayment, bearing the ſame date with his Tally; in which Order ſhall be alſo contained a Warrant for Payment of Intereſt for forbearance after the Rate, ſo to be allowed for the ſame, ſo as ſuch Intereſt do not exceed the rate of eight pounds per Centum per Annum, for his Conſideration, to be paid every three months, until Repayment of his Principal: And that all Orders for Repayment of mony ſhall be regiſtred in courſe, according to the date of the Tally reſpectively, without preference of one before another; and that all and every perſon and perſons ſhall be paid in courſe according as their Orders ſhall ſtand entred in the ſaid Regiſter-Book, ſo as that the perſon, Native or Foreigner, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt entred in the ſaid Book of Regiſter, ſhall be taken and accounted as the firſt perſon to be paid upon the Monies to come in by Virtue of this Act; and he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe; and that the Monies to come in by this Act ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever; and that no Fee, Reward, or Gratuity directly or indirectly be demanded or taken of any of their Majeſties Subjects for providing or making of any ſuch Books, Regiſters, Entries, View or Search in or for Payment of Mony lent, or the Intereſt, as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of Payment of treble Damages to the party grieved by the party offending, with Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; And if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party offending, ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſts to the party grieved, and ſhall be forejudged from his Place or Office; And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office; And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make Payment according to each perſons due Place and Order, as aforeſaid, Then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner as aforeſaid; All which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

An Office for receipt of thoſe Duties to be in London, & paid Receiver General of Cuſtoms and kept apart, and paid weekly into the Exchequer, 2 W. & M. Seſſ. 2. Cap. 10.

VIII. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt to be regiſtred, Then it ſhall be interpreted no undue preference which of thoſe he enters firſt, ſo he enters them all the ſame day.

VIII. Provided alſo, That it ſhall not be interpreted any undue preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells Record, and the Tellers do pay ſubſequent Orders of Perſons that come and demand their Mony, and bring their Order before other Perſons that did not come to demand their Mony, and bring their Order in their courſe, ſo as there be ſo much mony reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them, Intereſt upon Loan being to ceaſe from the time the Mony is ſo reſerved and kept in Bank for them.

IX. And be it farther enacted by the authority aforeſaid, That every perſon or perſons to whom any Monies ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid for Payment thereof, his Executors, Adminiſtrators or Aſſigns, by Indorſement of his Order, may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders, (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns to the benefit thereof and payment thereon; and ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties, and afterwards it ſhall not be in the power of ſuch perſon or perſons who have or hath made ſuch Aſſignments, to make void, releaſe or diſchage the ſame, or any the Monies thereby due, or any part thereof.

Mony how aſſignable.

X. Provided, That nothing in this Act ſhall extend or be conſtrued to defeat or obſtruct the Proviſion made by the ſaid Act in the firſt year of their Majeſties Reign, for payment of Wages due to the Servants of the late King Charles the Second, not exceeding in the whole the Sum of ſixty thouſand pounds, in ſuch manner as by the ſaid Act is directed.

Wages due to King Charles the Seconds Servants ſaved.

CAP. VI. (16.)

An Act for Puniſhing Officers and Soldiers who ſhall mutiny or deſert their Majeſties Service, and for puniſhing falſe Muſters. Exp.

CAP. VII. (17.)

An Act for Reviving a former Act for Regulating the Meaſures and Prizes of Coals.

Preamble.
16 & 17 Car. 2. 2.

WHereas an Act was made in the ſixteenth and ſeventeenth years of the Reign of the late King Charles the Second, Entituled, An Act for Regulating the Meaſures and Prices of Coals, which Act was to continue for three years thence next following, and thenceforth to the end of the next Seſſion of Parliament, and no longer, and is expired. And whereas the ſaid Act was found to be very uſeful and beneficial to this Kingdom,

Revived for ſeven years.

II. Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act and every Clauſe, Article and Branch therein contained, ſhall be and is, and are hereby revived and continued in full force, ſtrength and virtue, to all intents and purpoſes whatſoever, and ſhall ſo ſtand and continue from the firſt day of December, one thouſand ſix hundred and ninety, for the ſpace of ſeven years, and from thence to the end of the firſt Seſſion of Parliament then next following, and no longer.

12 Car. 2. 18. Sect. 6.

III. And whereas by an Act made in the twelfth year of the Reign of King Charles the Second, Entituled, An Act for Encouraging and Increaſing of Shipping and Navigation, It is among other things provided, That no Goods or Merchandizes ſhall be loaden and carried from one part of England to another, in any Ship or Veſſel whatſoever, whereof three fourths of the Mariners at leaſt ſhall not be Engliſh, under the Penalty of forfeiting all ſuch Goods as ſhall be loaden or carried in any ſuch Ship or Veſſel, together with the Ship or Veſſel, and all her Guns, Ammunition, Tackle, Furniture and Apparel. Now foraſmuch as the high price of Coals ariſes chiefly from the want of Seamen to ſupply that Navigation, while ſo many are employed in their Majeſties Service, Be it enacted by the authority aforeſaid, That ſo much only of this laſt mentioned Act as concerns the number and proportion of foreign Seamen thereby limited to ſail in Engliſh Ships ſhall be diſpenſed with, and is hereby thus far diſpenſed with, ſo as it ſhall and may be lawful for the Owner or Owners of any Ship or Veſſel, Engliſh built, and belonging to the Subjects of England, whereof the Maſter is an Engliſhman trading with Coals to and from Newcaſtle, or the parts adjacent, or any part of Wales, to the Port of London, or to any other part of England, to navigate the ſaid Ship or Veſſel with as many Foreign Seamen as the ſaid Maſter or Owners ſhall think fit, during the preſent War with France, and no longer; any thing in the ſaid Act contained to the contrary notwithſtanding.

Coal Ships may be ſailed by Foreigners.

CAP. VIII. (18.)

An Act for Paving and Cleanſing the Streets in the Cities of *London* and *Weſtminſter*, and Suburbs and Liberties thereof, and Out-Pariſhes in the County of *Middleſex*, and in the Borough of *Southwark*, and other places within the Weekly Bills of Mortality, in the County of *Surrey*, and for Regulating the Markets therein mentioned.

Preamble.
13 & 14 Car 2 2.

WHereas an Act was made at a Parliament held at Weſtminſter, in the thirteenth and fourteenth years of the Reign of his late Majeſty King Charles the Second, for the repairing the High-ways and Sewers, and for paving and keeping clean the Streets in and about the Cities of London and Weſtminſter, wherein (amongſt other things) many neceſſary and wholſom proviſions were made for the cleanſing and paving the ſaid Streets and other Pariſhes and Places comprized within the Weekly Bills of Mortality; which ſaid Act being ſince expired, many perſons in the Out-Pariſhes in Middleſex, and other Pariſhes in the Limits aforeſaid, which have, been choſen to ſerve the Office of Scavenger, refuſe to take the Execution of the ſaid Office upon them; and others who have been rated and aſſeſſed towards the cleanſing, and carrying away the Dirt and Soyl out of the Streets, have refuſed to pay the Rates aſſeſſed upon them, there being no Law in force to compel them thereunto, ſo that no perſon can be employed to be Raker, to carry the Dirt out of the ſaid Streets, for want of ſome proviſion for payment for doing that Service; and the poorer ſort of People daily throw into the ſaid Streets all the Dirt, Filth and Coal-Aſhes made in their Houſes: By reaſon whereof the ſaid Streets are become extreamly dirty and filthy, ſo that their Majeſties Subjects cannot conveniently paſs through the ſame about their lawful Occaſions, and many other Inconveniences daily ariſe for want of the like proviſions in other Caſes relating to the Streets, Pavements and Common Ways: May it therefore pleaſe your moſt excellent Majeſties, That it may be enacted;

Inhabitants in Middleſex, &c. ſhall ſweep the Streets twice a Week.

II. And be it enacted by King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the fifteenth day of December, one thouſand ſix hundred and ninety, all and every perſon and perſons inhabiting in the ſaid Pariſhes of Middleſex and Weſtminſter, and the Liberties thereof, and in the Borough of Southwark, or in any of the ſaid Streets, Lanes or Allies compriſed within the Weekly Bills of Mortality, and the Town of Kenſington, ſhall twice in every Week (that is to ſay, on every Wedneſday and Saturday at the leaſt) ſweep and cleanſe, or cauſe to be ſwept and cleanſed all the Streets, Lanes, Alleys and publick places, before their reſpective Houſes, Buildings and Walls, and the Buildings and Walls of Churches and other publick places, to the end the Dirt and Soyl in the ſaid Streets may be ready for the Scavenger, Raker or other Officer appointed for that purpoſe to carry away, upon pain to forfeit three ſhillings and four pence for every Offence or Neglect reſpectively; and that no perſon or perſons whatſoever ſhall throw, caſt or lay, or cauſe, permit or ſuffer to be thrown, caſt or laid any Seacoal-Aſhes, Duſt, Dirt, Rubbiſh, Dung or other Filth or Annoyance in any open Street, Lane or Alley within the ſaid City or places aforeſaid, before his, her or their own Dwelling-houſes, Stables, Buildings or Walls, or the Buildings and Walls of Churches, Church-Yards, and other publick places, on the Penalty of five ſhillings; and no perſon or perſons ſhall lay any Aſhes, Dirt or Soyl before the Houſes, Buildings or Walls of any perſon or perſons, Inhabitants of the City, Pariſhes or Places aforeſaid, or before or againſt any Church, Church-Yard Wall, or any of their Majeſties Buildings, Palaces or Places whatſoever; Or ſhall caſt, lay or throw, or cauſe to be caſt, laid or thrown into any Common or Publick Sink, Vault, Water-courſe, or Common Sewer, or Highway within any of the Pariſhes or Places aforeſaid, or any other private Vault or Sink of any of the Inhabitants aforeſaid, any Aſhes, Dirt, Filth, Ordure or any other noyſom thing whatſoever; but ſhall keep or cauſe the ſame to be kept in their reſpective Houſes, Yards or Backſides, or the Yards or Backſides of Churches, and other Publick Buildings, until ſuch time as the Raker, Scavenger, or other Officer thereto appointed of the ſaid Ward, Pariſh, Street, or Place where they dwell, or ſuch Churches or Buildings as do come by or near their Houſes, Doors or Places, with his Cart, Barrow, or other thing or things uſed for the cleanſing the Streets, and carrying away thereof, and then ſhall carry, or cauſe to be carried the ſaid Aſhes, Dirt, Dung or other ſuch Filth or Annoyance aforeſaid, out of their Houſes, Yards and Backſides, and deliver it unto the Raker, Scavenger or other Officer, or otherwiſe to put the ſame into his Cart, Barrow or other thing as aforeſaid, upon pain to forfeit the Sum of twenty ſhillings for every ſuch Offence.

Penalty.

No perſon ſhall caſt any Aſhes, &c. into the Street.

But ſhall deliver the Aſhes, &c. to the Scavenger.

Penalty.

III. And be it farther enacted by the authority aforeſaid, That the reſpective Churchwardens, and the Houſe-keepers and other Keepers of Whitehall, Somerſet Houſe, Saint James's Houſe, and Saint James's Park, and the Guard-houſes and Stables near it, and other their Majeſties Houſes; and the Uſhers, Porters or Keepers of Courts of Juſtice, and all other Publick or other Houſes or Places reſpectively, ſhall be liable to, and ſuffer the like Penalties, Forfeitures and Puniſhments for every the before-mentioned Offences or Neglects done, committed or ſuffered to be done before any Church or Church-Yard, or before any of their Majeſties Houſes, Buildings or Walls, or before any Houſes, Buildings or Walls, or before any Publick Buildings, Houſes or Places whatſoever.

Churchwardens, &c. lyable.

IV. And be it farther enacted by the authority aforeſaid, That from and after the ſaid fifteenth day of December, no perſon or perſons ſhall hoop, waſh or cleanſe any Pipes, Barrels or other Casks or Veſſels in any the Streets, Lanes, or open Paſſages aforeſaid; nor ſhall ſet out any Dung, Soyl, Rubbiſh or empty Coaches to make or mend, or rough Timber or Stones to be ſawn or wrought in the Streets, on the Penalty of twenty ſhillings for every Offence.

Hooping Barrels, &c.

Penalty.

V. And be it farther enacted by the authority aforeſaid, That the Rakers, Scavengers or other Officers thereunto appointed every day in the Week, except Sundays and other Holy days, ſhall bring or cauſe to brought Carts, Dung-Pots, and other fitting Carriages into all their reſpective Pariſhes, Limits, Precincts, Streets, Charges and Diviſions where ſuch Carts and Carriages can paſs, and at or before their approach by a Bell, Horn, or Clapper, or otherwiſe ſhall make diſtinct and loud Noiſe, and give notice to the Inhabitants thereof of their coming, and make the like Noiſe, and give the like Notice in every Court, Alley or Place, unto which the ſaid Carts cannot paſs, and abide and ſtay there a convenient time, in ſuch ſort that all perſons concerned may bring forth their reſpective Duſt, Dirt, Aſhes, Filth and Soyl to the reſpective Carts and Carriages ſo ſtaying as aforeſaid; all which the ſaid Rakers, Scavengers or other Officers aforeſaid, ſhall daily carry, or cauſe to be carried away, upon pain to forfeit forty ſhillings for every ſuch Offence or Neglect reſpectively.

Scavengers ſhall carry away all Dirt, &c.

Penalty.

VI. And be it farther enacted by the authority aforeſaid, That all open Streets, Lanes and Alleys, which now are paved, within any of the Pariſhes or places aforeſaid, ſhall be from time to time repaired, amended and paved at the Coſts and Charges of the Houſeholders, Inhabitants in any ſuch Streets and Lanes reſpectively; and where any Houſes ſhall be empty and unoccupied in any ſuch Streets and Lanes, then to be paved and repaired at the Charge of the Owners or Proprietors thereof in manner following; (that is to ſay) Every of the ſaid Houſholders, Owners or Proprietors of Houſes, to repair, pave, and keep repaired, amended and paved the Streets, Lanes or Alleys before his Houſe, Stables or Outhouſes, ſo far as his Houſing, Walls or Buildings extend, unto the Center-Stone, Chanel or middle of the ſame Street, Lane or Alley, upon pain to forfeit twenty ſhillings for every Perch or Rod, and after that Rate for a greater or leſſer quantity for every default, and of twenty ſhillings a Week for every Week after, until the ſame ſhall be ſufficiently paved and amended.

Pav'd Streets to be kept in repair.

VII. And whereas there are in the Pariſhes aforeſaid many new Streets and Ways made, which are fit and convenient to be paved with Stone, but for want of good Order therein, are almoſt unpaſſable to Paſſengers; Be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any one or more Juſtice or Juſtices of the Peace of the Place or Diviſion where any new Streets or Ways are or ſhall be made from time to time to view and inſpect the ſame; and if upon ſuch View they ſhall judge them fit to be paved or otherwiſe amended, to certifie the ſame under their Hands to the Juſtices of the Peace at the next reſpective General Quarter Seſſions of the Peace for the Place where ſuch Streets or Ways are or ſhall be made, who are hereby reſpectively thereupon authorized and required to take ſuch Order for the paving, or otherwiſe amending the ſame, as they ſhall think

Juſtice of Peace may order new Streets, &c. to be paved.

Penalty.

fit: And all and every perſon and perſons, Owners and Inhabitants of all and every the Houſes new built, or hereafter to be built, or adjoyning to any new Streets or Ways adjudged to be paved or amended, ſhall and are hereby required, according to their ſeveral and reſpective Intereſts therein, by Order of ſuch Juſtices at their Seſſion, and by a time in ſuch Order limited, pave with Stone or Gravel, or otherwiſe amend all the Ground that doth or ſhall lie in Front before every Dwelling-houſe or other Buildings in ſuch Streets and Ways, extended to the middle of the Way that doth or ſhall lie before the ſame: And every perſon offending herein, or that ſhall not from time to time repair and amend his or her proportion of the Pavements in ſuch Streets and Ways where they ſhall be paved, ſhall forfeit forty ſhillings for every ſuch Offence or Default for every Perch, and after that Rate for a greater or leſſer quantity, and the like Sum for every Week till the ſame be paved, or amended and repaired, and when paved or amended, the like Sum as thoſe that ſhall not pave and repair open Streets, Lanes and Allyes now paved by virtue of this Act.

Streets paved as formerly.

VIII. Provided always, That ſuch ancient Streets, Lanes and Alleys within the ſaid places, or any of them as by Cuſtom and Uſage have been repaired and paved by any other Order, or in any other manner, ſhall be hereafter repaired, paved and maintained in ſuch ſort and manner, and by ſuch perſon and perſons as have heretofore uſed to repair, pave and maintain the ſame, under the Penalties aforeſaid, any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Charges of cleanſing how raiſed.

IX. And for the better raiſing and levying of Monies to defray the Charges, and pay the Wages of the ſaid Scavengers, Rakers and other Officers imployed in cleanſing of the Streets, and other places aforeſaid, and carrying away the ſaid Aſhes, Dirt, Filth, and Soyl; Be it farther enacted by the authority aforeſaid, That within the Pariſhes of Saint Anne, and Saint James, within the Liberty of Weſtminſter, the Scavengers, Rakers and ſuch like Officers, ſhall be choſen as by the ſaid reſpective Acts is directed and appointed: And the Rates, Taxes and Aſſeſſments for Scavengers, Rakers, and ſuch like Officers Wages for cleanſing the Streets, ſhall be rated, taxed and aſſeſſed, raiſed and paid by the Pariſhioners and Inhabitants of thoſe reſpective Pariſhes, according to the Cuſtom and Uſage of the ſaid City, where it is not otherwiſe in the ſaid Acts provided and enacted: And the Receivers of all ſuch Monies ſhall be accountable in ſuch manner as they now are by the ſaid Acts, or otherwiſe by the Law, in caſe there is no Proviſion for the ſame thereby appointed: And all new Meſſuages, Tenements and Houſes now, or at any time hereafter built and erected within the Limits and Pariſhes aforeſaid ſhall be likewiſe rated, taxed and aſſeſſed, and ſhall pay proportionable with others:

Election of Scavengers and puniſhment of Refuſers.

And in all other places and Pariſhes aforeſaid, upon every Monday or Tueſday in Eaſter-Week, the Conſtables, Churchwardens and Overſeers of the Poor, and Surveyors of the High-Ways of every of the ſaid Pariſhes and Places, reſpectively, or the greater number of them, giving Notice unto, or calling together ſuch other ancient Inhabitants of their reſpective Pariſhes, as according to the Cuſtom of the ſaid Pariſhes or Places are uſually preſent at the Election of Pariſh Officers, they or the greater number of them preſent, ſhall make choice of, and ſhall nominate and appoint two or more able perſons, that are Tradeſmen of their Pariſh, to be Scavengers for the Streets, Lanes and Alleys, and other open Paſſages of each Ward and Diviſion within their ſaid Pariſh, for the year then next enſuing, and until others be choſen and ſettled in their Places; which perſons ſo choſen and being approved and confirmed under the Hand of any two Juſtices of the Peace within their reſpective Limits and Juriſdictions, ſhall within ſeven days after their Election, and Confirmation and Notice thereof, take that Office and Duty upon them, upon pain to forfeit ten pounds for every Refuſer reſpectively; and in caſe of Refuſal by any perſon or perſons ſo choſen and confirmed, then other able perſons ſhall be choſen and confirmed in manner aforeſaid, within ſeven days after ſuch Refuſal, in the Place of him or them which ſhall ſo refuſe; And the perſon or perſons ſo choſen and confirmed, and having Notice thereof, ſhall undergo the like pain of ten pounds in caſe of Refuſal, or not taking upon him or them the ſaid Office or Duty within ſeven days after he or they ſhall be choſen and confirmed, and have Notice thereof as aforeſaid; The ſaid Penalties to be paid to the Surveyors of the High-ways of the place, and diſpoſed of and employed by them for and towards the mending and repairing of the High-ways and Streets of the ſame Pariſh, Ward or Diviſion, and to be levied by Diſtreſs and Sale of the Goods and Chattels of the Offenders, by Warrant under the Hand and Seal of any one Juſtice of Peace of any of the Places aforeſaid, to be directed to the Conſtables or other Officers of the ſame Pariſh, or any two or more of them, rendring the Overplus to the Party, (reaſonable Charges for the Diſtreſs only to be deducted;) And in default of Diſtreſs or Nonpayment within ſix days after Demand thereof, or Notice left in Writing at the Houſe or Dwelling-place of the Offender, by the ſaid Conſtables or Officers reſpectively, the ſaid Offender to be committed to the Common Gaol of the ſaid County, City or Place reſpectively, by the Warrant of any ſuch Juſtice under his Hand and Seal, there to remain without Bail or Mainprize, until Payment be thereof made, as aforeſaid; And ſo in like manner for every perſon or perſons neglecting or refuſing the ſame.

Inhabitants may make a Pound-Rate.

X. And be it farther enacted by the authority aforeſaid, That within twenty days after the Election and Confirmation of the ſaid Scavengers, as aforeſaid, the Conſtables, Churchwardens and Overſeers of the Poor, and Surveyors of the Highways of the Pariſhes and Places aforeſaid reſpectively, or the greater number of them, giving Notice unto, or calling together ſuch Inhabitants of their reſpective Pariſhes as aforeſaid, they or the greater number of them then preſent, ſhall make and ſettle a Tax, Rate or Aſſeſſment, according to a Pound-Rate to be impoſed or ſet upon the Inhabitants of every reſpective Pariſh, Ward or Diviſion for the year following, for the purpoſes aforeſaid;

which being allowed and confirmed by any two of the Juſtices of the Peace of the Places aforeſaid reſpectively, which they are hereby authorized and required, as far as the ſame ſhall be equal and reaſonable to allow, ſhall be quarterly paid by every reſpective Inhabitant upon Demand made thereof by the Scavengers or Officers appointed to gather and collect the ſame; And in caſe of a Refuſal or Neglect ſhall by Warrant under the Hands and Seals of any two Juſtices of the Peace of the Diviſion Pariſh or Place, be levied by Diſtreſs and Sale of the Offenders Goods, and for want of Diſtreſs, by Impriſonment of the Offender (he not being a Peer of this Realm) until Payment, as aforeſaid.

Penalty for Non-payment.

XI. Provided always, and be it enacted, That ſuch Sums of Mony as ſhall be yearly aſſeſſed and collected in the ſaid Pariſhes for cleanſing the Streets ſhall be yearly accounted for by the Scavenger for the time being which collected the ſame, to two or more of the next Juſtices of the Peace for the Place, reſiding in or near to the reſpective Places for which ſuch Scavengers were appointed, within eight and twenty days after the Election of new Scavengers for the enſuing year; And ſuch Sum or Sums as ſhall be remaining in their Hands, ſhall be by them paid over to the next ſucceeding Scavengers elected for ſuch Pariſh; And any two ſuch Juſtices of the Peace, as aforeſaid, ſhall and may by virtue hereof, commit to Priſon every one of the ſaid Scavengers which ſhall refuſe to account, there to remain without Bail or Mainpriſe, until he have made a true Account, and ſatisfied and paid ſo much as upon the ſaid Account ſhall be remaining in his Hands.

Scavenger muſt account.

Pay the Overplus.

Penalty.

XII. Provided always, That the reſpective Scavengers and Rakers for any of the Pariſhes aforeſaid, ſhall have Liberty by the Approbation and Order of the Juſtices at their Petit Seſſions, or any two or more of them, to lodge their Dirt, Duſt, Aſhes or other Filth, in ſuch vacant and publick places in or near the Streets or High ways, as ſhall be thought convenient by the ſaid Juſtices, for the Accommodation of the Country Carts returning empty from the ſaid Pariſhes, they giving Satisfaction to the Owners and Occupiers of ſuch vacant places; and in caſe of unreaſonable demands, ſuch Juſtices in their Petit Seſſions, ſhall hear, moderate and determine the ſame according to Equity and good Conſcience. And in caſe any perſon ſhall find him, her or themſelves aggrieved with any Rate, Tax or Aſſeſſment made by virtue of this Act, or any ways prejudiced by any determination of the ſaid Juſtices in their Petit-Seſſions, he or they ſo grieved or prejudiced, ſhall and may have recourſe in all ſuch Caſes, to the Juſtices of the Peace aſſembled at the General Quarter-Seſſions of the Peace to be held for the Place wherein the Matter of Grievance doth ariſe, to ſet forth his, her or their Caſe, by Petition or otherwiſe; And the ſaid Juſtices in ſuch their Quarter Seſſions are hereby impowred to hear and determine all Matters to them complained of, concerning the ſame reſpectively, and their Determination and Order therein ſhall be final, without any Appeal to any other Court whatſoever.

Where the Scavenger muſt lay his Dirt, &c.

Appeal to Quarter-Seſſions.

XIII. And whereas there are many Common High-ways within the ſaid Pariſhes, which cannot be ſufficiently amended, repaired and ſupported, by means of the Laws now in force, without the help of this preſent Act; Be it enacted, That for the better amending and repairing the ſame, one or more Aſſeſſment or Aſſeſſments upon all and every the Inhabitants, Owners and Occupiers of Lands, Houſes, Tenements and Hereditaments, or any Perſonal Eſtate uſually ratable to the Poor within any of the ſaid Pariſhes, ſhall be from time to time made, levied, collected and allowed by ſuch perſon and perſons as the ſaid Juſtices at ſuch their General Quarter Seſſions ſhall direct and appoint in that behalf, and the Mony thereby raiſed, ſhall be employed and accounted for according to the Order and Direction of the ſaid Juſtices, for and towards the amending, repairing and ſupporting ſuch High ways from time to time as need ſhall require; And the ſaid Aſſeſſment ſhall be levied by Diſtreſs and Sale of the Goods of every perſon ſo aſſeſſed (not paying the ſame within fourteen days after demand) rendring the Overplus of the Value of the Goods ſo diſtrained, to the Owner and Owners thereof; the neceſſary Charges of making and ſelling ſuch Diſtreſs being firſt deducted. Provided always, That no ſuch Aſſeſſment or Aſſeſſments to be made in any one year, ſhall exceed the Rate of four pence in the pound of the yearly value of any Lands, Houſes, Tenements and Hereditaments ſo aſſeſſed, nor the Rate of eight pence for every twenty pounds in Perſonal Eſtate.

Aſſeſſment how made for the High-ways.

To be levied by Diſtreſs.

XIV. And whereas many new Sewers, Sinks and Vaults have been made in the Pariſhes within the City and Liberty of Weſtminſter, and other the Pariſhes aforeſaid, by the Commiſſioners appointed by the ſaid recited Act, which ſince the Expiration thereof are much neglected, and noiſom to the Inhabitants, becauſe of ſome doubt whether ſuch new Sewers are within the Juriſdiction of the Laws of Sewers; Be it therefore enacted by the authority aforeſaid, That all new Sewers at any time ſince the twelfth year of the Reign of the ſaid late King Charles the Second, made in any of the ſaid Pariſhes, ſhall be henceforth ſubject to the Commiſſion of Sewers, and to the Laws and Statutes made for Sewers, as fully to all intents and purpoſes, as if ſuch Sewers, Sinks and Vaults had been expreſly mentioned in the ſaid Statutes of Sewers, to be under the Survey of the ſaid Commiſſioners; And the Commiſſioners of Sewers for the time being, within the Limits of their reſpective Commiſſions, ſhall have power and authority by virtue of this Act to alter, amend, cleanſe and ſcower any ſuch new Sewers, Sinks and Vaults, and to order and direct the making of any other new Vaults and Sewers, and to cut into any Drain or Sewer already made, and to alter or take away any Nuſances in the ſame, and to alter or take away any Croſs-Gutter or Chanels in all or any of the Streets and Lanes in the Pariſhes aforeſaid.

New Sewers ſubject to the Commiſſion of Sewers.

XV. And be it farther enacted by the authority aforeſaid, That every Houſholder within any of the Pariſhes, Places or Precincts in the Counties of Middleſex and Surrey, and

Houſholders to ſet up Lights.

City and Liberty of Weſtminſter, compriſed within the Weekly Bills of Mortality whoſe Houſe adjoyns unto or is near the Street, from Michaelmas unto our Lady-day yearly, ſhall every night ſet or hang out Candles or Lights in Lanthorns on the outſide of the Houſe next the Streets, to enlighten the ſame for the conveniency of Paſſengers, from time to time as it ſhall grow dark, until twelve of the Clock in the Night, upon pain to forfeit the Sum of two ſhillings for every default (excepting ſuch perſon or perſons as ſhall agree to make uſe of Lamps of any ſort, to be placed at ſuch diſtances in the Street, as ſhall be approved of by two or more Juſtices of the Peace.)

The Weight of a Truſs of Hay.

XVI. And whereas great Abuſes and Deceits are committed by Carters and others, who bring and ſet Hay within the Cities of London and Weſtminſter, and the Hay-Markets, and places compriſed within the Weekly Bills of Mortality, the Loads and Truſſes of ſuch Hay being of leſs Weight then they ought, and are pretended and declared to be between the Buyer and Seller thereof: For remedy herein, Be it farther enacted by the authority aforeſaid, That every Truſs of old Hay brought or offered to be ſold hereafter in any place within the Cities of London and Weſtminſter, and all other places compriſed within the Weekly Bills of Mortality between the laſt day of Auguſt and firſt day of June, ſhall contain and be the full Weight of ſix and fifty pounds at leaſt; and that every Truſs of Hay brought or offered to be ſold within the Cities or places aforeſaid, between the firſt day of June and the laſt day of Auguſt in any year, being new Hay of that Summers Growth, ſhall be and contain the full Weight of ſixty pounds, and being old Hay of any former years Growth, the Weight of ſix and fifty pounds, as aforeſaid; And if any Hay after the ſaid fifteenth day of December, ſhall be brought or offered to be ſold within the Cities or places aforeſaid, whereof any Truſs ſhall be of leſs Weight then aforeſaid, the perſon or perſons aforeſaid, ſo bringing or offering ſuch Hay to be ſold, ſhall forfeit for every ſuch Truſs of Hay, not being the full Weight aforeſaid, the Sum of eighteen pence.

Penalty.

Loaden Hay-Carts when to ſtand.

XVII. And be it farther enacted by the authority aforeſaid, That from and after the ſaid fifteenth day of December, no perſon or perſons whatſoever, ſhall permit or ſuffer his or their Waggon, Cart or Car to ſtand or be in the place now called the Hay-Market near Pickadilly, in the Pariſh of Saint Martin in the Fields, and Saint James within the Liberty of Weſtminſter, or Borough of Southwark, or any other place in the Pariſhes within the Weekly Bills of Mortality, loaden with Hay or Straw, to ſell the ſame from Michaelmas to Lady-day after two of the Clock in the Afternoon, and from Lady-day to Michaelmas after three of the Clock in the Afternoon, on pain to forfeit for every Offence and Neglect, five ſhillings reſpectively.

Offenders how to be convicted.

XVIII. And for the more ſpeedy Reformation and Puniſhment of all and every the Offences aforeſaid, Be it farther enacted by the authority aforeſaid, That every ſuch Juſtice of the Peace within the Counties of Middleſex and Surrey, and City and Liberties of Weſtminſter, and places aforeſaid, within their ſeveral Limits reſpectively, ſhall have Power and Authority upon his own Knowledge or View, Confeſſion of the Party, or Proof of one credible Witneſs upon Oath before him (which Oath the ſaid Juſtice is hereby impowred to adminiſter) to convict any perſon or perſons of any the Offences aforeſaid, whereby ſuch perſon or perſons ſo convict ſhall incur the Pains, Penalties and Forfeitures aforeſaid; one moiety whereof ſhall be diſpoſed and employed for and towards the Relief of the Poor of the Pariſh or place where the Offence ſhall be committed or done, to be paid to the Overſeers of the Poor of the ſame for that uſe, and the other Moiety thereof for him or them that ſhall diſcover and proſecute the ſame, in caſe the ſaid Conviction be by Diſcovery and Proſecution; And if the Conviction ſhall be by the View or Knowledg of any one or more Juſtice or Juſtices of the Peace, then one half of the Penalty ſhall be diſpoſed of to the Relief of the Poor, as aforeſaid, and the other Moiety, if for a default of Payment, to go to and be employed for and towards the repairing, paving and cleanſing the ſaid Streets or places, to be paid to the Scavengers of the place, and by them employed for that uſe, or otherwiſe to the Relief of the Poor, as aforeſaid; And all the ſaid Penalties ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender by Warrant under the Hand and Seal of any Juſtice of the Peace of the place, to be directed to the Conſtables and Headboroughs of the ſame Pariſh where the Offence was done, rendring the Surpluſage to the party; And in default of Diſtrels or not Payment of the ſaid Penalties, within ſix days after demand thereof, where it is not hereby otherwiſe provided, or Notice in Writing left at the Houſe or Dwelling-place of the Offender, by the ſaid Conſtable or Headborough, (the ſaid Offender not being a Peer of this Realm) ſhall be committed to the Common Goal of the ſaid Counties or City reſpectively, by the Warrant of any ſuch Juſtice under his Hand and Seal, there to remain without Bail or Mainpriſe until Payment.

Penalty how diſpoſed.

Penalty how to be levied.

Cart-wheels how to be made.

XIX. And whereas the Wheels of many Carts, Carrs and Brewers Drays, now commonly uſed for the Carriage of Goods, Beer, Ale, and other things from place to place within the Cities of London and Weſtminſter, and Pariſhes aforeſaid, where the Streets are paved are made thinner or narrower in the Felleyes then formerly, and many are ſhod with Iron Tyres, by means whereof the Pavements in the Streets of the ſaid Cities and places are daily impaired and broken up, and made dirty and rough: For prevention whereof for the time to come, Be it therefore enacted by the authority aforeſaid, That from and after the fifteenth day of December, the Wheels of every Cart, Car or Dray to be uſed for the Carriage of any thing whatſoever, from any place within the ſaid Cities and places, to any place ſituate in the ſaid Cities and places where the Streets are paved, ſhall be made to contain the full breadth of ſix Inches in the Felley, and ſhall not be wrought about with any Iron Work whatſoever, nor be drawn with above the number of two Horſes, after they are up the Hills from the Water-ſide; And the Owners and Proprietors of any Cart, Car or Dray to be uſed, as aforeſaid, the Wheels whereof ſhall not be made ſix Inches in the breadth, or ſhall be ſhod with Iron, or be drawn with above two Horſes, as aforeſaid, ſhall forfeit the Sum of forty ſhillings for every time ſuch Cart, Car or Dray ſhall be

This Clauſe diſpenſed with 3 & 4 W. & M. Cap. 12. Sect. 16.

Penalty.

be uſed, as aforeſaid, for the Uſes, and to be levied, as aforeſaid. Provided nevertheleſs, That this ſhall not extend to any Country Cart or Wagon that ſhall bring any Goods to the Cities or places aforeſaid, or ſhall carry any Goods half a mile beyond the paved Streets of the ſaid Cities and places.

Country Carts excepted.

XX. And for the better keeping and preſerving the Streets and Sewers in and about the ſaid Cities of London and Weſtminſter, and the Liberties thereof, and the Borough of Southwark, and other the Pariſhes aforeſaid, Be it farther enacted, That no perſon or perſons whatſoever, from and after the ſaid fifteenth day of December, ſhall breed, feed or keep any ſort or manner of Swine within any part of the Houſes or Backſides of the paved Streets of the ſaid Cities, Borough or Pariſhes where the Houſes are contiguous, upon pain of forfeiting the ſame to the Churchwardens and Overſeers of the Poor of the Pariſh where ſuch Swine ſhall be kept, bred or fed, to the uſe of the Poor thereof; And that it ſhall and may be lawful for all or any of the Church-wardens, Chappel-wardens, Overſeers of the Poor, Conſtables, Beadles, Headboroughs or Tythingmen of any of the Pariſhes of the ſaid Cities and places reſpectively, at all times hereafter in the day-time, by Warrant under the Hand and Seal of the ſaid Mayor of London, or any other of their Majeſties Juſtices of the Peace of the place reſpectively, to ſearch in all ſuch places in their reſpective Pariſhes for the finding all ſuch Swine, and all that ſhall be ſo found, to ſeize, take, drive and carry away, and the ſame to ſell for the beſt price that can be had, and the Mony thereby produced forthwith to deliver to the Church-wardens or Overſeers of the Poor of the Pariſh where ſuch Swine ſhall be ſeized, to be diſtributed to the Poor of the ſame, in ſuch manner and proportions as the ſaid Churchwardens and Overſeers reſpectively ſhall think fit.

Swine kept within London, &c. forfeited.

XXI. And for the better cleanſing and keeping clean the Streets, Lanes and Paſſages within the City of London, and Liberties thereof, at all times hereafter, Be it enacted by the authority aforeſaid, That the ſame ſhall be ordered and managed, and Rates and Impoſitions laid and levied, and all other Ways and Means therefore uſed and obſerved, according to the ancient Uſage and Cuſtom of the ſaid City.

Cuſtom of London for cleanſing, &c. continued.

XXII. And for the better effecting the ſame, and preventing the throwing out, or laying any Aſhes, Soyl, Duſt or Rubbiſh, or other Nuſance or Obſtruction in any the Streets, Lanes or Paſſages of the ſaid City or Liberties thereof, It is farther enacted, That it ſhall and may be lawful to and for the Lord Mayor of the ſaid City for the time being, and to and for any Alderman of the ſaid City for the time being, upon his own proper Knowledge or View, in the open General Seſſions to make Preſentment for any ſuch Offence committed, done or ſuffered within the ſaid City or Liberties thereof, which Preſentment ſhall be good and effectual; And the Lord Mayor and Juſtices of the ſame City ſhall immediately at the ſame General Seſſions, have Authority to aſſeſs Fines for ſuch Offences, not exceeding twenty ſhillings for any one Offence; Which Fines ſo to be aſſeſſed, as aforeſaid, ſhall be levied and paid unto the Chamberlain of the City of London for the time being, for the uſe of the ſame City, to be employed in the publick Payments of the ſame City; any Law or Statute to the contrary notwithſtanding.

Lord Mayor, &c. may preſent upon view.

Fine upon the Preſentment.

XXIII. And whereas there are many good Proviſions made and ordained for the cleanſing the Sewers, and well paving the Streets in London, by one Act made in the two and twentieth and three and twentieth years of King Charles the Second, Entituled, An Act for the better Paving and Cleanſing the Streets and Sewers in and about the City of *London*, which have been much obſtructed by occaſion of many frivolous and vexatious Actions commenced and proſecuted by Evil-diſpoſed perſons againſt Officers and others employed in the Execution of the ſaid Act; Wherefore to prevent the like vexatious Proſecutions for the future, Be it farther enacted, That if any Action, Suit, Plaint or Information, ſhall at any time after the ſaid fifteenth day of December be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance of, or in Execution of the ſaid laſt recited Act, or this Act, ſuch perſon or perſons, ſo ſued in any Court whatſoever, ſhall or may plead the General Iſſue, and upon any Iſſue joyned, may give the ſaid reſpective Acts, or either of them, as the Caſe may require, and the ſpecial Matter in Evidence; And if the Plaintiff or Proſecutor ſhall become Nonſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him or her, the Defendant and Defendants ſhall recover their treble Coſts, for which they ſhall have the like Remedy as in any Caſe where Coſts by the Law are given to Defendants.

22, 23 Car. 2. 17.

General Iſſue.

Treble Coſts.

XXIV. And it is hereby enacted and declared, for avoiding any Doubt touching the Highway leading from the Eaſt-ſide of Clerkenwell Green to St. Johns Street, That the ſaid Way ſhall be paved according to the Direction of this Act.

St. Johns.

CAP. IX. (19.)

An Act for the Encouraging the Diſtilling of Brandy and Spirits from Corn, and for laying ſeveral Duties on Low Wines, or Spirits of the firſt Extraction.

Whereas by an Act made in the Parliament held in the firſt year of their Majeſties Reign, Entituled, An Act for Prohibiting all Trade and Commerce with *France*, all Brandies, Aqua vitæ, and Spirits are prohibited to be imported into this Kingdom: And whereas good and wholſom Brandies, Aqua vitæ, and Spirits may be drawn and made from malted Corn; For the Encouragement therefore of the making of Brandy, Strong-waters, and Spirits from malted Corn, and for the greater Conſumption of Corn, and the Advantage of Tillage in this Kingdom,

Preamble.

II. Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the four and twentieth day of December in the year of our Lord, one thouſand ſix hundred and ninety,

Exciſe upon Spirits till 1695.

The ſeveral Rates.

ninety, until the five and twentieth day of December in the year of our Lord, one thouſand ſix hundred ninety five, there ſhall be paid by way of Exciſe unto their Majeſties and their Succeſſors for all Low Wines or Spirits of the firſt Extraction, drawn by Diſtillers, or other Makers of Spirits and Strong-waters for Sale within this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, the Rates and Duties following, (that is to ſay) For every Gallon of Low Wines of the firſt Extraction made or drawn from any Foreign or imported Materials, or any mixture with foreign Materials, eight pence. For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn from Brewers Waſh or Tilts, or from any ſort of Engliſh Materials, other then from Drink brewed and prepared from any ſort of malted Corn, or from Perry or Cyder, twelve pence. For every Gallon of Low Wines of the firſt Extraction, drawn or made only from Drink brewed and made of any ſort of malted Corn, one peny. And for every Gallon of Low Wines of the firſt Extraction, drawn or made from Cyder or Perry, or any Mixture therewith, three pence.

Diſtillers ſhall draw their Spirits from Corn without Moloſſus, &c.

Gagers ſhall ſee and keep Account of the Spirits.

Penalty upon mixing other Materials.

III. And be it farther enacted by the authority aforeſaid, That all Diſtillers and others who ſhall draw or make any Low Wines, Spirits or Brandy from Corn, ſhall brew or cauſe their Corn to be brewed and made into clean and wholſom Drink, and from ſuch Drink ſo made and prepared, (without any Mixture with any Moloſſes, Waſh or Tilts, or other Materials whatſoever) ſhall draw their Low Wines or Spirits of the firſt Extraction; and that it ſhall and may be lawful for the Gager and Gagers of Exciſe, from time to time, to gage and keep an Account of the Liquors, Worts and Drink made and drawn by ſuch Diſtillers or others, for the making ſuch Low Wines, Spirits or Brandies, and to ſee that the ſame be drawn and made from Drink made of malted Corn entirely, without any Mixture, as aforeſaid; and in caſe any Diſtillers or others ſhall therewith mix any other Materials, either in the Brewing, or after the ſame is made into Drink, and before the ſame be diſtiled into Low Wines, The ſaid Gagers ſhall charge the Low Wines drawn from the Drink ſo mixed, with the Duty of twelve pence for every Gallon, which ſaid Duty ſhall be anſwered and paid to their Majeſties and their Succeſſors.

Penalty upon Diſtiller making or receiving other Materials.

IV. And be it farther enacted, That no Diſtillers or others, drawing Low Wines or Spirits from Corn, prepared as aforeſaid, ſhall prepare any Waſh from Moloſſes or other Materials, or receive any Waſh of Moloſſes or other Materials, from any other perſon whatſoever, until he has drawn off and diſtilled all the Liquors made or prepared from Corn, as aforeſaid, on pain of Forfeiture for every Barrel of ſuch Liquors made of Corn, as aforeſaid, found undiſtilled or drawn into Low Wines, the Sum of five pounds.

Penalty upon Officer returning falſe.

V. And be it farther enacted by the authority aforeſaid, That if any Gager or other Officer of Exciſe, ſhall wittingly and willingly make a falſe Charge, by returning to the Commiſſioners any quantity of Low Wines or Spirits of the firſt Extraction, not made from malted Corn, as made and drawn from malted Corn, ſuch Gager or Officer ſhall forfeit his Office or Employment, and alſo ſhall forfeit for every Gallon of Low Wines ſo falſly charged or returned, the Sum of ten ſhillings.

Diſtiller may export malted Spirits.

Rebate of 3 d. per Gallon upon Exportation.

VI. And for the farther Encouragement of Diſtillers and others, to draw and make Spirits or Brandies from malted Corn brewed into Drink, as aforeſaid, and to export the ſame as Merchandize into parts beyond the Seas, Be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful to or for any Diſtillers or others, upon Oath made before any two or more of the Commiſſioners of Exciſe, or Juſtices of the Peace for the County or place from whence any Brandy or Strong-waters is or are intended to be exported, that the ſame were or was made and drawn from Drink brewed from malted Corn, without any mixture with any other Materials, and that the ſame is not mixed with any Low Wines not drawn a ſecond time, nor with any other Spirits or Brandy made from any other Materials, either Native or Foreign, and that the Duties of the ſame are duly entred or paid, and that the ſame are exported for Merchandize to be ſpent beyond the Seas, to export ſuch Spirits or Brandies made from Corn prepared, as aforeſaid; and upon a Certificate under the Hands of the Officer of Exciſe for the Port or Place where ſuch Spirits or Brandies were ſhipt off, of the quantity ſo ſhipt, and that the ſame was ſhipt in the preſence, of ſuch Officers, that ſuch Diſtiller or others ſo exporting, ſhall be allowed or paid back by the Commiſſioners or their Collector for the Port or Place where ſuch Spirits or Brandy ſhall be ſhipt off, the Sum of three pence for every ſuch Gallon of Brandy or Spirits ſo ſhipt off.

Gager ſhall take account of Waſh, &c.

Gager ſhall diſcharge Diſtiller with quantities miſſing.

VII. And be it farther enacted by the authority aforeſaid, That the Gager and Gagers of Exciſe ſhall from time to time gage and take account of all Waſh and other Materials prepared or preparing for the making of Low Wines, and alſo of all Low Wines, Spirits or Strong-waters found in the Houſes, Cellars or Warehouſes, or in any Waſh, Back, Caſk or other Veſſel or Veſſels uſed by any Diſtiller or Maker of Low Wines or Spirits; and in caſe he ſhall miſs any quantity or quantities of Liquor or Drink brewed or made from Corn, or any Waſh or other Materials prepared for making of Low Wines which he found or gaged the laſt time ſuch Gager was at ſuch Diſtillers, not exceeding twenty four hours before, and ſhall not on Demand receive Satisfaction what is become of ſuch Drink or Waſh, or other ſuch like Materials, That in every ſuch Caſe it ſhall be lawful for ſuch Gager to charge ſuch Diſtiller with ſo much Low Wines as ſuch Liquor, Drink, Waſh or other Materials ſo miſſing in his Judgment would reaſonably have made.

Diſtiller ſhall give notice to Gager the time of diſtilling & removing Spirits, except at certain times mentioned.

VIII. And to the intent that the Duties payable to their Majeſties for all Low Wines, Spirits, Aqua vitæ, and Strong-waters, may be the better aſcertained, collected and levied, Be it enacted by the authority aforeſaid, That from and after the ſaid four and twentieth day of December, no Diſtiller or Maker of Low Wines, Spirits, Aqua vitæ, and Strong-waters ſhall diſtill or ſet their Stills at work for the drawing or making any the Liquors above-mentioned, or ſhall deliver or carry out any Low Wines, Spirits, or Aqua vitæ, to any of their Cuſtomers, in Caſk or by the Gallon, without Notice thereof firſt given to the Officer of Exciſe for the Place or Diviſion where ſuch Diſtiller or Maker ſhall live, to the intent that ſuch Officer may be preſent to ſee and gage the ſame, unleſs at ſuch times as herein after are mentioned; (that is to ſay) from the nine and twentieth day of September to the twenty fifth of March yearly, between the hours of five of the Clock in the Morning, and eight of the Clock in the Evening; and from the twenty fifth of March to the twenty ninth of September yearly, between the hours of three of the Clock in the Morning and nine of the Clock in the Evening, upon Pain that every Diſtiller and Maker of the Liquors aforeſaid, doing contrary hereunto, ſhall for every ſuch Offence forfeit the Sum of ten pounds.

10 l. Penalty.

Manner of levying, collecting, &c.

IX. And be it farther enacted by the authority aforeſaid, That the ſeveral Rates and Duties of Exciſe hereby impoſed on the Liquors aforeſaid, ſhall be raiſed, levied, collected, recovered and paid unto their Majeſties and their Succeſſors during the time before mentioned, and in the ſame manner and form, and by ſuch Rules, Ways and Means, and under ſuch Penalties and Forfeitures as are mentioned, expreſſed and directed in and by one Act of Parliament made in the twelfth year of the Reign of the late King Charles the Second, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in *Capite* and by Knights Service and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof; And alſo in and by one other Act of Parliament made in the fifteenth year of his ſaid Majeſties Reign, Entituled, An Additional Act for the better ordering and collecting the Duties of Exciſe, and Preventing the Abuſes therein, or in either of them, or by any other Law now in force, relating to the Revenue of Exciſe.

Cap. 24.

Cap. 11.

Fines upon this Act how recoverable.

X. And be it farther enacted by the authority aforeſaid, That all Fines, Penalties and Forfeitures by this Act impoſed, ſhall be ſued for, recovered and levied by ſuch ways, means and methods, as any Fine, Penalty or Forfeiture is or may be recovered by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter; and that one moiety of ſuch Fine, Penalty or Forfeiture ſhall be to their Majeſties and their Succeſſors, and the other moiety to him or them that ſhall diſcover, inform or ſue for the ſame.

Any perſon may diſtil.

XI. Provided always, and be it enacted and declared by the authority aforeſaid, That it ſhall and may be lawful to or for any perſon or perſons, during the continuance of this Act, to make, draw or diſtil for Sale, or to be retailed, any Low Wines or Spirits, from Drink brewed from malted Corn, only paying the Duties, and being ſubject to all Fines and Penalties as other Diſtillers are; any Law, Charter, or other thing to the contrary notwithſtanding.

Exciſe upon Brandy and other Liquors from Guernſey, &c.

XII. And be it farther enacted by the authority aforeſaid, That all Strong-waters, Brandy, Aqua vitæ, or Spirits brought from the Iſlands of Guernſey, Jerſey, Sark or Alderney, ſhall be charged with the Duty of eight ſhillings for every Gallon, to be paid to the Collector or Officer of Exciſe, upon Entry thereof before landing; And that all other exciſable Liquors brought from the ſaid Iſlands, or any of them, except Beer, Ale and Mum, ſhall be charged and chargeable with ſuch and the like Duties as are charged or chargeable on the like Liquors made in this Kingdom, to be entred and paid, as aboveſaid: And that before the Landing of any ſuch Liquors Oath ſhall be made by the Importer or Owner of ſuch Brandy, Strong-waters or Spirits, and other Liquors, before the Collector or principal Officer of the Cuſtoms of the Port where the ſame are to be landed, That the ſame are of the Growth and Manufacture of the ſaid Iſlands, or one of them, and are not made from, or mixed with any Foreign Liquors or Materials: And in caſe any ſuch Liquors ſhall be imported and landed before due Entry, ſuch Oath made, and the ſaid Duties paid, the ſaid Strong-waters, Brandy and other Liquors ſhall be taken and adjudged to be of the Growth and Manufacture of the Territories of the French King, and the ſaid Liquors ſhall be deſtroyed, and all perſons concerned in the Importation or Sale thereof, ſhall forfeit and ſuffer all and every the Penalties mentioned in an Act made in the firſt year of their Majeſties Reign, Entituled, An Act for Prohibiting all Trade and Commerce with *France*, in ſuch and the ſame manner as if the ſaid Liquors had been of the Growth and Manufacture of the Territories of the French King, and ſhall be proſecuted and recovered as in the ſaid Act is appointed.

Oath muſt be made that they are of the Manufacture of thoſe Iſlands, otherwiſe adjudged French Commodities.

Charters for the ſole making of Brandy void.

XIII. Provided alſo, and be it enacted, That all Charters and Letters Patents already made, or hereafter to be made or granted for the ſole making of Brandy, Spirits or Strong-Waters from Corn of any ſort, or in any manner whatſoever, as a new Invention, or whereby the Power and Liberty given by this Act to all perſons, for the diſtilling and making Brandy, Spirits or Strong-waters from Corn, ſhall be in any manner reſtrained, ſhall be, and are hereby declared and adjudged to be void to all intents and purpoſes whatſoever.

CAP. X. (20.)

An Act for Granting to their Majeſties ſeveral Additional Duties of Exciſe upon Beer, Ale and other Liquors for four years, from the time that an Act for doubling the Duty of Exciſe upon Beer, Ale and other Liquors, during the ſpace of one year doth expire. Continued by 3 & 4 *W.* & *M.* ca. 6. till *May*, 1697.

Moſt Gracious Sovereigns,

WE your Majeſties moſt Dutiful and Loyal Subjects, the Commons aſſembled in Parliament, taking into ſerious Conſideration the great and urgent Occaſions which do preſs your Majeſties to an extraordinary Expence of Treaſure, for the Defence of your Kingdoms and Dominions againſt Invaſion, and for preſerving to your ſaid Subjects the Intercourſe of Trade; for which purpoſe your Majeſties have found your ſelves obliged to equip and ſet out to Sea a Royal Navy, and to maintain a War againſt the French King; And in moſt thankful Acknowledgment of your Majeſties tender Care of the Welfare of your People, and for the augmenting the Naval Strength of this your Kingdom, by building ſome new Ships of War; have chearfully and unanimouſly given and granted, and do hereby give and grant to your Majeſties the ſeveral additional Rates and Duties of Exciſe herein after mentioned; and do moſt humbly beſeech your Majeſties that it may be enacted;

Additional Exciſe. 5 & 6 W. & M. Cap. 7. & 20.

6 s. Beer.

Beer under 6 s.

Vinegar Engliſh

Vinegar Foreign.

Beer, &c.

Cyder per Tun.

Brandy ſingle.

Brandy double.

Cyder retail'd.

Metheglin.

II. And be it enacted by the King and Queen's moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the ſeventeenth day of November in the year of our Lord, one thouſand ſix hundred and ninety one, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto your Majeſties and your Succeſſors, during the ſpace and term of four years, and no longer, for Beer, Ale, Cyder, and other Liquors herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges and Impoſitions by any former Act or Acts (then unexpired) ſet and impoſed, in manner and form following; (that is to ſay,) For every Barrel of Beer or Ale above ſix ſhillings the Barrel, excluſive of the Duty of Exciſe, brewed by the common Brewer, or any other perſon or perſons who doth, or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, over and above the Duties payable for the ſame, one ſhilling ſix pence. For every Barrel of Beer or Ale of ſix ſhillings the Barrel or under, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the ſaid Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer quantity, over and above the Duties payable for the ſame, ſix pence. For every Barrel of Vinegar or Vinegar Beer, brewed or made of any Engliſh Materials, by any Common Brewer, or any other perſon for Sale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer quantity, over and above the Duties of Exciſe payable for the ſame, three ſhillings. For every Barrel of Vinegar, or Liquor prepared for Vinegar made here for Sale, that hath run through Rape, or made with or paſſing through any Foreign Materials, or any mixture with Foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer quantity, eight ſhillings. For every Barrel of Beer, Ale or Mum imported beyond the Seas, or from the Iſlands of Guernſey or Jerſey, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importers before Landing, over and above the Duties payable for the ſame, ſix ſhillings. For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importer before Landing, over and above the Duties payable for the ſame, eight pounds. For every Gallon of ſingle Brandy, Spirits or Aqua vitæ, Imported from beyond the Seas, to be paid by the Importer before Landing, over and above the Duties payable for the ſame, four ſhillings. Repealed by 4 & 5 W. & M. cap. 6. For every Gallon of Brandy, Spirits, or Aqua vitæ above proof, commonly called double Brandy, imported from beyond the Seas, to be paid by the Importer before Landing, over and above the Duties payable for the ſame, eight ſhillings: Repealed by 4 & 5 W. & M. cap. 6. For all Cyder and Perry made and ſold by Retail, upon every Hogſhead to be paid by the Retailer thereof, over and above the Duties payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure, two ſhillings ſix pence. For all Metheglin or Mead made for Sale, whether by Retail or otherwiſe, to be paid by the Maker for every Gallon, ſix pence.

Manner of levying.

III. And be it farther enacted by the authority aforeſaid, That the ſeveral Rates and Duties of Exciſe hereby impoſed on the Liquors aforeſaid, ſhall be raiſed, levied, collected, recovered and paid unto their Majeſties and their Succeſſors, during the time before mentioned, and in the ſame manner and form, and by ſuch Rules, Ways and Means, and under ſuch Penalties and Forfeiturs, as are mentioned, expreſſed and directed in and by one Act of Parliament made in the firſt year of their preſent Majeſties Reign, Entituled, An Act for an Additional Duty of Exciſe upon Beer, Ale and other Liquors, or by any other Law now in force relating to the Revenue of Exciſe.

Exciſe formerly given not inlarged by this Act.

IV. Provided that nothing in this Act contained ſhall be conſtrued to continue the Duties of Exciſe granted by an Act made in the firſt year of their Majeſties Reign, Entituled, An Act for an Additional Duty of Exciſe upon Beer, Ale and other Liquors, or any other Duties of Exciſe upon Beer, Ale or other Liquors, for any longer time then the ſame are reſpectively granted by the ſaid Act, or any other Act or Acts for that purpoſe.

Victuallers, &c. may brew paying the Exciſe.

V. And be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful for any Victuallers, or Retailers, or Common Brewers, who for or within the ſpace of one year before the ſeventeenth of November laſt, have not brewed their own Beer and Ale, to brew and make the ſtrong Beer, Small Beer or Ale, drank, conſumed, ſpent or ſold in their reſpective Houſes, Out-houſes, or other places, paying the Duty of Exciſe for the ſame, in manner as Brewers and Retailers of Beer and Ale, brewing and making the ſame are liable by the Laws of Exciſe now in force. And on their entring the Beer and Ale by them reſpectively made at the Exciſe Office, within the Limits wherein ſuch Beer and Ale ſhall be made; And on the payment of the Duty of Exciſe for the ſame, ſuch perſon and perſons ſhall not be liable to the Penalty of one hundred pounds impoſed in an Act made in this preſent Parliament, Entituled, An Act for doubling the Duty of Exciſe upon Beer, Ale and other Liquors, during the ſpace of one year; Any thing in the ſame Act to the contrary notwithſtanding.

VI. And whereas by an Act made in the firſt year of their Majeſties Reign, Entituled, An Act for appropriating certain Duties for paying the States General of the United Provinces, their Charges for his Majeſty's Expedition into this Kingdom, and for other Uſes, the Mony accruing and payable to their Majeſties by force of another Act made in the ſaid firſt year of their Majeſties Reign, Entituled, An Act for an Additional Duty of Exciſe upon Beer, Ale and other Liquors, (together with other Mony ariſing any payable by certain other Acts of Parliament) was appropriated for and towards the payment of ſix hundred thouſand pounds to the States of the United Provinces: And after the ſaid ſix hundred thouſand pounds ſo paid, the reſidue of the Mony which ſhould accrue and be payable to their Majeſties by virtue of the ſaid Act, to be for and towards the ſubduing of the Rebellion of Ireland, and other Charges of the War againſt France: And whereas the Encreaſe of the Naval Strength and Force of this Kingdom is one of the beſt and moſt effectual means for carrying on the War againſt France, and for maintaining the Honour and Safety of the Realm, Be it farther enacted by the authority aforeſaid, That all Monies which ſhall accrue and become payable to their Majeſties by virtue of the ſaid Act, Entituled, An Act for an Additional Duty of Exciſe upon Beer, Ale and other Liquors, from and after the ſaid ſix hundred thouſand pounds ſhall be paid to the ſaid States General: And alſo all Monies to be collected, levied and paid by virtue of this Act, ſhall be applied to the uſes following (that is to ſay) the Sum of five hundred and ſeventy thouſand pounds, part thereof ſhall be applied and appropriated, and is hereby appropriated for the Building, and for the Guns, Rigging and other Furniſhing of ſeven and twenty Ships of War, whereof ſeventeen to be of the third Rate, and to contain and meaſure eleven hundred Tuns, or thereabouts, and to carry eighty Guns apiece; and ten to be of the fourth Rate, and to contain and meaſure nine hundred Tuns or thereabouts, and to carry ſixty Guns apiece.

Cap. 28.

Cap. 29.

Appropriation of this and the reſidue of the Exciſe before given to the building 27 Men of War.

VII. And be it farther enacted by the authority aforeſaid, That the ſaid ſeven and twenty Ships of War hereby directed to be built, as aforeſaid, ſhall be, and are hereby directed to be built and furniſhed with all convenient Expedition, the whole number to be compleated with Guns, Rigging and Furniture, within the ſpace of four years, to be accounted from the five and twentieth day of March, one thouſand ſix hundred ninety one.

VIII. And to the end that the ſaid five hundred and ſeventy thouſand pounds, may be applyed to the building and furniſhing of the ſaid Ships of War; And alſo that their Majeſties may be enabled to borrow upon the Credit of this Act, any Sum or Sums of Mony not exceeding ten hundred thouſand pounds, for the Uſes of the ſaid War, Be it farther enacted, That from and after the ſaid ſix hundred thouſand pounds ſhall be paid to the ſaid States General, until the eighteenth day of November, which ſhall be in the year one thouſand ſix hundred ninety five, the Commiſſioners and Governours for the management of the Receipt of Exciſe at the Head-Office in London, ſhall ſeparate and keep apart as well the ſaid Monies ariſing by virtue of the ſaid Act, Entituled, An Act for an Additional Duty of Exciſe upon Beer, Ale and other Liquors, as the Monies ariſing by virtue of this Act, as the ſame ſhall from time to time ariſe, or be paid into the ſaid Office of Exciſe by the Receivers or Collectors of the ſame, or by any other perſon whatſoever; And the Auditor and Comptroller of the Exciſe for the time being, or their reſpective Deputies, ſhall keep a perfect and diſtinct Account in Books fairly written of the ſaid Monies, as the ſame ſhall come in, to which Books all perſons concerned ſhall have free acceſs at all ſeaſonable times without Fee or Charge; and the ſaid Commiſſioners and Governours of Exciſe for the time being, are hereby required, and ſtrictly enjoyned, from time to time to pay weekly, to wit, on Wedneſday in every Week, if it be not an Holy-Day; and if it be, then the next day after that is not an Holy-day, the ſaid Monies into the Receipt of their Majeſties Exchequer, diſtinct and apart from the other Monies which the ſaid Commiſſioners and Governours of Exciſe ſhall receive for their Majeſties uſe.

The Reſidue of the former Exciſe and this to be kept apart, and paid weekly into the Exchequer.

IX. And it is farther enacted by the authority aforeſaid, That the Officers of the Receipt of their Majeſties Exchequer ſhall keep all Monies which ſhall be paid into the Receipt of the Exchequer by virtue of this Act, or of the ſaid former Act, and the Account thereof diſtinct from all other Monies and Accounts whatſoever, and ſhall alſo keep a particular account of the Charge of the Building, Guns, Rigging, and other Furniſhing of each of the ſaid ſeven and twenty Ships of War hereby directed to be built, as aforeſaid.

A ſeparate Account in the Exchequer.

X. And be it farther enacted, That out of the Monies ſo from time to time paid into the Receipt of their Majeſties Exchequer, one third part thereof, the whole in three equal parts to be divided, ſhall in each and every of the ſaid years be iſſued and paid out for and towards the Building, and for and towards the Guns, Rigging and other Furniſhing of the ſaid ſeven and twenty Ships of War; And that the Commiſſioners of the Treaſury, or Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, do not ſign any Warrant or Order, or do any other matter or thing for the iſſuing of any part of the ſaid one third part, to any perſon or perſons, other then the Treaſurer of the Navy, or the Treaſurer or Paymaſter of the Ordnance for the time being, and expreſſing therein, that the ſame is for the Building, or for the Guns, Rigging or other Furniſhing of the ſeven and twenty Ships of War above mentioned; Nor ſhall the Auditor of the Receipt draw any Order for the iſſuing any part of the ſaid one third part, to any perſon or perſons, other then the Treaſurer of the Navy, or Treaſurer or Paymaſter of the Ordnance, as aforeſaid; Nor ſhall he direct, or the Clerk of the Pells Record, or the Teller make Payment of any part of the ſaid one third part by virtue of any Warrant, or upon any Order, or other Way or Device whatſoever, other then to the perſons, and for the Uſes aforeſaid, and to be ſo mentioned and expreſſed in ſuch Warrant or Order.

One third part to be paid the Treaſurer of the Navy, &c.

XI. And

Treaſurer of the Navy, &c. may aſſign over the third part.

XI. And be it farther enacted by the authority aforeſaid, That the Treaſurer of the Navy, and the Treaſurer or Pay-Maſter of the Ordnance reſpectively, may aſſign and transfer any part of the ſaid One third part due and payable to them upon any Order, by Indorſement upon ſuch Order, which being notified, and an Entry and Memorial thereof alſo made in the Office of the Auditor of the Receipt, (which on Requeſt he ſhall accordingly make, without Fee or Charge) ſhall intitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, to the benefit of ſuch Order or Orders, or any part thereof and payment thereon; And ſuch Aſſignee may in like manner aſſign, and ſo toties quoties; And afterwards it ſhall not be in the power of ſuch perſon or perſons, who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or the Monies thereby due, or any part thereof.

Treaſurer of the Navy to keep an account.

XII. And it is hereby farther enacted, That the Treaſurer of the Navy, and Treaſurer or Pay-Maſter of the Ordnance for the time being, ſhall keep all Monies paid to them reſpectively by virtue of this Act, diſtinct and apart from all other Monies, and iſſue and pay the ſame by Warrant of the principal Officers and Commiſſioners of the Navy or Ordnance reſpectively, or any three or more of them, and mentioning and expreſſing, That it is for the Building, or for the Guns, Rigging, or other Furniſhing of the ſeven and twenty Ships of War, as aforeſaid, and to no other intent or purpoſe whatſoever.

Officers of the Navy to ſign Bills only for building.

XIII. And it is farther enacted, That the principal Officers and Commiſſioners of the Navy, and the principal Officers of the Ordnance, reſpectively, or any three or more of them, ſhall not ſign any Warrant or Navy Bills, or do any other Act or Thing for the iſſuing and paying any of the ſaid Monies to any uſe, intent or purpoſe whatſoever, other then for the Building, or for the Guns, Rigging, or other furniſhing of the ſeven and twenty Ships of War, as aforeſaid, and to be ſo mentioned and expreſſed in ſuch Warrant or Navy Bill.

Clauſe of Credit for 1000000 l. upon the two thirds.

XIV. And be it farther enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons, Natives or Foreigners, Bodies Politick or Corporate to advance and lend to their Majeſties into the Receipt of the Exehequer, upon the Credit of two third parts, the whole in three equal parts to be divided, of the Monies to be brought in to the Receipt purſuant to the directions of this of Act, as aforeſaid, any Sum or Sums of Mony, not exceeding the Sum of ten hundred thouſand pounds in the whole; and to have and receive for the Forbearance thereof, Intereſt not exceeding the rate of ſeven pounds by the hundred for one year.

Annual Surplus of Duties ariſing by 5 & 6 W. & M. ca. 7. to be applyed for payments of Principal and Intereſt due for two thirds of the Exciſe hereby granted, Id. Stat. Sect. 55. Order, Tally and Payment in courſe.

XV. And to the end that all Monies which ſhall be ſo lent to their Majeſties, may be well and ſufficiently ſecured out of, and by the Monies ariſing by this or the ſaid former Act, and appointed by this preſent Act to be paid into the Exchequer, as aforeſaid, (other then, and beſides the ſaid one third part appropriated as aforeſaid) together with the Intereſt for the Mony ſo lent, not exceeding the Rate aforeſaid; Be it farther enacted by the authority aforeſaid, That there ſhall be provided and kept in their Majeſties Exchequer, (that is to ſay) in the Office of the Auditor of the Receipt, one Book in which all Monies which ſhall be paid into the Exchequer, as aforeſaid, ſhall be entred apart and diſtinct from all other Monies paid or payable to their Majeſties upon any account whatſoever: And that all and every Perſon and Perſons, Natives or Foreigners, Bodies Politick or Corporate, who ſhall lend any Mony to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his or their Repayment, bearing the ſame Date with the Tally; in which Order ſhall be alſo contained a Warrant for Payment of Intereſt for Forbearance, not exceeding the Rate aforeſaid, for his or their Conſideration, to be paid every three months until Repayment of the Principal; and that all Orders for Repayment of Mony ſhall be regiſtred in courſe according to the Date of the Tally reſpectively, without preferenee of one before another; and that all and every perſon and perſons ſhall be paid in courſe, according as their Orders ſhall ſtand entred in the ſaid Regiſter Book, ſo as that the perſon, Native or Foreigner, his, her, or their Executors, Adminiſtrators and Aſſings, who ſhall have his, her, or their Order or Orders firſt entred in the ſaid Book, ſhall be taken and accounted as the firſt perſon to be paid upon the Monies to come in by virtue of this Act, (other then, and beſides the ſaid one third part, appropriated as aforeſaid;) And he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe; and that the aforeſaid two third parts (the whole in three equal parts being divided) of all the Monies before mentioned, ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever; and that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any of their Majeſties Subjects, for providing or making of any ſuch Books, Regiſters, Entries, View or Search, as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of Payment of treble Damages to the Party grieved, by the Party offending, with Coſts of Suit; Or if the Officer or Officers, themſelves take or demand any ſuch Fee or Reward, then to loſe their places alſo; and if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſts to the Party grieved, and ſhall be forejudged from their Places or Offices; And if ſuch preference be unduly made by any their Deputies or Clerks, without direction or privity of the Officer or Officers, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office; And in caſe the Auditor ſhall not direct the Order, or the Cler of the Pells Record, or the Teller make payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch mannet, as aforeſaid; All which ſaid Penalties, Forfeitures, Damages and Coſts to be incurred by any of the Officers aforeſaid, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of Their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

XVI. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for payment, as aforeſaid, bear Date, or be brought the ſame day to the Auditor of the Receipt to be Regiſtred, then it ſhall be interpreted no undue Preference which of thoſe he Enters firſt, ſo he Enters them all the ſame day.

XVII. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in point of payment, if the Auditor direct, and the Clerk of the Pells record, and the Teller do pay ſubſequent Orders of perſons that come and demand their Money, and bring their Order in their courſe, ſo as there be ſo much Money reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them (Intereſt upon Loan being to ceaſe from the time the Money is ſo reſerved, and kept in Bank for them.)

Money transferrable.

XVIII. And be it further Enacted by the Authority aforeſaid, That all and every perſon and perſons to whom any Moneys ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns by indorſement of his Order may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the ſaid Book of Regiſter for Orders (which the Officers ſhall upon requeſt, without Fee or Charge accordingly make) ſhall Entitle ſuch Aſſignee his Executors, Adminiſtrators and Aſſigns to the Benefit thereof, and payment thereon; And ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties: And afterwards it ſhall not be in the power of ſuch perſon or perſons who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any Moneys thereby due, or any part thereof: And if the ſaid Commiſſioners or Governours of the Exciſe for the time being, ſhall refuſe or neglect to pay into the Exchequer the ſaid Moneys in ſuch manner as they are before required or enjoyned to do, or ſhall divert or miſapply any part of the ſame; Or if any other Officer mentioned in this Act, of or belonging to the Exchequer, Navy or Ordnance, ſhall offend againſt this Act, or any Clauſe thereof, by diverting or miſapplying any Moneys whatſoever, contrary to the true intent and meaning of this Act, That then ſuch Commiſſioner, Governour or Officer ſo refuſing or neglecting to pay, or diverting or miſapplying, as aforeſaid, ſhall forfeit and loſe his Office or Place, and is hereby diſabled and made uncapable to hold or execute any Office or Place of Truſt for the future, and ſhall be liable to pay the full value of any Sum or Sums ſo diverted or miſapplied unto any perſon or perſons who will ſue for the ſame, by any Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, or more than one Imparlance ſhall be granted or allowed.

Puniſhment upon Officers neglecting or miſapplying.

XIX. Provided alſo, and be it Enacted, That no ſtay of Proſecution upon any Command, Warrant, Motion, Order or Direction by Non vult ulterius proſequi, ſhall be had, made, admitted, received or allowed by any Court whatſoever, in any Suit or Proceeding by Action of Debt, Bill, Plaint or Information, or otherwiſe, for the recovery of all or any the pains, forfeitures, or penalties, upon any perſon or perſons by this Act inflicted, or therein mentioned, or for or in order to the Conviction or Diſability of any perſon offending againſt this Act.

Seſſ.2.cap.4.

Cap.5.

An Office of receipt for Cuſtoms given formerly upon Eaſt-India Goods and Tobacco, &c. to be in London.

XX. And whereas by an Act made in this preſent Seſſion of Parliament, Entituled, An Act for Granting to Their Majeſties certain Impoſitions upon all *Eaſt-India* Goods and Manufactures, and upon all Wrought Silks, and ſeveral other Goods and Merchandize, to be Imported after the Five and twentieth day of *December*, One thouſand ſix hundred and ninety, It is Enacted, That it ſhall be lawful for any perſon or perſons to advance and lend to Their Majeſties any Sum or Sums of money upon the Security of the ſaid Act; and whereas by another Act made in this preſent Seſſion of Parliament, Entituled, An Act for the Continuance of ſeveral former Acts therein mentioned, for the laying ſeveral Duties upon Wines, Vinegar and Tobacco, It is Enacted, That it ſhall be lawful for any perſon or perſons to advance and lend to Their Majeſties any Sum or Sums of money, as well upon the Security of the ſame Act, as upon the Security of two former Acts therein mentioned, made in the Reign of the late King James, in ſuch manner as in the ſaid laſt mentioned Act made in this preſent Seſſion of Parliament is expreſſed: Now to the end that it may appear what moneys ſhall ariſe or become payable to Their Majeſties by virtue of the ſaid Acts, whereby the moneys advanced to Their Majeſties upon the Credit of the ſame may be the better ſecured, Be it Enacted by the Authority aforeſaid, That from and after the Five and twentieth day of December, One thouſand ſix hundred and ninety, during the continuance of the ſaid Acts reſpectively, there ſhall be continued, and be within the City of London, an Office for the Receipt of all the Duties and Sums of Money granted, or payable to Their Majeſties by virtue of the ſaid laſt mentioned Acts, or either of them; In which Office all the Moneys ariſing by the ſame within the Port of London, or in the Out-Ports, or elſewhere, ſhall be well and truly anſwered and paid to the Receiver or Receivers General of Their Majeſties Cuſtoms, to be appointed by Their Majeſties; Which ſaid Receiver or Receivers General is, and are hereby directed and required from time to time, at the ſaid Office to ſeparate and keep apart the whole Receipt of the ſaid Moneys due and payable by virtue of the ſaid Act, Entituled, An Act for Granting to Their Majeſties certain Impoſitions upon all *Eaſt-India* Goods and Manufactures, and upon all Wrought Silks, and ſeveral other Goods and Merchandize, to be Imported after the Five and twentieth day of *December*, One thouſand ſix hundred and ninety: As alſo to ſeparate and keep apart the whole Receipt of all Moneys granted to Their Majeſties by the ſaid Act, Entituled, An Act for the Continuance of ſeveral former Acts therein mentioned, for the laying ſeveral Duties upon Wine, Vinegar and Tobacco; or thereby made a Fond of Credit, as aforeſaid, as the ſame ſhall reſpectively become due, and be paid into the ſaid Office by the ſeveral Receivers, Collectors, or any others who are or ſhall be employed to pay the ſame, and ſhall remain from time to time, after the payments which ſhall be made thereout by virtue of any Laws in force, upon Debentures for Goods that ſhall be Re-ſhipt, or for Corn exported, or for Diſcounts upon Bonds, where Diſcounts are allowable by Law, and of ſuch allowances of damaged Goods, and of Bills of Portage, as have uſually been made; And the Comptroller General of the Accounts of the Cuſtoms for the time being, is hereby alſo required and commanded to keep perfect and diſtinct Accounts in Books fairly written, of the ſaid ſeveral and reſpective Duties and Sums of Mony, as the ſame ſhall reſpectively come in, to which Books all perſons concerned ſhall have free acceſs at all ſeaſonable times, without Fee or Charge; And the ſaid Receiver or Receivers General is, and are hereby required and ſtrictly enjoyned from time to time to pay weekly, to wit, on Wedneſday in every Week, unleſs it be an Holy-day, and then the next Day after which ſhall not be an Holy-day, the ſaid ſeveral and reſpective Sums, as aforeſaid, into the Receipt of Their Majeſties Exchequer, diſtinct and apart from all the other Moneys which he or they ſhall receive for Their Majeſties uſe; And if the Receiver or Receivers General for the time being ſhall refuſe or neglect to pay into the Receipt of the Exchequer, the ſaid Sums of Money ariſing, as aforeſaid, in ſuch manner as he or they are before required or enjoyned to do, or ſhall divert or miſapply any part of the ſame, then he or they for any ſuch Offence ſhall forfeit his or their Office of Receiver or Receivers General, and be incapable of any Office, Employment, or place of Truſt whatſoever, and ſhall be liable to pay the full value of any Sum or Sums ſo diverted or miſapplied, to any perſon or perſons who ſhall ſue for the ſame by any Action of Debt, Bill, Plaint or Information in any of Their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Wager of Law or Priviledge, or more than one Imparlance ſhall be granted or allowed.

Appropriation of the reſidue of the Money.

XXI. And be it Enacted by the Authority aforeſaid, That out of the Money which ſhall be levied and paid by virtue of this Act into the Receipt of the Exchequer, as well upon Loan as otherwiſe, the Sum of Seven hundred thouſand pounds, ſhall be applied and appropriated, and is hereby appropriated to and for the payment of Seamen that ſhall ſerve in Their Majeſties Navy Royal for the year One thouſand ſix hundred ninety one; And to and for the building of Three Ships to be of the Third Rate, to contain and meaſure each of them One thouſand and fifty Tuns, and for providing Guns, Rigging, and other Furniture for the ſaid Ships; And to and for the paying for Stores, Proviſions and Victuals to be ſupplied for the ſaid Navy; And to and for the Expences of Their Majeſties Office of Ordnance in reſpect to Naval Affairs, and for other neceſſary Uſes and Services to be performed for the ſaid Navy in the time aforeſaid; And that out of all other the Money which ſhall be levied and paid into the Money Receipt of the Exchequer, as well upon Loan as otherwiſe, by virtue of this Act, or any other Act of this Seſſion of Parliament, for granting aids or ſupplies to Their Majeſties for Reducing Ireland, or proſecuting the War againſt France, other than what is, as aforeſaid, appropriated by this Act, and the Act For Granting an Aid to Their Majeſties of the Sum of Sixteen hundred fifty one thouſand ſeven hundred and two pounds eighteen ſhillings, for the payment of Seamen, and other payments relating to Their Majeſties Navy, the Sum of Fifteen hundred thouſand pounds, ſhall be applied and appropriated, and is hereby appropriated to and for the payment of Their Majeſties Land Forces and Armies that have ſerved, and ſhall ſerve in England or Ireland, or elſewhere, and the paying for Arms, Ammunition, Carriages, and all other incident Charges neceſſary to the ſame, and not otherwiſe; And that all other Sums of Money paid and payable into the Exchequer by virtue of any of the ſaid Acts, over and above the Sums appropriated to and for the uſes therein expreſſed, during their reſpective continuance, ſhall be applied and appropriated to and for the proſecution of the ſaid War againſt France, and the Reducing Ireland, and the payment of the Debts that ſhall be incurred by reaſon of the ſaid War, and to no other uſe or purpoſe whatſoever.

Ships to be built in a year.

XXII. Provided always, and be it Enacted, That the ſaid Three Ships of War herein laſt mentioned to be built, ſhall be, and are hereby directed to be built, and compleated with Guns, Rigging, and other Furniture, within the ſpace of One year, to be accounted from the Twentieth day of March next enſuing.

The King may diſpoſe of 500000 l. not appropriated.

XXIII. Provided always, and be it Enacted, That it ſhall and may be lawful to and for Their Majeſties, to make uſe of any ſum or ſums of Money, not exceeding Five hundred thouſand pounds in the whole, granted in this preſent Seſſions of Parliament, and not particularly appropriated, ſo as the ſame be repaid and applied to the carrying on of the preſent War, out of ſuch Moneys as ſhall ariſe from Their Majeſties Revenue before the Four and twentieth day of March in the year of our Lord, One thouſand ſix hundred ninety and one; Any thing to the contrary thereof notwithſtanding.

CAP. II. (21)

An Act for appointing and enabling Commiſſioners to examine, take and ſtate the Publick Accounts of the Kingdom. EXP.
Revived by 5 & 6 *W.* & *M.* *cap.*23. till 25 *Apr.*1695.

CAP

CAP. XII.

An Act for the Raiſing the Militia of this Kingdom for the Year One thouſand ſix hundred ninety and one, although the Months Pay formerly Advanced be not Repaid. EXP.

CAP. XIII. (23)

An Act for preventing Vexatious Suits againſt ſuch as acted for Their Majeſties Service, in defence of the Kingdom.

Preamble.

I. Whereas in this preſent year of our Lord, One thouſand ſix hundred and ninety, about the time that the Coaſts of this Kingdom were invaded by the French, the Lords and others of Their Majeſties moſt Honourable Privy Council, divers Lords, Gentlemen, and other good Subjects, being Magiſtrates and Officers, or acting in purſuance of their Orders, did for Their Majeſties Service, and the Safety of the Kingdom, apprehend and impriſon ſeveral ſuſpected perſons, and did ſeize and uſe Horſes and Arms, and did cauſe the greateſt part of the Militia of this Kingdom to be raiſed, continued and maintained, otherwiſe than is authorized by the Acts made in the Reign of King Charles the Second in that behalf, and to march and to be quartered in divers places upon that occaſion: That thoſe proceedings in that extraordinary Juncture, and the parties concerned therein may be Indemnified therefore; And for the preventing the Trouble and Charges which the ſaid good Subjects might be put to by the Proſecution of Their Majeſties, Their Heirs and Succeſſors, or by the means of Vexatious Suits of any perſon whatſoever, for and by reaſon of their actings and doings aforeſaid:

All Proſecutions, &c. made void.

II. Be it enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Perſonal Actions, Suits, Indictments, Informations, and all other Proſecutions whatſoever, for or by reaſon of the premiſſes, be, and are hereby diſcharged and made void: And if any Action or Suit, hereby declared to be diſcharged, hath been or ſhall be commenced or proſecuted, every perſon ſo ſued may plead the General Iſſue, and give this Act and the Special Matter in Evidence; And if the Plaintiff ſhall become Nonſuit, or forbear further Proſecution, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, the ſaid Defendant ſhall recover his double Coſts, for which he ſhall have the like Remedy as in caſe where Coſts by Law are given to Defendants.

Defendant may plead the General Iſſue and recover double Coſts.

CAP. XIV. (24)

An Act for the more effectual putting in execution, an Act, Entituled, *An Act for Prohibiting all Trade and Commerce with* France. Revived by 4& 5 W. & M. Cap. 25.

Preamble. Cap. 24.

I. Whereas by an Act made in the Firſt year of Their Majeſties Reign, Entituled, An Act for Prohibiting all Trade and Commerce with *France*, it was provided, That if any French Wines, Vinegar, Brandy, Linen, Silks, Salt, Paper, and other Commodities of the growth, product or manufacture of France, or of the Territories or Dominions of the French King, or any Goods, Commodities or Manufactures, mixed with any Goods or Commodities being of the growth, product or manufacture of any of the Dominions or Territories of the French King, ſhould be Imported contrary to the ſaid Act, they ſhould be ſtav'd, ſpilt, deſtroyed or burnt, in ſuch manner as is by the ſaid Act directed: Notwithſtanding which, divers of the ſaid Goods, Commodities and Manufactures taken, or pretended to be taken as Prizes, have been Imported, but not ſtav'd, ſpilt, burnt or deſtroyed, according to the proviſion of the ſaid Act: For remedy whereof, and for the more effectual putting the ſaid Act in Execution,

Penalty of Officer offending.

II. Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Officer or Officers of the Cuſtoms or Prizes ſhall wilfully or knowingly ſuffer any of the ſaid Goods, Commodities or Manufactures imported as Prizes, or otherwiſe, contrary to the ſaid Act, to be admitted to an Entry, or to be imbezeled, and not ſtav'd, ſpilt, burnt or deſtroyed, in ſuch manner as by the ſaid Act is directed, every ſuch Officer or Officers, ſhall, being thereof lawfully convicted, forfeit the Sum of Five hundred pounds, whereof one Moiety to be to Their Majeſties, Their Heirs and Succeſſors, and the other Moiety to ſuch perſon or perſons as ſhall diſcover and ſue for the ſame, and alſo ſhall for ever afterwards be incapable of having or executing any Office in Their Majeſties Revenue.

Penalty upon any ſelling Wine in Veſſel unſealed, &c.

III. And it is hereby Enacted by the Authority aforeſaid, That if any perſon or perſons, at any time or times from and after the Firſt day of February, One thouſand ſix hundred and ninety, ſhall ſell or utter by Retail in or by any Glaſs Bottle or Bottles, or in or by any other Retail Meaſure, not made of Pewter, and ſealed according to Law, any kind of Wine or Wines whatſoever, or any other Liquor expoſed to ſale for Wine; or ſhall ſell the ſame for a greater price than by the afore-mentioned Act is appointed, and ſhall be convicted thereof by the Confeſſion of the party, or by the Oath of two credible Witneſſes before one or more Juſtice or Juſtices of the Peace of the County, City or place where ſuch Offence ſhall be committed, (who are hereby required and impowered to Adminiſter an Oath to that purpoſe) ſuch perſon being proſecuted for ſuch Offence within Thirty days next after ſuch Offence committed, that then every perſon ſo offending, ſhall forfeit and pay for every ſuch Offence the penalty and ſum of Fifty Shillings, which if not paid upon demand, ſhall be levied by diſtreſs and ſale of the Goods and Chattels of every ſuch Offender, by Warrant under the Hand and Seal of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made, which Warrant the ſaid Juſtice and Juſtices are hereby impowered and required to grant to the Conſtable, Headborough or Tythingman of the Pariſh or place where ſuch Offence ſhall be committed, who are hereby required and authorized immediately to levy the ſame accordingly, rendring the Overplus to the Owner thereof; The ſaid Penalty, Forfeiture and Moneys ſo levied, to be given to the Informer; And for want of ſufficient Diſtreſs, the Offender ſhall be Committed to the Common Goal, there to remain without Bail or Mainprize, until he ſhall pay the ſaid Money and Penalty, and all neceſſary Coſts and Charges of ſuch Conviction and Proſecution, the ſaid Coſts to be taxed by the Juſtice or Juſtices before whom the ſaid Conviction was made.

Perſon puniſh'd exempt from other Laws.

No Certiorari.

IV. Provided, That where any Offender ſhall be puniſhed by force of this Act, he ſhall not be proſecuted, nor incur the penalty of any other Law or Statute for the ſame Offence; And that no Writ or Writs of Certiorari ſhall be granted or allowed to ſuperſede or remove any Conviction or Proceedings in purſuance of this Act, but that Execution, and all other Proceedings ſhall and may be had and made thereupon; Any ſuch Writ or Writs, or Allowance thereof notwithſtanding.

Penalty upon perſons diſturbing Informers.

V. And whereas ſeveral Officers and Informers have been hindred, abuſed, beaten and wounded, to the hazard of their Lives, in the due execution of their ſeveral Truſts and Services in their reſpective places, by Companies and multitudes of Men, and prohibited Goods have by force and violence, as well by Land as by Water, been forcibly carried and conveyed away; Be it Enacted by the Authority aforeſaid, That where any Officer or Informer, or any other perſon or perſons impowered by this Act, or the aforeſaid Act of Prohibition, ſhall be by any perſon or perſons forcibly hindred, abuſed, beaten or wounded in the due Execution of this or the aforeſaid Act, all and every perſon and perſons ſo reſiſting, abuſing, beating or wounding the ſaid Officer or Informer, or other perſons impowered thereby, or ſuch as ſhall act in their aid and aſſiſtance, ſhall by the next Juſtice of the Peace, or other Magiſtrate, be Committed to Priſon, there to remain till the next Quarter Seſſions; And the Juſtices of the ſaid Quarter Seſſions ſhall, and are hereby impowered to puniſh the Offenders by Fine, not exceeding Five pounds; And the Offender is to remain in Priſon till he be Diſcharged both of the Fine and Impriſonment, by Order of the ſaid Juſtices, or any two of them.

CAP. XV. (25)

An Act for Relief of poor Priſoners for Debt or Damages. Revived by 5 & 6.W.& M.Cap.8.

Preamble.

22,23 Car.2. cap.20.

30 Car.2.4.

I. Whereas for ſeveral charitable and good Reaſons, an Act of Parliament was made the Two and twentieth and Three and twentieth years of the Reign of our late Sovereign Lord King Charles the Second, Entituled, An Act for the Relief and Releaſe of poor diſtreſſed Priſoners for Debt; and becauſe of ſome dubious Conſtruction of ſome words mentioned in the ſaid Act, the ſame did not anſwer the full intent for which it was made; Wherefore for better Explanation thereof, and to ſupply the Defects which did obſtruct the good ends and purpoſes of the ſaid Act, another Act was made by the ſame Parliament, in the Thirtieth year of the ſaid late King, Entituled, An Act for the further Relief and Diſcharge of poor diſtreſſed Priſoners for Debt; By which ſaid laſt Act it was Enacted, That all perſons being in Priſon upon the Nine and twentieth day of May, One thouſand ſix hundred ſeventy eight, for Debt or Damages, upon any manner of Proceſs whatſoever, iſſuing out of any Court of Law or Equity, and who ſhould take the Oath in the ſaid firſt recited Act mentioned, ſhould and might be releaſed and diſcharged from their Impriſonments in the ſame manner as perſons being Priſoners might have been by the firſt mentioned Act, and in caſe the ſaid Debt and Damages had been aſcertained by Judgment. Now Their preſent Majeſties taking into Their charitable and pious Conſideration, the ſad Condition of many thouſands of poor Priſoners in Priſon for Debt, ready to periſh; and being no leſs piouſly inclined and intended to eaſe and relieve their poor diſtreſſed Subjects in priſon, than any other Kings and Queens Their Predeceſſors have been: But ſeriouſly conſidering the many Abuſes which hapned under the Two before mentioned late Acts, by Sheriffs, Goalers and Keepers of Priſons, in diſcharging and releaſing Perſons from priſon who were not within the Benefit of the ſaid Acts, and who were not really and truly Priſoners at the aforeſaid Nine and twentieth day of May, One thouſand ſix hundred ſeventy and eight; And the many Frauds by perſons abuſing the Favour thereby to them intended, by entring themſelves Priſoners under feigned Actions, thereby to deceive and defraud their Creditors of their juſt Debts; Their ſaid Majeſties, by and with the Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, have Enacted:

Perſons in Priſon taking the Oaths ſhall be diſcharged.

II. And it is hereby Enacted, That all Perſons in Priſon upon the Eight and twentieth day of November, in the year of our Lord, One thouſand ſix hundred and ninety, for Debt or Damages, or for or upon any Action or Actions, or upon any mean Proceſs for Debt, Account, or Treſpaſs upon the Caſe; Which Actions, by Proſecution of Law, may be Judgments for Debt or Damages, or who may have Judgments Entred upon Record againſt them, or are Charged in Execution, or Impriſoned upon Attachments for Debt, or upon Outlawries before or after Judgment for Debt, or upon any other Proceſs whatſoever, iſſued out of any Court of Law or Equity, for the cauſe of Debt or Damages, or Coſts only, who ſhall take the Oath in the ſaid firſt recited Act mentioned, and the Oath in this preſent Act following, ſhall and may be releaſed and diſcharged from their Impriſonments in the ſame Form, and in ſuch manner as is contained and mentioned in the ſaid two before mentioned late Acts, and as if ſuch perſon was Priſoner before and at the time mentioned for the Releaſe and Diſcharge of ſuch Priſoner in either of the aforementioned late Acts.

III And

Juſtices of Peace may give Goalers, &c. an Oath.

III. And it is further Enacted by the Authority aforeſaid, That any Juſtice or Juſtices of the Peace, who purſuant to the before two mentioned late Acts, and according to the true intent and meaning of this preſent Act, ſhall make any Order for the Diſcharge of any poor Priſoner for Debt, they the ſaid Juſtice or Juſtices ſhall cauſe to come and call before them any Sheriff, Goaler or Keeper of Priſon, of ſuch Gaol or Priſon of and from whence ſuch Priſoner or Priſoners, he, ſhe or they is or are, and ſhall adminiſter and give to ſuch Sheriff, Goaler or Keeper of Priſon, an Oath to this effect following: Viz.

The Oath. This Oath aboliſhed, and another appointed by 5 & 6 W. & M. Cap. 8.

I *A. B.* do Swear, That *J. S.* was really and truly my Priſoner in my Cuſtody, without any fraud or deceit by me, or by any other to my knowledge, at or upon the Eight and twentieth day of *November*, in the Year of our Lord, One thouſand ſix hundred and ninety.

So help me God.

Goaler refuſing to ſwear, penalty.

IV. And if ſuch Sheriff, Goaler or Keeper of Priſon, or who was Sheriff, Goaler or Keeper of ſuch Priſon at the time of ſuch perſons firſt Impriſonment, and thereof not Diſcharged, and from whence ſuch Priſoner is about to be Diſcharged, ſhall refuſe, being duly Summoned to appear before the ſaid Juſtice or Juſtices, and ſhall refuſe to take the before mentioned Oath ſo to be given and adminiſtred by the ſaid Juſtice or Juſtices, as aforeſaid, ſuch Sheriff, Goaler and Keeper of Priſon, ſhall forfeit and pay to ſuch Priſoner, ſo about to be diſcharged and releaſed from Priſon, and thereby detained, the value of ſuch Debt or Debts for which he or ſhe ſhall be Impriſoned, to be recovered by Action of Debt in any Their Majeſties Courts of Record: And if any ſuch Sheriff, Goaler or Keeper of Priſon ſhall forſwear and perjure himſelf, and ſhall be thereof lawfully convicted, ſuch Sheriff, Goaler or Keeper of Priſon, ſhall incur and ſuffer ſuch penalties as are now in force, and may by Law be inflicted upon perſons Convicted of Perjury.

Goaler liable to Perjury.

Priſoner muſt take an Oath.

V. And it is alſo Enacted by the Authority aforeſaid, That ſuch Priſoner as ſhall take the benefit of this Act, according to the Form of the two before mentioned late Acts, as is hereby required, and ſhall take the Oath in the firſt recited Act mentioned, ſhall alſo before ſuch Juſtice or Juſtices of the Peace by whom ſuch Oath is to be given and adminiſtred, likewiſe take an Oath to this Effect: Viz.

The Oath.

I *A.B.* do Swear, That on the Eight and twentieth day of *November*, in the year of our Lord, One thouſand ſix hundred and ninety, I was actually a Priſoner in the Cuſtody of the Gaoler or Keeper of *D.* Priſon in the County of *C.* at the Suit of *J.S.* without my conſent or procurement, or by any fraud or colluſion whatſoever.

So help me God.

Penalty upon Priſoner forſworn.

VI. And if any Priſoner, who ſhall take the benefit of this Act, and ſhall in purſuance of the ſame take the Oaths for any the purpoſes hereby appointed, ſhall Forſwear himſelf, then ſhall ſuch perſon, being thereof lawfully Convicted, beyond and over and above the penalties which may by Law now in force be inflicted upon perſons Convicted of Perjury, ſuffer Impriſonment for the ſpace of Seven years, without Bail or Mainprize.

Priſoner for Fine excepted.

VII. Provided nevertheleſs, That this Act ſhall not extend to any perſon or perſons in Execution for any Fine on him, her or them impoſed, for any Offence by him, or her, or them committed.

Taking the Oaths, &c. how performed.

VIII. And laſtly, it is declared and enacted by the Authority aforeſaid, That taking the Oaths, and giving to the Creditors ſuch Notice as is by this preſent Act required in all other things for the releaſe and diſcharge of any poor Priſoner from priſon, it ſhall be obſerved and performed in the ſame form and method as is mentioned in, and directed by the ſaid two before mentioned late Acts of Parliament.

Debtors to the King, &c. excepted.

IX. Provided, That no perſon ſhall be Diſcharged out of Priſon, or have any benefit or advantage by force or virtue of this Act, who ſhall ſtand charged with more than the Sum of One hundred pounds principal Money or Damages, or ſhall ſtand charged with any Debt to Their Majeſties.

Judgment ſtill good againſt Land and Goods.

X. Provided always, and be it further Enacted by the Authority aforeſaid, That notwithſtanding the Diſcharge of the Perſon of ſuch Priſoner, as aforeſaid, upon taking the Oath aforeſaid, all and every Judgment had and taken againſt him or her, ſhall be and ſtand good and effectual in the Law, to all intents and purpoſes, againſt the Lands, Tenements, Hereditaments, Goods and Chattels only of the ſaid Priſoner ſo Diſcharged; as aforeſaid: And it ſhall and may be lawful to and for ſuch Creditor of ſuch Priſoner or Priſoners, ſo Diſcharged, as aforeſaid, his Executors, Adminiſtrators or Aſſigns, to take out any new Execution againſt the Lands, Tenements Hereditaments, Goods and Chattels of ſuch Priſoner or Priſoners, (his or her Wearing Apparel, Bedding for him and his, or her Family, and Tools neceſſary for his or her Trade and Occupation only excepted) for the ſatisfaction of his, her or their ſaid Debt, in ſuch ſort, manner and form as he, ſhe or they might have done, if the perſon or perſons of ſuch Priſoner or Priſoners had never been taken in Execution; Any Act, Statute or Cuſtom to the contrary notwithſtanding.

Anno Regni GULIELMI *&* MARIÆ *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Tertio.*

CAP. I.

An Act for granting to Their Majeſties certain Impoſitions upon Beer, Ale and other Liquors, for One Year.

Moſt Gracious Sovereigns,

Preamble.

I. WE your Majeſties moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, having entred into a ſerious Conſideration of the extraordinary Expences in which your Majeſties are engaged for the neceſſary defence of your Realms, and for the Effectual carrying on the War againſt France, and being deſirous to raiſe Aids and Supplies proportionable to the greatneſs of the Occaſions, have towards the ends and purpoſes aforeſaid, found it expedient to grant for one other year certain Impoſitions upon Beer, Ale, and other Liquors; and have unanimouſly given and granted, and do hereby give and grant unto your Majeſties the ſeveral Additional Rates, Duties and Charges upon Beer, Ale, and other Liquors herein after expreſſed, and do moſt humbly beſeech your Majeſties that it may be Enacted:

Exciſe upon Beer, &c. given for a year.

Beer, &c. Six ſhillings per Barrel, before July.

Brewed after July.

Beer, &c. under 6 s. before July.

After July.

Vinegar-Beer, before July.

Beer, &c. Imported, before July.

Beer, &c. Imported, after July.

Cyder, &c. Imported, after July.

Cyder, &c. by Retail, before July.

After July.

Metheglin, &c. after July.

II. And be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That from and after the Seventeenth day of November, in the year of our Lord One thouſand ſix hundred and ninety one, there ſhall be throughout this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto Their Majeſties, and Their Succeſſors, during the ſpace and term of One year, commencing from the Seventeenth day of November aforeſaid, and no longer, for Beer, Ale, Cyder, and other Liquors, brewed, made, imported or ſold, by way of Exciſe, over and above all other Duties, Charges and Impoſitions by any former Act or Acts ſet and impoſed, the ſeveral Duties, Charges and Impoſitions herein after mentioned, and in manner and form following; that is to ſay: For every Barrel of Beer or Ale above Six ſhillings the Barrel, which from and after the ſaid Seventeenth day of November, and before the Five and twentieth day of July, One thouſand ſix hundred and ninety two, ſhall be brewed by the common Brewer, or any other perſon who doth or ſhall ſell, or tap out Beer or Ale publickly or privately, or at Fairs, Wakes, Chutes, By-drinkings, or otherwiſe, to be paid by the common Brewer, or ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, One ſhilling nine pence. And for every barrel of ſuch Beer or Ale brewed on or after the ſaid Five and twentieth day of July, and before the Eighteenth day of November, One thouſand ſix hundred and ninety two, Two ſhillings ſix pence. For every barrel of Beer or Ale, of Six ſhillings the barrel or under, which from and after the ſaid Seventeenth day of November, and before the Five and twentieth day of July, One thouſand ſix hundred and ninety two, ſhall be brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell, or tap out Beer or Ale, publickly or privately, to be paid by the ſaid common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer quantity, Three pence. And for every barrel of ſuch Beer or Ale brewed, on or after the ſaid Four and twentieth day of July, and before the ſaid Eighteenth day of November, One thouſand ſix hundred ninety two, Six pence. And for every barrel of Vinegar, or Vinegar-beer brewed or made, on or after the ſaid Five and twentieth day of July, and before the ſaid Eighteenth day of November, One thouſand ſix hundred ninety two, of any Engliſh materials, by any common Brewer, or Vinegar Maker, or other perſons for ſale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer quantity, One ſhilling. For every barrel of Beer, Ale or Mum imported after the ſaid Seventeenth day of November, and before the ſaid Five and twentieth day of July, from beyond the Seas, or from the Iſlands of Guernſey or Jerſey, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importers, before landing, Three ſhillings. And for every barrel of ſuch Beer, Ale or Mum imported, on or after the ſaid Five and twentieth day of July, and before the ſaid Eighteenth day of November, One thouſand ſix hundred ninety two, Six Shillings. For every Tun of Cyder or Perry imported, on or after the ſaid Five and twentieth day of July, and before the ſaid Eighteenth day of November, One thouſand ſix hundred ninety two, from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importer, before landing, Ten ſhillings. For every Hogſhead of Cyder and Perry, made and ſold by Retail, after the ſaid Seventeenth day of November, and before the ſaid Five and twentieth day of July, One thouſand ſix hundred and ninety two, to be paid by the Retailer thereof, One ſhilling Three pence, and ſo proportionably for a greater or leſſer Meaſure. And for every Hogſhead of Cyder and Perry, made and ſold, as aforeſaid, on or after the ſaid Five and twentieth day of July, One thouſand ſix hundred ninety and two, and before the ſaid Eighteenth day of November, One thouſand ſix hundred ninety and two, Two ſhillings Six pence, and ſo proportionably for any greater or leſſer Meaſure. For all Metheglin or Mead made for ſale, whether by Retail or otherwiſe, on or after the ſaid Five and twentieth day of July, and before the ſaid Eighteenth day of November, One thouſand ſix hundred ninety and two, to be paid by the Maker, for every Gallon, One penny.

Manner of Levying.

III. And be it further Enacted by the Authority aforeſaid, That the ſeveral Rates and Duties of Exciſe hereby Impoſed on the Liquors aforeſaid, ſhall be Raiſed, Levyed, Collected, Recovered and paid unto Their Majeſties, and Their Succeſſors, during the term before mentioned, and in the ſame Manner and Form, and by ſuch Rules, Deductions, Allowances, Ways and Means, and under ſuch Penalties and Forfeitures as are mentioned, expreſſed and directed in and by one Act of Parliament made in the

Twelfth Year of the late King Charles the Second, Entituled, A Grant of certain Impoſitions upon Beer, Ale and other Liquors for the Increaſe of His Majeſties Revenue, during His Life; And one other Act made in the ſaid Twelfth year of the Reign of the ſaid late King Charles the Second, Entituled, An Act for Taking away the Court of Wards, and Liveries, and Tenures *in Capite*, and by Knight Service, and Purveyance, and for Settling a Revenue upon His Majeſty in lieu thereof; And alſo in and by one other Act of Parliament made in the Fifteenth year of his ſaid late Majeſties Reign, Entituled, An Additional Act for the better Ordering and Collecting the Duty of Exciſe, and preventing the Abuſes therein; Or in one Act of Parliament made in the Firſt year of the Reign of their preſent Majeſties, Entituled, An Act for an Additional Duty of Exciſe upon Beer, Ale and other Liquors, Or by any Law now in Force, Relating to the Revenue of Exciſe.

IV. And be it further Enacted by the Authority aforeſaid, That all Perſons who do or ſhall uſually Entertain, or Lodge any Waggoners, Carriers, Strangers or Wayfaring Men, ſhall be taken and eſteemed Retailers, within the meaning of this Act.

Lodgers of Carriers, &c. Retailers.

V. And that Their Majeſties may not be prevented of the Duties hereby Granted by any Frauds or Practices to leſſen the ſame, Be it further Enacted, That no Perſon or Perſons (Except Victuallers, Retailers, and Common Brewers) Inhabiting in any market Town, or in any City or Suburbs of the ſame, or in any Town Corporate, or in parts adjoyning to any City or Suburbs, Town Corporate, or Market Town, where there is or ſhall be a Common Brewer or Brewers, Brewing, Making or Selling Strong Beer or Ale, and Small Beer, who within the ſpace of One year next before the Seventeenth of November, in the year One thouſand ſix hundred and ninety, did not brew, or make the ſtrong Beer, ſmall Beer or Ale, drunk, conſumed, ſpent or ſold in his or their reſpective Houſes, Outhouſes, or other places, ſhall not during the Term aforeſaid, Brew or make any ſtrong Beer, ſtrong Ale, ſmall Beer or Ale, to be drunk, conſumed or ſpent in his or their reſpective Houſes or Families, under pain to forfeit for every ſuch offence Twenty pounds. Provided, That in caſe any Perſon within the ſpace of a year before the ſaid Seventeenth day of November, One thouſand ſix hundred and ninety, did uſually Brew the ſtrong Beer, ſmall Beer and Ale, drunk and ſpent in the Houſe or Houſes where he and his Family have Inhabited, for the uſe of himſelf and his Family, and ſhall remove his Family to any other Houſe, It ſhall and may be Lawful to and for ſuch Perſon to Brew his own Ale or Beer, as he did before, and not be liable to the ſaid Penalty.

No private perſon ſhall Brew where there is a Common Brewer, except he has brewed within a year, and he ſhall pay Exciſe.

VI. And be it further Enacted, That it ſhall and may be Lawful to and for the Commiſſioners of Exciſe, and Juſtices of Peace reſpectively, upon any Information exhibited before them, for any offence committed againſt the Laws of Exciſe, to Summon any Perſon or Perſons (other then the Party or Parties accuſed) to appear before them at a certain day time and place, to be inſerted in ſuch Summons, and to give Evidence for Diſcovery of the matter in Controverſie before them, and in caſe of neglect, or refuſal to appear, or if upon appearance ſuch Perſon or Perſons ſhall refuſe to give Evidence when he ſhall be thereunto required; Every ſuch Perſon ſo making default ſhall forfeit and loſe for every ſuch offence any Sum or Sums of Money, not exceeding forty ſhillings, to be Impoſed, Recovered, Levied and Diſpoſed in manner as herein after is mentioned.

Juſtices of Peace, &c. may try Crimes about Exciſe.

VII. And be it further Enacted by the Authoriey aforeſaid, That all Fines, Penalties and Forfeitures by this Act Impoſed, ſhall be Sued for, Recovered and Levied by ſuch Ways, Means, and Methods, as any other Fine, Penalty or Forfeiture is, or may be Recovered by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter; And that one Moiety of ſuch Forfeiture or Penalty ſhall be to their Majeſties, their Heirs and Succeſſors, and the other Moiety to him, or them that ſhall diſcover, inform or ſue for the ſame.

Penalties here given how recovered.

VIII. Provided always, and be it Enacted by the Authority aforeſaid, That upon any Perſon or Perſons Exporting any ſort of ſtrong Beer, ſtrong Ale, Cyder or Mum, according to the true intent and meaning, and purſuant to the Directions of an Act made in the Firſt year of their Majeſties Reign, Entituled, An Act for the Exportation of Beer, Ale, Cyder and Mum, The Commiſſioners and Officers of Exciſe, where the Entry thereof ſhall be made, are required to make allowance, or Repay, as well the additional duty of Exciſe by this Act impoſed upon all ſuch Beer, Ale, Cyder and Mum, as the duty in the ſaid Act mentioned unto the Brewer, or maker thereof within one Month after ſuch exportation, deducting the three pence per Tun for the Charges of their Officers, by the ſaid before mentioned Act directed to be deducted.

Rebate upon Exportation of Mum, &c.

IX. And to the end Their Majeſties may be duly anſwered the Rates and Duties hereby granted, and intended in the proportions deſigned, Be it further Enacted by the Authority aforeſaid, That no Brewer, or Victualler who doth, or ſhall ſell, and deliver Beer or Ale, to any of their Cuſtomers in Caſk, do or ſhall without giving notice to the Superviſor, or Gauger appointed for the place and Diviſion where ſuch Brewer, or Victualler doth, or ſhall inhabit, cleanſe, carry off, or convey away any part of his or their Guile of Beer or Ale, before the whole of ſuch Guile ſhall be Brewed off, and be in the Tuns, Backs or Coolers, and until ſuch Officers ſhall or might have taken an account of the ſame, and of the diſtinct Qualities thereof in their reſpective Veſſels; At which time the Brewer, or Victualler, or his, or their Servants working the ſame, in caſe he, or they intend to make a party Guile thereof, ſhall declare to ſuch Gauger or Officer, how much thereof he intends to make into ſtrong Beer, or ſtrong Ale, and how much into ſmall, upon penalty of forfeiting Twenty ſhillings for every Barrel of Beer, Ale or Worts, he ſhall ſo cleanſe, carry off, or convey away, over and above the Penalties already impoſed for conveying away, or concealing Beer or Ale; and in caſe ſuch Brewer or Victualler, or their reſpective Servants, Brewing ſuch Beer, or Ale ſhall refuſe to Declare to ſuch Officers how much of their Guile, or Brewing they intend to make into ſtrong Beer or Ale, and how much into ſmall, It ſhall be Lawful for ſuch Officer to return and charge the whole of

Brewer ſhall not carry away part of his Guile before the whole be finiſhed, nor mix ſtrong Worts with ſmall.

ſuch Guile to be ſtrong, and ſuch Brewer or Victualler ſhall pay the Duties thereof accordingly; And in caſe after ſuch Gauge taken, or Declaration made, ſuch Brewer or Victualler ſhall make any Increaſe of the ſtrong Drink ſo gauged, or declared by any ways or means whatſoever, ſuch Increaſe ſhall be deemed and taken to be and proceed, from mixing ſmall Beer with ſuch ſtrong Beer or Ale, and ſuch Brewer or Victualler ſhall forfeit Twenty ſhillings for every barrel ſo Increaſed, over and above the Penalties already impoſed for mixing ſmall Beer with ſtrong, and ſo proportionably; And further, that if any Brewer, Victualler, or Retailer ſhall out of the Brew-houſe, or place of Brewing, Start or Mix any ſmall Beer, or ſmall Worts with or amongſt ſtrong Beer, ſtrong Ale, or ſtrong Worts in Cask, ſuch Brewer, Victualler or Retailer, ſo doing ſhall forfeit and loſe for every ſuch offence Twenty ſhillings. Provided always, and be it Enacted, That the duty of Exciſe granted by this Act ſhall be charged on, and paid by the Common Brewer, and not by the Retailer, or Spender, ſave only where the Retailer Brews for retailing in his own Houſe or Houſes, and doth not buy his Drink of any Common Brewer; any thing in this Act, or any other Law to the contrary notwithſtanding. Provided always, and be it Enacted by the Authority aforeſaid, That this Act, or any Clauſe, or Proviſo therein contained ſhall not continue, or be of force longer then for the ſaid Term of One year, Commencing from the ſaid Seventeenth day of November, One thouſand ſix hundred and ninety one, other then for the levying and collecting the Arrears of the Rates and Duties, granted by this Act, which ſhall be unpaid at the end of the ſaid Term; and for the levying ſuch Fines, Forfeitures and Penalties impoſed by virtue of this Act, as ſhall not be levied, and paid before the end of the ſaid Term. And foraſmuch as the Collectors, Superviſors, Gaugers, and other Officers of the ſaid Exciſe, and Officers concerned therein by reaſon of the greatneſs of the ſaid Duty, and the extraordinary Power they have given them, in charging or raiſing the ſame, being reſident in moſt parts of the Kingdom where Elections of Members to ſerve in Parliament are made, have very frequently, either by Threats or Promiſes ſo prevailed upon ſeveral Electors, that they have abſolutely been debarred of the freedom of giving their Votes, which according to the known conſtitutions of this Kingdom every perſon ought to have and enjoy, when he is to chooſe his repreſentative: For remedy of which miſchief, Be it Enacted by the Authority aforeſaid, That from and after the Second day of February, One thouſand ſix hundred ninety one, every Collector, Superviſor, Gauger, or other Officer concerned in the charging, collecting, or managing the ſaid Duty of Exciſe, that ſhall either by letter, or meſſage, or word of mouth, endeavour to perſwade any Elector to give, or diſſwade any Elector from giving his Vote for any perſon, or perſons that ſhall be put in nomination to be elected a Member or Members of Parliament, ſhall for ſo doing forfeit the Sum of One hundred Pounds, one moiety thereof to the Informer, and the other moiety to the Poor of the Pariſh, where ſuch offence ſhall be committed, to be recovered in any of their Majeſties Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Wager of Law, Protection or Eſſoign, or more then one imparlance ſhall be allowed: And further, That every perſon or perſons that ſhall be convicted in any ſuch Action, Bill, Plaint or Information of the ſaid Offence, ſhall immediately from and after ſuch conviction be diſabled, and incapable of ever after executing any Office or Place concerning the ſaid Duty of Exciſe. And it is hereby declared and Enacted, That true Notes in Writing of the laſt Gauges made or taken by the ſaid Gaugers, ſhall be left by them with all Brewers, Makers or Retailers of Beer, Ale, or other exciſable Liquors reſpecively, or ſome of their Servants, at the times of their taking the ſaid Gauges, containing the quantity and quality of the Liquors ſo Gauged, upon penalty of Forty ſhillings for every offence or neglect of the ſaid Gauger or Gaugers. Revived by 4 and 5. W. M. Chap. 5. to continue during that Act, and to the end of the next Seſſion.

Exciſe charged upon the Common Brewer.

This Act in force for a year.

Officers of Exciſe not to meddle in Elections of Parliament.

Gaugers to give Notes of their laſt Gauges.

CAP. II.

And Act for the Abrogating the Oath of Supremacy in *Ireland*, and Appointing other Oaths.

Preamble.

I. WHereas by a Statute made in Ireland in the Second year of the Reign of our late Sovereign Lady Queen Elizabeth, Entituled, An Act Reſtoring to the Crown the Ancient Juriſdiction over the Eſtate Eccleſiaſtical and Spiritual, and Aboliſhing all Foreign Power Repugnant to the ſame, the perſons therein mentioned are thereby obliged to take the Oath in the ſaid Act expreſſed:

The Oath made in Ireland, 2 Eliz. Abrogated.

II. Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from henceforth no perſon whatſoever reſiding in Ireland, ſhall be obliged to take the ſaid Oath by force or virtue of the ſaid recited Statute, or any other Statute whatſoever; But that the ſaid Statute, and every other Statute for ſo much only as concerns the ſaid Oath, ſhall be, and are hereby Repealed, utterly Abrogated and made Void.

Which perſons are bound to take the New Oaths.

III. And be it further Enacted, That the Oaths appointed, intended or required by this Act, to be taken from and after the Firſt day of January next, in the year of our Lord, One thouſand ſix hundred ninty one, be taken by the perſons herein and hereafter mentioned, and by every ſuch other perſon and perſons, as were appointed and required by the ſaid recited Act, or any other Statute whatſoever made in Ireland, to take the ſaid Abrogated Oath, before ſuch perſon or perſons, and in ſuch Court as hereafter in this Act is expreſſed; (that is to ſay) all and every Archbiſhop and Biſhop of the Realm of Ireland, that now is, and all and every perſon of, or above the Degree of a Baron of Parliament there; and all and every other perſon and perſons Inhabitants of, or reſiding within the ſaid Realm of Ireland, now having any promotion, office or implоyment Eccleſiaſtical, Civil or Military, or receiving any Pay, Salary, Fee or Wages, by reaſon of any Patent or Grant of their Majeſties, or any of their Predeceſſors; or being Maſter, Governour, Head or Fellow of the Colledge, or Univerſity of Dublin, or Maſter of any Hoſpital or School, or Barreſter at Law, Clerk in Chancery, Attorney or Profeſſor of Law, Phyſick, or other Science that ſhall inhabit, be or reſide within the City of Dublin, or within Thirty miles of the ſame, on the Firſt day of Hilary Term next, or at any time during the ſaid Term, in their Majeſties High Court of Chancery in that Kingdom, or in the Court of Kings Bench there, in publick and open Court, between the hours of nine of the Clock and twelve in the Forenoon; and all the ſaid perſons which inhabit at greater diſtance from the ſaid City, at the General Quarter Seſſions to be holden for that County, Barony or Place in Ireland aforeſaid, where he or they ſhall be or reſide in open Court, between the ſaid hours of nine and twelve in the Forenoon, at any time before the Five and twentieth day of July next; And ſhall likewiſe make and ſubſcribe, and audibly repeat the Declaration herein and hereafter mentioned, and expreſſed; all which ſhall be put on Record in the ſaid reſpective Courts; And every perſon taking the ſame ſhall pay to the Clerk for Recording thereof one Shilling, and no more. And if any Archbiſhop or Biſhop, or any other perſon having any Eccleſiaſtical Dignity or Promotion, or being a Lecturer or Curate, ſhall neglect or refuſe to take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration as aforeſaid, Then he or they ſhall be ipſo facto deprived, and is, and are hereby adjudged to be deprived of his and their Offices, Dignities and Promotions Eccleſiaſtical, and incapable to be Lecturer or Curate in any place or cure whatſoever; and all and every other perſon having any Office, or receiving any Pay, Salary, Fee or Wages by reaſon as aforeſaid, or being Maſter, Governour, Head or Fellow of the ſaid Univerſity or Colledge, or Maſter of any Hoſpital or School, Barreſter at Law, Clerk in Chancery, Attorney or Profeſſor of Law, Phyſick or other Science as aforeſaid, that ſhall neglect or refuſe to take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration within the time, and in the manner aforeſaid reſpectively, ſhall be ipſo facto, thenceforth adjudged uncapable and diſabled in Law, to all intents and purpoſes whatſoever, to have, occupy or enjoy ſuch Office, Pay, Salary, Fee, Wages, Maſterſhip, Governours Place, Headſhip, Fellowſhip, Imployment or Imployments, or any part of them, or any matter or thing aforeſaid, or any profit or advantage appertaining to them or any of them; and every ſuch Office and Place ſhall be void, and is hereby adjudged to be void.

Perſons within 30 miles of Dublin, take them in the Kings Bench.

Perſons above 30 miles off, in the Seſſions.

They muſt reſpect the Declaration.

Clerks Fee.

Penalty upon Clergymen not taking the Oaths, &c.

Penalty upon other perſons offending.

IV. And be it further Enacted by the Authority aforeſaid, That every perſon that ſhall become a Barriſter at Law, Attorney, Clerk or Officer in Chancery, or any other Court, their Deputy or Deputies, or ſhall ſucceed or practiſe as ſuch in Ireland, at any time after the laſt day of Hilary Term next, ſhall and is hereby required to take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration in the Court of Kings Bench at Dublin, in open Court in Term time, between the hours aforeſaid, to be Recorded as aforeſaid, before he ſhall be admitted to enjoy or exerciſe any place or Office, or to practiſe or plead in any Court of Law or Equity, or any other Court of Record or not of Record; and that all perſons that ſhall after the Firſt day of March next be admitted into any Office or Imployment Eccleſiaſtical or Civil, or come into any capacity in reſpect, or by reaſon whereof they ſhould have been obliged to take the ſaid Abrogated Oath in the ſaid recited Act mentioned, ſhall take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration hereby appointed, hereafter expreſſed in ſuch manner, at ſuch times, and before ſuch perſons as they ſhould or ought to have taken the ſaid former Oath, by Virtue of the ſaid Recited Act, in caſe the ſame had not been hereby Abrogated as aforeſaid.

Barriſters, &c. to take the Oaths before admitted to imployment.

All perſons who were to take the Abrogated Oath, to take this and Declaration.

V. And for as much as great diſquiet, and many dangerous attempts have been made, to deprive their Majeſties, and their Royal Predeceſſors of the ſaid Realm of Ireland, by the liberty which the Popiſh Recuſants there have had and taken to Sit and Vote in Parliament: Be it Enacted by the Authority aforeſaid, That from and after the laſt day of January next, no perſon that now is, or ſhall be hereafter a Peer of that Realm or Member of the Houſe of Peers there, ſhall Vote or make his Proxy in the ſaid Houſe of Peers, or Sit there during any Debate in the ſaid Houſe; Nor any perſon that after the ſaid laſt day of January ſhall be a Member of the Houſe of Commons, ſhall be capable to Vote in the ſaid Houſe, or Sit there during any debate in the ſame, after their Speaker is choſen, until he firſt take the Oaths herein and hereafter mentioned and expreſſed, and make, ſubſcribe and audibly repeat this Declaration following:

No Member of either Houſe of Parliament ſhall Sit before he has taken the New Oath and Declaration.

I *A. B.* Do Solemnly and Sincerely in the Preſence of God Profeſs, Teſtifie and Declare, That I do believe, That in the Sacrament of the Lords Supper, there is not any Tranſubſtantiation of the Elements of Bread and Wine into the Body and Blood of Chriſt, at or after the Conſecration thereof, by any Perſon whatſoever: And that the Invocation or Adoration of the Virgin *Mary*, or any other Saint, and the Sacrifice of the Maſs, as they are now uſed in the Church of *Rome*, are Superſtitious and Idolatrous. And I do Solemnly in the Preſence of God Profeſs, Teſtifie and Declare, That I do make this Declaration and every part thereof in the plain and ordinary ſenſe of the Words read unto me, as they are commonly underſtood by Proteſtants, without any Evaſion, Equivocation or Mental Reſervation whatſoever, and without any Diſpenſation already Granted me for this purpoſe by the Pope, or any other Authority or Perſon whatſoever, or without Diſpenſation from any Perſon or Authority whatſoever, or without Believing that I am or can be acquitted before God or Man, or Abſolved of this Declaration, or any part thereof, although the Pope or any other Perſon or Perſons, or Power whatſoever ſhould Diſpenſe with or Annul the ſame, or Declare that it was Null and Void from the beginning.

The Declaration.

VI. Which ſaith Oaths and Declaration ſhall be in the next, and every ſucceeding Parliament to be held in Ireland, ſolemnly and publickly made and ſubſcribed, betwixt the hours of Nine in the Morning and Four in the Afternoon, by every ſuch Peer and Member of the

How the Oaths are to be taken by the Members.

Houſe

Clerk of each Houſe muſt record the Oaths.

Houſe of Peers there, at the Table in the middle of the ſaid Houſe, before he take his place in the ſaid Houſe of Peers, and whilſt a full Houſe of Peers is there preſent, and their Speaker in his Place; and by every ſuch Member of the Houſe of Commons, at the Table in the middle of the ſaid Houſe, and whilſt a full Houſe of Commons is there duly Sitting with their Speaker in his Chair, and that the ſame be done in either Houſe in ſuch like Order or Method as whereby each Houſe is called over reſpectively; and during the making and ſubſcribing thereof, and taking the ſaid Oaths, all buſineſs, and debates in either Houſe reſpectively ſhall ceaſe; And the Clerk of ſuch Houſe reſpectively is hereby required to Record the ſame in Rolls prepared for that purpoſe, and every Member of either Houſe ſhall pay to ſuch reſpective Clerk for Recording thereof One ſhilling and no more.

Puniſhment upon Members of Parlament, Barriſter, &c. for neglecting.

VII. And be it further Enacted by the Authority aforeſaid, That if any perſon that now is or hereafter ſhall be a Peer of Ireland, or Member of the Houſe of Peers, or Member of the Houſe of Commons there, or that ſhall become a Barriſter at Law, Attorney, Clerk or Officer in Chancery or any other Court, and all and every Deputy and Deputies in any Office whatſoever ſhall preſume to offend contrary to this Act, that then every ſuch Peer and Member, and ſuch other perſon and perſons, ſo offending ſhall be thenceforth diſabled to hold or Execute any Office or Place of Profit or Truſt, Eccleſiaſtical, Civil or Military, in any of their Majeſties Realms of Ireland or England, or Dominion of Wales, or Town of Berwick upon Tweed, or in any of their Majeſties Iſlands or Foreign Plantations to the ſaid Realms belonging; and ſhall be diſabled from thenceforth to Sit or Vote in either Houſe of Parliament of the ſaid Realm of Ireland, or make a Proxy in the Houſe of Peers there, or to ſue or uſe any Action, Bill, Plaint or Information in courſe of Law, or to proſecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Adminiſtrator of any perſon, or capable of any Legacy or Deed of Gift, and ſhall forfeit for every wilful offence againſt this Act, the Sum of Five hundred pounds, to be recovered, and received by him, her or them that will Sue for the ſame by any Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Dublin, wherein no Eſſoign, Protection or Wager of Law ſhall lie or be allowed, nor any more then one Imparlance.

VIII. And be it further Enacted, That the Oaths that are intended and required to be taken by this Act, are the Oaths in theſe expreſs Words hereafter following:

The New Oaths.

I *A. B.* do ſincerly Promiſe and Swear, That I will be Faithful, and bear true Allegiance to Their Majeſties King *WILLIAM* and Queen *MARY.* *So help me God*, &c.

I *A. B.* do Swear, That I do from my Heart Abhor, Deteſt and Abjure as Impious and Heretical, that damnable Doctrine and Poſition, That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of *Rome*, may be Depoſed or Murdered by their Subjects, or any other whatſoever. And I do Declare that no Foreign Prince, Perſon, Prelate, State or Potentate hath, or ought to have any Juriſdiction, Power, Superiority, Preminence or Authority, Eccleſiaſtical or Spiritual within this Realm. *So help me God*, &c.

Perſons excepted.

IX. Provided always, and be it Enacted, That this Act ſhall not extend to any Perſon now Chaplain, Secretary or Attendant to any of their Majeſties Ambaſſadors, Envoys, Miniſters or Reſidents in any Foreign Courts, or Preacher to any Engliſh Factory, or to any Chaplains in their Majeſties Service by Sea or Land, out of the Kingdom of Ireland, ſo as they take the Oaths, and make and ſubſcribe the ſaid Declaration hereby required, within three Months after their return; nor to any other perſon of the Proteſtant Religion now in office or place of truſt or profit out of the Kingdoms of Ireland or England, who ſhall return into the ſaid Realm of Ireland, and take the ſame at any time before the Five and twentieth day of December, One thouſand ſix hundred ninety two, in the Court of Kings Bench there, the next Term after their reſpective arrival in that Kingdom. Provided always, That nothing in this Act contained ſhall extend to the taking away the Office or Place of Vice-Treaſurer of Ireland from William Harbord Eſquire, who is now imployed by their Majeſties as their Ambaſſadour Extraordinary to Mediate a Peace between the Chriſtians and the Turks, but that he the ſaid William Harbord ſhall have liberty to take the ſaid Oaths, and ſubſcribe the ſaid Declaration as are directed by this preſent Act, any time within two Months after his return into the ſaid Kingdom of Ireland; any thing in this Act to the contrary notwithſtanding.

Iriſh Archbiſhop, &c. being in England in Hilary Term 1691. ſhall take the Oaths here and likewiſe in Ireland.

Penalty for not taking the Oaths here.

X. And be it Enacted by the Authority aforeſaid, That all and every Archbiſhop and Biſhop in the ſaid Realm of Ireland, and every other perſon and perſons now having any Eccleſiaſtical Office, Dignity or Promotion, or being a Lecturer or Curate in the ſaid Kingdom, that ſhall happen to be in this Realm of England, the Firſt day of Hilary Term, which ſhall be in the year of our Lord One thouſand ſix hundred ninety and one, ſhall take the ſaid Oaths, and make, ſubſcribe and audibly repeat the ſaid Declaration before the end of the ſaid Term in their Majeſties Court of Chancery, or in the Court of Kings Bench in this Realm of England, and ſhall again take the ſaid Oaths, and make, ſubſcribe and audibly repeat the ſaid Declaration before the Five and twentieth day of July, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and two, in the Court of Chancery, or Court of Kings Bench in the ſaid Kingdom of Ireland in the Morning, and between the hours of Nine and Twelve, where the ſame ſhall be put upon Record in the ſaid reſpective Courts in manner as aforeſaid. And if any ſuch Archbiſhop or Biſhop, or other perſon in any Eccleſiaſtical Office, Dignity or Promotion, or being a Lecturer or Curate in the ſaid Kingdom of Ireland, happening to be within this Realm at the time aforeſaid, ſhall neglect or refuſe to take the ſaid Oaths, and to make, ſubſcribe and repeat the ſaid Declaration within either of the times before mentioned, then he or they ſhall be ipſo facto deprived, and is, and are hereby adjudged to be deprived of his or their Archbiſhopricks, Biſhopricks, and Eccleſiaſtical Offices, Dignities and Promotions, and incapable to be Lecturer or Curate

rate in any place or cure whatſoever; And all and every other perſon or perſons having any Office or receiving any Pay, Salary, Fee or Wages by reaſon of any Patent or Grant from their Majeſties or any of their Predeceſſors, or being Maſter, Governor, Head of any Colledge in the Univerſity of Dublin, or Maſter of any Hoſpital or School, or Barreſter at Law, Clerk in Chancery, Attorney or Profeſſor of Law or Phyſick, or other Science that ſhall reſide or inhabit in this Realm on the Firſt day of the ſaid Hilary Term, ſhall before the end of the ſaid Term take the ſaid Oaths, and make, ſubſcribe and audibly repeat the ſaid Declaration in their Majeſties Court of Chancery, or Court of Kings Bench in this Realm of England. And in caſe ſuch other perſon or perſons ſo reſident and inhabiting in this Realm of England ſhall neglect or refuſe to take the ſaid Oaths, and make, ſubſcribe and repeat the ſaid Declaration before the end of the ſaid Hilary Term, he or they ſhall be ipſo facto thenceforth adjudged Incapable, and diſabled in Law to all intents and purpoſes whatſoever to have, occupy and enjoy ſuch Office, Pay, Salary, Fee, Wages, Maſterſhip, Governors place, Headſhip, Fellowſhip and Imployment or Imployments or any part of them; and every ſuch office or place ſhall be void, and is hereby adjudged to be void; and if ſuch other perſon or perſons ſo reſiding or inhabiting in the Realm of England, on the ſaid Firſt day of Hilary Term ſhall take the ſaid Oaths, and make, and ſubſcribe the ſaid Declaration as aforeſaid, it ſhall be as effectual to all intents and purpoſes, as if he or they had been then reſident in Ireland, and had in manner and in the time before mentioned taken the ſaid Oaths, and made, ſubſcribed and repeated the ſaid Declaration, in any of the ſaid Courts of the ſaid Realm of Ireland.

All other Officers in Ireland being here, ſhall take the Oaths here.

Penalty.

XI. Provided always, that this Act or any thing herein contained, ſhall not extend to hinder or diſable any perſon or perſons, who on the Third of October, One thouſand ſix hundred ninety one, were inhabiting or reſiding in Lymerick, or any other Gariſon then in the poſſeſſion of the Iriſh, or any Officers or Soldiers then in Arms, by virtue of any Commiſſion of the late King James, or thoſe Authorized by him, to Grant the ſame in the ſeveral Counties of Lymerick, Clare, Kerry, Cork and Mayow, or any of them, or any commiſſioned Officers then in their Majeſties Quartes, that did belong to the Iriſh Regiments then in being, or were then treated with or who were not Priſoners of War, and who had not then taken Protection, and have ſince returned and ſubmitted to their Majeſties Obedience, from uſing, exerciſing and practiſing his or their profeſſion or calling of Barreſter at Law, Clerk in Chancery, or Attorney or Practicer of Law or Phyſick; but they may freely uſe, exerciſe and practiſe the ſame, as they did in the Reign of the late King Charles the Second; any thing herein contained to the contrary notwithſtanding.

Perſons who were in Iriſh Garriſons and have ſubmitted to the King, ſaved.

XII. Provided nevertheleſs, That every ſuch Barreſter at Law, Clerk in Chancery, or Attorney or Practicer of Law or Phyſick, who ſhall claim any benefit hereby, to be exempted from taking the Oaths, and making, ſubſcribing and repeating the Declaration in this Act mentioned, in the Court, and in the manner hereby appointed, ſhall make out his claim thereunto, according to the reſpective Qualifications herein before expreſſed, before the Court of Kings Bench in Ireland, in open Court there in Term time, between the hours of Nine and Twelve in the Morning, on or before the Laſt day of Michaelmas Term next, to be there allowed and Recorded; for the Entry whereof upon Record there ſhall be One ſhilling paid, and no more; And in default of ſuch claim made, to be excluded from the ſame.

They muſt make their claim of Office, &c. in Mich. Term.

XIII. Provided nevertheleſs, and be it Enacted, that if any ſuch perſon before he hath taken the ſaid Oath to be faithful, and bear true Allegiance to their Majeſties, in the Court of Kings Bench in Ireland, or at the General Quarter Seſſions of the Peace in the County, City or Place where ſuch perſon ſhall inhabit, and procured the ſame to be Recorded, and obtained the Certificate thereof, ſhall uſe, exerciſe or practiſe ſuch his calling or profeſſion, ſhall forfeit the ſum of Five hundred pounds to ſuch perſon as will ſue for the ſame, in any of their Majeſties Courts of Record in Ireland, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed; And further ſuch perſon ſo uſing or exerciſing his Profeſſion or Calling, ſhall be adjudged uncapable ever to uſe or exerciſe the ſaid Profeſſion or Calling.

500 Penalty and diſability upon Barriſter, &c. for practiſing before he has ſworn.

XIV. And be it further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful for Two or more Juſtices of the Peace, whereof one ſhall be of the Quorum, within any County, City or Town Corporate in the ſaid Kingdom of Ireland, and they are hereby required to direct their Warrant or Warrants to any Conſtable, Tithingman, Headborough or other Officer, to Summon any perſon of the age of Eighteen years or upwards, to appear before ſuch Juſtices, at ſuch time and place as ſhall be mentioned in ſuch Warrant, to take the Oath before mentioned, to be faithful and bear true Allegiance to their Majeſties; And if ſuch perſon being ſo ſummoned ſhall not appear at the time and place, having no lawful let or impediment, or appearing ſhall refuſe to take the ſaid Oath being tendred to him or her by the ſaid Juſtices, the ſaid Juſtices ſhall commit ſuch perſon making default, or refuſing to take the ſaid Oath, to the common Goal or Houſe of Correction, there to remain without Bail or Mainprize for the ſpace of Three Months, unleſs ſuch offender ſhall pay down to the Juſtices, or any of them ſuch ſum of Money not exceeding Forty ſhillings, as the ſaid Juſtices ſhall require ſuch offender to pay, which Money ſhall be paid to the Church Wardens or Overſeers of the Poor of ſuch Pariſh or Place where ſuch offender did laſt inhabit; And at ſome time after the end of Three Months after ſuch default or refuſal, Two or more of ſuch Juſtices as aforeſaid, ſhall have power, and are hereby required to direct their Warrant in manner as aforeſaid, to ſummon ſuch offender to appear before them to take the ſaid Oath; And if ſuch offender ſhall be ſummoned, and make default at the time and place appointed, not having any lawful let or impediment, or appearing, ſhall refuſe to take the ſaid Oath, being tendred to him or her, the ſaid Juſtices ſhall commit ſuch offender to the common Gaol or Houſe of Correction, there to remain for the ſpace of Six Months without Bail or Mainprize, unleſs ſuch offender ſhall pay down to the ſaid Juſtices, or any of them,

Juſtices of Peace muſt give the Oath of Allegiance to all perſons above eighteen.

Penalty upon firſt refuſal.

Penalty upon ſecond refuſal.

ſuch Sum of Money not exceeding Ten pounds, nor under Five pounds, as the ſaid Juſtices ſhall require, which ſaid Money ſhall be diſpoſed of to the relief of the Poor of ſuch Pariſh or Place in manner as aforeſaid, and unleſs ſuch offender ſhall become bound with two ſufficient Sureties, with condition to appear at the next Aſſizes or General Gaol Delivery, to be holden for ſuch County where ſuch offender ſhall inhabit or reſide, and in the mean time to be of the Good Behaviour; At which Aſſizes or Gaol Delivery the ſaid Oath ſhall be tendred to ſuch offender by the Juſtices of Aſſize or General Gaol Delivery, in their open Aſſizes or Seſſions; And if upon ſuch tender, ſuch offender ſhall refuſe to take the ſaid Oath, he ſhall incur the Danger and Penalty of Præmunire, mentioned in the Statute of Præmuire in the Sixteenth Year of the Reign of King Richard the Second, except Women Covert, who upon refuſal of the ſaid Oath, ſhall be by the ſaid Juſtices of Aſſize in their open Aſſize or General Gaol Delivery, committed only to the Common Gaol, there to remain without Bail or Mainprize till they will take the ſaid Oath.

Penalty upon third refuſal.

XV. Provided nevertheleſs, That whereas there are certain Diſſenters in Ireland, commonly called Quakers, who ſcruple the taking any Oath, It ſhall be ſufficient for every ſuch Diſſenter, he or ſhe producing a Certificate under the Hands and Seals of Six or more ſufficient Men of the Congregation, to which he or ſhe belongs, owning him or her for one of them, to make and ſubſcribe the following Declaration:

Declarations appointed for Quakers in place of the Oaths which exempts them from the Penalties.

I A. B. do ſincerely Promiſe, and ſolemnly declare before God and the World, That I will be True and Faithful to King *WILLIAM* and Queen *MARY*. And I do ſolemnly Profeſs and Declare, That I do from my Heart Abhor, Deteſt and Renounce as Impious and Heretical, that damnable Doctrine and Poſition, That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of *Rome*, may be Depoſed or Murdered by their Subjects, or any other whatſoever. And I do declare, That no Foreign Prince, Perſon, Prelate, State or Potentate, hath or ought to have any Power, Juriſdiction, Superiority, Preeminence, or Authority Eccleſiaſtical or Spiritual within this Realm.

And every ſuch Diſſenter ſo Subſcribing ſhall be, and is hereby exempted from the Penalties mentioned in this Act.

XVI. Provided nevertheleſs, That no ſuch perſon called Quaker, ſhall by ſuch Declaration, and Subſcription be capable to take, have or hold any Office, Imployment, Place, Pay, Salary, Fee, Grant, Wages, or any other Place of Profit or Truſt, whereunto any perſon taking the ſaid Oaths, and making and ſubſcribing the Declaration in the Courts aforeſaid, ſhall or may be Entituled; Any thing herein contained to the contrary notwithſtanding.

Taking Declarations does not make them capable of Office.

XVII. Provided always, and be it Enacted, That this Act ſhall not be diſpenſed with by any Warrant or Letters Patents under the Great Seal of England or Ireland; but that all ſuch Warrants and Clauſes of Diſpenſation thereof, in any ſuch Warrants or Letters Patents, are hereby declared to be Null and Void and of no effect; Any Law, Statute or Uſage to the contrary notwithſtanding.

The Act not to be diſpenſed with.

CAP. III.

An Act for the better Aſcertaining the Tythes of Hemp and Flax.

Preamble.

I. Whereas the Sowing of Hemp and Flax is, and would be exceeding beneficial to England, by reaſon of the multitude of People that are, and would be employed in the Manufacturing of thoſe two materials, and therefore do juſtly deſerve great encouragement. And whereas the manner of Tything Hemp and Flax is exceeding difficult, creating thereby grievous, chargeable and vexatious Suits and Animoſities, between Parſons, Vicars, Impropriators and their Pariſhioners.

II. For remedying whereof, Be it Enacted by the King and Queens moſt excellent Majeſties, by, and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the Second day of February, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and one, all, and all manner of perſons that ſhall Sow, or cauſe to be Sown any Hemp or Flax, in any Pariſh or place in the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall pay or cauſe to be paid to every Parſon, Vicar or Impropriator of any ſuch Pariſh or place, yearly and every year for each Acre of Hemp, or Flax ſo Sown, pulled or drawn, a conſtant annual ſum of Money not exceeding Four ſhillings, before the ſame be carried off the Ground, and ſo proportionably for more or leſs Ground ſo Sown and Pulled or Drawn as aforeſaid; For the Recovery of which Sum or Sums of Money, the Parſon, Vicar or Impropriator ſhall have the common and uſual remedy allowed of by the Laws of England.

4 s. Per Acre to be paid for Tythe of Flax or Hemp to be recovered as other Tythes.

III. Provided that this Act or any thing therein contained, ſhall not extend to charge any Lands diſcharged by any Modus Decimandi, ancient compoſition, or otherwiſe diſcharged of Tythes by Law.

Land diſcharged by Modus ſaved.

IV. Provided that this Law ſhall continue for Seven years, and to the end of the next Seſſion of Parliament after the ſaid Seven years are expired.

Act continue for 7 years.

CAP. IV.

An Act for preſerving Two Ships Lading of Bay Salt taken as Prize, for the benefit of their Majeſties Navy. EXP.

CAP. V.

An Act for Granting an Aid to Their Majeſties of the Sum of Sixteen hundred fifty one thouſand ſeven hundred and two pounds eighteen ſhillings, towards the carrying on a Vigorous War againſt *France*. EXP.

Anno Regni GULIELMI *&* MARIÆ *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Tertio & Quarto.*

CAP. VI.

An Act for raiſing Money by a Poll, payable Quarterly for one year, for the carrying on a Vigorous War againſt *France*.

CAP. VII.

An Act for raiſing the Militia of this Kingdom for the Year, One thouſand ſix hundred ninety and two, although the Months Pay formerly advanced be not repaid.

CAP. VIII.

An Act for the Encouragement of the Breeding and Feeding of Cattel.

I. FOR the Encouragement of Breeding and Fatting of Cattel for the common Good and Welfare of this Kingdom, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That from and after the Firſt day of March, in the year of our Lord, One thouſand ſix hundred ninety one, and from thence forward, it ſhall be lawful for all and every perſon or perſons, Native or Foreign, at any time or times, to Ship, Lade, Carry and Tranſport or Export, from and out of any Port, Harbour, or Place within the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, into any part of the World in Amity with their Majeſties, all ſorts of Beef, Pork or Hogs-fleſh, Butter, Cheeſe or Candles, free from any Cuſtom or Impoſition whatſoever; The Act made in the Second year of their preſent Majeſties, Entituled, An Act for granting to Their Majeſties a Subſidy of Tonage and Poundage, and other Sums of Money payable upon Merchandizes Exported and Imported, or any other Law, Statue, Uſage or other Prohibition to the contrary thereof, in any wiſe notwithſtanding.

Beef, Pork, Butter, Cheeſe, &c. may be exported cuſtom free.

Seſſ. 1. cap. 4.

CAP. IX.

An Act to take away Clergy from ſome Offenders, and to bring other to Puniſhment.

I. FOraſmuch as divers wicked and ill diſpoſed perſons are encouraged to commit Robberies upon mens perſons, and in their Houſes, and other Offenders, by the priviledge as the Law now is of demanding the benefit of their Clergy: Be it therefore Enacted by the King and Queens moſt Excellent Majeſties, and by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, that all and every perſon or perſons that ſhall at any time from and after the Firſt day of March, in the year of our Lord One thouſand ſix hundred ninety one, Rob any other perſon, or ſhall Feloniouſly take away any Goods or Chattel, being in any Dwelling-houſe, the Owner or any other perſon being therein, and put in Fear, or ſhall Rob any Dwelling-houſe in the day time, any perſon being therein, or ſhall Comfort, Aid, Abet, Aſſiſt, Counſel, Hire or Command any perſon or perſons to commit any of the ſaid Offences, or to Break any Dwelling-houſe, Shop or Ware-houſe thereunto belonging, or therewith uſed in the day time, and Feloniouſly take away any Money, Goods or Chattel of the value of Five ſhillings or upwards therein being, although no perſon ſhall be within ſuch Dwelling-houſe, Shop or Ware-houſe, or ſhall Counſel, Hire or Command any perſon to commit any Burglary, being thereof Convicted or Attainted, or being indicted thereof ſhall ſtand mute, or will not directly anſwer to the Indictment, or ſhall peremptorily challenge above the number of Twenty perſons returned to be of the Jury, ſhall not have the benefit of his or their Clergy.

Preamble. Made perpetual by 6 & 7. W. 3. 14. Any perſon convict of Robbing a Dwelling-houſe wherein there is any or no perſon, &c. or ſtanding mute ſhall loſe his Clergy.

III. And be it further Enacted by the Authority aforeſaid, that if any perſon or perſons whatſoever be Indicted of any Offence, for which by virtue of any former Statute, he or they are excluded from having the benefit of his or their Clergy, if he or they had been thereof Convicted by Verdict or Confeſſion, if he or they ſtand Mute, or will not Anſwer Directly to the Felony, or ſhall Challenge peremptorily above the number of Twenty perſons returned to be of the Jury, or ſhall be Outlawed thereupon, ſhall not be admitted to the benefit of his or their Clergy.

Perſons indicted for a crime of which being convict they ſhould not have their Clergy if they ſtand mute, &c. ſhall not have it.

IV. And be it further Enacted by the Authority aforeſaid, that if any perſon or perſons hereafter be Indicted of Felony for Stealing of any Goods or Chattel in any County within this Realm of England, Dominion of Wales or Town of Berwick upon Tweed, and thereof be Convicted or Attainted, or upon his or their Arraignment ſhall ſtand mute, or will not directly Anſwer to the Indictment, or ſhall Challenge peremptorily above the number of twenty perſons returned to be of the Jury, he or they ſhall be totally excluded from having the benefit of his or their Clergy, if it appear upon Evidence or Examination before the Juſtices, that the ſaid Goods or Chattel were taken by Robbery or Burglary, or in any other manner, in any other County, whereof if ſuch perſon or perſons had been Convicted by a Jury of the ſaid other County, he or they are excluded by virtue of this, or any other Act from having the benefit of his or their Clergy.

Perſons indicted of a crime as above in a wrong County if they ſtand mute, &c. ſhall not have it.

V. And foraſmuch as Thieves and Robbers are much encouraged to commit ſuch Offences, becauſe a great number of perſons make it their trade and buſineſs to deal in the Buying of Stoln Goods: Be it therefore Enacted by the Authority aforeſaid, that if any

Buyers of Stol'n Goods reputed acceſſories to Felony.

perſon or perſons ſhall buy or receive any Goods or Chattel that ſhall be Feloniouſly taken or Stoln from any other perſon, knowing the ſame to be Stoln, he or they ſhall be taken and deemed an Acceſſary or Acceſſaries to ſuch Felony after the Fact, and ſhall incur the ſame Puniſhment as an Acceſſary or Acceſſaries to the Felony, after the Felony committed.

Stealing Goods from Lodgings Felony.

VI. And whereas it is a frequent Practice for Idle and Diſorderly perſons to Hire Lodgings with an intent to have an opportunity to take away, imbezel or purloin the Goods and Furniture being in ſuch Lodgings: Be it therefore Enacted and Declared by the Authority aforeſaid, That if any perſon or perſons ſhall take away with an intent to Steal, Imbezel or Purloin any Chattel, Bedding or Furniture, which by Contract or Agreement he or they are to uſe, or ſhall be let to him or them to uſe, in or with ſuch Lodging, ſuch taking, Imbezelling or Purloining ſhall be to all intents and purpoſes taken, reputed, adjudged to be Larceny and Felony, and the offender ſhall ſuffer as in caſe of Felony.

Women convict of crimes for which Men have their Clergy, upon Prayer puniſh'd as men.

VII. And whereas by the Laws of this Realm, Women Convicted of Felony for Stealing of Goods and Chattel of the value of Ten ſhillings and upwards, and for other Felonies where a man is to have the benefit of his Clergy, are to ſuffer Death: Be it therefore Enacted and Declared by the Authority aforeſaid, that where a Man being Convicted of any Felony for which he may demand the benefit of his Clergy, if a Woman be Convicted for the ſame, or like offence upon her Prayer to have the benefit of this Statute, Judgment of Death ſhall not be given againſt her upon ſuch Conviction or Execution awarded upon any Outlawry for ſuch offence, but ſhall ſuffer the ſame Puniſhment as a Man ſhould ſuffer, that has the benefit of his Clergy allowed him in the like caſe; That is to ſay, ſhall be Burnt in the Hand by the Gaoler in open Court, and further be kept in Priſon for ſuch time as the Juſtices in their Diſcretion ſhall think fit, ſo as the ſame do not exceed One years Impriſonment.

Where a perſon has had his Clergy in another County, Clerk of the Crown, &c. ſhall certifie it.

VIII. And for as much as ſuch Men who have once had their Clergy, and ſuch Women who ſhall have once the benefit of this Statute may happen to be indicted for an offence committed afterwards in ſome other County: Be it therefore Enacted that the Clerk of the Crown, Clerk of the Peace, Clerk of the Aſſizes where ſuch Man or Woman ſhall be convicted, ſhall at the requeſt of the Proſecutor, or any other in their Majeſties behalf certifie a Tranſcript, briefly and in few words, containing the effect and tenor of ever Indictment and Conviction of ſuch Man or Woman, of his having the benefit of the Clergy, or her having the benefit of this Statute and Addition of every ſuch perſon or perſons, and the certainty of the Felony, and Conviction to the Judges and Juſtices in ſuch other County where ſuch Man or Woman ſhall be indicted, which Certificate being produced in Court ſhall be a ſufficient proof that ſuch Man hath before had the benefit of his Clergy, and that ſuch Woman hath had the benefit of this Statute.

CAP. X.

An Act for the more Effectual Diſcovery and Puniſhment of Deer Stealers.

Preamble.

I. WHereas notwithſtanding the many good Laws before this time made, and ſtill in force, which do prohibit unlawful Courſing, Hunting or Killing of Deer; yet in aſmuch as the Penalties thereby provided, are found by daily experience not to be ſufficient to deter divers Lewd, Sturdy and Diſorderly perſons, who confederate together in great numbers, making amongſt themſelves as it were a Brotherhood and Fraternity, whereby if any of them ſhall be diſcovered and convicted, which ſeldom happens, becauſe of their great force and clandeſtine manner of combination, they by a common contribution (for the moſt part) advance and pay for ſuch perſons ſo apprehended, the pecuniary Penalties (which are but ſmall) inflicted on ſuch offenders, by reaſon whereof the other confederates eſcape diſcovery and condign Puniſhment.

Perſon Convict before a Juſtice of Peace of Deer ſtealing, if he afterwards Hunt Deer, forfeit 20 l.

For each Deer wounded 30 l. Penalty levied by diſtreſs.

Perſon to be impriſoned and pillored for want of diſtreſs.

II. Therefore, for the more effectual diſcovery and puniſhment of ſuch perſons, Be it Enacted by the King and Queens moſt Excellent Majeſties, and by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the Authority of the ſame, That if any perlon or perſons ſhall from and after the Twenty fifth day of March, in the year of our Lord, One thouſand ſix hundred ninety two, unlawfully Courſe, Hunt, Take in Toyls, Kill, Wound or take away any Red or Fallow Deer in any Foreſt, Chaſe, Purlieu, Paddock, Wood, Park or other Ground incloſed, where Deer are, have, or ſhall be uſually kept within the Realm of England, or Dominion of Wales, without the conſent of the owner or perſon chiefly intruſted with the Cuſtody thereof, or ſhall be Aiding or Aſſiſting therein, and ſhall be convicted thereof by the confeſſion of the Party, or by the Oath of one or more credible Witneſs or Witneſſes before one or more Juſtices of the Peace of the ſame County wherein the offence ſhall be committed or the Party offending apprehended, (which Oath the ſaid Juſtice or Juſtices hereby are impowred to adminiſter) and ſuch perſons being proſecuted for ſuch offence within Twelve months after ſuch offence done; That then every ſuch perſon ſo offending by unlawful Courſing or Hunting only, when no Deer is Taken, Wounded or Killed, ſhall forfeit for every ſuch offence the Sum of Twenty pounds; And in caſe any Deer ſhall by ſuch perſon or perſons be Wounded, Taken in Toyls or Killed, that for each Deer ſo Wounded, Killed or Taken, ſuch perſon or perſons ſhall reſpectively forfeit and pay the Sum of Thirty pounds, to be levied by way of diſtreſs upon the Goods and Chattels of every ſuch offender, by Warrant under the Juſtice or Juſtices hand before whom ſuch Conviction or Convictions ſhall be made, the one third part of ſuch Forfeitures to be given to the Informer or Informers, the other part to the uſe of the Poor of the Pariſh where the offence ſhall be committed, and the other third part to the owner of ſuch Deer; And for want of ſufficient diſtreſs, that then ſuch perſon ſhall ſuffer Impriſonment by the ſpace of one whole year, without Bail or Mainprize, and ſhall be ſet in the Pillory by the ſpace of one hour, on ſome Market-day in the next adjoyning Town to the place where ſuch offence was committed by the chief Officer or Officers of ſuch Market-Town, or by his or their Under-officer or Officers.

III. And be it further Enacted, That every Conſtable, Headborough and Tythingman, (being thereto Authorized by the Warrant of one or more Juſtices of Peace, under his or their Hands and Seals) ſhall and may have full Power and Authority (and hereby is required) to Enter into and Search (in ſuch manner and with ſuch Power as in caſe where Goods are ſtolen or ſuſpected to be ſtolen) the Houſe or Houſes, Out-houſes or other places belonging to ſuch Houſes of ſuſpected Perſons; And in caſe any Veniſon or Skin of any Deer or Toyls, ſhall there be found, ſuch Officer ſhall apprehend ſuch Offender, and carry him before ſome Juſtice of the Peace of the ſame County; And if ſuch perſon do not give a good Account how he came by ſuch Veniſons, Skins or Toyles, ſuch as ſhall ſatisfie the ſaid Juſtice, or elſe ſhall not in ſome convenient time to be ſet him by the ſaid Juſtice, produce the Party of whom he bought ſuch Veniſon, Skins, or Toyls, or ſome other credible Witneſs to Depoſe upon Oath ſuch Sale of the ſaid Veniſon or Skins; That then ſuch perſon not giving ſuch good Account, nor producing any ſuch Witneſs as aforeſaid, ſhall be convicted by the ſaid Juſtice of ſuch Offence, who on ſuch Conviction ſhall be ſubject unto the Forfeitures and Penalties hereby inflicted for the killing of any one Deer in the ſame manner as if thereof convicted as aforeſaid.

Conſtables may ſearch ſuſpicious Houſes by Juſtice of Peace his Warrant. If Veniſon, &c. be found, and perſon whoſe Houſe it is cannot give a good account, 'tis a Conviction of Deer-ſtealing.

IV. And to the end that no perſons convicted of any the Offences as aforeſaid, may eſcape Puniſhment by their flight or other removal, after ſuch conviction, Be it further Enacted by and with the Authority aforeſaid, That it ſhall and may be lawful for, and hereby Power and Authority is given (after conviction as aforeſaid) to the Conſtable or other Officer, or perſon or perſons proſecuting, to detain in Cuſtody ſuch Offender or Offenders (in caſe he or they ſhall not preſently pay the Moneys due by the ſaid Conviction) during ſuch reaſonable time as a return may be conveniently had and made to the Warrant for the Diſtreſs upon ſuch Conviction, ſo as ſuch Detainer do not exceed two days.

Conſtable may detain the perſon till diſtreſs returned.

V. And to the end all Owners of Deer in any Incloſed Ground may be Indemnified in the juſt Defence of ſuch their Right, Be it Enacted, That any Owner of ſuch Deer, or any perſon or perſons acting by, from and under him, ſhall and may oppoſe and reſiſt ſuch Offenders in the ſame manner, and be equally Indemnified for ſo doing, as if ſuch Fact had been committed within any ancient Chaſe or Park whatſoever.

Perſons having Deer in Incloſed Ground may oppoſe offenders.

VI. And whereas divers Offenders duly Convicted, do commonly procure Writs of Certiorari to remove ſuch Convictions into Superiour Courts at Weſtminſter, in hopes thereby to diſcourage and weary out ſuch perſons injured by great delays, expences and incertainties; Be it therefore Enacted, That no Certiorari ſhall be allowed to, remove any Conviction made, or other Proceeding of, for, or concerning any matter or thing in this Act, unleſs the Party or Parties againſt whom ſuch Conviction ſhall be made, ſhall before the allowance of ſuch Certiorari, become bounden to the perſon or perſons proſecuting, in the Sum of Fifty pounds, with ſuch ſufficient Sureties as the Juſtice or Juſtices of the Peace before whom ſuch Offender was Convicted, ſhall think fit, with Condition to pay unto the ſaid Proſecutors, within one Month after ſuch Conviction confirmed, or a Procedendo granted, their full Coſts and Damages, to be aſcertained upon their Oaths; And that in default thereof, it ſhall be lawful for the ſaid Juſtice and Juſtices, and others to proceed to the due Execution of ſuch Conviction, in ſuch manner as if no Certiorari had been awarded.

No Certiorari except the offender give ſecurity to pay the Proſecutor full Coſts, &c.

VII. Provided that where any Offender ſhall be puniſhed by force of this Act, that he ſhall not be proſecuted, nor incur the penalty of any other Law or Statute for the ſame Offence.

Perſons puniſhed by this Act, no other way puniſhable.

VIII. Provided always, That if any perſon or perſons whatſoever ſhall be ſued or proſecuted for, or by reaſon of any matter or thing, which he or they ſhall do in purſuance of this Act, it ſhall and may be lawful to and for the perſon or perſons ſo ſued, or proſecuted to plead the General Iſſue and give the Special Matter in Evidence.

Perſons ſued for any thing done by vertue of this Act, plead General Iſſue.

IX. Provided alſo, and be it Enacted by the Authority aforeſaid, That if any perſon or perſons ſhall in the night time pull down and deſtroy, or cauſe to be pulled down and deſtroyed the Pails or Walls of any Park, Foreſt, Chaſe, Purlieu, Paddock, Wood, or other Ground Incloſed, where any Red or Fallow Deer ſhall be then kept, That ſuch perſon or perſons ſo offending being thereof convicted by the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace of the ſame County wherein the Offence ſhall be committed, ſhall by Warrant from ſuch Juſtice or Juſtices as aforeſaid, ſuffer Impriſonment for three Months, without Bail or Mainprize.

Perſons convict before a Juſtice of Peace for pulling down the Pales of any Park, impriſoned three Months.

CAP. XI.

An Act for the better Explanation and Supplying the Defects of the former Laws for the Settlement of the Poor.

I. Whereas one Act of Parliament made in the Thirteenth and Fourteenth years of his late Majeſty King Charles the Second, Entituled, An Act for the better Relief of the Poor of this Kingdom; (except what relates to the Corporation therein mentioned and conſtituted thereby) was revived and continued with ſome Alterations by one other Act made in the Firſt year of the late King James the Second, and have been found by experience to be good and wholeſom Laws, but may ſhortly expire:

Preamble. 13, 14 Car. 2. 12.

II. Be it therefore Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That the ſaid Acts, as to what relates

13, 14 Car. 2. 12. Ja. 2. revived.

to the Settlements of the Poor, ſhall be in force from the Firſt day of March, One thouſand ſix hundred ninety one.

The Note of Settlement muſt be read in the Church and regiſtred in the Poors Book.

III. But foraſmuch as the ſaid Acts are ſomewhat defective and doubtful; For ſupplying and explaining the ſame, Be it further provided and enacted by the Authority aforeſaid, That the Forty days continuance of ſuch perſon in a Pariſh or Town, intended by the ſaid Acts to make a Settlement, ſhall be accounted from the Publication of a Notice in Writing, which he or ſhe ſhall deliver of the Houſe of his or her Abode, and the number of his or her Family, if he or ſhe have any, to the Churchwarden or Overſeer of the Poor, which ſaid Notice in Writing the ſaid Churchwarden or Overſeer of the Poor, is or are hereby Required to Read, or Cauſe to be Read Publickly, immediately after Divine Service, in the Church or Chappel of the ſaid Pariſh or Town on the next Lords day, when there ſhall be Divine Service in the ſame; And the ſaid Churchwarden or Overſeer of the Poor, is or are hereby required to Regiſter, or cauſe to be Regiſtred the ſaid Notice in Writing in the Book kept for the Poors accounts.

No Soldier, &c. to have Settlement before diſmiſſion.

IV. Provided always, and be it Enacted, That no Soldier, Seaman, Shipwright, or other Artificer or Workman imployed in Their Majeſties Service ſhall have any Settlement in any Pariſh, Port-town, or other Town, by delivery and Publication of a notice in Writing as aforeſaid, unleſs the ſame be after the diſmiſſion of ſuch perſon out of their Majeſties Service.

Penalty upon Churchwarden refuſing to read or regiſter.

V. And be it further Enacted, That if any Churchwarden or Overſeer of the Poor ſhall refuſe or neglect to read, or cauſe to be read ſuch notice in Writing as aforeſaid, in ſuch manner, place and time as aforeſaid, he or they for every ſuch offence (upon proof thereof by two credible Witneſſes upon Oath before any Juſtice of the Peace of the ſame County, Riding or Diviſion, City or Town-Corporate, where complaint thereof ſhall be made) ſhall forfeit the Sum of Forty ſhillings to the uſe of the party grieved, to be Levied by Diſtreſs and Sale of the Offender or Offenders Goods, by Warrant under the Hand and Seal of any Juſtice of the Peace within the ſaid Juriſdictions reſpectively, to the Conſtable of the Pariſh, or Town where ſuch Offender or Offenders dwell, the Overplus, if any be to be returned to the Owner or Owners, and for want of ſuch ſufficient Diſtreſs, the ſaid Juſtice ſhall commit him or them to the Common Gaol of the ſaid County, City or Town-Corporate, there to remain without Bail or Mainprize for the ſpace of one Month; and if any Churchwarden or Overſeer of the Poor ſhall refuſe or neglect to Regiſter, or cauſe to be Regiſtred ſuch Notice in Writing as aforeſaid, he or they ſo offending upon the like conviction ſhall forfeit the Sum of Forty ſhillings to the uſe of the Poor of the Pariſh, or Town where ſuch Offender or Offenders dwell, to be Levied as aforeſaid, the Overplus if any be, to be returned to the Owner or Owners; And for want of ſuch ſufficient Diſtreſs, then the ſaid Juſtice ſhall Commit ſuch Offender or Offenders as aforeſaid, for the time aforeſaid.

Serving as Officer, or paying Pariſh-duties, a Settlement.

VI. Provided always, and be it Enacted, That if any perſon who ſhall come to Inhabit in any Town or Pariſh, ſhall for himſelf and on his own Account, Execute any Publick, Annual Office, or Charge in the ſaid Town or Pariſh during one whole year, or ſhall be charged with and pay his ſhare towards the publick Taxes or Levies of the ſaid Town or Pariſh, then he ſhall be adjudged and deemed to have a legal Settlement in the ſame, though no ſuch notice in Writing be delivered and publiſhed, as is hereby before required.

Service for a year, of perſon without Wife or Child, a Settlement.

VII. And it is hereby further Enacted, That if any Unmarried perſon, not having Child or Children ſhall be lawfully Hired into any Pariſh or Town for one year, ſuch Service ſhall be adjudged and deemed a good Settlement therein, though no ſuch Notice in Writing be delivered and publiſhed, as is herein before required.

Apprentiſhip a Settlement.

VIII. And it is hereby further Enacted, That if any perſon ſhall be bound an Apprentice by Indenture, and inhabit in any Town or Pariſh, ſuch Binding and Inhabitation ſhall be adjudged a good Settlement, though no ſuch Notice in Writing be delivered and publiſhed as aforeſaid.

Appeal from Juſtice of Peace to Quarter-Seſſions, whoſe Order final.

IX. Provided always, and be it hereby Enacted, That if any perſon or perſons ſhall find him, her or themſelves agrieved by any determination which any Juſtice or Juſtices of the Peace ſhall make in any of the Caſes aboveſaid, the ſaid perſon or perſons ſhall have liberty to appeal to the next General Quarter Seſſions of the Peace, to be held for the ſaid County, Riding or Diviſion, City or Town-Corporate, who upon full hearing of the ſaid Appeal ſhall have full power, finally to determine the ſame.

Churchwarden muſt receive a perſon removed by Warrant of 2 Juſtices of Peace upon 5 l. Penalty.

X. And be it further Enacted, That if any perſon be removed by virtue of this Act from one County, Riding, City, Town-Corporate or Liberty to another, by Warrant under the Hands and Seals of two Juſtices of the Peace, the Churchwardens or Overſeers of the Poor of the ſaid Pariſh or Town, to which the ſaid perſon ſhall be ſo removed, are hereby required to receive the ſaid perſon, and if he or they ſhall refuſe ſo to do, he or they ſo refuſing or neglecting (upon proof thereof by Two Credible Witneſſes upon Oath before any Juſtice of the Peace of the County, Riding, City or Town-Corporate to which the ſaid perſon ſhall be ſo removed) ſhall forfeit for each Offence the ſum of Five pounds to the uſe of the Poor of the Pariſh or Town from which the ſaid perſon was removed, to be Levied by Diſtreſs and Sale of the Offender or Offenders Goods, by Warrant under the Hand and Seal of any Juſtice of the Peace of the County, Riding, City or Town-Corporate to which ſuch perſon was removed, to the Conſtable of the Pariſh or Town where ſuch Offender or Offenders dwell, which Warrant the ſaid Juſtice is hereby impowred and required to make, the Overplus if any be, to be returned to the Owner or Owners, and for want of ſuch ſufficent Diſtreſs, then the ſaid Juſtice ſhall Commit the ſaid Offender or Offenders to the Common Gaol of the ſaid County, Riding, City or Town-Corporate or Liberty, there to remain without Bail or Mainprize for the ſpace of Forty days.

Provided always, and be it hereby Enacted, that all ſuch perſons who think themſelves agrieved with any ſuch Judgment of the ſaid two Juſtices may Appeal to the next General Quarter Seſſions of the Peace to be held for the County, Riding, City, Town-Corporate or Liberty from which the ſaid perſon was ſo removed.

Perſons agrieved by ſuch removal may appeal to Seſſions.

XI. And whereas many inconveniences do daily ariſe in Cities, Towns Corporate, and Pariſhes where the Inhabitants are very numerous, by reaſon of the unlimited power of the Churchwardens and Overſeers of the Poor, who do frequently upon frivolous pretences (but chiefly for their own private ends) give relief to what perſons and number they think fit, and ſuch perſons being entred into the Collection Bill, do become after that a great charge to the Pariſh, notwithſtanding the occaſion or pretence of their receiving Collection oftentimes ceaſes, by which means the Rates for the Poor are daily increaſed, contrary to the true intent of a Statute made in the Forty third year of the Reign of Her Majeſty Queen Elizabeth, Entituled, An Act for the Relief of the Poor. For remedying of which, and preventing the like abuſes for the future, Be it further Enacted, That from and after the Firſt day of March, there ſhall be provided and kept in every Pariſh (at the charge of the ſame Pariſh) a Book or Books, wherein the Names of all ſuch perſons who do or may receive Collection ſhall be Regiſtred, with the day and year when they were firſt admitted to have Relief, and the occaſion which brought them under that neceſſity: And that yearly in Eaſter Week (or as often as it ſhall be thought convenient) the Pariſhioners of every Pariſh ſhall meet in their Veſtry or other uſual place of meeting in the ſame Pariſh, before whom the ſaid Book ſhall be produced, and all perſons receiving Collection to be called over, and the reaſons of their taking Relief examined, and a new Liſt made and entred, of ſuch perſons as they ſhall think fit and allow to receive Collection, and that no other perſon be allowed to have or receive Collection at the Charge of the ſaid Pariſh, but by Authority under the Hand of one Juſtice of Peace reſiding within ſuch Pariſh, or (if none be there dwelling) in the Parts near or next adjoyning, or by Order of the Juſtices in their reſpective Quarter Seſſions, except in Caſes of Peſtilential Diſeaſes, Plague or Small Pox, for and in reſpect of ſuch Families only as are or ſhall be therewith infected.

43 El. cap. 2.

A Regiſter to be kept of the admittances of the Poor.

Pariſhioners yearly in Eaſter week ſhall make a Liſt of their Poor.

None but thoſe in the Liſt to receive Alms, except by Order of Juſtice of Peace, &c.

XII. And whereas many Churchwardens and Overſeers of the Poor, and other perſons intruſted to receive Collections for the Poor, and other publick Moneys relating to the Churches and Pariſhes whereunto they do belong, do often miſpend the ſaid Moneys, and take the ſame to their own uſe, to the great prejudice of ſuch Pariſhes, and the Poor, and other Inhabitants thereof; And becauſe that many times the Judges when Actions are brought againſt ſuch Churchwardens and Overſeers, to recover the Moneys ſo miſpent, taken or miſapplied by the perſons aforeſaid, refuſe to admit the Pariſhioners to be Witneſſes in ſuch Caſes, who are the only perſons that can make proof thereof: Wherefore to prevent all ſuch Evil and Deceitful Practices of Churchwardens, and Overſeers, and other perſons, Be it Enacted and Declared, That in all Actions to be brought in Their Majeſties Courts of Record at Weſtminſter, or at the Aſſizes for the Recovery of any Sum or Sums of Money ſo miſpent, or taken by Churchwardens or Overſeers of the Poor, the Evidence of the Pariſhioners or any of them, other then of ſuch as receive Alms, or any Penſion or Gift out of ſuch Collections or Publick Monies of ſuch Pariſh or Pariſhes reſpectively, whereof the Defendant or Defendants is, or are Inhabitant or Inhabitants, ſhall be taken and admitted in all ſuch Caſes in the Courts aforeſaid; Any Cuſtom, Rule, Order or Uſage to the contrary notwithſtanding.

Pariſhoners, except Alms men, may be Evidence againſt Churchwardens, &c. of their miſpending the Poors money

CHAP. XII.

An Act for the better repairing and Amending the Highways, and for Settling the Rates of Carriage of Goods.

I. WHereas the free and eaſie intercourſe and means of conveying and carrying Goods and Merchandizes from ond Market-Town to another, contributes very much to the Advancement of Trade, Increaſe of Wealth, and raiſing the value of Lands, as well as to the eaſe and convenience of the Subject in general; For which ends therefore divers good and neceſſary Laws have been heretofore made for the Enlarging, Repairing and Amending the Highways and Common Roads of this Kingdom: Notwithſtanding which Laws, the ſame are not in many parts ſufficiently Amended and Repaired, but remain almoſt Impaſſible; All which is occaſioned not only by reaſon of ſome Ambiguities in the ſaid Laws, but by want of a ſufficient Proviſion to compel the execution of the ſame.

Preamble.

II. For remedy whereof, Be it Enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That all and every Law and Statute now in force, for or touching the Enlarging, Repairing or Amending Highways and Common Roads, and every Article and thing in them contained, and not herein and hereby altered or repealed, ſhall be duly put in execution, according to the Tenour of the ſaid Laws, and under the Penalties therein contained, to be Raiſed, Levied and Diſpoſed of, as in and by the ſaid Laws is directed.

All Laws about Highways to be put in Execution.

III. And be it further Enacted by the Authority aforeſaid, That from henceforth, upon the Six and twentieth day of December in every year, unleſs that day ſhall be Sunday, and then on the Seven and twentieth, the Conſtables, Headboroughs, Tythingmen, Churchwardens, Surveyor or Surveyors of the Highways, and Inhabitants in every Pariſh, ſhall Aſſemble together, and the major

Pariſhioners Annually to make a Liſt of ſufficent perſons upon 26th of December.

Liſt to be returned to two Juſtices on the third of Jan. &c.

Juſtices ſhall hold a Seſſions, where they ſhall nominate one or more to be Surveyors of the Highways.

Conſtable to ſerve the nomination.

Five pounds penalty upon Nominee's refuſing, &c. after ſervice.

Juſtices may appoint other perſon after refuſal.

20 Shillings penalty upon Conſtables, &c. not returning a Liſt.

part of them as are ſo aſſembled, ſhall make a Liſt of the Names of a competent number of the Inhabitants in their Pariſh, who have an Eſtate in Lands, Tenements or Hereditaments, in their own Right or their Wives of the value of Ten pounds by the year, or a perſonal Eſtate of the value of One hundred pounds, or are Occupiers or Tenants of Houſes, Lands, Tenements or Hereditaments of the yearly value of Thirty pounds, if any ſuch there be; Or if there be no ſuch perſons in the Pariſh, then the ſaid Liſt to be of the moſt ſufficient Inhabitants of ſuch Pariſh, and ſhall return ſuch Liſt unto two or more of the Juſtices of the Peace in or near the Diviſion of the County in which their Pariſh lies, at a Special Seſſions to be held for that purpoſe within the ſaid Diviſion, on the Third day of January next following, unleſs it ſhall happen on a Sunday, and then to be the Fourth of the ſame Month, or within Fifteen days after; For which purpoſe the ſaid Juſtices are hereby authorized and required to hold a Special Seſſions at ſome place within that Diviſion where the Pariſh lies, and to give notice of the time and place where they intend to hold the ſame, to the Conſtables, Headboroughs, Tythingmen, Churchwardens and Surveyors of the Highways of every Pariſh within the ſaid Diviſion, at leaſt Ten days before the holding of the ſaid Seſſions; And the ſaid Juſtices ſhall then and there out of the ſaid Liſts according to their diſcretion, and the largeneſs of the Pariſh, by Warrant under their Hands and Seals, nominate and appoint one, two or more, as they ſhall think fit and approve of, being of like ſufficiency as aforeſaid, to be Surveyor or Surveyors of the Highways of every Pariſh within the Diviſion, or for any Hamlet, Precinct, Liberty, Tything or Town of and in the ſame Diviſion for the year enſuing; Which nomination and appointment ſhall by the Conſtables, Headboroughs, Tythingmen or Surveyors of the Highways for the time being, or ſome of them, be notified to the perſon or perſons ſo nominated, choſen and appointed by the ſaid Juſtices, within Six days after ſuch nomination, by ſerving him or them with the ſaid Warrant or Warrants, or by leaving the ſame, or a true Copy thereof at his or their Houſes or uſual places of abode; And from thenceforth the perſon or perſons ſo nominated and appointed, ſhall be Surveyor or Surveyors of the Highways for the Pariſh, Town, Village, Hamlet, Precinct or Tything for which he ſhall have been ſo nominated, choſen and appointed for the year enſuing, and ſhall take upon him and them reſpectively, and duly execute the ſaid Office according to the Laws and Statutes heretofore made for the Enlarging, Amending or Repairing of Highways, and alſo this preſent Act; And if the ſaid perſons ſo nominated, and ſerved with the ſaid Warrant, ſhall refuſe or neglect ſo to do, he or they ſo refuſing and neglecting, ſhall forfeit the Sum of Five pounds, to be levied on his or their Goods and Chattels, by Diſtreſs and Sale of the ſame, by Warrant under the Hand and Seal of two or more Juſtices of the Peace of the ſame Diviſion, or in default thereof any neighbouring Juſtices of the Peace for the ſaid County, which Warrant the ſaid Juſtices are hereby impowered and required to make upon Information of any one credible Witneſs upon Oath; The one Moiety of which ſaid Forfeiture ſhall go to him that ſhall Inform, and the other Moiety for and towards the Repair of the Highways of the ſame Pariſh, rendring the Overplus, if any be, to the Party or Parties whoſe Goods ſhall be Diſtrained, the Charges of the Diſtreſs and Sale being firſt deducted; And in caſe of ſuch neglect or refuſal as aforeſaid, the ſaid Juſtices are hereby impowered to nominate and appoint ſome other fit perſon or perſons to perform the ſaid Office, who upon like notice of ſuch nomination and appointment, ſhall take upon him or them, and duly execute the ſaid Office, and if he or they neglect or refuſe ſo to do, ſhall forfeit the like Sum of Five pounds to be levied and diſpoſed of as aforeſaid; And if the Conſtables, Headboroughs, Tythingmen, Churchwardens and Surveyor or Surveyors of the Highways of any Pariſh, Town, Liberty or Precinct, or ſome of them, ſhall not Return the ſaid Liſt of Names, in ſuch manner as in this Act is directed, every of them ſo neglecting ſhall forfeit the ſum of Twenty ſhillings, to be levied in the manner, and imployed to the Uſes aforeſaid.

5 s. Penalty upon perſon laying Timber, &c. in the Highway.

IV. And be it further Enacted by the Authority aforeſaid, That no perſon or perſons whatſoever ſhall lay in any Highway, not being twenty Foot broad, any Stone, Timber, Straw, Dung or other matter, whereby the ſame ſhall be any ways obſtructed or annoyed, on pain to forfeit for every ſuch offence the ſum of Five ſhillings, to be levied and diſpoſed of, as is aforeſaid.

Owner of Land adjoyning ſhall take away Timber &c. lying in the Highway.

Penalty for neglecting.

V. And be it further Enacted by the Authority aforeſaid, That if any Timber, Stone, Hay, Straw, Stubble or other matter for the making of Dung, or on any other pretence whatſoever, ſhall be laid in any ſuch Highway as aforeſaid, whereby the ſame ſhall be any ways obſtructed or annoyed, the Owners or Poſſeſſors of the Lands next adjoyning to the ſame, ſhall clear the ſaid Way by removing the ſaid Timber, Stone, Hay, Straw, Dung or other matter, and have, take and diſpoſe of the ſame to his and their own uſe; And if any ſuch Owner or Occupier of Lands next adjoyning to the ſaid Highways, ſhall neglect to clear the ſaid Ways of the ſaid Nuſances, or to cleanſe or Scower their Ditches, Gutters and Drains adjoyning to the ſaid Highways, or cauſe the Earth taken out thereof to be carried away, and lay ſufficient Trunks, Tunnels or Bridges where any Cart-ways are into the ſaid Grounds, for the ſpace of Ten days after Notice to him, her or them given by the ſaid Surveyors, or any of them, he, ſhe or they, ſo neglecting, ſhall for every ſuch Offence forfeit the Sum of Five ſhilling, to be levied and diſpoſed of in manner aforeſaid.

5 s. Penalty upon owner not ſtubbing up Trees, &c.

VI. And be it further Enacted by the Authority aforeſaid, That no Tree, Buſh or Shrub, ſhall be permitted to ſtand or grow in any Highway not full twenty foot broad, but the ſame ſhall be cut down, grubbed up, and carried away by the Owner or Owners of the Land or Soil where the ſame doth or ſhall ſtand or grow, within Ten days after Notice to him or them given by the ſaid Surveyors, or any of them, on Pain to forfeit for every neglect the ſum of Five ſhillings, to be levied and diſpoſed as is aforeſaid.

Poſſeſſors ſhall prune the Hedges.

VII. And be it further Enacted by the Authority aforeſaid, That the Poſſeſſors of the Land next adjoyning to ſuch Highways, where they are not Twenty foot broad, ſhall from time to time, and at all times, keep their Hedges plaſht, cut or pruned, ſo as no Tree, Buſh or Shrub ſhall ſtand or grow in ſuch High-way, nor any Bough or Branch be ſuffered to hang over the ſame, or any part thereof; but the ſaid Hedges ſhall be kept cut and pared right up from the Roots, and not permitting in any ſort to ſpread into or hang over the Highway, or any part thereof, to the end that there may be a free and clear paſſage for Travellers, and all ſorts of Carriages loaden, without being any ways prejudiced or obſtructed by any Hedges, Trees, Boughs or Branches whatſoever, and that the Sun may freely ſhine into the ſaid Ways, to dry and amend the ſame.

Surveyor ſhall preſent the ſtate of the Highways to a Juſtice every four Months.

Neglect puniſhed as refuſal.

Defaults publiſhed in the Church, and if not amended within 30 days, Surveyor ſhall repair them, and be repaid by the perſon who ought to repair.

How the Surveyor ſhall recover his diſburſments.

VIII. And be it further Enacted by the Authority aforeſaid, That every Surveyor of the Highways, appointed as in and by this Act is directed, ſhall within Fourteen days next after his firſt Acceptance of the ſaid Office, and ſo from time to time every Four Months, during his being Surveyor, take a view of all the Roads, Common Highways, Water-Courſes, Bridges, Cawſeys and Pavements within the Pariſh, Town, Village, Hamlet, Precinct, or Tything, for which he is appointed Surveyor, that are to be Repaired by the ſaid Pariſh, Town, Village, Hamlet, Precinct or Tything, and ſhall make a Preſentment upon Oath, in what ſtate and condition he finds the ſame reſpectively, to ſome Juſtice of the Peace of the ſame Diviſion, if then reſident there, otherwiſe to ſome neighbouring Juſtice of the Peace for the ſaid County, and in default thereof ſhall incur the penalty aforeſaid, as if he or they had refuſed or neglected to accept and execute the ſaid Office, unleſs he ſhall have ſome reaſonable Excuſe for omitting the ſame, to be allowed of by Two Juſtices of the Peace of the ſame Diviſion of the County, or in default thereof by the Two neighbouring Juſtices; And what Defaults or Annoyances they ſhall find in any of the ſaid Highways, Cawſeys, Bridges, Ditches, Hedges, Trees, Water-Courſes, Dreyns or Gutters next adjoyning to the ſame, they ſhall from time to time the next Sunday immediately after Sermon ended, give publick Notice of the ſame in the Pariſh Church, and if the ſame ſhall not be removed, repaired and amended within Thirty Days after ſuch Notice given, That then the ſaid Surveyor or Surveyors of the ſaid Highways ſhall within Thirty Days remove, repair and amend the ſame, and diſpoſe of the ſame Annoyances to and for the Repair of the ſaid Highways; and the ſaid Surveyor and Surveyors ſhall be reimburſed what Charges and Expences they ſhall be at in ſo doing, by the parties who ſhould have done the ſame; And in caſe the ſaid parties ſhall upon Demand refuſe or neglect to pay the ſaid Surveyors their ſaid Charges, then the ſaid Surveyors ſhall apply him or themſelves to any Juſtice of the Peace within the Diviſion of the County wherein ſuch Highway is, and in default thereof to any neighbouring Juſtice for the ſaid County, and upon his or their making Oath before ſuch Juſtice of the Notice to the Defaulter in manner aforeſaid, which Oath the ſaid Juſtice is impowered and required to adminiſter, That then the ſaid Surveyors ſhall be repaid all ſuch their Charges as ſhall be allowed to be reaſonable by the ſaid Juſtice, to be levied in manner aforeſaid.

Juſtices of Peace once in 4 Months hold a Petty-Seſſions, where they are to receive Preſentments, and take the Accounts of the Surveyors.

Penalty upon Surveyor, not paying Surplus Money to his Succeſſor.

IX. And be it further Enacted by the Authority aforeſaid, That the Juſtices of the Peace of every County ſhall in their reſpective Diviſions once in Four Months hold a ſpecial Seſſions, and ſhall thereunto Summon all the Surveyors of the Highways within that Diviſion to come before them, and ſhall give them a Charge to do their Duty, and declare to them what they are obliged to do by virtue of this, or any former Act; After which the ſaid Surveyors of the Highways ſhall make a Preſentment to them upon Oath, which Oath the ſaid Juſtices are hereby impowered to give, of the ſtate and condition of the Highways within their reſpective Pariſhes, Towns, Villages, Hamlets, Precincts or Tythings, for which they are appointed Surveyors, and what Offences and Neglects any are guilty of, contrary to the meaning of this or any other Statute made concerning the Highways, or any thing relating thereunto: And before any Surveyor of the Highways ſhall go out of, or be diſcharged from his Office, he ſhall at ſome ſuch Special Seſſions of the ſaid Juſtices, to be held, as aforeſaid, give an account upon Oath of all Money that has come to his hands, which ought to be employed in Amending of the Highways, and how he hath diſpoſed of the ſame; And in caſe any Moneys ſhall remain in his hands, he ſhall deliver the ſame to the Surveyors of the Highways that ſhall ſerve for the ſame Pariſh, Town, Village, Hamlet, Precinct or Tything for the year enſuing, and in caſe of failure, to forfeit the Double Value of what ſhall be adjudged to be in his hands by the ſaid Juſtices, to be Levied and Diſpoſed of, as is aforeſaid.

Forty ſhillings penalty upon Surveyors neglect.

X. And be it further Enacted by the Authority aforeſaid, That if any Surveyor of the Highways, after his Acceptance of his ſaid Office, ſhall neglect his Duty in any thing required of him by this Act, he ſhall forfeit for every ſuch Offence the Sum of Forty ſhillings, to be Levied and Diſpoſed of, as is aforeſaid.

Five pounds penalty upon the neglect of Juſtice of Peace.

XI. And be it further Enacted by the Authority aforeſaid, That if any Juſtice of the Peace ſhall neglect or refuſe to do what is required of him by this Act, ſuch Juſtice ſo neglecting or refuſing, ſhall forfeit the Sum of Five pounds, one Moiety whereof ſhall go to the perſon that ſhall ſue for the ſame, the other Moiety to be employed to and for the Repair and Amendment of the Highways of the Pariſh where the perſon who ſhall Sue for the ſame inhabits, to be recovered in any of Their Majeſties Courts of Record, by Action of Debt, Bill, Plaint, or Information, in which no Priviledge, Protection, or Wager of Law ſhall be allowed, or more than one Imparlance.

Surveyors may make new Ditches in Land adjoyning.

XII. And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Surveyors of the Highways aforeſaid, where the Ditches and Drains already made are not ſufficient to carry off the Water that lies upon the Highways, to make new Ditches and Drains in and through the Lands next adjoyning to the ſaid Highways, and keep them ſcoured, cleanſed and open, and come upon any of the ſaid Lands with their Workmen for ſo doing.

Surveyor laying out Money for Gravel, Stones, &c. ſhall be repaid by an Equal Rate, to be levied by diſtreſs.

XIII. And whereas divers Pariſhes and Townſhips have not any Gravel-Stones, Quarries, nor any other Materials fitting or convenient for the Amending or Repairing of the Highways within the ſaid Pariſhes and Townſhips, by reaſon whereof the Surveyors of the Highways of ſuch Pariſhes and Townſhips are forced to lay out their own Money for the Buying of ſuch Materials as are neceſſary for that purpoſe; And there being no proviſion made in or by any Law now in force for the Reimburſing the ſaid Surveyors the Moneys they have ſo laid out: For Remedy whereof, Be it further Enacted by the Authority aforeſaid, That upon Notice given by the Surveyor or Surveyors of the Highways to the Juſtices of the Peace at their Special Seſſions, and Oath made of what Sum or Sums of Money he or they have or hath ſo laid out and expended upon Amending and Repairing of the ſaid Highways, the Juſtices of the Peace, or any two of them, at their Special Seſſions are hereby impowered, by Warrant under their Hands and Seals, to cauſe an equal Rate to be made for the Reimburſing the ſaid Surveyor or Surveyors, the Moneys by him or them laid out, as aforeſaid, upon all the Inhabitants of ſuch Pariſh or Townſhips, where ſuch Moneys are ſo Expended, according to the Rules and Methods preſcribed in an Act of Parliament made in the Three and fortieth year of the Reign of the late Queen Elizabeth, Entituled, An Act for the better Relief of the Poor of this Kingdom, which Rate being confirmed and allowed by the ſaid Juſtices in their Special Seſſions, ſhall be collected and gathered by the ſaid Surveyor or Surveyors of the Highways; And if any perſon or perſons refuſe to pay the Moneys ſo aſſeſſed on him or them, that then the ſame ſhall be Levied by the ſaid Surveyors, by Diſtreſs and Sale of the Goods and Chattels of the perſons ſo refuſing, rendring to the party the Overplus, reaſonable Charges for making the ſaid Diſtreſs firſt to be deducted.

Cap. 2.

Fines ſhall be paid to the Survivor, and not returned into the Exchequer.

XIV. And whereas in purſuance of the Statute made in the Fifth year of the Reign of the late Queen Elizabeth, many Pariſhes and Places are oftentimes Preſented upon the knowledge and view of a Juſtice of Peace, or otherwiſe, for not Repairing and Amending their Highways, and the Fines impoſed and ſet on ſuch Preſentments and other Fines and Iſſues for not Repairing and Amending the Highways, are returned into the Court of Exchequer, or other Courts, and ſuch Fines and Iſſues againſt ſuch Pariſhes for not Amending their Highways, are Levied on ſome particular Inhabitants of ſuch Pariſhes or Places, and there being no proviſion made for the making of a Rate to reimburſe ſuch particular Inhabitants; Be it therefore further Enacted by the Authority aforeſaid, That no Fine, Iſſue, Penalty or Forfeiture ſhall hereafter be Returned into the Court of Exchequer, or other Court, but ſhall be levied and paid into the hands of the Surveyors of ſuch Pariſh or Place, to be applied towards the Repair and Amendment of ſuch Highway; And that if any Fine, Penalty or Forfeiture impoſed on any Pariſh or Place, for not Repairing the Highways, ſhall hereafter be Levied on any one or more of the Inhabitants of ſuch Pariſh or place, that then ſuch Inhabitant or Inhabitants ſhall make his or their Complaint to the Juſtices of the Peace at their Special Seſſions, and the ſaid Juſtices, or any Two of them are hereby Impowered and Authorized by Warrant under their Hands and Seals, to cauſe a Rate to be made, according to the form and manner aforeſaid, for the Reimburſing ſuch Inhabitant or Inhabitants the Moneys ſo levied on him or them, as aforeſaid, which Rate ſo made and confirmed by two Juſtices, as aforeſaid, ſhall be Collected and Levied by the Surveyor or Surveyors of the Highways of ſuch Pariſh or place ſo Preſented or Indicted, as aforeſaid, and the ſaid Surveyor or Surveyors ſhall within one Month next after the Making and Confirming the Rate aforeſaid, pay unto the Inhabitant or Inhabitants ſuch Money ſo Levied on him or them, as aforeſaid.

If Fine laid upon one Inhabitant, how he ſhall be repaid.

All Cart-ways to be 8 Foot wide.

XV. And be it Enacted by the Authority aforeſaid, that the Surveyors of the Highways ſhall and are hereby required to make every Cart-way leading to any Market-Town, Eight foot Wide, at the leaſt, and as near as may be, Even and Level.

Inhabitants within the Weekly Bills, what Carts they may uſe.

XVI. Provided always, and be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Inhabitant of any of the Pariſhes within the Weekly Bills of Mortality, who dwells off from the Pavement, or uſes his Carts as well off as upon the Pavement; And to and for any Brewer, and to and for any Scavenger, or other perſon imployed in Carrying away the Dirt and Soyl of the Streets, Lanes and Allies, to make uſe of any Cart, Car, or Dray with Wheels ſhod with Iron, and narrower than Six Inches in the Felleys, and drawn with more than two Horſes; Any Act of Parliament, Law or Uſage to the contrary in any wiſe notwithſtanding. 2 W. & M. Seſſ. 2. Cap. 8. Sect. 19.

Juſtices may in Seſſions order an Aſſeſment to be made, to Repair the Ways.

XVII. And be it further Enacted by the Authority aforeſaid, That where the Juſtices of the Peace of any County, City, Borough or other place, or the major part of them at their General or Quarter Seſſions, ſhall be fully ſatisfied, that the Common Highways, Cawſeys, Bridges, Streets or Pavements, within any Pariſh, Townſhip, Hamlet or other place within their reſpective Juriſdiction, cannot otherwiſe be ſufficiently Amended, Repaired, Paved, Cleanſed and Supported by means of the Laws now in force, without the help of this preſent Act, in all ſuch caſes, one or more Aſſeſſment or Aſſeſſments upon all and every the Inhabitants, Owners and Occupiers of Lands, Houſes, Tenements and Hereditaments, or any Perſonal Eſtate, uſually Rateable to the Poor, within any ſuch Pariſh, Townſhip, Hamlet, or other place, ſhall be Made, Levied, Collected and Allowed by ſuch perſon and perſons, and in ſuch manner as the ſaid Juſtices by their Order at ſuch Seſſions ſhall direct and appoint in that behalf; And the Money thereby raiſed, ſhall be employed and accompted for according to the Orders and Directions of the ſaid Juſtices, for and towards the Amending, Repairing, Paving, Cleanſing and Supporting ſuch Highways, Cawſeys, Streets, Pavements and Bridges, from time to time, as need ſhall require; And the ſaid Aſſeſſments ſhall be Levied by Diſtreſs and Sale of the Goods of every perſon ſo Aſſeſſed, (not paying the ſame within Ten days after demand) rendring the Overplus of the value of the Goods ſo Diſtrained, to the Owner and Owners thereof, (the neceſſary Charges of making and ſelling ſuch Diſtreſs being firſt deducted.)

XVIII. Provided nevertheleſs, and be it Enacted, That no ſuch Aſſeſſment or Aſſeſſments to be made in any one year, ſhall exceed the Rate of Six pence in the pound of the yearly Value of any Lands, Houſes, Tenements and Hereditaments ſo Aſſeſſed, nor the Rate of Six pence for Twenty pounds in Perſonal Eſtate.

Aſſeſſment not to exceed 6 d in the pound.

XIX. Provided always, That if any perſon or perſons ſhall find him or themſelves agrieved with any Aſſeſſment or Rate, or other Act by the ſaid Juſtices of Peace, That then it ſhall be lawful for the Juſtices of the Peace at their General Quarter Seſſions, or the greater number of them, to take ſuch Order therein as to them ſhall be thought convenient, and the ſame to conclude and bind all the ſaid Parties.

Perſons agrieved may appeal to the Seſſions.

XX. Provided alſo, That no perſon ſhall be puniſhed for any Offence againſt this Act, unleſs ſuch Offender be proſecuted for the ſame within Six Months after the Offence committed, and that no perſon who ſhall be puniſhed for any Offence by virtue of this Act, ſhall be puniſhed for the ſame Offence by virtue of any other Act or Law whatſoever.

Perſon here puniſhed, to be proſecuted within ſix Months, and puniſhable no other way.

XXI. And be it further Enacted and Declared by the Authority aforeſaid, That no Horſe-Cawſey, or Cawſey for Horſes travelling upon or in any publick Highway, be leſs or under Three foot in breadth.

Breadth of Horſe-Cawſeys.

XXII. And be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices of the Peace of the County of Middleſex, at their General Quarter Seſſions, to make Rates for the Paving the Town of Kenſington within the ſaid County (in all ſuch places thereof as they ſhall think convenient, and to amend, repair and cleanſe the ſame) upon old Streets and Houſes, as well as new, in ſuch manner as is directed by one Act made in the Second year of Their Majeſties Reign, for paving and cleanſing the Streets in the Cities of London and Weſtminſter.

Middleſex Juſtices may make Rates to Pave Kenſington.

XXIII. And be it further Enacted by the Authority aforeſaid, That all matters concerning Highways, Cawſeys, Pavements and Bridges mentioned in this Act, ſhall be determined in the County where the ſame do lye, and not elſewhere: And that no Preſentment, Indictment, or Order made by Virtue of this Act ſhall be removed by Certiorari out of the ſaid County into any other Court.

No Certiorari of any Order, &c. upon this Act.

XXIV. And whereas divers Waggoners and other Carriers, by Combination amongſt themſelves, have raiſed the Prices of Carriage of Goods in many places to exceſſive Rates, to the great Injury of Trade, Be it therefore Enacted by the Authority aforeſaid, That the Juſtices of the Peace of every County and other place within the Realm of England, or Dominion of Wales, ſhall have Power and Authority, and are hereby Injoyned and Required at their next reſpective Quarter or General Seſſions after Eaſter-Day yearly, to Aſſeſs and Rate the Prices of all Land-Carriage of Goods whatſoever, to be brought into any place or places within their reſpective Limits and Juriſdictions, by any common Waggoner or Carrier, and the Rates and Aſſeſſments ſo made, to certifie to the ſeveral Mayors and other Chief Officers of each reſpective Market-Town within the Limits and Juriſdictions of ſuch Juſtices of the Peace, to be hung up in ſome publick place in every ſuch Market-Town, to which all perſons may reſort for their Information; And that no ſuch common Waggoner or Carrier ſhall take for Carriage of ſuch Goods and Merchandizes above the Rates and Prices ſo ſet, upon pain to forfeit for every ſuch Offence the Sum of Five pounds, to be Levied by diſtreſs and ſale of his and their Goods, by Warrant of any Two Juſtices of the Peace where ſuch Waggoner or Carrier ſhall reſide, in manner aforeſaid, to the uſe of the party grieved.

Juſtices once a year to ſettle the Rates of Carriages.

Five pounds penalty upon Carryer, taking above the rate.

XXV. And be it further Enacted by the Authority aforeſaid, That if any Action or Suit ſhall be hereafter commenced or proſecuted againſt any perſon or perſons by this Act Authorized to put the ſame in execution, every perſon or perſons ſo ſued may plead the General Iſſue, and give this Act and the Special Matter in Evidence; And if the Plaintiff ſhall become Nonſuit, or forbear further Proſecution, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him or her, the ſaid Defendant and Defendants ſhall Recover his and their double Coſts, for which he and they ſhall have the like Remedy, as in Caſes where Coſts by Law are given to Defendants.

Perſon proſecuted for executing this Act, may plead General Iſſue, and have double Coſts.

CAP. XIII.

An Act againſt Correſponding with Their Majeſties Enemies.

I. For preventing of Traiterous Correſpondence and Commerce with the French King or his Subjects, and ſupplying them with Warlike or other Stores or Commodities, by means of which they may be any way Aided or Comforted in carrying on their War againſt Their Majeſties, Be it Declared and Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That if during the preſent War between Their Majeſties and the French King, any perſon or perſons ſhall Send, or Load, or Tranſport or Deliver, or cauſe to be Sent, or Laden, or Tranſported or Delivered unto, or for the Uſe of the ſaid French King, or any of his Subjects reſiding within his Dominions, or any Town or Territory in his poſſeſſion, or into, or for any Port or Place within his ſaid Dominions, any Arms, Ordnance, Powder, Bullets, Pitch, Tar, Hemp, Maſts, Cordage, Iron, Coals, Lead, or Salt-Peter, that every perſon or perſons ſo as aforeſaid Offending being legally thereof Convicted or Attainted by due Courſe of Law, ſhall be deemed, declared and adjudged to be a Traytor or Traytors, and ſhall ſuffer Pains of Death, and alſo Loſe and Forfeit as in Caſes of High Treaſon.

Preamble.

Exporting of any Arms, &c. into France, High Treaſon.

II. And

Exporting any other Commodities into France, Præmunire.

II. And be it further Enacted by the Authority aforeſaid, That if any perſon or perſons, during the War aforeſaid, ſhall ſend, or load, or tranſport, or deliver, or cauſe to be ſent, or laden, or tranſported, or delivered unto or for the Uſe of the ſaid French King, or any of his Subjects reſiding within his Dominions, or into or for any Port or Place within his ſaid Dominions, any Goods, Wares, Merchandizes, or Commodities whatſoever, other than the Goods and Commodities herein before particularly mentioned, That every perſon or perſons ſo as aforeſaid offending, being thereof Convicted or Attainted by due Courſe of Law, ſhall incur the Danger, Pain and Forfeiture ordained and provided by the Statute of Præmunire, made in the Sixteenth year of the Reign of King Richard the Second.

To go into France without License, High Treaſon.

III. And be it further Enacted by the Authority aforeſaid, That if any of Their Majeſties Subjects ſhall from and after the Tenth day of March, in the year of our Lord, One thouſand ſix hundred ninety one, without Licence from Their Majeſties, voluntarily Go or Repair, or Imbark in any Veſſel, with an intent to go into France, or any Dominions of the French King, and be upon full proof Convicted thereof, he ſhall be taken, deemed and adjudged to be guilty of High Treaſon, and ſhall ſuffer ſuch Penalties as in caſe of High Treaſon.

Perſons returning out of France without leave, Impriſon'd for 12 Months.

IV. And be it further Enacted by the Authority aforeſaid, That if any perſon or perſons, being Their Majeſties Subjects, ſhall after the Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred ninety two, voluntarily come, or return from France, or any of the French Kings Dominions in Europe, into England, or any of Their Majeſties Dominions in Europe, during the ſaid War, without Their Majeſties leave for that purpoſe firſt had and obtained, and be thereof Convicted by due courſe of Law, ſhall be committed to Priſon, and there cloſely kept without Bail or Mainprize during Their Majeſties pleaſure, for any time not exceeding Twelve Months.

CAP. XIV.

An Act for Relief of Creditors againſt Fraudulent Deviſes.

Preamble.

I. Whereas it is not reaſonable or juſt, that by the practice or contrivance of any Debtors, their Creditors ſhould be defrauded of their juſt Debts; And nevertheleſs it hath often ſo happened that where ſeveral perſons having by Bonds or other Specialties bound themſelves and their Heirs, and have afterwards died ſeized in Fee-ſimple of and in Mannors, Meſſuages, Lands, Tenements and Hereditaments, or had Power or Authority to diſpoſe of or charge the ſame by their Wills or Teſtaments, have (to the defrauding of ſuch their Creditors by their laſt Will or Teſtaments) deviſed the ſame, or diſpoſed thereof in ſuch manner as ſuch Creditors have loſt their ſaid Debts.

Wills fraudulent, againſt Creditors.

II. For remedying of which, and for the maintenance of juſt and upright Dealing, Be it Enacted and Declared by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That all Wills and Teſtaments, Limitations, Diſpoſitions or Appointments, of or concerning any Mannors, Meſſuages, Lands, Tenements or Hereditaments, or of any Rent, Profit, Term or Charge out of the ſame, whereof any perſon or perſons, at the time of his, her or their deceaſe, ſhall be ſeized in Fee-ſimple in Poſſeſſion, Reverſion or Remainder, or have power to diſpoſe of the ſame by his, her, or their laſt Wills or Teſtaments, to be made after the Five and twentieth day of March, in the year of our Lord God, one thouſand ſix hundred ninety and two, ſhall be deemed and taken (only as againſt ſuch Creditor or Creditors, as aforeſaid, his, her and their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, and every of them) to be fraudulent, and clearly, abſolutely and utterly void, fruſtrate and of none effect; (any pretence, colour, feigned or preſumed Conſideration, or any other matter or thing to the contrary, notwithſtanding.)

Debt upon a Bond joyntly ſuable againſt the Heir and Deviſee of an Obligor. Deviſee chargeable for a falſe Plea, as an Heir

III. And for the means that ſuch Creditors may be enabled to recover their ſaid Debts, Be it further Enacted by the Authority aforeſaid, That in the Caſes before mentioned, every ſuch Creditor ſhall and may have and maintain his, her and their Action and Actions of Debt, upon his, her and their ſaid Bonds and Specialties, againſt the Heir and Heirs at Law of ſuch Obligor or Obligors, and ſuch Deviſee and Deviſees, joyntly by virtue of this Act; And ſuch Deviſee or Deviſees ſhall be liable and chargeable for a falſe Plea by him or them pleaded, in the ſame manner as any Heir ſhould have been for any falſe Plea by him pleaded, or for not confeſſing the Lands or Tenements to him deſcended.

Deviſe for raiſing Portions, purſuant to a Marriage Contract, good.

IV. Provided always, and be it Enacted by the Authority aforeſaid, That where there hath been or ſhall be any Limitation or Appointment, Deviſe or Diſpoſition, of or concerning any Mannors, Meſſuages, Lands, Tenements or Hereditaments, for the raiſing or payment of any real and juſt Debt or Debts, or any Portion or Portions, Sum or Sums of Money for any Child or Children of any perſon, other than the Heir at Law, according to, or in purſuance of any Marriage-Contract or Agreement in Writing bona fide, made before ſuch Marriage, the ſame and every of them ſhall be in full force; And the ſame Mannors, Meſſuages, Lands, Tenements and Hereditaments, ſhall and may be holden and enjoyed by every ſuch perſon or perſons, his, her and their Heirs, Executors, Adminiſtrators and Aſſigns for whom the ſaid Limitation, Appointment, Deviſe or Diſpoſition was made, and by his, her and their Truſtee or Truſtees, his, her and their Heirs, Executors, Adminiſtrators and Aſſigns for ſuch Eſtate or Intereſt as ſhall be ſo limited or appointed, deviſed or diſpoſed, until ſuch Debt or Debts, Portion or Portions, ſhall be raiſed, paid and ſatisfied; Any thing in this Act contained to the contrary notwithſtanding

V. And whereas ſeveral perſons being Heirs at Law, to avoid the payment of ſuch juſt Debts, as in regard of the Lands, Tenements and Hereditaments deſcending to them, they have by Law been liable to pay, have ſold, aliened, or made over ſuch Lands, Tenements or Hereditaments, before any Proceſs was or could be iſſued out againſt them; Be it further Enacted by the Authority aforeſaid, That in all caſes where any Heir at Law ſhall be liable to pay the Debt of his Anceſtor in regard of any Lands, Tenements or Hereditaments, deſcending to him, and ſhall ſell, alien or make over the ſame, before any Action brought, or Proceſs ſued out againſt him, that ſuch Heir at Law ſhall be anſwerable for ſuch Debt or Debts, in an Action or Actions of Debt, to the value of the ſaid Land ſo by him ſold, aliened or made over; in which Caſes all Creditors ſhall be preferred, as in Actions againſt Executors and Adminiſtrators, and ſuch Execution ſhall be taken out upon any Judgment or Judgments ſo obtained againſt ſuch Heir, to the value of the ſaid Land, as if the ſame were his own proper Debt or Debts, ſaving that the Lands, Tenements and Hereditaments (bona fide) aliened before the Action brought, ſhall not be liable to ſuch Execution.

If the Heir aliens before Action brought, he ſhall be liable to the value of the Land.

Creditors preferred, as in Actions againſt Executors.

VI. Provided always, and be it further Enacted by the Authority aforeſaid, That where any Action of Debt upon any Specialty is brought againſt any Heir, he may plead Riens per Diſcent, at the time of the Original Writ brought, or the Bill filed againſt him; Any thing herein contained to the contrary notwithſtanding, and the Plaintiff in ſuch Action may Reply, That he had Lands, Tenements or Hereditaments from his Anceſtor before the Original Writ brought, or Bill filed, and if upon Iſſue joyned thereupon it be found for the Plaintiff, the Jury ſhall enquire of the value of the Lands, Tenements or Hereditaments ſo deſcended, and thereupon Judgment ſhall be given, and Execution ſhall be awarded, as aforeſaid, but if Judgment be given againſt ſuch Heir by Confeſſion of the Action, without confeſſing the Aſſets deſcended, or upon Demurrer, or Nihil dicit, it ſhall be for the Debt and Damages, without any Writ to Enquire of the Lands, Tenements or Hereditaments ſo deſcended.

Upon Riens per Diſcent pleaded, Jury ſhall inquire of the value of the Lands. Otherwiſe, if Judgment by Confeſſion, &c.

VII. Provided alſo, and be it further Enacted, That all and every Deviſee and Deviſees, made liable by this Act, ſhall be liable and chargable in the ſame manner as the Heir at Law by force of this Act, notwithſtanding the Lands, Tenements and Hereditaments, to him or them deviſed ſhall be aliened before the Action brought. Provided always, That this Act ſhall be in force for Three years, and to the end of the next Seſſion of Parliament after the expiration of the ſaid Three years, and no longer. Made perpetual by 6 & 7 W. 3. c. 14.

Deviſee chargable as Heirs.

To continue for 3 years.

CAP. XV.

An Act for the better Ordering and Collecting the Duty upon Low Wines and Strong Waters, and preventing the Abuſes therein.

I. For the preventing of the Frauds of Diſtillers, Makers and other Retailers of Low Wines, Spirits and Strong Waters, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons now in Parliament aſſembled, and by Authority of the ſame, That no Common Diſtiller or Maker of Low Wines, Spirits or Strong Waters for ſale, ſhall at any time from and after the Firſt day of March, One thouſand ſix hundred ninety and one, ſet up, make uſe of, or alter any Tun, Cask, Waſhbatch, Copper, Still, or other Veſſel, for the brewing or making of any Worts, Waſh, Low Wines, Spirits or Strong Waters for ſale, or ſhall keep or make uſe of any private or concealed Warehouſe, Cellar, or other place, for the laying of any Waſh, Low Wines, Spirits or Strong Waters for ſale, without firſt giving Notice thereof at the next Office of Exciſe, within the Limits or Juriſdiction whereof he or they do or ſhall inhabit, upon pain to forfeit the Sum of Twenty pounds for every Tun, Cask, Waſhbatch, Copper, Still, or other Veſſel ſo ſet up, uſed or altered, and for every private or concealed Warehouſe, Cellar or other place ſo uſed, as aforeſaid, and that all and every other perſon or perſons in whoſe occupation any Houſe, Outhouſe, or other place whatſoever, is or ſhall be, where any ſuch private or concealed Tun, Cask, Waſhbatch, Copper, Still, or other Veſſel ſhall be found or diſcovered, ſhall alſo forfeit and loſe the Sum of Twenty pounds, one Moiety thereof to Their Majeſties, Their Heirs and Succeſſors, and the other Moiety thereof to him or them that ſhall inform or ſue for the ſame.

Preamble.

Penalty upon Diſtiller ſetting up any Brewing Veſſel, &c. without notice given to Officers.

II. And be it further Enacted by the Authority aforeſaid, That if any Common Diſtiller or maker of Low Wines, Spirits or Strong Waters, ſhall at any time hereafter hide, conceal or convey any Low Wines, Spirits, or Strong Waters for ſale, from the ſight or view of the Gauger or Gaugers appointed to take account of the ſame, whereby Their Majeſties ſhall or may be defrauded of any the Duties due for the ſame, That every ſuch Common Diſtiller or Maker of ſuch Low Wines, Spirits or Strong Waters for every Gallon of Low Wines, Spirits or Strong Waters for ſale, ſo hid, concealed or conveyed, as aforeſaid, ſhall forfeit the Sum of Five ſhillings each Gallon; All which Penalties to be ſued for, recovered and levied in ſuch manner as by one Act of Parliament made in the Twelfth year of the Reign of the late King Charles the Second, Entituled, An Act for Taking away the Court of Wards and Liveries, and Tenures *in Capite*, and by Knight Service and Purveyance, and for Settling a Revenue upon His Majeſty in lieu thereof; And alſo as by one other Act of Parliament made in the Fifteenth year of His ſaid Majeſties Reign, Entituled, An Additional Act for the better Ordering and Collecting the Duties of Exciſe, and preventing the Abuſes therein, or in either of them, or by any other Law now in force, relating to the Revenue of Exciſe on Beer and Ale is directed.

Penalty upon Diſtiller concealing Spirits, &c.

Cap. 24.

Cap. 11.

III. Provided always, that this Act, nor any the Forfeitures or Penalties therein contained, ſhall be conſtrued to extend to any Common Diſtiller, or other perſon or perſons, who ſhall from and after the ſaid Firſt day of March, One thouſand ſix hundred ninety and one,

Diſtiller giving Notice where he ſhall live, excepted.

give Notice to the Officer of Exciſe for the Place or Diviſion where ſuch Diſtiller or other perſon ſhall live, as by this Act is appointed.

Anno Regni GULIELMI *&* MARIÆ *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Quarto.*

CAP. I.

An Act for Granting to Their Majeſties an Aid of Four Shillings in the Pound for One year, for carrying on a Vigorous War againſt *France.*
EXP.

CAP. II.

An Act, That the Inhabitants of the Province of *York* may diſpoſe of their Perſonal Eſtates by their Wills, notwithſtanding the Cuſtom of that Province.

Preamble.

WHereas by Cuſtom within the Province of York, or other Uſage, the Widows and younger Children of perſons dying Inhabitants of that Province, are Intituled to a part of the Goods and Chattels of their late Husbands and Fathers, (called her and their Reaſonable part) notwithſtanding any diſpoſition of the ſame by their Husbands and Fathers laſt Wills and Teſtaments, and notwithſtanding any Joyntures made for the Livelyhood of the ſaid Widows by their Husbands in their Life time, which are Competent, and according to Agreement, whereby many perſons are diſabled from making ſufficient proviſion for their younger Children.

Perſons within the Province of York, may diſpoſe by Will of all their Perſonal Eſtate.

II. For Remedy whereof, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Six and twentieth day of March, One thouſand ſix hundred ninety and three, It ſhall and may be lawful for any perſon or perſons, inhabiting or reſiding, or who ſhall have any Goods or Chattels within the Province of York, by their laſt Wills and Teſtaments, to give, bequeath and diſpoſe of all and ſingular their Goods, Chattels, Debts, and other Perſonal Eſtate to their Executor or Executors, or to ſuch other perſon or perſons as the ſaid Teſtator or Teſtators ſhall think fit, in as large and ample manner as by the Laws and Statutes of this Realm any perſon or perſons may give and diſpoſe of the ſame within the Province of Canterbury, or elſewhere: And that from and after the ſaid Six and twentieth day of March, One thouſand ſix hundred ninety and three, the Widows, Children, and other the Kindred of ſuch Teſtator or Teſtators ſhall be barred to claim or demand any part of the Goods, Chattels, or other Perſonal Eſtate of ſuch Teſtator or Teſtators in any other manner than as by the ſaid laſt Wills and Teſtaments is limited and appointed: Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Freemen of York and Cheſter excepted.

III. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend to the Citizens of the Cities of York and Cheſter, who are, or ſhall be Freemen of the ſaid reſpective Cities, inhabiting therein, or within the Suburbs thereof at the time of their Death, but that every ſuch Citizens Widow and Children ſhall and may have and enjoy ſuch reaſonable part and proportion of the Teſtators Perſonal Eſtate, as ſhe or they might or ought to have had by the Cuſtom of the Province of York, before the making of this Act.

CAP. III.

An Act for Granting to Their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall Voluntarily advance the Sum of Ten Hundred Thouſand Pounds towards Carrying on the War againſt *France.* The Moneys advanced upon this Act being deficient, is ſupplied by 5 W. & M. Cap. 5.

Preamble.

I. WE your moſt Loyal and Dutiful Subjects the Commons in Parliament aſſembled, being ſenſible of the great and neceſſary Expences in which your Majeſties are engaged, for carrying on the preſent War againſt the French King; and being deſirous to ſupply the ſame in ſuch manner as may be leaſt grievous to your Majeſties Subjects: Therefore for the encouragement of ſuch perſons as ſhall voluntarily Contribute to the advancing and paying in to your Majeſties Exchequer, towards carrying on the ſaid War, any Sum or Sums of Money, not exceeding the Sum of Ten hundred thouſand Pounds upon the reſpective Terms and Recompences hereafter mentioned: We your Majeſties ſaid Dutiful Subjects the Commons in Parliament aſſembled, have given and granted, and do hereby give and grant unto your Majeſties the ſeveral Additional Rates and Duties of Exciſe herein after mentioned, for and during the Term hereafter expreſſed, and do beſeech your Majeſties that it may be Enacted:

Exciſe, &c. upon Beer, Ale, and other Liquors, for 99 years.

II. And be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the Authority of the ſame, That from and after the Five and twentieth day of January, One thouſand ſix hundred ninety and two, there ſhall be throughout the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto Their Majeſties, Their Heirs and Succeſſors, during the ſpace and term of Ninety and nine years, from the ſaid Five and twentieth day of January, One thouſand ſix hundred ninety and two, and no longer, for Beer, Ale, Cyder, and other Liquors herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges and Impoſitions by any former or other Act or Acts ſet and impoſed, or to be ſet and impoſed, in manner and form following; (That is to ſay,)

(1) For every Barrel of Beer or Ale above Six ſhillings the Barrel excluſive of the Duty of Exciſe, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall Sell or Tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, over and above all other Duties payable for the ſame, Nine pence. (2) For every Barrel of Beer or Ale of Six ſhillings the Barrel or under, brewed by the Common Brewer, or any other perſon or perſons who ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the ſaid Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer quantity, over and above all other Duties payable for the ſame, Three pence. (3) For every Barrel of Vinegar-Beer, brewed or made of any Engliſh Materials, by any Common Brewer, or any other perſon, for ſale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer quantity, over and above all other Duties of Exciſe payable for the ſame, One ſhilling and ſix pence. (4) For every Barrel of Vinegar, or Liquor prepared for Vinegar, made here for ſale, that hath run through foreign Rape, or made with, or paſſing through any foreign Materials, or any mixture with foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer quantity, Four ſhillings. (5) For every Barrel of Beer, Ale or Mum, imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importer before landing, over and above the Duties payable for the ſame, Three ſhillings. (6) For every Tun of Cyder or Perry imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importer before landing, over and above all other Duties payable for the ſame, Four pounds. (7) For every Gallon of ſingle Brandy, Spirits, or Aqua vitæ, imported from beyond the Seas, to be paid by the Importer before landing, over and above all other Duties payable for the ſame, Six pence. (8) For every Gallon of Brandy, Spirits, or Aqua vitæ, above proof, commonly called double Brandy, imported from beyond the Seas, to be paid by the Importer before landing, over and above all other Duties, payable for the ſame, One ſhilling. (9) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, over and above all other Duties payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure, One ſhilling and three pence. (10) For all Metheglin or Mead, made for ſale, either by retail or otherwiſe, to be paid by the Maker, for every Gallon, Three pence.

Particular Rates.
Beer, &c. above 6 s per Barrel, 9 d.
Beer and Ale 6 s. or under per Barrel, 3 d.
Vinegar Engliſh per Barrel, 1 s. 6 d.
Vinegar Foreign per Barrel, 4 s.
Beer, &c. imported, per Barrel 3 s.
Cyder, &c. imported, per Tun 4 l.
Single Brandy imported, per Gallon, 6 d.
Double Brandy imported per Gallon 1 s.
Cyder, &c. retailed 1 s 3 d. per Hogſhead.
Metheglin, &c. per Gallon, 3 d.

The manner how the Duties ſhall be collected.

III. And be it Enacted by the Authority aforeſaid, That the ſeveral Rates, Duties and Impoſitions upon Beer, Ale Cyder, and other Liquors aforeſaid, be levied, collected and paid unto Their Majeſties, Their Heirs and Succeſſors, during the ſaid ſpace and term of Ninety and nine years, in the ſame manner and form, and by ſuch rules, ways and means, and under ſuch penalties and forfeitures, as are mentioned in the Act made in the Twelfth year of the Reign of King Charles the Second, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures *in Capite* and by Knights Service and Purveyance, and for Setling a Revenue upon His Majeſty in lieu thereof; And alſo in and by another Act made in the Twelfth year of the Reign of the ſaid late King Charles the Second, Entituled, A Grant of certain Impoſitions upon Beer, Ale and other Liquors, for the Increaſe of His Majeſties Revenue during his Life. And alſo in and by another Act made in the Fifteenth year of the Reign of the ſaid late King Charles the Second, Entituled, An additional Act, for the better ordering and collecting the Duty of Exciſe, and preventing the abuſes therein; Or by any other Law in force relating to the ſaid Revenue of Exciſe; And that the aforeſaid Acts, and every Article, Rule and Clauſe therein mentioned, as for and concerning only the Rates, Duties and Impoſitions by this Act granted, ſhall be of full force and effect, to all intents and purpoſes, during the ſaid Term of Ninety and nine years, in like manner as if the ſame were at large and particularly recited and ſet down in the Body of this Act; And that the ſaid Rates and Duties of Exciſe by this Act granted, ſhall from time to time be within the receipt and government of the Chief Commiſſioners and Governours of the Receipt of the Exciſe for the time being.

Cap. 24.
Cap. 23.
Cap. 11.
Commiſſioners of Exciſe receive the Duties.

IV. And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Governours for management and receipt of the Exciſe at the Head Office in London for the time being, ſhall ſeparate and keep apart all and every the Moneys ariſing by the Rates and Duties of Exciſe hereby granted, as the ſame ſhall from time to time ariſe, or be paid into the ſaid Office of Exciſe, by the Receivers or Collectors of the ſame, or by any other perſon whatſoever. And the ſaid Commiſſioners and Governours of Exciſe, for the time being, are hereby required and ſtrictly enjoyned from time to time, to pay weekly (viz.) on Wedneſday in every week, if it be not a Holy-day, and if it be, then the next day after that is not a Holy-day, all and every the Moneys, ariſing by the Rates and Duties of Exciſe, hereby granted, into the Receipt of Their Majeſties Exchequer, diſtinct and apart from the other Moneys, which the ſaid Commiſſioners and Governors of Exciſe ſhall receive for the uſe of Their Majeſties, Their Heirs and Succeſſors.

The Moneys to be kept apart, and paid weekly into the Exchequer.

V. And be it further Enacted by the Authority aforeſaid, That there ſhall be provided and kept in Their Majeſties Exchequer (that is to ſay,) in the Office of the Auditor of the Receipts, one Book in which all the ſaid weekly Moneys, which ſhall be paid into the Exchequer, as aforeſaid, ſhall be entred apart and diſtinct from all other Moneys paid or payable to Their Majeſties, Their Heirs and Succeſſors, upon any account whatſoever.

Book in the Exchequer of the weekly payments.

VI. And be it further Enacted, That if the ſaid Commiſſioners and Governors of Exciſe for the time being, ſhall refuſe or neglect to pay into the Exchequer all or any the ſaid weekly Sums appointed to be paid, as aforeſaid, in ſuch manner as they are before by this Act required to do, or ſhall divert or miſapply any of the ſame, then they, for any ſuch Offence ſhall forfeit their Offices of Commiſſioners and Governours for the Management and Receipt of the

Penalty upon Commiſſioners of Exciſe, neglecting to pay, or miſapplying the Money.

Exciſe, and be incapable of any Office or Place of Truſt whatſoever, and ſhall be liable to pay the full value of any Sum or Sums ſo diverted or miſapplied, to any perſon or perſons who will Sue for the ſame, by any Action of Debt, Bill, Plaint or Information, in any of Their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Wager of Law, Priviledge of Parliament, or other Priviledge, or more than one Imparlance ſhall be granted or allowed.

Duties to be a Fund.

VII. And be it further Enacted, That all the ſaid Sums, ſo as aforeſaid, appointed to be paid weekly into the Receipt of the Exchequer, during the ſaid Term of Ninety and nine years, ſhall be the yearly Fund for the ſeveral and reſpective purpoſes herein after mentioned and expreſſed.

Natives and Foreigners may contribute 1000000 l. before May.

100000 l. to be yearly diſtributed till An. 1700, and afterwards 70000 l.

Contributor of 100 l. to receive a ſhare during the Life which he names.

Any perſon may contribute as many hundreds as he pleaſes.

Lives, when to be named.

Books to be kept of the Names of the Contributors and Nominees, and the Sums contributed.

Contributor upon payment of his Money, ſhall have Tally and Order for his ſhare.

Order not made void by removal or revocation of any Officer.

The whole yearly Funds proportionably paid to the Contributors if the whole Sum be advanced.

Payable half yearly.

Survivors have advantage of the death of the Nominees till only 7 be left, and then the King to have the dead mans ſhare.

VIII. And be it further Enacted, That it ſhall and may be lawful for any perſons, Natives or Foreigners, to Contribute towards the advancing the ſaid Sum of Ten hundred thouſand Pounds for the purpoſes aforeſaid, by paying into the Receipt of Their Majeſties Exchequer, at any time before the Firſt day of May, One thouſand ſix hundred ninety and three, ſuch Sum or Sums of Money, and upon ſuch Terms reſpectively, as herein after is mentioned and expreſſed; (that is to ſay,) That out of the Moneys ariſing by virtue of this Act, the Sum of One hundred thouſand pounds yearly, until the Four and twentieth Day of June, One thouſand ſeven hundred, be ſeparated and kept apart, as the yearly Fund to be divided amongſt the perſons Contributing to the Raiſing the ſaid Sum of Ten hundred thouſand Pounds; and that from and after the ſaid Four and twentieth day of June, One thouſand ſeven hundred, out of the Moneys ariſing by virtue of this Act the Sum of Seventy thouſand Pounds be yearly ſeparated and kept apart, as the yearly Fund to be divided, as herein after is mentioned; That any perſon who will become a Contributor, ſhall and may advance the Sum of One hundred Pounds at the leaſt, for which Sum ſo advanced he is to name to the Auditor of the Receipt, or the Clerk of the Pells in the Exchequer for the time being, his own, or ſome other Life, during which he ſhall be Intituled to receive a ſhare or dividend of the ſaid yearly Fund, as hereafter is expreſſed; That every Contributor may advance as many Sums of One hundred Pounds as he ſhall think fit, for which Sums ſo advanced, he is to name to the Auditor of the Receipt, or the Clerk of the Pells for the time being, One or more Life or Lives; (ſo as no more Lives be named, than there are diſtinct Hundred pounds advanced) during which Life or Lives he ſhall be Intituled to receive ſo many ſhares or dividends of the ſaid yearly Fund, as there are Hundred pounds by him advanced; That all the ſaid Lives ſhall be named by the ſeveral Contributors, their Executors or Adminiſtrators, or ſuch as ſhall be employed by them to pay in the ſaid Sums within Fourteen days after the Four and twentieth day of June, One thouſand ſix hundred ninety and three; That in the ſaid Office of Auditor of the Receipts, and in the Office of the Clerk of the Pells ſeverally, there be provided and kept one or more Book or Books, in which ſhall be fairly entred the Names of all who ſhall be Contributors, and of all perſons by whoſe hands the ſaid Contributors ſhall pay in any of the ſaid Sums, and alſo the ſeveral Sums ſo paid, and the time when the ſame are reſpectively paid; the ſaid Entry to be made upon payment of the ſaid Sums, And alſo in the ſaid Books there ſhall be entred the ſeveral Nominees, for whoſe Lives reſpectively the ſeveral Dividends of the ſaid yearly Fund, ſhall be payable at the times when the ſame ſhall be nominated, as aforeſaid: To which Books it ſhall be lawful for the reſpective Contributors, their Executors, Adminiſtrators and Aſſigns, from time to time, at all ſeaſonable times, to have reſort, and to inſpect the ſame without Fee or Reward: And as well the ſaid ſeveral Contributors, as the ſaid Nominees, ſhall be deſcribed in the ſaid Books by their Chriſtian and Sirnames, Additions, Places of abode, and other deſcriptions, which ſhall beſt aſcertain the Perſons: And every Contributor upon payment of the Sum of one or more Hundred pounds, as aforeſaid, ſhall immediately have one or more Tally or Tallies levied, importing the receipt of the Conſideration-Money, for which the Contributor is to receive one or more Shares or Dividends of the ſaid yearly Fund, during the Life or Lives of the Nominee or Nominees, whether ſuch Nominee be the Contributor himſelf, or her ſelf, or any other perſon, and an Order for payment thereof accordingly, bearing the ſame date with the Tally; Which Orders ſhall be ſigned by the Commiſſioners of the Treaſury, or any three or more of them now being, or by the Treaſurer of the Exchequer, or any Three or more of the Commiſſioners of the Treaſury for the time being; And after the Signing thereof, the ſame ſhall be firm, good, valid and effectual in the Law, according to the purport and true meaning thereof, and of this Act, and ſhall not be de determinable by, or upon the Deaths or Removal of any Commiſſioners or Commiſſioner of the Treaſury, or Lord High Treaſurer, or Treaſurer of the Exchequer, or by or upon the determination of the Power or Office of any Commiſſioner or Commiſſioners of the Treaſury, or Lord High Treaſurer, or Treaſurer of the Exchequer; Nor ſhall any Commiſſioners of the Treaſury, or Lord High Treaſurer, or Treaſurer of the Exchequer, now, or for the time being, have power to revoke, countermand, or make void ſuch Orders ſo ſigned, as aforeſaid, or any of them. And the ſaid reſpective yearly Funds of One hundred thouſand Pounds, and Seventy thouſand Pounds, (in caſe the whole Sum of Ten hundred thouſand Pounds ſhall be advanced upon Credit of the ſaid Funds) ſhall be equally divided amongſt the Contributors, their Executors, Adminiſtrators or Aſſigns, during the lives of their reſpective Nominees, in proportion to the Sums by them advanced, yearly and every year, by two equal Half yearly payments; That is to ſay, The Four and twentieth day of December, and the Four and twentieth day of June; The firſt payment to be made the Four and twentieth day of December, One thouſand ſix hundred ninety and three; And upon the death of every Nominee, the ſhare or ſhares of the ſaid Funds which was or were payable during his Life, ſhall be equally divided amongſt the reſt of the Contributors, whoſe Nominees ſhall be living; And ſo from time to time upon the death of every Nominee, whatſoever ſhare or dividend was payable during the Life of ſuch Nominee, ſhall be equally divided amongſt the reſt of the Contributors, their Executors, Adminiſtrators and Aſſigns, during the Lives of their reſpective Nominees; So that from time to time the whole reſpective yearly Funds ſhall be divided and paid amongſt the Contributors, whoſe Nominees do ſurvive, until ſuch time as there ſhall be but Seven Nominees living; after which time there ſhall be no more advantage of Survivorſhip; but upon the death of every of the ſaid Seven Nominees, a Seventh ſhare of the ſaid yearly Funds, ſhall be anſwered to the uſe of Their Majeſties, Their Heirs and Succeſſors. And in caſe the whole Sum of Ten hundred thouſand Pounds, ſhall not by the Firſt day of May, One thouſand ſix hundred ninety and three, be advanced and paid by ſuch Contributors upon the Terms aforeſaid, That then there ſhall be divided to and amongſt ſuch Contributors as ſhall before the ſaid Firſt day of May, have advanced and paid, as aforeſaid, towards the ſame, yearly and every year, by two equal payments, as aforeſaid, ſo much only of the ſaid yearly Funds as ſhall bear proportion to the ſaid Sum ſo advanced after the Rates aforeſaid, that is to ſay, ſo much only of the ſaid yearly Funds as ſhall, during the firſt Seven years, to commence from the ſaid Four and twentieth day of June, One thouſand ſix hundred ninety three, anſwer yearly the Sum of Ten pounds for every Hundred pounds ſo advanced and paid; And from and after the expiration of the ſaid Seven years, during the Lives of the ſaid Nominees, and the Survivor of them, yearly and every year, by Two equal payments, as aforeſaid, the Sum of Seven pounds for every hundred Pounds ſo advanced and paid, to be divided, as aforeſaid, with the like benefit and advantage of Survivorſhip, as is herein directed, in caſe the whole Sum of Ten hundred thouſand Pounds ſhall be advanced and paid upon the Terms aforeſaid; and from and after the ſaid Firſt day of May, One thouſand ſix hundred ninety and three, no Contributors ſhall advance any further Sum upon the Terms and advantages aforeſaid.

If the whole Sum be not advanced the Contributors ſhall be paid ſuch part of the Annual Funds as is proportionable to the advance.

IX. And for the Encouragement of the Contributors, to advance and pay forthwith into the Receipt of the Exchequer the Sums by them intended to be advanced upon the Terms aforeſaid, It is Enacted by the Authority aforeſaid, That every ſuch Contributor ſhall receive out of the ſaid yearly Funds, for all Moneys by him ſo advanced and paid, from the reſpective days of payment, unto the ſaid Four and twentieth day of June, One thouſand ſix hundred ninety three, Intereſt for the ſame, at the rate of Ten pounds per Centum per Annum; which Intereſt ſhall be mentioned and expreſſed in the Order hereby appointed to be given, upon payment of any ſuch Sums.

Ten pound per Cent. allowed the Contributors from the payment, till the 24th of June.

X. And be it further Enacted, That it ſhall and may be lawful for any Contributor, his Executors, Adminiſtrators or Aſſigns, at any time, during the Life of his or their reſpective Nominee, by any Writing under Hand and Seal, or by his or their laſt Will in Writing, to aſſign or deviſe any one or more ſhare or ſhares of the ſaid Fund, payable during the Life of any one or more Nominee or Nominees, to any perſon or perſons, and ſo toties quoties, and no ſuch Aſſignments to be revokable, ſo as an Entry or Memorandum of ſuch Aſſignment or Will be made in Books to be kept for that purpoſe, in the ſaid Office of the Receipt, within the ſpace of two Months after ſuch aſſignment or death of the Deviſor; And that upon the producing ſuch Aſſignment, or Will or Probat thereof, in the ſaid Office of Receipt, to be Entred, as aforeſaid; the party ſo producing the ſame, ſhall bring therewith an Affidavit, taken before ſome perſon authorized to take Affidavits in Cauſes depending in any of the Courts at Weſtminſter, of the due execution of the ſaid Aſſignment or Will, which Affidavits ſhall be ſeverally filed in the ſaid Office; Which ſaid Entry or Memorandum, the ſaid Officers in the ſaid Receipt of the Exchequer, are hereby required to make accordingly, and to file the ſaid Affidavits; And in default of ſuch Aſſignment or Deviſe by Deed or Will, the Intereſt of ſuch Contributor ſhall go to his Executors and Adminiſtrators, for the Life of the Nominee, ſuch Nominee being ſome other perſon, as aforeſaid.

Contributor may aſſign or deviſe his Intereſt.

Entry of the Aſſignment, and Will, and Affidavit of the Execution, to be filed in the Receipt Office.

If no aſſignment, Intereſt goes to Executors.

XI. And be it further Enacted, That it ſhall and may be lawful for any Guardian or Truſtee, having the diſpoſal of the Money of any Infant under the age of Twelve years, for the uſe and benefit of ſuch Infant, to advance and pay, for the purpoſe aforeſaid, the Sum of One hundred Pounds of the Moneys of ſuch Infant, and ſhall thereupon within ſuch time as is herein before appointed for the naming of Lives, name the ſaid Infant to be a Nominee, and ſuch Infant, upon payment of the Sum, ſhall become a Contributor within the meaning of this Act, and be Intituled to have and receive, during his or her Life, a ſhare of the ſaid Funds in ſuch manner and proportion as any other Contributor; And the ſaid Guardian and Truſtee, as to the ſaid Sum of One hundred pounds ſo advanced, is hereby diſcharged.

Guardians may advance Money for Infants under 12.

XII. And to the intent and purpoſe that all Deceits in receiving any ſhare of the ſaid yearly Fund may be prevented, and that the full advantage of Survivorſhip may be had, Be it Enacted by the Authority aforeſaid, That every Contributor, his Executors, Adminiſtrators or Aſſigns, upon their demanding any Half yearly payment of his or their reſpective ſhares, (unleſs the Nominee appear in perſon at the ſaid Receipt) ſhall produce a Certificate of the Life of his or their reſpective Nominee, ſigned by the Miniſter and Churchwardens of the Pariſh where ſuch Nominee ſhall be then living, upon the Day when the ſaid Half yearly payment ſhall become due (if ſuch Nominee ſhall be then reſiding in the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed;) Which Certificate the ſaid Miniſter and Churchwardens are hereby required to make without Fee or Reward; And the ſaid Certificates ſhall be filed in the ſaid Office of Receipt of the Exchequer.

Contributor upon demanding a ſhare, muſt bring a Certificate from Vicar and Churchwarden of Nominees Life.

XIII. And be it further Enacted, That in caſe any Nominee ſhall, at the time of ſuch demand, be reſident in Scotland, or beyond the Seas, and any one or more of the Barons of the Exchequer for the time being, ſhall certifie, That upon Proof to him or them made (which Proof he and they is and are hereby authorized and required to take in a ſummary way) it doth ſeem probable to him or them, that the ſaid Nominee is living (which Certificate is

If Nominee be out of the Land, Certificate muſt be from a Patron.

is to be given, and Examination made without any Fee or Charge) the ſaid Certificate being filed, as aforeſaid, ſhall be a ſufficient Warrant for payment of the ſaid Half yearly ſhare to the reſpective Contributors, their Executors, Adminiſtrators or Aſſigns.

Contributor neglecting to demand his half yearly payment, goes to the reſt.

XIV. And be it further Enacted, That in caſe any perſon, who by the intent of this Act ſhall be Intituled to receive any half yearly payment of his ſhare of the ſaid Funds, ſhall at any time neglect to demand the ſame in manner, as aforeſaid, until within twenty days before the next Half yearly payment ſhall become due, he ſhall loſe and forfeit ſuch Half yearly payment ſo neglected to be demanded, and the ſame ſhall be divided amongſt the Contributors, as if his reſpective Nominee had been dead, and ſo from time to time upon every default. Provided nevertheleſs, That if ſuch Contributor ſhall afterwards make a Demand in due time, in manner aforeſaid, for any following Half yearly payment, ſuch Contributor ſhall for the future have his ſhare of the ſaid Funds, as if ſuch default had not been made.

Account to be made within 20 Days of every payment of the deaths of Nominees.

XV. And to the intent it may appear and be aſcertained upon every Half yearly payment, unto and amongſt what perſons, and in what proportions the ſaid Funds are to be diſtributed, Be it Enacted, That in the ſaid Office of Auditor of the Receipt, every Half year within Twenty days before the reſpective days of payment, there ſhall be made up an Account of the ſeveral Nominees whoſe Deaths are come to knowledge, and of the ſeveral Contributors who have made default in making demand, as aforeſaid, that ſo the reſt of the Contributors may have the advantage thereof.

Contributor receiving ſhare after Nominees death, how puniſhed.

XVI. And be it further Enacted, That if any perſon ſhall receive any one or more Half yearly payments of the ſaid Funds after the death of any Nominee, for whoſe Life ſuch ſhare was payable, it ſhall be lawful for any Contributor to require the ſame to be repaid into the Receipt of the Exchequer, for the benefit of the Contributors. And in caſe of refuſal or neglect to pay in the ſame within one Month after ſuch Demand, ſuch perſon ſo refuſing or neglecting ſhal! forfeit treble the Sum ſo rceived, to be recovered by Action of Debt in any of their Majeſties Courts at Weſtminſter, in the name of ſuch Contributor who ſhall make the demand, as aforeſaid; In which Action no Eſſoign, Protection, Priviledge or Wager of Law, or more than one Imparlance ſhall be allowed.

Officer offending how puniſhed.

XVII. And be it further Enacted for the better encouraging perſons to advance the ſaid Sum of Ten hundred thouſand Pounds upon the Terms aforeſaid, That all Receipts and Iſſues, and all other things directed by this Act to be performed in the Exchequer, ſhall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Gratuity or Reward for the ſame. And in caſe any of the Officers of the Exchequer ſhall take or demand any ſuch Fee or Reward, or ſhall divert or miſapply any of the ſaid weekly Sums, to be paid into the Receipt of the Exchequer, for making up the aforeſaid Funds, or ſhall pay or iſſue out the ſame, otherwiſe than according to the intent of this Act, or ſhall not keep Books and Regiſters, and make Entries, and do and perform all other things which by this Act they are required to perform, every ſuch Officer ſhall forfeit his Office, and be for the future incapable of any Office or place of Truſt whatſoever, and ſhall anſwer and pay treble damages, with coſts of Suit to every Contributor, their Executors, Adminiſtrators and Aſſigns, to be recovered by Action of Debt, Bill, Plaint or Information, in any of Their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge of Parliament, or other Priviledge, Wager of Law, Injunction, or Order of Reſtraint, or more than one Imparlance ſhall be granted or allowed; And in the ſaid Action the Plaintiff upon Recovery ſhall have his full Coſts, one Third part of which Sum ſo to be recovered ſhall be paid into the Receipt of the Exchequer, for the benefit of the ſaid Contributors, and the other Two third parts ſhall be to the uſe of the Proſecutor. And in caſe there ſhall be any Colluſion, or faint Proſecution between the Plaintiff and Defendant in ſuch Action, it ſhall be lawful for any other Contributor to bring another Action, wherein he ſhall recover, as aforeſaid, to the uſes aforeſaid. Provided always, and be it Enacted, That in caſe any Officer of the Exchequer ſhall make payment of any ſhare or ſhares of the ſaid Funds, upon ſuch Certificate as is before directed, ſuch Officer ſhall not incur any penalty, forfeiture or diſability, or be liable to any Action of the Contributors for doing thereof, although the ſaid Certificate be forged or falſe, or the ſaid Nominee be dead, unleſs the ſaid Officer did know at the time of ſuch payment that the ſaid Nominee was dead, or that the ſaid Certificate was forged or falſe.

Officer not puniſhable for paying Money upon a forged Certificate, except privy.

Contributor to certifie Death of his Nominee, and return his Tally, upon 10 l. penalty.

XVIII. And be it further Enacted, That every Contributor, his Executors, Adminiſtrators or Aſſigns, within one Month next after notice of the Death of his or their reſpective Nominee, ſhall certifie ſuch Death to the Auditor of the Receipt of the Exchequer for the time being, and ſhall alſo within three Months after ſuch Notice, deliver, or cauſe to be delivered up to the ſaid Auditor his or their Tally and Order, by which he or they were or was Intituled during the Life of ſuch Nominee, to receive any ſhare of the ſaid Fund, in caſe ſuch Tally and Order be in his or their hands or power, and in default thereof ſuch Contributor, his Executors, Adminiſtrators and Aſſigns, ſhall forfeit the Sum of Ten pounds, to be recovered by Action of Debt, as aforeſaid, and to be had and received to the uſe of any perſon who ſhall Sue for the ſame.

A Credit of Loan, to make up the Sum of 1000000 l.

XIX. And be it Enacted by the Authority aforeſaid, That if the whole Sum of Ten hundred thouſand Pounds be not advanced and paid into the Exchequer upon this Act, before the Four and twentieth day of June, One thouſand ſix hundred ninety three, that then it ſhall and may be lawful for Their Majeſties, or Their Officers in the Receipt of Their Majeſties Exchequer, by Their Command and Appointment, to borrow and take into the ſaid Receipt, for Their Majeſties uſe, by way of Loan, any Sum or Sums of Money, which, together with the whole value or amount of all the Sums of

Money which ſhall before the ſaid Four and twentieth Day of June, be advanced and paid upon the Terms and Advantage of Survivorſhip, as aforeſaid, or upon the Terms hereafter in this Act mentioned, ſhall not exceed the Sum of Ten hundred thouſand pounds; Which Sum or Sums ſo taken up by way of Loan, ſhall and may be charged upon the Credit of Their Majeſties Exchequer in General, and Tallies of Loan and Orders of Repayment of the ſame, ſhall be levied accordingly; Which Orders ſhall be aſſignable and transferrable from one perſon to another.

Seven pounds per Cent. allowed to the Lender, and the charge of the Principal and Intereſt transferred to the next Parliament aid, and if no aid to next Revenue.

XX. And it is hereby Enacted, That all and every Sum and Sums of Money ſo to be borrowed, not exceeding, as aforeſaid, together with the Intereſt for the ſame, not exceeding the Rate of Seven pounds per Centum per Annum, to be paid every three Months until ſatisfaction of the Principal, or ſo much thereof as ſhall not be repaid out of ſuch Moneys as ſhall be advanced upon the Terms hereafter in this Act mentioned, at or after the ſaid Four and twentieth day of June, One thouſand ſix hundred ninety three, and before the Twenty ninth day of September next following (all which ſaid Moneys ſo to be advanced from and after the ſaid Four and twentieth day of June, and before the ſaid Twenty ninth day of September, ſhall be applied and appropriated, and are appropriated for the diſcharging the ſeveral Loans made upon this Act ſo far as the ſame will extend) ſhall be payable, and be paid or ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her, or their Executors, Adminiſtrators or Aſſigns, out of any of the next Aids or Supplies to be granted to Their Majeſties in Parliament, and ſhall be transferred and transferrable thereunto, as ſoon as any ſuch aid or ſupply ſhall be granted; And in caſe no ſuch aid or ſupply ſhall be granted to Their Majeſties before the Second day of February, One thouſand ſix hundred ninety three, then the ſaid Sum and Sums of Money ſo to be borrowed, not exceeding, as aforeſaid, and the Intereſt thereof, or ſo much thereof as ſhall not be repaid out of the Moneys which ſhall be advanced before the ſaid Twenty ninth day of September, as aforeſaid, ſhall be payable and be paid and ſatisfied to the ſaid Lender or Lenders, his or their Executors, Adminiſtrators or Aſſigns reſpectively, by and out of any of their Majeſties Treaſure, which from thenceforth ſhall come into, be or remain in the Receipt of Their Majeſties Exchequer, not being already appropriated to any particular Uſes by any Act or Acts of Parliament before this time made.

If 500000 l. only advanced before May, the King may borrow 500000 l. more, to be paid out of Money raiſed by this Act betwixt that time and September, and if that fall ſhort next aid chargeable.

XXI. And be it further Enacted, That for the better and more effectual ſupply of Their Majeſties preſent Occaſions, That if the Sum of Five hundred thouſand Pounds, part of the ſaid Sum of Ten hundred thouſand Pounds, be not advanced and paid into the Exchequer upon this Act, before the Firſt day of May, One thouſand ſix hundred ninety three, That then it ſhall and may be lawful for Their Majeſties to borrow upon Intereſt, as aforeſaid, any Sum or Sums of Money, not exceeding Five hundred thouſand Pounds, to be paid out of ſuch other Moneys as ſhall be advanced upon this Act between the Firſt day of May, One thouſand ſix hundred ninety three, and the ſaid Twenty ninth day of September, One thouſand ſix hundred ninety three, in caſe the Money ſo advanced ſhall be ſufficient for the payment thereof, or otherwiſe ſo much thereof, as the ſame ſhall extend to pay; And the reſidue of the ſaid Sum of Five hundred thouſand Pounds, ſo taken up upon Loan, which ſhall remain unpaid out of the Moneys advanced upon this Act, as aforeſaid, ſhall be taken and reckoned as part of the ſaid Sum, before directed to be, and made payable out of any of the next Aids or Supplies, to be granted to Their Majeſties in Parliament, or out of Their Majeſties Treaſure, as aforeſaid.

If the whole Sum be not raiſed before May, perſons contributing ſhall have the advantage of 14 l. per Cent. for Life of the Nominee.

XXII. And be it further Enacted by the Authority aforeſaid, That in caſe the whole Sum of Ten hundred thouſand Pounds, ſhall not be advanced by the ſaid Contributors, and paid into the Exchequer, before the ſaid Firſt day of May, One thouſand ſix hundred ninety and three, upon the Terms and Advantage of Survivorſhip, as aforeſaid, That then it ſhall and may be lawful to and for any perſon or perſons, Natives or Foreigners, after the ſaid Firſt day of May, One thouſand ſix hundred ninety three, and before the Nine and twentieth day of September then next following, to advance and pay into Their Majeſties Exchequer, any Sum or Sums of Money, not exceeding in the whole (together with what ſhall have been before the ſaid Firſt day of May, advanced by the ſaid Contributors, as aforeſaid) the ſaid Sum of Ten hundred thouſand Pounds upon the Terms following, that is to ſay, That every ſuch Perſon, out of the Moneys ariſing by the Rates and Duties of Exciſe granted by this Act, ſhall have and receive, for every Sum of One hundred Pounds, by them reſpectively advanced and paid, a yearly Annuity, Rent or Payment of Fourteen Pounds of lawful Engliſh Money (and proportionably for a greater Sum) and for and during the Life of ſuch perſon ſo advancing or paying the ſame, or during any other Life, to be nominated by the perſon advancing or paying any ſuch Sum, as aforeſaid, the ſame to be nominated within Six days after payment of the ſaid Sum; which yearly Annuities, Rents or Payments, ſhall commence from the Nine and twentieth day of September, One thouſand ſix hundred ninety three; and ſhall be paid and payable at the Four moſt uſual Feaſts in the year; That is to ſay, at the Feaſts of the Birth of our Lord Chriſt, the Annunciation of the Bleſſed Virgin Mary, the Nativity of Saint John Baptiſt, and the Feaſt of Saint Michael the Archangel, by even and equal portions; And every perſon on payment of any ſuch Sum or Sums, as aforeſaid, ſhall immediately have one or more Tally or Tallies importing the Receipt of the Conſideration-Money, and Orders for payment of the ſaid Annuities, bearing the ſame Date with the Tally, the ſaid Orders to be ſigned in the ſame manner as is in this Act before mentioned, touching Orders to be given to the before mentioned Contributors, and not to be determinable, revokable or countermandable, as touching the before mentioned Orders, is Enacted; Which ſaid Orders ſhall be aſſignable and transferrable in ſuch and the ſame manner as is before mentioned touching the ſaid Orders given to the Contributors, as aforeſaid, upon the Terms and Advantages in this Act firſt mentioned; And all the Moneys ariſing by the Rates and Duties hereby granted (over and beſides ſo much as ſhall bear proportion after the Rates aforeſaid, Penalties upon Officers, as before.

Intereſt after the rate of 10 per Cent. allowed till September.

to the whole Sum which ſhall be advanced by the Contributors before the ſaid Firſt day of May, One thouſand ſix hundred ninety and three) are and ſhall be appropriated and applied, and are hereby appropriated to and for the payment of the ſaid Annuities or yearly Rents or Sums, after the Rate of Fourteen Pounds per Annum for every Hundred Pounds advanced, as aforeſaid, according to the true intent and meaning of this Act, and ſhall not be divertible or diverted to any other uſe, intent or purpoſe whatſoever, under the like Penalties, Forfeitures and Diſabilities, in reſpect to all and every the Officers above-mentioned, as are before Appointed and Enacted; in caſe of diverting or miſapplying any part of the Moneys, which ought to be paid to the Contributors, who are to have the advantage of Survivorſhip, as aforeſaid; and the ſaid Officers reſpectively, are hereby required to keep Books and Regiſters, and make Entries of the Names of all perſons who ſhall advance any Money after the ſaid Firſt day of May, as aforeſaid, and of the ſeveral Sums ſo advanced, and the Times of paying in the ſame reſpectively, and the Names of ſuch Perſons, for whoſe Lives the ſeveral Annuities, and yearly Payments, are to be payable, without Fee or Reward, as aforeſaid, (to which Books all Perſons concerned ſhall have acceſs, aas aforeſaid); All wich the ſaid Officers are to do and perform, under the like Penalties nd Forfeitures, and Diſabilities, as aforeſaid; And every Perſon who ſhall advance and pay any ſuch Sum, as aforeſaid, after the ſaid Firſt day of May, ſhall receive out of the Money granted by this Act, for all Moneys by him ſo advanced and paid, from the reſpective Days of payment, unto the ſaid Nine and twentieth day of September, One thouſand ſix hundred ninety three, Intereſt for the ſame, at the rate of Ten Pounds per Centum per Annum.

Perſons contributing upon Survivorſhip, may change it into the advantage of 14 per Cent. for Life.

XXIII. Provided alſo, and be it Enacted, That if any Contributor, who on or before the ſaid Firſt day of May ſhall have advanced any Sum or Sums of Money, in reſpect whereof ſuch Contributor ſhall be Entituled to have a proportionable ſhare of the ſaid yearly Funds, with the benefits of Survivorſhip, as aforeſaid, ſhall at any time after the ſaid Firſt day of May, and before the ſaid Nine and twentieth day of September, be minded or deſirous (in lieu and ſatisfaction of ſuch proportionable ſhare of the ſaid Funds, with ſuch benefits of Survivorſhip) to have an yearly Annuity, Rent or Payment of Fourteen Pounds of lawful Engliſh Money for every or any Sum of One hundred Pounds by ſuch Contributor ſo advanced, to be paid during the Life of his, her, or their Nominee before mentioned, and ſhall ſignifie ſuch deſire to the ſaid Auditor of the Receipt, or the Clerk of the Pells for the time being; That then the ſaid Auditor of the Receipt, or Clerk of the Pells, ſhall cauſe an Entry or Memorial thereof to be made in a Book or Books for this purpoſe, to be kept in the ſaid Receipt; And the ſaid Entry or Memorial being ſigned by the ſaid Contributor, ſuch Contributor, his Executors, Adminiſtrators and Aſſigns, during the Life of the ſaid Nominee (whether ſuch Nominee ſhall be the Contributor, or any other perſon) ſhall have and receive for every Sum of One hundred Pounds, which ſhall have been ſo advanced, a yearly Annuity, Rent or Payment of Fourteen Pounds, as aforeſaid, at the Four Feaſts aforeſaid, by equal Portions, in ſuch manner, and with ſuch and the ſame advantages, as if ſuch Contributor had originally paid in the Moneys by him advanced after the ſaid Firſt day of May, One thouſand ſix hundred ninety three.

King after change ſhall have his advantage of Survivor.

XXIV. Provided always, That after ſuch Entry or Memorial ſhall be made in the ſaid Book or Books, and ſigned by the Contributor, as aforeſaid, all further Payments which ſhould grow due to ſuch Contributor for his proportionable part of the ſaid yearly Funds ſhall ceaſe and determine for Their Majeſties benefit, any thing contained in this Act to the contrary notwithſtanding.

The Annual ſurplus Money of the Duties given to the King.

XXV. And be it further Enacted, That in caſe there ſhall be any ſurplus or remainder of the Moneys ariſing by the Rates and Duties granted by this Act, at the end of any year, during the ſaid Term of Ninety nine years, after all the ſaid ſeveral proportions of the ſaid yearly Funds, and all and every the Annuities, Rents and yearly Payments, and all Intereſt payable by this Act, ſhall be fully ſatisfied, paid and diſcharged, ſuch ſurplus or remainder ſhall be to the uſe of Their Majeſties, Their Heirs and Succeſſors.

Moneys lent, Tax free.

XXVI. And be it further Enacted, That any Moneys lent by, or payable to any perſon or perſons, upon or by virtue of this Act, ſhall not be charged or chargable with any Rates, Duties or Impoſitions whatſoever.

Grants of the Duties to other uſes, &c. void.

XXVII. Provided always, and it is hereby further Declared and Enacted by the Authority aforeſaid, That all Grants or Diſpoſitions of any of the Moneys ariſing, or which ſhall be collected by the Authority of this Act hereafter to be made by Their Majeſties, Their Heirs or Succeſſors, to any other perſon or perſons, or in any other manner, or for any longer Term or Intereſt than by this Act is appointed, ſhall be and are hereby declared null and void to all intents and purpoſes whatſoever.

CAP. IV.

An Act for taking Special Bails in the Country, upon Actions and Suits depending in the Courts of *Kings-Bench, Common-Pleas* and *Exchequer* at *Weſtminſter*.

Preamble. Chief Juſtice, &c. may make any perſons, except Attorneys and Solicitors, Commiſſioners to take Bail in the Country.

I. FOr the greater Eaſe and Benefit of all perſons whatſoever, in taking the Recognizances of Special Bails upon all Actions and Suits depending, or to be depending in any of the Courts of Kings-Bench, Common-Pleas or Exchequer at Weſtminſter, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Chief Juſtice, and other the Juſtices of the Court of Kings-Bench for the time being, or any two of them, whereof the Chief Juſtice for the time being, to be one for the ſaid Court of Kings-Bench, and the Chief Juſtice of the Court of Common-Pleas, and other the Juſtices there for the time being, or any

Two of them, whereof the Chief Juſtice of the ſame Court to be one for the ſaid Court of Common-Pleas, and alſo the Chief Baron and Barons of the Quoif of the Court of Exchequer for the time being or any Two of them, whereof the Chief Baron for the time being to be one for the ſaid Court of Exchequer, ſhall or may by one or more Commiſſion or Commiſſions under the ſeveral Seals of the ſaid reſpective Courts from time to time, as need ſhall require, impower ſuch and ſo many perſons, other then common Attorneys and Solicitors, as they ſhall think fit and neceſſary, in all and every the ſeveral Shires and Counties within the Kingdom of England, Dominion of Wales and Town of Berwick upon Tweed, to take and receive all and every ſuch Recognizance or Recognizances of Bail or Bails as any perſon or perſons ſhall be willing or deſirous to acknowledge or make before any of the perſons ſo impowered in any Action or Suit depending or hereafter to be depending in the ſaid reſpective Courts, or any of them, in ſuch manner and form and by ſuch Recognizance or Bail-piece, as the Juſtices and Barons of the ſaid reſpective Courts have uſed to take the ſame, which ſaid Recognizance or Recognizances of Bail or Bail-piece ſo taken as aforeſaid, ſhall be tranſmited to ſome or one of the Juſtices or Barons of the ſaid reſpective Courts where ſuch Action or Suit ſhall be depending, who upon Affidavit made of the due taking of the Recognizance of ſuch Bail or Bail-piece by ſome Credible perſon preſent at the taking thereof, ſuch Juſtice or Baron ſhall receive the ſame upon payment of ſuch Fees as have been uſually received for the taking of Special Bails by the Juſtices, and Barons Clerks, and other the Officers of the ſaid reſpective Courts; which Recognizance of Bail or Bail-piece ſo taken and tranſmitted, ſhall be of the like effect as if the ſame were taken de bene eſſe, before any of the ſaid Juſtices and Barons, for the taking of every which Recognizance or Recognizances of Bail or Bail-piece, the perſon or perſons ſo impowered ſhall receive only the Sum or Fee of two ſhillings, and no more,

Juſtices, &c. to receive the Bail-piece upon Affidavit of due execution.

Bail taken below to be de bene eſſe.

Commiſſioners Fee.

II. And be it further Enacted by the Authority aforeſaid, That the Juſtices and Barons reſpectively in the ſeveral Courts ſhall make ſuch Rules and Orders for the juſtifying of ſuch Bails, and making of the ſame abſolute, as to them ſhall ſeem meet, ſo as the Cognizor or Cognizors of ſuch Bail or Bails be not compelled to appear in perſon in any of the ſaid Courts, to Juſtifie him or themſelves, but the ſame may and is hereby directed to be determined by Affidavit or Affidavits duly taken before the ſaid Commiſſioners, who are hereby impowered and required to take the ſame, and alſo to examine the Sureties upon Oath touching the value of their reſpective Eſtates, unleſs the Cognizor or Cognizors of ſuch Bail do live within the Cities of London and Weſtminſter, or within Ten miles thereof.

Power given to Juſtices, &c. to make Rules for juſtifying not ordering the perſons appearance.

London, &c. ſaved.

III. And be it further Enacted by the Authority aforeſaid, That any Judge of Aſſize in his Circuit ſhall and may take and receive all and every ſuch Recognizance and Recognizances of Bail or Bails as any perſon ſhall be willing and deſirous to make and acknowledge before him, which being tranſmitted in like manner as aforeſaid, ſhall (without Oath) be received in manner as aforeſaid, upon payment of the uſual Fees.

Juſtices of Aſſize may take Bail.

IV. And be it further Enacted by the Authority aforeſaid, That any perſon or perſons who ſhall (before any perſon or perſons impowered by virtue of this Act as aforeſaid, to take Bail or Bails) repreſent or perſonate any other perſon or perſons (whereby the perſon or perſons ſo repreſented and perſonated may be liable to the payment of any Sum or Sums of Money for Debt or Damages to be recovered in the ſame Suit or Action, wherein ſuch perſon or perſons are repreſented and perſonated, as if they had really acknowledged and entred into the ſame, being lawfully convicted thereof, ſhall be adjudged, eſteemed and taken to be Felons, and ſuffer the pains of Death, and incur ſuch Forfeitures and Penalties as Felons in other caſes Convicted or Attainted, do by the Law of England loſe and forfeit.

Felony for any perſon to be Bail in another mans name.

CAP. V.

An Act for Granting to their Majeſties certain Additional Impoſitions upon ſeveral Goods and Merchandize for the Proſecuting the preſent War againſt *France*.

I. WE your Majeſties moſt Dutiful and Loyal Subjects the Commons aſſembled in Parliament, for a further ſupply of your Majeſties extraordinary occaſions, and the effectual Proſecution of the War againſt France, have cheerfully and unanimouſly Given and Granted, and do hereby Give and Grant unto your Majeſties the Additional and other Rates, Impoſitions, Duties and Charges upon the ſeveral ſorts of Goods and Merchandize to be Imported into the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, or from thence Exported as herein after expreſſed, during ſuch time, and in ſuch manner and form as herein after followeth; And do humbly pray your Majeſties that it may be Enacted:

Preamble.

II. And be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That there ſhall be anſwered and paid to their Majeſties, and their Succeſſors, for the ſeveral Goods and Merchandizes hereafter mentioned, over and above all Impoſitions, Duties and Charges already impoſed and payable upon and for the ſame in the Book of Rates of Merchandize by Act of Parliament eſtabliſhed, and the direction therein contained, or otherwiſe, the further Rates and Duties following; (That is to ſay,)

(1.) For every Hundred pounds value of Amber-Beads Imported after the Firſt day of March, One thouſand ſix hundred ninety two, and before the Firſt day of March, One thouſand ſix hundred ninety ſix, Twenty pounds more then the ſame are charged with in the ſaid Book of Rates, and ſo proportionably for a greater or leſſer Quantity. (2) For Amber-Rough Imported within the time aforeſaid, Ten pounds for every hundred pounds value, more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion

Amber-Beads 20 l. per 100.

Amber-Rough 10 l. per 100.

for any greater or leſſer Quantity. (3) For Amber-Oyl, or Oyl of Amber Imported within the time aforeſaid, Ten pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (4) For Anchovies, the little Barrel, not exceeding Sixteen pounds of Fiſh Imported within the ſaid time, for every Hundred pounds value, Five pounds more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (5) For Aſhes called Wood Weed or Soap Aſhes Imported within the ſaid time, Six ſhillings the laſt more then the ſame is charged with in the ſaid Book of Rates. (6) For Barbers Aprons and Checques Imported within the ſaid time, Eight pence the piece each more then the ſame are charged with in the ſaid Book of Rates. (7) For every Hundred weight of Battery, Baſhrones or Kettles (containing One hundred and twelve pounds) Imported within the ſaid time, Five ſhillings more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (8) For every Hundred weight (containing One hundred and twelve pounds) of Mettle prepared for Battery Imported within the ſaid time, Five ſhillings more then is now paid for the ſame by the ſaid Book of Rates, and ſo in proportion, as aforeſaid. (9) For every Hundred weight of Books unbound (containing One hundred and twelve pounds) Imported within the ſaid time, Four ſhillings more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (10) For Black called Lamp Black Imported within the ſaid time, Twenty pounds for every hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (11) For Boultel Reins Imported within the ſaid time, Ten pounds for every hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (12) For every Groſs of Bracelets or Necklaces of Glaſs Imported within the ſaid time, Two ſhillings and ſix pence more then the ſame are charged with in the ſaid Book of Rates, or by any other Statute now in force. (13) For Braſs wrought Imported within the ſaid time, Five pounds for every hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (14) For Buckrums Imported within the ſaid time, Five pounds for every hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (15) For Buttons ot Hair Imported within the ſaid time, Ten pounds for every Hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (16) For Briſtles dreſt and undreſt Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (17) For every pound of Bacon Imported within the ſaid time, Four pence, To be paid from the firſt day of next Seſſion, 5 W. & M. Cap. 2. Sect. 4. (18) For Calves Skins Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (19) For Caapets of all ſorts Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (20) For every Groſs of Catlings and Luteſtrings Imported within the ſaid time, Eighteen pence the Groſs more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (21) For Coals Scotch Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (22) For every Thouſand of Canes, called Walking Canes, Imported within the ſaid time, Five and twenty ſhillings more then is now paid for the ſame, and ſo in proportion as aforeſaid. (23) For Canes called Rattans, Imported within the ſaid time, Five ſhillings the thouſand more then is now paid for the ſame, and ſo in proportion as aforeſaid. (24) For every Hundred weight of Copper, called Roſe Brick, Copper Coyn, and all Caſt Copper (containing One hundred and twelve pounds) Imported within the ſaid time, Seven ſhillings and ſix pence more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (25) For every Hundred weight of Copper, part wrought as Plates, Bars, Rods, or raiſed (containing One hundred and twelve pounds) Imported within the ſaid time, Twelve ſhillings and ſix pence more then is now paid for the ſame, and ſo in proportion for any greater or leſſer Quantity. (26) For every Hundred weight of Copper fully wrought (containing One hundred and twelve pounds) Imported within the ſaid time, Seventeen ſhillings and ſix pence more then is now paid for the ſame, and ſo in proportion as aforeſaid. (27) For Coral Beads, and all Poliſhed Coral Imported within the ſaid time, Twenty pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (28) For all Manufactures of Cotton only (Except Dimity) not brought from Eaſt India or China, Imported within the ſaid time, Five pounds for every Hundred pounds value, more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (29) For every Hundred pounds value of Couries Imported within the ſaid time, Ten pounds more then is now paid for the ſame, and ſo in proportion as aforeſaid. (30) For Elephants Teeth Imported within the ſaid time, Ten pounds for every Hundred pounds value, more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (31) For Flax Rough Imported within the ſaid time, Five pounds for every Hundred pounds value, more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (32) For Flax, dreſſed or wrought, Imported within the ſaid time, Fifteen pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity.

(33) For

Amber-Oyl, 10 l. per 100 l.

Anchovies, 5 l. per Barrel.

Aſhes 6 s. per Laſt.

Barbers Aprons 8 d.

Battery, per 100 l. 5 s.

Battery, Mettle per 100 l. 5 s.

Books per 100 l. 4 s.

Lamp-Black per 100 l. 20 l.

Boultel Reins per 100 l. 10 l.

Bracelets per 100 l. 2 s. 2d.

Braſs, per 100 l. 5 l.

Buckrums, per 100 l. 5 l.

Hair Buttons, per 100 l. 10 l.

Briſtles, per 100 l. 5 l.

Bacon, per l. 4 d.

Calve Skins, per 100 l. 5 l.

Carpets, per 100 l. 5 l.

Catlings, per Groſs 18 d.

Scotch Coals, per 100 l. 5 l.

Canes, per 1000 l. 1 l 5 s.

Rattans, per 1000 l. 5 s.

Copper, per 100 l. 7 s. 6 d.

Copper Plates. per 100 l. 12 s. 6 d.

Copper wrought, per 100 l. 17s. 6d.

Coral, per 100 l. 20 l.

Cotton Manufactures, per 100 l. 5 l.

Couries, per 100 l. 10 l.

Elephants Teeth, per 100 l. 10 l.

Flax Rough, per 100 l. 5 l.

Flax Wrought per 100 l. 15 l.

(33) For every Hundred pounds value of Tow Imported within the ſaid time, Five pounds more then the ſame is charged with as aforeſaid, and ſo in proportion as aforeſaid. (34) For every Yard of Flannel Imported within the ſaid time, Two pence more then the ſame is charged with in the ſaid Book of Rates. (35) For every Yard of Frize Imported within the ſaid time, Three pence half-peny more then the ſame is charged within the ſaid Book of Rates. (36) For every Hundred pounds value of Furs of all ſorts Imported within the ſaid time, Five pounds more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (37) For Gold and Silver Thread, and Wire Counterfeit Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (38) For every Pound of Goats Hair, called Carmenia Wool, Imported within the ſaid time, Four pence, more then the ſame is charged with in the ſaid Book of Rates. (39) For every Pound of Goats Hair of any other ſort, Imported within the ſaid time, Two pence more then the ſame is charged with in the ſaid Book of Rates. (40) For Hides of all ſorts dreſſed and undreſſed (except Buff and Loſh) Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (41) For every Buff Hide Imported within the ſaid time, Two ſhilling more then the ſame are charged with in the ſaid Book of Rates. (42) For every Loſh Hide Imported within the ſaid time, One ſhillings more then the ſame is charged with in the ſaid Book of Rates. (43) For Hemp Rough Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (44) For Diamonds, Pearls, Rubies, Emeraulds, and all other Jewels and precious Stones Imported within the ſaid time, Twenty Shillings for every Hundred pounds value, to be affirmed by the Oath of the Importer, in lieu of all Impoſitions and Duties now payable for the ſame, and ſo in proportion for any greater or leſſer Quantity. (45) For every Pound of Indico of Foreign Plantation, not being of the growth of any of the Dominions or Plantations belonging to the Crown of England, Imported within the ſaid time, Four pence more then the ſame is charged with in the ſaid Book of Rates. (46) For every Pound of Indico of the growth of the Dominions or Plantations belonging to the Crown of England, Imported within the ſaid time, Two pence more then the ſame is charged with in the ſaid Book of Rates. (47) For all Iron, Iron Pots, Kettles, Backs for Chimneys, Iron Slit or Hammered into Rods, Frying-pans, Anvils Wrought ſingle, white and black Plates, double white and black Plates, and all other Iron Wares Imported from Ireland within the ſaid time, the ſame reſpective Duties as are laid on Iron and Iron Wares Imported from any foreign Part, by one Act made in the Second year of Their Majeſties Reign Entituled, An Act for Granting to their Majeſties certain Impoſitions upon all *Eaſt-India* Goods and Manufactures, and upon all wrought Silks, and ſeveral other Goods and Merchandizes to be Imported after the Five and twentieth Day of *December*, One thouſand ſix hundred and Niety. (48) For Lattin Shaven, black Lattin, and round Bottoms Imported within the ſaid time, Ten pounds for every Hundred pounds value, more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (49) For Leather of all ſorts Imported within the ſaid time, Five pounds for every Hundred pounds value, more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (50) For all Lime and Lemmon Juice Imported within the ſaid time, Twenty pounds for every Hundred pounds value, more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (51) For Litmus Imported within the ſame time, Five pounds for every hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (52) For all Lapis Calaminaris Exported within the ſaid time, Twenty ſhillings for every Tun over and above all other Duties payable for the ſame, and ſo in proportion for any greater or leſſer Quantity thereof. (53) For Madder of all ſorts Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (54) For Orchal Imported within the ſaid time, Five pounds for every Hundred pounds value thereof more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (55) For Pintadoes or Calico Cupboard Cloaths, Imported within the ſaid time, and not brought from Eaſt-India or China, Five pounds for every Hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (56) For Pitch Imported within the ſaid time, not being of the Product of any of the Dominions or Plantations of the Crown of England or Scotland, One Moiety more then the ſame is charged with in the ſaid Book of Rates. (57) For all ſorts of Plate of Silver, Guilt or Unguilt, Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (58) For Rice Imported within the ſaid time, Five pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (59) For Rozin of all ſorts Imported within the ſaid time, (Except French Rozin) not being of the Product of any of the Dominions or Plantations belonging to the Crown of England or Scotland, Ten pounds for every Hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (60) For every Weigh of Salt Imported within the ſaid time (except ſuch Salt as ſhall be uſed in curing of Fiſh) Five ſhillings more then the ſame is charged with in the ſaid Book of Rates and ſo in proportion for any greater or leſſer Quantity. (61) For Silk Thrown of all ſorts in the Gum, Imported within the ſaid time, Five pounds for every hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (62) For

every

Tow per 100 l. 5 l.

Flannel, per yard 2 d.

Frize per yard 3 d. ob.

Furs, per 100 l. 5 l.

Thred Gold, &c. per 100 l. 5 l.

Goats-Hair, per l. 4 d. Carmenia.

Goats-Hair Common, per l. 2 d.

Hides per 100 l. 5 l.

Buff 2 s. per piece.

Loſh-Hide 1 s. a piece.

Hemp per 100 l. 5 l.

Diamonds, per 100 l. 1 l.

Indico per l. 4 d.

Plantation Indico per l. 2 d.

Iron-Pots, from Ireland.

Lattin per 100 l. 10 l.

Leather per 100 l. 5 l.

Lime Juice per 100 l. 20 l.

Litmus per 100 l. 5 l.

Lapis Calaminaris, per Tun 1 l.

Madder per 100. l. 5 l.

Orchal per 100 l. 5 l.

Pintadoes, per 100 l. 5 l.

Pitch.

Silver Plate per 100 l. 5 l.

Rice, per 100 l. 5 l.

Rozin, per 100 l. 10 l.

Salt per weigh 5 s.

Thrown Silk, per 5 l. 100 l.

Wrought Silk Per l. 2 s. 6. d.
Silk Ferret
Skins, per 100 l. 5 s.
Tarr.
Ticks per 100l. 5 l.
Thread Outnel per dozen.
Tapiſtry, &c. per 100 l. 10 l.
Inkle unwrought.
Pan-Tiles, per 1000. 8 s.
Dying-Wood per 100 l. 5 l.
Wax, per 100 l. 5 l.
French-Wine. per Tun, 8 l.
French Goods per 100 l. 25 l.
Silks, per 100 l. 15 l.
Lattin, per 100 l. 6 s. 6 d.
Goods not in the Book of Rates.
Brandy ſingle per Gallon, 2 s.
Brandy, double per Gallon 4 s.

every Pound of Silk Wrought other then Alamodes and Luſtrings Imported within the ſaid time, Two ſhillings more then the ſame is charged with in the ſaid Book of Rates, or by an Act of this preſent Parliament made in the Second Year of their Majeſties Reign Intituled, An Act for Granting to their Majeſties certain Impoſitions upon all *Eaſt-India* Goods and Manufactures, and upon all Wrought Silks, and ſeveral other Goods and Merchandize to be Imported after the Five and twentieth day of *December*, One thouſand ſix hundred and ninety. (63) For Silk Ferret or Floret, Imported within the ſaid time, One Moiety more then the ſame is charged with in the ſaid Book of Rates. (64) For Skins of all ſorts Imported within the ſaid time, five pounds for every hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (65) For all Tarr Imported within the ſaid time, not being of the Product of any of the Dominions or Plantations belonging to the Crown of England or Scotland, one Moiety more then the ſame is charged with in the ſaid Book of Rates. (66) For Ticks and Tickings (Except Scotiſh Ticks and Ticking) Imported within the ſame time, Five pounds for every Hundred pounds value, more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (67) For every dozen pounds of Thred Outnel, Imported within the ſaid time, Four ſhillings more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (68) For all Tapiſtry and Dornix Imported within the ſaid time, (Except ſuch as are manufactured in, or brought from any part of the French Kings Dominions) Ten pounds for every Hundred pounds value, more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (69) For all unwrought Inkle Imported within the ſaid time, one Moiety more then what is now paid for the ſame. (70) For all Pan-Tiles Imported within the ſaid time, Eight ſhillings the Thouſand more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (71) For all ſorts of Dying-Wood Imported within the ſaid time (Except Red Wood from Guiney, Drugs and Logwood) Five pounds for every hundred pounds value more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer quantity. (72) For all Wax called Bees Wax Imported within the ſaid time, Five pounds for every hundred pounds value more then the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (73) For every Tun of French Wine Imported within the ſaid time, Eight pounds above all Duties already charged thereupon in the Book of Rates, or by any other Law, and ſo in proportion for any greater or leſſer Quantiy. (74) Upon all French Goods and Merchandize (Except Wine, Brandy, Salt and Vinegar) which ſhall be Imported within the ſaid time, Five and twenty pounds for every Hundred pounds value thereof, more then the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (75) For all Silks called Alamodes and Luſtrings, Imported within the ſaid time, from any Ports or Places whatſoever, Fifteen pounds for every Hundred pounds value more then is paid for the ſame, by any Law now in force. (76) For all Lattin, Braſs or Copper Wire Imported within the ſaid time, Six ſhillings and ſix pence the hundred weight (containing an Hundred and twelve pounds) above all other Duties payable for the ſame. (77) Upon all Goods and Merchandizes not particularly Rated in the ſaid Book of Rates, paying duty at value, Imported within the ſaid time, Five pounds for every Hundred pounds value thereof, to be affirmed upon the Oath of the Importer, according to the Direction of the ſaid Book of Rates (Except Mum, and ſuch Goods and Merchandizes as are particularly charged by this Act, or an Act of this preſent Parliament, Entituled, An Act for Granting to their Majeſties certain Impoſitions upon all *Eaſt-India* Goods and Manufactures, and upon all Wrought Silks, and ſeveral other Goods and Merchandizes to be Imported after the Five and twentieth Day of *December*, One thouſand ſix hundred and ninety.) (78) For every Gallon of Strong Water, Aqua vitæ or Brandy, commonly called ſingle Brandy, or Strong Waters Imported within the ſaid time, to be paid by the Importer before Landing, Two ſhillings over and above the Duties of Exciſe and Cuſtoms, at any time before the ſecond Year of their Majeſties Reign, payable for the ſame. Intended of Duties payable by Statute in force, 5 W. and M. cap. 2. Seſſ. 3. (79) For every Gallon of Strong Waters, Spirits or Brandy above Proof, called double Brandy, Imported within the ſaid time, to be paid by the Importer, before Landing, Four ſhillings over and above the Duties of Exciſe and Cuſtoms, at any time before the ſecond year of their Majeſties Reign, payable for the ſame. Intended of Duties payable by Stat. in force. ibid.

Tax upon Brandy, 2 W. & M. Seſſ. 2 cap. 10. taken away.

III. And whereas by one Act made in the Second year of their Majeſties Reign, Entituled, An Act for Granting to Their Majeſties ſeveral Additional Duties of Exciſe upon Beer, Ale, and other Liquors for Four Years, from the time that an Act for doubling the Duty of Exciſe upon Beer, Ale and other Liquors, during the ſpace of One Year doth Expire, It is amongſt other things Enacted, That for every Gallon of ſingle Brandy, Spirits or Aqua vitæ, Imported from beyond the Seas, ſhould be paid by the Importer, before Landing, over and above the Duties payable for the ſame, Four ſhillings; And for every Gallon of Brandy, Spirits or Aqua vitæ above proof, commonly called double Brandy, Imported from beyond the Seas, ſhould be paid by the Importer before Landing, over and above the Duties payable for the ſame Eight ſhillings: Be it Enacted by the Authority aforeſaid, That the ſaid two Clauſes laſt recited in the ſaid Act mentioned, concerning ſingle Brandy, Spirits or Aqua vitæ, and Brandy, Spirits or Aqua vitæ above Proof, called double Brandy, are and ſhall be from the Firſt day of March, One thouſand ſix hundred ninety two Repealed; Any thing in the ſaid laſt mentioned Act to the contrary notwithſtanding.

Rates aforementioned how collected.

IV. Provided always, and be it Enacted, That the ſeveral Rates and Impoſitions hereby impoſed upon the reſpective Goods and Merchandizes aforeſaid, ſhall be Collected and paid according to the reſpective Rates and Proportions herein expreſſed, and be raiſed, levied, collected and paid unto their Majeſties during the time before mentioned, Except where it is otherwiſe hereby directed, in the ſame manner and form, and by ſuch rules, means and ways, and under ſuch Penalties and Forfeitures as are mentioned and expreſſed in one Act of Parliament made in the Twelfth year of the Reign of King Charles the Second, Entituled, A Subſidy Granted to the King of Tonnage and Poundage and other Sums of Money payable upon Merchandize Exported and Imported, and the Rules, Directions and Orders thereunto Annexed, or any other Laws now in Force relating to the Collection of their Majeſties Cuſtoms; which ſaid Act and Acts, and every Article, Rule and Clauſe therein contained, ſhall ſtand and be in force for the Purpoſes aforeſaid, during the continuance of this Act. Cap. 4.

Rates upon Brandy, how collected.

V. And be it further Enacted, That the ſeveral Rates and Duties upon Strong Water, Aqua vitæ or Brandy, commonly called ſingle Brandy, or Strong Water, and upon ſtrong Water, Spirits, or Brandy above Proof, called double Brandy, ſhall be raiſed, levied, collected and paid unto their Majeſties, their Heirs and Succeſſors during the time before mentioned in the ſame Manner and Form, and by ſuch Rules, Means and Ways, and under ſuch Penalties and Forfeitures as are mentioned, expreſſed and directed in one Act of Parliament made in the Twelfth Year of the Reign of the late King Charles the Second, Cap. 24. Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures *in Capite*, and by Knights Service, and Purveyance, and for Settling a Revenue upon His Majeſty in lieu thereof: And alſo in another Act of Parliament made in the Fifteenth year of his Reign, Cap. 11. Entituled, An Additional Act for the better ordering and collecting the Duty of Exciſe, and Preventing the Abuſes therein, or in either of them, or in any other Law now in force relating to the Revenue of Exciſe.

Merchant give Security to pay in a years time, or 10 l. per Cent. rebated for preſent payment.

VI. And be it further Enacted, That for all Additional Duties hereby impoſed upon the aforementioned Goods and Merchandize to be Imported as aforeſaid, the Importer giving Security at the Cuſtom Houſe, ſhall have time, not exceeding Twelve months, for the payment of the ſame from the Importation, to be paid by Four equal and quarterly payments, or in caſe ſuch Importer ſhall pay ready money, he ſhall have after the Rate of Ten pounds per Centum of the ſaid Duty for a year abated to him, and if the Goods and Merchandizes aforementioned, Imported as aforeſaid, for which the Duties hereby granted, paid or ſecured at the Importation thereof, be again Exported by any Merchant Engliſh, within Twelve Months, or by Strangers within Nine Months after the Importation, then the aforeſaid Duty ſhall be wholly repaid, or the Security Vacated, as to what ſhall be ſo Exported, except all Brandy, for which the aforeſaid Duty ſhall not be repaid.

Rebate to exporter of Amber-Beads, &c.

VII. Provided nevertheleſs, That the ſeveral Duties charged by this Act upon all Amber Beads, Amber Ruff, Coral Beads, and Poliſhed Coral, and all Cowries, ſhall be repaid to the Merchant Exporting the ſame within Three years after the Importation thereof; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Brandy imported in veſſel not 60 Gallons, forfeited.

VIII. And for preventing the Frauds frequently uſed in Importing of Strong Water Spirits, Aqua vitæ or Brandy, in ſmall quantities, whereby the ſame is more eaſily conveyed away without Payment of the Duties thereof: Be it Enacted, That from and after the Five and twentieth day of March, One thouſand ſix hundred ninety three, no Brandy, ſingle or double ſhall be Imported from parts beyond the Seas, in any Veſſel or Cask which ſhall not contain Sixty Gallons at the leaſt, upon pain of forfeiting the ſaid Brandy or the value thereof, ſo to be Imported as aforeſaid, whereof one half ſhall be to their Majeſties, and the other half to ſuch perſons as ſhall Inform or Sue for the ſame, to be recovered of the Importer or Proprietor thereof, by Action of Debt, Bill, Plaint, or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Wager of Law or Protection ſhall be allowed, nor any more then one Imparlance.

IX. And be it further Enacted, That all and every the Officer and Officers who ſhall be concerned in Levying the Duties ariſing by this Act, do keep a ſeparate and diſtinct accompt thereof, and pay the ſame in ſpecie into their Majeſties Exchequer Weekly; and upon neglect and refuſal of the ſame, every Officer offending, ſhall be forejudged from, and ſhall forfeit his Place or Office.

2 W & M. Seſſ. 2. cap. 4. The Sum of 5 l. per 100 l. upon Raiſins and 2 l. 10 s. upon Currants only.

X. And whereas by the ſaid Act Entituled, An Act for Granting to their Majeſties certain Impoſitions on all *Eaſt-India* Goods and Merchandize, and upon all wrought Silks, and upon ſeveral other Goods and Merchandize to be Imported after the Five and twentieth Day of *December*, One thouſand ſix hundred and ninety, The Sum of ten pounds is impoſed on every Hundred pounds value of Grocery Ware and Druggs, wherein the ſeveral ſorts of Raiſins mentioned in the ſaid Book of Rates, are included, and likewiſe the Sum of Five pounds for every Hundred pounds value of Currants, which is found by experience to leſſen the Importation thereof; Wherefore for remedy thereof, and the Incouragement of Merchants to Import the ſaid Goods: Be it Enacted, That from and after the Five and twentieth day of March, One thouſand ſix hundred ninety and three, and thenceforth during the Continuance of the ſaid Act, the Sum of five pounds only ſhall be paid for every hundred pounds value of Raiſins of any ſort to be Imported after the ſaid time, over and above the Rates thereon charged in the ſaid Book of Rates: And Fifty ſhillings and no more, for every Hundred Pounds value of Currants Imported after the ſaid time, and thenceforth during the Continuance of the laſt mentioned Act, over and above the Rates charged thereon in the ſaid Book of Rates (the ſaid Act, or any thing therein contained to the contrary notwithſtanding) the ſame to be collected as in and by the ſaid Act is directed and appointed.

The Length and Breadth of Calico ſetled.

XI. And whereas by the ſaid Book of Rates a value is impoſed on every Piece of Calico without mention of the length whereof ſuch Piece ſhould conſiſt: Be it further Enacted, That no Piece of Calico Imported from and after the firſt day of March, One thouſand ſix hundred ninety two, during the Continuance of the ſaid laſt recited Act of the breadth of one Yard and a quarter or under, ſhall exceed in length ten Yards; And no Piece of Calico Imported after the ſaid time, during the Continuance of the ſaid Act, above that breadth, ſhall exceed ſix yards; And if any Piece of Calica ſhall exceed thoſe lengths, the ſame ſhall be Rated according to the reſpective length of ten yards, and ſix yards for each Piece, and pay for the ſame in that proportion for a greater or leſſer Quantity according to the Sum rated upon each Piece of Calico in the ſaid Book of Rates; And that the Subſidy as well as the Additional Duties upon Calicoes by the ſaid laſt recited Act appointed, ſhall be Collected and Paid according to that Admeaſurement of each Piece of Calico ſo Imported from and after the ſaid time, and not otherwiſe; Any thing in the ſaid Book of Rates or in the ſaid Act to the contrary notwithſtanding.

Meaſure of Eaſt-Country-Linnen ſetled.

XII. And for the better aſcertaining, explaining and ſettling the Meaſures of Eaſt Country Linen, Be it Enacted, That all Linen of Pruſſia, Polonia, or any part of the Eaſt Country (Except Ruſſia) above the breadth of Three quarters and half Quarter of a yard, ſhall pay as Broad Germany Linen during the Continuance of the ſaid laſt recited Act; And all Whited Hinderlands from the ſame Countries, under that breadth, ſhall pay during the ſaid time, as Narrow Eaſt Country Linen.

Seſſ.2. cap.6. Coffee, reduc'd to 2 l. 16 s. per 100. Cocoa-Nuts to 6 d. per l. Tea to 1 s. per l. and Chocolate, 1 s. per l.

XIII. And whereas by one Act made in the firſt year of their Majeſties Reign, Entituled, An Act for the Charging and Collecting the Duties upon Coffee, Tea, and Chocolate at the Cuſtom Houſe, It is Enacted, That from and after the Five and twentieth day of December, One thouſand ſix hundred eighty nine, Five pounds and twelve ſhillings ſhall be paid for every Hundred Weight of Coffee Imported into any parts within this Kingdom, Dominion of Wales or Town of Berwick upon Tweed, (accounting One hundred and twelve pounds to the hundred weight) over and beſides what was then paid or payable for the ſame at the Cuſtom Houſe: And for every hundred weight of Cocao Nuts Imported, and containing as aforeſaid, Eight pounds and eight ſhillings over and beſides what was then paid for the ſame at the Cuſtom Houſe: And for every pound weight of Tea Imported five ſhillings: And for every pound weight of Chocolate ready made Five ſhillings over and beſides what was then charged on Tea or Chocolate reſpectively at the Cuſtom Houſe, which Duties are ſo exceſſive, that few of the ſaid Goods or Merchandizes have been entred at the Cuſtom Houſe ſince the making of the ſaid Act, or any Duty anſwered to their Majeſties for the ſame. Wherefore for reducing the ſaid Duties to a more reaſonable Rate and Impoſition, for the Incouragement and Advancement of Trade, and the greater Importation of the ſaid reſpective Goods and Merchandizes: Be it Enacted, That from and after the ſaid Five and twentieth day of March, One thouſand ſix hundred ninety and three, there ſhall be anſwered and paid to their Majeſties for every hundred weight of Coffee Imported, containing as aforeſaid, during the Continuance of the ſaid laſt mentioned Act, the Sum of Six and fifty ſhillings and no more: And for every pound of Cocao Nuts, Imported from any of the Dominions or Plantations belonging to the Crown of England, after the ſaid time during the Continuance of the ſaid Act, the Sum of ſix pence and no more; and from any other Countries or Places after the ſaid time, during the Continuance of the ſaid Act, Eight pence: And for every pounds of Tea Imported after the ſaid time, from any place from which it may be by Law Imported, one ſhilling and no more: And for every pound weight of Chocolate ready made, Imported after the time aforeſaid, during the Continuance of the ſaid Act, One ſhilling and no more; Any thing in the ſaid laſt recited Act, or any other matter or thing to the contrary in any wiſe notwithſtanding. Provided always, That the Rates and Duties hereby appointed to be paid as aforeſaid, for the ſaid reſpective Merchandizes of Coffee, Cocao Nuts, Tea and Chocolate ſhall be paid and anſwered to their Majeſties during the Continuance of the ſaid Act, over and above the reſpective Duties charged or chargeable upon every of them in the ſaid Book of Rates before the making of the ſaid Act.

Alamodes how to be imported.

XIV. Provided always, and be it Enacted by the Authority aforeſaid, for the better Encouragement of the Manufacture of plain Silks, called Alamodes and Luſtrings, in this Kingdom, None of the ſaid Foreign Silk ſhall be Imported into this Kingdom after the Five and twentieth Day of March, One thouſand ſix hundred ninety and three, but upon Notice firſt given to the Commiſſioners or Farmers of their Majeſties Cuſtoms for the time being, of the quality and quantity, with marks, numbers and package of ſuch Silks ſo intended to be Imported, with the Name of the Ship and Maſter or Commander, on which they are to be Laden, and the place into which they intend to Import the ſame, and taking a Licence under the Hands of the Commiſſioners or Farmers for the time being, or any three of them, for the Lading and Importing thereof as aforſaid, which Licence they are hereby Authorized and required to grant without any Fee or Reward, or any other charge to the perſons demanding the ſame; Any Law, Cuſtom or Uſage to the contrary notwithſtanding; And in caſe any of the ſaid Goods ſhall be Imported without ſuch notice being firſt given, and Licence taken out as aforeſaid, the ſame ſhall be forfeited, one Moiety thereof to the uſe of their Majeſties, their Heirs or Succeſſors, and the other Moiety to him or them that ſhall Seize or Sue for the ſame in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoyn, Priviledge, Protection or Wager of Law, nor more then one Imparlance ſhall be allowed.

XV. Provided always, And be it Enacted by the Authority afore ſaid, That the Officers of the Cuſtoms ſhall not take or receive, from the Merchant Exporting, any of the Commodities Chargeable by this or any other Act with any Additional Duties, above what is chargeable by the Book of Rates, any Fee or Reward for paſſing any Debenture for Repayment of the Duties to be paid back on Exportation, according to the ſaid Acts, but ſhall only receive ſuch Fees as were payable for Debentures, for the repayment of the half Subſidy, according to the Book of Rates, and no more: Nor ſhall any Fee or Reward be taken for any Oath to be Adminiſtred at any Cuſtom Houſe upon this Act.

XVI. And whereas by an Act made in the Third year of Their Majeſties Reign, Entituled, An Act for Granting to Their Majeſties certain Impoſitions upon Beer, Ale, and other Liquors for one year, It is Enacted, That no Collector, Superviſor, Gauger or other Officer, concerned in the Charging, Collecting or Managing the Duty of Exciſe, ſhall either by Letter, Meſſage or Word of Mouth, endeavour to perſwade any Elector to give, or diſſwade any Elector from giving his Vote for any perſon or perſons that ſhall be in Nomination to be Elected a Member or Members of Parliament. And whereas by the ſaid Act it is further declared and enacted, That true Notes in Writing of the laſt Gauges, made or taken by the ſaid Gaugers, ſhall be left by them with all Brewers, Makers or Retaylers of Beer, Ale, or other Exciſeable Liquors reſpectively, or ſome of their Servants at the time of their taking the ſaid Gauges, containing the Quantity and Quality of the Liquors ſo Gauged, under the ſeveral Penalties in the ſaid Act mentioned: Be it Declared and Enacted, That the ſaid Act, ſo far as relates to Elections of Members to ſerve in Parliament, and leaving true Notes in Writing of the laſt Gauges, made or taken by the ſaid Gaugers, with the ſeveral Penalties reſpectively relating thereunto, be, from and after the Firſt day of March next, hereby Revived, and ſhall continue and be in force during the continuance of this Act, and from thence to the end of the next Seſſion of Parliament, and no longer.

3 W & M. Car. 1. That Collectors ſhall not be concerned in Elections, and ſhall give Notes of their Gauges continued.

XVII. And be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to Their Majeſties into the Receipt of Their Exchequer, upon the credit of this Act, any Sum or Sums of Money, not exceeding the Sum of Five hundred and ten thouſand pounds in the whole, and to have and receive for the forbearance of all ſuch Moneys as ſhall be lent, Intereſt not exceeding the Rate of Eight pounds, per Centum per Annum.

Clauſe of credit for 510000l.

XVIII. And be it further Enacted and Ordained by the Authority aforeſaid, That all and every the Officer and Officers who ſhall be concerned in the Levying, Collecting and receiving the Duties ariſing by this Act, do keep a ſeparate and diſtinct accompt thereof, and pay the ſame in ſpecie into the Receipt of Their Majeſties Exchequer weekly on Wedneſday in every Week, unleſs it be an Holiday, and then the next day after which ſhall not be an Holiday; And upon neglect or refuſal of the ſame, ſhall incur the Penalties, Forfeitures, Damages and Coſts, as other the Officers of the Exchequer herein after mentioned, ſhall be liable to; Which Moneys ſo paid in, ſhall be applied to the uſes hereafter mentioned in this Act, and no otherwiſe.

Money to be paid into the Exchequer Weekly.

XIX. And be it further Enacted by the Authority aforeſaid, That there ſhall be provided and kept in Their Majeſties Exchequer (that is to ſay) in the Office of the Auditor of the Receipts one Book in which all Moneys that ſhall be paid into the Exchequer by virtue of this Act, ſhall be Entred and Regiſtred apart and diſtinct from all other Moneys paid or payable to their Majeſties upon any Account whatſoever: And that all and every perſon and perſons, Natives or Foreigners, Bodies Politick or Corporate, who ſhall lend any Money to Their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan Struck for the ſame, and an Order for his or their Repayment bearing the ſame Date with the Tally, in which Order ſhall be alſo contained a Warrant for payment of Intereſt for forbearance, not exceeding the Rates aforeſaid, for his or their Conſideration, to be paid every three Months until repayment of his or their principal: And that all Orders for Repayment of Money ſhall be Regiſtred in Courſe, according to the Date of the Tally reſpectively, without Preference of one before another: And that all and every perſon and perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand Regiſtred in the ſaid Book, ſo as that the perſon, Native or Foreigner, his or their Executors, Adminiſtrators or Aſſigns, who ſhall have his, her or their Order or Orders firſt Entred in the ſaid Book, ſhall be taken and accounted as the firſt perſon to be paid upon the Moneys to come in by virtue of this Act: And he or they who ſhall have his or their Order or Orders next entred ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo Succeſſively and in Courſe: And that the Moneys to come in by this Act, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns Succeſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever: And that no Fee, Reward or Gratuity, directly or indirectly be demanded or taken of any of Their Majeſties Subjects for providing or making any ſuch Books, Regiſters, Entries, View or Search as aforeſaid, or in or for the payment of Money lent, or the Intereſt as aforeſaid, by any of Their Majeſties Officer or Officers, their Clerks or Deputies, on pain of Payment of Treble Damages to the party grieved by the party offending, with coſts of Suit; Or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his place alſo: And if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages, and Coſts to the party grieved, and ſhall be forejudged from his Place or Office: And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record,

A particular Book to be kept, Tallyes how to be given, Regiſter to be in Courſe without preference.

or the Teller make payment according to each perſons due place and order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner, as foreſaid; All which ſaid Penalties, Forfeitures, Damages and Coſts to be Incurred by any of the Officers aforeſaid, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction, or order of Reſtraint ſhall be in any wiſe granted or allowed.

What ſhall not be an undue preference.

XX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or orders for payment as aforeſaid, bear Date, or be brought the ſame day to the Auditor of the Receipt to be Regiſtred, Then it ſhall be interpreted no undue preference which of thoſe he enters firſt, ſo he enters them all the ſame day.

XXI. Provided alſo, That it ſhall not be interpreted any undue preference to incur any Penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, and the Teller do pay ſubſequent orders of perſons that come and demand their Money, and bring their Order before the perſons that did not come to demand their Money, and bring their Order in their courſe, ſo as there be ſo much Money reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them, (Intereſt upon Loan being to ceaſe from the time the Money is ſo reſerved and kept in Bank for them.)

Money in the Exchequer how aſſigned over.

XXII. And be it farther Enacted by the Authority aforeſaid, That every perſon or perſons to whom any Moneys ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Indorſement of his Order, may Aſſign and Transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof to any other; Which being notified in the Office of the Auditor of Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders (which the Officer ſhall upon requeſt without Fee or charge accordingly make) ſhall Entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, to the benefit thereof, and payment thereon; And ſuch Aſſignee may in like manner Aſſign again, and ſo toties quoties; And afterwards it ſhall not be in the power of ſuch perſon or perſons who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the Moneys thereby due, or any part thereof.

1226516 Appropriated out of this years Tax to the Sea.

XXIII. And be it Enacted by the Authority aforeſaid, That out of the Money which ſhall be Levied and paid into the Receipt of the Exchequer, as well upon Loan as otherwiſe, by virtue of this Act, or any other Act of this Seſſion of Parliament for Granting Aids or Supplies to Their Majeſties (other then an Act Entituled, An Act for Granting to Their Majeſties an Aid of Four ſhillings in the pound for one year, for Carrying on a Vigorous War againſt *France*,) the Sum of Twelve hundred twenty ſix thouſand five hundred and ſixteen pounds ten ſhillings ſhall be applied and Appropriated, and is hereby Appropriated to and for the payment of Officers and Seamen that have ſerved, and ſhall ſerve in their Majeſties Navy Royal, and for the paying for Stores, Proviſions and Victuals, Supplied, and to be Supplied for the ſaid Navy, and to, and for the expences of their Majeſties Office of Ordinance in reſpect to Naval Affairs, and for other neceſſary Uſes and Services performed, and to be performed in and for the ſaid Navy, and not otherwiſe. And if any Officer any way belonging to Their Majeſties Revenue, or to the Exchequer, Navy or Ordnance reſpectively, ſhall wittingly and wilfully divert or miſapply any part of the Money hereby appropriated to any other purpoſe, then to the uſes hereby directed, contrary to the true intent of this Act, ſuch Officer and Officers ſo offending, ſhall forfeit his and their Office and Place, and is and are hereby diſabled and made incapable to hold or execute the ſaid Office, or any other Office whatſoever.

Puniſhment upon Officer miſapplying.

Foreign Stores ſold to the Navy, not charged by this Act.

XXIV. Provided nevertheleſs, and be it Enacted by the Authority aforeſaid, That the New, or Additional Duties impoſed by this Act, ſhall not extend to affect ſuch Foreign Stores as have been ſold to the uſe of Their Majeſties Navy by contract with the Navy Board before the Firſt day of January, One thouſand ſix hundred ninety two, ſo as a Certificate be given from the Commiſſioners of the Navy, that ſuch Foreign Stores have been ſo contracted for by them for Their Majeſties Service as aforeſaid, and ſo as the Importer of the ſame do make Oath before the Commiſſioners appointed to manage the Cuſtoms (which Oath they are hereby impowered to Adminiſter) of the Truth of the ſaid Contract, and that he will deliver the ſaid Goods into Their Majeſties Stores, purſuant to the contract ſo certified by the Commiſſioners of the Navy.

An Oath to be taken by the Commiſſioners of the Cuſtoms.

XXV. And as well that the Revenue of the Cuſtoms may be more duly and regularly anſwered, as to render the ſeveral Impoſts Granted by this preſent Act, a more effectual ſupply to Their Majeſties: Be it further Enacted by the Authority aforeſaid, That as well the Commiſſioners as the Patent Officers, and any of their Deputies, Clerks, or Servants who have or ſhall have any Imployment in or about Their Majeſties Cuſtoms, ſhall before the Nineteenth day of April next, or at their reſpective Admiſſions hereafter to ſuch Imployment, take their Corporal Oaths for the true and faithful Execution, to the beſt of their Knowledge and Power, of their ſeveral Truſts and Imployments committed to their Charge and Inſpection, and that they will not take or receive any Reward or Gratuity directly or indirectly, other then their reſpective Salaries, and what is or ſhall be allowed them from the Crown, or the regular Fees eſtabliſhed by Law, for any Service done, or to be done in the Execution of their Imployment in the Cuſtoms upon any Account whatſoever.

CAP. VI.

An Act for Raiſing the Militia of this Kingdom for the Year One thouſand ſix hundred ninety and three, although the Months pay formerly Advanced be not Repaid. E X P.

CAP. VII.

CAP. VII.

An Act to Prevent Abuſes Committed by the Traders in Butter and Cheeſe.

Preamble.

13 14, Ca. 2. 26.

I. FOraſmuch as divers Countries of this Kingdom conſiſt chiefly of Dairy Farms, and are in great meaſure ſupported by the ſale of Butter and Cheeſe, the Growth and Product of the ſame; And by an Act of Parliament made in the Fourteenth Year of the Reign of his late Majeſty King Charles the Second, Entituled, An Act for reforming Abuſes in Weighing and Falſe Packing of Butter, the Weight thereof is aſcertained, and the goodneſs of the Butter is ſecured, under the Pains and Penalties therein mentioned. And whereas the Cheeſemongers of London, their Factors or Agents (without any Authority) have appointed in all or moſt of the Sea Port Towns in the ſaid Counties a certain Officer, called a Weigher, who often times, ſeveral Weeks after the Cheeſe and Butter hath been bought and approved by the Factors and Agents of the ſaid Cheeſemongers at the Sellers Houſe, have taken upon them (without any Authority) to Weigh and Search the ſaid Butter when the ſame comes to the Sea Ports to be Shipped, and there pretend that the ſame is faulty, and ſet Rates of Deduction thereupon, and give Notes thereof to the Factors, who bought ſuch Butter; And when the Factor comes to pay the Seller for the ſame, they demand the Abatement accordingly, which if the Seller refuſeth to allow, there are frequent Indictments or Informations exhibited againſt the Sellers, upon the ſaid Act of the Fourteenth of the ſaid late King, and great Oppreſſions have been, and are daily committed, to the great Loſs and Damage of divers Land-Owners and Farmers in the ſaid Counties, contrary to the true intent and meaning of the ſaid Act.

Seller of Butter, &c. diſcharged from the penalty of 13&14 Ca. 2. 26. after the buyer hath bought and approved of the Commodity.

II. For prevention whereof, Be it Enacted by the King and Queens moſt Excellent Majeſties, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That after the Factor or Buyer hath Bought and Contracted for the ſaid Commodity, and approved the ſame at the Sellers Houſe, or the place where he expoſes the ſame to Sale by Searching and Weighing the ſame (if he think fit) the Seller ſhall not after be charged or chargeable with, or liable to any of the Penalties in the ſaid recited Act of the Fourteenth year of the ſaid late King Charles the Second, mentioned or inflicted upon any pretence of want of Weight, Falſe Packing, or Mouldy Butter, or the Tare or Weight not being ſet upon the Cask or otherwiſe; but from thenceforth ſhall be, and is hereby diſcharged off and from the ſaid Act; Any other Law, Statute or Uſage to the contrary thereof in any wiſe notwithſtanding.

Penalty upon Seller changing, &c. the Commodity after ſold.

III. And for the preventing any Fraud in the Seller, after the Factor or Buyer hath Bought and contracted for the ſaid Butter, and approved of the ſame: Be it further Enacted, by the Authority aforeſaid, That the ſaid Factor or Buyer ſhall ſet his Seal or mark upon the ſaid Butter, or the Cask in which it is, or his name at length; And in caſe the ſame ſhall afterwards be exchanged or be opened and the Cask wherein the ſame is put up changed, or any bad and decaied Butter ſhall be mixed and packed up with ſound and good Butter, or any other fraud be committed by the Seller, and the Offender be thereof convicted upon Oath made of the ſaid offence before one or more of their Majeſties Juſtice or Juſtices of the Peace by one or more witneſs or witneſſes, which Oath the ſaid Juſtice or Juſtices are hereby impowered and required to Adminiſter, or upon confeſſion of the Offender or Offenders before ſuch Juſtice or Juſtices, the ſaid Party or Parties ſhall forfeit the ſum of twenty ſhillings for every ſuch Ferkin and Offence, to be Levied by Diſtreſs, and ſale of the offenders Goods and Chattels, the overplus to be reſtored after all charges of the ſaid diſtreſs defrayed: And every Conſtable of the Pariſh, or chief Conſtable of the Hundred where ſuch offence ſhall be committed, are hereby authorized and required to Levy the ſame accordingly by Warrant under the Hand and Seal of the ſaid Juſtice or Juſtices ſo to do.

The weigher of Butter and Cheeſe ſhall Ship off all that belongs to the London-Cheeſe-mongers.

IV. And to the end the trade for Butter and Cheeſe may not be ingroſſed by particular perſons, but may be free and open to all perſons, and eſpecially to all the Cheeſemongers who are Free of the City of London, Be it further Enactd by the authority aforeſaid, that all and every Warehouſe-keeper, Weigher, Searcher, or Shipper of Butter and Cheeſe at any Port or Place in this Kingdom, ſhall receive into his or their Poſſeſſion or Warehouſe, all Butter and Cheeſe that ſhall be brought to him or them for any of the Cheeſemongers Free of the City of London, or other perſon making the ſaid Commodities, and ſhall take due care thereof until the ſame can be Shipped, and ſhall Ship the ſaid Butter and Cheeſe ſucceſſively, as it ſhall come to his or their Hands reſpectively (without undue preferring one mans goods before anothers) on the next Ship or Hoy, or Veſſel that ſhall come to ſuch Port or Place to lade Butter or Cheeſe for London, (except the owners of the ſaid Goods ſhall give orders to the contrary) and ſhall receive for his and their reſpective care and pains therein, of the owners of the ſaid goods, the ſum of two ſhillings and ſix pence for every Load and no more, and ſo proportionably: And if any ſuch perſon or perſons, or his or their ſervant or ſervants ſhall refuſe or neglect to receive ſuch goods, or to take due care thereof, or ſhall not Ship the ſaid goods as they come to his or their hands ſucceſſively as aforeſaid, That every ſuch offender and offenders being thereof convict in manner as aforeſaid, ſhall forfeit for every Ferkin of Butter, ten ſhillings, and for every weigh of Cheeſe, five ſhillings, to be levied in manner as aforeſaid.

Fee to the Weigher.

Penalty upon Weighers offending.

Weigher, &c. ſhall keep a Book of the receiving and Shipping the Butter, &c.

V. And for the prevention of frauds and undue practice herein: Be it further enacted by the authority aforeſaid, That all and every Warehouſe-keeper, Weigher, Searcher, or Shipper of Butter and Cheeſe in any ſuch Port or Place, ſhall from and after the firſt day of April, One thouſand ſix hundred ninety and three, keep a Book wherein he and they ſhall duly and fairly enter all Butter and Cheeſe that ſhall be brought to him or them, as the ſame comes to his or their reſpective hands: In which Entry ſhall be inſerted the time when

Penalty for offending upon conviction before a Juſtice.

ſuch Goods were Received, and the Quantity of ſuch Goods, and the Name of the Owner of the ſame; And ſhall make the like Entries when the ſaid Goods are Shipped or put on Board, of the time when the ſame were Shipped on Board, and the Maſters name, and the Veſſels name in which the ſame are Shipped or put on Board, and to whom the ſame are conſigned; Which Book ſo kept, ſhall be free and open for all perſons to ſee and ſearch at all times, without paying any thing for ſuch Search; And ſuch Warehouſe-keeper, Weigher, Searcher or Shipper of Butter and Cheeſe ſhall not keep ſuch Book as aforeſaid, or ſhall refuſe, neglect or omit to make ſuch entries therein as aforeſaid, or ſhall make any undue Entries therein (by undue preferring one Mans Goods before another) or ſhall refuſe in the Day-time to produce ſuch Book to be ſearched as aforeſaid, That every ſuch Offender and Offenders being thereof convict in manner as aforeſaid, ſhall forfeit for every Ferkin of Butter Two ſhillings and ſix pence, and for every Weigh of Cheeſe, Two ſhillings and ſix pence, and for every other the aforeſaid Offence, the Sum of Two ſhillings and ſix pence, to be levied in manner as aforeſaid: And in caſe ſuch Offender or Offenders ſhall not have Goods and Chattels ſufficient for the Levying the ſaid penalty, That then it ſhall and may be lawful for the Juſtice or Juſtices before whom ſuch Conviction ſhall be made, to commit ſuch Offender and Offenders to the Gaol without Bail or Mainprize, there to remain until ſuch Penalties ſhall be paid and ſatisfied.

Penalty upon Maſter of Ship refuſing to take in Butter, &c.

VI. And be it further Enacted by the Authority aforeſaid, That if any Maſter of any Ship, Hoy or Veſſel coming to ſuch Port or Place to Lade Butter and Cheeſe, or his, or their Servant or Servants ſhall refuſe to take and receive on Board his and their reſpective Veſſels any ſuch Butter and Cheeſe as ſhall be tendred to be Shipped by ſuch Warehouſe-keeper, Weigher, Searcher or Shipper of Butter and Cheeſe, before the ſame be ſufficiently laden, That then every ſuch Offender and Offenders being thereof Convict in manner, as aforeſaid, ſhall Forfeit for every Ferkin of Butter ſo refuſed, Five ſhillings, and for every Weigh of Cheeſe ſo refuſed, Two ſhillings and ſix pence, to be levied in manner as aforeſaid.

Penalties divided betwixt informer and poor.

VII. Provided that one half of all Penalties and Forfeitures within this Act ſhall be to the uſe of the poor Inhabiting within the Pariſh where ſuch Offence ſhall be from time to time committed, to be paid to the Churchwardens and Overſeers of the Poor of and in ſuch Pariſh, and the other half to the Informer, to be diſtributed by the ſaid Juſtice or Juſtices before whom the Offender or Offenders ſhall be Convicted.

Cheeſemongers, &c. may make uſe of their own Veſſels.

VIII. Provided always, that this Act, nor any thing therein contained ſhall extend to exclude any Cheeſemonger or Cheeſemongers, Free of the City of London, from ſending his and their own proper Veſſels for his and their own proper and reſpective Goods; But that it ſhall and may be be lawful, to and for ſuch perſon and perſons to ſend his and their own proper Veſſels, or ſuch other Veſſels as he or they ſhall hire, and ſend from London to Freight by Charter-party for his and their own reſpective proper Goods, and to and for the Warehouſe-keeper, at ſuch Ports where ſuch Veſſels ſhall be ſent, to Ship the aforeſaid Goods on Board, and to and for ſuch Maſters of ſuch Veſſels and their Servants, to receive the ſame, as he, they, or any of them could or might have done before the making of this Act,

Warehouſes, &c. in Cheſter and Lancaſter, ſaved.

IX. Provided that nothing in this Act contained, ſhall extend or be conſtrued to extend to any Warehouſe, which now is, or hereafter ſhall be within the Counties of Cheſter or Lancaſter, or within the County of the City of Cheſter, nor to any Veſſel or Boat, at any time belonging to, or that ſhall come into any the Ports or Havens of any the ſaid Counties.

Appeal lies from Juſtice to Seſſions Security being given for Coſts.

X. Provided always, That if any perſon or perſons ſhall think him or themſelves agrieved by the determination of any Juſtice of the Peace, who ſhall at any time Act in purſuance of the Powers to him given by this Act, it ſhall and may be lawful, to and for ſuch perſon or perſons to appeal to the next General Quarter Seſſions of the Peace to be held for the County, Riding, City or Town Corporate, where the ſaid Offence ſhall be committed, the Determination of which Juſtices ſhall be Final and Concluſive to all Parties; The perſon ſo Appealing firſt giving to the Party accuſed a Bond of the penalty of Twenty pound, with one or more ſufficient Sureties to the liking of the ſaid Juſtice of Peace, from whom the ſaid Appeal ſhall be ſo made, to pay ſuch Coſts to the ſaid Party accuſed, as the ſaid Court of Quarter Seſſions ſhall allow, in caſe the Appellant be not relieved upon his ſaid Appeal; The ſaid Coſts to be ſo paid within One Month after the Hearing and Determining the ſaid Appeal.

CAP. VIII.

An Act for Encouraging the Apprehending of Highway Men.

Preamble.

I. Whereas the Highways and Roads within the Kingdom of England, and Dominion of Wales have been of late time more infeſted with Thieves and Robbers then formerly, for want of due and ſufficient Encouragement given, and Means uſed for the Diſcovery and Apprehenſion of ſuch Offenders, whereby ſo many Murders and Robberies have been Committed, that it is become Dangerous in many Parts of the Nation for Travellers to paſs on their lawful occaſions, to the great diſhonour of the Laws of this Realm, and the Government thereof.

Reward to him that ſhall take an Highway-man.

II. For remedy whereof, Be it enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the Five and twentieth day of March, One thouſand ſix hundred ninety and three, all and every perſon and perſons, who ſhall Apprehend and Take One or more ſuch Thieves or Robbers, and Proſecute him or them ſo Apprehended and Taken, until he or they be Convicted of any

Robbery committed in or upon any Highway, Paſſage, Field or open place, ſhall have and receive from the Sheriff or Sheriffs of the County where ſuch Robbery and Conviction ſhall be made and done, without paying any Fee for the ſame, for every ſuch Offender ſo convicted the ſum of Forty pounds, within one Month after ſuch Conviction and Demand thereof made, by tendring a Certificate to the ſaid Sheriff or Sheriffs under the Hand or Hands of the Judge or Juſtices before whom ſuch Felon or Felons ſhall be Convicted, certifying the Conviction of ſuch Felon or Felons for a Robbery done within the County of the ſaid Sheriff or Sheriffs, and alſo that ſuch Felon or Felons was, or were taken by the perſon or perſons claiming the ſaid Reward; And in caſe any Diſpute ſhall happen to ariſe between the perſons ſo Apprehending any the ſaid Thieves and Robbers touching their Right and Title to the ſaid Reward, That then the ſaid Judge or Juſtices ſo reſpectively certifying as aforeſaid, ſhall in and by their ſaid Certificate direct and appoint the ſaid Reward, to be paid unto, and amongſt the Parties claiming the ſame, in ſuch Share and Proportions as to the ſaid Judge or Juſtices ſhall ſeem juſt and reaſonable. And if it ſhall happen any ſuch Sheriff or Sheriffs ſhall dye, or be removed before the expiration of one Month after ſuch Conviction and Demand made of the ſaid Reward (not being paid as aforeſaid) That then the next ſucceeding Sheriff or Sheriffs of the ſaid County, ſhall pay the ſame within one Month after Demand and Certificate brought as aforeſaid: And if default of payment of the ſaid Sum or Sums of Money ſhall happen to be made by any Sheriff or Sheriffs, ſuch Sheriff or Sheriffs ſo making Default, ſhall Forfeit to the perſon or perſons to whom ſuch Moneys is due as aforeſaid, double the Sum or Sums of Money he ought to have paid, to be Recovered by him or them, or his or their Executors or Adminiſtrators in any of their Majeſties Courts of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, wherein but one Imparlance, and no Eſſoign, Protection or Wager of Law ſhall be allowed, with treble coſts of Suit by him or them expended in the recovery of the ſame.

How recovered.

Executor, &c. of perſon killed ſhall have the reward.

III. And be it further Enacted, That in caſe any perſon or perſons ſhall happen to be killed by any ſuch Robber or Robbers, endeavouring to apprehend, or in making purſuit after him or them, that then the Executors or Adminiſtrators, or ſuch perſon or perſons to whom the right of Adminiſtration of the perſonal Eſtate of each perſon ſo killed ſhall belong (upon Certificate delivered under the Hands and Seals of the Judge or Juſtices of Aſſize for the County where the Fact was done, or the two next Juſtices of the Peace, of ſuch perſon or perſons being ſo killed, which Certificate the ſaid Judge or Juſtices, upon ſufficient proof before them made, are immediately required to give without Fee or Reward) ſhall receive the Sum of Forty pounds from the Sheriff or Sheriffs of the County where the ſaid Fact was done and committed, and upon failure of payment thereof by the ſaid Sheriff or Sheriffs double the ſaid Sum of Forty pounds, to be recovered againſt him or them with treble coſts of Suit, in manner and form as aforeſaid.

Sheriffs ſhall be allowed it in their accounts.

IV. And it is hereby further Enacted, That all Sheriffs, their Executors or Adminiſtrators, upon producing ſuch reſpective Certificates, and the Receipts for the Mony by them paid in purſuance of this Act ſhall be allowed, and are hereby impowered to deduct upon their accounting with their Majeſties, their Heirs and Succeſſors, all Moneys (other then the double Sum and Sums of Money, and coſts of Suit) which they ſhall diſburſe as aforeſaid, without any Fee or Reward whatſoever.

Sheriff not having ſufficient, repaid.

V. Provided always, That if upon the accompt of any Sheriff or Sheriffs, there ſhall not be Moneys ſufficient in the hands of ſuch Sheriff or Sheriffs to reimburſe him or them ſuch Moneys paid by him or them by virtue of this Act, That then the Sheriff or Sheriffs having ſo paid the ſaid Moneys, ſhall have the ſame repaid by the Lord Treaſurer or Commiſſioners of their Majeſties Treaſury for the time being, out of the Revenue of the Crown, upon Certificate from the Clerk of the Pipe to that Effect.

Highway-Mans Horſe &c. given to the apprehender.

VI. And it is hereby further Enacted, That all and every perſon or perſons who ſhall ſo take, apprehend, proſecute or convict ſuch Robber or Robbers as aforeſaid, as a further reward ſhall have and enjoy to his and their proper uſe and behoof the Horſe, Furniture and Arms, Money or other Goods of the ſaid Robber or Robbers that ſhall be taken with him or them; Any their Majeſties Right or Title, Bodies Politick or Corporate, or the Right or Title thereunto of the Lord of any Mannor, Liberty or Franchiſe, or of him or them lending or letting the ſame to Hire to any ſuch Robber or Robbers in any wiſe notwithſtanding. Provided always, That this Clauſe, or any thing therein contained ſhall not be Conſtrued to extend to take away the right of any perſon or perſons to ſuch Horſes, Furniture and Arms, Money or other Goods from whom the ſame were before Feloniouſly taken.

Perſon concerned, diſcovering Two others, pardoned.

VII. And be it further Enacted, That if any perſon or perſons, being out of Priſon, ſhall from and after the ſaid Five and twentieth day of March Commit any Robbery, and afterwards diſcover Two or more perſon or perſons, who already hath, or hereafter ſhall commit any Robbery, ſo as two or more of the perſon or perſons diſcovered ſhall be convicted of ſuch Robbery, any ſuch diſcoverer ſhall himſelf have, and is hereby Entituled to the gracious pardon of their Majeſties, their Heirs and Succeſſors, for all Robberies which he or they ſhall have committed at any time or times before ſuch diſcovery made; which Pardon ſhall be likewiſe a good Bar to any Appeal brought for any ſuch Robbery.

CAP. IX.

An Act for Reviving two former Acts of Parliament for the Repairing the Highways in the County of *Hertford*.

Preamble. 15 Ca. 2. 1. 16, 17. Ca. 2. 10.

I. WHereas there was an Act of Parliament made in the Fifteenth year of the Reign of our late Sovereign Lord King Charles the Second, Entituled, An Act for repairing the Highways within the Counties of *Hertford*, *Cambridge* and *Huntingdon*, to be in force for the ſpace of Eleven years from the Commencement thereof: And whereas there was afterwards one other Act of Parliament made in the Sixteenth and Seventeenth years of the Reign of the ſaid late King Charles the Second, Entituled, An Act for Continuance of a former Act for Repairing the Highways within the County of *Hertford*, both which ſaid Acts are ſome years paſt expired, and the Highways within the ſaid County of Hertford, intended by the ſaid Acts to be Repaired, are ſince (by great Burthens and Carriages uſed to paſs through the ſame) become dangerous and impaſſable. To the end therefore that the ſaid Highways within the County of Hertford, (being the great Roads to the North parts of this Kingdom may be ſufficiently repaired and amended by the proviſions mentioned in the ſaid Acts, the ſame being not to be done by the ordinary courſe of the Laws and Statutes of this Realm, May it pleaſe your Majeſties that it may be Enacted:

Toll at Wades Mill revived for 15 years.

II. And be it Enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, That the Toll mentioned in the ſaid Acts, to be taken at Wades Mill for the County of Hertford, be revived, ſet up and taken again in the manner by the ſaid Acts mentioned, to continue for the ſpace of Fifteen years from the paſſing of this Act, and that the Moneys thereby ariſing be imployed for the Repair of the ſaid Highways within the ſaid County of Hertford, according to the Tenor of the ſaid Acts.

Toll how it may ceaſe.

III. Provided always, That if the ſaid Highways before the Expiration of the ſaid Term of Fifteen years be in good and ſufficient repair, and an Adjudication thereof be made at the Aſſize or General Quarter Seſſions to be holden for the ſaid County (as is provided by the ſaid Statutes of the Sixteenth and Seventeenth years of King Charles the Second) the Toll ſhall from thenceforth ceaſe and determine, as in the ſaid Act is directed and appointed.

Officers and collecting as formerly.

IV. And it is further Enacted and Declared by the Authority aforeſaid, and the ſeveral Officers and Perſons impowered in and by the ſaid Acts to the purpoſes therein mentioned, ſo far as may any ways concern or relate to the ſaid County of Hertford, ſhall from henceforth have the like Powers and Authorities by virtue of this preſent Act, as they and every of them had by Virtue of the ſaid former Acts, and that all Clauſes, Proviſions, Penalties, Forfeitures and Exceptions whatſoever therein mentioned, concerning the collecting, paying, ingaging or accounting for the ſaid Toll at Wades Mill, be from henceforth by virtue of this Act renewed and put in Execution again, during the Continuance of this preſent Act, as if they were herein particularly expreſſed and repeated.

CAP. X.

An Act for Prohibiting the Importation of all Foreign Hair Buttons.

Preamble. 13, 14. Ca. 2. 13.

I. WHereas by an Act made in the Fourteenth year of the Reign of his late Majeſty King Charles the Second, Entituled, An Act Prohibiting the Importation of Foreign Bone Lace, Cutwork, Imbroidery, Fringe, Band-ſtrings, Buttons and Needle Work, amongſt other things in the ſaid Act mentioned, all Foreign Buttons made of Thread or Silk are Prohibited to be Imported or Sold in the Kingdom of England, or Dominion of Wales. And whereas ſince the making of the ſaid Act, Hair Buttons are chiefly uſed and worn, and the Button Makers of England do make better Hair Buttons then any are Imported from Foreign parts, and are able to ſupply this Kingdom with greater Quantities of them then they can make uſe of; Yet becauſe Buttons made of Hair are not expreſly mentioned in the ſaid Act (although they were thereby intended to be prohibited) many perſons who are Enemies to the Manufactures of this Kingdom, taking advantage of the ſaid Omiſſion, do daily Import ſuch great Quantities of Hair Buttons, that the Button Trade of England is very much decayed, and many thouſands of poor people that were formerly kept at Work in the ſaid Trade, are like to periſh for want of Imployment, and all the other miſchiefs mentioned in the ſaid Act, which relate to the Button Trade, and were thereby intended to be remedied, are become as great as they were at the time of the making of the ſaid Act.

Foreign Hair-Buttons not to be imported, &c.

II. For redreſs whereof, and the more effectual Prevention of the like miſchiefs for the future, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the Five and twentieth day of March in the Year of our Lord, One thouſand ſix hundred ninety and three, No Foreign Buttons made or to be made of Hair, nor any other Foreign Buttons whatſoever, ſhall be Imported, Brought in, Sent or Conveyed into the Kingdom of England, Dominion of Wales, or Port or Town of Berwick upon Tweed, or Bartered, Sold, Exchanged, or Offered to be Bartered, Sold or Exchanged, upon pain of Forfeiting all the ſaid Buttons ſo Imported, Brought in, Bartered, Sold or Exchanged, or Offered to be Bartered, Sold or Exchanged, and upon ſuch further and other Pains, Penalties and Forfeitures as are mentioned, contained and expreſſed in the ſaid recited Act, one Moiety of all which Forfeitures to be to the uſe of our Sovereign Lord and Lady the King and Queen, Their Heirs and Succeſſors, and the other Moiety thereof to the perſon or perſons

Penalty.

ſons that ſhall Sue for the ſame in any of Their Majeſties Courts of Record, by Bill, Plaint, Action of Debt, Information or otherwiſe, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

III. And be it further Enacted by the Authority aforeſaid, That for the preventing the importing, bartering, ſelling, vending or expoſing to ſale any Foreign Buttons whatſoever, the Juſtices of the Peace within the Kingdom of England, Dominion of Wales, or Port or Town of Berwick upon Tweed, within their ſeveral and reſpective Counties, Cities and Towns Corporate, have the ſame Authority and Power, and the ſame Authority and Power is hereby given unto the ſaid Juſtices, to iſſue forth their Warrants to ſeize, or cauſe to be ſeized all Foreign Buttons whatſoever, as by the ſaid Act is given unto them for the ſeizing of Foreign Buttons made of Thread or Silk, and other the Manufactures in the ſaid Act mentioned.

Juſtices of Peace power to ſeize.

CAP. XI.

An Act for Examining, Taking and Stating the Publick Accounts of this Kingdom. EXP.
Revived by 5 & 6 W.& M. cap.23. till *Apr.*1695.

CAP. XII.

An Act to make Pariſhioners of the Church United Contributors to the Repairs and Ornaments of the Church to whom the Union is made.

I. Whereas by an Act of Parliament made in the Seventeenth year of the Reign of King Charles the Second of bleſſed Memory, proviſion was made for the Uniting Churches in Cities and Towns Corporate; And foraſmuch as it is highly reaſonable that Pariſhioners of Pariſhes whoſe Churches are demoliſhed, and either before or afterwards United to other Churches, ſhould be Contributors towards the Repairs and other Parochial Charges of ſuch other Church, to which by virtue of the ſaid Act they are united:

Preamble.
17 Car.2. 3.

II. Therefore be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That where any Churches heretofore have been, or hereafter ſhall be united by virtue of the ſaid Act, and one of the ſaid Chucches ſo united was at the time of ſuch Union, or ſhall afterwards be demoliſhed, that in all ſuch Caſes, as often as the Church which was or ſhall be made the Church Preſentative, and to which the Union was or ſhall be made, ſhall be out of Repair, or there ſhall be need of decent Ornaments for the performance of Divine Service therein, That the Pariſhioners of the Pariſh whoſe Church ſhall then be down or demoliſht, ſhall bear and pay towards the charges of ſuch Repairs and decent Ornaments, ſuch ſhare and proportion as the Archbiſhop or Biſhop that ſhall make ſuch Union, ſhall by the ſame Union direct and appoint, and for want of ſuch Direction and Appointment, then one Third part of ſuch charges of the Repairs and decent Ornaments which ſhall be made or provided; And the ſame ſhall be rated, taxed and levied, and in default thereof ſuch Proceſs and Proceedings ſhall be had and made againſt him or them, as if it were for the Reparation, and finding decent Ornaments for their own Pariſh Church, if no ſuch Union had been made; Any Law, Cuſtom, Uſage or Opinion to the contrary heretofore notwithſtanding.

If two Churches be united; and one of them down, the Pariſhioners of that Church ſhall pay toward the Repairs, &c. of the other.

CAP. XIII.

An Act for puniſhing Officers and Soldiers, who ſhall mutiny or deſert Their Majeſties Service, and for puniſhing Falſe Muſters, and for the payment of Quarters. Continued by 5 & 6 W. & M.cap.15. till 1 *March* 1693.

I. Whereas the raiſing or keeping a Standing Army within this Kingdom in time of Peace, unleſs it be with conſent of Parliament, is againſt Law; And whereas it is adjudged neceſſary for their Majeſties and this preſent Parliament, That during this time of War, ſeveral of the Forces which are now on foot ſhould be continued, and others raiſed for the ſafety of this Kingdom, for the common defence of the Proteſtant Religion, and for the carrying on the War againſt France; And whereas no man may be forejudged of Life or Limb, or ſubjected to any kind of puniſhment by Martial Law, or in any other manner then by the Judgment of his Peers, and according to the known and eſtabliſhed Laws of this Realm: Yet nevertheleſs it being requiſite for the retaining ſuch Forces as are or ſhall be raiſed during this Exigence of Affairs, in their Duty, That an exact Diſcipline be obſerved, and that Soldiers who ſhall Mutiny, or ſtir up Sedition, or ſhall deſert Their Majeſties Service, be brought to a more exemplary and ſpeedy puniſhment then the uſual Forms of the Law will allow;

Preamble.

II. Be it therefore Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Tenth day of March, in the year of our Lord, One thouſand ſix hundred ninety two, every perſon being in Their Majeſties Service in the Army, and being Muſtered and in pay as an Officer or Soldier, who ſhall at any time before the Firſt day of March, in the year of our Lord, One thouſand ſix hundred ninety three, excite, cauſe or joyn in any Mutiny or Sedition in the Army, or ſhall deſert Their Majeſties Service in the Army, ſhall ſuffer death, or ſuch other puniſhment as by a Court Martial ſhall be inflicted, or being a Soldier actually Liſted in any Regiment, Troop or Company, ſhall Liſt himſelf into any other Regiment, Troop or Company, without a Diſcharge produced in writing

Puniſhment upon Soldier mutining or deſerting.

from the Captain, or the Officer Commanding the Troop or Company in which he laſt ſerved as a Liſted Soldier, ſhall ſuffer death, or ſuch other puniſhment as by a Court Martial ſhall be inflicted.

Commiſſioners may be appointed to call a Court-Martial.

III. And it is hereby further Enacted and Declared, That Their Majeſties, or the General of Their Army for the time being, may by virtue of this Act have full power and authority to grant Commiſſions to any Lieutenant General, or other Officers (not under the degree of a Field Officer or Commander in Chief of a Garriſon) from time to time to call and aſſemble Court Martials for puniſhing ſuch Offences, as aforeſaid.

Number, &c. of the Court.

IV. And it is hereby further Enacted and Declared, That no Court Martial which ſhall have power to inflict any puniſhment by virtue of this Act, for the Offences aforeſaid, ſhall conſiſt of fewer than Thirteen, whereof none to be under the degree of a Commiſſion Officer; And the Preſident of ſuch Court Martial not to be under the degree of a Field Officer, or the then Commander in Chief of the Garriſon where the Offender ſhall be tried.

Field-Officer, by whom try'd.

Court may give an Oath.

V. Provided always, That no Field Officer ſhall be tried by any Officer under the degree of a Captain, and that ſuch Court Martial ſhall have power and authority to adminiſter an Oath to any Witneſs, in order to the Examination or Trial of the Offences aforeſaid.

Soldier ſtill liable to Law.

VI. Provided always, That nothing in this Act contained, ſhall extend, or be conſtrued to exempt any Officer or Soldier whatſoever from the ordinary proceſs of Law.

Militia excepted.

VII. Provided always, That this Act, or any thing therein contained, ſhall not extend, or be any ways conſtrued to extend, to concern any the Militia Forces of this Kingdom.

Act continue a year.

VIII. Provided alſo, That this Act ſhall continue and be in force until the Firſt day of March, in the year of our Lord, One thouſand ſix hundred ninety three, and no longer.

How the Trial ſhall be in Capital Caſes.

IX. Provided always, and be it Enacted, That in all Trials of Offenders by Courts Martial, to be held by virtue of this Act, where the offence may be puniſhed by death, every Officer preſent at ſuch Trial, before any proceeding be had thereupon, ſhall take an Oath upon the Evangeliſts before the Court; And the next Juſtice of Peace, Judge Advocate, or his Deputy, or one of them, are hereby authorized to adminiſter the ſame in theſe words, (That is to ſay,) You ſhall well and truly try and determine, according to your Evidence, the Matter now before you, between our Sovereign Lord and Lady the King and Queens Majeſties, and the Priſoner to be Tried: So help you God. And no Sentence of Death ſhall be given againſt any Offender in ſuch caſe, by any Court Martial, unleſs Nine of Thirteen Officers preſent ſhall concur therein; And if there be greater number of Officers preſent, then the Judgment ſhall paſs by the concurrence of the greater part of them ſo ſworn; Which major part ſhall not be leſs than Nine, and not otherwiſe. And no Proceedings, Trial, or Sentence of Death ſhall be had or given againſt any Offender, but between the hours of eight in the Morning and one in the Afternoon.

Penalty for making falſe Certificate, to excuſe Soldiers abſence.

X. And for the preventing of fraud and deceipt in Muſtering of Soldiers, Be it further Enacted by the Authority aforeſaid, That if any perſon ſhall make or give, or procure to be made or given any falſe or untrue Certificate, whereby to excuſe any Soldiers for their abſence from any Muſter or other Service which they ought to attend or perform, upon a pretence of Sickneſs, or other cauſe, That then every ſuch perſon ſo making, giving or procuring ſuch Certificate, ſhall forfeit for every ſuch offence the Sum of Fifty pounds, and ſhall be forthwith caſhiered and diſplaced from ſuch his Office and ſhall be thereby utterly diſabled to have or hold any Military Office or Imployment within this Kingdom, or in Their Majeſties Service.

Penalty for making a falſe Muſter.

XI. And be it further Enacted by the Authority aforeſaid, That every Officer that ſhall make any falſe or untrue Muſter of Man or Horſe, and every Commiſſary, Muſter-maſter, and other Officer that ſhall allow or ſign the Muſter-Roll wherein ſuch falſe Muſter is contained, or any Duplicate thereof, upon proof thereof upon Oath made by two Witneſſes before a Court Martial, to be thereupon called (which is hereby authorized and requireed to adminiſter ſuch Oath) ſhall for ſuch their offence be forthwith caſhiered and diſplaced from ſuch their Office, and ſhall be thereby utterly diſabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in Their Majeſties Service, and ſhall likewiſe forfeit the Sum of One hundred pounds.

Commiſſary, &c. muſt give notice to the Mayor, when he deſigns a Muſter.

XII. And be it further Enacted by the Authority aforeſaid, That every Commiſſary or Muſter-maſter, upon any Muſter to be made, had or taken by him or them, ſhall, by a convenient time before ſuch Muſter made, give notice to the Mayor or other Chief Magiſtrate or Officer of the place where the Soldiers ſo to be muſtered ſhall be quartered, who are hereby required to be preſent at every ſuch Muſter, and give his utmoſt aſſiſtance for the diſcovering any falſe or untrue Muſter there made, or offered to be made: And that every ſuch Commiſſary or Muſter-maſter, making or taking ſuch Muſter, that ſhall neglect to give ſuch Notice, as aforeſaid, or ſhall refuſe to take the aid and aſſiſtance of ſuch Mayor, Chief Magiſtrate or Officer where the Soldiers ſo to be muſtered ſhall be quartered, ſhall forfeit the Sum of Fifty pounds, and be diſcharged from his Office; and no Muſter-Roll ſhall be allowed, unleſs the ſame be ſigned by ſuch Mayor or other Chief Magiſtrate or Officer reſpectively.

Penalty upon Commiſſary.

Muſter-Roll not ſigned by Mayor, void.

Puniſhment upon perſon falſly muſter'd.

XIII. And alſo be it further Enacted by the Authority aforeſaid, That if any perſon ſhall be falſly muſtered, or offer himſelf falſly and deceitfully to be muſtered, every ſuch perſon upon proof thereof made upon Oath by two Witneſſes before the next Juſtice of the Peace of the County where ſuch muſter ſhall be made, and every ſuch perſon ſo falſly muſtered, or offering to be falſly muſtered, upon Certificate thereof in Writing under the

Hand of the Commiſſary of the Muſters, or Chief Magiſtrate, as aforeſaid, made to ſuch Juſtice of the Peace, the ſaid Juſtice is thereupon, and is hereby authorized and required to Commit ſuch Offender to the Houſe of Correction, there to remain for the ſpace of Ten days, and to have his Ear cut off by the Goaler or Keeper of ſuch Houſe of Correction. And if any perſon ſhall wittingly or willingly lend or furniſh a Horſe to be muſtered, which ſhall not truly belong to the Trooper or Troop ſo muſtered, the ſaid Horſe ſo falſly muſtered ſhall be forfeited to the Informer, if the ſame doth belong to the perſon lending or furniſhing the ſaid Horſe, or otherwiſe the perſon lending or furniſhing the ſaid Horſe, ſhall forfeit the Sum of Twenty pounds upon Oath made by two Witneſſes before the next Juſtice of the Peace.

Penalty upon perſon lending a Horſe to Muſter.

XIV. And be it alſo further Enacted by the Authority aforeſaid, That the ſaid Forfeiture ſhall be to ſuch perſon or perſons that ſhall Inform, immediately to be paid out of the Arrears of ſuch Officers Pay as ſhall knowingly ſo offend, upon Conviction before the Court Martial, by Order of the ſaid Court to the Pay-maſter, if ſuch Officer ſo offending ſhall have any Arrear, and if there ſhall be no Arrear the Court Martial ſhall immediately give order to ſeize the Goods of ſuch Officer ſo offending, and ſell them for payment of ſuch forfeiture to the Informer, rendring the overplus to the Owner; And if ſuch Officer ſo offending ſhall have no Goods, That then he ſhall be ſent to the Common Gaol, there to remain without Bail or Mainprize for the ſpace of Six months. And the ſaid Court Martial is hereby obliged to diſcharge ſuch Informer, if a Soldier, from any further Service, if he ſhall demand the ſame.

Penalty upon the Officer given to Informer, and how levy'd.

Soldier informing diſmiſſed upon demand.

XV. And be it further Enacted, That if any Pay-maſter, Agent, or Clerk of any Regiment, Troop or Company, ſhall wilfully detain or withhold, by the ſpace of One month, the Pay of any Officer or Soldier (Cloaths and all other juſt Allowances being deducted) after ſuch Pay ſhall be by him or them received, or if any Officers having received their Soldiers Pay, ſhall refuſe to pay each reſpective Common Soldier their reſpective Pay when it ſhall become due, at the rate of Seventeen ſhillings and Six pence a Week for each Corporal of Light Horſe, Fourteen ſhillings a Week for each Trumpeter and private Trooper, Eight ſhillings and Two pence a Week for each Dragoon, Seven ſhillings a Week to each Serjeant, Five ſhillings a Week to each Corporal and Drummer, and Four ſhillings a Week to each private Soldier of Their Majeſties two Regiments of Foot-Guards, and Six ſhillings a Week to each Serjeant, Four ſhillings and Six pence a Week to each Corporal and Drummer, and Three ſhillings a Week for each Foot Soldier of the Army; And alſo over and above the ſaid Three ſhillings by the Week, at the end of every two Months ſhall account for Six pence by the Week to each Foot Soldier of the ſaid Army, the ſaid Six pence per Week being the remainder of the Subſiſtence of each Foot Soldier; That upon proof thereof before a Court Martial, as aforeſaid, every ſuch Pay-maſter, Agent, Clerk and Officer ſo offending, ſhall be diſcharged from his Employment, and ſhall forfeit to the Informer, upon conviction before the ſaid Court Martial, one Hundred pounds, to be raiſed, as aforeſaid, and ſhall be thereby utterly diſabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in their Majeſties Service, and the Informer, if a Soldier, if he demand it, ſhall be, and is hereby diſcharged of any further Service; Any thing in this Act contained to the contrary notwithſtanding.

Puniſhment upon Agent, &c. not paying the Soldiers their Money.

The ſeveral Rates of the Soldiers.

Soldier informing diſmiſs'd.

XVI. And it is hereby enacted and declared, That the Commanding Officer of every Troop or Company at the time of Muſter, ſhall bring in a Certificate ſigned of the Names of ſuch perſons as are ſick, or have leave to be abſent upon Furlows, and of ſuch perſons as are dead and deſerted ſince the laſt Muſter, with the days of their deaths or deſertions: And if ſuch Certificate ſhall prove falſe, upon conviction thereof before a Court Martial, the Officer ſigning ſuch Certificate, ſhall ſuffer ſuch penalties, and in ſuch manner as is declared and inflicted by this Act upon thoſe that make falſe Muſters.

Penalty upon Commander falſly certifying names of ſick, &c.

XVII. And it is hereby further Enacted, That if any Officer ſhall muſter any perſon that is a Servant, or receives Wages from any Officer, or that ſhall attend any Officer as a Servant in the abſence of the ſaid Officer from his Quarters, or ſhall muſter any perſon by a wrong Name knowingly, upon conviction thereof before a Court Martial, the ſaid Officer or Commiſſary ſhall ſuffer ſuch penalties, and in ſuch manner as is inflicted and declared by this Act, upon thoſe that ſhall make Falſe Muſters.

Penalty for muſtering Servant.

XVIII. And whereas by the Petition of Right, in the Third year of King Charles the Firſt, It is enacted and declared, That the People of this Land are not by the Laws to be burthen'd with the ſojourning of Soldiers againſt their Wills: And by a Clauſe in one Act of Parliament, made in the One and thirtieth year of the Reign of King Charles the Second, For Granting a Supply to His Majeſty of Two hundred and ſix thouſand four hundred and ſixty two pounds Seventeen ſhillings and Three pence, for paying and disbanding the Forces; It is declared and enacted, That no Officer Military or Civil, nor any other perſon whatſoever, ſhall from thenceforth preſume to place, quarter or billet any Soldier or Soldiers, upon any Subject or Inhabitant of this Realm, of any degree, quality or profeſſion whatſoever without his conſent; and that it ſhall and may be lawful for any ſuch Subject, Sojourner and Inhabitant, to refuſe to quarter any Soldier or Soldiers, notwithſtanding any Command, Order, Warrant or Billeting whatſoever. But foraſmuch as at this preſent time there is a War againſt France, whereby there is occaſion for the Marching of many Regiments, Troops and Companies in ſeveral parts of this Kingdom towards the Sea-coaſts and otherwiſe, Be it further enacted by the Authority aforeſaid, That for and during the continuance of this Act, and no longer, it ſhall and may be lawful for the Conſtables, Tythingmen, Headboroughs, and other chief Officers and Magiſtrates of Cities, Towns and Villages, and other places in the Kingdom of England, Dominion

By 3 Car. & 31 Car. 2. 1. Soldiers were to be quarter'd upon no perſons.

Conſtables, &c. may during the War quarter Soldiers upon Alehouſes, &c.

Of

More Billets than Soldiers.

Remedy by Owner againſt Conſtable.

Penalty upon Military Officer threatning the Conſtable.

of Wales, and Town of Berwick upon Tweed, and for no others, to quarter and billet the Officers and Soldiers in their Majeſties Service in Inns, Livery Stables, Ale-houſes, Victualling-houſes, and all Houſes ſelling Brandy, Strong Waters, Cyder or Metheglin by Retail, to be drunk in their Houſes, and no other, and in no Private Houſes whatſoever; Nor ſhall any more Billets at any time be ordered then there are effective Soldiers preſent to be quartered; And if any Conſtable, Tythingman, or ſuch like Officer or Magiſtrate, as aforeſaid, ſhall preſume to quarter or billet any ſuch Officer or Soldier in any Private Houſe, without the conſent of the Owner or Occupier, in ſuch caſe ſuch Owner or Occupier ſhall have his or their Remedy at Law againſt ſuch Magiſtrate or Officer, for the damage that ſuch Owner or Occupier ſhall ſuſtain thereby; And if any Military Officer ſhall take upon him to quarter Soldiers, otherwiſe then is limited and allowed by this Act, or ſhall uſe or offer any menace or compulſion, to or upon any Mayors, Conſtables or other Civil Officers before-mentioned, tending to deter or diſcourage any of them from performing any part of their Duty hereby required or appointed, ſuch Military Officer ſhall, for every ſuch Offence, being thereof convicted before any two or more Juſtices of the Peace next adjoyning, by the Oath of two credible Witneſſes, and the ſaid Juſtices Certificate thereof to the Judge Advocate, who is hereby obliged to certifie the ſame to the Court Martial, upon ſuch Certificate, be deemed and taken to be ipſo facto caſhiered, and ſhall be utterly diſabled to have or hold any Military Employment within this Kingdom, or in Their Majeſties Serviſe.

Juſtices in Seſſions, to aſſeſs the Rates of Quarters.

XIX. Provided nevertheleſs, and it is hereby Enacted, That the Officers and Soldiers ſo quartered and billeted, as aforeſaid, ſhall pay ſuch reaſonable Prices as ſhall be appointed from time to time, by the Juſtices of the Peace in their Quarter Seſſions of each County, City or Diviſion, or place within their reſpective Juriſdictions. And the Juſtices of the Peace aforeſaid, are hereby impowred and required to ſet and appoint in their Quarter Seſſions aforeſaid, ſuch reaſonoble Rates for all neceſſary Proviſions for ſuch Officers and Soldiers, for one or more Nights in their marching through their Cities, Towns, Villages and other places, and for the firſt Night only in ſuch places as ſhall be appointed for their reſidence or quarters.

Puniſhment upon Officer excuſing quartering for Money.

XX. Provided always, and be it Enacted, That if any Officer ſhall take or cauſe to be taken, or knowingly ſuffer to be taken, any money of any perſon, for excuſing the quartering of Officers or Soldiers, or any of them, in any Houſe allowed by this Act, every ſuch Officer ſhall be caſhiered and made incapable of ſerving in any Military Employment whatſoever.

No Pay-Maſter, &c. ſhall deduct, except for Cloaths, &c.

XXI. And be it further Enacted, by the Authority aforeſaid, That from and after the Tenth day of March, One thouſand ſix hundred ninety two, no Pay-maſter of the Army, Secretary of War, Commiſſary or Muſter-maſter, or their under Officers, ſhall receive any Fees, or make any deductions whatſoever out of the pay of any Officer or Soldier in Their Majeſties Army, or from their Agents, which ſhall grow due from and after the Tenth day of March, One thouſand ſix hundred ninety two, other then the uſual deductions for Cloathing, and the Twelve pence in the Pound, to be diſpoſed as their Majeſties ſhall think fit, and the one Days pay in the year for the uſe of the Royal Hoſpital at Chelſey.

This Act read at every Muſter.

XXII. And be it further Enacted, That this Act ſhall be read at the Head of every reſpective Regiment, Troop or Company, at every reſpective Muſter, by the Commiſſary or Muſter-maſter, before ſuch Muſter ſhall be made, that no Soldier may pretend Ignorance.

Officers to pay off the Soldiers Accounts out of the Subſiſtence Money, except they exceed the Rates ſet.

The Rates.

Remedy againſt Officer not paying.

XXIII. And that the Quarters both of Officers and Soldiers may hereafter be duly paid and ſatisfied, and Their Majeſties Duties of Exciſe be better anſwered, Be it Enacted by the Authority aforeſaid, That from and after the Tenth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety two, every Officer or Officers to whom it belongs to receive, or that does actually receive the Pay or Subſiſtence-money either for a whole Regiment, or particular Troops or Companies, or otherwiſe, ſhall immediately, upon each Receipt of every particular Sum which ſhall from time to time be paid, returned, or come to his or their hands on account of Pay or Subſiſtence, give publick Notice thereof to all perſons keeping Inns, or other places where Officers and Soldiers are quartered by virtue of this Act, and ſhall alſo appoint the ſaid Inn-keepers and others to repair to their Quarters at ſuch times as they ſhall appoint for the diſtribution and payment of the ſaid Pay or Subſiſtence-money to the Officers and Soldiers, which ſhall be within Four days at furtheſt after the Receipt of the ſame, as aforeſaid; And the ſaid Inn-keepers and others ſhall then and there acquaint ſuch Officer or Officers with the Accounts or Debts (if any ſhall be) between them and the Officers and Soldiers ſo quartered in their reſpective Houſes, which Accounts the ſaid Officer or Officers are hereby required to accept of, and immediately pay the ſame before any part of the ſaid Pay or Subſiſtence be diſtributed either to the Officers or Soldiers. Provided the ſaid Accounts exceed not for a Commiſſion Officer of Horſe, being under the degree of a Captain, for ſuch Officers Diet and Small Beer, and Hay and Straw for his Horſe per diem Two ſhillings; Nor for one Commiſſion Officer of Dragoons, being under the degree of a Captain, for ſuch Officers Diet and Small Beer, and Hay and Straw for his Horſe, per diem One ſhilling ſix pence; Nor for one Commiſſion Officer of Foot, under the degree of a Captain, for ſuch Officers Diet and Small Beer per diem, One ſhilling; And if ſuch Officer ſhall have Horſe or Horſes, for each ſuch Horſe or Horſes per diem Six pence; Nor for one Light Horſeman's Diet and Small Beer, and Hay and Straw for his Horſe, per diem One ſhilling; Nor for one Dragoons Diet and Small Beer, and Hay and Straw for his Horſe, per diem Nine pence; Nor for one Foot Soldier's Diet and Small Beer per diem Four pence: And if any Officer or Officers, as aforeſaid, ſhall not give notice, as aforeſaid, and ſhall not imme-

diately

diataly upon the producing ſuch Accounts ſtated, ſatisfie, content and pay the ſame, upon Complaint and Oath made thereof by any two credible Witneſſes at the next Quarter Seſſions for the County or City where ſuch Quarters were (which Oath the Juſtices of Peace at ſuch Seſſions, are hereby required and authorized to adminiſter) the Pay-maſter or Pay-maſters of Their Majeſties Forces are hereby required and authorized, upon Certificate of the ſaid Juſtices (before whom ſuch Oath was made of the Sums due upon ſuch Accounts, and the perſons to whom the ſame is owing,) to ſatisfie and pay the ſaid Sums out of the Arrears due to the ſaid Officer or Officers, upon penalty that ſuch Pay-maſter or Pay-maſters ſhall forfeit and loſe their reſpective place or places, as Pay-maſter or Pay-maſters, and be diſabled from holding the ſame for the future; And in caſe there ſhall be no Arrear due to the ſaid Officer or Officers, then the ſaid Pay-maſter or Pay-maſters are hereby required and authorized to deduct the Sums he or they ſhall pay, purſuant to the Certificate of the ſaid Juſtices, out of the next Pay or Subſiſtence-money of the Regiment, to which ſuch Officer or Officers ſhall belong; And ſuch Officer or Officers ſhall for ſuch their Offence, or for neglecting to give notice of the Receipt of ſuch Pay of Subſiſtence-money, as aforeſaid, be deemed and taken, and are hereby declared ipſo facto caſhiered; And where it ſhall happen that the Subſiſtence due to any Officer or Soldier ſhall, by reaſon of any Accident, not be paid to ſuch Officer or Soldier, or ſuch Officer or Soldier ſhall neglect to pay the ſame, ſo that the Quarters cannot be, or are not paid as this Act directs; And where any Horſe, Foot or Dragoons ſhall be upon their march, ſo that no Subſiſtence can at preſent be remitted unto them, to make payment as this Act directs, or they ſhall neglect to pay the ſame; In every ſuch caſe it is hereby further Enacted, That every ſuch Officer ſhall before his or their departure out of his or their Quarters, where ſuch Regiment, Troop or Company ſhall remain for any time whatſoever, make up the Account, as this Act directs, with every perſon with whom ſuch Regiment, Troop or Company hath quartered, before he leave that Quarter, and give the ſaid Certificate by him ſigned, to the party to whom ſuch Money is due, with the Name of ſuch Regiment, Troop or Company to which he or they ſhall belong, to the end the ſaid Certificate may be forthwith tranſmitted to the Pay-maſter or Pay-maſters of his Majeſties Army, who is, or are hereby required immediately to make payment thereof to the perſon or perſons to whom ſuch Money ſhall be due, to the end the ſame may be applied to ſuch Regiment, Troop or Company reſpectively, under pain, as is before in this Act directed for Non-payment of Quarters.

Where they have no Subſiſtence-Money, &c. the Officer muſt ſign the Account and the Pay-Maſter of the Army ſhall pay it.

XXIV. And be it further Enacted, That no Commiſſary ſhall muſter any Forces within the City of Weſtminſter, and Borough of Southwark and Liberties thereof, but in the preſence of Two Juſtices of the Peace, not being Officers in the Army, under the forementioned penalty.

Muſters in Weſtminſter, &c. made before two Juſtices.

XXV. And be it further Enacted by the Authority aforeſaid, That this Act ſhall be conſtrued to extend to the Iſlands of Jerſey and Guernſey, as to the Clauſes therein for Muſtering and Paying, and the penalties thereunto belonging.

Jerſey, &c. within the Act.

XXVI. Provided always, and be it further Enacted, That all Cloaths, Arms and Accoutrements of War belonging to the Horſe, Foot and Dragoons in Their Majeſties Pay and Service, who receive Engliſh Pay, ſhall be bought in the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, and not elſewhere: And every Officer or perſon who ſhall offend herein (upon Proof made in that behalf) ſhall be caſhiered.

Cloaths, &c. to be bought in England.

XXVII. And be it further Enacted by the Authority aforeſaid, That the Commiſſary General of the Muſters, or his Deputies, ſhall upon every Muſter taken by him or them reſpectively, of any Regiment, Troop or Company in Their Majeſties Service, cloſe the Muſter Rolls of the ſaid Regiment, Troop or Company, upon the place, the ſame day the ſaid Muſter is taken, and ſhall return one of every the ſaid Rolls ſo taken in Parchment, to the Pay-maſter General of Their Majeſties Forces, the next day after the ſaid Rolls ſhall be reſpectively cloſed, if in London or within Twenty Miles diſtance from the ſame; and if at further diſtance, by the next Poſt, after the Rolls ſhall be ſo reſpectively cloſed, upon pain of forfeiting their reſpective Employments.

Muſter-Maſter to return a Roll of the Muſter to the Pay-Maſter-General.

XXVIII. And it is further Enacted by the Authority aforeſaid, For the better and more regular proviſion of Carriages for Their Majeſties Forces in their Marches in this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, That all Juſtices of the Peace within their ſeveral Counties, Ridings, Diviſions and Liberties, being duly required thereunto, by an Order from his or her Majeſty, ſhall, as often as ſuch Order is brought and ſhewn unto one or more of them (by the Quarter-maſter, Agent, or other Officer of the Regiment, Detachment, Troop or Company then marching) iſſue out his or their Warrants to the Conſtables or Petty Conſtables of the Diviſion, Riding, Liberty or Hundreds next adjacent, requiring them to make ſuch proviſion of Carriages as is mentioned in the ſaid Warrant, allowing them ſufficient time to do the ſame, that the Neighbouring parts may not always bear the burthen. And the aforeſaid Officer or Officers, who by virtue of the aforeſaid Warrant from the Juſtice of the Peace, do demand the Carriage or Carriages therein meetioned of the Conſtable to whom the Warrant is directed, is, and are hereby required at the ſame time to pay down in hand to the ſaid Conſtable the Sum of Eight pence, for every Mile any Wagon with five Horſes ſhall travel loaden, and the Sum of Eight pence for every Mile any Wain with ſix Oxen, or four Oxen and two Horſes ſhall travel loaden, and the Sum of Six pence for every Mile any Cart with four Horſes ſhall travel loaden, and ſo in proportion for leſſer Carriages. And if any Military Officer or Officers, for the uſe of whoſe Troop or Company the Carriage was provided, ſhall force and conſtrain any Wagon, Wain, Cart or Carriage, to travel more than One days journey, or ſhall not diſcharge the ſame in

Juſtices may order Conſtables to provide Carriages.

Rates of Carriages.

Penalty upon Officer not diſcharging Carriage in due time, &c.

due time for their return home, or ſhall ſuffer or connive at his or their Soldiers or Servants (Except ſuch who are ſick or wounded) or any Women to ride in the Wagon, Wain, Carts or Carriage aforeſaid, or ſhall force any Conſtable or Petty Conſtable by threatning and menacing Words to provide Saddle-Horſes for themſelves or Servants, or ſhall force Horſes from the Owners by themſelves, Servants or Soldiers, ſhall for every ſuch offence forfeit the Sum of Five pounds, proof thereof being made upon Oath before two of Their Majeſties Juſtices of the Peace of the ſame County or Riding, who are to certifie the ſame to the Pay-maſter General of Their Majeſties Forces, who is hereby required to pay the aforeſaid Sum of Five pounds, according to the Order and Appointment under the Hands and Seals of the aforeſaid Juſtices of the Peace, who are hereby impowred to deduct the ſame out of ſuch Officers Pay.

Penalty upon Officers quartering Wives, &c.

XXIX. And whereas great abuſes are frequently committed by the liberty taken by ſome Officers and Soldiers to quarter their Wives, Children and Maid Servants in their Quarters, contrary to the purport and meaning of this Act, Be it Enacted by the Authority aforeſaid, That if any Officer, Military or Civil, by this Act authorized to quarter Soldiers in any Houſes hereby appointed for that purpoſe, ſhall at any time during the continuance of this Act, quarter any of the Wives, Children or Maid Servants of Officer or Soldier, in any ſuch Houſes, againſt the conſent of the Owners, the party offending, if Officer or Soldier of the Army, ſhall upon complaint and proof thereof made to the Commander in Chief of the Army, or Judge Advocate, be *ipſo facto* caſhiered; and if a Conſtable, Tythingman, or other Civil Officer, he ſhall forfeit to the party grieved, the Sum of Twenty ſhillings, upon complaint and proof thereof made to the next Juſtice of Peace of the place, to be levied by Warrant of ſuch Juſtice, by diſtreſs and ſale of his Goods, rendring the overplus to the party, after deduction of reaſonable Charges in taking the ſame.

Penalty upon Officer for his, or his Soldiers deſtroying the Game.

XXX. And foraſmuch as the Game has of late years been very much deſtroyed by the Officers and Soldiers in or near ſuch places as they have been quartered in, Be it therefore Enacted by the Authority aforeſaid, That if from and after the ſaid Tenth day of March, One thouſand ſix hundred ninety two, any Officer or Soldier ſhall without the leave of the Lord of the Mannor under his Hand and Seal firſt had and obtained, take, kill or deſtroy any Hare, Coney, Pheſant, Partridge, Pigeon, or any other ſort of Fowl or Poultrey, or Fiſh, or Their Majeſties Game within the Kingdom of England, and Dominion of Wales, and Town of Berwick upon Tweed, and upon complaint thereof, ſhall be upon Oath, of one or more Witneſs or Witneſſes, convicted before any Juſtice or Juſtices of the Peace who is, and are hereby impowred and authorized to hear and determine the ſame, (that is to ſay) Every Officer ſo offending, ſhall for every ſuch offence forfeit the Sum of Five pounds, to be diſtributed amongſt the Poor of the place where ſuch offence ſhall be committed; And every Officer commanding in Chief upon the place, for every ſuch offence committed by any Soldier under his Command, ſhall forfeit the Sum of Ten ſhillings, to be paid and diſtributed in like manner as aforeſaid; And in caſe, upon ſuch Conviction made by the Juſtice of Peace, and demand thereof alſo made by the Conſtable or Overſeer of the Poor, ſuch Officer ſhall refuſe or neglect, and not within Two days pay the ſaid reſpective penalties, ſuch Officer ſo refuſing or neglecting, ſhall, and is hereby declared to have forfeited his Commiſſion; And his ſaid Commiſſion is hereby made null and void.

How Accounts are to be kept betwixt Pay-maſter of the Army, and Colonel of every Regiment, &c.

XXXI. And be it Enacted, That there ſhall be an exact account of all Money due according to the Muſter Rolls, to every Regiment in Their Majeſties Service, made upon the Firſt day of July, in the year of our Lord, One thouſand ſix hundred ninety three, or ſix days after, between the Pay-maſter General of the Army for the time being, and Colonel of every ſuch Regiment, or the Agent by ſuch Colonel reſpectively appointed and authorized to receive the Pay thereof from the Firſt of March in the year of our Lord, One thouſand ſix hundred ninety two, to the laſt of April, One thouſand ſix hundred ninety three, both incluſive, and ſo ſucceſſively from time to time, when Four Months become due an Account ſhall be ſtated, as aforeſaid, for the two preceding Months; And after the ſaid Account ſhall be ſo made up and perfected, it ſhall be Regiſtred in a Book to be kept for that purpoſe in the Pay-Office, and there ſubſcribed by ſuch Pay-maſter General or his Deputy, and the Colonel or Agent of the Regiment, who together with the ſaid Pay-maſter made up the ſame; And a Duplicate thereof by them reſpectively ſigned ſhall be given to the ſaid Colonel or Agent, without any Fee or Reward to be paid for the ſame; Which Colonel or Agent ſhall deliver to each Captain of the Regiment, an Account of ſo much thereof as reſpectively appertaineth to him, and his Troop or Company, and the inferior Officers and Soldiers thereof; And the Ballance which ſhall remain upon making up every ſuch Account, as aforeſaid, and alſo all other Money as ſhall then become due to every ſuch Regiment, ſhall be by the ſaid Pay-maſter General paid to the ſaid Colonel or Agent reſpectively, at ſuch time as His or Her Majeſty ſhall direct; And the Pay-maſter General for the time being offending herein, ſhall loſe and forfeit for every ſuch offence, the Sum of One hundred pounds to any perſon or perſons who will ſue for the ſame in any of Their Majeſties Courts of Record; and if any Deputy of the ſaid Pay-maſter, or any Agent of a Regiment ſhall offend in the premiſſes, upon proof thereof made at a Court Martial, ſuch Deputy or Agent ſhall *ipſo facto* loſe his place; And if any Colonel of a Regiment ſhall offend therein, ſuch Colonel ſhall forfeit for every ſuch offence the Sum of One hundred pounds to any perſon or perſons who will ſue for the ſame, to be recovered, as aforeſaid.

Penalty for offending.

Warrant to take off Reſpits ſigned by the Treaſurer.

XXXII. And be it further Enacted by the Authority aforeſaid, That no Warrant to take off the Reſpits from any Muſter Rolls ſhall be allowed by any Pay-maſter, during the continuance of this Act, unleſs the ſame be Counterſigned by the Lords Commiſſioners of Their Majeſties Treaſury, or Lord High Treaſurer of England for the time being.

CAP.

CAP. XIV.

An Act for Review of the Quarterly Poll, granted to Their Majeſties in the laſt Seſſion of this preſent Parliament. EXP.

CAP. XV.

An Act for Continuing certain Acts therein mentioned, and for charging ſeveral Joynt Stocks.

I. WE your Majeſties moſt dutiful Subjects, the Commons in Parliament aſſembled, for a further ſupply to your Majeſties for the more effectual proſecuting the preſent War againſt France, have chearfully and unanimouſly given and granted unto your Majeſties the Impoſitions and Duties hereafter mentioned, for and during the reſpective Terms hereafter expreſſed, and do beſeech your Majeſties to accept thereof, and that it may be Enacted.

Preamble.

II. And be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That the ſeveral Impoſitions and Duties upon Wines and Vinegar, granted by an Act made in the Firſt year of the late King James, Entituled, An Act for granting his Majeſty an Impoſition upon all Wines and Vinegar imported between the Four and twentieth day of *June*, One thouſand ſix hundred eighty five, and the Four and twentieth day of *June*, One thouſand ſix hundred ninety and three; Which ſaid Act, by an Act of this preſent Parliament, made in the Second year of Their Majeſties Reign, was continued from the Three and twentieth day of June, One thouſand ſix hundred and ninety three, until the Four and twentieth day of June, One thouſand ſix hundred ninety ſix, ſhall be continued from the Three and twentieth day of June, One thouſand ſix hundred and ninety ſix, until the Four and twentieth day of June, One thouſand ſix hundred and ninety eight, and no longer; And that the ſaid firſt mentioned Act, and all Powers, Proviſions, Penalties, Articles and Clauſes therein contained, ſhall continue and be of full force and effect until the ſaid Four and twentieth day of June, One thouſand ſix hundred and ninety eight, and ſhall be applied, practiſed and executed for the raiſing, levying, collecting, anſwering and paying the ſaid Duties hereby continued according to the tenor and intent of this preſent Act, as fully to all intents and purpoſes, as if all and every the Clauſes, Matters and Things in the ſaid Act contained, had been again repeated in this Act, and particularly Enacted.

Duties upon Wine and Vinegar laid on 3 Ja. 2. and continued 2 W. & M. Seſſ. 2. cap. 5. continued further till 1698.

III. And be it further Enacted by the Authority aforeſaid, That the Rates, Duties and Impoſitions for all ſorts of Tobacco, granted by an Act made in the Firſt year of the Reign of the late King James, Entituled, An Act for granting to His Majeſty an Impoſition upon all Tobacco and Sugar, Imported between the Four and twentieth day of *June*, One thouſand ſix hundred eighty five, and the Four and twentieth day of *June*, One thouſand ſix hundred ninety three, which ſaid Act (as for and concerning the ſaid Duties and Impoſitions upon Tobacco only) by an Act of this preſent Parliament, made in the Second year of Their Majeſties Reign, was continued from the ſaid Three and twentieth day of June, in the ſaid year One thouſand ſix hundred ninety three, until the Four and twentieth day of June, One thouſand ſix hundred ninety ſix, ſhall be continued from the ſaid Three and twentieth day of June, One thouſand ſix hundred and ninety ſix, until the Four and twentieth day of June, One thouſand ſix hundred and ninety eight, and no longer; And that the ſaid Act made in the Firſt year of the late King James, for granting the ſaid Impoſitions, upon Tabacco and Sugar, as for and concerning Tobacco only, and all Powers, Proviſions, Penalties, Articles and Clauſes therein contained concerning the ſaid Rates and Duties upon all ſorts of Tobacco, ſhall continue and be of full force and effect, until the ſaid Four and twentieth day of June, One thouſand ſix hundred and ninety eight; And ſhall be applied, practiſed and executed for the raiſing, levying, executing, anſwering and paying the ſaid Duties upon Tobacco hereby continued, according to the tenor and intent of this preſent Act, as fully to all intents and purpoſes, as if the ſaid Act, and all and every the Clauſes, Matters and Things therein particularly contained, had been again repeated in this Act, and particularly Enacted for this purpoſe.

Duties upon Tobacco and Sugar, granted 4 Ja. 2. and continued 2 W. & M. Seſſ. 2. cap. 5. continued till 1696.

IV. And be it further Enacted by the Authority aforeſaid, That the ſeveral Additional and other Rates, Impoſitions, Duties and Charges upon the ſeveral ſorts of Goods and Merchandize granted by an Act of this preſent Parliament made in the Second year of Their Majeſties Reign, Entituled, An Act for Granting to their Majeſties certain Impoſitions upon all *Eaſt-India* Goods and Manufactures, and upon all Wrought Silks, and ſeveral other Goods and Merchandize to be Imported after the Five and twentieth day of *December*, One thouſand ſix hundred and ninety; And which were thereby to have Continuance until the Tenth day of November, One thouſand ſix hundred ninety five, ſhall be continued from the ninth day of November, One thouſand ſix hundred ninety five, and ſhall be raiſed, levied, collected, anſwered and paid unto Their Majeſties, Their Heirs and Succeſſors, until the Tenth day of November, One thouſand ſix hundred ninety ſeven; And that the ſaid Act, Entituled, An Act for Granting to Their Majeſties certain Impoſitions upon all *Eaſt India* Goods and Manufactures, and upon all wrought Silks, and ſeveral other Goods and Merchandize to be Imported after the Five and twentieth day of *December*, One thouſand ſix hundred and ninety, and all Powers, Proviſions, Penalties, Articles and Clauſes therein contained, ſhall continue and be of full force and effect, until the ſaid Tenth day of November, One thouſand ſix hundred ninety ſeven, and ſhall be applied, practiſed and executed for the raiſing, levying, collecting, anſwering and paying the ſaid Duties hereby continued, according to the tenor and intent of this preſent Act, as fully to all

Duties upon East India **Goods, &c. granted** 2 W. & M. Seſſ. 2. cap. 4. **continued till** 1697.

intents and purpoſes, as if the ſaid laſt mentioned Act, and all and every the Clauſes, Matters and Things therein contained, had been again repeated in this Act, and enacted particularly; (Except only as to ſuch part of the ſaid Impoſitions, touching which other Proviſions or Alterations are or ſhall be made by any other Act of this preſent Seſſion of Parliament, which other Proviſions or Alterations are to be obſerved, and to continue during the continuance of this preſent Act.)

Clauſe of Credit for 500000 l. at 8 per Cent.

V. Provided always, and it is hereby Enacted, That it ſhall and may be lawful to and for any perſon and perſons, to advance and lend unto Their Majeſties, as well upon the Security of this Act, as of the ſeveral herein before-mentioned Acts, from and after the ſeveral and reſpective Sums, thereupon reſpectively charged, ſhall be fully ſatiſfied and paid, any Sum or Sums of Money, not exceeding in the whole the Sum of Five hundred thouſand Pounds, and to have and receive for the forbearance thereof, any Sum not exceeding Eight pounds by the Hundred, for one whole year, and no more directly or indirectly.

Regiſter to be kept in the Exchequer, giving out Tallies and payment of the money in courſe.

VI. And to the end that all Moneys which ſhall be lent unto Their Majeſties upon the Credit of this Act, and of the before-mentioned Acts, may be well and ſufficiently ſecured out of the Moneys ariſing and payable by this Act, or by any of the ſaid before-mentioned Acts, from and after the ſeveral Sums charged upon the ſaid Acts, or any of them at any time before the Fifth day of March, One thouſand ſix hundred ninety two, ſhall be reſpectively anſwered and paid, Be it further Enacted by the Authority aforeſaid, That there ſhall be provided and kept in Their Majeſties Exchequer (that is to ſay) in the Office of the Auditor of Receipts, one Book or Regiſter, in which all Moneys that ſhall be paid into the Exchequer by virtue of this Act, or any of the before mentioned Acts, ſhall be Entred and Regiſtred apart and diſtinct from all Moneys paid or payable to Their Majeſties upon any other branch of Their Majeſties Revenue, or any other account whatſoever. And that all and every perſon and perſons, who ſhall lend any Money to Their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his Repayment, bearing the ſame date with his Tally. In which Order ſhall be alſo contained a Warrant for payment of Intereſt for forbearance after the rate ſo to be allowed for the ſame, ſo as ſuch Intereſt do not exceed the rate of Eight pounds per Centum per Annum, for his Conſideration, to be paid every Three months, until Repayment of his Principal; And that all Orders for Repayment of Money ſhall be Regiſtred in courſe, according to the date of the Tally reſpectively, without preference of one before another. And that all and every perſon and perſons ſhall be paid in courſe, according as their Orders ſhall ſtand entred in the ſaid Regiſter Book, ſo as that the perſon, Native or Foreigner, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt Entred in the ſaid Book of Regiſter, ſhall be taken and accounted as the firſt perſon to be paid, upon the Moneys to come in by virtue of this Act, or any the before-mentioned Acts, from and after payment of the ſeveral Sums reſpectively charged upon the ſaid Acts before-mentioned; and he or they who ſhall have his or their Order or Orders next Entred, ſhall be taken and accounted the Second perſon to be paid, and ſo ſucceſſively and in courſe. And that the Moneys to come in by this Act, or by the ſaid former Acts, ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever. And that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any of Their Majeſties Subjects, for providing or making of any ſuch Books, Regiſters, Entries, Views or Search in or for payment of Money lent, or the Intereſt, as aforeſaid, by any of Their Majeſties Officer or Officers, their Clerks or Deputies, upon pain of payment of treble Damages to the party grieved by the party offending, with Coſts of Suit, or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his place alſo. And if any undue preference of one before another ſhall be made either in point of Regiſtry or Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſts to the party grieved, and ſhall be forejudged from his Place or Office; And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office; And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due place and order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts in ſuch manner, as aforeſaid: All which ſaid Penalties, Forfeitures, Damages and Coſts to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of Their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint ſhall be in any wiſe granted or allowed.

VII. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt to be Regiſtred, then it ſhall be interpreted no undue Preference which of thoſe he Enters firſt, ſo he Enters them all the ſame day.

VIII. Provided

VIII. Provided alſo, That it ſhall not be interpreted any undue preference to incur any penalty in point of payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders of perſons that come and demand their money, and bring their Orders before other perſons that did not come to demand their moneys, and bring their Orders in their courſe, ſo as there be ſo much money reſerved as will ſatiſfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them; Intereſt upon Loan being to ceaſe from the time the money is ſo reſerved and kept in Bank for them.

Manner of Tranſferring.

IX. And be it further Enacted by the Authority aforeſaid, That every perſon or perſons to whom any moneys ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter for payment thereof, his Executors, Adminiſtrators or Aſſigns by indorſment of his Order, may aſſign and tranſfer his right, title, intereſt and benefit of ſuch Order, or any part thereof, to any other, which being notified in the Office of the Auditor of Receipts aforeſaid, and an entry and memorial thereof alſo made in the Book of Regiſter aforeſaid, for Orders (which the Officers ſhall upon requeſt, without Fee or Charge, accordingly make) ſhall entitle ſuch Aſſignee his Executors, Adminiſtrators and Aſſigns to the benefit thereof, and payment thereon; And ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties, and afterwards it ſhall not be in the power of ſuch perſon or perſons who have, or hath made ſuch Aſſignments to make void, releaſe or diſcharge the ſame, or any the moneys thereby due, or any part thereof.

Five pounds per Cent. upon Eaſt India Stocks.

X. And be it further Enacted by the Authority aforeſaid, That the ſeveral Rates and Sums of money herein after mentioned ſhall be anſwered and paid to Their Majeſties, that is to ſay, There ſhall be anſwered to Their Majeſties the Sum of Five pounds for every Hundred pounds of the Joynt Stock of the Eaſt India Company, the ſaid Joynt Stock being valued at the rate of Seven hundred forty four thouſand pounds, the ſame to be paid by the Governour and Treaſurer of the ſaid Eaſt India Company, by four equal Quarterly payments; the firſt payment to be made upon the Five and twentieth day of March, One thouſand ſix hundred ninety and three, and to be deducted from the ſeveral perſons intereſted in the ſaid Joynt Stock, according to their ſeveral ſhares and proportions therein, upon their next Dividends.

Twenty ſhillings upon African Shares.

XI. And be it further Enacted, That for every ſhare in the Joynt Stock of the Royal African Company, according as the number of Shares are now reckoned and computed, there ſhall be anſwered and paid to Their Majeſties the Sum of Twenty ſhillings, the ſame to be paid by the Governour and Treaſurer of the ſaid Royal African Company, by four equal quarterly payments, the Firſt payment to be made upon the ſaid Five and twentieth day of March, One thouſand ſix hundred ninety and three, and to be deducted according to the ſeveral ſhares and proportions of the Members of the ſaid Company, in the Joynt Stock thereof, upon their next Dividends.

Five pounds upon Hudſons-Bay Shares.

XII. And be it further Enacted by the Authority aforeſaid, That for every ſhare in the Joynt Stock of the Hudſons-Bay Company, according as the number of ſhares are now reckoned and computed, there ſhall be anſwered and paid to Their Majeſties the Sum of Five pounds, the ſame to be paid by the Governour and Treaſurer of the ſaid Hudſons-Bay Company, by four equal Quarterly payments, the firſt payment to be made upon the ſaid Five and twentieth day of March, One thouſand ſix hundred ninety and three, and to be deducted according to the ſeveral ſhares and proportions of the Members of the ſaid Company in the Joynt Stock thereof, upon their next Dividends. And in caſe the Governours and Treaſurers of the ſaid reſpective Companies ſhall make default in payment of the ſaid ſeveral Sums, or any of them reſpectively, charged on the Stocks of the ſaid Companies, at the days and times aforeſaid, according to the true intent of this Act, the Charter of ſuch Company reſpectively, ſhall be, and is hereby adjudged to be void.

Perſon intereſted only to ſwear to Debenture for Rebate.

XIII. And be it further Enacted by the Authority aforeſaid, that from and after the Sixth day of April, One thouſand ſix hundred ninety and three, no perſon be admitted to ſwear to a Debenture for any Duties to be drawn back upon Re-exportation, but he who is the true Exporter, as being either intereſted in the propriety and hazard of the Goods on the Exportation, or as being employed by Commiſſion, is concerned in the Direction of the Voyage, ſo as to be able to judge that the Goods are really and bona fide exported, and not landed, nor intended to be Re-landed in the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed.

Five hundred pounds penalty upon perſon inſuring to import prohibited Goods, or Goods without Cuſtom.

XIV. And whereas it is found by Experience, That great quantities of Goods are daily Imported from Foreign parts in a fraudulent and clandeſtine manner, without paying the Cuſtoms and Duties due and payable to Their Majeſties, and the ſame hath of late been much increaſed and promoted by Ill men, who, notwithſtanding the Laws already made, do undertake, as Inſurers or otherwiſe, to deliver ſuch Goods ſo clandeſtinely Imported at their charge and hazard, into the Houſes, Ware-houſes, or poſſeſſion of the Owners thereof. For the preventing ſo great a miſchief, be it Enacted by the Authority aforeſaid, That all and every perſon or perſons whatſoever, who by way of Inſurance or otherwiſe, ſhall undertake or agree to deliver any Goods or Merchandizes whatſoever, to be imported from parts beyond the Seas, at any Port or place whatſoever within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, without paying the Cuſtoms and Duties that ſhall be due and payable for the ſame at ſuch Importation, or any prohibited Goods whatſoever, or in purſuance of ſuch Inſurance, Undertaking or Agreement, ſhall deliver, or cauſe or procure to be delivered any prohibited Goods, or ſhall deliver, or cauſe or procure to be delivered, any Goods or Merchandizes whatſoever, without paying ſuch Duties and Cuſtoms, as aforeſaid, knowing thereof, and all and every their Aiders, Abettors and Aſſiſtants, ſhall for every ſuch Offence forfeit and loſe the Sum of Five hundred Pounds over and above all other Forfeitures and Penalties to which they are liable by any Act already in force.

Five hundred pounds penalty upon Perſon who ſhall be ſo inſured.

XV. And be it further Enacted by the Authority aforeſaid, That all and every perſon or perſons whatſoever, who ſhall agree to pay any Sum or Sums of Money for the inſuring or conveying any Goods or Merchandizes that ſhall be ſo imported, without paying the Cuſtoms and Duties due and payable at the Importation thereof, or of any prohibited Goods whatſoever, or ſhall receive or take ſuch prohibited Goods into his or their Houſe, or Warehouſe or other place on Land, or ſuch other Goods, before ſuch Cuſtoms and Duties are paid, knowing thereof, ſhall alſo for every ſuch offence forfeit and loſe the like Sum of Five hundred pounds, the one half of the ſaid Forfeitures to be to Their Majeſties, and the other half to the Informer, or ſuch perſon or perſons as ſhall ſue for the ſame.

Reward to Inſurer, diſcovering.

XIV. And be it further Enacted by the Authority aforeſaid, That if the Inſurer, Conveyer or Manager of ſuch Fraud be the diſcoverer of the ſame, he ſhall not only keep and enjoy the Inſurance Money or Reward given him, and be diſcharged of the penalties to which he is liable by reaſon of ſuch Offence, but ſhall alſo have to his own uſe one half of the Forfeitures hereby impoſed upon the party or parties making ſuch Inſurance or Agreement, or receiving the Goods, as aforeſaid; And in caſe no diſcovery ſhall be made by the Inſurer, Conveyer or Manager, as aforeſaid, and the party or parties inſured or concerned in ſuch Agreement ſhall make diſcovery thereof, he ſhall recover and receive back ſuch Inſurance Money or Prœmium, as he hath paid upon ſuch Inſurance or Agreement, and ſhall have to his own uſe one moiety of the Forfeitures impoſed upon ſuch Inſurer, Conveyer or Manager, as aforeſaid, and ſhall alſo be diſcharged of the Forfeitures hereby impoſed upon him or them.

Manner of recovering the penalty.

XVII. And be it Enacted, That all the ſaid Penalties and Forfeitures ſhall be recoverable according to the courſe of the Court of Exchequer, in like manner as other penalties and forfeitures in like caſes are recoverable.

XVIII. Provided, That no Penalty hereby inflicted ſhall be recoverable, unleſs the ſame be proſecuted within Twelve months after the time ſuch Fact was committed; Any thing in this Act to the contrary notwithſtanding.

Application of the Duties.

XIX. And for preventing Doubts touching the application of Moneys which ſhall accrue to Their Majeſties for the Cuſtom of Prize Goods, Be it declared and directed by the Authority aforeſaid, That all Duties, as well Cuſtoms as Impoſts, and by what Act or Acts ſoever, that ſhall accrue and be payable to Their Majeſties at the Cuſtom-Houſe after the Five and twentieth day of March, One thouſand ſix hundred ninety three, for any Goods or Merchandize taken, condemned and ſold as Prize, ſhall be applied entirely to the Credit of an Act of this preſent Seſſion of Parliament, Entituled, An Act for Granting to Their Majeſties certain additional Impoſitions upon ſeveral Goods and Merchandize, for the proſecuting the preſent War againſt *France*, any other Act to the contrary in any wiſe notwithſtanding.

4 & 5 W.& M. Cap. 5.

CAP. XVI.

An Act to prevent Frauds by Clandeſtine Mortgages.

Preamble.

I. Whereas great Frauds and Deceits are too often practiſed by Neceſſitous and Evil diſpoſed perſons in borrowing of Money, and giving Judgments, Statutes and Recognizanes privately, for ſecuring the re-payment of the ſaid money, and the ſame perſons do afterwards borrow money upon Security of their Lands of other perſons, and do not acquaint the latter Lender thereof with the ſame, whereby ſuch late Lender is very often in danger to loſe his whole money, or forced to pay off the Debts ſecured by the ſaid Judgments, Statutes and Recognizance, before they can have any benefit of the ſaid mortgages. And whereas divers perſons do many times mortgage their Lands more then once, without giving Notice of their firſt mortgage, whereby Lenders of money upon ſecond or after mortgages do often loſe their money, and are put to great charges in Suits and otherwiſe.

Debtor upon Judgment, &c. taking up Money of another upon a Mortgage, without Notice of the Judgment to the Mortgagee, ſhall loſe his Equity to redeem.

II. For remedy whereof, and preventing the ſame as much as may be for the future, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any perſon or perſons from and after the Firſt day of May which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and three, ſhall borrow any money, or for any other valuable Conſideration, for the payment thereof, voluntarily give, acknowledge, permit or ſuffer to be entred againſt him or them, one or more Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances to any perſon or perſons, Creditor or Creditors; And if the ſaid Borrower or Borrowers, Debtor or Debtors, ſhall afterwards take up, or borrow any other Sum or Sums of money of any other perſon or perſons, or for other valuable Conſideration, become indebted to ſuch perſon or perſons, and for ſecuring the re-payment and diſcharge thereof, ſhall mortgage his, her or their Lands or Tenements, or any part thereof, to the ſaid ſecond or other Lender or Lenders of the ſaid money, Creditor or Creditors, or to any other perſon or perſons in Truſt for, or to the uſe of ſuch ſecond or other Lender or Lenders, Creditor or Creditors, and ſhall not give Notice to the ſaid Mortgagee or Mortgagees of the ſaid Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances in writing under his, her or their Hand or Hands before the Execution of the ſaid mortgage or mortgages, unleſs ſuch Mortgager or Mortgagers, his her or their Heirs, upon Notice to him, her or them, given by the Mortgagee or Mortgagees of the ſaid Lands and Tenements, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns, in writing under his, her or their Hands and Seals atteſted by two or more ſufficient Witneſſes of any ſuch former Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, ſhall within Six months pay off and diſcharge the ſaid Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, and all Intereſt and Charges due thereupon, and cauſe or procure the ſame to be vacated or diſcharged by Record, That then the Mortgager or Mortgagers of the ſaid Lands and Tenements, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns, ſhall have no benefit or remedy againſt the ſaid Mortgagee or Mortgagees, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns, or any of them, in Equity or elſewhere, for redemption of the ſaid Lands and Tenements, or any part thereof; But the ſaid Mortgagee and Mortgagees, his, her or their Heirs, Executors, Adminiſtrators and Aſſigns, ſhall and may hold and enjoy the ſaid Lands and Tenements for ſuch Eſtate and Term therein, as were or was granted and ſetled to the ſaid Mortgagee or Mortgagees againſt the ſaid Mortgager or Mortgagers, and all perſon and perſons lawfully claiming from, by, or under him, her or them, freed from Equity of Redemption, and as fully to all intents and purpoſes whatſoever, as if the ſame had been purchaſed abſolutely and without any power or liberty of Redemption.

Perſon mortgaging twice, without Notice to the ſecond Mortgagee, loſes his Equity.

III. And be it further Enacted by the Authority aforeſaid, That if any perſon or perſons, who have or hath once mortgaged, or from and after the ſaid Firſt day of May ſhall mortgage any Lands or Tenements to any perſon or perſons, for Security of Money lent, or otherwiſe accrued or become due, or for other valuable Conſiderations; And if the ſaid Mortgager or Mortgagers ſhall again mortgage the ſame Lands or Tenements, or any part thereof, to any other perſon or perſons for valuable Conſiderations (the ſaid former mortgage being in force and not diſcharged) and ſhall not diſcover to the ſaid ſecond or other Mortgagee or Mortgagees, or ſome or one of them, the former mortgage or mortgages in writing under his or their hands; That then and in thoſe caſes alſo, the ſaid Mortgager or Mortgagers, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns, ſhall have no Relief or Equity of Redemption againſt the ſaid ſecond or after Mortgagee or Mortgagees, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns, upon the ſaid after mortgage or mortgages, but that ſuch Mortgagee or Mortgagees, his, her or their Heirs, Executors, Adminiſtrators and Aſſigns, ſhall and may hold and enjoy ſuch more then once mortgaged Lands and Tenements, for ſuch Eſtate and Term therein, as were or was granted and conveyed by the ſaid Mortgager or Mortgagers, againſt him, her or them, his, her or their Heirs, Executors or Adminiſtrators reſpectively, freed from Equity of Redemption, and as fully to all intents and purpoſes, as if the ſame had been an abſolute purchaſe, and without any power or liberty of Redemption.

Under-Mortgagees may redeem.

IV. Provided always, and be it further Enacted by the Authority aforeſaid, That nevertheleſs, if it ſo happen there be more then one mortgage at the ſame time, made by any perſon or perſons, to any perſon or perſons, of the ſame Lands and Tenements, the ſeveral late or under Mortgagees, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns, ſhall have power to redeem any former mortgage or mortgages upon payment of the principal Debt, Intereſt and Coſts of Suit, to the prior Mortgagee or Mortgagees, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns; Any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Dower ſaved.

V. Provided always, that nothing in this Act contained ſhall be conſtrued, deemed or extended to bar any Widow of any Mortgager of Lands or Tenements, from her Dower and Right, in or to the ſaid Lands, who did not legally joyn with her Husband in ſuch mortgage, or otherwiſe lawfully bar or exclude her ſelf from ſuch her Dower or Right.

CAP. XVII.

An Act for the Regaining, Encouraging and Setling the *Greenland* Trade.

Preamble.

I. Whereas the Trade to Greenland and the Greenland Seas, in the fiſhing for Whales there, hath been heretofore a very beneficial Trade to this Kingdom, not only in the employing great number of Seamen and Ships, and conſuming great quantities of Proviſions, but alſo in the bringing into this Nation great quantities of Oyl, Blubber and Fins.

II. And whereas neighbouring Nations do yearly make great advantage thereby, not only ſupplying themſelves with that ſort of Oyl and Fins, but by vending into other parts great quantities thereof, and particularly into this Kingdom, where the ſaid Trade is now quite decayed and loſt.

III. And whereas ſeveral Merchants of this Kingdom did heretofore endeavour to ſettle and regain the ſaid Trade, and for their Encouragement therein, it was by an Act of Parliament made in the Five and twentieth year of the Reign of His late Majeſty King Charles the Second, Entituled, An Act for the Encouragement of the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trade, (amongſt other things) Enacted, That in regard there was then great want of Harpinierers and Seamen skilled and exerciſed in the Trade of Whale-fiſhing, it ſhould and might be lawful for any Ship or Veſſel truly belonging to England, Wales, or the Town of Berwick upon Tweed, and whereof the Maſter ſhould be an Engliſhman, and inhabiting within the places aforeſaid, from and after the firſt day of May, which was in the year of our Lord, One thouſand ſix hundred ſeventy and three, and until the Five and twentieth day of March, which was in the year of our Lord, One thouſand ſix hundred eighty and three, employed for the catching of Whales, during ſuch Voyage, to be Navigated with one moiety of the Harpinierers, and one moiety of the reſt of the Mariners only Engliſh, and yet to pay no further or other Cuſtom for the Oyl, Blubber or Fins, caught or imported in ſuch Ship or Veſſel, then if ſuch Ship or Veſſel had been Navigated with Three fourths of the Mariners Engliſh; Which ſaid Act was by another Act of Parliament made in the Second year of Their preſent Majeſties Reign, Entituled, An Act for Granting to Their Majeſties a Subſidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes Exported and Imported, continued for Four years.

Cap. 7.

Seſſ.1.Cap.4.

IV. And whereas ſeveral Merchants and other perſons of this Kingdom were by the firſt recited Act encouraged to fit out, and ſend to the ſaid Greenland Seas ſome Ships or Veſſels for the catching of Whales, whereby ſome ſmall quantities of Oyl, Blubber and Whale Fins were imported into this Kingdom, but they not being able to carry on the ſaid Trade upon their ſingle or ſeparate Intereſts, in regard that the Neighbouring Nations did yearly ſend far greater numbers of Ships into thoſe Seas, the ſaid Merchants and other perſons of this Kingdom were forced to deſiſt from following the ſaid Trade, which is now wholly ingroſſed by Foreigners; And ſince the expiration and revival of the ſaid Act, there hath not been any Ships ſent from England to the ſaid Greenland Seas, or any Oyl, Blubber, or Whale Fins imported into England, but ſuch as have been bought of Foreigners, whereby great Sums of Money are yearly drawn out of England for thoſe Commodities, and the Rates and Prices which are now paid for the ſame, are now above ſix times more then heretofore they were, and the ſaid Trade having been for above theſe Twelve years laſt paſt wholly loſt to this Kingdom, there are very few, or no Engliſh Harpinierers or Engliſh Seamen skilled and exerciſed in the ſaid Trade of Whale-catching, ſo that the ſaid Trade cannot now be regained to this Kingdom, nor can be carried on by, or without the aſſiſtance of foreign Harpinierers and Seamen, or upon the ſingle Intereſts or Stocks of any particular perſons, or by any other way then by a Joynt Stock.

V. And whereas for the regaining, enlarging and encouraging the ſaid Trade, a Stock of Forty thouſand pounds at the leaſt is a neceſſary Fond to be raiſed, for the regaining and carrying on the ſaid Trade, whereby it may become beneficial to this Kingdom. And whereas Sir William Scawen Knight, Henry Bertie, Robert Hooks, John Skinner, George Boddington, Francis Goſfright, Edmond Prideaux, Edmond Harriſon, John Jurin, Edward Buckley, Benjamin Steele, Mordecai Abbot, Robert Michell, John Gunſton, John Knapp, Thomas Skinner, William Broughton, Robert Briſtow, Robert Hackſhaw, John Bridges, James Boddington, Peter Percivall, Thomas Philips, Charles Michell, Samuell Howard, Samuel Naſh, Benjamin Smith, Nicholas Cutler, Thomas Chambers, Peter Gray, James Ball, Thomas Kett, Humphry Simpſon, Richard Munford, John Plumbe, Richard Cook, Peter Godfrey, Ambroſe Bray, Auguſtine Munford, Joſiah Ordway, Joſeph Paice and Thomas Gunſton, Have undertaken and agreed to raiſe by Subſcriptions amongſt themſelves the ſaid Stock or Fond of Forty thouſand Pounds at leaſt, to be wholly employed in the regaining, managing and carrying on the ſaid Trade; May it pleaſe your moſt Excellent Majeſties, that it may be Enacted:

Power given to Sir William Scawen, &c. to raiſe a Joint-Stock of 40000 l.

VI. And be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That a Joynt Stock of Forty thouſand Pounds at leaſt, ſhall be raiſed by Subſcriptions by the ſaid Sir William Scawen, Henry Bertie, Robert Hookes, John Skinner, George Boddington, Francis Goſfright, Edmond Prideaux, Edmond Harriſon, John Jurin, Edward Buckley, Benjamin Steel, Mordecai Abbot, Robert Mitchell, John Gunſton, John Knapp, Thomas Skinner, William Broughton, Robert Briſtow, Robert Hackſhaw, John Bridges, James Boddington, Peter Percival, Thomas Phipps, Charles Michell, Samuel Howard, Samuel Naſh, Benjamin Smith, Nicholas Cutler, Thomas Chambers, Peter Gray, James Ball, Thomas Kett, Humphry Simpſon, Richard Munford, John Plumbe, Richard Cook, Peter Godfrey, Ambroſe Bray, Auguſtine Munford, Joſiah Ordway, Joſeph Paice and Thomas Gunſton, on or before the First day of May now next coming, and ſhall be paid to the uſe of the Company eſtabliſhed by this Act, in ſuch manner as by this Act is directed.

Sir William Scawen, &c. made a Corporation by the name of the Greenland Company, and to buy Lands, not exceeding 100 l. per annum.

VII. And for the better regaining, managing and carrying on the ſaid Trade, for the publick good of this Kingdom, Be it further Enacted by the Authority aforeſaid, That the ſaid Sir William Scawen, Henry Bertie, Robert Hookes, John Skinner, George Boddington, Francis Goſfright, Edmond Prideaux, Edmond Harriſon, John Jurin, Edward Buckley, Benjamin Steele, Mordecai Abbot, Robert Michell, John Gunſton, John Knapp, Thomas Skinner, William Broughton, Robert Briſtow, Robert Hackſhaw, John Bridges, James Boddington, Peter Percival, Thomas Phipps, Charles Michell, Samuel Howard, Samuel Naſh, Benjamin Smith, Nicholas Cutler, Thomas Chambers, Peter Gray, James Ball, Thomas Kett, Humphrey Simpſon, Richard Munford, John Plumbe, Richard Cook, Peter Godfrey, Ambroſe Bray, Auguſtine Munford, Joſiah Ordway, Joſeph Paice and Thomas Gunſton, and all and every other perſon and perſons, being Natural born Subjects of this Realm, or perſons Naturalized or Endenizend, who ſhall have any ſhare or intereſt in the ſaid Joynt Stock, ſhall be one Body Corporate and Politick, in deed and in name, by the Name of the Company of Merchants of London, Trading to Greenland; And that by the ſame Name of the Company of Merchants of London Trading to Greenland, they ſhall have Succeſſion and a Common Seal, and that they and their Succeſſors by the Name aforeſaid, ſhall be able and capable in Law, and ſhall have perfect power and ability in Law to have, purchaſe, receive, poſſeſs, enjoy and retain to them and their Succeſſors, Lands, Rents, Tenements and Hereditaments, of what kind, nature or quality ſoever, ſo as the ſame exceed not the yearly value of One hundred Pounds; And alſo to ſell, grant, demiſe, alien or diſpoſe of the ſame, and by the ſame Name to ſue and implead, to be ſued and impleaded, anſwer, and be anſwered in any Courts of Record, or other places whatſoever, and to do and execute all and ſingular other matters and things by the Name aforeſaid, that to them ſhall or may appertain to do, and all other things whatſoever, which any other Body Corporate or Politick can or may lawfully do or execute.

The Company may Trade to Greenland, &c.

VIII. And be it further Enacted by the Authority aforeſaid, That the ſaid Company of Merchants of London Trading to Greenland, and their Succeſſors ſhall, during the Continuance of this Joynt Stock hereby appointed to be raiſed, have, uſe and enjoy the Free Trade and Traffick, and ſhall and may freely traffick and uſe the Trade and Art of Merchandize and catching of Whales by Sea or otherwiſe, to, into and from Greenland, and the Greenland Seas, and to, into and from the ſeveral Ports, Havens and places which are ſituate, lying and being in Greenland and the Greenland Seas, and in all other Seas and places whatſoever

(Except in the Seas belonging to Their Majeſties Colonies and Plantations in America,) and to, and from all and every of them, without any Hinderance Interruption, Denial or Diſturbance whatſoever, any Statute, Uſage, or other Cauſe or Matter whatſoever to the contrary notwithſtanding.

IX. And be it further Enacted, That a Governour, Deputy Governour and Sixteen Committees of the ſaid Company, ſhall be Elected and Choſen in manner as hereafter is Appointed, who ſhall have the Management and Direction of the ſaid Trade, and of the Voyages and Affairs of the ſaid Company.

A Governour, &c. to be choſen.

X. And be it further Enacted by the Authority aforeſaid, That a Book for Subſcriptions ſhall be provided within Ten days after the paſſing of this Act, by the firſt Five of the aforenamed perſons, or any Three of them: In which ſaid Book ſhall be Subſcribed on or before the ſaid Firſt day of May now next coming, by all the perſons in this Act before named, or the Survivors of them, the ſaid Joynt Stock, which ſhall not be leſs then Forty thouſand pounds; And that each of the ſaid Subſcribers ſhall not Subſcribe leſs then Five hundred pounds, nor more then Two thouſand pounds.

A Book of Subſcriptions and each Subſcriber muſt Subſcribe 500 l.

XI. And be it further Enacted by the Authority aforeſaid, That all and every the ſaid perſons ſo as aforeſaid, ſubſcribing, ſhall on or before the ſaid Firſt day of May now next coming, actually and bona fide pay down unto ſuch perſon or perſons as the ſaid perſons herein before named, or the major part of them ſhall nominate and appoint, one full and entire Fourth part of the ſeveral Sums of Money by each of them reſpectively ſubſcribed to the ſaid Joynt Stock, and ſhall alſo pay the Remainder thereof at ſuch times, and in ſuch manner as ſhall be Directed and Appointed from time to time by the Governour or Deputy Governour and Court of Committees of the ſaid Company for the time being, ſo as the whole Sum to be ſubſcribed, be paid within four years next after the ſaid Firſt day of May.

Money ſubſcribed how and when to be paid.

XII. And be it further Enacted by the Authority aforeſaid, That all and every perſon and perſons, making default in any of the ſaid payments, ſhall immediately from and after ſuch default, have or enjoy no further or other Benefit or Advantage by ſuch Subſcription, then according and in Proportion to ſuch Sum or Sums of Money only, which ſuch perſon or perſons ſhall have actually and really paid into the ſaid Joynt Stock as aforeſaid.

Defalters to loſe of the Subſcription of above what is actually paid.

XIII. And be it further Enacted by the Authority aforeſaid, That every perſon or perſons who ſhall make default in paying any Part or Proportion of ſuch his Subſcription, in ſuch manner as by this Act is Appointed, ſhall forfeit and loſe to the Uſe and Benefit of the Adventurers in the ſaid Joynt Stock, after the Rate of Ten pounds for every One hundred pounds of ſuch Sum or Sums which he or they ſhall ſo neglect or omit to pay in as aforeſaid, to be deducted out of the Money paid in by ſuch perſon making default as aforeſaid.

Defaulters to forfeit 10 l. per Cent. of what they have paid.

XIV. And be it further Enacted by the Authority aforeſaid, That before the Five and twentieth day of May now next coming, any Thirteen of them the ſaid perſons, herein before named, ſhall Summon and Call together a General Court of all the ſaid Subſcribers, and of all and every other perſon and perſons who ſhall then have any Share or Intereſt in the ſaid Joint Stock, who ſhall and may quietly and freely aſſemble themſelves, and meet together at the time and place ſo appointed, and then and there at their Will and Pleaſure, Name, Chooſe and Elect one fit perſon who ſhall have ſubſcribed One thouſand pounds or upwards to the ſaid Joynt Stock, and actually paid in one fourth part thereof as aforeſaid, to be Governour of the ſaid Company: And one other fit perſon in like manner, who ſhall have ſubſcribed the Sum of One thouſand pounds to the ſaid Joynt Stock, and actually paid in one fourth part thereof as aforeſaid, to be Deputy Governour of the ſaid Company: And alſo Sixteen other fit perſons in like manner, each of them having ſeverally Subſcribed the Sum of Five hundred pounds or upwards to the ſaid Joynt Stock, and ſeverally paid in one fourth part thereof as aforeſaid, to be Committees of the ſaid Company. The ſaid Governour, Deputy Governour and Committees, to continue in their reſpective Offices and Places, until the Twentieth day of October, which ſhall be in the Year of our Lord, One thouſand ſix hundred ninety and four.

Choice of Governour and Deputy Governour and ſixteen Committees.

XV. And be it further Enacted by the Authority aforeſaid, That every Governour and Deputy Governour of the ſaid Company for the time being, before they be admitted to the Execution of their reſpective Offices or Places of Governour and Deputy Governour, ſhall take the following Oath, viz.

Oath to be taken by Governour and Deputy Governour.

YOU Swear, That you ſhall Aſſiſt, and with all your Power Support and Maintain the Company of Merchants of *London* Trading to *Greenland*, and the Priviledges of the ſame, having no reſpect to your ſelf, in Derogation, Hindrance or Prejudice of the Good Government, Order and Common Weal thereof. The By-Laws and Ordinances which ſhall be made by Authority of this Company, and which are not Repugnant to the Laws of this Kingdom, you ſhall uprightly and duly Execute according to your Knowledge thereof. And to every perſon you ſhall miniſter upright Juſtice. And you ſhall not Engage or Oblige the ſaid Company in any wiſe, as Governour or Deputy Governour of the ſaid Company, without Agreement and Conſent of the Court of Committees of the ſaid Company,

So help you Almighty God.

XVI. And be it further Enacted by the Authority aforeſaid, That every one of the ſaid Sixteen Committees of the ſaid Company for the time being, before they be admitted to the Execution of their ſaid reſpective Offices or Places of Committees, ſhall take the following Oath, viz.

Oath of Committees.

YOU Swear to be Faithful and True, during the time of your Place of Truſt, as one of the Committees to the Company of Merchants of *London* Trading to *Greenland*, and their Succeſſors. The Good Eſtate of the Adventurers in this preſent Joynt Stock you ſhall Favour and Affect, and the Priviledges Granted unto them (to your Power) Endeavour to Maintain and Preſerve. You ſhall be careful to ſee and provide that an equal and indifferent Hand be carried in the Government of the Company, and in the Affairs thereof, to all the Adventurers that ſhall Adventure or put in Stock: And that an equal Diviſion from time to time be made to all the Adventurers, according to the Proportion of their ſeveral Stocks duly paid in,

So help you God.

Subſcriber of leſs then 500l. no vote, of 500 l. one vote, of 1000l. two votes.

XVII. And be it further Enacted by the Authority aforeſaid, That no perſon or perſons who ſhall Subſcribe leſs, or ſhall have leſs then Five hundred pounds in the ſaid Joynt Stock, ſhall have any Vote or Voice at any General Court of the ſaid Company; And that every perſon or perſons who ſhall Subſcribe to, or ſhall have in the ſaid Joynt Stock the Sum of Five hundred pounds, ſhall have one Vote or Voice, and no more at any General Court of the ſaid Company; and that every perſon or perſons, who ſhall Subſcribe to, or ſhall have in the ſaid Joynt Stock of the ſaid Company, the Sum of One thouſand pounds, ſhall have two Votes or Voices at any General Court of the ſaid Company and no more, although he or they ſhall have Subſcribed more to, or ſhall have in the ſaid Stock more then One thouſand pounds.

Subſcribers Oaths.

XVIII. And be it further Enacted by the Authority aforeſaid, That all and every perſon and perſons who ſhall Subſcribe and Pay in any Sum of Money into the ſaid Joynt Stock, or ſhall have any Share or Intereſt in the ſaid Joynt Stock, ſhall be Admitted *gratis* into the Freedom of the ſaid Company, and ſhall take the Oath of Admiſſion into the ſame before the Governour or Deputy Governour, or any Five of the Committees for the time being, who are hereby Impowered to Adminiſter the ſame in words following, *viz.*

YOU Swear that you will Aſſiſt, and with all your Power Support and Maintain the Company of Merchants of *London* Trading to *Greenland*; The By-Laws and Ordinances which ſhall be made by Authority of this Company which are not Repugnant to the Laws of this Kingdom, you ſhall, according to your knowledge thereof, uprightly and duly keep and obey,

So help you God.

Governours, &c. to be choſen annually.

XIX. And be it further Enacted by the Authority aforeſaid, That the ſaid Governour or Deputy Governour, or any Five of the Committees then in being, ſhall, before the ſaid Twentieth day of October, in the year of our Lord, One thouſand ſix hundred ninety and four, at any time between the Firſt day and the Twentieth day of October then next following, and ſo annually for every year afterwards, between the days laſt mentioned (timely Notice thereof being firſt given) Call a General Court of all the Members of the ſaid Company, who ſhall have Subſcribed to the ſaid Joynt Stock, the Sum of Five hundred pounds or more, and paid in one Fourth Part of their ſeveral Subſcriptions as aforeſaid, and ſuch other Proportions of the ſame, as ſhall be Directed and Appointed as aforeſaid, and ſhall have ſeverally taken the ſaid Oath of Admiſſion, then and there to Elect and Chooſe out of the Members of the ſaid Company ſo qualified as aforeſaid, One Governour, One Deputy Governour, and Sixteen Committees of the ſaid Company to ſerve for one whole year next enſuing his and their reſpective Elections; And if the ſaid Governour or Deputy, or any of the Committees for the time being, ſhall happen to die before the Expiration of the ſaid year for which he or they ſhall be ſo Elected, That then, and from thenceforth it ſhall and may be lawful to, and for the ſaid Governour or Deputy Governour, or Five of the Committees to Summon and Call together a General Court of the Adventurers aforeſaid, and then and there to Chooſe into the Place or Places of him or them ſo dying, other fit perſon or perſons qualified as aforeſaid, to continue in their reſpective Offices or Places during the Remainder of ſuch year.

What other Oaths the Governour, Deputy Governour and 16 Committees ſhall take. Seſſ.1. Cap.8.

XX. And be it further Enacted by the Authority aforeſaid, That every Governour, Deputy Governour and Committees of the ſaid Company, beſides the ſaid Oaths already appointed to be taken by them reſpectively, ſhall alſo take the Oath appointed to be taken inſtead of the Oaths of Supremacy and Allegiance, by a late Act of Parliament made in the Firſt year of Their Majeſties Reign, Entituled, An Act for Abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths; And that the ſaid firſt Governour to be Elected, ſhall take the ſaid Oaths hereby appointed to be taken by the Governour of the ſaid Company for the time being, before the ſaid perſons herein before Named, or any nine of them, who are hereby Impowered to Adminiſter the ſame; And the firſt Deputy Governour ſhall take the ſaid Oaths hereby Appointed to be taken by the Deputy Governour of the ſaid Company for the time being, before the ſaid firſt Governour who is hereby Impowered to Adminiſter the ſame; And the ſaid firſt Sixteen Committees ſhall each of them ſeverally take the ſaid Oaths Appointed to be taken by the ſaid Sixteen Committees for the time being, before the ſaid firſt Governour or the ſaid firſt Deputy Governour, who are hereby Impowered to Adminiſter the ſame; And that every ſucceeding Governour ſhall take the Oaths Appointed to be taken by the ſaid Governour of the Company for the time being, before the laſt preceding Governour, or any Five or more of the laſt preceding Committees, who are hereby Impowered to Adminiſter the ſame; And every ſucceeding Deputy Governour ſhall take the Oaths appointed to be taken by the Deputy Governour of the ſaid Company for the time being, before the Governour, or in caſe of his Death or Abſence, before any Five of the laſt preceding Com

Committees, who are hereby impowered to Adminiſter the ſame; And every Member of the ſucceeding Committees for the time being, ſhall take the ſaid Oaths appointed to be reſpectively taken by the Sixteen Committees of the ſaid Company for the time being, before the Governour or Deputy Governour for the time being, or any Five or more of the preceding Committees, who are hereby Impowered to Adminiſter the ſame.

The Courts how to be called.

XXI. And be it further Enacted by the Authority aforeſaid, That from and after the ſaid Twentieth day of May next enſuing, all and every the General Courts and Committees of the ſaid Company hereby Eſtabliſhed, ſhall be from time to time called and ſummoned by order of the ſaid Governour, or Deputy Governour, or any Five or more of the ſaid Committees for the time being; At all which General Courts, and Courts of Committees beforementioned, the Governour for the time being ſhall be preſent, or in his abſence, the Deputy Governour for the time being, and in caſe of Equality of Votes or Voices, ſhall have a caſting Voice.

The Subſcribers at a Court may make By-laws.

XXII. And be it further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful for all the Members of the ſaid Company, who ſhall have Subſcribed Five hundred pounds or more to the ſaid Joynt Stock, and ſhall have paid in one fourth part of their reſpective Subſcriptions, and ſuch other Proportions of the ſame, as ſhall be directed or appointed as aforeſaid, and all and every other perſon and perſons, who ſhall have the Sum of Five hundred pounds in the ſaid Joynt Stock, and ſhall have taken the ſaid Oath of Admiſſion, from time to time, and at all times, during the Continuance of the ſaid Joynt Stock, to aſſemble themſelves at a General Court (timely notice thereof being firſt given as aforeſaid, by the Governour or Deputy Governour, or any Five of the ſaid Committees for the time being) And that they, or the major part of them, being ſo aſſembled, whereof the Governour or the Deputy Governour for the time being to be one, ſhall and may make, ordain and conſtitute ſuch, and ſo many reaſonable By-Laws, Conſtitutions and Ordinances, as to them, or the greater part of them then and there preſent, ſhall ſeem neceſſary and convenient for the good Government of the ſaid Company, and of all Commanders, Mariners, and all other Officers, Servants, and perſons by them employed in any of their Ships and Voyages, and for the better preſervation and improvement of the ſaid Trade or Traffick, and the ſame By-Laws, Conſtitutions, Orders and Ordinances ſo made, to put in uſe accordingly, and at their Will and Pleaſure from time to time to change, revoke and alter the ſame, as occaſion ſhall be or require. Which ſaid By-Laws, Conſtitutions, Orders and Ordinances ſo as aforeſaid, to be made, ſhall be duly kept and obſerved, under the pains and penalties therein limited: So always as the ſaid By-Laws, Conſtitutions, Orders and Ordinances be reaſonable, and not contrary or repugnant to the Statutes or Cuſtoms of this Kingdom, or to any of the Regulations contained in this Act.

The Sales of Goods to be publick.

XXIII. And be it further Enacted by the Authority aforeſaid, That during the Continuance of the ſaid Joynt Stock, no private contract for the Sale of any Goods or Merchandizes, ſhall be made by the ſaid Company to any Member or Members of the ſaid Company, or any other perſon or perſons whatſoever; But that all Goods and Merchandizes belonging to the ſaid Company ſhall be Sold openly and publickly by Inch of Candle at their publick Sales, which ſhall be once in every year at the leaſt; Of which Sales publick notice ſhall be given upon the Royal Exchange in London, at leaſt Three Weeks before; And that no Lott of any Goods or Merchandizes belonging to the ſaid Company, ſhall be put up or expoſed to Sale, the value of which ſhall exceed Three hundred pounds in the Allotment thereof; And that all Moneys ariſing by the Sale of any Goods or Merchandizes of the ſaid Company, ſhall be faithfully and bona fide accompted for and applied to the publick and common benefit and advantage of the General Joynt Stock of the ſaid Company, and of all and every the perſons therein intereſted, rateably and according to every Perſons Proportion and Share thereof, and not to the Private Advantage of any particular Perſon or Perſons whatſoever.

No lott leſs then 300 l.

The Moneys for Goods ſold ſhall be faithfully applied.

Dividends to be in Money.

XXIV. And be it further Enacted by the Authority aforeſaid, That all Dividends hereafter to be made of the profits ariſing by the ſaid Trade, ſhall be made in Money, and not otherwiſe. And be it further Enacted, That it ſhall and may be lawful to, and for all and every perſon and perſons, who ſhall have any Share or Intereſt in the ſaid Joynt Stock, to Sell, Aſſign and Transfer ſuch his or their Share or Intereſt, or any part thereof, by and in the Books of the ſaid Company, to be for that purpoſe provided, to any perſon or perſons, being natural born Subjects of this Realm, or perſons naturalized or Endenized; And that all and every ſuch Sale and Aſſignment, when ſo as aforeſaid, made and entred, and not otherwiſe, ſhall be good and effectual in the Law, againſt all and every ſuch perſon and perſons, his and their Executors and Adminiſtrators, who ſhall ſo as aforeſaid, Aſſign and Transfer any ſuch Share and Intereſt in the ſaid Joynt Stock; And that the ſaid Book or Books, for the Aſſigning and Transferring the ſaid Joynt Stock, ſhall lie open from time to time for the view of all perſons concerned; And all Alienations, Transfers or Aſſignments made after any other manner, ſhall be void; excepting for ſuch Stock only which ſhall happen to be deviſed to any perſon by Will, or ſhall come to him by being Executor or Adminiſtrator to any perſon deceaſed.

Shares may be Aſſigned by Entry in a Book kept for that purpoſe or deviſe.

No perſon may ſell a greater ſhare then he really hath.

XXV. And be it further Enacted by the Authority aforeſaid, That it ſhall not be lawful for any perſon or perſons at any time to agree for, Contract, Bargain, or Sell any, or other or greater Sum, Share, Intereſt or Part of the ſaid Joynt Stock, then ſuch Sum, Share, Intereſt or Part only as ſuch perſon or perſons ſhall actually and bona fide be poſſeſſed of, and have ſtanding in his or their own name in the ſaid Companies Books at the time of ſuch Agreement, Contract, Bargain or Sale made.

XXVI. And

All Sales not perfected within ten days void.

XXVI. And be it further Enacted by the Authority aforeſaid, That all Agreements, Contracts, Bargains or Sales, for any Share, Intereſt or Part of the ſaid Joynt Stock, which ſhall not be performed, compleated and executed, and tranſferred within Ten days next after the making of ſuch Agreement, Contract, Bargain or Sale, are and ſhall be null and void to all intents and purpoſes whatſoever, as if the ſame had never been made.

Their Ships to Greenland may be Navigated with one third Engliſh.

XXVII. And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Company hereby Eſtabliſhed, and for all and every the Ships and Veſſels, belonging to, or employed by the ſaid Company, and truly belonging to England, Wales, or the Town of Berwick upon Tweed, and whereof the Maſters ſhall be Engliſh-men, and Inhabiting within the Places aforeſaid, and for no other Ship or Veſſel whaſoever, from and after the Firſt day of May, in the year of our Lord, One thouſand ſix hundred ninety three, and until the Firſt day of October, which ſhall be in the year of our Lord, One thouſand ſeven hundred and ſeven, employed for the catching of Whales in the Greenland Seas, and other the Seas and Places aforeſaid, during ſuch their Voyages to be navigated with one third of the Mariners Engliſh at the leaſt, and yet to pay no further or other Cuſtom for the Oyl, Blubber or Fins, Caught and Imported in ſuch Ships or Veſſels, then if ſuch Ships or Veſſels had been navigated with three fourths of the Mariners Engliſh; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

XXVIII. Provided always, and it is hereby further Enacted by the Authority aforeſaid, That no Engliſh Ship or other Veſſel belonging to England, Wales, or the Town of Berwick upon Tweed, and which ſhall belong to, and be employed by the ſaid Company in the catching of Whales in the Greenland Seas, and other the Seas and Places aforeſaid, and Importing Whale, Oyl or Blubber, or other Fiſh, Oyl or Whale Fins, of Greenland, or thoſe Seas, or other the Seas and Places aforeſaid, ſhall Enjoy any Benefit or Priviledge by this Act, unleſs ſuch Ship or Veſſel did proceed on her Voyage for Greenland and thoſe Seas, or for other the Seas or Places aforeſaid, from England or Wales, or the Town of Berwick upon Tweed, and was victualled for the ſaid Voyage in ſome of thoſe Places, to be Atteſted by the Collector of the Port where the ſame Ship or Veſſel was Victualled.

Corporation to continue for 14 years.

XXIX. Provided always, That this Act and the ſaid Joynt Stock ſhall continue, and the ſaid Company ſhall have and enjoy the ſaid Traffick and Trade to and from Greenland and the Greenland Seas, and other the Seas and Places aforeſaid, for the Term of Fourteen years, to be accounted from the Firſt day of October, in the year of our Lord, One thouſand ſix hundred ninety and three, and no longer.

A publick Act.

XXX. Provided alſo, and be it further Enacted, That this Act ſhall be, and is hereby declared to be a publick Act of Parliament, and ſhall be ſo taken and acknowledged by all and every their Majeſties Judges in all and every their Majeſties Courts at Weſtminſter, and by all and every other their Majeſties Subjects whatſoever.

CAP. XVIII.

An Act to Prevent Malicious Informations in the Court of *Kings-Beneh*, and for the more eaſie Reverſal of Outlaries in the ſame Court.

Preamble.

I. WHereas divers Malicious and Contentious perſons have more of late then in times paſt, procured to be exhibited and proſecuted Informations in their Majeſties Court of Kings-Bench at Weſtminſter, againſt perſons in all the Counties of England, for Treſpaſſes, Batteries, and other Miſdemeanors, and after the parties ſo informed againſt have appeared to ſuch Informations, and pleaded to Iſſue, the Informers do very ſeldom proceed any further, whereby the perſons ſo informed againſt are put to great Charges in their Defence; And although at the Tryals of ſuch Informations Verdicts are given for them, or a Noli proſequi be Entred againſt them, they have no remedy for obtaining Coſts againſt ſuch Informers. And whereas divers perſons are proſecuted in the ſaid Court of Kings-Bench to Outlaries for Debts, Treſpaſſes, and other Miſdemeanors, and there is no Reverſing ſuch Outlaries but by the perſonal appearance of the perſons Outlawed, ſo that the perſon Arreſted upon ſuch Outlaries (if Poor) lye in Priſon till their Deaths, but if able, it coſts them very dear to Reverſe the ſame Outlaries.

Clerk of the Crown to exhibit no Information for Crimes abovementioned except by Order of Court, nor iſſue proceſs till proſecutor has given 20 l. recognizance to proſecute.

II. For remedy whereof, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the Firſt day of Aaſter Term, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and three, the Clerk of the Crown in the ſaid Court of Kings-Bench for the time being, ſhall not without expreſs Order, to be given by the ſaid Court in open Court, Exhibit, Receive or File any Information for any of the Cauſes aforeſaid, or Iſſue out any Proceſs thereupon, before he ſhall have taken, or ſhall have delivered to him a Recognizance from the perſon or perſons procuring ſuch Information, to be Exhibited with the place of his, her, or their Abode, Title or Profeſſion, to be entred to the perſon or perſons againſt whom ſuch Information or Informations, is or are to be exhibited in the penalty of Twenty pounds that he, ſhe, or they will effectually proſecute ſuch Informations or Information, and abide by, and obſerve ſuch Orders, as the ſaid Court ſhall direct, which Recognizance the ſaid Clerk of the Crown, and alſo every Juſtice of the Peace of any County, City, Franchiſe, or Town Corporate, (where the Cauſe of any ſuch Information ſhall ariſe) are hereby impowred to take; After the taking whereof by the ſaid Clerk of the Crown, or the Receipt thereof from any Juſtice of the Peace, the ſaid Clerk of the Crown ſhall make an Entry thereof upon Record, and ſhall File a Memorandum thereof in ſome publick place in his Office, that all perſons may reſort thereunto without Fee; And in caſe any perſon or perſons againſt whom any Information or Informations for the Cauſes aforeſaid, or any of them, ſhall be exhibited, ſhall

Memorandum in the Office Defendant ſhall have Coſts if cauſe not tryed within one year after Iſſue joyned, &c.

Appear thereunto, and plead to Iſſue, and that the Proſecutor or Proſecutors of ſuch Information or Informations, ſhall not at his and their own proper Coſts and Charges within one whole year next after Iſſue joyned therein procure the ſame to be tryed; Or if upon ſuch Tryal a Verdict paſs for the Defendant or Defendants, or in caſe the ſaid Informer or Informers procure a Noli proſequi to be entred, Then in any of the ſaid Caſes the ſaid Court of Kings-Bench is hereby Authorized to Award to the ſaid Defendant and Defendants, his, her, or their Coſts, unleſs the Judge, before whom ſuch Information ſhall be tryed, ſhall at the Tryal of ſuch Information, in open Court, Certifie upon Record, that there was a reaſonable cauſe for exhibiting ſuch Information; And in caſe the ſaid Informer or Informers ſhall not within Three Months next after the ſaid Coſts taxed, and demand made thereof, pay to the ſaid Defendant or Defendants the ſaid Coſts, then the ſaid Defendant and Defendants ſhall have the benefit of the ſaid Recognizance, to compel them thereunto.

Defendants remedy for Coſts.

III. And for the more eaſie and ſpeedy reverſing of Outlaries in the ſaid Court, Be it Enacted by the Authority aforeſaid, That from and after the ſaid Firſt day of Eaſter Term, no perſon or perſons whatſoever, who are or ſhall be Outlawed in the ſaid Court for any Cauſe, Matter or Thing whatſoever (Treaſon and Felony only excepted) ſhall be compelled to come in perſon into, or appear in perſon in the ſaid Court to Reverſe ſuch Outlary, but ſhall or may appear by Attorney, and Reverſe the ſame without Bail in all Caſes (Except where Special Bail ſhall be Ordered by the ſaid Court.)

Outlawry may be reverſed by Attorney except in Treaſon and Felony.

IV. And be it further enacted by the Authority aforeſaid, That if any perſon or perſons Outlawed, or hereafter to be Outlawed in the ſaid Court (other then for Treaſon and Felony) ſhall from and after the ſaid Firſt day of Eaſter Term, be taken and arreſted upon any Capias Utlagatum out of the ſaid Court, It ſhall and may be lawful to and for the Sheriff or Sheriffs who hath or ſhall have taken and arreſted ſuch perſon and perſons (in all Caſes where Special Bail is not required by the ſaid Court) to take an Attorneys engagement under his Hand to appear for the ſaid Defendant or Defendants, and to Reverſe the ſaid Outlaries, and thereupon to diſcharge the ſaid Defendant and Defendants from ſuch Arreſts: And in thoſe Caſes where Special Bail is required by the ſaid Court, the ſaid Sheriff and Sheriffs ſhall and may take Security of the ſaid Defendant or Defendants by Bond, with one or more ſufficient Surety or Sureties in the penalty of double the Sum for which Special Bail is required, and no more, for his, her or their Appearance by Attorney in the ſaid Court at the return of the ſaid Writ, and to do and perform ſuch things as ſhall be required by the ſaid Court, and after ſuch Bond taken, to diſcharge the ſaid Defendant and Defendants from the ſaid Arreſts.

Perſons taken upon Capias Utlag. in Common Bayl-Caſes, diſcharged by an Attorneys engagement to appear in Special Bayl-Caſes, giving Bond with Sureties to appear.

V. And be it further Enacted by the Authority aforeſaid, That if any perſon or perſons, Outlawed as aforeſaid, and taken and arreſted upon a Capias Utlagatum, ſhall not be able within the return of the ſaid Writ, to give Security as aforeſaid, in Caſes where Special Bail is required, ſo as he or they are committed to Gaol for default thereof, that whenſoever the ſaid Priſoner or Priſoners ſhall find ſufficient Security to the Sheriff or Sheriffs, in whoſe Cuſtody he or they ſhall be, for his or their Appearance by Attorney in the ſaid Court, at ſome return in the Term then next following, to Reverſe the ſaid Outlary or Outlaries, and to do and perform ſuch other thing and things as ſhall be required by the ſaid Court, It ſhall and may be lawful to and for the ſaid Sheriff and Sheriffs, after ſuch Security taken, to diſcharge and ſet at liberty the ſaid Priſoner and Priſoners for the ſame; Any Law or Uſage to the contrary notwithſtanding.

Perſon taken as before ſhall be diſcharged giving Security after return of the Writ.

VI. Provided that nothing in this Act relating to Informations ſhall extend or be conſtrued to extend to any other Informations then ſuch as are or ſhall be exhibited in the name of Their Majeſties Coroner or Attorney in the Court of King-Bench for the time being, (commonly called the Maſter of the Crown-office) any thing in the ſaid Act contained to the contrary notwithſtanding.

This Act only extends to Informations by Maſter of Crown office.

VII. And be it further Enacted by the Authority aforeſaid, That upon the Demiſe of any King or Queen of this Realm, all Pleas to Informations in the ſaid Court ſhall ſtand, and be good in Law, without calling Defendants to plead again to the ſame, unleſs the Defendants deſire ſo to do, and make requeſt to the ſaid Court for that purpoſe within Five Months next after ſuch Demiſe; Any Law or Uſage to the contrary notwithſtanding.

Defendants (except deſiring) not to plead anſwer upon the King's Demiſe.

CAP. XIX.

An Act for Preventing Suits againſt ſuch as acted for Their Majeſties Service in Defence of the Kingdom.

I. Whereas in this preſent year of our Lord, One thouſand ſix hundred ninety and two, it was notoriouſly known that there was great preparations for an Invaſion intended from France, the Lords of the Council, and thoſe that have acted by their Authority, having apprehended and impriſoned ſeveral ſuſpected perſons, and ſeized and uſed Horſes and Arms, and cauſed ſome part of the Milita of this Kingdom to be raiſed, continued and maintained, otherwiſe then is Authorized by the Acts made in the Reign of King Charles the Second in that behalf, and to march and be quartered in divers places upon that occaſion: That thoſe proceedings in that extraordinary Juncture, and the parties concerned therein may be indemnified; therefore and for the preventing the trouble and charges which the ſaid good Subjects might be put to by the proſecution of their Majeſties, their Heirs and Succeſſors, or by the means of Suits of any perſon whatſoever, for and by reaſon of their actings and doings aforeſaid,

Preamble. To Indemnifie Lords of the Council, &c. acting beyond their power in defence of the Kingdom.

II. Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the Authority of the ſame, That all perſonal Actions, Suits, Indictments, Informations, and other Proſecutions whatſoever, for or by reaſon of the Premiſſes, be, and are hereby diſcharged and made void. And if any Action or Suit hereby declared to be diſcharged, hath been, or ſhall be commenced or proſecuted, every perſon ſo ſued may plead the general Iſſue,

All Actions againſt them for acting void.

and

Defendant plead general Iſſue and have double Coſts.

and give this Act and the Special Matter in Evidence: And if the Plaintiff become Nonſuit, or forbear further Proſecution, or ſuffer diſcontinuance, or if a Verdict paſs againſt him, the ſaid Defendant ſhall recover his double coſts, for which he ſhall have the like remedy, as in caſe where Coſts by Law are given to Defendants.

CAP. XX.

An Act for the better Diſcovery of Judgments in the Courts of *Kings-Bench*, *Common-Pleas*, and *Exchequer* at *Weſtminſter*.

Preamble.

I. WHereas great Miſchiefs and Damages happen, and come, as well to perſons in their Life times, but more often to their Heirs, Executors and Adminiſtrators, and alſo to Purchaſers and Mortgagees by Judgments entred upon Record in their Majeſties Courts at Weſtminſter, againſt the perſons Defendants, by reaſon of the difficulty there is in finding out ſuch Judgments.

Judgments to be Doggeted.

II. For remedy whereof, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That the Clerk of the Eſſoigns of the Court of Common-Pleas, every Clerk of the Doggets of the Court of Kings-Bench, and the Maſter of the Office of Pleas in the Court of Exchequer for the time being, ſhall, before the laſt day of Eaſter Term next coming, and ſo in every Eaſter Term after, make, or cauſe to be made and put into an Alphabetical Dogget by the Defendants names, a particular of all Judgments for Debt, by Confeſſion, Non ſum Informatus, or Nihil dicit, Entred in the ſaid reſpective Courts, of the Term of St. Hillary preceding, which ſhall contain the name and names of the Plaintiff and Plaintiffs, the name and names of the Defendant and Defendants, his, her or their place or places of Abode, and Title, Trade or Profeſſion (if any ſuch be in the Record of the ſaid Judgment) and the Debt, Damages and Coſts recovered thereby; and in what County, City or Town the reſpective Actions were laid, and the Number-Roll of the Entry thereof; And alſo that every Clerk of the Judgments, and every other Clerk of the ſaid Court of Common-Pleas, and King's-Bench reſpectively, ſhall, within ten days before the time aforeſaid, bring to the reſpective Clerks of the Doggets of the ſaid reſpective Courts, Notes in writing of all the Judgments, by them and every of them reſpectively entred, of the ſaid Term of St. Hillary, upon Verdicts, Writs of Inquiry, Demurrer, and every other Judgment for Debt or Damages in all things, as aforeſaid; And alſo that the Clerk of the Judgments, and every other Clerk of the ſaid Court of Exchequer, ſhall within the times aforeſaid, bring to the ſaid Maſter of the ſaid Office of Pleas, the like note in writing of all the like Judgments, by him and them reſpectively entred, of the ſaid Term in all things as aforeſaid, to the end the ſame may be (by the Clerk of the Eſſoigns of the ſaid Court of Common-Pleas, the Clerk of the Doggets of the ſaid Court of Kings-Bench, and Maſter of the Office of Pleas) reſpectively entred in the reſpective Doggets before mentioned, in manner and form aforeſaid; And alſo that the reſpective Officers and Clerks of the ſaid reſpective Courts, ſhall likewiſe before the laſt day of the Term of St. Michael alſo next coming, and in every Michaelmas Term after, make, or cauſe to be made as aforeſaid, the like Dogget, containing all ſuch Judgments in the ſaid reſpective Courts, of the reſpective Terms of Eaſter and Trinity then laſt paſt, and the names of the Plaintiffs and Defendants, Titles and Additions, Debt and Damages in all things as aforeſaid; And alſo that the ſaid reſpective Officers and Clerks of the ſaid reſpective Courts, ſhall likewiſe before the laſt day of the Term of St. Hillary, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and three, and ſo in every Hillary Term after, make, or cauſe to be made, the like Dogget, containing all ſuch Judgments in the ſaid reſpective Courts, of the Term of St. Michael then laſt paſt, with the names of the Plaintiffs and Defendants, Titles and Additions, Debt and Damages in all things as aforeſaid: And that the ſaid reſpective Doggets ſhall be fairly put into, and kept in Books in Parchment in the reſpective Offices of the reſpective Officers, before named, to be ſearched and viewed by all perſons at all reaſonable times, paying to the reſpective Officers, in whoſe keeping the ſaid Books reſpectively ſhall be, for every Terms ſearch for Judgments againſt any one perſon, four pence and no more, upon pain that every Clerk of Eſſoigns of the Court of Common-Pleas, Clerk of the Doggets of the Kings-Bench, and Maſter of the Office of Pleas in the Court of Exchequer, Clerks of the Judgments, and every Clerk, before mentioned, reſpectively, ſhall, for every Term in which he ſhall omit or neglect to do his duty in the premiſſes, Forfeit the Sum of One hundred pounds; The one moiety to the party or parties agrieved, and the other moiety to him or them who ſhall Sue for the ſame, in any of their Majeſties Courts of Record at Weſtminſter, wherein no Priviledge or Eſſoign, or Protection of Law ſhall be admitted, nor any more then one imparlance.

Fee for ſearch

Penalty.

Judgments not Doggeted ſhall not affect Purchaſers, &c.

III. And be it further enacted by the authority aforeſaid, That no Judgment not Doggetted and entred in the Books as aforeſaid, ſhall affect any Lands or Tenements as to Purchaſers or Mortgagees, or have any preference againſt Heirs, Executors or Adminiſtrators in their Adminiſtration of their Anceſtors Teſtators or Inteſtates Eſtates.

Fee to the Clerk of the Judgments.

IV. And whereas the Clerks of the Judgments of the ſaid reſpective Courts are to be at great charge and trouble in the execution of this Act, for recompence whereof, Be it enacted by the authority aforeſaid, that hereafter there ſhall be paid by the Plaintiff or Plaintiffs in every of the ſaid Judgments upon Verdicts, Writs of Enquiry, Demurrer, and every other Judgment by them reſpectively to be entred, over and above the Fees now due for the ſame, the Sum of four pence and no more.

Continue one year.

V. Provided always, and be it enacted by the authority aforeſaid, That this Act ſhall continue and be in force for one year, from the five and twentieth day of March, One thouſand ſix hundred ninety and three, and from thence to the end of the next Seſſion of Parliament, and no longer. Continued a year longer, 6 & 7, W. 3. Cap. 13.

CAP. XXI.

CAP. XXI.

An Act for delivering Declarations to Priſoners.

Preamble.

Whereas by the Courſe of Practice in the reſpective Courts of Record at Weſtminſter after the Plaintiff or Plaintiffs in any Writ Iſſued out of any of the ſaid Courts, have been at great Charge to Arreſt the Defendant or Defendants upon ſuch Writ, and the Defendant or Defendants for want of ſufficient Bail, are often Committed to Goal, and unleſs the Plaintiff or Plaintiffs ſhall, before the End of Two Terms next after ſuch Arreſt, cauſe ſuch Defendant or Defendants, by Writ of Habeas Corpus, to be removed, to be charged in the ſaid reſpective Courts with declarations of the cauſe of ſuch action or actions, ſuch priſoner or priſoners, are upon a common bail or appearance by Attorney, diſcharged from their Impriſonment, to the great prejudice of the Plaintiffs;

Priſoner in Cuſtody how Charged.

II. For remedy whereof, Be it enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That if now, or at any time after the Five and twentieth day of March, One thouſand ſix hundred ninety and three, any Defendant or Defendants be taken or charged in cuſtody at the ſuit of any perſon or perſons, upon any writ or writs out of any of the ſaid Courts at Weſtminſter, and impriſoned or detained in priſon for want of ſureties for their appearance to the ſame, the Plaintiff or Plaintiffs, in ſuch writ or writs, ſhall and may, by virtue of this Act, before the end of the next Term after ſuch writ or proceſs ſhall be returnable, declare againſt ſuch priſoner or priſoners in the reſpective Court or Courts out of which the writ or writs ſhall iſſue; Whereupon the ſaid priſoner or priſoners ſhall be taken and impriſoned or charged in cuſtody, and ſhall or may cauſe a true copy thereof to be delivered to ſuch priſoner or priſoners, or to the Goaler or Keeper of the priſon, or Goaler in whoſe cuſtody ſuch priſoner ſhall be or remain: To which declaration or declarations the ſaid priſoner or priſoners ſhall appear and plead; And if ſuch priſoner or priſoners ſhall not appear and plead to the ſame, the Plaintiff or Plaintiffs in ſuch caſes ſhall have Judgment as if the priſoner or priſoners had appeared in the ſaid reſpective Courts, and refuſed to anſwer or plead to ſuch declaration.

In the Kings-Bench Declaration muſt be in Cuſtodia Sheriff, &c.

III. And be it further Enacted by the Authority aforeſaid, That in all declarations againſt any priſoner or priſoners, detained in priſon by virtue of any writ or proceſs, iſſued or to be iſſued out of the Court of Kings-Bench, it ſhall be alledged in cuſtody of what Sheriff, Bayliff or Steward of any Franchiſe, or other perſon having the return and execution of Writs, ſuch priſoner or priſoners ſhall be at the time of ſuch declaration by virtue of the proceſs of the ſaid Court, at the ſuit of the Plaintiffs: Which allegation ſhall be as good and effectual to all intents and purpoſes, as if ſuch priſoner or priſoners were in the cuſtody of the Marſhal of the Marſhalſea of our Sovereign Lord and Lady, the King and Queen.

CAP. XXII.

An Act for Regulating Proceedings in the Crown Office of the Court of *Kings-Bench* at *Weſtminſter*:

Preamble.

Perſons having grants by Charter and have inrolled them not bound to plead them to an inquiſition.

For Rectifying the Proceedings in the Crown Office in their Majeſties Court of Kings-Bench; and for the greater Eaſe of all their Majeſties Subjects who ſhall hereafter be Proſecuted in the ſame, Be it Enacted by the King and Queens moſt excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That no Corporation, Lord or Lords of Manors, or other perſon or perſons, having Grants by Charter, or other good Conveyances, who have Inrolled, and had the ſame allowed, in and by the ſaid Court, ſhall hereafter be compelled to plead the ſame, to any Inquiſition returned by any Coroner, any cuſtom or uſage to the contrary notwithſtanding: And if there be any Corporations, Lord or Lords of Manors, or other perſon or perſons, who now have, or hereafter ſhall have ſuch Charters or Grants, from the Crown, for Felons Goods, Deodands, and other Forfeitures, ſuch Corporations, Lords of Manors, and other perſons, ſhall not be compelled to Inrol their whole Charters and Grants, but bringing the ſame to the Clerk of the Crown of the ſaid Court, he ſhall Inrol and Enter upon record ſo much thereof, as may expreſs and ſet forth the Grants of ſuch Felons Goods, Deodands and Forfeitures, and no more, for doing whereof, he ſhall have and receive twenty ſhillings for his fee and entry thereof, and no more; And from and after ſuch Inrolment, no Corporation, Lord of Manor, or other perſon or perſons, grantees of ſuch Goods or Forfeitures, ſhall be compelled to plead the ſame in the ſaid Court, to any Inquiſition thereafter, filed therein, touching any Goods found thereby, any uſage to the contrary notwithſtanding.

So much of grants hereafter of Felons &c. as may expreſs the grant to be entred by Clerk of the Crown.

Fee Twenty Shillings.

After ſuch entry Grantee diſcharged from pleading the grant to inquiſition.

Penalty upon Clerk of the Crown Iſſuing proceſs after ſuch entry.

II. And be it further Enacted by the Authority aforeſaid, That if any Clerk of the Crown of the ſaid Court, ſhall hereafter iſſue out any proceſs againſt any Corporation, Lord of Manor, or other perſon or perſons Grantees of ſuch Felons Goods, Deodands, and other Forfeitures, after Inrolment or Entry, as aforeſaid, the ſaid clerk of the Crown ſhall for every offence forfeit and pay to the corporation, or party grieved thereby, the ſum of five pounds, to be recovered by bill, plaint or information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no eſſoign, priviledge, protection, or wager of Law ſhall be admitted, nor any more then one Imparlance.

Clerk of the Crown not puniſhable for iſſuing Proceſs againſt Heirs, &c. till they have entred or pleaded their Title.

III. And whereas divers perſons, having Grants of Felons Goods and Deodands, and Inrolled and Pleaded, as aforeſaid, do many times alien and convey their Intereſts therein to other perſon or perſons, or by their laſt Wills do deviſe the ſame, or by their deaths ſuch Eſtates do deſcend to their Heirs, whereby the Clerk of the Crown of the ſaid Court is rendred uncapable to diſcern where ſuch Intereſt lies, until the perſon or perſons, to whom ſuch Eſtates are conveyed, deviſed or deſcended, ſhall come into the ſaid Court, and make entry of ſuch their claim, as aforeſaid, Be it therefore hereby further

Enacted by the Authority aforeſaid, That the Clerk of the Crown of the ſaid Court for the time being, nor any ſucceeding Clerk there ſhall incur any penalty mentioned in this Act, for iſſuing proceſs, againſt any perſon or perſons, who ſhall not upon every purchaſe of the Title of ſuch Felons Goods, and Deodands, Inrol and plead the ſame purchaſe in the ſaid Court, nor againſt any Deviſee of the like Eſtate, who ſhall not likewiſe Inrol or Plead ſuch deviſe, nor againſt any Heir, who ſhall not in like manner Inrol his or her right by deſcent to the ſame, and until after ſuch pleas have been allowed of, and approved by the ſaid Court, nor whereby any inqueſt of any Coroner or Coroners, the goods of any Felon or Felons, or deodands, ſhall be by ſuch inqueſt, not found to be in the hands of ſuch Purchaſer, Deviſee or Heir, or their reſpective Officer or Officers in truſt for them reſpectively.

A Proclamation at the time of the Exigent in criminal caſes to be delivered three months before return.

IV. And whereas it is agreeable to juſtice, That Proceedings to outlaries in Criminal cauſes ſhould be as publick and notorious as in Civil cauſes, becauſe the conſequences to perſons outlawed in Criminal cauſes, are more fatal and dangerous to them and their poſterities, then in any other cauſes; Be it further Enacted by the Authority aforeſaid, That upon the iſſuing of any Exigent out of any of their Majeſties Courts, againſt any perſon or perſons for any Criminal matter, before Judgment or Conviction, there ſhall alſo iſſue a Writ of Proclamation bearing the ſame teſt and return to the Sheriff or Sheriffs of the county, city, or town corporate, where the perſon or perſons, in the record of the ſaid proceedings, is or are mentioned to be or inhabit, according to the form of the Statute made in the one and thirtieth year of the Reign of the late Queen Elizabeth of bleſſed memory, which Writ of Proclamation ſhall be delivered to the ſaid Sheriff or Sheriffs, three months before the return of the ſame.

Cap. 3.

Act continues three years.

V. Provided always, and be it Enacted by the Authority aforeſaid, That this Act ſhall continue and be in force for three years from the five and twentieth day of March, one thouſand ſix hundred ninety three, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. XXIII.

An Act for the more eaſie diſcovery and conviction of ſuch as ſhall deſtroy the Game of this Kingdom.

Preamble.

Whereas divers good and neceſſary Laws have been heretofore made for the better preſervation of the Game, notwithſtanding which Laws, or for want of the due execution thereof, the Game of this Kingdom hath been very much deſtroyed by many idle perſons, who afterwards betake themſelves to Robberies, Burglaries, or other like Offences, and neglect their lawful employments.

Laws againſt Game not hereby repealed to be executed.

II. For remedy whereof, and the more effectual preſervation of the Game, Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Law and Statute now in force for the better preſervation of the Game, and every article and thing in them contained, and not herein, and hereby altered or repealed, ſhall be duly put in execution according to the tenor of the ſaid Laws, and under the penalties therein contained, to be raiſed, levied and diſpoſed of, as in and by the ſaid laws are directed.

Conſtable by Warrant from a Juſtice may ſearch houſes of ſuſpected perſons.

3 & 4 W & M Cap. 10.

If Hare, &c. be found and Owner cannot give good Account, he ſhall be convicted by a Juſtice.

Penalty upon Conviction, and manner of Levying.

III. And be it further Enacted by the Authority aforeſaid, That for the more eaſie conviction of ſuch Offenders, as by the ſaid Laws are prohibited, every Conſtable, Headborough, and Tythingman, being thereunto Authorized by Warrant of one or more Juſtice of the Peace, under his or their hands and ſeals, ſhall and may have full power and authority, and is hereby required to enter into and ſearch (in ſuch manner, and with ſuch power as in and by An Act for the more effectual diſcovery and puniſhment of Deer Stealers, made in the third and fourth years of their preſent Majeſties Reign is provided, in caſe of Veniſon or Skin of any Deer or Toyles) the houſe or houſes, outhouſes or other places belonging to ſuch houſes of ſuſpected perſons not qualified, as aforeſaid: And in caſe any Hare, Partridge, Pheaſant, Pidgeon, Fiſh, Fowl, or other Game, ſhall (upon ſuch ſearch or otherwiſe) be found, the Offender ſhall be carried before ſome Juſtice of Peace of the ſame County, Riding or Diviſion; And if ſuch perſon do not give a good account how he came by ſuch Hare, Partridge, Pheaſant, Pidgeon, Fiſh, Fowl, or other Game, ſuch as ſhall ſatisfie the ſaid Juſtice, or elſe ſhall not in ſome convenient time, to be ſet by the ſaid Juſtice, produce the Party of whom he bought the ſame, or ſome other credible perſon to depoſe upon oath ſuch ſale thereof, That then ſuch perſon not giving ſuch good account, nor producing any ſuch Witneſs, as aforeſaid, ſhall be convicted by the ſaid Juſtice of ſuch Offence, and upon ſuch conviction ſhall forfeit for every Hare, Partridge, Pheaſant, Pidgeon, Fiſh, Fowl, or other Game, any Sum not under five ſhillings, and not exceeding the Sum of twenty ſhillings, to be aſcertained by the ſaid Juſtice, one moiety thereof to be paid to the Informer, and the other moiety to the Poor of the Pariſh where the Offence was committed, the ſame to be levied by diſtreſs and ſale of the Offenders goods, by warrant under the hand and ſeal of the Juſtice before whom the Offender ſhall be convicted, rendring the overplus, if any be; And for want of diſtreſs, the Offender or Offenders ſhall be committed to the houſe of correction, for any time not exceeding one month, and not leſs then ten days, there to be whipt, and kept to hard labour; And in caſe any perſon or perſons not qualified by the Laws of this Realm ſo to do, ſhall have, keep, or uſe any Bows, Greyhounds, Setting-Dogs, Ferrits, Coney-Dogs, Hayes, Lurchers, Nets, Tunnels, Lowbels, Hare-Pipes, Snares, or any other Inſtruments for deſtruction of Fiſh, Fowl, or other Game, and ſhall be thereof convicted upon ſuch evidence, as aforeſaid, the perſon or perſons ſo convicted, ſhall forfeit and be ſubject to the ſame pains and penalties, as are hereby directed to be inflicted upon the perſon or perſons who ſhall be found to have any Hare, Partridge, Pheaſant, Pidgeon, Fiſh, Fowl, or other Game, as aforeſaid; and if any perſon or perſons ſo produced or charged with the ſaid Offence, ſhall not before the ſame Juſtice give ſuch evidence of his innocence, as aforeſaid, he ſhall be convicted thereof, in the ſame manner as the perſon or perſons firſt charged therewith is hereby directed to be, and ſo from perſon to perſon, until the firſt Offender ſhall be diſcovered.

Perſon having Greyhounds, &c. how convicted, and puniſhed.

IV. And to the end all Keepers and Game-keepers mentioned in, and duly Authorized according to the Act made in the Reign of the late King Charles the ſecond, may be Indemnified in the execution of the ſaid Office, Be it Enacted that all Lords of Manors or other Royalties, or any perſon or perſons Authorized by them as Game-keepers, ſhall, and may within their reſpective Manors or Royalties, oppoſe, and reſiſt ſuch offender in the night time, in the ſame manner, and be equally Indemnified for ſo doing, as if ſuch Fact had been committed within any ancient Chaſe, Park, or Warren Incloſed whatſoever.

Game Keepers may oppoſe Perſons in the Night. 22 & 23 Car. 2. Cap. 25.

V. And whereas divers idle, diſorderly and mean perſons have and keep Nets, Angles, Leaps, Piches, and other Engines for the taking and killing of Fiſh out of the Ponds, Waters, Rivers, and other Fiſheries, to the damage of the owners thereof; Be it therefore Enacted by the Authority aforeſaid, That no perſon or perſons whatſoever, ſhall and may at any time or times, from and after the Five and twentieth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety three, have or keep any Net, Angle, Leap, Piche, or other Engine for the taking of Fiſh (other then the Makers and Sellers thereof, for their better conveniency in the Sale of the ſame;) And other then the Owner and Occupier of a River or Fiſhery, for the time being; And moreover, That it ſhall and may be lawful, not only for the Owner or Occupier of any River or Fiſhery, and alſo for all and every other perſon and perſons, by him or them for that purpoſe appointed, to ſeize, detain and keep to his and their own uſe, and uſes, all and every Net, Angle, Leap, Piche, and other Engine, which he or they ſhall find uſed, or laid, or in the cuſtody or poſſeſſion of any perſon or perſons whatſoever, Fiſhing in any River or Fiſhery whatſoever, without the conſent of the Owner or Occupier thereof, but alſo for any perſon or perſons whatſoever, (being thereunto Authorized by Warrant under the Hand and Seal of any Juſtice of the Peace of the ſame County, Diviſion, Borough, Town Corporate, or any other place, in the day time) to ſearch the houſes, out-houſes, or other places of any perſon or perſons hereby prohibited to have or keep the ſame, as ſhall be ſuſpected to have or keep in his or their cuſtody or poſſeſſion any Net, Angle, Leap, Piche, or other Engine aforeſaid, and the ſame and every or any of them to ſeize, detain and keep to his and their own uſe and uſes, or otherwiſe to cut in pieces, or deſtroy, as things by this Act prohibited to be kept by perſons of their degree.

Perſons not Owners of Fiſheries, may not keep Nets, &c.

Owner of Fiſhery may ſeiz Nets, &c. uſed in his Fiſhery, and any perſons may Search by Warrant for Nets and diſpoſe of them as he will.

VI. Provided always that this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to abridge any Fiſherman, or his apprentice or apprentices, lawfully Authorized to Fiſh in Navigable Rivers or Waters, with lawful nets and engines, but that every of them ſhall and may (according to the laws and orders made, and to be made and ſettled for the good order, rule and government of ſuch Navigable Rivers and Waters) uſe the Trade of Fiſhing, as they lawfully might have done before the making of this Act; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Fiſhermen &c. lawfully authorized Excepted.

VII. And whereas divers offenders duly convicted, do commonly procure Writs of Certiorari to remove ſuch convictions into Superiour Courts at Weſtminſter, in hopes thereby to diſcourage and weary out ſuch perſons Injured by great Delays, Expences and Incertainties; Be it therefore Enacted, That no Certiorari ſhall be allowed to remove any conviction made, or other proceeding of, for, or concerning any matter or thing in this Act, unleſs the party or parties againſt whom ſuch conviction ſhall be made, ſhall before the allowance of ſuch Certiorari become bound to the perſon or perſons proſecuting in the Sum of Fifty pounds, with ſuch ſufficient Sureties, as the Juſtice or Juſtices of the peace before whom ſuch offender was convicted, ſhall think fit, with condition to pay unto the ſaid Proſecutors (within one month after ſuch conviction confirmed, or Procedendo granted) their full Coſts and Charges to be aſcertained upon their Oaths; And that in default thereof it ſhall be lawful for the ſaid Juſtice and Juſtices, and others to proceed to the due execution of ſuch conviction, in ſuch manner as if no Certiorari had been awarded.

No Certiorari of Conviction, except Party Convicted give Fifty pound ſecurity to pay Coſts.

VIII. Provided, That where any offender ſhall be puniſhed by force of this Act, he ſhall not be proſecuted, nor incur the penalty of any other law, or ſtatute for the ſame Offence.

Perſon Puniſhed by this Act puniſhable no no other way.

IX. Provided always, That if any Action, Bill, Plaint, or Suit, ſhall at any time after the ſaid Five and twentieth day of March, be commenced or brought againſt any perſon or perſons whatſoever, for or by reaſon of any matter or thing which he or they ſhall do in purſuance of this Act, it ſhall and may be lawful to and for the perſon or perſons ſo ſued or proſecuted, to plead the general iſſue and give this Act, or any other ſpecial matter in Evidence; And if the Verdict ſhall paſs with the defendant or defendants in ſuch Action, or the plaintiff or plantiffs become Nonſuit, or ſuffer any diſcountenuance thereof, That in any ſuch caſe, ſuch defendant or defendants ſhall have his or their treble Coſts, which he or they ſhall have ſuſtained in defence of ſuch Action or Suit, for which the ſaid defendant or defendants ſhall have the like remedy, as in other caſes where coſts by the Laws of this Realm are given to the defendants.

Proſecutor upon this Act, ſued may plead General Iſſue, and recover treble Coſts.

X. And whereas great miſchiefs do enſue by Inferiour Tradeſmen, Apprentices, and other diſſolute perſons neglecting their Trades and Employments, who follow Hunting, Fiſhing, and other Game, to the ruine of themſelves, and damage of their Neighbours; For remedy whereof, Be it Enacted by the Authority aforeſaid, That if any ſuch perſon as aforeſaid, ſhall preſume to Hunt, Hawk, Fiſh or Fowl (unleſs in company with the Maſter of ſuch Apprentice, duly qualified by law) ſuch perſon or perſons ſhall be ſubject to the penalties of this Act, and ſhall or may be ſued and proſecuted for their wilful Treſpaſs in ſuch their coming on any perſons land, and if found guilty thereof, the plaintiff ſhall not only recover his damages thereby ſuſtained, but his full Coſts of ſuit; Any former law to the contrary notwithſtanding.

Tradeſemen &c. lyable to this Act, and treſpaſs lies for coming on another mans ground in which Coſts are given.

XI. Provided always, and be it Enacted, That for the better preſerving the red and black Game of Growſe, commonly called Heath-Cocks, or Heath-Polts, no perſon whatſoever, on any Mountains, Hills, Heaths, Moors, Foreſts, Chaſes, or other Waſts, ſhall preſume to burn, between the ſecond day of February, and twenty fourth of June, any Grig, Ling, Heath, Furz, Goſs or Fern, upon pain that the offender or offen-

Penalty upon perſons burning Ling, &c. upon Heaths.

ders ſhall be committed to the houſe of correction, for any time not exceeding one month, and not leſs then ten days, there to be Whipt, and kept to hard Labour.

CAP. XXIV.

An Act for Reviving, Continuing, and Explaining ſeveral Laws therein mentioned, which are Expired and near Expiring.

Preamble.

Whereas divers Temporary Laws, which by Experience have been found uſeful and beneficial, are near Expiring, and ſome of them are already Expired; Therefore for Continuing and Reviving the ſame, and Explaining certain Doubts hereafter mentioned;

13, 14. Car. 2. 20. for providing carriages for the Navy, &c. continued by an Act of Jac. 2. continued for ſeven years.

II. Be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That an Act made in the Seſſion of Parliament held in the Thirteenth and Fourteenth years of the Reign of King Charles the Second, Entituled, An Act for providing Carriages by Land and by Water for the Uſe of His Majeſties Navy and Ordnance, which was thereby to have continuance, and be in Force until the end of the firſt Seſſion of the next Parliament, and no longer; Which ſaid Act being expired, was by one Act made in the firſt year of the late King James, Revived, and was enacted to have continuance during the ſpace of ſeven years from the four and twentieth day of June, in the year of our Lord, one thouſand ſix hundred eighty five, and from thence to the end of the firſt ſeſſion of Parliament then next enſuing, ſhall be, and is hereby continued, and ſhall be in force during the ſpace of ſeven years from the thirteenth day of February, one thouſand ſix hundred ninety two, and from thence to the end of the firſt Seſſion of Parliament then next enſuing, and no longer.

18. Car. 2. 5. about Coynage continued by 25 Car 2. 8. continued by an Act Jac. 2. continued for ſeven years. Cap. 8.

III. And be it further Enacted by the Authority aforeſaid, That an Act made in the eighteenth year of the reign of the late King Charles the ſecond, Entituled, An Act for Encouraging of Coynage, and continued by another Act made in the Five and twentieth year of the Reign of the ſaid late King Charles Entituled, An Act for continuing a former Act concerning Coynage; Both which ſaid Acts were revived by an Act made in the firſt year of the Reign of the late King James, and were enacted to have Continuance for the ſpace of ſeven years, to commence from the firſt day of Auguſt, one thouſand ſix hundred eighty five, and until the end of the firſt Seſſion of Parliament then next following, ſhall be, and are by virtue of this Act, continued, and ſhall be in Force for the ſpace of ſeven years, from the thirteenth day of February, One thouſand ſix hundred ninety two, and from thence to the end of the firſt Seſſion of Parliament then next following, and no longer.

22, 23. Car. 2. 22. for recovery of fines and forfeitures continued by an Act Jac. 2. made perpetual.

IV. And whereas an Act of Parliament was made in the Seſſion holden in the two and twentieth and three and twentieth years of the Reign of the late King Charles the Second, Entituled, An Act for the better and more certain Recovery of Fines and Forfeitures due to his Majeſty; Which ſaid Act, by an Act made in the firſt year of the Reign of the late King James the Second, was Revived and Enacted to be in Force from the Nineteenth day of May, in the year of our Lord God, One thouſand ſix hundred eighty five, and to have continuance for the ſpace of Seven years, and from thence to the end of the next Seſſion of Parliament: And whereas the ſame hath been found by Experience to be a good and uſeful Law, and much Conducing to the Service of the Crown, Be it enacted by the Authority aforeſaid, That the ſaid Act, and every Article, Clauſe and Thing therein contained, ſhall be in Force, and is hereby made perpetual.

Oath to be given upon return of Eſtreats.

V. And be it further Enacted by the Authority aforeſaid, That from henceforth all Clerks of the Court of Kings Bench, Clerks of the Court of Common Pleas, Clerks of Aſſize, Clerks of the Peace, Town Clerks, Clerks of Sewers, Clerks of the Markets, and others to whom it belongeth to make Returns of Eſtreats into the Court of Exchequer, ſhall upon Delivery in of all and every ſuch Eſtreat and Eſtreats, take the Oath following, that is to ſay,

You ſhall Swear, That theſe Eſtreats now by you delivered, are truly and carefully made up and examined, and that all Fines, Iſſues, Amerciaments, Recognizances and Forfeitures which were Set, Loſt, Impoſed, or Forfeited, and in right and due courſe of Law ought to be Eſtreated in the Court of Exchequer, are, to the beſt of your knowledge and underſtanding, therein contained; And that in the ſame Eſtreats are alſo contained and expreſſed all ſuch Fines as have been paid into the Court from which the ſaid Eſtreats are made without any wilful or fraudulent Diſcharge, Omiſſion, Miſnomer or Defect whatſoever.

So help you God.

Which ſaid Oath the Barons of the Court of Exchequer, or any of them are, and is hereby Required and Impowered to Adminiſter from time to time accordingly.

22, 23. Car. 2. Cap. 26. continued by an Act Jac. 2. continued for ſeven years.

VI. And be it further Enacted by the Authority aforeſaid, That an Act made at the Seſſion of Parliament holden in the ſaid two and twentieth and three and twentieth years of the Reign of the ſaid King Charles the Second, Entituled, An Act to Prevent the Planting of Tobacco in *England*, and for Regulating the Plantation Trade; Which by an Act made in the Firſt year of the late King James, was Enacted, to have Continuance from the Firſt day of the then preſent Seſſion of Parliament, for ſeven years, and from thence to the end of the next Seſſion of Parliament, ſhall, by virtue of this Act, continue and ſhall be in force for the ſpace of ſeven years from the ſaid Thirteenth day of February, One thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament.

19. Car. 2. 12. about aſſigning Exchequer orders continued by an Act Jac. 2. continued for ſeven years.

VII. And be it further Enacted, That an Act made in the Nineteenth year of the Reign of the late King Charles the Second, Entituled, An Act for Aſſigning Orders in the Exchequer without Revocation; Which Act in the Firſt year of the Reign of the late King James the Second, was Enacted to be in Force from the firſt day of the then preſent Seſſion of Parliament, and to continue for Seven years, and from thence to the end of the next Seſſion of Parliament, is hereby continued, and ſhall be in Force for the ſpace of ſeven years, from the thirteenth day of February, One thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament.

VIII. And whereas an Act made at the Seſſion of Parliament holden in the ſaid two and twentieth and three and twentieth years of the Reign of the ſaid late King Charles the Second, Entituled, An Act to Revive an Act, Entituled, An Act to prevent the diſturbance of Seamen and others, and to preſerve the Stores belonging to his Majeſties Navy Royal, with ſome Alterations and Additions, was by an Act made in the firſt year of the late King James the Second, Enacted to be in force from the firſt day of the then preſent Seſſion of Parliament, for ſeven years, and from thence to the end of the firſt ſeſſion of the next Parliament, Be it enacted, That the ſaid laſt mentioned Act be continued, and ſhall be in Force for the ſpace of ſeven years, from the Thirteenth day of February, One thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament.

22. 23. Car. 2. 23. About Seamen and the Navy Stores continued by an Act Jac. 2. continued for ſeven years.

IX. And whereas an Act was made at the ſaid Seſſion of Parliament held in the two and twentieth and three and twentieth years of the Reign of the ſaid late King Charles the Second, Entituled, An Act to prevent Frauds in the buying and ſelling of Cattel in *Smithfield*, and elſewhere, which was thereby to continue in Force from the four and twentieth day of June, One thouſand ſix hundred ſeventy one, and from thence to the end of the next Seſſion of Parliament. And whereas the ſaid Act being expired, was afterwards by an Act made in the firſt year of the Reign of the late King James the Second, Enacted to be in force from the four and twentieth day of June, One thouſand ſix hundred eighty five, for ſeven years, and from thence to the end of the next Seſſion of Parliament: Nevertheleſs, it was thereby provided, That neither the ſaid Act, nor any thing therein contained, ſhould extend to Saleſmen or Factors Imployed by Farmers or Feeders: Be it enacted by the Authority aforeſaid, That the ſaid Act, together with the ſaid Proviſo, ſhall continue and be in force for the ſpace of Seven years from the thirteenth day of February, One thouſand ſix hundred ninety two, and from thence unto the end of the next Seſſion of Parliament, and no longer.

22. 23. Car. 2 19. About Buying Cattel in Smithfield, continued by an Act of Jac. 2. continued for ſeven years. Cap. 19.

X. And be it further enacted, That an Act made in the Firſt year of their Majeſties Reign, Entituled, An Act for the better preventing the Exportation of Wooll, and Eneouraging the Woollen Manufacture of this Kingdom, and every Clauſe, Article and thing therein contained (other then, and except ſuch part of the ſaid Act as relates to the Free Exportation of the Woollen Manufacture) ſhall be, and is hereby continued, and ſhall be in force for the term of three years, from the thirteenth day of February, One thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament, and no longer. Provided always, That no Wooll ſhall be Imported from the Kingdom of Ireland into the Port of Exeter; Any thing in this Act, or in any former Act, Statute or proviſion to the contrary in any wiſe notwithſtanding.

1 W. & M. S. 1. Cap. 32. about Exportation of wooll, continued for three years.

Wooll not to be Imported from Ireland, to Exeter.

XI. And whereas an Act made in the thirteenth and fourteenth years of the Reign of King Charles the Second, Entituled, An Act for the better Relief of the Poor of this Kingdom, was enacted to have Continuance (Except what related to the Corporations therein mentioned, and thereby conſtituted) until the nine and twentieth day of May, One thouſand ſix hundred ſixty five, and from thence to the end of the firſt Seſſion of the next Parliament; Which ſaid Act, by an Act made in the firſt year of the Reign of the late King James (Except as to what related to the Corporations therein mentioned, and conſtituted thereby,) was enacted to be in force, from the firſt day of May, One thouſand ſix hundred eighty five, and ſo to continue for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament. And whereas by an Act made in the laſt Seſſion of this preſent Parliament the ſaid laſt mentioned Act (as to what therein related to the ſettlement of the Poor) was enacted to be in force from the firſt day of March, One thouſand ſix hundred ninety one, but no proviſion was thereby made for continuing of divers other parts of the ſaid Act, which by Experience are found to be uſeful and beneficial for the publick: Be it enacted by the Authority aforeſaid, That the ſaid Act for the better relief of the poor of this Kingdom, as to all parts thereof, not mentioned and continued in and by the ſaid Act made in the laſt Seſſion of this preſent Parliament (other then, and except what relates to the Corporations mentioned in the ſaid Act for the better relief of the poor of this Kingdom, and thereby conſtituted,) ſhall be continued, and ſhall be in force for the ſpace of ſeven years, from the thirteenth day of February, One thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament, and no longer.

13. 14. Car. 2. 12. For relief of the Poor continued by an Act Jac. 2 continued 3. 4. W & M. Cap. 11. continued for ſeven years.

3. & 4. W. & M. Cap. 11.

XII. And be it further enacted by the Authority aforeſaid, That an Act made in the thirtieth year of the Reign of King Charles the Second, Entituled, An Act to enable Creditors to recover their debts of the Executors and Adminiſtrators of Executors in their own Wrong; Which ſaid Act, in the firſt year of the Reign of the late King James the Second, was enacted to be in force from the firſt day of the then preſent Seſſion of Parliament, and to continue for ſeven years, and from thence to the end of the firſt Seſſion of the then next Parliament, ſhall be, and is hereby continued and made perpetual. And foraſmuch as it hath been a doubt whether the ſaid Act did extend to any Executor or Executors, Adminiſtrator or Adminiſtrators of any Executor or Adminiſtrator of Right, who for want of privity in Law, were not before Anſwerable, nor could be Sued for the debts due from or by the firſt Teſtator or Inteſtate, notwithſtanding that ſuch Executors or Adminiſtrators had waſted the Goods and Eſtate of the firſt Teſtator or Inteſtate, or Converted the ſame to his or their own Uſe: For remedy whereof, Be it further enacted and declared by the Authority aforeſaid, That all and every the Executor and Executors, Adminiſtrator or Adminiſtrators of ſuch Executor or Adminiſtrator of Right, who ſhall waſte or Convert to his own Uſe, Goods, Chattels or Eſtate of his Teſtator or Inteſtate, ſhall from henceforth be liable and chargeable in the ſame manner as his or their Teſtator or Inteſtate, ſhould or might have been, any Law or Uſage, to the contrary notwithſtanding.

13. Car. 2. 7. About Recovery againſt Executors de ſon tort continued by an Act Jac. 2. perpetual.

Devaſtavit lies againſt Executors by Right.

XIII. And whereas by an Act made at the laſt Seſſion of this preſent Parliament, Entituled, An Act to take away Clergy from ſome Offenders, and to bring others to Puniſhment, It was enacted, in caſes where a man, being Convicted of Felony might Demand the Benefit, of his Clergy, a Woman Convicted, for ſuch like Offence, and Praying the benefit of that Sta-

3 & 4 W. & M. 9. continued for three years and made perpetual by 6 & 7. W. 3. 14.

Women only to have benefit of Clergy once.

tute, ſhould not have judgment of death given againſt her upon ſuch Conviction or Execution Awarded upon any Outlary for ſuch Offence, but ſhould ſuffer the ſame Puniſhment as a Man, who hath the Benefit of his Clergy in the like Caſe, ſhould ſuffer. And whereas ſome doubt hath ariſen upon the ſaid Statute, whether a woman ſhould have the benefit thereof more then once; Be it therefore declared and enacted by the authority aforeſaid, That if any woman hath been or at any time hereafter, ſhall be convicted of any Felony, for which a man might have the benefit of Clergy, and upon her prayer hath once had, or hereafter ſhall once have the benefit of the ſaid Statute, and ſhall be again Convicted of any other Felony, for which a man might have the benefit of his Clergy, ſuch woman ſhall be, and is hereby totally excluded from having any benefit or advantage of the ſaid Statute, but ſhall ſuffer pains of death, in ſuch and the ſame manner, as if the ſaid Statute had not been made. And be it further enacted, That the ſaid laſt mentioned Act ſhall continue and be in force for the ſpace of three years, from the thirteenth day of February, one thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament, and no longer.

13, 14. Car. 2. 33. about printing, continued by an Act Jac. 2. continued for one year.

XIV. And be it further enacted by the authority aforeſaid, That an Act made at the Seſſion of Parliament, holden in the thirteenth and fourteenth years of the Reign of the late King Charles the Second, Intituled, An Act for Preventing Abuſes in Printing Seditious, Treaſonable and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing Preſſes, which was by an Act made in the firſt year of the Reign of the late King James, Revived and Enacted to have continuance from the four and twentieth day of June, one thouſand ſix hundred eighty five, for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament: Be it enacted by the authority aforeſaid, That the ſaid Act be continued, and ſhall be in force for the ſpace of one year, from the thirteenth day of February, one thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament, and no longer.

Cap. 3.

All Jurors to have 10. l. per Annum.

Welch Jurors 6 l. per Annum.

XV. And whereas a certain Act made at the Seſſion of Parliament, held in the ſixteenth and ſeventeenth years of the Reign of the late King Charles the Second, Intituled, An Act for Returning of Able and Sufficient Jurors, is expired, Be it enacted by the authority aforeſaid, That all Jurors (other then Strangers upon Tryals per medietatem Linguæ) who are to be Returned for Tryals of Iſſues joyned, in any of the Courts of Kings-Bench, Common-Pleas or Exchequer, or before Juſtices of Aſſize or Niſi prius, Oyer and Terminer, Goal Delivery, or General Quarter Seſſions of the Peace, from and after the firſt day of May, one thouſand ſix hundred ninety three, in any County of this Realm of England, ſhall every of them have in their own name, or in truſt for them within the ſame County, ten pounds by the year at leaſt above reprizes, of freehold or copyhold lands or tenements, or of lands and tenements of ancient demeſn, or in rents, or in all or any of the ſaid lands, tenements, or rents, in fee ſimple, fee tail, or for the Life of themſelves, or ſome other perſon; And that in every County of the Dominion of Wales, every ſuch Juror ſhall then have within the ſame County ſix pounds by the year at leaſt, in manner aforeſaid, above Reprizes: All which perſons having ſuch Eſtates, as aforeſaid, are hereby enabled, and made liable to be Returned, and ſerve as Jurors for the Tryal of Iſſues before the Courts and Juſtices aforeſaid; Any Law or Statute to the contrary in any wiſe notwithſtanding. And if any of a leſſer Eſtate and Value ſhall be reſpectively Returned upon any ſuch Jury, it ſhall be a good cauſe of challenge, and the party Returned, ſhall be diſcharged upon the ſaid challenge, or upon his own Oath of the truth of the ſaid matter: And that no Jurymans Iſſues making default, ſhall be ſaved, but by ſpecial Order of the Court, or Judges before whom the Iſſue is to be Tried, for ſome reaſonable cauſe proved upon Oath before the ſame Court or Judges; And all ſuch Iſſues ſhall be duly eſtreated and levied; And the Writ of Venire facias, which from and after the time aforeſaid, ſhall be awarded and directed for the impannelling of Juries in cauſes aforeſaid, within any County of England, ſhall be after this Form;

Iſſues ſhall be duly eſtreated.

Form of Venire.

Rex, &c. præcipimus, &c. quod venire fac' coram, &c. Duodecem liberos & legales homines de Vicineto de A. quor' quilibet habeat Decem libras Terræ Tenementor' vel Redditum per Annum ad minus per quos, &c. & qui nec, &c.

Penalty upon Sheriff otherwiſe returning.

And the reſidue of the ſaid Writ ſhall be after the ancient manner; And that the Writs which ſhall be awarded and directed for the returning of Juries within the Dominion of Wales, ſhall be made in the ſame manner, altering only the word Decem for Sex; And that upon every ſuch Writ or Writs of Venire facias, the Sheriff, Coroner, and other Miniſters of each reſpective County in England and Wales, unto whom the making of the pannel ſhall appertain, ſhall not return in any ſuch pannel, any perſon, unleſs he ſhall then have ten pounds, or ſix pounds reſpectively by the year, at leaſt, as aforeſaid, in the ſame County where the iſſue is to be tried, upon pain to forfeit for every perſon being returned in any ſuch pannel, that ſhall not then have ten pounds or ſix pounds reſpectively, as aforeſaid, the ſum of five pounds to their Majeſties, their heirs and ſucceſſors.

Penalty upon Sheriff returning without ſix days Summons or excuſing for reward.

XVI. And be it further enacted, That no Sheriff or Bailiff of any Liberty or Franchiſe, or any of their or either of their Miniſters ſhall return any ſuch perſon or perſons, as aforeſaid, to have been ſummoned by them, or any of them, unleſs ſuch perſon and perſons ſhall have been duly ſummoned by the ſpace of ſix days at the leaſt, before the day on which they ought to make their appearance, nor ſhall directly or indirectly take money or other reward to excuſe the appearance of any Juror by any of them to be ſummoned or returned, upon pain to forfeit for every ſuch offence, the ſum of ten pounds to their Majeſties, their heirs and ſucceſſors.

Boroughs, &c. excepted.

XVII. Saving nevertheleſs to all Cities, Boroughs and Towns Corporate, their ancient uſage of returning Jurors of ſuch Eſtate, and in ſuch manner as heretofore has been uſed and accuſtomed; Any thing in this Act contained to the contrary notwithſtanding.

Tales 5 l. per Annum.

XVIII. Provided nevertheleſs, That it ſhall be lawful to return any perſon to ſerve upon the Tales in any County within the Kingdom of England, who ſhall have within the ſame County five pounds by the year, above Reprizes, in manner aforeſaid, and not otherwiſe.

Welſh Tales 3 l. per Annum.

XIX. Provided nevertheleſs, That it ſhall be lawful to return any perſon to ſerve upon the

Tales in any County within the Dominion of Wales, who ſhall have within the ſame County three pounds by the year, above Reprizes, in manner aforeſaid, and not otherwiſe.

XX. And be it further enacted by the Authority aforeſaid, That no fee or reward whatſoever ſhall be taken by any Sheriff, Clerk of Aſſizes, or any other Officer or Perſon whatſoever, for the returning of any Tales, or upon the account of any Tales returned, upon pain of forfeiture for every ſuch offence the ſum of ten Pounds, whereof one moiety to be to the uſe of the proſecutor, and the other moiety to the uſe of their Majeſties, their Heirs and Succeſſors, to be recovered by action of debt, bill, plaint, or information, wherein no eſſoign, protection or wager of Law, or more then one imparlance ſhall be allowed.

Ten pound penalty upon Officer taking Fee for returning any Tales.

XXI. And be it further enacted, That no Writ de non ponendis in Aſſiſis & Juratis ſhall be hereafter granted, unleſs upon oath made, that the ſuggeſtions upon which the ſaid Writ is granted are true.

Non ponend' grantable upon Oath only.

XXII. And be it enacted, that ſo much of this preſent Act as does relate to the returning of Jurors, ſhall be in force for the ſpace of three years, from the ſaid firſt day of May, one thouſand ſix hundred ninety three, and from thence to the end of the next Seſſion of Parliament.

Act continues three years as to return of Jurors.

CAP. XXV.

An Act for continuing the Acts for prohibiting all Trade and Commerce with *France*, and for the Encouragement of Privateers.

Whereas an Act made in the firſt year of their Majeſties Reign, Entituled, An Act for prohibiting all Trade and Commerce with *France*, And alſo another Act made in the ſecond year of their Majeſties Reign, Entituled, An Act for the more effectual putting in execution an Act, Entituled, *An Act for prohibiting all Trade and Commerce with* France, will expire at the end of this preſent ſeſſion of Parliament, unleſs ſome proviſion be made in that behalf; Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid two Acts, and every clauſe, article, matter and thing in them contained, except what is altered, and otherwiſe provided for, by this preſent Act, ſhall continue and be in force during the term of three years, if the preſent war with France ſhall ſo long laſt, to be accounted from the end of this preſent Seſſion of Parliament, and from thence to the end of the next Seſſion of Parliament, after the expiration of the ſaid three years.

1 W & M S. Cap. 34. continued by 2 W & M S. 2 Cap. 14. continued for three years.

II. And whereas it would much tend to the annoying and damaging their Majeſties enemies, and to the better ſecuring the trade and commerce of this Kingdom, if greater numbers of ſhips were equipped, and ſet out in warlick manner by their Majeſties Subjects: To which end it is requiſite that all fitting encouragement ſhould be given to all Merchants, Owners, and Setters out of, and all the Officers, Mariners and Seamen, commanding & ſerving in any private Man of War, for the ſeizing, ſurprizing, and taking of ſhips and veſſels belonging to their Majeſties enemies: yet nevertheleſs effectual proviſion ought alſo to be made, that under pretence of prize goods, no evil minded perſons may by colluſion carry on any trade with France, contrary to the true intent of the before mentioned Acts; Be it enacted by the authority aforeſaid, that all ſhips and veſſels with their ladings, and all goods and merchandizes that ſhall be taken or ſeized as prize, either by their Majeſties ſhips of War, or by any ſhips ſet forth as Privateers, or otherwiſe, ſhall be imported & brought into ſome of their Majeſties ports of this Kingdom, and immediately without breaking of bulk, put into the poſſeſſion of their Majeſties Commiſſioners for prizes, or their Officers or Agents in the ſaid Port, who together with two or more ſuch perſons as the Officers or Mariners of the reſpective ſhips ſhall intruſt, and alſo ſuch perſon or perſons as ſhall be appointed by the Commiſſioners of the cuſtoms in that behalf, are to take care of, and preſerve the ſame from imbezelments, until ſuch time as the ſame ſhall be adjudged lawful prize; except where it ſhall appear to the Judge of the Admiralty that the goods taken are periſhable, in which caſe the ſaid Judge ſhall take Bail for ſuch goods in order to the ſale thereof, as he might have done before the making this Act, yet ſo as to be ſubject to ſuch manner of ſale and diſtribution as is particularly provided by this Act.

Prizes to be put into the Commiſſioners hands till judged Prize.

Bail may be given for periſhable Goods.

III. And be it further enacted, that notwithſtanding any thing in the before mentioned Acts, or either of them contained, if any goods, merchandizes, or other things which by the ſaid Acts, or either of them, are prohibited to be imported into the Kingdom of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or Iſles of Jerſey, Guernſey, Alderney, Sark, or Iſle of Man, ſhall be really and bona fide, without any manner of fraud or colluſion, taken as prize by any Private Ships of War duly Commiſſioned in that behalf, or by any of their Majeſties Ships of War, and ſhall be adjudged good and lawful prize, as aforeſaid, it ſhall be lawful for their Majeſties Commiſſioners for prizes, or their Officers or Agents in the ſame port, as ſoon as may be, after that the ſame ſhall be adjudged prize as aforeſaid, to cauſe the ſaid goods or commodities to be entred, and to be landed, and brought into their Majeſties Warehouſe of ſuch port where ſuch goods or merchandizes ſhall be imported, there to remain, and to be ſafely and entirely kept and preſerved, until the ſame ſhall be ſold in manner as hereafter is directed.

Ship adjudged prize the goods ſhall be put into the Kings Warehouſe.

IV. And be it further enacted, that as ſoon as conveniently may be, after the ſaid goods, merchandizes, or other things, ſhall be adjudged prize, and landed, as aforeſaid, the ſame ſhall be by the Commiſſioners for prizes, or their Officers or Agents, in the preſence of ſuch perſons as ſhall be intruſted by the Commiſſioners of the cuſtoms, and by the Owners, Officers, & Mariners of ſuch ſhip of War, publickly and openly ſold by inch of candle to the beſt advantage (publick notice being firſt given by the ſpace of fourteen days at the Market Croſs, or other moſt publick place of the ſaid port, as alſo upon the Exchange in the port of London, of the quantity or quality of the goods, merchandizes and things to be ſold, and of the time and place of ſale.

Prize-goods ſhall be publickly Sold.

V. And be it further enacted, that out of the proceed of ſuch ſale, the ſubſidy of tonnage and poundage, and all other duties and impoſitions payable to their Majeſties for ſuch goods, merchandizes and things, ſhall be deducted and anſwered to their Majeſties, and the Neat proceed of the ſaid ſale, after ſuch deductions, in caſe where ſuch prize was taken by any Private Man of War, ſhall be divided into five parts, of which four parts ſhall be anſwered and paid

Cuſtom and Diviſion of the Prize.

to the perſons intereſted in the Privateer or Privateers which took the ſaid Prize, and the other fifth part ſhall be anſwered and paid to their Majeſties, their heirs and ſucceſſors; And in caſe any ſuch prize was taken by any Private Man of War, the Ship or Veſſel ſo ſurprized or taken as prize, and all the Arms, Ammunition, Tackle, Cables, Anchors, Sails, and Furniture thereof, ſhall be had, taken and enjoyed by the perſons intereſted in the Private Man of War which took the ſame; And in caſe ſuch prize was taken by any of their Majeſties Ships of War, the ſaid Neat proceed thereof, after ſuch ſale, as aforeſaid, and after the duties and impoſitions payable to their Majeſties deducted, as aforeſaid, ſhall be divided into three equal parts, one third part whereof ſhall be anſwered and paid to the Commander or Captain, Mariners and Seamen ſurprizing and taking the ſame, to be diſtributed according to the uſual cuſtom of the Sea for ſharing of prizes, or ſuch declarations or orders as have been, or ſhall be made by their Majeſties in that behalf.

VI. Provided, that one third part thereof ſhall be diſtributed amongſt the Ships Crew, one third part to be paid to the Treaſurer of their Majeſties Navy, for relief of ſick and wounded Mariners and Seamen, and the Widows, Children, and Impotent Parents of perſons ſlain in their Majeſties Service at Sea, and the other third part to the uſe of their Majeſties, their Heirs and Succeſſors; And in caſe ſuch prize was taken by any Merchant Ship or Ships imployed in their Majeſties Service, the Neat proceed thereof, after ſuch Sale, as aforeſaid, and after the Duties, Impoſitions, and Cuſtoms to their Majeſties deducted, as aforeſaid, ſhall be divided into three equal parts, one third part to be anſwered and paid to the Captain, Officers, Mariners and Seamen ſurprizing and taking the ſame, one third part to the uſe of their Majeſties, their heirs and ſucceſſors, and the other third part ſhall be paid to the Treaſurer of their Majeſties Navy for the time being, to be diſpoſed of for the purpoſes aforeſaid.

Penalty upon Imbezelling the Goods, &c.

VII. Provided always, and be it enacted, that if any Captains, or other Officers, Mariners or Seamen, who ſhall take ſuch prize or prizes as aforeſaid, ſhall imbezel, purloin, conceal, or convey away, or put on ſhore, or cauſe or procure to be imbezelled, purloined, concealed or conveyed away, or put on ſhore any part or parcel of ſuch Goods or Merchandizes in any place whatſoever, other then their Majeſties warehouſes of the ſaid ports, as aforeſaid, ſuch perſon ſo offending ſhall forfeit and loſe the whole ſhare, benefit and advantage which otherwiſe he might or ought to have had in the prize, whereof the goods & merchandizes ſo imbezelled, concealed or conveyed away, or put on ſhore, were part or parcel, upon proof thereof made by one or more witneſſes upon oath, before the Commiſſioners of the cuſtoms in the port of London (if ſuch goods and merchandizes ſhall be ſo imbezelled or put on ſhore in the ſaid port, or in any place within the view or knowledge of any of the Officers of their Majeſties cuſtoms belonging to the port of London) and before the chief Magiſtrate of the place, in the preſence of the chief officer of the port, in any other port where ſuch prize goods ſhall be imported, which oath the ſaid Commiſſioners of the cuſtoms in the port of London, and the chief Magiſtrate reſpectively, are hereby required and impowered to adminiſter, aand to hear and determine the ſaid matter without delay: And one moiety of the ſaid Wares and Merchandizes ſhall be to the uſe of the informer, and ſhall be delivered to him by Warrant of the ſaid Commiſſioners of the Cuſtoms in the Port of London, or of the chief Magiſtrate of the place, Signed and Sealed in the preſence of the chief Officer of the Cuſtoms, in ſuch port reſpectively, and the other moiety ſhall be to the uſe of their Majeſties, their Heirs and Succeſſors.

Perſon concerned to ſee the Accounts.

VIII. And it is hereby further enacted, that any Perſon, Seaman or other, concerned in any prize, ſhall and may at any ſeaſonable time be permitted to ſee and peruſe the accounts of any prize, that he or they may be ſatisfied whether the ſhares have been rightly diſtributed, and the Commiſſioners for prizes, and their officers, are hereby required to ſhew or cauſe to be ſhewn unto ſuch perſon or perſons ſuch accounts for their peruſal, and to take no more fee or reward for the ſame, then one ſhilling for one account at one time.

Forfeiture and puniſhment of taking French Ships by colluſion.

IX. And be it further enacted, that in caſe any Ship or Veſſel, or any Goods or Merchandizes of the Growth, Product or Manufacture of the Dominions or Territories of the French King, ſhall be taken by any Privateer, through conſent or clandeſtinely, or by colluſion, ſuch Ship and Veſſel, and ſuch Goods and Merchandizes, and alſo the Ship, Tackle, Apparel, Furniture and Ammunition of ſuch Privateer, ſhall upon proof thereof to be made in their Majeſties Court of Exchequer, or in the Court of Admiralty, be declared and adjudged to be good prize to their Majeſties; and one moiety thereof ſhall be to the uſe of their Majeſties, their Heirs and Succeſſors and the other moiety to the uſe of ſuch perſon who ſhall diſcover the ſame, and the Bond given by the Captain of ſuch privateer, ſhall be, and is hereby adjudged to be forfeited to their Majeſties: And in caſe any ſuch Ship, Veſſel, or any Goods or Merchandizes, as aforeſaid, ſhall be taken by any Man of War, through conſent, clandeſtinely, or by colluſion of the Commander or Captain, ſuch Commander or Captain, ſhall forfeit the ſum of one thouſand pounds, one moiety thereof to the uſe of their Majeſties, their heirs and Succeſſors, and the other moiety to the uſe of ſuch perſon who ſhall diſcover the ſame, to be recovered by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record, wherein no eſſoign, protection, priviledge or wager of Law, nor any more then one imparlance ſhall be allowed; and ſuch Captain or Officer ſhall forfeit his Command or Imployment, and ſhall be, and is hereby diſabled and made incapable of any Office or Imployment under their Majeſties, during the ſpace of ſeven years: And the ſaid Goods and Merchandize, and the ſhip, tackle, apparel, furniture, guns and ammunition ſo taken by colluſion, ſhall be, and is hereby adjudged to be good prize to their Majeſties.

X. Provided always, and be it further enacted, that in all caſes where the ſaid prize ſhall not be taken by any Private Man of War, one tenth part thereof, after ſuch ſale and deduction of their Majeſties Cuſtoms as aforeſaid, and before any diviſion of the proceed thereof ſhall be made, as aforeſaid, ſhall be paid to the Treaſurer of the Navy for the time being, which ſaid tenth part ſhall be ſeparated and kept apart by the ſaid Treaſurer of the Navy, and ſhall be diſpoſed of from time to time, by Warrant of the Commiſſioners for executing the Office of

Lord High Admiral, or Lord High Admiral for the time being, for Medals and other Rewards for Officers, Mariners and Seamen in their Majeſties Service at Sea, who ſhall be found to have done any ſignal or extraordinary Service.

Reward for taking, &c. a French Man of War.

XI. And for the better encouragement of Officers, Seamen and Mariners, to anoy the enemy, and to attempt, and take or deſtroy Ships of War, and of Force belonging to the enemy: Be it further enacted, That in caſe any of their Majeſties Ships of War, or any Private Man of War, ſhall take in fight as prize, or ſhall ſink, fire, or by any other means deſtroy any Ship of War, or any Private Man of War belonging to the French King, or his ſubjects, or in the Service of the French King, they ſhall receive and have, as a reward for ſuch Service, for each piece of ordnance, whether Iron or Braſs, in any ſuch Ship of War, or Private Man of War ſo taken or deſtroyed, ten pounds, to be paid by the Commiſſioners for Prizes out of their Majeſties ſhare of Prizes.

XII. Provided always, and be it enacted, that if the Commiſſioners for Prizes ſhall not pay any ſum or ſums of money, or give a Bill or Bills payable out of the firſt money that comes to their hands to the perſons intereſted in Private Men of War, for the reward hereby given them of ten pounds a gun, by the ſpace of three days after the ſame ought by the true intent of this Act, to be paid, and demand thereof made, free of all charges, Fees and Deductions whatſoever, in ſuch caſe the ſaid Commiſſioners ſhall be made incapable of any Office in their Majeſties Service for the future.

Shares, &c. here given in lieu of Shares in Prize taken in Fight.

XIII. And be it further enacted and declared, that the ſhares, proportions and rewards by this Act given to the reſpective Commanders, Officers and Seamen, ſhall be in lieu and full ſatisfaction of all ſhares in prizes taken in fight, as well as otherwiſe, during this preſent War; Any thing in an Act made in the thirteenth year of the Reign of the late King Charles the Second, entituled, Articles and Ordinances for the Regulating and Government of his Majeſties Navy, Ships of War, and Forces by Sea, or any Declaration or Order of their Majeſties to the contrary notwithſtanding.

Penalty for Imbezeling Goods upon the Gun Deck.

XIV. And be it further Enacted, that if any Captain or Officer, or any other perſon by his command or direction, or any Seaman, Soldier or other perſon ſerving in their Majeſties Navy, or in any Privateer, ſhall take to him or themſelves, or imbezel any Money, Plate, Goods, Lading or Tackle, or other things upon, or above the Gun Deck, or any other part or place whatſoever, in any Ship taken or ſeized on for Prize, or Retaken from the Enemy, the party Offending ſhall loſe and forfeit the Shares, Proportions and Rewards to him allowed by this Act. And alſo in caſe ſuch perſon be an Officer, he ſhall forfeit the ſum of Five hundred pounds (whereof one moiety ſhall be to their Majeſties, and the other moiety to him who ſhall Sue for the ſame in any of their Majeſties Courts at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, or more then one Imparlance ſhall be allowed) for every ſuch offence, and ſuch Officer ſhall be uncapable of any Office or Imployment under their Majeſties during the ſpace of ſeven years. It being the true intent of this Act, that all Goods upon or above the Gun Deck, and elſewhere, ſhall in all places be preſerved intire from Imbezelments, and ſhall not be pillaged in any caſe whatſoever.

Prizes taken in the Streights may be carried to Cadiz, &c.

XV. Provided always, and be it enacted, that where any Ship or Veſſel ſhall be taken as Prize in the Mediterranean Sea, or within the Streights of Gibraltar, it ſhall be lawful for the Captors to carry ſuch Ship or Veſſel into the Port of Cadiz, or Alicant in Spain, or the Port of Meſſina in Sicilly, or the Port of Naples, and to put the ſame into the poſſeſſion of ſuch perſon or perſons, as is, are, or ſhall be authorized by their Majeſties to receive and preſerve the ſame, there to remain and be kept without Imbezelment, until the ſame ſhall be, by the Court of Admiralty of England, adjudged lawful Prize, or cleared and diſcharged, or otherwiſe legally diſpoſed of; ſuch Captors being hereby required with all poſſible ſpeed to tranſmit the Original Papers, taken in ſuch Ship or Veſſel, or atteſted Copies thereof to the ſaid Court.

Prizes in the Weſt Indies may be carried to any Engliſh Port there.

XVI. And be it further Enacted, that where any Ship or Veſſel ſhall be taken as Prize in the Weſt Indies or America, it ſhall be lawful for the Captors to carry ſuch Ship or Veſſel into any of their Majeſties ports in any of their Iſlands or Plantations there, and to put the ſame into the poſſeſſion of the chief Governour of ſuch reſpective Iſlands or Plantations, there to remain and be kept, as aforeſaid, until the ſame ſhall be condemned, or diſcharged, or otherwiſe lawfully diſpoſed of, as aforeſaid, by ſuch perſons as ſhall be lawfully Commiſſioned in that behalf.

Prizes in the Eaſt Indies to any Engliſh Port there.

XVII. And be it further Enacted, that in caſe any Ship or Veſſel ſhall be taken as Prize in the Eaſt Indies, or in any place beyond the Cape of Good Hope, it ſhall be lawful for the Captors to carry ſuch Ship or Veſſel into any port or place where any Engliſh Factory is eſtabliſhed, and to put the ſame into the poſſeſſion of the Governour or Chief Perſon of the ſaid Factory, to be preſerved, as aforeſaid, until Condemnation by ſuch perſons as ſhall be lawfully Commiſſioned in that behalf.

Prize taken by Privateer, not having French Commodities pays only Cuſtoms.

XVIII. And be it further Enacted, that where any Ship or Veſſel ſhall be taken as Prize by any Private Man of War, in which Ship or Veſſel there ſhall be no Goods or Merchandizes of the growth, production or manufacture of the Dominions of the French King, and the ſame ſhall appear upon landing thereof, as aforeſaid, and due proof made, that then after lawful Condemnation of ſuch Prize and payment of Cuſtoms, and other duties to their Majeſties, payable for ſuch Goods and Merchandizes, the perſons intereſted in ſuch Private Man of War ſhall have the ſaid Ship, Goods, and Merchandizes to their own uſe, without deduction for Tenths, or any other part or proportion thereof payable to their Majeſties, or to the Lord High Admiral of England.

Prize taken in Ports given to the King.

XIX. And for preventing abuſes practiſed by Privateers in pretending to take as Prize Ships or Veſſels being within their Majeſties Ports, Rivers or Havens, be it Enacted, that where any Ship or Veſſel ſhall be taken in any of their Majeſties Ports, Havens or Rivers, by any Privateer, ſuch Prize upon Condemnation thereof, ſhall be and belong wholly and entirely to their Majeſties, as a perquiſite of the Admiralty of England; and the ſaid Captors to have ſuch part or proportion thereof only as their Majeſties ſhall think fit to allow.

Ship Retaken from the French ſhall be reſtored to the Owner paying Salvage

XX. Provided always, and be it Enacted, that if any Ship, Veſſel or Boat, taken as Prize, or any Goods therein, ſhall appear and be proved in the Court of Admiralty, to be belonging to any of their Majeſties Subjects of England, Scotland or Ireland, or any of the Dominions and Territories thereunto belonging, remaining and continuing under their Majeſties protection and obedience, which were before taken or ſurprized by the Subjects of the French King, or any of their Majeſties Enemies, and afterwards again ſurprized and Retaken by any of their Majeſties Ships of War, or any Private Man of War, or other Ship, Veſſel or Boat under their Majeſties protection or obedience, that then ſuch Ships, Veſſels, Boats and Goods, and every ſuch part and parts thereof, as aforeſaid, belonging to ſuch their Majeſties Subjects ſhall be adjudged to be reſtored, and ſhall be, by Decree of the ſaid Court of Admiralty, accordingly reſtored to ſuch former Owner or Owners, or Proprietors, he or they paying for, and in lieu of Salvage, if taken by one of their Majeſties Ships of War, an eighth part of the true value of the Ships, Veſſels, Boats and Goods reſpectively ſo to be reſtored; which Salvage ſhall be anſwered and paid to the Captains, Officers, and Seamen in the ſaid Man of War, to be divided in ſuch manner as before in this Act is directed, touching the Share of Prizes belonging to the Captains, Officers and Seamen, where Prizes are taken by any of their Majeſties Ships of War; And if taken by a Privateer, or other Ship, Veſſel or Boat, after having been in the poſſeſſion of the Enemy twenty four hours, an eighth part of the true value of the ſaid Ships, Veſſels, Boats and Goods; and if above Twenty four hours, and under Forty eight, a fifth part thereof; and if above Forty eight hours, and under Ninety ſix, a third part thereof; and if above Ninety ſix hours, a moiety thereof: All which payments to be made to any Privateer, or other Ship, Veſſel or Boat, ſhall be without any deductions; and if ſuch Ship ſo Retaken, ſhall appear to have been, after the taking by the Enemy, by them ſet forth as a Man of War, the former Owners and Proprietors, to whom the ſame ſhall be reſtored, ſhall be adjudged to pay, and ſhall pay for Salvage the full moiety of the true value of the ſaid Ship, ſo taken and reſtored, without deduction, as aforeſaid; Any law, cuſtom or uſage to the contrary notwithſtanding.

Ship tranſporting Wooll forfeited.

XXI. And be it further Enacted, That in Caſe at any time, during the continuance of this Act, any Boat or Veſſel, laden with Wooll, or whereupon Wooll is laden, with intent to Tranſport the ſame, contrary to Law, ſhall be taken by any Private Man of War, on due Proof thereof, upon Tryal or Proceeding had in their Majeſties Court of Exchequer, the Perſons Intereſted in ſuch Private Man of War, ſhall have to their own uſe one full Moiety of the ſaid Veſſel and Goods, the other Moiety to be to the uſe of their Majeſties their Heirs and Succeſſors; Any law or ſtatute to the contrary notwithſtanding.

Admirals to expreſs the purport of this Act in their inſtructions.

XXII. And to prevent all pretence of Ignorance of the Matters contained in this Act, by any Captains, Officers or Seamen, ſerving in any of their Majeſties Ships of War, or Private Ship of War, the Lord High Admiral or Commiſſioners for Executing the Office of Lord High Admiral for the time being, is, and are hereby Required to Expreſs all things, by this Act directed to be obſerved, concerning Prizes, and the Shares, Proportions and Rewards of, and for the ſame in the Inſtructions by them from time to time given, during the continuance of this Act, to all Captains and Commanders of any of their Majeſties Ships of War, and to all Commanders of any Private Ship of War, by them Authorized during that time.

Manner of Suing for French Goods Imported.

XXIII. And for the incouragement of ſuch perſons duly Authorized by the Commiſſioners of their Majeſties Cuſtoms as ſhall make diſcovery, and ſeize any Goods of the Growth, Manufacture or Product of France, Imported into any of their Majeſties Dominions, contrary to the true Intent and Meaning of this preſent Act; Be it Enacted by the Authority aforeſaid, That all ſuch Goods ſo Imported and Seized, ſhall be Sued for and Proſecuted in their Majeſties Court of Exchequer, in ſuch Manner and Form as is Provided by an Act made in the Thirteenth and Fourteenth year of the Reign of the late King Charles the Second, Entituled, An Act for Preventing of Frauds in their Majeſties Cuſtoms; Two thirds of the ſaid Goods to be for the Uſe of their Majeſties, their Heirs and Succeſſors (they defraying the Charges of the Proſecution of ſuch Goods) and One third to the Proſecutor, and no compoſition to be made for their Majeſties part upon any pretence whatſoever; All the ſaid Goods to be ſecured and ſold in ſuch manner as Prize Goods are by this Act appointed to be ſecured and ſold; Any law or ſtatute to the contrary notwithſtanding.

Cap. 11.

Penalty upon the Commiſſioners detaining the Shares.

XXIV. Provided always, and be it Enacted, That if the Commiſſioners of the Prizes, or Commiſſioners of the Cuſtoms ſhall detain in their Hands the Shares and Proportions belonging to the Perſons Intereſted in any Private Man of War, by the ſpace of Two days after the ſame ought, by the true intent of this Act, to be paid, and Demand thereof made, Free of all Fees, Charges and Deductions whatſoever, except Warehouſe Room, and Two Pounds per Centum, for all other Charges; In ſuch Caſe the perſons offending ſhall Forfeit double the Sum ſo detained, to be recovered, together with Coſts of Suit, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection, Priviledge or Wager of Law, or more then one Imparlance ſhall be granted.

Anno Regni GULIELMI *&* MARIÆ, *Regis & Reginæ Angliæ, Scotiæ Franciæ & Hiberniæ,*
Quinto & Sexto.

AT the Parliament begun at *Weſtminſter* the Twentieth day of *March*, *Anno Dom.* 1689. In the Second Year of the Reign of our Sovereign Lord and Lady, *WILLIAM* and *MARY*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King and Queen, Defenders of the Faith, *&c.* And from thence Continued by ſeveral Prorogations and Adjournments to the Seventh Day of *November*, 1693. being the Fifth Seſſion of this preſent Parliament.

CAP. I.

An Act for Granting to Their Majeſties an Aid of Four Shillings in the Pound for One year, for Carrying on a Vigorous War againſt *France*.

CAP. II.

CAP. II.

An Act for Repealing ſuch Parts of ſeveral former Acts, as Prevent or Prohibit the Importation of Foreign Brandy, *Aqua Vitæ* and other Spirits, and Bacon, except from *France.*

Whereas by one Act of Parliament made in the fourth and fifth year of their Majeſties Reign, Entituled, An Act for Granting to Their Majeſties certain Additional Impoſitions upon ſeveral Goods and Merchandizes for the proſecuting the preſent War againſt *France*, The Commons Aſſembled in Parliament, amongſt other Duties and Charges by the ſaid Act Granted to their Majeſties upon Goods and Merchandizes imported after the firſt day of March, One thouſand ſix hundred ninety two, and before the firſt day of March, One thouſand ſix hundred ninety ſix, Did Grant to their Majeſties for every Gallon of Strongwaters, Aqua Vitæ or Brandy, commonly called, Single Brandy or Strongwaters, Imported within the ſaid time, to be paid by the Importer before Landing, Two Shillings, over and above the Duties of Exciſe and Cuſtoms at any time before the Second year of their Majeſties Reign payable for the ſame; And for every Gallon of Strongwaters, Spirits or Brandy above Proof, called Double Brandy, Imported within the ſaid time, to be paid by the Importer before Landing, Four Shillings, over and above the Duties of Exciſe and Cuſtoms at any time before the Second Year of their Majeſties Reign payable for the ſame; And by One other Act in the ſame Year made, Entituled, An Act for Granting to Their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale and other Liquors, for Securing certain Recompences and Advantages in the ſaid Act mentioned to ſuch perſons as ſhall Voluntarily Advance the Sum of Ten hundred thouſand Pound towards Carrying on the War againſt *France*, The ſaid Commons did Grant to their Majeſties for every Gallon of ſingle Brandy, Spirits or Aqua vitæ, Imported from beyond the Seas, to be paid by the Importer before Landing, over and above all other duties payable for the ſame, Six pence; And for every Gallon of Brandy, Spirits or Aqua vitæ, above Proof commonly called double Brandy, Imported from beyond the Seas, to be paid by the Importer before Landing, over and above all other duties payable for the ſame, One ſhilling. Which Grant contrary to the intention of the ſaid Commons, became ineffectual to their Majeſties; for that all Importation of Brandy was by one Act of Parliament made in the Firſt year of their Majeſties Reign, Entituled, An Act for Prohibiting all Trade and Commerce with *France*, prohibited to be Imported into England, and Ireland, and the Dominions and Iſlands therein named, from and after the Four and twentieth day of Auguſt, in the year of our Lord, One thouſand ſix hundred eighty nine.

Preamble. Cap. 5.
4 & 5 W & M Cap. 3.
Seſ. 1. Cap. 34.

II. For remedy whereof, and that the Revenue ariſing by the ſaid Grants may be for the future anſwered to their Majeſties, according to the purport of the ſaid firſt recited Acts, Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that one Clauſe in the ſaid Act, for prohibiting of all Trade and Commerce with France, in theſe words (That is to ſay) And be it further enacted, that no ſort of Brandy, *Aqua vitæ*, or other ſpirits or diſtilled waters of any Kingdom, Countrey, or Place whatſoever, ſhall after the ſaid Four and Twentieth day of *Auguſt*, be Imported into the Kingdoms of *England* or *Ireland* aforeſaid, Dominion or Iſlands aforeſaid, under pain of forfeiture thereof, as alſo of the Ship or Veſſel wherein the ſame ſhall be Imported, Is, and ſhall be by virtue of this Act, from the Firſt day of this preſent Seſſion of Parliament Repealed, any thing in the ſaid Act for prohibiting all Trade and Commerce with France, or any other Law or Statute to the contrary notwithſtanding.

Clauſe of 1 W&M Prohibiting Brandy, repealed. Sect. 8.

III. Provided always, and be it enacted, that the duties of Two ſhillings and Four ſhillings a Gallon upon ſingle Brandy and double Brandy reſpectively Impoſed by the ſaid Firſt recited Act, above the duties of Exciſe & Cuſtoms, at any time before the ſecond year of their Majeſties Reign payable for the ſame, was thereby intended, and ſhall be conſtrued to extend to ſuch duties as were then payable for the ſame, by any Statute then in force, and not otherwiſe; And that no ſort of Brandy, *Aqua vitæ*, or other Spirits, ſhall be Imported from France into this Kingdom, or any of the Dominions and Territories thereunto belonging, by virtue of this Act, other then as the ſame is provided and enacted, to be Imported by one Act of this preſent Parliament, made in the ſaid Fourth and Fifth year of their Majeſties Reign, Entituled, An Act for continuing the Acts for Prohibiting all Trade and Commerce with *France*, and for the Encouragement of Privateers.

Brandy Cuſtom, and Importation.
Cap. 25.

IV. And whereas there was further Granted to their Majeſties by the ſaid firſt recited Act, Four pence for every pound of Bacon imported within the time limited by the ſaid Act, which could not be anſwered to their Majeſties, becauſe the Importation of Bacon, is prohibited by one Act of Parliament made in the eighteenth year of the Reign of the late King Charles the ſecond, entituled, An Act againſt Importing Cattel from *Ireland*, and other parts beyond the Seas, and Fiſh taken by Foreigners; And by one other Act made in the twentieth year of his ſaid late Majeſties Reign, Entituled, An Additional Act againſt the Importation of Foreign Cattel: Be it enacted by the Authority aforeſaid, that the ſaid ſum of Four pence for every pound of Bacon, Imported, Granted to their Majeſties by the ſaid Act, ſhall be paid and anſwered to their Majeſties from the Firſt day of this preſent Seſſion of Parliament, for and during the Continuance of the ſaid Act, any thing in the ſaid recited Acts of the eighteenth and twentieth of the ſaid King Charles the Second, or any other Law or Statute to the contrary notwithſtanding.

Cuſtom upon Bacon Imported.
Cap. 2.
Cap. 7.

CAP. III.

An Act for the Importation of fine *Italian*, *Sicilian* and *Naples* Thrown Silk.

Whereas by an Act made in the Second year of their Majeſties Reign, Entituled, An Act for the Diſcouraging the Importation of Thrown Silk (amongſt other things in the ſaid Act contained) the bringing in of Thrown Silk of the Growth or production of Italy, Sicily or the Kingdom of Naples is prohibited, unleſs Imported in ſuch Ships and Veſſels, and Navigated in

Preamble.
Seſ. 1 Cap. 9.

Cap. 18.

in ſuch manner as in and by an Act made in the Twelfth year of the Reign of King Charles the Second, Entituled, An Act for the Incouragement and Encreaſing of the Shipping and Navigation, is directed or allowed, and brought from ſome of the Ports of thoſe Countries or Places whereof the ſame is of the Growth or Production, and which ſhall come directly by Sea, and not otherwiſe. And whereas by the Act of Navigation, Italian and Sicilian Thrown Silk may be brought from any Port or Place of Europe, and that it hath been found by experience, that the Importation of Italian, Sicilian and Naples Silk by the ways preſcribed by the ſaid recited Act (in regard of the great difficulties and hazard occaſioned by the preſent War with France) is greatly prejudicial, and if longer continued will endanger the loſs of the Silk Manufactory of this Nation.

Italian Silk may be imported.

II. Be it therefore enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Twentieth day of December, One thouſand ſix hundred ninety and three, It ſhall and may be lawful, to and for any perſon or perſons, who do or ſhall reſide in their Majeſties Dominions, to import or bring into this Kingdom from any Port or Place whatſoever (excepting the Ports of France) during the preſent War with France, and three Months after, Fine Thrown Silk of the growth or production of Italy, Sicily or Naples, any thing in the ſaid recited Acts to the contrary thereof in any wiſe notwithſtanding.

Courſe Silk, &c not to be imported.

III. Provided always, That this Act, nor any thing herein contained, ſhall extend to give liberty to bring over-land and import any Italian thrown Silk that ſhall be courſer then a ſort thereof, known and diſtinguiſhed by the name of Third Bolonia; Nor any Sicilian Thrown Silk that ſhall be courſer then a ſort thereof, known and diſtinguiſhed by the name of Second Orſoy, nor any ſorts of Silks commonly called Trams, of the growth of Italy, Sicily or Naples; Nor any other Thrown Silk of the growth or production of Turkey, Perſia, Eaſt-India or China, under the penalty and forfeiture of all ſuch Thrown Silk as ſhall be brought over-land, and imported contrary to the purport, true intent and meaning of this Act; One Moiety whereof ſhall be to the uſe of the King and Queens Majeſties, their heirs and ſucceſſors, and the other Moiety to ſuch perſon or perſons as ſhall ſeize, inform, or ſue for the ſame, to be recovered by bill, plaint, or information, in any of their Majeſties Courts of Record, wherein no eſſoign, protection, or wager of law ſhall be allowed.

Penalty.

All Italian Silk muſt be brought to the Cuſtomhouſe, London.

IV. And for the better and more effectual execution of this Act, and to prevent the importation of any ſort of Thrown Silk contrary to the true intent and meaning hereof, Be it further enacted and declared, That all ſuch fine Italian, Sicilian and Naples Thrown Silks, as are allowed to be imported by this Act, whereſoever landed, ſhall be brought to their Majeſties Cuſtomhouſe, London, to the intent that no other ſort may be imported over-land then thoſe only allowed by this Act, under the penalties and forfeitures before mentioned and recited, any thing to the contrary hereof in any wiſe notwithſtanding.

CAP. IV.

An Act to Repeal a Clauſe in the Statute made in the four and thirtieth and five and thirtieth years of King *Henry* the Eighth, by which Juſtices of Peace in *Wales* are limited to Eight in each County.

Preamble.

Cap. 26.

Sect. 55.

Whereas in a Statute made in the thirty fourth and thirty fifth years of the Reign of King Henry the Eighth, Entituled, An Act for certain Ordinances in the Kings Majeſties Dominion and Principality of *Wales*, there is a Clauſe or Article contained in theſe words; That is to ſay, *Item*, That there ſhall not exceed the number of Eight Juſtices of the Peace in any of the ſaid Shires, over and beſides the Preſident, Council, and Juſtices aforeſaid, and the Kings Attorney and Solicitor; Which Preſident, Council, Juſtices, and the Kings Attorney and Solicitor, ſhall be put in every Commiſſion of Peace in every of the ſaid Twelve Shires.

II. And whereas the Law contained in this Clauſe or Article is by experience found to be inconvenient: Be it therefore enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by authority of the ſame, That the ſaid Clauſe or Article be from henceforth abſolutely Repealed and Vacated to all intents and purpoſes; And that it ſhall and may be lawful, to and for the King and Queens moſt excellent Majeſties, their heirs and ſucceſſors, by Commiſſion under the Great Seal of England, to conſtitute, nominate, and appoint, from time to time, any ſuch number of perſons to be Juſtices of Peace in any of the ſaid Counties of Wales, as they ſhall think fitting and convenient, according to ſuch ways and methods as are commonly uſed for the conſtituting, nominating and appointing of Juſtices of the Peace, in and for any County of England; And that the perſons ſo conſtituted, nominated and appointed, ſhall have power and authority, to act and do any manner or thing pertaining to the Office of a Juſtice of Peace, in as large and ample manner, as any Juſtice or Juſtices of the Peace within the Dominion of Wales, might or ought to have done before the making of this Act; Any Law, Statute, Uſage or Ordinance to the contrary in any wiſe notwithſtanding.

King may nominate any number of Juſtices in Wales.

CAP. V.

An Act to ſupply the deficiency of the Money raiſed by a former Act, Entituled, *An Act for granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons, as ſhall voluntarily Advance the Sum of Ten hundred thouſand Pounds towards Carrying on the War againſt* France.

Preamble.

4. & 5. W & M. Cap. 3.

Whereas by an Act of this preſent Parliament, Entituled, An Act for granting to their Majeſties certain Rates and Duties of Exciſe, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall voluntarily advance the ſum of Ten hundred thouſand pounds towards carrying on the war againſt *France*, It was enacted that it ſhould be lawful for any perſons, natives or foreigners, to contribute towards the advancing the ſum of ten hundred thouſand pounds for the purpoſes therein mentioned, by paying into their Majeſties Receipt of Exchequer, ſuch ſum or ſums of Money, at ſuch times, and upon ſuch terms reſpectively, as in the ſaid Act are particularly mentioned and expreſſed: And whereas the ſeveral ſums paid in upon the ſaid Act by the ſeveral contributors, did and do in the whole amount but to the ſum of Eight hundred eighty one thouſand four hundred ninety three pounds fourteen ſhillings and two pence: We your Majeſties moſt loyal and dutiful Subjects the Commons in Parliament aſſembled, being ſenſible of the great and neceſſary expences in which your Majeſties are engaged for carrying on the preſent War againſt the French King, and being deſirous to ſupply the ſame in ſuch manner, as may be leaſt grievous to your Majeſties Subjects, do beſeech your Majeſties, that it may be enacted.

14 l. per Cent. for life.

II. And be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful for any perſons, natives or foreigners, to contribute towards the advancing the ſum of One hundred and eighteen thouſand five hundred and ſix pounds five ſhillings and ten pence, to make up the whole ſum of Ten hundred thouſand pounds by the ſaid recited Act intended to be advanced, by paying into the Receipt of their Majeſties Exchequer at any time before the firſt day of May, one thouſand ſix hundred ninety four, any ſum or ſums of Money, not exceeding in the whole the ſum of one hundred and eighteen thouſand five hundred and ſix pounds five ſhillings and ten pence, upon the terms following, (that is to ſay) That every ſuch perſon, out of the rates and duties of Exciſe granted by the ſaid recited Act, ſhall have and receive for every ſum of one hundred pounds by them reſpectively advanced and paid a yearly annuity, rent or payment of fourteen pounds of lawful Engliſh Money, and proportionably for a greater ſum, for and during the Life of ſuch perſon ſo advancing or paying the ſame, or during any other Life, to be nominated by the perſon advancing or paying any ſuch ſum, as aforeſaid, the ſame to be nominated within ſix days after payment of ſuch ſum, which yearly annuities, rents or payments ſhall commence from the four and twentieth day of June next enſuing, and ſhall be paid and payable at the four moſt uſual Feaſts of the year, (that is to ſay) The Annunciation of the Bleſſed Virgin Mary, the Nativity of Saint John Baptiſt, the Feaſt of Saint Michael the Archangel, and the Feaſt of the Birth of our Lord Chriſt, by even and equal portions: And every perſon on payment of any ſuch ſum or ſums, as aforeſaid, ſhall immediately have one or more Talley, or Talleys importing the receipt of the conſideration Money, and orders for the payment of the ſaid annuities, bearing the ſame date with the Talley, the ſaid Tallies to be levied, and the ſaid orders to be ſigned in the ſame manner as in the ſaid recited Act is mentioned touching Tallies, and orders to be given to the contributors for annuities upon the ſaid Act, and the ſaid orders not to be determinable, revocable or countermandable, as touching the forementioned orders in the ſaid recited Act is enacted; which ſaid orders ſhall be aſſignable and transferrable in ſuch and the ſame manner, as is mentioned in the ſaid recited Act, touching orders given to the contributors in the ſaid Act mentioned, and all the rates and duties by the ſaid recited Act granted, over and beſides ſo much as ſhall bear proportion at the rates in the ſaid Act mentioned, to the whole ſum of eight hundred eighty one thouſand four hundred ninety three pounds fourteen ſhillings and two pence, already advanced by the contributors upon the ſaid recited Act, are and ſhall be appropriated and applied, and are hereby appropriated to and for the payment of the ſaid annuities, yearly rents or ſums, after the rate of fourteen pounds per Centum per Annum for every hundred pounds to be advanced, as aforeſaid, according to the true intent and meaning of this Act, and ſhall not be diverted or divertible to any other uſe, intent or purpoſe whatſoever, under the like penalties, forfeitures and diſabilities, in reſpect to all and every the Officers and other perſons in the ſaid recited Act mentioned, as are in the ſaid Act appointed and enacted, in caſe of diverting or miſapplying any part of the Moneys which ought to be paid to the contributors upon the ſaid Act; And the ſaid Officers are hereby required to keep Books and Regiſters, and make Entries of the names of all perſons who ſhall advance any Moneys before the ſaid firſt day of May, as aforeſaid, and of the ſeveral ſums ſo advanced, and the times of paying in the ſame reſpectively, and the names of ſuch perſons, for whoſe Lives the ſeveral annuities or yearly payments are to be payable without fee or reward, in ſuch manner as in the ſaid recited Act is mentioned; To which Books, all perſons concerned ſhall have acceſs, as in the ſaid Act alſo is directed; All which the ſaid Officers are to do and perform, under the like penalties and forfeiture, and diſabilities, as in the ſaid recited Act are mentioned: And every perſon who ſhall advance and pay any ſuch ſum, as aforeſaid, before the firſt day of May, as aforeſaid, ſhall receive out of the Money granted by the ſaid recited Act, for all Money ſo advanced by him, and paid, from the reſpective days of payment, unto the four and twentieth day of June, as aforeſaid, intereſt, at the rate of ten pounds per Centum per Annum.

Orders Transferrable.

Duties appropriated for payment.

Regiſter kept.

Penalty.

Intereſt betwixt May and June.

Free from Taxes.

Surplus to the King.

III. And be it further enacted, That any Moneys payable to any perſon or perſons, upon or by virtue of this Act, ſhall not be charged or chargeable with any rates, duties or impoſitions whatſoever; And in caſe there ſhall be any ſurplus, or remainder of the Moneys ariſing by the ſaid rates and duties of Exciſe, at the end of any year during the term of ninety nine years granted therein by the ſaid former Act, after making all the payments which by this, or the ſaid former Act are appointed to be paid or ſatisfied within the ſame year, or reſerving Money for the ſame, ſuch ſurplus or remainder ſhall be to the uſe of their Majeſties, their Heirs and Succeſſors.

Certificate of Nominees Life.

IV. And to make the payment of the annuities more eaſie to the ſeveral contributors upon this and the before recited Act, both upon the terms of ſurvivorſhip and the annuity of fourteen pounds per Cent. Be it enacted, That every contributor upon this or the former Act, his or her executors, adminiſtrators or aſſigns, upon their demanding any half yearly or quarterly payment of his, her or their reſpective ſhares of either of the ſaid fonds (unleſs the nominee appear in perſon at the ſaid receipt) ſhall produce a certificate of the life of his, her or their reſpective nominee, ſigned by the Miniſter and Churchwardens of yͤ Pariſh where ſuch Nominee ſhall be then living, as by

Perjury and Forgery of Certificate.

Certificate of Nominees abſence.

Receiving after Nominees death. Penalty.

the ſaid recited Act is appointed, or otherwiſe, it ſhall and may be lawful to and for every Contributor, his or her Executors, Adminiſtrators or Aſſigns, at his, her or their Election, to make Oath of the truth of his, her or their reſpective Nominees Life, upon the day when the ſaid payments ſhall become due before any one or more Juſtices of the Peace of the reſpective County, Riding, City, Town or Place wherein ſuch perſon at the time of making the ſaid Oath ſhall reſide (which Oath he or they are hereby impowered to adminiſter) and the ſaid Juſtice or Juſtices ſhall make a Certificate thereof, for which Oath and Certificate no fee or reward ſhall be required; And the ſaid Certificates ſhall be filed in the ſaid Office of Receipt of the Exchequer; And if any perſon ſhall be guilty of a falſe Oath, or forging any Certificate touching the Premiſſes, and being thereof lawfully Convicted, he ſhall incur the pains and penalties to be inflicted upon perſons who commit wilful Perjury or Forgery; And in caſe any Nominee ſhall at the time of ſuch demand be reſident in Scotland, or beyond the Seas, and any one or more of the Barons of the Exchequer for the time being, ſhall certifie, That upon proof to him or them made (which proof he and they is and are hereby authorized and required to take in a ſummary way) it doth ſeem probable to him or them, that the ſaid Nominee is living (which Certificate is to be given and examination made without fee or charge) the ſaid Certificate being filed, as aforeſaid, ſhall be a ſufficient Warrant for making the ſaid Quarterly payment to the reſpective Contributors or Advancers, their executors, adminiſtrators or aſſigns; And if any perſon or perſons ſhall receive one or more Quarterly payments upon his, her or their Annuity or Annuities for any time beyond the death of his, her or their Nominee when the ſame ought to ceaſe, ſuch perſon or perſons ſhall forfeit treble the value of the Moneys ſo by him, her or them received; The one half thereof to their Majeſties, their Heirs and Succeſſors, and the other half to him or them that will ſue for the ſame by action, ſuit, bill or information, in which no eſſoign, protection, priviledge or wager of law, or more then one imparlance ſhall be allowed.

Proviſion for thoſe that have not named any life.

V. And whereas ſeveral perſons who did contribute, advance or pay ſeveral of the ſums of Money which have been contributed, advanced or paid upon the ſaid recited Act for Shares, Dividends, Annuities, or other Benefits in the ſaid Act mentioned reſpectively, as well upon the Benefit of Survivorſhip, as upon the yearly Annuities of fourteen pounds per Centum, did not name to the Auditor of the Receipt, or Clerk of the Pells in the Receipt of the Exchequer, by or within the reſpective times by the ſaid Act appointed, the reſpective Lives, during which ſuch Dividends, Shares, Annuities or other Benefits reſpectively, were to continue: It is hereby further enacted and provided by the authority aforeſaid, That if ſuch perſons, or any of them, ſhall at any time or times before the firſt day of March next, nominate to the Auditor of the Receipt or the Clerk of the Pells in the ſaid Exchequer, the reſpective lives (their own or others) during which ſuch Dividends, Shares, Annuities or other Benefits, ſhould continue reſpectively, That then and in every ſuch caſe, his, her or their Nominees ſhall be Entred in the Books kept in the ſaid Receipt for the Nominees; And every ſuch contributor or contributors, his, her and their executors, adminiſtrators and aſſigns reſpectively, ſhall have, receive and enjoy, and be entituled to have, receive and enjoy ſuch and the like dividends, ſhares, annuities and other benefits, for and in reſpect of the moneys ſo contributed, advanced or paid, as he, ſhe or they might, ſhould or ought to have had, received or enjoyed, in caſe the reſpective Lives for the ſame had been named within the reſpective times by the ſaid Act preſcribed, any thing in this or the ſaid former Act contained to the contrary notwithſtanding.

Surplus not to be granted.

VI. Provided alſo, and be it further enacted, That the ſurplus or remainder of the Moneys ariſing by the ſaid rates and duties appointed by the ſaid Act to be to the uſe of their Majeſties, their Heirs and Succeſſors, ſhall not be charged or chargeable with any gift, grant or penſion whatſoever; And that all and every grant and grants of any ſuch penſions, ſhall be, and is hereby declared to be utterly void: And all and every perſon and perſons to whom ſuch grants are or ſhall be paſſed, ſhall be, and are hereby made accountants unto their Majeſties, their Heirs and Succeſſors, and ſhall pay back all ſums of Money received by pretence of ſuch grants, and the Court of Exchequer is hereby required to iſſue out proceſs accordingly.

CAP. VI.

An Act to prevent Diſputes and Controverſies concerning Royal Mines.

Preamble.

Seſſ. 1. Cap. 30.

WHereas by a Clauſe in one Act of Parliament made in the firſt year of their Majeſties Reign, Entituled, An Act to Repeal the Statute made in the fifth year of King *Henry* the Fourth, againſt the multiplying of Gold and Silver, It is, amongſt other things, enacted, That no Mine of Tin, Copper, Iron or Lead, ſhall hereafter be adjudged, reputed or taken to be a Royal Mine, although Gold or Silver may be extracted out of the ſame: But notwithſtanding the good proviſion by the ſaid Statute, to prevent the diſcouraging their Majeſties good Subjects, who have Mines of Copper, Tin, Iron or Lead in their Soyls, from digging and opening the ſame, many doubts and queſtions have ariſen upon the ſaid Statute, whereby great ſuits and troubles have ariſen to many owners and proprietors of ſuch Mines.

Owners of Mines ſhall enjoy them.

II. Wherefore for the better explanation of the ſaid Statute, Be it enacted and declared by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon or perſons being Subjects of the Crown of England, bodies politick or corporate, that now are or hereafter ſhall be the owner or owners, proprietor or proprietors of any Mine or Mines within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, wherein any Ore now is or hereafter ſhall be diſcovered, opened, found or wrought, and in which there is Copper, Tin, Iron, or Lead, ſhall and may hold and enjoy the ſame Mine or Mines and Ore, and continue in the poſſeſſion thereof, and dig and work the ſaid Mine or Mines or Ore, notwithſtanding that ſuch Mine or Mines or Ore ſhall be pretended or claimed to be a Royal Mine or Royal Mines; any law, uſage or cuſtom to the contrary notwithſtanding.

III. Provided always, and be it enacted and declared, That their Majeſties, their Heirs and Succeſſors, and all claiming any Royal Mines under them, ſhall and may have the

Ore of any ſuch Mine or Mines in any part of the ſaid Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, (other then Tin-Ore in the Counties of Devon and Cornwall) paying to the Proprietors or Owners of the ſaid Mine or Mines wherein ſuch Ore is or ſhall be found, within Thirty days after the ſaid Ore is or ſhall be raiſed and laid upon the Banks of the ſaid Mine or Mines, and before the ſame be removed from thence, the Rates following (that is to ſay;) For all Ore waſht, made clean and merchantable, wherein is Copper, the rate of ſixteen pounds per Tun; and for all Ore waſht, made clean, and merchantable, wherein there is Tin, the rate of fourty ſhillings per Tun; and for all Ore waſht, made clean, and merchantable, wherein there is Iron, the rate of fourty ſhillings per Tun; and for all Ore waſht, made clean, and merchantable, wherein there is Lead, the rate of nine pounds per Tun; and in default of payment of ſuch reſpective ſums, as aforeſaid, it ſhall and may be lawful for the Owners and Proprietors of the ſaid Mine or Mines, wherein ſuch Ore is, are, or ſhall be found, to ſell and diſpoſe of the ſaid Ore to his and their own uſes; any Law, Statute, or Cuſtom to the contrary notwithſtanding.

King ſhall have the Ore at a rate.

Several rates.

IV. Provided always, That nothing contained in this Act ſhall alter, determine or make void the Charters granted to the Tinners of Devon and Cornwall, by any of the Kings and Queens of this Realm, or any of the liberties, priviledges or franchiſes of the ſaid Tinners, or to alter, determine, or make void the Laws, Cuſtoms or Conſtitutions of the Stanneries of Devon or Cornwall, or any of them.

The Tinners Charters, &c. ſaved.

CAP. VII.

An Act for granting to their Majeſties certain Rates and Duties upon Salt, and upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall voluntarily Advance the ſum of Ten hundred thouſand pounds towards carrying on the War againſt *France*.

WE your Majeſties moſt loyal and dutiful Subjects, the Commons in Parliament aſſembled, being ſenſible of the great and neceſſary expence in which your Majeſties are engaged for carrying on the preſent War againſt the French King; and being deſirous to ſupply the ſame in ſuch manner as may be leaſt grievous to your Majeſties Subjects: Therefore for the incouragement of ſuch perſons who ſhall voluntarily contribute to the advancing and paying into your Majeſties Exchequer, towards carrying on the ſaid War, any ſum or ſums of Money, not exceeding the ſum of ten hundred thouſand pounds, upon the reſpective terms and recompences hereafter mentioned, we your Majeſties ſaid loyal and dutiful Subjects, the Commons in Parliament aſſembled, have given and granted, and do hereby give and grant unto your Majeſties, the ſeveral Rates and Duties herein after mentioned, for and during the ſeveral terms herein after expreſſed; And do beſeech your Majeſties that it may be enacted.

Preamble.

II. And be it enacted by the King and Queens moſt excellent Majeſties, by the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by authority of the ſame, That from and after the five and twentieth day of March, One thouſand ſix hundred ninety four, there ſhall be throughout the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto their Majeſties, their heirs and ſucceſſors, until the ſeventeenth day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety ſeven, and no longer, for Salt, the Rates and Duties following; (That is to ſay)

Rates upon Salt for three years.

III. For every gallon of Salt not being of the product or manufacture of the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, imported or to be imported from and after the ſaid five and twentieth day of March, into the ſaid Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, the ſum of Three pence of lawful Money of England, to be paid by the importer thereof, over and above the preſent Duties now payable for Salt imported, and after that rate for a greater or leſſer quantity. And for every gallon of Salt and Rock-Salt, made at the Salt-works, or taken out of any Pits within the ſaid Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, the Sum of One peny half peny, and after that rate for a greater or leſſer quantity.

Foreign Salt 3 d.

Home Salt 1 d. ½.

IV. And be it further enacted by the authority aforeſaid, That the Duty hereby ſet on all foreign and imported Salt ſhall be from time to time ſatisfied and paid by the Merchant or Merchants, Importer or Importers of the ſame in ready Money, upon his or their Entry or Entries made, and before the landing thereof, and that in caſe any foreign or Imported Salt ſhall be landed or put on Shore out of any Ship or Veſſel from beyond the Seas, before due Entry be made thereof with the Collector or Officer appointed or to be appointed for the ſaid Duty on Salt, in the Port or Place where the ſame ſhall be imported, or before the Duty hereby impoſed be fully ſatisfied and paid, or without a Warrant for the landing or delivering of ſuch imported Salt firſt ſigned by the hand of the ſaid Collector or Officer for the ſaid Duty on Salt in the ſaid Port and Place reſpectively, that all ſuch imported Salt, as ſhall be landed, put on Shore, or delivered contrary to the true intent and meaning hereof, or the value thereof, ſhall be forfeited and loſt, and ſhall be recovered of the importer or proprietor thereof in manner as is herein after provided: Nevertheleſs, that all and every perſon importing any Salt into this Kingdom, for which the aforeſaid Duty is payable by this Act, ſhall have ſix Months time for the payment thereof from the time of the importation, giving ſecurity to the perſon appointed to Collect the ſame; and in caſe ſuch Importer ſhall pay ready Money, he ſhall have after the rate of ten per Centum per Annum out of the ſaid Duty abated him.

Duty upon Foreign Salt when paid.

V. And be it further enacted by the authority aforeſaid, That the ſaid duties on Salt ſhall from time to time be within the receipt, management and government of the chief Commiſſioners and Governors of the receipt of Exciſe for the time being, and that all Collectors and other Officers neceſſary for ye aſcertaining, collecting or receiving of the ſaid duty upon Salt, ſhall be

Managers of this Duty.

Recovery of Penalties, &c.

Cap. 24.

conſtituted and appointed under the Hands and Seals of the ſaid Commiſſioners and Governors of the Receipt of Exciſe for the time being, or the major part of them, and that all penalties and forfeitures by this Act impoſed, ſhall be ſued for, recovered, levied and received or mitigated by the ſame means, rules, ways and methods, as any penalty or forfeiture is to be ſued for or recoverable, or is mentioned, expreſſed or directed to be recovered in and by one Act of Parliament made in the twelfth year of the Reign of the late King Charles the Second, Entituled, An Act for Taking away the Court of Wards and Liveries, and Tenures *in capite*, and by Knights Service and Purveyance, and Settling a Revenue on His Majeſty in lieu thereof, or by any other Law or Statute now in force relating to the Revenue of Exciſe; and that as fully and amply to all intents, as if the ſeveral clauſes in the ſaid Acts, or any of them contained, were herein re-enacted or repeated.

Entries of the Quantities.

Officers Warrant to remove.

Rebate.

VI. And be it Enacted, That all makers and proprietors of Salt, and Rock-Salt within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall from time to time make true entries with the ſaid Officers ſo to be appointed, as aforeſaid, ſome or one of them, of the quantities of Salt ſo by them made, or taken out of any pit or pits, and delivered or imported, as aforeſaid, and ſhall likewiſe have a Warrant or Ticket under the Hand and Seal of ſome one of the ſaid Officers, impowering ſuch maker or proprietor of Salt, to carry away the ſame, before ſuch time as the ſaid Salt made or taken out of any pit or pits, within any the places aforeſaid, or any part thereof, ſhall be removed or carried from the reſpective Salt-works or pits, under the ſeveral penalties and forfeitures herein after mentioned, which ſaid Warrant the ſaid Officers are hereby required to give gratis unto the ſaid makers or proprietors of ſuch Salt, upon payment, or giving ſecurity for the payment of the duties hereby granted, within ſix months after ſuch entry made; which ſecurity the ſaid Commiſſioners and Officers are hereby authorized and required to accept upon ſuch entry, as aforeſaid. Provided always, That if any perſon or perſons, at the time of the entry and delivery of his or their Salt, ſhall pay down the Duty hereby impoſed, ſuch perſon or perſons ſhall be allowed at the Rate of Ten Pounds per Cent. per Annum for the ſame.

Penalty for conveying without Warrant.

VII. And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Officers ſo appointed, to ſeize all ſuch Salt which ſhall, from and after the ſaid Five and twentieth day of March, be conveying, or conveyed by day or by night, either by land or by water, before due entry be made of ſuch Salt, without Warrant, Ticket or Licence obtained from the Commiſſioners of the Duties granted by this Act, their Collectors or Officers, or ſome or one of them, as aforeſaid, for the Conveying or Carrying the ſaid Salt: And the Salt that ſhall be ſo ſeized, ſhall be brought to the Office appointed for theſe Duties, next adjoyning to the place where ſuch Salt ſhall be ſo ſeized, there to be detained and kept; And in Caſe the Salt ſo ſeized ſhall not be claimed by the true and lawful Owner thereof, or by one deputed under his or their Hand, within Ten days after ſeizure, the ſaid Salt ſhall be abſolutely forfeited to their Majeſties, and ſhall be ſold the next general day of Sale to be appointed by the Commiſſioners, or their Officers reſpectively, after the ſaid days are expired, the one moiety or half part of the proceed thereof (all neceſſary Charges being firſt deducted out of the whole) to be paid to the uſe of their Majeſties, and the other moiety or half part to be paid to the party or parties who ſeized the ſame; And in caſe ſuch Salt ſo ſeized ſhall be claimed within Ten days, by the true and lawful Owner thereof, or by one deputed thereunto under his Hand; And if the ſaid Owner or Claimer ſhall nevertheleſs neglect, or refuſe to make it appear before the next Juſtice of Peace of the County where ſuch ſeizure ſhall be made, by the Oath of one or more credible Witneſſes, (which Oath the ſaid Juſtice is hereby impowered to adminiſter) that the ſaid Salt ſo ſeized was, or had been duly entred, and a Warrant, Ticket, or Licence obtained, for the carrying and conveying the ſame, as aforeſaid, That then the ſaid Salt ſhall likewiſe be forfeited to their Majeſties, to be ſold and diſpoſed of, as aforeſaid; And every perſon who ſhall carry or convey, or cauſe any Salt to be carried and conveyed before due entry made, and Warrant or Licence obtained, as aforeſaid, ſhall likewiſe forfeit to their Majeſties double the value of ſuch Salt ſo carried or conveyed.

Retailer conveying Salt by water.

VIII. And be it further Enacted, That no Retailer nor Shopkeeper ſhall be permitted to Ship any Salt to be ſent to any Port within this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, before he hath made it appear by Oath, or otherwiſe, before the Commiſſioners for Collecting of the ſaid Duties granted by this Act, or their Officers, or ſome or one of them, that the Duty of ſuch Salt is paid, or ſecured to be paid, or that it was bought of ſome other Retailer or Shopkeeper that hath paid the Duty.

Maſter of Veſſel, how he muſt act.

IX. And be it further Enacted, That all and every Maſter and Commander of any Ship or Veſſel whatſoever, that from and after the ſaid Five and twentieth day of March, ſhall Tranſport or Carry any Salt, or Rock-Salt, from one Port to another, within this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall (before he or they have any Warrant for the Landing or Delivering of ſuch Salt (by him tranſported and carried) on Shore in any Port) deliver to the Officers for Collecting the ſaid Duties granted by this Act, in the ſaid Port, appointed to receive the ſame, a true particular of the quantity ſo tranſported and carried, as aforeſaid, Signed by the Officers for Collecting the ſaid Duties granted by this Act, and by the Officers of the Cuſtoms of the Port from whence the ſaid Ship or Veſſel came; and that then the Maſter or his Mate, or the Boatſwain of ſuch Ship or Veſſel, ſhall make Oath before the Commiſſioners for Collecting the ſaid Duties granted by this Act, or their Officers, ſome, or one of them, That to his knowledge there hath not been laid on Board, or taken into the ſaid Ship or Veſſel, any Salt, ſince he or they came from ſuch Port, as aforeſaid; And in caſe ſuch Ship or Veſſel be to deliver one part of her Salt at one Port, and another part at another Port or Ports, That then the Officers for Collecting the ſaid Duties, and Officers of the Cuſtoms, when ſuch part of the ſaid Salt ſhall be delivered, ſhall certifie on the backſide of the Cocquet Tranſire, or other Warrant, or elſe by Certificate alone, under the Hands and Seals of the Officers, how much, and what quantity of the Salt mentioned in the Cocket Tranſire, or other Warrant, from the Port from whence ſuch Ship or Veſſel came, hath been there landed and delivered, upon the penalty of forfeiting double the Value of the Salt that ſhall be otherwiſe delivered. And be it further Enacted, That no Fee or Reward be had or taken, for making, iſſuing or granting any of the Tickets, Warrants or Licences herein before mentioned, but that the ſame be made, iſſued and granted gratis.

Ticket gratis.

Reward to exporter of certain Fiſh.

X. Provided always, and be it Enacted by the Authority aforeſaid, That for all ſuch Fiſh, hereafter mentioned, as ſhall be Exported, during the continuance of the Duty upon Salt by this Act impoſed, from any Port or Place in this Kingdom, Dominion of Wales, or Town of Berwick upon Tweed, into parts beyond the Seas, by any perſon or perſons whatſoever, the Rates or Sums of Money hereafter expreſſed (That is to ſay,) For every Cask or Veſſel of Pilchards or Scads, containing Fifty Gallons, Twelve Shillings, and ſo proportionably for a greater or leſſer quantity: For every Barrel of White Herring, Two Shillings and Six pence: For every Barrel of Red Herrings, Two Shillings: For every Barrel of Salmon, Five Shillings: For every Hundred of Cod-Fiſh, Ling, Conger or Hake, Fifteen Shillings, and ſo proportionably for a greater or ſmaller number or quantity, ſhall be paid by the Officer appointed to collect the Duties upon Salt, payable by this Act, in the ſame Port from whence any ſuch Fiſh ſhall be exported, within Thirty days after demand thereof, on a Debenture, to be prepared by the Collector of the Cuſtoms in the Port where ſuch Fiſh ſhall be entred out for exportation, and verified by the perſon executing the Office of Searcher in ſuch Port, as to the quantity of Fiſh actually Shipped; and that the Oath of the Exporter or Agent be firſt taken before the principal Officers of the ſaid Port, before the Debenture be allowed, who are hereby required and impowered to give the ſaid Oath, That the Fiſh, in ſuch Debenture mentioned, were Engliſh taken, and really exported to parts beyond the Seas, and not intended to be relanded in England, Wales or Berwick; for which Debenture, no fee or reward ſhall be taken. And in caſe the Officer hereby directed to pay ſuch Debenture, ſhall not have ſufficient Money in his Hands to pay the ſame, then upon Certificate thereof by him made (which Certificate he is hereby required to give the party gratis) the principal Commiſſioners for managing their Majeſties Revenue of Exciſe for the time being, ſhall be chargeable with the ſaid payment, to be made in courſe out of the firſt Money in their Hands ariſing out of the ſaid Duties upon Salt; And any Officer neglecting or refuſing to pay the ſaid Money, or to give ſuch Certificate, as is here directed, ſhall forfeit double the ſum ſo to be paid to the party grieved, to be recovered by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed.

Duty repaid upon exportation.

XI. Provided always, and be it Enacted by the authority aforeſaid, That if any perſon or perſons ſhall export beyond the Seas any Salt, as well Foreign as Engliſh, or any Rock-Salt, the Officer of the place where the ſaid Salt was made, taken out of Pits, or imported, and the Duty thereof paid or ſecured to be paid, ſhall upon demand deliver gratis a Certificate under his Hand and Seal, That the Duty impoſed by this Act, on ſuch Salt, hath been duly paid or ſecured to be paid, and then the Officer of the place where the Salt is exported upon producing the ſaid Certificate, and Oath made of Shipping off the ſaid Salt, and of its not being relanded in England or Wales, ſhall give a Debenture under his Hand for repayment of the ſaid Duty, which being produced to the Officer of the place where the Duty on the ſaid Salt ſhall have been paid, or ſecured to be paid, ſuch ſecurity ſhall be diſcharged; And all and every ſum and ſums of money, paid for the duty of the ſaid Salt ſhall be repaid upon demand by the ſaid Officer without fee or reward.

Juſtices ſhall ſet the Rate of Salt.

XII. And be it further Enacted, That the Juſtices of the Peace not concerned in making or ſelling Salt, in every County, Riding or Diviſion of England, ſhall and are hereby authorized and impowered at every Eaſter and Michaelmas Quarter Seſſions, to ſet the prices of all Salt and Rock-ſalt, to be ſold by the maker or firſt ſeller thereof in the ſaid County for the half year next enſuing, and that no perſon or perſons tha ſhall be the maker or firſt ſeller of any Salt, ſhall ſell the ſame for more then the prices ſo ſet by the ſaid Juſtices, as aforeſaid, over and above the duty payable by virtue of this Act, upon pain of forfeiting for every ſuch Offence Five pounds, and double the value of the Salt ſo ſold, to be levied by diſtreſs and ſale of the Offenders Goods, the one moiety thereof to be paid to their Majeſties, their Heirs and Succeſſors, and the other moiety thereof to the Informer.

Penalty for ſelling above the Rate.

Salt imported Foreign Salt.

XIII. And be it Enacted and declared, That all Salt imported or brought by Sea or Land into the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, and not of the product of any of the ſaid places, ſhall be adjudged and deemed to be foreign Salt imported, and ſhall be charged as ſuch with the duty of Three pence per Gallon by this Act granted, and that all Scotch Salt brought into England by land, ſhall be entred at Carliſle or Berwick, with the Officer or Officers for that purpoſe there to be appointed, under the penalty of the forfeiture of double the value of ſuch Salt ſo brought in.

Oaths taken by Commiſſioner. Seſſ. 1. Cap. 8.

XIV. And be it Enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of acting as chief Commiſſioner for collecting the ſaid duties granted by this Act, until he or they ſhall, before one of the Barons of the Exchequer, take the Oaths appointed by an Act of Parliament made in the firſt year of their Majeſties Reign, Intituled, An Act for the Abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths, and the Oath following;

Oaths taken by the under Officers.

YOU ſhall ſwear to execute your Office truly and faithfully without favour or affection, and ſhall from time to time true Accompt make and deliver to ſuch perſon and perſons as their Majeſties ſhall appoint to receive the ſame, and ſhall take no Fee or Reward for the execution of the ſaid Office from any other perſon then from their Majeſties, or thoſe whom their Majeſties ſhall appoint on that behalf; *So help you God*, &c.

XV. And be it likewiſe Enacted, That no perſon or perſons ſhall be capable of intermeddling with any office or imployment relating to the ſaid Duties granted by this Act, other then that of chief Commiſſioner, until he or they ſhall (before two or more of the chief Commiſſioners for collecting the Duties granted by this Act, or before two or more of the Juſtices of the Peace of the County or Place where they ſhall be appointed Officers for execution of this Act) take the aforeſaid Oaths appointed by the ſaid Act, and the ſaid other laſt mentioned Oath mutatis mutandis; And the ſaid Barons of the Exchequer, and chief Commiſſioners for collecting the ſaid Duties granted by this Act, the ſaid Juſtices are hereby impowered, and required to adminiſter the ſaid Oaths.

Perſon executing ſued, plead general iſſue, have double Coſts.

XVI. Provided always, and be it Enacted, That if any perſon or perſons, ſhall at any time be ſued or proſecuted for any thing by him or them done, or executed in purſuance of this Act, he or they ſhall or may plead the general Iſſue, and give this Act in evidence for his defence; and if upon a Tryal a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs be nonſuit, diſcontinue or forbear proſecuting the ſaid Actions, then ſuch defendant or defendants, ſhall have double Coſts, to him or them awarded againſt ſuch plaintiff or plaintiffs; for which coſts he ſhall have ſuch remedy as in other caſes where coſts are by law given to defendants.

No Certiorari upon Orders.

XVII. Provided alſo, and be it Enacted, That no Writ or Writs of Certiorari ſhall ſuperſede Execution or other proceedings upon any order or orders made by the ſaid chief Commiſſioners or Juſtices of Peace, in purſuance of this Act; but that execution and other proceedings ſhall and may be had and made thereupon; any ſuch Writ or Writs, or Allowance thereof notwithſtanding.

Meaſure ſettled.

XVIII. Provided always, and be it further Enacted, for the aſcertaining of all meaſures where the ſaid duties are to be paid, That all Salt be meaſured by a Buſhel of Eight Gallons Wincheſter meaſure, and by fit meaſurers living upon the place where the Salt is made, to be ſworn and admitted by ſome Juſtice of Peace near adjoyning, without charge or fee, upon forfeiture of double the value of the Salt that ſhall not be ſo meaſured.

Penalty for removing without notice.

XIX. And be it Enacted, That no Salt ſhall be delivered from any Salt, works or pits, without notice firſt given to the Officer appointed for that purpoſe, upon pain of forfeiture of the Salt ſo delivered; and upon pain of twenty pounds to be forfeited by the Owner or Owners of the Salt-works or pits where ſuch Salt ſhall be ſo delivered; the moiety of which forfeitures to be to the uſe of the proſecutor, and the other moiety to the uſe of their Majeſties.

Penalty for re-landing.

XX. And be it further Enacted by the Authority aforeſaid, That if any of the Salt for which the duty ſhall have been repaid and diſcharged upon the exportation thereof, as is herein before directed, ſhall (by fraud or otherwiſe) be landed in England, Dominion of Wales, or Town of Berwick upon Tweed, before the duty be again paid, and ſuch entry, and all other things performed, as are herein before required, in caſe where any foreign Salt is imported, every perſon ſo offending ſhall forfeit double the value of ſuch Salt ſo landed, and ſuch other penalties and forfeitures as are herein inflicted upon any perſon who ſhall land any Foreign Salt, contrary to the true intent and meaning of this Act.

Proviſion for perſons loſing Salt at Sea.

XXI. And be it further Enacted by the Authority aforeſaid, That if any Merchant or other perſon, being a ſubject of this Realm of England, ſhall, during the continuance of this Act, ſhip any Salt or Rock-Salt, that hath paid the duty to their Majeſties by this Act impoſed, to convey it by Sea to any part of England, and the Veſſel, on which ſuch Salt, as aforeſaid, is ſhipt, ſhall either periſh at Sea, or be taken by enemies with ſuch Salt on Board her, that in ſuch caſe any Merchant or perſon, owner of the ſaid Salt, ſhall, upon proof made before the Juſtices of the Peace at the Quarter Seſſions held for the County, Riding, Diviſion or Town wherein he doth inhabit, of the loſs of ſuch Salt ſo ſhipt, receive from the ſaid Seſſions a Certificate that ſuch proof was made before them, and, upon producing the ſaid Certificate to any of their Majeſties Officers appointed to collect the duty by this Act impoſed, the ſaid Officer or Officers are hereby required to let ſuch perſons buy the like quantity of Salt, as is expreſſed in the Certificate to be loſt, without paying to their Majeſties any duty or Exciſe for the ſame; any thing in this Act contained to the contrary notwithſtanding.

Owner not to pay Exciſe till ſold.

XXII. Provided alſo, and be it Enacted, That it ſhall and may be lawful for the owners and proprietors of any Salt-Rock or Rock-Salt, to remove and carry out of and from the Pits or Warehouſes adjoyning to or belonging to ſuch Pits, into his or their other Warehouſes, or other places for ſtoring thereof, for conveniency of ſelling or ſhipping off the ſame, any of the ſaid Salt-Rock or Rock-Salt, after due entry made thereof, and a Warrant or Ticket taken for the ſame, from the Officer next to ſuch Salt-pits, which Warrant or Ticket the ſaid Officer is hereby required, upon demand, to give without fee or reward, as aforeſaid; And that the ſaid owners or proprietors ſhall not be obliged to pay or ſecure the payment of the ſaid duty, until ſuch time as the ſaid Salt-Rock or Rock-Salt ſhall be ſold and delivered, as aforeſaid.

Contracts heretofore made how charged.

XXIII. And be it further Enacted by the Authority aforeſaid, That no perſon or perſons whatſoever ſhall be obliged by virtue of any contract made, at any time before the firſt day of December, One thouſand ſix hundred ninety three, to deliver any Salt or Rock-Salt, unleſs the perſon who is to receive the ſame, ſhall before or at the time for delivery of the ſame, by ſuch contract pay to the ſeller thereof ſuch ſum or ſums, as he ſhall have paid or ſecured to pay for the duty for the ſame by virtue of this Act.

Cheſter Salts entred by weight.

XXIV. And whereas Salt made at the preſent Salt-works in the County Palatine of Cheſter, when taken from the Pans is put into Walms, Baskets or Veſſels, and muſt be carried by the maker ſome miles diſtant from the works before he can deliver the ſame to the Merchant or firſt buyer, ſo that to break and meaſure the Salt at the ſaid Salt-works, would be great loſs to the makers thereof, Be it therefore enacted, That all Salt made at the ſaid Salt-works in the ſaid County, ſhall be entred by weight only, and that Fifty ſix pounds weight thereof ſhall be deemed and taken to be a Wincheſter Buſhel of Eight Gallons Wincheſter meaſure, and ſhall be entred, rated and taxed accordingly.

Salt-Rock by weight.

XXV. And whereas Salt-Rock or Rock-Salt taken out of pits is in ſuch great Lumps that it cannot be meaſured without breaking the ſame to powder, which would be great loſs to the Proprietors thereof, Be it therefore enacted, that all Salt-Rock or Rock-Salt taken out of Pits, ſhall be entred by weight only, and that ſixſcore pounds weight thereof ſhall be deemed and taken to be a Wincheſter Buſhel of eight Gallons Wincheſter Meaſure, and ſhall be entred, rated and taxed accordingly.

Allowance to Refiner.

XXVI. And to the intent that Salt made by melting and refining of Rock-Salt may not, contrary to the true intent and meaning of this Act, be charged more then other Engliſh Salt, Be it further enacted by the Authority aforeſaid, that where any ſuch Rock-Salt ſhall be melted and refined, which had before paid the Duty Impoſed by this Act, according to the direction of the ſame, the perſon who ſhall make ſuch Salt by refining, ſhall receive an allowance and abatement of Duty on the Salt by him ſo made, after the Rate and Proportion of twelve pence for every Buſhel of ſuch Rock-Salt ſo melted and refined, which had paid the Duty, as aforeſaid, Oath being firſt made before ſome Juſtice of the Peace near adjoyning to ſuch Salt-Works of the particular quantities of the ſaid Rock-Salt ſo by him employed in making the ſaid Salt by refining; which Oath the ſaid Juſtice of the Peace is hereby Impowred to Adminiſter, and upon due proof by Oath or otherwiſe made of the payment of the Duty Impoſed by this Act.

XXVII. And whereas by an Act of Parliament made in the ſecond year of their Majeſties Reign, Entituled, An Act for Granting to their Majeſties ſeveral Additional Duties upon Beer, Ale, and other Liquors for Four years, from the time that an Act for Doubling the Duty of Exciſe, upon Beer, Ale, and other Liquors, during the ſpace of one year doth Expire, It was enacted from and after the ſeventeenth day of November, in the year of our Lord, One thouſand ſix hundred ninety one, there ſhould be throughout their Majeſties Kingdom of England, Dominion of Wales and Town of Berwick upon Tweed, Raiſed, Levied, Collected and Paid unto their Majeſties their Heirs and Succeſſors, during the ſpace and term of Four years and no longer, for Beer, Ale, Cyder and other Liquors therein mentioned by way of Exciſe, over and above all other Duties, Charges and Impoſitions by any former Act or Acts which ſhould be then unexpired, ſet and impoſed in ſuch manner as therein is mentioned: Be it further enacted, that for the further encouragement of ſuch perſons who ſhall voluntarily Contribute, as aforeſaid, towards the raiſing and paying into their Majeſties Exchequer, any Sum or Sums, not exceeding in the whole, the Sum of ten hundred thouſand pounds, upon the ſeveral Terms and Recompences herein after mentioned, that from and after the Seventeenth day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety ſeven, there ſhall be throughout their Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, Raiſed, Levied, Collected and Paid unto their Majeſties, their Heirs and Succeſſors, during the Space and Term of ſixteen years and no longer, for Beer, Ale, Cyder and other Liquors herein after expreſſed, by way of Exciſe, over and above all Duties, Charges and Impoſitions by any former Act or Acts then unexpired, ſet and impoſed one moiety or half part of the ſeveral Rates and duties of Exciſe granted by the ſaid laſt mentioned Act, in manner and form following: (that is to ſay) (1) For every Barrel of Beer, or Ale, above ſix ſhillings the Barrel, excluſive of the Duty of Exciſe, Brewed by the common Brewer, or any other perſon or perſons who doth, or ſhall Sell or Tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, over and above the Duties payable for the ſame, Nine pence. (2) For every Barrel of Beer or Ale of ſix ſhillings the Barrel or under, Brewed by the Comon Brewer, or any other perſon or perſons who ſhall Sell or Tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer quantity, over and above the Duties payable for the ſame, three pence. (3) For every Barrel of Vinegar, or Vinegar Beer, Brewed or Made of any Engliſh Materials, by any Common Brewer, or any other perſon for ſale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer quantity, over and above the Duties of Exciſe payable for the ſame, One Shilling Six pence. (4) For every Barrel of Vinegar, or Liquor prepared for Vinegar, made here for ſale, that hath run through Rape, or made with, or paſſing through any Foreign Materials, or any mixture with foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer quantity, Four Shillings. (5) For every Barrel of Beer, Ale or Mum Imported from beyond the Seas, or from the Iſlands of Guernſey, or Jerſey and ſo proportionably for a greater or leſſer quantity, to be paid by the Importers before landing, over and above the duties payable for the ſame, Three Shillings. (6) For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, to be paid by the Importer before landing, over and above the Duties payable for the ſame, Four pounds. (7) For every Gallon of Single Brandy, Spirits, or Aqua Vitæ Imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, Two ſhillings. (8) For every Gallon of Brandy, Spirits or Aqua vitæ above proof, commonly called Double Brandy, Imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, Four Shillings. (9) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, over and above the Duties payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure, One Shilling Three pence. (10) For all Metheglin or Mead made for Sale, whether by Retail or otherwiſe, to be paid by the Maker, for every Gallon, Three pence.

Additional Exciſe upon Beer, &c. for ſixteen years.

Exciſe for three laſt years to be diſpoſed according to Act of Parliament. 5 & 6 W & M Cap. 19.

Beer &c. above ſix ſhillings.

Beer &c. below ſix ſhillings.

Vinegar Engliſh.

Vinegar foreign.

Beer &c. Imported.

Cyder, &c. Imported.

Brandy Single.

Brandy Double.

Cyder &c. Retail.

Metheglin, &c.

XXVIII. And be it enacted by the authority aforeſaid, that the ſaid ſeveral Rates, Duties and Impoſitions upon Beer, Ale, Cyder and other Liquors aforeſaid, be Levied, Collected and Paid unto their Majeſties, their Heirs and Succeſſors, during the ſaid ſpace and term of Sixteen years, in the ſame manner and form, and by ſuch rules, ways and means, and under ſuch Penalties and Forfeitures as are mentioned in the Act made in the Twelfth year of the Reign of King Charles the Second, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in *Capite*, and by Knights Service and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof: And alſo in and by another Act made in the twelfth year of the Reign of the ſaid late King Charles the Second, entituled, A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the encreaſe of his Majeſties Revenue during his life: And alſo in and by another Act made in the fifteenth year of the reign of yͤ ſaid late King Charles the Second, entituled, An Additional Act, for the better Ordering and Collecting the Duty of Exciſe, & preventing the Abuſes therein, or by any other Law in force relating to the ſaid Revenue of Exciſe: And that the aforeſaid Acts, and every Article, Rule and Clauſe therein mentioned, as for and concerning only the Rates, Duties and Impoſitions upon Beer, Ale and other Liquors by this Act granted, ſhall be of full force and effect to all intents and purpoſes, during the ſaid term of Sixteen years, in like manner, as if the ſame were at Large, and particularly recited and ſet down in the body of this Act; And that the ſaid Rates and Duties of Exciſe, and the other Duties upon Salt by this Act granted, ſhall from time to time be within the Receipt and Government of the chief Commiſſioners and Governours of the Receipt of the Exciſe for the time being.

Recovery of Duties.

Cap. 24.

Cap. 23.

Cap. 11.

XXIX. And be it enacted by Authority aforeſaid, that the ſaid Commiſſioners and Governours for management and receipt of the Exciſe, at the Head Office in London for the time being, ſhall ſeparate and keep a part all and every the moneys raiſed by the rates and duties of Exciſe and other duties upon Salt hereby granted, as the ſame ſhall from time to time ariſe, or be paid into

Money to be kept apart.

To be paid in Weekly.

Account to be kept ſeparate of the Payments.

into the ſaid Office of Exciſe by the Receivers or Collectors of the ſame, or by any other perſon whatſoever: And the ſaid Commiſſioners and Governours of Exciſe for the time being, are hereby required, and ſtrictly enjoyned from time to time to pay weekly, (videlicet) on Wedneſday in every week, if it be not a holiday, and if it be, then the next day after that is not a holiday, all and every the moneys ariſing by the rates and duties of Exciſe, and other duties hereby granted, into the receipt of their Majeſties Exchequer, diſtinct, and apart from the other moneys, which the ſaid Commiſſioners and Governours of Exciſe ſhall receive for the uſe of their Majeſties, their heirs and ſucceſſors. And be it further enacted by the Authority aforeſaid, that there ſhall be provided and kept in their Majeſties Exchequer (that is to ſay,) in the Office of the Auditor of the receipts, one book, in which all the ſaid weekly moneys, which ſhall be paid into the Exchequer, as aforeſaid, ſhall be entred apart and diſtinct from all other moneys paid or payable to their Majeſties, their heirs and ſucceſſors, upon any account whatſoever.

Penalty upon Officers.

XXX. And be it further enacted, that if the ſaid Commiſſioners and Governours of Exciſe for the time being, ſhall refuſe or neglect to pay into the Exchequer all or any the ſaid weekly ſums appointed to be paid, as aforeſaid, in ſuch manner as they are before by this Act required to do, or ſhall divert or miſapply any of the ſame, then they for every ſuch Offence ſhall forfeit their Offices of Commiſſioners and Governours for the management and receipt of the Exciſe, and be incapable of any Office or Place of Truſt whatſoever, and ſhall be lyable to pay the full value of any Sum or Sums, ſo diverted or miſapplied, to any perſon or perſons, who will ſue for the ſame by any Action of debt, bill, plaint or information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no eſſoign, protection, wager of Law, priviledge of Parliament, or other Priviledge, or more then one Imparlance ſhall be granted or allowed.

Sums to be a Fond.

Salaries provided.

XXXI. And be it further enacted, that all the ſaid Sums, ſo as aforeſaid, appointed to be paid weekly into the receipt of Exchequer, during the ſaid term of Sixteen years, ſhall be the yearly Fond for the ſeveral and reſpective purpoſes herein after mentioned and expreſſed. Provided always and be it enacted, that it ſhall and may be lawful to and for their Majeſties, their heirs and ſucceſſors, out of the ſaid duties ariſing upon Salt, to cauſe ſuch Sum and Sums of Money to be expended and paid from time to time for Salaries or other incident Charges, as ſhall be neceſſary in and for the Receiving, Collecting, Levying or Managing of the ſame duties upon Salt, during the ſaid term therein by this Act granted; Any thing in this Act contained to the contrary notwithſtanding.

Exciſe Office &c. continued.

Accounts of Salt, and Exciſe kept apart.

XXXII. And be it further enacted by the Authority aforeſaid, that the Head Office of Exciſe which is now eſtabliſhed within the City of London, ſhall be continued and be within the ſaid City, or ten miles thereof, and a ſufficient number of Commiſſioners therein from time to time ſhall be continued or appointed by their Majeſties, their heirs and ſucceſſors, to govern and manage the receipt of Exciſe, and to perform and execute the ſeveral matters and things hereby enjoyned to be done and executed by ſuch Commiſſioners, until the ſame ſhall be fully performed and complyed with, according to the true intent and meaning of this Act; And that in like manner there ſhall be continued, and be within the ſaid City, or ten miles thereof, by the appointment of their Majeſties, their heirs and ſucceſſors, a Comptroller of Exciſe, until ſuch time as all matters and things, which by this Act ſuch Comptroller is enjoyned to do and perform ſhall be fully performed and accompliſhed; which ſaid Comptroller for the time being, is hereby alſo required and commanded to keep a perfect and diſtinct account in Books fairly written of all the moneys which ſhall ariſe by the ſaid Duties upon Salt, and the ſaid Duties of Exciſe by this Act granted, as the ſame reſpectively ſhall from time to time ariſe, come or be brought into the ſaid Office of Exciſe; To which Books all perſons concerned ſhall have free Acceſs at all ſeaſonable times, without Fee or Charge; And that the ſaid Commiſſioners and Comptroller ſhall execute their reſpective Offices, in the performance of all things enjoyned by this Act, without any other Salary, Fee or Reward then what they now have or enjoy.

140000 l. a yearly Fond.

The Kings Revenue chargeable if theſe Duties fall Short.

XXXIII. And be it further enacted by the Authority aforeſaid, that yearly and every year, reckoning the firſt year to begin from the ſaid five and twentieth day of March, One thouſand ſix hundred ninety four, the full Sum of One hundred and fourty thouſand pounds, by or out of the Moneys to ariſe by the ſaid Duties upon Salt, and by the ſaid Rates and Duties of Exciſe hereby Granted, or either of them, and to be brought into the Receipt of Exchequer, by weekly payments, as aforeſaid, in caſe the ſaid weekly payments ſhall extend thereunto, ſhall be the whole and entire yearly Fond: And in caſe the ſaid weekly payments ſhall not amount to one hundred and fourty thouſand pounds per Annum, then the ſaid weekly Moneys or payments, ſo far as the ſame will extend, ſhall be part of the yearly Fond for and towards the anſwering or paying of the Annuities herein after mentioned, and for other the purpoſes hereafter in this Act expreſſed. And in caſe the ſaid Duties upon Salt, and the ſaid Rates and Duties of Exciſe by this Act Granted, or either of them ſhall at any time or times appear to be ſo deficient or low in the produce of the ſame, as that within any One year, to be reckoned, as aforeſaid, the weekly payments upon the ſame Rates or Duties, or any of them, ſhall not amount to ſo much as One hundred and forty thouſand pounds, or to ſo much as ſhall be ſufficient to diſcharge and ſatisfie the ſaid Annuities, and other Benefits and Advantages by this Act appointed, or intended to be paid, within, or for the ſame year reſpectively; That then, and ſo often, and in every ſuch caſe, the Commiſſioners of their Majeſties Treaſury, and the Under Treaſurer of the Exchequer now being, and the Treaſurer and Under Treaſurer of the Exchequer, or Commiſſioners of the Treaſury for the time being, are hereby ſtrictly enjoyned and required by virtue of this Act, and without any further or other Warrant, to be ſued for, had or obtained from their Majeſties, their heirs or ſucceſſors in this behalf, to cauſe every ſuch deficiency to be made Good, by applying and iſſuing or paying, ſo much of any Treaſure or Revenue, belonging or to belong to their Majeſties, their Heirs or Succeſſors (not being Appropriated to any particular uſe or uſes, by any Act or Acts of Parliament) towards the diſcharging or paying of the ſaid Annuities, or other benefits or advantages appointed to be paid by this Act, as together with the moneys, which ſhall have been brought into the ſaid receipt, of, or for the ſaid Rates or Duties upon Salt, and the ſaid Rates and Duties of Exciſe, as aforeſaid, ſhall be ſufficient to pay off and diſcharge all the moneys, which within the ſame year reſpectively, ſhall be grown due or ought to be paid upon the ſaid Annuities, or other benefits or advantages, according to the true intent and meaning of this preſent Act.

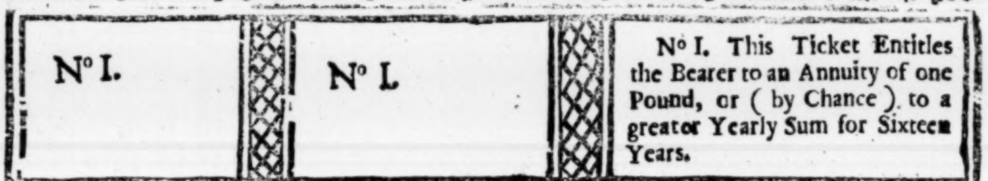
XXXIV. And be it further enacted, that it ſhall and may be lawful for any perſon or perſons, Natives or Foreigners, to contribute towards advancing the Sum of Ten hundred thouſand pounds for carrying on of the ſaid War, by paying at or before the tenth day of September, One thouſand ſix hundred ninety four, to any Receiver or Receivers, to be appointed for that purpoſe, as is herein after mentioned, the Sum of Ten pounds, or divers intire Sums of Ten pounds upon this Act; And that for the raiſing the ſaid Sum of Ten hundred thouſand pounds, any perſon who will become an Adventurer, ſhall and may advance the Sum of Ten pounds, for which ſum ſo advanced, he, ſhe or they for Sixteen years, ſhall be entituled to receive a Share or Dividend of the ſaid yearly Fond, as hereafter is expreſſed; And that every Adventurer may advance as many entire Sums of Ten pounds as he, ſhe or they ſhall think fit, and for every ſuch Sum of Ten pounds ſo advanced, he, ſhe or they is or are to be Intereſted in one Lot or Share in the ſaid yearly Fond.

Native or Alien may Advance 10 l. &c.

XXXV. And be it further enacted by the Authority aforeſaid, that ſuch perſons as their Majeſties by their Commiſſion under the Great Seal of England, ſhall nominate or appoint, ſhall be Managers and Directors for preparing and Delivering of Tickets, and to Overſee the Drawing of Lots, and to order, do and perform ſuch other matters and things as are hereafter in and by this Act directed or appointed, by ſuch Managers or Directors to be done and performed. And that ſuch Managers or Directors ſhall meet together from time to time, at ſome publick Office or Place within London or Weſtminſter, for the execution of the powers and truſts in them repoſed by this Act; and that the ſaid Managers or Directors, or ſo many of them as ſhall be preſent at any ſuch meeting, or the major part of them, ſhall cauſe Books to be prepared, in which every Leaf ſhall be divided or diſtinguiſhed, into three Columns, and upon the innermoſt of the ſaid Columns, there ſhall be printed One hundred thouſand Tickets, Numbered 1, 2, 3. and ſo onwards in Arithmetical Progreſſion, where the common exceſs is to be One, until they ariſe to and for the Number One hundred thouſand, and upon the middle Column in every of the ſaid Books there ſhall be printed One hundred thouſand Tickets of the ſame length, breadth and form, and Numbred in like manner; And in the extream Columns of the ſaid Books there ſhall be printed a third Rank or Series of Tickets, of the ſame Numbers with thoſe in the two other Columns, which Tickets ſhall ſeverally be of an Oblong Figure; And in the ſaid Books ſhall be joyned with Oblique Lines, in ſuch manner as is here Deſcribed,

The King may appoint Managers.

Books of Tickets provided with 3 Columns.



Nº I.

Nº I.

Nº I. This Ticket Entitles the Bearer to an Annuity of one Pound, or (by Chance) to a greater Yearly Sum for Sixteen Years.

Ticket.

and that every Ticket in the third or extream Columns of the ſaid Books ſhall have written or printed thereupon (beſides the Number) Words to this effect, to wit, [This Ticket Entitles the Bearer to an Annuity of One Pound, or (by Chance) to a greater yearly Sum for Sixteen Years.]

XXXVI. And be it further enacted by the Authority aforeſaid, that it ſhall and may be lawful to and for the Commiſſioners of their Majeſties Treaſury, or any three or more of them now being, or to and for the Treaſurer of the Exchequer, or any three or more of the Commiſſioners of their Majeſties Treaſury for the time being, by any Inſtruments or Writings under their Hands and Seals reſpectively, to Conſtitute and Appoint ſuch and ſo many perſons as they ſhall think fit to Intruſt or Imploy to be their Majeſties Receiver and Receivers, within the Cities of London and Weſtminſter, and ſuch other Cities, Towns and places in England or elſewhere, as to them ſhall ſeem meet for the better Expediting and Carrying on of this Service, taking from the ſaid Receivers reſpectively ſuch Securities for the due anſwering and paying of the Moneys, which they ſhall ſeverally receive for their Majeſties Uſe, into the receipt of the Exchequer, and for the due performance of the truſts in them repoſed, as they the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the Treaſurer of the Exchequer, or any three or more of the Commiſſioners of the Treaſury for the time being ſhall judge reaſonable and ſufficient in that behalf; And that the ſaid Managers and Directors, or ſo many of them as ſhall be preſent at ſuch a meeting, as aforeſaid, or the major part of them then preſent, ſhall carefully examine all the ſaid Books, with the Tickets therein, and ſee that the ſame be contrived, numbred and made according to the true intent and meaning of this Act, and ſhall then deliver or cauſe to be delivered, the ſame Books to the ſaid Receivers, taking from each Receiver an acknowledgment in writing under his Hand, importing his receipt of ſuch Book, or Books, and ſo many Tickets therein, as ſhall be delivered to him reſpectively, that ſo the ſaid Receiver may be charged to anſwer Ten Pounds in money for every one of the Tickets in the extream Columns which ſhall be delivered to him, or for ſo many of them as he ſhall not return back to the ſaid Managers or Directors; And every ſuch Receiver reſpectively is hereby directed and required upon his receiving of every or any Sum of Ten pounds from any perſon or perſons contributing or adventuring, as aforeſaid, to cut out of the ſaid Book or Books ſo to be put into his Cuſtody thorow the ſaid Oblique Lines indent-wiſe, a Ticket of the Tickets in the ſaid extream Columns, which the ſaid Receiver is to Sign with his own Name, and he ſhall permit the contributor or adventurer (if it be deſired) to write his Name, or mark on the two correſponding Tickets in the ſame Book, and at the ſame time the ſaid Receiver ſhall deliver to the ſaid Contributor or Adventurer the Ticket ſo cut off, which he, or ſhe or they are to keep & uſe for the better aſcertaining & ſecuring of the reſpective ſhare, which he, ſhe or they, his, her

Receivers how appointed.

The Books delivered to the Receivers.

Tickets how delivered out.

her or their Aſſigns are to have in the ſaid Fond for the Money ſo by him, her or them contributed or adventured.

Receivers re-deliver the Books.

Receivers muſt Account.

Middle Column Tickets put in a Box.

Firſt Column remain.

XXXVII. And be it further enacted by the authority aforeſaid, that the ſaid ſeveral Receivers on the Twentieth day of September, which ſhall be in the year one thouſand ſix hundred ninety four, ſhall re-deliver to the ſaid Managers and Directors, at their ſaid Office or Place of meeting, all the ſaid Books, and therein all the Tickets of the firſt and ſecond Columns before mentioned, and ſo many of the ſaid Tickets of the extream Columns (if any ſuch be) as the ſaid Receivers ſhall not have cut out, and delivered to the Contributors for their Money, as aforeſaid; and ſhall then and there alſo deliver to the ſaid Managers and Directors, a true and juſt account in writing under their hands, of all ſum and ſums of Money accrued or come to the hands of ſuch Receiver and Receivers reſpectively, by or for the Tickets delivered out, as aforeſaid; and how the ſame, or how much thereof ſhall have been actually paid, by every ſuch Receiver, into the Receipt of the Exchequer, to, and for their Majeſties uſe and behoof; and that the ſaid Managers and Directors, or the major part of them which ſhall be preſent at a meeting, as aforeſaid, ſhall cauſe all the Tickets of the ſaid middle Columns in the Books which ſhall be delivered back to them, by, or from the ſaid Receivers, in caſe all the correſponding Tickets in the extream Columns, ſhall have been diſpoſed for money, as aforeſaid, to be carefully rolled up, and made faſt with Thread or Silk; and in caſe all the Tickets in the extream Columns, ſhall not have been diſpoſed for money, as aforeſaid, that then the ſaid Managers and Directors, or the major part of them, which ſhall be preſent, as aforeſaid, ſhall cauſe ſo many of the Tickets of the ſaid middle Columns, as ſhall correſpond with, or be the Counter-parts of thoſe of the extream Columns, which ſhall have been cut out, and diſpoſed for money, as aforeſaid, and none other, to be carefully rolled up, and made faſt with Thread or Silk, as is before mentioned; and the ſaid Managers and Directors, or the major part of them, as aforeſaid, ſhall in their preſence, and in the preſence of ſuch of the Adventurers as will be there, cauſe all the Tickets which are to be ſo rolled up, and made faſt, as aforeſaid, to be cut off indent-wiſe thorow the ſaid oblique Lines, into a Box to be prepared for this purpoſe, and to be marked with the letter A; which Box is preſently to be put into another ſtrong Box, and to be lockt up with ſeven different Locks and Keys, to be kept by as many of the ſaid Managers, and ſealed with their ſeals, or the ſeals of ſome of them, until the ſaid Tickets are to be drawn, as is herein after mentioned; and that the Tickets in the firſt or innermoſt Columns of the ſaid Books, ſhall remain ſtill in the Books, for diſcovering any miſtake or fraud, if any ſuch ſhould happen to be committed contrary to the true meaning of this Act.

Books with two Columns.

Benefits.

The ſeveral Benefits.

XXXVIII. And be it further enacted by the authority aforeſaid, that the ſaid Managers and Directors, or the major part of them which ſhall be preſent at any Meeting, as aforeſaid, ſhall alſo prepare, or cauſe to be prepared, other Books, in which every Leaf ſhall be divided or diſtinguiſhed into two Columns, and upon the innermoſt of thoſe Columns there ſhall be Printed, one hundred thouſand Tickets; and upon the outermoſt of the ſaid two Columns, there ſhall be printed one hundred thouſand Tickets, all which ſhall be of equal length and breadth, as near as may be, which two Columns in the ſaid Books, ſhall be joyned with ſome flouriſh or deviſe, thorow which the outermoſt Ticket may be cut off indent-wiſe; and that two thouſand five hundred Tickets, part of thoſe to be contained in the outermoſt Columns of the Books laſt mentioned, ſhall be, and be called the Fortunate Tickets, to which extraordinary benefits ſhall belong, as is herein after mentioned: and in caſe the ſaid whole ſum of ten hundred thouſand pounds ſhall be advanced and contributed by Contributors or Adventurers, as aforeſaid, then the ſaid Managers and Directors, or the major part of them, or ſuch of them as ſhall be preſent at a meeting, as aforeſaid, ſhall cauſe the ſaid Fortunate Tickets to be written upon, as well in figures, as in words at length, in manner following: that is to ſay, upon One of them, one thouſand pounds yearly; Upon every one of Nine of them ſeverally, five hundred pounds yearly; And upon every one of Twenty of them ſeverally, one hundred pounds yearly; And upon every one of Eighty of them ſeverally, fifty pounds yearly; And upon every one of Ninety of them ſeverally, five and twenty pounds yearly; And upon every one of Three hundred of them ſeverally, twenty pounds yearly; And upon every one of Two thouſand of them ſeverally, ten pounds yearly. Which yearly ſums ſo to be written upon the ſaid Fortunate Tickets, together with one hundred and fifty pounds yearly, to be allowed to the Owner of the firſt drawn Ticket; and one hundred pounds yearly to the Owner of the laſt drawn Ticket (beſides the benefits which may happen to belong to the two Tickets laſt mentioned) will amount in the whole to fourty thouſand pounds per Annum, part of the ſaid yearly fond.

Fond muſt be proportionable to the Sum advanc'd.

Blanks 20s. a year.

XXXIX. Provided always, and it is hereby enacted, that if the ſaid whole ſum of ten hundred thouſand pounds ſhall not be advanced and contributed by the Contributors or Adventurers, as aforeſaid, on or before the tenth day of September, then ſo much only of the abovesaid yearly ſum of one hundred and fourty thouſand pounds, as ſhall bear proportion to the real ſum which ſhall be actually advanced or contributed by the Contributors or Adventurers, as aforeſaid, ſhall be the yearly Fond to be applyed by this Act for ſatisfaction of the Annuities, and other purpoſes hereby intended, that is to ſay, as the ſum of ten hundred thouſand pounds is to one hundred and fourty thouſand pounds per Annum, ſo the real ſum which ſhall be actually advanced or contributed on this Act, as aforeſaid, ſhall be to the certain yearly Fond in ſuch caſe provided by this Act for the ſaid Annuities and other purpoſes; and in ſuch caſe a diligent calculation ſhall be made by the ſaid Managers and Directors, or the major part of them, who ſhall cauſe all the yearly ſums to be written upon the ſaid Fortunate Tickets; and the two yearly ſums for the ſaid firſt and laſt drawn Tickets to be proportioned accordingly; yet ſo as that every numbred Ticket which ſhall be drawn, not having a Fortunate Lot to come up for it exceeding twenty ſhillings a year, ſhall nevertheleſs be Entituled to twenty ſhillings a year for the ſaid term of ſixteen years. And that all the ſaid hundred thouſand Tickets,

ets, as well the Fortunate as the Blanks, which ſhall be contained in the ſaid outermoſt Columns of the Books laſt mentioned, ſhall, in the preſence of the ſaid Managers and Directors, or the major part of them, which ſhall be preſent at a meeting, as aforeſaid, and in the preſence of ſuch Adventurers as will then be there, be carefully rolled up and faſtned with Thread or Silk, and be ſeverally cut out indent-wiſe, thorow the ſaid figure or Deviſe into another Box to be prepared for this purpoſe, and to be marked with the letter B. which Box ſhall preſently be put into another ſtrong Box, and be lockt up with ſeven different Locks and Keys, to be kept by as many of the ſaid Managers, and Sealed up with their Seals, or the Seals of ſome of them, until theſe Tickets ſhall alſo be drawn in the manner and form herein after mentioned; and that no Money ſhall be received from any Contributor or Adventurer, as aforeſaid, after the ſaid tenth day of September: And that the whole buſineſs of rolling up, cutting off, and putting into the ſaid Boxes the ſaid Tickets, and locking up and ſealing the ſaid Boxes, ſhall be performed by the ſaid Managers and Directors, or ſuch of them, as aforeſaid, on or before the firſt day of October, One thouſand ſix hundred ninety four. And to the end every perſon concerned may be well aſſured that the Counter-part of the ſame number with his Ticket, is put into the Box marked with the letter A. from whence the ſame may be drawn, and that other matters are done as hereby directed, ſome publick Notification in print ſhall be given of the preciſe time or times of cutting the ſaid Tickets into the ſaid Boxes, to the end that ſuch Adventurers as ſhall be minded to ſee the ſame done, may be preſent at the doing thereof.

The Tickets to be rolled up and cut into another Box marked B. which is to be put into another Box locked with ſeven Locks, &c.

No Money advanced after 10th. September.

Publick Notice of time of cutting the Tickets.

XL. And be it further enacted by the Authority aforeſaid, that on the Eighth day of October, One thouſand ſix hundred ninety four, the ſaid Managers and Directors ſhall cauſe the ſaid ſeveral Boxes, with all the Tickets therein, to be brought into the Guild Hall in the City of London, by Eight of the Clock in the Forenoon of the ſame day, and placed on a Table there for the purpoſe, and ſhall then and there ſeverally attend this ſervice, and cauſe the two Boxes containing the ſaid Tickets, to be taken out of the other two Boxes in which they ſhall have been lockt up, and the Tickets or Lots in the reſpective innermoſt Boxes being in the preſence of the ſaid Managers and Directors, or ſuch of them as ſhall be then preſent, and of ſuch Adventurers as will be there for the ſatisfaction of themſelves, well ſhaken and mingled in each Box diſtinctly, ſome one indifferent and fit perſon to be appointed and directed by the Managers aforeſaid, or the major part of them, or of ſuch of them, as ſhall be then preſent, ſhall take out or draw one Ticket from that Box where the ſaid numbred Tickets ſhall be, as aforeſaid, put, and one other indifferent and fit perſon to be appointed and directed in like manner, ſhall preſently take out a Ticket or Lot from that Box where the ſaid Two thouſand five hundred Fortunate, and Ninety ſeven thouſand five hundred Blank Tickets ſhall be promiſcuouſly put, as aforeſaid, and immediately both the Tickets ſo drawn ſhall be opened, and the numbred Ticket, as well as the Fortunate or Blank Ticket, ſhall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots ſhall appear to be a Blank, then the numbred Ticket ſo drawn, with the ſaid Blank at the ſame time drawn, ſhall both be put upon one File; and if the Ticket ſo taken or drawn from the Box containing the Fortunate and Blank Lots ſhall appear to be one of the Fortunate Tickets, then the yearly ſum written upon ſuch Fortunate Ticket (whatſoever it be) ſhall be entred by a Clerk, which the ſaid Managers, or the major part of them, as aforeſaid, ſhall imploy, and overſee for this purpoſe, into a Book to be kept for entring the Numbers coming up with the ſaid Fortunate Tickets, and the yearly ſums whereunto they ſhall be entituled reſpectively; and two of the ſaid Managers ſhall ſet their names as witneſſes to every ſuch entry, and the ſaid Fortunate and numbred Ticket ſo drawn together, ſhall be put upon another File; and ſo the ſaid drawing of the Tickets ſhall continue by taking one Ticket at a time out of each Box, and with opening, naming aloud, and filing the ſame, and by entring the Fortunate Lots in ſuch method as is before mentioned, until the whole number of two thouſand five hundred Fortunate Tickets, and one more for the laſt, as aforeſaid, ſhall be compleatly drawn; and if the ſame cannot be performed in one days time, the ſaid Directors or Managers ſhall cauſe the Boxes to be lockt up and ſealed in manner, as aforeſaid, and adjourn till the next day, and ſo from day to day, and then open the ſame and proceed, as above, till the ſaid whole number of Fortunate Tickets ſhall be compleatly drawn, as aforeſaid; and afterwards, the ſaid numbred Tickets ſo drawn, with the Fortunate Tickets drawn againſt the ſame, ſhall be and remain in a ſtrong Box lockt up, as aforeſaid, and under the cuſtody of the ſaid Managers, until they ſhall take them out to examine, adjuſt and ſettle the property thereof.

The manner of Drawing the Tickets.

XLI. And be it further enacted by the authority aforeſaid, that at any time after ſix days, and within ſixty days after the Drawing ſhall be finiſhed, the ſeveral Adventurers, or their Agents or Aſſigns, who ſhall be actually poſſeſſed of the numbred Tickets delivered out by the aboveſaid Receivers, for which Fortunate Lots ſhall be drawn, as aforeſaid, ſhall, or may appear with the ſaid Tickets ſo in their reſpective poſſeſſions, for the Managers, or the major part of them which ſhall be preſent at a meeting, as aforeſaid, to know, and write down the names of the reſpective perſons to whom the Fortunate Lots ſhall ſeverally belong, and the ſeveral yearly ſums ſo written upon the ſaid Fortunate Tickets, as aforeſaid, ſhall ſeverally and reſpectively belong, and be adjudged, accepted, and taken to belong, and appertain to ſuch perſons reſpectively, as ſhall ſo appear with the numbred Tickets to the ſaid Managers, or to ſuch perſons as ſhall have their names indorſed upon any ſuch Tickets, in caſe they be brought to the Managers by any other hands. And to the end the Fortunate may know (whether abſent or preſent) to what degree they have been ſo, as ſoon as the Drawing is over, the ſaid Managers are hereby required, forthwith to cauſe to be Printed and Publiſht, the number of the Ticket drawn, againſt each Fortunate Ticket, and the yearly ſum written in the ſame: And if any contention or diſpute ſhall ariſe in adjuſting the property of the ſaid Fortunate Tickets, the major part of the Managers aforeſaid agreeing

The Managers ſhall adjudge to whom the Fortunate Tickets belong.

Fortunate Tickets to be Printed.

Forging Benefit Tickets Felony.

Managers may commit Forgers.

agreeing therein, ſhall determine to whom it does and ought to belong. And if any perſon or perſons ſhall Forge or Counterfeit any ſuch Ticket or Tickets, as aforeſaid, or bring any Forged or Counterfeit Ticket (knowing the ſame to be ſo) to the ſaid Managers, or any of them, to the intent to defraud their Majeſties, or any Contributor or Adventurer, or the Executors, Adminiſtrators, or Aſſigns of any Contributor or Adventurer upon this Act, that then every ſuch perſon or perſons (being thereof convicted in due form of Law) ſhall be adjudged a Felon, and ſhall ſuffer as in caſes of Felony; and the ſaid Managers and Directors, or any two or more of them, are hereby authorized and impowered, to cauſe any ſuch perſon or perſons, bringing ſuch Forged or Counterfeit Ticket or Tickets, as aforeſaid, to be apprehended, and to commit him, her, or them to their Majeſties Goal of Newgate, to be proceeded againſt for the ſaid Felony according to Law.

Managers to make a Book of the Fortunate and Tranſmit it into the Exchequer, and a Duplicate into the Transfer Office.

Fortunate to be paid their Advantages for 16. years.

XLII. And be it enacted by the authority aforeſaid, that the ſaid Managers and Directors, or the major part of them, ſhall cauſe one Book of Parchment or Velom to be prepared, and ſhall enter, or cauſe to be entred therein the Names and Sirnames of the reſpective perſons, who ſhall be Entituled to extraordinary benefit by the ſaid Fortunate Tickets or Lots, with the reſpective places of their abode; and againſt every one of their Names, the yearly Annuity which he or ſhe reſpectively, is to have by virtue of this Act, as well in words at length as in figures, and the Names, Sirnames, and Places of abode, of the reſpective perſons, who ſhall be Entituled to the Annuities, in reſpect of their numbers being firſt and laſt drawn, as aforeſaid, with the Annuities payable to thoſe two perſons reſpectively; and that the Book laſt mentioned, ſhall be ſigned by the ſaid Managers, or the major part of them, and tranſmitted by the firſt day of March, one thouſand ſix hundred ninety four at the fartheſt, into the receipt of their Majeſties Exchequer, into the Office of the Auditor of the ſaid Receipt, there to remain for the future; and a true duplicate thereof, by the ſame time, ſhall be tranſmitted to the Commiſſioner or Officer of the Transfer Office herein after mentioned: And that every perſon ſo to be named in the ſaid Book, to be tranſmitted into the ſaid Receipt of Exchequer, his, her and their Executors, Adminiſtrators and Aſſigns, ſhall have, receive, and enjoy, and be Entituled to have, receive and enjoy, for, and during the ſaid term of ſixteen years, the reſpective Annuity or yearly ſum, ſo to be ſet againſt his, or her name reſpectively, in the Book laſt mentioned, out of the ſaid yearly Fond by this Act provided; which Annuities ſhall be payable, and paid by equal half yearly payments, to wit, at the Feaſts of the Annunciation of the bleſſed Virgin Mary, and Saint Michael the Archangel, by equal portions, or within twenty days after every or any ſuch Feaſt day, the firſt payment thereof to be made at the Feaſt of the Annunciation of the bleſſed Virgin Mary, one thouſand ſix hundred ninety five, or within twenty days then next enſuing; and all and every other perſon and perſons, who ſhall have contributed, or adventured any ſum of ten pounds, or ſeveral entire ſums of ten pounds, as aforeſaid, not being Entituled to a Fortunate Lot exceeding one pound a year, by the drawings before mentioned, his, her, and their Executors, Adminiſtrators and Aſſigns, ſhall have, receive, and enjoy, and be Entituled to have, receive, and enjoy, for, and during the ſame term of years, for every ſuch ſum of ten pounds ſo contributed or adventured, an Annuity of one pound by the year, out of the ſaid Fond by this Act provided; which Annuities of one pound by the year apiece, ſhall be payable, and be paid at the Feaſt of Saint Michael the Archangel, in every year, or within twenty days after the ſame Feaſt day; the firſt payments thereof to be made at the Feaſt of Saint Michael the Archangel, one thouſand ſix hundred ninety five, or within twenty days then next enſuing; and that every perſon, who ſhall be commiſſionated by their Majeſties, as aforeſaid, to be Managers and Directors for putting of this Act in execution, before his acting in ſuch Commiſſion, ſhall take the Oath following: That is to ſay,

The 20. s. Annuity for 10. l. for 16 years.

Adventurer of ſeveral 10. l. ſhall have 20. s. per Annum for each 10. l. not Fortunate 5 & 6 W & M Cap. 14.

Oath to be taken by the Commiſſioners

I *A. B.* Do ſwear that I will faithfully execute the Truſt Repoſed in me; And that I will not uſe any indirect Art or Means, or permit or direct any perſon to uſe any indirect Art or Means, to obtain a Prize or Fortunate Lot for my ſelf or for any other perſon whatſoever. And that I will do my utmoſt endeavour to prevent any ſiniſter or undue Practice, to be done by any perſon whatſoever. And that I will to the beſt of my judgment declare to whom any Prize, Lot or Ticket of right does belong, according to the true intent of this Act.

Which Oath ſhall and may be adminiſtred by any two or more of the other Managers or Directors.

Managers, &c. how and by whom to be Rewarded.

XLIII. Provided always, and be it likewiſe enacted by the authority aforeſaid, that out of the reſidue (which in any caſe will not exceed two thouſand five hundred pounds a year) of the ſaid yearly Sum of one hundred and fourty thouſand pounds, or of ſuch other proportionable yearly Sum, as is hereby appointed to be the yearly Fond for the purpoſes aforeſaid, and which ſhall remain from time to time, after paying or leaving ſufficient to pay all the ſaid Annuities belonging to all the Fortunate and other Lots, as aforeſaid, it ſhall and may be Lawful to and for their Majeſties, their Heirs and Succeſſors, or the Commiſſioners of their Majeſties Treaſury, or the Treaſurer and Under-Treaſurer of the Exchequer for the time being, purſuant to the directions of their Majeſties, their Heirs or Succeſſors, to be ſignified under the Great Seal, Privy Seal, or Royal Sign Manual, to reward the ſaid Managers and Directors, and the Clerks and Officers to be imployed by and under them, and the Commiſſioner or Officer of the Transfer Office, and his Clerks or Inſtruments for the time being, and the Officers and Clerks that ſhall be appointed in the Exchequer, and ſuch other Officers, Miniſters and perſons as ſhall be any way imployed in this Affair, for their labour, pains and ſervice therein reſpectively, in ſuch proportions as ſhall be thought fit and reaſonable in that behalf.

XLIV. Provided alſo and be it enacted for the encouragement of the Adventurers, to make ſpeedy payments to the ſaid Receivers of the ſaid ſeveral ſums of ten pounds apiece at any time before the ſaid tenth day of September, the ſaid Receiver ſhall immediately out of the money ſo by him received, pay back to the reſpective contributor or adventurer ſo much as the intereſt of every ſum of ten pounds ſo contributed or adventured ſhall amount unto, after the rate of fourteen pounds per Centum per Annum, to be reckoned from the day of making ſuch payment by the adventurer, until the nine and twentieth day of September, one thouſand ſix hundred ninety four; And that every ſuch Receiver, upon his Account, and out of the Money ſo by him received, ſhall be allowed and diſcharged of ſo much as he ſhall ſo pay back for intereſt, and alſo ſo much more for his pains and ſervice in receiving, paying and accounting for the Moneys of his receipt, and for the faithful performance of his Office of Receiver, as the Commiſſioners of their Majeſties Treaſury now being, or the Treaſurer of the Exchequer, or Commiſſioners of the Treaſury for the time being, ſhall think reaſonable, ſo as the allowance laſt mentioned do not in any caſe exceed one peny in the pound, upon the Moneys only, which the ſaid Receiver ſhall have actually paid into the Exchequer; Any thing in this Act contained to the contrary notwithſtanding.

Contributors allowed 14.l per Cent. for Money advanced before 10th. September till 29th. of September.

Receivers allowance.

XLV. And to the end that all and every the payments of or upon the Annuities abovementioned may be duly made, to ſuch perſon or perſons that ſhall become rightful Proprietors thereof, as is herein and hereby directed and appointed, and for the making the ſaid payments eaſie and ſafe to the adventurers in this adventure, and for negotiating, ſettling and diſpoſing of the annual and other payments aforeſaid, ſo that they may become more valuable and uſeful in payment to and from each perſon, as the occaſions of the Adventurers and their Aſſigns may require, Be it further enacted by the authority aforeſaid, That a Transfer Office be erected and eſtabliſht in London, and a Commiſſioner or Chief Officer appointed thereunto by their Majeſties, by Letters Patents under the Great Seal of England for the purpoſes hereafter expreſſed; And that when the aboveſaid Fortunate Lots ſhall be adjuſted by the aboveſaid Managers and Directors, all the Ticket-Books and Tickets which ſhall remain in the hands of the ſaid Managers (except that Book which is to be tranſmitted into the Exchequer) ſhall be delivered to the Commiſſioner of the Transfer Office, who is alſo to receive in all the ten pound Tickets delivered out, as aforeſaid, and to deliver to the bearer of each of thoſe Tickets Sixteen Velum or Paper Tickets or Tallies for the Sixteen yearly payments, upon the Annuities of one pound by the year, and Two and thirty Velum or Paper Tickets or Tallies for the two and thirty half-yearly payments, upon the higher annuities, as hereafter is expreſſed; And that Books upon a particular ſort of Velum or Paper on the backſide Clouded, ſhall by the care and direction of the Commiſſioner and Chief Officer of the Transfer Office be printed, to contain as many Tickets as be neceſſary for this purpoſe, and that three of one ſort be alike Numbred and Flouriſhed as hereunder deſcribed,

A Transfer Office to be kept in London.

N° I. *September* 29th 1695. To be Paid 1 *l.* at the Exchequer.	N° I. *September* 29th 1695. To be Paid 1 *l.* at the Exchequer, *A. B.* Commiſſioner.	N° I. *September* 29th 1695. To be Paid 1 *l.* at the Exchequer.
N° I. *September* 29th 1696. The like.	N° I. *September* 29th 1696. To be Paid 1 *l.* at the Exchequer, *A. B.* Commiſſioner.	N° I. *September* 29th 1697. The like.
N° I. *September* 29th 1697. The like.	N° I. *September* 29th 1697. To be Paid 1 *l.* at the Exchequer, *A. B.* Commiſſioner.	N° I. *September* 29th 1697. The like.
And ſo on till 29th *September* 1710.	And ſo on till *September* 29th 1710.	And ſo on till *September* 29th 1710.

That the middle Paper Ticket or Tally of the three, be cut off Indent-wiſe, to be delivered out, as aforeſaid; That one of the three be bound up in a Book, to remain in the Transfer Office, for any perſon to know whether the Ticket or Tally, that is offered to be diſpoſed, be a true or falſe one; And that the other of the three be bound up in a Book, and delivered into the Exchequer to pay by, when the middle Ticket or Talley becomes payable; And alſo, that the middlemoſt of theſe three Tickets or Tallies, that ſhall be delivered to any perſon or perſons, that ſhall be entituled to any Fortunate Lot, be ſigned by the ſaid Commiſſioner of the Transfer Office, or his ſufficient Deputy, for whom he will anſwer; And that at ſome time within fourty days before the growing due of every payment of the ſaid annuities, exceeding one pound per Annum, the Commiſſioner or his Deputy of the Transfer Officer, for the time being, ſhall examine the Ticket or Tally for that particular payment, and if it anſwers the Counterpart in that Office, he ſhall ſign his examination thereof; all which ſhall be done without fee or reward; And then the Officer of the Exchequer examining the ſame, and finding it to anſwer the Counter part lodged in his Office, he ſhall take it up and pay the Contents thereof to the Bearer, at or within the time before appointed for the payment thereof, without any further or other warrant or order to be ſued for, had or obtained in that behalf; And that the Tickets or Tallies for the annuities of one pound per Annum apiece ſhall be paid and payable at the Exchequer, without any further examination or atteſtation, and without any further or other warrant or order, as aforeſaid, by the Commiſſioner of the Transfer Office; And that in caſe a falſe Ticket or Tally upon either the examinations aforeſaid be found, That the Officer for the time being, at the Transfer Office or the Exchequer, do cut a ſlip out of it, and that the perſon that brings it be liable to pay a Fine of five pounds to and for the uſe of their Majeſties, their Heirs and Succeſſors, to be recovered by the Oath of either of the ſaid Officers of the Transfer Office, or of the Exchequer, to be made before one of the Barons of the Exchequer, and the ſaid Fines ſhall be payable into the receipt of the Exchequer, to and for the uſe of their Majeſties, their Heirs and Succeſſors; And for want of payment, any one of the ſaid Barons of the Exchequer is hereby impowered to ſend the party offending to Goal, and him, her or them therein to detain, until payment be made of ſuch Fine.

Search Fee 1 d.

XLV. And be it further enacted by the authority aforeſaid, That the Fee for examining and proving the validity of a Ticket or Tally, in order to make a true aſſignment or transfer, or upon any occaſion, other then to obtain the payment thereof in the Exchequer, as aforeſaid, ſhall at the ſaid Transfer Office be one peny and no more.

Perſons ſelling Counterfeit Ticket, how diſcharged.

XLVI. And to prevent any diſputes and controverſies that may otherwiſe ariſe, It is enacted, That if any perſon takes a counterfeit Ticket or Tally, and does not come to the Office to prove it within ten days after his receipt thereof in London, or within ten Miles of London, or within thirty days after the receipt of it in any other part of England, that then the perſon that ſold or parted with it, ſhall not be liable to any damage, or to repay the value or any part of the value received for the ſame.

Penalty upon Officer of the Exchequer and Transfer Office offending.

XLVII. And be it further enacted for the better encouraging perſons to advance the ſaid ſum of Ten hundred thouſand pounds upon the terms aforeſaid, That all receipts and iſſues, and all other things directed by this Act, to be performed in the Exchequer and Transfer Office, ſhall be done and performed by the Officers there, without demanding or receiving directly or indirectly any fee, gratuity or reward for the ſame, otherwiſe then by this Act, as aforeſaid, is appointed; And in caſe the Officers of the Exchequer or Transfer Office, ſhall take or demand any ſuch fee or reward, otherwiſe then by this Act is appointed, or ſhall divert or miſapply any of the weekly ſums to be paid into the receipt of the Exchequer for making up the aforeſaid Fond, or ſhall pay or iſſue out the ſame, otherwiſe then according to the intent of this Act, or ſhall not keep Books and Regiſters, and make Entries, and do and perform all other things, which by this Act they are required to perform, every ſuch Officer ſhall forfeit his Office, and be for the future incapable of any Office or Place of truſt whatſoever, and ſhall anſwer and pay treble damages, with coſts of ſuit, to any adventurer that will ſue for the ſame, to be recovered by action of debt, bill, plaint or information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no eſſoign, protection, priviledge of Parliament or other priviledge or wager of law, injunction or order of reſtraint, or more then one imparlance, ſhall be granted or allowed; And in the ſaid action, the plaintiff, upon recovery, ſhall have his full coſts, one third part of which ſum, ſo to be recovered, ſhall be paid into the receipt of the Exchequer, for the benefit of their Majeſties, their Heirs and Succeſſors, and the other two third parts ſhall be to and for the uſe of the proſecutor.

Officer paying falſe Ticket except knowingly not liable.

XLVIII. Provided always, and be it enacted, That in caſe any Officer of the Transfer Office ſhall paſs any Ticket for payment, or any Officer of the Exchequer ſhall make any payment of any ſhare or ſhares of the ſaid Fonds, upon ſuch kind of Tickets or Tallies, as are before directed, ſuch Officer ſhall not incur any penalty, forfeiture or diſability, or be liable to any action of the adventurers for doing thereof, although the ſaid Ticket or Tally be forged or falſe, unleſs the ſaid Officer did know at the time of ſuch direction or payment, that the ſaid Ticket or Tally was forged or falſe, but ſhall be accountable for the value to the perſon wronged.

Money here lent Tax free.

XLIX. And be it further enacted, That any Money contributed or lent by or payable to any perſon or perſons, upon or by virtue of this Act, ſhall not be charged or chargeable with any rates, duties or impoſitions whatſoever.

Grants made by the King void.

L. Provided always, and it is hereby further declared and enacted by the authority aforeſaid, That all grants or diſpoſitions of any of the Moneys ariſing, or which ſhall be collected by the authority of this Act, hereafter to be made by their Majeſties, their Heirs or Succeſſors, to any other perſon or perſons, or in any other manner, or for any longer term or intereſt, then by this Act is appointed, ſhall be, and are hereby declared null and void to all intents and purpoſes whatſoever.

A particular Officer appointed by the Treaſury in the Exchequer for the payment of theſe Annuities, who ſhall be ſubject to the Rules of the Treaſury.

LI. And whereas by reaſon of the multiplicity of payments, which are to be made in purſuance of this Act, it will be difficult (if not impoſſible) that every particular payment ſhould be directed, recorded, paid and accounted for by the ſeveral Officers of the receipt of the Exchequer, in the ordinary courſe of payments there uſed; Therefore and to the end that the Exchequer may be regularly diſcharged of all the Moneys of the ſeveral rates and duties before mentioned, which ſhall be brought into the ſame for the ſaid Fond: Be it enacted by the authority aforeſaid, That there ſhall be in the ſaid receipt of the Exchequer, a diſtinct Office for paying the annuities or benefits by this Act appointed to be paid, and ſome convenient Room or Rooms, in or near the receipt of the Exchequer at Weſtminſter, ſhall be prepared, aſſigned and uſed for that purpoſe; which Office ſhall continue until all the payments to grow due by this Act, during the ſaid term of Sixteen years, ſhall be ſatisfied; And an Officer or Officers ſhall be appointed thereunto from time to time by the Commiſſioners of their Majeſties Treaſury now being, or by the Treaſurer of the Exchequer or Commiſſioners of the Treaſury for the time being, who ſhall alſo take ſecurity according to the beſt of their judgments and diſcretions, from every or any ſuch Officer or Officers, for his or their due paying, anſwering and accounting for all the Moneys which he or they ſhall receive, and for the due and faithful performance of his or their Office and Offices reſpectively; And that the Moneys of the Fond by this Act appointed, which ſhall from time to time come or be brought into the receipt of the Exchequer, as abovesaid, ſhall by the Commiſſioners of their Majeſties Treaſury, and the Under Treaſurer of the Exchequer now being, or by the Treaſurer and under Treaſurer of the Exchequer, or Commiſſioners of the Treaſury for the time being, without any further or other Warrant to be ſued for, had or obtained from their Majeſties, their Heirs or Succeſſors, and in ſuch proportions from time to time as ſhall be neceſſary and ſufficient to anſwer the reſpective payments which ſhall grow due, and are to be made by the ſaid particular Officer or Officers, be iſſued or paid over from time to time, to the hands of ſuch Officer or Officers by way of impreſt, and upon account, to and for the payment of the ſaid annuities or benefits by this Act appointed to be paid; And that ſuch particular Officer and Officers ſhall apply the ſame thereunto in ſuch manner and form as are above mentioned, and by this Act directed in that behalf; and ſhall be ſubject and liable to ſuch inſpection, examination, comptrol and audit, and to ſuch rules, in reſpect of his paying, accounting and other matters relating to the execution of his Office, as the ſaid Commiſſioners of the Treaſury now being, or the

Treaſurer and Under Treaſurer of the Exchequer, or the Commiſſioners of the Treaſury for the time being, ſhall think fit, or find neceſſary or reaſonable to eſtabliſh or appoint from time to time, for the better execution of the intent and end of this Act, and the ſatisfaction of contributors, adventurers or others concerned or to be concerned therein; any thing in this preſent Act contained, or any law, cuſtom, uſage or courſe of the Exchequer to the contrary notwithſtanding.

Transfer Office to be ſubject to the Orders of the Treaſury.

LIII. And it is enacted by the authority aforeſaid, That the Transfer Office above mentioned, ſhall be continued for the purpoſes aforeſaid by their Majeſties, their Heirs and Succeſſors, and an Officer in the ſame, until all matters and things hereby required to be done by ſuch an Officer ſhall be fully accompliſhed; And that as well the Managers and Directors above mentioned, as alſo the Commiſſioner and Officer of the Transfer Office, and the ſaid Receivers, and the ſaid particular Officer in the Exchequer, and all the Clerks, Miniſters and Servants, to be employed by, or under them reſpectively, from time to time, ſhall in, and for the better execution of their ſeveral places and truſts, and for purſuing the directions, ends or intents of this Act, obſerve, and perform ſuch rules, methods, and orders, as they reſpectively ſhall, from time to time, receive from the ſaid Commiſſioners of the Treaſury now being, or from the Treaſurer of the Exchequer, or Commiſſioners of the Treaſury for the time being, ſo as ſuch rules, methods and orders be conduceable to the ends and purpoſes of this Act, and not otherwiſe.

Borrowing Clauſe, if 1000000 l. be not advanced before 24 June,

LIV. And be it enacted by the authority aforeſaid, That if the whole ſum of ten hundred thouſand pounds be not advanced and paid into the Exchequer upon this Act, before the four and twentieth day of June, one thouſand ſix hundred ninety four, That then it ſhall and may be lawful for their Majeſties, or their Officers in the receipt of their Majeſties Exchequer, by their command and appointment, to borrow and take into the ſaid receipt, for their Majeſties uſe, by way of Loan, any ſum or ſums of money, which, together with the whole value or amount of all the ſums of money, which ſhall before the ſaid four and twentieth day of June, be contributed or adventured, as aforeſaid, ſhall not exceed the ſum of ten hundred thouſand pounds, which ſum or ſums ſo taken up by way of Loan, ſhall, and may be charged upon the Credit of their Majeſties Exchequer in general, and Tallies of Loan, and Orders of repayment of the ſame, ſhall be levied and drawn accordingly, which ſaid Orders ſhall be aſſignable and transferrable from one perſon to another.

8 l. per Cent. allowed for Intereſt, and this Fond, &c. chargeable for the payment of Principal and Intereſt.

LV. And it is hereby Enacted, That all and every ſum and ſums of Money ſo to be borrowed, not exceeding, as aforeſaid, together with the intereſt for the ſame, not exceeding the rate of eight pounds per Centum per Annum, to be paid every three Months, until ſatisfaction of the principal, ſhall be payable and ſatisfied unto the reſpective lender or lenders of the ſame, his, her or their Executors, Adminiſtrators or Aſſigns, out of the Moneys which ſhall afterwards ariſe, and be brought into the Exchequer, by, or for contributions upon this Act, ſo far as the ſame will extend: And in caſe the Money ſo ariſing by this Act, ſhall not be ſufficient for the paying thereof, then the ſaid loans which ſhall remain unſatisfied, and the intereſt of the ſame ſhall be paid and ſatisfied out of the next Aids or Supplies to be granted to their Majeſties in Parliament, and ſhall be transferred and transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted to their Majeſties; And if no ſuch Aids or Supplies ſhall be granted to their Majeſties before the ſecond day of February, which ſhall be in the year of our Lord, one thouſand ſix hundred ninety four, then the ſaid ſum and ſums of Money ſo to be borrowed, not exceeding, as aforeſaid, and the intereſt thereof ſhall be payable, and be paid and ſatisfied to the ſaid lender or lenders, his, her, or their Executors, Adminiſtrators or Aſſigns reſpectively, by, and out of any their Majeſties Treaſure, which from thenceforth ſhall come into, be, or remain in the receipt of their Majeſties Exchequer, not being already appropriated to any particular uſes by any Act or Acts of Parliament before this time made.

The Annual Surplus Money how diſpoſed.

Surplus of Exciſe on Liquors for the laſt three years ſhall be diſpoſed according to Act of Parliament 5 & 6 W & M. Cap. 14.

Seſſ. 2. Cap. 10. 3 & 4 W & M. Cap. 6.

Surplus appropriated to Navy and Army by 5 & 6 W & M. Cap. 20. Sect. 41.

LVI. And be it further enacted, That in caſe there ſhall be any ſurplus or remainder of the Moneys ariſing by the rates and duties granted by this Act, at the end of any one year, of the ſaid term of Sixteen years, after all the annuities or payments directed by this Act, ſhall be fully ſatisfied, paid and diſcharged, ſuch ſurplus or remainder, ſhall go, and be applied for, or towards the payment and ſatisfaction of ſuch principal and intereſt Moneys which ſhall be, or remain due upon the Regiſter kept in the ſaid receipt of Exchequer, for the two third parts of the rates and duties of Exciſe granted in the Second year of their Majeſties Reign [Entituled, An Act for granting to their Majeſties ſeveral additional Duties of Exciſe upon Beer, Ale and other Liquors for Four years, from the time that an Act for doubling the Duty of Exciſe upon Beer, Ale and other liquors, during the ſpace of One year doth expire,] and continued by Clauſes in a ſubſequent Act, [Entituled, An Act for raiſing money by a Poll, payable Quarterly for One year, for the carrying on a Vigorous War againſt *France*] And that ſuch ſurplus or remainder, together with the Moneys applicable by the two Acts laſt mentioned, ſhall be iſſued and paid joyntly and ſeverally, for, and towards the diſcharging of the principal and intereſt Moneys which from time to time ſhall be or remain due and unpaid upon the ſaid Regiſter, until the ſame ſhall be fully ſatisfied, and afterwards the Moneys which ſhall further ariſe by the ſaid ſurplus or remainder, ſhall be to the uſe of their Majeſties, their Heirs and Succeſſors, for the carrying on the War againſt France. Provided always, That in caſe the whole ſum of ten hundred thouſand pounds be not advanced and paid into the Exchequer, by or for contributions upon this Act, the ſurplus or remainder of the Moneys ariſing by the rates and duties hereby granted, more then is requiſite to pay the annuities or payments directed by this Act, ſhall be diſpoſed as ſhall be hereafter directed by Act of Parliament; Any thing in this Act contained to the contrary thereof notwithſtanding.

Receivers to give an Annual Account to the Auditors of the Impreſt to be declared before the Treaſurer, &c.

LVII. And be it further enacted by the authority aforeſaid, That ſuch Receiver or Receivers General, or other perſon or perſons, who is, or ſhall be employed in the receiving, collecting or paying the ſeveral duties upon Salt by this Act granted, ſhall, and are hereby required, between the five and twentieth day of March, one thouſand ſix hundred ninety five, and the nine and twentieth day of September following, and ſo from year to year yearly, at thoſe times, during the continuance of this Act, to deliver in their reſpective Accounts thereof to their Majeſties Auditors of the Impreſt for the time being, or one of them, who ſhall, and are hereby from time to time, reſpectively authorized to examine upon Oath the ſaid Receiver or Receivers General, or other perſon or perſons, accomptants, which are or ſhall be employed, in raiſing, receiving and collecting the ſaid Duties, of what ſum or ſums of Money was, or were by them, or any of them reſpectively raiſed, collected or received within the time of ſuch their accompts, and likewiſe what part thereof was by them, or any of them, paid into their Majeſties Receipt of Exchequer, or by virtue of any Warrant of Privy Seal, or Warrant of the Lord High Treaſurer, or Commiſſioners of their Majeſties Treaſury for the time being, otherwiſe paid, and to whom, and for what ſervice or ſervices; And in making the ſaid accompts, to, and before the ſaid Auditors, or one of them, they are to produce proper Vouchers for every ſum or ſums of Money ſo by them, or any of them raiſed, received and paid according to the ancient methods of the Exchequer. And to the end it may appear upon Record, what the ſame amounted to in the year, for which ſuch accompt or accompts ſhall be made, and what thereof was paid, and to whom, and for what uſe and ſervice, uſes and ſervices, as aforeſaid, and what remains unpaid, and reſts inſuper upon each reſpective Receiver and Collector, and ſuch accompt or accompts ſo to be taken by the ſaid Auditor, is, and are to be declared before the Lord Treaſurer, or Lords Commiſſioners of the Treaſury, and Chancellor of the Exchequer now, and for the time being, according to the courſe of the Exchequer in ſuch caſes.

No Members except Commiſſioners of Treaſury, and Land Tax and Neale, to be Farmers. Members of Houſe of Commons may be Members of the Bank of England, cap. 20. of this Seſſ. Sect. 33. 5 & 6 W & M. Cap. 1.

LVIII. Provided always, and be it enacted by the authority aforeſaid, That no Member of the Houſe of Commons ſhall at any time be concerned directly or indirectly, or any other in truſt for him, in the farming, collecting or managing any of the ſums of Money, Duties, or other Aids granted to their Majeſties by this Act, or that hereafter ſhall be granted by any other Act of Parliament (except the Commiſſioners of the Treaſury, and the Officers and Commiſſioners for managing the Cuſtoms and Exciſe, not exceeding the preſent number in each Office, and thoſe appointed to be Commiſſioners for putting in execution an Act, Intituled, An Act for granting to their Majeſties an Aid of Four Shillings in the Pound for one year, for carrying on a vigorous War againſt *France*, as to their executing only the authority of the ſaid Act, by which they are appointed Commiſſioners. Provided always, That Thomas Neale Eſq; may be imployed by their Majeſties as they ſhall think fit, in the ordering or managing the ſeveral recompences and advantages hereby given to the Contributors upon this Act; Any thing in this Act contained to the contrary notwithſtanding.

CAP. VIII.

An Act for the explaining, and for the more effectual execution of a former Act for the Relief of Poor Priſoners.

Preamble. Seſſ. 2. Cap. 15.

Whereas by an Act of Parliament made in the ſecond Year of their Majeſties Reign, Intituled, An Act for Relief of poor Priſoners for Debt and Damages, it is (among other things) enacted, That the Sheriffs, Goalers or Keepers of Priſons, ſhould ſwear that the Priſoner to be diſcharged, was really and truly his Priſoner, in his cuſtody, without fraud or deceit, at or upon the Eight and twentieth day of November, in the year of our Lord, One thouſand ſix hundred and ninety. And whereas ſeveral of the ſaid Sheriffs, Goalers or Keepers of Priſons, were not then Sheriffs, Goalers or Keepers of the Priſons to which they now belong, ſo that they cannot take the Oath preſcribed by the ſaid Act, whereby, and by the artifice of the ſaid Sheriffs, Goalers, or Keepers of Priſons, and other perſons, enemies to the ſaid poor priſoners, a great number of the ſaid poor priſoners that are in a more deplorable condition, and deſerve to be relieved by the ſaid Act, and were really and truly priſoners at the day referred to in the ſaid Act, though the ſaid Sheriffs, Goalers or Keepers of the reſpective Priſons have refuſed to ſwear for them, either out of pretended ſcruple of conſcience, that they cannot take the ſaid Oath, or becauſe they had not Money enough to give them.

Revival of the former Acts.

II. For Remedy whereof, Be it Enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the aforeſaid Acts be Revived, and that the ſaid Oath in the ſaid Act of Parliament contained, ſhall for the future be Aboliſhed, and inſtead thereof, the Oath herein after mentioned ſhall be the Oath to be tendred to the Sheriffs, Goalers and Keepers of Priſons.

Sheriffs, &c. Oath aboliſhed.

New Oath.

I *A. B.* do ſwear, That I have examined the Commitments or Books belonging to the ſaid Priſon, and that by them it doth appear, that *I.S.* was really and truly a Priſoner in the cuſtody of the then Goaler or Keeper of the Priſon of *D.* Priſon in the County of *C.* without any fraud or deceit, by me or any other, to my knowledge or belief, at or upon the Eight and twentieth day of *November*, in the year of our Lord God, One thouſand ſix hundred and ninety.

Sheriff refuſing the Oath ſhall pay the Debt.

III. And be it further enacted by the authority aforeſaid, That in caſe any Sheriff, Goaler or Keeper of Priſon, ſhall refuſe to take the ſaid Oath herein before appointed to be taken, he being thereto required, unleſs it ſhall appear by the Commitments and Books belonging to the ſaid Priſon, that the perſon for whom ſuch Oath is required, was not really and truly a priſoner in the cuſtody of the ſaid Goaler and Keeper, according to the tenour of the Oath abovementioned; and that otherwiſe the ſaid Goaler or Keeper, Goalers or Keepers, for his or their ſo refuſing to take ſuch Oath, ſhall forfeit and pay to ſuch priſoner, ſo about to be diſcharged and releaſed from priſon, and thereby detained, the value of ſuch debt or debts, for which he or ſhe ſhall be impriſoned, to be recovered by Action of Debt in any of their Majeſties Courts of Record; And that then and in that caſe, upon complaint of the priſoner, the Juſtices of the Peace of the County, City or Town where the priſon lies, at their Quarter Seſſions, ſhall have power to examine the ſaid Matter upon Oath or

and

any other perſons, which Oath they are hereby impowered and required to Adminiſter. And if it ſhall appear upon the ſaid examination to them, or the major part of them there preſent, that the ſaid priſoner was really and truly a priſoner on the ſaid Eight and twentieth day of November, in the ſaid year of our Lord God, One thouſand ſix hundred and ninety, that then the ſaid Juſtices, or the major part of them, may and ſhall diſcharge the ſaid priſoner and priſoners, ſo as they may have the full benefit of the ſaid Act of Parliament, notwithſtanding the Sheriffs, Goalers or Keepers refuſal of the ſaid Oath; any thing in the ſaid Act of Parliament for relief of poor priſoners to the contrary in any wiſe notwithſtanding.

And another perſon ſwearing, priſoner ſhall be diſcharged.

IV. And be it further Enacted by the Authority aforeſaid, That no Sheriff, Goaler or Keeper of priſon, or perſon any ways intereſted therein, nor any Clerk of the Peace or other Officer, directly or indirectly, by himſelf or any other, ſhall take of any priſoner to be diſcharged by virtue of this Act, any Chamber Rent, Fee or Reward whatſoever, for all or any Matter or Thing relating to his ſaid diſcharge, above the Sum of Six Shillings and Six Pence in the whole, upon pain of forfeiting the value of the debt, to be recovered, as aforeſaid, and upon further pain of being proceeded againſt as Extortioners; any Law, Act of Parliament or Uſage to the contrary in any wiſe notwithſtanding.

Penalty upon Officer, &c. taking above Six Shillings.

V. And be it further Enacted by the Authority aforeſaid, That no Juſtice of the Peace, his Clerk or Servant, ſhall take of any Priſoner for Signing his Warrant and Summons, any Fee or Reward whatſoever; nor any Clerk of the Papers, or other Officer that ſhall make out any Copies of Cauſes for the ſaid Priſoner, ſhall take for any ſuch Copy of Cauſes above the ſum of Four Pence, upon pain to be proceeded againſt as Extortioners, as aforeſaid.

Juſtices, &c. Fee.

VI. Provided always and be it Enacted by the Authoritty aforeſaid, That no Debtor ſhall by virtue of this or the aforeſaid Act be diſcharged of, and from any debt contracted by ſuch Debtor, ſince the Eight and twentieth day of November, which was in the year of our Lord, One thouſand ſix hundred and ninety.

Debts ſince Nov. 90. ſaved.

CAP. IX.

An Act for Repeal of a Clauſe in the Statute of the Fifth year of Queen *Elizabeth* (containing divers Orders for Artificers and others) which relates to Weavers of Cloath.

Whereas by an Act of Parliament, made in the Fifth year of the Reign of Queen Elizabeth, Intituled, An Act containing divers Orders for Artificers, Labourers, Servants in Husbandry, and Apprentices; It is Enacted in theſe words following: Provided always, and be it further enacted by the authority aforeſaid, That no perſon or perſons, uſing or exerciſing the Art or Myſtery of a Woollen Cloath Weaver, other then ſuch as be inhabiting within the Counties of *Cumberland*, *Weſtmerland*, *Lancaſter* and *Wales*, Weaving Frizes, Cottons, or Houſewifes Cloath only, making and Weaving Woollen Cloath commonly ſold, or to be ſold by any Cloathman or Clothier, ſhall take and have any Apprentice, or ſhall teach, or in any wiſe inſtruct any perſon or perſons in the Science, Art, or Occupation of Weaving aforeſaid, in any Village, Town or Place (Cities, Towns Corporate, and Market Towns only excepted) unleſs ſuch perſon be his Son, or elſe that the Father or Mother of ſuch Apprentice, or Servant, ſhall at the time of the taking of ſuch perſon or perſons to be an Apprentice or Servant, or to be inſtructed, have Lands or Tenements, or other Hereditaments to the clear yearly value of Three Pounds at the leaſt, of an eſtate of inheritance or freehold, to be certified under the Hands and Seals of Three Juſtices of the Peace of the Shire or Shires where the ſaid Lands, Tenements, or other Hereditaments do, or ſhall lye; The effect of the Indenture to be Regiſtred within Three Months, in the Pariſh where ſuch Maſter ſhall dwell, and to pay for ſuch Regiſtring, Four Pence, upon pain of Forfeiture of Twenty Shillings, for every Month that any perſon ſhall otherwiſe take any Apprentice, or ſet any ſuch perſon on work, contrary to the meaning of this Article.

Preamble. Cap. 4. Sect. 32.

II. Now foraſmuch as ſuch part of the ſaid Act before recited, hath been found to be very inconvenient, and a great prejudice to the Cloathing Trade, May it pleaſe Your Moſt Excellent Majeſties, That it may be Enacted; And be it Enacted by the King and Queens Moſt Excellent Majeſties, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Act, as is before recited, be, and is hereby declared to be Repealed, Null and Void, to all intents and purpoſes, as if the ſame had never been made.

Clauſe Repealed.

CAP. X.

An Act for Relief of the Orphans and other Creditors of the City of *London*.

Whereas the Mayor, Commonalty and Citizens of the City of London, have been, and are anſwerable for, and chargeable with all Moneys of the Orphans of the d City, from time to time paid into the Chamber of the ſaid City; But by rea- n of ſundry accidents, and publick calamities, are now become indebted to the ſaid Or- ans and other Creditors, for Principal Money and Intereſt thereof, in a much greater n of Money then they are able to ſatisfie and pay, unleſs ſome aſſiſtance be given them for e ſame:

Preamble.

I. Be it therefore Enacted by the King and Queens moſt excellent Majeſties, by and th the advice and conſent of the Lords Spiritual and Temporal, and Commons this preſent Parliament Aſſembled, and by the authority of the ſame, That for, towards the raiſing a perpetual Fond to pay the yearly Intereſt of Four Pounds every Hundred Pounds Principal Money, and of all the ſaid Intereſt thereof due to any

The City Lands charged with 8000 L per Annum for the Orphans.

any Orphan of the ſaid City, or the Executors, Adminiſtrators or Aſſigns of any ſuch Orphan, unto the Five and twentieth Day of December, One thouſand ſix hundred ninety three, ſuch Intereſt to be computed from the time it was firſt payable unto the Five and twentieth day of December, One thouſand ſix hundred eighty three, at Five Pounds for the Intereſt of every Hundred Pounds for One Year, and from the Five and twentieth Day of December, One thouſand ſix hundred eighty three, unto the Five and twentieth Day of December, One thouſand ſix hundred ninety three, at Three Pounds for the Intereſt of every Hundred Pounds for One Year, and proportionably for any greater or leſſer Sum (the Intereſt already received for ſuch Principal Money to be deducted); And alſo to pay the like Yearly Intereſt of Four Pounds for every Hundred Pounds of the Principal Money and Intereſt thereof, to be computed, as aforeſaid, due upon Bond, Bill or Note, lyable to pay Intereſt between the Five and twentieth Day of December, One thouſand ſix hundred fifty and five, and the ſaid Five and twentieth day of December, One thouſand ſix hundred ninety three, or any other the Creditor or Creditors of the ſaid Mayor, Commonalty and Citizens, or the Executors, Adminiſtrators or Aſſigns of any ſuch Creditor or Creditors, on the ſaid Five and twentieth day of December, One thouſand ſix hundred ninety three, from the Chamber of the ſaid City, or from the Mayor, Commonalty and Citizens thereof, and ſo proportionably for any greater or leſſer Sum, all and every the Manors, Meſſuages, Lands, Markets and Fairs, and other the Hereditaments, Revenues and Income whatſoever, of, and belonging to the ſaid Mayor, Commonalty and Citizens, in Poſſeſſion or Reverſion, and the Improvements that ſhall or can be made thereof (Except the Manors, Meſſuages, Lands, Eſtates, Poſſeſſions and Revenues, of, and belonging to Chriſts Hoſpital, Saint Bartholomew, Bridewell, Saint Thomas and Bethlehem Hoſpitals, or any other Hoſpital in, or belonging to the ſaid City of London or Borough of Southwark, and ſuch as are chargeable with, and for the Repairs of London-Bridge) ſhall be, and are hereby declared to be yearly charged for ever, from and after the Four and twentieth day of June, One thouſand ſix hundred ninety four, for, and towards the Raiſing thereout the full and clear Annual Sum of Eight thouſand Pounds for ever, free from all deductions for any impoſitions whatſoever; which ſaid yearly ſum ſhall be Annually raiſed and paid out of all and every the ſaid Manors, Lands, Tenements, Hereditaments and other Revenue whatſoever, of, and belonging to the ſaid Mayor, Commonalty and Citizens (except before excepted) and ſhall be, and is hereby appropriated towards the raiſing ſuch a perpetual Fond, and to be applied, as aforeſaid.

How much Orphans Money to be paid.

Aqueducts charged.

III. And be it further Enacted by the Authority aforeſaid, That all the Aqueducts and Right of bringing and conveying Water belonging to the ſaid Mayor, Commonalty and Citizens, and all the Improvements that ſhall be at any time made thereof, and all the Rents, Profits and Benefits whatſoever, which do or ſhall at any time hereafter ariſe by any Aqueducts, or Right of bringing and conveying Water, which do or ſhall belong to the ſaid Mayor, Commonalty and Citizens (other then ſuch Water as ſhall be for the ſupply of the Publick Conduits, Hoſpitals, Halls and Priſons in the ſaid City) ſhall from and after the ſaid Four and twentieth Day of June, One thouſand ſix hundred ninety four, for ever be appropriated and applied towards the payment of the ſaid Intereſt Money.

Two thouſand Pounds upon Perſonal Eſtates.

IV. And for and towards the raiſing ſuch a perpetual Fond, and ſo to be applied, as aforeſaid, Be it further Enacted by the Authority aforeſaid, That from and after the ſaid Four and twentieth Day of June, One thouſand ſix hundred ninety four, the ſaid Mayor, Commonalty and Citizens, ſhall and may, and they are hereby required yearly to raiſe the ſum of Two thouſand Pounds by an equal proportionable Aſſeſſment upon the perſonal Eſtates of the ſeveral Inhabitants within the ſaid City and the Liberties thereof, to be yearly Aſſeſſed, Collected, Received and Paid, or in default of payment, Diſtrained for, in ſuch manner as the ſaid Mayor, Commonalty and Citizens in their Common Council Aſſembled, or otherwiſe, ſhall from time to time Annually direct and appoint.

Lights granted for 21 years for 600 l. yearly.

V. And be it further Enacted by the Authority aforeſaid, That the ſaid Mayor, Commonalty and Citizens, ſhall, on or before the ſaid Four and twentieth Day of June, One thouſand ſix hundred ninety four, Deniſe or Grant to Sir Charles Hara, Knight, John Stanyon, Eſq; Philip Neve, Eſq; and John Lillye, Gentleman, and all other the perſons concerned and intereſted in the Glaſs Lights, commonly called or known by the Name of Conver Lights, a Leaſe or Licence for the ſole Uſe of the publick Lights, to be uſed in all publick places within the ſaid City and the Liberties thereof, for the term of One and twenty Years, to be computed from the ſaid Four and twentieth Day of June, One thouſand ſix hundred ninety four, reſerving the yearly Rent of Six hundred Pounds, in ſuch manner, and by and under ſuch other articles, covenants and agreements, for payment of the ſaid Rent, or making void the ſaid Leaſe, in default thereof or otherwiſe, as by and between the ſaid Mayor, Commonalty and Citizens, and the ſaid perſons above-mentioned, are or ſhall be agreed on for that purpoſe, by certain Articles made or to be made in that behalf: Which ſaid yearly ſum of Six hundred Pounds, ſhall be and is hereby appropriated towards raiſing the ſaid fond and payment of the ſaid Intereſt Money, as aforeſaid; From and after the determination of which Leaſe, all and every the Rents, Profits and Benefits whatſoever, which the ſaid Mayor, Commonalty and Citizens, ſhall or may at any time lawfully make, by Farming or Granting Licence or Licences, to any perſon or perſons whatſoever, for the Lighting the Streets within the ſaid City or the Liberties thereof, by ſuch ways and means as the ſaid Mayor, Commonalty and Citizens ſhall think moſt proper, ſhall be, and are hereby Declared and Enacted to be for ever appropriated and applied to and for the Uſes aforeſaid.

Appropriation of the Money during and after the term.

VI. And

Tax upon binding Apprentice.

VI. And for the further and greater Increaſe of the ſaid Fond, Be it Enacted, That from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ninety Four, every perſon being free of any of the reſpective Companies within the ſaid City of London, and the Liberties thereof, who ſhall Take or Receive any Apprentice, ſhall Bind his Apprentice before the Maſter, or Wardens of ſuch Company, whereof the Maſter is a Member, or one of them, or their ſufficient Deputy in that behalf, which ſaid Apprentice, at the time of his Binding, ſhall pay to the ſaid Maſter or Wardens, or one of them, or their ſufficient Deputy the Sum of Two Shillings and Six pence; All and every which ſaid Sum and Sums of Two Shillings and Six Pence, the ſaid Maſter and Wardens, or their Deputy, ſhall tranſmit and pay to the Chamberlain of the ſaid City of London, Twice in the year (viz.) on the Fifteenth day of December and Eighteenth day of June, to be employed for the Uſes aforeſaid: And all and every Maſter, Warden, or Wardens of the ſaid reſpective Companies ſhall, from time to time, provide and keep in their Common Halls, one or more Book or Books of Velom or Parchment, in which every ſuch Sum of Two Shillings and Six pence ſhall be ſet down, and entred by the ſaid Maſter or Wardens, or their reſpective Deputy or Deputies, and the Name of the Apprentice who paid the ſame: And it ſhall and may be Lawful to and for every perſon and perſons, to have free Acceſs unto, and View the ſaid Books at all times, between the hours of Nine and Twelve in the Forenoon, without any Fee or Reward to be taken for the View or Inſpection thereof; And for every Sum of Money which ſuch Maſter, Warden or Wardens, or their Deputies ſhall receive, and ſhall not be tranſmitted to the ſaid Chamberlain at the times herein before appointed, ſuch Maſter, Warden, or Wardens, ſhall Forfeit the Sum of Five Pounds, the ſaid reſpective Forfeitures to be recovered, in the Name of the Chamberlain of the ſaid City for the time being, in any Action of Debt, Bill, Plaint or Information, to be Commenced in any of Their Majeſties Courts of Record, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed, and ſhall be applied towards raiſing the Fond aforeſaid.

Books to be kept.

Penalty upon Warden, &c. Offending.

5 s. upon Freemen.

VII. And be it further Enacted, That towards the raiſing the ſaid Fond, every perſon who ſhall be admitted, from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ninety Four, to be a Freeman of the ſaid City, ſhall at the time of his Admiſſion, pay unto the ſaid Mayor, Commonalty and Citizens of the ſaid City, the Sum of Five Shillings; Which ſeveral above-mentioned Sums of Two Shillings and Six pence, and Five Shillings, ſhall from and after the ſaid Four and Twentieth day of June, One thouſand ſix hundred ninety Four, be paid over and above the uſual and accuſtomed Fees for the ſame.

4 s. per Tun upon Wines.

VII. And be it Enacted by the Authority aforeſaid, That a Duty of Four Shillings per Tun ſhall be, and is hereby Impoſed and Laid upon all ſorts of Wines whatſoever, which from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ninety Four, ſhall be Imported into the Port of the ſaid City of London, or the Members thereof, by way of Merchandize, over and above the preſent Duties Charged, or Chargeable thereupon, and ſo proportionably for a greater or leſſer quantity; which ſaid Duty ſhall, from time to time, for ever be paid by the Importer thereof, unto the ſaid Mayor, Commonalty and Citizens, and is hereby appropriated towards raiſing the ſaid Fond, and ſo to be applied, as aforeſaid.

Collector appointed by Mayor, &c.

Impoſt how Levied.

Cap. 4.

IX. And for the better Collecting the ſaid Duty, from all and every perſon or perſons whatſoever, as well Free as Unfreemen of the ſaid City, Be it Enacted by the Authority aforeſaid, That one or more ſufficient perſon or perſons, ſhall from time to time be appointed by the ſaid Mayor and Court of Aldermen of London for the time being, by an Order of the ſaid Court, to Collect and receive the ſaid Duty, during the pleaſure of the ſaid Court; And the ſaid Impoſition of Four Shillings per Tun, ſhall be Raiſed, Levied, Collected and Paid to the ſaid Collector or Collectors, or his or their Deputy and Deputies, in the ſame manner and form, and by ſuch Rules, Rates, Ways and Means, and under ſuch Penalties and Forfeitures, as are provided, mentioned, and expreſſed in one Act of Parliament made in the Twelfth year of the Reign of King Charles the Second, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported, for the Paying, Recovering, Collecting, or Seizing the Duty of Tonnage thereby granted.

upon Coals.

4 d. for Metage.

6 d. per Chaldron.

X. And for a further Increaſe of the ſaid Fond, Be it Enacted by the Authority aforeſaid, That for all ſorts of Coals which ſhall be Imported or Brought into the Port of the ſaid City of London, or the River of Thames within the Liberty of the ſaid City upon the ſame River, to be ſold by the Chaldron or Tun, there ſhall be paid by way of Impoſition thereupon, according to the Rates and Duties herein after mentioned, (That is to ſay) For all ſuch ſort of Coals or Culm as are uſually ſold by the Chaldron, for every Chaldron thereof, which ſhall be Imported from and after the ſaid Four and Twentieth day of June, One thouſand ſix hundred ninety four, the Sum of Four pence Metage for ever, over and above what is now lawfully paid for the Metage thereof, which ſaid Sum ſhall be paid, in like manner, as the preſent Duty for Metage is or hath been accuſtomed to be paid, and from time to time be paid to the ſaid Mayor, Commonalty and Citizens of the ſaid City by the Officer and Officers receiving the ſaid Metage. And for all ſuch ſort of Coals or Culm which ſhall be Imported into the ſaid Port or Members thereof, from and after the Nine and twentieth day of September, which ſhall be in the year of our Lord, One thouſand and ſeven hundred (Over and above all other Impoſitions and Duties, and the above mentioned Sum of Four pence) the

6d. per Tun.

How and when paid.

How recovered.

Cap. 3.

further Sum of Six pence for every Chaldron thereof. And for ſuch ſort of Coals as are Sold by the Tun, for every Tun thereof, containing Two thouſand Weight, the like Sum of Six pence, which ſaid Impoſition of Six pence ſhall continue from the ſaid Nine and twentieth Day of September, for and during the Term of Fifty years, and no longer. And the ſaid Impoſition of Six pence for every Chaldron of Coals, ſhall from time to time, during the continuance of the ſaid Impoſition, be anſwered and paid unto the ſaid Mayor, Commonalty and Citizens, by the Maſter, Owner or Owners, or other perſon or perſons, taking Charge of any Ship or Veſſel, whereupon the ſame ſhall be Laden, before they ſhall break Bulk, or have a Meeter Aſſigned for the Meaſuring or Weighing any Coals aforeſaid, to be delivered from on Board ſuch Ship or Veſſel, the ſame to be paid at ſuch Place or Places, as by the ſaid Mayor and Court of Aldermen, ſhall from time to time be appointed within the ſaid City or Liberties thereof for Receipt thereof; upon Receipt whereof, the Party appointed to Receive the ſame, ſhall without delay, Fee or Reward, deliver a Receipt to the perſon or perſons, who ſhall pay the ſaid Duty or Duties; Which Receipt ſhall for ſo much, be a ſufficient Diſcharge; And that the ſaid Impoſition of Six pence per Tun or Chaldron, ſhall by virtue of this Act, be Collected and Levied in ſuch ſort and manner, in all and every reſpect, as in and by One Act made in the Nineteenth year of the Reign of the late King Charles the Second, Entituled, An Act for the Rebuilding the City of *London*, the Impoſition of Coals thereby Granted, was to be Collected and Levied, and all and every the powers, Authorities, Directions and Proviſions, in or by the ſaid Act mentioned or provided, for the Levying, Collecting and Recovering thereof, or the Penalties thereby Impoſed, or for the Ordering or Regulating the Proceedings of the ſaid Coal Meeters or others in Diſcharge of their reſpective Offices and Duties, or for the preventing of Fraud and Covin, and for the Diſcovery of the juſt Quantity of all ſorts of Coals to be Imported, as aforeſaid, ſhall remain and be in Force, and by virtue of this preſent Act, ſhall and may be Exerciſed and put in Ure for the Collecting, Levying and Recovering the ſaid Duty of Six pence, according to the Purport and Effect of the aforeſaid, Act, and under the ſame Penalties in all and every reſpect, and that for and during all the time by this Act limited and appointed for the payment of the ſaid Impoſition, as if the ſame were expreſly mentioned in this preſent Act, with reference to the ſaid Impoſition thereby Impoſed; All which moneys ſo to be Received upon Account of the ſaid reſpective Impoſitions of Four pence, and Six pence, or by any other Additional Duty, in caſe of Concealment thereof, as by the aforeſaid Act is appointed, and all other the Sums of money hereby appointed, as part of the ſaid Fond, ſhall from time to time be paid into the Receipt of the Chamber of the City of London, and ſhall be, and is hereby Appropriated towards the Raiſing ſuch a Fond, as aforeſaid, and Applied towards the Diſcharge of the ſaid Debts.

All the Money paid into the Chamber.

Officers give Security.

XI. And be it Enacted by the Authority aforeſaid, That all and every Officer and Officers, or other perſon or perſons whatſoever concerned, or to be concerned in the Receipt of any of the Sums by this Act appropriated to the Uſes aforeſaid, before he or they ſhall be admitted to take upon him or them the execution of any the ſaid Office or Offices, he or they ſhall be bound with ſufficient Sureties to the ſaid Mayor, Commonalty and Citizens, for the juſt and faithful execution of ſuch Office or Employment, in ſuch reaſonable Sum or Sums, as by the ſaid Mayor, or Court of Aldermen ſhall be thought fitting, with reſpect to this preſent Act, and to the Truſt hereby repoſed in ſuch Officer or Officers.

City Lands Charged with 6000. l. more.

XII. And to the intent that the ſaid Fond may be perpetual, Be it further enacted by the Authority aforeſaid, that from and after ſuch time as the aforeſaid Impoſition of Six pence hereby laid ſhall ceaſe and determine, all and every the Manors, Meſſuages, Lands, Tenements, Markets, Fairs, and the Duties thereof, and all other the Revenues of, and belonging to the ſaid City of London, in Poſſeſſion or Reverſion, ſhall ſtand and be Charged with the full yearly Sum of Six thouſand pounds (over and above the ſaid yearly Sum of Eight thouſand pounds) and is hereby Appropriated and Enacted to be Applied to the ſame Uſes, to which the ſaid yearly Sum of Eight thouſand pounds is herein before made lyable.

How much of the Orphans money to be paid, and how.

XIII. And be it further Enacted by the Authority aforeſaid, That all and every the aforeſaid yearly and other Rents and Payments, Iſſues, Profits, Duties, Impoſitions, Sum and Sums of money whatſoever, by this Act appointed, to be Raiſed, Charged, Paid, Collected, Had, Received or Made, by, out of, or for any the Matters or Things, or by any the Ways or Means herein before mentioned, ſhall (deducting thereout ſuch neceſſary and reaſonable Salaries and Allowances, as the ſaid Mayor and Court of Aldermen ſhall think fit to allow, to any perſon or perſons whom they ſhall Imploy for the Collecting, Receiving or Paying the ſame) from time to time for ever, in the firſt place be applyed by the Mayor, Commonalty and Citizens of the ſaid City for the payment of the Annual Sum of Four pounds of lawful money for the Intereſt of every One hundred pounds, and proportionably for a greater or leſſer Sum of the above mentioned reſpective Debts, and all the Intereſt thereof due on the ſaid Five and twentieth day of December, One thouſand ſix hundred ninety three, to any Orphan of the ſaid City, or the Executors, Adminiſtrators or Aſſigns of any ſuch Orphan, and alſo, for the payment of the like yearly Intereſt of Four pounds for every Hundred pounds Principal money, and the Intereſt thereof to be computed, as aforeſaid, due at any time between the ſaid Five and twentieth day of December, One thouſand ſix hundred Fifty five, and the ſaid Five and twentieth day of December, One thouſand ſix hundred ninety three, upon Bond, Bill or Note, liable to pay Intereſt from the ſaid Mayor, Commonalty and Citizens, unto any perſon or perſons whatſoever, or to ſo much thereof only as the ſaid Moneys by this Act appointed to be raiſed and Paid, as aforeſaid, ſhall yearly amount unto, to Satisfie and Pay towards the ſaid Intereſt to the ſaid Orphans, and other the ſaid Creditors of the ſaid Mayor, Commonalty and Citizens or their reſpective Executors, Adminiſtrators or Aſſigns, equally in Proportion to their reſpective Intereſts, the ſaid Payments to be made twice in every Year (that is to ſay) on the Feaſt Days of Saint Thomas the Apoſtle and Saint John the Baptiſt, or within Fourteen Days after; The Firſt Payment thereof to be made on the Feaſt Day of Saint Thomas the Apoſtle, which ſhall be in the Year of our Lord, One thouſand ſix hundred ninety four, or within Fourteen Days after; And the ſaid Moneys or any part thereof ſhall not be applied, iſſued or paid to any Uſe, Intent or Purpoſe whatſoever, by virtue of any Order or Warrant whatſoever, other then for the Uſe aforeſaid; But all Orders and Warrants, for Iſſuing, Paying or Diſpoſing any of the ſaid Moneys, contrary to the true Intent and Meaning of this Act, ſhall be utterly Void.

XIV. And be it further enacted by the Authority aforeſaid, That the Proviſion hereby made for Payment of the ſaid Intereſt Money for ever, ſhall be and is hereby Declared to be in full Satisfaction and Diſcharge of, and for the Debts due from the ſaid Mayor, Commonalty and Citizens of the ſaid City of London to the ſaid Orphans, and others their ſaid Creditors, and of and from all Intereſt Due, or to be Due for the ſame, unto the Five and twentieth Day of December, One thouſand ſix hundred ninety three; And that all and every the ſaid Orphans and Creditors, or their reſpective Executors, Adminiſtrators or Aſſigns, ſhall according to uſual Cuſtom, acknowledge ſatisfaction of their reſpective Debts, Paying to the Officers concerned, ſuch Fees only as the Mayor and Court of Aldermen for the time being ſhall direct and appoint, not exceeding Thirteen Shillings and Four pence for every Thouſand pounds; And the ſaid Mayor, Commonalty and Citizens, of the ſaid City of London and their Succeſſors, are and ſhall be hereby Acquitted and Diſcharged of and from the ſame.

Orphans acknowledge ſatisfaction.

XV. And to the end the ſaid Moneys may be duly applied to the Uſes aforeſaid, for which the ſame are by this Act appointed and appropriated, Be it further enacted by the Authority aforeſaid, That there ſhall from time to time be provided, and kept by the ſaid Chamberlain for the ſaid City of London, for the time being, one or more Book or Books of Velom or Parchment, in which all Moneys to be received, by any the Ways or Means herein before mentioned ſhall from time to time, as the ſame ſhall be received, be entred or ſet down, and for what the ſame was received; And alſo one other like Book or Books, wherein the Accompts of all Payments and Diſburſements out of the ſame, ſhall be likewiſe entred, expreſſing the time when, the Occaſion for which, and the Name of the Perſon or Perſons to whom the ſame were ſo Paid and Diſburſed; And that it ſhall and may be lawful, to and for all and every Perſon and Perſons, to have free acceſs unto, and view of the ſaid reſpective Books of Receipts and Diſburſements, at all times, between the Hours of Nine and Twelve in the Forenoon, without any Fee or Reward to be taken for the View or Inſpection thereof: And that the Receipts and Payments of all the Moneys aforeſaid, by the ſaid Chamberlain of the ſaid City, or other Officer, who ſhall be appointed by the ſaid Mayor, Commonalty and Citizens, to receive, or iſſue out the ſaid Moneys, be Audited yearly upon Oath before one of the Auditors of the Impreſt for the time being (which Oath the ſaid Auditors reſpectively are hereby required to adminiſter) between the Feaſt days of Saint Michael the Archangel, and Saint Thomas the Apoſtle; And the ſaid Auditor ſhall have and receive of the Chamberlain of the City of London for the time being, the Sum of Twenty Shillings and no more, for every Thouſand Pounds the ſaid Accompts ſhall amount unto, The which Accompts ſo Audited, ſhall be Signed by the ſaid Auditor, and be allowed alſo by the ſaid Mayor and Court of Aldermen, and fairly entred, and remain in the Chamber of the ſaid City, to be peruſed and viewed, as aforeſaid.

Books of receipts and diſburſements.

Accompts to be Audited yearly.

Accompts allowed by the Court of Aldermen.

XVI. And be it further enacted, That if any Chamberlain of the ſaid City of London, or other perſon or perſons aforeſaid, ſhall after Receipt of any of the ſaid Moneys, divert or miſapply the ſame, or any part thereof, contrary to the true intent and meaning of this Act, That then ſuch Officer or perſon, ſo diverting or miſapplying the ſaid Money, ſhall Forfeit Treble the Sum ſo miſapplied; which ſaid Forfeitures ſhall be recovered by any the ſaid Orphans, or other Creditors, their Executors, Adminiſtrators or Aſſigns, that ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record, wherein no Eſſoign, Protection, or Wager of Law, ſhall be allowed.

Penalty upon Chamberlain miſapplying the money.

XVII. And be it further enacted by the Authority aforeſaid, That the Chamberlain and Common Serjeant of the ſaid City, ſhall upon Requeſt, give unto every of the ſaid Orphans and Creditors, and to their reſpective Executors, Adminiſtrators or Aſſigns, a Bill or Note in writing of the Principal, Debt and Intereſt owing to ſuch Orphan or Creditor, and to their reſpective Executors, Adminiſtrators or Aſſigns; And that any perſon or perſons to whom any Money ſhall be payable by virtue of this Act, may by writing under his or their reſpective Hands and Seals, Aſſign and Transfer his, her or their Right or Intereſt in and to ſuch Moneys payable by virtue of this Act, or any part thereof to any perſon or perſons whatſoever; Which being Entred or Regiſtred in a Book to be kept by the ſaid Mayor and Court of Aldermen for that purpoſe (which they are hereby enjoyned to eep) and the Note or Bill of the ſaid Debt ſo given, as aforeſaid, being delivered up to the fficer appointed by the ſaid Court of Aldermen for that purpoſe, who ſhall thereupon give is Note or Bill in writing, of the Debt ſo Aſſigned to the party or parties to whom ſuch Aſſignment ſhall be made, ſuch Aſſignee or Aſſignees, his or their Executors, Adminiſtrators or ſſigns ſhall be Entituled to the Benefit thereof, and of all Moneys payable thereon, and ſuch

Chamberlain, &c. give a Note of what is Owing.

Orphans Debt Transferrable.

Aſſignee or Aſſignees may in like manner Aſſign again, and ſo toties quoties, and afterwards it ſhall not be in the power of any ſuch perſon or perſons who have made ſuch Aſſignments to make void, releaſe or diſcharge the ſame, or the Monies thereby Aſſigned, or any part thereof.

No perſon compellable to pay Money into the Chamber.

XVIII. Provided always and be it enacted, that no perſon or perſons whatſoever ſhall at any time be compelled or obliged by virtue of any Cuſtom within the ſaid City, or by any Order or Proceſs of the Court of Orphans or otherwiſe howſoever, to pay or deliver into the Chamber of the ſaid City of London, any ſum or ſums of Money or perſonal eſtate, due or to be due, or belonging to any Orphan or Orphans of any Freeman of the ſaid City; any Law or Uſage for inforcing the ſame notwithſtanding.

Proceſs upon Recognizance ſaved.

XIX. Provided always, that nothing herein contained ſhall be deemed or conſtrued, to extend to impeach, make void or prevent Proceſs upon any Recognizance already given, according to the Cuſtom of the ſaid City.

Corporation Lands charged if Mayor, &c. miſapply.

XX. And be it further enacted, that if any of the ſaid ſum or ſums by this Act appropriated, or any part thereof ſhall happen to be miſapplyed or converted to any other uſe, then as aforeſaid, by the ſaid Corporation of the Mayor, Commonalty and Citizens of London for the time being, or any of their Officers, or any other Perſon, by colour of any Warrant or authority, by, from or under them, that then in ſuch caſe, the ſaid Mayor, Commonalty and Citizens, ſhall and may be anſwerable for the ſame, out of the Revenue of the ſaid Corporation, in any Action to be brought by any of the ſaid Orphans, or other Creditors, their Heirs or Aſſigns; which ſaid ſum ſo recovered, ſhall go, and be, to and for the uſes aforeſaid, in like manner as the ſame, if not miſapplied, ſhould or might have been, excepting the coſts of ſuch ſuit, which ſhall be to, and for the benefit of him, her or them ſo Suing.

Fines, &c. upon the Mayor, &c. cannot be acquitted.

XXI. Provided always and be it enacted, that all Amerciaments, Fines, Iſſues or Diſtreſſes againſt the ſaid Corporation of the ſaid Mayor, Commonalty and Citizens, and their Succeſſors reſpectively had, charged or levied, in or upon account of ſuch Suit or Actions brought, ſhall be applied to the uſes aforeſaid, and to no other uſe whatſoever, nor ſhall the ſame be pardoned, acquitted or diſcharged by any Letters of Signet, Privy Seal or Great Seal of their Majeſties, their Heirs or Succeſſors, or otherwiſe howſoever; any Law or Uſage to the contrary notwithſtanding.

Orphans hereafter may take advantage of the Act,

XXII. Provided always, and be it enacted, that when, and as often as any application ſhall be made to the ſaid Mayor and Court of Aldermen for the time being, on behalf of any Orphan or Orphans of the ſaid City, by the Executors or Adminiſtrators of the Father of ſuch Orphans, to pay in, and lodge any ſum or ſums of Money, of, or belonging to ſuch Orphan or Orphans in the ſaid Chamber, and to have the benefit of the ſaid proviſion hereby made, it ſhall, and may be lawful, to, and for the ſaid Mayor and Court of Aldermen, and they are hereby impowered and directed, to order the Chamberlain of the ſaid City for the time being, to pay off the like ſum to ſuch perſon or perſons Entituled to the ſaid yearly payments, as aforeſaid, as they think fit, not being Orphans, under the Age of one and twenty years, and giving Three months notice, to, or for the perſon or perſons ſo to be paid off and diſcharged; at the end of which Three months, upon payment, or tendring of the ſaid Moneys due for Principal and Intereſt to, or for the perſon or perſons to whom ſuch notice ſhall be given, according to the proviſion hereby made at the Office of the ſaid Chamberlain in Guildhall, London, then, and from thenceforth, the annual ſum or ſums of Money payable to ſuch perſon or perſons, to whom ſuch notice, payment, or tender ſhall be made or given, ſhall ceaſe and determine, and the ſame ſhall become due and payable to or for the uſe of ſuch Orphan or Orphans, who ſhall have paid in the Moneys for the ſame, and ſhall be regiſtred accordingly, and be aſſignable, as aforeſaid. Nevertheleſs the Moneys ſo tendred ſhall be paid to ſuch perſon and perſons, upon their demand of the ſame, and aſſigning or giving a diſcharge for the ſame: it being hereby enacted and declared, that the proviſion hereby made, ſhall be and remain a perpetual Stock, or Fond for the benefit of the Orphans of the ſaid City ſucceſſively.

Orphans that have already transferred may redeem in 3. years time.

XXIII. And be it further enacted and declared, that all ſuch of the ſaid Debts due to any of the ſaid Orphans as have been at any time before the ſaid five and twentieth day of December, aſſigned, or granted, or covenanted to be aſſigned or granted, or for which any authority hath heretofore been given or granted, by any of the ſaid Orphans, their Husbands, Executors, or Adminiſtrators to any perſon or perſons, to receive the ſame, or any part thereof, to the uſe of ſuch perſon ſo authorized, or any other perſon beſides ſuch Orphan, ſhall and may be redeemed, and are hereby declared to be redeemable by the ſaid Orphans, or their Husbands, or their reſpective Executors, or Adminiſtrators, on payment of the ſaid Principal ſum of Money paid in conſideration of making the ſaid aſſignment, grant, covenant or authority, together with the charges and intereſt for the ſame, from the time of the payment thereof, after the rate of eight pounds per Centum per Annum, for one year, diſcounting for what hath been received for, or in reſpect of the ſaid Debt, by any ſuch perſon to whom ſuch aſſignment or authority was made or given, and upon payment, or tender of the ſaid Principal Money, Intereſt and Charges, ſuch grant, aſſignment or authority, and all covenants and agreements concerning the ſame ſhall be void. Provided nevertheleſs, that ſuch redemption, as aforeſaid, be made within the ſpace of three years, from and after the end of this preſent Seſſion of Parliament.

Bonds to Agents void.

XXIV. And whereas divers perſons, pretending as Agents and Solicitors to obtain the payment of the Orphans Debts, by Act of Parliament or otherwiſe, have induced many Orphans, and others for them, to enter into obligations, agreements, contracts, ſubſcriptions or other ſecurities, for payment of large portions of their Debts whenſoever it ſhould be recovered, which may amount to very great ſums, Be it therefore enacted by the authority aforeſaid, that all ſuch bonds, obligations, agreements, contracts, ſubſcriptions, and other ſecurities ſo entred into, ſhall be Null and Void; and that it ſhall be lawful for the Mayor and Court of Aldermen of the City of London, out of the Revenue Settled by this Act, for

Relief

Mayor, &c. to pay Agents.

Agent offending forfeit Treble damages.

Relief of the Orphans and other Creditors, to allow and pay unto ſuch Agents and Solliciters what they judge may be reaſonable; which ſums ſhall be allowed in the account of the ſaid Revenue; and in caſe any ſuch Agents or Solicitors ſhall demand or receive any more Money upon Account of or from any of the ſaid Orphans, then what ſhall be ſo adjudged due to them reſpectively, they ſhall reſpectively forfeit Treble the ſum they ſhall ſo receive, to be recovered together with Coſts of Suit, by ſuch perſon or perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge or Wager of Law ſhall be allowed, nor any more then one Imparlance.

New River water ſaved.

York Buildings water ſaved,

Proviſo for Pipes.

XXVI. Provided, that this Act ſhall not extend to the New River water, nor the profits and perquiſites thereof. Provided nevertheleſs, that nothing in this Act contained, ſhall be conſtrued or taken to hinder or obſtruct the Governour and Company of Undertakers for raiſing the Thames water in York Building, or their Aſſigns, from taking or drawing water out of the River of Thames, or from laying or repairing their Pipes or Branches, according to an Act of Parliament in that behalf made; but that they may ſtill enjoy all their Rights and Titles by the ſaid Act provided, and may ſtill continue to take the ſaid Thames water, and to lay and repair their Pipes, as they might have lawfully done before the making of this Act; any thing herein contained to the contrary thereof in any wiſe notwithſtanding. Provided alſo, that neither the ſaid Governour and Company of Undertakers for raiſing the Thames water in York Buildings, or their Aſſigns, nor the ſaid Mayor and Commonalty, and Citizens, or their Aſſigns, do or ſhall diſturb, obſtruct or hinder each other in laying, repairing or amending ſuch their reſpective Pipes or Branches, or to do or cauſe to be done any prejudice or damage to each others Pipes or Branches.

Shadwell water ſaved.

XXVII. Provided, that nothing in this Act ſhall be conſtrued or taken to hinder or obſtruct the Governour and Company of the Water-works and Water-houſes in Shadwell, or their Succeſſors, of any Right or Title, to take and receive water out of the River of Thames, nor to hinder or obſtruct them in laying Pipes and Branches in the Streets and open Paſſages, or holding, uſing, exerciſing or enjoying all, or any ſuch Right, Title, Eſtate, Powers, Priviledges and Advantages whatſoever, as by one Act of this preſent Parliament, Entituled, An Act for Incorporating the Proprietors of the Water-works in the Pariſh of Saint *Paul Shadwell* in the county of *Middleſex*, and for the encouraging, carrying on and ſettling the ſaid Water-works, or by any other lawful ways and means they, and their Succeſſors do now enjoy the ſame, or as they may or might enjoy the ſame, as if this preſent Act had never been made; any thing contained herein to the contrary notwithſtanding.

London-Bridge water ſaved.

XXVIII. Provided, that this Act or any thing herein contained, ſhall not extend to the Water-works of Maſter Thomas Morris, at or near London-Bridge, which he holdeth and enjoyeth, by virtue of a Grant made to Peter Morris his late Grandfather, from the Mayor, Commonalty and Citizens of the City of London, for the term of Five hundred years, by Indenture under their Common Seal, Dated the four and twentieth day of November, in the five and twentieth year of the Reign of the late Queen Elizabeth, nor any of the profits and benefits ariſing or accruing thereby, nor to make the ſame liable, or appropriate the ſame, or any part thereof to the payment of the ſaid Intereſt Moneys or Fond hereby intended, other then the Rent reſerved upon the ſaid Leaſe.

Hutchinſon paying a Sharer in the Lights.

XXIX. Provided always and be it further enacted by the authority aforeſaid, that if Samuel Hutchinſon, Gentleman, or his Aſſigns, ſhall pay to the Partners in the Convex Lights, before the four and twentieth day of June, One thouſand ſix hundred ninety five, his and their full proportion of Money for Stock for his and their Shares, as the other Partners have paid, and do within the ſaid time agree and covenant under his and their hands and ſeals to ſtand to, and perform all ſuch Contracts and Agreements as are or ſhall be made by the ſaid Partners; then he the ſaid Samuel Hutchinſon, his Executors, Adminiſtrators and Aſſigns, ſhall and may have, hold and enjoy the ſame intereſt and benefit in the premiſſes, as any of the ſaid Partners do or may at any time hold and enjoy the ſame, according to their reſpective proportions.

Perſon Sued plead General Iſſue, &c.

XXX. And be it further Enacted, that if any Action, Plaint, Suit or Information ſhall be commenced or proſecuted againſt any perſon or perſons for what he or they ſhall do in purſuance or in the execution of this Act, ſuch perſon or perſons ſhall or may plead the General Iſſue thereunto, and upon Tryal of any Iſſue joyned, may give this Act and the Special Matter in evidence, and if the Plaintiff or Proſecutor ſhall become nonſuit, or forbear further proſecution, or ſuffer diſcontinuance, or if a Verdict paſs againſt him, the Defendant, or Defendants, ſhall recover their Coſts, for which he or they ſhall have the like remedy as in any caſe where Coſts by Law are given to Defendants.

Publick Act.

XXXI. Provided always, and be it enacted by the authority aforeſaid, that this preſent Act ſhall be accepted, taken, and reputed to be a General Act of Parliament, of which, all and every the Judge and Judges of this Kingdom, in all Courts, ſhall take notice on all occaſions whatſoever, as if it were a Publick Act of Parliament relating to the whole Kingdom; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Money retained for City Charges for 7. years.

XXXII. And whereas the reſidue of the Revenue belonging to the ſaid Mayor, and Commonalty and Citizens, over and above what is hereby appointed, to, and for the uſe of the ſaid Orphans and Creditors, will not be ſufficient until further improvements can be made, to anſwer and defray the expences neceſſary for ſupporting the Government and publick charges of the ſaid City; Be it further enacted by the authority aforeſaid, that for the ſpace of ſeven years, commencing from the nine and twentieth day of September laſt paſt, It ſhall be lawful for the Mayor and Court of Aldermen, to retain, and apply, and for the Chamberlain to iſſue and pay towards the neceſſary expences or charges, any ſum or ſums, not exceeding in the whole, the ſum of Two thouſand pounds yearly, out of the Moneys hereby appointed to, and for the uſe of the ſaid Orphans and Creditors, as aforeſaid; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

XXXII. Pro-

Money retained to be repayed

XXXII. Provided nevertheleſs and be it enacted by the authority aforeſaid, that if after the deduction and allowance of the ſaid two thouſand pounds per Annum, for the uſe and ſupport of the Government of the ſaid City of London, during the ſaid term of ſeven years, there ſhall not be raiſed and paid to the Orphans and Creditors by this Act intended to be provided for, out of the reſidue of the rents, iſſues and profits of the ſeveral Proviſions and Fonds abovementioned, ſo much Money as will fully ſatisfie all the ſaid Orphans and Creditors intereſt for all their ſeveral and reſpective Debts, after the rate of four pounds per Centum per Annum, during the ſaid whole term of ſeven years, that then and in ſuch caſe the ſaid Mayor, Commonalty and Citizens of the ſaid City of London for the time being, ſhall repay into the hands of the Chamberlain of London for the time being, within ſeven years after the expiration of the ſaid term, the whole and full ſum of fourteen thouſand pounds, or ſo much thereof as they ſhall have made uſe of for the ſupport of the Government, by two thouſand pounds per Annum, or ſuch leſs yearly ſum, as ſhall be proportionable to what they ſhall have ſo made uſe of, until the ſame or ſo much thereof, as ſhall make good the deficiency that ſhall appear in the ſatisfaction of the intereſt of all the ſaid Moneys due to the ſaid Orphans and other Creditors, at the rate aforeſaid, by reaſon of applying the ſaid two thouſand pounds per Annum, or any part thereof to the uſe of, and for the ſupport of the Government of the ſaid City, for the term aforeſaid, ſhall be ſatisfied; And for ſecuring the repayment thereof, as aforeſaid, all and every the eſtate, rents, revenues, intereſt, perquiſites, profits, and emoluments of any ſort (except the manors, meſſuages, lands, eſtates, poſſeſſions and revenue, of and belonging to the ſaid Hoſpitals, in or belonging to the ſaid City of London or Borough of Southwark, and ſuch as are chargeable with and for the Repairs of London-Bridge, which at the expiration of the ſaid term of ſeven years, ſhall belong unto the ſaid Mayor, Commonalty and Citizens thereof in their politick or publick capacity only, ſhall be, and are hereby charged and made ſubject and liable thereunto.

City Lands charged with repayment.

CAP. XI.

An Act to prevent Delays of Proceedings at the Quarter Seſſions of the Peace.

Preamble.

Whereas it is experienced that notwithſtanding the Statutes made in the One and twentieth year of the Reign of King James the Firſt, and in the thirteenth and fourteenth, and two and twentieth years of King Charles the Second, concerning the granting of Writs of Certiorari, to remove Indictments of Riots, Forcible Entry, Aſſault and Battery, and other Preſentments and Indictments out of the Courts of the General or Quarter Seſſions of the Peace, in the Counties or Places wherein ſuch Indictments have been found, and Proceedings thereupon recorded, into their Majeſties Court of Kings Bench, diverſe turbulent, contentious, lewd and evil diſpoſed perſons, fearing to be deſervedly puniſhed, where they and their offences are well known, have not only obtained Writs of Certiorari for removing ſuch Indictments found againſt them, as aforeſaid; but alſo Indictments for ſundry other treſpaſſes, frauds, nuſances, contempts and miſdemeanors, after iſſue joyned, and the Proſecutors attending with their Council and Witneſſes, to try the ſame before the ſaid Juſtices of the Peace in their ſaid Seſſions, to the great diſcouragement of the Proſecutors, and of ſuch Conſtables and other Officers, as, according to their duty, preſent perſons for thoſe and ſuch like treſpaſſes, offences and miſdemeanors.

Certiorari in Term-time grantable only upon motion.

Recognizance given that the Iſſue be Tryed next Aſſizes.

London and Weſtminſter.

Certiorari granted without Recognizance void

II. For remedy whereof, and that ſuch Offenders may be brought to condign puniſhment, be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that in Term time no Writ of Certiorari whatſoever, at the proſecution of any party indicted, be hereafter granted, awarded or directed out of the ſaid Court of Kings Bench, to remove any ſuch indictment, or preſentment of treſpaſs or miſdemeanor, before Tryal had from before the ſaid Juſtices in the ſaid Courts of General or Quarter Seſſions of the Peace, unleſs ſuch Certiorari ſhall be granted or awarded upon motion of Council, and by Rule of Court made for the granting thereof, before the Judge or Judges of the ſaid Court of Kings Bench ſitting in open Court, and that all the parties indicted, proſecuting ſuch Certiorari, before the allowance thereof, ſhall find two ſufficient Manucaptors, who ſhall enter into a recognizance before one or more Juſtices of the Peace of the County or Place, in the ſum of twenty pounds, with condition at the return of ſuch Writ, to appear and plead to the ſaid indictment or preſentment in the ſaid Court of Kings Bench, and at his and their own coſts and charges, to cauſe and procure the iſſue that ſhall be joyned upon the ſaid indictment, or preſentment, or any Plea relating thereunto, to be tryed at the next Aſſizes to be held for the County wherein the ſaid indictment or preſentment was found, after ſuch Certiorari ſhall be returnable, if not in the Cities of London, Weſtminſter or County of Middleſex; And if in the ſaid Cities or County, then to cauſe or procure it to be tryed the next Term after wherein ſuch Certiorari ſhall be granted, or at the ſitting after the ſaid Term, if the Court of Kings Bench ſhall not appoint any other time for the tryal thereof; and if any other time ſhall be appointed by the Court, then at ſuch other time, and to give due notice of ſuch tryal to the Proſecutor or his Clerk in Court; and that the ſaid recognizance and recognizances taken, as aforeſaid, ſhall be certified into the ſaid Court of Kings Bench, with the ſaid Certiorari and indictment to be there filed, and the name of the Proſecutor (if he be the party grieved or injured) or ſome publick Officer, to be endorſed on the back of the ſaid indictment, and if the perſon proſecuting ſuch Certiorari, being the Defendant, ſhall not before allowance thereof, procure ſuch Manucaptors to be bound in a recognizance, as aforeſaid, the Juſtices of the Peace, may, and ſhall proceed to tryal of the ſaid indictment at the ſaid Seſſions, notwithſtanding ſuch Writ of Certiorari ſo delivered.

Officers Proſecuting ſhall have Double Coſts.

III. And be it further enacted, that if the Defendant proſecuting ſuch Writ of Certiorari be convicted of the offence for which he was indicted, that then the ſaid Court of Kings Bench ſhall give reaſonable coſts to the Proſecutor, if he be the party grieved or injured, or be a Juſtice of the

Peace, Mayor, Bailiff, Conſtable, Headborough, Tythingman, Churchwarden or Overſeer of the Poor, or any other Civil Officer who ſhall proſecute upon the account of any Fact committed or done that concerned him or them, as Officer or Officers to proſecute or preſent, which Coſts ſhall be Taxed according to the Courſe of the ſaid Court, and that the proſecutor for the recovery of ſuch Coſts, ſhall within Ten days after demand made of the Defendant, and refuſal of payment on Oath, have an Attachment granted againſt the Defendant by the ſaid Court for ſuch his contempt; And that the ſaid Recognizance ſhall not be diſcharged till the Coſts ſo Taxed ſhall be paid.

Recovery of Coſts.

IV. Provided always, and be it Enacted by the Authority aforeſaid, That in any of the Vacations, Writs of Certiorari may be granted by any of the Juſtices of Their Majeſties Court of Kings-Bench, whoſe Names ſhall be Endorſed on the ſaid Writ, and alſo the name of ſuch perſon at whoſe inſtance the ſame is granted, and that the party or parties Indicted, proſecuting ſuch Certiorari, ſhall, before the Allowance of ſuch Writ or Writs of Certiorari, find ſuch Sureties in ſuch Sum, and with ſuch Conditions as are before mentioned and ſpecified in this preſent Act.

Certiorari how grantable in Vacation.

V. And be it further Enacted by the Authority aforeſaid, That upon every Certiorari Granted or Awarded within the Counties Palatine of Cheſter, Lancaſter or Durham, to remove Indictments or Preſentments for any of the Matters aforementioned, all the parties Indicted proſecuting ſuch Certiorari, ſhall find ſuch Sureties to be bound in ſuch Sums, and with ſuch reſpective Conditions, and at his or their own Coſts and Charges, ſhall cauſe and procure the Iſſue joyned upon the ſaid Indictments or Preſentments, to be Tryed at the next Aſſizes or general Goal Delivery to be held for the ſaid reſpective Counties, and ſhall give like notice to the Proſecutor; and if Convicted, ſhall be liable to like Coſts, to be Taxed as is by this Act provided for, in caſes where the ſame are granted or awarded out of the Court of Kings-Bench at Weſtminſter.

Certiorari to Cheſter, &c. how granted.

VI. Provided always, and be it Enacted by the Authority aforeſaid, That if any Indictment or Preſentment be againſt any perſon or perſons, for not repairing of any High-ways, Cawſies, Pavements or Bridges, and the Right or Title to repair the ſame may come in Queſtion, upon ſuch Suggeſtion and Affidavit made of the truth thereof, a Certiorari may be granted to remove the ſame into the Court of Kings Bench; Any Law or Statute to the contrary in any wiſe notwithſtanding. Provided nevertheleſs, That the party or parties proſecuting ſuch Certiorari, ſhall find Two Manucaptors to be bound in a Recognizance with Condition, as aforeſaid.

Certiorari upon Repairing High-ways, &c.

VII. Provided always, and be it Enacted by the Authority aforeſaid, That this Act ſhall continue, and be in force for three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

Continue three years.

C A P. XII.

An Act to take away the Proceſs for the *Capiatur* Fine in the ſeveral Courts at *Weſtminſter.*

Preamble.

Whereas there are divers Suits and Actions of Treſpaſs, Ejectment, Aſſault and Falſe Impriſonment, brought by Party againſt Party in the reſpective Courts of Law at Weſtminſter, and upon Judgment Entred againſt the Defendant or Defendants in ſuch Suits or Actions, the reſpective Courts aforeſaid do (ex officio) Iſſue out Proceſs againſt ſuch Defendant and Defendants, for a Fine to the Crown, for a Breach of the Peace thereby committed, which is not aſcertained, but is uſually Compounded for a ſmall ſum of Money by ſome Officer in each of the ſaid Courts, but never Eſtreated into the Exchequer; which Officers, or ſome of them, do very often Outlaw the Defendants for the ſame to their very great Damage.

II. For Remedy whereof, Be it enacted by the King and Queens moſt excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth no Writ or Writs, commonly called Capias pro Fine, in any of the ſaid Suits or Actions in any of the ſaid Courts, ſhall be ſued out or proſecuted againſt any of the ſaid Defendant or Defendants, or any further Proceſs thereupon; But the ſame Fines, and all former Fines yet unpaid, are and ſhall hereby be Remitted and Diſcharged for ever. Yet nevertheleſs the Plaintiff or Plaintiffs in every ſuch Action, ſhall (upon Signing Judgment therein, over and above the uſual Fees for Signing thereof) pay to the proper Officer who Signeth the ſame, the ſum of Six ſhillings and Eight pence, in full Satiſfaction of the ſaid Fine, and all Fees due for or concerning the ſaid Fine, to be diſtributed in ſuch manner as Fines and Fees of this kind, have uſually been, and not otherwiſe; which ſaid Officer and Officers ſhall make an increaſe to the Plaintiff or Plaintiffs of ſo much in their Coſts, to be Taxed againſt the ſaid Defendant and Defendants.

Capias pro Fine taken away.

Fine turned into Coſts.

C A P. XIII.

An Act to Repeal the Statute made in the Tenth Year of King *Edward* the Third, for finding Sureties, For the Good Abearing, by him or her, that hath a Pardon of Felony.

Cap. 3.

Whereas by one Act made at the Parliament holden in the Tenth year of the Reign of King Edward the Third, It was, amongſt other things, enacted, That in caſe the King ſhould grant any Charters of Pardon, of Manſlaughter, Robbery, Felonies, and other Treſpaſſes againſt the Peace, That within Three Months after the making the ſame, they that ſhould have the ſaid Charters, ſhould come and find (before the Sheriffs and Coroners of the Counties where the Felonies were done) Six good and ſufficient Mainpernors, for whom the ſaid Sheriffs and Coroners would anſwer, That they from thenceforth ſhould bear themſelves well and lawfully; And that the Mainprizes ſhould be Sealed with their Seals, and Returned into Chancery within Three Weeks after the end of the ſaid Three Months; And that if they that ſhould have ſuch Charters, would in time to come, Aid themſelves thereby, and ſhould not find ſuch Mainprizes, or after ſuch Mainprize found, ſhould bear themſelves otherwiſe againſt the Peace then they ought, their Charters ſhould be holden for none; Which Statute hath been found very inconvenient, in relation to divers perſons who have been eſteemed fit Objects of Mercy; And therefore the ſaid Statute hath been ſeldom put in practice, but for the moſt part hath been diſpenced withal in the Charters of Pardons that were granted in former Reigns. And foraſmuch as by one Act made in the Firſt year of their now Majeſties Reign, Entituled, An Act for declaring the Rights and Liberties of the Subject, and Settling the Succeſſion of the Crown, It was Enacted, That from and after that Seſſion of Parliament, no Diſpenſation by Non obſtante of, or to any Statute or any part thereof ſhould be allowed, but that the ſame ſhould be held void and of none effect; Whereby divers of their Majeſties Subjects are rendred leſs capable of their Majeſties Mercy then before, it being very difficult, if not impoſſible, to find Six ſubſtantial perſons, who will adventure to be bound for the good Behaviour of any perſon needing a Pardon during his Life.

10 Ed. 3. Repealed.

II. Be it therefore enacted by the King and Queens moſt excellent Majeſties, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act made in the Tenth year of King Edward the Third, and every Article and Clauſe therein ſhall be, and are Repealed and Annulled, and are hereby declared to be Repealed and Annulled, to all intents and purpoſes whatſoever. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That if any Charter of Pardon be pleaded by any perſon, for any Felony, the Juſtices before whom ſuch Pardon ſhall be pleaded, may, at their Diſcretion, Remand, or Commit ſuch perſon to priſon, there to remain, until he or ſhe ſhall enter into a Recognizance, with Two ſufficient Sureties, for his or her being of the good Behaviour for any time, not exceeding Seven years. Provided, That if any ſuch Charter of Pardon be pleaded by a Feme Covert, or Infant, ſuch Feme Covert, or Infant, may find Two ſufficient Sureties, who ſhall enter into a Recognizance for him or her being of the good Behaviour, as is aforeſaid.

Perſons Pardoned even Feme Coverts and Infants give Security for good Behaviour for Seven years.

CAP. XIV.

An Act for Raiſing Money by a Poll payable Quarterly for One Year, for Carrying on a Vigorous War againſt *France*.

An Explanation of Clauſe in 5 & 6 W & M. Cap. 7. viz. that thoſe that have Fortunate Lots ſhall have the advantage of Blanks for other Sums.

AND whereas it was the true intent and meaning of an Act of this preſent Seſſion of Parliament, Entituled, An Act for Granting to their Majeſties certain Rates and Duties upon Salt, and upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall voluntarily Advance the Sum of Ten hundred thouſand Pounds towards carrying on the War againſt *France*, That in caſe any perſon ſhould contribute, or adventure ſeveral intire ſums of Ten pounds, in manner as is therein mentioned, That ſuch perſon ſhould not by any Fortunate Lot, be any ways barred of the yearly ſum of One pound for any other intire ſum of Ten pounds, contributed or adventured by ſuch perſon, as aforeſaid, which may be conceived as a Doubt, by reaſon of ſome obſcure Words in the ſaid Act. For the Explaining whereof, It is hereby declared and enacted, That every perſon which hath or ſhall contribute or adventure ſeveral intire ſums of Ten pounds in manner aforeſaid, every ſuch perſon, his or her Executors, Adminiſtrators and Aſſigns, ſhall have, receive and enjoy, for and during the term of Sixteen years therein mentioned, the ſeveral yearly ſums of One pound for every ſum of Ten pounds ſo contributed or to be contributed by him or her, as aforeſaid; Excepting only for ſuch ſum of Ten pounds, which ſhall be Intituled to ſuch Fortunate Lot, as aforeſaid. And be it further enacted by the Authority aforeſaid, That the Moneys which ſhall ariſe by the Rates and Duties of Exciſe upon Beer, Ale and other Liquors by the ſaid Act granted, during the laſt Three years of the term of Sixteen years, for which the ſame are thereby granted, or ſo much of the ſaid Moneys ariſing during the ſaid laſt Three years, as ſhall remain, after all Arrearages (if any ſuch ſhall be) of the annuities or yearly or other payments, to be made for the Moneys which are or ſhall be contributed or adventured, purſuant to the ſaid Act, ſhall be fully ſatisfied, ſhall be reſerved and diſpoſed as ſhall hereafter be directed by Act of Parliament, and not otherwiſe; any thing in the ſaid Act contained to the contrary notwithſtanding.

Exciſe for three laſt years of the ſixteen years ſhall be diſpoſed by Parliament.

CAP. XV.

An Act for Continuing the Act for Puniſhing Officers and Soldiers who ſhall Mutiny or Deſert Their Majeſties Service, and for Puniſhing Falſe Muſters, and for the Payment of Quarters for One Year longer.

Preamble.

4 & 5 W & M. Cap. 13. Continued for one year.

This Act Continued a year longer by 6 & 7 W 3. Cap. 8.

WHereas an Act was made in the laſt Seſſion of this preſent Parliament, Entituled, An Act for Puniſhing Officers and Soldiers who ſhall Mutiny or Deſert their Majeſties Service, and for Puniſhing Falſe Muſters, and for Payment of Quarters, to continue and be in Force until the Firſt day of March, in the year of our Lord, One thouſand ſix hundred ninety three and no longer. And whereas the raiſing or keeping a Standing Army within this Kingdom in time of Peace, unleſs it be with Conſent of Parliament, is againſt Law. And whereas it is judged neceſſary by their Majeſties and this preſent Parliament, That during this time of War, ſeveral of the Forces which are now on Foot ſhould be Continued, and others Raiſed for the Safety of this Kingdom, for the Common Defence of the Proteſtant Religion, and for the carrying on the War againſt France.

And whereas no Man may be forejudged of Life or Limb, or ſubject to any kind of puniſhment by Martial Law, or in any other manner then by the judgment of his Peers, and according to the known and eſtabliſhed Laws of this Realm: Yet nevertheleſs it being requiſite for the retaining ſuch Forces as are or ſhall be raiſed during this exigence of Affairs in their Duty, That an exact Diſcipline be obſerved, and that Soldiers who ſhall Mutiny or Stir up Sedition, or ſhall Deſert their Majeſties Service, be brought to a more exemplary and ſpeedy Puniſhment then the uſual forms of the Law will allow. Be it therefore enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and every Clauſe, Matter and Thing therein contained, ſhall be and continue, and is hereby declared and enacted to be and continue in full force and virtue to all Intents, Conſtructions and Purpoſes, from the firſt day of March, One thouſand ſix hundred ninety three, until the firſt day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety four, and no longer.

Land Soldiers to be liſted before a Juſtice of Peace, &c.

II. And to the end that no Man may be forced into Foreign Service, or compelled without his free conſent to be Liſted in any Troop or Company of their Majeſties Land Forces, Be it enacted by the authority aforeſaid, That no perſon that ſhall be Liſted for the Land Service at any time after the Firſt day of March, One thouſand ſix hundred ninety three, ſhall be eſteemed a Liſted Soldier, as aforeſaid, or be ſubject to any of the pains and penalties of this Act, or any other penalty for his Behaviour as a Soldier, that ſhall not have been brought before a Juſtice of the Peace, not being an Officer in the Army, or Chief Magiſtrate of ſome City, or Town Corporate, or High Conſtable, or Petty Conſtable in the Hundred or Diviſion where the perſon ſhall be Liſted, and before ſuch Juſtice, Magiſtrate or High Conſtable or Petty Conſtable, declare his free conſent to be Liſted or Muſtred as a Soldier, before he ſhall be Liſted or Muſtred, or inſerted in any Muſter Roll of a Regiment, Troop or Company, as aforeſaid; And every Military Officer that ſhall Offend herein, ſhall incur the like penalty and forfeiture, as is by the ſaid continued Act to be inflicted upon any Officer for making a Falſe and Untrue Muſter, and the Forfeiture ſhall be recovered in the ſame manner as Forfeitures by the ſaid Act.

Liſting by Petty Conſtable made void by 7 W. 3. 8.

Penalty upon Military Officer offending.

Juſtice of Peace to give a Certificate of Liſting to the Military Officer and Duplicate to Clerk of the Peace.

III. Provided always, That the Juſtice of Peace, Magiſtrate or High Conſtable or Petty Conſtable before whom ſuch Soldier ſhall be Liſted, ſhall give the Officer gratis a Certificate thereof under his Hand, which ſhall be by ſuch Officer, under whom he ſhall be Liſted, produced to the Muſter Maſter at the next Muſter to be taken of ſuch Troop or Company, and be by him Regiſtred as part of the Muſter Roll for the ſame; And ſuch Juſtice of Peace, Magiſtrate or High Conſtable, ſhall and is hereby required to deliver a Duplicate of ſuch his Certificate to the Clerk of the Peace at the next Quarter Seſſions of the Peace to be held for the Place, to be there by him Recorded, without any Fee or Reward for ſo doing.

Conviction and puniſhment of Falſe Muſters.

IV. Provided always, and be it enacted, That the proof of any perſons being falſly Muſtred, or offering himſelf to be falſly Muſtred contrary to the ſaid Act, may be made by Two Witneſſes before any Juſtice of the Peace of any County, City or Town Corporate where ſuch Offender ſhall be taken, or firſt accuſed for the ſaid Offence, and upon ſuch proof being duly made, or the voluntary Confeſſion of the Party Offending, every ſuch Juſtice ſhall and is hereby required to puniſh any ſuch Offender, according to the Directions of the ſaid Act.

CAP. XVI.

An Act for the Importation of Salt-Petre for One Year.

Preamble.

Foraſmuch as in time of War eſpecially, care ought to be taken, That there may be a ſufficient quantity of Salt-Petre in this Kingdom, for the uſe of their Majeſties Ships of War and Army; and alſo that Merchants may be furniſhed with Gunpowder for the uſe of their Ships at reaſonable Rates: Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful for any of their Majeſties Subjects, to import and bring Salt-Petre into this Kingdom, from any Place or Countrey now in Amity with their Majeſties, for the ſpace of One year, to be computed from and after the Five and twentieth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety four; any Law or Statute heretofore made to the contrary notwithſtanding. Provided ſuch Salt-Petre be brought in only, in ſuch Ships or Veſſels as are Engliſh built, and no other.

Salt-Petre importable in Engliſh Bottoms.

50 l. per Tun ſet upon Salt-Petre ſold for above 70 l.

II. Provided, That no perſon or perſons, importing Salt-Petre by virtue of this Act, nor any Retailer, ſhall ſell any part of the Salt-Petre ſo to be imported, at above the price of Seventy pounds per Tun, not exceeding Eighteen per Centum Refraction, upon the penalty of Fifty pounds per Tun; and ſo for any greater or leſſer quantity, to be recovered by action of debt, bill, plaint or information, in any of their Majeſties Courts at Weſtminſter, wherein no eſſoign, protection, priviledge, or wager of law ſhall be allowed, nor any more then one imparlance; The one Moiety thereof to be for the uſe of their Majeſties, and the other Moiety for the Informer. Provided alſo, That the Salt-Petre, which ſhall be imported by virtue of this Act, ſhall pay to their Majeſties the ſame Duty, as if the ſame were directly imported from the Eaſt-Indies.

Duty as from the Eaſt-Indies.

Barter eſteemed a Sale.

III. And for preventing all Frauds which may be uſed in ſelling any Salt-Petre imported by virtue of this Act, at above the Rate of Seventy pounds per Tun, Be it enacted, That if any perſon or perſons, ſhall mingle any Salt-Petre, imported by virtue of this Act, with any other Salt-Petre, and ſell the ſame ſo mingled, at above the Rate of Seventy pounds per Tun; Or ſhall by way of Barter or Exchange, take, or agree to take any other Commodity, for Salt-Petre imported by virtue of this Act (whether by it ſelf, or mingled with other Salt-Petre) in any manner, ſo as to have, or receive for the ſame, more then the Rate of ſeventy pounds per Tun, accounting the Commodity ſo taken in exchange at the then current Price, that the ſale of ſuch Salt Petre ſo mingled, and alſo ſuch Barter, or Exchange, ſhall each of them be conſtrued, and taken to be a ſale contrary to this Act.

CAP. XVII.

An Act for the Exportation of Iron, Copper and Mundick Metal.

Preamble.

WHereas by ſeveral Statutes, the one made in the Eight and twentieth year of the Reign of Edward the Third, and the other in the Three and thirtieth year of the Reign of King Henry the Eighth, and another in the Second year of the Reign of Edward the Sixth late Kings of England, Iron, Copper, and Bell Metal are prohibited to be exported out of this Realm, under ſeveral Penalties in the ſaid Statutes reſpectively contained:

Iron, &c. to be Exported.

II. For the better encouragement of the working of Copper mines within their Majeſties Dominions, Be it therefore enacted by the King and Queens moſt excellent Majeſties, by and with the advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the Five and twentieth day of March, One thouſand ſix hundred ninety four, it ſhall and may be lawful to and for any perſon or perſons whatſoever, Bodies Politick or Corporate, to Ship and Export all, and all manner of Iron, Copper or Mundick Metal out of this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed; except unto or for the uſe of the French King, or any of his Subjects reſiding within his Dominions, or in, to or for any Port or Place within his ſaid Dominions, during the preſent War between their Majeſties and the French King, paying the Duties and Cuſtoms by Law payable for the ſame; the ſaid recited Statutes, or any other Statute, Law or Uſage to the contrary thereof in any wiſe notwithſtanding.

Pot-metal, &c. excepted.

III. Provided that this Act ſhall not extend to the Exportation of any Pot-metal, Gun-metal or Shruff-metal, or any Old metal or any mixture therewith, or of any Copper or other metal, then what is made of Engliſh Ore only.

CAP. XVIII.

An Act for Enabling their Majeſties to make Grants, Leaſes and Copies of Offices, Lands and Hereditaments, Parcel of their Dutchy of *Cornwall*, or annexed to the ſame, and for Confirmation of Leaſes and Grants already made.

Preamble.

WHereas many of the Lands belonging to the Dutchy of Cornwall have been Granted by Leaſe to the Tenants, ſome for the term of one, two or three Lives, and ſome for divers years determinable upon one, two or three Lives, and others for thirty one years or under, which Leaſes are deſired to be renewed by many of the ſaid Tenants. And whereas ſeveral years next following after the happy Reſtauration of his late Majeſty King Charles the Second, divers increaſed Rents were reſerved, as well upon the ſaid Leaſe-hold Lands as upon many Copy-hold Eſtates of the ſaid Dutchy for the improvement of that Revenue, whereof the Tenants made complaint to his ſaid late Majeſty, who was graciouſly pleaſed that they might compound for the diſcharging of the ſaid increaſed Rents, and be reſtored to the old Rents formerly paid for their reſpective Tenants and Lands. Now to the end the ſame may be accordingly effected, and the Tenants may be encouraged to renew their Leaſes and Eſtates, and thereby the better enabled to Repair their Houſes, and provide for their Families, and to improve their Lands holden of the ſaid Dutchy.

Grants made by King Charles Second, &c. of any parcel of the Dutchy of Cornwall, good.

II. Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all Leaſes and Grants made by his ſaid late Majeſty King Charles the Second, or by the late King James, or by their preſent Majeſties ſince their happy Acceſſion to the Crown, or to be made within Seven years next enſuing, by Letters Patents, or Indentures under the Great Seal of England, or Seal of the Court of Exchequer, or by Copy of Court-Roll according to the cuſtom of the reſpective Manors of the ſaid Dutchy or thereunto annexed, of any Offices, Meſſuages, Parks, Lands, Tenements or Hereditaments, parcel of the ſaid Dutchy of Cornwall or annexed to the ſame (other then of Honours, Lordſhips or Manors) ſhall be good and effectual in Law, according to the purport and contents of the ſame Copies, Leaſes, and Grants againſt our ſaid Sovereign Lord and Lady the King and Queen, their Heirs and Succeſſors, and againſt all and every other perſon and perſons that ſhall at any time hereafter have, inherit, or enjoy the ſaid Dutchy by force of any Act of Parliament, or by other Limitation whatſoever.

Grants to be for 31. years or determinable upon 3. Lives.

III. Provided always, that every ſuch Leaſe or Grant ſo made or to be made, be not for more then one, two or three Lives, or for thirty one years or under, or for ſome term of years determinable upon one, two or three Lives, and not above: And if ſuch Leaſes or Grants be made in reverſion, or expectancy, that then the ſame, together with the Eſtate in poſſeſſion, do no exceed three Lives, or the term of thirty one years, and not in any wiſe diſpuniſhable of Waſt, and ſo as upon every ſuch Leaſe, the ancient or moſt uſual Rent or more, or ſuch Rent as hath been reſerved, yielded, or paid for the ſame Lands, for the greater part of twenty years next before the year of our Lord, One thouſand ſix hundred and ſixty, hath been, and ſhall be reſerved due and payablo to him or her that ſhall have the Inheritance, or other Eſtate of the ſaid Dutchy; and where no ſuch Rent hath been reſerved or payable, That then upon every ſuch Leaſe there ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Meſſuages, Parks, Lands, Tenements or Hereditaments contained in ſuch Leaſe; and all Leaſes and Grants otherwiſe made or to be made, ſhall be null and void.

Not diſpuniſhable of Waſt. Uſual Rent.

If no uſual reaſonable Rent

Covenants, &c. bind Reverſioners.

IV. And be it further ordained and enacted by the authority aforeſaid, That all Covenants, Conditions, Reſervations, and other Agreements contained in every Leaſe, Grant, or Copy of Court Roll made or to be made, as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them, to whom the Reverſion of the ſame Lands, Tenements or Hereditaments ſhall come, as for, and againſt them, to whom the intereſt of the ſaid Leaſes, Grants or Copies ſhall come reſpectively, as if our Sovereign Lord and Lady, the King and Queens Majeſties, at the time of making ſuch covenants, conditions and reſervations, and other agreements, were ſeized of an abſolute Eſtate in Fee Simple, in the ſame Lands, Tenements or Hereditaments.

V. Saving always to all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, executors adminiſtrators and aſſigns (other then our ſaid Sovereign Lord and Lady the King and Queen, and their Heirs, and the Duke and Dukes of Cornwall for the time being, and his and their Heirs, and all and every perſon and perſons, that ſhall hereafter have, inherit, or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other limitation whatſoever) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims and Demands whatſoever, of what nature, kind or quality ſoever, of, in, to, or out of the ſaid Offices, Lands, Tenements or Hereditaments, or any of them, as they, or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; this Act or any thing herein contained to the contrary notwithſtanding. Saving to all their Rights, except King, &c.

VI. And be it further Enacted by the Authority aforeſaid, that in caſe any of the Leaſehold or Copy-hold Tenants of the ſaid Dutchy, ſhall at any time within Seven years next enſuing, compound or agree with the Lord High Treaſurer of England, or Commiſſioners of the Treaſury for the time being, or Chancellor and Under Treaſurer of the Exchequer for the time being, or with any other perſon or perſons, that the Lord High Treaſurer, or the Commiſſioners of the Treaſury for the time being, or Chancellor of the Exchequer, ſhall authorize, nominate and appoint for the taking off and diſcharging of any increaſed Rent reſerved, as aforeſaid, according to ſuch rules and directions, as in that behalf ſhall be given in Writing under the hands of the ſaid Lord Treaſurer, Commiſſioners of the Treaſury for the time being, or Chancellor of the Exchequer for the time being: Then upon ſuch compoſition ſo made, and the money thereby ariſing duly paid to the Receiver General of the ſaid Dutchy, according to the tenor and contents of ſuch compoſition and agreement, and accordingly inrolled before the Auditor of the premiſſes, from thenceforth ſuch increaſed Rent ſhall ceaſe and become void, and the old Rent only, or ſuch other Rent, as in purſuance of this Act ſhall be directed in or by ſuch compoſition or agreement ſhall be charged on all and every ſuch Tenements, Lands and other Hereditaments, for which ſuch compoſition, agreement, payment and inrolment ſhall be ſo made, and none other, any reſervation, condition, or other matter whatſoever to the contrary notwithſtanding. Tenants compounding for the increaſed Rent, old Rent only to ſtand.

VII. And whereas within the County of Cornwall there are ſeveral Tenements belonging to the ſaid Dutchy of ſmall value, ſo that the charge of paſſing Letters Patents under the Great Seal, or Leaſes under the Seal of the Exchequer, and Grants by Copy of Court Roll, may diſcourage the Tenants from Renewing ſo often as otherwiſe they would do: Be it further Enacted by the Authority aforeſaid, that the whole Fees, reward and charges to be paid, received or taken, for the preparing, writing, drawing, obtaining, making, paſſing or perfecting of any ſuch leaſe or grant, and for the petition, anſwer, reference, report, particular certificate, contract, warrant, inrolment and entry thereof, and for every other matter and thing relating thereunto, or touching or concerning the obtaining, paſſing and perfecting of any Leaſe or Grant of ſuch ſmall Tenements in the ſaid County of Cornwall (where the Fine or value of ſuch Leaſe or Grant, to be made or renewed, ſhall not exceed the ſum of Eighty pounds) ſhall not exceed the ſum of Ten pounds for every Leaſe, and Four pounds for every Copy (over and beſides the ſaid Fine or Value) the ſaid reſpective ſums, not exceeding Ten pounds, and Four pounds, to be paid, diſtributed and divided unto and amongſt the ſeveral and reſpective Officers and Clerks of the Exchequer, and Stewards of the Honours and Manors of the ſaid Dutchy, concerned and employed in the preparing, paſſing and perfecting of ſuch leaſe or Grant reſpectively, in ſuch proportion as the Fees of Leaſes, or Grants within the ſaid Dutchy formerly and hetherto were and are received. Fees for Grants of ſmall value. And if any of the ſaid Officers, Clerks and Stewards ſhall demand, take and receive any greater or other Fee or Reward, or ſhall do or attempt, or cauſe to be done or attempted any thing contrary hereunto, ſuch Officer, Clerk and Steward, ſhall forfeit and loſe for every ſuch Offence to the party grieved in that behalf, ſo much money as any ſuch Officer, Clerk or Steward ſhall demand, receive and take contrary to this Act; and alſo ſhall loſe and forfeit the ſum of Twenty pounds, whereof the one moiety ſhall be to their Majeſties, and the other moiety to the party grieved in that behalf, to be recovered by Action of Debt or Information, in any of the Courts at Weſtminſter, in which no priviledge, eſſoign, imparlance or protection ſhall be admitted or allowed. Penalty upon Officers offending.

CAP. XIX.

An Act for Raiſing the Militia of this Kingdom, for the year one thouſand ſix hundred ninety four, although the Months Pay ormerly Advanced be not Repayed.

CAP. XX.

An Act for Granting to their Majeſties ſeveral Rates and Duties upon Tunnage of Ships and Veſſels, and upon Beer, Ale and other Liquors, for Securing certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall Voluntarily Advance the Sum of Fifteen hundred thouſand Pounds towards carrying on the War againſt *France*.

WE your Majeſties moſt Dutiful and Loyal Subjects, the Commons aſſembled in Parliament, for the further Supply of your Majeſties Extraordinary Occaſions, for and wards the neceſſary Defence of your Realms, do humbly preſent your Majeſties with the rther Gift of the Impoſitions, Rates and Duties herein after mentioned; And do beſeech ur Majeſties that it may be enacted. Preamble.

Tunnage upon Ships given for four years.

Several Rates.

Eaſt Indies, &c. 30 s.

Italy, Turkey, 15 s.

Portugal, Spain, 10 s.

Weſt Indies, 10 s.

Holland, &c. 3 s.

Norway, &c. 5 s.

Ireland, Scotland, 2 s.

Streights, 15 s.

Guinea, Africa, 20 s.

Hudſons Bay, 20 s.

Canaries, 10 s.

Greenland, &c. 10 s.

Coaſters, 6 d.

II. And be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that for and during the term of Four years, commencing from the Firſt day of June, in the year of our Lord, One thouſand ſix hundred ninety and four, there ſhall be, throughout the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto and for the uſe of their Majeſties, their Heirs and Succeſſors, for and upon the Tunnage of all Ships and Veſſels, wherein at any time or times, and for every time, during the ſaid term of four years, there ſhall be Imported any Goods or Merchandizes into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, from any the parts, places or countreys hereafter mentioned, or wherein, during the ſaid term, there ſhall be carried coaſt-wiſe from any Port, Member or Creek, in the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, unto any other Port, Creek or Member, within the ſame Kingdom, Dominion, Port or Town, the ſeveral and reſpective Rates, Impoſitions, Duties and Sums of Money herein after mentioned (That is to ſay) (1) For every Tun of the Burthen, or contents of any Ship or Veſſel, importing Goods, Wares or Merchandizes from the Eaſt Indies, or any parts Southward or Eaſtward of Cabo bona Speranza, the ſum of Thirty ſhillings. (2) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes, from any Ports or Places in Italy or Turkey, the ſum of Fifteen ſhillings. (3) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes, from any Ports or Places in Portugal or Spain, the ſum of Ten ſhillings. (4) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes, from any the Plantations, Lands or places in the Weſt Indies, the ſum of Ten ſhillings. (5) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes, from Holland, or any the United Provinces, or from the Netherlands or Flanders, the ſum of Three ſhillings. (6) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes from Norway, Hamborough, or the Baltick Sea, or from any the Eaſtland Countries, or from any other Ports or Places North of Holland, the ſum of Five ſhillings. (7) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes from Ireland or Scotland, the ſum of Two ſhillings. (8) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods Wares or Merchandizes, from any Port or Place in the Mediterranean Sea (not otherwiſe charged in this Act) the ſum of Fifteen ſhillings. (9) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes, from the Parts or Coaſts of Guinea or Africa, without the Streights, the ſum of Twenty ſhillings. (10) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares, or Merchandizes from Hudſons Bay, or any Place within the limits of that Companies Charter, the ſum of Twenty ſhillings. (11) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes from the Canaries, Madera's, or any the Weſtern Iſlands, the ſum of Ten ſhillings. (12) For every Tun of the Burthen, or contents of any Ship or Veſſel, Importing Goods, Wares or Merchandizes from any Ports or Places in Greenland, Muſcovia or Ruſſia, the ſum of Ten ſhillings. (13) For every Tun of the Burthen, or contents of any Ship or Veſſel, uſed or imployed in the Coaſting Trade from Port to Port in England, Wales or Berwick upon Tweed, the ſum of Six pence.

Tunnage paid upon arrival at a Port.

Maſter, &c. of Ship importing or Coaſter, ſhall upon arrival pay the Tax or give Security.

Rebate for preſent pay.

Penalty.

Ship forfeited and Maſter lyable to pay.

III. And be it further enacted by the authority aforeſaid, that the ſaid ſeveral rates, duties and ſums of Money herein before mentioned, and hereby impoſed upon the Tunnage of Ships or Veſſels ſhall be accounted, taken and paid according to the meaſure of ſuch Ships or Veſſels which ſhall be made and taken by their Majeſties Officers in the reſpective Ports or Places where they ſhall arrive, and that the Maſter or Owners or Freighters of all ſuch Ships or Veſſels importing Goods inwards, or carrying Goods Coaſt-wiſe, as aforeſaid, ſhall, upon every arrival of any ſuch Ships or Veſſels at the Port or Place of their diſcharge or unlading in England or Wales, or at the Town or Port of Berwick upon Tweed, cauſe and procure ſuch Ships or Veſſels to be entred in the Cuſtom-houſe of, or belonging to ſuch Port or Place, and all the time of ſuch entry, and before any Goods or Merchandizes, ſhall be unladen out of any ſuch Ships or Veſſels, ſhall either pay down in ready money to their Majeſties Officers of the Cuſtoms in ſuch Port or Place, for the uſe of their Majeſties, the ſaid duties and ſums of money due and payable for the Tunnage of all ſuch Ships or Veſſels, or elſe ſhall give good and ſufficient Security, by Bond to their Majeſties, with Sureties, to be approved by the ſaid Officers of the Cuſtoms, to pay the ſaid duties and ſums to their Majeſties uſe, within the ſpace of one month next after the clearing of the Ship; And where the duties ſhall be paid down, the Parties paying the ſame, ſhall have an allowance by way of rebate or deduction out of the ſame, after the rate of Ten pounds per Centum per Annum, for every hundred pounds, which ſuch duties ſo paid down ſhall amount unto; And in caſe any Goods, Wares or Merchandize imported or carryed coaſt-wiſe, as aforeſaid, ſhall be unſhipped, to be laid on land, before the duties or ſums of money beforementioned, due or payable for the Tunnage of ſuch Ships or Veſſels importing or carrying Goods coaſt-wiſe, as aforeſaid, ſhall be paid down or ſecured, as aforeſaid, That then every ſuch Ship or Veſſel out of which any ſuch Goods or Merchandizes ſhall be unladen before payment made or ſecurity given for the ſaid duties, together with the Guns, Tackle, Ammunition and Apparel of the ſame, ſhall be forfeited and loſt, one moiety of which forfeitures ſhall be to their Majeſties, their Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall ſeize, ſue or inform for the ſame, to be recovered in any of their Majeſties Courts of Record at Weſtminſter, by action of debt, bill, plaint or information, wherein no eſſoign, protection or wager of Law ſhall be allowed. And over and beſides the ſaid forfeitures, the Maſter, Owners and Freighters of every ſuch Ship ſhall be liable and chargeable to their Majeſties, their Heirs and Succeſſors, for the ſaid Duties of Tunnage which ſhall not be paid or ſecured, as aforeſaid.

Tax upon Importer ſhall be born, two thirds by the Merchant, and one third by the Owner.

IV. And be it further enacted by the authority aforeſaid, That the aforeſaid reſpective Duties upon the Tunnage of Ships or Veſſels importing Goods or Merchandizes from parts beyond the Seas, or from Scotland, ſhall be paid and born by the Merchant Freighters, and by the Maſter and Owners of ſuch Ships or Veſſels by way of Average amongſt themſelves, (that is to ſay) Two third parts thereof ſhall be born by the Merchants and Freighters of ſuch Ships or Veſſels in proportion, according to their reſpective Shares or Intereſts of or in the Freight, and the other third part to be born by the Maſters or Owners of ſuch Ships or Veſſel, who are hereby required and enjoyned to bear and pay the ſame accordingly; And the ſaid Duty of Tunnage of Ships or Veſſels uſed in, or employed in the Coaſting Trade from Port to Port, as aforeſaid, ſhall be paid and born by the Maſter or Owners of ſuch Ships or Veſſels.

Owners of Coaſters pay the whole.

Ships from Greenland only chargeable for Goods really imported.

V. Provided always, and be it enacted by the authority aforeſaid, That all Ships belonging to the Company of Merchants of London, trading to Greenland, importing Oyl Blubber, Whale Fins or any other Merchandize from thence, ſhall pay ten ſhillings per Tun only for ſuch Oyl Blubber, Whale Fins and other Merchandize as ſhall be really and bona fide brought home in any of the ſaid Companies Ships, and not be obliged to pay according to the meaſure of the ſhipping; Any thing herein contained to the contrary notwithſtanding.

New-found-land 10 s. per Tun for Goods really imported.

VI. Provided always, and be it enacted by the authority aforeſaid, That all Ships trading to New-found-land, importing Train-Oyl, or any other Merchandize from thence, ſhall pay ten ſhillings per Tun only for ſuch Train-Oyl or other Merchandize as ſhall be really and bona fide brought home, and not be obliged to pay according to the meaſure of the ſhipping; Any thing herein contained to the contrary notwithſtanding.

If a Peace, Ships from France how charged.

VII. Provided always, and be it further enacted, That if a Peace ſhall be made and declared between their Majeſties and the French King, at any time during the continuance of the Duty charged by this Act upon the Tunnage of Ships and Veſſels, then and in ſuch caſe, all Ships and Veſſels importing any Goods or Merchandize from any of the French Kings Territories in Europe without the Streights, ſhall pay the like Duty of Tunnage, as any Ships or Veſſels importing Goods from Portugal are charged with by this Act, over and above all other Duties payable for ſuch Ships and Veſſels.

Sand, &c. from Port to Port laden.

VIII. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall not extend to charge, or lay any Duty upon any Barge employed in carrying Sand, Lime or Slate-ſtone from Port to Port, within the Kingdom of England, and Dominion of Wales, for, or in reſpect of any ſuch lading only; Any thing herein before contained to the contrary in any wiſe notwithſtanding.

Ships how meaſured.

Another way of meaſuring ordered by 6 & 7 W. 3. Cap. 12.

IX. And be it further enacted and declared, That all Ships and Veſſels, importing Goods and Merchandize from Foreign parts, as well as all Coaſting Veſſels, liable to the payment of the Duties of Tunnage, by this Act impoſed, ſhall be gauged and meaſured according to the Rule printed with the Book of Rates, publiſhed in the year, One thouſand ſix hundred ſeventy one, (that is to ſay) Every ſingle Deck'd Ship or Veſſel, ſhall be meaſured by the length of the Keel taken within Board (ſo much as ſhe treads upon the Ground) and the breadth to be taken within Board, by the Midſhip Beam, from Plank to Plank, and the depth of the Hold, from the Plank below the Kelſey, to the under part of the Deck-Plank; And for a Two-Deckt Ship (which carries Goods between Decks) the depth of her Hold to be taken from the Plank below the Kelſey, to the under part of the Upper Deck-Plank, and the length and breadth as before; then multiply the length by the breadth, and the Product thereof by the depth, and divide the whole by Ninety four, and the Quotient will give the true Contents of the Tunnage, according to which Method and Rule, all Ships and Veſſels ſhall be meaſured, and the ſeveral Duties of Tunnage thereby be computed and collected accordingly, any Cuſtom, Practice, or Uſage to the contrary notwithſtanding.

Exciſe granted upon Beer, Ale, &c.

Seſſ. 2. Cap. 10.

X. And whereas by an Act of Parliament made in the Second year of their Majeſties Reign, Entituled, An Act for granting to their Majeſties ſeveral Additional Duties upon Beer, Ale and other Liquors for Four years, from the time that an Act for doubling the Duty of Exciſe upon Beer, Ale and other Liquors, during the ſpace of One year doth expire; It was enacted, That from and after the Seventeenth day of November, in the year of our Lord, One thouſand ſix hundred ninety and one, there ſhould be throughout their Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto their Majeſties, their Heirs and Succeſſors, during the ſpace and term of Four years, and no longer, for Beer, Ale, Cyder and other Liquors therein mentioned, by way of Exciſe, over and above all other Duties, Charges and Impoſitions by any former Act or Acts which ſhould be then unexpired, ſet and impoſed, in ſuch manner as therein is mentioned; which Rates and Duties aforeſaid, by Act of Parliament made in the third and fourth years of their now Majeſties Reign, are continued, until the ſeventeenth day of May, One thouſand ſix hundred and ninety ſeven: Be it further enacted, that for the further encouragement of ſuch perſons who ſhall voluntarily contribute towards the raiſing and paying into their Majeſties Exchequer, any ſum or ſums, not exceeding in the whole the ſum of fifteen hundred thouſand pounds upon the ſeveral terms and recompences herein after mentioned, That from and after the ſeventeenth day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and ſeven, there ſhall be throughout their Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto their Majeſties, their Heirs and Succeſſors, for Beer, Ale, Cyder and other Liquors herein after expreſſed by way of Exciſe, over and above all Duties, Charges and Impoſitions by any former Act or Acts then unexpired, ſet and impoſed, one Moiety or half part of the ſeveral Rates and Duties of Exciſe granted by the ſaid laſt mentioned Act, in manner and form following, (that is to ſay) (1) For every Barrel of Beer or Ale, above ſix ſhillings the Barrel excluſive of the Duty of Exciſe, Brewed by the Common Brewer,

Cap. 6.

The ſeveral Rates.

Beer, &c. above 6 s. 9 d.

or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties payable for
Beer, &c. 6 s. or under 3 d. the ſame, Nine pence. (2) For every Barrel of Beer or Ale, of Six Shillings the Barrel or under, Brewed by the Common Brewer, or any other perſon or perſons who ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or
Vinegar 1 s. 6 d. Engliſh. leſſer Quantity, over and above the Duties payable for the ſame, Three pence. (3) For every Barrel of Vinegar or Vinegar Beer Brewed or Made of any Engliſh Materials, by any Common Brewer, or any other perſon for ſale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties of Exciſe
Vinegar Foreign 4 s. payable for the ſame, One Shilling Six Pence. (4) For every Barrel of Vinegar or Liquor prepared for Vinegar made here for ſale, that hath run through Rape, or made with or paſſing through any Foreign Materials, or any mixture with Foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, Four
Beer, Mum, &c. imported 3 s. Shillings. (5) For every Barrel of Beer, Ale or Mum, imported from beyond the Seas, or from the Iſlands of Guernſey or Jerſey, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importers before landing, over and above the Duties pay-
Cyder, &c. imported per Tun 4 l. able for the ſame, Three Shillings. (6) For every Tun of Cyder or Perry imported from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importer before landing, over and above the Duties payable for the ſame, Four Pounds.
Brandy Single per Gallon 6 d. (7) For every Gallon of Single Brandy, Spirits or Aqua Vitæ, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for
Brandy Double 1 s. the ſame, Six Pence. (8) For every Gallon of Brandy, Spirits or Aqua Vitæ above proof, commonly called Double Brandy, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, One Shilling.
Cyder Retailed per Hogſhead 1 s. 6 d. (9) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, over and above the Duties payable for the ſame (and ſo proportion-
Mead, &c. per Gallon 3 d. ably for a greater or leſſer meaſure) One Shilling Three Pence. (10) For all Metheglin or Mead made for ſale, whether by Retail or otherwiſe, to be paid by the Maker for every Gallon, Three Pence.

How to be levied.

XI. And be it enacted by the Authority aforeſaid, That the ſaid ſeveral Rates, Duties and Impoſitions upon Beer, Ale, Cyder and other Liquors aforeſaid, be levied, collected and paid unto their Majeſties, their Heirs and Succeſſors in the ſame manner and form, and by ſuch Rules, Ways and Means, and under ſuch Penalties and Forfeitures as are mentioned in the Act made in the Twelfth year of the Reign of King Charles the Second, Entituled, An Act for taking away the Court of Wards and Liveries and Tenures *in Capite*, and by Knights Service and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof, and alſo in and by another Act made in the Twelfth year of the Reign of the ſaid late King Charles the Second, Entituled, A Grant of certain Impoſitions upon Beer, Ale and other Liquors for the Increaſe of his Majeſties Revenue during his Life; and alſo in and by another Act made in the Fifteenth year of the Reign of the ſaid late King Charles the Second, Entituled, An Additional Act for the better Ordering and Collecting of the Duty of Exciſe, and preventing the Abuſes therein, or by any other Law in force relating to the ſaid Revenue of Exciſe; and that the aforeſaid Acts, and every Article, Rule and Clauſe therein mentioned, as for, and concerning only the Rates, Duties and Impoſitions upon Beer, Ale and other Liquors by this Act Granted, ſhall be of full Force and Effect to all Intents and Purpoſes in like manner as if the ſame were at large, and particularly recited and ſet down in the Body of this Act.

Cap. 29. Cap. 23. Cap. 11.

Commiſſioners of Exciſe and Cuſtoms to keep theſe Duties apart.

XII. And be it further enacted by the authority aforeſaid, That the Commiſſioners and Governors for Management and Receipt of the Exciſe, and the Commiſſioners and other Officers of the Cuſtoms reſpectively, at the Head Office in London, for the time being, ſhall ſeparate, and keep apart all and every the Moneys ariſing by the ſeveral Rates and Duties by this Act granted, as the ſame ſhall from time to time ariſe, or be paid into the ſaid Office of Exciſe, or unto the Receiver General of the Cuſtoms for the time being reſpectively, by the Receivers or Collectors of the ſame, or by any other perſon whatſoever, and the Comptroller of Exciſe, and the Comptroller of the Cuſtoms for the time being, or their reſpective Deputies, ſhall keep a perfect and diſtinct Account, in Books fairly written, of all the Rates and Duties ariſing by this Act, to which all perſons ſhall have free acceſs, at all ſeaſonable times, without Fee or Charge; and the ſaid Commiſſioners and Governors of Exciſe and the ſaid Commiſſioners of the Cuſtoms for the time being, are hereby required, and ſtrictly enjoyned from time to time, to pay weekly (videlicet) On Wedneſday in every week, if it be not a Holyday; and if it be, then the next day after that is not a Holyday, all and every the Moneys ariſing by the Rates and Duties hereby granted, into the Receipt of their Majeſties Exchequer, diſtinct and apart from the other Moneys, which the ſaid Commiſſioners and Governors reſpectively, ſhall receive for the uſe of their Majeſties, their Heirs and Succeſſors.

And to pay the Money into the Exchequer weekly.

A weekly account kept in the Exchequer.

XIII. And be it further enacted by the authority aforeſaid, That there ſhall be provided, and kept in their Majeſties Exchequer, (that is to ſay) in the Office of the Auditor of the Receipt, one Book, in which all the ſaid weekly Moneys which ſhall be paid into the Exchequer, as aforeſaid, ſhall be entred apart, and diſtinct from all other Moneys paid, and payable to their Majeſties, their Heirs and Succeſſors, upon any account whatſoever.

Penalty upon Commiſſioner offending.

XIV. And be it further enacted, That if the ſaid Commiſſioners and Governors reſpectively for the time being, ſhall refuſe or neglect to pay into the Exchequer, all or any the ſaid weekly ſums appointed to be paid, as aforeſaid, in ſuch manner as they are before by this Act required to do, or ſhall divert or miſapply any part of the ſame; or if ſuch Comptroller ſhall neglect his Duty in keeping ſuch Accounts, as aforeſaid, Then he or they, for any ſuch Offence, ſhall forfeit their reſpective Offices or Places, and be incapable of any Office or Place of Truſt whatſoever; and ſuch Commiſſioner or Commiſſioners, in ſuch caſe Offending,

fending, ſhall be liable to pay the full value of any ſum or ſums ſo diverted or miſapplied, to any perſon or perſons who will ſue for the ſame by any Action of Debt, Bill, Plaint or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Wager of Law, Priviledge of Parliament, or other Priviledge, or more then one Imparlance ſhall be granted or allowed.

The King may order Salaries, &c. out of the Duties.

XV. Provided always, and be it enacted, That it ſhall, and may be lawful to and for their Majeſties, their Heirs and Succeſſors, out of the ſaid Duties ariſing upon the Tunnage of Ships and Veſſels, to cauſe ſuch ſum and ſums of Money to be expended, and paid from time to time, for Sallaries, or other incident Charges, as ſhall be neceſſary in and for the receiving, collecting, levying or managing of the ſame Duties upon the Tunnage of Ships and Veſſels during the ſaid term herein by this Act granted; Any thing in this Act contained to the contrary notwithſtanding.

Exciſe Office and Comptroller continued in London.

XVI. And be it further enacted by the authority aforeſaid, That the Head Office of Exciſe, which is now eſtabliſhed within the City of London, ſhall be continued, and be within the ſaid City, or Ten Miles thereof for ever, and a ſufficient Number of Commiſſioners therein from time to time, ſhall be continued or appointed by their Majeſties, their Heirs and Succeſſors, to Govern and Manage the Receipt of Exciſe, and to perform and execute the ſeveral matters and things hereby enjoyned to be done and executed by ſuch Commiſſioners; and that in like manner, there ſhall be continued, and be within the ſaid City, or Ten Miles thereof for ever, by the appointment of their Majeſties, their Heirs and Succeſſors, a Comptroller of Exciſe to keep the Accounts before mentioned.

140000 l. to be a yearly Fond.

XVII. And be it further enacted by the authority aforeſaid, That yearly, and every year, reckoning the firſt year to begin from the firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety four, the full ſum of One hundred and fourty thouſand pounds, by or out of the Moneys to ariſe by the ſaid ſeveral Duties upon the Tunnage of Ships and Veſſels, and by the ſaid Rates and Duties of Exciſe hereby granted, or any of them, and to be brought into the Receipt of the Exchequer by weekly payments, as aforeſaid, (in caſe the ſaid weekly payments ſhall extend thereunto) ſhall be the whole and entire yearly Fond; and in caſe the ſaid weekly payments ſhall not amount to One hundred and fourty thouſand pounds per Annum, then the ſaid weekly Moneys or payments, ſo far as the ſame will extend, ſhall be part of the yearly Fond for, and towards the anſwering and paying of the ſeveral and reſpective Annuities herein after mentioned, and for other the purpoſes hereafter in this Act expreſſed; and in caſe the ſaid Duties upon the Tunnage of Ships and Veſſels, and the ſaid Rates and Duties of Exciſe by this Act granted, or any of them, ſhall at any time or times appear to be ſo deficient or low in the produce of the ſame, as that within one year, to be reckoned, as aforeſaid, the weekly payments upon the ſame Rates or Duties, or any of them, ſhall not amount to ſo much as One hundred and fourty thouſand pounds, or to ſo much as ſhall be ſufficient to diſcharge and ſatisfie the ſaid ſeveral and reſpective Annuities, and other Benefits or Advantages by this Act appointed or intended to be paid, within, or for the ſame year reſpectively, That then and ſo often, and in every ſuch caſe, the Commiſſioners of their Majeſties Treaſury, and the Under Treaſurer of the Exchequer now being, and the Treaſurer and Under Treaſurer of the Exchequer, or Commiſſioners of the Treaſury for the time being, are hereby ſtraitly enjoyned and required by virtue of this Act, and without any further or other Warrant, to be ſued for, had or obtained from their Majeſties, their Heirs or Succeſſors in this behalf, to cauſe every ſuch deficiency to be made good, by applying, iſſuing or paying ſo much of any Treaſure or Revenue, belonging or to belong to their Majeſties, their Heirs or Succeſſors (not being appropriated to any particular uſe or uſes by any Act or Acts of Parliament) towards the diſcharging or paying off the ſaid Annuities or other Benefits or Advantages appointed to be paid by this Act, as together with the Moneys which ſhall have been brought into the ſaid Receipt, of or for the ſaid ſeveral Rates or Duties hereby granted, ſhall be ſufficient to pay off and diſcharge, and ſhall compleatly pay off and diſcharge all the Moneys which within the ſame year reſpectively ſhall be grown due, or ought to be paid upon the ſaid Annuities, or other Benefits or Advantages, according to the true intent and meaning of this preſent Act.

The reſt of the Revenue charged if theſe Duties fall ſhort.

The 140000 l. to be kept apart in the Exchequer.

XVIII. And be it further enacted by the authority aforeſaid, That for the better raiſing and paying into the Receipt of the Exchequer the ſum of Twelve hundred thouſand pounds, part of the ſum of Fifteen hundred thouſand pounds, the yearly ſum of One hundred and fourty thouſand pounds ariſing by and out of the Duties and Impoſitions granted by this Act, ſhall be kept ſeparate and apart in the ſaid Receipt of Exchequer, to be paid over
rom time to time unto ſuch perſon and perſons, and in ſuch manner, proportion and form
s is herein after directed.

Their Majeſties may make Commiſſioners to take Subſcriptions for 1200000 l.

XIX. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful
o and for their Majeſties, by Commiſſion under the Great Seal of England, to authorize and
ppoint any number of perſons to take and receive all ſuch voluntary Subſcriptions as ſhall
e made on or before the firſt day of Auguſt, which ſhall be in the year of our Lord, One
ouſand ſix hundred ninety four, by any perſon or perſons, Natives or Foreigners, Bodies
olitick or Corporate, for and towards the raiſing and paying into the Receipt of Exche-
er the ſaid ſum of Twelve hundred thouſand pounds, part of the ſum of Fifteen hundred
ouſand pounds, and that the yearly ſum of One hundred thouſand pounds, part of the
d yearly ſum of One hundred and fourty thouſand pounds ariſing by and out of the ſaid
uties and Impoſitions before mentioned, ſhall be applied, iſſued and directed, and is
eby appropriated to the uſe and advantage of ſuch perſon and perſons, Bodies Politick
Corporate as ſhall make ſuch voluntary Subſcriptions and Payments, their Heirs, Suc-
ors or Aſſigns, in the proportion hereafter mentioned, (that is to ſay) That each week-
r other payment ariſing by and out of the Duties and Impoſitions granted by this Act,
l by the Auditor of the Receipt of Exchequer, from time to time as the ſame ſhall be

100000 l. annually appropriated to the Subſcribers.

Auditor of the Exchequer ſhall ſet apart Five Seventh parts of the weekly Payments for the Subſcribers.

paid in, be ſeparated and divided into five ſeventh parts, and two ſeventh parts, which is according to the proportion of the ſaid yearly ſum of One hundred thouſand pounds, to the ſaid yearly ſum of One hundred and forty thouſand pounds, which five ſeventh parts of the ſaid ſeveral payments ariſing by and out of the Duties and Impoſitions granted by this Act, and ſo ſet apart, is, and are hereby intended and appropriated for, and towards the payment and ſatisfaction of the ſaid yearly ſum of One hundred thouſand pounds, and ſhall from time to time be iſſued and paid, as the ſame ſhall come into the ſaid Receipt of Exchequer, to the uſes and advantages of ſuch Subſcribers and Contributors, their Heirs, Succeſſors or Aſſigns, as ſhall ſubſcribe and contribute for and towards the raiſing and paying into the ſaid Receipt of Exchequer the ſaid ſum of Twelve hundred thouſand pounds, part of the ſaid ſum of Fifteen hundred thouſand pounds.

King may appoint Rules for Transferring.

King may make the Subſcribers a Corporation.

Subject to Redemption.

XX. And be it further enacted, that it ſhall, and may be Lawful, to and for their Majeſties, by Letters Patents under the Great Seal of England, to limit, direct, and appoint how, and in what manner and proportions, and under what rules and directions the ſaid ſum of Twelve hundred thouſand pounds, part of the ſaid ſum of Fifteen hundred thouſand pounds; and the ſaid yearly ſum of One hundred thouſand pounds, part of the ſaid yearly ſum of One hundred and forty thouſand pounds, and every, or any part or proportion thereof, may be Aſſignable or Transferrable, Aſſigned or Transferred to ſuch perſon or perſons only, as ſhall freely and voluntarily accept of the ſame, and not otherwiſe; and to Incorporate all and every ſuch Subſcribers and Contributors, their Heirs, Succeſſors, or Aſſigns, to be one Body corporate and Politick, by the Name of The Governour and Company of the Bank of *England*, and by the ſame Name of The Governour and Company of the Bank of *England*, to have perpetual Succeſſion, and a Common Seal, and that they and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in Law, to have, purchaſe, receive, poſſeſs, enjoy and retain to them and their Succeſſors, Lands, Rents, Tenements and Hereditaments, of what kind, nature or quality ſoever; And alſo to Sell, Grant, Demiſe, Alien or Diſpoſe of the ſame; And by the ſame Name, to ſue and implead, and be ſued and impleaded, anſwer and be anſwered in Courts of Record, or any other place whatſoever, and to do, and execute, all and ſingular other matters and things by the Name aforeſaid, that to them ſhall or may appertain to do; ſubject nevertheleſs to the Proviſo and Condition of Redemption herein after mentioned.

Proportionable part of the Fund upon part of the ſum advanced.

The 100000 l. annual redeemable after 1705. upon a years Notice, and Corporation to ceaſe.

XXI. Provided always, and it is hereby further enacted, That in caſe the whole ſum of Twelve hundred thouſand pounds, part of the ſaid ſum of Fifteen hundred thouſand pounds, ſhall not be advanced and paid into the Receipt of Exchequer before the firſt day of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety four; That then the Subſcribers and Contributors for, and towards the raiſing and paying of the ſaid ſum of Twelve hundred thouſand pounds, part of the ſaid ſum of Fifteen hundred thouſand pounds their Heirs, Succeſſors and Aſſigns, ſhall only have and receive ſo much, and ſuch part and proportion to the ſaid ſum and ſums ſo reſpectively paid and advanced, as ſhall be after the rate of Eight pounds per Centum per Annum; And that at any time upon Twelve months notice, after the Firſt day of Auguſt, which ſhall be in the year of our Lord, One thouſand ſeven hundred and five, upon repayment by Parliament, of the ſaid ſum of Twelve hundred thouſand pounds, part of the ſaid ſum of Fifteen hundred thouſand pounds, or ſuch part thereof as ſhall be paid and advanced, as aforeſaid, unto the reſpective Subſcribers and Contributors of the ſaid ſum of Twelve hundred thouſand pounds, part of the ſaid ſum of Fifteen hundred thouſand pounds, or ſuch part thereof as ſhall be paid and advanced, their Heirs, Succeſſors or Aſſigns, and of all the arrears of the ſaid yearly payments of One hundred thouſands pounds, part of the ſaid yearly payments of One hundred and forty thouſand pounds, or ſuch proportionable part thereof, according to the ſum which ſhall be paid and advanced, as aforeſaid, then, and from thenceforward, the ſaid yearly payments, and every of them of One hundred thouſand pounds, part of the ſaid yearly payments of One hundred and forty thouſand pounds, or ſuch proportionable part, as aforeſaid, and every part thereof, and the ſaid Corporation ſhall abſolutely ceaſe and determine; any thing herein contained in any wiſe to the contrary notwithſtanding.

Officers of the Exchequer required to pay as before.

XXII. And for the better and more ſpeedy payment of the ſaid yearly ſum of One hundred thouſand pounds, part of the ſaid yearly ſum of One hundred and forty thouſand pounds, in the proportions herein before mentioned and appointed, the Commiſſioners of their Majeſties Treaſury, and the Under Treaſurer of the Exchequer now being, and the Lord High Treaſurer, and Under Treaſurer or Commiſſioners of the Treaſury for the time being, are hereby ſtrictly enjoyned and required, by virtue of this Act, and without any further or other Warrant, to be ſued for, had or obtained from their Majeſties, their Heirs or Succeſſors, to direct their Warrants yearly, for the payment of the ſaid yearly ſums of One hundred thouſand pounds, to the Contributors of the ſaid ſum of Twelve hundred thouſand pounds, in the manner and proportions, as is herein before directed and appointed; and the Auditor of the Receipt of Exchequer, and all other Officers of the Exchequer now, and for the time being, are hereby directed and enjoyned, to iſſue the ſaid moneys ſo ſet apart for the uſes before mentioned, from time to time, without any Fee or Reward, in the manner and proportions before mentioned, and under the like penalties, forfeitures and diſabilities as are hereafter inflicted upon any Officer, for diverting any money appropriated or applied by this Act.

None ſhall ſubſcribe more then 20000 l.

One fourth part to be paid at the time of the Subſcription.

XXIII. Provided always, and be it further enacted by the authority aforeſaid, That no perſon or perſons, Bodies Politick or Corporate, ſhall by themſelves, or any other perſon or perſons in truſt for him or them, ſubſcribe or cauſe to be ſubſcribed for and towards the raiſing and paying the ſaid ſum of Twelve hundred thouſand pounds, any ſum or ſums of money, exceeding the ſum of Twenty thouſand pounds; and that every ſuch Subſcriber ſhall at the time of ſuch ſubſcription, pay or cauſe to be paid unto the Commiſſioners, who ſhall be authorized and appointed for taking and receiving ſubſcriptions, as aforeſaid, one full fourth part of his or their reſpective ſubſcriptions, or in default of ſuch payments, as aforeſaid, every ſuch ſubſcription ſhall be utterly void and null: And that the reſidue of the ſaid ſubſcriptions ſhall be paid into the Receipt of their Majeſties Exchequer, as their Majeſties ſhall direct, before the ſaid Firſt day of January next; And in default of ſuch payments, that then the fourth part firſt paid, as aforeſaid, ſhall be forfeited to and for the benefit of their Majeſties, their Heirs and Succeſſors.

Reſidue not paid before January, the one fourth part forfeited.

XXIV. Provided, alſo, and be it enacted, that it ſhall not be Lawful to or for any perſon or perſons, Natives or Foreigners, Bodies Corporate or Politick, at any time or times before the Firſt day of July next enſuing, to ſubſcribe in his, her or their own Name or Names, or in any other Name or Names, in truſt for him, her or them, for and towards the raiſing and paying into the Receipt of the Exchequer, the ſaid ſum of Twelve hundred thouſand pounds, part of the ſaid ſum of Fifteen hundred thouſand pounds, any ſum or ſums, exceeding in the whole the ſum of Ten thouſand pounds; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

XXV. Provided always, and be it declared and enacted to be the true intent and meaning of this Act, that in caſe the whole ſum of Twelve hundred thouſand pounds, or a moiety thereof, be not ſubſcribed on or before the Firſt day of Auguſt, One thouſand ſix hundred ninety four, as aforeſaid, that then the powers and authorities in this Act for erecting a Corporation, as aforeſaid, ſhall ceaſe and determine; Any thing herein contained to the contrary notwithſtanding. And in ſuch caſe ſo much of the ſaid yearly ſum of One hundred thouſand pounds as ſhall belong to the ſaid Subſcribers, according to the meaning of this Act, ſhall be Transferrable, and may be from time to time Transferred by the reſpective perſon ſo ſubſcribing, advancing and paying any part of the ſaid Twelve hundred thouſand pounds into the Exchequer, or their reſpective Heirs, Succeſſors or Aſſigns, to any perſon or perſons whatſoever, by any Writing or Writings, under the Hand and Seal of the perſon or perſons Transferring the ſame, atteſted by two or more credible Witneſſes, and entred within Twenty days after the Sealing thereof, in a Book or Books to be for that purpoſe kept in the ſaid Exchequer by their Majeſties Remembrancer for the time being (for the entring whereof nothing ſhall be paid) which entries the ſaid Remembrancer is from time to time, upon requeſt directed to make; and ſuch part of the ſaid yearly ſum of One hundred thouſand pounds as ſhall by this Act be due to the ſaid Subſcribers, ſhall not at any time or times hereafter be made uſe of, or be a Fond or Security for, or liable or applyed to raiſe, pay or ſecure any more, further or other ſum or ſums of Money whatſoever, ſave only ſuch Money as ſhall in purſuance of, and according to the intent of this Act be advanced and paid into their Majeſties Exchequer within the time by this Act limited for the ſame.

No Corporation except a Moiety be advanced before Firſt of Auguſt.

Subſcribers how they may transfer over, if moiety not advanced.

Proportionable part for payment of leſs then moiety.

XXVI. And it is hereby further enacted by the authority aforeſaid, that the ſaid Corporation ſo to be made, ſhall not Borrow or give Security by Bill, Bond, Covenant or Agreement under their Common Seal for any more, further or other ſum or ſums of Money exceeding in the whole the ſum of Twelve hundred thouſand pounds, ſo that they ſhall not owe at any one time more then the ſaid ſum, unleſs it be by Act of Parliament upon Fonds agreed in Parliament; and in ſuch caſe only, ſuch further ſums as ſhall be ſo directed and allowed to be Borrowed by Parliament, and for ſuch time only, until they ſhall be repaid ſuch further ſums as they ſhall Borrow by ſuch authority, and if any more, or further, or other ſum or ſums of money ſhall be Borrowed, taken up, Lent or Advanced under their Common Seal, or for payment of which any Bond, Bill, Covenant or Agreement, or other Writing ſhall be made, ſealed or given under the Common Seal of the ſaid Corporation ſo to be made, then, and in ſuch caſe, all and every perſon and perſons who ſhall be a member or members of the ſaid Corporation, his and their reſpective Heirs, Executors and Adminiſtrators, ſhall in his and their reſpective private and perſonal capacities be chargeable with, and liable in proportion to their ſeveral Shares or Subſcriptions to the repayment for ſuch moneys which ſhall be ſo Borrowed, Taken up or Lent, with Intereſt of the ſame, in ſuch manner as if ſuch Security had been a ſecurity for payment of ſo much money, and intereſt for the ſame, Sealed by ſuch reſpective member or members of the ſaid Corporation, and delivered by him or them as their reſpective Acts and Deeds, in proportion to their ſeveral Shares or Subſcriptions, as aforeſaid; and that in every ſuch caſe an Action of Debt ſhall and may be brought, commenced, proſecuted and maintained in any of their Majeſties Courts of Record at Weſtminſter, by the reſpective Creditor or Creditors, to whom any ſuch Security, under the Common Seal of the ſaid Corporation, ſhall be made, or his or their reſpective Executors or Adminiſtrators, againſt all and every, or any one or more of the perſons, who ſhall be members of the ſaid Corporation, or any of their reſpective Heirs, Executors or Adminiſtrators, in proportion to their reſpective Shares or Subſcriptions, as aforeſaid, and therein Recover and have Judgment for him or them, in ſuch and the like manner as if ſuch Security were reſpectively Sealed by the reſpective perſon or perſons who ſhall be ſo Sued, or his or their reſpective Anceſtor or Teſtator, or Inteſtate, and by him and them executed and delivered, as his or their reſpective Acts and Deeds; any condition, covenant or agreement, to be made to the contrary thereof in any wiſe notwithſtanding: And if any condition, covenant or agreement, ſhall be made to the contrary, the ſame ſhall be, and is hereby declared to be void; any thing herein contained, or any Law or Uſage to the contrary notwithſtanding; and in ſuch Action or Actions ſo to be brought, no priviledge, protection, eſſoign or wager of Law, nor any more then one imparlance ſhall be allowed.

Corporation ſhall not Borrow above 1200000 l. except upon Parliament Fonds.

If Corporation Borrows more, particular Members are proportionably charged.

Debt lies againſt particular Members.

Covenants to the contrary void.

XXVII. And to the intent that their Majeſties Subjects may not be oppreſſed by the ſaid Corporation, by their monopolizing, or ingroſſing any ſort of Goods, Wares or Merchandizes, Be it further declared and enacted by the authority aforeſaid, that the ſaid Corporation to be made and created by this Act, ſhall not at any time, during the continuance thereof, Deal or Trade, or permit, or ſuffer any perſon or perſons whatſoever, either in truſt or for the benefit of the ſame, to Deal or Trade with any of the Stock-moneys, or Effects, of, or

Corporation ſhall not Trade

any ways belonging to the ſaid Corporation, in the Buying or Selling of any Goods, Wares or Merchandizes whatſoever; and every perſon or perſons who ſhall ſo Deal or Trade, or by whoſe order or directions ſuch Dealings or Trading ſhall be made, proſecuted or managed, ſhall forfeit for every ſuch Dealing or Trading, and every ſuch order and directions, treble the value of the Goods and Merchandize ſo Traded for, to ſuch perſon or perſons who ſhall Sue for the ſame, by action of debt, bill, plaint or information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no eſſoign, protection, nor other priviledge whatſoever, nor any injunction, order of reſtraint, nor wager of law ſhall be allowed, nor any more then one imparlance.

Puniſhment.

In what things they may deal.

XXVIII. Provided that nothing herein contained ſhall any ways be conſtrued to hinder the ſaid Corporation from Dealing in Bills of Exchange, or in Buying or Selling Bullion, Gold or Silver, or in Selling any Goods, Wares or Merchandize whatſoever, which ſhall really and bona fide, be left, or depoſited with the ſaid Corporation for Money Lent and Advanced thereon, and which ſhall not be redeemed at the time agreed on, or within Three months after, or from Selling ſuch Goods as ſhall or may be the produce of Lands purchaſed by the ſaid Corporation.

The Bills of the Corporation aſſignable.

XXIX. Provided always, and be it enacted by the authority aforeſaid, that all and every Bill or Bills obligatory and of credit, under the Seal of the ſaid Corporation made or given to any perſon or perſons, ſhall and may by endorſement thereon under the hand of ſuch perſon or perſons, be aſſignable and aſſigned to any perſon or perſons, who ſhall voluntarily accept the ſame, and ſo by ſuch Aſſignee, toties quoties, by Endorſement thereupon; And that ſuch aſſignment and aſſignments ſo to be made, ſhall abſolutely Veſt and Transfer the Right and Property in, and unto ſuch Bill or Bills obligatory and of credit, and the Moneys due upon the ſame; and that the Aſſignee or Aſſignees, ſhall and may Sue for, and maintain an action thereupon in his own name.

Penalty for Lending Money upon Fonds not having Loan of Credit.

XXX. Provided always, and it is hereby further enacted, That if the Governour, Deputy Governour, the Directors, Managers, Aſſiſtants or other Members of the ſaid Corporation ſo to be eſtabliſhed, ſhall upon the account of the ſaid Corporation, at any time or times, purchaſe any Lands or Revenues belonging to the Crown, or Advance or Lend to their Majeſties, their Heirs or Succeſſors, any ſum or ſums of Money, by way of Loan or Anticipation, on any part or parts, branch or branches, fond or fonds of the Revenues now granted, or belonging, or hereafter to be granted or belonging to their Majeſties, their Heirs or Succeſſors, other then ſuch fond or fonds, part or parts, branch or branches of the ſaid Revenues only, on which a Credit of Loan is, or ſhall be granted by Parliament; That then the ſaid Governour, Deputy Governour, Directors, Managers or Aſſiſtants, or other Members of the ſaid Corporation, who ſhall conſent, agree to, or approve of the Advancing, or Lending to their Majeſties, their Heirs or Succeſſors, ſuch ſum or ſums of money, as aforeſaid, and each and every of them ſo agreeing, conſenting or approving, and being thereof lawfully convicted, ſhall for every ſuch offence, forfeit treble the value of every ſuch ſum or ſums of money ſo Lent, whereof one fifth part ſhall be to the Informer, to be recovered in any of their Majeſties Courts of Record at Weſtminſter, by action of debt, bill, plaint or information, wherein no protection, wager of Law, eſſoign, priviledge of Parliament, or other priviledge ſhall be allowed, nor any more then one imparlance; and the reſidue to be diſpoſed of towards publick uſes, as ſhall be directed by Parliament, and not otherwiſe.

Fines upon the Corporation detained out of the Annual Fond.

XXXI. Provided always and be it enacted, that all Amerciaments, Fines and Iſſues againſt the ſaid Corporation and their Succeſſors, had, charged or eſtreated in or upon account of any ſuits or action to be proſecuted or brought againſt them, ſhall not be pardoned, acquitted or diſcharged by any Letters of Signet, Privy Seal or Great Seal of their Majeſties, their Heirs or Succeſſors, or otherwiſe howſoever, and in caſe any ſuch Amerciaments, Fines, or Iſſues, ſhall be eſtreated into their Majeſties Exchequer againſt the ſaid Corporation, upon any Proceſs for non-appearance at the ſuit of any perſon or perſons, that then it ſhall and may be lawful, to, and for the Officers of their Majeſties Exchequer for the time being, who are hereby directed to pay the ſaid yearly ſum of One hundred thouſand pounds to the ſaid Corporation, to detain ſo much money as the ſaid Amerciaments, Fines or Iſſues ſhall amount unto, out of the ſaid yearly ſum of One hundred thouſand pounds payable to the ſaid Corporation.

Exchequer Officers may pay off Judgments againſt the Corporation.

XXXII. And be it further enacted, That if at any time hereafter, any perſon or perſons ſhall obtain any Judgment or Judgments in any Court of Law againſt the ſaid Corporation for any debt or ſum of money, and ſhall bring Execution or Executions thereupon unto the ſaid Officers of their Majeſties Exchequer, that then it ſhall and may be lawful, to, and for the ſaid Officers of the ſaid Exchequer to pay; and they are hereby required to pay the ſaid ſum or ſums of money in the ſaid Executions mentioned to the Plaintiff or Plaintiffs therein named, or their Aſſigns, whoſe Receipt ſhall be a ſufficient diſcharge for the ſame; and that the ſaid Officers of the ſaid Exchequer, ſhall and may detain ſo much of the ſaid yearly ſum of One hundred thouſand pounds as the ſaid Debt or Debts ſhall amount unto.

Members of Parliament may be concerned in the Corporation.
5 & 6 W & M. Cap. 7.

XXXIII. And whereas by an Act of this preſent Seſſion of Parliament, Entituled, An Act for Granting to their Majeſties certain Rates and Duties upon Salt, and upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages, in the ſaid Act mentioned, to ſuch perſons as ſhall Voluntarily Advance the ſum of Ten hundred thouſand Pounds towards carrying on the War againſt *France*, It is enacted, that no Member of the Houſe of Commons ſhall at any time be concerned in the Farming, Collecting or Managing any ſums of money, Duti[illegible] other Aids by the ſaid Act or any other Act of Parliament Granted or to be Granted to their Majeſties, except the perſons in the ſaid Act excepted; and whereas ſome Doubts may ariſe, whether any Member or Members of Parliament may be concerned in the Corporation to be erected in purſuance of this Act, Be it therefore declared and enacted by the authority aforeſaid, that it ſhall and may be lawful, to and for any Member or Members of the houſe of Commons, to be a Member or Members of the ſaid Corporation, for the purpoſes in this Act mentioned; any thing in the ſaid recited Act contained to the contrary in any wiſe notwithſtanding.

XXXIV. And be it further enacted by the authority aforeſaid, that it ſhall and may be Lawful for any Perſons, Natives or Foreigners, to contribute towards the Advancing of the ſum of Three hundred thouſand pounds, other part of the ſaid ſum of Fifteen hundred thouſand pounds, by paying into the receipt of their Majeſties Exchequer, at any time before the nine and twentieth day of September, One thouſand ſix hundred ninety and four, any ſum or ſums of money, not exceeding in the whole the ſum of Three hundred thouſand pounds, upon the terms following (that is to ſay) that every ſuch perſon, his Executors, Adminiſtrators or Aſſigns, out of the rates and duties granted by this Act, ſhall have and receive for every ſum of one hundred pounds, ſo by them reſpectively advanced and paid, ſuch yearly Annuity, Rent or Payment, as herein after is directed, (that is to ſay) That if ſuch Contributor ſhall advance and pay his money upon one life only, then he ſhall have and receive a yearly Annuity, Rent or Payment of fourteen pounds of lawful Engliſh money for every hundred pounds, and ſo proportionably for a greater Sum, for and during the life of ſuch perſon ſo Advancing and paying the ſame or during any other life to be Nominated by the perſon, Advancing or paying any ſuch ſum; And in caſe ſuch Contributor ſhall think fit, upon payment of his money, to have an Annuity for two lives, then he ſhall have an yearly Annuity, Rent or Payment of twelve pounds of lawful Engliſh money for every one hundred pounds, and ſo proportionably for a greater Sum advanced for and during two lives, and the life of the Survivor of them, to be nominated, as aforeſaid; And in caſe ſuch Contributor ſhall think fit, upon payment of his money, to have an Annuity for three lives, then he ſhall have and receive a yearly Annuity, Rent or Payment of ten pounds of lawful Engliſh money for every hundred pounds ſo by him advanced and paid, or after that rate, for and during the term of three lives, and the life of the Survivor of them, to be Nominated by the perſon or perſons ſo paying the ſame, as aforeſaid; That all and every the ſaid lives ſhall be named by the ſeveral Contributors, their Executors or Adminiſtrators, or ſuch as ſhall be employed by them to pay in the ſaid ſums, within thirty days after the Nine and twentieth day of September, One thouſand ſix hundred ninety and Four; which yearly Annuities, Rents or Payments ſhall commence from the ſaid Nine and twentieth day of September, and ſhall be paid and payable quarterly, at the four moſt uſual Feaſts of the year, (that is to ſay) the Feaſt of the Nativity of our Lord Chriſt; the Feaſt of the Annunciation of the Bleſſed Virgin Mary; the Feaſt of the Nativity of Saint John Baptiſt; and the Feaſt of Saint Michael the Arch-angel, by even and equal Portions; And every perſon on payment of any ſuch Sum or Sums, as aforeſaid, ſhall immediately have one or more Tally or Tallies Importing the receipt of the conſideration money, and orders for the payment of the ſaid Annuities, bearing the ſame date with the Tally; the ſaid Orders to be Signed in the ſame manner as in and by an Act of this preſent Parliament, Entituled, An Act for granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall voluntarily Advance the ſum of ten hundred thouſand pounds, towards carrying on the War againſt *France*, is mentioned and directed, touching Tallies and Orders to be given to the Contributors for Annuities upon the ſaid Act, and the ſaid Orders not to be determinable, revocable or countermandable, as touching the aforementioned Orders in the ſaid receited Act is enacted; which ſaid Orders ſhall be Aſſignable and Transferrable in ſuch and the ſame manner as is mentioned in the ſaid recited Act, touching Orders given to the Contributors in the ſaid Act mentioned; And all the Rates and Duties by this Act granted, or ſo much thereof, as are and ſhall be ſufficient for the purpoſes aforeſaid, are and ſhall be appropriated to, and for the payment of the ſaid Annuities of Inheritance, and Annuities for lives, after the ſeveral and reſpective Rates aforeſaid, according to the true intent and meaning of this Act, & ſhall not be diverted or divertible to any other Uſe, Intent or purpoſe whatſoever, under the like penalties, forfeitures and diſabilities in reſpect to all and every the Officers and other perſons in the recited Act mentioned, as are in the ſaid Act appointed and enacted in caſe of diverting or miſapplying any part of the moneys, which ought to be paid to the Contributors upon the ſaid Act; and the ſaid penalties and forfeitures ſhall be ſued for, proſecuted, recovered and paid in ſuch manner and form as the penalties in the ſaid recited Act are appointed to be ſued for, proſecuted, recovered and paid; in which ſuit no Protection, Priviledge of Parliament, or other Priviledge, Wager of Law, or more then one Imparlance ſhall be allowed; And the ſaid Officers are hereby Required to keep Books and Regiſters, and make Entries of the Names of all perſons who ſhall advance any Moneys before the ſaid Nine and twentieth day of September, as aforeſaid, and of the ſeveral ſums ſo advanced, and the times of paying in the ſame reſpectively, and the Names of ſuch perſons for whoſe lives the ſeveral Annuities or yearly Payments are to be payable without Fee or Reward, in ſuch manner as in the ſaid recited Act is mentioned; to which Books, all perſons concerned ſhall have Acceſs, as in the ſaid Act alſo is directed; All which the ſaid Officers are to do and perform, under the like penalties and Forfeitures and Diſabilities as in the ſaid recited Act are mentioned; And every perſon who ſhall ſo advance and pay any ſuch ſum, as aforeſaid, before the ſaid Nine and twentieth day of September, as aforeſaid, ſhall receive out of the money granted by this Act for all money ſo advanced by him, and paid from the reſpective days of payment, unto the ſaid Nine and twentieth day of September, as aforeſaid, Intereſt, at the Rate of ten pounds, per Centum per Annum.

Perſons may contribute towards the raiſing 300000 l. for which they ſhall receive yearly ſums for one, two or three Lives.

Tallies & Orders.

4 & 5 W. & M. Cap. 3. Sect. 8.

Orders irrevocable and transferrable.

Duties appropriated to the payment.

Penalty upon perſon or Officer miſapplying

Regiſter to be kept of Contributors and Nominees.

Penalty.

Intereſt at 10 per Cent. allowed till September.

XXXV. And be it further enacted, that all moneys payable to any perſon or perſons, upon, or by virtue of this Act, ſhall not be Charged or Chargeable with any Rates, Duties or Impoſitions whatſoever.

Annuity not to be taxed.

XXXVI. And be it further enacted, that it ſhall and may be Lawful, for any Guardian or Truſtee, having the diſpoſal of the money of any Infant under the age of one and twenty years, for the uſe and benefit of ſuch Infant, to advance and pay the ſum of one hundred pounds of the moneys of ſuch Infant, either upon an Annuity of Inheritance, or upon Annuity for life or lives, upon the reſpective terms and recompences herein mentioned, at the election of ſuch Guardian or Truſtee; And in caſe ſuch Guardian or Truſtee ſhall pay any ſuch ſum

Guardian may advance Infants money.

Infant muſt be made Nominee.

upon an Annuity for life, he ſhall thereupon within ſuch time as is herein before appointed for the naming of lives, name the ſaid Infant to be a Nominee, and ſuch Infant upon payment of the ſum, ſhall become a Contributor within the Meaning of this Act, and be Entituled to have and receive a proportion as any other Contributor; And the ſaid Guardian and Truſtee, as to the ſaid Sum of One hundred pounds ſo Advanced is hereby Diſcharged.

Contributor upon Receipt muſt bring Certificate of Nominees life from Miniſter, &c.

or Certificate from Juſtice of Peace, of Contributors Oath.

Falſe Oath, Perjury.

If Nominee in Scotland, &c. Certificate from Baron of Exchequer.

Puniſhment for Receiving after Nominees death.

XXXVII. And to make the payment of the Annuities more eaſie to the ſeveral Contributors upon this Act, Be it Enacted, that every Contributor upon this Act, upon the terms of having an Annuity for One, Two or Three Lives, his or her Executors, Adminiſtrators or Aſſigns, upon their Demanding any Payments of his, her or their reſpective Shares of the ſaid Fond, unleſs the Nominee or Nominees, or one of them appear in perſon at the ſaid Receipt, ſhall produce a Certificate of the life of his, her, or their reſpective Nominee or Nominees, or one of them, Signed by the Miniſter and Churchwardens of the Pariſh where ſuch Nominee ſhall be then living, or otherwiſe it ſhall and may be Lawful, to, and for every Contributor, his or her Executors, Adminiſtrators or Aſſigns, at his, her or their Election, to make Oath of the truth of his, her, or their reſpective Nominees life, or the life of one of them, upon the day when the ſaid payment ſhall become due, before one or more Juſtices of the Peace of the reſpective County, Riding, City, Town or Place, wherein ſuch perſon (at the time of making the ſaid Oath) ſhall reſide, which Oath he or they are hereby Impowered to Adminiſter, and the ſaid Juſtice or Juſtices ſhall make Certificate thereof; for which Oath and Certificate, no Fee or Reward ſhall be required, and the ſaid Certificate ſhall be filed in the ſaid Office of Receipt in the Exchequer; And if any perſon ſhall be Guilty of a Falſe Oath, or Forging any Certificate touching the premiſſes, and being thereof Lawfully Convicted, he ſhall incur the pains and penalties to be Inflicted upon perſons who commit wilful Perjury or Forgery; And in caſe any Nominee ſhall at the time of ſuch Demand be Reſident in Scotland, or beyond the Seas, and any one or more of the Barons of the Exchequer for the time being, ſhall Certifie, that upon Proof to him or them made (which Proof he and they is and are hereby Authorized and Required to take in a Summary way) it doth ſeem probable to him or them, that the ſaid Nominee is living, which Certificate is to be given, and Examination made without Fee or Charge, the ſaid Certificates being Filed, as aforeſaid, ſhall be a ſufficient Warrant for making the ſaid Payment to the reſpective Contributors or Advancers, their Executors, Adminiſtrators or Aſſigns; And if any perſon or perſons ſhall receive one or more Payments upon his, her or their Annuity or Annuities for any time beyond the death of his, her or their Nominee or Nominees when the ſame ought to ceaſe, ſuch perſon or perſons ſhall Forfeit Treble the value of the moneys ſo by him, her or them received, the one half thereof to their Majeſties, their Heirs and Succeſſors, and the other half to him or them who will Sue for the ſame by Action, Suit, Bill or Information, in which no Eſſoign, Protection, Priviledge or Wager of Law, or more then one Imparlance ſhall be Allowed.

If 1200000 l. be not Raiſed upon the Fond, what is Short may be Raiſed upon Lives.

XXXVIII. And it is hereby further Enacted by the Authority aforeſaid, that in caſe the whole Sum of twelve hundred thouſand pounds ſhall not be Subſcribed and paid into the Exchequer, as aforeſaid, that then ſo much of the ſaid yearly Sum of One hundred thouſand pounds, hereby intended to anſwer the Recompence for the ſame, as by ſuch deficiency ſhall by this Act be undiſpoſed, ſhall and may be and is hereby Applied and Appropriated (ſo far as the ſame will amount) to pay to any perſon, and perſons who ſhall Advance and Pay any Sum or Sums of Money into the Exchequer, on or before the Firſt day of February, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and four, on Account, to have an Annuity or Annuities, for One, Two, or Three Lives, ſuch reſpective Sum and Sums for ſuch reſpective Life or Lives, according to ſuch rate and proportion, and for ſuch time, and under ſuch Rules and Directions as are herein before contained, with relation to ſuch as ſhall Advance and Pay the ſaid three hundred thouſand pounds.

What falls Short of 1500000 l. Raiſed before October, may be Raiſed by Loan.

XXXIX. And be it Enacted by the Authority aforeſaid, that if the whole Sum of Fifteen hundred thouſand pounds be not advanced and paid into the Exchequer upon this Act, before the Firſt day of October, One thouſand ſix hundred ninety four, that then it ſhall and may be Lawful for their Majeſties or their Officers, in the Receipt of their Majeſties Exchequer, by their Command and Appointment, to Borrow and take into the ſaid Receipt for their Majeſties Uſe, by way of Loan, any Sum or Sums of money, which together with the whole Value or amount of all the Sums of money, which ſhall, before the ſaid Firſt day of October, be Contributed or Adventured, as aforeſaid, ſhall not exceed or Sum of Fifteen hundred thouſand pounds, which Sum or Sums ſo taken up, by way of Loan, ſhall and may be Charged upon the Credit of their Majeſties Exchequer in general, and Tallies of Loan, and Orders of Repayment of the ſame, ſhall be Levied and Drawn accordingly, which ſaid Orders ſhall be Aſſignable and Transferrable from one perſon to another.

Eight per Cent. allowed upon Loan.

If the Duties fall Short, next Subſidy given by Parliament Charged.

The reſt of the Revenue Charged if Parliament give no Subſidy before 2 February.

XL. And it is hereby Enacted, that all and every Sum and Sums of money ſo to be Borrowed not exceeding, as aforeſaid, together with Intereſt for the ſame, not exceeding the Rate of Eight pounds per Centum per Annum to be paid every three months, until Satisfaction of the principal, ſhall be payable and Satisfied unto the reſpective Lender or Lenders of the ſame, his, her or their Executors, Adminiſtrators or Aſſigns out of the moneys which ſhall afterward ariſe and be brought into the Exchequer by or for Contributions upon this Act, ſo far as the ſame will extend; And in caſe the money ſo ariſing by this Act ſhall not be ſufficient for the paying thereof, then the ſaid Loans which ſhall remain unſatisfied, and the Intereſt for the ſame, ſhall be repaid out of the next Aids or Supplies to be Granted to their Majeſties in Parliament, and ſhall be Transferred and Transferrable thereunto as ſoon as any ſuch Aid or Supply ſhall be Granted to their Majeſties; And if no ſuch Aids or Supplies ſhall be Granted to their Majeſties before the Second day of February, One thouſand ſix hundred ninety four, then the ſaid Sum and Sums of money ſo to be Borrowed, not exceeding, as aforeſaid, and the Intereſt thereof ſhall be payable and be Paid and Satisfied to the Lender or Lenders, his, her or their Executors, Adminiſtrators or Aſſigns reſpectively, by and out of any their Majeſties

Treaſure, which from thenceforth ſhall come into, be, or remain in the Receipt of their Majeſties Exchequer, not being already Appropriated to any particular Uſes by any Act or Acts of Parliament before this time made.

1000000 l. formerly appropriated to the Navy and Ordnance. 5 & 6 W & M Cap. 1.

1500000 l. more to the Navy and Ordnance.

Cap. 7.

All other money to the Army, &c.

XLI. And whereas by an Act of this preſent Seſſion of Parliament, Entituled, (An Act for Granting to their Majeſties an Aid of Four Shillings in the Pound for one year, for Carrying on a Vigorous War againſt *France*) The Sum of Ten hundred thouſand pounds, including therein the Sum of Four hundred thouſand pounds, already Borrowed for the uſe of the Navy, is by the ſaid Act appropriated for the Services of the Navy and Ordnance, as part of the Supplies Granted this Seſſion for the payment of Wages, for Services done, and to be done, and for the paying for Victuals Supplied, and to be Supplied for the ſaid Navy; and for and towards the paying for other neceſſary Proviſions and Stores Supplied and to be Supplied, and for the Ordnance for the ſaid Navy Royal, and for the Wages of the yards, and other Services of the Ordinary of the ſaid Navy. Now to the intent the whole ſum granted this preſent Seſſion of Parliament for the uſes aforeſaid, may be thereunto appropriated, It is hereby further Enacted by the Authority aforeſaid, that out of the money that hath, or ſhall be Levied by Virtue of this Act, or of another Act of this preſent Seſſion of Parliament, Entituled, An Act for Granting to their Majeſties, certain Rates and Duties upon Salt and upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall Voluntarily Advance the Sum of Ten hundred thouſand Pounds, towards carrying on the War againſt *France*; or of any other Act of this preſent Seſſion of Parliament, by which any Aids ſhall be Granted to their Majeſties towards the carrying on the ſaid War, and which ſhall be paid into the Exchequer, as well upon Loans as otherwiſe (except only the money appropriated to pay the Recompences in this and the before Recited Act) the ſum of Fifteen hundred thouſand pounds over and above the ſaid Sum of Ten hundred thouſand pounds in the firſt recited Act appropriated, ſhall be, and is hereby appropriated for the Services of the Navy and Ordnance, performed, and to be performed; And that all other money which ſhall be Levied and Paid by virtue of this or any other Act of this preſent Seſſion of Parliament, not appropriated by this or the Firſt recited Act, to the uſe of the ſaid Navy, or to pay the Recompences in this and the other recited Act, into the Receipt of the Exchequer, as well upon Loans as otherwiſe, ſhall be applied and appropriated to and for the payment of their Majeſties Land Forces and Armies, Ordnance, Ammunition and other Charges incident to the War, and not otherwiſe.

Half of this or any other Tax except Land Tax charged with the 1500000 l. 5 & 6 W & M Cap. 5.

XLII. And for the more effectual doing thereof, Be it enacted by the Authority aforeſaid, that the half of all money that hath or ſhall be Levyed or paid into the Receipt of the Exchequer, by virtue of this Act or any other Act of this preſent Seſſion of Parliament (except the ſaid firſt recited Act, and except what is appropriated by this or the other recited Act, to pay the Recompences of thoſe who have or ſhall Voluntarily advance moneys as aforeſaid; And except alſo one other Act, Entituled, An Act to Supply the Deficiency of the Moneys Raiſed by a former Act, Entituled, An Act for Granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall Voluntarily Advance the Sum of Ten hundred thouſand Pounds towards the carrying on the War againſt *France*) ſhall be applied to anſwer the ſaid Sum of Fifteen hundred thouſand pounds, hereby appropriated to the uſe of the ſaid Navy, until the ſame ſhall be paid and ſatisfied.

Particular Sums for Wages, &c.

XLIII. And it is hereby further enacted by the Authority aforeſaid, that out of the Sum of Fifteen hundred thouſand pounds hereby appropriated; and out of the ſaid Sum of ten hundred thouſand pounds in the before recited Act, appropriated for the uſe of the Navy, the Sum of Eleven hundred fifty ſix thouſand nine hundred ninety four pounds, ſhall be applied to pay the Wages to Officers and Seamen, and other Services belonging, according to the Courſe of the Navy, to the Head of Wages, performed and to be performed: And alſo to pay the Officers and Soldiers of the two Marine Regiments. And that the Sum of twelve hundred fifty ſeven thouſand two hundred ſixty and ſix pounds, be applied for, and towards the paying for Victuals and neceſſary Proviſions and Stores, and other extraordinary Services of the Navy and Ordnance, ſupplied and performed, or to be ſupplied or performed: And that the Sum of Eighty five thouſand ſeven hundred and forty pounds, be applied for, and towards paying the Wages of the yards, and other ordinary Services of the ſaid Navy.

Proviſion for ſpeedy payment out of the Exchequer. Seſſ. 2 Cap. 1.

XLIV. And that the Sums by this Act appropriated may not be diverted or applied to any o-
her purpoſe, then is hereby declared and intended, Be it Enacted by the Authority aforeſaid,
at the rules and directions appointed and enacted in one Act made in the firſt year of their Ma-
ſties Reign, entituled, An Act for a Grant to their Majeſties of an Aid of Two Shillings in the Pound for one
ar, for the ſpeedy payment of money thereby Granted, into the Receipt of the Exchequer, by the
ollectors and Receivers; and for diſtribution and application thereof, and keeping diſtinct Ac-
mpts of the ſame; and all other Proviſoes, Pains, Penalties and Forfeitures thereby en-
ed in caſe of diverſion of any money thereby appropriated, are hereby revived and enacted to
in force, and ſhall be practiſed, Applied, Executed, and put in Ure for, and concerning the
tribution and application of the ſaid Sums hereby appropriated, as fully, amply, and effectu-
y, as if the ſame were here particularly repeated and re-enacted.

Alamodes, &c. to be marked and ſealed by the Cuſtom-houſe Officers.

XLV. And whereas there is lately ſet up in this Kingdom a very profitable Manufacture of
lk Stuffs, called Luſtrings and Alamodes, never before made in this Realm, for the which,
at Sums of money of the Nation were heretofore exported into France; and to the intent
no diſcouragement may be given to ſo uſeful a Trade, wherein many hundred of their Ma-
es Subjects are employed, by preventing all Frauds and Deceits to the Revenue of their
jeſties Cuſtoms, by Fraudulently Importing ſuch Silks without paying legal Duties for
ame, Be it enacted by the Authority aforeſaid, that the Commiſſioners of their Maje-
Cuſtoms for the time being, ſhall, and are hereby Authorized and required from time to
, from and after the end of this Seſſion of Parliament, to Mark and Seal, or cauſe to be
ked and Sealed, all the ſaid Luſtrings and Alamodes which now are Imported, and in

Penalty.

Seſſ. 1. Cap. 34.

Penalty for counterfeiting Mark.

the Hands of any perſon or perſons whatſoever, and alſo of all the ſaid Stuffs ſo called, which ſhall be hereafter Imported, and to keep an Entry and Regiſtry thereof in the Cuſtom-houſe in a Book to be for that purpoſe provided; And that all which are already Imported ſhall be ſo Markt, Sealed and Regiſtred within Twenty Days of the ſaid time, for which there ſhall be no Fee or Reward paid; And all ſuch Luſtrings and Alamodes which ſhall be hereafter Imported from the time aforeſaid, ſhall be ſo Markt, Sealed and Regiſtred without any Fee, as aforeſaid, before they be delivered out of the Cuſtom-houſe Warehouſe where they ſhall be reſpectively Imported and Entred; And all ſuch Luſtrings and Alamodes which ſhall be at any time after the Fifteenth Day of May, One thouſand ſix hundred ninety four Imported, and not ſo ſealed and markt, ſhall be forfeited, and the Importers or Poſſeſſors thereof, ſubject to ſuch and the like penalties and forfeitures as Importers of French Goods, by one Act made in the Firſt Year of their Majeſties Reign, Intituled, An Act for Prohibiting all Trade and Commerce with *France*, to be recovered as therein directed; And if any perſon or perſons ſhall alter or counterfeit the Mark or Seal, Marks or Seals uſed, and to be uſed for the purpoſes aforeſaid, the Offender ſhall forfeit the ſum of Five hundred Pounds to any that will ſue for the ſame by Bill, Plaint, or Information in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, nor any more then one Imparlance.

5 & 6 W. & M. Cap. 1.

A number of Cruiſers appointed by a former Act.

Certificate to be given to the Parliament of the Stations of the Cruiſers.

XLVI. And whereas it is Enacted in one Act of this preſent Seſſion of Parliament, Intituled, An Act for Granting to their Majeſties an Aid of Four Shillings in the Pound for One Year, for Carrying on a Vigorous War againſt *France*, That for the better ſecuring the Trade of this Kingdom, over and above the Ships of War for the Line of Battel, and for Convoys to remote parts, at the leaſt Four Ships of the Third Rate, Sixteen Ships of the Fourth Rate, Thirteen Ships of the Fifth Rate, and Ten Ships of the Sixth Rate, ſhall be from time to time directed and appointed by the Lord High Admiral of England, or Commiſſioners for Executing the ſaid Office for the time being, to ſuch proper ſtations as they ſhall deem mete, to Cruiſe for ſecuring the Merchant Ships in their going out, and returning home. Wherefore that it may the better appear how the ſaid Service is performed, wherein the ſecurity of Trade, and the ſafety of theſe Realms is ſo much concerned, Be it Enacted by the Authority aforeſaid, That the Lord High Admiral of England, or Commiſſioners for Executing the Office of Lord High Admiral of England for the time being, ſhall, and are hereby reſpectively required to exhibit to the Commons Aſſembled in Parliament, at the next Seſſion of this or any other Parliament, which ſhall happen after the Firſt Day of Auguſt, One thouſand ſix hundred ninety four, a Certificate in Writing under his or their hands reſpectively, of the Ships by him or them reſpectively ſet out, in purſuance of the ſaid recited Clauſe, expreſſing therein the Names and Rates of the Ships ſet out, and the times when by him or them reſpectively ordered, as alſo the Stations to which they were directed, and the Times how long they were continued at Sea in that Service.

One Peny per Pound allowed to the Exchequer Officers.

XLVII. Provided always, and be it Enacted by the Authority aforeſaid, That the Officers of the Receipt of their Majeſties Exchequer, ſhall and may receive, and take for their fees, One Peny in the Pound, and no more, for all or any the ſum or ſums of Money to be iſſued or paid to any their Majeſties Gariſons or other Land Forces and Armies, and other charges incident to the ſame, out of the money ariſing by this or any other Act and Grant of this Seſſion, or any other Seſſion of Parliament, during this preſent War, to be diſtributed in ſuch proportion, as the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being, ſhall appoint.

Officers in the Exciſe not to perſwade in choice of Members.

Penalty upon Offenders.

XLVIII. And to the end the Great Duties of Exciſe, and the powers given for the collecting and levying the ſame, may not be employed for the influencing of Elections of Members to ſerve in Parliament, which Elections, by the Conſtitution of this Government, ought to be free and uncorrupt; Be it Enacted by the Authority aforeſaid, That from and after the Firſt Day of May, in the Year of our Lord, One thouſand ſix hundred ninety four, no Collector, Superviſor, Gauger, or other Officer or perſon whatſoever, concerned or employed in the Charging, Collecting, Levying or Managing the Duties of Exciſe, or any branch or part thereof, ſhall by word, meſſage or writing, or in any other manner whatſoever, endeavour to perſwade any Elector to give, or diſſwade any Elector from giving his Vote for the choice of any perſon to be a Knight of the Shire, Citizen, Burgeſs or Baron of any County, City, Borough or Cinque Port to ſerve in Parliament, and every Officer or other perſon offending therein, ſhall forfeit the ſum of One hundred Pounds, one moiety thereof to the Informer, the other moiety to the Poor of the Pariſh where ſuch Offence ſhall be committed, to be recovered by any perſon that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter, in which no Eſſoign, Protection, Priviledge or Wager of Law, or more then one Imparlance ſhall be allowed; And every perſon convict on any ſuch Suit of the ſaid Offence, ſhall thereby become diſabled, and incapable of ever bearing or executing any Office or Place, concerning or relating to the Duty of Exciſe, or any other Office or Place of Truſt whatſoever under their Majeſties, their Heirs or Succeſſors.

Note of Gauge delivered to the Brewer, &c. upon 5 l. Penalty.

XLIX. And it is hereby Declared and Enacted, That true Notes in Writing of the laſt Gauges made or taken by the Gaugers, ſhall be left by them with all Brewers, Makers, or Retailers of Beer, Ale, or other Exciſeable Liquors reſpectively, or ſome of their Servants, at the times of taking their ſaid Gauges, containing the quantity and quality of the Liquors ſo Gauged, upon the penalty of Five Pounds for every Offence or Neglect of the ſaid Gauger or Gaugers, to be recovered by any perſon that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of Their Majeſties Courts of Record at Weſtminſter, in which no Eſſoign, Protection, Priviledge or Wager of Law, nor more then one Imparlance ſhall be allowed.

CAP.

CAP. XXI.

An Act for Granting to Their Majeſties ſeveral Duties upon Velum, Parchment and Paper for Four Years, towards Carrying on the War againſt *France*.

Preamble. This Act Explained by 6 & 7 W. 3. Cap. 12.

WE your Majeſties moſt Dutiful and Loyal Subjects, the Commons in Parliament Aſſembled, having entred into a due and ſerious conſideration of the Extraordinary Occaſions which oblige your Majeſties to a Great and Preſent Expence for the Neceſſary Defence of your Realms, and being deſirous to Raiſe ſuch Aids and Supplies as may be proportionable to theſe occaſions, do humbly preſent your Majeſties with the Free Gift of the Rates and Duties herein after mentioned; And do beſeech your Majeſties, that it may be Enacted:

Duty upon things written and Ingroſſed for 4 years.

II. And be it Enacted by the King and Queens moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in Parliament Aſſembled, and by Authority of the ſame, That from and after the Eight and twentieth Day of June, which ſhall be in the Year of our Lord, One thouſand ſix hundred ninety four, there ſhall be throughout their Majeſties Kingdom of England, Dominion of Wales and Town of Berwick upon Tweed, Raiſed, Collected and Paid unto their Majeſties, their Heirs, and Succeſſors, during the Term of Four Years and no longer, for the ſeveral and reſpective things herein after mentioned, which ſhall be Written or Ingroſſed, during the Term aforeſaid, over and above the Rates, Duties and Sums of Money now due and payable to their Majeſties, or to any Perſon or Perſons, Bodies Politick or Corporate whatſoever for the ſame, the ſeveral and reſpective Rates, Impoſitions, Duties, Charges and Sums of Money herein after expreſſed in Manner and Form following (that is to ſay;)

Particulars.

III. For every Skin or Piece of Velum or Parchment, on which any Grants or Letters Patents under the Great Seal of England, or the Seal of the Dutchy or County Palatine of Lancaſter, or of any Honour Dignity, Promotion, Franchiſe, Liberty or Priviledge to any Perſon or Perſons, Bodies Politick or Corporate, or Exemplifications of the ſame ſhall be Ingroſſed or Written, the Sum of Fourty Shillings. For every skin or piece of velum, parchment or ſheet of paper, on which any Pardon of, or for any Crime or Offence, or of any Sum of Money or Forfeiture whatſoever, or on which any Warrant of Reprieve or Relaxation from any Fines, Corporal Puniſhments or other Forfeiture ſhall be Ingroſſed or Written, the Sum of Forty Shillings. For every skin of velum or parchment, or ſheet of paper, upon which any Grant from their Majeſties of any Sum of Money exceeding One hundred pounds, which ſhall paſs the Great Seal, or Privy Seal (not directed to the Great Seal) ſhall be Engroſſed or Written, the Sum of Forty Shillings. For every skin of velum or parchment, or for every ſheet of paper, upon which any Grant of any Office or Employment, which ſhall be above the value of Fifty pounds per Annum, ſhall be Written, or Ingroſſed, the ſum of Forty ſhillings. For every skin of velum or parchment, on which any Grant of Lands in Fee, Leaſe for Years, or other Grant of profit not herein particularly charged, that ſhall paſs the Great Seal of England, the Seal of the Exchequer, the Seal of the Dutchy or County Palatine of Lancaſter, or the Privy Seal (not directed to the Great Seal) ſhall be Ingroſſed or Written, the ſum of Forty ſhillings. For every skin or piece of velum or parchment, or ſheet of paper, upon which any preſentation or donation which ſhall paſs the Great Seal of England, or upon which any Collation to be made by any Arch-Biſhop, or other Biſhop, or any Preſentation or Donation to be made by any Patron whatſoever, of, or to any Benefice, Dignity, or Spiritual or Eccleſiaſtical Promotion whatſoever, ſhall be Ingroſſed or Written, the ſum of Forty ſhillings; (Provided ſuch Benefice, Dignity or Promotion be of the yearly value of Ten pounds or above in the Kings Books.) For every skin or piece of velum or parchment, or ſheet or piece of paper, upon which any Regiſter, Entry, Teſtimonial or Certificate of any Degree taken in either of the Two Univerſities, or Four Inns of Court ſhall be Ingroſſed or Written, the ſum of Forty ſhillings. For every skin or piece of velum or parchment, or ſheet of paper, on which any Diſpenſation to hold Two Eccleſiaſtical Dignities or Benefices, or both a Dignity and a Benefice, or any other Diſpenſation or Faculty, from the Lord Arch-Biſhop of Canterbury, or the Maſter of the Faculties for the time being, ſhall be Ingroſſed or Written, the ſum of Forty ſhillings. For every skin or piece of velum or parchment, ſheet or piece of paper, upon which any Admittance of any Fellow of the Colledge of Phyſicians, or of any Attorney, Clerk, Advocate, Proctor, Notary, or other Officer or Officers in any Court whatſoever, ſhall be Ingroſſed or Written, the ſum of Forty ſhillings. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Appeal from the Court of Admiralty, Arches, or the Prerogative Courts of Canterbury or York, ſhall be Ingroſſed or Written, the ſum of Forty ſhillings. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Conveyance, Surrender of Grants, or Offices, Releaſe or other Deed whatſoever, which ſhall be Enrolled of Record, in any of the Courts at Weſtminſter, or in any other Court of Record whatſoever, or by any Cuſtos Rotulorum, or Clerk of the Peace, ſhall be Ingroſſed or Written, the ſum of Five ſhillings. For every piece of velum or parchment, upon which any Writ of Covenant for Levying of Fines, ſhall be Ingroſſed or Written, the ſum of Five ſhillings. For every piece of velum or parchment, upon which any Writ of Entry for ſuffering a Common Recovery ſhall be Ingroſſed or Written, the Sum of Five ſhillings. For every skin of velum or parchment, upon which any Exemplification, of what nature ſoever, that ſhall paſs the Seal of any Court whatſoever, ſhall be Ingroſſed or Written, the ſum of Five ſhillings. For every skin of velum or parchment, or ſheet of paper, upon which any Decree or Diſmiſſion, made by or in the Court of Chancery, Exchequer, Court of the County Palatine or Dutchy of Lancaſter, Courts of the Counties Palatine of Cheſter, Durham, or other Court of Equity whatſoever ſhall be Jngroſſed or Written, the ſum of Six pence. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Inſtitution or Licence that ſhall paſs the Seal of any Arch-Biſhop or Biſhop, Chancellor or other Ordinary, or any Eccleſiaſtical Court whatſoever ſhall be Jngroſſed or Written, the Sum of Five ſhillings. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Writ of Error, Certiorari, Habeas Corpus or Appeal (except to the Delegates) ſhall be Jngroſſed or Written, the ſum of Five ſhillings. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Significavit pro Corporis deliberatione ſhall be Jngroſſed or Written, the ſum of Five ſhillings. For every skin or piece of velum or parchment, or ſheet or piece of paper, upon which any Sentence that ſhall be given in the Court of the Lord High Admiral of England, or the Cinque Ports exerciſing Admiralty Juriſdiction, or upon any Attachment that ſhall be made out of any of the ſaid Courts of Admiralty, or any Relaxation of any ſuch Attachment ſhall be Jngroſſed or Written, the ſum of Five ſhillings. For every skin or piece of velum or parchment, or ſheet or piece of paper, upon which any Licence for or Certificate of Marriage, or any Letters of Mart ſhall be Jngroſſed or Written, the ſum of Five ſhillings. For every skin or piece of velum or parchment, ſheet or piece of paper, upon which any Probate of a Will, or Letters of Adminiſtration for any Eſtate, above the value of Twenty pounds; ſhall be Jngroſſed or Written, the ſum of Five ſhillings. For every skin or piece of velum or parchment, ſheet or piece of paper, upon which any Recognizance, Statute-Staple or Statute-Merchant ſhall be Jngroſſed or Written, or entred of Record in any Court or Office, the ſum of Five ſhillings. For every skin or piece of velum or parchment, upon which any Record of Niſi prius or Poſtea ſhall be Jngroſſed or Written, the ſum of Two ſhillings and Six pence. For every skin or piece of velum or parchment, or paper, upon which ſhall be Jngroſſed or Written, any Judgment whatſoever, which ſhall be Signed by the Maſter of any Office, or his Deputy or Secondary, or by any Prothonotary or his Secondary, Deputy or Clerk, or any other Officer belonging to any of the Courts at Weſtminſter, who have Power, or uſually doth or ſhall Sign Judgments, the ſum of Two ſhillings and Six pence. For every skin or piece of velum or parchment or ſheet of paper, upon which any Commiſſion Iſſuing out of any Eccleſiaſtical Court, not herein otherwiſe particularly charged, ſhall be Jngroſſed or Written, the ſum of Two ſhillings and Six pence. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Warrant, Monition or Perſonal Decree in any Court of Admiralty, or the Cinque-Ports, ſhall be Jngroſſed or Written, or upon which any Beneficial Warrant or Order under their Majeſties Sign Manual (except Warrants or Orders for the Service of their Majeſties Navy, Army and Ordnance) ſhall be Jngroſſed or Written, the ſum of Two ſhillings and Six pence. For every piece of velum, parchment or paper, upon which any Special Bail to be taken in any of the Courts at Weſtminſter, or before any of the Judges of the ſaid Courts, or in any other Court whatſoever, that ſhall be filed in any of the ſaid Courts, ſhall be Jngroſſed or Written, and for every piece of velum, parchment or paper, upon which ſhall be Jngroſſed or Written any Appearance, upon ſuch Special Bail, the ſum of One ſhilling. For every skin or piece of velum or parchment, upon which ſhall be Jngroſſed or Written, any Bill, Anſwer, Replication, Rejoynder, Interrogatories, Depoſitions taken by Commiſſion, or any other Pleadings whatſoever, in the Courts of Chancery, Exchequer, Dutchy Court and County Palatine Courts or other Courts of Equity, the ſum of One ſhilling. For every skin or piece of velum or parchment, and for every ſheet or piece of paper, upon which any Admiſſion into any Corporation or Company, or any Matriculation in either of the Two Univerſities, or any Admiſſion into any of the Inns of Court or Inns of Chancery, ſhall be Jngroſſed or Written, the ſum of One ſhilling. For every piece of parchment or paper, upon which any Affidavit ſhall be Jngroſſed or Written (except Affidavits taken purſuant to the ſeveral Acts made in the Thirtieth and Two and thirtieth Years of the Reign of King Charles the Second, for Burying in Woollen, and except ſuch Affidavits as ſhall be taken before the Officers of their Majeſties Cuſtoms, or any Juſtice or Juſtices of the Peace, or before any Commiſſioners appointed or to be appointed by any Act of Parliament for the Aſſeſſing or Levying any Aids or Duties Granted, or to be Granted to their Majeſties, and which Affidavits ſhall be taken by the ſaid Officers of the Cuſtoms, Juſtices or Commiſſioners, by virtue of their Authority as Juſtices of the Peace or Commiſſioners reſpectively, and not otherwiſe) the ſum of Six pence. And for every piece of parchment or paper, upon which any Copy of ſuch Affidavit, as is herein before charged that ſhall be filed or read in any Court whatſoever, ſhall be Jngroſſed or Written, the ſum of Six pence. For every skin or piece of velum or parchment or ſheet of paper, upon which ſhall be Jngroſſed or Written, any Indenture, Leaſe or Deed Poll, not hereby otherwiſe charged, the ſum of Six pence. For every piece of velum or parchment or piece of paper, upon which any Original Writ (except ſuch Original on which a Writ of Capias Iſſues) Subpœna, Bill of Middleſex, Latitat, Writ of Capias, Quo minus, Writ of Dedimus Poteſtatem, to take Anſwers, Examine Witneſſes or Appoint Guardians, and any other Writ whatſoever, or any other Proceſs or Mandate that ſhall Iſſue out of, or paſs the Seals of any of the Courts at Weſtminſter, Courts of the Great Seſſions in Wales, Courts in Counties Palatine, or any other Court whatſoever, holding Plea, where the Debt or Damage doth amount to Forty ſhillings or above, or the Thing in Demand is of that Value, ſhall be Jngroſſed or Written, the ſum of Six pence. For every piece of velum, parchment or paper, upon which any Entry of any Action in the Mayors and Sheriffs Courts of London, and in Courts in all Corporations and other Courts whatſoever, out of which no Writs, Proceſs or Mandates Iſſue, holding Plea, where the Debt or Damage doth amount to Forty ſhillings or above, ſhall be Jngroſſed or Written, the ſum of Six pence. For every piece of velum, parchment or paper, upon which any Common Bail to be Filed in any Court whatſoever, and upon which any Appearance that ſhall be made upon ſuch Bail ſhall be Jngroſſed or

Written, the ſum of Six pence: Which Appearance or Common Bail, the Defendant ſhall cauſe to be Entred or Filed within Eight Days after the Return of the Proceſs, on which the Defendant was Arreſted, upon Penalty of Five Pounds to be paid to the Plaintiff, for which the Court ſhall immediately Award Judgment, whereupon the Plaintiff may take out Execution. For every piece of velum, parchment or paper, upon which any Rule or Order Made or Given in any of the Courts at Weſtminſter, either Courts of Law or Equity, ſhall be Ingroſſed or Written, the ſum of Six pence. For every piece of velum, parchment or paper, upon which any Copy of ſuch Rules or Orders Entred, or the Copies of any other Records or Proceedings in any of the ſaid Courts at Weſtminſter, not hereby otherwiſe charged, ſhall be Ingroſſed or Written, the ſum of Six pence. For every skin or piece of velum or parchment, or ſheet of paper, upon which ſhall be Ingroſſed or Written any Citation or Monition made in any Eccleſiaſtical Court, or any Libel or Allegation, Depoſition, Anſwer, Sentence or Final Decree, or any Inventory Exhibited in any Eccleſiaſtical Court, the Courts of Admiralty or Cinque Ports, or whereupon any Copies of them reſpectively ſhall be Ingroſſed or Written, the ſum of Six pence. For every skin or piece of velum, parchment or ſheet of paper, upon which any Charter-party, Policy of Aſſurance, Paſport, Bond, Releaſe, Contract, or other Obligatory Inſtrument, or any Proteſt, Procuration, Letter of Attorney, or any other Notarial Act whatſoever ſhall be Ingroſſed or Written, the ſum of Six pence. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Declaration, Plea, Replication, Rejoynder, Demurrer, or other Pleadings whatſoever, in any Court of Law, ſhall be Ingroſſed or Written, the ſum of One peny. And for every skin or piece of velum or parchment, upon which any Copy thereof ſhall be Written or Ingroſſed, the ſum of One peny. For every skin or piece of velum or parchment, or ſheet of paper, upon which any Depoſitions taken in the Court of Chancery, or other Court of Equity, (except the Paper Draughts of Depoſitions taken by virtue of any Commiſſion before they are Ingroſſed) which are not herein before charged, or upon which any Copy of any Bill, Anſwer, Plea, Demurrer, Replication, Rejoynder, Interrogatories, Depoſitions, or other Proceedings whatſoever, in any Court of Equity ſhall be Ingroſſed or Written, the ſum of One peny. For every skin or piece of velum or parchment, or ſheet of paper, upon which a Copy of any Will ſhall be Ingroſſed or Written, the ſum of One peny.

Clerk ſhall ſet down upon the Writ the Day and Year, and enter it upon the Remembrance.

IV. And for preventing Abuſes committed, by Arreſting perſons without any Writ or Legal Proceſs to juſtify the ſame, by means whereof, the Duty hereby given to the Crown upon ſuch Proceſs will be loſt; Be it Enacted by the Authority aforeſaid, That from, and after the ſaid Eight and twentieth day of June, every Officer or Clerk belonging to the Court of Kings-Bench, Common-Pleas, or Exchequer, who ſhall Sign any Writ or Proceſs before Judgment, to Arreſt any perſon or perſons thereupon, ſhall at the Signing thereof, ſet down upon ſuch Writ or Proceſs, the Day and Year of his Signing the ſame, which ſhall be Entred upon the Remembrance, or in the Book where the Abſtract of ſuch Writ or Proceſs ſhall be Entred, upon pain to forfeit the ſum of Ten pounds for every Offence or Neglect of ſuch Officer or Clerk aforeſaid, to be Recovered by any perſon who ſhall Sue for the ſame, in any of their Majeſties Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Wager of Law, Protection or Eſſoign, or more then one Impariance ſhall be allowed.

Penalty.

Bills of Exchange, &c. ſaved.

V. Provided always that this Act, or any thing therein contained, ſhall not extend to charge any Bills of Exchange, Accompts, Bills of Parcels, Bills of Fees, or any Bills or Notes (not Sealed) for payment of Money at Sight, or upon Demand, or at the end of certain Days of payment.

Probate of Will, &c. of Soldier and Seaman ſaved.

VI. Provided that nothing in this Act contained, ſhall extend to Charge the Probate of any Will, or Letters of Adminiſtration of any Common Seaman or Soldier, who ſhall be ſlain, or die in their Majeſties Service, a Certificate being produced from the Captain of the Ship or Veſſel, or Captain of the Troop or Company, under whom ſuch Seaman or Soldier Served at the time of his death, and Oath made of the Truth thereof, before the proper Judge or Officer by whom ſuch Probate or Adminiſtration ought to be granted; which Oath ſuch Judge or Officer is hereby Authorized and Required to Adminiſter, and for which, no Fee or Reward ſhall be taken.

King may appoint Commiſſioners.

VII. And be it further Enacted by the Authority aforeſaid, That for the better and more effectual Levying, Collecting, and Paying unto their Majeſties, their Heirs and Succeſſors, the ſeveral and reſpective Duties hereby Granted, It ſhall and may be Lawful for their Majeſties, their Heirs and Succeſſors, under the Great Seal of England, from time to time, to nominate and appoint ſuch perſons as they ſhall think fit, to be Commiſſioners or Officers for the ſeveral purpoſes herein after mentioned; And that the Commiſſioners ſo to be appointed, ſhall keep their Head Office in ſome convenient place within the Cities of London or Weſtminſter; And the ſaid Commiſſioners or the major part of them, are hereby impowered, under their Hands and Seals, to appoint ſuch other Inferior Officers, for the marking or ſtamping of velum, parchment and paper, or for the better Collecting and Levying the Duties hereby Granted to their Majeſties, as they in their diſcretion ſhall think fit; And the ſaid Commiſſioners ſhall by the ſpace of Thirty Days before the ſaid Eight and twentieth Day of June, which ſhall be in the Year of our Lord, One thouſand ſix hundred ninety four, provide ſix ſeveral marks or ſtamps, differing from each other, for the ſeveral and reſpective Duties hereby Granted, with which ſeveral marks or ſtamps, all velum, paper and parchment, upon which any of the ſeveral and reſpective things herein before charged, ſhall be Ingroſſed or Written, ſhall be Stampt and Impreſſed, that is to ſay;

Place of the Office.

Commiſſioners may appoint Officers.

Six ſeveral marks to be provided.

One ſtamp or mark, with which all velum, paper and parchment herein before charged with the payment of Forty Shillings for every skin, piece or ſheet ſhall be ſtampt or markt: And one other ſtamp or mark with which all velum, parchment and paper, herein before charged with the payment of Five Shillings, for every skin, ſheet or piece, as aforeſaid, ſhall be marked and ſtamped: One other mark or ſtamp with which all velum, parchment and paper, charged, as aforeſaid, with the payment of Two Shillings and Six Pence, for every skin, ſheet or piece ſhall be markt and ſtampt, and ſo reſpectively a different mark or ſtamp with which all velum, paper and parchment, herein before charged with the payment of the ſeveral Duties of Twelve Pence, Six Pence and One Peny, ſhall be ſeverally and differently markt and ſtampt; Which ſaid ſeveral marks and ſtamps ſhall be publiſhed by Proclamation, to be Iſſued under the Great Seal of England, a convenient time before the ſaid Eight and twentieth Day of June, to the end that all perſons may have due Notice thereof; And that the ſaid marks and ſtamps, or any of them, ſhall or may be altered or renewed from time to time, as their Majeſties, their Heirs or Succeſſors ſhall think fit, ſo as publick Notification thereof be given by Proclamation, as aforeſaid.

The Marks may be changed.

Impreſſion to be durable.

VIII. And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners, in providing the ſaid marks or ſtamps, ſhall take care they be ſo contrived, that the Impreſſion thereof may be durable, and ſo as the ſame may be leaſt liable to be forged or counterfeited.

Parchment, &c. to be Marked before Written.

IX. And be it further Enacted, That all velum, parchment and paper, hereby intended to be charged with the ſeveral and reſpective Duties aforeſaid, ſhall before any of the matters or things herein before mentioned, ſhall be thereupon ingroſſed or written, be brought to the Head Office aforeſaid, or ſome other Sub-Commiſſioner or Officer to be appointed by the Commiſſioners, as herein is directed for that purpoſe, to be ſtamped and marked; and the ſaid Commiſſioners, Sub-Commiſſioners, and Officers aforeſaid, are hereby impowered and required forthwith, upon demand to them made, by any perſon or perſons, to ſtamp or mark any quantities or parcels of velum, parchment or paper, he or they paying to ſuch Officer or Officers as ſhall be appointed in that behalf, the reſpective Duties hereby directed to be paid for the ſame, to ſtamp and mark the ſame accordingly, without any other Fee or Reward, which ſtamp or mark ſhall be a ſufficient diſcharge for the ſeveral and reſpective Duties hereby granted upon the ſaid velum, parchment or paper, which ſhall be ſo ſtampt or markt.

Penalty upon Officer Stamping before Duty paid.

X. And be it further Enacted, That if any Commiſſioner or other Officer, to be Appointed, as aforeſaid, ſhall fix any ſuch mark or ſtamp to any velum, parchment or paper before the ſeveral and reſpective Duties thereupon charged by this Act ſhall be duly anſwered and paid, or be ſecured to be paid to their Majeſties uſe, he ſhall for every ſuch Offence forfeit the Sum of One hundred Pounds, one moiety thereof to their Majeſties, and the other moiety to him or them that ſhall Inform or Sue for the ſame in any of their Majeſties Courts of Record, by Bill, Plaint or Information, wherein no Eſſoign, Protection, Wager of Law, or more then one Imparlance ſhall be allowed.

Penalty upon Perſon Writing upon Paper before Stamped, &c.

Penalty upon Officer, &c. Offending.

Penalty upon Attorney.

No Inſtrument, &c Written before Paper Stampt good, till 5 l paid to the King, and Money for the Stamp.

XI. And be it further Enacted, That if any perſon or perſons ſhall Ingroſs or Write or cauſe to be Ingroſſed or Written, upon any velum, parchment or paper, any of the matters or things for which the ſaid velum, parchment or paper is hereby charged, to pay any Duty, before ſuch time as the ſaid velum, parchment or paper ſhall be marked or ſtamped, as aforeſaid, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or ſhall Ingroſs or Write, or cauſe to be Ingroſſed or Written, any matter or thing, upon any Velum, parchment or paper that ſhall be marked or ſtamped, for any lower Duty then the Duty by this Act payable, for what ſhall be ſo Ingroſſed or Written, ſuch perſon ſo Offending, ſhall, for every ſuch Offence, forfeit the Sum of Five hundred Pounds, one moiety thereof to their Majeſties, and the other moiety to him or them that will Inform or Sue for the ſame, as aforeſaid; And in caſe any Clerk, Officer or Perſon, who in reſpect of any publick Office or Employment, is, or ſhall be Intituled or Entruſted to Make, Ingroſs, or Write, any Records, Deeds, Inſtruments or Writings by this Act Charged to pay a Duty, as aforeſaid, ſhall be Guilty of any Fraud or Practice to deceive their Majeſties of any Duty by this Act payable, by Making, Ingroſſing or Writing any ſuch Record, Deed, Inſtrument or Writing, or Cauſing the ſame to be Made, Ingroſſed or Written, upon velum, parchment or paper not marked or ſtamped according to this Act, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or upon velum, parchment or paper, marked or ſtamped with any mark or ſtamp which he ſhall know to be counterfeited, or by Ingroſſing or Writing any ſuch Deed, Inſtrument or other Writing upon velum, parchment or paper that ſhall be marked or ſtamped for a lower Duty, as aforeſaid, That then every ſuch Clerk, Officer or Perſon ſo guilty of any ſuch Fraud or Practice, and being thereof Lawfully Convicted, ſhall (over and above the Penalty aforeſaid) forfeit his Office, Place or Employment reſpectively, and be diſabled to hold or enjoy the ſame for the future. And if any Attorney belonging to any Court whatſoever, ſhall be guilty of any ſuch Fraud or Practice, as aforeſaid, and be Convicted thereof, he ſhall be diſabled for the future to practiſe as an Attorney. And if any Deed, Inſtrument or Writing whatſoever, by this Act charged with the payment of a Duty, as aforeſaid, ſhall contrary to the true intent and meaning thereof, be Written or Ingroſſed by any perſon or perſons whatſoever (not being a known Clerk or Officer, who in reſpect of any publick Office or Employment, is, or ſhall be Intituled to the Making, Writing or Ingroſſing the ſame) upon velum, parchment or paper, not marked or ſtamped according to this Act, or upon Velum, Parchment or Paper, marked or ſtamped for a lower Duty, as aforeſaid, That then, and in every ſuch Caſe, there ſhall be due, anſwered and paid to their Majeſties (over and above the Duty aforeſaid) for every ſuch Deed, Inſtrument or Writing, the Sum of Five pounds; And no ſuch Record, Deed, Inſtrument or Writing ſhall be pleaded, or given in Evidence in any Court, or Admitted in any Court to be Good, Uſeful, or Available in Law or Equity, until as well the ſaid Duty, as the ſaid Sum of Five Pounds, ſhall be firſt paid to their Majeſties uſe, and a Receipt produced for the ſame, under the Hand or Hands of ſome of their Majeſties Officers, which ſhall be appointed to receive the Duties above mentioned, and until the Velum, Parchment or Paper, on which ſuch Deed, Inſtrument or Writing ſhall be written or made, ſhall be Marked or Stamped with a Lawful Mark or Stamp; and their Majeſties Officer or Officers laſt mentioned, are hereby enjoyned and Required, upon payment or tender of the ſaid Duty and Sum of Five Pounds unto him or them, to give a Receipt for the ſame, and to mark or ſtamp the ſaid Velum, Parchment or Paper, with the mark or ſtamp that ſhall be proper for ſuch Deed, Inſtrument or Writing reſpectively; and if any perſon or perſons whatſoever, ſhall at any time or times hereafter, counterfeit or forge any ſtamp or mark to reſemble any ſtamp or mark which ſhall be provided or made in purſuance of this Act, or ſhall counterfeit or reſemble the impreſſion of the ſame, upon any Velum, Parchment, or Paper, thereby to defraud their Majeſties, their Heirs and Succeſſors of any the Duties hereby Granted, or ſhall utter, vend or ſell any Velum, Parchment or Paper, with ſuch counterfeit mark or impreſſion thereupon, knowing ſuch mark or impreſſion to be counterfeited, then every ſuch perſon ſo offending, being thereof convicted in due form of Law, ſhall be judged a Felon, and ſhall ſuffer Death as in caſes of Felony, without the Benefit of Clergy.

Counterfeit or Sale of Counterfeit Paper, Felony.

XII. And be it further Enacted by the Authority aforeſaid, That the Commiſſioners to be conſtituted by their Majeſties, their Heirs or Succeſſors, under the Great Seal of England, as aforeſaid, ſhall, and may appoint a fit perſon to attend in any Court or Office, to take Notice of the Velum, Parchment or Paper, upon which any the Matters or Things aforeſaid ſhall be ingroſſed, written, or put, and of the marks or ſtamps thereupon, and of all other Matters and Things tending to ſecure their Majeſties Duties ariſing by this Act, and that the Judges in the ſeveral Courts, and ſuch others to whom it may appertain, at the Requeſt or Requeſts of the ſaid Commiſſioners, to be appointed by their Majeſties, as aforeſaid, or of any two or more of them, ſhall make ſuch Orders in the reſpective Courts, and do ſuch other matters and things, for the better ſecuring of the ſaid Duties, as ſhall be Lawfully and Reaſonably deſired in that behalf; And that every perſon who ſhall be Commiſſionated by their Majeſties, and every perſon to be employed by, or under thoſe Commiſſionated by their Majeſties, for the marking or ſtamping of Velum, Parchment or Paper, as aforeſaid, before his acting in the marking or ſtamping of the ſaid Velum, Parchment or Paper, ſhall take the Oath following: That is to ſay,

Commiſſioners may appoint Obſervers in every Court, &c.

Judges may make Orders.

Officers take an Oath.

I A. B. do Swear, That I will Faithfully Execute the Truſt Repoſed in me, purſuant to an Act of Parliament, Entituled, *An Act for Granting to their Majeſties ſeveral Duties upon Velum, Parchment and Paper for Four Years, towards carrying on the War againſt* France, without fraud or concealment; and ſhall from time to time true Account make of my doing therein, and deliver the ſame to ſuch perſon or perſons, as their Majeſties, their Heirs or Succeſſors ſhall appoint to receive ſuch Account; and ſhall take no Fee, Reward or Profit for the Execution or Performance of the ſaid Truſt, or the Buſineſs relating thereunto, from any perſons other then ſuch as ſhall be paid or allowed by their Majeſties, their Heirs or Succeſſors, or by the Commiſſioners of their Majeſties Treaſury, or Three of them now being, or by the Treaſurer of the Exchequer, or Three or more of the Commiſſioners of the Treaſury for the time being.

The Oath.

Which Oath ſhall and may be Adminiſtred to any ſuch Commiſſioner or Commiſſioners, by any Two or more of the ſame Commiſſioners which ſhall be appointed under the Great Seal, as aforeſaid; And any of the ſaid Commiſſioners ſhall and may Adminiſter the like Oath (mutatis mutandis) to the Sub-Commiſſioners, or other perſons which ſhall be employed under them in the ſaid buſineſs of marking or ſtamping.

By whom Adminiſtred.

XIII. And be it Enacted, That the ſaid Commiſſioners or Officers, to be appointed by their Majeſties, as aforeſaid, and all Sub-Commiſſioners and Officers to be employed or intruſted by, or under them, as aforeſaid, ſhall from time to time, in, and for the better Execution of their ſeveral Places and Truſts, obſerve and perform ſuch Rules, Methods and Orders as they reſpectively ſhall from time to time receive from the ſaid Commiſſioners of the Treaſury now being, or from the Treaſurer of the Exchequer, or Commiſſioners of the Treaſury for the time being; And that the ſaid Commiſſioners, to be appointed by their Majeſties, as aforeſaid, ſhall take eſpecial care that the ſeveral parts of this Kingdom, and the Dominion of Wales and Town of Berwick upon Tweed, ſhall, from time to time, be ſufficiently furniſhed with Velum, Parchment and Paper, ſtamped or marked, as aforeſaid, ſo as their Majeſties Subjects may have it in their election to buy the ſame of the Officers or perſons to be employed by the ſaid Commiſſioners, at the uſual or moſt common Rates above the ſaid Duty, or to bring their own Velum, Parchment or Paper to be ſtampt, as aforeſaid, or to furniſh themſelves or others that ſhall have done the ſame.

Commiſſioners to obſerve the Orders of the Treaſury.

To take care all parts have Parchment, &c.

XIV. Provided always, and it is hereby further Enacted, That none of the Rates, Impoſitions or Sums of Money before in this Act expreſſed, ſhall be Raiſed, Levied, Collected or Paid, or Payable unto their Majeſties, by virtue of this Act, by any perſon or perſons that ſhall be admitted to Sue or Defend in Forma pauperis.

Paupers excepted.

XV. And

Records &c. writ as uſual.

XV. And to the end their Majeſties may not be defrauded of any the Duties hereby Granted, Be it enacted, that all Records, Writs, Pleadings and other Proceedings in Courts of Law and Equity, and all Deeds, Inſtruments and Writings whatſoever hereby Charged, ſhall be Ingroſſed and Written, in ſuch manner as they have been uſually accuſtomed to be Written, or are now Written.

Upon renewal of Marks thoſe that have Paper Marked by them ſhall have it changed within 60 days.

XVI. Provided always, and be it further enacted, that as often as their Majeſties, their Heirs or Succeſſors, ſhall think fit to alter or renew the ſaid Marks or Stamps, or any of them, it ſhall be Lawful for all perſons who ſhall at that time have in their Cuſtody or Poſſeſſion, any Velum, Parchment or Paper, marked with the Mark or Stamp, which ſhall be ſo altered or renewed, and upon which none of the Matters or Things hereby Charged ſhall be Ingroſſed or Written, at any time within the ſpace of ſixty days after ſuch Intention of renewing or altering ſhall be publiſhed by Proclamation, as aforeſaid, to bring, or ſend ſuch Velum, Parchment or Paper unto the ſaid Commiſſioners, to the Head Office in London or Weſtminſter, or to ſuch other Officers as ſhall be appointed, as aforeſaid. And the ſaid Commiſſioners and Officers reſpectively, are hereby required to deliver, or cauſe to be delivered unto the ſeveral perſons who ſhall ſo bring and deliver any Quantity of Velum, Paper or Parchment, the like Quantity of Velum, Parchment or Paper, and as good in Quality, Stampt with ſuch new Stamp or Mark, without Demanding or Taking, directly or indirectly for the ſame, any Sum of Money, or other Conſideration whatſoever, under the Penalty of Forfeiting for every Offence One hundred Pounds, to be Sued for, Recovered and Divided, in ſuch manner as the other Penalties in this Act are directed to be Sued for, Recovered and Divided. And in caſe any perſon ſhall neglect or refuſe, within the time aforeſaid, to bring or cauſe to be brought and delivered unto the ſaid Commiſſioners or Officers, as aforeſaid, any ſuch Velum, Parchment or Paper, the ſame is hereby declared to be of no other effect or uſe, then if it had never been Stampt, and that all matters or things which ſhall after that time be Ingroſſed or Written thereon, ſhall be of no other effect then if they had been Ingroſſed or Written on Velum, Parchment or Paper, not Marked or Stampt at all; And all perſons, who ſhall Ingroſs or Write any the matters or things hereby Charged, on ſuch Velum Parchment or Paper, after the ſaid time, ſhall Forfeit and Suffer as herein before is Enacted, for perſons Writing or Ingroſſing on Velum, Parchment or Paper not Markt or Stampt.

Penalty upon Officer.

Paper not brought in within that time of no uſe.

Credit of Loan for 330000 l. at 8 l. per. Cent.

XVII. And be it enacted by the Authority aforeſaid, that it ſhall and may be Lawful, to and for any perſon or perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to their Majeſties, into the Receipt of their Exchequer, upon the Credit of this Act, any Sum or Sums of money, not exceeding the Sum of three hundred and thirty thouſand pounds in the whole, and to have, and receive for the forbearance of all ſuch moneys as ſhall be Lent, Intereſt not exceeding the Rate of Eight pounds per Centum per Annum.

Diſtinct Account and weekly payment

XVIII. And be it further enacted and Ordained by the Authority aforeſaid that all and every the Officer and Officers, who ſhall be concerned in the Levying, Collecting and Receiving the Duties ariſing by this Act, do keep a ſeparate and diſtinct account thereof, and pay the ſame in ſpecie into the Receipt of their Majeſties Exchequer weekly, on Wedneſday in every Week, unleſs it be an Holiday, and then, the next day after which ſhall not be an Holiday; and upon neglect or refuſal of the ſame, ſhall Incur the Penalties, Forfeitures, Damages and Coſts, as other the Officers of the Exchequer herein after mentioned ſhall be liable to; which moneys ſo paid in, ſhall be applied to the uſes hereafter mentioned in this Act, and no otherwiſe.

Penalty.

Diſtinct Book of Receipts in the Exchequer.

XIX. And be it further enacted by the Authority aforeſaid, that there ſhall be provided and kept in their Majeſties Exchequer (that is to ſay) in the Office of the Auditor of the Receipts, One Book, in which all moneys that ſhall be paid into the Exchequer by virtue of this Act, ſhall be Entred and Regiſtred apart and diſtinct from all other moneys, paid or payable to their Majeſties, upon any account whatſoever; and that all and every perſon and perſons, Natives or Foreigners, Bodies Politick or Corporate, who ſhall lend any money to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Talley of Loan ſtruck for the ſame, and an Order for his or their Repayment, bearing the ſame date with the Talley; In which Order ſhall be alſo contained a Warrant for payment of Intereſt for forbearance, not exceeding the Rates aforeſaid, for his or their conſideration, to be paid every three months, until the Repayment of his or their principal; And that all Orders for Repayment of money ſhall be Regiſtred in Courſe, according to the date of the Talley reſpectively, without preference of one before another; And that all and every perſon and perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand Regiſtred in the ſaid Book, ſo as that the perſon, Native or Foreigner, his or their Executors, Adminiſtrators, and Aſſigns, who ſhall have his, her or their Order or Orders, firſt entred in the ſaid Book, ſhall be taken and accounted as the firſt perſon, to be paid upon the moneys to come in by virtue of this Act, and he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo Succeſſively and in Courſe; and that the moneys to come in by this Act, ſhall be in the ſame Order liable to the Satiſfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns Succeſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other Uſe, Intent or Purpoſe whatſoever: And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any of their Majeſties Subjects, for providing or making any ſuch Books, Regiſters, Entries, View, or Search, as

afore-

Talley and Order to the Lender.

Orders Regiſtred.

Perſons paid in Courſe.

Penalty upon Officer taking Fee, or paying out of Courſe.

aforeſaid, or in, or for the Payment of Money Lent, or the Intereſt, as aforeſaid, by any of their Maieſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble Damages to the Party grieved, by the Party Offending with Coſts of Suit; or if the Officer himſelf Take or Demand any ſuch Fee or Reward, then to Loſe his place alſo: And if any undue preference of one before another, ſhall be made either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the party Offending, ſhall be liable by Action of Debt, or on the caſe, to pay the value of the Debt, Damages and Coſts to the party grieved, and ſhall be fore-judged from his place or Office; And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk only, ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office: And in caſe the Auditor ſhall not Direct, or the Clerk of the Pells Record, or the Teller make payment, according to each perſons due place and order, as afore directed, then he or they ſhall be Judged to Forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner, as aforeſaid; All which ſaid penalties, forfeitures, damages and coſts, to be Incurred by any of the Officers aforeſaid, or any their Deputies or Clerks, ſhall, and may be recovered by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

Penalty upon Auditor, &c. Offending.

What ſhall not be Preference.

XX. Provided always, and be it hereby Declared, that if it happen that ſeveral Tallies of Loan, or Orders for payment, as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt to be Regiſtred, then it ſhall be Interpreted no undue preference which of thoſe he enters firſt, ſo he enters them all the ſame Day. Provided alſo, that it ſhall not be Interpreted any undue preference to Incur any penalty in point of payment, if the Auditor Direct, and the Clerk of the Pells Record, and the Teller do pay Subſequent Orders of the perſons that come and demand their money, and bring their Order before other perſons, that did not come and demand their money, and bring their Order in their Courſe, ſo as there may be ſo much money reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them (Intereſt upon Loan being to ceaſe from the time the money is ſo reſerved and kept in Bank for them.)

Orders how Aſſignable.

XXI. And be it further enacted by the Authority aforeſaid, that every perſon or perſons, to whom any moneys ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Endorſement of his Order may Aſſign and Transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof, to any other, which being Notified in the Office of the Auditor of Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid, for Orders, (which the Officer ſhall upon Requeſt, without Fee or Charge accordingly make) ſhall Entitle ſuch Aſſignee, his Executors, Adminiſtrators or Aſſigns to the Benefit thereof and payment thereon; And ſuch Aſſignee may in like manner Aſſign again, and ſo toties quoties; And afterwards it ſhall not be in the power of ſuch perſon or perſons, who have or hath made ſuch Aſſignments, to make Void, Releaſe or Diſcharge the ſame, or any the moneys thereby due, or any part thereof.

Proviſion for Salaries.

XXIII Provided always, and be it Enacted, that it ſhall and may be lawful, to and for their Majeſties, their Heirs and Succeſſors, out of the Duties ariſing by this Act, to cauſe ſuch ſum and ſums of money, to be expended and paid from time to time, for Salaries and other incident Charges, as ſhall be neceſſary in and for the Receiving, Collecting Levying or Managing of the ſame Duties, during the ſaid Term therein by this Act granted, any thing in this Act contained to the contrary notwithſtanding.

Proclamation of Renewal to be within Twenty days.

XXII. Provided always, and be it further enacted, that as often as their Majeſties, their Heirs or Succeſſors ſhall think fit to alter the ſaid Stamps, or any of them, that the Proclamation which is hereby directed to be made, for giving to all perſons due Notice thereof, ſhall within twenty days after the Date thereof, be ſent to the Mayor, Chief Magiſtrate, or other Head-Officer of every City, Corporation, Borough and Market-Town throughout the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, which Officers reſpectively ſhall cauſe the ſame to be publiſhed to the Inhabitants of ſuch City, Corporation or Town, either on the next market day, or next Sunday in the Church, immediately after the time of Divine Service, upon pain of Forfeiting the Sum of two hundred pounds, to be Sued for by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Wager of Law, Priviledge, or more then one Imparlance ſhall be Granted or Allowed, the one Moiety of which Forfeiture to be to their Majeſties, the other moiety to ſuch perſon who ſhall Sue for the ſame.

Penalty upon Officers, not publiſhing it.

The Auditor of the Impreſt to take the Accounts of the Commiſſioners, &c. Annually upon Oath.

XXIV. And be it Enacted, That the Commiſſioners, Receiver, or Receivers General, or other perſon or perſons, who are, or ſhall be reſpectively employed, in the Directing, Receiving, Collecting or Paying the ſeveral Impoſitions upon Paper and Parchment, and other Duties by this Act granted, ſhall, and are hereby required, between the Eight and twentieth Day of June, One thouſand ſix hundred ninety five, and the Nine and twentieth day of September following; and ſo from year to year yearly at thoſe times, during the Continuance of this Act, to exhibit their reſpective Accounts thereof to their Majeſties Auditors of the Impreſt for the time being, or one of them, who ſhall and re hereby from time to time reſpectively, Authorized to Examine upon Oath the ſaid Commiſſioners, Receiver or Receivers General, or other Perſon or Perſons Accomptants, which ſhall be Employed in Raiſing, Receiving or Collecting the id Impoſitions and Duties, of what Sum or Sums of Money was or were by them or any of them reſpectively Raiſed, Collected or Received within the time of ſuch their accounts, and likewiſe what part thereof was by them, or any of them paid into their Majeſties receipt of the Exchequer, or by virtue of any Warrant of Privy Seal, or Warrant of the Lord High Treaſurer, or Commiſſioners of their Majeſties Treaſury for the time being, otherwiſe paid, and to whom, and for what ſervice or ſervices; And in making the ſaid accounts, to and before the ſaid Auditors, or one of them, they are to produce proper Vouchers for every ſum or ſums of money ſo by them or any of them raiſed, received and paid, according to the Ancient Methods of the Exchequer; And to the end that it may appear upon Record what the ſums amounted to in the year, for which ſuch account or accounts are or ſhall be reſpectively made, and what thereof was paid, and to whom, and for what uſe and ſervice, uſes and ſervices, as aforeſaid, and what remains unpaid, and reſts inſuper, upon each reſpective Receiver and Collector, the account or accounts ſo to be taken by every of the ſaid Auditors reſpectively, is, and are to be declared before the Lord Treaſurer, or Lords Commiſſioners of the Treaſury, and Chancellor of the Exchequer, now, and for the time being, according to the Courſe of the Exchequer in ſuch Caſes.

The Accounts declared before the Treaſurer, &c.

CAP. XXII.

An Act for the Licenſing and Regulating Hackney-Coaches and Stage-Coaches.

Explained by 6 & 7 W 3. Cap. 18.
Preamble.

WE your Majeſties moſt Loyal and Dutiful Subjects the Commons in Parliament Aſſembled, being ſenſible of the great and neceſſary Expence in which your Majeſties are engaged, for carrying on the preſent War againſt the French King, and being deſirous to ſupply the ſame, in ſuch manner as may be leaſt grievous to your Majeſties Subjects, have given and granted, and do hereby give and grant unto your Majeſties, the ſeveral rates and ſums of money herein after mentioned, and do beſeech your Majeſties that it may be enacted:

The King may appoint Commiſſioners to execute the powers in this Act.

II. And be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the tenth day of May, One thouſand ſix hundred ninety four, it ſhall and may be lawful to and for their Majeſties, their Heirs and Succeſſors, under their Great Seal of England, to Nominate, Authorize and Appoint any perſon or perſons, not exceeding Five in number, to be Commiſſioners for the Regulating and Licenſing of all Hackney-Coaches within the Cities of London and Weſtminſter, and the Suburbs thereof, and within all and every the Pariſhes and Places comprized within the weekly Bills of Mortality, and for the Regulating and Licenſing all Stage-Coaches throughout the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, in ſuch manner as is herein after directed: Which ſaid Commiſſioners to be Appointed, as aforeſaid, are hereby Impowered and Authorized to put in Execution the ſeveral Powers and Authorities herein after mentioned.

The Commiſſioners may appoint 700 Hackney-Coaches in London, &c.

What ſhall be paid to the King for every Coach.

III. And be it further enacted, That the Commiſſioners ſo Appointed ſhall have Power and Authority, and are hereby Impowered and Required, under their Hands and Seals or under the Hands and Seals of the Major part of them, to Licence all ſuch perſons who ſhall drive or keep any Hackney-Coach, or Coach-Horſes within the Cities of London and Weſtminſter, or the Suburbs of the ſame, or within the Pariſhes Comprized within the weekly Bills of Mortality; And that the number of all Hackney-Coaches ſo to be Licenſed, ſhall not exceed Seven hundred; And for every Licence ſo to be granted for each Coach there ſhall be paid to the ſaid Commiſſioners, or ſome other perſon to be appointed by their Majeſties, to receive the ſame for their Majeſties uſe, the Sum of fifty pounds of lawful money of England, and no more, by way of Fine for ſuch Licence; Which Sum of fifty pounds ſhall be paid by the perſon to be Licenſed, before the Licence ſhall be delivered to him; And the ſaid Licences, and every of them, ſhall be granted to continue for, and during the term of one and twenty years from the date of each reſpective Licence, and no longer, and ſhall not afterwards be renewed, or continued for any longer time; neither ſhall any Licence be granted in Reverſion, to commence after the determination of others: And upon every of the ſaid Licences, there ſhall be reſerved, and made payable unto their Majeſties, their Heirs and Succeſſors, the yearly Rent or Sum of four pounds, payable quarterly at the four moſt uſual feaſts of the year, (that is to ſay) the feaſt of Saint Michael the Archangel, of the Nativity of our Lord Chriſt, of the Annunciation of the Bleſſed Virgin Mary, and of the Nativity of Saint John Baptiſt, with ſuch covenants, conditions and proviſoes therein to be inſerted for the more effectual payment thereof, as the ſaid Commiſſioners in their diſcretion ſhall think fit.

Commiſſioners ſhall Licenſe all Stage-Coaches for a year.

Rate to the King.

IV. And be it further enacted, That the ſaid Commiſſioners ſo appointed, ſhall have power and authority, and are hereby impowered and required under their Hands and Seals, or the Hands and Seals, of the major part of them to licenſe all Stage-Coaches which ſhall be kept or driven in any place or places within the kingdom of England, dominion of Wales and town of Berwick upon Tweed; And that no licence to be granted for any Stage-Coach ſhall continue or be in force longer then for one year from the date thereof; That upon every Licence ſo to be granted for keeping or driving a Stage-Coach, there be reſerved payable to their Majeſties, their Heirs and Succeſſors, the rent or annual ſum of eight pounds of lawful Engliſh money for one year, the ſame to be paid quarterly at the ſaid Four moſt uſual Feaſts of the year, with ſuch Covenants, Proviſoes and Conditions for the more effectual payment thereof, as the ſaid Commiſſioners in their diſcretion ſhall think fit and reaſonable; that every perſon licenſed, as aforeſaid, to keep or drive any Hackney-Coach or Stage-Coach, may, by writing under his Hand and Seal, Aſſign, or by his laſt Will in writing deviſe his, her or their reſpective Intereſt therein, and in default of ſuch Aſſignment or Deviſe, the Executors or Ad-

Perſons Licenſed both Stage or Hackney may grant or deviſe.

miniſtrators of the perſons to whom ſuch Licences are granted, ſhall be intituled thereto, during the reſidue of the reſpective Intereſt therein, and the ſame ſhall be accounted Aſſets in their Hands; That an Entry ſhall be made of every ſuch Aſſignment in ſome Book or Books to be kept by the ſaid Commiſſioners for that purpoſe, which Entry ſhall be made without Fee or Reward, to which Book or Books every perſon concerned ſhall have free acceſs to inſpect the ſame at all ſeaſonable times, without Fee or Reward; And that every Legatee, Executors or Adminiſtrators claiming Title to any ſuch Licence, under any Will or Letters of Adminiſtration, ſhall, within Sixty days after the deceaſe of ſuch Teſtator or Inteſtate, produce before the ſaid Commiſſioners, ſuch Probate or Letters of Adminiſtration or Exemplification thereof.

Aſſignment entred in the Commiſſioners Book.

Executors, &c. how to claim.

V. And be it further enacted, That from and after the Four and twentieth day of June, One thouſand ſix hundred ninety four, no perſon or perſons ſhall preſume to Drive or Let to Hire by the Hour or Day, or otherwiſe, any Hackney-Coach or Coach-Horſes, within the Cities of London or Weſtminſter, or Suburbs of the ſame, or within the Pariſhes or Places compriſed within the Bills of Mortality, nor ſhall preſume to Drive or Let to Hire, as aforeſaid, any Stage-Coach or Coach-Horſes, in any place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, without ſuch Leave or Licence firſt obtained from the ſaid Commiſſioners, as aforeſaid, according to the particular Proviſions and Limitations of this Act, upon pain to forfeit for every ſuch Offence the ſum of Five pounds; And that no Horſe, Gelding or Mare, to be uſed with any Hackney or Stage-Coaches, ſhall be under the Size of Fourteen Hands high, according to the Standard: And that every Coach ſo Licenſed, ſhall have a Mark of Diſtinction by Figure or otherwiſe, as the ſaid Commiſſioners ſhall think fit; And the ſaid Mark ſhall be placed on each ſide of every ſuch Coach, in the moſt convenient manner to be taken Notice of, to the end they may be known if any Complaint ſhall be made of them, and that no perſon ſhall be Licenſed to keep more then Two Hackney-Coaches; which Coaches ſhall have every one of them ſeveral Figures or Marks of Diſtinction, in the ſame manner as if they did belong to ſeveral perſons; And that no perſon ſhall put the ſame Figure or Mark of Diſtinction upon his Coach that is appointed for any other Coach, nor ſhall Blot out, Obliterate, Alter or Deface the Figure or Mark of Diſtinction appointed by the ſaid Commiſſioners for his Coach, under the Forfeiture of Five pounds for every ſuch Offence, one Moiety whereof ſhall be to the Informer, and the other Moiety to the Uſe of their Majeſties; And the ſaid Commiſſioners for Licenſing and Regulating of Coaches, are hereby required in the firſt place to Licenſe all ſuch perſons as have been Ancient Coachmen who have formerly had Licences by Act of Parliament, or the Widow or Widows of any of them, unleſs they ſhall neglect or refuſe to take ſuch Licences upon the reſpective Terms hereby allowed, within a reaſonable time to be limited by the ſaid Commiſſioners, not leſs then Twenty days.

Five Pounds Penalty upon perſons Driving Coach without Licence.

Coach-Horſes to be Fourteen Hands high.

Coaches to be Figured.

Ancient Coachmen, &c. to be firſt Licenſed.

VI. And be it further enacted, That if any Commiſſioner ſo appointed, ſhall grant Licences for more then the Number of Seven hundred Hackney-Coaches, as before is directed, or ſhall grant any Licence for any Hackney-Coach or Stage-Coach, for any longer time then is herein before directed for Hackney-Coaches and Stage-Coaches reſpectively, he ſhall forfeit for every ſuch Offence, One hundred pounds, to be proſecuted and recovered by any perſon who will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at Weſtminſter, in which no Eſſoign, Protection, Wager of Law, Priviledge, or more then one Imparlance ſhall be granted or allowed.

Penalty upon Commiſſioners Licenſing above Seven hundred.

VII. And be it further enacted by the authority aforeſaid, That no Hackney-Coachman ſo Licenſed, nor the Driver of ſuch Coach ſhall preſume to take for his Hire in and about the Cities of London and Weſtminſter, or within Ten Miles thereof, above the Rate of Ten Shillings for a day, reckoning Twelve Hours to the Day, and by the Hour, not above Eighteen pence for the firſt Hour, and Twelve pence for every Hour after; And that no Gentleman or other perſon ſhall pay from any of the Inns of Court or thereabouts, to any part of Saint James's or City of Weſtminſter (except beyond Tuttle-Street) above Twelve pence, and the ſame Prizes from the ſame Places to the Inns of Court or Places thereabouts, and from any of the ſaid Inns of Court or thereabouts, to the Royal Exchange, Twelve pence; and if to the Tower of London or to Biſhopſgate-Street or Aldgate or thereabouts, Eighteen pence; and ſo from the ſame places to the ſaid Inns of Court, as foreſaid, and the like Rates from and to any place at the like diſtance with the places efore mentioned. And if any Coachman ſhall refuſe to go at, or ſhall exact more for his ire then the ſeveral Rates hereby limited, he ſhall for every ſuch Offence forfeit the ſum f Fourty Shillings.

Rates of Hackney-Coaches.

Penalty upon Coachman.

VIII. And be it further enacted, That the ſaid Commiſſioners may appoint ſuch other fficer or Officers under them, as they ſhall find neceſſary for the Carrying on the d Service, with ſuch moderate allowances as ſhall be fit, and the ſaid Commiſſioners d other Officers under them, and every of them, are hereby required not to take or de- and, directly or indirectly, of any perſon for their Licences, any ſum of Money, or other atuity or Conſideration whatſoever, other then what is herein directed to be paid to their ajeſties, nor to take or demand any Fee or Reward from any perſon or perſons, for any ng by them to be done in Execution of their reſpective Offices or Employments, other n from their Majeſties, their Heirs and Succeſſors, upon pain to forfeit for every ſuch ence their reſpective Offices and Employments, and to be incapable of any new Grant reof; Except only that it ſhall be lawful for the Clerks for their pains in Writing and groſſing each Licence, to have and receive the ſum of Two Shillings and ſix pence, no more.

Commiſſioners may appoint Under-Officers who are to take no Fee except 2 s. 6 d. for the Licence.

X. And be it further enacted, That the ſaid Commiſſioners, and every of them, and every cer to be appointed under them, ſhall, before Two or more of the ſaid Commiſſioners, What Oath the Commiſſioners, &c. are to take. Seſſ. 1. Cap. 8.

take an Oath for the due and faithful execution of their reſpective Offices and Employments, and ſhall likewiſe take the Oaths appointed by an Act of Parliament made in the Firſt year of their Majeſties Reign, Entituled, An Act for the Abrogating the Oaths of Supremacy and Allegiance, and Appointing other Oaths; which ſaid Oaths, the ſaid Commiſſioners, or any Two of them, are hereby impowered to adminiſter; And that no perſon nor perſons ſhall be capable of intermedling with the execution of the powers and authorities by this Act granted, or any of them, other then the power of adminiſtring the aforeſaid Oaths to their fellow Commiſſioners, until they ſhall have taken the ſaid Oaths, as aforeſaid.

Commiſſioners to pay the Money and give Account of Licences annually.

X. And be it further enacted by the authority aforeſaid, That all the Sums of Money, Rents and Revenues by this Act ariſing, over and above what ſhall be ſufficient for Salaries, and other incident Charges for Collecting or Managing the ſame, ſhall from time to time be annually paid by the ſaid Commiſſioners, or ſuch other perſon or perſons as ſhall be appointed by their Majeſties, to receive the ſame, into the Receipt of their Majeſties Exchequer: And the ſaid Commiſſioners ſhall, upon Oath, deliver Books of Accounts fairly written, containing all the Licences granted, and the Names and Sirnames of the reſpective perſons to whom ſuch Licences are granted, and the Rents and Profits thereby accrewed unto the Commiſſioners of the Treaſury, or Lord High Treaſurer, or Commiſſioners of the Treaſury for the time being, once in every year, or oftner if required.

Penalties how levied.

XI. And be it further enacted by the authority aforeſaid, That all Fines, Rents, Forfeitures and Penalties, that ſhall grow due and payable by virtue of this Act, or breach of any Orders or By-laws, that ſhall be made by the ſaid Commiſſioners, in purſuance of the authority to them given by this Act for that purpoſe, ſhall be levied by Diſtreſs of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any Three or more of them, which ſhall be ſold within Ten Days, and the Overplus (all Charges being allowed) ſhall be returned to the Owner, and in default of Diſtreſs or non Payment, the perſon or perſons neglecting or refuſing to pay, ſhall, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any Three or more of them, be committed to priſon, there to continue without Bail or Mainprize, till he or they have paid ſuch Rent, Fine, Forfeiture or Penalty, as was due from him or them.

Offences determined by the Commiſſioners.

XII. And be it further enacted, That all the Offences againſt this Act, or any thing therein contained (other then the Offences of the Commiſſioners themſelves) ſhall be Heard and Determined in a Summary Way by the ſaid Commiſſioners, or any Three or more of them, upon the Oath of one or more Credible Witneſſes (the Party accuſed being Summoned to make his Defence) or upon the Confeſſion of the Party Offending; and one Moiety of all the Forfeitures and Penalties to be incurred by this Act, ſhall be to their Majeſties, their Heirs and Succeſſors, and the other Moiety to the Informer.

Perſons ſued for executing this Act Plead General Iſſue and have Double Coſts.

XIII. And be it further enacted, That if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done or executed in purſuance of this Act, he or they ſhall or may Plead the General Iſſue, and give this Act in Evidence for his Defence, and if upon a Tryal a Virdict ſhall paſs for the Defendant or Defendants, or Judgment ſhall be given againſt the Plaintiff or Plaintiffs upon Demurrer, or the Plaintiff or Plaintiffs be non Suit, diſcontinue or forbear proſecuting their ſaid Actions, then ſuch Defendant and Defendants ſhall have double Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs; for which Coſts he ſhall have ſuch Remedy as in other caſes where Coſts are by Law given to Defendants.

No Certiorari.

XIV. Provided alſo, and be it enacted, That no Writ or Writs of Certiorari ſhall ſuperſede execution or other proceedings, upon any Order or Orders made by the ſaid Commiſſioners in purſuance of this Act, but that execution and other proceedings ſhall and may be had and made thereupon, any ſuch Writ or Writs or Allowance thereof notwithſtanding.

Commiſſioners may make By-Laws to bind the Coachmen.

XV. And be it further Enacted by the authority aforeſaid, That for the better Regulating and Ordering ſuch perſons who ſhall be Licenſed to keep Hackney or Stage-Coaches, as aforeſaid, and to prevent Diſturbances, and other Inconveniencies in the Streets and High-ways, where ſuch Coaches ſhall Stand or be Driven, and for puniſhment thereof, it ſhall and may be lawful for the ſaid Commiſſioners, or the major part of them, from time to time, to make ſuch Orders, By-Laws and Ordinances to bind ſuch perſons only who ſhall have Licences to keep Coaches, their Executors, Adminiſtrators and Aſſigns, and to annex ſuch reaſonable penalties and forfeitures for the breach thereof, as to them in their Diſcretion ſhall ſeem fit, ſo as ſuch Orders, By-Laws or Ordinances be made agreeable to the true intent and meaning of this Act, and for the better putting in execution thereof, and for the good Government and Regulation of the perſons Licenſed to keep Coaches, and ſo as they do not contain any thing repugnant to the Laws of the Realm.

Acquittances to be gratis.

XVI. And be it further enacted, That upon payment of the ſeveral Sums of Fifty pounds hereby appointed to be paid as a Fine upon granting Licences, and upon payment of the reſpective Rents thereupon to be reſerved as they ſhall grow due, the ſaid Commiſſioners, or ſuch other perſon or perſons who ſhall be appointed, as aforeſaid, to receive the ſame, ſhall give Acquittances gratis to the reſpective perſons ſo paying the ſame, under their Hands and Seals, which Acquittances ſhall be a ſufficient Diſcharge to the perſons paying the ſame.

By-Laws to be approved by Lord Chancellor, &c. and executed by Juſtice of Peace, &c.

XVII. Provided nevertheleſs, and it is enacted, That ſuch Rules, Orders and By-Laws ſo to be made by the ſaid Commiſſioners, ſhall be allowed and approved by the Lord Chancellor, Lord Keeper, or Lords Commiſſioners of the Great Seal of England for the time being, and the Two Chief Juſtices of either Bench, and the Lord Chief Baron of the Exchequer, or any Three of them; And after ſuch Allowance, the ſame ſhall be Printed and made Publick; And the Breach of any of the Rules and Orders appointed by this Act, and the penalties thereupon, and the Rules, Orders and By-Laws to be made by the ſaid Commiſſioners, and allowed, as aforeſaid, and the forfeitures and penalties thereupon, ſhall be puniſhable, and inflicted, and put in execution by any Juſtice of the Peace, Mayor, Bayliff, or other Magiſtrate of the County, City or Place where ſuch Offence ſhall be committed, in as full and ample manner, as the ſaid Commiſſioners hereby to be appointed might do the ſame, and as if the ſaid By-Laws, Rules and Orders were particularly incerted in this preſent Act; But no perſon ſhall be twice puniſhed for the ſame Offence.

XVIII. And whereas by one Act of Parliament made in the Nine and twentieth year of the Reign of King Charles the Second, Entituled, An Act for the better Obſervation of the Lords Day, commonly called *Sunday*, The ſtanding to Hire and Driving of Hackney-Coaches on the Lords Day are reſtrained; And whereas the ſaid reſtraint is many times found to be Inconvenient, as well in order to the Obſervation of the Day, as otherwiſe, Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners to appoint (without any Fee or Reward for the ſame) One hundred ſeventy five and no more of the ſaid Hackney-Coaches to Ply, Stand and Drive on the Lords Day within the weekly Bills of Mortality only, ſo as the whole number of Seven hundred may be imployed ſucceſſively.

One hundred ſeventy five Coaches by Turns to Drive upon the Lords Day. Cap. 7.

XIX. And be it further enacted by the authority aforeſaid, That if at any time after the ſaid Four and twentieth day of June, any Hackney-Coach ſhall Ply, Stand or Drive upon the Lords Day, other then ſuch as ſhall be appointed, as aforeſaid, and for the days only for which they ſhall be reſpectively appointed, as aforeſaid, or any where elſe within the Weekly Bills of Mortality, the Owner of ſuch Coach ſhall forfeit the ſum of Five pounds, to be recovered by ſuch perſon as ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information, wherein no Protection, Priviledge or Wager of Law, or more then one Imparlance ſhall be allowed. And for the more effectual diſcovery of ſuch Coaches as ſhall offend herein, Be it enacted by the authority aforeſaid, That the ſaid Commiſſioners ſhall direct to be printed and made publick, one Liſt or Account of all the particular Numbers of ſuch Hackney-Coaches as ſhall be appointed for every Lords Day ſucceſſively throughout the year.

Five pound Penalty for any other to Drive.

Printed Liſt of the Sunday Coaches.

XX. And it is hereby further enacted, That an Account of the profits and duties ariſing by virtue of this Act, ſhall every year, during the continuance thereof, be made up before the Auditors of the Impreſt; And if any perſon or perſons, Bodies Politick or Corporate, ſhall at any time hereafter procure or accept from their Majeſties, their Heirs or Succeſſors, any Penſion, Gift or Grant for Years or Life, or any other Eſtate, or any Sum or Sums of Money out of the Revenue ariſing by virtue of this Act, That then every ſuch Grant ſhall be void, and the perſon or perſons procuring or accepting the ſame, ſhall forfeit the ſum of Five hundred pounds, the one Moiety of which forfeiture ſhall be to the uſe of the Poor of the Pariſh where the ſaid Offender ſhall inhabit, and the other Moiety to him that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record.

Account annual before the Auditors.

Grant of the King void, and 500 l. Penalty upon Grantee, &c.

CAP. XXIII.

An Act for Appointing and Enabling Commiſſioners to Examine, Take and State the Publick Accounts of the Kingdom.

Preamble.

FOR the better taking, ſtating and examining of the Publick Accounts of their Majeſties Treaſure, and the better encouragement of their Majeſties good Subjects, to ſuſtain the great payments upon them, for the proſecution of the preſent War againſt France, and the ſupport of their Majeſties Government, Be it enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Robert Harley Eſq; Sir Thomas Pope Blount Baornet, Paul Foley Eſq; Sir Thomas Clarges Knight, Charles Hutchinſon Eſq; Sir Edward Abney Knight, and Sir James Houblon Knight, ſhall be, and are hereby conſtituted Commiſſioners for examining, taking and ſtating of the Accounts of all Money of the Publick Revenue of the Crown, and all other Accounts, which were by one Act of Parliament made in the Second year of their Majeſties Reign, Entituled, An Act for Appointing and Enabling Commiſſioners to Examine, Take and State the Publick Accounts of the Kingdom; And one other Act made in the Fourth and Fifth years f their Majeſties Reign, Entituled, An Act for Examining, Taking and Stating the Publick Accounts f this Kingdom, to be taken, examined and ſtated by the Commiſſioners by the ſaid Act conſtituted, or any Five or more of them reſpectively appointed by virtue of the ſaid Acts, or either f them; And that the ſaid Acts be, and are hereby Revived and Continued, and in Force rom the Four and twentieth day of April, in the year of our Lord, One thouſand ſix hun- red ninety four, to the Five and twentieth day of April, which ſhall be in the year of our ord, One thouſand ſix hundred ninety and five; and ſhall be executed with all the powers erein contained, by the Commiſſioners herein named, or any Four or more of them; nd that the Lords Commiſſioners of the Treaſury, or Lord High Treaſurer of England r the time being, ſhall, and are hereby authorized and required to iſſue and pay, or uſe to be iſſued and paid, the like yearly allowances, for payment of Clerks and o- r Charges, as are in the firſt recited Act directed; And the like Quarterly Payments every of the ſaid Commiſſioners hereby conſtituted, as are appointed to be paid to e Commiſſioners therein named; And the ſaid Commiſſioners by this Act conſti- ted, as aforeſaid, or any Four or more of them, ſhall, and have hereby power to e an Account of all Moneys granted to their Majeſties, by one Act made in this pre- t Seſſion of Parliament, Entituled, An Act for Granting to their Majeſties an Aid of Four llings in the Pound for One Year, for Carrying on a Vigorous War againſt *France*; And of all other oneys that have been or ſhall be granted to their Majeſties in this preſent Seſſion of

Seſſ. 2. Cap. 11.

Cap. 11.

Parliament; And of all other their Majeſties Treaſure, or other publick money due or payable to their Majeſties on the Fifth day of November, One thouſand ſix hundred eighty eight, or at any time between the ſaid Fifth day of November, and the ſaid Five and twentieth day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety five, not yet accompted for by virtue or in purſuance of the ſaid recited Acts, or either of them, or the laſt Clauſe touching publick accompts, made and enacted in one act made in the Third year of their Majeſties Reign, Entituled, An Act for raiſing Money by a Poll, Payable Quarterly for One year, for the carrying on a vigorous War againſt *France*.

II. And be it further enacted, that two of the ſaid Commiſſioners firſt named in this Act, before they enter upon the execution of the ſame, ſhall take an Oath before the Chancellor of the Exchequer, or Maſter of the Rolls for the time being, which they and either of them are hereby authorized and required to adminiſter to them, the tenour whereof ſhall be as followeth (that is to ſay;)

I *A. B.* do Swear, that according to the beſt of my skill and knowledge, I ſhall faithfully, impartially and truly demean my ſelf, in Examining and Taking the Accompts of all ſuch ſum or ſums of money, and other things brought, or to be brought before me, in Execution of one Act, Entituled, *An Act for Appointing and Enabling Commiſſioners to Examine, Take, and State the Publick Accompts of the Kingdom*, according to the Tenour and Purport of the ſaid Act.

III. And every other of the ſaid Commiſſioners in the Act named, before he enters upon the execution of the ſaid Act, ſhall likewiſe take the ſame Oath before the ſaid two Commiſſioners herein firſt named, who are hereby authorized to adminiſter the ſame unto them, after they ſhall themſelves have taken the ſaid Oath, as aforeſaid.

IV. Provided alſo, and be it enacted, that it ſhall and may be lawful for the Commiſſioners appointed by this Act, and they are hereby required to ſummon the Commiſſioners appointed for the Tranſport Ships for the War of Ireland, or any other Contractors for the ſame, as alſo the ſeveral Owners and Proprietors of the ſaid Tranſport Ships, and their Executors or Aſſigns, to State the accompt, and adjuſt the Debt due for the ſaid Tranſport Ships, which accompt ſo ſtated, they are to prepare againſt the next Seſſions of Parliament.

CAP. XXIV.

An Act for Building Good and Defenſible Ships.

Preamble.

Builders of 3 Deck'd Ships ſhall have a tenth part of the Goods they Export or Import for firſt 3 Voyages.

WHereas the Wealth and Safety of this Nation are much concerned in the Number and Strength of Shipping: Now for the better Encouragement of Building Good and Defenſible Ships, Be it Enacted by the King and Queens moſt excellent Majeſties, by, and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the authority of the ſame, That all and every perſon or perſons, that ſhall within the ſpace of Ten years, from and after the firſt day of May, One thouſand ſix hundred ninety four, Build, or cauſe to be Built within any of their Majeſties Dominions, any Ships or Veſſels of Three Decks, reckoning the Orlop for one, with a Fore-Caſtle, Quarter-Deck and Round-houſe, and Six Foot between each Deck from Plank to Plank, their Hawzes to be between Decks; the ſaid Ships to be of no leſs then Four hundred and fifty Tun, and to have no leſs then Ten Ports of a ſide between Decks, mounted with two and thirty Pieces of Ordnance cloſe, of which eighteen to be between Decks, the ſaid Guns upon the Lower Deck to be Demy-Culverine, of thirty hundred weight at leaſt, upon the Upper Deck, Forecaſtle and Steerage to be alſo Demy-Culverine, of two and twenty hundred weight at leaſt, and thoſe in the Cuddy to be ſix hundred weight at leaſt, and other Ammunition proportionably, ſhall for the firſt three Voyages which the ſaid Ship or Ships ſhall make from their Majeſties Dominions to any Foreign parts, have and receive to their own proper uſe and benefit, one tenth part of the Cuſtoms, commonly called or known by the name of the Subſidy of Tunnage and Poundage, that ſhall be paid to their Majeſties for all ſuch Goods and Merchandizes as ſhall be Exported and Imported on the ſaid Ship or Ships, to, and from this Kingdom; and the Commiſſioners and Officers of their Majeſties Cuſtoms are hereby impowered and required to pay the ſame to the Owner and Owners of the ſaid Ship or Ships accordingly.

Ship made leſs after 3 Voyages forfeited.

II. Provided always, That if at any time after the end of the ſaid three firſt Voyages any of the ſaid Ships or Veſſels ſo to be built, as aforeſaid, ſhall be altered or put into another Form of Building, whereby they ſhall become or be made leſs defenſible then they were at firſt building, that then every ſuch Ship or Veſſel, with all the Guns, Tackle, Ammunition and Apparel thereof, ſhall be Forfeited and Loſt, the one moiety to their Majeſties, their Heirs and Succeſſors, and the other moiety to the Informer, to be recovered in any of their Majeſties Courts of Record, by action of debt, bill, plaint or information.

CAP. XXV.

An Act for the better diſcipline of their Majeſties Navy Royal.

Preamble.

Offences againſt, 13 Car. 2. Cap. 9. tryable in the Kings Bench.

FOR the Regulating and better Government of their Majeſties Navies, Ships of War, and Forces by Sea, wherein under the providence and protection of God, the Wealth, Safety and Strength of this Kingdom is ſo much concerned; Be it enacted by the King and Queens moſt excellent Majeſties, by, and with the Advice and Conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament Aſſembled, and by the authority thereof, that all Offences (contrary to one Act made in the Thirteenth year of the Reign of King Charles the Second, Entituled, An Act for the Eſtabliſhing Articles and Orders for the Regulating, and better Government of his Majeſties Navies, Ships of War, and Forces by Sea) which ſhall be committed

ted after the Four and twentieth day of June, One thouſand ſix hundred ninety four, may be proſecuted, tryed and determined in their Majeſties Court of Kings Bench at Weſtminſter, or before Juſtices of Oyer and Terminer to be conſtituted by their Majeſties Commiſſion; which ſaid Court or Courts are hereby impowered to hold cognizance thereof, by information or indictment, and to proceed upon, hear, try and determine the ſame according to the courſe of the Common Law of this Realm, and upon conviction of the party accuſed by confeſſion, or verdict, or otherwiſe, to inflict ſuch penalties as are appointed in the ſaid Act for the reſpective offences therein mentioned.

Offences out of the Realm laid in England.

II. And be it further enacted, That where any of the ſaid offences ſhall be committed out of this Realm, in ſuch caſe, the ſame may be alledged and laid in any County within this Realm.

No perſon tryable by both Kings Bench and Court Martial. Act laſts 3 years.

III. Provided always, that no perſon who ſhall be tryed in a Court Martial, ſhall for the ſame offence be again tryed by virtue of this Act; nor ſhall any perſon tryed by virtue of this Act be for the ſame offence tryed again by a Court Martial. Provided alſo that this Act ſhall continue in Force for Three years, and from thence to the end of the next Seſſion of Parliament.

Anno Regni GULIELMI *&* MARIÆ, *Regis & Reginæ Angliæ, Scotiæ, Franciæ & Hiberniæ, Sexto.*

AT the Parliament begun at *weſtminſter* the Twentieth day of *March*, *Anno Dom.* 1689. In the Second year of the Reign of our Sovereign Lord and Lady, *WILLIAM* and *MARY*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King and Queen, Defenders of the Faith, *&c.* And from thence Continued by ſeveral Prorogations and Adjournments to the Twelfth day of *November*, 1694. being the Sixth Seſſion of this preſent Parliament.

CAP. I.

An Act for Granting to their Majeſties a Subſidy of Tunnage and Poundage, and other Sums of Money payable upon Merchandizes Exported and Imported.

Preamble.

THE Commons Aſſembled in Parliament, repoſing Truſt and Confidence in your Majeſties, for the Guarding and Defending of the Seas againſt all perſons who ſhall attempt to Invade this your Realm, or to diſturb your Subjects in their Trade and Commerce, towards the defraying the neceſſary charge thereof, and alſo for the better enabling your Majeſties to proſecute the preſent War againſt the French King with Vigour, have Cheerfully and Unanimouſly Given and Granted, and do hereby Give and Grant unto your Majeſties, the Subſidy of Tunnage and Poundage, and other ſums of money Given and Granted unto his late Majeſty King Charles the Second, for his Life, by an Act of Parliament made in the Twelfth year of his Reign, Entituled, A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money payable upon Merchandize Exported and Imported, according to the rates in the ſaid Act mentioned, and rules and orders thereunto annexed, (other then ſuch concerning which it is otherwiſe provided or ordained by any Act made in the laſt or in this preſent Parliament) and do moſt humbly beſeech your Majeſties, that it may be enacted.

Cap. 4.

Tunnage and Poundage given for 5 years.

II. And be it enacted by the King and Queens moſt excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the authority of the ſame, that the aforeſaid Subſidy of Tunnage and Poundage, and other ſums of money payable upon Merchandize, be levied, collected and paid unto their Majeſties for the term of Five years and no longer, to commence on the Twenty ſixth day of December, in the year of our Lord, One thouſand ſix hundred ninty four; and that the aforeſaid Act, and every Article, Rule and Clauſe therein mentioned; and alſo an Order of the Commons in Parliament aſſembled, made in purſuance of the Rules and Orders annexed to the aforeſaid Act, for ſettling of Officers Fees, dated the Seventeenth of May, One thouſand ſix hundred ſixty two, and Signed by Sir Edward Turner then Speaker, ſhall be of full Force and Effect to all intents and purpoſes, during the ſaid term of Five years, as fully, and in like manner, as if the ſame were particularly and at large recited and ſet down in the body of this Act.

12 Car. 2. 4. in Force for 5 years.

Several Acts Revived for 5 years.

III. And be it further enacted by the authority aforeſaid, that an Act of Parliament made in the Twelfth year of the Reign of the ſaid King Charles the Second, Entituled, An Act to prevent Frauds and Concealments of his Majeſties Cuſtoms and Subſidies: As alſo an Act made in the Fourteenth year of the Reign of the ſaid late King, Entituled, An Act for preventing Frauds, and Regulating Abuſes in his Majeſties Cuſtoms: and alſo an Act made in the Two and twentieth year of the Reign of the ſaid late King Charles the Second, Entituled, An Act for Improvement of Tillage, and the Breed of Cattle: and alſo one other Act made in the Twenty fifth year of the Reign of the ſaid late King Charles the Second, Entituled, An Act for taking off Aliens Duty upon Commodities of the Growth, Product and Manufacture of the Nation: and alſo one other Act made in the ſaid Twenty fifth year of the ſaid late King Charles the Second, Entituled, An Act for the Encouragement of the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trade: and alſo one other Act made in the Firſt year of the late King James the Second, Entituled, An Additional Act for Improvement of Tillage, be of full Force and Effect, during the ſaid term of Five years. Provided neverthleſs, and be it declared and enacted, That nothing herein contained ſhall be conſtrued or taken to determine any Articles or Clauſes in any of the before mentioned Acts, which were appointed and intended to be perpetual, or which are continued by any Act of Parliament, for any time which will not expire within the ſaid term of Five years, but that the ſame and every of them ſhall continue and remain in Force, as if this preſent Act had not been made; But ſuch of the ſaid Acts, and ſuch Clauſes in any of them, as would otherwiſe determine within the ſaid term of Five years, ſhall hereby be Revived, and Stand, Continue and be in Force for the ſaid Term of Five years only and no longer.

Cap. 19.

Cap. 11.

Cap. 13.

Cap. 6.

Cap. 7.

Cap. 19.

Goods landed upon 25 Decemb. to pay Duty.

IV. Provided nevertheleſs, and be it further enacted by the authority aforeſaid, That if any Goods, Wares or Merchandize ſhall happen to be imported into this Kingdom upon the Five and twentieth day of December, One thouſand ſix hundred ninety four, and not landed, or put on ſhoar upon the ſaid Day, all the ſaid Goods ſo imported, and not landed, ſhall be ſubject unto like Duties, Rates, Payments and Penalties, as if the ſame had been imported after the Commencement of this Grant; any thing herein contained to the contrary notwithſtanding.

Commiſſioners and Officers of Cuſtoms to take Oath of Execution upon Penalty of forfeiting their Office.

V. And be it further enacted by the authority aforeſaid, That Two of their Majeſties Commiſſioners of the Cuſtoms, firſt named in the Commiſſion, whereby they are now authorized to Act, ſhall reſpectively take their Corporal Oaths before the Chancellor or Chief Baron of the Exchequer, or Maſter of the Rolls for the time being; which they and every of them reſpectively are hereby authorized and required to Adminiſter to them, on or before the Firſt day of January next enſuing, for the true and faithful Execution, to the beſt of their knowledge and power, of their ſeveral reſpective Truſts committed to their Charge and Inſpection, and that they will not take or receive any Reward or Gratuity, directly or indirectly, other then their reſpective Salaries, and what is or ſhall be allowed them from the Crown, or the regular Fees eſtabliſhed by Law, for any Service done or to be done in the execution of their Employment in the Cuſtoms, on any Account whatſoever. And every other of the ſaid Commiſſioners, and the Patent Officers, and every of their Deputies, Clerks or Servants, and all other Officers who have or ſhall have any Employment in or about their Majeſties Cuſtoms within the Port of London, ſhall, before the Firſt day of February next enſuing, or at their reſpective Admiſſions hereafter to their reſpective Employments, take the ſaid Oath before any Two Commiſſioners of the Cuſtoms, who are hereby authorized to Adminiſter the ſame unto them, after they ſhall themſelves have taken the ſaid Oath, as aforeſaid. And all and every other Patent Officers, and every of their Deputies, Clerks or Servants, and all other Officers who have or ſhall have any Employment in or about their Majeſties Cuſtoms in the Out Ports or elſewhere, ſhall before the Five and twentieth day of March next enſuing, or at their reſpective Admiſſions into their reſpective Employments, take the ſaid Oath before two Juſtices of the Peace, in the County, Town or Place where his or their Employments ſhall be, who are hereby authorized and required to Adminiſter the ſame accordingly. And when any new Commiſſion ſhall be at any time hereafter made or granted for the Conſtituting of Commiſſioners of the Cuſtoms, the ſaid Oath ſhall be adminiſtred and taken in like manner by the ſeveral and reſpective new Commiſſioners, as is before directed. And if any of the ſaid Commiſſioners or Officers, their Deputies, Clerks, or Servants, ſhall neglect or refuſe to take the ſaid Oath in ſuch manner as is hereby directed and appointed, every ſuch perſon ſo refuſing or neglecting ſhall forfeit ſuch his Office or Employment.

Taking Oath to be certified to the Seſſions.

VI. And be it further enacted by the authority aforeſaid, That the perſons hereby reſpectively authorized and required to adminiſter the Oath hereby appointed to be taken, ſhall certifie the taking thereof to the next General Quarter Seſſions of the Peace, to be held for the County, City or Place where ſuch Oath ſhall be adminiſtred and taken; which Certificate ſhall be Recorded and kept amongſt the Rolls of the ſaid General Quarter Seſſions.

Debentures, &c. due ſince December 24. to be paid.

VII. And leaſt any doubt ſhould ariſe by the intermiſſion or diſcontinuance of the Duties hereby granted, whether Debentures for any Goods and Merchandize exported, or any allowances or abatements for any damage or defects upon any Goods or Merchandize imported, or for Over-entries, which according to the Ordinary Courſe of the Cuſtoms ought to have been made or paid, ſhall be due and payable out of the Duties hereby granted: It is hereby further enacted, That all ſuch Debentures, Allowances and Abatements as have incurred, or grown due, according to the Common Rules and Courſe of the Cuſtoms, ſince the Four and twentieth day of December, in the year of our Lord, One thouſand ſix hundred and ninety, ſhall ſtill remain due and payable, and be allowed in their ordinary courſe, as if no ſuch intermiſſion or diſcontinuance had been made.

CAP. II.

An Act for the Frequent Meeting and Calling of Parliaments.

Parliament to be held once in Three Years.

Whereas by the Ancient Laws and Statutes of this Kingdom, Frequent Parliaments ought to be held; And whereas Frequent and New Parliaments tend very much to the Happy Union and Good Agreement of the King and People, we your Majeſties moſt loyal and obedient Subjects, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, do moſt humbly beſeech your moſt excellent Majeſties, that it may be declared and enacted in this preſent Parliament; And it is hereby declared and enacted by the King and Queens moſt excellent Majeſties, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth a Parliament ſhall be holden once in Three years at the leaſt.

Writs to be iſſued out once in Three years.

II. And be it further enacted by the authority aforeſaid, That within Three years at the fartheſt, from and after the Diſſolution of this preſent Parliament, and ſo from time to time for ever hereafter, within Three years at the fartheſt, from and after the determination of every other Parliament, Legal Writs under the Great Seal, ſhall be Iſſued by directions of your Majeſties, your Heirs and Succeſſors, for Calling, Aſſembling and Holding another New Parliament.

No Parliament ſhall laſt longer then Three Years.

III. And be it further enacted by the authority aforeſaid, That from henceforth, no Parliament whatſoever, that ſhall at any time hereafter be Called, Aſſembled, or Held, ſhall have any Continuance longer then for Three years only at the fartheſt, to be accounted from the day, on which by the Writs of Summons the ſaid Parliament ſhall be appointed to Meet.

Preſent Parliament to ceaſe 1 Nov. 1696.

IV. And be it further enacted by the authority aforeſaid, That this preſent Parliament ſhall ceaſe and determine on the Firſt day of November, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety ſix, unleſs their Majeſties ſhall think fit to diſſolve it ſooner.

CAP. III.

An Act for Granting to his Majeſty an Aid of Four Shillings in the Pound, for One Year; And for Applying the yearly ſum of Three hundred thouſand Pounds, for Five years, out of the Duties of Tunnage and Poundage, and other ſums of Money, payable upon Merchandizes exported and imported, for Carrying on the War againſt *France* with Vigour.

Ships for Cruiſers appointed.

LXXIV. AND for the better ſecuring the Trade of this Kingdom, Be it further enacted by the authority aforeſaid, That over and above the Ships of War for the Line of Battle, and for Convoys to Remote parts, at the leaſt Four Ships of the Third Rate, Sixteen Ships of the Fourth Rate, Thirteen Ships of the Fifth Rate, and Ten Ships of the Sixth Rate, ſhall be from time to time directed and appointed by the Lord High Admiral of England, or Commiſſioners for Executing the ſaid Office for the time being, to ſuch proper Stations as they ſhall deem meet, to Cruiſe for ſecuring the Merchant Ships in their going out and returning home.

Cruiſers may be imployed in Battle.

LXXV. Provided always, and be it enacted, That nothing in this Act contained, ſhall reſtrain or be conſtrued to reſtrain the Lord High Admiral of England, or the Commiſſioners for Executing the Office of the Lord High Admiral of England, for the time being, from directing any of the Ships, appointed by this Act to be Cruiſers, to be imployed in the Line of Battle in caſes of great neceſſity.

LXXVI. And whereas ſeveral perſons who did contribute, advance or pay ſeveral of the ſums of Money which have been contributed, advanced or paid, upon an Act for granting to their Majeſties ſeveral Rates and Duties upon Tunnage of Ships and Veſſels, and upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall voluntarily advance the ſum of Fifteen hundred thouſand pounds towards carrying on the War againſt France, for Annuities, Shares or Dividends upon the ſeveral yearly Annuities of Ten, Twelve and Fourteen pounds per Centum in the ſaid Act mentioned, did not name to the Auditor of the Receipt, or Clerk of the Pells in the Receipt of the Exchequer, by or within the reſpective times by the ſaid Act appointed, the reſpective Lives during which ſuch Dividends, Shares or Annuities reſpectively were to continue; It is hereby further enacted and provided by the authority aforeſaid, That if ſuch perſons, or any of them, ſhall at any time or times, before the Twentieth day of March, One thouſand ſix hundred ninety four, nominate to the Auditor of the Receipt, or Clerk of the Pells in the ſaid Exchequer, the reſpective Lives (their own or others) during which ſuch Dividends, Shares or Annuities ſhould continue reſpectively; That then, and in every ſuch caſe, his, her or their Nominees ſhall be Entred in the Books kept in the ſaid Receipt for the Nominees; And every ſuch contributor or contributors, his, her and their Executors, Adminiſtrators or Aſſigns reſpectively, ſhall have, receive and enjoy ſuch and the like Dividends, Shares or Annuities, for and in reſpect of the Moneys ſo contributed, advanced or paid, as he, ſhe or they might, ſhould or ought to have had, received or enjoyed, in caſe the reſpective Lives for the ſame had been named within the reſpective times by the ſaid Act preſcribed; any thing in this or the ſaid former Act contained to the contrary notwithſtanding.

Appropriation of 250000 l. upon Tunnage and Poundage.

LXXVII. And whereas by an Act of this preſent Seſſion of Parliament, Entituled, An Act for Granting to their Majeſties a Subſidy of Tunnage and Poundage, and other ſums of Money payable upon Merchandizes exported and imported, the Subſidy of Tunnage and Poundage, and other Duties payable upon Merchandizes exported and imported, are granted to his Majeſty for the term of Five Years, to commence upon the Six and twentieth day of December, One thouſand ſix hundred ninety and four: Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Five and twentieth day of December, One thouſand ſix hundred ninety and four, the yearly ſum of Three hundred thouſand pounds of lawful Engliſh Money, part of the Moneys ariſing by the ſaid Act, ſhall by the Receiver or Receivers General, now and for the time being, of the Cuſtoms, Subſidies and other Duties upon Goods and Merchandizes imported and exported, or to be imported and exported, be brought and paid into the Receipt of the Exchequer, diſtinctly and ſeparately from all other Moneys whatſoever, that are or ſhall be payable into the ſaid Receipt; and that the payments of the ſaid yearly ſum of Three hundred thouſand pounds ſhall be made into the ſaid Receipt in manner following, that is to ſay, On the Thirteenth day of February, One thouſand ſix hundred ninety and four, ſo much as the weekly ſum of Five thouſand ſix hundred pounds, to be computed from the ſaid Five and twentieth day of December, until the ſaid Thirteenth day of February, ſhall amount unto, and afterwards, upon Wedneſday in every Week (if it be not a Holiday, and if it be, then upon the next day in every ſuch Week that is not an Holiday) the weekly ſum of Five thouſand ſix hundred pounds ſhall be paid, as aforeſaid, as one Week ſhall ſucceſſively and immediately follow or ſucceed after another, during the whole term of Five years by the laſt mentioned Act granted; and in caſe in any Week or Weeks, the whole Receipt of the Moneys upon the ſame Act ſhall not be ſufficient to anſwer the weekly payment or payments hereby directed for ſuch particular Week or Weeks, that then, and ſo often the Deficiency and Deficiencies thereof ſhall be ſupplied and made good out of the whole Receipts of Cuſtoms, Subſidies and other Duties upon the Act laſt mentioned, ariſing in the next Week or Weeks, when the Receipt or Receipts will be ſufficient to bear the ſame; And that on every Feaſt day of the Annunciation of the Bleſſed Virgin Mary, the Nativity of Saint John Baptiſt, Saint Michael the Archangel, and the Birth of our Lord Chriſt, during the ſaid term of Five years, or within Fourteen days after every ſuch Feaſt day, ſo much Money ſhall be paid into the ſaid Receipt by the ſaid Receiver or Receivers General, out of the Moneys ariſing by the Act laſt mentioned, as together with the ſaid weekly payments which ſhall have been made, ſhall compleatly make up, ſatisfie, and diſcharge the entire ſum of Seventy five thouſand pounds, for each and every the reſpective Quarter on ſuch Feaſt day ending; And that the ſaid yearly ſum of Three hundred thouſand pounds, and every part thereof, ſhall be applied and diſpoſed, and the ſame is hereby appropriated for and towards the payment and ſatiſfaction of the ſum, not exceeding Twelve hundred and fifty thouſand pounds, hereby authorized to be borrowed thereupon, and the Intereſt thereof as is herein after mentioned; One Moiety of which Twelve hundred and fifty thouſand pounds ſhall be, and is hereby appropriated to the uſe of the Navy and Ordnance for Sea Service, and the other Moiety for the Land Service.

Clauſe of Credit upon Tunnage and Poundage.

LXXVIII. And for the better and more ſpeedy Supplying his Majeſty with Moneys, for the more effectual carrying on of the War againſt the French King, It is hereby further enacted by the authority aforeſaid, That it ſhall and may be lawful, to and for his Majeſty, or the Officers of the Exchequer by his command and appointment, to borrow, receive and take, at the Receipt of the Exchequer, by way of loan, from any perſon or perſons, Natives or Foreigners, Bodies Politick or Corporate, that are, or ſhall be willing to lend the ſame, any ſum or ſums of Money, not exceeding the ſaid ſum of Twelve hundred and fifty thouſand pounds, upon Credit of the ſaid yearly Sum of Three hundred thouſand pounds hereby appropriated, and to be ſupplied out of ſuch Cuſtoms, Subſidies or other Duties as are before mentioned; And that Tallies of Loan ſhall be levied for all and every ſum and ſums of Money ſo to be lent; And that Orders, according to the courſe of the Exchequer, ſhall be drawn, ſigned and iſſued for the repayment of the ſame, and for payment of intereſt for the forbearance of every ſuch ſum of Money, which intereſt ſhall not exceed the Rate of Five pounds per Centum per Annum for the firſt Three hundred thouſand pounds; Six pounds per Centum per Annum for the ſecond Three hundred thouſand pounds; Seven pounds per Centum per Annum for the third Three hundred thouſand pounds; And Eight pounds per Centum per Annum for the remaining Three hundred and fifty thouſand pounds; and ſhall be payable every Three Months from the reſpective Dates of the Tallies of Loan, until the ſatiſfaction of the reſpective principal ſums; and in every ſuch Order it ſhall be expreſſed, and mentioned, that the principal ſum contained therein, and the intereſt thereof, ſhall be paid or payable out of the ſaid yearly ſum of Three hundred thouſand pounds, hereby appropriated and appointed to be paid and ſupplied out of the Cuſtoms, Subſidies or other Duties, as aforeſaid; and all and every ſuch Order or Orders, and the Moneys therein to be contained, or any part thereof, ſhall be Aſſignable and Transferrable without power of Revocation, ſo as the Aſſignments thereof be Endorſed upon the reſpective Orders, and Entred or Notified in the Office of the Auditor of the Receipt of the Exchequer, in a Book to be there kept for that purpoſe: And that all and every the ſum and ſums of Money ſo to be lent to his Majeſty, upon the Credit of the ſaid yearly ſum of Three hundred thouſand pounds, ſhall be free from all manner of Taxes and Impoſitions, impoſed, or to be impoſed by Parliament, or otherwiſe howſoever.

Regiſter, Talley, Order, &c. upon Tunnage and Poundage.

LXXIX. And to the end that all the Moneys hereby appropriated or appointed, as aforeſaid, towards the ſatiſfaction of the ſaid ſum, not exceeding Twelve hundred and fifty thouſand pounds, hereby authorized to be borrowed, and the intereſt thereof, may be duly applied thereunto, and not diverted to any other uſe, Be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in the Office of the Auditor of the Receipt of Exchequer, one Book and Regiſter, in which all the weekly, and other payments which ſhall be made into the Exchequer, for, or upon the ſaid yearly ſum of Three hundred thouſand pounds, payable out of the ſaid Cuſtoms, Subſidies, or other Duties, as aforeſaid, ſhall be Entred and Regiſtred apart, and ſeparate from all other Moneys payable into the ſaid Receipt, and that a diſtinct Regiſter ſhall be there kept for all the Orders of repayment for the ſaid ſum, not exceeding Twelve hundred and fifty thouſand pounds, in which the ſaid Orders ſhall be Regiſtred in Courſe, according to the Date of the Tallies reſpectively, without any other preference of one before another: And that all and every perſon and perſons ſhall be paid in courſe, according as their Orders ſhall ſtand Entred in the ſaid Regiſter Book, ſo as a perſon, Native or Foreigner, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt Entred in the ſaid Book of Regiſter, ſhall be taken and accounted the firſt perſon to be paid upon the Moneys to come in by virtue of this Act, and he or they who ſhall have his or their Order or Orders next Entred, ſhall be taken and accounted to be the Second perſon to be paid, and ſo ſucceſſively, and in courſe; And that the Moneys to come in by the purport or directions of this Act, of, or for the ſaid yearly ſum of Three hundred thouſand pounds, ſhall be in the ſame Order liable to the ſatiſfaction of the reſpective lenders, their Executors, Adminiſtrators and Aſſigns ſucceſſively, according to the Dates of their Tallies, without any other preference of one before another, and ſhall not be diverted or divertible to any other uſe, intent or purpoſe whatſoever; And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken for providing or making of any Books, Entries, Regiſters, Views or Search, in or for payment of Money lent, upon the ſaid yearly ſum of Three hundred thouſand pounds, or intereſt, as aforeſaid, by any of his Majeſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble Damages to the Party agrieved by the Party Offending, with Coſts of Suit, or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; And if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true meaning of this Act, in reference to the ſaid yearly ſum of Three hundred thouſand pounds, or the principal or intereſt to be paid out of the ſame, by any ſuch Officer or Officers, then the Party offending, ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages or Coſts to the Party agrieved, and ſhall be forejudged from his Place or Office; And if ſuch preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his

Place or Office. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due place and order, as afore directed, in reference to the ſaid yearly ſum of Three hundred thouſand pounds, or the ſaid Principal and Intereſt to be paid out of the ſame, then he or they ſhall be adjudged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts in ſuch manner, as aforeſaid; All which ſaid penalties, forfeitures and damages to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered, by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Privilledge, Wager of Law, Injunction or Order of Reſtraint ſhall be in any wiſe granted or allowed.

Preference.

LXXX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for repayment of Money lent upon the yearly ſum before mentioned, bear date, or be brought the ſame day to the Auditor of the Receipt to be Regiſtred, then it ſhall be interpreted no undue preference, which of thoſe be Entred firſt, ſo he Enters them all the ſame day.

Preference.

LXXXI. Provided alſo, That it ſhall not be interpreted any undue preference to incur any penalty in point of the payments laſt mentioned, if the Auditor Direct, or the Clerk of the Pells Record, and the Tellers do Pay ſubſequent Orders of perſons that come and demand their Moneys, and bring their Order before other perſons that did not come to demand their Money, and bring their Order in their courſe, ſo as there be ſo much Money reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them; Intereſt upon Loan being to ceaſe from the time the Money is ſo reſerved and kept in Bank for them.

Draw-Backs and Salaries ſaved.

LXXXII. Provided always, That any thing in this Act contained concerning the ſaid weekly payments to be made into the Receipt of the Exchequer, or otherwiſe, ſhall not be conſtrued to obſtruct or hinder the payment of Debentures for Goods to be Reſhipt, or the allowances for damaged Goods, or the payment of Salaries, or other Incident Charges neceſary for the Management of the Revenue of Cuſtoms in any manner of wiſe; this Act or any thing herein contained to the contrary notwithſtanding.

Account to be given of Bank Bills and Intereſt upon them.

LXXXVIII. And to the end that all perſons that ſhall have the Receipt or Payment of his Majeſties Revenue, may render an Account of the Intereſt that ſhall ariſe by the Bills or Notes, commonly called Bank Bills, while they ſhall remain in their Hands, and of all other profit made by them, of any of his Majeſties Money, Be it enacted by the authority aforeſaid, that from and after the Twentieth day of February, One thouſand ſix hundred ninety and four, the Receiver General of the Cuſtoms, and his Deputies, the Caſhier of the Exciſe and his Deputy, Receivers General of all Aids Granted, or to be Granted to his Majeſty, ſhall Account upon Oath, before the Barons of his Majeſties Court of Exchequer, for all Intereſt that ſhall ariſe by virtue of the Bank Bills they ſhall take in payment for any Cuſtoms, Aids, or other Duties belonging to his Majeſty, or of Bank Bills by them taken for any Moneys by them paid into the Bank of England, which Moneys they received for any ſuch Cuſtoms, Aids or Duties, as aforeſaid, from the time they received the ſame Bank Bills, until payment made of ſuch Moneys into the Receipt of his Majeſties Exchequer; And that the Tellers of his Majeſties Exchequer and their Deputies, ſhall in like manner Account, upon Oath, for all Intereſt that ſhall ariſe by virtue of the Bank Bills they ſhall take in payment upon his Majeſties Account, during the time they ſhall remain in their Hands; And the Pay-Maſter of the Army and his Caſhiers, the Agents to Regiments, Treaſurer of the Navy and his Caſhiers, the Caſhiers to the Victuallers, and Caſhiers to the Ordnance, in like manner, ſhall Account upon Oath for all Intereſt that ſhall ariſe by virtue of the Bank Bills they ſhall take in payment upon his Majeſties Account, or which they ſhall take upon payment into the Bank of any Moneys by them received for his Majeſties Service, from the time they received the ſame, until payment be made by them of the Moneys for which ſuch Bank Bills are given, to the ſeveral perſons to whoſe uſe the ſaid Money was iſſued by the Lords of his Majeſties Treaſury, or their Acceptance of ſuch Bank Bills in ſatisfaction of the Money due to them; And that the ſaid ſeveral perſons beforementioned, ſhall pay into the Exchequer for his Majeſties uſe, all ſuch Intereſt or other Profit as ſhall be found upon ſuch their Accounts to have been received; every ſuch Account to be made at the time they make and give in their Accounts, touching their Receipts of his Majeſties Money; And if any of the ſaid perſons beforementioned, ſhall neglect to Account, as aforeſaid, or to pay into the Exchequer the Moneys found due upon ſuch their Account, they ſhall forfeit Five hundred pounds.

Account to be given of the Cruiſers Stations, &c. to next Parliament.

LXXXIX. And that it may the better appear how the ſervice in this preſent Act appointed or Ships to Cruiſe in proper Stations, to ſecure the Merchant Ships in their going out and returning home is performed, Be it enacted by the authority aforeſaid, That the Lord igh Admiral of England, or Commiſſioners for executing the Office of Lord High Admiral f England for the time being, ſhall, and are hereby reſpectively required to exhibit to the Commons aſſembled in Parliament, at the next Seſſion of Parliament, which ſhall happen af- er the Firſt day of Auguſt, One thouſand ſix hundred ninety and five, a Certificate in writing, nder his or their Hands reſpectively, of the Ships by him or them reſpectively ſet out in urſuance of the Directions of this preſent Act, expreſſing therein the Names and Rates of e Ships ſet out, and the times when by him or them reſpectively Ordered, as alſo the Sta- ons to which they were Directed, and the times how long they were continued at Sea in at Service.

CAP.

CAP. IV.

An Act for Exempting Apothecaries from ſerving the Offices of Conſtable, Scavenger, and other Pariſh and Ward Offices, and from ſerving upon Juries.

Preamble.

WHereas the Art of the Apothecary is of great and general uſe and benefit, by reaſon of their conſtant and neceſſary aſſiſtance to his Majeſties Subjects, which ſhould oblige them ſolely to attend the duty of their Profeſſions; yet by reaſon that they are compelled to ſerve ſeveral Pariſh, Ward and Leet Offices in the places where they live, and are frequently ſummoned to ſerve on Juries and Enqueſts, which take up great part of their time, they cannot perform the truſts repoſed in them as they ought, nor attend the Sick with ſuch diligence as is required. And whereas King James the Firſt, by his Letters Patents under the Great Seal of England, did Incorporate the Apothecaries exerciſing that Art within London and Seven miles compaſs, by the name of the Maſter, Wardens and Society of the Art and Myſtery of Apothecaries of the City of London.

Apothecaries within London and 7 miles of the City that are Free exempt from Offices.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons, uſing and exerciſing, or that hereafter ſhall uſe and exerciſe the Art of an Apothecary within the ſaid City of London, and Seven miles thereof, being Free of the ſaid Society, and who already have been, or hereafter ſhall be duly examined of his Skill in the ſaid Myſtery, and ſhall be approved of for the ſame, and every of them, for ſo long as he or they ſhall uſe and exerciſe the ſaid Art, and no longer, ſhall and may at all times hereafter, be freed and exempted from the ſeveral Offices of Conſtable, Scavenger, Overſeer of the Poor, and all other Pariſh, Ward and Leet Offices, and of and from the being put into, or ſerving upon any Juries or Enqueſts, and if at any time hereafter any ſuch perſon or perſons uſing the ſaid Art, and being Qualified, as aforeſaid, ſhall be choſen or elected into any of the ſaid Offices, or returned, required or appointed to ſerve in any Jury, Leet or Enqueſt, or be diſquieted or diſturbed by reaſon thereof, that then ſuch perſon or perſons, producing a Teſtimonial under the Common Seal of the ſaid Corporation, of ſuch his examination, approbation and freedom, to the perſon or perſons, by whom he ſhall be ſo elected or appointed, or by or before whom he ſhall be ſummoned, returned or required to ſerve or hold any of the ſaid Offices or Duties, ſhall be abſolutely diſcharged from the ſame, and ſuch nomination, election, return and appointment ſhall be utterly void, and of none effect; any Order, Cuſtom, Law or Statute to the contrary in any wiſe notwithſtanding.

Countrey Apothecaries who have ſerved 7 years, exempted from Offices.

III. And be it further enacted by the authority aforeſaid, That all perſons uſing and exerciſing, or that hereafter ſhall uſe and exerciſe the ſaid Art of an Apothecary within any other parts of this Kingdom, Dominion of Wales, or Town of Berwick upon Tweed, and who have been brought up and ſerved, or hereafter ſhall be brought up and ſerve in the ſaid Art as an Apprentice, by the ſpace of Seven years, according to the Statute of the Fifth of Queen Elizabeth, ſhall likewiſe from henceforth be freed and exempted from all and ſingular the Offices and Duties aforeſaid, within the ſeveral Counties, Cities and Places where they Live and Inhabit, for ſo long as he or they ſhall uſe and exerciſe the ſaid Art, and no longer; and if any perſon or perſons ſo qualified ſhall be elected or choſen into any of the ſaid Offices, or returned to ſerve in any Jury, Leet or Enqueſt, ſuch nomination, election, return and appointment ſhall be void, unleſs ſuch perſon or perſons ſhall voluntarily conſent and agree to hold ſuch Office, or ſerve upon ſuch Jury, Leet or Enqueſt. Provided always, that nothing herein contained ſhall be conſtrued to Exempt or Excuſe any Apothecary that is or ſhall, before the Commencement of this Act, be elected or appointed to ſerve any of the ſaid Offices, from ſerving in the ſaid Offices for the uſual time for which he was ſo elected and appointed. Provided always, that this Act ſhall continue for the ſpace of Seven years, and from thence to the end of the next Seſſion of Parliament, and no longer.

Apothecaries already choſen not exempted.

Act continue 7 years.

CAP. V.

An Act for Enabling ſuch Perſons as have Eſtates for Life in Annuities, payable by ſeveral former Acts therein mentioned, to Purchaſe and Obtain further or more certain Intereſts in ſuch Annuities; And in Default thereof, for Admitting other Perſons to Purchaſe or Obtain the ſame, for raiſing Moneys for carrying one the War againſt *France*.

Preamble.

Cap. 3.

WHereas in and by an Act of this preſent Parliament, made in a Seſſion which was held in the Fourth and Fifth years of the Reign of King William and Queen Mary, Entituled, An Act for Granting to their Majeſties, certain Rates and Duties of Exciſe upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily Advance the ſum of Ten hundred thouſand pounds towards carrying on the War againſt *France*, certain Rates or Duties of Exciſe upon Beer, Ale, Vinegar, Cyder, Perry, Brandy, and other Liquors or Commodities therein enumerated and mentioned, are granted, charged and made payable, during the ſpace and term of Ninety and nine years, commencing from the Five and twentieth day of January, in the year of our Lord, One thouſand ſix hundred ninety and two, which Rates or Duties are thereby appointed to be levyed, collected and paid, during the ſaid term of Ninety and nine years, and to be brought into the Receipt of Exchequer, in ſuch manner and form, and by ſuch rules, ways and means, and under ſuch Penalties and Forfeitures, as in and by the ſaid Act are preſcribed, mentioned or referred unto. And it was thereby enacted, That it ſhould or might be lawful for any Perſons, Natives or Foreigners, to contribute towards the advancing the ſum of Ten hundred thouſand pounds for the purpoſes therein mentioned, by paying into the Receipt of Exchequer, ſuch ſum or ſums of Money, by ſuch time, and upon ſuch terms reſpectively, as in the ſaid Act are particularly mentioned and expreſſed.

Cap. 20.

II. And whereas by another Act of this preſent Parliament, made in a Seſſion held in the Fifth and Sixth years of the Reign of King William and Queen Mary, Entituled, An Act for

Granting to their Majeſties ſeveral Rates and Duties upon Tunnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall voluntarily Advance the ſum of Fifteen hundred thouſand pounds towards carrying on the War againſt *France*, divers Impoſitions, Rates and Duties for, and upon the Tunnage of ſuch Ships and Veſſels as are therein mentioned, are granted and made payable, during the term of Four years, commencing from the Firſt day of June, in the year of our Lord, One thouſand ſix hundred ninety four. And it was thereby further enacted, that from and after the Seventeenth day of May, which ſhould be in the year of our Lord, One thouſand ſix hundred ninety ſeven, there ſhould be raiſed, levyed, collected and paid to his Majeſty and the late Queen (of Bleſſed Memory) their Heirs and Succeſſors, for Beer, Ale, Cyder, and other Liquors therein expreſſed, by way of Exciſe, certain Additional Rates and Duties therein particularly expreſſed; and the ſaid Impoſitions, Rates or Duties, ſo to ariſe, by or upon the Tunnage of Ships or Veſſels, granted for the term of Four years, as aforeſaid; and the ſaid Additional Rates or Duties of Exciſe ſo granted and made payable for ever by the Act laſt mentioned, are to be raiſed, levyed and collected, and to be brought into the Receipt of Exchequer, in ſuch manner and form, and by ſuch rules, ways, and means, and under ſuch Penalties and Forfeitures, as by the ſame Act are preſcribed. And it is thereby further enacted, That each Weekly or other payment, ariſing by and out of the Duties and Impoſitions granted by the Act laſt mentioned, ſhould by the Auditor of the Receipt of the Exchequer, from time to time, as the ſame ſhould be paid in, be ſeparated and divided into five ſeventh parts,. and two ſeventh parts. And it was thereby enacted, That it ſhould and might be lawful for any perſons, Natives or Foreigners, to contribute towards the advancing of the ſum of Three hundred thouſand pounds (part of the ſum of Fifteen hundred thouſand pounds therein mentioned) by paying into the Receipt of the Exchequer, ſuch ſum and ſums of Money, within ſuch time, and upon the ſeveral and reſpective terms of having and receiving certain Annuities, for one, two or three Lives, according to the ſeveral rates and proportions as are in the ſame Act, particularly expreſſed, as by the ſaid ſeveral Acts of Parliameut (relation being thereunto had) may more fully appear.

III. And whereas by virtue, or in purſuance of the ſaid Act, which granted certain Duties of Exciſe, to ſecure Recompences and Advantages to the perſons that ſhould advance the ſum of Ten hundred thouſand pounds, as aforeſaid, and another Act of this preſent Parliament for ſupplying the Deficiency of the Money which was to be raiſed by the Act laſt mentioned, and by virtue or in purſuance of the Clauſes relating to the ſaid ſum of Three hundred thouſand pounds in the ſaid Act impoſing a duty of Tunnage upon Ships, and Additional Rates of Exciſe, as aforeſaid, divers perſons, as well Natives as Foreigners, have actually advanced, and contributed, and paid into the Receipt of the Exchequer, ſeveral ſums of Money, amounting in the whole to Thirteen hundred thouſand pounds upon the ſeveral and reſpective terms, in the ſame Acts mentioned, in relation to ſuch contributions; and for part thereof (to wit) for the ſum of Nine hundred eighty one thouſand ſix hundred and nineteen pounds, one ſhilling and nine pence, or there abouts, ſo advanced and contributed, the reſpective Contributors of the ſame are or were Intituled to have, receive and enjoy, for and during ſeveral ſingle Lives only (that is to ſay) during the Life of every ſuch Contributor, or the Nominee of ſuch Contributors reſpectively, an Annuity, yearly Rent or payment, after the rate of Fourteen pounds of lawful English Money for every hundred pounds ſo advanced or contributed, payable at the four moſt uſual Feaſts in the year by equal portions.

Cap. 5.

IV. And whereas the perſons who are or may be Intituled to ſuch Eſtates for ſingle Lives in the ſaid Annuities, or ſome of them, are or may be willing and deſirous (for a reaſonable price or conſideration) to have ſuch their reſpective Eſtates for ſingle Lives changed or converted into a certain term or terms for ninety ſix years, to be computed from the Five and twentieth day of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety five, of, and in ſuch or the like Annuities as they have for ſingle Lives, as aforeſaid, or that they or ſuch as they ſhall nominate, his, her or their Executors, Adminiſtrators and Aſſigns reſpectively (for the like price or conſideration) ſhall or may be Intituled to have, receive and enjoy the like Annuity, from and after the determination of his, her or their Eſtate for a ſingle Life, as aforeſaid, for and during the reſidue which ſhall be then to come and unexpired of the ſaid term of Ninety ſix years, and in caſes where the preſent Owner of an Annuity for a ſingle Life, as aforeſaid, is or may be unwilling (if any ſuch be) to urchaſe a further or more certain Eſtate or Intereſt therein, it is likely that ſome other perſon or perſons is or may be deſirous to be admitted (though at a rate or conſideration ſomehing higher) to purchaſe a future Eſtate or Intereſt in ſuch or the like Annuity or Annuities, o take effect from and after the determination of the term for the ſingle Life in being, and o continue for and during the reſidue and remainder of the ſaid term of Ninety ſix years, hich ſhall be then to come and unexpired.

V. Now for the encouragement of ſuch perſons as ſhall voluntarily contribute or advance the reſpective rates herein after mentioned, any Moneys into the Receipt of his Majeſties rchequer for ſuch further or more certain Eſtates or Intereſts, as aforeſaid, and for the tter ſupplying of Moneys (with as much eaſe, and at as little charge as may be) for e carrying on the War againſt the French King, Be it enacted by the Kings moſt excellent ajeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the ommons in this preſent Parliament aſſembled, and by the authority of the ſame, that it ll and may be lawful to and for any perſon or perſons, Natives or Foreigners, being (as iginal Contributors, or by Meſne Aſſignments, or by other lawful ways and means) Inled to any Eſtate for one Life (his own, or the Life of any other perſon) of, or in any Anty purchaſed or obtained upon the Acts aforeſaid, or any of them, at the ſaid rate of One dred pounds for every Fourteen pounds per Annum, at any time before the Four and twenh day of July, One thouſand ſix hundred ninety five, to advance and pay into the Receipt

Any perſon having 14 l. per Cent. for Life upon the former Acts may turn it into an Eſtate of 96. years for 63 l.

of his Majeſties Exchequer, ſo much Money as every or any ſuch Annuity, being computed for Four years and an half, doth, or ſhall amount to (that is to ſay) every ſuch perſon ſhall or may pay to his Majeſties uſe, for every hundred pounds that was paid for the ſingle Life in an Annuity of Fourteen pounds per Annum, the ſum of Sixty three pounds more, for changing or converting the ſame into a certain term for the ſaid Ninety ſix years, or for a further Intereſt, to take effect after the Eſtate for Live, as aforeſaid, and in the ſame proportion for higher or larger Annuities; and every ſuch perſon, on ſuch payment made, ſhall immediately have one or more Talley or Tallies, importing the Receipt of the conſideration Money ſo paid, and upon every ſuch Talley there ſhall be written proper words purporting (at the election of the Contributor, or of the perſon by him authorized to pay in his Money) that ſuch payment is made either in conſideration of changing and converting ſuch his Annuity for Life into a certain and abſolute Eſtate or term for the ſaid Ninety ſix years, or elſe in conſideration of a like Annuity, to be payable to him or them, or ſuch as he or they ſhall nominate, his, her or their Executors, Adminiſtrators and Aſſigns, from the determination of ſuch Eſtate for Life, during the then reſidue of the ſaid Ninety ſix years, and that by or upon the making every ſuch payment, as aforeſaid, in every caſe where the Talley ſhall import the changing or converting the Eſtate for Life into a term of Ninety ſix years, the perſon or perſons ſo contributing the ſaid conſideration Money, or the perſon or perſons to be nominated, as aforeſaid, his, her or their Executors, Adminiſtrators and Aſſigns, ſhall be Intituled to have, receive and enjoy, and ſhall have, receive and enjoy, and ſhall have a good, ſure, and abſolute Eſtate and Intereſt of, and in an Annuity,. yearly rent or payment (equal by the year to the Annuity which he, ſhe or they had before for one Life) for and during the ſaid whole term of Ninety ſix years, to be paid and payable out of ſome of the Fonds in the ſaid Acts mentioned (that is to ſay,) out of ſuch of them reſpectively, as the Annuity for Life was by the ſaid Act charged upon, and to be paid at the Four moſt uſual Feaſts in the year, by equal portions, as the Annuities by the ſaid former Acts are payable; and in all ſuch caſes the ſaid preſent Eſtates for Life, ſhall be underſtood, to be merged or extinguiſhed in the ſaid term of years; and that in every caſe, where the ſaid Tallies ſhall import the conſideration Money, to be paid for a future intereſt, to take effect either in the perſon that contributes the ſame, or in any others, to be nominated, as aforeſaid, the perſon or perſons ſo contributing the ſaid conſideration Money, or ſo to be nominated, his, her or their Executors, Adminiſtrators and Aſſigns, ſhall preſently have a good, ſure, and abſolute Eſtate veſted in him, her or them, by this Act, and which ſhall take effect (as a future Intereſt) after the Determination of the Eſtate for Life, and continue and endure, during ſo long time as ſhall be then to come and unexpired, of and in the ſaid term of Ninety ſix years; and in the caſes laſt mentioned, it is to be underſtood, that the preſent Eſtate for Life is continued.

Perſon having an Eſtate for Life not taking advantage before July, any other paying 70 l. ſhall have a term of 96 years charged with the former Eſtate.

VI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons, being Intituled to any Eſtate for one Life in being, in any ſuch preſent Annuity or Annuities, as aforeſaid, ſhall not, before the ſaid Four and twentieth day of July, One thouſand ſix hundred ninety five, advance and pay into the Receipt of the Exchequer, ſuch rate or conſideration Money, as is before mentioned, for changing ſuch his, her or their Eſtate for Life, into a term certain, or for a future Intereſt, as aforeſaid, that then and in every ſuch caſe, it ſhall and may be lawful to, and for any perſon or perſons whatſoever, Natives or Foreigners (having or not having any Property or Intereſt in ſuch Eſtate for Life) at any time or times, after the ſaid Four and twentieth day of July, and on or before the Twelfth day of November, in the year of our Lord, One thouſand ſix hundred ninety five, to contribute, advance and pay into the ſaid Receipt of the Exchequer, ſo much Money, as any ſuch Annuity, being computed for Five years, doth or ſhall amount to (that is to ſay) For every hundred pounds that was paid for the ſingle Life, in an Annuity of Fourteen pounds a year, there ſhall be paid in all the caſes laſt mentioned, the ſum of Seventy pounds for the ſaid term of Ninety ſix years (to commence, and be reckoned, as aforeſaid, and to be charged with and ſubject to the preſent Eſtate for Life) of and in the ſame or the like Annuity, and there ſhall be paid a rate or conſideration, in the ſame proportion for Annuities exceeding Fourteen pounds a year; and every ſuch perſon on ſuch payment made, ſhall immediately have a Talley or Tallies importing the Receipt of the conſideration Money ſo paid; and upon every ſuch Talley, proper words ſhall be written, ſignifying that ſuch payment is made, in conſideration that ſuch Contributor or Contributors, or ſuch perſon or perſons as ſhall be named by him, her or them, or by ſuch as he, ſhe or they ſhall authorize to pay in the Money, his, her or their Executors, Adminiſtrators and Aſſigns, are to have and enjoy the ſaid terms of Ninety ſix years in ſuch Annuity, charged with, and ſubject neverthelefs to the ſaid particular Eſtate for Life then in being; and that by or upon the making of every ſuch payment, after the rate of Seventy pounds per Centum, the perſon or perſons ſo contributing or advancing the conſideration Money, or the perſon or perſons to be nominated, as aforeſaid, his, her or their Executors, Adminiſtrators and Aſſigns, ſhall have a good Eſtate or Intereſt in every or any ſuch Annuity ſo to be purchaſed or paid for, during the ſaid term of Ninety ſix years (ſubject neverthelefs to the ſaid particular Eſtate for Life in being) and after the determination of ſuch particular Eſtate for Life, ſhall have, receive and enjoy, and be Intituled to have, receive and enjoy ſuch Annuity or yearly rent or payment, ſo purchaſed or paid for, during all the reſt and reſidue which ſhall be then to come and unexpired, of and in the ſaid term of Ninety ſix years, to be paid and payable out of ſuch of the ſaid Fonds as the Annuity for Life was firſt charged upon, or payable out of, and to be paid at the Four moſt uſual Feaſts in the year, by equal portions, as aforeſaid.

Order in the Exchequer and Appropriation of the Duties given in the former Acts to payment of this new advance.

VII. And be it further enacted by the authority aforeſaid, that immediately after the levying and ſtriking of the ſeveral and reſpective Tallies before mentioned, Orders (according to the Form and Courſe of the Exchequer, in Parchment or Velom) ſhall be drawn and ſigned for making the payments which by this Act are to be made, and according as by this Act they are appointed to be made, upon the ſeveral and reſpective Annuities ſo to be purchaſed or obtained in purſuance hereof; which orders ſhall not be determinable, revocable or countermandable; and the Monies payable by ſuch orders, or any of them, or any part thereof, ſhall be Aſſignable and Transferrable, in ſuch and the ſame manner and form as are enacted, preſcribed or appointed in and by the aboveſaid Act, which granted Duties of Exciſe to ſecure Recompences and Advantages to ſuch as ſhould advance the ſum of Ten hundred thouſand pounds, for or concerning the orders which were to be given to the Contributors upon that Act; and ſo much of the ſeveral Rates and Duties of Exciſe, and of the ſaid impoſition ariſing by the Tunnage of Ships and Veſſels granted by the ſeveral Acts above mentioned, as is and ſhall be ſufficient to pay and ſatisfie the ſeveral ſums of Money which ſhall from time to time grow due, and be payable upon the ſaid ſeveral Annuities to be purchaſed and obtained in purſuance of this Act, and which ſhall reſpectively be charged upon the Rates, Duties or Impoſition aforeſaid, is and ſhall be appropriated and applied, and the ſame is hereby appropriated to and for the payment of the ſaid ſeveral Annuities to be purchaſed and obtained in purſuance of this Act, according as the ſame ſhall become due by the purport and true meaning thereof; and ſhall not be diverted or divertible to any other uſe, intent or purpoſe whatſoever, under the like Penalties, Forfeitures and Diſabilities, in reſpect to all and every the Officers and other perſons that are or ought to be concerned in the payments thereof, as are appointed and enacted (in caſe of diverting or miſapplying or not paying) in and by the ſaid Act, which granted Duties of Exciſe to ſecure Recompences and Advantages to ſuch as ſhould advance the ſum of Ten hundred thouſand pounds; and every article, rule and clauſe in the ſaid laſt mentioned Act contained, as for and concerning any Penalties, Forfeitures or Diſabilities upon any Officers or others for miſapplying or diverting any of the duties or ſums of Money thereby granted, ſhall be of full force and effect to all intents and purpoſes during the continuance of the ſaid term of Ninety ſix years; and the ſaid Penalties and Forfeitures ſhall be ſued for, proſecuted, recovered and paid in ſuch manner and form as the Penalties in the Act laſt mentioned, are appointed to be ſued for, proſecuted, recovered or paid; in which Suit no Protection, Priviledge of Parliament, or other Priviledge, Wager of Law, or any more than one Imparlance ſhall be allowed. And the ſaid Officers are hereby required to keep Books and Regiſters, and to make Entries of the Names of all perſons who ſhall advance Moneys on this Act, and of perſons to be nominated, as aforeſaid, and of the ſeveral ſums ſo advanced, and the times of paying in the ſame reſpectively, and of the nature of each payment to be made in purſuance of this Act, to which all perſons concerned ſhall have acceſs; all which the ſaid Officers, for the time being, ſhall do or perform, without fee or reward, under the like Penalties, Forfeitures and Diſabilities, as in the like caſes are appointed to be inflicted by the Act laſt mentioned.

VIII. And be it further enacted, That any Moneys payable to any perſon or perſons, upon or by virtue of this Act for Annuities, to be purchaſed or obtained, as aforeſaid, ſhall not be charged or chargeable to, or with any Taxes or publick Rates, Duties or Impoſitions whatſoever.

Moneys by this Act advanced Tax-free.

IX. And be it further enacted, That it ſhall and may be lawful for any Guardian or Truſtee, having the diſpoſal of the Money of any Infant under the Age of Twenty one years, for the uſe and benefit of ſuch Infant, to advance and pay any ſum, not exceeding Seventy pounds of the Moneys of ſuch Infant, upon any the terms in this Act mentioned; and ſuch Infant, upon the payment of the ſame, ſhall become a Contributor within the meaning of this Act, and be Intituled to the Annuity, for which ſuch ſum ſhall be ſo paid; and the ſaid Guardian or Truſtee, as to the ſum ſo advanced, is hereby diſcharged.

Guardian may advance for Infants.

X. And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall fraudulently contribute any ſum or ſums of Money upon this Act, under colour or pretence of having an Eſtate for a ſingle Life, changed or converted into a term certain, as aforeſaid, or under colour or pretence of purchaſing or obtaining an intereſt to take effect (in point of payment) after a ſingle Life ſuppoſed to be in being, when in truth and reality, the particular Eſtate for ſuch ſingle Life (at the time of the paying the conſideration Money ſo to be contributed or advanced) ſhall be actually determined by the death of the Nominee, or perſon during whoſe Life ſuch particular Eſtate was to continue, that then, and in every ſuch caſe, the Conſideration Money, or ſum ſo to be advanced or contributed, ſhall be forfeited and loſt to his Majeſty; and no Eſtate, intereſt or term, for or in reſpect of the ſame, ſhall by this Act ariſe, or be veſted either in ſuch Contributor, or in any perſon to be nominated for him, her, or them, as aforeſaid, or in his, her, or their Executors, Adminiſtrators or Aſſigns; and ſuch Contributor, for every ſuch offence, ſhall forfeit the ſum of One hundred pounds, one moiety thereof to his Majeſty, and the other moiety to him or them that ſhall diſcover ſuch offence, and ſue for the ſaid ſum, by Action of Debt, Bill, Suit or Information, as aforeſaid, any thing herein contained to the contrary notwithſtanding.

Puniſhment upon perſon that ſhall fraudulently advance Money, his Nominee being dead.

XI. Provided always, and it is hereby enacted, that when as any the ſaid particular Eſtates for ſingle Lives ſhall be changed into certain terms of years, and be thereby merged or extinguiſhed, according to the true meaning of this Act, as aforeſaid, the orders which were made and ſigned purſuant to the ſaid former Acts for the Annuities payable during ſuch ſingle Lives, ſhall be brought into the Receipt of the Exchequer, and there remain as Vouchers for the payments already made, without making any further iſſues or payments thereupon, for any time beyond the Feaſt of the Nativity of our Lord, which ſhall be in the year, One thouſand ſix hundred ninety five, from which Feaſt day the iſſues or payments of the reſpective Annuities hereby appointed to be paid, ſhall be made upon the ſaid Orders which are to be drawn and ſigned in purſuance of this Act; and in all caſes where the ſaid Annuities, or any of them, are by this Act to be paid to the Contributor, or ſuch as he ſhall nominate, his Executors, Adminiſtrators or Aſſigns for a Term of years, without depending upon a Life, it ſhall not be neceſſary or requiſite for him or them, in order to obtain his or their payments thereof, to produce a Certificate ſigned by any Miniſter or Churchwardens, or to make

Manner of orders upon the change.

any other proof of a Nominees being Alive; any thing in this or the ſaid former Acts or any of them to the contrary notwithſtanding.

Appropriation of Money Advanc'd.

XII. And it is hereby further enacted by the authority aforeſaid, That out of the Money that ſhall be levyed or paid by virtue of this Act into the Receipt of the Exchequer, as well upon Loans, as otherwiſe, one Moiety thereof ſhall be, and it hereby appropriated for the ſervices of the Navy and Ordnance for Sea-Service performed and to be performed; and that all other Money which ſhall be levyed and paid by virtue of this Act into the Receipt of the Exchequer, as well upon Loans, as otherwiſe, ſhall be applied and appropriated, and is hereby appropriated to and for the payment of his Majeſties Land-forces and Armies, and the paying for Arms, Ammunition, and other Charges incident to the War, and not otherwiſe.

Rules for payment, appropriation, &c.

Seſſ. 2. Cap. 1.

XIII. And for the more effectual doing thereof, and that the ſums by this Act appropriated may not be diverted or applied to any other purpoſe then is hereby declared and intended: Be it enacted by the authority aforeſaid, that the Rules and Directions appointed and enacted in one Act made in the Firſt year of his Majeſties Reign, Entituled, An Act for a Grant to their Majeſties of an Aid of Two Shillings in the Pound for One year, for the ſpeedy payment of Money thereby granted into the Receipt of the Exchequer by the Collectors and Receivers, and for diſtribution and application thereof, and keeping diſtinct Accounts of the ſame, and all other Proviſions, Pains, Penalties and Forfeitures, thereby enacted in caſe of diverſion of any Money thereby appropriated, are hereby Revived and Enacted to be in Force, and ſhall be practiſed, applied, executed and put in ure, for and concerning the diſtribution and application of the ſaid ſums hereby appropriated, as fully, amply, and effectally, as if the ſame were here particularly repeated, and re-enacted.

Clauſe of Loan at 5 l. per Cent. if 618420l. 6d. be not Advanced.

XIV. And be it enacted by the authority aforeſaid, That if the whole ſum of Six hundred eighteen thouſand four hundred and twenty pounds and ſix pence, be not advanced and paid into the Exchequer upon this Act, before the Firſt day of Auguſt, One thouſand ſix hundred ninety and five, that then it ſhall and may be lawful for his Majeſty, or his Officers in the Receipt of his Majeſties Exchequer, by his command and appointment, to borrow and take into the ſaid Receipt, for his Majeſties uſe, by way of Loan, any ſum or ſums of Money, which, together with the whole value or amount of all the ſums of Money, which ſhall before the ſaid Firſt day of Auguſt, be contributed or adventured, as aforeſaid, ſhall not exceed the ſum of Six hundred eighteen thouſand four hundred and twenty pounds and ſix pence, which ſum or ſums ſo taken up by way of Loan, ſhall and may be charged upon the Credit of his Majeſties Exchequer in General, and Tallies of Loan, and Orders of repayment of the ſame ſhall be levyed and drawn accordingly; which ſaid Orders ſhall be Aſſignable and Transfertable from one perſon to another.

XV. And it is hereby enacted, that all and every ſum and ſums of Money ſo to be Borrowed, not exceeding, as aforeſaid, together with Intereſt for the ſame, not exceeding the rate of Five pounds per Centum per Annum, to be paid every Three months, until ſatisfaction of the Principal ſhall be payable and ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her or their Executors, Adminiſtrators or Aſſigns, out of the Moneys which ſhall afterwards ariſe, and be brought into the Exchequer, by or for contributions or conſideration Moneys upon this Act, ſo far as the ſame will extend; and in caſe the Money ſo ariſing by this Act ſhall not be ſufficient for the paying thereof, then the ſaid Loans which ſhall remain unſatisfied, and the Intereſt of the ſame ſhall be paid and ſatisfied out of the next Aids or Supplies to be granted to his Majeſty in Parliament, and ſhall be Transferred and Transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted to his Majeſty; and if no ſuch Aids or Supplies ſhall be granted to his Majeſty before the Twentieth day of February, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and five, then the ſaid ſum and ſums of Money, ſo to be Borrowed, not exceeding, as aforeſaid, and the intereſt thereof, ſhall be payable, and be paid and ſatisfied to the ſaid Lender or Lenders, his, her or their Executors, Adminiſtrators or Aſſigns reſpectively, by and out of any his Majeſties Treaſure, which from thenceforth ſhall come into, be or remain in the Receipt of his Majeſties Exchequer, not being already appropriated to any particular uſes, by any Act or Acts of Parliament before this time made.

CAP. VI.

An Act for Granting to his Majeſty certain Rates and Duties upon Marriages, Births, and Burials and upon Batchelors and Widowers, for the Term of Five years, for carrying on the War againſt *France* with Vigour.

Preamble.

WE your Majeſties moſt Dutiful and Loyal Subjects the Commons in Parliament Aſſembled, from a deep ſence of the many great occaſions, which engage your Majeſty in many extraordinary Expences for the neceſſary Defence of your Realms, and the Proſecution of a War againſt France with Vigour, have cheerfully and unanimouſly given and granted unto your Majeſty, as an Additional Supply and Aid, the Rates, Duties, Impoſitions and ſums of Money herein after mentioned; and we moſt humbly beſeech your Majeſty that it may be enacted.

Duties given upon Burials for 5 years.

II. And be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the authority of the ſame, That from and after the Firſt day of May, in the year of our Lord, One thouſand ſix hundred ninety and five, for and during the term of Five years, to commence and be accounted from the ſaid Firſt day of May, and no longer, there ſhall be raiſed, levied and paid to his Majeſty, his Heirs and Succeſſors (over and above all other Duties whatſoever) for and upon the Burial of all perſons, who ſhall be Buried within the ſaid Term of Five years, at any place within the Kingdom of England, Dominion of Wales and Town of Berwick upon Tweed, the ſeveral and reſpective Duties and Sums of Money herein after mentioned (that is to ſay;)

III. For, and upon the Burial of every perſon the Sum of Four ſhillings; And for, and upon the Burial of every perſon of the degree of a Duke of England, Scotland, or Ireland, the Sum of Fifty pounds, over and above the ſaid Four Shillings; and for, and upon the Burial of every Dutcheſs of any of the ſaid three Kingdoms, the like Sum of Fifty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every perſon of the degree of a Marqueſs or Marchioneſs of any of the ſaid three Kingdoms, the Sum of Forty pounds, over and above the ſaid Four Shillings; and for, and upon the Burial of every perſon of the degree of an Earl or Counteſs of any of the ſaid three Kingdoms, the Sum of thirty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every perſon of the degree of a Viſcount or Viſcounteſs of any of the ſaid three Kingdoms, the ſum of Five and twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every perſon of the degree of a Baron or Baroneſs of any of the ſaid three Kingdoms, the ſum of Twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Eldeſt Son of a Duke, of any of the ſaid three Kingdoms, or his Wife, the ſum of Thirty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every younger Son of a Duke of any of the ſaid three Kingdoms, or his Wife, the ſum of Five and twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Eldeſt Son of a Marqueſs of any of the ſaid three Kingdoms, or his Wife, the ſum of Five and twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Younger Son of a Marqueſs of any of the ſaid three Kingdoms, or his Wife, the ſum of Twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Eldeſt Son of an Earl of any of the ſaid three Kingdoms, or his Wife, the ſum of Twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Younger Son of an Earl of any of the ſaid three Kingdoms, or his Wife, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Eldeſt Son of a Viſcount of any of the ſaid three Kingdoms, or his Wife, the ſum of Seventeen pounds and ten ſhillings, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Younger Son of a Viſcount of any of the ſaid three Kingdoms, or his Wife, the ſum of Thirteen pounds ſix ſhillings and eight pence, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Eldeſt Son of a Baron of any of the ſaid three Kingdoms, or his Wife, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Younger Son of a Baron of any of the ſaid three Kingdoms, or his Wife, the ſum of Twelve pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Unmarried Daughter of a Duke of any of the ſaid three Kingdoms, the ſum of Five and twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Unmarried Daughter of a Marqueſs of any of the ſaid three Kingdoms, the ſum of Twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Unmarried Daughter of an Earl of any of the ſaid three Kingdoms, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Unmarried Daughter of a Viſcount of any of the ſaid three Kingdoms, the ſum of Thirteen pounds ſix ſhillings and eight pence, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Unmarried Daughter of a Baron of any of the ſaid three Kingdoms, the ſum of Twelve pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of a Duke of any of the ſaid three Kingdoms, the ſum of Fifty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of a Marqueſs, of any of the ſaid three Kingdoms, the ſum of Forty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of an Earl of any of the ſaid three Kingdoms, the ſum of Thirty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of a Viſcount of any of the ſaid three Kingdoms, the ſum of Five and twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of a Baron of any of the ſaid three Kingdoms, the ſum of Twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every perſon of the degree of a Baronet of any of the ſaid three Kingdoms, or of Nova Scotia, or his Wife, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every perſon that is a Knight of the Order of the Bath, or his Wife, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every perſon who is a Knight Batchelor, or his Wife, the ſum of ten pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Serjeant at Law, being the Kings Serjeant, the ſum of Twenty pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of the Wife of every Kings Serjeant, the ſum of ten pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every other Serjeant at Law, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every ſuch other Serjeants Wife, the ſum of Seven pounds and ten ſhillings, over and above the ſaid Four ſhillings; and for, and upon the Burial of every perſon of the degree of an Eſquire, or ſo reputed, or owning or writing himſelf ſuch, or his Wife, the ſum of Five pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Gentleman, or reputed Gentleman, or owning or writing himſelf ſuch, or his Wife, the ſum of Twenty ſhillings, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Younger Child of Baronets, Knights of the Bath, Knights Batchelors, Serjeants at Law, Eſquires or Gentlemen, or reputed Eſquires or Gentlemen, or owning or writing themſelves ſuch, and their Wives, the ſum of Twenty ſhillings, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of a Baronet, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of every Knight of the Bath, the ſum of Fifteen pounds, over and above the ſaid Four ſhillings: and for, and upon the Burial of every Widow of a Knight Batchelor, the Sum of Ten pounds, over and above the ſaid Four ſhillings; and for, and upon the Burial of every Widow of every Serjeant

Particulars.

at Law, being the Kings Serjeant, the Sum of Ten pounds, over and above the ſaid Four ſhillings; And for and upon the Burial of every Widow of every other Serjeant at Law, the Sum of Seven pounds and Ten ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of every Widow of an Eſquire, or reputed Eſquire, or ſo owning or writing himſelf as ſuch, the Sum of Five pounds, over and above the ſaid Four ſhillings; And for, and upon the Burial of every widow of every Gentleman, or reputed Gentleman, or ſo owning or writing himſelf as ſuch, the Sum of Twenty ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of every perſon of the order and degree of an Arch-Biſhop, the Sum of Fifty pounds, over and above the ſaid Four ſhillings; And for, and upon the Burial of every Arch-Biſhops Wife or Widow, the Sum of Ten pounds, over and above the ſaid Four Shillings; And for, and upon the Burial of every perſon of the degree and order of a Biſhop, the Sum of Twenty pounds, over and above the ſaid Four ſhillings; And for, and upon the Burial of every Wife or Widow of every Biſhop, the Sum of Five pounds, over and above the ſaid Four ſhillings; And for, and upon the Burial of every perſon of the degree of a Dean, of any Cathedral or Collegiate Church the Sum of Ten pounds, over and above the ſaid Four ſhillings; And for and upon the Burial of every Wife or Widow of every Dean, the ſum of Two pounds ten ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of every perſon of the degree of an Arch-Deacon, the ſum of Two pounds ten ſhillings, over and above the ſaid Four ſhillings; And for and upon the Burial of the Wife or Widow of every Arch-Deacon, the ſum of Twenty ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of every perſon of the degree of a Canon or Prebendary of any Cathedral or Collegiate Church, the ſum of two pounds ten ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of the Wife or Widow of every Canon or Prebendary, the ſum of Twenty ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of every perſon of the degree of a Doctor of Divinity, Law, or Phyſick, the ſum of Five pounds, over and above the ſaid Four ſhillings; And for, and upon the Burial of the Wife or Widow of every ſuch Doctor of Divinity, Law, or Phyſick, the ſum of Twenty ſhillings, over and above the ſaid Four ſhillings; And for and upon the Burial of every Son or Daughter of an Arch-Biſhop, Dean, Arch-Deacon, Canon, Prebendary, Doctor of Divinity, Law, or Phyſick, the ſum of Twenty ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of every perſon having a real Eſtate of the value of Fifty pounds per Annum or upwards, or a perſonal eſtate of the value of Six hundred pounds or upwards, and not otherwiſe hereby Charged under any of the Ranks, Orders, Qualifications or Degrees herein before mentioned, the ſum of Twenty ſhillings, over and above the ſaid Four ſhillings; And for, and upon the Burial of the Wife or Widow, Child or Children of every ſuch perſon having ſuch real or perſonal Eſtate, as aforeſaid, the ſum of Ten ſhillings, over and above the ſaid Four ſhillings.

Payment into the Exchequer.

IV. And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Duties and Sums of money Granted, as aforeſaid, upon the Burials of the ſeveral perſons before mentioned, as the ſame ſhall ſeverally become due and payable, ſhall be anſwered and paid to his Majeſty, his heirs and Succeſſors for the aforeſaid term of Five years, by the reſpective Heirs, Executors or Adminiſtrators of every ſuch perſon ſo Buried, as aforeſaid, before any other Debts or Duties whatſoever; And in default of payment thereof to the Collectors of the ſaid Duty upon Demand, the ſame ſhall be Charged upon, and Levied by diſtreſs upon the Lands, Tenements and Hereditaments, or the Goods and Chattels of the perſons ſo Buried, in ſuch manner as herein after is directed; And the reſpective Duties hereby Charged upon the Burial of any perſon, who ſhall at the time of his or her death, be under the age of one and twenty years, ſhall be anſwered and paid by the Father of ſuch perſon (if living at the time of the death of ſuch perſon under Age) and if the Father be then dead, by the mother, if ſhe be then living, or otherwiſe, by the Guardian, Truſtee, Executor or Adminiſtrator of ſuch perſon; And the Duty Charged upon the Burial of any Wife, ſhall be paid by the Husband of ſuch Wife.

Manner of Levying.

Parents for Children, &c.

Duties upon Births for Five years.

V. And be it further enacted by the Authority aforeſaid, that from and after the ſaid firſt day of May, for, and during the term of five years and no longer, there ſhall be Raiſed, levied and paid to his Majeſty, his Heirs and Succeſſors, for, and upon the Birth of every perſon (except as herein after is excepted) who ſhall be Born within the ſaid term of five years, at any place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, the ſeveral and reſpective Duties and ſums of Money herein after mentioned (that is to ſay;)

Particulars.

VI. For, and upon the Birth of every perſon and (Child except the Child or Children of ſuch as receive Alms) the ſum of Two ſhillings; And for, and upon the Birth of every eldeſt Son of every perſon of the degree of a Duke of England, Scotland or Ireland, or of his Wife by any other Husband after his death, the ſum of Thirty pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of every other Son or Daughter of ſuch Duke, or of his Wife by any other Husband after his death, the ſum of Five and twenty pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of every eldeſt Son of every perſon of the degree of a Marqueſs of any of the ſaid three Kingdoms, or of his Wife by any other Husband after his death, the ſum of Five and twenty pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of every other Son or Daughter of ſuch Marqueſs, or of his Wife by any other Husband after his death, the ſum of Twenty pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of every eldeſt Son of every perſon of the degree of an Earl, of any of the ſaid three Kingdoms, or of his Wife by any other Husband after his death, the ſum of Twenty pounds, over and above the ſaid two ſhillings; And for, and upon the Birth of every other Son or Daughter of ſuch Earl, or of his Wife by any other husband after his death, the ſum of Fifteen pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of the eldeſt Son of every perſon of the degree of a Viſcount of any of the ſaid three Kingdoms, or of his Wife by any other Husband after his Death, the ſum of Seventeen pounds ten ſhillings, over and above the ſaid Two ſhillings; And for, and upon the Birth of every other Son or Daughter of ſuch Viſcount or of his Wife by any other Husband after his death, the ſum of Thirteen pounds ſix ſhillings and eight pence, over and above the ſaid Two ſhillings; And for, and upon the Birth of every eldeſt Son of every perſon of the degree of a Baron of any of the ſaid three Kingdoms, or of his Wife by any other Husband after his Death, the ſum of Fifteen pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of every other Son or Daughter of ſuch Baron, or of his Wife by any other Husband after his death, the ſum of Twelve pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of every eldeſt Son of every perſon of the degree of a Baronet, Knight of the Order of the Bath, or Knight Batchelor, the ſum of Five pounds, over and above the ſaid Two ſhillings; And for, and upon the Birth of every eldeſt Son of a Serjeant at Law, Eſquire or Gentleman, the ſum of Twenty ſhillings, over and above the ſaid two ſhillings; And for, and upon the Birth of every younger Son or Daughter of Baronets, Knights of the Bath, Knights Batchelors, Serjeants at Law, Eſquires or Gentlemen, or ſo reputed, or owning or writing themſelves as ſuch, the ſum of twenty ſhillings, over and above the ſaid Two ſhillings; And for, and upon the Birth of every Son or Daughter of an Arch-Biſhop, Biſhop, Dean, Arch-Deacon, Canon, Prebendary, Doctor of Divinity, Law or Phyſick, the ſum of twenty ſhillings, over and above the ſaid two ſhillings; And for, and upon the Birth of every Son or Daughter of every perſon having a real Eſtate of the Value of Fifty pounds per Annum or upwards, or a perſonal Eſtate of the Value of Six hundred pounds or upwards, and not hereby otherwiſe Charged under any of the Ranks, Orders, Qualifications or Degrees herein before mentioned, the ſum of Ten ſhillings, over and above the ſaid two ſhillings.

Births of Children paid by Parens, &c.

VII. And be it further enacted by the Authority aforeſaid, that the ſaid ſeveral and reſpective ſums of money, ſo impoſed, as aforeſaid, for and upon the Birth or Births of any Child or Children within the Kingdom, or the Dominion, or Town aforeſaid, ſhall be Charged upon, and Anſwered and paid to his Majeſty, his Heirs and Succeſſors for the aforeſaid term of five years, by the Father, if living at the time of the Birth of any ſuch Child or Children, and if he ſhall be dead at the time of ſuch Birth, by the Mother of ſuch Child or Children, ſo Born; And in caſe of the death of ſuch Father and Mother at the time of the Birth, by ſuch perſon or perſons who ſhall take upon him, her, or them, the Guardianſhip or Care of ſuch Child or Children ſo born, to be reimburſed again in the firſt place, out of the real or perſonal Eſtate of ſuch Child or Children ſo born, (if any) to be Levied in ſuch manner as is herein after directed.

Duties upon Marriages, for Five years.

VIII. And be it further enacted by the Authority aforeſaid, that from and after the ſaid Firſt day of May, for and during the ſaid term of Five years, there ſhall be Raiſed, Levied and paid to his Majeſty, his Heirs and Succeſſors, for, and upon every Marriage of any perſons (except as herein after is excepted) who ſhall be Married within the ſaid term of Five years, and no longer, at any place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, the ſeveral and reſpective Duties and Sums of money herein after mentioned (that is to ſay;)

Particulars.

IX. For, and upon the reſpective Marriage of every perſon (except ſuch as receive Alms) the ſum of Two ſhillings and ſix pence; And for, and upon the Marriage of every perſon of the degree of a Duke of England, Scotland, or Ireland, the ſum of Fifty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every perſon of the degree of a Marqueſs of any of the ſaid three Kingdoms, the ſum of Forty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every perſon of the degree of an Earl of any of the ſaid three Kingdoms, the ſum of thirty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every perſon of the degree of a Viſcount of any of the ſaid three Kingdoms, the ſum of Five and twenty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every perſon of the degree of a Baron of any of the ſaid three Kingdoms, the ſum of twenty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every eldeſt Son of a Duke of any of the ſaid three Kingdoms, the ſum of Thirty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every younger Son of ſuch Duke, the ſum of Five and twenty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every eldeſt Son of a Marqueſs of any of the ſaid three Kingdoms, the ſum of Five and twenty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every younger Son of ſuch Marqueſs, the Sum of Twenty pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every eldeſt Son of an Earl of any of the ſaid three Kingdoms, the ſum of twenty pounds, over and above the ſaid two ſhillings and ſix pence; And for, and upon the Marriage of every younger Son of ſuch Earl, the ſum of Fifteen pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every eldeſt Son of a Viſcount of any of the ſaid three Kingdoms, the ſum of Seventeen pounds and ten ſhillings, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every younger Son of ſuch Viſcount, the ſum of Thirteen pounds ſix ſhillings and eight pence, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every eldeſt Son of a Baron of any of the ſaid three Kingdoms, the Sum of Fifteen pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every younger Son of ſuch Baron, the ſum of Twelve pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every perſon of the degree of a Baronet of any of the ſaid three Kingdoms, or of Nova Scotia, the ſum of Fifteen pounds, over and above the ſaid

Two ſhillings and Six pence; And for, and upon the Marriage of every perſon that is a Knight of the Order of the Bath, the Sum of Fifteen pounds, over and above the ſaid Two ſhillings and ſix pence; And for, and upon the Marriage of every perſon that is a Knight Batchelor, the Sum of Ten pounds, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every Serjeant at Law, being the Kings Serjeant, the Sum of Twenty pounds, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every other Serjeant at Law, the Sum of Fifteen pounds, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every Eſquire, or reputed Eſquire, or owning or writing himſelf to be ſuch, the Sum of Five pounds, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every Gentleman, or reputed Gentleman, or owning or writing himſelf to be ſuch, the Sum of Twenty Shillings, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every younger Son of a Baronet, Knight of the Bath, Knight Batchelor, Serjeant at Law, Eſquire or Gentleman, or reputed Eſquire or Gentleman, or writing or owning themſelves as ſuch, the Sum of Twenty ſhillings, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every perſon of the degree of an Arch-Biſhop, the Sum of Fifty pounds, over and above the ſaid two ſhillings and Six pence; And for, and upon the Marriage of every perſon of the degree of a Biſhop, the Sum of Twenty pounds, over and above the ſaid Two ſhillings and Six pence; And for and upon the Marriage of every perſon of the degree of a Dean of any Cathedral or Collegiate Church, the Sum of ten pounds, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every perſon of the degree of an Arch-Deacon, the Sum of Two pounds and Ten ſhillings, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every perſon of the degree of a Canon or Prebendary of any Cathedral or Collegiate Church, the Sum of Two pounds and Ten ſhillings, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every perſon of the degree of a Doctor of Divinity, Law or Phyſick, the Sum of Five pounds, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every Son of an Arch-Biſhop, Biſhop, Dean, Arch-Deacon, Canon, Prebendary, Doctor of Divinity, Law or Phyſick, the Sum of Twenty Shillings, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every perſon having a Real Eſtate of the Value of Fifty pounds per Annum, or upwards, or a perſonal Eſtate of the Value of Six hundred pounds or upwards, and not otherwiſe hereby Charged under the ſeveral Dignities, Ranks, Orders, Qualifications or Degrees herein before mentioned, the Sum of Twenty ſhillings, over and above the ſaid Two ſhillings and Six pence; And for, and upon the Marriage of every Son of every ſuch perſon or perſons having ſuch Real or Perſonal Eſtate, as aforeſaid, the Sum of Ten ſhillings, over and above the ſaid Two ſhillings and Six pence.

Husband to pay Duties.

X. And be it further enacted by the Authority aforeſaid, that the ſeveral and reſpective Duties and Sums of money, ſo to be raiſed and paid by Marriages, as aforeſaid, as the ſame ſhall ſeverally become due and payable, ſhall be charged upon, and anſwered, and paid to his Majeſty, his Heirs and Succeſſors, for the aforeſaid term of Five years, by the husband upon demand.

Duty upon Batchelors, and Widowers without children for five years.

XI. And be it further enacted by the Authority aforeſaid, that every perſon Inhabiting and Reſiding, or which ſhall Inhabit and Reſide in the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, being a Batchelor above the Age of Five and twenty years (except ſuch as receive Alms) ſhall from and after the ſaid Firſt day of May, during the ſaid Term of Five years, or ſo long time thereof as he ſhall continue a Batchelor, and no longer, pay to his Majeſty, his Heirs and Succeſſors, the Sum of one ſhilling yearly.

XII. And be it further enacted by the authority aforeſaid, That every perſon inhabiting and reſiding, or which ſhall inhabit and reſide in the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, being a Widower, and having no Child or Children (except ſuch as receive Alms) ſhall from and after the ſaid Firſt day of May, during the ſaid term of Five years, or ſo long time thereof as he ſhall continue a Widower, and no longer, pay unto his Majeſty, his Heirs and Succeſſors, the ſum of one ſhilling yearly.

Particulars.

XIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid Firſt day of May, all and every perſon and perſons of the ſeveral Orders, Ranks, Degrees and Qualifications herein after mentioned, inhabiting and reſiding, or which ſhall happen to inhabit and reſide in the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, being Batchelors above the Age of Five and twenty years, or Widowers without any Child or Children, ſhall pay to his Majeſty, his Heirs and Succeſſors yearly, during the ſaid term of Five years, or for ſo long time thereof as they ſhall continue Unmarried, and no longer, the ſeveral and reſpective duties and ſums of Money herein after mentioned, over and above the ſaid yearly ſum of One ſhilling, (that is to ſay;) Every perſon of the degree of a Duke of England, Scotland or Ireland, the yearly ſum of Twelve pounds and Ten ſhillings; and every perſon of the degree of a Marquels of any of the ſaid three Kingdoms, the yearly ſum of Ten pounds; every perſon of the degree of an Earl of any of the ſaid three Kingdoms, the yearly ſum of Seven pounds and ten ſhillings; every perſon of the degree of a Viſcount of any of the ſaid three Kingdoms, the yearly ſum of Six pounds and five ſhillings; every perſon of the degree of a Baron of any of the ſaid three Kingdoms, the yearly ſum of Five pounds; every Eldeſt Son of a Duke of any of the ſaid three Kingdoms, the yearly ſum of Seven pounds and ten ſhillings; every Younger Son of ſuch Duke the yearly ſum of Six pounds and five ſhillings; every Eldeſt Son of a Marqueſs of any of the ſaid three Kingdoms, the yearly ſum of Six pounds and five ſhillings; every Younger Son of ſuch Marqueſs, the yearly ſum of Five pounds; every Eldeſt Son of an Earl of any of the ſaid three Kingdoms, the yearly ſum of Five pounds; every Younger Son of ſuch Earl, the yearly ſum of Three pounds and fifteen ſhillings; every Eldeſt Son of a Viſcount of any of the ſaid three Kingdoms, the yearly ſum of Four pounds ſeven ſhillings and ſix pence; every Younger Son of ſuch Viſcount, the yearly ſum of Three pounds ſix ſhillings and eight pence; every Eldeſt Son of a Baron of any of the ſaid three Kingdoms, the yearly ſum of Three pounds fifteen ſhillings; every Younger Son of ſuch Baron the yearly ſum of Three pounds; every perſon of the degree of a Baronet of any of the ſaid three Kingdoms, or of Nova Scotia, the yearly ſum of Three pounds and fifteen ſhillings; every perſon that is a Knight of the Order of the Bath, the yearly ſum of Three pounds and fifteen ſhillings; every perſon who is a Knight Batchelor, the yearly ſum of Two pounds ten ſhillings; every Serjeant at Law, being the Kings Serjeant, the yearly ſum of Five pounds; every other Serjeant at Law, the yearly ſum of Three pounds fifteen ſhillings; every Eſquire, or reputed Eſquire, or owning or writing himſelf to be ſuch, the yearly ſum of One pound five ſhillings; every Gentleman, or reputed Gentleman, or ſo owning or writing himſelf to be ſuch, the yearly Sum of Five ſhillings; every perſon of the Degree of an Arch-Biſhop, the yearly ſum of Twelve pounds and ten ſhillings; every perſon of the degree of a Biſhop, the yearly ſum of Five pounds; every perſon of the degree of a Dean of any Cathedral or Collegiate Church, the yearly ſum of Two pounds and ten ſhillings; every perſon of the degree of an Arch-Deacon, the yearly ſum of Twelve ſhillings and ſix pence; every Canon or Prebendary of any Cathedral or Collegiate Church, the yearly ſum of Twelve ſhillings and ſix pence; every perſon of the degree of a Doctor of Divinity, Law, or Phyſick, the yearly ſum of One pound and five ſhillings, every Son of an Arch-Biſhop, Biſhop, Dean, Arch-Deacon, Canon, Prebendary, Doctor of Divinity, Law or Phyſick, the yearly ſum of Five ſhillings; every other perſon having a Real Eſtate of the value of Fifty pounds per Annum or upwards, or a perſonal Eſtate of the value of Six hundred pounds or upwards, and not charged under any of the Orders, Ranks, Degrees or Qualifications aforeſaid, the yearly ſum of Five ſhillings; and every Son of ſuch perſon having ſuch Real or Perſonal Eſtate, the yearly ſum of Two ſhillings and ſix pence; Which ſaid ſeveral and reſpective yearly ſums hereby charged, ſhall be paid by two equal half-yearly payments, at the two moſt uſual Feaſts in the year (that is to ſay) at the Feaſts of St. Michael the Arch-Angel, and the Annunciation of the bleſſed Virgin Mary.

Perſon to pay only for his higheſt Degree.

XIV. Provided always, and be it enacted, That no perſon ſhall by virtue of this Act, be doubly charged, for, or in reſpect of the ſeveral Titles, Honours or Degrees, but that every ſuch perſon ſhall be charged and chargeable for ſuch Title, Honour or Degree only, as is higheſt rated by this Act.

Commiſſioners for Land-Tax to be Commiſſioners for the firſt year.

XV. And be it further enacted by the authority aforeſaid, That for the better execution of this Act, and for the ordering and levying of the ſeveral ſums of Money, ſo as aforeſaid limitted and appointed to be paid, the perſons nominated and appointed to be Commiſſioners for putting in execution an Act of this preſent Seſſion of Parliament, Entituled, An Act for Granting to his Majeſty an Aid of Four ſhillings in the Pound for one year, and for Applying the yearly ſum of Three hundred thouſand Pounds for Five years, out of the Duties of Tunnage and Poundage, and other ſums of Money payable upon Merchandizes Exported and Imported, for carrying on the War againſt *France* with Vigour, ſhall be Commiſſioners for putting in execution this preſent Act, and the powers therein contained, within all and every the ſeveral and reſpective Counties, Ridings, Cities, Boroughs, Cinque-Ports, Towns and Places, for the Firſt year of the ſaid term of Five years, for which the Duties hereby impoſed are granted; which ſaid Commiſſioners, in order to the ſpeedy execution of this Act ſhall (in their reſpective Counties, Cities, Boroughs, Towns and Places, for which they are appointed Commiſſioners) reſpectively meet together at the moſt uſual or common place of meeting, within ſuch of the ſaid Counties, Cities, Boroughs, Towns and Places reſpectively, at or before the Thirtieth day of April, One thouſand ſix hundred ninety five; and the ſaid Commiſſioners, or ſo many of them as ſhall be preſent at the Firſt General Meeting, or the major part of them, may by their conſents and agreements, divide as well themſelves as other the Commiſſioners, not then preſent, for the execution of this Act, in Hundreds, Laths, Wapentakes, Rapes, Wards, Towns, and other Places, within their limits, Priviledged or not Priviledged, in ſuch manner as to them ſhall ſeem meet; and ſhall direct their ſeveral or joynt precept or precepts, to ſuch Inhabitants, and ſuch number of them as they in their diſcretions ſhall think moſt convenient, to be Preſenters and Aſſeſſors, requiring them to appear before the ſaid Commiſſioners, at ſuch time and place as they ſhall appoint, not exceeding ten days; and at ſuch their appearances, the ſaid Commiſſioners, or ſo many of them as ſhall meet, ſhall openly read or cauſe to be read unto them, the ſeveral Rates and Duties in this Act mentioned, and openly declare the effect of their charge unto them, and how and in what manner they ought and ſhould make their Certificates and Aſſeſſments, according to the ſeveral Rates aforeſaid; and ſhall then and there prefix another day to the ſaid perſons to appear before the ſaid Commiſſioners, and bring in their Certificates in writing, of the Names, Sirnames, Eſtates, Degrees, Titles and Qualifications of all and every the perſons dwelling or reſiding within the limits of thoſe places with which they ſhall be charged, dividing them into ſeveral Columns as they are in Quality, Eſtate and Qualification, and the Names of all other perſons chargeable by this Act, and the ſums they are or ought reſpectively to pay upon Burials, Births or Marriages, and for their being Unmarried, according to the rules and directions of this Act, without concealment, love, favour, dread or malice, upon pain of Forfeiture of any ſum not exceeding Five pounds, to be levied as by this Act is appointed; and ſhall alſo then return the Names of two or more able and ſufficient perſons, within the bounds or limits of thoſe Pariſhes or Places where they ſhall be Aſſeſſors reſpectively, to be Collectors of the ſeveral Rates and Duties granted to his Majeſty by this Act, which ſhall grow due and payable within the Firſt year of the ſaid term of Five years; for whoſe paying unto the Receiver General to be appointed by his Majeſty, his Deputy or Deputies, in manner following, ſuch Moneys as they ſhall be charged withal, the Pariſh or Place, by whom they are ſo imployed, ſhall be anſwerable; and every Aſſeſſor, ſo as aforeſaid, appointed or to be appointed, ſhall before he take upon him the execution of the ſaid imployment, take the Oaths mentioned and required to be taken, by an Act made in the Parliament held the Firſt year of the Reign of King William and Queen Mary, Entituled, An Act for the Abrogating the Oaths of Allegiance and Supremacy, and Appointing other Oaths, and alſo take an Oath to be adminiſtred in theſe words following:

Aſſeſſors Oath.

YOU ſhall Swear Well and truly to Execute the Duty of an Aſſeſſor, and to cauſe the Rates and Duties impoſed by an Act, Entituled, *An Act for Granting to his Majeſty certain Rates and Duties upon Marriages, Births and Burials, and upon Batchelors and Widowers, for the term of Five years, for Carrying on the War againſt* France *with Vigour*, to be duly and impartially Aſſeſſed, according to the beſt of you skill and knowledge; and therein you ſhall ſpare no Perſon for Favour or Affection, nor any Perſon Grieve for Hatred or Ill-will.

Which Oaths any two or more of the Commiſſioners in the County, City or Place where the ſaid Aſſeſſment is to be made, have hereby power, and are hereby required to adminiſter.

Aſſeſſors to return a Certificate of Aſſeſſment, manner of Collecting.

XVI. And be it further enacted by the authority aforeſaid, That the Rates and Aſſeſſments charged by this Act, ſhall be aſcertained, and the Certificates thereof returned to the Commiſſioners, at or before the Thirteenth day of May, One thouſand ſix hundred ninety five; and upon the delivery and returning of ſuch Certificates or Aſſeſſments unto the ſaid Commiſſioners, they, or any three or more of them, ſhall forthwith iſſue out and deliver their Warrants or Eſtreats, to ſuch Collectors, as aforeſaid, for the ſpeedy collecting and levying of the ſaid aſſeſſments, as they ſhall reſpectively become due and payable, and all Moneys and Rates due thereupon, according to the intent and directions of this preſent Act; of all which the ſaid Collectors are hereby required to make demand of the Parties chargeable therewith, or at the places of their laſt abode, within ten days after the ſaid Duties hereby granted ſhall reſpectively become due and payable; and to pay in the ſame within twenty days after the Receipt thereof, at ſuch place as the Commiſſioners ſhall appoint, unto the reſpective Receiver General, his Deputy or Deputies, who are hereby impowered and required to call upon and haſten the Collectors to the ſaid payment; and in default of ſuch payment, to levy, by Warrant under the Hands and Seals of any two or more of the Commiſſioners, upon the Collectors, by diſtreſs and ſale of his or their Goods and Chattels, ſuch ſum and ſums of Money as he hath received, and as ought by him to have been paid, and is not paid by reaſon of his failure in doing his duty, according to the direction of this Act.

Duplicates to be given to Receivers General who are to pay into Exchequer half-yearly.

XVII. And be it further enacted, That a true Duplicate of the ſaid Aſſeſſments be, in convenient time, made out and delivered unto the reſpective Receivers General, ſo as every of them may be duly charged to anſwer their reſpective Collections and Receipts; and that the reſpective Receivers General ſhall pay the ſeveral ſums of Money by them received by virtue of this Act, into his Majeſties Exchequer, by half-yearly payments, at the two moſt uſual Feaſts of the year, (that is to ſay) the Feaſt of St. Michael the Arch-Angel, and the Feaſt of the Annunciation of the Bleſſed Virgin Mary, or ſooner or oftner, if thereunto required by the Commiſſioners of his Majeſties Treaſury, or by the High Treaſurer or Commiſſioners of the Treaſury for the time being; and upon the return of any ſuch Certificate, the ſaid Commiſſioners, or any three or more of them, ſhall, and may, if they ſee cauſe, examine the Preſenters thereof; and if the ſaid Commiſſioners, or any three or more of them, within their ſeveral Limits, ſhall at the time of the return of the Certificates, or within Twenty days after, have certain knowledge, or vehemently ſuſpect that any perſon or perſons, who ought to be mentioned in the ſaid Certificates, is, or are omitted, or that any perſon or perſons in the ſaid Certificate mentioned, is, or are of a higher Degree or Quality, or of a greater Eſtate than in the ſaid Certificate is mentioned, or is otherwiſe undercharged, or not duly charged according to the direction of this Act, the ſaid Commiſſioners, or any three or more of them, ſhall have power to ſummon ſuch perſon or perſons to appear before them, at a day and place prefixed, to be examined touching the Rates and Duties aforeſaid, or touching other matters which may any way concern the premiſſes; and if any perſon or perſons ſummoned to be ſo examined, ſhall neglect to appear, having not a reaſonable excuſe for ſuch his default, every perſon ſo making default, ſhall pay unto his Majeſty double the ſum of the Rate he ſhould or ought to have been ſet at. And moreover the ſaid Commiſſioners, or any two or more of them, ſhall have power, by all lawful ways and means, to examine and enquire into the Degrees, Ranks, Qualifications and Eſtates of ſuch perſons as are charged by this Act, and to ſet ſuch Rate or Rates upon every ſuch perſon or perſons, as ſhall be according to the true intent and meaning of this Act.

Commiſſioner upon return of Certificate may enquire and Rate perſons higher.

Receivers General and Collectors Fee.

And the ſaid Receiver General ſhall have an allowance of two pence in the pound, for all Moneys which ſhall be by him paid into the Receipt of the Exchequer; and that every Collector ſhall have three pence in the pound for what Money he ſhall Pay to the Receiver General, his Deputy and Deputies.

Fee of Commiſſioners Clerk.

XVIII. And for the careful writing and tranſcribing the ſaid Warrants, Eſtreats and Duplicates in due time, Be it further enacted, that the Clerks of the Commiſſioners, who ſhall reſpectively perform the ſame, ſhall, by Warrant under two or more of the Commiſſioners Hands, have and receive from the reſpective Receivers General, their Deputy or Deputies, one peny in the pound of all ſuch Money as he ſhall have received by virtue of ſuch Warrants or Certificates, who is hereby appointed and allowed to pay the ſame accordingly;

Manner of Levying.

and if any perſon or perſons ſhall refuſe to pay the ſeveral ſum and ſums and proportions appointed by this Act for ſuch perſon to pay, upon demand made by the Officer or Collector of the place, according to the Precept or Eſtreats to him delivered by the Commiſſioners appointed by this Act, it ſhall and may be lawful to and for ſuch Officer or Collector, who are hereby thereunto authorized and required, for Non-payment thereof, to diſtrain the perſon or perſons ſo refuſing by his or their Goods or Chattels, and the diſtreſs ſo taken, to keep by the ſpace of Four days, at the coſts and charges of the Owners thereof; and if the ſaid Owner do not pay the reſpective ſums of Money due by this Act, within the ſaid Four days, then the ſaid diſtreſs to be appraiſed by two or more of the Inhabitants where the ſaid diſtreſs is taken, and there to be Sold by the ſaid Officer for payment of the ſaid Money, and the overplus coming by the ſaid Sale (if any be) over and above the charges of taking and keeping the ſaid diſtreſs, to be immediately reſtored to the Owner thereof; and moreover it ſhall and may be lawful to Break open (in the day time) any Houſe, and (upon Warrant under the Hands and Seals of two or more of the ſaid Commiſſioners) any Cheſt, Trunk, Box or other things, where any ſuch Goods are, calling to their aſſiſtance the Conſtable, Tythingman, and Headborough within the Counties, Cities, Towns and Places, where any refuſal, neglect or reſiſtance ſhall be made; which ſaid Officers are hereby required to be aiding and aſſiſting in the premiſſes, as they will anſwer the contrary at their Peril; and if any perſon or perſons, appointed to pay any of the duties charged by this Act, ſhall refuſe or neglect to pay the ſaid ſum or ſums ſo appointed to be paid, by the ſpace of ten days after demand, as aforeſaid, where no ſufficient diſtreſs can or may be found, whereby the ſame may be levyed, in every ſuch caſe, two or more of the Commiſſioners, or two Juſtices of the Peace, by this Act appointed for any ſuch City, County or Place, are hereby authorized, by Warrant under their Hands and Seals, to commit ſuch perſon or perſons to the Common Gaol, there to be kept without Bail or Mainprize, until payment ſhall be made; and if any perſon certified, aſſeſſed, or rated, find him or her ſelf agrieved with ſuch aſſeſſing or rating, and do within ten days after notice of ſuch aſſeſſments given, as herein after is directed, by reading thereof in the Church, complain to the ſaid Commiſſioners who ſigned or allowed their rate, they or any three or more of them ſhall and may, within ten days next after ſuch complaint, particularly examine the party ſo complaining, upon his or her Oath, of his or her Rank, Degree, Qualification or Eſtate, and upon due examination or knowledge thereof, abate, defalk, encreaſe or enlarge the ſaid Aſſeſſment; and the ſame ſo abated, encreaſed or enlarged, ſhall be Eſtreated by them into the Exchequer in manner aforeſaid; and to that end the ſaid Commiſſioners are hereby required to meet together for the determining of ſuch Complaints and Appeals accordingly.

Perſons over-Aſſeſſed may Appeal to Commiſſioners.

XIX. And be it further enacted, that for the better and more effectual putting in Execution of this Act, the Juſtices of the Peace of the ſeveral and reſpective Counties, Ridings, Cities, Towns, Boroughs and places, within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall and are hereby appointed Commiſſioners, for and during the four laſt years of the ſaid Term of five years, for which the Duties Impoſed by this Act are Granted; Who are hereby Authorized and Required, from time to time to put in Execution the ſeveral Powers and Authorities hereby Granted them, according to the ſeveral directions of this Act.

Juſtices of Peace Commiſſioners for the 4 laſt years.

XX. And be it further enacted, for the better and more equal Charging the Duties ariſing by this Act, that at the end of every year of the ſaid term of five years, for which the ſaid Duties are hereby Granted, the Collectors for the next preceeding year, ſhall cauſe a copy of the reſpective Aſſeſſments given to them, and of the collection made by them for ſuch Diviſion, Pariſh or Place, for which they were appointed Collectors reſpectively, to be fairly written and ſigned by them, but with ſuch alterations therein, as ſhall be neceſſary by reaſon of the Death, change of Quality or Degree, or Removal of any perſon or perſons or otherwiſe, and at the bottom thereof, ſhall write or cauſe to be written, the Names of two or more of the moſt ſubſtantial Inhabitants of the reſpective Cities, Towns, Boroughs, Diviſions or Places, for which they were Collectors, whom they in their judgment ſhall think fit to be appointed Collectors of the ſaid duties within the ſaid Cities, Boroughs, Towns, Diviſions or Places reſpectively for the enſuing year; and the ſaid Collectors are hereby appointed and required to deliver or cauſe to be delivered the ſaid Aſſeſſment ſo fairly written and ſigned by them, together with the Names of the perſons nominated by them, as fit to be Collectors for the year enſuing, or a true Duplicate thereof Signed, as aforeſaid, unto two or more Juſtices of the Peace for the reſpective Counties, Ridings, Cities, Towns, Diviſions or Places, for which they were appointed Collectors reſpectively, within the ſpace of ten days after the end of every year of the ſaid term of Five years, for which the duties mentioned in this Act are granted; which Juſtices of the Peace are hereby authorized and required, ſtrictly to peruſe the ſame, and examine the Preſenters thereof, and if the ſaid Juſtices or any two of them, within their ſeveral limits or diviſions, ſhall at the time of the delivery of ſuch Certificates or Aſſeſſments, or within ten days after, have certain knowledge, or have cauſe to ſuſpect, that any perſon or perſons who ought to be mentioned in the ſaid Certificates, or Aſſeſſments is, or are omitted, or that any perſon or perſons in the ſaid Certificate mentioned, is, or are of a higher degree or quality, or of a greater Eſtate then in the ſaid Certificate is mentioned, or is otherwiſe Undercharged, or not duly charged according to the direction of this Act, the ſaid Juſtices, or any two of them, ſhall have power to ſummon ſuch perſon or perſons to appear before them, at a day and place prefixt to be examined touching the rates and duties aforeſaid, or touching other matters which may any ways concern the Premiſſes; and if any perſon or perſons ſummoned to be ſo examined, ſhall neglect to appear, not having a reaſonable excuſe for ſuch his default, every perſon ſo making default, ſhall pay unto his Majeſty double the ſum of the rate he ſhould or ought to have been ſet at: And moreover, the ſaid Juſtices of the Peace, to whom ſuch Certificates or Aſſeſſments ſhall be delivered, or any two of them, or any other two Juſtices of the Peace of the reſpective Counties where ſuch Aſſeſſment ſhall be made, ſhall have power, and are hereby required, by all lawful ways and means, to examine and enquire into, and concerning the ſeveral Degrees, Ranks, Qualifications and Eſtates of ſuch perſons as are chargeable by this, Act, and there-

Collectors how choſen Annually Aſſeſſment to be made every year, and Juſtices for 4 laſt years may heighten the Aſſeſſment.

thereupon to enlarge, alter, abate or diminiſh the ſaid Aſſeſſments ſo delivered to the ſaid Juſtices, ſo that ſuch Rate or Rates may be ſet and impoſed upon every ſuch perſon or perſons as ſhall be according to the true intent and meaning of this Act; And the ſaid Juſtices of the Peace, or any three or more of them, ſhall, after ſuch peruſal and examination thereof, ſet their hands to the ſaid reſpective Aſſeſſments teſtifying their allowance thereof; And ſhall likewiſe nominate and appoint two of the perſons named in the ſaid Certificate or Aſſeſſment, to be Collectors for the reſpective Diviſions, and Places, for which they were ſo preſented; And ſhall forthwith deliver, or cauſe to be delivered ſuch Aſſeſſment, ſo by them Allowed of, unto the reſpective perſons by them nominated, to be Collectors for the year enſuing; Who are hereby ſtrictly enjoyned and required to Collect and pay the ſeveral Rates and Duties ſo Rated and Aſſeſſed according to the directions herein before contained, for and touching the Collectors of the ſaid Duties hereby Granted, and under the ſeveral Penalties and Forfeitures hereby inflicted upon Collectors for neglect or not performance of their Duty.

Vicars to read the Annual Aſſeſſment in the Church.

XXI. And be it further Enacted by the Authority aforeſaid, that the ſeveral and reſpective Collectors of the Duty granted by this Act, ſhall every year, during the continuance thereof, within the ſpace of ſix days after the reſpective Aſſeſſments or Certificates ſhall be to them delivered, deliver over the ſame, or a true Copy thereof, unto the reſpective Parſon, Vicar, Rector or Curate for the reſpective Pariſh, Diviſions or Places, for which they are appointed Collectors, under the penalty of forfeiting the Sum of Five pounds to his Majeſty; And the ſaid Parſons, Rectors, Vicars and Curates, are hereby required under the like penalty of Five pounds, to be forfeited to his Majeſty for every offence, on the next Lords day, commonly called Sunday, after the Receipt thereof, openly and publickly to read or cauſe the ſame to be read in the Church, immediately after Divine Service in the morning, to the end that every perſon thereby Rated or Charged, may have notice of ſuch Rate or Charge, and if he or they find him or themſelves agrieved thereby, they may complain and appeal according to the directions of this Act.

Perſon grieved in four laſt years may appeal to Juſtices.

XXII. And be it further enacted by the Authority aforeſaid, that during the Four laſt years of the ſaid term of Five years, for which the Duties Impoſed by this Act are granted, upon complaint made by any perſon or perſons Rated or Aſſeſſed by virtue of this Act, to the Juſtices of the Peace who Signed or Allowed his or their Rate or Aſſeſſment within ten days after ſuch notice, as aforeſaid, given, by reading the reſpective Rates and Aſſeſſments in the Church, as before is directed, the ſaid Juſtices who Signed or Allowed the ſaid Rates, or any two of them, together with the other Juſtices of the ſaid County, Riding, City or Place, where ſuch Aſſeſſment was made, are hereby Impowered at their next Quarter Seſſions, after ſuch Complaint, particularly to examine the parties ſo complaining, upon his or her Oath of his or her Rank, Degree, Qualification or Eſtate, and upon due examination or knowledge thereof, to abate, encreaſe, defalk or enlarge the ſaid Aſſeſſments, or any of them; And the ſame ſo abated, encreaſed or enlarged, ſhall be certified and delivered by them unto the reſpective Collectors of the ſaid Duties for their better direction in the Collection thereof; Who are hereby required to Collect and pay the ſame, according to the directions of this Act, under the ſeveral penalties and forfeitures hereby Inflicted upon Collectors for neglect of, or not performing their duty; And a true Duplicate thereof ſhall be in convenient time by them made out and delivered unto the reſpective Receivers General, ſo as every of them may be duly Charged to anſwer their reſpective Collections and Receipts; And the ſaid Collectors and Receivers General are hereby Required, to Pay all and every the Sums which ſhall be by them Collected or Received, at any time during the continuance of this Act, at ſuch times and places and in ſuch manner, and under ſuch Penalties and Forfeitures for not payment thereof, as herein before is directed.

Appeals final.

XXIII. And be it further enacted, that all Appeals once heard and determined by virtue of this Act, ſhall be final, without any further Appeal upon any pretence whatſoever.

Regiſter to be kept in every Pariſh, of Marriages, Births and Burials.

XXIV. And be it further enacted for the better Levying and Collecting the Duties granted by this Act, that all perſons in holy Orders, Deans, Parſons, Deacons, Vicars, Curates, and their or any of their Subſtitutes, do within their reſpective Pariſhes Precincts and Places, take an exact and true account, and keep a Regiſter in writing of all and every perſon or perſons Married, Buried, Chriſtened or Born in his or their reſpective Pariſhes, or Precincts, or in ſuch Common Burying places as their reſpective Pariſhioners are uſually Buried in, to which Book or Regiſter, the Collectors for the reſpective Pariſhes and Places, and all other perſons concerned ſhall have free acceſs to view the ſame at all ſeaſonable times, without any Fee or Reward; And if any ſuch Parſon or Miniſter ſhall refuſe, or neglect to keep a true Regiſter thereof, as before is directed, ſuch Parſon or other Miniſter ſo offending, ſhall forfeit the ſum of one hundred pounds, to be recovered by ſuch perſon as ſhall ſue for the ſame in any of his Majeſties Courts of Record at Weſtminſter, by any Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Wager of Law or Protection ſhall be allowed, & wherein the proſecutor ſhall recover his full Coſts, the moiety of which Forfeiture ſhall be to the uſe of the Kings Majeſty, his Heirs and Succeſſors, & the other moiety to ẏ perſons who ſhall inform and ſue for the ſame.

Notice to be given to Collectors of Child born.

XXV. And be it further enacted by the Authority aforeſaid, that the Parents of every Child which ſhall be born at any time within the ſaid term of Five years, or one of them, ſhall, within Five days after ſuch birth, give notice to the Collectors, or one of them of the Pariſh or Place where ſuch Child was born, and of the Chriſtian name of ſuch Child, and the day of its birth; And the ſaid Collectors, or one of them ſhall thereupon give a Certificate in writing under his or their hands unto ſuch Parent, teſtifying that ſuch notice was given, without Fee or Reward for the ſame; And in caſe any Child ſhall be born dead, then one of the Parents thereof ſhall bring a Certificate under the hands of two or more perſons teſtifying the ſame, unto the ſaid Collectors, or one of them; And in caſe any Parent ſhall neglect to give ſuch notice, as aforeſaid, he ſhall Forfeit the ſum of Forty ſhillings, one Moiety thereof to the Kings Majeſty, and the other moiety to the Informer.

Non Obſtantes to this or any other Act giving Supply void.

XXVI. And be it further enacted by the authority aforeſaid, that no letters patents granted by the Kings Majeſty, or any of his royal progenitors, or to be granted by his Majeſty to any perſon or perſons, Cities, Boroughs or Towns Corporate within this Realm, of any manner of Liberties, Priviledges or Exemptions from Subſidies, Tolls, Taxes, Aſſeſſments or Aids, ſhall be conſtrued or taken to exempt any perſon or perſons, City, Borough or Town Corporate, or any the Inhabitants of the ſame, from the Burthen and Charge of any ſum or ſums of money granted by this Act; And all Non Obſtantes in ſuch Letters Patents, made or to be made, in Bar of any Act or Acts of Parliament for the Supply or Aſſiſtance of his Majeſty, are hereby declared to be void and of none effect; Any ſuch Letters Patents, Grants or Charters, or any Clauſe of Non Obſtante, or other matter or thing therein contained, or any Law or Statute to the contrary notwithſtanding.

XXVII. And be it further enacted by the Authority aforeſaid, that where any perſon or perſons Chargeable with any Rates or Aſſeſſments by this Act Impoſed, ſhall be under the age of one and twenty years, in every ſuch caſe the Parents, Guardians and Tutors of ſuch Infants reſpectively, upon default of payment by ſuch Infants, ſhall be, and are hereby made Liable to, and Charged with the payments which ſuch Infants ought to have made; And if ſuch Parents, Guardians or Tutors ſhall neglect or refuſe to pay, as aforeſaid, It ſhall and may be Lawful to proceed againſt them in like manner as againſt any other perſon or perſons making default of payment, as herein is mentioned; And all Parents, Guardians and Tutors, making payment, as aforeſaid, ſhall be Allowed all and every the ſums paid for ſuch Infants upon his or their Accounts.

Guardians, &c. Charged for Infants.

XXVIII. And be it further enacted, that every perſon Rated or Aſſeſſed by virtue of this Act, ſhall be Rated at ſuch place where he or ſhe ſhall be Reſident at the time of the execution of this Act,; And all perſons not being Houſholders, nor having a certain place of Reſidence, and all Servants ſhall be Taxed at the place where they ſhall be reſident at the time of the execution of this Act; And if any perſon who ought to be Taxed by virtue of this Act, ſhall at the time of this Aſſeſſment be out of the Realm, ſuch perſon ſhall be Rated therefore in ſuch County, City or Place where he was laſt abiding within the Realm.

Place of Aſſeſſment.

XXIX. Provided, that if any perſon or perſons by reaſon of his or their having ſeveral Manſion Houſes or places of Reſidence or otherwiſe, ſhall be doubly Charged by occaſion of this Act, then upon Certificate made by any two or more of the Commiſſioners for the County, Riding, City or place of his or their perſonal Reſidence, under their Hands and Seals of the ſum or ſums Charged upon him or them, and in what capacity or reſpect he or they were ſo Charged, which Certificate the ſaid Commiſſioners are required to give without delay, Fee or Reward; And upon Oath made of ſuch Certificate before any Juſtice of the Peace for the County or Place where the ſaid Certificate ſhall be made (which Oath the ſaid Juſtice of Peace is hereby Authorized and Required to Adminiſter,) then the perſon or perſons ſo doubly Charged, ſhall, for ſo much as ſhall be ſo Certified. be diſcharged in every other County, City or Place; And if any other perſon that ought to be Taxed by virtue of this Act, ſhall by Changing his place of Reſidence, or by any other Fraud or Covin, eſcape from the Taxation, and not be Taxed, and the ſame be proved before the Commiſſioners or any two of them, or before any Juſtice of the Peace in the County, Riding, City or place where ſuch perſon dwelleth or reſideth, at any time within three months next enſuing after ſuch Tax made, every perſon that ſhall ſo eſcape from the Taxation and Payment, ſhall be Charged, upon proof thereof, at double the value of ſo much as he ſhould or ought to have been Taxed at by this Act, and the ſaid double value(upon Certificate thereof made into the Exchequer by the Commiſſioners or Juſtices before whom ſuch proof ſhall be made) to be Levied of the Goods, Lands and Tenements of ſuch perſon.

Certificate of Aſſeſſment to be given to diſcharge in another place.

XXX. And for the better diſcovery of all ſuch perſons as are Charged by virtue of this Act, Be it further enacted by the Authority aforeſaid, that every Houſholder ſhall, upon the demand of the Aſſeſſors or Collectors of the reſpective Pariſhes or Places, give an Account of the Names, Degrees, Qualifications and Eſtates of ſuch perſons as ſhall Sojourn or Lodge in the reſpective Houſes, under the penalty of Forfeiting to his Majeſty the Sum of Five pounds, to be Levied and Recovered in ſuch manner as other penalties in this Act mentioned are to be Levied and Recovered.

Houſholders to give account of their Lodgers.

XXXI. Provided always, and be it further enacted, that if the Heir of any perſon dying, ſhall pay the Duties Charged by this Act upon the Burial of ſuch perſon, or if the ſaid Duties ſhall be Levied, by virtue of this Act, upon the Lands, Tenements or Hereditaments deſcended to ſuch Heir from the perſon upon whoſe Burial the ſaid Duties became due, that then ſuch Heir, his Executors or Adminiſtrators ſhall be Intituled to recover ſo much from the Executors or Adminiſtrators of ſuch perſon, out of Aſſets of the ſaid Teſtator or Inteſtate, by Action of Debt, be brought in any of his Majeſties Courts of Record at Weſtminſter.

Heir paying for Anceſtor to be repaid by Executors.

XXXII. And it is further enacted and declared, that if any Collector, that ſhall by virtue of this Act, be appointed for the Receipt of any ſums of Money thereby to be Aſſeſſed, ſhall neglect or refuſe to pay any ſum or ſums of money, which ſhall be by him Received, as aforeſaid, and to pay the ſame, as in and by this Act is directed, and ſhall detain in his or their Hands, any money Received by them, or any of them, and not pay the ſame at ſuch time, as by this Act is directed, the Commiſſioners of each County, Riding, City or Town reſpectively, or any two or more of them in their reſpective Diviſions, are hereby Authorized and Impowered to Impriſon the perſon, and Seize and Secure the Eſtate, both real and perſonal, of ſuch Collector to him belonging, or which ſhall deſcend, or come into the Hands or Poſſeſſion of his Heirs, Executors or Adminiſtrators, whereſoever the ſame can be diſcovered and found; And the ſaid Commiſſioners, who ſhall ſo Seize and Secure the Eſtate of any Collector or Collectors, ſhall be, and are hereby Impowered to appoint a time for the General meeting of the Commiſſioners for ſuch County, Riding, City, Town or Place, and there to cauſe publick Notice to be given at the place where ſuch meeting ſhall be appointed ſix days at leaſt before ſuch general meeting; And the Commiſſioners preſent at ſuch general meeting, or the Major part of them, in caſe the moneys detained by any ſuch Collector or Collectors be not paid or ſatisfied, as it ought to be, accord-

Manner of recovering money from Collectors.

ing to the directions of this Act, ſhall and are hereby Impowered and Required to ſell and diſpoſe of all ſuch Eſtates which ſhall be for the Cauſe aforeſaid Seized and Secured, or any part of them, and to Satisfie and pay into the hands of the Receiver General, the Sum that ſhall be ſo detained in the Hands of ſuch Collector or Collectors, their Heirs, Executors or Adminiſtrators reſpectively.

Place of Aſſeſſment.

XXXIII. Provided, and be it further enacted by the Authority aforeſaid, that for the avoiding all obſtructions and delays in aſſeſſing and collecting the ſums which by this Act are to be rated and aſſeſſed, all places, Conſtablewicks, Diviſions and Allotments which have uſed to be rated and aſſeſſed, ſhall pay and be aſſeſſed in ſuch County, Hundred, Rape, Wapentake, Conſtablewick, Diviſion, Place and Allotment, as the ſame hath heretofore uſually been aſſeſſed in, and not elſewhere.

Commiſſioners to Aſſeſs Commiſſioners.

XXXXIV. And be it further enacted by the Authority aforeſaid, that the Commiſſioners that ſhall be within any County, City or Place within the reſpective Limits, or the major part of them, ſhall rate and aſſeſs every other Commiſſioner joyned with them, for or in reſpect of the rates and duties hereby granted, ſo as the reſidence and uſual dwelling-place of ſuch Commiſſioner, ſo to be aſſeſſed, be within the diviſion of ſuch Commiſſioners by whom he is aſſeſſed; And the Commiſſioners within their diviſion ſhall aſſeſs every aſſeſſor, for all and ſingular the premiſſes for which, by this Act, he ought to be rated and aſſeſſed; And as well all ſums aſſeſſed upon every the ſaid Commiſſioners and aſſeſſors as the aſſeſſments made and ſet by the aſſeſſors aforeſaid, ſhall be levied and gathered as the ſame ſhould and ought to have been if ſuch Commiſſioners had not been named Commiſſioners.

Perſon in corporation not to be Aſſeſſor without.

XXXV. Provided alſo, that no perſon inhabiting in any City, Borough or Town-corporate, ſhall be compelled to be any aſſeſſor or collector, of, or for any part of the rates and aſſeſſments, hereby granted, in any place or places out of the limits of the ſaid City, Borough or Town-corporate.

Aſſeſſment of Extraparochials.

XXXVI. And be it further enacted, that in all priviledged and other places, being extraparochial, & not within the Conſtablewicks or precincts of the reſpective aſſeſſors, to be appointed by virtue of this Act, the ſaid Commiſſioners, or any two or more of them, ſhall, and are hereby required to nominate and appoint two fit perſons, living in or near the ſaid priviledged or other places, as aforeſaid, to be aſſeſſors for the ſaid places, and to make and return their ſaid aſſeſſments in like manner as by this Act is appointed in any pariſh, tything or place, and alſo to appoint two or more Collector or Collectors, who are hereby required to collect and pay the ſame, according to the rates appointed by this Act for collecting and paying all ſums of money payable by this Act.

No noli proſequi for Offenders.

XXXVII. Provided alſo, and be it enacted, that no ſtay of proſecution upon any Command, Warrant, Motion, or Order, or direction by non vult ulterius proſequi, ſhall be had, made, admitted, received or allowed by any Court whatſoever, in any ſuit or proceeding by Action of Debt, Bill, Plaint or Information or otherwiſe, for the recovery of all or any the pains, penalties or forfeitures, upon any perſon or perſons by this Act inflicted or therein mentioned, for, or in order to the Conviction or Diſability of any perſon offending againſt this Act.

Perſon coming to live in a Town after Aſſeſſment may be aſſeſſed by Commiſſioners.

XXXVIII. And for the more effectual charging all perſons chargeable with any of the duties ariſing by virtue of this Act, be it enacted by the Authority aforeſaid, that if after the aſſeſſments directed by this Act ſhall be made, any perſon ſhall come to inhabit or reſide in any diviſion or place where ſuch perſon was not Rated or Taxed, the Commiſſioners acting within ſuch diviſion or place, are hereby required and impowered to ſummon ſuch perſon before them; and unleſs he or ſhe ſhall produce a Certificate, made according to the directions of this Act, whereby it ſhall appear that he or ſhe was aſſeſſed, and hath paid the duties ariſing by ſuch aſſeſſment in ſome other place, the ſaid Commiſſioners ſhall and are hereby required to cauſe ſuch perſon to be aſſeſſed, and the money ariſing by ſuch aſſeſſment, to be levied and paid according to the true intent and meaning of this Act.

Puniſhment of Collectors neglect, &c. Rules betwixt Collectors, and Receivers General.

XXXIX. And be it further enacted, that if any Aſſeſſor, Collector, or other perſon appointed by the Commiſſioners, ſhall wilfully neglect or refuſe to perform his duty in the due and ſpeedy execution of this Act, the ſaid reſpective Commiſſioners, or any three or more of them, may and ſhall by virtue of this Act, impoſe on ſuch perſon or perſons ſo refuſing or neglecting their duties, any Fine, not exceeding the ſum of twenty pounds for any one offence, the ſame to be levied and certified, as aforeſaid, and charged upon the reſpective Receivers General, amongſt the reſt of the rates aforeſaid; And the ſaid Commiſſioners, or any two or more of them, may or ſhall from time to time call for and require an account from the reſpective Receivers General of all the moneys received by them of the ſaid Collectors, and of the payment thereof into his Majeſties Exchequer, according to the directions of this Act; And in caſe of a failure in the premiſſes, the ſaid Commiſſioners, or any two or more of them, are hereby required to cauſe the ſame to be forthwith levied and paid according to the true intent and meaning of this Act; And in caſe of any controverſie ariſing between the ſaid Commiſſioners concerning the ſaid rates or aſſeſſments, the Commiſſioners that ſhall be concerned therein, ſhall have no voice, but ſhall withdraw during the debate of ſuch controverſie, until it be determined by the reſt of the Commiſſioners; And all queſtions and differences that ſhall ariſe touching any of the ſaid rates, taxes, aſſeſſments or levies, ſhall be heard and finally determined by three or more of the Commiſſioners, upon complaint thereof to them made by any perſon or perſons thereby grieved, without further trouble or ſuit in law; And the ſaid Receiver General, his deputy or deputies, ſhall give acquittances gratis to the ſaid Collectors for all moneys of them received in purſuance of this Act, which acquittances ſhall be a full diſcharge to the ſaid Collectors, reſpectively; And the ſaid Collectors ſhall make and deliver to the ſaid Receivers General, their deputy or deputies, a perfect Schedule fairly written in Parchment, under their Hands and Seals, ſigned and allowed by any two or more of the ſaid reſpective Commiſſioners, containing the names and ſirnames and places of abode of every perſon, as well Peer as Commoner, within their reſpective collection, that ſhall make default of payment of any of the ſums that ſhall be rated or aſſeſſed on ſuch perſon, for ſuch rate or duty by virtue of this Act, and the ſum and ſums charged on every ſuch perſon, the ſame to be returned by him into his Majeſties Exchequer; whereupon every perſon ſo making default of payment, may be charged by proceſs of the Court, according to the courſe thereof in that behalf.

XL. Pro-

Conſtable to execute Commiſſioners Warrants.

XL. Provided always, and be it enacted, That all Conſtables, Headboroughs, Tythingmen, and other his Majeſties Officers, ſhall, and are hereby required and enjoyned to be reſpectively aiding and aſſiſting in the execution of this Act, and to obey and execute ſuch Precepts or Warrants, as ſhall be to them directed in that behalf, by the reſpective Commiſſioners hereby appointed, or any two or more of them.

Perſon ſued for Executing this Act ſhall plead general Iſſue, &c.

XLI. And be it further enacted by the authority aforeſaid, that if any action, plaint, ſuit or information ſhall be commenced or proſecuted againſt any perſon or perſons for what he or they ſhall do in purſuance, or in execution of this Act, ſuch perſon or perſons ſo Sued in any Court whatſoever, ſhall or may plead the General Iſſue, Not Guilty, and upon any Iſſue joyned, may give this Act, and the Special Matter in evidence; and if the Plaintiff or Proſecutor ſhall become Nonſuit, or forbear further proſecution, or ſuffer diſcontinuance, or if a Verdict paſs againſt him, the Defendant and Defendants ſhall recover their treble coſts, for which they ſhall have the like remedy, as in any caſes, where coſts by the Law are given to Defendants.

Collectors to pay the Money to Receiver General, but not to travel above ten miles.

XLII. And be it further enacted by the authority aforeſaid, That all moneys due and payable by this Act, ſhall be paid by the particular Collectors of the reſpective Counties, Cities, Boroughs, Towns, Pariſhes and Places, who ſhall collect the ſame, unto ſuch Receiver General, as ſhall by his Majeſty be appointed to receive the ſame, or the Deputy or Deputies of ſuch Receiver General, to be appointed under his Hand and Seal, whereof Notice ſhall be given by the Receiver General unto the Commiſſioners, or any two of them, within their reſpective Diviſions, within Ten days after their firſt General meeting, and ſo from time to time within Ten days after every Death or Removal of any Deputy, if any ſuch ſhall happen; and the Receipt of ſuch Receiver General, his Deputy or Deputies, or any of them, ſhall be a ſufficient diſcharge unto every ſuch Collector.

XLIII. And be it further enacted, that the particular Collectors, for payment of any ſums by them received unto ſuch Receiver General, or his Deputy, ſhall not be obliged to travel above Ten miles from the place of their habitations.

Puniſhment of Receivers General for ſetting an inſuper unjuſtly upon Collectors.

XLIV. And for the better preventing ſuch unjuſt vexations as might be occaſioned by ſuch perſons as ſhall be appointed Receivers General of any of the ſums of money granted by this Act: and to the intent the Receivers General may return a true account into his Majeſties Court of Exchequer, of ſuch ſums of money as ſhall be received by them, and every of them, their, and every of their Deputy and Deputies, Be it further enacted by the authority aforeſaid, that if any ſuch Receiver General ſhall return or certifie unto the ſaid Court any ſum or ſums of money, to be in arrear or unpaid, after the ſame have been received, either by ſuch Receiver General, or his Deputy or Deputies, or any of them, or ſhall cauſe any perſon or perſons to be ſet Inſuper in the ſaid Court, for any ſum or ſums of money that hath been ſo received, that then every ſuch Receiver General ſhall forfeit to every perſon and perſons that ſhall be moleſted, vexed or damaged, by reaſon of ſuch unjuſt certificate, return, or ſetting Inſuper, treble the damages that ſhall be thereby occaſioned, the ſaid damages to be recovered by action of debt, bill, plaint or information, in which no eſſoign, protection, or wager of law ſhall be allowed, nor any more then one Imparlance, and ſhall alſo forfeit to his Majeſty, his heirs and ſucceſſors, double the ſum that ſhall be ſo unjuſtly certified, or returned, or cauſed to be ſet Inſuper

Commiſſioners exempt from Penalties of 25 Car. 2. cap. 2.

XLV. And be it further enacted by the authority aforeſaid, That no Commiſſioner or Commiſſioners, who ſhall be employed in the execution of this Act, ſhall be liable, for, or by reaſon of ſuch execution to any of the Penalties mentioned in an Act made the Five and twentieth year of King Charles the Second, for the preventing of dangers which may happen from Popiſh Recuſants.

Levying of duties.

XLVI. Provided always, and be it enacted, That all Penalties and Forfeitures to be incurred for any offences againſt this Act, for which there is no particular way of levying herein before preſcribed or appointed, ſhall be levied by Warrant under the Hands and Seals of two or more of the reſpective Commiſſioners of the diviſion or place where any ſuch offence was or ſhall be committed, by diſtreſs and ſale of the Goods of the Offender, rendring the Overplus to the Owner thereof, after a deduction of reaſonable charges for diſtraining the ſame.

Penalty upon Collectors not delivering Duplicates to next Collectors.

XLVII. Provided always, and be it enacted, That if any Collector, appointed by virtue of this Act to collect the duties hereby granted, ſhall neglect or refuſe to deliver a Copy or Duplicate fairly written and ſigned by him, of the aſſeſſment, by which he collected the ſaid Duties, together with the Names, of Two or more of the Inhabitants of the Pariſh or Place for which he was Collector, to be appointed Collectors for the year next enſuing, at ſuch time and in ſuch manner as herein before is directed, every Collector ſo offending ſhall forfeit the ſum of twenty pounds to his Majeſty, to be recovered and levied in ſuch manner as herein is directed.

Overſeers of the Poor to pay Tax for Poors Burial.

XLVIII. Provided always, and be it enacted, That the ſeveral duties and ſums of money due and payable by this Act, for, and upon the Burial of any perſon, who in his Life time, and at the time of his Death, was relieved where he Inhabited by virtue of any Act of Parliament made for relief of the Poor, ſhall be paid and anſwered to his Majeſty, by the Churchwardens and Overſeers of the Poor for that Pariſh or Place where ſuch perſon was laſt relieved or maintained, out of ſuch money as they ſhall receive for the relief of the Poor of their reſpective Pariſhes or Places, and ſhall be allowed the ſame upon their accounts; and in default of payment, the ſaid Churchwardens and Overſeers ſhall be liable to be diſtrained upon, and otherwiſe proſecuted and puniſhed, in ſuch manner, as any other perſons neglecting or refuſing to pay the Duties payable by them upon demand, are hereby made lyable to be diſtrained upon or proſecuted.

Place of demand for Burial Tax.

XLIX. Provided always, that a demand at the houſe where the perſon died, upon whoſe Burial any duty is payable by this Act of the money due for ſuch Burial, ſhall be conſtrued and deemed to be a good demand thereof by virtue of this Act.

Corporation to pay for the Poor of that Suburbs.

L. And whereas in Cities, Corporations, and other great Towns, where there are more Pariſhes then one, and the poor people in the ſame do generally live in the skirts or outſides of ſuch Cities, Corporations, and other great Towns: And in caſe ſuch poor Pariſhes ſhould, by virtue of this Act, be liable to pay the Tax laid upon the Burial of every perſon which received Alms within their reſpective Pariſhes, it would be extreamly burthenſome: For remedy whereof, Be it enacted by the authority aforeſaid, that the Churchwardens and Overſeers of every Pariſh, in every City or Corporation, or Liberties or Suburbs thereof, and of every great Town, who have more Pariſhes then one, as aforeſaid, ſhall during the continuance of this Act, upon or before the Tenth day of May in every year, deliver unto the Mayor, Chief Magiſtrate, or Head Officer or Officers of every ſuch City, Corporation or great Town, a Schedule, or Liſt in Writing, which ſhall contain the Name of every Poor perſon Buried in their reſpective Pariſhes within the year preceding, and for whoſe Burial they paid the Duty impoſed by this Act; upon delivery whereof ſuch Churchwardens, Overſeers of the poor, or ſome of them, ſhall make Oath before the ſaid Mayor, Juſtice of the Peace, Chief Magiſtrate, or Head Officer, of the truth of the ſaid Schedule or Liſt (which Oath they are reſpectively hereby impowered to adminiſter) and after delivery of ſuch Schedules or Liſts, in manner aforeſaid, the ſaid Mayors, Chief Magiſtrates, or other Head Officers, ſhall reſpectively cauſe all the ſaid ſums, ſo paid by the ſaid reſpective Churchwardens or Overſeers of the poor, upon the Burial of every ſuch poor perſon in the ſaid ſeveral Schedules mentioned to be taxed upon the ſeveral Cities, Corporations and great Towns in general, with other charges for relief of the Poor; and in the like manner, and within Two months after the ſame ſhall be aſſeſſed, ſhall cauſe payment to be made to the reſpective Churchwardens and Overſeers of the Poor for the year preceding, of all ſuch ſum and ſums of money as they reſpectively paid in their reſpective Pariſhes, for the Burial of poor perſons in the ſame year.

Accounting of the Receivers.

LI. And be it further enacted by the authority aforeſaid, That ſuch Receiver or Receivers General, or other perſon or perſons who is or ſhall be imployed in the receiving, collecting or paying the ſeveral Duties upon Marriages, Births and Burials, and alſo upon Batchelors and Widowers by this Act granted, ſhall and are hereby required, between the Firſt day of May, One thouſand ſix hundred ninety ſix, and the Firſt day of November, following, and ſo from year to year yearly at thoſe times, during the continuance of this Act, to deliver in their reſpective accounts thereof to his Majeſties Auditors of the Impreſts for the time being, or one of them, who ſhall be, and are hereby from time to time reſpectively authorized to examine upon Oath the ſaid Receiver or Receivers General, or other perſon or perſons Accomptants, which are or ſhall be imployed in raiſing, receiving and collecting the ſaid duties, of what ſum or ſums of money was or were by them or any of them reſpectively raiſed, collected or received within the time of ſuch their accounts, and likewiſe what part thereof was by them or any of them paid into the Receipt of his Majeſties Exchequer, or by virtue of any Warrant of Privy Seal, or Warrant of the Lord High Treaſurer, or Commiſſioners of his Majeſties Treaſury for the time being, otherwiſe paid, and to whom, and for what ſervice or ſervices; and in making the ſaid accounts to and before the ſaid Auditors, or one of them, they are to produce proper Vouchers for every ſum or ſums of money ſo by them or any of them raiſed, received and paid, according to the ancient methods of the Exchequer, to the end it may appear upon Record, what the ſame amounted to in a year, for which ſuch account or accounts ſhall be made, and what thereof was paid, and to whom, and for what uſe and ſervice, uſes and ſervices, as aforeſaid, and what remains unpaid, and reſts inſuper upon each reſpective Receiver and Collector; and ſuch account or accounts ſo to be taken by the ſaid Auditor, is and are to be declared before the Lord Treaſurer or Lords Commiſſioners of the Treaſury, and Chancellor of the Exchequer, now and for the time being, according to the courſe of the Exchequer in ſuch caſes.

Penalty upon Vicar Marrying in Priviledged place without Licence.

LII. And be it further enacted by the authority aforeſaid, That no perſon ſhall be Married at any Place pretending to be exempt from the Viſitation of the Biſhop of the Dioceſs, without a Licence firſt had and obtained, except the Banns ſhall be Publiſhed and Certified according to Law; and that every Parſon, Vicar and Curate, who ſhall Marry any perſons contrary to the true intent and meaning hereof, ſhall forfeit the ſum of one hundred pounds, to be recovered by action of debt, bill, plaint or information in any of his Majeſties Courts of Record, one moiety whereof to the King, his Heirs and Succeſſors, and the other moiety to the Informer who ſhall Sue for the ſame, and ſhall for the Second offence be Suſpended ab Officio & Beneficio, for the ſpace of Three years.

Fellows of Colleges Exempt from the Tax.

LIII. And whereas the Fellows, Students, Scholars and Exhibitioners of the Foundations or Endowments of any College or Hall in the two Univerſities, are, by the Statutes in their reſpective Colleges and Halls, to be diſplaced from their Places and Maintenance therein, if they ſhall Marry: Be it enacted by the authority aforeſaid, that the Rates and Taxes by this Act impoſed, or to be impoſed on Batchelors, ſhall not extend to ſuch Fellows, Students or Scholars of Houſes, or Scholars having Exhibitions in any ſuch Colleges or Halls; any thing herein contained to the contrary notwithſtanding.

Maſter of Family ſhall pay for Infant Dying, and how repaid.

LIV. Provided always, and be it further enacted, that where any perſon under the Age of One and twenty years, ſhall not be Reſident at the time of his or her Death, with his or her Father or Mother, that in ſuch caſe the Maſter or Miſtreſs of the Family or Houſe where ſuch perſon ſhall die, ſhall pay the ſeveral duties and ſums of money, which ſhall become due and payable, by virtue of this Act, for and upon the Burial of ſuch perſon; and in default of payment, the ſaid duties and ſums of money ſhall be levied by diſtreſs and ſale of the Goods and Chattels of ſuch Maſter or Miſtreſs, or otherwiſe, as by this Act is directed touching the duties payable by virtue thereof; and ſuch Maſter or Miſtreſs, paying ſuch duties, as aforeſaid, ſhall, and is hereby intituled to deduct and retain ſo much as he or ſhe ſhall ſo pay, out of the Eſtate of ſuch perſon ſo dying in his or her hands; and in caſe ſuch Maſter or Miſtreſs ſhall not have ſufficient Eſtate in his or her hands belonging to the perſon Deceaſed, then ſuch Maſter or Miſtreſs ſhall, and is hereby intituled to demand and recover ſo much Money, as he or ſhe ſhall ſo pay, from the Father of ſuch perſon, if living, and if there ſhall be no Father living, then from ſuch perſon who was, or took upon him or her ſelf to be Guardian or Truſtee of ſuch Child, by Action of Debt, to be brought in any of his Majeſties Courts of Record at Weſtminſter, wherein no eſſoign, wager of Law or protection ſhall be allowed.

Certificate of Degree, &c. of perſons Dying.

LV. And for the better preſerving the Genealogies, Deſcents and Alliances of the Nobility and Gentry, Be it further enacted by the authority aforeſaid, That upon the Burial of every perſon or perſons, of any the Degrees, Ranks, Titles or Qualities aforementioned, for which a duty of Twenty ſhillings or upwards is charged by this Act (except ſuch perſons as are charged only for, or in reſpect of their having Fifty pounds per Annum, or ſix hundred pounds Perſonal Eſtate) the party lyable to pay the ſaid duty, ſhall deliver, or cauſe to be delivered to the Collector or Collectors appointed by this Act, a Certificate in writing, under his or her Hand and Seal, Engroſſed in Parchment, or otherwiſe, expreſſing the Name, Sirname, Title, Quality, Office and Employment (if any) of ſuch deceaſed perſon, with the Age, Time of Death, Place of Burial, Marriages and Iſſue, and the Ages of ſuch Iſſue, together with the Names, Sirnames, Titles and Qualities of the Parents of ſuch deceaſed perſons; which Certificates ſhall be Tranſmitted to the Receiver General, his Deputy or Deputies, who ſhall deliver them to the Kings Heralds and Purſuivants of Arms; and the ſaid Officers of Arms ſhall thereupon forthwith number, ſchedule, and digeſt the ſame in Alphabetical order, in Books to be provided for that purpoſe, and ſhall File up the Originals, in the Colledge of Arms for publick uſe, and ſhall be anſwerable for the keeping thereof, without any Fee or Reward for ſo doing.

Clauſe of Credit for 650000 l. at 8 l. per Cent.

LVI. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful, to and for any perſon or perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and Lend to his Majeſty, into the Receipt of his Exchequer, upon the credit of this Act, any ſum or ſums of money, not exceeding the ſum of Six hundred and fifty thouſand pounds in the whole, and to have and receive for the forbearance of all ſuch moneys as ſhall be Lent, Intereſt not exceeding the rate of Eight pounds per Centum per Annum.

Officers to keep a diſtinct Account.

LVII. And be it further enacted and ordained by the authority aforeſaid, That all and every the Officer and Officers, who ſhall be concerned in the levying, collecting and receiving the duties ariſing by this Act, do keep a ſeparate and diſtinct Account thereof, and the ſame ſhall, from time to time, be brought and paid into the Receipt of the Exchequer.

Order, Tally, Payment in courſe and Preference.

LVIII. And be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in his Majeſties Exchequer (that is to ſay) in the Office of the Auditor of the Receipts, one Book in which all moneys that ſhall be paid into the Exchequer, by virtue of this Act, ſhall be Entred and Regiſtred apart and diſtinct from all other Moneys paid or payable to his Majeſty upon any account whatſoever; and that all and every perſon and perſons, Natives or Foreigners, Bodies Politick or Corporate, who ſhall Lend any Money to his Majeſty upon the credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Talley of Loon ſtruck for the ſame, and an Order for his or their Repayment, bearing the ſame date with the Tally: In which Order ſhall be alſo contained a Warrant for payment of Intereſt for Forbearance, not exceeding the Rates aforeſaid, for his or their conſideration, to be paid every Three months, until the repayment of his or their Principal; and that all Orders for repayment of Money ſhall be Regiſtred in courſe, according to the date of the Tally reſpectively, without preference of one before another; and that all and every perſon and perſons ſhall be paid in courſe, according as their Orders ſhall ſtand Regiſtred in the ſaid Book, ſo as that the perſon, Native or Foreigner, his or their Executors, Adminiſtrators or Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Book, ſhall be taken and accounted as the firſt perſon to be paid upon the Moneys to come in by virtue of this Act; and he or they, who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the Second perſon to be paid, and ſo ſucceſſively and in courſe; and that the moneys to come in by this Act, ſhall be, in the ſame Order, lyable to the ſatisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever; and that no Fee, Reward or Gratuity directly or indirectly, be demanded or taken of any of his Majeſties Subjects, for providing, or making of any ſuch Books, Regiſters, Entries, View or Search, as aforeſaid, or in, or for the payment of money Lent, or the Intereſt, as aforeſaid, by any of his Majeſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble damages to the party grieved, by the party offending, with coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party offending ſhall be liable by Action of debt, or on the caſe, to pay the value of the debt, damages and coſts to the party grieved, and ſhall be forejudged from his Place or Office; and if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch action, debt, damages and coſts, and ſhall be for ever after uncapable of his Place or Office; and in caſe the Auditor ſhall not direct, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due, place and order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch action, debt, damages and coſts, in ſuch manner, as aforeſaid; all which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any of the Officers aforeſaid, any their Deputies or Clerks, ſhall and may be recovered by action of debt, bill, plaint or information, in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

LIX. Provided always, and be it hereby Declared, That if it ſhall happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear Date or be brought the ſame day to the Auditor of the Receipt, to be Regiſtred, Then it ſhall be Interpreted no undue preference, which of thoſe he Enters firſt, ſo he Enters them all the ſame day.

LX. Provided alſo, that it ſhall not be interpreted any undue preference to incur any Penalty in point of payment, if the Auditor Direct, and the Clerk of the Pells Record, and the Teller pay ſubſequent Orders of the perſons that come and demand their Money, and bring their Orders in their courſe, ſo as there may be ſo much Money reſerved as will ſatisfie precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them (Intereſt upon Loan being to ceaſe from the time the Money is ſo reſerved and kept in Bank for them.)

Order transferrable.

LXI. And be it further enacted by the authority aforeſaid, That every perſon or perſons, to whom any Moneys ſhall be due by virtue of this Act, after Order entred in the Book or Regiſter aforeſaid for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Endorſement of his Order, may Aſſign and Transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any part thereof to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid, for Orders, (which the Officers ſhall, upon requeſt, without Fee or Charge accordingly make) ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators or Aſſigns, to the benefit thereof, and payment thereon; and ſuch Aſſignee may in like manner Aſſign again, and ſo toties quoties; and afterwards it ſhall not be in the power of ſuch perſon or perſons, who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame.

Proviſion for Salaries.

LXII. Provided always, and be it enacted, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, out of the Duties ariſing by this Act, to cauſe ſuch ſum and ſums of Money to be expended, and paid from time to time for Salaries and other incident charges, as ſhall be neceſſary in and for the receiving, collecting, levying or managing of the ſame Duties, during the ſaid term therein by this Act granted; any thing herein contained to the contrary notwithſtanding.

Quakers, Papiſts and Jews cohabiting, to pay, but not to make their Marriages good in Law.

LXIII. Provided always, and be it further enacted by the authority aforeſaid, That all perſons commonly called Quakers, or reputed ſuch, and all Papiſts or reputed Papiſts, whether they are Popiſh Recuſants Convict, or not, and all Jews, or any other perſons, who ſhall cohabit and live together as Man and Wife, ſhall and are hereby made lyable to pay the ſeveral and reſpective Duties and ſums of money payable upon Marriages, according to their reſpective Degrees, Titles, Orders and Qualifications, as they ought to have paid by virtue of this Act, if they had been Married according to the Law of England; which Duties and ſums of Money ſhall be collected, levyed and paid in ſuch manner, and ſubject to ſuch rules and directions, and under ſuch Penalties and Forfeitures, as are in this Act ſpecified and contained, for and concerning payment of the ſeveral and reſpective duties payable upon Marriages, any thing herein contained to the contrary notwithſtanding; and upon every pretended Marriage which ſhall be made by any ſuch perſon, within the ſaid term of Five years, according to the Method and Forms uſed amongſt them, the Man ſo entring into ſuch pretended ſtate of Matrimony, ſhall within Five days after, give Notice thereof to the Collectors, or one of them, of the Pariſh or Place where he Lives; and in default of giving ſuch Notice, he ſhall forfeit the ſum of Five pounds, one Moiety thereof to the Kings Majeſty, the other Moiety to the Informer.

LXIV. Provided always, That nothing herein contained ſhall be conſtrued to make good or effectual in Law any ſuch Marriage or pretended Marriage, but that they ſhall be of the ſame force and virtue, and no other, as they would have been if this Act had never been made.

C A P. VII.

An Act for Granting to his Majeſty ſeveral Additional Duties upon Coffee, Tea, Chocolate and Spices, towards Satisfaction of the Debts due for Tranſport Service for the Reduction of *Ireland*.

Preamble. 330769l. 10s. 7d. due to the tranſport Ships.

Whereas for the Reducing the Kingdom of Ireland to its due Obedience to his Majeſty, ſeveral Ships of his Majeſties Subjects were hired for Tranſporting Forces, Ammunition and Proviſions into the ſaid Kingdom; to the ſeveral Owners of which ſaid Ships there is due the ſum of Three hundred thirty thouſand ſeven hundred ſixty nine pounds ten ſhillings and ſeven pence Principal money, as appears by a Report made to the Houſe of Commons, by the Commiſſioners appointed by one Act of Parliament, made in the Fifth and Sixth year of the Reign of King William and Queen Mary, Entituled, An Act for Appointing and Enabling Commiſſioners to Examine, Take and State the Publick Accompts of the Kingdom: We your Majeſties moſt Dutiful and Loyal Subjects, the Commons in Parliament Aſſembled, being willing that a Fond may be raiſed for the anſwering and paying to your Majeſties ſaid Subjects, the ſeveral and reſpective Owners of the ſaid Ships, Intereſt for their ſaid Money, from the Firſt day of May, One thouſand ſix hundred ninety five, for the ſpace of Three years, after the rate of Five pounds for the Intereſt of every hundred pounds for one whole year, and ſo proportionably for any greater or leſſer ſum, do hereby give and grant unto your Majeſty, the Additional, and other Duties and Impoſitions upon the ſeveral ſorts of Goods and Merchandizes herein ſpecified, which ſhall be Imported into the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, during ſuch time, and in ſuch manner and form as herein after followeth, and do humbly pray your Majeſty, that it may be enacted.

Duties upon ſeveral Goods given.

II. And be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the authority of the ſame, That there ſhall be anſwered and paid to his Majeſty, his Heirs and Succeſſors, for the ſeveral Goods and Merchandizes hereafter mentioned, which ſhall be Imported into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, at any time after the Firſt day of May, in the year of our Lord, One thouſand ſix hundred ninety five, and before the Second day of May, in the year of our Lord, One thouſand ſix hundred ninety eight, over and above all Duties already payable for the ſame at the Cuſtom Houſe, the further Rates and Sums following (that is to ſay;) (1) For every hundred weight of Coffee Imported, as aforeſaid,

Coffee per Hundred, 2 l. 16 s.
Cocoa per Hundred, 2 l. 16 s.
Cocoa, 4 l. 4 s.
Chocolate per Pound, 1 s.
Cocoa Paſt per Pound, 2 s.
Tea per Pound, 1 s.
Tea per pound, 2 s. 6 d.
Nutmegs, &c. per Cent. 5 l.
Pictures per Cent. 20 l.

ſaid, accounting One hundred and twelve pounds to the Hundred, Fifty ſix ſhillings of lawful Engliſh Money. (2) For every hundred weight of Cocoa Nuts Imported, and containing, as aforeſaid, from any the Plantations belonging to the Crown of England, Fifty ſix ſhillings. (3) For every hundred weight of Cocoa Nuts Imported, and containing, as aforeſaid, from any other Country or Place, from whence they may by Law be Imported, Four pounds and four ſhillings of like lawful Engliſh Money. (4) For every pound of Chocolate ready made, Imported, as aforeſaid, One ſhilling. (5) For every pound of Cocoa Paſt, Imported, as aforeſaid, Two ſhillings. (6) For every pound of Tea regularly Imported, as aforeſaid, from whence the ſame might have been lawfully Imported before the making of this Act, One ſhilling. (7) For every pound of Tea Imported, as aforeſaid, from Holland or any other Country, not the Place of its Growth, or uſual Shipping, Two ſhillings and ſix pence per pound weight, and ſo proportionably for any greater or leſſer quantity of any of the Commodities Imported, as aforeſaid, reſpectively. (8) For all Nutmegs, Cinnamon, Cloves and Mace Imported, as aforeſaid, Five pounds for every hundred pounds value thereof, according to the ſeveral values charged on them reſpectively in the Book of Rates, and ſo in proportion for any greater or leſſer quantity thereof, over and above all Duties now payable for the ſame. (9) For all Pictures Imported within the time aforeſaid, whether for private uſe or Sale, which are herby permitted to be Imported, during the continuance of this Act, any Law or Uſe to the contrary notwithſtanding, Twenty pounds of Lawful Engliſh Money per Centum of the value, to be affirmed by the Oath of the Importer, and ſo in proportion for any greater or leſſer quantity thereof.

Navigating Nutmegs, &c.

III. Provided, and be it further enacted by the authority aforeſaid, that it ſhall and may be Lawful for any perſon or perſons to Import into the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, during the continuance of this Act, Nutmegs, Cinnamon, Cloves, Mace and Tea, ſubject to the ſeveral Duties payable for the ſame, from any parts beyond the Seas, in Engliſh Ships, whereof the Maſter, and at leaſt Two thirds of the Mariners are Engliſh men, ſo as notice be firſt given to the Commiſſioners or Farmers of his Majeſties Cuſtoms of the Quality and Quantity of the ſaid Spices ſo intended to be Imported, with the Name of the Ship, and Maſter or Commander on which they are to be Loaden, and the Place into which they intend to Import the ſame, and taking a Licence under the hands of the Commiſſioners or Farmers of the Cuſtoms for the time being, or any three of them, for the Lading and Importing thereof, as aforeſaid; which Licence they are hereby authorized and required to grant, without any Fee or Reward, or any other charge to the perſon demanding the ſame; Any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Goods Forfeited if Landed before Duties paid.

IV. And be it further enacted by the authority aforeſaid, That if any of the Commodities aforeſaid, whereof the Duties are or ſhall be due, ſhall be Unſhipped or laid on Land, the Duties due, or to be due for the ſame, not paid, or lawfully tendred to the Collector thereof or his Deputy, with the conſent and agreement of the Comptroller and Surveyer there, nor agreed with for the ſame in the Cuſtom-houſe, according to the true meaning of this Act, that then from the ſaid Firſt day of May, One thouſand ſix hundred ninety five, all the ſaid Goods and Merchandizes ſhall be Forfeited, the one Moiety of the ſaid Goods ſo Forfeited ſhall be to his Majeſties uſe, and the other Moiety to him or them that will Seize or Sue for the ſame, without any Compoſition whatſoever.

Draw back of two thirds upon Exportation.

V. Provided always, and be it further enacted and declared by the authority aforeſaid, that every Merchant or other Importer, having paid the ſaid Duties and Impoſitions in and by this Act appointed to be paid for any of the ſaid Goods or Merchandizes herein mentioned, which might by Law have been Imported before the making of this Act, who being a Native, ſhall within Twelve months, or an Alien, ſhall within Nine months next after ſuch his Importation thereof, again Ship off and carry out of this Kingdom or any part thereof, the ſaid Goods or Merchandizes, or any part thereof, to any part beyond the Seas, that ſuch Merchant or other Importer, on ſuch his Exportation thereof, ſhall be repaid two thirds of the Duties ſo by him paid by virtue of this Act, of ſo much of the ſaid Goods and Merchandizes which he ſhall ſo Export or Ship off; the ſaid Merchant or Exporter making Oath on his Debenture in hæc verba, that all the Goods Entred and Shipped as there certified, are really and truly Exported for parts beyond the Seas on his own account, if he acts for himſelf, or if he acts by Commiſſion, then on the account of ſuch perſon or perſons for whom the Deponent acts in the direction of the Voyage, and that none of the ſaid Goods have been ſince Landed, or are intended to be Relanded in England, Wales or Berwick.

Collectors to keep a diſtinct account and pay weekly into the Exchequer.

VI. And be it further enacted and ordained by the authority aforeſaid, that all and every the Officer and Officers who ſhall be concerned in the levying, collecting, and receiving the Duties granted by this Act, do keep a ſeparate and diſtinct account thereof, and pay the ſame, in ſpecie, into the Receipt of his Majeſties Exchequer Weekly, on Wedneſday in every Week, unleſs it be an Holiday, and if it be, then on the next day that is not an Holiday; and upon neglect or refuſal of the ſame, ſhall incur the penalties, forfeitures, damages and coſts, as other the Officers of the Exchequer herein after mentioned ſhall be liable to; which Money ſo paid in, ſhall be applied to the uſes hereafter mentioned in this Act, and no otherwiſe.

Account diſtinct in Exchequer and Duties to be a Fond.

VII. Provided, and it is further enacted by the authority aforeſaid, That there ſhall be provided and kept in his Majeſties Exchequer (that is to ſay) in the Office of the Auditor of Receipts, one Book or Regiſter, in which all Moneys that ſhall be paid into the Exchequer by virtue of this Act, ſhall be Entred, Regiſtred and kept apart and diſtinct from all other Moneys paid or payable to his Majeſty upon any other Branch of his Majeſties Revenue, or upon any other account whatſoever; and that all Moneys that ſhall be paid into the Exchequer by virtue of this Act, ſhall be the yearly Fond for the ſeveral and reſpective purpoſes herein after mentioned and expreſſed, and ſhall not be applied to any other purpoſe whatſoever.

VIII. Provided and it is further enacted by the authority aforeſaid, That the Commiſſioners

Debentures to the ſeveral Ships to be made, entred, numbred and have due preference.

for Tranſportation do within Three months after the Paſſing this Act, make out authentick Debentures for each ſum of Money due, to or for every reſpective Ship, as the ſame was adjuſted by the Commiſſioners for Taking and Stating the Publick Accounts of the Kingdom; and that ſuch Debenture, when made out, be delivered either to the Owner of, or to the Agent appearing for every ſuch reſpective Ship; and ſhall be made payable to ſuch perſon or his Aſſigns, as ſuch reſpective Owner or his Agent ſhall nominate, for the uſe of the Owners of the reſpective Ships; and that ſuch Owner or Agent ſhall upon the Receipt of ſuch Debenture, give a Receipt to the ſaid Commiſſioners for Tranſportation, for every ſuch Debenture, which ſaid Receipt ſhall be entred in a Book kept for that purpoſe in the Office of Tranſportation; and that ſuch Debenture or Debentures be numbred in courſe, beginning with the firſt Ship that was hired with the figure of One, and ſo ſucceſſively according to the day the ſaid Ships were Hired, whether by his Majeſties Commiſſioners for the Navy, the Officers for Victualling, the Officers of the Ordnance, or the Commiſſioners for Tranſportation, to the end that no undue preference may be made; and if it ſo fall out, that more than one Ship was Hired in one day, the reſpective Owner or Agent ſhall have his or their Debentures numbred, as their reſpective Ships ſtand Regiſtred in the reſpective Offices where they were taken up, or Hired.

Debentures to be entred in the Exchequer, and the Moneys to be paid upon them with Intereſt at 5 l. per Cent.

IX. Provided, and it is further enacted by the authority aforeſaid, that all the ſaid Debentures ſhall be produced and ſhewn in the ſaid Office of the Auditor of the Receipt in the Exchequer, and a Note or Memorandum thereof ſhall be entred, and taken in a Book to be kept for the ſaid purpoſe, in the ſame Office; and that all the Moneys that ſhall be paid into the Exchequer by virtue of this Act, ſhall be applyed to the payment of the ſeveral perſons named in the ſaid ſeveral Debentures, and their ſeveral and reſpective Executors, Adminiſtrators or Aſſigns for the uſes aforeſaid, intereſt for their ſeveral and reſpective principal ſums of Money mentioned and expreſſed in ſuch Debentures, from the Five and twentieth day of December, One thouſand ſix hundred ninety five, for the ſpace of Three years, from thence next and immediately enſuing after the rate of Five pounds per Centum for one whole year, by two equal payments; the firſt payment to be made upon the ſaid Five and twentieth day of December.

If Moneys fall ſhort to be an Average.

X. Provided, and it is further enacted by the authority aforeſaid, that if all the Moneys that ſhall be paid into the Exchequer by virtue of this Act, ſhall not be ſufficient to ſatisfie and pay Intereſt for all the ſaid ſum of Three hundred thirty thouſand ſeven hundred ſixty nine pounds ten ſhillings and ſeven pence principal Money for the ſaid ſpace of Three years, at the ſaid rate of Five pounds per Centum for one whole year; then there ſhall be no preference of any of the ſaid perſons named in the ſaid Debentures, but ſuch deficiency ſhall fall upon the ſaid perſons named in the ſaid Debentures, their ſeveral and reſpective Executors, Adminiſtators and Aſſigns ratably and proportionably, according to the Quantity of their reſpective Debts mentioned in the ſaid Debentures.

Puniſhment of Officer miſapplying.

XI. Provided, and it is further enacted by the authority aforeſaid, that if any Officer in the Exchequer ſhall divert or miſapply any of the Moneys that ſhall be paid into the Exchequer, by virtue of this Act, to any other uſes or purpoſes then are hereby directed, then ſuch Officer ſo offending, ſhall forfeit his Office in the Exchequer, and be incapable of any Office or place of Truſt, and ſhall be lyable to pay the double value of any ſum or ſums ſo diverted or miſapplyed to any of the ſaid perſons named in the ſaid Debentures, their reſpective Executors, Adminiſtrators or Aſſigns who will Sue for the ſame, by any Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Wager of Law, Priviledge of Parliament, or other Priviledge, or more then one Imparlance ſhall be granted or allowed; and all Orders and Warrants for iſſuing, paying or diſpoſing any of the Money to be raiſed by virtue of this Act, contrary to the true intent and meaning thereof, ſhall be utterly void.

Debt upon the Tranſport Ships already Aſſigned redeemable within 12 Months.

XII. Provided, and it is further enacted and ordained by the authority aforeſaid, that all ſuch of the ſaid Debts due to any Owners of ſuch Tranſport Ships, and all parts of ſuch Debts as have been at any time aſſigned or granted, or covenanted and agreed to be aſſigned or granted, or for which any authority hath heretofore been given or granted by any of the ſaid Owners, their reſpective Executors or Adminiſtrators, to any perſon or perſons to receive the ſame, or any part thereof, to the uſe of ſuch perſon ſo authorized, or any other perſon, beſides ſuch Owner, his or her Executors or Adminiſtrators, ſhall and may be redeemed, and are hereby declared to be redeemable by the ſaid Owners, their reſpective Executors or Adminiſtators, on payment of the principal ſum of Money paid in conſideration of making the ſaid aſſignment, grant, covenant or authority, together with the charges and intereſt for the ſame, from the time of the payment thereof, after the rate of Six pounds per Centum, for one whole year, diſcounting for what hath been received, for or in reſpect of the ſaid Debt, by any ſuch perſon to whom ſuch aſſignment or authority was made or given; and upon payment or tender of the ſaid principal Money, intereſt and charges, ſuch grant, aſſignment or authority, and all covenants and agreements concerning the ſame ſhall be void. Provided nevertheleſs that ſuch redemption, as aforeſaid, be made within the ſpace of Twelve months, from and after the end of this preſent Seſſion of Parliament.

No Fee for making Debentures, &c.

XIII. Provided, and be it further enacted, that no Fee, Reward or Gratuity, directly or indirectly, ſhall be demanded or taken of any of the ſaid Owners or Agents, their reſpective Executors, Adminiſtrators or Aſſigns, for the making any the ſaid Debentures, or the payment of any of the ſaid Moneys, or for providing or making of any Books, Regiſters or Entries, or permitting any Views or Searches relating to this Act, by any of his Majeſties Officers in the Exchequer, upon pain of forfeiting their Offices and Places, and of becoming incapable of any Office of Truſt, and upon pain of payment of treble the value of any ſuch Fee, Reward or Gratuity to the party grieved, with coſts of Suit; the ſame treble value to be recovered by action of debt, bill, plaint or information, in any of his Majeſties Courts of Record at Weſtminſter, wherein no eſſoign, protection, priviledge, wager of Law, injunction, or order, or reſtraint ſhall be in any wiſe granted or allowed.

XIV. And

Officer attending when not bound may take Fee.

XIV. And whereas it may be a reaſonable accommodation for Trade, That the Officers of the Cuſtoms be permitted on ſundry urgent occaſions, to work at times and places not required by Law, for which extraordinary attendances the Merchant or other perſon concerned, is willing to make a moderate allowance, if the Officer might be juſtified in receiving the ſame: Be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any Officer duly employed in the Execution of his Office, on any extraordinary ſervice not required by Law, to take and receive ſuch Recompence from the Merchant or other perſon deſiring his attendance, as the Commiſſioners of the Cuſtoms in the Port of London, and the Collector, Cuſtomer and Comptroller in the Out Ports, or any two of them reſpectively (by whom the Sufferance is thought requiſite to be granted) ſhall determine.

CAP. VIII.

An Act for continuing two former Acts, for puniſhing Officers and Soldiers, who ſhall Mutiny or Deſert his Majeſties Service, and for puniſhing falſe Muſters, and for payment of Quarters, for one year longer.

Preamble.
4 & 5 W & M. Cap. 13.
5 & 6 W & M. Cap. 15.

Whereas an Act was made in the Fourth and Fifth years of the Reign of King William and Queen Mary, Entituled, An Act for puniſhing Officers and Soldiers, who ſhall Mutiny or Deſert their Majeſties Service, and for puniſhing falſe Muſters, and for payment of Quarters, to continue and be in force until the Firſt day of March, in the year of our Lord, One thouſand ſix hundred ninety three, and no longer; Which Act, by an Act made in the laſt Seſſion of this preſent Parliament, Entituled, An Act for continuing the Act for puniſhing Officers and Soldiers who ſhall Mutiny or Deſert their Majeſties Service, and for puniſhing Falſe Muſters, and for the Payment of Quarters, for one year longer, was declared and enacted to be and continue in full force and virtue, from the ſaid Firſt day of March, One thouſand ſix hundred ninety three, until the Firſt day of March, in the year of our Lord, One thouſand ſix hundred ninety four, and no longer. And whereas the raiſing or keeping a Standing Army within this Kingdom in time of Peace (unleſs it be with Conſent of Parliament) is againſt Law. And whereas it is judged neceſſary by his Majeſty, and this preſent Parliament, That during this time of War, ſeveral of the Forces which are now on Foot, ſhould be continued, and others raiſed for the ſafety of this Kingdom, for the common Defence of the Proteſtant Religion, and for the carrying on the War againſt France. And whereas no man may be forejudged of Life or Limb, or ſubject to any kind of puniſhment by Martial Law, or in any other manner then by the Judgment of his Peers, and according to the known and eſtabliſhed Laws of this Realm: Yet nevertheleſs it being requiſite for the retaining ſuch Forces as are or ſhall be Raiſed during this exigence of Affairs, in their Duty, That an exact Diſcipline be obſerved, and that Soldiers who ſhall Mutiny or ſtir up Sedition, or ſhall Deſert his Majeſties Service, be brought to a more exemplary and ſpeedy puniſhment, then the uſual forms of Law will allow.

4 & 5 W & M. Cap. 13. continued for a year.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act made in the Fourth and Fifth years of the Reign of King William and Queen Mary, Entituled, An Act for puniſhing Officers and Soldiers who ſhall Mutiny or Deſert their Majeſties Service, and for puniſhing falſe Muſters, and for payment of Quarters, and every Clauſe, Matter and Thing therein contained, ſhall be and continue, and is hereby declared and enacted to be and continue in full force and virtue, to all Intents, Conſtructions, and Purpoſes, from the Tenth day of April, One thouſand ſix hundred ninety five, until the Tenth day of April, One thouſand ſix hundred ninety ſix, and no longer; And that in all and every the Clauſes in the ſaid firſt recited Act, wherein there is any Commencement of time expreſſed to be from the Tenth day of March, One thouſand ſix hundred ninety two, the ſame ſhall be Conſtrued by virtue of this Act, to be accounted from the Tenth day of April, One thouſand ſix hundred ninety five; And in any Clauſe wherein the like time ſhall be expreſſed to be between the ſaid Tenth day of March, One thouſand ſix hundred ninety two, and the Firſt day of March, One thouſand ſix hundred ninety three, the ſame ſhall be, by virtue of this Act, intended to be between the Tenth day of April, One thouſand ſix hundred ninety five, and the Tenth day of April then next enſuing; Any thing herein contained to the contrary notwithſtanding.

5 & 6 W & M. Cap. 15. continued for a year.

III. And be it further enacted by the authority aforeſaid, That all and every the Clauſes, Articles, Matters and Things contained in the ſaid recited Act, made in the laſt Seſſion of this preſent Parliament, Entituled, An Act for continuing the Act for puniſhing Officers and Soldiers who ſhall Mutiny or Deſert their Majeſties Service, and for puniſhing falſe Muſters, and for the Payment of Quarters for one year longer, ſhall be and continue, and are hereby declared and enacted to be and continue in full force and virtue, to all Intents, Conſtructions and Purpoſes, from the ſaid Tenth day of April, One thouſand ſix hundred ninety five, until the ſaid Tenth day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety ſix, and no longer.

No Officer belonging to Preſident to vote.

IV. Provided always, and be it further enacted, That no Officer of the Regiment belonging to the Preſident of a General Court-Martial, ſhall ſit or vote in any Tryal to be had by virtue of this Act, or in giving any Judgment thereupon.

Remedy againſt Officer taking Money of Inn-holder, &c. for excuſing Quartering, &c.

V. Provided always, and be it enacted, That if any Officer of his Majeſties Army ſhall take or cauſe to be taken, or knowingly ſuffer to be taken any Money of any Inn-holder or Victualler, or the Inhabitant of any Publick-houſe, allowed by the ſaid firſt recited Act, for excuſing the Quartering of Officers or Soldiers, or the Diet, Small Beer, Hay or Straw, for them or any of them, thereby reſpectively allowed to be taken upon Credit in Quarters, every ſuch Officer, upon Complaint thereof made upon Oath to any Juſtice of the Peace within Five days after, which Oath ſuch Juſtice of the Peace is hereby authorized and required to Adminiſter, and by Warrant under his Hand and Seal, to compel the Offender to come before him, or any other of his Majeſties Juſtices of the Peace of the place where ſuch Officer ſhall be found, to enter into a Recognizance in any ſum not exceeding Fourty pounds, to appear in his Majeſties Court of Kings-Bench at a time named, to anſwer ſuch Action as ſhall be brought againſt him for the ſaid Offence, by Bill, Plaint or Information; And if upon the Tryal of ſuch Action, a Verdict ſhall paſs for the Plaintiff, or if for default of Plea to the ſaid Action, or by the Defendants Confeſſion, Judgment ſhall be given for the Plaintiff, in ſuch caſe the Plaintiff ſhall recover double Damages, together with double Coſts of Suit; And moreover the ſaid Defendant, after ſuch Conviction, ſhall be ipſo facto Caſhiered, and made incapable of ſerving his Majeſty in any Military Employment whatſoever; And if the Plaintiff in any ſuch Action ſhall be Nonſuit, or a Verdict paſs againſt him or her, or ſhall diſcontinue his or her Action reſpectively, ſuch Plaintiff ſhall pay to the Defendant the like Coſts, which the ſaid Court is hereby authorized to Tax and Award.

Oath to be taken by every Commiſſion Officer that he has not bought his Commiſſion.

VI. And to prevent the great miſchief of Buying and Selling Military Employments in his Majeſties Armies, Be it enacted by the authority aforeſaid, That every Commiſſion Officer which ſhall be hereafter employed in his Majeſties Military Service, ſhall, before he be Muſtered, and his Commiſſion Regiſtred in the Office of the Commiſſary General of the Muſters, take the Oath following, upon the Evangeliſts, expreſſing therein the Name and Quality of the Office, and the Name of the Colonel, and the Regiment, whether of Horſe, Foot or Dragoons (that is to ſay:)

I *A.B.* do hereby declare, That I have neither directly nor indirectly by my ſelf, or any one for me, with my knowledge, given, or promiſed hereafter to give any ſum of Money, Preſent, Gift, or Reward, to any perſon or perſons whatſoever, for obtaining my Commiſſion to be in the Regiment of Commanded by other then the uſual Fee to the Secretary of State, or the Secretary of the Commander in Chief of the Army, Counter-Signing ſuch Commiſſion.

So help me God.

Which Oath the ſaid Commiſſary General, or any of his Deputies are hereby required and impowered to adminiſter, and in the Entring of the ſaid Commiſſion, to inſert a Memorial of the adminiſtring of the ſaid Oath. Provided nevertheleſs, if the Officer be of any Troop or Company, not Regimented, the Colonels Name ſhall be omitted in the ſaid Oath.

Five pounds penalty upon Juſtice of Peace refuſing to be at a Muſter.

VII. Provided always, and be it enacted, That if any Juſtice of Peace in the City of London or Weſtminſter, or the Liberties thereof, or in the Borough of Southwark, ſhall, upon requeſt to him or them reſpectively made by any Commiſſary, or Muſter-Maſter, or other Officer thereunto appointed, neglect or refuſe to be preſent at any Muſter of Officers and Soldiers, to be made by virtue of this Act, every ſuch Juſtice, Mayor or Magiſtrate Offending therein, ſhall forfeit for ſuch Offence the ſum of Five pounds, to any perſon or perſons that ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record at Weſtminſter, or at the Aſſizes to be held for the Counties or Places where the Offence ſhall be committed reſpectively, wherein no Eſſoign, Protection, Aid, Prayer, or Wager of Law ſhall be allowed, nor any more then one Imparlance. Provided nevertheleſs, That ſuch Action ſhall be commenced and proſecuted within Six Months after the Offence committed, and not otherwiſe.

Liſting before Petty Conſtable void.

VIII. Provided always, That no perſon that ſhall be Liſted for the Land Service at any time after the Tenth day of April, in the year of our Lord, One thouſand ſix hundred ninety and five, ſhall be eſteemed a Liſted Soldier, or be ſubject to the pains and penalties of this Act, or any other penalty for his behaviour as a Soldier, though he ſhall be brought before a Petty Conſtable in the Hundred or Diviſion where he ſhall be Liſted, and before the ſaid Petty Conſtable do declare his free Conſent to be Liſted or Muſtered as a Soldier; Any thing in the laſt before recited Act contained to the contrary notwithſtanding.

No Agent to receive Money, Letter of Attorney, until he give Bond for due iſſuing of it.

IX. And be it further enacted by the authority aforeſaid, That the Pay-Maſter of his Majeſties Forces for the time being, ſhall not after the Tenth day of May, One thouſand ſix hundred ninety five, iſſue or pay, or cauſe to be iſſued or paid any ſum or ſums of Money to any Agent, Clerk or other perſon or perſons whatſoever, by virtue of any Letter of Attorney, or any other authority from any Colonel, or other Officer Commanding any Regiment, Troop, Company or Gariſon in his Majeſties Pay, until ſuch perſon or perſons ſhall give Bond or Bonds to his Majeſty, in ſuch ſum or ſums, and with Two or more ſuch ſufficient Sureties as ſhall be approved by the Lords Commiſſioners of the Treaſury, or Lord High Treaſurer of England for the time being; the Condition of which Bond ſhall be for anſwering the ſums ſo by him or them to be received, and for the due iſſuing the ſame, according to the directions of this preſent Act, or any Eſtabliſhment, Regulation, or Warrant Signed, or to be Signed by his Majeſty. And be it further enacted, That a Memorial of the ſaid Bond and Security ſhall be Entred in the Office of the Pay-Maſter General of the Army, before any Money ſhall be iſſued to any ſuch perſon, as aforeſaid.

No Money to be allowed Officers upon pretence of Advance.

X. And be it further enacted by the authority aforeſaid, That no Colonel or other Officer or Agent ſhall, in Accounts by him or them drawn up or Stated, be allowed any ſum or ſums of Money, upon pretence that the ſame hath been by him or them advanced or lent to any Officer or Soldier at any time after the Tenth day of April, One thouſand ſix hundred ninety five.

Pay-Maſter upon Certificate of Juſtice of Peace ſhall pay Money due for Quarters.

XI. Provided always, and be it enacted, That the Pay-Maſter, or Pay-Maſters of his Majeſties Army for the time being, to whom any Certificate of the Juſtices of Peace ſhall be made, as in the ſaid firſt recited Act is directed, of any ſum or ſums of Money due and owing for Quarters to any Inhabitant, Inn-holder, Victualler, or other Houſe hereby allowed to Quarter Soldiers, ſhall ſatisfie and pay the ſame out of the full Subſiſtance due and payable to the perſons concerned, or otherwiſe, as in and by the ſaid Act it is appointed, upon the penalty, loſs and forfeiture therein provided.

XII. Provided

8 d. per night Hay in London, &c.

XII. Provided always, and be it enacted, That when any Regiments, or Troops of Horſe ſhall be Quartered in the City of Weſtminſter, or the Liberties of London or Weſtminſter, or in the Borough of Southwark, or any other of the Pariſhes within the Weekly Bills of Mortality, and have the Soldiers Pay augmented by reaſon of ſuch their Quartering, every Officer and Soldier in or of any ſuch Regiment or Troop, during their Quartering in the ſaid places, or any of them, ſhall pay Eight pence a Night for the Hay of each Horſe; Any thing herein contained to the contrary notwithſtanding.

This and the two former Acts to be had in every Town.

XIII. Provided always, and be it enacted, That for the better knowledge of the Contents of this Act, and the good proviſion therein made, to prevent diſorders in the Marches and Quartering of Soldiers, and otherwiſe, every Mayor, Bailiff or Bailiffs, or other Chief Officer of every City and Market-Town in the Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall at or before the Feaſt of St. John Baptiſt next, provide himſelf, or themſelves of this Act, and the Act made in the Fourth and Fifth years of the Reign of King William and Queen Mary, Entituled, An Act for puniſhing Officers and Soldiers, who ſhall Mutiny or Deſert their Majeſties Service, and for puniſhing Falſe Muſters, and the payment of Quarters; Which Act ſhall be printed with Marginal Notes to Explain the Clauſes therein, and for which there ſhall be paid a Peny for every printed Sheet, and no more. Provided always, That in any Town in the places aforeſaid, where there ſhall be no Mayor, Bailiff, or other Magiſtrate above a Conſtable, the Conſtable, Tythingman or Headborough of the Pariſh ſhall provide the ſame, and be Reimburſed out of the Rates to be Charged in the Pariſh, whereof he is an Officer for Paſſing Rogues, Vagabonds and Sturdy Beggars to the Houſe of Correction, by virtue of one Act made in the Thirteenth and Fourteenth years of King Charles the Second, Entituled, An Act for the better Relief of the Poor, which payment, by virtue of this Act, ſhall be included in the ſaid Rates.

CAP. IX.

An Act for Appointing and Enabling Commiſſioners to Examine, Take and State the Publick Accounts.

FOR the better knowledge, examination and ſtating the Accounts of the receipts, iſſues, and diſtribution of the Publick Revenue of the Crown of England, and the Dominions and Territories thereunto belonging, and the due encouragement of the people of this Realm, to pay the Taxes and Payments by Act of Parliament impoſed on them, for the maintenance and proſecution of the preſent War againſt France, and the ſupport of his Majeſties Government.

Power given to Commiſſioners to take the Accounts of the Revenue.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Robert Harley Eſquire, Sir Thomas Clarges Knight, Henry Boyle Eſquire, Charles Hutchinſon Eſquire, Sir Thomas Pope Blount Baronet, Sir John Thompſon Baronet, and Paul Foley Eſquire, Speaker of the Houſe of Commons, ſhall be, and are hereby Conſtituted Commiſſioners for examining, taking and ſtating of the Accounts of all Money of the ſaid Publick Revenue of the Crown, and all other Accounts which were by one Act of Parliament made in the Second year of the Reign of King William and Queen Mary, Entituled, An Act for Appointing and Enabling Commiſſioners to Examine, Take and State the Publick Accounts of the Kingdom; And one other Act made in the Fourth and Fifth years of the Reign of King William and Queen Mary, Entituled, An Act for Examining, Taking and Stating the Publick Accounts of this Kingdom; And one other Act made in the Fifth and Sixth years of their ſaid Majeſties Reign, Entituled, An Act for Appointing and Enabling Commiſſioners to Examine, Take and State the Publick Accounts of the Kingdom, to be taken, examined and ſtated by the reſpective Commiſſioners by the ſaid Acts, or any of them Conſtituted, or any Five, Four or more of them reſpectively authorized by virtue of the ſame, or any of them; And that the ſaid Acts, and every Clauſe, Matter and Thing therein contained, not hereby Altered, ſhall be, and are hereby Revived and Continued in full force and virtue to all Intents, Conſtructions and Purpoſes whatſoever, from the Four and twentieth day of April, in the year of our Lord, One thouſand ſix hundred ninety five, to the Five and twentieth day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and ſix; And ſhall be executed with all the powers and authorities in them and every of them reſpectively contained, by the Commiſſioners herein named, or any Four or more of them; And that the Lords Commiſſioners of the Treaſury, or Lord High Treaſurer of England for the time being, ſhall, and are hereby authorized and required to iſſue and pay, or cauſe to be iſſued and paid the like yearly allowances for payment of Clerks, and other Charges, as are in the firſt recited Act directed, and the like Quarterly Payments to every of the ſaid Commiſſioners hereby Conſtituted, as are appointed to be paid to the Commiſſioners therein named; And the ſaid Commiſſioners by this Act Conſtituted, as aforeſaid, or any Four or more of them, ſhall, and are hereby impowered to take Accounts of all Moneys granted to his Majeſty by one Act made in this preſent Seſſion of Parliament, Entituled, An Act for granting to his Majeſty an Aid of Four Shillings in the Pound for One Year, and for Applying the yearly Sum of Three hundred thouſand Pounds, for Five Years out of the Duties of Tunnage and Poundage, and other Sums of Money payable upon Merchandizes Exported and Imported, for Carrying on the War againſt *France* with Vigour, and of all other Moneys that have been or ſhall be granted to his Majeſty in this preſent Seſſion of Parliament; And of all other his Majeſties Treaſure, or other Publick Money due or payable to their ſaid Majeſties on the Fifth day of November, One thouſand ſix hundred eighty eight, or to their ſaid Majeſties, or either of them, at any time between the ſaid Fifth day of November, and the ſaid Five and twentieth day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety and ſix, not yet Accounted for by virtue or in purſuance of the ſaid recited Acts, or either of them, or the laſt Clauſe touching Publick Accounts, made and enacted in one Act made in the Third year of the Reign of their ſaid Majeſties Kings William and Queen Mary, Entituled, An Act for Raiſing Money by a Poll Payable Quarterly for one Year, for the Carrying on a Vigorous War againſt *France.*

Seſſ. 2. Cap. 11.

Cap. 11.

Cap. 13.

III. And

Commiſſioners to take an Oath of Execution.

III. And be it further enacted by the authority aforeſaid, That Two of the ſaid Commiſſioners firſt named in this Act, before they enter upon the Execution of the ſame, ſhall take an Oath before the Chancellor of the Exchequer, or Maſter of the Rolls for the time being, which they and either of them are hereby reſpectively authorized and required to Adminiſter to them, the Tenor whereof ſhall be as followeth (that is to ſay:)

The Oath.

I *A. B.* do ſwear, That according to the beſt of my Skill and Knowledge I ſhall faithfully, impartially and truly demean my ſelf in Examining and Taking the Accounts of all ſuch ſum or ſums of Money, and other Things brought or to be brought before me in Execution of one Act, Entituled, *An Act for Appointing and Enabling Commiſſioners to Examine, Take and State the Publick Accounts*, according to the Tenor and Purport of the ſaid Act.

And every other of the ſaid Commiſſiones hereby Conſtituted, before he enters upon the Execution of the ſaid Act, ſhall likewiſe take the ſame Oath before the ſaid Two Commiſſioners herein firſt named, who are hereby authorized and required to Adminiſter the ſame unto them, after they ſhall themſelves have taken the ſaid Oath, as aforeſaid.

CAP. X.

An Act for the better Admeaſurement of Keels and Keel-Boats in the Port of *Newcaſtle*, and the Members thereunto belonging.

Preamble.
Cap. 10.
Cap. 8.

Whereas by Two ſeveral Statutes heretofore made, the one in the Ninth year of the Reign of King Henry the Fifth, Entituled, Keels that carry Coals at *Newcaſtle*, ſhall be Meaſured and Marked; And the other in the Thirtieth year of our late Sovereign Lord King Charles the Second, Entituled, An Act for the Admeaſurement of Keels and Boats carrying Coals; For the remedy of deceits therein complained off, (amongſt other things) It was thereby enacted, That Commiſſioners ſhould from time to time be appointed by his ſaid late Majeſty, his Heirs and Succeſſors, for the Admeaſuring and Marking all and every the Keels and other Boats, and Wains and Carts uſed, or in any time thereafter to be uſed for the carriage of Coals in the Port of Newcaſtle upon Tyne, Sunderland upon the River Weare, Culler-Coates, Seaton-Sluce, Blyth-Nooke, and all and every of the Members, Havens, Creeks and Places whatſoever, to the ſaid Port of Newcaſtle belonging, upon the Forfeiture that every Keel, Boat, Wain or Cart, which ſhould thereafter carry Coals in any of the aforeſaid places, before they ſhall be Admeaſured and Marked, as aforeſaid, ſhould be forfeited, together with the Coals laden upon them: Notwithſtanding which, divers new Frauds, Deceits and Abuſes have of late ariſen, and are daily practiſed to the diminution of his Majeſties Cuſtoms, and the great prejudice and damage of the Buyers and Sellers of Coals.

Commiſſioners to be appointed by the King for Admeaſurement of Keels in Newcaſtle, &c.

II. For remedy whereof, be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Commiſſioners ſhall from time to time be appointed by his Majeſty, his Heirs and Succeſſors, for the Admeaſuring and Marking all and every the Keels, Pan-Keels and Pan-Boats, and other Boats, and Wains and Carts uſed, or in any time hereafter to be uſed for the carriage of Coals in the Port of Newcaſtle upon Tyne, Sunderland upon the River Weare, Culler-coates, Seaton-Sluce, Blyth-Nooke, and all other places within the Counties of Northumberland and Durham, and all and every the Members, Havens, Rivers, Creeks and Places whatſoever, to the ſaid Port of Newcaſtle and Counties aforeſaid belonging; Which ſaid Admeaſurement ſhall be by a Dead Weight of Lead or Iron, or otherwiſe, as ſhall ſeem meet to the ſaid Commiſſioners, or any Three of them, allowing Three and fifty hundred Weight to every Chaldron of Coals; Which ſaid Keels, Boats, Wains or Carts ſhall be Admeaſured and Marked at the times and places, and in manner hereafter mentioned; Any thing in the ſaid former Acts to the contrary notwithſtanding.

The Content of a Cart-load, &c.

III. Provided always, That the Weight or Contents of Coals loden or carried by every ſuch Wain, ſhall be of the Weight or Content of Seventeen hundred Weight and an half, and the Weight or Contents of Coals loden or carried by every ſuch Cart, ſhall be of the Weight or Content of Eight hundred and three Quarters; And that Three ſuch Wains, or Six ſuch Carts, ſhall be reckoned and allowed for one Chaldron and no more; And that no other Wains or Carts are hereby intended to be Admeaſured or Marked, but only ſuch Wains and Carts as now are, or hereafter ſhall be imployed in carrying Coals to the Staiths, to be directly put from the Staiths into the Ships, and no others.

Carts and Keels to be admeaſured and marked by Commiſſioners

IV. And be it further enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, ſhall cauſe all and every of the ſaid Keels, Boats, Wains and Carts, to be admeaſured accordingly; And ſhall give Three days Notice of the time and place of ſuch admeaſurement to the Owner or Owners thereof, and cauſe the ſaid Keels and Boats ſo admeaſured, to be marked and nailed on each ſide the Stem and Sterne, and Midſhip thereof, or otherwiſe, as they the ſaid Commiſſioners, or any Three of them in their diſcretion ſhall direct; And the ſaid Wains and Carts to be marked and nailed on the Head and Sides of the ſaid Wains, Carts, or otherwiſe, as the ſaid Commiſſioners or any Three of them ſhall direct, or by ſuch perſons as ſhall be by them thereunto appointed; Which perſons ſo appointed ſhall take an Oath before the ſaid Commiſſioners, or any Three of them, for the true and impartial performance and diſcharging the ſame; Which Oath the ſaid Commiſſioners are hereby impowered to adminiſter: And if the Owner or Owners of ſuch Keels or Boats, Wains or Carts, ſhall, after ſuch Notice, neglect or refuſe to have their ſaid Keels, Boats, Wains or Carts ſo admeaſured, they and every of them ſhall incurr the penalty hereafter mentioned.

Content of a Keel, and time and place of admeaſurement.

V. Provided, That no ſuch Keel or Boat be admeaſured, marked or nailed, but between the Five and twentieth day of March, and the Nine and twentieth day of September, in any year, nor ſhall be admeaſured, marked or nailed to carry more then Ten ſuch Chaldrons of Coals at any one time; And that all ſuch Keels and Boats belonging to the Port of Newcaſtle ſhall be admeaſured, marked and nailed at the New Key of the ſaid Port, and that the Keels and Boats belonging to the River Weare, ſhall be admeaſured, marked and nailed at Lambton Staiths, upon the ſaid River, and not elſewhere. And that all the Keels and Boats belonging to Culler-coates, Seaton-ſluce, Blyth-nooke, and all other places within the ſaid Counties of Northumberland and Durham, as alſo all Wains and Carts, to be admeaſured and marked by virtue of this Act, ſhall be admeaſured and marked at ſuch times and places as the ſaid Commiſſioners, or any Three of them ſhall direct.

Keel, &c. not marked forfeited.

VI. And be it further enacted by the authority aforeſaid, That every Keel, Boat, Wain, or Cart, which from and after the Four and twentieth day of July, which ſhall be in the year of our Lord God, One thouſand ſix hundred ninety and five, ſhall carry any Coals in any of the places aforeſaid, before they ſhall be admeaſured, marked and nailed, as aforeſaid, by Three Commiſſioners or more of them, ſhall be, and are hereby declared to be forfeited, together with the Coals that ſhall be laden upon them (unleſs the ſame ſhall happen by default of the ſaid Commiſſioners) One Moiety of all which forementioned forfeitures ſhall be to the Kings Majeſty, his Heirs and Succeſſors, the other Moiety to him or them that ſhall diſcover and ſue for the ſame in any of his Majeſties Courts of Record, by Bill, Plaint, or Information, wherein no Eſſoign, Protection, Imparlance or Wager of Law ſhall be allowed; Any Statute, Law or Uſage to the contrary notwithſtanding.

Puniſhment of perſon removing or altering the mark.

VII. And be it further enacted by the authority aforeſaid, That in caſe, after the admeaſuring, marking and nailing of any Keel, Boat, Wain or Cart, the Mark ſhall be removed or altered, whereby to fruſtrate the intent and meaning of this Act, That every perſon and perſons, that ſhall have a hand in, or be privy to the doing thereof, and ſhall upon proof thereof, by one or more credible Witneſſes, before any one or more Juſtice or Juſtices of the Peace of the Counties where the ſaid Offence ſhall happen to be Committed, and Convicted thereof, ſuch perſon or perſons ſo, as aforeſaid, Convicted, ſhall forfeit the ſum of Ten pounds, to be levied upon his or their Goods and Chattels, by Diſtreſs and Sale thereof, by Warrant under the Hand and Seal of the ſaid Juſtice or Juſtices, rendring the Overplus (if any) to the Party or Parties Diſtrained upon; And for want of ſufficient Diſtreſs, the Parties ſo Offending ſhall, by like Warrant, be committed to the Common Goal of the ſaid County where the Offence ſhall be committed, there to remain for the ſpace of Three Months without Bail or Mainprize, one half part of the ſaid forfeiture to his Majeſty, his Heirs and Succeſſors, and the other half part thereof to ſuch perſon or perſons as ſhall make ſuch Diſcovery; And alſo that after any ſuch Offence, as aforeſaid, committed, by altering or removing any of the Marks or Nails that ſhall be ſet upon any ſuch Keels, Boats, Wains or Carts by virtue of this Act, That from thenceforth, and ſo often as any ſuch Offence ſhall be committed, as aforeſaid, the ſaid Commiſſioners, or any Three of them, or ſuch perſon or perſons as ſhall be by them appointed, ſhall have authority, and are hereby authorized and impowered to Admeaſure, Mark and Nail the ſaid Keels, Boats, Wains and Carts anew, according to the directions hereby before given.

CAP. XI.

An Act for the more effectual ſuppreſſing Prophane Curſing and Swearing.

Preamble; Cap. 20.

The forfeitures of ſeveral Degrees of perſons for ſwearing.

Whereas it is found by experience, That an Act of Parliament made in the One and twentieth year of the Reign of King James the Firſt, Entituled, An Act to prevent and reform Prophane Swearing and Curſing, hath proved ineffectual to the ſuppreſſing of thoſe deteſtable ſins, by reaſon of ſome deficiencies in the ſaid Act, Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall (after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ninety five) prophanely ſwear or curſe in the preſence or hearing of any Juſtice of Peace of the County, Riding or Diviſion, or of the Mayor or other Head Officer or Juſtice of Peace for any City or Town Corporate, where ſuch offence is or ſhall be committed, or that ſhall be thereof convicted by Oath of one Witneſs, or by the confeſſion of the party offending before any Juſtice of Peace of the County, or Mayor, or Bayliff, or other Chief Officer or Juſtice of the Peace of ſuch City or Town Corporate, where the ſaid Offence ſhall be committed, That then, for every ſuch offence, the party ſo offending, ſhall forfeit and pay to the uſe of the poor of the pariſh, where ſuch offence or offences ſhall be committed, the reſpective ſums herein after mentioned (that is to ſay;) Every ſervant, day labourer, common ſoldier and common ſeaman, One ſhilling, and every other perſon, Two ſhillings; And in caſe any of the perſons aforeſaid, ſhall, after conviction, offend a Second time, ſuch perſon ſhall forfeit and pay double; And if a Third time, treble the ſum reſpectively by him or her to be paid for the firſt offence.

Forfeitures to be levied by Diſtreſs.

II. And it is hereby further enacted, That upon neglect or refuſal of payment of the ſaid forfeiture, any Juſtice of Peace of the County, Riding or Diviſion, or Mayor, or other Head Officer or Juſtice of Peace of any City, or Town Corporate, where the ſaid offences ſhall be committed, ſhall, and are hereby authorized and required to direct and ſend his Warrant to the Conſtable, Tythingman, Churchwarden or Overſeer of the poor of the pariſh where the offence ſhall be committed, or where the Offender ſhall inhabit, thereby commanding them, or ſome one or more of them, to levy by Diſtreſs and Sale of the Goods of the Offender, the ſum ſo forfeited for the uſe of the poor of the pariſh, as aforeſaid; And in caſe no ſuch Diſtreſs can be had, then every ſuch Offender, being above the Age of Sixteen Years, ſhall, by Warrant under the Hand and Seal of the ſaid Juſtice of Peace or other Officer, as aforeſaid, be publickly ſet in the Stocks for the ſpace of One Hour for every ſingle offence, and for any number of offences, whereof he ſhall be convicted at one

If no Diſtreſs, Offender to be put in the Stocks.

and the ſame time, then Two hours; And if the party offending be under the Age of Sixteen Years, and ſhall not forthwith pay the ſaid forfeitures, then he or ſhe ſhall by Warrant, as aforeſaid, be Whipped by the Conſtable, or by the Parent, Guardian or Maſter of ſuch Offender in the preſence of the Conſtable.

Five pounds penalty upon Juſtice of Peace not executing the Act.

III. And be it further enacted, That if any Juſtice of the Peace, or Chief Magiſtrate, ſhall wilfully and wittingly omit the performance of his Duty in the Execution of this Act, he ſhall forfeit the ſum of Five pounds, the one Moiety to the uſe of the Informer, to be recovered by Action, Suit, Bill or Plaint, in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, nor any more then one Imparlance.

Officer ſued for executing plead General Iſſue, &c.

IV. And it is hereby further enacted, That if any Action or Suit ſhall be commenced or brought againſt any Juſtice of Peace, Conſtable or other Officer, or perſon whatſoever, for doing or cauſing to be done any thing in purſuance of this Act, concerning the ſaid Offences, the Defendant, in ſuch Action, may plead the General Iſſue, and give the Special Matter in Evidence; And if upon ſuch Action, Verdict be given for the Defendant, or the Plaintiff become Nonſuit, or diſcontinue his Action, then the Defendant ſhall have treble Coſts.

Time for Proſecuting upon this Act.

V. Provided always, and it is hereby enacted, That no perſon ſhall be proſecuted or troubled for any offence againſt this Statute, unleſs the ſame be proved or proſecuted within Ten days next after the offence committed.

VI. And it is further enacted by the authority aforeſaid, That this Act ſhall be publickly Read Four ſeveral times in the Year in all Pariſh Churches, and all publick Chappels, by the Parſon, Vicar or Curate of the reſpective Pariſhes or Chappels, immediately after Morning Prayer, on Four ſeveral Sundays (that is to ſay) the Sunday next after the Four and twentieth day of June, the Nine and twentieth day of September, the Five and twentieth day of December, and the Five and twentieth day of March, under the pain of Twenty Shillings for every ſuch omiſſion or neglect.

VII. And be it further enacted by the authority aforeſaid, That the Juſtice of Peace, Mayor or other Head Officer ſhall Regiſter in a Book, to be kept for that purpoſe, all the Convictions made before him upon this Act, and the time of making thereof, and for what offence, and ſhall certifie the ſame to the next General Quarter Seſſions of the Peace for the ſaid County or Place, where the offences are committed, to be there kept upon Record by the reſpective Clerks of the Peace, to be ſeen without Fee or Reward.

CAP. XII.

An Act for Explaining and Regulating ſeveral Doubts, Duties and Penalties in the late Act for Granting ſeveral Duties upon Velum, Parchment and Paper; And for Aſcertaining the admeaſurement of the Tunnage of Ships.

Preamble.

5 & 6 W. & M. Cap. 21.

Whereas ſeveral Doubts and Difficulties are ariſen upon the Interpretation of ſeveral Clauſes in an Act of Parliament made in the Fifth and Sixth years of the Reign of their Majeſties King William and Queen Mary, Entituled, An Act for Granting to their Majeſties ſeveral Duties upon Velum, Parchment and Paper for Four years, towards carrying on the War againſt *France*.

Recognizances before Juſtice of Peace, Copies of Surrenders, &c. exempted.

II. For the explaining and remedying the ſaid doubts and difficulties, Be it declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Act, nor any Clauſe therein contained, ſhall be conſtrued to charge with any Duty ſpecified in the ſaid Act, any Warrant made by, or Recognizance taken before any Juſtice or Juſtices of the Peace, or any Surrender of any Copyhold Eſtate, or Copies for ſuch Eſtate, or any Certificate of Marriage of any Widow of any Seaman, or any proceedings of any Court Marſhal, which relate to any Tryal of any common Soldier, or any Orders, Decrees, or Proceedings before any Commiſſioners of Sewers, or in the Court of Stannaries, But the ſaid Warrants, Recognizances, Surrenders, Copies, Certificates, Orders, Decrees and Proceedings, ſhall, and are hereby declared to be exempted from the payment of any the Duties mentioned in the ſaid Act.

Degree in the Univerſity exempted.

III. And be it further enacted and declared by the authority aforeſaid, That the Clauſe in the ſaid Act, whereby the Duty of Fourty ſhillings is laid upon the Regiſter or Entry of any Degree in any of the Two Univerſities, ſhall not extend to charge with the ſaid Duty of Fourty ſhillings, the Regiſter or Entry of any Batchelor of Arts, who is hereby exempted from the payment thereof.

Commiſſions of Rebellion exempted.

IV. And be it further enacted and declared by the authority aforeſaid, That the Clauſe in the ſaid Act, whereby the Duty of Fourty ſhillings is laid upon Letters Patents, ſhall not extend to Commiſſions of Rebellion in Proceſs, But that the Commiſſions of Rebellion ſhall be, and are hereby exempted from the ſaid Duty of Fourty ſhillings.

Officers in Inferiour Courts, &c. exempted.

V. And be it further enacted and declared by the authority aforeſaid, That the Clauſe in the ſaid Act, whereby the Duty of Fourty ſhillings is laid upon admittances of Officers in any Court whatſoever, ſhall not be extended to charge any annual Officer in any Corporation or inferiour Court, whoſe Office is under the value of Ten pounds per Annum, in Salaries, Fees or other Perquiſites, But the ſaid annual Officer is hereby exempted and diſcharged from the ſaid Duty.

Sea Officers to pay as Land Officers.

VI. And be it further enacted and declared by the authority aforeſaid, That the Officers at Sea ſhall pay the ſame Duty that the Officers of the Army at Land pay, and no more; any thing in the ſaid Act to the contrary in any wiſe notwithſtanding.

500 l. Penalty charged into 5 l.

VII. And be it further enacted by the authority aforeſaid, That the Penalty of Five hundred pounds mentioned in the ſaid Act, ſhall no longer ſtand and be in force, but is hereby altered and changed into the penalty of Five pounds only; And that for the future, in all Caſes where by the ſaid Act the Offender was to forfeit Five hundred pounds, he ſhall forfeit no more then Five pounds, to be recovered with Coſts of Suit; any thing in the ſaid Act to the contrary in any wiſe notwithſtanding.

VIII. And

Perſons who have incurred 500 l. Penalty pardon'd.

VIII. And be it further Enacted and Declared by the Authority aforeſaid, That all perſons that have already incurred the ſaid Penalty of Five hundred pounds, upon any Clauſe in the ſaid Act, ſhall be, and are hereby Pardoned, Indemnified and Diſcharged from the ſaid Forfeiture of Five hundred pounds, and every part thereof, and of and from any Proſecution thereupon; any thing in the ſaid Act to the contrary in any wiſe notwithſtanding.

Prices to be annually ſet and ſtamped upon the Parchment.

6 per Cent. allowance for ready Money.

IX. And for the better Diſtribution of the ſaid Velum, Parchment and Paper, and that the Subjects may have the ſame with more Conveniency, and at an eaſier Rate then formerly, Be it Enacted by the Authority aforeſaid, That the Lord High Treaſurer of England, or Commiſſioners of his Majeſties Treaſury for the time being, ſhall once in the Year at leaſt, ſet the prices of all ſorts of ſtampt velum, parchment and paper, that it ſhall be ſold at; And that the Commiſſioners appointed for putting the ſaid Act in Execution, ſhall ſtamp the ſaid Price ſo ſet, upon every ſkin or piece of velum or parchment, or ſheet or piece of paper ſo by them to be ſold; And that the ſaid Commiſſioners ſhall likewiſe allow and pay to every perſon that ſhall bring velum, parchment or paper to be ſtampt (the Duty whereof ſhall amount to the ſum of Ten pounds or upwards) after the Rate of Six pounds in the Hundred pounds per Annum for Three Months, upon preſent payment of the ſaid Duty upon the ſaid velum, parchment and paper ſo by them bought; And that any perſons that ſhall buy of the ſaid Commiſſioners, or their Agents, velum, parchment or paper, the Duty whereof amounts to the like ſum of Ten pounds or upwards, ſhall have the ſame allowance of Six pounds in the Hundred pounds.

Another way of meaſuring Ships then was appointed by 5 & 6 W & M. cap. 20.

X. And whereas great Inconveniencies and Diſcouragements to Trade and Navigation, are found by admeaſuring of Ships and Veſſels according to the Act made in the Fifth and Sixth Year of the Reign of King William and Queen Mary, Intituled, An Act for Granting to Their Majeſties ſeveral Rates and Duties upon Tunnage of Ships and Veſſels, and upon Beer, Ale and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch perſons as ſhall voluntarily advance the ſum of Fifteen hundred thouſand Pounds, towards the Carrying on the War againſt *France*: Be it Enacted, That from and after the Firſt Day of June, in the Year of our Lord, One thouſand ſix hundred ninety five, all Ships and Veſſels ſhall be meaſured, in order to the paying the Duty Impoſed by the ſaid Act, by taking the Length of the Keel of every Ship or Veſſel ſo much as ſhe treads on the Ground, and the Breadth to be taken within Board by the Midſhip Beam from Plank to Plank, and half that Breadth ſhall be accounted for the Depth of every Ship or Veſſel, then Multiply the Length by the Breadth, and the Product thereof by the Depth, and Divide the whole by Ninety four, and the Quotient ſhall give the true Contents of the Tunnage which ſuch Ship ſhall pay for; Any thing in the ſaid recited Act to the contrary notwithſtanding.

Tunnage ſhall be paid only for Goods actually laden.

XI. And be it further Enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of June, there ſhall not be Raiſed, Levied, Collected or Paid for the Uſe of his Majeſty, his Heirs or Succeſſors for the Tunnage of any Ship or Veſſel within the time in the ſaid Act mentioned, Trading Coaſtwiſe, any other or greater Sum or Rate then for ſo many Tuns of Goods as are or ſhall be actually Laden on Board ſuch Ship or Veſſel; Any thing in the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding.

CAP. XIII.

An Act for Raiſing the Militia of this Kingdom, for the Year One thouſand ſix hundred ninety five; And for Repealing the Statute of the Second and Third Year of King *Edward* the Sixth, Intituled, *An Act againſt Shooting in Hail-Shot.*

Preamble. Cap. 3.

Whereas by an Act of Parliament, made in the Thirteenth and Fourteenth Years of the Reign of his late Majeſty King Charles the Second, Intituled, An Act for Ordering the Forces in the ſeveral Counties of this Kingdom, It was (amongſt other things) Enacted, That in caſe of Invaſions, Inſurrections or Rebellions, whereby occaſion ſhould be to draw out the Soldiers mentioned and appointed in and by the ſaid Act into Actual Service, the perſons charged by the ſaid Act, with Horſes, Horſemen and Arms, ſhould provide each their Soldier reſpectively with pay in hand, not exceeding One Months pay, as ſhould be in that behalf directed by the reſpective Lieutenants of the ſeveral Counties, and in their Abſence, or otherwiſe, by their Direction, by their Deputies, or any Two or more of them: For Repayment of which ſaid Moneys, and for Satisfaction of the Officers for their pay, during ſuch time, not exceeding One Month, as aforeſaid, as they ſhould be with their Soldiers in ſuch Actual Service, It was thereby declared that proviſion ſhould be made for the ſame by his ſaid Majeſty, his Heirs and Succeſſors, out of his or their Publick Treaſury or Revenue: Nevertheleſs it was thereby further Provided and Enacted, That in Caſe a Months pay, ſhould be provided and advanced, as aforeſaid, that no perſon who ſhould have advanced his proportion thereof, ſhould be charged with any other like Months payment, until he or they ſhould have been Reimburſed the ſaid Months pay, and ſo from time to time, the ſaid Months pay by him or them laſt before provided and advanced, as aforeſaid. And whereas upon the Invaſion of the Coaſts of this Kingdom by the French, it was found neceſſary for the publick defence and ſafety, to Draw out the ſaid Soldiers into Actual Service, and to charge the ſaid perſons to provide each their Soldier reſpectively with pay in hand, although the Months pay by ſeveral of them, before that time Provided and Advanced, was not, nor could be reimburſed.

Power given to raiſe the Militia notwithſtanding the Months pay formerly advanc'd be not repaid.

II. And whereas the like occaſion may poſſibly happen during the preſent War, Be it therefore Enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That if at any time before the Five and twentieth Day of April, which ſhall be in the Year of our Lord, One thouſand ſix hundred ninety and ſix, it ſhall be found by his Majeſty to be neceſſary for the defence and ſafety of this Kingdon, to

Draw out the ſaid Soldiers into Actual Service, and the ſame ſhall be declared or ſignified to the reſpective Lieutenants or Deputy Lieutenants, and the Lord Warden of the Cinque-Ports, Two Ancient Towns and their Members, or in his abſence his Lieutenant or Lieutenants by his Majeſty, It ſhall be Lawful for the ſaid Lieutenants, or their Deputies, or any Three or more of them, as aforeſaid, and the Lord Warden of the Cinque-Ports, Two Ancient Towns, and their Members, or in his abſence his Lieutenant or Lieutenants, in purſuance of ſuch Orders from his Majeſty, notwithſtanding that One or more Months pay, before that time Advanced, be not Reimburſed, to Raiſe and Draw out the ſaid Soldiers into Actual Service, and to cauſe the perſons charged, as aforeſaid, to provide each their Soldier with pay in hand, not exceeding One Months pay, in ſuch manner as if all the pay before that time advanced and provided had been fully reimburſed and paid.

Cap. 14.

III. And whereas by an Act made in the Second and Third Years of the Reign of Edward the Sixth, late King of England, Intituled, An Act againſt the Shooting of Hail-ſhot, whereby amongſt other things it is Enacted, That no perſon under the Degree of a Lord of the Parliament ſhould Shoot in any place any Hail-ſhot, or any more Pellets then One at any one time, upon pain to Forfeit for every time that he or they ſhould ſo Offend, Ten pounds, and Impriſonment of his Body during Three Months; Which ſaid Act however uſeful in thoſe Days, hath not for many Years laſt paſt been put in Execution, but became uſeleſs and unneceſſary: Yet nevertheleſs ſeveral malicious perſons have of late Proſecuted ſeveral Gentlemen, qualified to keep and uſe Guns, upon the ſaid Act. For Remedy whereof, Be it Enacted by the Authority aforeſaid, That the ſaid Act and every Article, Clauſe and Thing therein contained, ſhall be and is hereby Repealed and made Void to all Intents and Purpoſes whatſoever.

C A P. XIV.

An Act for Continuing ſeveral Laws therein mentioned.

Preamble. 3 W & M 9. made perpetual.

Cap. 24.

Sect. 13.

Whereas divers Temporary Laws, which by Experience have been found Beneficial and Uſeful, are near expiring: Therefore for continuing the ſame, Be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That the Act made in the Third Year of the Reign of King William and Queen Mary, Intituled, An Act to take away Clergy from ſome Offenders, and to bring others to Puniſhment, which by another Act made in the Fourth and Fifth Years of the ſaid King and Queen, Intituled, An Act for Reviving, Continuing and Explaining ſeveral Laws therein mentioned, which are expired and near expiring, was Explained, and was to Continue and be in Force for Three Years, from the Thirteenth day of February, One thouſand ſix hundred ninety two, and from thence to the end of the next Seſſion of Parliament, and no longer, together with the Explanation thereof in the ſaid Act made in the ſaid Fourth and Fifth Years, ſhall be, and the ſame is and are hereby Continued, and ſhall be in Force, and be made Perpetual.

3 & 4 W & M. Cap. 14. made perpetual.

II. And be it further Enacted by the Authority aforeſaid, That an Act made in the Third and Fourth Years of the Reign of the ſaid King and Queen, Intituled, An Act for Relief of Creditors againſt Fraudulent Deviſes, which was to Continue and be in Force for Three Years, and to the end of the next Seſſion of Parliament, after the expiration of the ſaid Three Years, and no longer, ſhall be, and is hereby Continued, and ſhall be in Force, and be made Perpetual.

4 & 5 W & M. Cap. 20 continued for a year.

III. And be it further Enacted by the Authority aforeſaid, That an Act made in the Fourth and Fifth Years of the ſaid King and Queen, Intituled, An Act for the better Diſcovery of Judgments in the Courts of Kings Bench, Common Pleas, and Exchequer at *Weſtminſter*, which was to Continue and be in Force for One Year, from the Five and twentieth Day of March, One thouſand ſix hundred ninety and three, and from thence to the end of the next Seſſion of Parliament, and no longer, ſhall be, and is hereby Continued, and ſhall be in Force for the ſpace of One Year more, and from thence to the end of the next Seſſion of Parliament, and no longer.

C A P. XV.

An Act to Indemnifie Sir *Thomas Cooke* from Actions which he might be Liable to, by Reaſon of his diſcovering to whom he paid and diſtributed ſeveral ſums of Money therein mentioned, to be Received out of the Treaſure of the *Eaſt India* Company, or for any Proſecution for ſuch Diſtribution.

C A P. XVI.

An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Weſtward, and for Aſcertaining the Rates of Water-carriage upon the ſaid River.

Preamble.

Whereas the Rivers of Thames and Iſis have, time out of mind, been Navigable from the City of London to the Village of Bercott in the County of Oxford, and for divers years laſt paſt from the ſaid Village of Bercott Weſtward, ſomewhat farther then Letchlade in the County of Glouceſter. And whereas, for the benefit and convenience of the Navigation, there have been, and are divers Locks, Wears, Bucks, Winches, Turnpikes, Dams, Floodgates, and other Engines in, upon, or near adjoyning to the ſaid Rivers, the Tenants or Occupiers whereof anciently took, and ſtill ought to take a moderate and reaſonable price from the Owners of all Barges, Boats, or other Veſſels, having occaſion to make uſe of the ſame, or of their Aſſiſtance for, or in their paſſage, but have of late years Raiſed their Prices ſo high, that the price of the Water-carriage on thoſe Rivers, by reaſon thereof, has been alſo very much raiſed. And whereas divers Abuſes have heretofore been committed by the Bargemen in their Navigation upon the ſaid Rivers.

II. For

Juſtices of Peace of Wilts, Glouceſter, &c. have power to ſet the Rates for paſſing the Wears, &c. upon Thames and Iſis, and make Orders about them,

II. For Remedy whereof, Be it therefore Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the Firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ninety five, the Juſtices of the Peace, for the time being, of the ſeveral Counties of Wilts, Glouceſter, Oxford, Berks and Bucks, within their reſpective Counties for ever hereafter ſhall be, and are hereby declared to be Commiſſioners for the putting in Execution the Powers and Authorities herein after mentioned, (that is to ſay) The ſaid Commiſſioners, or any Five of them, ſhall have full power and authority from time to time, at their reſpective General Quarter Seſſions of the Peace, upon due Examination of the Matter in Controverſie, upon Oath, to make Orders and Conſtitutions for Settling and Aſcertaining reaſonable Rates and Prices to be taken from the Owners of all Barges, Boats or Veſſels, by the Tenants or Occupiers of all ſuch Locks, Wears, Bucks, Winches, Turnpikes, Dams, Floodgates, or other Engines within their ſaid reſpective Counties, for the help and aſſiſtance which ſuch Barges, Boats or Veſſels may or ſhall receive thereby, or by means thereof, in their paſſage upon the ſaid Rivers, regard being had, as well to the Ancient Rates which have been taken, as the neceſſary Charges of Repairing ſuch Locks, Wears, Bucks, Winches, Turnpikes, Floodgates, and other Engines; And alſo to Conſtitute and Appoint all ſuch other neceſſary Rules and Orders concerning the ſaid Navigation, and alſo concerning ſuch Locks, Wears, Bucks, Winches, Turnpikes, Dams, Floodgates, or other Engines, within their ſaid reſpective Counties, and the Shutting, Penning, Opening, Drawing, Uſe or Management thereof for the benefit and ſafety of the ſaid Navigation, and concerning all Barges, Boats or Veſſels paſſing by, through or with the help of the ſame, and the behaviour of all Bargemen, Boatmen, and Watermen belonging to, or working in ſuch Barges, Boats or Veſſels, ſo as to prevent ſuch Abuſes which have been frequently heretofore committed by them in the Navigation, as to the ſaid Commiſſioners, or any Five of them, ſhall ſeem meet.

Juſtices of Peace have power to ſettle the Rates of Water Carriage upon Thames, &c.

III. And be it further Enacted by the Authority aforeſaid, That from and after the ſaid Firſt day of May, the ſaid Juſtices of the Peace, or any Five of them, in their reſpective General Quarter Seſſions next after Eaſter-Day yearly, ſhall have Power and Authority, and they are hereby enjoyned and required to Aſſeſs and Rate the Prices of the Carriage of all ſorts of Goods whatſoever, from any place in their ſaid reſpective Counties, to any other place or places upon the ſaid Rivers, in ſuch Boats, Barges or Veſſels, and ſhall give Publick Notice in Writing to the Mayor or other Head Officer in every Market-Town within their ſaid reſpective Counties, of the Rates and Prices ſo Set and Aſſeſſed, and of all other Rates and Prices, which ſhall be Rated and Aſſeſſed by virtue of this Act; And if any Owner or Proprietor of any ſuch Barge, Boat, or Veſſel, ſhall at any time after ſuch Notice, take for the Water-carriage of any Goods or Merchandizes, above the Rates and Prices ſo Set, as aforeſaid, or if any perſon or perſons whatſoever ſhall break or act contrary to any Rules, Orders or Conſtitutions, which ſhall be made in purſuance of this Act, every ſuch perſon ſo Offending, ſhall for every Offence forfeit the ſum of Five pounds, to be recovered by the party grieved, with double Coſts of Suit, in any Action of Debt, Bill, Plaint or Information, to be Commenced or Proſecuted in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

5 l. Penalty for taking more then Rate aſſeſſed.

IV. Provided nevertheleſs, and be it Enacted by the Authority aforeſaid, That if any perſon or perſons whatſoever ſhall be agrieved by reaſon of any ſuch Rules, Orders, Conſtitutions or Aſſeſſments, ſo as aforeſaid, to be made by the ſaid Commiſſioners, or any Five of them, it ſhall and may be Lawful to and for the Juſtices of Aſſize of the ſaid County of Oxford for the time being, upon complaint made by ſuch perſon or perſons grieved, within the ſpace of One Year next after the making of ſuch Rules, Orders, Conſtitutions or Aſſeſſments, to confirm, vacate, or Alter the ſame, in ſuch manner as ſhall be thought moſt convenient.

Juſtices of Aſſize for Oxford may vacate their Orders.

V. Provided alſo, and be it further Enacted by the Authority aforeſaid, That all ſuch Rules, Orders, Conſtitutions and Aſſeſſments, other then of the Rates for Carriage, which ſhall be made by the ſaid Commiſſioners, or any Five of them, in purſuance of this Act, ſhall be Written in Parchment, and Signed by the ſaid Commiſſioners, or any Five of them, and be kept amongſt the Records of the Seſſion of the Peace of that County within which the ſame ſhall be made; And the ſaid Rules, Orders, Conſtitutions and Aſſeſſments, other then of the Rates for Carriage ſo Signed by the ſaid Commiſſioners, or confirmed, or altered on ſuch Appeal, as aforeſaid, ſhall continue in force from the making the ſame by the ſaid Commiſſioners, or the confirmation or alteration thereof by the ſaid Juſtices of Aſſize for Seven Years, and from thence until ſome new Order, Rule, Conſtitution or Aſſeſſment, ſhall be made in the ſame caſe, by the ſaid Commiſſioners, or any Five of them, every which new Order, Rule, Conſtitution or Aſſeſſment, ſhall be ſubject to the like Appeal, as aforeſaid.

Orders by Juſtices of Peace to be Regiſtred in Seſſions, and ſhall continue for 7 years.

VI. Provided always, That if at any time after the ſaid Firſt day of May, any doubt ſhall e made amongſt the ſaid Commiſſioners, in what County any ſuch Locks, Wears, Bucks, Winches, or other Engines are, or ſhall be, Then, and in every ſuch Caſe, for preventing f all ſuch diſputes, every ſuch Lock, Wear, Buck, Winch, or other Engine, ſhall be adudged and taken to be in that County, and ſubject to the Juriſdiction of the Commiſſioners of that County, within which the ſame are Taxed or Rated to the Church or Poor.

Locks, &c. to be in County where they pay the Poor.

VII. Provided alſo, That nothing herein contained ſhall be conſtrued to give any manner f Juriſdiction to any of the ſaid Commiſſioners, to put in Execution any of the Powers or uthorities hereby Granted or Directed, between the ſaid Village of Bercott and the City of xford, nor to Repeal or Impeach the Powers or Authorities Granted to the Commiſſioners in and by an Act made in the One and twentieth year of the Reign of King James the irſt, Intituled, An Act for making the River of *Thames* Navigable for Barges, Boats and Lighters, from Village of *Bercott* in the County of *Oxford*, unto the Vniverſity and City of *Oxford*; But that the

Commiſſioners made by 21 Jac. 1. ſtill to have the ſame power betwixt Bercott and Oxford.

ſaid Commiſſioners, or the more part of them by virtue thereof, and of this Act, ſhall have Power and Authority from time to time, with ſuch conſent as in the ſaid Firſt recited Act is required, to ordain and make Orders and Conſtitutions for the good and orderly uſage of the paſſage by Water on the River of Thames, betwixt the City of Oxford and the Village of Bercott, and for all Locks, Wears or Turnpikes thereof made, or to be made and maintained at the charge of the Univerſity and City of Oxford, or otherwiſe, and for the Reparation and Amendments thereof; And for all Boats, Boatmen, Paſſengers, Wharfs, Carriages, and Rates for Carriages by or through the ſaid Paſſage; And to ſet, lay, do, and execute all things concerning the ſame, as in the ſaid firſt recited Act are ordained and directed, ſubject nevertheleſs to ſuch an Appeal as is therein mentioned; And alſo, That upon the death or removal of any of the preſent Commiſſioners for executing the ſaid recited Act, the ſurviving Commiſſioners for the Univerſity and City of Oxford reſpectively, may at any time hereafter, by virtue hereof, Nominate and Elect any perſon they think fit to be a Commiſſioner, and with them to Execute all and every the Powers in the ſaid recited Act, according to the true intent and meaning thereof, and of this preſent Act.

This Act not to impeach the Power of London.

VIII. Provided alſo, That nothing herein contained ſhall be conſtrued to Impeach or Leſſen any Juriſdiction, Power or Authority of the Mayor, Commonalty and Citizens of the City of London, or of any other Body Politick or Corporate, or other perſon or perſons whatſoever.

Bargeman chargeable for any miſchief done to Locks, &c. and to pay full Coſts.

IX. And for the better preventing the damages and miſchiefs frequently done and committed by the rude and diſorderly perſons Rowing and Managing the ſaid Barges, and that the Owners of ſuch Barges may be more careful to prevent the ſame, Be it Enacted by the Authority aforeſaid, That every Barge-maſter and Owner of any Barge or Boat, ſhall be, and is hereby made anſwerable and reſponſible for any damage or miſchief that ſhall be done by his Barge or Boat, or the whole, or any of the Crew of his Bargemen, to any of the Wears, Locks, Bucks, Winches, Turnpikes, Dams, Floodgates, and other Engines in and upon the ſaid River; And the ſaid Barge-maſters, or Barge-owners ſhall and may be Sued and Proſecuted for the ſame, and if found Guilty, the Plaintiff ſhall not only recover his damages thereby ſuſtained, but his full coſts of Suit; Any former Law or Uſage to the contrary notwithſtanding.

Act continues Nine years.

X. Provided always, That this Act ſhall continue and be in force for the Term of Nine Years, and from thence to the end of the next Seſſion of Parliament, and no longer.

C A P. XVII.

An Act to Prevent Counterfeiting and Clipping the Coin of this Kingdom.

Preamble.

Whereas it is manifeſt that of late years the Currant Coin of this Kingdom hath been greatly diminiſhed by Clipping, Rounding, Filing and Melting the ſame, and likewiſe many falſe and counterfeit Coins have been Clipped for the better diſguiſing thereof: And for as much as it is apparent that theſe practices of diminiſhing the currant Coin is very much occaſioned by thoſe who drive a Trade of Exchanging Broad money for Clipped money, and by other Arts and Devices:

Penalty upon perſon ſelling or paying Silver Money for more then it is Coyn'd.

II. Be it therefore Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in Parliament Aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of May, which ſhall be in the Year of our Lord, One thouſand ſix hundred ninety five, if any perſon or perſons whatſoever, ſhall at any one time or payment, exchange, lend, ſell, borrow or buy, receive or pay any broad Silver money, or Silver money unclipt, of the Coin of this Kingdom, for more in tale, benefit, profit or advantage then the ſame was Coined for, and ought by Law to go for, be lent, ſold for, borrowed or bought, received or paid, ſhall forfeit the ſum of Ten pounds for every Twenty ſhillings that ſhall be ſo exchanged, lent, ſold, borrowed or bought, received or paid, and ſo in proportion for any greater or leſſer ſum, one moiety thereof to his Majeſty, and the other moiety to the perſon who ſhall Sue or Inform for the ſame, to be recovered (with coſts of Suit) by Action of Debt, Bill, Plaint or Information, wherein no Priviledge, Protection or Wager of Law ſhall be allowed, nor any more then one Imparlance.

Penalty for Caſting Bars of Silver, or Stamping like Spaniſh Money.

III. And be it further Enacted by the Authority aforeſaid, That no perſon do or ſhall preſume to Caſt Ingots or Bars of Silver, in Imitation of Spaniſh Bars or Ingots of Silver, nor do ſtamp any mark or impreſſion upon any Ingot or Bar in likeneſs of the Spaniſh marks or impreſſions, upon pain that the perſon herein offending, ſhall for every ſuch offence forfeit the Silver ſo Caſt, and alſo the ſum of Five hundred pounds, one moiety to his Majeſty, and the other to the Informer, to be recovered, as aforeſaid.

Puniſhment for buying or ſelling Clippings, &c.

IV. And for the better preventing the clipping, diminiſhing or impairing the currant Coin of this Kingdom, Be it further Enacted by the Authority aforeſaid, That if any perſon whatſoever ſhall buy or ſell, and knowingly have in his cuſtody or poſſeſſion, any Clippings or Filings of the currant Coin of this Kingdom, he ſhall for every ſuch Offence Forfeit the ſaid Clippings or Filings, and alſo the Sum of Five hundred pounds, One moiety to his Majeſty, and the other to the Informer, to be recovered, as aforeſaid, and ſhall be alſo Branded in the Right Cheek with a Hot Iron with the Letter R, and until payment of the ſaid Five hundred pounds ſhall ſuffer Impriſonment.

No perſon ſhall Tranſport Bullion, except it be ſtamped at Goldſmiths-hall.

V. And be it further Enacted, That no Goldſmith or other perſon whatſoever, ſhall, from and after the ſaid Firſt day of May, Tranſport or cauſe to be Tranſported out of this Kingdom of England into any parts beyond the Seas, any Molten Silver whatſoever, but ſuch only as ſhall be marked or ſtamped at Goldſmiths-Hall by the Wardens, ſome or one of them belonging to the ſaid Company of Goldſmiths, which mark or ſtamp the ſaid Wardens are hereby required to provide, and therewith to mark or ſtamp all ſuch Silver as ſhall be proved before them, or one of them, in ſuch manner as is hereafter mentioned, to be lawful Silver, nor unleſs a Certificate be firſt had and obtained under the Hand of one or more of the ſaid Wardens, of Oath having been made before him or them by the Owner or Owners of ſuch Molten Silver, and likewiſe by one credible Witneſs, that the ſame is lawful Silver, and that no part thereof was (before the ſame was Molten) the currant Coin of this Realm, nor Clippings thereof, nor Plate wrought within this Kingdom; Which Oath the ſaid Wardens, or any one of them, are and is hereby required and authorized to Adminiſter, and likewiſe to make and grant a Certificate thereof without Fee or Reward, an Entry of which Certificate ſhall be duly made by the ſaid Wardens, in a Book to be kept for that purpoſe; And in caſe any perſon whatſoever who ſhall offer any Molten Silver to be marked, as is aforeſaid, ſhall not prove by his or her Oath, and likewiſe by the Oath of one credible Witneſs, that the Silver offered to be marked is lawful Silver, and that the ſame was not before the Melting thereof the Currant Coin of this Kingdom, nor Clippings thereof, nor Plate wrought within the ſame, then and in every ſuch Caſe it ſhall be lawful, to, and for the ſaid Wardens, or any one of them, to ſeize and detain ſuch Molten Silver ſo offered to be marked, until ſuch time as ſuch Oath and Proof ſhall be made, as is aforeſaid.

VI. And be it further Enacted, That if any perſon whatſoever ſhall Ship, or cauſe to be Shipt or put on Board any Veſſel any Molten Silver, not ſtamped or marked by the ſaid Wardens, or one of them, and without Certificate firſt obtained, of Oath having been made before the ſaid Wardens, or one of them, of the Lawfulneſs of ſuch Silver in manner, as is aforeſaid, (which Certificate ſhall be ſhewn to ſome one of the Commiſſioners of the Cuſtoms for the time being, before any Cocket be granted for the Exporting ſuch Molten Silver) in ſuch caſe it ſhall and may be lawful, to and for any Officer or any Officers of his Majeſties Cuſtoms to ſeize ſuch Silver ſo Shipped and put on Board, one moiety whereof ſhall be to his Majeſty, his Heirs and Succeſſors, and the other moiety to the Officer and Officers ſo ſeizing the ſame.

Bullion not ſtamped may be ſeized by Cuſtom-houſe Officers.

VII. And be it further Enacted, That if any Broger, or Broker, not being a Trading Goldſmith or Refiner of Silver, ſhall buy or ſell any Bullion or Molten Silver, every ſuch perſon ſhall ſuffer, for every ſuch Offence, Impriſonment for Six Months without Bail or Mainprize.

Goldſmith only to buy or ſell Bullion.

VIII. And for the better diſcovery of Offenders in the premiſſes, Be it further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful, to and for one or more of the Wardens of the ſaid Company of Goldſmiths, with any Two or more of the Court of Aſſiſtants of the ſaid Company, within the compaſs of the Weekly Bills of Mortality, and to and for any Two Juſtices of the Peace within any County, City or Town Corporate out of the compaſs of the Weekly Bills of Mortality, to enter into the Houſe, Room or Workſhop of any perſon, who ſhall be ſuſpected to be guilty of buying or ſelling unlawful Bullion, and to ſearch for the ſame; and in caſe the Occupier or Occupiers of ſuch Houſe, Room, or Workſhop, ſhall refuſe to permit the ſaid Warden and Aſſiſtants or Juſtices to make ſuch ſearch, as aforeſaid, it ſhall and may be lawful to ſuch Warden and Aſſiſtants and Juſtices, with the aſſiſtance of a Conſtable, to break open any Door, Box, Trunk, Cheſt, Cupboard or Cabinet, in order to ſearch for, and diſcover ſuch Bullion, as is aforeſaid; and in caſe the perſons ſo ſearching ſhall at any time find any ſuch unlawful Bullion, the perſons ſo finding the ſame, are hereby required to ſeize, as well ſuch Bullion as the Perſon and Perſons in whoſe poſſeſſion the ſame ſhall be found; And the ſaid Wardens, Aſſiſtants and Conſtables ſhall bring him and her before the next Juſtice of the Peace, who ſhall, upon Oath made of ſuch finding, which Juſtice within the Weekly Bills of Mortality, and the ſaid Two Juſtices without the ſaid Bills of Mortality, ſhall and may Examine the perſon ſo brought before him, or found by them reſpectively, upon Oath, whether the Bullion ſo found be lawful Silver, and whether the ſame was not (before the Melting thereof) the currant Coin of this Realm, or Clippings thereof; And in caſe the ſaid perſon ſo Examined ſhall not prove by his or her Oath, or by the Oath of one credible Witneſs before the ſaid Juſtice and Juſtices reſpectively, that the Bullion ſo found is lawful Silver, and that the ſame was not, before the melting thereof the currant Coin of this Realm, nor Clippings thereof, then and in ſuch caſe the ſaid Juſtice or Juſtices reſpectively, ſhall commit the perſon ſo examined to Priſon, and ſhall ſecure the Bullion ſo found, and ſhall likewiſe oblige the perſons that can give any Evidence concerning the ſame, to enter into a Recognizance, to Proſecute the ſaid Offender and Offenders; And in caſe ſuch Offender and Offenders, in whoſe poſſeſſion ſuch unlawful Bullion ſhall be found, ſhall not, upon his, her or their Tryals on an Indictment for Melting the Currant Silver Coin of this Realm, prove by the Oath of one credible Witneſs at the leaſt, the Bullion ſo found to be Lawful Silver, and that the ſame was not the Currant Coin of this Realm, nor Clippings thereof, then, and for want of ſuch proof, ſuch Offender ſhall be found Guilty of the Offence contained in ſuch Indictment, and ſhall ſuffer Impriſonment for the ſpace of Six Months, without Bail or Mainprize.

What perſons may break open Houſes and ſearch for Bullion.

Perſon in whoſe poſſeſſion Bullion is found, and cannot prove it to be neither Coin nor Clippings Melted, to be Impriſoned ſix Months.

IX. And whereas the Coin of this Realm is of late much Clipped and Counterfeited for want of due encouragement to be given to ſuch perſons as ſhall diſcover the ſame, Be it Enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of May, One thouſand ſix hundred ninety five, all and every perſon and perſons, who ſhall Apprehend and Take any perſon or perſons, who have Counterfeited any of the Currant Coin of this Realm, or that for Lucre or Gain, have Clipped, Waſhed, Filed, or any ways diminiſhed the ſame, or ſhall bring, or cauſe to be brought into this Kingdom, the Dominion of Wales, or Town of Berwick upon Tweed, any Clipt, Falſe or Counterfeit Coin, and Proſecute ſuch perſon or perſons, until he, ſhe or they be Convicted for any ſuch Offence, ſhall have and receive from the Sheriff or Sheriffs of the County, where ſuch Conviction ſhall be made, for every ſuch Offender ſo Convicted, the ſum of Forty pounds (without paying any Fee for the ſame) within one Month after ſuch Conviction and Demand thereof made, by tendring a Certificate to the ſaid Sheriff or Sheriffs for the time being, under the Hand or Hands of the Judge or Juſtices before whom

Perſons Apprehending and Convicting Clippers, &c. ſhall upon the Judges Certificate receive 40 l. of the Sheriff.

ſuch Traytor or Traytors, Offender or Offenders, as aforeſaid, ſhall be Convicted, certifying the Conviction of ſuch Traytor or Traytors done within the County of the ſaid Sheriff or Sheriffs; And that ſuch Traytor or Traytors, was or were taken and proſecuted by the perſon or perſons, claiming the ſaid Reward, which Certificate, as aforeſaid, the ſaid Judge or Juſtices, are hereby required to give: And in caſe any Diſpute ſhall happen to ariſe between the perſons Apprehending and Proſecuting to Conviction ſuch Traytors, as aforeſaid, touching their Right and Title to the ſaid Reward, that then the ſaid Judge or Juſtices ſo reſpectively certifying, as aforeſaid, ſhall in and by their ſaid Certificate, direct and appoint the ſaid Reward to be paid unto and amongſt the parties claiming the ſame, in ſuch ſhare and proportions as to the ſaid Judge or Juſtices ſhall ſeem juſt and reaſonable: And if default of payment of the ſaid ſum or ſums of Money ſhall happen to be made by any Sheriff or Sheriffs, ſuch Sheriff or Sheriffs ſo making default, ſhall forfeit to the perſon or perſons to whom ſuch Money is due, as aforeſaid, double the ſum or ſums of Money he ought to have paid, to be recovered by him or them, or his or their Executors or Adminiſtrators, in any of his Majeſties Courts of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, wherein but One Imparlance, and no Eſſoign, Protection or Wager of Law ſhall be allowed, with Treble Coſts of Suit by him or them expended in recovery of the ſame.

Sheriff not paying ſhall Forfeit double to the Apprehender.

Sheriff to be allowed the 40 l. in his Accounts, and if nothing in his hands, repaid by the Treaſury.

X. And it is hereby further Enacted, That all Sheriffs, their Executors or Adminiſtrators, upon producing ſuch reſpective Certificates, and the Receipts for the Money by them paid in purſuance of this Act, ſhall be allowed, and are hereby impowered to deduct upon their accounting with his Majeſty, all Moneys (other then the double ſum and ſums of Money and coſts of Suit) which they ſhall diſburſe, as aforeſaid, without any Fee or Reward whatſoever.

XI. Provided always, That if upon the Account of any Sheriff or Sheriffs, there ſhall not be Money ſufficient in the Hands of ſuch Sheriff or Sheriffs to reimburſe him or them ſuch Moneys paid by him or them by virtue of this Act, That then the Sheriff or Sheriffs having ſo paid the ſaid Moneys, ſhall have the ſame repaid by the Lord Treaſurer or Commiſſioners of his Majeſties Treaſury for the time being, out of the Revenue of the Crown, upon Certificate from the Clerk of the Pipe to that Effect.

Perſon Guilty, Convicting two, Pardon'd.

XII. And be it further Enacted by the Authority aforeſaid, That if any perſon or perſons, being out of Priſon, ſhall, from and after the ſaid Firſt Day of May, One thouſand ſix hundred ninety five, be Guilty of Clipping, Coining, Counterfeiting, Waſhing, Filing, or otherwiſe Diminiſhing the Coin of this Realm, and afterwards diſcover Two or more perſon or perſons who already have, or hereafter ſhall commit any of the ſaid Crimes, ſo as Two or more of the perſon or perſons diſcovered ſhall be Convicted of the ſame, any ſuch Diſcoverer ſhall himſelf have, and is hereby Intituled to the Gracious Pardon of his Majeſty, his Heirs and Succeſſors, for all ſuch his Crimes which he or they have committed at any time or times before ſuch diſcovery made: And if the perſon making ſuch diſcovery be an Apprentice, he ſhall be deemed and taken, and is hereby declared a Freeman, and ſhall have, and may exerciſe any Lawful Trade, Profeſſion or Myſtery, with all Liberties and Priviledges, and in as full and ample manner, as if the ſaid perſon had ſerved the full time of his Apprenticeſhip; Any Law, Statute, Cuſtom or Ordinance to the contrary notwithſtanding.

Apprentice Diſcovering, made a Freeman.

Proof of Foreign Bullion lye upon the Owner, &c.

XIII. And be it further Enacted by the Authority aforeſaid, That in caſe any Seiſure ſhall happen of any Bullion Shipt to be Exported, and a doubt ariſe thereon whether the ſame be Engliſh or Foreign Bullion, that then the Proof ſhall lie upon the Owner, Claimer or Exporter of ſuch Bullion, that the ſame is Foreign Bullion, and had not been Melted down in this Realm of England, Dominion of Wales or Town of Berwick upon Tweed.

Penalty upon Exporter not entring in name of Owner, &c.

XIV. And be it further Enacted by the Authority aforeſaid, That in caſe any perſon or perſons Enter or Ship any Bullion, allowed by this Act to be Exported beyond the Seas, other then in the Name of the true Owner and Proprietor or Importer, the Exporter thereof ſhall forfeit the ſame, or the full value thereof, one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to the perſon who ſhall ſeize or diſcover the ſame.

Certain quantity of Bullion Exported by the King ſaved.

XV. Provided always, and be it further Enacted, That this Act, or any thing therein contained, ſhall not extend to Prohibit the Exportation of ſuch Bullion as ſhall be Licenſed by his Majeſty (ſuch Licences being entred in the Books of the Cuſtom Houſe for the Port of London) ſo as the ſame be Exported before the Firſt Day of January, One thouſand ſix hundred ninety five, and do not exceed Seven hundred thouſand Ounces of Silver, to be applied for the payment of his Majeſties Forces.

CAP. XVIII.

An Act for Granting to His Majeſty certain Duties upon Glaſs Wares, Stone and Earthen Bottles, Coals and Culm, for Carrying on the War againſt *France*.

Preamble.

WE your Majeſties moſt Dutiful and Loyal Subjects, the Commons Aſſembled in Parliament, for a further ſupply of your Majeſties Extraordinary Occaſions, for and towards the neceſſary Defence of your Realms, and Carrying on of the War againſt the French King, do humbly preſent your Majeſty with the Gift of the Impoſitions, Rates and Duties herein after mentioned; And do beſeech your Majeſty, That it may be Enacted:

Duties laid upon Glaſs Wares, and Stone and Earthen Bottles for 5 years.

II. And be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That for and during the term of Five years, Commencing from the Nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ninety five, there ſhall be Raiſed, Levyed, Collected and Paid unto and for the Uſe of his Majeſty, for and upon all Glaſs, and Glaſs Wares, and for and upon all Stone and Earthen Bottles, which at any time or times within, or during the ſaid term of five years, ſhall be made within this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, or Imported or Brought into the ſame, the ſeveral and reſpective Impoſitions, Rates, Duties and Sums of money herein after mentioned, over and above all ſuch Cuſtoms and Duties as are already payable, for or upon the Importation of any ſuch Commodities (that is to ſay;) (1) For all Quart Bottles of Green Glaſs, Flask Glaſs, or any other kind of Glaſs whatſoever, and for all Glaſs-Bottle-works whatſoever, commonly called or reputed Quarts, whether the ſame be, or ſhall be plain, or marked, or called Rounds, Squares, Receivers, Retorts, Bolt-heads, Still-heads, Bodies, Handle-Bottles, or any other kind of Glaſs-Bottles, or Bottle-works whatſoever; And for all Stone and Earthen Bottles, and Bottle-works of what kind ſoever, commonly called, or taken for Quarts a piece (Flint Glaſs-Bottles excepted) which at any time or times within, or during the ſaid term of Five years, ſhall be made within the ſaid Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or which (not being made or manufactured within the ſame Kingdom, Dominion or Town aforeſaid) ſhall be Imported or brought into the ſame, the Sum of Twelve pence, of lawful Engliſh money, for every Dozen reckoning Twelve to the Dozen, and no more, and after that rate for a greater or leſſer number. (2) For all Pint Bottles, or Bottle-works, commonly called or reputed for Pints, of Glaſs, Stone or Earth (Flint Glaſs-Bottles excepted) which at any time or times within, or during the aforeſaid term, ſhall be made within the Kingdom, Dominion or Town aforeſaid, or be Imported or Brought into the ſame, there ſhall be paid the Sum of Six pence, of like money for every ſuch Dozen, and after that Rate for a greater or leſſer number. (3) For all ſuch Bottles and Bottle-works, of Glaſs, Stone or Earth, holding leſs then Pints or more then Quarts a piece (Flint Glaſs-Bottles excepted) which at any time or times within or during the aforeſaid term, ſhall be made within the Kingdom, Dominion or Town aforeſaid, or Imported or Brought into the ſame, there ſhall be paid, in like money, for every ſuch Dozen a certain duty, which ſhall bear the ſame proportion to the meaſure of bigneſs of ſuch Bottle or Bottle-works, as the ſum of Twelve pence bears to the meaſure or bigneſs of the ſaid Quart-Bottles, or the Sum of Six pence bears to the meaſure or bigneſs of the ſaid Pint-Bottles, and after that Rate for a greater or leſſer number then twelve. (4) For all Flint Glaſs-Bottles, and all Glaſſes and Glaſs Works of Flint, or that ſhall be Flint mixed with Chriſtal or other Ingredients, and made in a Furnace, commonly called a Flint or Chriſtal Furnace; And for all Looking Glaſs plates, Coach Glaſs plates, and all other ſorts of plate Glaſs or Glaſs plates, made or manufactured within the Kingdom, Dominion or Town aforeſaid, or which ſhall be Imported, as aforeſaid, into the ſame (not being otherwiſe charged by this Act) there ſhall be paid a duty, to be computed after the rate of Twenty pounds for every hundred pounds of the true and real value of the ſame. (5) For all Window Glaſs or Glaſs made in Tables or otherwiſe, proper to be uſed in Glazed Windows, which at any time or times during the ſaid term, ſhall be made or manufactured in this Kingdom, Dominion or Town aforeſaid, or which ſhall be Imported into the ſame, there ſhall be paid a duty to be computed after the rate of Ten pounds for every hundred pounds of the true and real value thereof. (6) And for all other ſorts of Glaſſes, Glaſs-Works and Glaſs Wares, of what nature or kind ſoever (not herein before particularly charged) which at any time or times, during the ſaid term, ſhall be made or manufactured in the Kingdom, Dominion or Town aforeſaid, or which ſhall be Imported, as aforeſaid, there ſhall be paid a duty, to be computed after the rate of Fifteen pounds for every hundred pounds of the true and real value of the ſame.

Particular Rates. Quart Glaſs Bottles per Dozen, 12 d.

Pint Bottles of Glaſs Stone or Earth per Dozen 6 d.

Bottles leſs then Pints, and more then Quarts in proportion to thoſe before.

Flint Bottles, Coach-Glaſs, &c. 20 l. per Cent.

Window Glaſs 10 l. per Cent.

All Glaſs not mentioned. 15 l. per Cent.

III. All which ſaid rates or duties by this Act Impoſed for, and upon ſuch of the ſaid Commodities as ſhall be made in this Kingdom, Dominion or Town aforeſaid, ſhall be paid by the reſpective maker and makers of the ſame; And for ſuch of the ſaid Commodities as ſhall be Imported or Brought in, as aforeſaid, ſhall be paid by the reſpective Importer or Importers thereof, over and above ſuch duties as are already payable upon ſuch Importation.

Duties to be paid by Maker and Importer.

IV. And be it further enacted by the Authority aforeſaid, that the Duties hereby ſet on all the ſaid Foreign and imported Commodities of Glaſs, Stone or Earth ſhall be, from time to time, ſatisfied and paid by the Importer or Importers of the ſame in ready money upon his or their entry or entries made, and before the landing thereof; And that in caſe ſuch Foreign and Imported Commodities of the kinds before mentioned, ſhall be landed or put on ſhore out of any Ship or Veſſel from beyond the Seas, before due entry be made thereof in the Cuſtom Houſe, in the Port or Place where the ſame ſhall be Imported, and the duties hereby Impoſed ſhall be fully ſatisfied and paid, or without any Warrant for the landing and delivering of ſuch Imported Commodities of the kinds aforeſaid, firſt Signed by the Commiſſioners, Collectors or other proper Officer or Officers of his Majeſties Cuſtoms reſpectively, that all ſuch Imported Commodities of the kinds aforeſaid as ſhall be ſo landed, put on ſhore or delivered, contrary to the true intent and meaning hereof, or the value of the ſame, ſhall be Forfeited and Loſt, and ſhall and may be recovered of the Importer or Proprietor thereof, to wit, one moiety of the ſame to the uſe of his Majeſty, his Heirs and Succeſſors, the other moiety to the uſe of him or them that will Seize the ſaid Commodities, or Sue for the ſame, or the value thereof, by Action of Debt, Bill, Suit or Information, wherein no Eſſoign, Protection, Wager of Law, or more then one Imparlance ſhall be granted or Allowed.

Duties to be paid for the goods Imported before landing, otherwiſe Forfeited.

V. And it is hereby further enacted, that the ſaid duties on ſuch of the ſaid Commodities as ſhall be Imported, as aforeſaid, ſhall be from time to time, under the Management and Government of the Commiſſioners of his Majeſties Cuſtoms for the time being, who ſhall cauſe the ſame from time to time, to be Raiſed, Levied, Collected and Paid, by his Majeſties Officers of the Cuſtoms, to the hands of the Receiver or Receivers General of the Revenue of the Cuſtoms; And ſuch Receiver and Receivers General for the time being, ſhall anſwer and pay the Moneys ariſing thereby into his Majeſties Exchequer, diſtinct and apart from all other Branches within his or their Receipts; And for ſuch

Duties to be Managed by the Cuſtom Houſe by the ſame ways as Poundage, &c. is.

of the ſaid enumerated Commodities Imported, as aforeſaid, the Duties whereof are hereby appointed to be paid according to the value of the ſame, the reſpective Cuſtomer or Collector, or other perſon Officer or Officers of the Cuſtoms for the time being, ſhall receive and levy ſuch Duties hereby Impoſed, according to the value and Price of ſuch Goods, to be eſteemed upon the Oath of the Merchant or Importer; And ſuch Oath ſhall be Adminiſtred, and all other matters done for Aſcertaining, Recovering and Levying the ſaid Duties hereby Granted upon the values of the ſaid Imported Commodities, in the ſame manner and form as are now Lawfully uſed and practiſed, in caſes where ſuch Goods pay the Subſidy of Poundage, or other duties ad Valorem, upon the Importation thereof.

Commiſſioners to be appointed for managing the Duties for home goods.

VI. And for the better Aſcertaining the Duties by this Act Charged and Impoſed upon ſuch of the ſaid Commodities of Glaſs, Earth and Stone as ſhall be made and manufactured in England, Wales, or Town of Berwick, as aforeſaid; And for the better Raiſing, Levying and Collecting of the ſame, according to the true meaning of this Act, Be it further enacted by the Authority aforeſaid, that it ſhall and may be Lawful to and for his Majeſty, his Heirs or Succeſſors, or to and for the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer of England, or any three or more of the Commiſſioners of the Treaſury for the time being, in Writing to Commiſſionate or appoint ſuch perſons as they ſhall think fit, from time to time, to be the Commiſſioners or Surveyors for the ſaid Duties, who ſhall hereby have power to Subſtitute Deputies or Inferior Officers under them for the purpoſes aforeſaid, and ſhall cauſe all the moneys ariſing by the ſaid Duties (except the neceſſary Charge in Managing or Collecting of the ſame) to be brought and paid into the Receipt of the Exchequer, from time to time, to his Majeſties uſe; And the ſaid Commiſſioners of the Treaſury or any three or more of them now being, or the High Treaſurer of England, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby Impowered, from time to time, to ſet down, ſettle and preſcribe ſuch Orders, Rules, and Inſtructions, for the better Guidance of the ſaid Officers or any of them, in and for the Aſcertaining, Charging and Collecting of the Duties hereby Impoſed, or intended be impoſed upon the ſaid Commodities manufactured in England, Wales, or Town of Berwick, as aforeſaid, as ſhall be moſt conducing and agreeable to the ends and intent of this Act.

Money to be returned into the Exchequer.

Treaſury have power to ſet Rules to the Commiſſioners.

The value of the goods how aſcertained.

VII. And it is hereby Declared and enacted, that the values of ſuch of the ſaid Commodities made in England, Wales, or the Town of Berwick, as by this Act are to pay the duties ad Valorem, ſhall in all Caſes be taken to be ſo much as ſuch Commodities ſhall be worth to be ſold, as ſoon they are perfectly made or fit for uſe: And in caſe any diſpute or Controverſie ſhall at any time or times ariſe touching the valuation of any ſuch Commodities, between the maker or makers thereof, and his Majeſties Officer or Officers (which ſaid Officer and Officers are to be under ſuch Orders and Inſtructions as are before mentioned) in all and every ſuch caſe and caſes, the value of ſuch goods ſhall be eſteemed by the Affidavit of ſuch maker or makers, to be made in writing before any of his Majeſties Juſtices of the Peace (who are hereby Impowered to take the ſame) and to be delivered to the ſaid Officer or Officers; Who ſhall thereupon have power by this Act (if he thinks his Majeſty to be apparently defrauded) to take ſuch goods at the value ſpecified in ſuch Affidavit, and twenty per Centum more for his Majeſties uſe, paying down ready money to the maker for the ſame; Which ready money ſo paid down ſhall be allowed upon the Accounts to be made to his Majeſty for the duties aforeſaid, and the goods in ſuch caſes ſhall be ſold and diſpoſed of for his Majeſties beſt advantage and profit.

Makers to give three days notice of kindling their fires, and to make entries of quantities within twenty four hours after goods made and muſt have a permiſſion for removing their goods.

VIII. And it is hereby further enacted by the Authority aforeſaid, that all and every the maker or makers of the ſaid manufactures of Glaſs, Earth or Stone, or any of them, before he, ſhe, or they do kindle any fire or fires, for the making or working of the ſaid manufactures, ſhall give notice thereof to ſome of his Majeſties Officers, within three days before ſuch fire ſhall be kindled, under the penalty of Ten pounds for every default in not giving ſuch notice, to be Forfeited, the one moiety thereof to the uſe of his Majeſty, and the other moiety thereof to him or them that ſhall Sue for the ſame, as aforeſaid; And that the reſpective Makers or Proprietors of the ſaid Glaſs Wares, and of the ſaid Stone and Earthen Bottles, whilſt their ſeveral Fires are burning, and as often as they ſhall make any of the Manufactures of Glaſs, Stone or Earth, as aforeſaid, ſhall, from time to time, within Twenty four hours after the drawing or perfect making of any ſuch Manufactures, as aforeſaid, make true entries with his Majeſties Officer or Officers, as ſhall be appointed to attend ſuch works reſpectively, or give them true accounts in writing daily, of the ſeveral quantities of ſuch Manufactures as ſhall be ſo by them reſpectively made, ſetting down fully and truly the ſeveral quantities of ſuch goods that ſhall be made every day, diſtinctly by their ſeveral kinds as they ought to pay by this Act; And ſhall upon the drawing or perfect making of any ſuch Commodities, as aforeſaid, or within three months after, pay his Majeſties duties by this Act payable for the ſame; And ſhall likewiſe have a permiſſion Signed by ſome one of the ſaid Officers, to carry away every or any parcel of ſuch Commodities, before ſuch time as the ſame ſhall be removed or carried away from the Ware-houſe or other place, where ſuch Goods ſhall be firſt put, after their being drawn, under the ſeveral Penalties and Forfeitures herein after mentioned; Which Warrants the ſaid Officers are hereby required to give gratis unto the ſaid Makers or Proprietors of ſuch Glaſs, Stone or Earthen Commodities, upon paying the ſaid Duties hereby granted, or ſecuring the ſame to be paid within the ſaid three months; And if any ſuch maker or makers, at the time of ſuch entry, ſhall pay down the Duty hereby Impoſed, he or they ſhall be allowed for ſuch prompt payment, after the rate of Ten pounds per Centum per Annum upon every Sum ſo to be paid, for the ſaid time of three months.

Duties to be paid within three months.

10 l. per Cent. for preſent payment.

Officer may ſearch Glaſs-houſe, &c. in the day time.

IX. And be it further enacted by the Authority aforeſaid, that it ſhall and may be Lawful, to and for the ſaid Officer and Officers, ſo to be appointed, as aforeſaid, at all ſeaſonable times in the day time, to ſearch and ſee what quantities of the ſaid Commodities are making in any Glaſs Houſe or Kiln, or what quantities thereof ſhall be in any Ware-houſe or other Place belonging thereunto; And if any Maker or Makers, Owner or Owners of any the ſaid Commomodities of Glaſs, Earth or Stone, ſhall endeavour to defraud his Majeſty of any Duties by this Act payable, either by not making due entries, or giving account, as aforeſaid, or by removing or carrying away any ſuch Commodities from the Ware-houſe or other place, where the ſame ſhall be firſt put, after drawing or perfect making, as aforeſaid, before his Majeſties duties ſhall be paid or ſecured, and a permiſſion given for carrying away ſuch goods, as aforeſaid, or ſhall fraudulently hide or conceal any of the ſaid Commodities, to the intent to deceive his Majeſty of his juſt dues for the ſame, that then, and in every ſuch caſe, the goods for which no ſuch entry or account ſhall be made or given, or that ſhall be ſo unlawfully removed or carried away, or fraudulently hid or concealed, ſhall be forfeited, and ſhall and may be ſeized by any the Officer or Officers aforeſaid, to his Majeſties uſe.

Goods not entred or concealed, &c. Forfeited.

X. Provided always, and it is hereby enacted, that no Fee or Reward ſhall be had or taken by any of the ſaid Officers, from any of the ſaid makers, for the entries, accounts or permiſſions aforeſaid, or any of them.

No Fee for entries, &c.

XI. Provided alſo, that if any of the ſaid Glaſs, Stone or Earthen Manufactures, ſhall upon the drawing thereof from the Leer, Arch or Kiln, be forthwith broken becauſe they appear to be imperfectly made, no duty ſhall grow due for the ſame by virtue of this Act.

No duty for goods imperfect.

XII. Provided alſo, that if any perſon or perſons ſhall export beyond the Seas, any of the ſaid Manufactures or Commodities of Glaſs, Stone or Earth, that then upon Oath made, that the duties firſt due or payable to his Majeſty for the ſame by this Act, were duly paid or ſecured, and upon ſecurity to be firſt given, that the Goods ſhall not be relanded in England, Wales, or Berwick, which Oath ſhall and may be Adminiſtred, and the ſaid ſecurity taken by the Cuſtomer or Comptroller of the Port where ſuch Exportation ſhall be had, the duties which ſhall have been paid for ſuch of the ſaid Commodities ſo Exported ſhall be repaid, or ſo much ſhall be diſcharged upon the ſecurity before given for the ſame; Any thing in this Act before mentioned to the contrary notwithſtanding.

Duties repaid upon Exportation.

XIII. And it is hereby further enacted, that all and every the Furnaces and other Utenſils for making of any the ſaid Manufactures of Glaſs, Earth or Stone, in whoſe hands ſoever they ſhall come, or howſoever they ſhall be claimed, ſhall be liable and ſubject to, and are hereby Charged with all and ſingular the Arrears or duties which ſhall be owing to his Majeſty for any of the ſaid Commodities, in the making whereof ſuch Furnaces or Utenſils ſhall have been Imployed, and (in caſe of Non payment thereof) ſhall and may be diſtrained, ſeized and ſold for the ſame, by any his Majeſties Officers aforeſaid, who ſhall tender the overplus of the monies ariſing thereby (after payment of the duty with reaſonable Charges) to the Owner or Owners of the ſaid Furnaces or Utenſils.

Furnace &c. charged with the duties.

XIV. And be it further enacted by the Authority aforeſaid, that for all ſorts of Coals and Culm (except Charcoal made of wood) which from and after the ſaid Nine and twentieth day o September, in the year of our Lord one thouſand ſix hundred ninety Five ſhall be Waterborn, or ſhall be laid on Board any Ship or Veſſel to be carried, Imported or Brought, or which ſhall be Carried Imported or Brought in any Ship or Veſſel, into any Port or Place in the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, from any Port or Place within the ſaid Kingdom, Dominion or Town of Berwick, or from the Kingdom of Scotland, in or during the ſpace of Five years, commencing from the ſaid Nine and twentieth day of September, there ſhall be paid and anſwered unto his Majeſty, his Heirs and Succeſſors (over and beſides all other Impoſitions, Duties and ſums of money in any wiſe due or payable for the ſame) the ſeveral and reſpective Impoſitions, Rates, Duties and Sums of money following (that is to ſay;) (1) For every Chaldron of all ſuch ſorts of Coals as are uſually ſold by meaſure, reckoning ſix and thirty Buſhels to the Chaldron, Wincheſter meaſure, the ſum of Five ſhillings. (2) And for every Chaldron of Culm, reckoning ſix and thirty Buſhels to the Chaldron, Wincheſter meaſure, the ſum of One ſhilling. (3) And for every Tun of all ſorts of Coals, uſually ſold by weight, Imported or Carried in any Ship or Veſſel from any part of England or Wales, or from Scotland into any other part or place in England or Wales, reckoning twenty hundred Weight to each Tun, the ſum of Five ſhillings.

Duties upon Coal or Culm, brought into any Port given for Five years.

Particular Rates.

Coal per Chaldron 5 s.

Culm per Chaldron. 1 s.

Coal per Tun, 5 s.

XV. Which ſaid ſeveral Impoſitions, Rates, Duties and Sums of money aforeſaid, ſhall, from time to time, during the ſaid term of Five years, be anſwered and paid at the reſpective Ports and Places of Importation, or landing of the ſaid Coals and Culm, unto his Majeſty, his Heirs and Succeſſors, or to ſuch Officer or perſon as ſhall by his Majeſty his Heirs, or Succeſſors, or by the Commiſſioners of his Majeſties Cuſtoms, or any Four or more of them for the time being, under their Hands and Seals, be thereunto appointed, by the Maſter, Owner or Owners, or other perſon or perſons, having or taking the charge of any Ship or Veſſel on which any ſuch Coals or Culm ſhall be laden, or wherein they ſhall be Imported, Carried, or Brought, before Bulk of the ſaid Ship or Veſſel ſhall be broken, or any the ſaid Coals or Culm unladen, and before any Meter, Meaſurer or Weigher ſhall be appointed for the Meaſuring or Weighing thereof; upon Receipt whereof, the party appointed to receive the ſame, ſhall without Delay, Fee or Reward, Deliver a Receipt under his hand to the perſon or perſons who ſhall pay the ſaid duty; Which Receipt ſhall for ſo much be a ſufficient diſcharge; Of all which Ships and Veſſels, and of the Coals and Culm therein Imported or Brought, due entries ſhall be from time to time made in the Cuſtom Houſe, of or belonging to ſuch Port or Place, where ſuch Importation ſhall be made (if any Cuſtom Houſe be there) or elſe in the Cuſtom Houſe of the next port or place, where ſuch importation ſhall be, and in caſe any of the ſaid Coals or Culm ſhall be unſhipped, to be laid on Land, before the Impoſitions, Duties or Sums aforeſaid reſpectively due for the ſame, ſhall be paid or ſecured, that then, as well the ſaid Coals and Culm ſo unſhipped, as alſo the Ship or Veſſel out of which the ſame ſhall be ſo unſhipped, with all her Guns, Tackle, Furniture and Ammunition ſhall be Forfeited and Loſt, One moiety of which Forfeitures ſhall be unto his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall Seize, Sue or Inform for the ſame, to be recovered in any of his

Duties to be paid in the Port of Importation before breaking Bulk.

If Coals be landed before Duties paid both Coals and Ship are Forfeited.

Majeſties Courts of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection, or Wager of Law ſhall be admitted.

The King or four Commiſſioners of the Cuſtoms may appoint Weighers who ſhall Certifie the Weight of the Coals.

XVI. And to the end that the ſaid Impoſitions and Duties may be duly anſwered and paid, without Fraud or Covin, and for the better Levying and Collecting thereof, and for the diſcovery of the juſt quantities of all ſorts of Coals and Culm, to be Water-born, Imported or Unladen, as aforeſaid: Be it further enacted by the Authority aforeſaid, that it ſhall and may be lawful to and for his Majeſty, his Heirs or Succeſſors, or to or for any Four or more of the ſaid Commiſſioners of the Cuſtoms for the time being, by writing under their Hands and Seals, from time to time, to aſſign and appoint, within each Port or Place within the ſaid Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, ſuch and ſo many Meters, Weighers and Meaſurers of the ſaid Coals and Culm, as ſhall, within the term aforeſaid, be Imported, Brought or Landed in ſuch Port or Place, wherein, or for which ſuch Meters, Weighers or Meaſurers ſhall be aſſigned or appointed, as aforeſaid; Who ſhall, from time to time, Meaſure and Weigh all ſuch Coals and Culm ſo Imported or Brought, and when and as ſoon as any ſuch Ship or Veſſel ſhall be unladen, ſhall forthwith deliver a true Certificate in writing, under his or their Hand or Hands, unto the perſon or perſons appointed to Receive the ſaid Impoſitions or Duties within ſuch Port or Place, of the ſorts, quantities and numbers of Chaldrons or Tuns of Coals or Culm reſpectively, which ſhall be Meaſured or Weighed, and Delivered from on Board any ſuch Ship or Veſſel, under the penalty of One hundred pounds; And in caſe it ſhall appear by ſuch Certificate or otherwiſe, that there was on Board any ſuch Ship or Veſſel, a greater number of Chaldrons or Tuns of Coals or Culm, then for which the ſaid Impoſitions or Duties hereby Impoſed, ſhall have been anſwered and paid, as aforeſaid, that then in every ſuch caſe there ſhall be paid unto his Majeſty, his Heirs and Succeſſors, by the Maſter or Owners of ſuch Ship or Veſſel, for every Chaldron or Tun of Coals or Culm ſo concealed, over and above the Impoſitions and Duties aforeſaid, the ſum of Ten ſhillings; For which in caſe of refuſal to pay the ſame, ſuch Ship or Veſſel, with the Tackle, Furniture and apparel thereof, or any part thereof, ſhall and may be attached and detained by the Officer or Officers for the time being, in ſuch Port or Place, appointed to receive the ſaid Impoſitions, or Duties, or to meaſure or weigh the ſaid Coals or Culm, until payment thereof, and to ſell the ſaid Ship or Veſſel, Tackle, Furniture and Apparel, or any part thereof, in caſe all the ſaid Impoſitions, Duties or Payments before mentioned, for the ſaid concealed Coals or Culm, ſhall not be paid and ſatisfied, with reaſonable Coſts and Charges for ſuch attaching, detaining and ſelling, rendring the overplus; Which ſale ſhall be good and effectual in the Law.

10 s. per Chaldron forfeited for paying leſs then certified.

Forfeiture ſaved by Poſt-entry and payment within ſix days.

XVII. Provided nevertheleſs, that if the Importer upon ſuch Certificate delivered in by the meaſurer or weigher, ſhall within the ſpace of ſix days after the delivery of ſuch Ship or Veſſel, give in his Poſt-entry, and ſatisfie and pay the whole Duty for the Surpluſage of the ſaid Coals or Culm, appearing upon the unlading of ſuch Ship or Veſſel, then upon ſuch payment the penalty aforeſaid ſhall be diſcharged.

Officers to keep a Book of Accounts and to return the money to the Receivers of the Cuſtoms who are to return it into the Exchequer.

XVIII. And for the manifeſtation of the Truth and Certainty in the premiſſes, Be it further enacted by the Authority aforeſaid, that the Officers to be appointed in each Port and Place for the receiving of the ſaid Impoſitions or Duties, and for the Weighing and Meaſuring of the ſaid Coals and Culm, ſhall reſpectively keep one or more Book or Books for every ſuch Port or Place, wherein they ſhall reſpectively enter down a true Account of all ſuch ſums of money, which ſhall be paid or received for or upon Account of the ſaid Impoſitions or Duties, and of all the payments and diſburſements of the ſame; And alſo a true Account of the numbers of Chaldrons and Tuns of Coals and Culm ſo Imported and unladen in any ſuch Port or Place, and of the reſpective ſorts thereof; And the moneys ariſing by the Impoſitions and Duties aforeſaid, are to be paid unto the Receiver or Receivers General of the Cuſtoms for the time being, and by them to be paid and returned into the Receipt of his Majeſties Exchequer, for his Majeſties uſe, where the ſame ſhall be kept and entred in Books diſtinct and a part from any other branch of his Majeſties Revenue.

Allowance of Seamen to Coal-Ships, and penalty upon Officer impreſſing them.

XIX. And for the encouraging of all ſuch Ships or Veſſels, as ſhall be Imployed in bringing Coals, for ſupplying the City of London and other Ports of this Kingdom, at more reaſonable rates then during this War, they have hitherto been, Be it enacted by the Authority aforeſaid, that from and after the ſaid Nine and twentieth day of September, there ſhall be allowed yearly, from the Fifteenth day of April, until the Firſt day of January, free from Impreſſing to every Maſter of any Ship, or Veſſel Imployed in the Coal Trade, two able Seamen (ſuch as the Maſter ſhall nominate) for every Ship or Veſſel under One hundred Tun, and one for every Fifty Tun, for every Ship or Veſſel of One hundred Tun and upwards burthen, according to the meaſurement which ſuch a Ship or Veſſel ſhall appear to be of, by a Certificate which ſhall be produced from the Cuſtom Houſe, of what number of Tuns ſuch a Ship or Veſſel hath paid for, by an Act for laying a Duty on Tunnage of Shipping; And if any Captain, Lieutenant or other Officer, ſhall, by any Authority whatſoever, preſume to impreſs or take any of the men allowed by this Act, ſuch Captain, Lieutenant or other Officer, ſhall forfeit to the Maſter or Owner of ſuch Ship or Veſſel Ten pounds for every man he ſhall ſo impreſs or take, to be recovered with Coſts of ſuit, by action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of reſtraint ſhall be in any wiſe granted or allowed, and ſhall alſo be made incapable of holding any Place, Office or Imployment in any of his Majeſties Ships of War.

XX. And whereas the Impoſition upon Coals exported to foreign parts is ſo great, that it is almoſt a prohibition, to the great diminution of his Majeſties Cuſtoms, the leſſening of the Engliſh Navigation, and the exportation of Coals beyond the Seas: For remedy whereof, Be it enacted by the Authority aforeſaid, that all Coals exported beyond the Seas in Foreign Bottoms, ſhall, during the continuance of this Act, only pay Ten ſhillings

lings the Chaldron, and in Engliſh Bottoms, only three ſhillings the Chaldron; Any Law to the contrary notwithſtanding.

XXI. And be it further enacted by the Authority aforeſaid, that from and after the tenth day of May, One thouſand ſix hundred ninety five, it ſhall and may be Lawful, to and for his Majeſty or his Officers in the receipt of his Exchequer, by his Command and Appointment, to borrow and take into the ſaid Receipt, at Intereſt, for his Majeſties Uſe, by way of Loan, any ſum or ſums of money, which, together with the whole Value or Amount of all the ſums of money which ſhall be Collected, Levied and Paid, by virtue of this Act, ſhall not exceed in the whole the ſum of Five hundred ſixty four thouſand ſeven hundred pounds; Which ſum or ſums of money ſo to be taken up or borrowed, ſhall and may be Charged upon the Credit of his Majeſties Exchequer in General, and Tallies of Loan, and Orders for Repayment of the ſame, ſhall be Levied accordingly; Which Orders ſhall be Aſſignable and Transferrable from One perſon to another.

A Clauſe of Loan for 564700 l. upon this Act at 7 l. per Cent.

XXII. And it is hereby Enacted and Declared, That all and every ſum and ſums of money ſo to be Borrowed, not exceeding, as aforeſaid, together with the Intereſt for the ſame, not exceeding the Rate of Seven pounds per Centum per Annum, to be paid every Three Months, until ſatisfaction of the Principal, ſhall be payable, and be paid or ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her or their Executors, Adminiſtrators or Aſſigns, out of the moneys ariſing by this Act, ſo far as the ſame ſhall extend; And ſo much as the ſaid Act ſhall fall ſhort, or be deficient for paying the ſame, ſhall be payable, and be paid or ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her or their Executors, Adminiſtrators or Aſſigns, out of any the next Aids or Supplies to be Granted to his Majeſty in Parliament; And ſhall be Transferred and Transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be Granted; And in Caſe no ſuch Aid or Supply ſhall be Granted to his Majeſty, before the Second day of February, One thouſand ſix hundred ninety five, then the ſaid Sum and Sums of Money ſo to be Borrowed not exceeding, as aforeſaid, and the Intereſt thereof ſhall be payable, and be paid and ſatisfied to the ſaid Lender or Lenders, his, her or their Executors, Adminiſtrators or Aſſigns reſpectively, by and out of any of his Majeſties Treaſure, which from thenceforth ſhall come into, be or remain in the Receipt of his Majeſties Exchequer, not being already Appropriated to any particular Uſes, by any Act or Acts of Parliament before this time made.

If this Supply fails the next Aid given charged. If no Aid given before Feb. 2. Exchequer charged.

XXIII. And be it further Enacted by the Authority aforeſaid, That Nine of the Ships of War, part of the Fourty three, which by an Act of this preſent Seſſion of Parliament, were appointed to Cruiſe in ſeveral Stations to Guard the Coaſts and Trade of this Kingdom, are hereby appointed to Cruiſe or Convoy (that is to ſay) Six on the Northern Coaſt, and Three on the Weſtern Coaſt, in ſuch Stations as ſhall be directed by the Lord High Admiral of England, or Commiſſioners for Executing the Office of Lord High Admiral of England for the time being, for the better Protecting and Preſerving ſuch Ships and Veſſels, as ſhall be imployed in the Coal Trade.

9 Ships to Guard the Coal Trade.

XXIV. And be it further Enacted by the Authority aforeſaid, That there ſhall be allowed to every Maſter or Owner of any Ship or Veſſel, Three Months time, for the payment of the Duty impoſed by this Act, good and ſufficient Security, being given for the ſame, ſuch as the Collector or other Chief Officer of the Port or Place where ſuch Goods ſhall be Imported or Brought ſhall approve of, or if ſuch Maſter or Owner ſhall pay preſent Money, there ſhall be allowed him after the Rate of Ten pounds per Centum per Annum for ſuch prompt payment; And if any of the Coals, for which the Duty hereby Granted, paid or ſecured at the Importation thereof, be again Exported to any other place of this Kingdom, or to any parts beyond the Seas, Then the aforeſaid Duty ſhall be wholly repaid, or the ſecurity vacated, upon due proof thereof in uſual form.

3 Months time for paying the Duties, and the Duties repaid upon Exportation.

XXV. And it is hereby further Enacted by the Authority aforeſaid, That out of the Money that ſhall be Levied or Paid into the Receipt of the Exchequer, as well upon Loans as otherwiſe, by virtue of this Act, and alſo by one other Act of this preſent Seſſion of Parliament, Intituled, An Act for Granting to His Majeſty certain Rates and Duties upon Marriages, Births and Burials, and upon Batchelors and Widowers, for the Term of Five Years, for Carrying on the War againſt *France*, the Sum of Four hundred fourty eight thouſand ſeven hundred and twelve pounds, ſhall be, and is hereby appropriated for the Services of the Navy and Ordnance for Sea Service, performed and to be performed, and for pay of the Officers and Soldiers of the Two Marine Regiments (that is to ſay,) out of this preſent Act, Two hundred thouſand pounds, and out of the laſt Recited Act, the Sum of Two hundred fourty eight thouſand ſeven hundred and twelve pounds: And that all other Moneys which ſhall be Levied and Paid by virtue of this and the aforeſaid Act, into the Receipt of the Exchequer, as well upon Loans as otherwiſe, ſhall be applied and appropriated, and is hereby appropriated to and for the payment of his Majeſties Land Forces and Armies, and the paying for Arms, Ammunition, and other Charges incident to the War, and not otherwiſe.

Appropriation of the Moneys ariſing by this and the Marriage Act.

XXVI. And for the more effectual doing thereof, and that the Sums by this Act appropriated may not be diverted or applied to any other purpoſe then is hereby declared and intended, Be it Enacted by the Authority aforeſaid, That the rules and directions appointed and enacted, in One Act made in the Firſt Year of his Majeſties Reign, Intituled, An Act for a Grant to their Majeſties of an Aid of Two Shillings in the Pound for One Year, for the ſpeedy payment of Money, thereby Granted, into the Receipt of the Exchequer, by the Collectors and Receivers, and for diſtribution and application thereof, and keeping diſtinct Accounts of the ſame, and all other proviſions, pains, penalties and forfeitures thereby Enacted in caſe of diverſion of any Money thereby appropriated, are hereby Revived and Enacted to be in force; And ſhall be practiſed, applied, executed and put in ure, for, and concerning the diſtribution and application

Rule in the Act of 1 W. & M. for 2 s. in the Pound to be obſerved. Seſſ. 2. Cap. 1.

plication of the ſaid Sums hereby appropriated, as fully, amply and effectually, as if the ſame were here particularly repeated and re-enacted.

Coal Meters already Sworn ſtill to continue.

XXVII. Provided always, and be it further Enacted by the Authority aforeſaid, That the Weight, Metage and Admeaſurement of all Coal or Culm, brought to, or landed in the Port of London, or in any other Port or Place, where there are Sworn Coal Meters, ſhall be taken by ſuch Coal Meters for the time being, as now it is, and they to give an Account thereof upon Oath in manner aforeſaid; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Penalty for Trading in Alamodes, &c. not having the Cuſtom-houſe Mark.

XXVIII. And whereas, notwithſtanding the ſeals and marks, that are appointed and uſed by the Commiſſioners of his Majeſties Cuſtoms upon foreign black Alamodes and Luſtrings, in order to prevent Frauds, and the ſeal and ſeals alſo uſed by the Luſtring Company, ill men do daily Import fraudulently great quantities of French Alamodes and Luſtrings in this Realm, and do utter and ſell the ſame, by which means alſo they have opportunities to export Wool and Money out of England, to the great prejudice of this Nation. For remedy whereof, Be it Enacted by the Authority aforeſaid, that no perſon or perſons ſhall preſume to deal or ſell, buy or ſell again, or ſend beyond Sea, any black Alamodes or Luſtrings, unleſs they have the ſeal or ſeals, mark or marks, which are already uſed for foreign goods, at the Cuſtom Houſe, or the ſeal and mark alſo uſed by the Luſtring Company, for the Goods manufactured by them in England, under the forfeiture of all ſuch unqualified Goods, and alſo ſhall forfeit the ſum of One hundred pounds for every Offence, One half to the uſe of his Majeſty, his Heirs and Succeſſors, and the other half to the uſe of ſuch perſon or perſons who ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, or otherwiſe, in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge or Wager of Law ſhall be allowed, and no more then one Imparlance.

Buyer diſcovering the Seller diſcharged, &c.

XXIX. And be it alſo enacted by the authority aforeſaid, that if the Buyer of ſuch Goods not Sealed according to Law, ſhall, within Twelve months after ſuch offence committed, diſcover the perſon or perſons of whom he ſhall buy the ſame, he ſhall not only be diſcharged of the Penalty to which he is hereby liable, but ſhall alſo have and receive to his own uſe, one moiety of the ſum hereby impoſed upon the party or parties that ſhall Sell or Diſpoſe of any ſuch Alamodes and Luſtrings, without the Seal or Marks aforeſaid.

100 l. for Counterfeiting the Mark.

XXX. And be it further enacted, That if any perſon or perſons ſhall alter, Counterfeit or Miſapply any of the Seals or Marks now uſed, and hereby required to be uſed, for the purpoſes aforeſaid, ſuch Offender ſhall Forfeit the ſum of One hundred pounds, to ſuch perſon or perſons, who ſhall Sue for the ſame, to be Recovered in like manner, as is herein before mentioned.

Cap. 22. Commiſſioners for the Hackney Coaches have no power to grant Licences for longer time then June 95.

XXXI. And whereas upon the Act made the laſt Seſſion of Parliament, Entituled, An Act for Licenſing and Regulating Hackney Coaches and Stage Coaches, the Commiſſioners being thereby enabled to Licenſe Stage Coaches: and it being Enacted, That no Licence continue longer then for one year from the Date thereof: And it being alſo Enacted by the ſaid Act, That no perſon ſhall preſume to Drive or Let to Hire any Stage Coach or Coach Horſes, without having ſuch Leave or Licence, as the ſaid Act directs, it hath been doubted whether the ſaid Commiſſioners might make new Licences for Stage Coaches, after the determination of the Firſt, and ſo to continue for the term of One and twenty years, and what was intended by the general prohibition of Stage Coaches (not having ſuch Licences) without having any reſtraint or limitation of time: For explaining of which Doubts, be it enacted, and it is hereby further enacted by the authority aforeſaid, that nothing in the ſaid Act contained ſhall extend, or be conſtrued any way to Impower any Commiſſioners, that are or ſhall be appointed by virtue of the ſaid Act, to make or grant any Licence to any perſon or perſons whatſoever, to Drive or Let to Hire any Stage Coach or Coach Horſes, to continue or be in force after the Four and twentieth day of June, One thouſand ſix hundred ninety five. And it is hereby declared and enacted, that all Leaſes or Licences heretofore made, and which are to Continue after the ſaid Four and twentieth day of June, as for all the time after the ſaid Four and twentieth day of June, ſhall be and are hereby declared Null and Void to all Intents and Purpoſes whatſoever. And it is hereby further enacted and declared, That nothing in the ſaid Act contained, ſhall extend, or be conſtrued to be any prohibition, whereby any perſon ſhall be reſtrained from driving or letting to hire, any Stage Coach or Coach Horſes, from and after the ſaid Four and twentieth day of June. And if the ſaid Commiſſioners or any of them, by reaſon of the Obſcurity of the ſaid Act, have made any Miſtake, by Granting or Giving Licence, to drive or let to hire Stage Coaches or Coach-Horſes, to Continue longer or after the ſaid Four and twentieth day of June, for ſo doing they and every of them are hereby Indemnified.

CAP. XIX.

An Act for Impriſoning Sir *Thomas Cooke*, Sir *Bazil Firebrace*, *Charles Bates* Eſq; and *James Craggs*, and Reſtraining them from Aliening their Eſtates.

CAP. XX.

An Act for the Kings moſt Gracious, General, and Free Pardon.

***WILLIAM* R.**

Preamble.

The Kings moſt excellent Majeſty obſerving that his Royal Inclination to mercy (which hath appeared, as well by a moſt General and Free Pardon, as by many particular Inſtances of Grace, extended to ſuch as had rendred themſelves obnoxious to the Laws) hath not had ſo good an effect as might juſtly be expected, but on the contrary divers obſtinate and incorrigible perſons have been thereby rather encouraged and emboldened to enter into Treaſonable and Seditious deſigns and practices, hath therefore upon mature deliberation, found it neceſſary, in order to the peace and quiet of his Kingdoms, and the happy eſtate of his good Subjects, and hath accordingly reſolved and determined for the future, that ſuch wicked and ill diſpoſed perſons who are not to be reclaimed by mercy, ſhould be deterred from offending, and retained in their duty by a ſtrict and impartial execution of his Laws: yet nevertheleſs, his Majeſty being ſtill deſirous to purſue his Princely diſpoſition to forgive, and reſolving that his clemency ſhall precede his Juſtice, thereby to leave utterly without excuſe, all ſuch of his Subjects, who after ſo publick a warning, and ſo full a Declaration of his Royal purpoſe, attended with this repeated Act of Grace, ſhall hereafter preſume to violate their Duty and Allegiance, and break the Laws, and hath accordingly thought fit to grant his General and Free Pardon in a more large and bountiful manner then hath been heretofore done.

A Pardon of all Crimes to all Subjects.

II. And therefore his Majeſty is well pleaſed and contented, That it be enacted by the authority of this preſent Parliament, and be it enacted by the authority of the ſame, in manner and form following, that is to ſay, That all and every his Majeſties Subjects, as well Spiritual as Temporal, of this his Majeſties Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, their Heirs, Succeſſors, Executors and Adminiſtrators, and every of them, and all and ſingular Bodies in any manner of wiſe Corporated, Cities, Burroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets and Tythings, and every of them, and the Succeſſor and Succeſſors of every of them, ſhall be, by Authority of this preſent Parliament, Acquitted, Pardoned, Releaſed and Diſcharged againſt his Majeſty, his Heirs and Succeſſors, and every of them, of and from all manner of Treaſons, Felonies, Miſpriſions of Treaſon, Treaſonable or Seditious Words or Libels, Miſpriſions of Felony, Seditious and Unlawful Meetings and Conventicles, and all Offences whereby any perſon may be charged with the penalty and danger of Præmunire; And alſo of and from all Riots, Routs, Offences, Contempts, Treſpaſſes, Entries, Wrongs, Deceits, Miſdemeanors, Forfeitures, Penalties and Sums of Money, Pains of Death, Pains Corporal and Pains Pecuniary, and generally of and from all other Things, Cauſes, Quarrels, Suits, Judgments and Executions, in this preſent Act not hereafter excepted or foreprized, which may be or can be by his Majeſty in any wiſe, or by any means pardoned, had, done, committed, omitted, perpetrated, incurred or forfeited, before and unto the Twenty ninth day of April, in the year of our Lord, One thouſand ſix hundred ninety five.

This Pardon as good as if all Offences were ſpecially named.

III. And alſo the Kings moſt excellent Majeſty is contented, that it be enacted by the authority of this preſent Parliament, and be it enacted by the authority of the ſame, That this his Free Pardon ſhall be as good and effectual in Law to every of his ſaid Subjects, Bodies Corporate and others before rehearſed in, for, and againſt all things, which be not hereafter in this preſent Act excepted and foreprized, as the ſame Pardon ſhould have been, if all Offences, Contempts, Forfeitures, Cauſes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things, not hereafter in this preſent Act excepted and foreprized, had been particularly, ſingularly, ſpecially and plainly named, rehearſed and ſpecified, and alſo pardoned by proper and expreſs Words and Names in their kinds, natures and qualities, by Words and Terms thereunto requiſite, to have been put in and expreſſed in this preſent Act of Free Pardon; And that his ſaid Subjects, or any of them, the Heirs, Executors or Adminiſtrators of any of them, or the ſaid Bodies Corporate, and others before named and rehearſed, or any of them, be not nor ſhall be ſued, vexed or unquieted, in their Bodies, Goods, Chattels, Lands or Tenements, for any matter, cauſe, contempt, miſdemeanor, forfeiture, treſpaſs, Offence, or any other thing, ſuffered, done or committed or omitted, before the ſaid Twenty ninth day of April, againſt his Majeſty, his Crown, Dignity, Prerogative, or the Laws or Statutes of this Realm, but only for ſuch Matters, Cauſes and Offences as be rehearſed, mentioned, or in ſome ways touched in the Exceptions of this preſent Act, to be foreprized and excepted, and for none other; Any Statute or Statutes, Laws, Cuſtoms or Uſages heretofore, had, made or uſed to the contrary in any wiſe notwithſtanding.

Fines, Iſſues, &c. pardoned.

IV. And his Majeſty of his Bounteous Liberality and by the authority of this preſent Parliament, Doth Grant and freely Give to every of his Subjects, every of the ſaid Bodies Corporate, and others before rehearſed, and every of them, all Goods, Chattels, Debts, Fines, Iſſues, Profits, Amerciaments, Forfeitures and Sums of Money by any of them forfeited, which to his Majeſty do or ſhall belong or appertain by reaſon of any Offence, Contempt, Treſpaſs, Entry, Miſdemeanor, Matter, Cauſe or Quarrel, ſuffered, done or committed by them, or any of them, before the ſaid Twenty ninth day of April, which be not hereafter in this preſent Act foreprized and excepted.

Grants made by perſons which have forfeited, good.

V. And be it enacted nevertheleſs, That all Grants thereof, or of any part thereof, made y any ſuch as have ſo forfeited the ſame, and are hereby reſtored, as aforeſaid, and all Ex- cutions thereof, or of any part thereof, had againſt any ſuch, after ſuch forfeiture hereof committed or made, ſhall be of ſuch Force and Effect, as if no ſuch forfeiture had een had or made, and of no other; The ſame forfeiture, or any thing before in this Act to e contrary notwithſtanding.

Any perſon may plead this Act.

VI. And be it further enacted, That all and every his Majeſties Subjects and all and ſingu- r Bodies Corporate, and others before rehearſed, may by him or themſelves, or by his or eir Deputy or Deputies, or by his or their Attorney or Attorneys, according to the Law of this ealm, Plead and Miniſter this preſent Act of Free Pardon, for his or their Diſcharge, of, for any thing that is by virtue of this preſent Act pardoned, diſcharged, given or grant- , without any Fee or other thing paying to any perſon or perſons, for Writing or Entry the Judgments, or other Cauſe, concerning ſuch Plea, Writing or Entry, but only

Sixteen pence to be paid to the Officer or Clerk, that ſhall Enter ſuch Plea or Matter for Judgment, or the Parties Diſcharge in that behalf; Any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Pardon to be taken moſt beneficially for the Subject.

VII. And furthermore his Majeſty is contented and pleaſed that it be enacted by the authority aforeſaid, That this his Free Pardon, by the General Words, Clauſes, and Sentences before rehearſed, ſhall be reputed, deemed, adjudged, expounded, allowed and taken, in all manner of Courts of his Majeſty, and elſewhere, moſt beneficial and available, to all and ſingular the ſaid Subjects, Bodies Corporate and others before rehearſed, and to every of them in all things, not in this preſent Act excepted and foreprized, without any ambiguity, queſtion or other delay whatſoever, to be made, pleaded, objected or alledged by the Kings Majeſty, his Heirs or Succeſſors, or by his or any of their General Attorney or Attorneys, or by any perſon or perſons for his Majeſty, or any of his Heirs or Succeſſors.

Puniſhment of Officer making out Proceſs againſt or receiving Money of perſon pardoned.

VIII. And be it further enacted by the authority aforeſaid, That if any Officer or Clerk of any of his Majeſties Courts, commonly called the Chancery, Kings Bench, Common Pleas or Exchequer, or any other Officer or Clerk of any other his Majeſties Courts, within this Realm, at any time after the Laſt day of Trinity Term, One thouſand ſix hundred ninety five, make out or write out any Writs, Proceſs, Summons, or other Precept, whereby any of the ſaid Subjects, or of the Bodies Corporate, or others before Rehearſed, or any of them, ſhall be in any wiſe Arreſted, Attached, Diſtrained, Summoned, or otherwiſe vexed, inquieted or grieved in his or their Bodies, Lands, Tenements, Good or Chattels, or any of them, for, or becauſe of any manner of thing Pardoned or Diſcharged by virtue of this Act; or if any Sheriff or Eſcheator, or any their Deputy or Deputies, or any Bayliff or other Officer whatſoever, by colour of his or their Office or otherwiſe, after the ſaid Laſt day of Trinity Term, One thouſand ſix hundred ninety five, do levy, receive, take or withhold, of, or from any perſon or perſons, any thing pardoned or diſcharged by this Act, that then every ſuch perſon, ſo offending, and thereof lawfully Convicted or Condemned by any ſufficient Teſtimony, Witneſs or Proof, ſhall yield and pay, for recompence thereof, to the party ſo grieved or offended thereby, his or their treble damages, beſides all coſts of the Suit, and ſhall alſo Forfeit and Loſe to the Kings Majeſty for every ſuch offence Ten pounds: And neverthele**ſ**s all and ſingular ſuch Writs, Proceſs, and Precepts ſo to be made, for, or upon any manner of thing pardoned or diſcharged by this preſent Act of Free Pardon, ſhall be utterly void and of none effect.

Exceptions. Perſons againſt whom there has been a Proclamation.

IX. Excepted and Foreprized out of this Act of General and Free Pardon, all perſons againſt whom any Proclamation hath been publiſhed, at any time, ſince the Seven and twentieth day of April, in the year of our Lord, One thouſand ſix hundred ninety four, and before the ſaid Nine and twentieth day of April, One thouſand ſix hundred ninety five.

Priſoners of War.

X. And alſo Excepted out of this General Pardon, all perſons who have been Priſoners of War at any time ſince the Firſt day of June, in the year of our Lord, One thouſand ſix hundred eighty nine, and before the Thirtieth day of April, One thouſand ſix hundred ninety five.

Priſoners under Bail.

XI. And alſo Excepted all perſons, who are or ſhall be Priſoners or under Bail, for any Crime upon the ſaid Nine and twentieth day of April, One thouſand ſix hundred ninety five.

Perſons in France.

XII. And alſo Excepted and Foreprized out of this General and Free Pardon, all perſons who are now remaining, continuing or being in any of the Dominions or Territories belonging to the French King (other then thoſe who are actual Priſoners.)

Perſons Imployed by the French King, &c.

XIII. And alſo Excepted all ſuch perſons who are any ways employed by, or in the ſervice of the ſaid French King, or are employed by, or in the ſervice of the late King James.

Perſons Impeached this Seſſion.

XIV. And alſo Excepted all perſons, who have been or ſhall be Impeached in Parliament, during this preſent Seſſion.

Treaſons out of the Realm.

XV. And alſo Excepted all and every manner of Treaſons committed or done by any perſon or perſons in any parts or places out of this Realm of England, ſince the Thirteenth day of February, One thouſand ſix hundred eighty eight.

Treaſons, &c. 3 & 4 W & M.

XVI. And alſo Excepted all Treaſons, and other offences committed or done contrary to, or againſt an Act of this preſent Parliament, made at a Seſſion held in the Third and Fourth years of the Reign of King William and Queen Mary, Entituled, An Act againſt Correſponding with their Majeſties Enemies.

Treaſons upon the Seas, &c.

XVII. And alſo Excepted all Treaſons done or committed upon the High Seas, and all Suits, Puniſhments, Outlawries, Judgments, Executions, Pains of Death, Forfeitures and Penalties, for or by reaſon or occaſion of any the Treaſons and offences before Excepted.

Offences againſt 13 Car. 2. Cap. 9.

XVIII. And alſo Excepted all offences committed or done by any Officers, Mariners, Soldiers, or others, contrary to, or againſt an Act of Parliament made in the Thirteenth year of the Reign of King Charles the Second, Entituled, An Act for the Eſtabliſhing Articles and Orders for the Regulating and better Government of his Majeſties Navy, Ships of War, and Forces by Sea.

Offences againſt 1 W & M Cap. 34.

XIX. And alſo all offences committed or done againſt an Act made in the Firſt year of the Reign of King William and Queen Mary, Entituled, An Act for Prohibiting all Trade and Commerce with *France*; and another Act made in the Second year of the ſaid Reign of King William and Queen Mary, Entituled, An Act for the more Effectual putting in Execution the ſaid laſt mentioned Act; and againſt an Act of this preſent Parliament, made at a Seſſion held in the Fourth and Fifth years of King William and Queen Mary, Entituled, An Act for Continuing the Acts for Prohibiting all Trade and Commerce with *France*, and for the Encouragement of Privateers, or againſt any of them.

Seſſ. 2. Cap. 14.

Cap. 25.

XX. And

Forging any of the Kings Seal or Money.

XX. And alſo Excepted out of this Free Pardon all offences of Forging, and Falſe Counterfeiting the Great or Privy Seal, Sign Manual, or Privy Signet, or of any of the Moneys Currant within this Realm; and alſo all offences of Clipping, Waſhing, Filing, Scaling, Lightning, Impairing, or other unlawful Diminiſhing any of the ſaid Moneys by any ways or means whatſoever, contrary to the Laws and Statutes of this Realm.

Bringing in Falſe Money.

XXI. And alſo Except the offences of bringing into this Realm any Falſe or Counterfeit Money, made or Counterfeited out of this Realm, knowing the ſame to be Counterfeit, and uttering any ſuch Falſe or Counterfeit Money; and all Miſpriſions and Concealments of the Treaſons before Excepted, and all Abetting, Aiding, Comforting and Procuring of the ſame offences, or any of the ſaid Treaſons before Excepted.

Eſcapes of Traytors.

XXII. And alſo Excepted out of this Pardon all Eſcapes of Traytors, or others, and the offences of being Conſenting or Acceſſary thereto, or permitting the ſame.

Murder, Petit Treaſons, &c.

XXIII. And alſo Excepted all manner of Voluntary Murders, Petit Treaſons, and Wilful Poiſonings, done or committed by any perſon or perſons, and alſo all Wilful Burning of Houſes or Barns with Corn in them at the time of ſuch Burning, and all and every the Acceſſaries of the ſame offences, or any of them.

Piracies.

XXIV. And alſo excepted and foreprized out of this General Pardon, all Piracies and Robberies done upon the Seas, and all and every procuring or abetting any ſuch Offenders, and the comforting and receiving of them, or any of them, or of any Goods taken by way of Piracy or Robbery upon the Seas, as aforeſaid.

Burglaries, &c.

XXV. And alſo excepted out of this Pardon all Burglaries, and all Breaking into, and Stealing out of any Dwelling-Houſe or Houſes in the day, and all acceſſaries to any the ſaid Burglaries and Felonies.

Robberies of Church and in Highway.

XXVI. And alſo Excepted all Robberies of Churches, and ſtealing any Plate, Utenſils or Goods of or belonging to the ſame; And alſo all Robberies committed upon any perſon or perſons in or near the Highway.

Buggery.

XXVII. And alſo Excepted the deteſtable and abominable Vice of Buggery, committed with Mankind or Beaſt.

Rape.

XXVIII. And alſo Excepted all Rapes, and Carnal Raviſhments of Women.

Stealing away Widows, &c.

XXIX. And alſo Excepted all Raviſhments, and wilful taking away or marrying of any Widow, Maid, or Damſel againſt her Will, or without the aſſent or agreement of her Parents, or ſuch as then had her in Cuſtody, and all Offences of aiding and conforting, procuring or abetting any ſuch Raviſhments, wilful taking or marrying, had, committed or done.

Perjury and Subornation, Counterfeiting Fines, &c.

XXX. And alſo Excepted out of this Pardon all Offences of Perjury and Subornation of Witneſſes, and endeavouring or conſpiring to bribe and corrupt any perſon to give a Falſe Teſtimony, and the Offences of Forging and Counterfeiting, and Solicitation of Forging and Counterfeiting any Fines, or other Records, Deeds, Wills, Eſcripts or Writings whatſoever, and alſo the Offences of Forging or Counterfeiting Seamens Tickets, or Authorities for Receiving any Sums of Money due to Seamen; And all Offences of Forging and Counterfeiting any Examinations or Teſtimonies of any Witneſs or Witneſſes tending to bring any perſon or perſons into danger of his Life, and all procuring or concealing of any ſuch Forgeries or Counterfeitings had, made, committed or done.

Offences againſt 25 Car. 2. Cap. 2.

XXXI. And alſo Excepted out of this Act of General Pardon, all Offences committed or done contrary to, or againſt an Act of Parliament made in the Five and twentieth year of the Reign of King Charles the Second, Entituled, An Act for preventing Dangers which may happen from Popiſh Recuſants.

Offences againſt 30 Car. 2. Cap. 1. Stat. 2.

XXXII. And alſo Excepted all Offences committed againſt an Act of Parliament made in the Thirtieth year of the Reign of the ſaid King Charles the Second, Entituled, An Act for the more effectual preſerving the Kings Perſon and Government, by Diſabling Papiſts from Sitting in either Houſe of Parliament, and all Forfeitures, Pains, Penalties and Diſabilities which any perſon or perſons is, are or may be liable to, by reaſon of any of the ſaid Offences committed againſt either of the ſaid Statutes.

Deſtroying Timber in Foreſts.

XXXIII. And alſo Excepted all Offences committed in any Foreſt, ſince the Thirteenth day of February, One thouſand ſix hundred eighty eight, in cutting down, taking away or deſtroying any Timber or Trees, or any Fences or Incloſures of, or in the ſaid Foreſts.

High Treaſon and all Offences againſt any Act (except about Apprentices) already proſecuted.

XXXIV. And alſo Excepted all Offences of High Treaſon, and all other Offences, Miſdemeanors, Contempts, or other Act or Deed, had, ſuffered, committed or done contrary to any Act of Parliament (other then uſing or cauſing to be uſed, any Craft, Myſtery or Occupation, by any perſons not brought up therein Seven years as an Apprentice) or contrary to the Common Law of this Realm; And all Forfeitures and other Penalties and Profits now due, accrued or grown, and which ſhall or may be due, accrue or grow to the Kings Majeſty, by reaſon of any the Crimes or Offences aforeſaid, whereof or for which any Action, Bill, Plaint, Information or Indictment, at any time within Two years, next before the day of aſſembling and holding of this Parliament, or at any time ſince hath been found, Commenced or Sued in any of his Majeſties Courts at Weſtminſter, or before any Commiſſioners of Oyer and Terminer, Goal Delivery or Juſtices of Aſſize, and is depending and remaining to be Proſecuted, or whereupon any Verdict, Judgment or Decree is already given or entred, or whereof, or whereupon his Majeſty or her Majeſty the late Queen of Bleſſed Memory, by his or her Bill, Signed, or otherwiſe have or hath made any Gift or Aſſignment to any perſon or perſons before the ſaid Thirtieth day of April, One thouſand ſix hundred ninety five; And all Awards of Court, Orders, Sentences, Judgments, Executions and Proceedings, had or to be had, upon or concerning, or by reaſon or occaſion of any ſuch Offence, Miſdemeanor, Contempt, Act or Deed.

Informations concerning Bridges, &c. depending.

XXXV. And alſo Excepted out of this Pardon all Informations, Indictments, and other Proceedings, depending concerning any Common High-ways or Bridges, and all Iſſues returned upon any Proceſs concerning the ſame, ſince the Twentieth day of March, One thouſand ſix hundred ſeventy nine.

Purloyning Kings Goods, and carrying Contraband Goods into France.

XXXVI. And alſo Excepted all offences in taking away, Imbezling or Purloyning any of the Kings Majeſties Goods, Moneys, Chattels, Jewels, Armour, Munition, Stores, Naval Proviſions, Shipping, Ordnance and other Habiliments of War, and all Offences in Conveying to the French King, or any of his Subjects, any Naval Stores or Commodities or Contraband Goods, or Supplying him or them with the ſame.

Conditions, &c.

XXXVII. And alſo Excepted all Conditions and Covenants, and all Penalties, Titles and Forfeitures of Conditions or Covenants accrued or grown to his Majeſty by reaſon of the Breach, and not performing of any Covenant or Condition whatſoever.

Actions of Quare Impedit.

XXXVIII. And alſo Excepted all Titles, Suits and Actions of Quare Impedit.

Inceſt, Simony, &c.

XXXIX. And alſo Excepted all offences of Inceſt, Simony or Dilapidations.

Crimes of perſons in Orders.

XL. And alſo Excepted Adultery, Extortion, and all other enormous Crimes committed by any perſon in holy Orders, puniſhable in any Eccleſiaſtical Court, and all Proceedings and Sentences thereupon.

Firſt Friuts, &c.

XLI. And alſo Excepted out of this Pardon all Firſt Fruits and Tenths, Penſions, Procurations, Synodals and other payments out of any Eccleſiaſtical Promotion or Benefice, other then Arrears of Tenths, which at any time before the ſaid Firſt day of this Seſſion of Parliament, did become due for, upon or out of any ſmall Rectory, Vicarage or Benefice, which at the true and greateſt Valuation and Improvement, is not of the yearly value of Thirty pounds, and which ſhall be ſo certified by the reſpective Biſhop or Guardians of the Spiritualties to his Majeſties Courts of Exchequer, before the laſt day of Michaelmas Term, One thouſand ſix hundred ninety five.

Biſhop to pay arrears received

XLII. Provided, That this ſhall not be conſtrued to Pardon or Diſcharge any Biſhop or Receiver of, or from Anſwering or Paying any of the ſaid Arrears by him received.

Taxes not paid or concealed.

XLIII. And alſo Excepted out of this Pardon all and every the ſums of Money and Duties following, and the Concealment or Wrongful Detainment thereof (that is to ſay) of any Cuſtom or Subſidy, Exciſe, Arrears of Hearth-Money, Impoſition upon Wine or other Liquors or Commodities, Duties upon Salt, Duties upon the Tunnage of Ships, Duties upon Parchment, Velum and Paper, Arrears of any Land Tax, Poll Money, Arrears of Rent, and all other ſums of Money due or owing from any Licenſed Hackney or Stage Coachmen, Duties ariſing by Wine Licences, or the Poſt-Office, or any other Tax, Aſſeſſment, Duty, Impoſition, Debt or Sum of Money whatſoever to the Kings Majeſty given, or leviable by any Act of Parliament, or otherwiſe due or belonging to the Kings Majeſty, and all Arrears thereof, and all Forfeitures, Penalties and Diſabilities ariſing thereby, or for the Nonpayment, Concealment or Detaining thereof, and all Corruptions and Miſdemeanors of any Officer or Miniſter of, in or concerning the ſame, and all Accounts and Suits whatſoever to be had, made or proſecuted for the ſame, and all Concealments, Fraudes and Offences, by which his Majeſty hath been deceived, and not truly anſwered of, or for the ſame.

Miſdemeanors of Officers.

XLIV. And alſo Excepted out of this Act of Pardon all miſbehaviours, miſdemeanours or miſſions, committed, ſuffered or done, by any Officer, in, or concerning the execution of his Office, and all Forfeitures and Penaties to which any Officer is, or may be liable, by reaſon of ſuch miſbehaviours, miſdemeanours or omiſſions, and all ſuits, proceedings, and proſecutions, had or to be had, for or by reaſon thereof.

500 l. Penalty in the Parchment Act Pardoned.

XLV. Yet nevertheleſs the Forfeitures of Five hundred pounds, and all other Penalties and Diſabilities, which have been incurred by any perſon before the ſaid Twenty ninth day of April, in the year of our Lord, One thouſand ſix hundred ninety five, or which any perſon or perſons, is, are or may be liable to for Writing, or cauſing to be Written, before the ſaid Twenty nineth day of April, any matter or thing upon Parchment, Velum or Paper, not Stampt, according to the Direction of an Act of this preſent Parliament, made in the Fifth and Sixth years of the Reign of King William and Queen Mary, Entituled, An Act for Granting to their Majeſties ſeveral Duties upon Velum, Parchment and Paper for Four years, towards carrying on the War againſt *France*, are hereby fully Pardoned and Diſcharged.

Taking of Goods, Rents, &c. Forfeited.

XLVI. And alſo Excepted all and every manner of taking from the Kings Majeſty, or from the Kings and the late Queens Majeſties, or the late Kings, Charles the Second and James the Second, or either of them, any Goods or Chattels, Forfeited by reaſon of any Treaſon, Petit Treaſon, Murder or Felony heretofore committed or done; and alſo all and every manner of taking from his Majeſty, or from his Majeſty and the ſaid late Queen, or either of the ſaid late Kings, the Iſſues, Rents, Revenues, or Profits of any Manor, Lands, Tenements or Hereditaments, which were of any Traytor, Murderer, Felon, Clerk or Clerks Attainted, or any of them, and alſo all, and all manner of taking from the Kings Majeſty, or from the ſaid King, and the late Queens Majeſties, or either of the ſaid late Kings, the Iſſues, Rents, Revenues and Profits of any Manor, Lands, Tenements or Hereditaments, Parcel of the Poſſeſſions of any Biſhoprick, the Temporalties whereof, upon the Twentieth day of March, in the year of our Lord, One thouſand ſix hundred ſeventy nine, or at any time ſince, were, or of right out to have been in his, their or either of their hands.

Rents of Temporalties in the Kings hands.

Rent due from Farmer of Revenue,

XLVII. And alſo Excepted, out of this Pardon all Arrearages of Rent due from any Farmer of any part of the Revenue, ariſing by Cuſtoms, Exciſe or Hearth-money, or Impoſitions upon Proceedings at Law, or by any other branch or part of the publick Revenue, and all Arrearages of Fee-Farm-Rents, and other Rents.

XLVIII. And

Accounts of Officers.

XLVIII. And alſo Excepted all and ſingular accounts of all and every Collector and Collectors, Commiſſioners, Treaſurers, Receivers or other Officers or Accountants whatſoever, who have Received or Collected, or are any other way accountable to his Majeſty, for any Subſidy, Cuſtom, Subſidy of Tunnage and Poundage, Additional Duty, Prize Goods, Exciſe, Arrears of Hearth-money, Impoſitions upon Wines, and other Liquors or Commodities, Duties upon Salt, Duties upon the Tunnage of Ships, Duties upon Parchment, Velum and Paper, Arrears of any Land Tax, Poll-money, Arrears of Rent, or other ſums of Money for Licenſing Hackney and Stage Coaches, Duties ariſing by Wine Licences, or the Poſt-office, or any other Tax, Aſſeſſment, Duty, Impoſition, Debt, Sum of Money, or other things whatſoever given to the Kings Majeſty, or leviable by Act of Parliament, or otherwiſe, belonging to his Majeſty, and which have grown due, or happened ſince the Twenty fifth day of March, in the year of our Lord, One thouſand ſix hundred ſeventy three, and all Accounts of every other perſon whatſoever, that ought to be Accountant to the Kings Majeſty, for or in reſpect of any Receipt or other Charge, which hath grown ſince the ſaid Twenty fifth day of March, and the Heirs, Executors, Adminiſtrators and Sureties of any perſon that ought to Account for all things touching only the ſame Accounts, and all and ſingular Arrearages of Accounts, and untrue Accounts, made or rendred ſince the ſaid Twenty fifth day of March, and all Impetitions, Charges, Seizures, Suits, Demands and Executions, which may or can be had, of, or for any ſuch Account or Accounts, or any Arrearages of the ſame.

Recognizance by Officers, or for payment of Money.

XLIX. And alſo Excepted all Recognizances, Obligations and other Securities given or entred into by any Receiver of any Land Tax, or any other Duties, Impoſitions, or other ſums of Money whatſoever, due or payable to his Majeſty by Act of Parliament, or otherwiſe, or by any Reeve, Bailiff, Collector, or other Accountant in the Court of Exchequer, and their Sureties, and their Accounts reſpectively, and all other Recognizances and Obligations whatſoever Conditioned for payment of Money.

Not to Pardon Recognizance given to another perſon, &c.

L. Provided always, and be it enacted, That this Act ſhall not extend, or be conſtrued to Pardon or Diſcharge any Recognizance or Obligation not yet forfeited, nor to Pardon or Diſcharge any forfeited Recognizance or Obligation, or any other forfeiture or Penalty, whereof the Farmers of the Exciſe, or the Farmers of any other part of the Publick Revenue ought to receive any benefit or advantage; Nor to Pardon or Diſcharge any Debt due by Recognizance, Obligation, or other Specialty, to any perſon or perſons Indebted to his Majeſty, which hath been duly Seized in Aid of his Majeſties Debt; Nor to Pardon or Diſcharge any Debt due by Recognizance, Obligation, Condemnation, or otherwiſe, whereupon any Eſtalment or Seizure hath been at any time heretofore made, upon which Eſtalment or Seizure any thing is, or at any time ſince the ſaid Twenty fifth day of March, hath been anſwered and paid; Nor to Pardon or Diſcharge any Penalties, Forfeitures or Sums of Money due or accrued to his Majeſty, by reaſon of any Act, Statute or Statutes, which Forfeitutes, Penalties and Sums of Money, ſince the ſaid Twenty fifth day of March, be converted into the nature of any Debt, by any Judgment, Order, Decree, or by the agreement of the Offender or Offenders, or have been Eſtalled, or any Seizure made for the ſame; And upon ſuch Seizure or Eſtalment any thing anſwered or paid ſince the ſaid Twenty fifth day of March.

Recognizances for non appearance, &c. forfeited, pardoned.

LI. Nevertheleſs it is hereby declared, That all Obligations and Recognizances forfeited ſince the ſaid Twenty fifth day of March, for Non-appearance in any Court, or other Place whatſoever, or not Keeping the Peace, or not being of the Good Behaviour, ſhall be clearly Pardoned and Diſcharged, except Recognizances granted to, or in truſt for the Lord Almoner.

Iſſues, Fines, &c. Totted.

LII. And alſo Excepted out of this Pardon all Iſſues, Fines and Amerciaments, Loſt, Impoſed or Aſſeſſed ſince the ſaid Twenty fifth day of March, being Totted, Levied or Received by any Sheriff, Under-Sheriff, Bailiff, Miniſter, or other Officer, before the laſt day of Trinity Term, One thouſand ſix hundred ninety five.

Iſſues, &c.

LIII. And alſo Excepted all Iſſues, Fines and Amerciaments, Loſt, Impoſed, or Aſſeſſed ſince the ſaid Twenty fifth day of March, Affeered, Taxed, Set, Eſtreated, or Entred ſeverally or particularly, touching or concerning any one or more perſons, joyntly or ſeverally, above the ſum of Six pounds.

Iſſues, &c.

LIV. And alſo Excepted all Iſſues, Fines and Amerciaments, Returned, Affeered, Taxed, Set or Entred, ſeverally or particularly, in any Court of Record at Weſtminſter, at any time within the ſpace of One year next before the Firſt day of holding and aſſembling this preſent Parliament, or at any time ſince.

Fines Pro Licentia Concordandi, &c. pardoned.

LV. And yet nevertheleſs all other Fines, as well Fines Pro Licentia Concordandi as others, Set, Taxed, Eſtreated or Entred before that time, and alſo all Iſſues and Amerciaments, as well Real as others, within any Liberties or without, being Set, Taxed, Eſtreated, or Entred before the time aforeſaid, and which ſeverally and particularly Extend to or under the ſum of Six pound, and not above, whether they be Eſtreated or not Eſtreated, or whether they be turned into Debt, or not turned into Debt, and not being Totted, Levied or Received, by any Sheriff, Under-Sheriff, Miniſter, or other Officer, before the Firſt day of this preſent Seſſion of Parliament, ſhall be freely, clearly, and plainly, Pardoned and Diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors by Force of this preſent Act.

Iſſues, &c. Eſtreated, how to be accounted for and allowed.

LVI. And yet nevertheleſs all Eſtreats of ſuch Fines, Iſſues and Amerciaments, as be now Pardoned by this Act, and which be already Eſtreated forth of the Court of Exchequer, and be remaining in the Hands of the Sheriff, Under-Sheriff or Bailiff, for Collecting of the ſame Fines, Iſſues and Amerciaments, ſhall, upon the Return of the ſame Eſtreats, be duly and orderly charged and delivered by Scrowes into the Office of the Pipe in the Court of Exchequer, as heretofore hath been accuſtomed, to the intent that thereupon order may be taken that his Majeſty may be truly anſwered all ſuch Fines, Iſſues and Amerciaments not by this Act Pardoned, and which any Sheriff, Under-Sheriff, Bailiff, or other Officer or Miniſter hath received, or ought to anſwer, by Force or Colour of any ſuch Eſtreat, Proceſs or Precept to him or them made for the Levying thereof.

LVII. And yet that notwithſtanding all and every Sheriff and Sheriffs, and other Accountant, upon his or their Petition or Petitions, to be made for the allowance of any ſuch Fines, Iſſues or Amerciaments, as by this Act are Pardoned, ſhall have all and every ſuch his and their Petition allowed in his and their Account and Accounts, without paying any Fee or Reward, to any Officer, Clerk, or other Miniſter, for the Making, Entring, and Allowing of any ſuch Petition or Petitions, any Uſage or Cuſtom to the contrary hereof in any wiſe notwithſtanding.

Perſons excepted by name in the Pardon of 12 Car. 2. for Murder of Charles the Firſt &c.

LVIII. Provided always, That this Act ſhall not extend to Pardon, Diſcharge or Give any Benefit whatſoever, unto any perſon or perſons, who are by name particularly Excepted out of the Act of Free and General Pardon, Indemnity and Oblivion, made in the Twelfth year of the Reign of his late Majeſty King Charles the Second, for their Execrable Treaſon and Horrid Murder of his Majeſties Royal Grandfather of Gracious Memory; Nor to thoſe Two perſons, or either of them, who being Diſguiſed by Frocks and Vizors, appeared upon the Scaffold at the time when the ſaid Murder was committed.

Perſons Diſabled from Office not reſtored.

LIX. Nor ſhall this preſent Act. Give or Reſtore any Ability or Capacity, to Take, Have, Hold or Exerciſe any Office, Place, Authority or Employment Eccleſiaſtical, Civil or Military, to any perſon or perſons, who in and by the ſaid laſt mentioned Act, or by Virtue or Reaſon of any other Act or Law, were or are made or become Incapable or Diſabled, to Have, Take, Hold or Execute the ſame; or of Serving as a Member in Parliament; but all and every ſuch perſon and perſons ſhall Remain and Continue under all and every the Diſabilities and Incapacities aforeſaid; any thing in this preſent Act to the contrary notwithſtanding.

LX. Nor ſhall this Act extend to Pardon, Diſcharge or Give any Benefit to any perſon, who if he after the Firſt day of September, One thouſand ſix hundred and ſixty, hath Accepted or Exerciſed or hereafter ſhall Accept or Exerciſe any Office Eccleſiaſtical, Civil or Military, or any other Publick Employment within England, Wales, or the Town of Berwick upon Tweed, is by the ſaid Act made in the Twelfth year of King Charles the Second, to ſtand and be as if he had been totally by name Excepted out of the ſaid laſt mentioned Act; but all and every ſuch perſons, ſhall, if they have or ſhall Accept any Office or Employment, contrary to the Tenour of the ſaid laſt mentioned Act, be out of this Act wholly Excepted and Foreprized.

Perſons Attainted of Treaſon, &c.

LXI. And alſo Excepted out of this Pardon, all ſuch perſons as be and remain ſtill Attainted or Condemned by Act of Parliament or otherwiſe, of or for any Rebellion or Levying of War, or of and for any Conſpiracy of any Rebellion, or Levying War within this Realm, or any other his Majeſties Dominions, and all ſuch perſons who are Attainted, or Outlawed, of or for any Treaſon, Petit-Treaſon, Murder, Wilful Poyſoning, or Burglary, or Robbery upon the Highway, and all Executions therefore.

Perſons formerly Exiled by Name, &c.

LXII. And alſo Excepted out of this Pardon, all ſuch perſons who by Virtue of any former Act of Parliament, are by expreſs name Exiled, or upon whom any other Pains, Penalties or Diſabilities whatſoever, are by any Act of Parliament Inflicted

Perſons detained in Cuſtody, &c. by Act of this Seſſion.

LXIII. And alſo Excepted out of this Act of Free and General Pardon, all ſuch perſons who by any Act which hath been, or ſhall be made during this preſent Seſſion of Parliament, are Enacted to be Priſoners, or Detained in Cuſtody, or Diſabled to Diſpoſe of their Eſtates.

Perſons taking Money from the Eaſt India Company.

LXIV. And alſo Excepted out of this preſent Act, all Offences in giving or promiſing, or in receiving or taking, or in accepting of any promiſe of any ſum of Money, or other Gift, Reward or Gratuity, for the procuring, or aſſiſting in procuring of a new Charter, or Charter of Reſtitution to the Eaſt India Company, or a Charter for the Regulating of the ſaid Company, or in order to the Obtaining or Promoting an Act of Parliament for Confirming the Eaſt India Company, or in order to prevent or obſtruct the Paſſing of an Act of Parliament for Erecting or Settling a New Eaſt India Company, or in Refuſing to give Evidence or Declare their Knowledge touching any of the ſaid Offences, having been thereunto lawfully required.

Perſons who have deſired Tranſportation

LXV. And alſo Excepted all ſuch perſons, who after Conviction or Attainder of or for any manner of Felony, have deſired to be Tranſported into any of his Majeſties Foreign Plantations.

Perſons formerly excepted, &c.

LXVI. And alſo Excepted all ſuch perſons, who, being Excepted out of the ſaid Act of General Pardon, have had any pains or penalties impoſed upon them by any Subſequent Act of Parliament.

Offences againſt 27 Eliz. 1.

LXVII. And alſo Excepted out of this Pardon, all and every Offence and Offences committed or done by any Jeſuit, Seminary or Romiſh Prieſts whatſoever, contrary to the Tenour or Effect of the Statute made in the Seven and twentieth year of the Reign of the late Queen Elizabeth, Entituled, An Act againſt Jeſuits, Seminary Prieſts, and other Diſobedient Perſons, or of any part thereof; And all Outlawries, Proceedings, Judgments, and Executions for the ſame Offences, or any of them.

Convictions of Recuſancy. Not to diſcharge Outlawry.

LXVIII. And Except all Convictions of Popiſh Recuſants for their Recuſancy.

LXIX. Provided always, and be it enacted by the authority aforeſaid, That no Proceſs of Outlawry, or Proceeding thereon, at the Suit of any perſon Plaintiff, ſhall be, by Virtue of this Pardon, ſtayed or avoided, unleſs the Defendant appear and put in Bail, where by Law Bail is neceſſary, and take out a Writ of Scire facias againſt the Party at whoſe Suit he was Outlawed; And that this Pardon be not allowed to Diſcharge any Outlawry after Judgment, till ſatisfaction or agreement be made to or with the Party at whoſe Suit the Outlawry was obtained.

LXX. And it is further enacted by the authority aforeſaid, That every perſon or perſons hereby Pardoned, may plead the General Iſſue, without Special pleading of this Pardon, and give this Act of Pardon in Evidence for his Diſcharge, and that the ſame ſhall be thereupon allowed, and the advantage thereof had as fully to all intents and purpoſes, as if the ſame had been fully and well pleaded, and in ſuch manner as any Juſtice of Peace, Conſtable or any other Officer queſtioned for Matters acted by them, as Officers, may have the advantage of the Matter of their Juſtification upon the General Iſſue by them pleaded, by the Laws and Statutes of this Realm.

Perſon pardoned may give the Act in Evidence.

LXXI. And be it further Enacted by the authority aforeſaid, That this preſent Pardon ſhall be of as good Force and Effect to Pardon and Diſcharge all and ſingular the Premiſſes above mentioned and intended to be Pardoned and Diſcharged, as well againſt ſuch perſon or perſons, Bodies Politick and Corporate, as do or ſhall Claim the ſame by or under any Letters Patents, or Leaſe, or Grant by the Kings Majeſty, or any his Predeceſſors, as againſt the Kings Majeſty himſelf.

Pardon to Diſcharge all.

ADVERTISEMENT.

THE Reader is to take Notice, That where the 3d, 4th and 5th Seſſions of the 2d Parliament of King *WILLIAM* and Queen *MARY*, are mentioned to be in *tertio*, *quarto & quinto Gulielmi & Mariæ*, The ſame ſhould reſpectively have been expreſſed to be in *tertio & quarto*, *quarto & quinto*, *quinto & ſexto Gulielmi & Mariæ*, and are ſo to be underſtood; And accordingly the Table referreth to them.

A CATA-

OR
16C
bbe.
§. 2.
robat
H. 8.
. 1. §.
for
bility
55. fo
or 12
d. 1. 8
8. In
r. §.
fants
ceſſoꝛ
in 6
ſtion
tion
W. &
count
count
3 El.
ar. 2. c
l. 1.
journ
miniſ
miral
5. §. 2.
. §. 14
78 l.
2 &
§. 19,
ower
7 W.
c. In
for 5
th), §.
Back
Car.
. c. 24
r. §. 14
iens.
Jac.
for 2
arch.
endm
Utl
ercia
parel.
c. 25
poꝛtio
praiſe
H. 6.
, add
pꝛove
In
§. 28.
reſt.
in 29
ſſets
ize.
28. r.
r. 12
for tha
toꝛney
ermen
ail. A
3. for
4. §. 1

¶ *ERRATA* in the following Table.

Abatement.

OR 25 *Ed.* 3. *St.* 4. read *St.* 5. for 17 *Eliz.* r. 27 *Eliz.* for
16 *Car.* 2. *c.* 12. r. *c.* 2.

bbe. For 52 *H.* 3. *c.* 18. r. *c.* 28. In 4 *Ed.* 3. *c.* 6. for 35 *Ed.* 1.
§. 2. r. *c.* 2. for 25 *Ed.* 3. *St.* 4. r. *St.* 5. In 4 *H.* 4. *c.* 12. for
robation, r. *Appropriation*, for 27 *H.* 8. *c.* 18. r. *c.* 28. In
H. 8. *c.* 20. §. 8. for *Lord*, r. *London*, for 1 & 2 *P.* & *M.* *c.* 8.
. r. §. 36. for §. 39. r. §. 38. for §. 40. r. §. 39. In 39 *El.* *c.* 5.
for 100 *l.* r. 10 *l.* for 7 *Jac.* §. 9. r. *c.* 9.

bility. For 51 *H.* 3. *c.* 18. r. *pag.* 18. for 13 *Ed.* 1. *p.* 35.
55. for 13 *Ed.* 1. *p.* 58. r. 21 *Ed.* 1. and after *out of*, add *Coun-*
r 12 *H.* 6. r. 11 *H.* 6. for 22 *Ed.* 4. *c.* 9. r. *c.* 6. In 1 *R.* 3. *c.* 4.
d. r. 8 *d.* for 19 *H.* 7. *c.* 14. r. *c.* 4. In 33 *H.* 8. *c.* 29. for 31 *H.* 3.
8. In 1 *Mar. St.* 2. *c.* 8. r. 1 *Ed.* 6. *c.* 7. §. 4. for 13 *Eliz.* *c.* 12.
r. §. 1. After 1 *Jac.* *c.* 4. §. 9. r. **Tonnage**, &c. *c.* 33. and after
fants, *dele c.* 33. §. 2.

ceſſory. For 3 & 4 *W.* & *M.* *c.* 9. §. 2. r. §. 1. for §. 5. r. §. 4.
in 6 & 7 *W.* 3. and r. *c.* 14.

tion ſur Caſe. For 23 *H.* 3. r. *H.* 8.

tion ſur Stat. For 25 *H.* 3. r. 52 *H.* 3. for 26 *El.* r. 27 *El.*
W. & *M. Seſſ.* 1. *c.* 24. r. *c.* 14. §. 6.

count. For 52 *H.* 3. *c.* 13. r. *c.* 23.

countant. For 25 *Ed.* 3. *St.* 4. r. *St.* 5. for *Ed.* 6. *c.* 1. r. 7 *Ed.* 6.
3 *El.* *c.* 4. §. 10. for 100 *l.* r. 300 *l.* for 3 *Jac.* r. 7 *Jac.* In
r. 2. *c.* 13. §. 4. for *Account*, r. *Accountant.* In 20 *Car.* 2 *c.* 2.
l. r. 12 *l.* add §. 88. to 6 & 7 *W.* 3. *c.* 3.

journment. For 13 *Ed.* 1. *c.* 3. r. *c.* 30.

miniſtrator. For 13 *Ed.* 3. r. 31 *Ed.* 3.

miral. In 13 *Car.* 2. *c.* 9. §. 10. add *not*, for 16 *Car.* 2. §. 2.
. §. 2. In 22 *Car.* 2. *c.* 5. for 1 *El.* r. 31 *El.* In 22 & 23 *Car.* 2.
§. 14. for *Merchandize*, r. *Cuſtoms.* In 29 *Car.* 2. *c.* 1. for
78 *l.* 2 *s.* 2 *ob.* r. 584978 *l.* 2 *s.* 2 *d. ob.* In 1 *Jac.* 2. *c.* 17.
2 & 23 *Car.* 2. *c.* 2, 3. r. *c.* 23. for 2 *W.* & *M. Seſſ.* 2.
§. 19, 20. r. §. 21, 22. for 3 & 5 *W.* & *M.* r. 4 & 5. and a lit-
wer for §. 25. r. *c.* 25. for 5 & 6 *W.* & *M.* §. 24. r. *c.* 24. for
7 *W.* 3. *c.* 18. §. 15. r. §. 23.

c. In 21 *Jac.* *c.* 7. §. 5. for 1 *Jac.* *c.* 5. r. *c.* 9. In 3 *Car.* 1. *c.* 3.
for 5 & 6 *Ed.* 6. *c.* 23. r. *c.* 25. After 12 *Car.* 2. *c.* 23. §. 32.
th, §. 33. **Office**, §. 34. **General Iſſue**, §. 35. Certiorari,
Backwell, §. 37. **Tenures**, &c. *c.* 24. §. 15. for §. 50. r. §. 51.
Car. 2. *c.* 11. r. 15 *Car.* 2. In the 2d line after 1 *W.* & *M.*
. *c.* 24. §. 17. for §. 2. *c.* 6. r. *Seſſ.* 2. *c.* 6. for 2 *W.* & *M. Seſſ.* 2.
r. §. 14. In 4 & 5 *W.* & *M.* *c.* 3. for 6 *s.* 6 *d.* r. 1 *s.* 6 *d.*

iens. For 9 *H.* 3. *c.* 3. r. *c.* 30. In 19 *H.* 7. *c.* 8. for 10 *l.* r. 20 *l.*
Jac. *c.* 9. §. 5. for ***be*** r. ***not***. In 25 *Car.* 2. *c.* 6. for 12 *Car.* 2. *c.* 6.
for 29 *Car.* 2. *c.* 26. r. *c.* 6. and in that Sect. r. 14 *June* and
arch.

endment. For 11 *H.* 4. *c.* 4. r. *c.* 3. In the 2d line after 9 *H.* 5.
. **Utlary**, 4 *H.* 6. *c.* 3.

erciament. For 3 *Ed.* 1. *c.* 34. r. *c.* 35. for *c.* 44. r. *c.* 45.

parel. For 11 *H.* 4. r. 13 *H.* 4. for 22 *Ed.* 1. r. *Ed.* 4. for
. *c.* 25. §. 25. r. §. 45.

portionment. For 25 *Ed.* 3. *St.* 4. r. *St.* 5.

praiſement. For *Incert. temp. p.* 85. *c.* 2. r. *c.* 1. for 1 *H.* 6.
H. 6. In 1 *Mar. St.* 2. *c.* 11. for *be above* 12 *d.* r. *buy above*
, add §. 23. to 35 *El.* *c.* 7.

provement. For 23 *H.* 8. r. 24 *H.* 8. the ſame in 5 *El.* *c.* 5.
In 3 & 4 *Ed.* 6. *c.* 3. §. 5. for *four* r. *three*, for 15 *Car.* 2.
§. 28. r. §. 38.

reſt. For 3 *Ed.* 1. *c.* 34. r. *c.* 35. for 8 *El.* *c.* 3. r. *c.* 2. *dele*
in 29 *Car.* 2. *c.* 7. §. 6.

ſſets enter Mains.) For 33 *El.* r. 43 *El.*

ize. After 13 *Ed.* 1. *c.* 25. r. **Eſſoign**, *c.* 28. in the next line
28. r. *c.* 46. for *c.* 46. r. 13 *Ed.* 1. *p.* 54. *Stat. Merch.* for
r. 12 *Ed.* 2. *c.* 1. *York*, for that r. 7 *R.* 2. *c.* 10. for that r. 1 *H.* 4.
for that r. 4 *H.* 4. *c.* 7. for 1 *H.* 8. r. 21 *H.* 8.

torney. For 1 *H.* 5. r. 3 *H.* 5. for 31 *El.* *c.* 10. §. 2. r. §. 20

derment. For 14 *Ed.* 5. r. 14 *Ed.* 3. for 17 *H.* 4. r. 17 *Ed.* 4.

ail. After 3 *Ed.* 1. *c.* 11. *W.* 1. for §. 15. r. *c.* 15. for 1 *R.* 3. *c.* 9.
3. for 15 *Car.* 2. r. 13 *Car.* 2. for 1 *W.* & *M. Seſſ.* 1. §. 4.
4. §. 13.

Bailiff. For 37 *El.* r. 29 *El.*

Bankrupt. For 13 *El.* *c.* 10. r. §. 10. for 21 *Jac.* *c.* 12. r. §. 12.

Books. For 25 *H.* 3. r. *H.* 8.

Cattle. In 28 *Ed.* 1. *c.* 12. *dele Incert. temp.* add *Incert. temp. p.* 86. to 17 *Ed.* 2. *c.* 7. for 5 & 6 *Ed.* 6. *c.* 3. r. *c.* 14. for 1 *Jac.* *c.* 27. r. *c.* 22. for 11 *Jac.* r. 21 *Jac.* for 25 *Car.* 2. r. 15 *Car.* 2. for 2 *W* & *M. Seſſ.* 2. *c.* 8. §. 19. r. §. 20. In 6 *W.* & *M.* *c.* 1. §. 3. for 7, r. 5 years.

Certiorari. For 21 *Jac.* *c.* 23. §. 16. r. §. 6. After which read, **Foreign Plea**, §. 7. **Filing** Hab. Corp. 16 *Car.* 1. *c.* 10. §. 8. **Exciſe**, 12 *Car.* 2. *c.* 23. §. 36. **Highway**, 13 & 14 *Car.* 2. *c.* 6. §. 16. **Returning Priſoner and Cauſes**, 31 *Car.* 2. *c.* 2. §. 2. After 4 & 5 *W.* & *M.* *c.* 23. §. 7. add 5 & 6 *W.* & *M.* to *c.* 11. §. 2.

Charge. For 8 *H.* 3. r. 9 *H.* 3. for 5 *H.* 5. r. 9 *H.* 5.

Chattels. For 13 *Ed.* 1. *c.* 28. r. *c.* 18. for 25 *H.* 3. r. 25 *H.* 8.

Church. For 9 *H.* 3. *c.* 3. r. *c.* 5. for *Temp. Ed.* 1. *pag.* 91. *c.* 6. r. 34 *Ed.* 1. *St.* 4. *c.* 6. In 14 *Ed.* 3. *St.* 3. *c.* 2. for *Penalty*, r. *Plenarty*, for 25 *Ed.* 3. *c.* 6. r. *c.* 7. for *c.* 7. r. *c.* 8. for 28 *H.* 6. r. *H.* 8. After 32 *H.* 8. *c.* 12. for §. 44. r. *c.* 44. for 37 *H.* 8. *c.* 31. r. *c.* 21. In 5 & 6 *Ed.* 6. *c.* 1. §. 6. for 3 months, r. 6 months, for 2 *Jac.* r. 3 *Jac.* In 1 *Jac.* 2. *c.* 15. for 18 *l.* r. 18 *d.* for *c.* 22. §. 30. r. *Ibid.* for §. 31. r. §. 30. for §. 32. r. §. 31. for §. 33. r. §. 32.

Cinque-Ports. For 9 *H.* 5. *c.* 5. r. *c.* 7. for 27 *H.* 8. *c.* 24. *c.* 5. r. §. 5. for *c.* 11. §. 4. r. §. 6. but note, that this §. ſhould come before *c.* 24. §. 5. after which follows §. 18. In 2 & 3 *Ed.* 6. *c.* 30. for *Wincheſter*, r. *Winchelſea*, for 2 *W.* & *M. Seſſ.* 1. *c.* 6. r. *c.* 7.

Colluſion. For 3 *Ed.* 1. *c.* 34. r. *c.* 43. In 6 *Ed.* 1. *c.* 10. r. *ſhall not*, for 13 *R.* 2. *c.* 12. r. *c.* 17. for 4 & 5 *W.* & *M.* *c.* 14. r. *c.* 24.

Common. In 3 & 4 *Ed.* 6. *c.* 3. §. 5. r. *three Acres.*

Conjuration. For 5 *El.* *c.* 25. r. *c.* 20. add §. 2. to 39 *El.* *c.* 4. then read, **Repeal**, 1 *Jac.* *c.* 12. §. 1. **Invocation of Spirits**, §. 2.

Conſpiracy. For 23 *Ed.* 1. r. 28 *Ed.* 1.

Continuance. For 27 *H.* 7. r. *H.* 6. for 19 *H.* 6. r. *H.* 7. for 23 *H.* 8. *c.* 3. §. 16. r. §. 10.

Coroner. For 31 *Ed.* 1. *p.* 71. r. 34 *Ed.* 1. *St.* 2. and in that Section, r. all between 15 and 60, &c.

In **Deviſe**, and in the Table of the Titles, under the Letter **W**, *dele* Counteſs of *Warwick*.

Drapery. After 14 & 15 *H.* 8. *c.* 3. §. 12. for *c.* 1. r. *c.* 11. In 25 *H.* 8. *c.* 5. for 5 *Ed.* 6. r. 5 *H.* 8. In 5 & 6 *Ed.* 6. *c.* 6. §. 7. r. 23 or 25, and inches, the ſame in §. 18. in §. 23. for *Ell*, r. *Pound*, for 7 *Ed.* 1. r. 7 *Ed.* 6. for 1 *El.* *c.* 6. r. 8 *El.* In 18 *El.* *c.* 16. r. 4 & 5 *P.* & *M.* *c.* 5. In 35 *El.* *c.* 9. r. 5 & 6 *Ed.* 6 *c.* 6. §. 11. In 1 *Jac.* *c.* 24. §. 4. for 32 r. 33. In 4 *Jac.* *c.* 2. §. 2. for 70 r. 78. in § 3. for 7 quarters, r. 6 quarters, in §. 4. r. Handywarps, for 12 *Car.* 2. *c.* 21. r. *c.* 22. In 13 & 14 *Car.* 2. *c.* 5. §. 16. for 3 *s.* 4 *d.* r. 3 *s.* for 22 & 23 *Car.* 2. §. 2. r. *c.* 8. §. 2. for 4 & 5 *W.* & *M.* *c.* 15. §. 7. r. § 4. add §. 45. to 5 & 6 *W.* & *M.* *c.* 20.

Dureſs. For 5 *R.* 2. *c.* 16. r. *c.* 6.

Eccleſiaſtical Perſons. For 12 *H.* 7. *c.* 6. r. *c.* 7. After 21 *H.* 8. *c.* 6. §. 5. for *c.* 3. r. *c.* 13. for 23 *H.* 8. *c.* 3. r. 32 *H.* 8. *c.* 3. and in *c.* 47. for 12 *H.* 8. r. 27 *H.* 8. For 33 *El.* *c.* 28. §. 2. r. 33 *H.* 8. *c.* 28. §. 2. and in §. 3. for 80 r. 8. for *c.* 33. r. *c.* 30. for 5 & 6 *Ed.* 6. r. 3 & 4 *Ed.* 6. and for 2 & 3 *Ed.* 6. r. 5 & 6 *Ed.* 6. for 1 *Mar. St.* 2. r. *St.* 3. After 1 *El.* *c.* 19. for *c.* 2. r. *c.* 3. In 13 *El.* *c.* 20. for 40 r. 80. for 8 *El.* *c.* 9. r. 43 *El.* *c.* 9. and in that §. for 38 *El.* r. 18 *El.* for 21 *Jac.* *c.* 3. r. *c.* 30. for 17 *Car.* 2. r. 17 *Car.* 1.

Elections. For 3 *Ed.* *c.* 1. 5. *W.* 1. r. 3 *Ed.* 1. *c.* 5. *W.* 1. for *c.* 44. r. *c.* 24.

Endictment. For 25 *Ed.* 3. *St.* 4. r. *St.* 5.

Enfant. For 3 *Ed.* 1. *c.* 46. r. *c.* 47. and for *c.* 47. r. *c.* 48. for 31 *Ed.* 1. *p.* 71. r. 34 *Ed.* 1. *St.* 2. and for 16, r. 60. for 15 *Ed.* 1. r. 15 *Ed.* 2. for 4 *H.* 4. *c.* 7. r. *c.* 17. for 4 & 5 *W.* & *M.* *c.* 1. r. *c.* 3. for 6 & 7 *W.* 3. *c.* 6. r. *c.* 5. §. 9.

Enqueſt. For 3 *Ed.* 1. *c.* 46. r. *c.* 47. for 31 *Ed.* 1. *p.* 71. r. 34 *Ed.* 1. *St.* 2. for 15 *Ed.* 3. *c.* 1. r. 18 *Ed.* 3. *St.* 2. *c.* 1. for 25 *Ed.* 3. *St.* 4. r. *St.* 5. After 27 *Ed.* 3. *c.* 3. r. **Juror**, *St.* 2. *c.* 8.

Peace. For 31 *Ed.* 1. *p.* 71. r. 34 *Ed.* 1. *St.* 2. and in that Section r. all between 15 and 60, &c.

Place this at the End of the Second Volume, before the Table.

A CATALOGUE Of the general *TITLES* Comprised in the Enſuing TABLE.

Abatement.

Abator, ſee *Diſſeizor*.
Abbe.
Abettors, ſee *Acceſſory*.
Ability.
Abjuration, ſee *Oath and Exile*.
Abridgment, ſee *Aſſize*.
Acceſſory.
Action *ſur* Caſe.
Action *ſur* Stat.
Account.
Accountant.
Action popular, ſee *Action* ſur *Stat*.
Acquittance, ſee *Accountant*.
Accuſation, ſee *Proceſs*.
Additions.
Adjournment.
Admeaſurement, ſee *Dower and Meaſures*.
Adminiſtrator.
Admiral.
Ad quod damnum, ſee *Licences*.
Advowſon, ſee *Preſentation and Church*.
Age, ſee *Enfant*.
Agiſtment, ſee *Common or Foreſt*.
Aid.
Aid del Roy.
Ale.
Alienation, ſee *Licence*.
Aliens.
Allowance, ſee *Fees*.
Amendment.
Ambidexter, ſee *Enqueſt and Maintenance*.
Amerciament.
Anniverſary Thankſgiving, ſee *Days. Religion*.
Annuities ſee *Grants, Rents*.
Apparel.
Apparance, ſee *Attorney*.
Appeal, ſee *Error*.
Appeals and Provocations, ſee *Ordinary*.
Appeals of Felony, ſee *Coron*.
Appeals to Rome, ſee *Pope*.
Apportionment.
Appraiſement.
Apprentice, ſee *Trades*.
Approvor, ſee *Coron*.
Appropriation, ſee *Church*.
Approvement.
Arrearges.
Arreſt.
Archery and Arrow-heads, ſee *War*.
Artificer, ſee *Trades*.
Aſſault, ſee *Treſpaſs*.
Aſſets enter Mains.
Aſſets *per* Deſcent.
Aſſignee, ſee *Leaſes*.
Aſſize.
Aſſumpſit.
Attainder, ſee *Treaſon*.
Attaint, ſee *Enqueſts and Verdict*.
Attorney.
Auditor, ſee *Exchequer and Accountant*.
Averment.
Aulnage, ſee *Drapery*.
Ancient Demean, ſee *Cinque-Ports*.
Avowry, ſee *Replevin*.
Advowſon, ſee *Church and Preſentation*.

B

Badger, ſee *Cattel*.
Bayl.
Bayliff.
Baniſhment, ſee *Utlary*. Exile.
Banks, ſee *Ways*.
Bankrupt.
Bar *&* Feme.
Bar.
Barrator, ſee *Maintenance. Peace*.
Barges, ſee *Sewers*.
Bark, ſee *Woods*.
Barwick, ſee *Scotland*.
Baſtard.
Beggers, ſee *Poor*.
Bell-mettal, ſee *Mettal*.
Benevolence, ſee *Taxes*.
Beaupleader, ſee *Pleading*.
Biſhops ſee *Eccleſiaſtical Perſons*.
Books.
Borderers, ſee *Scotland*.
Boat-men, ſee *Sewers*.
Bows, ſee *War*.
Braſs, ſee *Mettal*.
Breakers of League and Truce, ſee *Admiral*.
Brewers, ſee *Ale*.
Brick-layers, ſee *Trades*.
Bridges, ſee *Ways*.
Brief, ſee *Writs*.
Brokers, ſee *Trades*.
Bromfield and Yale, ſee *Wales*.
Bulwarks, ſee *War*.
Burials, ſee *Church*.
Butchers, ſee *Cattel*.
Butler of the King, ſee *Wine*.
Butler, ſee *Victuals*.
Buggery, ſee *Coron*.
Burglary, ſee *Coron*.
Building, ſee *Cottages*.
Burning, ſee *Coron*.
Butts, ſee *War*.

C

Cables, ſee *Trades*.
Calves, ſee *Cattel*.
Cambridge, ſee *Ways and Parliament*.
Canary ſee *Wine*.
Capias, ſee *Proceſs*.
Captains and Caſtles, ſee *War*.
Caps, ſee *Apparel*.
Captives, ſee *Ouſter le mere*,
Carriers, ſee *Ways*.
Cards for Wool, ſee *Drapery*.
Cattel.
Certiorari.
Certificate *&* Certification.
Ceſſavit, ſee *Rents*.
Chaſe, ſee *Foreſt*.
Challenge, ſee *Enqueſt*.
Champerty, ſee *maintenance*.
Chancery, ſee *Courts*.
Chantries ſee *Abbeys*.
Charge.
Charitable uſes, ſee *Poor*.
Chattels.
Cheeſe, ſee *Victuals*.
Cheſter, ſee *Cinque-Ports* and *Wales*.
Chelſey, ſee *Abbe*.
Chemin, *ſee Ways*.
Chirographer, ſee *Fees and Fines*.
Church.
Cinque-Ports.
Citation, ſee *Ordinary*.
Clapboard, ſee *Merchants*.
Claim, ſee *Bar*.
Clergy-men. ſee Eccleſiaſtical *Perſons*.
Clergy, ſee *Priviledge and Eccleſiaſtical Perſons*.
Clerk of Aſſize, ſee *Ability*.
Clerk of the Market, ſee *Market Overt*.
Clerks of the Chancery ſee *Eccleſiaſtical Perſons*.
Clerk of the Crown, ſee *Fees*.
Clerk of the Privy Signet, &c. ſee *Seals*.
Clerk of the Peace, ſee *Peace*.
Clerk of the Statutes, ſee *Recognizances*.
Cloth, ſee *Drapery*.
Coaches, ſee *Ways*.
Coffee, ſee *Ale*.
Coales, ſee *Merchants*.
Collector, ſee *Accountant*.
Colledges, ſee *Abbe*.
Coynage, ſee *Money*.
Colluſion.
Commitment, ſee *Impriſonment*.
Commiſſion, ſee *Proceſs*.
Common.
Common Prayer, *ſee Religion*.
Condition, ſee *Leaſes*.
Conduit, ſee *Sewers*.
Confirmation, ſee *Grants*.
Conjuration.
Conſimili caſu, ſee *Writs*.
Conſpiracy.
Conſtable and Marſhal, ſee *Courts*.
Conſultation, ſee *Prohibition*.
Contra formam Collationis, ſee *Abbe*.
Conventicles and Convocations, *ſe Religion*.
Contempt.
Continuance.
Contract, ſee *Market Overt*.
Controllers of Cuſtoms, ſee *Merchants*.
Conuſance, ſee *Juriſdiction*.
Coopers, ſee *Trades and Meaſures*.
Copyholder.
Copper, ſee *Metals*.

The General TITLES of the Enſuing TABLE.

Cordwayners, ſee *Trades.*
Corn.
Cornwall, ſee *Leaſes.*
Coron *and* Coroner.
Corporation.
Corpus cum cauſa, ſee *Certiorari.*
Coſts.
Cottages.
Coverlets, ſee *Drapery.*
Coverture, ſee *Baron, and Feme.*
Court Baron.
Courts.
Counter-plea of Voucher, ſee *Voucher.*
Counterfeit Letters ſee *Colluſion.*
Couſenage, ſee *Writ.*
Covent-Garden, ſee *Churches.*
County, ſee *Lieu.*
Crown, ſee *Coron and Prerogative.*
Crows, ſee *Fowl.*
Croſs-bows, ſee *War.*
Croſſes, ſee *Mortmain.*
Cumberland, ſee *Coron.*
Cui in vita, ſee *Women.*
Currier, ſee *Trades.*
Curſing, ſee *Oath.*
Cuſtos Brevium, ſee *Fines.*
Cuſtos Rotulorum, ſee *Peace.*
Cuſtom.
Cuſtoms, ſee *Merchants.*

Days.

Damages.

DArrain Preſentment, ſee *Preſentation.*
Death, ſee *Averment.*
Debt al Roy, ſee *Accountant.*
Decies tantum, ſee *Enqueſts.*
Deceits ſee *Colluſion.*
Declaration, ſee *Amendment.*
Deed.
Default.
Delays, ſee *Amendment.*
Demurrer, ſee *Amendment.*
Denizen, ſee *Alien.*
Deodands, ſee *Coron.*
Deputy.
Debt.
Detinue, ſee *Trover.*
Divine Service, ſee *Religion.*
Deviſe.
Dice ſee *Games.*
Dignity, ſee *Priviledge.*
Dying, ſee *Drapery.*
Dilapidations, ſee *Eccleſiaſtical Perſons. Reparation.*
Diſablement, ſee *Ability.*
Diſcent.
Diſceit, ſee *Colluſion.*
Diſcontinuance of Eſtate, ſee *Tayl.*
Diſcontinuance of Proceſs, ſee *Proceſs.*
Diſm, ſee *Tythes.*
Diſſeizor.
Diſpenſations, ſee *Licence.*
Diſtreſs.
Divination, ſee *Conjuration.*
Donee, ſee *Grants.*
Dover, ſee *Cinque-ports.*
Dower.
Drapery.
Drovers, ſee *Cattel.*
Drunkenneſs, ſee *Ale.*
Durham and Dutchy, ſee *Cinque-ports,*
Dureſs.

E

EArs, ſee *Treſpaſs.*
Eccleſiaſtical perſons.
Eeles, ſee *Fiſh.*
Egyptian, ſee *Conjuration.*
Elections.
Emblements.
Embracery, ſee *Enqueſts and Maintenance.*
Encumbent, ſee *Eccleſiaſtical Perſons.*
Encumbents, ſee *Conjuration.*
Endictment.
Enfant.
Engliſhire, ſee *Coron.*
Engliſh-men, ſee *Aliens.*
England and Scotland, ſee *Scotland.*
Enqueſt.
Entry Congeable.
Entry, ſee *Diſſeizor.*
Error.
Eſcape.
Exchange, ſee *Merchants.*
Eſcheators, ſee *Office.*
Eſcheat.
Exchequer.
Eſcnage, ſee *Services.*
Eſgliſe, ſee *Church.*
Eſſoyn.
Eſtates.
Eſtreats, ſee *Exchequer.*
Eſtrepement, ſee *Waſte.*
Eveſque, ſee *Eccleſiaſtical Perſons.*
Evidence.
Exception, ſee *Error.*
Exciſe, ſee *Taxes.*
Excommengement.
Executors.
Exemption, ſee *Priviledge.*
Exemplification, ſee *Records.*
Execution.
Exigent, ſee *Utlary.*
Exaction and Extortion, ſee *Fees.*
Exile.
Exportation, ſee *Merchants.*

F

FAculties, ſee *Eccleſiaſtical Perſons.*
Faits, ſee *Deeds.*
Fait Inrol, ſee *Inrollments.*
Fairs, ſee *Market Overt.*
Falſifying of Recoveries, ſee *Recoveries and Colluſion.*
Falſe Judgments, ſee *Error.*
Farms, ſee *Leaſes.*
Faſting, ſee *Days.*
Fealty, ſee *Services.*
Fees.
Fee-Farms, ſee *Rents.*
Felony, ſee *Coron.*
Feoffment.
Fens, ſee *Sewers.*
Feaſants, ſee *Fowl.*
Fifteens, ſee *Taxes.*
Fightings, ſee *Treſpaſs.*
Fines.
Firſt-Fruits, ſee *Tythes,*
Fiſh.
Flax, ſee *Approvement.*
Fools, ſee *Ideot.*
Force.
Foreſt.
Foreſtallers, ſee *Market Overt.*
Forfeiture.
Forgery.
Fortreſs, ſee *War.*
Fortunetellers, ſee *Conjuration.*
Fowl.
France.
Franchiſe.
Fraudulent Aſſurances, &c. ſee *Colluſion.*
Freeholder, ſee *Eſtates.*
Freſh-Suit.
Fryers, ſee *Abbe.*
Fewel ſee *Woods.*
Fugitives, ſee *Ouſter le mere and Exile.*
Fuſtians, ſee *Drapery.*

Games.

GAols, ſee *Impriſonment.*
Guards, ſee *Wards.*
Gavelkind, ſee *Diſcent and Partition.*
Gauging, ſee *Meaſures.*
General Iſſues, ſee *Iſſues joyned.*
Gigmills, ſee *Drapery.*
Gold, ſee *Metals.*
Grants.
Guardian.
Gunpowder and Guns, ſee *War.*

H

HAbeas Corpus, ſee *Certiorari.*
Halſers, ſee *Trades.*
Hares, ſee *Foreſt.*
Hatts, ſee *Apparel.*
Hawks, ſee *Fowl.*
Havens, ſee *Sewers.*
Heir.
Hemp, ſee *Approvement.*
Hearth-Money, ſee *Taxes.*
Hereſie, ſee *Religion.*
Herons, ſee *Fowl.*
Hexamſhire, ſee *Franchiſe.*
High Commiſſion, ſee *Eccleſiaſtical Perſons.*
High-Ways, ſee *ways.*
Holy-Days, ſee *Days. Religion.*
Holy Orders, ſee *Eccleſiaſtical Perſons.*
Homage, ſee *Services.*
Honours, ſee *Prerogative.*
Honey, ſee *Trades.*
Hops, ſee *Ale and Corn.*
Horners, ſee *Trades.*
Horſes, ſee *Gattel.*
Hoſtler.
Hoſpital, ſee *Abbe and Poor.*
Hownſlow-Heath, ſee *Approvement.*
Hue and Cry, ſee *Freſh-Suit.*
Hull, ſee *Merchants.*
Humiliation, ſee *Days. Religion.*
Hunters, ſee *Foreſt.*
Hundreds, ſee *Court Baron.*
Husbandry, ſee *Approvement.*

Impriſonment.
Ideot.

IDentitate nominis, ſee *Noſme.*
Jeofail, ſee *Amendment.*
Jeſuit, ſee *Pope.*
Images, ſee *Religion.*
Imparlance, ſee *Eſſoign.*
Importation, ſee *Merchants.*
Inchantment, ſee *Conjuration. Incantation.*
Incloſures, ſee *Approvement.*
Incontinence, ſee *Baſtardy.*
Incumbent, ſee *Eccleſiaſtical Perſons.*
Indicavit, ſee *Prohibition.*
Indictments, ſee *Endictment.*
Infection, ſee *Nuſance.*

Information,

Information, ſee *Action* ſur *Stat.*
Ingroſſers, ſee *Market Overt.*
Inholder, ſee *Hoſtler.*
Inmates, ſee *Cottages and Hoſtler.*
Inquiſition, ſee *Office.*
Inqueſt, ſee *Enqueſt.*
Inteſtate, ſee *Adminiſtrators.*
Inrolments.
Intruſion, ſee *Diſſeizor.*
Joynt-Tenant.
Joynder.
Jours, ſee *Days.*
Ipſwich, ſee *Ways.*
Iron, ſee *Mettals.*
Ireland.
Iſle of Wight, ſee *Cinque-ports.*
Iſſues Joynt.
Iſſues del ter.
Judicial Proceedings, ſee *Proceſs.*
Judgment.
Juriſdiction.
Juris utrum, ſee *Eccleſiaſtical Perſons.*
Jurors, ſee *Enqueſt.*
Juſtices of Peace, ſee *Peace.*
Juſtices.

K.

Keeper of the Great Seal, ſee *Priviledge.*
King, ſee *Prerogative.*
Knights, ſee *Tenants. Services.*

L.

Labourers, ſee *Trades.*
Lader, ſee *Cattel.*
Lancaſter, ſee *Cinque-ports.*
Lapſe, ſee *Preſentation.*
Larceny, ſee *Coron.*
Lay-ſtalls, ſee *Nuſance.*
Leaſes.
Legacy, ſee *Demiſe:*
Leather, ſee *Trades.*
Lee River, ſee *Sewers.*
Leet.
Ley.
Libel, ſee *Probibition and Slander.*
Liberties, ſee *Franchiſe.*
Licence.
Lieutenants, ſee *War.*
Lieu.
Limitation.
Lyn, ſee *Reparation.*
Linen Cloth, ſee *Drapery.*
Liquors, ſee *Ale.*
Liveries, ſee *Maintenance.*
Livery, ſee *Wards and Feoffment. Seiſure.*
Lodgers, ſee *Hoſtler and Watch. Cottages.*
London.
Lords, ſee *Priviledge.*
Lunaticks, ſee *Ideot.*

M.

Marriſm, ſee *Woods.*
Madder, ſee *Fiſh.*
Mayhm, ſee *Treſpaſs.*
Mainprize, ſee *Bayl.*
Mayors, ſee *Corporation.*
Manufactures, ſee *Trades:*
Malt, ſee *Corn.*
Maintenance.
Man, ſee *Cinque-ports.*
Marchant.
Marches, ſee *Wales.*
Market Overt.
Marriage & Matrimony.
Mariners, ſee *Admiral.*
Marſhes, ſee *Sewers.*
Marſhal, ſee *Courts.*
Maſons, ſee *Trades.*
Matrimony, ſee *Marriage.*
Mercers, ſee *Drapery.*
Meaſures.
Merchant ſee *Marchant.*
Meſne, ſee *Tenants.*
Mettals.
Mildernix, ſee *Drapery.*
Militia, ſee *War.*
Miniſters, ſee *Eccleſiaſtical perſons.*
Miſnomer, ſee *Grants. Noſme.*
Moyn and Monaſteries, ſee *Abbey.*
Money.
Mortgage.
Monopolies, ſee *Market Overt.*
Mortdanceſter, ſee *Aſſize.*
Mortmain.
Mortuary, ſee *Eccleſiaſtical Perſons.*
Moſs-Troopers, ſee *Scotland.*
Multiplication, ſee *Money.*
Mummers, ſee *Games.*
Murder, ſee *Coron.*
Muſters, ſee *War.*

Noſme.

Newcaſtle, ſee *Merchants.*
News, ſee *Slander.*
Niſi prius, ſee *Enqueſt.*
Non-ability, ſee *Ability.*
Non-age, ſee *Enfant.*
Non-claim, ſee *Limitation.*
Non-conformiſts, ſee *Religion.*
Non-plevin, ſee *Diſtreſs.*
Non-Reſidens, ſee *Eccleſiaſtical Perſons.*
Nonſuit.
Non Tenure, ſee *Tenants.*
Northampton, ſee *Reparation.*
Norwich Stuff, ſee *Drapery.*
Northumberland, ſee *Sheriffs.*
Noſe, ſee *Treſpaſs.*
Nun, ſee *Abbe.*
Nuper Obiit, ſee *Writs. Deviſe.*
Nuſance.

Oaths.

Oblation, ſee *Tythes.*
Obligation.
Occupant.
Odio & Atia, ſee *Writs and Enqueſt.*
Office.
Officer.
Oyer and Terminer, ſee *Juſtices.*
Oyl, ſee *Trades and Wine.*
Ordinary.
Ouſter le mere.

P.

Palace, ſee *Prerogative. Lion.*
Pain.
Painters, ſee *Trades.*
Pannel, ſee *Enqueſt.*
Papa, ſee *Pope.*
Pardon.
Parks, ſee *Foreſts.*
Parliament.
Parſon, ſee *Eccleſiaſtical Perſons.*
Partition and Parceners.
Partridges, ſee *Fowl.*
Paſſage, ſee *Ways.*
Patents, ſee *Grants.*
Paving, ſee *Reparations and Ways.*
Peace.
Penſion, ſee *Rents.*
Perambulation, ſee *Partition.*
Perjury, ſee *Oath.*
Peers, ſee *Priviledge. Dignity.*
Petition, ſee *Proceſs.*
Pewter, ſee *Mettals.*
Pheaſants, ſee *Fowl.*
Phyſicians, ſee *Corporations.*
Piracy, ſee *Admiral.*
Plague, ſee *Poor.*
Plays, ſee *Games.*
Pleas of the Crown, ſee *Coron.*
Pledges, ſee *Bail.*
Pleading.
Plumſted Marſh, ſee *Sewers.*
Poll-money, ſee *Taxes.*
Policies of Aſſurance, ſee *Merchants.*
Poor.
Pope.
Poſtage and Letters, ſee *Ways.*
Poſt Diſſeiſin, ſee *Diſſeizor.*
Powldavy, ſee *Drapery.*
Preachers, ſee *Religion.*
Præmunire, ſee *Pope.*
Prerogative.
Preſcription, ſee *Cuſtom.*
Preſentation.
Preſident of Councel, ſee *Priviledge.*
Prieſts, ſee *Pope.*
Preſſing, ſee *War.*
Primer Seiſin, ſee *Prerogative. Seizure.*
Printing, ſee *Books.*
Priſons, ſee *Impriſonment.*
Privy Councel, ſee *Prerogative.*
Priviledge.
Prize-Goods, ſee *Marchants.*
Probate of Teſtaments, ſee *Ordinary.*
Proceſs.
Prochein Army, ſee *Guardian.*
Proclamation, ſee *Proceſs.*
Proof, ſee *Witneſs.*
Prohibition.
Property, ſee *Chattels.*
Prophecy, ſee *Slander. Conjuration.*
Protection, ſee *Priviledge.*
Purbeck Iſland, ſee *War.*
Purpreſtures and Nuſance, ſee *Diſſeizor.*
Purveyance.

Quare Impedit.

Quakers, ſee *Religion.*
Quare clauſum fregit, ſee *Treſpaſs.*
Queen, ſee *Prerogative.*
Quinzime, ſee *Taxes.*
Quod permittat, ſee *Common.*
Quod ei deforceat, ſee *Collaſion and Women.*
Quo warranto, ſee *Franchiſe.*

Recognizance.

Rape, ſee *Women.*
Rationabili parte, &c. ſee *Executors.*
Rationab. Diviſis, ſee *Partition, Lieu and Meaſures.*
Reaſonable Aid, ſee *Aid.*
Rebellion, ſee *War.*
Receivers, ſee *Accountant.*
Receipt, ſee *Default.*
Records.
Recovery.
Recuſant, ſee *Pope.*
Rediſſeiſin, ſee *Diſſeizor.*
Relation, ſee *Days.*

The General TITLES of the Enſuing TABLE.

Religion.
Relief, ſee *Services*.
Rents.
Reparation.
Repealans.
Repeal of Statutes, ſee *Continuance and Parliament*.
Repleader, ſee *Amendment*.
Replevin.
Reſidence, ſee *Eccleſiaſtical Perſons*.
Reſceit.
Reſtitution, ſee *Force and Coron.*
Reſumption, ſee *Repealans and Prerogative*.
Returns.
Revocation, ſee *Repealans*.
Richmond, ſee *Eccleſiaſtical Perſons*.
Rye and Winchelſey, ſee *Cinque-ports*.
Right, ſee *Proceſs*.
Riots, ſee *Peace*.
Roberies, ſee *Coron.*
Rivers, ſee *Sewers*.
Rogues, ſee *Poor*.
Roy, ſee *Prerogative*.
Rolls, ſee *Records*.
Rome, ſee *Pope*.
Rooks, ſee *Fowl*.

S.

Sabbath, ſee *Days and Religion*.
Sack, ſee *Wine*.
Sacraments, ſee *Religion*.
Safe Conduct, ſee *Admiral*.
Salt, ſee *Victuals and Meaſures*.
Sanctuary, ſee *Priviledge and Church*.
Sattin, ſee *Drapery*.
Saint Johns, ſee *Abbe*.
Serjeant at Arms, ſee *Officer*.
Scarborough, ſee *Sewers*.
Scire facias.
Scotland.
Sectaries, ſee *Religion*.
Seamen and Sea, ſee *Sewers and Admiral*.
Seals.
Service and Sacraments, ſee *Religion*.
Severn, ſee *Sewers*.
Seiſure.
Seiſin.
Searchers, ſee *Merchants*.
Seminaries, ſee *Pope*.
Servants, ſee *Trades*.
Serement, ſee *Oath*.
Services.
Seſſions, ſee *Peace*.
Sewers.
Sheep, ſee *Cattel*,
Ships, ſee *Admiral and Marchants*.
Ship-money, ſee *Taxes*.
Sheriffs.
Shoe-makers, ſee *Trades*.
Silk, ſee *Drapery*.
Simony, ſee *Eccleſiaſtical Perſons*, *Election and Preſentation*.
Smoke-money, ſee *Taxes*.
Slander.
Smiths and Sope, ſee *Trades*.
Soldiers, ſee *War*.
Southampton, ſee *Sewers*.
Spices, ſee *Marchants*.
Spiritual Laws and Perſons, ſee *Eccleſiaſtical Perſons*.
Stayns, ſee *Ways*.
Stannaries, ſee *Courts*.
Staple, ſee *Marchants*.
Star-chamber, ſee *Courts*.
Statutes, ſee *Recognizance*.
Stealing, ſee *Coron.*
Steel, ſee *Metals*,
Styllyard, ſee *Marchants*.
Stipend, ſee *Fees*.
Strangers, ſee *Aliens*.
Streets, ſee *Ways*.
Stuffs, ſee *Drapery*.
Subſidy, ſee *Taxes*.
Suggeſtion.
Suits in Law, ſee *Taxes*.
Suit of Court, ſee *Services*.
Surgeons, ſee *Trades*.
Superſedeas.
Surety, ſee *Bayl*.
Surrender.
Surveyors, ſee *Meaſures*.
Swans, ſee *Fowl*.
Swearing, ſee *Oath*.

T.

Takers, ſee *Purveyors*.
Tales, ſee *Enqueſt*.
Tame Beaſts, ſee *Cattel*.
Tanner, ſee *Trades*.
Taxes.
Templars, ſee *Abbe*.
Tenths, ſee *Tythes*.
Tender.
Tenants.
Tenants in Common.
Teſtaments, ſee *Deviſe*,
Teſtmoyns, ſee *Witneſs*.
Threats, ſee *Dureſs*.
Threed and Thrums, ſee *Drapery*.
Thanksgiving, ſee *Religion*.
Timber, ſee *Woods*.
Tyn, ſee *Mettals*.
Tyles, ſee *Trades*.
Tillage, ſee *Approvement*.
Tyndal, ſee *Lieu and Franchiſe*.
Tythes.
Tobacco, ſee *Approvement & Marchants*.
Toll, ſee *Market Overt*.
Tongues, ſee *Treſpaſs*.
Towns, ſee *Reparations*.
Trades.
Tranſportation, ſee *Marchants and Exile*.
Traverſe.
Treaſon.
Trees, ſee *Woods*.
Treſpaſſes.
Trover.
Tryals.
Tumults, ſee *War*.
Tonnage and Poundage, ſee *Taxes*.
Truſts, ſee *Uſes*.
Turns, ſee *Sheriff*.
Turny, ſee *France*.

V.

Vacancy and Vacation of Biſhops, ſee *Eccleſiaſtical Perſons*.
Vagabonds, ſee *Poor*.
Vaticination, ſee *Conjuration*.
Verdict.
Veſtry, ſee *Churches and Eccleſiaſtical Perſons*.
Victual.
View.
Viſcount, ſee *Sheriffs*.
Villainage.
Vinegar, ſee *Wine and Ale*.
Vintners, ſee *Wine*.
Union, ſee *Churches*.
Univerſities, ſee *Purveyors*.
Unlawful Aſſemblies, ſee *Peace*.
Void *and* Voidable.
Voucher.
Upholſters, ſee *Drapery*.
Uſes.
Uſury.
Uſurpation, ſee *Preſentation*.
Utlary.

W.

Wager of Law, ſee *Ley*.
Wages, ſee *Fees*.
Ways.
Wales.
Walſingham, ſee *Abbe*.
Wapping Marſh, ſee *Sewers*.
Ward.
Wares, ſee *Marchants*.
War.
Counteſs of Warwick, ſee *Deviſe*.
Warranty,
Warrens, ſee *Foreſt*.
Waſte.
Watch.
Watermen, ſee *Sewers*.
Wax, ſee *Trades*.
Weavers, ſee *Drapery*.
Wears, ſee *Sewers*.
Weights.
White Aſhes, ſee *Marchants*.
Whitegate, ſee *Churches*.
Wild Fowl, ſee *Fowl*.
Wills, ſee *Deviſe*.
Wine.
Witches, ſee *Conjuration*.
Witneſs.
Women.
Woods.
Wool, ſee *Drapery*.
Words, ſee *Slander*.
Worſteds, ſee *Drapery*.
Wreck.
Writs.
Yarn, ſee *Drapery*.
York, ſee *Corporations and Drapery*.

A
TABLE
OF THE
Statutes at Large.

Abatement.

Writs, Amendment.

Dower, 3 *Ed.* 1. *West.* 1. SHALL not be of Dower *Unde nihil habet*, by Endowment of any other than the Tenant before the Writ purchaſed.

6 *Ed.* 1. *c.* 8. *ter.* Of Treſpaſs in any of the Kings Courts, unleſs Plaintiff ſwear the Goods taken worth forty ſhillings at leaſt, and that Plaint of Beating is true.

c. 9. Shall not be of Appeal for want of freſh Suit, if made within one year and a day.

ent, 13 *Ed.* 1. *W.* 2. Of a Writ any time during the Circuit, may be amended.

c. 24. Of Nuſance ſhall be by Writ againſt the Levier, notwithſtanding any Alienation.

th, *c.* 35. Shall not be of Raviſhment of Ward by death of Plaintiff or Defendant, but Heir or Executor may reſummon againſt Heir or Executor.

ure, &c. *c.* 48. Non-tenure or miſ-naming of Town or Entry, is a dilatory Abatement of Aſſiſe.

20 *Ed.* 1. *p.* 57. *Waſte.* A Writ of Waſte, though but Treſpaſs, lieth by Heir of Anceſtors time, and is not abated by death.

n-tenancy, 34 70. *de Conjunct.* Of Writ by Joyn-tenancy found by Aſſize on Averment by Plaintiff, that he was ſole Tenant.

14 *Ed.* 3. *c.* 6. Shall not be by Clerks miſtake of Letter or Syllable.

ure, 25 *Ed.* 3. *c.* 16. By Non-tenure of parcel is but *Pro rata.*

Forms, 36 *c.* 15. None ſhall be prejudiced by Ancient Terms or Forms of Law, ſo the matter of the Action be fully ſhewed in the Declaration or Writ.

ge, 37 *Ed.* 3. Shall not be by Confeſſion or Villainage, if Party will aver he was Free the day of the Writ purchaſed.

County, 6 *R.* 2. Of Debt, Account, and other ſuch Actions, by Plea that Contract aroſe in another County than contained in the Writ.

Merchant, *c.* 12. Shall not be of Statute-Merchant for not ſhewing it, if it were once ſhewed at Return of any Writ in *C. B.* though diſcontinued.

9 *H.* 4. *c.* 5. Of Aſſiſe or other Writs, where Mayor, Bailiffs or Lords of Franchiſes are found to be no Diſſeiſors, though others named alſo be.

1 *H.* 5. *c.* 5. May be for want of Addition in any Original Writ before Outlawry, but not for variance or ſurpluſage of Addition.

nt, 8 *H.* 5. *c.* 1. Parliament Writs awarded by the Kings Lieutenant, ſhall not be ſtayed by the Kings Return into *England.*

Bridge, 9 *H.* Shall not be of Writs brought by the Wardens of *Rocheſter*-Bridge by death or removal.

4 *H.* 6. *c.* 4. Shall not be of certain Perſons, Writs, Suits and Proceſs by being made Knights.

H. 6. *c.* 26. Of Aſſize, where the Franchiſe is challened by default of the Defendant, and found by Colluſion.

6. *c.* 2. Of Aſſize by naming the Sheriff a Diſſeizor, on Averment found he is not.

Juſtice of 6. Shall not be of Proceſs before Juſtices of Peace by Grant of any new Commiſſion.

18 *H.* 6. Of 9 *H.* 5. *cap.* 1. of Indictments in Foreign Counties continued until the next Parliament after the Kings Return; *Per demiſe le Roy* being doubted, its made perpetual.

c. 10. §. 15. Shall not be of any Actions by reaſon of the Execution of the Poſſeſſion to the Uſe.

33 *H.* 8. Of all Suits whereof Verdict is not given, that are not in the Kings Name for Debts to his Uſe.

37 *H.* 8. *c.* 8. Shall not be of Indictment or Inquiſition for want of *Vi & armis*, viz. *Baculis Cultellis Arcubus & Sagittis*, &c.

e, 1 *Ed.* 6. 2. Shall not be of any Suit between Parties by the Demiſe of the King.

Shall not not be of Aſſize of Diſſeiſin, *Mortdauncester*, *Juris utrum*, and Attaint by Death, new Commiſſion, Aſſociation, or not coming of the Aſſize after Arraign.

Shall not be by making Plaintiff Duke, Archbiſhop, Marqueſs, Viſcount, Baron, Biſhop, Knight, Juſtice *de Banco*, Serjeant at Law, pending the Action. **By Degree,** §. 3.

Juſtice of Aſſize, Gaol-delivery, or of the Peace, remain ſo, though made Duke, *&c.* **Juſtices,** §. 4.

New Juſtices may give Judgment on Convict of Felony before others, and reprieve. §. 5.

Proceſs before Juſtices of Aſſize, Gaol-delivery, Oyer and Terminer, Juſtices of Peace, or other the Kings Commiſſioners, ſhall not be diſcontinued by new Commiſſion, Aſſociation, *&c.* **Diſcontinuance,** §. 6.

No Sheriff to be Juſtice of Peace during that time in the ſame County, notwithſtanding 1 *Ed.* 6. *c.* 7. §. 4. **Sheriff no Juſt.** 1 *Mar. St.* 2. *c.* 8.

Shall not be for want of Form, falſe Latin, Variriance, *&c.* after Iſſue. **Jeofail,** 18 *Eliz.* *c.* 14.

Shall not be of Suit to reverſe Fine, *&c.* by death of Anceſtor, but Heir may purſue within a year after. **Fine,** 27 *Eliz.* *c.* 9. §. 4.

Death of Clerk of the Peace is none, but Succeſſor may proceed in Information for default of freſh Suit of Hundred. **Clerk of Peace,** *c.* 13. §. 3.

Of the Parliament by *Demiſe le Roy*, notwithſtanding 17 *Car.* 1. *c.* 7. **Demiſe le Roy,** 12 *Car.* 2. *c.* 1.

Shall not be of Proceſs for want of Return-days, *Paſch.* 1660. **Proceſs,** 12 *Car.* 2. *c.* 3.

Shall not be for Stiles of Uſurp. before 5 *May*, 1660. **Uſurpation,** §. 3.

Not coming of Lord Chancellor or Treaſurer, is none, but Error to proceed, if any come. **Error,** 16 *Car.* 2. *c.* 12. §. 2.

Shall not be by death of every Party after Verdict, ſo Judgment be entred in two Terms. **Verdict death,** 17 *Car.* 2. *c.* 8.

Abator, ſee *Diſſeizor.*

Abbe.

Moyn, *Monaſtery*, *Nun*, *Friers*, *Chauntry*, *Church*, *Chappel*, *Chelſey*, *Temples*, *Eccleſiaſtical Perſons*, *Dean*, *Prebend*, *St. Johns*, *Eveſq*; *Profeſſion*, *Holy Orders*, *Hoſpital*, *Grammar School*, Contra formam Collationis.

The Cuſtody thereof when vacant, ſhall be ſold by the King. **Vacant,** 9 *H.* 3. *c.* 5. *Magna Charta.*

The Patrons of Abbeys ſhall have the Cuſtody thereof when they fall void, as accuſtomed, and before declared. **Cuſtody,** *c.* 33.

Gift to them, and taking back by Tenure or Leaſe, is void, and forfeit on Conviction to the Lord of the Fee. **Leaſe,** *c.* 36.

They and all other Subjects for the Grant of their Franchiſes, gave the Fifteenth of their Moveables to the King. **Fifteenth,** *c.* 37.

Archbiſhop, Biſhops, Abbats, Priors, Earls, Barons, nor any Religious Men or Women, or ſuch as have Hundreds of their own, need not appear at Sheriffs Torn but on ſpecial cauſe. **Sheriffs Torn,** 52 *H.* 3. *c.* 10. *Marlb.*

Succeſſor ſhall renew Treſpaſs begun by Predeceſſor, and for violent withdrawing Goods of Church lately in time of Predeceſſor, and for Entries in time of Vacation. **Bring Treſpaſs,** *c.* 28.

None but Sheriff with five or ſix Horſe, and that not often, ſhall take Goods or Lodging, with Horſes, Dogs or Servants, on pain of double Damages and Fine. **Sheriffs Corrodie,** 3 *Ed.* *c.* 1. *W.* 1.

Shall be kept in Vacation, without deſtruction of any thing. **Vacation,** *c.* 21.

Succeſſor, Prelate, or Man of Religion, to whom Lands cannot deſcend, ſhall have *Entre ſur diſſeiſin* againſt Succeſſor, Diſſeizor dying before Purchaſe of Aſſize by Predeceſſor, or after. **Enter ſur diſſeizin,** *c.* 47.

No Man of Religion, or others, ſhall appropriate, or wrongfully withdraw Fees and Services provided for defence of the Realm by **Defence of Realm,** 7 *Ed.* 1. *p.* 33. *Of Mortmain.*

Purchaſe, by any Engine or colour of Title.

Quare Imp. 13 *Ed.* 1. *c.* 5. *W.* 2. Succeſſor ſhall have *Quare Impedit*, or *Darrain Preſentment*, on Uſurpation during Vacation.

§. 4. Writs of *Darrain Preſentment*, and *Quare Impedit*, ſhall be Grant for Chappels, Prebends, Vicarages, Hoſpitals, Abbeys, Priors, and other Houſes which be of the Advowſons of other Men.

Mortmain, *c.* 32. A Recovery by Religous or other Eccleſiaſtical Perſons by default, ſhall be enquired of, and if not by Right, is Mortmain.

Cap. 33. Setting up Croſſes by Tenants, by priviledge of Templars or Hoſpitallers, is Mortmain.

Taking away Nun, *c.* 34. Taking away a Nun by conſent, three years Impriſonment, Satisfaction to the Houſe, and Fine to the King.

Alienation, *c.* 41. If of the Kings Foundation, ſhall be ſeized on Alienation; if of Subjects Recovery, by *Contra formam Collationis.*

Homage, *c.* 42. That hold by Barony, ſhall pay a Palfray, or the Price to the Marſhal, another to the Chamberlain on doing Homage.

For Charity, 35 *Ed.* 1. *c.* 1. *Aſport. Religioſor.* Founded by the Kings Progenitors, that Clerks and Lay-men might be admitted, that Sick might be maintained, and for Alms, Hoſpitality, and other Charitable Deeds to be done, and to ſay Prayers for Souls.

Oppreſſions, §. 2. The King provides ſufficient remedy againſt Oppreſſions of Aliens of the *Ciſtercienſes*, *Premonſtratenſes*, *Auguſtines* and *Benedictines*, and many more of other Religion and Order.

Impoſitions, *c.* 2. None under Name of a Rent, Tallage, or any kind of Impoſition, by Exchange, Sale, or other Contract, ſhall ſend Mony aſſeſt by Superiors out of the Realm, nor carry Goods by pretence of Viſitation, or other colour, puniſhed as Contempt againſt the Kings Prohibition.

Cap. 3. Aliens of no Order, ſhall aſſeſs or impoſe Tallage, Payments, Charges or other Burdens, on forfeiture of all they have.

Common Seal, *c.* 4. The Common Seal ſhall be kept by Prior, and four of the moſt worthy of the Content and Abbe, do nothing without them, and all Writings otherwiſe ſealed, void.

Viſitation, §. 2. On Viſitations nothing ſhall be carried out of the Realm, but competent Charges.

Purveyance, 9 *Ed.* 2. *c.* 11. *Art. Cleri.* Shall not be charged with Sojourning, or Purveyance of the Great-men, nor with Penſions or Corodies.

Templars, 17 *Ed.* 2. *p.* 86. *Stat. de Templar.* The King and other Lords of the Diſſolution of Templars, might retain with Conſcience: but §. 2. better to transfer to other Charitable Uſes: and §. 3. all their Lands are given to the Order of St. *John* of *Jeruſalem.*

Corodies, &c. 1 *Ed.* 3. *c.* 10. Shall not be charged with Penſions, Prebends, Churches or Corodies.

4 *Ed.* 3. *c.* 6. The Statute of *Carliel*, 35 *Ed.* 1. *c.* 1. §. 2. That nothing be carried beyond Sea, confirmed: And again, 5 *Ed.* 3. *c.* 3.

Pilgrims, 9 *Ed.* 3. *c.* 8. Pilgrims ſhall paſs only at *Dover.*

Purveyance, 14 *Ed.* 3. *Stat.* 3. *c.* 1. No Goods of Archbiſhop, Biſhops, Abbot, Prior, Parſon, Vicar, or other People of the Holy Church, ſhall be purveyed in the Houſe, nor without, but by aſſent, nor no charge with receiving Gueſts, Horſes, Hawks or Dogs.

Temporalties ſeized, *c.* 3. Their Temporaltie ſhall not be ſeized without juſt cauſe.

Temporalties farmed, *c.* 4. The *Corps ſhall have refuſal to farm the Temporalties in Vacation, and Eſcheator ſhall do no Waſte.

Temporalties leaſed, *c.* 5. The Chancellor and Treaſurer ſhall Leaſe Temporalties in Vacation to the Corps, at yearly, quarterly or monthly Rent without Fine.

Rome, 25 *Ed.* 3. *Stat.* 4. *c.* 22. Purchaſe by permiſſion from *Rome*, ſhall be as Enemy out of the Kings Protection.

Proviſions, 25 *Ed.* 3. *p.* 121. Being all of the Kings Foundation, no Preſentation, Collation or Proviſion ſhall be made from the Court of *Rome.*

Tryal, 9 *R.* 2. *c.* 4. Whether Prior be dative or removable, is triable by the Ordinary.

Premunire, 2 *H.* 4. *c.* 3. Proviſion to Religious Perſon, to exempt from Obedience, is Premunire.

Cap. 4. Bull to *Ceſtertians* to diſcharge Tithes, void, and Premunire to execute it.

Appropriation, Vicar, 4 *H.* 4. *c.* 12. On every Appropriation there ſhall be Vicar perpetual, Canonically inſtituted, a Perſon Secular and not Religious.

Fryer, *c.* 17. Infants may not be received to be Friers without Parents conſent.

Viſitation, 2 *H.* 5. *c.* 1. Hoſpitals founded to the Honour of God, and of his Glorious Mother, in aid and merit of the Souls of the Founders, for Poor, ſhall be viſited and reformed by the Ordinary.

Make Attorny, 3 *H.* 5. *St.* 2. *c.* 2. Some may make Attornies in *Standiff* and *Friendleſs* Wapentakes in *Yorkſhire.*

Collector of Tythe, 9 *H.* 5. *c.* 9. Shall not be appointed Collector of Diſmes out of the County.

Make Attorny, *c.* 10. A Confirmation of 3 *H.* 5. *St.* 2. *cap.* 2. and that other Abbots and Religious may make Attornies.

Wage Law, 33 *H* Of *Fountain* may wage Law by Attorny, or by the Monk of the ſame Houſe.

Suppreſſed, 27 *H.* All Religious Houſes of Monks, Canons, and Nuns, under 200 *l. per annum*, Monaſteries, Abbeys and Priories, granted by Covent Seal to the King, or otherwiſe ſuppreſſed, the King to enjoy in Fee.

Confiſcate Good All the Ornaments of ſuch Houſes, Jewels, Goods and Debts given to the King.

In ſurvey, §. 1 All Monaſteries diſſolved to be in ſurvey, *&c.* Except ſuch as the King by Patent reſerves.

Given the King, All not exceeding 200 *l.* given to the King in Fee to diſpoſe at pleaſure.

§. 2. Patentee to enjoy as fully as Abbot, *&c.*

Salvo to Stran Strangers Profits, Charge, Annuity, ſaved.

Fraud, §. 4. Fraudulent Deeds and Recoveries, void.

Goods confiſcate, Ornaments, Goods and Chattels thereof given to the King.

King in Poſſeſſi The King to be in actual Poſſeſſion of all, certified in Exchequer, not above 200 *l. per annum.*

Salvo, §. 7. Not to prejudice Abbot above 200 *l. per annum*, as to Cells Donative, *&c.*

§. 8. Saving to Founders their Fees, Annuities, Common, *&c.*

Rome, 28 *H.* 8. *c.* Loſe not Dignity by Suppreſſion of the Houſe, but ſhall exerciſe all Authority by this Statute, not by Authority from *Rome*, &c.

Profeſſion, 31 *H.* All Religious Perſons enabled to purchaſe, ſue and take, as if never profeſſed.

Marriage, §. 2. Henceforward only, and not to enable Prieſts to Marry.

Veſted in King, The King ſhall enjoy all that have been diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or by any other means come to the King.

§. 3. Not only ſuch as are, but whatever Religious and Eccleſiaſtical Houſes ſhall be diſſolved, ſuppreſſed, *&c.* and all the Scites ſhall be veſted in actual Seiſin of the King, and his Heirs in the State, as Abbeys, *&c.* held.

In ſurvey, §. 4. All but ſuch as come to the King by Attainder of Treaſon, ſhall be in Survey of the Kings Court of Augmentations, ſaving Rights of Strangers, not Founders and Founders right to Corody, Penſions, *&c.*.

Leaſe void, §. 5 Leaſes within a year before Diſſolution (of things not before leaſed) for Life or Years, ſhall be void.

Fines, &c. void, Fines and Recoveries by any Governor, without the Kings Licence under the Great Seal, within a year before Diſſolution, to be void.

Leaſe void, §. 7 Leaſes within a year of Diſſolution by Covent-Seal, during continuance of another, or whereon the old Rent, as within twenty years, is not reſtored, void: ſo of Contract for Wood.

Feoffment, &c. All Feoffments, Fines and Recoveries within a year of Diſſolution, or next before this Parliament, without the Kings Licence under the Great Seal, void.

Leaſe good, §. 9. Leaſe within a year before this Parliament, or Diſſolution, ſhall be good as to the Leſſee only, for one and twenty years.

§. 10. Leaſe for Life to Termor, good within a year, *&c.* ſo the old Rent be reſerved.

Grant, §. 11. Grants by Copy according to Cuſtom, good, ſo the old Rent be reſerved.

Leaſe, §. 12. Leaſes and Wood-ſales confirmed by the Court of Augmentation, good.

Buyers ſatisfied The Chancellor, *&c.* Officers of the Court of Augmentation ſhall ſatisfie Buyers of Wood by void Contract, what they paid without fraud.

Purchaſers, §. 14 Purchaſers by Licence under the Great Seal, to enjoy their Lands.

Salvo, §. 15. Saving Rights of Strangers and Corodies, and of Founders before the Purchaſe.

Purchaſe confir §. 16. A Confirmation of the Kings Purchaſes, notwithſtanding miſ-recital, or non-recital of Places.

Salvo, §. 17. Saving to Strangers, not Sellers, their Wives or Heirs, all Right.

Patent good, §. 1 The Kings Patents thereof good, notwithſtanding miſ-recital, or not finding Office.

Salvo, §. 20. Saving the Right of others, than that of the Kings, *&c.* and the Governor.

Diſcharged of §. 21. The King and Patentee of Monaſtery, to hold diſcharged of Tithes, *&c.* as the Abbey, *&c.* held.

Salvo, §. 22. Saving the Kings Rents, Duties and Services.

Viſitation, §. 23 All ſhall now be within the Juriſdiction of the Ordinary to viſit, or ſuch as the King appoints.

Sipton **Abbe,** *&c.* The Kings parol Licence to the Duke of *Norfolk* for *Sipton* Abbe, and to the Lord *Cobham* for the Chantry of *Cobham* confirmed.

§. 26. Saving Rights of Strangers.

f Wards, 32 *H.* 20. All their Liberties, Priviledges and Franchiſes revive in the Crown, and put in diſpoſe of the Court of Wards, as fully as Owner had them.

General, §. 2. The Kings General Surveyors to order all Liberties, Priviledges and Franchiſes that came to the King by Attainder.

ts, &c. §. 3. Stewards, Bailiffs and Officers to be attendant to the Kings Courts, as in time of Owners.

judiced, §. 4. Priviledges and Grants by Patent, Parliament, or by Party, not to be prejudiced by this Act.

§. 5. The Chancellor, the Kings Attorny, and the Attorny of that Court, may take Fines, and certifie to *C. B.*

nt, §. 6. The Chancellor or Attorny may take Inrolment of Deeds to the Kings uſe, for any thing there.

d, &c. §. 7. The Steward, *&c.* of the Houſhold to exerciſe Office in any of theſe places during his Reſidence.

§. 8. Not to prejudice Lord, but they to enjoy all Liberties.

r, §. 9. *Furnace* and other Grant to Survey of *Lancaſter*.

hom ordered, Shall be ordered and diſpoſed by Officers and Miniſters there.

c. 22. Biſhop on Oath he cannot levy tenth for the King, ſhall be diſcharged.

or Knights, The Friers or Knights of St. *John* of *Jeruſalem* in *England* and *Ireland*, anciently Knights of *Rhodes*, adhering to the Pope as Supream, are diſſolved, and the Moyns to be called by their Chriſtian Names only.

§. 2. The Friers not to uſe any Signs of Order, or gather Congregations, nor defend Liberties granted by *Rome* on Premunire.

Poſſeſſion, §. 4. The King ſhall be in actual Poſſeſſion of their Lands, Goods, Chattels, Arrears, Debts, *&c.*

s, §. 5. The ſeveral Friers to have reaſonable Penſions for Life.

§. 8. None to enjoy Penſions, but the Kings Subjects.

of Temple, §. 9. The Maſter of the *Temple* of *London*, and two Chaplains, to enjoy their Salaries, *&c.*

rs diſcharged, The Confreers diſcharged of all Obedience to that Order.

ury, §. 12. All Places of Priviledge and Sanctuary to be void.

ntations, §. 13. The Revenues to be in diſpoſe of Court of Augmentations.

§. 14. If Confreers *ouſter le mere* do not return and become ſatisfied, to enjoy no Penſion, *&c.*

§. 15. Not to prejudice Leaſe of Commandery for twenty four years, by Sir *William Weſton* Prior to *Giles Foſter*.

rchaſe, 33 *H.* 8. §. 2. All Religious Perſons tranſlated and tranſported, as well as thoſe diſſolved, enabled to purchaſe on Deraignment.

aſtical Proceſs, 35 *H.* 8. *c.* 19. §. 4. Archbiſhop, *&c.* denied payment of Penſion, Synody, *&c.* lawfully due and poſſeſſed ten years before Diſſolution, to ſue by Eccleſiaſtical Proceſs.

n Law, §. 5. Or at Common Law, if the Difference require it.

ntation, §. 6. Againſt Patentee diſcharged by the Kings Covenant, Suit, ſhall be in the Court of Augmentation, and not elſewhere.

ation, 35 *H.* 8. §. 3. The Kings Grant of Lands without Houſe, under forty ſhillings *per annum*, is to reſerve Tenths and Knights-ſervice, Capite or Burgage-tenure.

§. 4. The like of Houſe without Land.

ts, 37 *H.* 8. *c.* 4. The Founders of Colledges, Free-Chappels, Chantries, Hoſpitals, Fraternities and Brotherhoods, Guilds and Stipendary Prieſts of Perpetuity, having entred, *&c.*

in King, §. 2. All Contributory to Firſt-fruits and Tenths, not already in the King, or Grant by his Licence, ſhall be actually veſted in him as fully as in them, *&c.*

s, &c. **void,** All Contracts, Bargains, Grants, *&c.* to Chantry Prieſt, *&c.* void.

y, §. 4. Bargainer of Lands hereby given, to repay what they received on Sale.

ces good, §. 5. Aſſurances to the King between 4 *Feb.* 27 *H.* 8. and 25 *Dec.* 37 *H.* 8. good.

good, §. 6. All Grants by King or his Licence, to be good againſt all,

r, §. 8. The King may Commiſſion two to enter and ſeiſe into the Kings Hands, and return the Particulars of Inquiry without Office, *&c.* into Chancery.

tations, §. 9. After ſuch Entry, the Lands, *&c.* to be in the Court of Augmentations.

§. 11. All other Claims and Debates to be at Common Law, and not in the Court of Augmentation.

y, &c. **void,** All Recoveries, Fines, Feoffments, *&c.* without the Kings Aſſent, void.

o Strang. §. 13 Saving Strangers Rights, not Founders, *&c.*

void, §. 14. Leaſes above a year before old expired, or of Lands not let in twenty years for the more part, on which the accuſtomed Rent is not reſerved, void.

Not to extend to any Lands whereof Founders, Maſters, Wardens, Chantry Prieſts, *&c.* were ſeized in Fee or Tail, *&c.* by their own Purchaſe, *&c.* **Exception of Lands,** §. 15.

Firſt-fruits and Tenths to be defalked of Lands ſeized by the King, *&c.* **Firſt-fruits,** &c. §. 16.

Charges out of the ſaid Chantry Lands, *&c.* to be enjoyed by Grants before. **Chantry Lands,** &c. §. 17.

Mony paid for Bargain of Wood without Fraud, to be ſatisfied by the Court of Augmentation. **Contract Wood,** §. 18.

Payments of Firſt-fruits and Tenths not expired, to ceaſe of ſuch Lands ſeized. **Firſt-fruits,** §. 19.

Payments in Exchequer to continue as uſual. **Exchequer,** §. 20.

The King notwithſtanding 35 *H.* 8. *cap.* 14. §. 3. may reſerve Tenure of any other Lands under forty ſhillings, as well as of Abbeys, that came by 27 *H.* 8. *cap.* 28. **Reſervation,** *c.* 20. §. 2.

All Colledges, Free Chappels, Chantries *in eſſe* five years before, not except in 37 *H.* 8. *cap.* 4. nor in the Kings Poſſeſſion: All Lands for finding Prieſts for ever, or whereby Prieſt was maintained five years before, and all Rents and Emoluments beſtowed in five years before the Parliament begun, for Stipendary Prieſts, to be in the Kings actual Poſſeſſion. **Veſt in King,** 1 *Ed.* 6. *c.* 14. §. 2.

Lands, *&c.* for finding Prieſts for years, to be in the King for Term to come. §. 3.

He in Remainder may enter when Term is expired. **Entry,** §. 4.

All Lands for Anniverſary, or Obiit, Light, Lamp, *&c.* for ever to be in the King. **Veſt in King,** §. 5.

That part that is employed for Obiit, to be in the King, and he may diſtrain as Rent-charge, and enter for Non-payment, if no Diſtreſs be. §. 6.

The King to have the Mony given, *&c.* to any Corporation for finding Prieſts, Lamp, Obiit, to be paid as Rent-charge. §. 7.

The King may diſtrain in all the Lands of ſuch Corporation, *&c.* **May diſtrain,** §. 8.

The King to be in actual Poſſeſſion of Corporation, Fraternity, *&c.* not excepted. **Veſt in King,** §. 9.

Commiſſioners or two, may ſurvive all Lay Corporations, *&c.* and all Evidences, *&c.* to ſearch. **Commiſſioners to ſurvey,** §. 10.

Commiſſioners to appoint Preacher, Grammar-School, to endow Vicar, to find one Prieſt for a Pariſh, and make Ordinances for them. **Appoint Preachers,** §. 11.

Commiſſioners may enquire and try as they think fit, and aſſign and order for Poor Peoples benefit. **May enquire,** §. 12.

Commiſſioners to be beneficially for Incumbents, Poor, Reparations of Sea-walls, Havens and Creeks. **May allow,** §. 13.

Commiſſioners on forfeit of an hundred pounds, to certifie under two Seals into Court of Augmentation, or otherwiſe of the Uſes appointed. **And certifie,** §. 16.

The King to have all Goods, Chattels, Jewels, *&c.* **Veſt in King,** §. 17.

The Debts of the Colledges, *&c.* to be paid by Treaſurer. **Debts,** §. 18.

Not to extend to Colledge or Hall of Univerſity, nor to *Windſor*, *Wincheſter* nor *Eaton*, nor Chappel of Eaſe, *&c.* **Exception of Colledges,** §. 19.

The King may alter Foundations in Univerſities. **Univerſities,** §. 20.

Saving Strangers Rights. **Salvo to Strang.** §. 21

Patentee, Executors and Adminiſtrators may ſue Aliener of ſuch Lands for Mony. **Patentee,** §. 22.

The Lands of Colledges, Chantries, *&c.* to be in Order of Court of Augmentation. **Augmentation,** §. 23.

Leaſes by Wardens, Miniſters, *&c.* not reſerving old Rent as in twenty years, to be void. **Leaſes,** §. 24.

Not to extend to Lands purchaſed by Governors, *&c.* to their own uſe. **Exception,** §. 25.

Charges iſſuing out of ſuch Lands, to be enjoyed. **Charges,** §. 26.

Governors, *&c.* compounding to Duties, to ceaſe. **Compounding,** §. 27.

Charges to the Exchequer to continue. **Exchequer,** §. 28.

Patents and Alienations by the Kings Licence to ſtand good. **Patents good,** §. 29.

All Gifts, Surrenders, *&c.* to the King to ſtand effectual. **Surrenders,** &c. **good,** §. 30.

Not to make good Alienation by Parſon or Vicar. **Alienation,** §. 32.

Not to prejudice *Cobham* Colledge. Cobham **Colledge,** §. 33.

Not to prejudice Corporation of any City, *&c.* **Corporation,** §. 34.

The Lands in County-Palatine to be in diſpoſe of *Lancaſter*. **County Palatine,** §. 35.

Not to prejudice Earl of *Suſſex* for *Attleborough*. Attleborough, §. 36.

The King by Commiſſion may alter Obiits in any place to better uſe, as Poor, *&c.* **Obiits,** §. 37.

Corporation in Remainder ſhall not enter for not finding Prieſt, *&c.* **Entry,** §. 38.

Copyhold of ſuch Colledge, *&c.* not to be prejudiced. **Copyhold,** §. 39.

The King ſhall not have Copyholders, but Incumbent for his Life, *&c.* §. 40.

Not to prejudice Lands recovered by Title from Chantry Prieſt. **Chantry Prieſt,** §. 41.

Licence, §. 42.	All Patents of *H.*8. and *Ed.*6. to Corporations, *&c.* and Alienations by Licence, confirmed.
Repayment, 2 & 3 *Ed.* 6. *c.* 7.	Penſioners that ſold by other Craft, repaying the Mony, ſhall have them again.
Deraignment, 5 & 6 *Ed.* 6. *c.* 13. §. 3.	Upon 31 *H.* 8. *cap.* 6. Eccleſiaſtical Perſons may claim as Heir whatever diſcended ſince Deraignment, but §. 4. not before.
Durham, 1 *Mar. St.* 3. *c.* 3.	A Repeal of 7 *Ed.* 6. Private Statute whereby Biſhoprick of *Durham* was diſſolved and given to the King, and *Cuthbert Tunſtal* reſtored.
Government of, &c. *c.* 9.	The Queen for Life may make and preſcribe Statutes, as well for the Lands, as government of Churches, *&c.* erected by *H.* 8. or *Ed.* 6.
Veſt in Queen, 1 & 2 *Ph.* & *M. c.* 8. §.37.	The Queen, *&c.* to enjoy all Lands, Scites, *&c.*
Aſſurances affirmed, §. 39.	All Aſſurances to King *H.* 8. or *Ed.* 6. affirmed.
§. 40.	All Aſſurances from *H.* 8. or *Ed.* 6. to others confirmed.
Warwick, **&c.** 13 *Eliz. c.* 17.	*Robert* Earl of *Leiceſter*, to found Hoſpital for Poor, *&c.* in *Warwick*, &c.
Veſted Grants good, 35 *El. c.* 3. §. 2.	Lands come ſince 27 *H.* 8. adjudged in actual Seiſin, and the Kings grants good againſt all defects.
Patents good, §. 3.	Patents of Foundation of Dean and Chapter, and Colledges, *&c.* good againſt defects.
Salvo to Strang §. 4.	Saving Rights of Strangers, not Founders, *&c.*
Erect Hoſpital, &c. 39 *Eliz. c.* 5.	Any may erect Hoſpital, *Meaſon de Dieu*, and Houſes of Correction.
21 years old Rent, §.2.	Their Grants and Leaſes to be in poſſeſſion not above one and twenty years, and old Rent.
100 l. per annum, §. 4.	None under an hundred pounds *per annum* to be erected.
Not to alter, §. 5.	Such Corporation to have no power to alter or transfer Poſſeſſion.
Charitable uſe, 43 *Eliz. c.* 4.	Commiſſion to four, to enquire by Oath of twelve, of Charital Uſes.
Univerſity Cath. §. 2.	None to extend to Univerſities or Cathedrals.
Viſitations, §. 3.	Not to extend to City, Corporation nor Colledge, School, *&c.* of particular Viſitors.
Northleech, 4 *Jac. c.* 7. §. 2.	Incorporation of Grammar-School of *Northleech* in *Glouceſter*, deviſe by *Hugh Weſtwood.*
Chelſey **Colledge**, 7 *Jac. c.* 9.	The Foundation of the Provoſt, *&c.* of *Chelſey*-Colledge by King *James*, for Defence of Religion.
29 *Eliz.* 21 *Jac. c.* 1.	Makes 39 *Eliz. cap.* 5. perpetual.
Hoſpitals, &c. §. 3.	The Hoſpitals, *Meaſon de Dieu*, &c. built ſince, be incorporated, as if built before expiration.
Leaſes, &c. 12 *Car.* 2. *c.* 31.	Leaſes and Grants from Colledges and Hoſpitals, confirmed.

Abettors, ſee *Acceſſory*.

Ability.

Capacity, Non-ability, Diſability.

Liberties granted, 9 *H.* 3. *c.* 1. *Mag. Charta.*	The King for him and his Heirs grants to all the Free-men of the Realm, the Liberties underwritten, in Fee.
Fifteenth, *c.* 37.	The Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders and others, gave a fifteenth of all their Moveables, for the Kings grant of Liberties.
Kenelworth, 51 *H.* 3. *c.* 18.	An Award between the King, Noble-men and Commons at *Kenelworth.*
Succeſſor has Treſpaſs, 52 *H.*3. *c.* 28.	Succeſſor of Abbot or other Prelate, ſhall have Treſpaſs begun by Predeceſſor, and of late violent taking of Goods of the Church in time of Predeceſſor, and of Entry in time of Vacation.
Bail utlaw, &c. 3 *Ed.*1. *c.* 15. *W.* 1.	Sheriff nor other, on Common Writ nor without Writ, cannot Bail Perſons Utlaw, Abjure, Excommunicate, Falſifiers of Mony, or the Great Seal, or that do Treaſon againſt the King himſelf, but for Pety Larceny not above twelve pence.
Women Ward, *c.* 22.	Women in Ward not married in two years after fourteen, may ſue for Inheritance clear.
Entry ſur **Diſſeizin**, *c.* 47.	Heir or Prelate, Succeſſor or Diſſeizee, to whom Lands cannot diſcend, ſhall have Entry *ſur* Diſſeiſin againſt Heir of Diſſeizor of what Age ſoever.
Clergy, 4 *Ed.* 1. *c.* 5. *De bigamis.*	*Bigamus* before or ſince the Council of *Lyons*, ſhall not have Clergy.
Juror, 13 *Ed.* 1. *c.* 38. *W.* 2.	Juror in the Shire ſhall be able to expend twenty ſhillings yearly, out of the Shire forty ſhillings.
Jews, 13 *Ed.* 1. *p.* 35. *Acton Burnel.*	Jews ſhall not make Recognizance of Debts.
Juror, 13 *Ed.*1. *p.* 58.	Jurors in County ſhall have forty ſhillings out of five pounds, but before Juſtices Errant, and in Cities as accuſtomed.
27 *Ed.* 1. *c.* 4. *De fine Levat.*	Jurors in the County left to Juſtices diſcretion, and Inqueſts to be there, unleſs of great Examination.
Knights, 1 *Ed.*2. *p.*75.	Perſons not having twenty pounds beſides Debts inſtalled in Exchequer, ſhall not be diſtrained to be Knights.
Eccleſiaſtical Judge, 9 *Ed.* 2. *c.* 13.	The Examination of Preſentee to Benefice belongs to the Eccleſiaſtical Judges.
Officer diſabled, 12 *Ed.* 2. *c.* 6. *York.*	Officers in City or Borough ſhall not Merchandize for Wine or Victual in Groſs, or by Retail, while in Office.

Sheriffs, Bailiffs, Eſcheators, *&c.* ſhall have Lands ſufficient within the County to anſwer the King and his People, as 9 *Ed.* 2. *p.* 79. at *Lincoln.* ſo 5 *Ed.* 3. *cap.* 4.	**Sheriff, Bail** 4 *Ed.* 3. *c.* 9.
Coroner ſhall have ſufficient Land in Fee.	**Coroner**, 14 *E*
Clerk of Recognizances ſhall have ſufficient within the County.	**Clerk of Reco**
The Kings Children born any where beyond Sea, ſhall take Inheritance, and others whoſe Fathers and Mothers that went beyond Sea by Licence, were of the Kings Allegiance when born.	**Allegiance**, 25 113.
Eſcheator ſhall be ſufficient, and exerciſe Office in perſon.	**Eſcheator**, 42
In *London* or other Town, Victualler ſhall not exerciſe any Judicial Office while ſuch, if there be ſufficient beſides.	**Victualler**, 6
No Man of Law ſhall be Juſtice of Aſſize or Goal-delivery in his own County.	**Juſtice of Aſſ** *c.* 2.
Shoo-maker ſhall not be a Tanner, nor *contra.*	**Shoo-maker**, 13 *R.* 2. *c.* 1
None ſhall hunt or keep Greyhounds, *&c.* unleſs Lay-man have forty ſhillings *per annum*, and Clerks ten pound *per annum.*	**Greyhounds**, &
None may put his Child Apprentice, unleſs he have twenty ſhillings Land, but to School he may.	**Apprentice**, 7
None that holds a Common Hoſtery ſhall be Cuſtomer, Controller, Finder or Searcher.	**Hoſteller**, 11 *H*
Electors and Knights of Parliament muſt be reſident in the County, and Citizens and Burgeſſes reſiant, dwelling, and free in the ſame, *&c.*	**Parliament**, 1
Sheriff, Bailiff one year, ſhall be in no ſuch Office three years after, and they and Under-Sheriffs Clerk, nor Receiver, ſhall not while ſuch be Attornies.	**Officers Att**
Juror in Plea above forty Marks, may be challenged for want of forty ſhillings a year above Charges.	**Juror**, 2 *H.* 5.
Of Inferior Clerks and Miniſters, is at peril of the chief Officer of the Court.	**Superior Inf** 2 *H.* 6. *c.* 10.
He that cannot expend 40 s. *per annum* ſhall not be choſen Knight of Parliament.	**Parliament**, 8 §. 2.
Londoners may take Apprentices that have nothing, notwithſtanding 7 *H.* 4. *cap.* 17.	**Apprentice**, *c.*
Inhabitants of *Tewksbury* enabled to ſue the Foreſt of Dean, and other Hundreds, on Stat. *Wincheſter*, for Robbery on the *Severn*	Tewksbury, *c.*
Alien of Enqueſt *De medietate Linguæ*, ſhall not be challenged for want of forty ſhillings Freehold.	**Medietate L** *c.* 29.
Elector of Knight of Parliament muſt have forty ſhillings *per annum* Freehold at leaſt.	**Parliament**, 1 *c.* 2.
They that live at the Stews in *Southwark*, ſhall not be Jurors, nor keep Inns nor Taverns elſewhere.	**Jurors**, 11 *H.*
Jurors in Attaint ſhall have twenty pounds *per annum* in the County, not in City, nor of Gavelkind.	15 *H.* 6. *c.* 5.
Jurors of twenty pound *per annum* Gavelkind is ſufficient in Attaint notwithſtanding 15 *H.* 6. *cap.* 5.	18 *H.* 6. *c.* 2.
Collector of Diſme or Quinzime appointed by Citizens and Burgeſſes for the Town, ſhall not be for the County unleſs of five pounds *per annum ultra repriz.*	**Collector of D**
Juſtices of Peace ſhall have twenty pounds *per annum*, and ſigning Warrant without, forfeits twenty pounds.	**Juſtice of P**
In Cities or Boroughs, *&c.* or where they are Men of Law, or there are not ſufficient beſides, they may be of leſs.	§. 2.
No Yeoman ſhall be Knight of Parliament, but notable Eſquire or Gentleman.	**Parliament**, 2 *c.* 15. §. 3.
None on payment of forty pounds to be Eſcheator, unleſs of twenty pounds *per annum* for life, he to anſwer for Deputy.	**Eſcheator**, 12
He that keeps Mark of Swans, to have five Marks a year at leaſt.	**Swans**, 22 *E*
No Juror in Turn, but of twenty ſhillings *per annum* Free, or twenty ſix ſhillings nine pence Copy.	**Juror**, 1 *R.* 3.
Worſted Weavers of *Norwich* may take Apprentice of any value.	**Apprentice**, 12
None ſhall ſhoot in a Croſs-bow but a Lord, or that have two hundred Marks Land.	**Croſs-bow**, 19
Shoo-maker ſhall not be a Currier, nor *contra.*	**Shoo-maker**,
Eſcheator to have forty Marks yearly, on forfeit of twenty pounds, and they who have not ſufficient in uſe, nor poſſeſſion, may refuſe.	**Eſcheator**, 1 *H*
When Victualler is Chief Officer of Town, two ſworn Aſſiſtants ſhall ſet Price, and then he may ſell by Retail.	**Victualler**, 3
He that hath one hundred pounds *per annum*, may ſhoot in Croſs-bow or Hand-gun, notwithſtanding 6 *H.* 8. *cap.* 13.	**Croſs-bow, Ha** 14 & 15 *H.* 8.

The

lerks, c. 8. The ſix Clerks may Marry as well as the Curſitors, and other Clerks in Chancery.

, &c. 21 H. 8. §. 5. N. 1. Parſon, Vicar, &c. may take Goods deviſed to the Church or High-Altar.

n, c. 13. §. 25. None to promote more then two Chaplains to Benefice with Cure.

r, 22 H. 8. c. 6. Butcher that keeps a Tan-houſe, forfeits ſix ſhillings eight pence a day.

23 H. 8. c. 3. §. 2. Of Jurors in Attaint above forty pounds, is twenty marks under five marks.

Cap. 13. Tryal in Corporation may be by any that have forty pound Goods.

n, 31 H. 8. c. 6. All Religious Perſons may purchaſe, ſue or take *de Cætero*, as if never profeſs.

Marriage, §. 2. Prieſts above twenty one, ſhall not be enabled to marry.

32 H. 8. c. 40. §. 3. Phyſician may practiſe Chyrurgery.

c. 42. §. 3. No Barber to be a Surgeon, nor *contra*.

c. 44. The Vicar of *Royſton*, five Pariſhes made one of St. *John Baptiſt*, to be able to purchaſe, ſue, &c.

w, &c. 33 H. 8. None that hath not one hundred pounds *per annum* to ſhoot in Croſs-bow, Hand-gun, Hagbuet or Demy-hawk.

of Aſſize, c. 24. A Confirmation of 8 *R.* 2. *cap.* 2. and of 13 *H.* 4. *cap.* 2. That Men of Law be not Juſtices in their own Country.

Aſſize, §. 6. Clerk of Aſſize not to be Counſel during Seſſions.

r, c. 29. §. 2. All that were of Religious Houſes Tranſlate and Tranſport, as well as of thoſe that were diſſolved, ſhall be enabled to purchaſe by 31 *H.* 3. *cap.* 6.

Law, 37 H. 8. §. 4. Doctors of Civil Law, Lay or Married, may by the Kings appointment, or by Archbiſhop, Biſhop, &c. be Chancellor, Vicar-General, Commiſſary, Official, Scribe or Regiſter.

e, 5 & 6 Ed. 6. None to weave Broad-cloth under ſeven years Apprentice.

ment, c. 13. §. 3. Eccleſiaſtical Perſons may claim as Heir to any Anceſtor, on diſcent of Lands ſince Deraignment, upon 13 *H.* 8. *cap.* 6. but §. 4. not before.

1 Mar. St. 2. c. 8. Sheriffs during that time, ſhall not be Juſtices of Peace, notwithſtanding 1 *Ed.* 6. *cap.* §. 4.

cy, 1 Eliz. c. 1. Refuſers of the Oath of Supremacy adjudged diſabled.

ion, 5 Eliz. c. 9. Suborner of Perjury is for ever diſabled to be Witneſs.

13 Eliz. c. 12. Parſon to be *ipſo facto* deprived, by not reading the Articles.

es, 1 Jac. c. 4. Child ſent beyond Sea to Popiſh Education, diſabled to take Lands or Goods, &c. Truſt for him void.

§. 9. None to keep School out of the Univerſities, &c. but by Licence.

, &c. Grant of Tonnage and Poundage by Commons to the King.

, c. 33. §. 2. Popiſh Recuſants not to exerciſe Publick Office.

5. §. 9, 10. Married Women, Convict Recuſants, diſabled to be Executor.

§. 18. While Recuſant Convict, cannot preſent to Benefice.

§. 22. Recuſant Convict no Adminiſtrator nor Executor, nor Guardian.

upremacy, &c. 2. Oath of Allegiance and Supremacy and the Sacrament to be taken before Naturalizing, or reſtore in Blood on Attainder.

Car. 2. c. 18. Alien, nor born out of the Kings Allegiance, not to be Merchant nor Factor.

5 Car. 2. c. 11. Farmer of Exciſe ſhall not be Commiſſioner, nor *contra*.

Supremacy, Car. 2. c. 2. All Officers and Employments not taking Oaths of Allegiance and Supremacy, and declaring againſt Tranſubſtantiation diſabled.

cap. 6. Naturalizeth only ſuch as take the Sacrament, &c. as 25 *Car. cap.* 2.

Abjuration, ſee *Oath and Exile.*

Abridgment, ſee *Aſſize.*

Acceſſory.

Coron, Abettors.

Ed. 1. c. 14. In Appeal ſhall not be outlawed till Principal be attainted.

3 Ed. 1. c. 12. On falſe Appeal, Abettors, if Appellor be not able, ſhall be impriſoned a year, and pay damage.

ere, 2 & 3 §. 4. Shall be tried where Acceſſory, where-ever Principal Fact be.

& 5 Ph. & M. In Pety Treaſon, Murther, Robbery, &c. to loſe Clergy.

breaking -houſe, &c. ories there- Burglary, W. & M. c. 9. Robbing Perſon, or taking away Goods in Dwelling-houſe, any therein put in Fear, Robbing Dwelling-Houſe in day-time, any therein and Acceſſories thereto, or to breaking Dwelling-houſe, &c. and taking away Goods value 5 *s.* although no Perſon therein; and Acceſſories to Burglary, convict, &c. ſtanding mute, not directly anſwering, or challenging above 20, ouſted of Clergy.

Buyers and Receivers of ſtollen Goods (knowing them to be ſuch) Acceſſories after the Fact. **Buying, &c. ſtollen Goods,** §. 5.

6 & 7 *W.* 3. *cap.* 9. 14. makes perpetual 3 & 4 *W.* & *M. cap.* 9.

Action ſur Caſe.

Shall be granted rather then any ſhall depart the Kings Courts without remedy. **Caſe granted,** 13 *Ed.* 1. *c.* 50. *W.* 2.

Lieth for ſuing in the Admiralty, where remedy at Common Law. **For ſuit in Admiralty,** 2 *H.* 4. *c.* 11.

Lieth on Acquittal by Verdict againſt Procurer of Indictment in a Foreign County, and treble Damages. **On acquittal,** 8 *H.* 6. *c.* 10.

The ſame Proceſs therein, as in Treſpaſs or Debt. **Proceſs,** 19 *H.* 7. *c.* 9.

Againſt the Ordinary for Citation out of Dioceſe. **On Citation,** 23 *H.* 3. *c.* 9. §. 3. *n.* 6.

Actions and Proceedings pending 11 *Dec.* 1688. revived and continued. **Proceedings in** 1688. **revived,** 1 *W.* & *M. ſeſſ.* 1. *c.* 4.

Matters during late *inter-regnum* actionable, and Actions, &c. to have year of our Lord inſtead of the year of the King, &c. **Matters in** inter-regnum, §. 10.

Indempnity for the things done for the Service of their Majeſties or Government, and Defendant may plead General Iſſue, &c. **Indempnity,** *Seſſ.* 2. *c.* 8, 2 *W.* & *M. ſeſſ.* 2. *c.* 13. 4 & 5 *W.* & *M. c.* 19.

Indempnity of Sir *T. C.* for diſcovering to whom he diſtributed Mony received from *Eaſt-India* Company. **Sir** T. Cook, 6 & 7 *W.* 3. *c.* 15.

Action ſur Statute.

Action Popular, Informat. Penal Laws.

Writs ſhall be freely granted againſt them that do offend againſt Articles of the Great Charter, or *Charta de Foreſta* before the King, the Juſtices of the Bench, or in Eyre. **Magna Charta,** 25 *H.* 3. *c.* 5. *Marlb.*

Champertor ſhall have three years Impriſonment, fined at the Kings will, and be attacht by Writ of Conſpiracy on the Statute. **Champerty,** 33 *Ed.* 1. *p.* 69.

The Informer ſhall have a third part of Forfeiture, as the Kings Gift, of ſuch as in the City or Borough Merchandize for Wine or Victual, during their Office. **Informer,** 12 *Ed.* 2. *c.* 6. *York.*

He that will ſue for the King againſt Merchant, for double value of Sale after Fair ended, ſhall have a fourth part. 5 *Ed.* 3. *c.* 5.

A Fourth given to the Informer of falſe Mony. **Colluſion averred,** 9 *Ed.* 3. *St.* 2. *c.* 5.

Plaintiff may aver Colluſion in Recovery, or Bar in another Action Popular, unleſs after Action tryed. 4 *H.* 7. *c.* 20.

Muſt be by the King in three years, by others in one after the Offence. **Limitation,** 1 *H.* 8. *c.* 4.

Againſt Pety Jury on Attaint after *Teſte* of Writ is continued, *uſque* 23 *H.* 8. **Attaint,** 23 *H.* 8. *c.* 3. §. 9.

For ſuing in Stanneries Court for Proceſs againſt any three on this Statute, and treble damages, not making Tyes to waſh Tyn. **Suit in Stanneries,** *c.* 8. §. 2.

On 5 *Rich.* 2. *cap.* 7. Proceſs of Utlawry, to lie as in Common Treſpaſs. **Utlary,** *c.* 14.

For Maintenance, Champerty, &c. muſt be within a year after the Offence. **Maintenance,** &c. 32 *H.* 8. *c.* 9. §. 6.

Information upon Penal Statute to be in perſon, not by Deputy, with Day, Month and Year, not to have Retroſpect Proceſs to be in the name of Information, on forfeit of forty ſhillings. **Information on Penal Stat.** 18 *Eliz. c.* 5.

No Jury to come above thirty miles from *Weſtminſter*, unleſs at Bar for Cauſe. **Juror,** §. 2.

No Compoſition but by conſent of the Court, Informer to pay Coſts and Damages. **Compoſition,** §. 3.

Offending in Proceſs or Compoſition, to ſtand in Pillory, be diſabled, and forfeit ten pounds. §. 4.

Parties grieved may proſecute for Champerty, &c. as before. **Champerty,** §. 5.

Not to prejudice ſuch as remedy on any Statute is ſpecially aſſigned to. §. 6.

Not to extend to Officers that inform *Ex Officio.* **Informer** ex officio, §. 7.

A Continuance of 18 *Eliz. cap.* 5. for ever. 18 *El. c.* 5. 27 *El. c.* 10.

Attorny may be made for appearance on all Penal Laws, where Bail may be at Return of the firſt Proceſs. **Attorny may appear,** 29 *El. c.* 5. §. 21.

All Statutes againſt Informers to be executed, and none but party grieved to proſecute. **Informer,** 31 *El. c.* 5.

Offence to be laid where in truth it was done, and Defendant may traverſe. **Viſne,** §. 2.

Not to prejudice Officers, but they to inform *Ex Officio*, as before. **Ex officio,** §. 3.

Offence againſt 1 *Eliz. cap.* 11. and 1 *Eliz. cap.* 20. Or for Maintenance, Champerty, buying Tythes, Extortion, Uſury or Foreſtalling, where Forfeit is twenty pounds, to be in any County. §. 4.

Where Forfeit is to the Queen, Suit muſt be in **Limitation,** §. 5.

	two years, where to Queen and Proſecutor, muſt be in one year.
Repeal, §. 6.	Where Statute limits ſhorter time, to be in leſs, *&c.*
§. 7.	A Repeal of 7 *H.* 8. *cap.* 3. And that Information againſt Statute of Gunning or Bowes to be at Seſſions of Peace, or Aſſizes or Leet, *&c.*
Attorny, *c.* 10. §. 20.	That 29 *Eliz. cap.* 5. ſhall extend only to Subjects and free Denizens, and no others to make Attorny on Penal Laws.
Viſne, 21 *Jac. c.* 4.	Information to be in the County where Offence was committed.
§. 2.	Offence ſhall be alledged in County where committed, and ſo proved in Evidence.
§. 3.	No Officer to file Declaration, till Relator take Oath before Judge, that Offence was only where laid.
General Iſſue, Evidence, §. 4.	On general Iſſue to give any Evidence to diſchage Information.
Reſtriction, §. 5.	Not to extend to Penal Laws againſt Papiſts Champerty, 1 *Jac.* 33. of Tonnage, nor defrauding the King of Cuſtoms.
Sci. Fac. *c.* 14.	No *Scire fac.* where Title is pleaded ; Special lieth for the King, if Intruſion doth.
Sunday Robbery, 29 *Car.* 2. *c.* 7. §. 5. *n.* 1.	Lieth againſt Hundred for the King upon Robbery on a Sunday, but Party is remedileſs.
Proceedings in 1688. **revived**, 1 *W.* & *M. Seſſ.* 1. *c.* 4.	Actions, Informations, *&c.* and Proceedings thereon pending 11 *Dec.* 1688. revived and continued.
Matters in Interregnum, §. 10.	Matters during late *Interregnum* actionable, and in Actions and Informations to be the year of our Lord inſtead of the year of the King, and to conclude *Contra Pacem Regni*, &c.
Suing for penalties incurred in Interregnum, 1 *W.* & *M. Seſſ.* 1. *c.* 24.	Informer may ſue for Penalties, *&c.* concerning Cuſtom, Exciſe, tranſporting Wool, importing or exporting prohibited Goods incurred between 11 *Dec.* and 13 *Feb.* 1688.
Indempnity, 1 *W.* & *M. Seſſ.* 2. *c.* 8. 2 *W.* & *M. Seſſ.* 2. *c.* 13.	Indempnity for things done for bringing in their Majeſties, or for Service of Government.
Exhibiting Information, &c. 4 & 5 *W.* & *M. c.* 18.	No Information to be exhibited, *&c.* or Proceſs iſſued without Order of Court, or Recognizance to proſecute, *&c.* The Recognizance to be recorded, and a *Memorandum* filed in Crown Office, and if no Tryal within a year after Iſſue joyned, or a Verdict paſs for Defendant, or a *Noli proſequi* entred, Defendant to have Coſts unleſs reaſonable Cauſe certified, and for non-payment benefit of Recognizance.
To what extends, §. 6.	Extends only to Informations in Maſter of Crown Office's Name.
Pleas to Information on demiſe of King or Queen, §. 7.	Pleas to Informations in Kings Bench to ſtand good upon King or Queens Demiſe unleſs Repleader requeſted within five months.
Indempnity, 4 & 5 *W.* & *M. c.* 19.	Indempnity of perſons acting in their Majeſties Service, and for the defence of the Kingdom in 1692. and Defendant may plead General Iſſue, *&c.*

Account.

By Guard. in Soccage, 52 *H.* 3. *c.* 17. *Marlb.*	Shall be rendred to Infant at lawful Age, by Guardian in Soccage, of the Iſſues and Profits of the Land.
Againſt Bailiff, *c.* 23.	Bailiffs that withdraw, ſhall be attached to account to their Lords.
Eſcape on account, 13 *Ed.* 1. *c.* 11. *W.* 2.	Debt lyeth on Eſcape of *B.* commit for Arrears before Auditor.
By Executors, *c.* 23.	Lieth by Executors, and the ſame Proceſs as Teſtator had.
Publick Accounts, 2 *W.* & *M. Seſſ.* 2. *c.* 11. §. 2.	Commiſſioners appointed to examine publick Accounts from *Nov.* 1688. till *Jan.* 1691. with direction of what Monies and things to take account.
Orders obſerved, §. 3.	Orders of Commiſſioners to be obſerved by Officers of Exchequer, Army, Navy and others.
Authority of Commiſſioners, §. 4.	Commiſſioners where to ſit, may ſend for Perſons, Books, *&c.* give an Oath, and Officers to obey Orders ; and Commiſſioners to employ ſworn Clerks and Officers, and appoint them Sallaries.
Taking Oath, §. 5.	Commiſſioners to take an Oath before acting, and before whom.
Sallaries & Charges, Account of Proceedings, §. 6.	Sallaries and other Charges to be paid out of the Treaſury and Commiſſioners accountable for their Proceedings.
Accomptants to their Majeſties, §. 7.	Accomptants to their Majeſties to make their Accounts as uſual.
Continuance §. 8.	This Act as to Powers of taking Accounts to endure for one year.
Sallary to Commiſſioners, §. 9.	Commiſſioners to be paid 500 *l.* apiece quarterly.
Repairing Fleet in *Jac.* 2. §. 10.	Account to be taken of Mony paid in King *James* the Seconds Reign for repairing the Fleet.
Privy purſe, Secret ſervice, §. 11.	Account not to be demanded of Mony paid or to be paid to their Majeſties Privy Purſe, or expended for ſecret Service.
Members of Parliament, §. 12.	Account to be taken of Monies paid or payable to Members of Parliament.

Revivor of 2 *W. & M. Seſſ.* 2. *cap.* 11. to continue till the 25 *Apr.* 1693.	2 *W.* & *M. Seſſ.* 2 3 & 4 *W.* & *M.*
Commiſſioners appointed to examine publick Accounts, and Reviver of 2 *W. & M. Seſſ.* 2. *Cap.* 11. till 25 *Apr.* 1694. and Accounts to be taken of all Monies due to their Majeſties till 25 *Apr.* 1694. not accompted for.	**Publick Acco** 4 & 5 *W.* & *M.*
Accounts of Mony due to every Regiment ſhall be ſtated between Pay-maſter and Colonel in *July* 1693. and ſucceſſively when four Months due.	**Stating of** **due to Regi** *c.* 13. §. 31.
Commiſſioners appointed for taking publick Account, and Reviver of 2 *W.* & *M. Seſſ.* 2. *Cap.* 11. and 4 & 5 *W.* & *M. cap.* 11. till 25 *Apr.* 1695. And Accounts to be taken of all Mony payable to their Majeſties till 25 *Apr.* 1695. not accounted for.	**Publick Acco** 5 & 6 *W.* & *M.*
Commiſſioners to adjuſt the Debt due for the tranſport Ships for *Ireland*, and State an Account againſt next Seſſion.	**Debt to tran** **Ships**, §.
All concerned about Revenue to account for Profit of Bank Bills, and pay the ſame into the Exchequer on Penalty of 500 *l.*	**Intereſt of** **Bills**, 6 & *c.* 3. §. 88.
Commiſſioners appointed to examine publick Accounts, and Reviver of 2 *W.* & *M. Seſſ.* 2. *Cap.* 11. 4 & 5 *W.* & *M. cap.* 11. 5 & 6 *W.* & *M. cap.* 23. and of what things Account ſhall be taken.	**Publick Acco** *c.* 9. §. 2.
Commiſſioners to be ſworn before they act, and before whom. The Oath.	**Commiſſioner** **ing**, §. 3.

Accountant.

Acquittance, Debt al Roy, Prerog. Charge, Auditor, Receiver, Exchequer, Priviledge, Collector.

His Lands or Rents ſhall not be ſeized, while Goods ſuffice to pay.	**Seizure**, 9 H *Magna Chart.*
Pledge ſhall not be diſtrained, but in default of Debtor, and then ſhall recover over againſt Debtor.	**Pledge**, *Ibid.*
Bailiff in View and Teſtimony of lawful Men, may after death of the Kings Debtor, ſhewing Patent of Summons, attach and inroll Goods and Chattels, ſo that they be not taken away till the Debt paid.	**King Debtors** *c.* 18.
Plow-Beaſts ſhall not be diſtrained for the Kings Debt, but until other Chattels are found. Owner may feed them freely in pound : Diſtreſs ſhall not be ſold in fifteen days : Sheriffs confeſſion of Receit is diſcharged, and he puniſhed, if levied, and not confeſſed.	**Diſtreſs**, 51 H *Diſtrictio Scac*
Shall be made by Sheriff, Bailiff,, *&c.* at *Profer* of Exchequer, Munday after St. *Michael*, and Munday after *Eaſter*, and all Fines, Iſſues and Rents then paid, and Bailiffs of Franchiſes at the ſame time.	**Time of pay** 51 *H.* 3. *p.* 11. *car.*
The Sheriffs ſhall keep Wards and Eſcheats out of Franchiſe, and account for them.	**Wards, Eſche**
Collectors of Cuſtom of Wools ſhall then account, and anſwer for every Ships quantity.	**Wool**, §. 6.
Warden of the Kings Wardrobe Accounts yearly at St. *Margaret*, and all Pleas ceaſe, but for the Kings Debt, and while one Sheriff accounts, no other to intervene.	**Wardrobe** §. 7.
Reſpondeat ſuperior, whether for Life *Hac vice*, or in Fee, or whether ſworn or not.	**Reſpondeat** §. 8.
Shall be impriſoned a year and forty days, on concealing what they ought to charge themſelves with, or making ill Allowances, repay the Allowance.	**Concealing**,
Their Eſtreats are delivered into Exchequer at *Michaelmas* yearly, and Proceſs thence into every Shire, but in Eyre when it ends.	**Eſtreat, Eyr**
Sheriff and their Heirs ſhall anſwer the King thrice the value received, if no Diſcharge be given to Party, nor Tally made in Exchequer, if Payment be proved by the Debtor.	**Sheriff, Fo** 3 *Ed.* 1. *c.* 1
Such as take part of the Kings Debtors, to make payment thereof, ſhall pay double, and be puniſhed at the Kings pleaſure.	*Cap.* 3
Amerciaments in *London* ſhall be yearly by two Barons, and delivered into the Exchequer to the Kings uſe.	London, 6 E Glouc.
Rolls of each Shire ſhall be diſtinct of Farms, and Profits of Allowances to Sheriffs, and good Debts.	**Good Debts**, *p.* 34. §. 1
A Roll called *Comitatus*, to be read yearly of deſperate Debts.	**Deſperate**, §
On Proclamation to bring in Tallies, Sheriffs ſhall give Receit mentioning the occaſion of the Debt.	**Proclamation**,
Inqueſt ſhall be of Sheriffs, their Heirs and Tenants, what Tallies, what Debts and Tranſcript given to Sheriff to examine what is paid.	**Inqueſt of D** §. 8.
A Roll of Debtors returned *Nihil*, ſhall be in Exchequer enquired of.	**Nihils**, §
Shall be committed on Arrear found before Auditors, whether Servant, Bailiff or Chamberlain, and Debt on Eſcape lieth, and if Gaoler be not ſufficient	**Commitment**, *c.* 11. *W.*

	ſufficient, *Reſpondeat Superior* that committeth the Gaol to him.
n and Clerk, *Ed.* 1. *c.* 2. *De fine* *at.*	Once a year a Baron and a Clerk ſhall go throughout *England*, to ſee all Debts demanded by Green Wax paid, all Tallies of Sheriffs, and inrol them.
rmining, 27 *E.* 1. §.4 *De libert. per-* *rand.*	Such as purchaſe attermining of Debts, ſhall be ſent into the Exchequer
reſs, 28 *Ed.* 1. *c.*12. *ti. ſuper Chart.*	Diſtreſs for the Kings Debt ſhall not be of Beaſts of Plow, in any other, nor driven too far, and on Surety to pay by the day given to the Sheriff, to be releaſed.
ſtated, 1 *Ed.*3.*c.*4.	The Kings Debts ſhall be ſtated accordant to the Debtors Eſtate.
n, 14 *Ed.* 3. *c.* 3.	The King pardons divers Debts, Accounts and Arrears to 10 *E.* 3.
nt, 18 *Ed.*3.*p.*109.	Receivers of the Kings Wool, or Mony that is detained, is put in Exigent.
tor, 25 *Ed.* 3. *Stat.* 19.	Shall not be protected againſt any Creditor that will undertake to pay the Kings Debt.
ator, 28 *Ed.*3. *c.*4.	Eſcheator ſhall anſwer caſual Profits according to the old courſe of Exchequer, but Rent-ſervice and Seck due after Livery, goeth to him that uſed it.
ls of Felons, *H.* 3. *c.* 3.	Charge by Eſtreats of Chattels of Felons or Fugitives, may alledge that another is chargeable.
t totted, 42 *E.* 3.	Upon Receits, the Eſtreats ſhall be totted, and ſent to Sheriff, and Sheriff ſhall anſwer it, if Party be doubly charged, treble Damages and Fine, and to account by Eſtreats ſo totted and Bailiffs of Franchiſes to have Copies.
allowed, 1 *R.* 2.	After Tally allowed, the Clerk that makes new Proceſs for the ſame Debt, ſhall loſe his Office, and be impriſoned till Party ſatisfied.
er, *c.* 12.	Priſoner confeſſing Debt to the King, no diſcharging, nor ſufficient to remove him to the *Fleet*.
rge, 5 *R.* 2. *c.* 9.	Any by himſelf, or other, may plead, ſue or have reaſonable Diſcharge in the Exchequer, without ſuing any Writ or other Command.
izances, 13 *R.*2.	Obligations or Recognizances of double taken of Debtor in the Exchequer void.
ffs Iſſues, 1 *H.*4.	Sheriffs ſhall anſwer the Iſſues of County without Extortion, but not be made to anſwer the ancient Ferm.
6 *H.* 4. *c.* 3.	After made in Exchequer by Sheriffs, Eſcheator, Aulnegers, Cuſtomers, Controllers, Commiſſion ſhall be ſent into the Counties, to inquire of Profits received, and Frauds, *&c.*
ties, 7 *H.* 4. *c.*16.	Annuities granted by the King, or his Anceſtors of elder date, ſhall be firſt ſatisfied.
nce, 4 *H.* 5. *c.* 2.	Sheriffs ſhall be allowed things caſual, as Eſtreats not in Ferm, upon Oath, but not Ferms certain.
ors Compani= 9 *H.* 5. *St.*2. *c.*10.	One Collector charged for his Companions Diſmes, ſhall have Debt againſt them.
in Exchequer, 3. *c.* 14.	Shall not be charged with Actions in Exchequer, being Collector of Diſmes of the Clergy, but may in other Courts.
1 *H.* 8. *c.* 3.	Acquittances by *Heron* Receiver-General, a good Diſcharge againſt the King, and *Heron* liable to others Intereſts in the Receits.
24 *H.* 8. *c.* 8.	Plaintiff where Obligation is to uſe of the King, and on Contracts to his uſe, ſhall not pay Coſts being only nominal Truſtees.
s, 26 *H.* 8. *c.* 3. *n.* 1.	Archbiſhop, *&c.* ſhall pay no Fee in Exchequer for *Quietus* of collecting Firſt-fruits.
uſe, 27 *H.* 8. §. 17.	Recognizance to the Kings uſe, taken on Recovery to uſes, void.
ent, uſe, 32 *H.*8. §. 6.	Deeds inrolled in the Courts of Augmentations, may be to the Kings uſe.
Tenth, *c.* 22.	Biſhop taknig Oath he cannot deliver Tenth for the King ſhall be diſcharged in Exchequer.
nce, §. 7.	On Certificate, if Chantry Benefice, *&c.* be proved to be omitted, the Biſhop to be allowed the Charge.
Collectors, §. 3.	The Biſhop of *Norwich*, and in Vacation, Dean and Chapter, ſhall be Collectors of the Diſmes granted to the King, *&c.*
33 *H.*8. *c.* 39.	The erection of a Court of Record of Survey of the Kings Lands, *&c.*
ions, §. 2.	All Obligations to be *Domino Regi ſolvend. eidem Domino Regi Hæred. vel Executor. ſuis* to be as a Statute Staple.
§. 3.	Such Obligations to go to Heirs or Executors, at the Kings free Liberty and Appointment, and he that takes Obligation otherwiſe than expreſſed, to be impriſoned.
§. 4.	Suit ſhall be in the Kings Name to recover, in whoſe Name ſoever Obligation be.
§. 5.	Suits, Proceſs, Judgments, Decrees, and Executions ſhall be as on Statute Staple, only againſt the perſons bound, Spiritual and Temporal, their Heirs, Succeſſors, *&c.* and none other.
Damages, §. 6.	The King ſhall have Coſts and Damages on Recovery, as other Perſons.
Capias, §. 7.	Debts that ariſe in Exchequer, *Lancaſter*, Augmentation, Surveyors, Wards or Firſt-fruits, ſhall be ſued for in the ſaid Courts, under ſeveral Seals and Proceſs by *Capias*, &c.

Exchequer, *&c.* to have Power to determine ſuch Suits.	**Exchequer,** §. 8,
They may determine Debts, Treſpaſſes, Riot and whatever grows on Cauſes within their Government.	§. 9.
The Court of Augmentation to examine all Titles to grant or charge in Fee or in Tail, by Patentee, or the King, and to give Recompences, Acquittances, or Diſcharge, and ſo of Tenant for Life or Years.	**Augmentation,** §. 10,
Each Court may ſet Fines, Penalties, *&c.* at diſcretion, upon Parties or Officers.	**Fines, Penalties,** §. 11.
Upon Proof of Parties Acquittances, or payment, each Court without Suit to the King, may make void and cancel Recognizances.	**Cancel. Recogn.** §. 12.
Such Cancelling to be good againſt the King, his Heirs, Executors and Succeſſors.	§. 13.
Each Officer may diſcharge Recognizances for Contempt or Default of Appearance.	**Contempt, Appearance** §. 14.
Patentee not paying Rent in three Months after the Day, to forfeit fourth part of a years Rent, and ſo encreaſe to half on default every year.	**Rent, Forfeiture,** Ibid.
Treaſurer or Receiver-General may diſtrain for Rent, and for Arrears to the King, and Proceſs at diſcretion, on refuſal.	**Diſtreſs,** §. 15.
Treaſurer *&c.* to take nothing for Acquittances on payment of Rent, Clerk not above four pence.	**Acquittances,** §. 16.
Treaſurer, *&c.* to take nothing for Receipt, and Clerk only four pence, and on payment four pence in the pound.	§. 18.
Auditor to have only three ſhillings four pence for Entry of Decrees, Patents, Leaſes, *&c.*	**Entry, Auditor,** §. 19.
Auditors in each Court yearly to declare by Proclamation, the day and place of Sitting in each Shire.	**Sitting,** §. 20.
Auditors, *&c.* between *Michaelmas* and *Chriſtmas* to make Proceſs, *&c.* to account, *&c.*	**Proceſs,** §. 21.
Receiver, Bailiff, Reeve, *&c.* that do not attend when ſummoned, and pay Arrears in three Weeks; after Account ſtated, to forfeit Officc and Fee.	**Attendance, forfeit,** §. 22.
Receivers, *&c.* that conceal Rents, Fines, *&c.* to forfeit Office and Fee, and thrice what is ſo concealed, and Attachment of Arrears, and Penalty of Recognizanze.	**Concealment,** §. 23.
Averment that Debt came to the King by Attainder, Gift, Utlary, or Forfeiture, good, without ſaying how, *&c.*	**Averment good,** §. 24.
The Kings Proceſs for Debt, *&c.* to be preferred before any other perſons for Execution, *&c.*	**Preference,** §. 25.
Lands of Tenant in Tail, liable to the Kings Debt by Specialty.	**Tenant in Tail,** §. 26.
The King, his Heirs and Succeſſors, may ſue, though the word Heir be not in the Bond.	**Obligation,** §. 27.
The King ſhall recover againſt Executors or Adminiſtrators of Perſons in Debt, if they have Aſſets.	**Debtors, Executors,** §. 28.
The Kings Debt is diſcharged as to him that by former Title evicts, *&c.*	**Prior Title,** §. 29.
Each Court to have power of Diſcharging, on pleading ſufficient Matter in Bar of the Kings Debt.	**Diſcharge,** §. 30.
Lands of ſeveral Debtors ſhall be entirely chargeable for the Kings Debt, and not ſeverally.	**Joynt=charge.** §. 31.
Not to prejudice Franchiſes, *&c.* of *Lancaſter*.	Lancaſter, §. 32.
Proceſs of Exchequer to be uſed as heretofore, and alſo as in this Act.	**Proceſs,** §. 33.
General Receiver, Collector, *&c.* to pay into Exchequer, *&c.* in three Months after Receipt by particular Collector, *&c.* on forfeit of Office, and four ſhillings *per* pound every Month retain.	**Payment,** 34 & 35 *H.* 8. *c.* 2.
On Tender by Collectors general or particular, within three Months, to be diſcharged *Pro rata*.	**Tender,** §. 2.
Not to charge the Heir of Collector, but wherein by Colluſion.	**Heir of Collector,** §. 3.
Executors and Adminiſtrators to be charged but by Debt, as at Common Law.	**Executors charged,** §. 4.
If Heir be charged, he may take Remedy againſt Executors.	**Heir,** §. 5.
Not to extend to Collectors of Cuſtoms of Tonnage and Poundage.	**Collectors, Tunnage,** §. 6.
Not to prejudice Collectors for Annuities, Penſions and Charges by them paid.	**Collectors,** §. 7.
Sheriffs on Oath they cannot levy, ſhall be diſcharged.	**Oaths,** *c.* 16.
A Repeal of 34 *&* 35 *H.* 8. *cap.* 16. and Sheriff at Election may account without Tally, or with, as at Common Law, or on that Statute.	**Repeal,** 2 & 3 *Ed.*6.*c.*4.
Sheriff of *Northumberland*, or Deputy to be bound to account by Recognizance in Exchequer, *&c.*	Northumberland, *c.* 34. §. 2.
Each Sheriff of *Northumberland* ſhall anſwer only for his own time.	§. 3.
Every Treaſurer, Receiver, Collector, Bailiff, and other Miniſter chargeable with any of the Kings Revenue, on Forfeiture of Office, to become obliged to true Account.	**Forfeiture,** *Ed.* 6. *c.* 1. §. 2.
Before Officer execute, *&c.* to enter Recognizance with	**Officer, Surety,** §. 3.

	with Surety or Sureties to the King of Record, conditioned, that they, their Heirs, Executors, Aſſigns or Deputies do account.
Payment, §. 4.	Receivers of the Kings Honours, Manors, *&c.* to make Precepts to Collectors, to pay in Sums received at a certain day and place.
Forfeiture, §. 5.	Collector ſummoned making Default, ſorfeits firſt his Fee for that year, and ſix pence the pound for the Mony *per* Month.
§. 6.	For ſecond Default, forfeits Office and Fee, and twelve pence the pound for the Month, every Month.
Payment, §. 7.	Auditors to make Precepts to Collectors of the Kings Manors, *&c.* and on default the like Penalties.
§. 9.	Every Receiver of the Kings Honours, Manors, *&c.* to pay to Treaſurer, or the General Receiver, in ready Mony, what they can get.
Account yearly, §. 10.	Receivers to account yearly in *Hillary* Term.
Diſtreſs, §. 11.	Receivers, Collectors, Bailiffs, for Non-payment *Ex Officio*, may diſtrain and uſe the ſame as heretofore, delivering Party Surplus of the Value, if any be.
Fines, §. 12.	The Head and chief Officer or Officers of the Kings Court of Revenue, being of Record, may aſſeſs Fines on Sheriff, *&c.*
Payment, §. 13.	All Treaſurers, Chamberlains and General Receivers, Cuſtomers of Subſidies ſtaled in any Port, in ten days of Notice by King, or ſix Privy Counſellors, in Writing, to declare what is in their hands, and pay thereon, or forfeit Office.
§. 14.	They ſhall twentieth of *June* yearly account and pay the ſame, *&c.*
Fees, §. 15.	Treaſurer, Receiver, or other Miniſter taking more then due Fee, to forfeit for every one peny, ſix ſhillings eight pence.
Forfeiture, §. 16.	If Auditor refuſe or delay Account to forfeit Office.
§. 17.	Duplicate or Copy of Entry, Account by Treaſurer or Receiver, at Coſts of Accountant to be delivered to them ſubſcribed by Auditor.
Biſhop, &c. §. 19.	Archbiſhop and Biſhops to account but as uſual heretofore.
Calice, §. 19.	The Rents of *Calice*, to be anſwered but as heretofore.
Salvo, §. 20.	Not to prejudice Sheriff, Eſcheator or Collector of Diſmes, Quindiſmes, *&c.*
Execution, 13 *Eliz.* *c.* 4.	Lands, Profits and Hereditaments of Treaſurer or Receiver of any the Kings Courts, War, Navy, *&c.* or other perſon accountable to the King, *&c.* while they have them, to be liable to Execution for payment of Arrears, *&c.*
Sale, §. 2.	After ſix Months non-payment of Account ſtated, the Queen may ſell, *&c.*
§. 3.	Overplus to be delivered to Accountant or Farmer.
§. 14.	Sales good againſt the Accountant, *&c.* and the Queen notwithſtanding former charges.
Purchaſe, §. 5.	Purchaſe of Accountant in others Names to be allowed as if in the Purchaſers.
§. 7.	Colluſion in Purchaſes being found, the Queen may ſeize the Lands, *&c.*
Seizure, §. 8.	The Overplus of Value ſhall not be ſeized, but only the Debt.
Charge, §. 9.	Not to charge Biſhop, Collector of Subſidy, otherwiſe then before.
§. 10.	Not to charge Collectors of leſs then hundred pounds *per annum*, but as before.
Salvo, §. 11.	Saving ſuch Officers as defray their own Arrears, and are not to pay preſently.
Sale, §. 12.	No Sale to be, unleſs the Queen require preſent Payment, *&c.*
Charge, §. 13.	Not to charge Sheriff, Eſcheator or Bailiff, otherwiſe then before.
Sale, Purchaſe, §. 14.	As to Sale, not to prejudice Purchaſe, *Bona fide*, traverſing Fraud, *&c.*
Surety, §. 15.	When the Queen is in any way ſatisfied, the Sureties to be diſcharged.
Salvo to Golding, §. 16.	Saving the Farm of *H. Golding*, and *T. Neal*, of the Cuſtoms, *&c.*
Confirmation, 14 *Eliz.* *c.* 7.	A Confirmation of 13 *Eliz.* 4. to extend to Under-Collectors of Clergy, *&c.*
Diſcharge, §. 2.	The Ordinary, *&c.* to be diſcharged of ſo much as paid by Under-Collector, *&c.*
Explanation, 27 *El.c.*3.	For Explanation of 13 *Eliz. c.* 4.
Sale, §. 2.	Its intended as well on Sale after death of Accountant, as in Life, where Debt is known in eight years after Debtors death.
Scire Fac. Heir, §. 3.	*Scire fac.* to be againſt Heir or Debtor, and two *Nichils*, and ten Months after, if Executors or Adminiſtraators have not Aſſets, the Lands to be ſold.
Purchaſer, §. 4.	Not to defeat Purchaſer of Heir before *Sci. fac.* &c. *Bona fide.*
Officers, §. 5.	To extend only to Officers of Receipt and Accounts *&c.*

Of Ward and Dutchy Lands, firſt a Privy Seal to go to Heir, and on Default, Attachment with Proclamation, with twenty days Return, and on Default, Sale, *&c.*	**Heir, Sale**, §. 6.
No Sale to be till Heir come of one and twenty years of Age.	**Age**, §. 7.
Not to extend to ſale of Lands of Heir of Debtor that had a *Quietus*.	**Sale, Quietus**,
The Queen may ſell his and Debtors Land for Life, and after, and thereby Sureties are diſcharged, Proceſs againſt Terre-tenants.	**Sale, Surety**, 3 *c.* 7.
Aſſignment of any Debts, but originally due to the Kings Debtor, void to the King.	**Aſſignment**, 3 *Jac. c.* 15.
Sheriffs are diſcharged by ,*Quietus*, unleſs ſued in four years after.	**Quietus**, 21 *Jac.*
Unleſs by original Contract with the King, extent is good againſt Bankrupt.	**Bankrupt**, *c.* 19.
General Pardon, except all Accounts of Treaſurer, *&c.*	**Pardon**, 12 *Car.* *c.* 11. §. 10.
Heirs, Executors, Adminiſtrators nor Terre-Tenants of Account, diſcharged.	**Diſcharge**, §. 11
Fees, Wages and §. 13. Souldiers Pay diſcharged.	**Fees**,&c. **diſcharg**
Diſcharged after twenty fourth of *June*, 1662. by Oath of Plunder or Robbery.	§. 14.
Quietus in Exchequer ſince 1648. allowed unleſs of Churches in *Wales*.	**Quietus**, §. 15.
Purloyning Goods, Mony, *&c.* of the King, *&c.* not diſcharged.	**Purloyning**, §.
Iſſues received by Sheriff, not diſcharged.	**Iſſues**, §. 17.
Mony paid to publick Treaſury, *&c.* diſcharged.	**Mony paid**, §.
For Decimations or Militia-Mony not diſcharged.	§. 31.
Mony due for exerciſe, from *March* 1658. not diſcharged.	**Mony due**, §.
All Mony, *&c.* received ſince 30 *January*, 1642. by pretended Authority, not pardoned by 12 *Car.* 2. *c.* 11. to be recovered by the King.	13 *Car.* 2. *c.* 3.
All Receivers to account in Exchequer, eſpecially of Vicarages in *Wales*.	Wales, §. 2.
Commiſſion may iſſue out of Exchequer, for diſcovery.	**Diſcovery**, §. 3.
Accountants to recover their Arrears: none liable after twenty fourth of *June*, 1662.	**Arrears**, §. 4.
All duty of Exciſe not pardoned, and Debts, Securities, *&c.* veſted in the King, to be recovered againſt Executors, Sureties, *&c.*	**Debts**, &c. *c.* 13.
Accountant to have due Allowances, as 12 *Car.* 2. *c.* 11. §. 10.	**Allowance**, §.
Offenders to be ſued before twenty fifth *December*, 1662.	**Limitation**, §.
Account enabled to recover againſt Debts.	**Accountant**
Being indebted for Hearth-mony is no Priviledge, as the Kings Debtor to ſue or aſſign to the King, *&c.*	**Hearth-mony**, 14 *c.* 10. §. 22.
For Prize-Goods, except 12 *Car.* 2. *c.* 11. §. 33. Suit to be in the Admiralty.	**Prize**, *c.* 14. §.
All except by 12 *Car.* 2. *c.* 11. §. 10. neglecting till *Trinity*, 1662. to be charged as by Obligation or Recognizance, 33 *H.* 8. *c.* 39.	**Charge**, *c.* 16.
Collector, *&c.* that by Act of Parliament, *&c.* have levied publick Mony, may plead General Iſſue, and wave Demurrer, *&c.*	**General Iſſue**,
Not to authorize Levying of any thing pardoned by 12 *Car.* 2. *c.* 11. §. 10.	**Exception**, §.
Seizures and Debts before 1 *Jac.* being pardoned to Sheriffs, they are diſcharged.	**Diſcharge**, *c.* 21.
Quietus to be abſolutely diſcharged of Sheriff, after four years not ſued, though Mony be not accounted for.	**Quietus**, §. 8.
Neglect in collecting or paying Smoak-mony, forfeits twenty ſhillings *per* Week.	**Forfeiture**, 15 *c.* 13. §. 6.
Treaſurer and Chancellor of Exchequer to allow Clerk of the Peace, not exceed one Peny in twenty ſhillings yearly, for Writing, *&c.*	**Allowance**, §. 12.
An Additional Remedy for Arrears, and Officers of Hearth-mony.	**Arrears**, 16 *c.* 3.
A Repeal of 14 *Car.* 2. *c.* 14. §. 3. of Prize-Goods, ſo far as it concerns Admirals, *&c.* and Proceſs ſuperſede.	**Repeal, Prize**, 17 *Car.* 2. *c.* 6.
Not to diſcharge Collectors, *&c.* of their Account, *&c.*	**Diſcharge** §. 3.
For Account how aids given for War have been expended.	**How expended**, 2. *c.* 9.
Any five Commiſſioners named to take Accounts of 16 *Car.* 2. *c.* 1. and 17 *Car.* 2. *c.* 1. and of 14 *Car.* 2. *c.* 3. and 15 *Car.* 2. *c.* 4. and 18 *Car.* 2. *c.* 1. and 19. *Car.* 2. *c.* 6. & 8. and of Cuſtoms, Prizes of all Officers Records ſince 1664. Seamens Tickets, and reformed, *&c*	**Commiſſioners**, **ſtoms, Prizes**, **mens Tickets**
Any five Commiſſioners to ſend Precepts to Sheriff, *&c.* and examine on Oath.	**Precepts, Oath**,
Any five to meet and appoint Officers and Salary to certifie their Judgment into Exchequer.	**Sallary**, §. 4
Any five Commiſſioners may allow proportion to Diſcoverers of Fraud.	**Diſcoverers**, §.
Commiſſioners to take Oath for due Execution, §. 7. to have a thouſand pounds *per annum* for Diet, two thouſand pounds Charges.	**Oath**, &c. §. 6.

To

ut, §. 8.	To continue for three years from the end of this Seſſion of Parliament.
ns **Ticket**, §. 9.	Purchaſer to reſtore Sea-mens Tickets, or make up full ſatisfaction.
§. 10.	Falſe Oath to be taken for wilful Perjury, and puniſhed according.
aſſignable, *c.* 12.	All perſons may aſſign Orders regiſtred in Office of Auditor of Receipt in Exchequer, and Aſſignees, Executors, Adminiſtrators and Succeſſors, *Toties quoties*, to have benefit without Revocation, as 17 *Car.* 2. *cap.* 1. §. 11. and 18 *Car.* 2. *cap.* 1. §. 41. and 18 *Car.* 2. *cap.* 8. §. 9.
§. 2.	For Aſſignments under one hundred pounds, no Fee but ſix pence above twelve pence.
§. 3.	Continued to 10*th Sept.* 1674. and to the end of the Seſſion of Parliament then next enſuing.
nt, **Intereſt**, .2. *c.* 2.	Officers ſhall pay ſix pounds *per Cent.* not accounted for till payment.
§. 2.	All that account not within two Months after Receit, to pay twelve pounds *per Cent.* till payment.
§. 3.	Not to alter Accounts of ancient Revenue, or to make Sheriffs liable to new Penalty.
yman, 22 *Car.* 2.	Extent of ſeven hundred pounds *per annum* of Sir *John Prettyman*, not ſufficient to pay ſixteen thouſand ſix hundred pounds Arrear.
ton, §. 2.	*Loddington*, &c. veſted in Truſtees, to ſell and pay Creditors, &c.
yman, §. 3.	After ſixteen thouſand ſix hundred pounds, Sir *J. P.* &c. to be diſcharged of Arrears of Firſt-fruits, &c.
§. 4.	Parties that have charged on it, to produce it before the firſt of *March*, 1670. in Exchequer.
§. 5.	Truſtees may mortgage on Repayment, &c.
§. 6.	Extent to be aſſigned to Purchaſer having Right of Dower to Wife, &c.
t **Officers**, 3 *Car.* 2. *c.* 21.	Any three of perſons named by the Kings Commiſſioners, to take Accounts on Oath, of Treaſurers and Collectors for Loyal indigent Officers, on 14 *Car.* 2. *cap.* 8.
ns, §. 4.	Any three Commiſſioners, by Warrant to ſummon Treaſurer, Collectors and Receivers within three Miles.
tt, §. 5.	Commiſſioners to tranſmit Duplicate of Accounts to Exchequer.
§. 6.	Arrears to be paid to Treaſurer appointed by the King, and to Parties by Lot.
§. 7.	Receipts of Commiſſioned Officers diſcharged, and Treaſurer to acount to Commiſſioners.
ng, §. 8.	On falſe Certificate, Party to be poſtponed.
t, §. 9.	Any three Commiſſioners to aſſeſs and levy according to 14 *Car.* 2. *cap.* 8.
§. 10.	Commiſſioners to nominate Collectors for each County, to levy. §. 11. By Diſtreſs and Sale.
§. 12.	Collectors to uſe all the Powers of 16 & 17 *Car.* 2. *cap.* 1.
Bennet, §. 13.	Payments by Sir *John Bennet* Treaſurer, on Oath, to be allowed by Commiſſioners.
§. 14.	Former Orders made over to preſent Treaſurer, confirmed.
§. 15.	All Receivers that have *Quietus* in Exchequer, diſcharged.
c. 22.	Fines, Iſſues, Amerciaments, &c. to be Eſtreat in *Hillary* and *Trinity* Terms yearly.
hipping, .*c.*1.§.56.*n.*1.	Shall tranſmit, &c. to the Commons in Parliament account of Tax for Shipping.
ity, 1 *W.* & . *c.* 14. §. 5.	Collectors of Publick Revenues ſince 5 *Nov.* 1688. indempnified.
Accounts, *M. ſeſſ.* 2. *c.* 11. *W.* & *M. c.* 11.	Commiſſioners appointed for examining and taking Publick Accounts of the Kingdom. *Vide tit.* Account.
. & *M. c.* 23. of **Bank**= & 7 *W.* 3. *c.* 3.	All concerned about Revenue to account for Profit of Bank Bills, and pay the ſame into Exchequer on Penalty of 500 *l.*
ccounts, *c.* 9.	Commiſſioners appointed to examine publick Accounts with Reviver of former Acts relating thereto.

Action Popular, ſee *Action* ſur *Stat.*
Aquittance, ſee *Accountant.*
Accuſation, ſee *Proceſs.*

Additions.

1 *Ed.* 2. *p.* 75.	None ſhall be diſtrained to be Knights, except they have twenty pounds *per annum*, beſides Debts inſtalled in Exchequer.
Utlary, . 5.	Of Name, Eſtate, Degree or Myſtery, Town, place and County ſhall be in all Writs where Proceſs of Utlawry lieth, elſe void; *contra* of Surpluſage.
H. 6. *c.* 4.	Being made Knight, ſhall not abate certain perſons Suits.
nominis, 4.	Executors may have *Identitat. nom.* to avoid Utlary of Teſtator.
munication, . §. 13.	Want of it voids Excommunication, unleſs for Hereſie, *&c.*
27 *El. c.* 7.	Sheriff forfeits five Mark that levies Iſſues on Juror that hath no Addition.

Adjournment.

By Juſtices of Aſſize of Novel Diſſeiſin and Mortdanceſter for difficulty, may be before Juſtices of the Bench.	**For difficulty**, 9 *H.* 3. *c.* 12. *Magna Charta.*
May be by Juſtices to take Aſſize by *Niſi prius* into the Bench.	**By Juſtices of Aſſize**, 13 *Ed* 1. *c.* 3. *W.* 2.
Proceſs of *C. B.* ſhall not be loſt by ſuddain Removal but warn by Adjournment.	**Proceſs of** C. B. 2 *E.* 3. *c.* 11.
May be from *Niſi prius* by Juſtices of Aſſize, what cannot be determined for ſhortneſs of time.	**By Juſtices of Aſſize**, 4 *Ed.* 3. *c.* 11.
Of Aſſize and *Niſi prius* during the Parliament, certain days.	9 *H.* 6. *c.* 1.
Hindring Proclamation upon Fine, it ſhall be as good without.	**Proclamation on Fine** 1 *Mar. Stat.* 2. *c.* 7.
Writs, Proceſs, *&c.* retunable in *Hillary* Term, 1688. continued and adjourned unto *Quindena Paſchæ* in *Eaſter* Term next.	**Proceedings in** Hillary **Term**, 1688. 1 *W.* & *M. ſeſſ.* 1. *c.* 4.

Admeaſurement, ſee *Dower and Meſne.*

Adminiſtrator.

Executor, *Ordinary.*

The Ordinary ſhall be bound to pay Debts of Men Inteſtate, as far as the Goods extended, in ſuch ſort as Executors.	**Ordinary**, 13 *Ed.* 1. *c.* 19. *W.* 2.
The next and moſt lawful Friend of the Inteſtate, ſhall be deputed to ſue and anſwer in the Kings Courts, and account to the Ordinary as an Executor.	**Next Friend deputed**, 13 *Ed.* 3. *c.* 11.
Shall be committed to Widow of Inteſtate, or next of Kin, or both, at diſcretion; and where divers requeſt it in equal Degree, Ordinary may elect to which.	**Committed to Widow or next of Kin**, 21 *H.* 8. *c.* 5. §. 3.
May deliver Inventory by Indenture between them and the Ordinary, each to keep a part.	**Inventory**, §. 4.
Obtained by Fraud, or Releaſe from him, ſtops not to be charged as Executor *De ſon Tort*, for Overplus of juſt Debt.	**Executor de ſon tort**, 43 *El. c.* 8. §. 2.
De bonis non, &c. may have *Scire fac.* for Execution on Judgment on Verdict had by Executor or Adminiſtrator.	**De bon. non**, 17 *Car.* 2. *c.* 8. §. 2.
Ordinary on granting it, may take Obligation; §. 2. The Condition mentioned.	**Obligation**, 22 & 23 *Car.* 2. *c.* 10.
Ordinary may call Adminiſtrator to account, and diſtribute Surplus to next of Kin.	**Diſtribution**, §. 3.
Not to prejudice the Cuſtoms of *London* and *York.*	**Cuſtom of** L. &c. §. 4.
Diſtribution to be third to Wife, and the reſt to the Children, and §. 6. if none, Moiety to Wife.	**Diſtribution**, §. 5.
No Repreſentative after Brothers and Siſters Children.	§. 7.
No Diſtribution till after the year, and with regard to Creditors.	§. 8.
Ordinary to grant Adminiſtration *Cum Teſtamento annexo*, as uſual.	**Adminiſtr. cum teſtamento annexo**, §. 9.
Continued for ſeven years, and ſo to the end of next Seſſion of Parliament.	**Continuance**, §. 10.
A Repeal of 19 *Car.* 2. *cap.* 7. §. 6. only.	**Repeal**, *c.* 23.
Sea-man to pay only five ſhillings for all Charges under twenty pounds.	**Fees**, §. 10.
Not chargeable by Aſſumpſit without Deed, *&c.*	**Not chargeable**, 29 *Car.* 2. *c.* 3. §. 4. *n.* 1.
Shall have Occupancy as Aſſets.	**Occupancy, Aſſets**, §. 12. *n.* 1.
Explains 22 & 23 *Car.* 2. *St.* 2. *c.* 10. §. 3. that the Husband ſhall have the Wives Credits, *&c.*	**Wives Credits**, §. 25.
Continueth 22 & 23 *Car.* 2. *St.* 2. *c.* 10. for 7 years, and ſo to the end of next Seſſion of Parliament.	**Continued**, 30 *Car.* 2. *c.* 6. §. 1. *n.* 3.
Maketh perpetual 22 & 23 *Car.* 2. *cap.* 10. and 29 *Car.* 2. *cap.* 3. §. 25.	**Reviver**, 1 *Jac.* 2. *c.* 17. §. 5.
Adminiſtrator not compellable to render Account, (other than by Inventory) unleſs to *minor* Creditor, or next of Kin.	**Accounting**, §. 6.
Brother, Siſter and their Repreſentatives to ſhare equally with Mother, where Children dye inteſtate without Wife or Child.	**Children dying inteſtate**, &c. §. 7.
Saving Cuſtoms of *London* and Province of *York* in Act of Diſtributions, not to extend to Inteſtates Eſtates claimed by Adminiſtrator, *&c.*	**Cuſtom of** London **and Province of** York, §. 8.
Perſonal Eſtates in Province of *York* may be diſpoſed by Teſtament.	**Cuſt. of Province of** Y. 4 & 5 *W.* & *M. c.* 2. §. 2.
Citizens of *York* and *Cheſter* excepted.	Y. & C. **except**, §. 3.
Executor or Adminiſtrator of Executor or Adminiſtrator *de jure* waſting or converting Teſtator or Inteſtates Goods to be chargeable as his Teſtator or Inteſtate ſhould have been.	**Executor or Adminiſt. of Executor**, &c. **Waſting or converting**, *c.* 24.

Admiral.

Piracy, *Breakers of League and Truce*, *Mariner*, *Ship*, *Sea-men*, *Navy*, *Safe Conduct.*

Penalty of Mariners retained to ſerve the King, departing without Licence.	**Mariners departure**, 2 *R.* 2. *c.* 4.
A Subſidy granted to be wholly employed in keeping the Sea.	**Keeping Seas**, 5 *R.* 2. *St.* 2. *c.* 3.

Juriſdiction, 13 *R.* 2. *c.* 5	Shall meddle only of a thing done on the Sea.
15 *R.* 2. *c.* 3.	Hath no Juriſdiction of Wrack, nor things at Land, nor of Death and Maim, but in Ships beneath the Bridges of great Rivers, or to arreſt Ships.
Penalty, 2 *H.* 4. *c.* 11.	Action *ſur Stat.* with double Damages, and ten pounds forfeiture for ſuing in the Admiralty, by Party grieved.
Safe Conduct, 2 *H.* 5. *c.* 6.	Breach of Truce or ſafe Conduct, and Abettors by Sea or Land, ſhall be High-Treaſon in *England*, *Ireland*, or *Wales*, and a Conſervator to be in every Port.
Conſervator, §. 2.	Conſervator ſhall award Proceſs, and hear and determine all but of Life, he ſhall be reſident and ſworn, and inrol the Names of Ships, Barge, Ballenger of Maſters, Owners and Mariners of what is taken, and they who depart out of Port without his Seal, forfeit.
Forfeiture, §. 3.	He ſhall have Forfeitures, without the Cinque-Ports, and Conſervators the ſame power as within.
Letters of Mart, 4 *H.* 5. *c.* 7.	On Attempt by Enemies againſt the Truce of 2 *H.* 5. *cap.* 6. Letters of Mart ſhall be granted, and ſo to any grieved after Letters of Requeſt, Complaints to be heard by Wardens of the Marches.
Coals, 9 *H.* 5. *c.* 10.	The Keels and Ships of *Newcaſtle* for Coals ſhall be meaſured by Commiſſioners, and Cuſtoms according, two pence for twenty Chaldron.
Denmark, 10 *H.* 6. *c.* 3.	Any from whom Goods are taken by the King of *Denmark*, may have Letters of Requeſt in Chancery.
Enemies Goods, 14 *H.* 6. *c.* 7.	Merchandize taken from Armies, in Ships Foreign Enemy, not to be reſtored.
Truce-breakers, *c* 8.	A Suſpenſion of 2 *H.* 5. *cap.* 6. of Truce-breakers.
Safe Conduct, 15 *H.* 6. *c.* 3.	Letters of ſafe Conduct ſhall not be with Clauſe *Vidimus*, but in ſpecial Caſes, but naming Perſons, Ships and Maſters.
18 *H.* 6. *c.* 8.	Merchant may take Enemies Ships that hath not Letters of ſafe Conduct on Board.
20 *H.* 6. *c.* 1. §. 2.	Safe Conduct to Enemies ſhall be inrolled in Chancery.
§. 3.	Goods taken from ſuch as have none, not to be reſtored.
§. 4.	If after bringing into Port, ſafe Conduct be ſhewed, and Reſtitution made, the Taker not to be moleſted.
Repeal, 20 *H.* 6. *c.* 11.	A Repeal of 2 *H.* 5. *cap.* 6. as to the Treaſon only on breach of ſafe Conducts.
Truce, 29 *H.* 6. *c.* 2.	A Confirmation of 2 *H.* 5. *cap.* 6. againſt Truce-breakers.
Pirates, 31 *H.* 6. *c.* 4.	Proceſs out of Chancery againſt Robbers on the Sea, of ſuch as had ſafe Conduct.
Truce-breakers, 14 *E.* 4. *c.* 4.	All Statutes againſt Truce-breakers to be put in Execution.
Tryal, 27 *H.* 8. *c.* 4.	Offences at Sea ſhall be tried at Land by Commiſſion to Admiral, Lieutenant or Deputy, and three or four others to be named by the Chancellor.
Jury, §. 2.	Any three may enquire by Jury, and take Preſentments of Felony, Robbery, Murder or Manſlaughter on the Sea, or in Haven, River or Creek, and Proceſs as at Common Law.
Clergy, §. 3.	Offenders not to have Benefit of Clergy or Sanctuary.
Neceſſity, §. 4.	Not to prejudice taking Victuals, Cables, Ropes, Anchors or Sails taken of other Ships by neceſſity, paying for it in reaſonable time.
Cinque Port, §. 5.	In the Cinque-Ports the Commiſſion is to Lord Warden, and three or four others.
§. 6.	In the Cinque Ports Tryal is to be by the Inhabitants there.
Tryal, 28 *H.* 8. *c.* 15.	The ſame Trial of Treaſon, *&c.* as by 27 *H.* 8. *cap.* 4. not remedied.
Jury, §. 2.	A *Quorum* of four Commiſſioners to enquire by Jury of Twelve, *&c.*
Fiſhing, 2 & 3 *E.* 6. *c.* 6.	Shall take nothing for Licence of Voyage of Fiſherman to *Iſeland*, *New-found-Land* or *Ireland*, on forfeit of treble, *&c.*
Corn, 1 & 2 *Ph.* & *Mar.* *c.* 5. §. 9.	His Juriſdiction not prejudiced by Licence to tranſport Corn, *&c.*
Water-man, 2 & 3 *Ph.* & *Mar.* *c.* 16.	Water-man ſingle, that abſcond in the Preſs by Commiſſion for the Kings Sea-Service, §. 5. excluded being ſo, unleſs Apprentice a year, and §. 8. Impriſoned two Weeks.
Mariners, 5 *El.* *c.* 5. §. 27.	That 18 *H.* 6. *cap.* 19. ſhall extend to Mariners and Gunners that receive Wages to ſerve on the Sea, and depart, *&c.*
Tryal, §. 30.	All Offences on the Sea out of Coaſts and Havens, and Cinque-Ports to be tried, *&c.* by Admiral.
Juriſdiction, §. 50.	Not to give the Admiral any Juriſdiction he had not before other then for Offences ſpecified in the Act.
Appeal, 8 *El.* *c.* 5.	Definitive Sentence on Appeal in Chancery by Delegates, under the Kings Half Seal, to be final in Cauſes Civil and Marine.
Beacons, &c. *c.* 13.	Maſters, Wardens, *&c.* of *Trinity-Houſe* may erect Beacons and Sea-Marks, *&c.*
Cables, 35 *El.* *c.* 8.	Cables not to be made of Old Stuff.
Preſs, 17 *Car.* 1. *c.* 5.	May raiſe and impreſs Mariners, *&c.* for the preſent guarding the Seas, *&c.*
Government of Navy, 13 *Car.* 2. *c.* 9.	Certain Articles for better Government of the Navy and Forces at Sea.

All Commanders to cauſe publick Worſhip of God, as in Churches.	**Worſhip of Go**
Raſh Oaths, Drunkenneſs, or unclean Actions, *&c.* Fine and Impriſonment.	**Vices**, §. 3.
Holding Intelligence with Enemies or Rebels, to ſuffer Death.	**Holding Inte** §. 4.
Not revealing in twelve hours Meſſage from Foreign Enemy, Death.	**Concealing**, §.
Not to relieve Enemy or Rebel in time of War.	**Relieve Enem**
Papers taken in prize, to be preſerved.	**Prize**, §. 7.
None in the Kings Pay to take Goods out of Prize, before condemned.	§. 8.
None to imbezel Cables, Anchors, *&c.* to be tried by Court Martial.	§. 9.
Foreign Prize not reſiſting, not to be ſtript.	§. 10.
Captain that doth not prepare for fight on view of Enemy, to be caſheered.	**Fight**, *Ibid.*
Officers, *&c.* to obſerve Commands of Admiral.	**Officers Dut**
Captain, *&c.* not coming to aſſiſtance in War, tried by Court-Martial.	§. 12
Not attending ſafe conduct of Merchant, as directed, to ſuffer Death, *&c.*	§. 13.
Not purſuing or retaining Pirate, Death.	§. 14.
No pretence of arrears of Wages to ſtop Actions.	**Arrears**, §. 15
Betraying Truſt, Death: §. 17. The like of deſerting the Service, *&c.*	**Betraying**, §. 16.
Spies to be puniſhed with Death: §. 5. 19. So of Sedition and Mutiny.	**Spies, Sediti**
Concealing mutinous Deſigns, tried by Court-Martial.	**Concealing**, §
Quarrelling with Superiour, puniſhed by Court-Martial.	**Quarrelling**,
Unwholeſome Victual to be quietly made known to Superior.	**Victuals**, §. 2
Impriſonment on quarrelling or provoking Speeches.	**Impriſonmen**
Waſters of Powder, *&c.* Ammunition, *&c.* tried by Court-Martial.	**Powder**, &c.
Neglect of Conduct, *&c.* Impriſonment, §. 26. Burning Ship, death.	**Neglect of Co** §. 25.
Sleep on the Watch, death, §. 28. Murder, *&c.* death, §. 29. Theft, death, *&c.*	**Sleep, Murd** §. 25.
Provoſt Martial not to refuſe Priſoner, nor ſuffer eſcape.	**Provoſt**, §. 3
All Officers to detect Offenders. §. 32. Buggery or Sodomy, death.	**Buggery**, §.
Diſorders not mentioned, to be puniſhed by Cuſtom of the Sea.	**Diſorders**, §.
Admiral may grant Commiſſions to try, *&c.*	**Commiſſion**,
Judge Advocate to give Oath to Witneſs, *&c.*	**Witneſs, Oa**
Not to give other power to Admiral, but what he he had before in things not mentioned.	**Power**, §. 36
Builders of Ships in ſeven years, to have tenth of Cuſtoms the firſt two Voyages.	**Builders**, 14 *c.* 11. §. 37.
Suit againſt Accountants for Prize-Goods, except 12 *Car.* 2. *cap.* 11. §. 33. ſhall be in the Admiralty.	**Prize**, 14 *Ca* §. 3.
All Rights belonging to Lord-Admiral in time of *Charles* the Firſt, and ſince Uſurpation not pardoned, to be accounted for.	**Rights of** §. 4.
On defect of Juſtice in Admiralty, to reſort to Exchequer.	**Appeal**, §. 5.
By Warrant, as often as Navy and Ordinance require, may provide Carriage.	**Carriage**, *c.*
May Impreſs Ships. §. 3. Refuſal to ſerve, forfeits under fifty pounds.	**Preſs Ships**,
No Veſſel Fraught, to be taken, if other ſufficient.	§. 6.
Treaſurer and Controller, Surveyor, Clerk of the Acts, Comiſſioners for the Navy, or two, to puniſh all Fighting and Quarrelling on Naval occaſions.	**Quarrelling**, §. 2.
Commiſſioners, *&c.* may diſchage Fine, or commit till paid.	**Fine**, §. 3.
Officers and Commiſſioners may bind to Good Behaviour.	**Good Behavi**
May give Warrant to ſearch any place for Imbezelment of Stores.	**Imbezelment**
Officers and Commiſſioners, or any two, may exerciſe power within Liberties, or without.	**Place, Petr**
Engliſh Ships laden with Merchandize of two hunhundred Tun, ſixteen Guns, yielding without Fight, diſabled, and what is ſaved, to go to Reparation of Merchant.	**Cowardize**, *c.*
No Maſter to depart his Ship on diſcovery of Pirate.	**Pirate, Maſt**
Any Maſter yielding to Pyrate of leſs than double number of Guns, diſabled.	§. 4
Men of War by Warrant of Admiralty to ſeize ſuch Maſters.	§. 5.
Not to violate Ports of Foreign Armies.	**Ports**, §. 6.
Inferiours declining Fight, to loſe Wages and Goods.	**Wages loſt**, §
Ship yielded by diſobedience of Mariners, ſeizing Maſter, Maſter to be diſcharged.	**Cowardize**, §
Mariners that ſeize Maſter Felon.	§. 9.
Admiralty on Petition may levy two *per Cent.* for Relief of Wounded in defence, *&c.*	**Wounded**, §
Merchant taking Prize, to ſhare as Private Men of War.	**Prize**, §. 11.

Maſter,

felon, §. 12.	Maſter deſtroying his own Ship, a Felon.
§. 13.	Continued three years, and ſo to the end of next Seſſion of Parliament.
,16 & 17 *Car.* 2. §. 2.	A Repeal of 14 *Car.* 2. *cap.* 14. as to Admiral, *&c.* and they diſcharged, *&c.*
ons, §. 3.	Not to diſcharge Collectors, or other then Admirals, *&c.*
, 19 *Car.* 2. *c.* 7.	Againſt diſturbance of Seamen, and for preſerving Stores : the ſame almoſt as 16 *Car.* 2. *cap.* 5.
mpriſonment,	Treaſurer, Controller, *&c.* Commiſſioners of Navy to puniſh Offenders ; Fine twenty ſhillings, Impriſonment a Week.
ehaviour, §. 3.	Any one Commiſſioner to bind Offenders to Good Behaviour.
fine, &c. §. 4.	Any one Commiſſioner to ſearch as Juſtice of Peace, on Felony and Fine, Impriſonment or Tryal, *&c.*
iſſioners power,	Any one Commiſſioner to uſe power where-ever they hold Office for the King.
dminiſtration,	No Ordinary, *&c.* to take of Executor, *&c.* of Mariner, above twelve pence for Probate of Will or Adminiſtration.
ued, §. 7.	Continued to 1 *Febr.* 1666. and ſo to the end of next Seſſion of Parliament.
c. 11. §. 2.	Prizes belonging to Subjects, to be taken to Trade, as Engliſh Ships.
2 *Car.* 2. *c.* 5. §. 3.	Clergy taken away from Imbezellers of Naval Stores, *contra* to 1 *Eliz. cap.* 4.
Car. 2. *c.* 11.	The ſame *verbatim,* as 16 *Car.* 2. *cap.* 6.
, §. 13.	Builders of Ships within ſeven year, from the firſt of *May* next, of three Decks, to receive Tenth the firſt two Voyages,
§. 14.	Builders of Ships of two Decks, *&c.* to have the twentieth part of Merchandize.
y, *c.* 23. §. 2.	A Reviver of 19 *Car.* 2. *cap.* 7. Except §. 6. that Ordinary take no Fee, *&c.*
ling, §. 4.	Treaſurer, Controller, *&c.* or one where Imbezelment is under twenty ſhillings to puniſh, *&c.*
§. 5.	Any one Commiſſioner, *&c.* to give Warrant to ſearch Ship.
nment, §. 6.	Perſonating Souldier, Seaman, Workman, *&c.* impriſoned till Seſſions, and forfeit double.
feiting, §. 7.	Counterfeiting Hands of Treaſurer, *&c.* impriſoned, or Security till Seſſion.
§. 8.	Commiſſioners may give Oath. §. 9. Treaſurer, *&c.* may execute all Powers in the Act.
dminiſtration,	Ordinary not to take of Wife, Child, or next of Kin to Seamen, above 5 *s.* for the whole charge of Will or Adminiſtration, unleſs Eſtate exceed 20 *l.*
ation, §. 11.	A Confirmation of 22 *Car.* 2. *cap.* 5. §. 3.
§. 12.	Admiral may exerciſe all theſe Powers. §. 13. None to be double charged.
ued, §. 14.	Continued for ſeven years, from the firſt of *June* 1671. and ſo to the end of the Seſſion of Parliament next.
, 29 *Car.* 2. *c.* 1.	A Tax of 584978 *l.* 2 *s.* 2 *ob.* for building thirty new Ships of War.
, 1 *Jac.* 2. *c.* 11.	Reviver of the 13 & 14 of *Car.* 2. *cap.* 20. for ſeven years.
, *c.* 17. §. 12.	Continues the 22 & 23 *Car.* 2. *cap.* 2, 3. for ſeven years.
foreign tranſ= **Ships,** *c.* 18. §. 2.	Foreign Ships Built, Ships and Veſſels tranſporting Goods from Port to Port, to pay over Duties paid by Engliſh, built 5 *s. per* Tun for every Voyage before delivery of Lading, one moiety to Cheſt at *Chatham,* and the other to *Trinity-Houſe* at *Debtford-Strond.*
Ships not §. 3.	Foreign Ships (not Free) for every Voyage to pay 12 *d. per* Tun above Duties paid by Engliſh for ſame uſes.
ing duties, §. 4.	Duties recoverable according to 12 *Car.* 2. *cap.* 4.
Duty, §. 5.	Duties not to be farmed.
of Admiralty *M. ſeſſ.* 2. *c.* 2.	Commiſſioners of Admiralty inveſted with Power of Lord High Admiral.
power, §. 3.	Not to give any new Power.
at Court= **al to ſwear,**	Officers preſent upon Tryals by Court-Marſhal before Proceeding to take an Oath hereby preſcribed.
Ships of *c.* 10. §. 7.	Twenty ſeven Ships of War to be Built in four years.
19, 20	Three Ships of War to be built within one year.
ſhips, 4 & 5 *M. c.* 17. §. 27.	Ships and Maſters Engliſh, imployed by *Greenland*-Company, from the firſt of *May* 1693. till the firſt of *Oct.* 1707. may be navigated with one third Mariners Engliſh, and yet pay no more Cuſtom then if navigated with three fourth Engliſh.
§. 28.	So as ſuch Ships proceeded on their Voyage, and were victualled in *England.*
c. 24. §. 2.	Reviver of 13 & 14 *Car.* 2. *cap.* 20. for ſeven years.
§. 8.	Reviver of 22 & 23 *Car.* 2. *cap.* 23. for ſeven years.
ing Priva= 5.	An Act for encouragement of Priateers. Vide *Tit. Merchant.*
ing Cruiſers. & *M. c.* 1.	Lord High-Admiral, or Commiſſioners of Admiralty to appoint Cruiſers for ſecuring Trade, provided that in caſe of neceſſity they may be imployed in Line of Battle.

Lord High-Admiral, or Commiſſioners of Admiralty to certifie to the Commons in Parliament.	**Certifying Cruiſers,** *c.* 20. §. 46.
Ships ſet out purſuant to 5 & 6 of *W.* & *M. cap.* 1.	
Commiſſioners for Publick Accounts to adjuſt Debts due for Tranſport Ships for *Ireland,* and ſtate an Account againſt next Seſſion.	**Debt to tranſport ſhips for** Ireland, *c.* 23. §. 4.
Builders and Owners of Ships of certain Dimenſions, within years, for firſt three Voyages, to have one tenth of Tunnage and Poundage of Goods exported and imported on ſuch Ships, to be paid by Commiſſioners and Officers of Cuſtoms (Dimenſions ſet.)	**One tenth of Tunnage and Poundage to Builders & Owners of Ships,** §. 24.
Ships after the three firſt Voyages, that by alteration, ſhall be leſs defenſible then at firſt, to be forfeit.	**Altering Ships,** §. 2.
Offences againſt 13 *Car.* 2. *cap.* 9. to be determinable in Kings Bench, or before Juſtices of Oyer and Terminer.	**Offence againſt** 13 *Car.* 2. *c.* 25.
Offences againſt that Act committed out of the Realm, may be alledged in any County of the Realm.	**May be laid within the Realm,** §. 2.
None tryed in Court-Marſhal, ſhall for the ſame Offence be again tryed by this Act, & *e contra.*	**None twice tried,** §. 3.
This Act to continue for three years, and to the end of the next Seſſion.	**Continuance,** §. 4.
A certain number of Cruiſers appointed for ſecuring Trade.	**Appointing Cruiſers,** 6 & 7 *W.* 3. *c.* 3. §. 74.
The Cruiſers to be certified to Commons in Parliament next Seſſions.	**Certifying Cruiſers,** §. 89.
Duties on Spices imported for paying Intereſt of 5 *l. per cent per ann.* for 3 years for 330769 *l.* 10 *s.* 7 *d.* Principal Mony due for Tranſport Ships for reducing *Ireland.* Vide *Tit. Merchant.*	**Tranſport Ships for** Ireland, *c.* 7.
For better admeaſuring and marking Keels and Boats in *Newcaſtle,* and Members. Vide *Tit. Meaſure.*	Newcaſtle, *c.* 10.
Part of the Cruiſers appointed by *Cap.* 3. where to cruiſe.	**Cruiſers,** *c.* 18. §. 15.

Ad quod dampnum, ſee *Licences.*
Advowſon, ſee *Preſentation and Church.*
Age, ſee *Infant.*
Agiſtment, ſee *Common* or *Foreſt.*

Aid.

Reaſonable Aid.

Pur fair fitz Chevalier, & pur file marier, is twenty ſhillings a Knights Fee, or twenty pounds Soccage Land, to be levied at fifteen Son, and Daughter ſeven years old, and on Death, Executors or Heir ſhall pay it to the Daughter.	Pur fair fitz Chevalier, & pur file marier, 3 *Ed.* 1. *c.* 36. *W.* 1.
Shall be granted to the Recoveror *In quod ei deforceat,* by Tenant in Dower, and he may vouch as particular Tenant.	**To recover,** in quod ei deforceat, 13 *Ed.* 1. *c.* 4. *W.* 2.

Aid del Roy.

Rege Inconſult.

Shall be granted on the Kings Feoffment, with a Warranty.	**Kings Feoff.** 4 *Ed.* 1. *c.* 1. *De Bigamis.*
On the Kings Confirmation to the uſe of another, or on his Grant of Surrender to him.	**Confirmation, grant,** *c.* 2.
Shall not be granted in Dower againſt Guardian, Heir, *&c.* on the Kings Grant.	**Dower,** *c.* 3.
Shall have only four Writs of Search delivered to Treaſurer or Chamberlains, forty days before Return, and then Anſwer.	**Search,** 14 *Ed.* 3 *c.* 14.
Shall not be granted to purveyor, taking under forty ſhillings.	**Purveyor,** 20 *H.* 6. *c.* 8.

Agreement.

No *Aſſumpſit* unleſs by Deed, if it be not performed within a year.	**Aſſumpſit,** 29 *Car.* 2. *c.* 3.

Ale.

Hops, Alehouſes, Hoſtler, Tipling, Drunkenneſs, Syder, Perry, Liquors, Mum, Coffee, Stipone, Inns, Metheglin, Chocolet, Tea, Beer, Brewers, Strongwater, Brandy, Aquavitæ, Sherbet.

There ſhall be one Meaſure of Ale ; *viz.* the Quarter of *London.*	**Meaſure,** 9 *H.* 3. *c.* 25. *Mag. Charta.*
And Beer ſhall be ſold according to the Price of Barley and Oats, three Gallons without Cities and Towns, at the ſame price as two within.	**Price,** 51 *H.* 3. *p.* 10. *Aſſiza Panis & Cerviſiæ.*
Six Men ſhall be ſworn to gather all Weights and Meaſures of Bakers, Brewers and Taverns, and twelve ſhall enquire and preſent the price of Wheat, firſt, ſecond and third Rate was ſold the laſt Market, and Aſſize the Bread and Beer according ; and on firſt Offence amerce the third, the Baker to Pillory, the Brewer to Tumbrel.	**Weight, Meaſure,** 51 *H.* 3. *p.* 13. *Pillor. & Tumbrel.*

Brewer, 17 *Ed.* 2. *c.* 6. *Incert. temp.*	Brewer ſhall not exceed the rate of Malt, but be riſing or falling in a Gallon, as Malt in the Quarter, not above ſix pence.
Price, meaſure, 13 *R.* 2. *c.* 8.	Price and Meaſure ſhall be ſet by the Juſtices of the Peace.
15 *R.* 2. *c.* 4.	The ſame Meaſure of Corn, Wine and Ale, eight Buſhels to the Quarter on forfeiture.
Kent **Malt,** 33 *H.*6. *c.*4.	None of *Kent*, that ſell, ſhall for five years make above one hundred Quarters of Malt to his own uſe.
Searcher, 12 *Ed.*4. *c.*8.	Patent of Searcher or Surveyor of all Beer, Wine or Victual, void, and left to Corporations, Leets and Franchiſes.
Victualler, 11 *H.*7. *c.*2.	Two Juſtices of Peace may reject common ſelling of Ale.
Brewer, 22 *H.* 8. *c.* 13.	Brewers are no Handy-crafts; nor Alien Artificers within 21 *H.*8. *cap.*16. to take only two Servants.
Cooper, 23 *H.* 8. *c.* 4.	No Brewers ſhall be Coopers, nor make Barrels in his Houſe.
Price, §. 5.	Juſtices of Peace to ſet price of Ale and Beer.
Cooper, §. 10.	Brewers may keep a Cooper to Hoop, Pin, Bind and Mend.
Victuallers Licence, 5 & 6 *Ed.* 6. *c.* 25.	Juſtices of Peace, or any two, to have power to remove and put away common ſelling Ale or Beer in common Ale-houſes and Tipling-houſes, and none to ſell but thoſe admitted in Seſſions, or by two Juſtices, on Recognizances not to keep unlawful Games, and to keep Order, for which to pay twelve pence Fee.
Recognizance, §. 2.	Recognizance to be certified at next Seſſions, on forfeit of three pounds ſix ſhillings and eight pence.
Inquiry, §. 3.	Seſſions ſhall enquire of ſuch as keep Ale-houſes, *&c.* and of Acts to forfeit their Recognizance, and award Proceſs.
Impriſonment, §. 4.	He that keeps Ale without Licence, to be impriſoned three days, and till Recognizance with two Sureties given, not to keep it longer.
Conviction, §. 5.	Certificate of Juſtices to Seſſions, to be ſufficient Conviction.
Fairs, §. 6.	During Fairs, every Man may ſell Ale, *&c.*
8 *Eliz. c.* 9. §. 3.	A Repeal of ſo much of 23 *H.*8. *cap.*4. §.3, as concerns Prices of Veſſels.
Gaged, 31 *Eliz. c.* 8.	Shall not be uttered in Buts, Pips, or other Veſſels, from beyond Sea, till gauged.
§. 2.	As well Strangers as Subjects of Myſtery of Brewing, and Veſſels to be detained till Fee paid for Gauging.
Coopers, §. 3.	The Maſter and Wardens of Coopers in forty eight hours after requeſt, to go to Brew-houſe within two Miles of *London*, on forfeit of twenty ſhillings to the Party requeſting.
Scotland, §. 4.	Brewer to fill ſuch Veſſels to *Scotland*, &c. as Merchant and he agree.
Beer tranſport, 35 *El. c.* 11. §. 2.	For every ſix Tun of Beer tranſported, two hundred Clap-boards three Foot two Inches to be imported.
§. 4.	No Beer to be tranſported in Wine Cask.
Victualling-houſe, 1 *Jac. c.* 9.	Intent of Inns, Ale-houſes and Victualling, was for Wayfaring-men and Travellers, not to ſpend idle time.
Forfeiture, §. 2.	They forfeit ten ſhillings ſuffering continuance in drinking more than for urgent occaſions.
Quart, §. 3.	Selling leſs than Ale-quart one peny, or two ſmall Quarts one peny, forfeits twenty ſhillings.
Forfeiture, §. 4.	Conſtables and Churchwardens neglecting, forfeits forty ſhillings.
Confirmation, §. 5.	All other Laws touching Inn-keepers, Victuallers and Ale-houſe-keepers to remain in force.
Magiſtrates, §. 6.	Correction of Offences to be by Magiſtrates of Univerſities, and other Franchiſes.
Hops, *c.* 18. §. 2.	Importing of deceitful corrupt Hops, forfeits them.
§. 3.	Brewer uſing corrupt Hops, to forfeit the value.
Cuſtoms, 3 *Jac. c.* 11. §. 2.	When Malt exceeds not ſixteen ſhillings the Quarter, Beer may with Veſſels be tranſported, paying ten ſhillings *per* Tun Cuſtom.
Brewer forfeits, 4 *Jac. c.* 4	None to utter Beer or Ale to common Tipler or Ale-houſe-keeper, not having Licence to ſell, on forfeit of ſix ſhillings eight pence the Barrel.
§. 2.	Penalties to be uſed for in Seſſions of City, *&c.*
§. 3.	Moiety of Forfeitures to be delivered by Sheriff to the Poors Overſeers.
Sheriff, §. 4.	Sheriff paying over, diſcharged as to the King.
§. 5.	Refuſal by Sheriff to pay to Overſeers, forfeits double.
Forfeiture of Drunkard, *c.* 5. §. 2.	Being drunk, forfeits five ſhillings; if inſufficient, Stocks.
§. 3.	Officer that neglects Duty in levying, forfeits ten ſhillings.
§. 4.	Tipling in Inn, Victualling-houſe, *&c. contra* to 1 *Jac. cap.*9. forfeits three ſhillings four pence.
§. 5.	Offences to be determined by Juſtices of Aſſize, Peace, *&c.*
§. 6.	Being drunk, after Conviction, to find two Sureties of ten pound for Good Behaviour.
Preſentation, §. 7.	Conſtables, Churchwardens, Headborough, Ale-Cunners and Sidemen, to preſent Offences.

Not to abridge or reſtrain Eccleſiaſtical Cenſures.	**Eccleſiaſt. Co**
None to be twice puniſhed.	§. 9.
Not to prejudice Juriſdiction or Univerſities.	**Univerſities,**
Offences to be preſented in ſix Months after committed.	**Limitation,**
Ale-houſe-keeper Convict on 1 *Jac. cap.* 9. or 4 *Jac. cap.* 5. to be diſabled for three years.	**Diſabling,** 7
The Statute of 1 *Jac.* 9. and 4 *Jac.* 5. made perpetual, as altered by this, and one Witneſs or voluntary Confeſſion to be ſufficient Conviction.	**Confirmation,** *c.* 7.
Confeſſion of one, good againſt all found Tipling in Inn, Ale-houſe or Victualling-houſe, whereever they Inhabit.	**Confeſſion,** §.
Any Juſtice of Peace in County or City, may convict Offender, and adminiſter Oath.	**Juſtice of Pe**
Ale-houſe-keeper convict, to be three years diſabled.	**Diſabling,** §.
The Oath of Preſenters, 4 *Jac. cap.*5. §.7. to extend to Offences againſt 1 *Jac. cap.* 5.	**Oath,** §. 5.
Inn, Ale-houſe or Victualler, ſuffering one Inhabitant, *&c.* ſhall incur the Penalty of 1 *Jac. c.*9. §.4.	**Penalty,** 1 *Ca*
Tavern-keepers, and Sellers of Wine in Houſes that keep Inns or Victualling, ſhall be within this Statute, and 1 *Jac. cap.* 9. and 4 *Jac. cap.* 5.	**Vintners,** §.
Selling Ale, Beer, Sider or Perry without Licence, forfeits twenty ſhillings; unable, whipt.	**Licence,** 3 *Car.*
Officer refuſing to execute Warrant of Diſtreſs and Sale, *&c.* forfeits ten ſhillings.	**Penalty,** §. 3.
On ſecond Offence, Ale-houſe-keeper committed a Month to correction, third Offence till Seſſions.	§. 4.
Thoſe puniſhed by this Act, not to be puniſhed by 5 *&* 6 *Ed.* 6. *cap.* 23.	§. 5.
During Fairs, Ale and Beer may be ſold in Booths.	**Fairs,** §. 6.
The Commons grant to the King for life. §. 2. every Barrel above ſix ſhillings, fifteen pence a Barrel.	**Exciſe,** 12 *Car.*
Every ſix ſhillings Barrel by common Brewer three pence.	§. 3.
For Hogſheads of Sider and Perry by Retailer, fifteen pence, *&c.*	§. 4.
Merchants to pay ready Mony upon Importation.	§. 14.
Brewers once a Week, Inn-keepers, Ale-houſes, *&c.* once a Month to make Entries.	**Entries,** §. 15.
Brewers forfeit five pounds, Retailer twenty ſhillings, for neglect of Entries.	§. 16.
Not paying Duty in a Week after Entries, to pay double.	§. 17.
None to travel farther to enter than the next Market-Town.	§. 18.
Commiſſioners to make Gaugers by Day alone, and by Night with Conſtable to ſearch, *&c.*	**Search,** §. 19.
Every thirty ſix Gallons by Standard of Ale-quart, to be a Barrel.	**Meaſure,** §. 20
Common Prices to be received with the Exciſe by Brewer.	**Price,** §. 21.
Brewers to be allowed for Leakage, three in three and twenty Barrels of Beer, and two in two and twenty of Ale.	**Leakage,** §. 22.
For falſe Entries, Brewer forfeits Allowance ſix Months, *&c.*	**Falſe Entry,**
None to be delivered by Brewer or Retailer till he pay Duty due by him, *&c.*	**Duty paid by** §. 24.
Retailer paying Duties, diſcharged of Penalties of being no common Brewer.	§. 25.
Commiſſioners may compound with Retailers, *&c.*	§. 26.
Whom the King appoints, may agree for Farming the Duty.	**Farming,** §. 2
Contracts by ſuch and Farmers, good.	§. 28.
Commiſſioners not in ſix Months to treat with other than Juſtice of Peace appoint.	**Juſtice of Pea**
Not to be let to any, under the rate of Perſons recommended.	§. 30.
Forfeits in *London* to be determined by Governors of Exciſe in Counties by two or more Juſtices.	**Forfeit,** §. 31.
Juſtice of Peace, or Commiſſioners, may leſſen Penalty at diſcretion.	**Penalty,** §. 32.
None to meddle with Exciſe till Sworn, and Oath to be certified next Seſſions; Office of Exciſe to be kept from eight to twelve, and from two to five.	**Oath, Offic,**
Any Perſon ſued may plead General Iſſue.	**General Iſſue,**
No *Certiorari* to ſuperſede Execution of Commiſſioners Orders.	Certiorari, §. 35.
Not to prejudice *Edward Backwel*, as to twenty eight thouſand four hundred and fifty pounds advanced on Grand Aſſiſe.	Backwel, §. 36.
The ſame Exciſe granted to the King in Fee, in lieu of Tenures and Purveyances.	**Tenures,** &c.
Not to weaken or invalidate any Matter in 12 *Car.* 2. *cap.* 11. of Free Pardon, all the reſt are the ſame Powers, *&c.* as in 12 *Car.* 2. *cap.* 23.	12 *Car.* 2. *c.* 11.
No Retailer of Beer or Ale, without notice to next Office of Exciſe or Commiſſioners, to erect or alter Tun, Fat, Back, Cooler or Copper on forfeit of fifty pounds.	**Retailer forfeit,** 2. *c.* 11.
No Commiſſioners of Exciſe by 12 *Car.* 2. *cap.* 23 & 24. or by this Act, to Farm, nor no Farmer to be Commiſſioner, on loſs of Farm or Diſability, and Acts void.	**Farm,** §. 2.

Parents

§. 3. Patents enabling Farmer to be Commiſſioner,void.

§.4 Judgment by ſuch Farmers and Commiſſioners prove falſe on Appeal to pay double Coſts.

, §. 5. Gauger weekly after Entry by Brewer in Office, to deliver Copy of return of Commiſſioners.

, §. 6. No Brewer to be ſued, that in a Week after Returns certified according.

, §. 7. Commiſſioners and Brewers to appoint two Artiſts on Oath to gage Veſſels, and Copy of Contents to Brewer.

of Peace, §. 8. No Commiſſioner, Farmer, Brewer or Inn-keeper to act as Juſtices of Peace on this Act.

nce, §. 10. Commiſſioners to appoint in every Market-Town, ſome to attend on Market-day, on forfeiture of ten pounds, and Party tendring diſcharged,if no Officer be.

rt, §. 11. No Brewers to carry out but at hours certain, (*viz.*) &c. on forfeit of twenty ſhillings the Barrel.

§. 12. Brewer or Retailer after Gauging, by mingling, forfeits twenty ſhillings the Barrel.

g Veſſels,§.13. Brewing Veſſels chargeable to Duties of Exciſe,owing by the Houſe, *&c.*

, §. 14. No Brewer that hath compounded, to permit Beer of others to be brewed in his Houſe.

&c. §. 15. None to retail Coffee, Chocolet, Sherbet or Tea, without Licence.

§. 16. No Brewer to corrupt Gauger or Officer for falſe Return, forfeit ten pounds.

§. 17. No foreign or imported Liquors to be landed before Entries made, on forfeit of value.

§. 18. None to land Exciſeable Liquors, except Beer, Ale, Syder, Perry and Metheglin until due Entries made.

§. 19. No Appeal till ſingle Duty of Exciſe depoſited with Commiſſioners.

, §. 20. Brewing for Sale, or for Vinegar, *&c.* to pay for Vinegar as Common Brewer.

s, &c. § 21. Colledges and Halls brewing before this Act, not liable, *&c.*

ces, §. 22. All Differences to be determined in proper County and Diviſion.

23. No Commiſſioner, Farmer, *&c.* to take any thing for Bonds.

of Peace, §.24. Any two Juſtices of Peace, *&c.* to meet once a Month, or oftner, to judge Matters.

§. 25. Of all Fines, the King to have one part, the Poor two parts, and the Informer the third part.

§. 26. No Appeal in *London*, but within two Months of Judgment, on notice, *&c.*

re, §. 27. No Commiſſioner, Farmer, *&c.* to act till ſworn,as 12 *Car.* 2. *c.* 23. forfeit fifty pounds.

c. 12. Sureties to be liable to Arrears of Commiſſioners, not pardoned by 12 *Car.* 2. *cap.* 11. §. 33.

ns, §. 2. Summons at Houſe, or left with Wife, Child or Servant, to be good notice, *&c.*

16 & 17 *Car.*2. Farmers of Exciſe to have power of Commiſſioners to levy, not to fine, *&c.*

0 *Car.* 2. *c.* 1. Impoſition of three hundred and ten thouſand pounds on Retailers,four pence *per* Quart French-Wine, ſix pence Spaniſh, twelve pence Brandy.

-water, §. 2. All Strong-water made in *England*, mixt with Lees, imported to pay as Brandy.

2 & 23 *Car.* 2. An additional Exciſe of nine pence a Barrel for Beer or Ale above ſix ſhillings, under three pence; a Hogſhead of Cyder or Perry, one ſhilling three pence; a Gallon of Mead, an half peny; Vinegar-beer, ſix pence the Barrel; Gallon of Strong-water, one peny; Barrel of Beer imported, three ſhillings; Tun of Cyder, four pounds; Gallon of Low-wines, two pence; of Coffee, two pence; Chocolet, Sherbet, Tea, eight pence, for ſix years, from the twenty fourth of *June* 1671.

tion, *c.* 13. Ale, Beer or Mum, paying twelve pence *per* Tun, may be tranſported.

King,1 *Jac.*2. Exciſe ſettled on the King for Life, which was ſettled on late King for Life, by 12 *Car.*2. *cap.* 4. & 23. and Reviver of 12 *Car.* 2. *cap.* 19. and 12 & 14 *Car.* 2. *cap.* 11. for the Kings Life.

ry Exciſe, Conſolidation of Kings Eſtates Tail and Fee in Poſt-Office, *&c.* 24000 *l. per annum* hereditary Exciſe.

g Liquors, & *M.ſeſſ.*1. *c.*22. Exportation of Ale, Beer, *&c.* lawful paying 1 *s per* Tun Cuſtom, and certifying quantity; and Brewer to be repaid Exciſe, 3 *d. per* Tun deducted.

ped, §. 2. Not to be unſhipped in *England* on forfeiture thereof, and 50 *l.* for every Cask.

pent on Ship- Commiſſioners and Officers of Cuſtom to charge Maſter of Ship with Exciſe of Beer, *&c.* ſpent on Ship-board.

Duty, §. 3. The 1 *s. per* Tun to be levied and paid, as ordained by Laws of Tunnage and Poundage,

ported, §. 4. No Mum imported to have Cuſtom, *&c.* repaid upon Exportation.

al Exciſe, §. 2. Additional Exciſe on Liquors, for three years, for maintaining War againſt *France*, (*viz.*) Beer or Ale above 6 *s.* the Barrel, 9 *d.* the Barrel; of 6 *s.* or under 3 *d.* Engliſh Vinegar 1 *s.* 6 *d.* the Barrel; Foreign 4 *s.* Beer, Ale or Mum imported, 3 *s.* the Barrel; Cyder or Perry imported, 4 *l.* the Tun; ſingle Brandy imported, 2 *s.* the Gallon; double 4 *s.* Cyder and Perry retailed, 1 *s.* 3 *d.* the Hogſhead; Metheglin or Mead, 3 *d.* the Gallon.

Low Wines after gaged not to be diſpoſed or removed till drawn off a ſecond time,on forfeiture of 5 *s. per* Gallon. **Low-Wines,** §. 3.

Duties to be collected and paid according to 12 *Car.* 2. *cap.* 24. and 15 *Car.* 2. *cap.* 11. and other Laws of Exciſe. **Collecting Duty,** &c. §. 4.

Thirty four Gallons of Beer or Ale, (except in L. W. and Bills of Mortality) to be returned for a Barrel; and allowance of two Barrels and an half in twenty three; And Barrel of Beer or Ale in L. W. or Bills of Mortality to be accounted and returned, and Brewers like allowance, as by former Acts of Exciſe. **Content of Barrel return'd,and allowance to Brewer,**§.5.

Where Worts are found miſſing, or not let down, ſo much Beer or Ale to be charged as the Worts would make. **Worts miſſing or not let down,** §. *6.*

Gaugers may gauge and charge warm Worts, and allow Brewers one tenth, and the ſame not to be after charged. **Gauging warm Worts** &c.**and allowing one tenth,** §. 7.

None ſhall be moleſted for uttering Beer or Ale at higher Prizes then formerly. **Uttering,** §. 8.

Diſtiller of Strong-waters, refuſing Gauger to enter his Houſe, *&c.* ſhall incur Penalties of former Acts. **Diſtiller refuſing Gauger,** §. 9.

No Brewer to have benefit of 15 *Car.*2. *cap.*11. §.6. that did not ſhew Gauger all his Beer, Ale and Worts, or where fraud was acted. **Benefit of** 15 *Car.* 2. §. 10.

Brewer or Retailer uſing private Places for laying Beer, *&c.* forfeits 50 *l.* and for mixing, concealing or conveying away Worts, 20 *s. per* Barrel; and Commiſſioners of Exciſe and Juſtices of Peace, *&c.* may hear and determine Forfeitures and Offences. **Laying Beer,** &c. **in private place. Mixing, concealing or conveying Worts. Determining offences,** &c. §. 11.

Gaugers to leave Notes of laſt Gauges with Brewers, *&c.* On penalty of 40 *s.* **Gaugers leaving notes of Gauges,** §. 12.

Commiſſioners and Juſtices of Peace may hear and determine Complaints of over-charge returned. **Determining ſurcharge return'd,**§.13.

Offices for Entries and Payments to be kept in *H. N.* and *L.* in County of *Angleſey*. **Entries,** &c. **for** Angleſey, §. 14.

Commiſſioners of Exciſe, nor others imployed by them, not to take Rewards from any other then their Majeſties, on forfeiture of Office, and to be uncapable. **Exciſe Officer,** &c. **taking reward,** §.15.

No Information to be proſecuted after 24*th.* of *June* 1689. unleſs laid and entred within three months after Offence committed, and notice thereof given to Defendant within one Week after laying, *&c.* **Proſecuting Information,** §. 16.

None to uſe Moloſſus Sugar, *&c.* in Brewing, on forfeiture of the Liquors and 100 *l.* **Uſing Moloſſus Sugar,** &c. §. 17.

Repeal of ſuch Acts as require collecting Duties on Coffee, Chocolet and Tea by way of Exciſe, as to ſuch Collection; and additional Duties laid thereon, and how the Duties ſhall be collected. Vide *Tit. Merchant*. **Coffee, Chocolet, Tea,** §. 2. *c.* 6.

Exciſe laid on Liquors by 12 *Car.* 2. *cap.* 23. granted to their Majeſties for Life, to be collected and paid as directed by 12 *Car.* 2. *cap.* 23. and 15 *Car.* 2. *cap.* 11. **Exciſe to their Majeſties,** 2 *W.*& *M. ſeſſ.* 1. *c.* 3.

Exciſe on Liquors doubled for one year. **Exciſe doubled,** *ſeſſ.* 2. *c.* 3.

Additional Exciſe on Beer, Ale and other Liquors, for four years, from expiration of *cap* 3. of this Seſſion for maintaining the War againſt *France*, *viz.* Beer or Ale above 6 *s.* the Barrel, 1 *s.* 6 *d.* of 6 *s.* or under 6 *d.* Engliſh Vinegar 3 *s.* the Barrel; Foreign 8 *s.* Beer, Ale or Mum imported 6 *s.* the Barrel; Cyder or Perry imported 8 *l.* the Tun; ſingle Brandy imported 4 *s.* the Gallon; double 8 *s.* Cyder and Perry retailed, 2 *s.* 6 *d.* the Hogſhead; Metheglin or Mead 6 *d.* the Gallon. **Additional Exciſe,** *c.* 10. §.2.

Duties to be collected and paid according to 1 *W.* & *M. ſeſſ.* 1. *cap.* 24. and other Laws of Exciſe. **Collecting Duty,** &c. §. 3.

Appropriation of Duties ariſing by 1 *W.* & *M. ſeſſ.* 1. *cap.* 24. (after payment of States General) or by this, or any other Act of this Seſſion. **Appropriation of Duties,** §. 6.

Two third of the Duties to be a Fund of Credit for 1000000 *l.* and Intereſt, *&c.* **Borrowing Clauſe,** *c.* 14.

Exciſe on Liquors, for one year, for Defence of Realms, and carrying on the War againſt *France*. **Exciſe for one year,** 3 & 4 *W.* & *M. c.* 1.

Continuance of 2 *W.* & *M. ſeſſ.* 2. *cap.* 10. till *May* 1697. **Reviver,** *c.* 6.

Exciſe on Liquors for ninety nine year, for ſecuring Advantages to Perſons voluntarily advancing 1000000 *l.* for carrying on the War againſt *France*, *viz.* Beer or Ale above 6 *s.* the Barrel **Annuity Act. Exciſe for ninety nine years,** 4 & 5 *W.*& *M. c.* 3.

	9 *d.* the Barrel; of 6 *s.* or under 3 *d.* Engliſh Vinegar Beer 6 *s.* 6 *d.* the Barrel; Foreign Vinegar 4 *s.* the Barrel; Beer, Ale or Mum imported 3 *s.* the Barrel; Cyder or Perry imported 4 *l.* the Tun; ſingle Brandy imported 6 *d.* the Gallon; double Brandy imported 1 *s.* the Gallon; Cyder and Perry retailed 1 *s.* 3 *d.* the Hogſhead; Metheglin, Mead 3 *d.* the Gallon. Vide *Tit. Taxes.*
Brandy, *c.* 5.	Additional Duty on Brandy by 2 *W.* & *M. ſeſſ.* 2. *cap.* 10. taken away.
Gaugers leaving notes &c. §. 16.	Reviver of a Clauſe in 3 & 4 *W.* & *M. cap.* 1. concerning Gaugers leaving Notes in Writing of laſt Gauges with Brewers, *&c.*
5 & 6 *W.* & *M. c.* 2. §. 2.	Repealer 1 *W.* & *M. ſeſſ.* 1. *cap.* 34. §. 8.
Brandy, §. 3.	Duties on Brandy by 4 & 5 *W.* & *M.* above Duties payable before 2 *W.* & *M.* intended of Duties payable by any Statutes then in force; and French Brandy to be imported according to 4 & 5 *W.* & *M. cap.* 25.
Lottery Act. **Exciſe for 16 years**, *c.* 7. §. 27.	Exciſe laid on Liquors for ſixteen years, for ſecuring Recompences to Perſons advancing 1000000 *l.* for carrying on War againſt *France, viz.* Beer or Ale above 6 *s.* the Barrel 9 *d.* of 6 *s.* or under 3 *d.* Engliſh Vinegar the Barrel 1 *s.* 6 *d.* Foreign 4 *s.* Beer, Ale or Mum imported, the Barrel 3 *s.* Cyder or Perry imported, the Tun 4 *l.* ſingle Brandy, the Gallon 2 *s.* double 4 *s.* Cyder and Perry retailed, the Hogſhead 1 *s.* 3 *d.* Metheglin or Mead, the Gallon 3 *d.* Vide *Tit. Taxes.*
Cap. 20.	Exciſe on Liquors *(inter al.)* granted for four years, for ſecuring Advantages to Perſons advancing 1500000 *l.* for carrying on War againſt *France, viz.* Barrel of Beer or Ale above 6 *s.* the Barrel 9 *d.* of 6 *s.* or under 3 *d.* Engliſh Vinegar the Barrel 1 *s.* 6 *d.* Foreign 4 *s.* Beer, Ale or Mum imported, the Barrel 3 *s.* Cyder or Perry imported, the Tun 4 *l.* ſingle Brandy imported, the Gallon 6 *d.* double 1 *s.* Cyder and Perry retailed, the Hogſhead 1 *s.* 3 *d.* Metheglin or Mead, the Gallon 3 *d.* Vide *Tit. Taxes.*
Moiety of Exciſe, §. 10.	Recital of 2 *W.* & *M. ſeſſ.* 2. *cap.* 10. and after 1697. a Grant of a moiety of Exciſe on Liquors thereby granted.
Gaugers leaving notes &c. §. 49.	Notes in Writing of laſt Gauges to be left by Gaugers on penalty of 5 *l.*
Coffee, Tea, Chocolet, 6 & 7 *W.* 3. *c.* 7.	Duties laid on Coffee, Tea, Chocolet and Spices imported between *May* 1695, and 1698. Vide *Tit. Merchant.*

Alenation, ſee *Licence*.

Aliens.

Denizen, Strangers, Merchant Ouſter le Mere, Foreigners, Engliſh-men.

Travel, 9 *H.* 3. *c.* 3. *Mag. Charta.*	Merchant-Strangers may go, come or ſtay, by Land or Sea, unleſs openly prohibit, or in time of War.
Eſcheat, 17 *Ed.* 2. *c.* 12. *Prerog. Regis.*	The King ſhall have Eſcheats of Aliens born, whoſe Anceſtors were not of the Allegiance of the King of *England.*
Denizen, 9 *Ed.* 3. *c.* 1.	Or Denizen-Merchant, except the Kings Enemies, may buy and ſell where they will, within Franchiſes or without.
Trade free, 14 *Ed.* 3. *c.* 2.	All Merchants not of the Kings Enmity, may Trade freely, paying reaſonable Cuſtoms as uſed, ſaving the Franchiſe of *London*, and other Cities.
Children, 25 *Ed.* 3 *p.* 113. *St.* 2.	All the Kings Children born beyond Sea, Inherit, and others whoſe Fathers and Mothers were of the Kings Allegiance at the time of Birth, if the Mothers paſſed the Sea by Licence of the Huſband.
Trade free, 27 *Ed.* 3. *St.* 2. *c.* 2.	Merchant-Strangers not of Enmity, may dwell and trade here, and return freely.
Medietate Lingue, 28 *Ed.* 3. *c.* 13. §. 2.	All Enqueſts between Merchants or others, in Staple or out, ſhall be *De medietate Linguæ*, where any Alien is party.
Gaſcoin, 38 *Ed.* 3. *c.* 11.	May fetch Wines, and Aliens bring them from *Gaſcoin.*
Children, 42 *Ed.* 3. *c.* 10.	Children born beyond Sea at *Calice*, or other Seigniories of the King, ſhall inherit as by Common Law and former Statute.
Sale, 2 *R.* 2. *c.* 1.	All Merchants, Alien or Denizen, may ſell Ware by Whole-ſale or Retail, any where, to any body, only Wine by the Veſſel, and diſturbers puniſhed.
Victuals, 6 *R.* 2. *c.* 10.	Alien-Merchants may retain Victuals cut or whole.
Retail, 16 *R.* 2. *c.* 1.	One Alien-Merchant ſhall not buy of another to ſell again, nor retain nor ſell any Wares but Victuals, and ſhall not tranſport Spicery, but ſell that and Wine in whole Veſſels.
Uſage, 5 *H.* 4. *c.* 7.	Merchant-Strangers ſhall be uſed here, as ours are beyond Sea.
Mony ſecurity, *c.* 9.	Aliens ſhall employ their Mony here, and give Security at Port ſo to do, ſhall have Hoſts aſſigned, and dwell no where elſe.
Tithe, *c.* 11.	Farmers of Aliens Poſſeſſions, though ſeized into the Kings Hands, ſhall pay Tithe.

Shall not export the Merchandizes imported by Aliens.	**Export, import,** *c.* 4.
All *Britains* not made Denizens, to depart the Realm on death.	Britains, 3 *H.* 5. *St.*
Every Company of Merchants diſtinct, ſhall find Surety in Chancery not to tranſport Gold nor Silver.	**Gold, Silver,** 2 *H*
Inqueſt *De medietate*, becauſe Aliens cannot purchaſe, they need not have forty ſhillings Land *per ann.* notwithſtanding 2 *H.* 5. *cap.* 3.	Medietate, 8 *H.* 6.
No Stranger may buy Engliſh Horns unwrought.	**Horns,** 4 *Ed.* 4. *c.*
Shall not be Handy-crafts-men here in Houſe or in Chamber, nor Sojourner with other Aliens.	**Handy-craft,** 1 *R* §. 9.
Such as were Handy-craft, to ſell in groſs, and to take no Apprentice but Subject born, in Houſe or Chamber.	**Sale in groſs,** §
Not to prejudice Bookſeller, Scrivener, Alluminor, Reader or Printer, to ſell in groſs.	§. 12.
Made Denizen, ſhall ſtill pay double Cuſtoms.	**Double Cuſt.** 1 *H*
No Denizen-Merchant ſhall pay Scavage; Taker to forfeit ten pounds.	**Scavage,** 19 *H.* 7
Shall not buy Leather but in open Markets.	**Leather,** 3 *H.* 8.
Of the Fellowſhip of the *Trinity*, may buy Leather in Markets.	5 *H.* 8. *c.* 7.
Only to them, and to Denizens, 1 *R.* 3. *cap.* 11. extends to exporting Bowſtaves.	**Bowſtaves,** 6 *H.* 8
Cloth ſhall not be ſold to them, unleſs in eight days, *&c.* it cannot be ſold to *England.*	**Cloth,** 14 & 15 *c.* 1.
No ſuch Handy-craft to take Apprentice but of Engliſh, on forfeit of ten pounds.	**Apprentice,** *c.* 2
Shall not keep above two Journey-men, or Covenant-ſervants, except Engliſh.	**Journy-men,** §.
Whether Denizen or not, within two miles of *London*, ſhall be under the Search of the Warden of Handy-crafts in *London.*	**Handy-craft,** §.
The Warden and one Stranger ſhall appoint Habitation and Market for their Wares.	**Habitation,** &c.
They to review and reform all Wares and Workman-ſhips.	**Wares,** &c. §. 5.
No Alien Smiths, Joyners or Coopers, ſhall make Veſſels without Mark.	**Veſſel mark,** §
Deceitful Wares forfeit.	**Deceit,** §. 7.
All Wardens and Maſters of Fellowſhips in *England*, or Chief Governors, to have like power as in *London.*	**Powers,** §. 8.
Stranger grieved by ſuch Officers, to complain to Chancellor, or Juſtice of Aſſize.	**Grieved,** §. 9.
If Wardens and Houſholder refuſe to mark, Stranger may ſell without.	**Mark,** §. 10.
The Marking to extend only to Joyners, Purchmakers, Coopers and Blackſmiths.	§. 13.
They who have one hundred pounds *per annum*, may retain Joyners, Glaſiers, *&c.*	**Joyners,** &c. §. 14.
Engliſh that go beyond Sea, and are ſworn to Foreign Princes or State, ſhall pay Cuſtoms, *&c.* as Aliens, until their return.	**Cuſtoms,** *c.* 4.
Shall keep but two Servants Strangers.	**Servants,** 21 *H.*
Denizen in *London* pay Scot and Lot, and all Charges, and all *England* over.	**Denizen,** §. 2.
On refuſal to incur the Pains 14 & 15 *H.* 8. *cap.* 2. and 1 *R.* 3. *cap.* 9.	§. 3.
Shall ſwear the Oath in Common Hall, of Craft, and of Allegiance.	**Oaths,** §. 4
Shall not Work in Chambers.	**Work-place,** §.
To Aſſemble only in Common Hall.	**Aſſemble,** §. 6.
In Univerſities, nor St. *Martins le Grand*, ſhall have but ten Servants.	**Servants,** §. 9.
May have as many Apprentices Subjects as they pleaſe.	**Apprentice,** §.
Being warned, ſhall aſſiſt the Warden of his Craft to ſearch, *&c.*	**Search,** §. 16.
In the Sanctuary of St. *Martins le Grand*, ſhall be ſubject to Biſhop of *London.*	**St.** Martins, §
Made Denizens ſhall pay Cuſtoms, Subſidy and Toll-Duties, and all other Monies they paid before for Merchandize.	**Denizen,** 22 *H.*
Egyptians, ſo called, ſhall not be tryed *per medietatem Linguæ* for Murder, Felony, *&c.*	Egyptian, *c.* 10.
Bakers, Brewers, Surgeons and Scriveners, are no Handy-crafts: nor Alien-Artificers within 21 *H.* 8. *cap.* 16.	**Handy-craft,** *c*
Shall not be Apprentice to Pewterer or Braſier, *&c.*	**Apprent.** 25 *H.* 8
If Pewterer, *&c.* return not from beyond Sea on three months requeſt, he ſhall be taken as Alien.	**Pewterer,** &c.
A Confirmation of 1 *R.* 3. *cap.* 9. §. 9, 11, & 12. and of 14 & 15 *H.* 8. *cap.* 2. and of 21 *H.* 8. *cap.* 16.	**Confirmation,** *c.* 16.
The Inconveniences ariſing by Patents of Denization, that they ſhould be as Free as Engliſh-men, naturally born, *Non-obſtante*, &c.	**Denizen,** §. 6.
Strangers made Denizens, ſhall obey all Statutes in force not repealed, *non obſtante* any Patent to the *contra*, and this Clauſe to be in all Patents hereafter, unleſs particulars be ſpecified, *&c.*	§. 7.
No Craft in *Oxford, Cambridge*, St. *Martin le Grand*, or like places, ſhall retain Alien Apprentices above two.	**Apprentice,** §. 1
Aliens to be bound to the Laws of the Realm.	§. 9

tture, §. 10. None to keep above four Strangers in his Family, on Forfeit of 10 *l.* for each.

mation, §. 11. Not to prejudice the Kings Proclamation of Cuſtoms of Strangers.

Lord of Parliament may keep ſix Strangers.

§. 12. s, §. 13. Leaſes of Dwelling-houſe or Shop to Alien Artificer, to be void : and Alien that takes it, to forfeit 5 *l.* and the Leſſor 5 *l.*

om, 33 *H.*8.*c.*9.§.9 Shall not tranſport Long-bow, Arrows nor Shafts.

§. 10. Shall not uſe ſhooting at Long-bow.

lization, *c.* 25. The Children of *Thomas Points*, *W. Caſtelin*, and *John Dimock*, born beyond Sea, ſhall be reputed and enabled Natural-born Subjects.

Ph. & *M. c.* 6. All born under the Dominions of the French King, not Denizen, or licenced by the King, to depart during the War ; and Proclamation may repeal any ſuch Patent on Miſdemeanour.

mation, Return, *liz. c* 3. Denizen or Subject born, not returning in ſix Months after Proclamation, after Licence expired, or that had none to go beyond Sea, forfeits Profits for Life, and all his Goods.

y, 31 *Eliz. c.* 10. Shall not be permitted to make an Attorny on penal Law.

tation, 39 *El.c.*10. May import Salt Fiſh, Herrings, *&c.*

s, §. 5. To pay the ſame Cuſtoms here, that Engliſh Subjects do there.

king, 1 *Jac. c.*17. None to be ſet on work in Hat-making.

7 *Jac. c.* 2. Muſt take Sacrament, and the Oath of Allegiance and Supremacy, before naturalizing or reſtore in Blood,

r, *c.* 14. §. 3. A Reviver of 4 *Ed.* 4. *cap.* 8. Repealed 1 *Jac. cap.* 25. §. 44. Except power to Wardens of Horners to ſearch, *&c.*

§. 4. No perſons to ſell Engliſh Horns to Strangers, nor to tranſport.

21 *Jac.c.*9. §. 5. Shall be Retail Welſh Cloths, Cottons, *&c.*

§. 15. Are within all Statutes of Bankrupt, for benefit and charge.

&c. 12 *Car.* 2. §. 2. Shall not be Merchant nor Factor in *Aſia*, *Africa* or *America*.

§. 6. No Ship whereof he is part Owner, to trade from one part of *England*, &c. to another.

n, 14 *Car.* 2. §. 10. No Child of Alien under one and twenty years old, to trade or be named in Entry of Goods.

tate, §. 11. No party Jury in Suits for Tonnage, Ships or Goods.

dreſſing, &c. *r.*2.*c.* 15. §. 2. May uſe Hemp dreſſing, or for any Cloth of Hemp or Flax, and of making Tapeſtry-Hangings, Twine, or Nets, or Stoving Cordage.

§. 3. Setting up within three years to be as Subject, taking Oath of Allegiance, *&c.*

§. 4. Traders by this Act to pay no more Taxes than Subjects.

&c. **Seizure**, *r.* 2. *c.* 2. §. 2. Ling, Herring, Cod, Eels, Salmonds, Pilchards, *&c.* imported by them ſeized.

hip, 19 *Car.* 2. §. 3. Oath to be made, that Alien hath no Intereſt in Prize-Ship made Engliſh.

22 *Car.*2. *c.* 13. May tranſport Corn or Cattel.

3 *Car.* 2. *c.* 13. May tranſport Ale, Beer or Mum, paying twelve pence *per* Tun.

25 *Car.* 2. *c.* 6. A Repeal of ſo much of 11 *H.* 7. *cap.* 14. and of 12 *Car.* 2. *cap.* 6. and of all other Statutes as concern Aliens, paying double Cuſtoms (except) of Coals.

§. 2. Denizens and Aliens to pay for Native Commodities wrought here, only as Natural Subjects, except for Coals.

§. 3. For Fiſh caught by Engliſh, exported with Engliſh Ships and Men, only as Natural.

nd, *c.* 7. While Reſident in *England*, may trade to *Greenland* for Whale, and import Oyl, Blubber, *&c.* or from other Plantations, paying ſix ſhillings *per* Tun.

&c. §. 5. May trade to *Sweden*, *Denmark* or *Norway*.

lization, 29 *Car.* 26. For avoiding Doubts, Perſons named, *&c.* born beyond Sea, between 14 *Jan.* 1641. and 25 *March*, 1660. Naturalize.

M. Seſſ. 1. *c.* 4. Reviver of 25 *Car.* 2. *cap.* 6. for four years, but not to determine perpetual Clauſes.

s coming from e, 3 & 4 *W.* & *M.* §. 4. Voluntary coming or returning of Subjects from French Kings Dominions without leave, during the War, to be committed during pleaſure, not exceeding twelve Months.

6 *W.* & *M. c.* 1. Reviver 25 *Car.* 2. *cap.* 7. for five years.

Allowance, ſee *Fees.*

Amendment.

Delays, *Demurrer*, *Jeofail*, *Repleader*, *Declaration*, *Faux form.*

or Syllable, 3. *c* 6. May be of Clerks, miſtaken of Letter or Syllable.

and Forms, *c.* 15. None ſhall be prejudiced by ancient Terms and Forms of Law, ſo the Matter of Action be fully ſhewed in the Declaration or Writ.

after Judg- 11 *H.* 4. *c.* 4. Shall not be of Records by Juſtices aſſign in no Term after Judgment.

Proceſs after On diverſity of Opinions upon 14 *Ed.* 3. *cap.* 6. Juſtices may amend Record and Proceſs as well after Judgment as before. **Judgment**, 9 *H.* 5. *c.* 4.

That Amendments may be as well after Verdict, as matter in Law pleaded ; and 9 *H.*5.*c.*4. made perpetual ; but not to extend to *Wales*, nor Utlaries. **After Verdict**, Wales, **Utlary**.

Raizing, Interlining, Addition, Subſtraction or Diminution of Words, Letters, Titles or parcels of Letters in any Records, Proceſs, Warrant of Attorny, Writ, Pannel or Return is amendable. **Word, Letter, Title**, &c. 8 *H.* 6. *c.* 12.

The Judges, where Error is aſſigned, may amend, and Parties in affirmation of the Judgment avet that the Record is variant from what is certified. **Error aſſigned, Record variant from Certificate**, §. 2.

May be of Records, Proceſs, Returns of Sheriffs, or other Miniſters in Letter or Syllable, by way of Error or otherwiſe. **Letter or Syllable in Record, Proceſs, Return**, *c.* 15.

Of Miſpleading, lack of Colour, inſufficient Pleading, Jeofail, Miſcontinuance, Diſcontinuance, Miſconveying of Proceſs, miſjoyning Iſſue, lack of Warrant of Attorny, or of negligence of Party, Council or Attorny after Verdict. **Miſpleading**, &c. **after Verdict**, 32 *H.*8. *c.*30.

Warrant of Attorny to be delivered the Term that Iſſue is to be upon Record on forfeit of 10 *l.* **Delivering Warrant, Attorny**, §. 2.

After Verdict Judgment not to be ſtayed for want of Form in Writ, Bill, Count, Return of Sheriff, Warrant of Attorny, *&c.* nor reverſe for Error. **Judgment not ſtayed, nor reverſable**, 18 *El. c.* 14.

Not to extend to Appeal, Indictment or Information upon Penal Law. **Appeal, Inditement, Information**, §. 2.

Judgment after Demurrer ſhall be on the right, without regard to want of Form in Writ returned, Plaint, Declaration, or other Pleading, Proceſs, *&c* unleſs ſpecial Demurrer. **Judgment after Demurrer**, 27 *El. c.* 5.

May be after Demurrer joyned, as to Form expreſſed in ſpecial Demurrer. **After Demurrer joyned**, §. 2

Not to extend to Appeal or Indictment, or Action popular, *&c.* **Appeal, Inditement, Action popular**, §. 3.

Judgment on Verdict not ſtayed for want of Averment of Life for variance in Form, in Writ, Plaint or Demand, by *Venire fac.* or *Hab. Corp.* to wrong Officer *viſne* part ill, or of more or fewer places, miſnaming Jurors, *&c.* **Judgment not ſtayed**, 21 *Jac. c.* 13.

Not to extend to Appeals or Indictments, *&c.* **Appeal, Indict.** §. 3.

Judgment after Verdict not to be ſtayed or reverſed for want of Form, *viz.* &c. nor being againſt the right of the Suit, nor Trial altered. **Judgment not ſtayed or reverſed**, 16 & 17 *Car.* 2. *c.* 8.

Not to extend to Appeals, Indictment or Preſentment, nor Proceſs, not to inform, *&c.* **Appeal, Inditement**, §. 2.

Makes 16 & 17 *Car.* 2. *cap.* 8. perpetual. 22 & 23 *Car.* 2. *cap.* 4.

Defendant in cuſtody may be charged with a Declaration, and for want of Plea, Plaintiff to have Judgment. **Charging Priſoner**, &c. 4 & 5 *W.* & *M. c.*21. §.2.

In Declaration againſt Priſoner, detained by Proceſs out of Kings Bench, it ſhall be alledged in whoſe Cuſtody he is. **In whoſe Cuſtody**, §. 3.

Ambidexter, ſee *Enqueſt* and *Maintenance.*

Amerciament.

Affeerment, *Leet*, *Court Baron*, *Pain*, *Moderata Miſericordia*, *Fines*, *Aſſeſſment.*

Of Free-men, proportionable to the Offence, *Salvo contenemento*, of Merchant, ſaving his Merchandize, of other Villains than the Kings, ſaving his Waynage, of Church-men, ſaving his Spiritual Benefices, but all on Trial by Vicinage and *per pares.* **Savings**, 9 *H.* 3. *c.* 14. *Magna Charta.*

Nothing ſhall be taken for Inqueſts of Life or Member, but granted freely, and not denied. **Inqueſts**, *c.* 26.

Is three ſhillings for not lawing Dog in Foreſt. **Lawing Dog**, 9 *H.*3.*c.*6. *Ch. de Foreſt.*

Shall not be for one Nights lodging of Swine in Foreſt. **Swine in Foreſt**, *c.* 9.

Shall be at the Kings pleaſure, of ſuch as divorce Widows of Dower or Quarentine. **Divorce of Widow**, 20 *H.* 3. *c.* 1. *Merton.*

Of Diſſeiſor on Approvement, not leaving ſufficient Common. **Diſſeizor**, *c.* 4.

Of Lord deſtraining for more Services than due. **Diſtraining for ſervice** &c. 52 *H.*3.*c.*3. *Marlbr.*

Of Plaintiff failing in Action againſt Feoffee, or ſuppoſed Colluſion, to defeat him of Ward. **Failing in Action**, *c.*6.

For default of Common Summons, ſhall be only by Chief Juſtices, or in Eyre, in their Circuits, not by Eſcheators, Commiſſioners, *&c.* **Default of common Summons**, *c.* 18.

Shall be grievous on Farmer that doth waſte Sale or Exile of Houſe, Woods or Men, without Licences, *&c.* **Waſte, Sale, Exile by Farmer**, *c.* 23.

Shall not be of Townſhip, becauſe all of twelve years old appear not, if there be a full Inqueſt, unleſs of Inquiry of Death of a Man. **Townſhip**, *c.* 24.

Shall not be in Eyre by default of Vouchee the firſt day, but on Summons the third or fourth, if within the Shire, and by fifteen days without. **Default of Vouchee in Eyre**, *c.* 26.

Shall not be of Bail, if Clerk be rendred, though he will not anſwer to the Crime, but ſtands on Priviledge. **Bail**, *c.* 27.]

Of no City, Town, Borough nor Freemen ſhall be without reaſonable Cauſe, and proportionable to the Offence, and that by Peers. **Reaſonable and proportionable**, 3 *Ed.* 1. *c.* 6. *W.* 1.

Nothing ſhall be taken for fair Pleading, as prohibited, 52 *H.* 3. *cap.* 11. **Fair Pleading**, *c.* 8.

Eyre, *c.* 18.	Common in Eyre of County for falſe Judgments and other Treſpaſſes, ſhall be ſet by Juſtices in Eyre, and Eſtreat into Exchequer, and not levy by Sheriff and Barretors, but by Oath of Knights.
Arreſt in Franchiſe, *c.* 34.	And double Damages for Arreſt within Franchiſe, of Paſſengers for Debts *dehors*.
Return Iſſues, &c. 3 *Ed.* 1. *c.* 44.	Of Sheriff, if he do not retun Iſſues on Grand Diſtreſs.
Warrant of Eſſoign, 6 *Ed.* 1. *c.* 8.	For not bringing in Warrant of Eſſoin *De ſervitio Regis.*
Diſſeiſors in L. *c.* 14.	Of Diſſeiſſors in *London* by two Barons yearly.
Return of Juror, 13 *E.* 1. *c.* 38.	Of Sheriff returning Juror under twenty four, or above ſeventy years old.
Return ſmall, &c. *c.* 39.	Of Sheriff for returning ſmall Iſſues on Jurors.
Falſe Ret. 28 *E.* 1. *c.* 16.	Of Sheriff, *&c.* for falſe Returns.
Eſcape, 3 *H.* 7. *c.* 1.	Of Towns for eſcape of Murderer.
Inſufficient Return, 27 *H.* 8. *c.* 24. §. 9.	For inſufficient Returns of Writs, and other Proceſs, ſhall be ſet upon the Heads of the Stewards or Bailiffs of Franchiſes, and not upon the Sheriff.
Not repairing Street, 34 *H.* 8. *c.* 12.	For not repairing the Street.

Anniverſary Thanksgiving, ſee *Days.*
Annuities, ſee *Grants.*

Apparel.

Liveries, Cloths, Furs, Garments, Hats, Caps, Habits.

Furs, 11 *E.* 3. *c.* 4.	Who only may wear Furs.
Engliſh Cloth, *c.* 2.	None ſhall wear any Cloth, but ſuch as is made in *England.*
Servants, 37 *E.* 3. *c.* 8.	The Diet and Apparel of Servants.
Yeomen, &c. *c.* 9.	Of Handycrafts-men and Yeomen, their Wives and Children.
Gentlemen, &c. *c.* 10.	Of Gentlemen and Eſquires of two hundred Marks Land, their Wives and Children.
Merchants, &c. *c.* 11.	Of Merchants, Citizens, Burgeſſes and Handicrafts.
Knights, &c. *c.* 12.	Of Knights that have leſs than 200 Marks Land, and Knights and Ladies that have 400.
Cap. 13.	Of ſeveral Clerks.
Plowman, *c.* 14.	Of Plowmen and others of mean Eſtate, and the Forfeiture of Offender.
Liveries, 1 *R.* 2. *c.* 7.	No Liveries of Hats or other, by the year, to maintain mutual Quarrels, on Impriſonment and Forfeiture to the King.
20 *R.* 2. *c.* 1.	An Addition of Fine, Impriſonment and Ranſom on Offenders againſt 1 *R.* 2. *cap.* 7.
Kings Liveries, *c.* 2.	Who only may wear anothers Livery.
1 *H.* 4. *c.* 7.	The Penalty of unlawful Liveries: who may wear the Kings, and to what Perſons may be given.
2 *H.* 4. *c.* 21.	None ſhall uſe the Liveries of the King out of his preſence and no Yeoman to wear it, only the Conſtable, Marſhal, may wear it on the Borders of the Marches in War.
§. 2.	They who paſs the Sea to acquire Honour may wear the Kings Livery; Juſtice of Peace to enquire; the Princes Livery may be uſed as the Kings.
7 *H.* 4. *c.* 14.	A Confirmation of 1 *H.* 4. *cap.* 7. and of 1 *R.* 2. *cap.* 7. Of Liveries; and that no Congregation or Company make any Cloth or Hats.
11 *H.* 4. *c.* 3.	A Confirmation of 1 *H.* 4. *cap.* 7. of 7 *H.* 4. *cap.* 14. and 1 *R.* 2. *cap.* 7. Of giving and taking of Liveries.
Baron, 8 *H.* 5. *c.* 3.	Of a Baron only ſhall be gilded, and Knights Spurs.
Quarrels, 8 *H.* 6. *c.* 4.	None to buy or wear Livery to maintain a Quarrel.
Allowed, 3 *Ed.* 4. *c.* 5.	Of every Vocation of Men and Women, allowed, and prohibited.
Penalty, 8 *Ed.* 4. *c.* 2.	The Penalty of giving or taking Liveries, or retaining.
Prince's Livery, 12 *Ed.* 4. *c.* 4.	The Prince of *Wales* may give his Livery, notwithſtanding former Stat.
Repeal of 22 *Ed.* 1. *c.* 1.	A Repeal of former Stat. of exceſs of Apparel, and ſome allowed and prohibited, according to degrees.
Cap. 5.	None ſhall full or thick Hats, Bonnets or Caps at Fulling-Mill.
3 *H.* 7. *c.* 12.	The Kings Officers or Tenants ſhall not be retained by Liveries.
Price of Hat, 4 *H.* 7. *c.* 9.	No Hat above 1 *s.* 8 *d.* nor Cap above 2 *s.* 8 *d.* on forfeit of 40 *s.*
19 *H.* 7. *c.* 14.	Penalty for giving or taking Livery or Retainer.
Repeal, 1 *H.* 8. *c.* 14.	A Repeal of all former Statutes againſt Exceſs, *&c.*
3 *H.* 8. *c.* 15.	A Repeal of all Statutes for Hats and Caps wrought beyond Sea.
Every degree, 6 *H.* 8. *c.* 1.	Of Temporal Men of every Degree.
7 *H.* 8. *c.* 6.	A Repeal of 6 *H.* 8. *cap.* 1. and other Forfeitures.
Foreign Hats, &c. 21 *H.* 8. *c.* 9.	Hats or Caps made beyond Sea, above, *&c.* forfeit forty ſhillings.
Repeal, 24 *H.* 8. *c.* 13.	A Repeal of former Statutes againſt Exceſs, and what Vocations to wear, *&c.*
Norwich **Hat-maker,** 1 *Ed.* 6. *c.* 6. §. 4.	Hat-makers of *Norwich* may buy Worſted Yarn.
5 & 6 *Ed.* 6. *c.* 24.	Felts and thrummed Hats, *&c.* to be made by none in *Norfolk*, unleſs Apprentice 7 years, or Licence by four Juſtices.
§. 3.	To be made only in *Norwich*, and Towns Corporate.
1 *Mar. St.* 2. *c.* 11.	A Confirmation of 21 *H.* 8. *cap.* 9. the Cuſtoms of Hats, and none to buy above twelve.
Wearing Silk, Penalty, 1 *Ph.* *c.* 2.	Wearing Silk on Hat, Bonnet, Girdles, Scabbard, Hoſe, Shoes or Spur Leathers, to be three Months impriſoned, and forfeit ten pounds.

Selling foreign Ware to any that hath not three thouſand pounds *per annum*, unleſs for ready Mony, or on twenty eight days payment to be without recovery for the Mony.	**Sale of foreign** 5 *Eliz.* *c.* 6.
None to uſe foreign Wool, but Hatters Apprentice ſeven years, *&c.*	**Foreign Wool,** *c.* 11. §. 2.
No Cap to be made of Felt, nor died black, but with Coperas.	**Coperas,** §. 3.
No Cap to be fulled until well ſcoured, *&c.*	**Fulling ſcowrin**
None under a Knight, or a Lords Son, to wear Hat or Cap of Velvet, on forfeit of 10 *s.*	**Velvet Hat,** §.
Haberdaſhers of *London* calling Capper and Hatmaker to ſearch, *&c.*	**Search,** §. 6.
Children of Hat-makers may make Felts, *&c.*	**Felts,** §. 9.
All above ſeven years old to wear Caps, on forfeit of 3 *s.* 4 *d.* except Maids, Ladies and Gentlewomen of 20 Marks Lands, and Lords, Knights, *&c.*	**Wearing Caps,** *c.* 19.
Moiety of Forfeitures by 8 *Eliz. cap.* 11. Or this Act, to be to the King, *&c.* the other to the Informer.	**Forfeiture,** 1 *Jac*
None but Apprentice ſeven years to Felt-making, to make any, nor retain other than Journy-men that have ſerved, and two Apprentices.	**Apprentice,** §.
No Aliens to be ſet on work in Hat-making.	§. 4.
Son of Hat-makers to be Apprentices till two and twenty.	§. 5.
They who are Felt-makers Apprentices, Covenant Servant or Journy-man, may ſo continue.	§. 6.
A Repeal of all Statutes of Apparel.	**Repeal,** 1 *Jac.* §. 45.

Appearance, ſee *Attorny.*
Appeals, ſee *Error.*
Appeals and *Provocations*, ſee *Ordinary.*
Appeals of Felony, ſee *Corone.*
Appeals to Rome, ſee *Pope.*

Apportionment.

Abridgment, Severance.

Shall be of Services to the Chief Lord, according to the quantity of the Land ſold.	**Services,** 18 *Ed.* *c.* 2.
Abatement by Nontenure of parcel is but *pro Rata.*	**Abatement,** 25 *St.* 4. *c.* 16.
Above ten Marks *per annum* in the Iſle of *Wight*, ſhall not be let to one Tenant.	Wight **Iſle,** 4 *H.*
Plaint in Aſſize on pleading ſeveral bars to ſeveral parcels, may be abridged.	**Plaint in Aſſi** 8. *c.* 3.
So many as undertake Probate of Will, may ſell on Deviſe that Executors ſhall ſell.	**Executors ſelli**
None to keep above 2000 Sheep.	**Sheep,** 25 *H.* 8.
Above two Farms that keep that number, cannot be joyned.	§. 14
Where one Church is not above ſix pounds *per annum* in the Firſt-Fruits, nor above a Mile from the other, they may be united.	**Uniting Churc** 8. *c.* 21. §. 3.

Appraiſement.

Valuation, Eſtimation, Prices, Wages, Fees.

Carriage with two Horſes is ten pence a day, with three, is fourteen pence a day, to be paid by the Kings Purveyor.	**Carriage,** 9 *H.* *Magna Charta.*
Juſtice ſhall not be ſold nor deferred.	**Juſtice,** *c.* 29.
The Aſſize of Bread, Waſtel, Corker, Symnel and Treet, may be holden according to the price of Wheat, by the middle price of Wheat, and changed only by ſix pence increaſe or decreaſe in ſale of a Quarter.	**Bread,** &c. 51 *p.* 10. *Aſſiſa P* *Cerviſiæ.*
Ale and Beer ſhall be as much more out of Cities and Towns, as in, and according as Barley and Oats are by the Quarter.	**Ale and Beer,**
An *Engliſh* ſterling Peny round, and without clipping, by conſent of the Realm, ſhall weigh thirty two Wheat-Corns in the midſt of the Ear, and twenty pence do make an Ounce, twelve Ounces a Pound, eight Pound a Gallon of Wine, eight Gallons of Wine a *London* Buſhel, which is the eighth part of a Quarter.	**Weight,** §. 3.
Sheriff may bail for Petty Larceny not above 12 *d.* without Writ, or on Common Writ.	**Bail,** 3 *Ed.* 1. *W.* 1.
Aid *pur fair fitz Chevalier, & pur file marier* is 20 *s.* Knights Fee, or 20 *l.* Soccage Land.	Aid pur fair, *&c.*
Of Caſtles, Buildings, Gardens, Dove-houſes, and all other Iſſues yearly. 2. Of Demean-fields, Meadow, Paſture, Acres. 3. Common. 4. Parks and Woods. 5. Foreign Woods. 6. Rannage, Rivers, Foreſt, Moors, *&c.* 7. Of Mills, of Fiſhing. 8. Of Freeholders, Number, Service, Eſcheat, Rents. 9. Cuſtomary Tenants. 10. Cottages and Rent. 11. Of Perquiſites. 12. Churches. 13. Of Heriots, Service, *&c.*	4 *Ed.* 1. *p.* 27. *Extent Manerii.*
No Writ of Treſpaſs before the Juſtices, but before Sheriff, unleſs Plaintiff ſwear by his Faith, that the Goods taken are forty ſhillings at leaſt, and that Plaint of beating is true.	**County Court** 6 *Ed.* 1. *c.* 8. *Gl*

Debtor

, Execution, Ed. 1. p. 54. Stat. rch. Debtor hath no remedy againſt Sheriff, or underſale of Goods in Execution, becauſe he might have ſold before himſelf, and if Appraiſers value too high, Creditor may put the Goods upon them by Statute Merchant.

, 13 *Ed.* 1. *c.* 18. 2. On Recovery of Debt or Damage, Plaintiff may elect to have *Fi. fac.* of Lands and Goods, or delivery of Chattels and Moiety of Land till Debt ſatisfied by reaſonable Price or Extent.

yance, 28 *Ed.* 1. 5. The Statute of Prizes omitted, becauſe the ſame with *Artic. ſuper Chartas*, 28 *Ed.* 1. *cap.* 2. in Purveyance.

, *Incert. temp. p.* 85. 2. Aſſize of Wheat ſhall not be charged more than 6 *d.* increaſe or decreaſe in Quarter.

Cap. 2. If Farthing be wanting in weight of two Shillings ſix pence, Baker ſhall be amerced, if more than a Farthing, Pillory not to be bought off.

Cap. 4. The 20*th* or 24*th* Corn by the Kings Meaſure, ſhall be taken by Miller by raſe, and not by Cantel or in Heaps.

, 4 *E.* 3. *c.* 12. Wines ſhall be ſold at reaſonable Prizes.

als, 23 *Ed.* 3. *c.* 6 Victuals ſhall be ſold at reaſonable Prizes by all, with regard to places adjoyning, and diſtance of bringing.

, 25 *Ed.* 3. *c.* 2. Of Wages for threſhing all ſorts of Corn.

, *c.* 4. Boots and Shoes ſold as 20 *Ed.* 3.

rp, 27 *Ed.* 3. *c.* 3. Commiſſioners to enquire of Cffenders againſt 23 *Ed.* 3. *cap.* 6.

ms, 27 *Ed.* 3. *c.* 1. Of the Cuſtoms of ſeveral Commodities at the Staple.

yance, 36 *Ed.* 3. Of Purveyance by Officer, and four of the Town, without *Dureſs* or Fraud.

,&c. 37 *E.* 3. *c.* 3. The price of Capon, Hen, Pullet and Gooſe.

als, &c. 13 *R.* 2. Juſtices of Peace ſhall ſet price of Victuals, Workmen, Horſe-bread and of Ale.

,2 *H.* 6. *c.* 13. The price of a pound of Silver in Plate, Piece or Maſs.

H. 6. *c.* 12. A pound of Wax ſix pence, and Candle, Images and Figures, three pence more, and Chandler that ſells above, to forfeit, *&c.*

,&c. 15 *H.* 6. Wheat at 6 *s.* 8 *d.* Barley at 3 *s.* 4 *d.* a Quarter, may be tranſported.

22 *Ed.* 4. *c.* 4. A long Yew Bow not above 3 *s.* 4 *d.* the like 3 *H.* 7. *cap.* 13.

, 4 *H.* 7. *c.* 8. A broad Yard of fineſt Scarlet, ſixteen ſhillings, of other colour, eleven ſhillings, on forfeit of forty ſhillings a Yard.

ap, &c. *c.* 9. Hat twenty pence, Cap two ſhillings eight pence, and not above, on forfeit of forty ſhillings.

ory, 21 *H.* 8. §. 4. Inventory of Executor or Adminiſtrator ſhall be by Indenture between them and the Ordinary, and each keep one part.

ork, &c. 24 *H.* 8. A pound of Beef or Pork, a Half-peny, of Mutton or Veal, *ob. q.*

s, 25 *H.* 8. *c.* 2. Of Victual, ſhall be ſent by Chancellor, Treaſurer, Preſident, Privy Seal of *Quorum* one, and Chamberlain, Steward, Controller, Lords of Councel, Chancellor of *Lancaſter*, the Juſtices of either Bench, or any ſeven, *&c.*

Cap. 13. The prices of Victual raiſed by ingroſſing Paſture.

c. 15. The prices of Books to be regulated by the Chancellor, Treaſurer and Chief Juſtice, or two of them.

8 *H.* 8. *c.* 14. *French* Wines eight pence a Gallon, *viz.* a peny a Pint, on forfeit of four pence every Pint otherwiſe ſold.

§. 3. Selling Veſſel of Wine in groſs *contra* to Proclamation in Chancery, of Price, *&c.* to forfeit forty ſhillings.

3 *H.* 8. *c.* 9. §. 6. Yew Bow one ſhilling for one, above fourteen, and under ſeventeen, or under to ſix pence, for ſuch as are above ſeven and under fourteen; and for Elk three ſhilling and four pence, as 22 *Ed.* 4. 4.

&c. 5 & 6 *E.* 6. §. 13. Wheat ſix ſhillings eight pence, Barly three ſhillings four pence, Oats two ſhillings, Peaſe four ſhillings, Rye five ſhillings the Quarter, or under, may be ingroſſed or tranſported.

7 *Ed.* 6. *c.* 5. §. 1. None to retail *Gaſcoin*, *Guian* or *French* Wine, at more than eight pence the Gallon, and *Rochel* Wine, four pence, other Wines twelve pence.

c. 1 *Mar.* 1. 11. A Confirmation of 21 *H.* 8. *cap.* 9. of the Prices of Woollen Hats and Caps; the Cuſtoms, and that none be above twelve pence beyond Sea.

&c. 1 *Ph.* & *c.* 5. §. 7. When common Price exceeds not of Wheat ſix ſhillings eight pence the Quarter, of Rye four ſhillings, of Barly three ſhillings, they may be tranſported.

8 *El.* *c.* 9. §. 3. A Repeal of ſo much of 23 *H.* 8. *cap.* 4. §. 3. as to Prices of Veſſels, *&c.*

El. *c.* 13. Juſtices of Aſſize or Seſſions, (or the King) to determine when fit to tranſport Corn.

Wheat not exceeding twenty ſhillings the Quarter, Rye, Peaſe and Beans thirteen ſhillings four pence, Barly and Malt twelve ſhillings may be tranſported.

25. §. 26. Wheat not exceeding twenty ſix ſhillings eight pence the Quarter, Rye, Peaſe and Beans fifteen ſhillings, Barley and Malt fourteen, may be tranſported.

When Malt exceeds not ſixteen ſhillings the Quarter, Beer may be tranſported ten ſhillings *per* Tun. **Beer,** 3 *Jac. c.* 11. §. 2.

Corn may be tranſported when a Quarter of Wheat exceeds not two and thirty ſhillings, of Rye twenty ſhillings, of Peaſe, Beans, Malt and Barley, ſixteen ſhillings. **Corn,** 21 *Jac.* 28. §. 3.

Of Inland Letters *per* Sheet and Stages. **Lett.** 12 *Car.* 2. *c.* 35. §. 4.

Of Foreign Letters to all parts of Traffick. §. 5.

Lord Mayor and Aldermen, and Juſtices of Peace, or three to ſet prices of Coals retailed. **Coals,** 16 & 17 *Car.* 2. *c.* 2.

No Contract for above 10 *l.* unleſs Earneſt or Writing. **Contract for 10 l.** 29 *Car.* 2. *c.* 3. §. 17. *n.* 1.

Apprentice, ſee *Trades.*
Approver, ſee *Coron.*
Appropriation, ſee *Church.*

Approvement.

Incloſure, *Aſſert*, *Drayning*, *Fens*, *Banks*, Curia claudenda, *Cottages*, *Moor*, *Burning*, *Flax*, *Hemp*, Hounſlow-Heath, *Husbandry.*

Freeman in his Woods, Lands or Waters, in Foreſt may make Mills, Springs, Pools, Marſh-Pits, Dikes or arable Ground, without incloſing. **Mills, Pools, &c.** 9 *H.* 3. *c.* 12. *Ch. de Foreſt.*

By Lords againſt Feoffees, muſt leave ſufficient Common, and what is ſo, the Aſſize on their Oaths ſhail ſay. **Common** 20 *H.* 3. *c.* 4. *Merton.*

Murage Grant to incloſe Town, is forfeit by taking more then granted. **Murage,** 3 *Ed.* 1. *c.* 31. *W.* 1.

Purpreſtures on the King ſhall *De Bigamis* be removed. **Purpreſture,** 4 *Ed.* 1. *St.* 3. *c.* 4.

It ſhall be enquired what Caſtles and other Buildings, Ditch, the Walls, Timber, Houſe, Lead and other Covering is worth the Price without a Ditch, and all the Iſſues of the Court by the year. **Value,** 4 *Ed.* 1. *p.* 27. §. 1. *Extent. Manerii.*

Enquiry of Fields of Demean, Meadow, Paſture, Acres, Farm. §. 2.

Enquiry of Common or Foreign Paſture, what Beaſts the Lord hath, and value. §. 3.

Enquiry of Demean, Parks and Wood, which the Lord may aſſert and improve at pleaſure, the Acres and value yearly. §. 4.

By Lords, as well againſt Neighbours as Tenants, unleſs eſpecially infeoffed to Common, with a certain number, but no Aſſize for Wind-mill, Sheep-Cote, Dairy, *&c.* to enlarge Curtilage, and no Aſſize againſt throwers down of Hedges, unleſs Entry were ſince Aſſize of *Mortdanceſter* ran. **Incloſure, Aſſize, Hedges,** 13 *Ed.* 1. *c.* 46. *W.* 2.

Towns adjoyning ſhall be diſtrained to levy Fences, if it be not known who threw them down, and pay Damages. **Fences,** *Ibid.*

Juror in County ſhall have forty ſhillings, out five pounds, but before Juſtices *Errant*, and in Cities and Towns, accuſtomed. **Juror,** 21 *Ed.* 1. *p.* 58.

Of Farms of Counties, ſhall not be as uſed by Approvers leaſing Hundreds diſtinct, but all ſhall be annexed to the County. **Farm of County,** 2 *Ed.* 3. *c.* 12.

On cutting Woods in the Owners Ground by Licence, in the Kings Foreſt, Chaſe or Purlieu, or without in Subjects, may incloſe for ſeven years or without Licence. **Wood incloſed,** 22 *Ed.* 4. *c.* 7.

Leaſe in Iſle of *Wight*, ſhall not be above ten Marks *per annum* to one, to avoid Depopulation. Wight, 4 *H.* 7. *c.* 16.

Pain of not laying convenient Land for Maintenance of Houſes of Husbandry. **Houſes,** *c.* 19.

Whoever decays Houſe of Husbandry, or converts Tillage to Paſture, to forfeit the Profits. 6 *H.* 8. *c.* 5.

Of decay of Town, Hamlet, Houſe of Husbandry or converting of Tillage to Paſture, the Lord of the Fee ſhall have moiety till reformed. **Tillage, Paſture,** 7 *H.* 8. *c.* 1.

A Confirmation of Scots, Ceſſes and Levies, for inning of *Plumſtead* Marſh. Plumſtead **Marſh,** 22 *H.* 8. *c.* 3.

The Bailiff or his Aſſignees, to proclaim Tax in Church on Sunday, to enter for ever. §. 2.

May be redeemed in three years, on payment of Arrears. §. 4.

Particular Tenants paying the Tax, to hold againſt Remainder or Reverſioner. §. 5.

It ſhall be Felony to cut up Powdike in Marſhland in *Norfolk*, &c. **Powdike,** *c.* 11.

He that occupies ſixty Acres Tillage, ſhall ſow one Rood with Flax and Hemp. **Flax, Hemp,** 23 *H.* 8. *c.* 4.

Ingroſſing Farms, and laying to Paſture, impoveriſhed by the inhanſing Prices, whereof none to keep above two thouſand Sheep. **Farms, Paſture,** 25 *H.* 8. *c.* 13.

Not to extend to Lambs. **Lambs,** §. 2.

Forfeits nothing that have above two thouſand by Marriage, or as Executor. **Sheep,** §. 3.

Nor to increaſe of Sheep, Deviſe till Age of *B.* §. 4.

They who have Lands of Inheritance, to keep as many as they pleaſe. §. 7.

Nottingham, 27 *H.* 8. *c* 1.	Decayed and void places in *Nottingham*, &c. to be rebuilt in three years, or by Corporation on Laches.
Tillage, *c.* 22.	The King to have Moiety of Lands converted from Tillage to Paſture, until reconverted.
Flax, &c. 33 *H.*8. *c.*17.	Flax or Hemp not to be watered in Rivers or Streams, *&c.*
Glouceſter, *c.* 35.	Mayor, and Dean and Chapter of *Glouceſter*, may convey and amend Water-pipes, paying Owner of Soil for digging.
Building, *c.* 36.	Decayed Houſes within forty years in *Canterbury, Rocheſter, Stamford, Grimsby, Cambridge, Derby, Guilford, Donwich*, the five Ports, *Lewis* and *Buckingham*, ſhall be rebuilt by Owner within two years.
§. 2.	Each Lord that enters, to have two years, *&c.*
35 *H.* 8. *c.* 4.	Rebuilding twenty three decayed Towns in *Wales* and *England*.
Wapping, *c.* 9.	*Wapping* Marſh to be divided, and *R. Hill* to have Moity for Inning.
Woods, *c.* 17. §. 3.	Woods that now are ſuch, two Acres a Furlong diſtant from Owners Houſes, not to be converted to Paſture or Tillage, on forfeit of 40 *s. per* Acre.
§. 5.	On felling Timber above twenty four years growth, Owners ſhall encloſe the Wood ſeven years from Cattel, leaving twelve Trees of Oak, *&c.* in each Acre.
Hounſlow, 37 *H.* 8. *c.* 2.	May be by the Kings Leſſee at will or for years, or by Copy of that part of *Hounſlow*-Heath, four thouſand two hundred ninety three Acres, and one Rood.
Coomb **Marſh**, *c.* 11.	Every Inhabitant of *Coomb* Marſhes, to be diſtrained for Contribution to Reparation.
Confirmation, 3 & 5 *Ed.* 6. *c.* 3. §. 3.	A Confirmation of 20 *H.* 3. *cap.* 4. of *Merton*, and of 13 *Ed.* 1. *cap.* 46. of *Weſt.* 2.
Novel Diſſeiſin, §. 4.	Treble Damages ſhall be in Aſſize of *Novel Diſſeſin.*
Merton, **Cottagers**, §. 5.	*Merton* nor *W.* 2. ſhall not extend to neceſſary Cottagers on the Waſte, under four Acres, *&c.*
§. 6.	The Overplus of three Acres heretofore built, may be laid open by Owner of the Waſte.
Tillage, 5 & 6 *Ed.* 6. *c.* 5.	As much Tillage to be as 1 *H.* 8. on forfeit of five ſhillings *per* Acre, not to extend to private Houſe, to paſture forty years, nor Waſte, Heath, Down, Fen, Moor or Marſh not tilled in forty years, nor to Warren, Park, nor ſtubbed Ground, or incloſed, nor to Orchard, Pool, Meadow, nor Land ſet with Saffron, Hops, Hemp, Flax, Woad, Acrons, Wood, *&c.*
Decayed House, 2 & 3 *Ph.* & *Mar.* *c.* 1.	Commiſſioners to enquire of decayed Caſtles, Forteſſes and Habitations of, *&c.* what places fit for Incloſure in *Northumberland, Weſtmerland, Durham*, &c.
Confirmation, *c.* 2.	A Confirmation of 4 *H.* 7. *cap.* 19. Commiſſioners to determine Offences ſince 20 *H.* 8. againſt that and 7 *H.* 8. *cap.* 1. and take Recognizance to rebuild and convert into Tillage.
Reviver, *c.* 19.	A Reviver of 22 *H.* 8. *cap.* 11. Of Powdike, *&c.* being repealed by 1 *Ed.* 6. and 1 *Mar.*
5 **Eliz.** *c.* 2.	To execute 4 *H.* 7. *cap.* 19. and 7 *H.* 8. *cap.* 1. and of 27 *H.* 8. *cap.* 22. and a Repeal of 2 and 3 *Ph.* & *Mar.* *cap.* 2. What hath been tilled four years ſince 20 *H.* 8. to be ſo ſtill.
Reviver, *c.* 5. §. 29.	That 23 *H.* 8. *cap.* 4. ſhall be revived, whereever Proclamation is made; except that inſtead of a Rood, a whole Acre ſhall be ſown with Linſeed or Flaxſeed, on forfeit of five pounds.
Plumſtead **Marſh**, &c. 23 *Eliz.* *c.* 13.	A Continuance of 5 and 8, and 14 *Eliz.* not printed, for two years, of inning *Plumſtead* Marſh, *Erith, Leſnes*, &c.
27 *Eliz.* *c.* 27.	For inning of *Erith, Leſnes* and *Plumſtead* Marſh, for ſix years.
Repeal, 35 *El.* *c.*7. §.20.	A Repeal of 5 *Eliz.* *cap.* 2. for Continuance of quantity in Tillage.
§. 21.	A Repeal of 5 *Eliz.* *cap.* 5. §. 29. as to ſowing Hemp and Flax.
39 *Eliz.* *c.* 1.	A Repeal of 4 *H.* 7. *cap.* 19. and pain for decaying Houſes ſince 1 *Eliz.*
Tillage, *c.* 2.	Arable, Meadow, Paſture, ſince 1 *Eliz.* to be again converted to Tillage.
Northumberland, 43 *El.* *c.* 9. § 32.	That 39 *Eliz.* 2. ſhall not extend to Lands in *Northumberland.*
Againſt Commoner, *c.* 11.	Cannot be againſt Commoner by Preſcript *ratione Commorantiæ.*
Againſt Lord and Commoner, §. 2.	By Contract with Drainers of Marſh or Fens, good againſt Lord or Commoners.
§. 3.	By Contract with Majority of Commoners, good againſt all where the Soil is the Kings, but not good againſt the King.
§. 4.	Shall not extinct Intereſt of Lords or Commoners in what is not drained.
Havens, Lyn, *&c.* §. 5.	Not to annoy Havens or Ports, nor to be within eight miles of *Lyn*, &c.
W. Burrel, Leſnes, *&c.* 4 *Jac.* *c.* 8. §. 2.	*William Burrel*, &c. may inn, fence and win *Leſnes* and *Fants* Marſhes in *Kent*, according to former Contract.
Reeds, §. 3.	May cut Reeds, not digging, within twenty Rood of Wall built, and after inning, *Burrel* to have Moiety in Fee, *&c.*

Commiſſion ſhall be awarded to make partition when inned.	§. 4.
Sufficient ways to be allotted to both Partiess.	§. 5.
To be holden of Mannor, as now by Fealty, and one peny an Acre.	§. 6.
Owner to incloſe third part of Manors in *Hartford.* for Tillage, *&c.* viz. *Marden, Bodenham, Wellington, Sutton* and *Tipe*, &c.	Hartford, *c.* 1
Not to extend to ancient Waſt uſed as Common.	§. 2.
Not to incloſe for *Primam Paſturam*, to prejudice of him that hath latter Marſh.	§. 3.
Not to give any lawful Title to any that hath none.	§. 4.
Such Incloſure not to prejudice any ways, *&c.*	§. 5.
They who incloſe Land, Meadow or Paſture, to be abated of Common, in the Common Fields proportionably.	§. 6.
Majority of Free and Copyholders, to ſtint Incloſures in number of Cattel, *&c.*	§. 7.
He that puts in over-ſtint, forfeits twelve pence the week each Beaſt.	§. 8.
Lord of the Precinct in Leet or Court Baron, to preſent and levy by Diſtreſs.	§. 9.
Cottage erect on Lands incloſed, may be pulled down by the Lord.	§. 10.
Latter Marth may be incloſed where ſo uſed.	§. 11.
Not to alter nor incloſe *Lug-Meadow, &c.*	§. 11.
Of Fens in *Ely*, by *Tindal, Furr* and *Cooper.*	Ely, *c.* 13.
Undertaker to have two parts of three for Labour Charge.	§. 2.
Re-entry or overflowing a Month, in default of Undertakers.	§. 4.
That 2 & 3 *Ph.* & *Mar.* *cap.* 3. extend to all Grounds hereafter incloſed for Milch Kine, that are never laid open for Common, *&c.* as if named.	**Milch Kine**, *c.* 8. §. 2.
No burning of *Ling, Heath*, &c. in Summer.	**Burning** Ling
Devon and *Cornwal* may take Sea-Sand under full Sea-mark for manure.	**Sea-Sand**,
A Commiſſion to Biſhop of *Norwich*, and eleven Juſtices, and ſix of *Suffolk*, ſix of *Quorum*, for Enquiry of drowned Lands, and Tax for regaining.	**Drowned** L §. 3.
None to ſet, plant, improve, make or cure any Tobacco, Seed, Plant, or otherwiſe in *England, Wales, Jerſey, Ireland*, &c.	**Tobacco, See** 2. *c.* 34.
Sheriffs, Juſtices of Peace, *&c.* on Complaint, to pluck up and deſtroy it.	§. 2.
Reſiſtance forfeits five pounds, and Diſtreſs and Sale.	§. 3.
Not to extend to Phyſick-Garden of Univerſities, nor Pole and half in one place, *&c.*	§. 4.
Tillage eſpecially to be regarded: Advancement of Trade is the profit of Uſer.	**Tillage**, 15 C
Planting Tobacco forfeits ten pounds a Rood or Pole.	**Tobacco**, §. 1
May be by Commoners of Lords Waſte to drain the Fens.	**Commoner**, 1 *c.* 17. §. 28.
Deſtroying Plantations or Incloſures in the Night, treble Damages.	**Incloſures**, 2 *Car.* 2. *c.* 7.
Againſt planting Tobacco in *England.*	**Tobacco**, *c.* 26.
Commiſſioners for Rebuilding *Northampton*, not to take away others Grounds, until three years default of Owner.	Northampton, §. 5.
Revives 22 & 23 *Car.* 2. *cap.* 26 for ſeven years, and to the end of the next Seſſion.	**Reviver**, 1 *Jac.* §. 13.
An Additional Act for Improvement of Tillage.	**Tillage**, *c.* 19.
Reviver of 22 *Car.* 2. *cap.* 13. and 1 *Jac.* 2. *cap.* 19. for four years, but not to determine perpetual Clauſes.	**Reviver** 2 *W* *Seſſ.* 1. *c.* 4. §
Sower of Hemp or Flax to pay Parſon, Vicar or Impropriator an annual Sum not exceeding 4 *s.* an Acre before removed.	**Hemp, Flax**, *W.* & *M.* *c.* 3.
Not to charge Lands diſcharged.	**Lands diſcharg**
To continue ſeven years and to end of next Seſſion.	**Continuance**,
Reviver of 22 & 23 *Car.* 2. *cap.* 26. for ſeven years.	**Reviver**, 4 & *M.* *c.* 24.
Reviver 22 *Car.* 2. *cap.* 13. and 1 *Jac.* 2. *cap.* 19. for five years.	**Reviver**, 6 *W.* *c.* 1. §. 3.

Arrearages.

Being tendred before Judgment in *Ceſſavit per Biennium*, ſaves the Land, elſe peremptory.	Ceſſavit, 6 *Ed.* 1. Glouc.
If Servant be committed by Auditors for them on Account, Debt lieth by Maſter on Eſcape againſt Gaoler and *Reſpondeat Superior*, if unable.	**Eſcape**, 13 *Ed.* 1 *Weſt.* 2.
Gives *Ceſſavit* of Services to the Lord.	Ceſſavit, 13 *E.* 1 *W*
Of Rent may be diſtrained for by Recoverors of Mannor, their Heirs or Aſſigns.	**Of Rent**, 7 *H* §. 2.
In time of Vacation ſhall go to Succeſſor of any Spiritual Promotion, towards payment of Firſt-fruits.	**Of Spiritual** **motion**, 28 *H* §. 3.
Executors of Tenant in Tail, Fee or for Life to have Debt, or diſtrain Lands chargeable.	**Debt, Diſtre** *c.* 37.
Not recoverable in *Wales*, where Fine is paid for redemption of all Forfeitures.	Wales, §. 2.
Executors of Husband after death of Wife, to have Debt, or diſtrain as in her time.	**Debt, Diſtre**

§. 4. Executors of Tenant *Pur auter vie*, on death of the *Ceſtue que vie*, hath Debt or Diſtreſs.

humberland, 2 & 3 6. c. 34. Each Sheriff of *Northumberland* ſhall be charged to the King but for his own time.

ck **Officers,** *Car.* 2. c. 11. §. 10. Of Treaſurers and other Publick Officers, except out of Pardon.

ſe, §. 33. Duty of Exciſe *5th March* 1658. not diſcharged.

ntant, 13 *Car.* 2. §. 4. Remedy by Accountants for them, eſpecially of Vicarage in *Wales*.

ſe, c. 13. Of Duty of Exciſe, or new Impoſition veſted in the King, to be recovered againſt Executor, *&c.*

Arreſt.

Felons, 3 *Ed.* 1. *c.* 9. 1. All to be ready on Huy and Cry to arreſt Felons.

Liberty, *c.* 34. Within Liberty for Cauſe *dehors*, to pay double damages, *&c.* and be grievouſly amerced.

twalker, 13 *Ed.* 1. c. 4. *Winch.* Shall be of Night-walker until the Morning.

Prieſt, 50 *Ed.* 3. *c.* 5. Shall not be of Prieſt, *&c.* doing Divine Service.

c. 15. Of Prieſt, doing Divine Service, ſhall be impriſoned, ranſomed and make agreement with the Party.

, 23 *H.* 6. *c.* 10. Bail to appear at the day, twenty pence, and nothing to omit Arreſt, *&c.* to be taken by Sheriff.

, 1 *Mar.* 1. *St.* 2. *c.* 3. Moleſting Prieſt, *&c.* preparing for Divine Ser vce, impriſon three Months.

out **aſſent,** 8 *El.* §. 4. In anothers Name without aſſent, impriſon ſix months, and until payment of treble Coſts, Charges, *&c.*

the **Writ,** 43 *El.* Warrant by Sheriff before Writ receive, forfeits ten pounds, and damages, and twenty pounds.

Bail, 13 *Car.* 2. c. 2. §. 2. Where cauſe of Action is not ſhewed in Writ, *&c.* Bail not to be above forty pounds.

arry to **Tavern** 23 *Car.* 2. *c.* 20. §. 9. Under-Sheriffs, Bailiffs, *&c.* not to carry Men to Taverns, or take undue Fees.

day, 29 *Car.* 2. *c.* 7. *n.* 9. Upon the Lords-day void.

Archery and *Arrow-heads*, ſee *War.*
Armor, ſee *War.*
Aſſault, ſee *Treſpaſs.*

(Aſſets enter Mains.)

marrier, 3 *Ed.* 1. *W.* 1. Heir ſhall not be charged with Aid *Pur file marier*, levied by Anceſtor, but where Executors have none.

ates **debts,** *Ed.* 1. *c.* 19. *W.* 2. Ordinary ſhall pay Debts of Inteſtate, as far as Goods will extend, in ſuch ſort as Executors.

ag. **Executors,** 8. *c.* 39. §. 28. The King ſhall recover againſt Executors or Adminiſtrators, Aſſets in Deed or in Law.

of Collect. 35 *H.* 8. *c.* 2. §. 4. Executors or Adminiſtrators of Collectors, ſhall be charged no farther.

of **Accountant,** c. 3. §. 7. Heir of Accountant charged only in default of Aſſets in Executors, *&c.*

juſt **Debt,** 33 *El.* §. 2. What is above juſt Debt, is ſo as Executor *de ſon tort*, that gain Releaſe of Adminiſtrator by Colluſion.

ancy, 29 *Car.* 2. §. 12. *n.* 1. Special Occupancy is ſo in Heir, and if none, in Executor.

Aſſets per Diſcent.

nty of **Tenant Curteſie,** 6 *Ed.* 1. *Glouceſter.* Warranty of Tenant by the Courteſie, binds Heir only to the value of the Aſſets from the Father, but when ever they fail, the Heir may be reſummoned.

Collector, 34 & 8. *c.* 2. §. 5. If Heir of Collect be charged, he ſhall have remedy over againſt Executors.

29 *Car.* 2. *c.* 3. *n.* 1. Truſt ſhall be ſo in Heir, *&c*

§. 11. *n.* 1. Heir of Truſtee ſhall not by *Faux Plea* charge his own Eſtate.

Heir & De= 3 & 4 *W.* & *M.* Creditors may have Debt on Specialty, againſt Heir and Deviſee joyntly.

§. 3. **tion no diſ**= ge, §. 5. Alienation not *bona fide* before Action brought, not to diſcharge Heir and Execution to be of full value.

nent in det vers , §. 6. Provided that in Debt on Specialty, *Riens per Diſcent*, &c. may be pleaded, and reply made, that Lands deſcended, and if found for Plaintiff, Judgment and Execution to be for value of the Lands, but Judgment by Confeſſion, *&c.* without confeſſing Aſſets, or by Demurrer, or *nihil dicit* ſhall be general.

nuance. This Act to continue for three years, and to the end of the next Seſſion.

Aſſignee, ſee *Leaſes.*

Aſſize.

Diſſeiſor, Mortdanceſtor.

diſſeiſin, 9 *H.* 3. *Mag. Charta.* Of *Novel Diſſeiſin*, and of *Mortdanceſter*, ſhall be taken only in the Shire, and in the Kings abſence out of the Realm, by Juſtices ſent by his Chief Juſtice through every County, who with Knight of that Shire ſhall end what they can, and refer difficulties to the Juſtices of the Bench.

Of *Dar. Preſentment*, ſhall alway be taken and determined before the Juſtices of the Bench. Dar. Preſentment, *c.* 13.

No Freeman ſhall be taken, impriſoned or diſſeiſed of Free-hold, Liberties or Free Cuſtoms, or be outlawed, exiled, or otherwiſe deſtroyed, but by lawful Judgment of Peers, or by the Law of the Land. **Diſſeiſin,** *c.* 29.

Sheriff may impriſon Deforceor after Recovery in Aſſize of *Novel diſſeiſin*, *Mortdanceſter*, or by any Enqueſt or Confeſſion, and reſtore the Plaintiff. **Deforceor impriſoned,** 20 *H.* 3. *c.* 3. *Merton.*

Shall on their Oath ſay what is ſufficient Common in Aſſize on Approvement. **Approvement of Common,** *c.* 4.

Of *Mortdanceſter de nativis*, and Entry ſhall not paſs the laſt Return of King *John* from *Ireland* to *England*. **Limitation of** Mortdanceſter, *c.* 8.

Writs of *Novel diſſeiſin* ſhall not paſs the firſt Voyage of *H.* 3. into *Gaſcoyn*. **Of** Novel diſſeiſin.

Of *Dar. Preſentment*, ſhall have five or ſix days at leaſt in a year, 1. Summons. 2. Attachments. 3. Diſtreſſes. **Of** Dar. Preſentment, *&c.* 52 *H.* 3. *c.* 12. *Marlb.*

Of *Mortdanceſter* againſt Lord not rendering Land to Ward when of full age, or ouſting Heir of full Age at death of Anceſtor. *Cap.* 16.

By Succeſſor of Abbot or Prelate againſt him that enters in time of Vacation. *Cap.* 28.

Lieth againſt Eſcheator, Sheriff, or the Kings Bailiff, that without eſpecial Warrant diſſeiſed any of Freehold by colour of Office or new Office of Election. **Againſt Eſcheator,** &c. 3 *Ed.* 1. *c.* 24. *W.* 1.

Of Diſſeiſin, is limited from the firſt Voyage of *H.* 3. into *Gaſcoyn*, *Mortdanceſter*, &c. from the Coronation of *H.* 3. **Limitation of diſſeiſin** &c. *c.* 39.

If Tenant after Appearance make no Attorny, Verdict ſhall be by default, and no Eſſoin. **Verdict, Eſſoyn,** *c.* 42.

By *Prochein amy* againſt Guardian and Tenant, on Feoffment of the Wards Land. **Ward Land,** *c.* 48.

Of *Novel diſſeiſin*, *Mortdanceſter*, and *Dar. Preſentment*, ſhall be taken in *Advent*, *Septuageſima* and *Lent*. **In** Advent, *&c.* *c.* 51.

Of *Dar. Preſentment*, lieth on Uſurpation during Infancy, Coverture or Vacation of Prelate. Dar. Preſentment, 13 *Ed.* 1. *c.* 5. *W.* 2.

Shall lie of all Profits *Apprendre* for Life, and the Defendant in failure of Record, or falſe Exception, ſhall be held a Diſſeiſor, both Feoffor and Feoffee of particular Tenant. **Of profit** Apprendre, *c.* 25.

Only one Eſſoin to Demandant as well as Tenant, after Appearance. **Eſſoin.**

Lieth not for Diſſeiſin of Common by occaſion of Wind-mill, Sheep-cote, Dairy or Courtilage, nor of Common, unleſs had ſince the time that *Mortdanceſter* ran. **Of Common,** *c.* 28.

Reconuſee of Statute ſhall have ſuch ſeiſin as an Ouſter, he may have Aſſize. **Cogniſee of Statute,** *c.* 46.

The Tenants may make Attornies, or plead by Bailiffs, as before. **Attorny,** 13 *Ed.* 1. *p.* 54. *Stat. Merch.*

Lieth on Confines of County where Tenements are for Rent as for common Appendant to, *&c.* **Confines of County,** 12 *Ed.* 2. *c.* 1. *York.*

Lieth againſt the Kings Patentee, where his Entry was not Congeable, nor found by Office, or otherwiſe. **Againſt Patentee,** 7 *R.* 2. *c.* 10.

Muſt be againſt the firſt Diſſeiſor during his Life, if *Pernor* when Suit is begun, or other Writs after againſt Tenant of the Freehold, when Action accrue, if *Pernor* on Feoffment to Perſons unknown. **Againſt firſt Diſſeiſor, if Pernor,** 1 *H.* 4. *c.* 8. 4 *H.* 4. *c.* 7.

Lieth on a forcible Entry and Impriſonment, and double Damages. **On Forceable Entry,** *c.* 8.

Shall abate where Mayor, Bailiffs or Lords of Franchiſe found no Diſſeiſors, though others named be. **Againſt Mayor,** &c. 9 *H.* 4. *c.* 5.

Shall abate by Averment, Sheriff named, Diſſeiſor is none, if true. **Againſt Sheriff,** 11 *H.* 6. *c.* 2.

On Diſſeiſin of Feoffee, may be againſt Diſſeiſor of *Pernor*, notwithſtanding any Alienation. **Againſt diſſeiſin of Pernor,** *c.* 3.

The Plaintiff may on pleading ſeveral bars to parcels abridge his Plaint, and ſtand good *pro reſid.* **Abridgment,** 1 *H* 8. *c.* 3.

Lieth on Diſſeiſin of Tithes, *&c.* **Of Tithes,** 32 *H.* 8. *c.* 7. §. 7.

Aſſumpſit.

Lieth not againſt Executor to charge him of his own Eſtate, nor againſt others, unleſs by Deed, or to be extinct within a year. **Againſt Executor,** 29 *Car.* 2. *c.* 3. §. 4. *n.* 1.

Attainder, ſee *Treaſon.*
Attaint, ſee *Enqueſt* and *Verdict.*

Attorny.

Solicitor, Appearance.

Freemen may do Suit to County, Tything, Hundred Wapentake, or to the Lords Court by Attorny. **In Suit of Court,** 20 *H.* 3. *c.* 10. *Merton.*

If Tenant make none on Appearance in Aſſize, Attaint or *Juris utrum*, Verdict ſhall be by default. **On Appearance,** 3 *Ed.* 1. *c.* 42. (ſeu 41.) *W.* 1.

May be made in ſuch Pleas whereon Appeal lieth not, and Party abſent attainted ſhall have like pain as if preſent. **In Appeal,** 6 *Ed.* 1. *c.* 8. *Glouc.*

Generally

In the Circuit, 13 *Ed.* 1. *c.* 10. *W.* 2. Generally for the Circuit may be made by any, but doth not exempt from being of Juries.

By Perſons beyond ſeas, 27 *Ed.* 1. *p.* 62. §. 3. *de libertat. perquirend.* Perſons beyond Sea will make General Attornies, ſhall be ſent to Fine in the *Exchequer*, and thence to the Chancellor or Deputy.

By Writ of Chancery §. 5. Such as be not able to travel, ſhall have a Writ out of the *Chancery*, to ſufficient Men, to receive their Attorny.

By Tenant in Aſſiſe, 12 *Ed.* 2. *c.* 1. *York.* May be made by Tenant in Aſſize, or pleaded by Bailiff, as before.

Admiſſion, 15 *Ed.* 2. *p.* 81. *Carleil.* None but the Chancellor or Chief Juſtices ſhall admit Attornies, but only of Pleas in the Benches and places aſſigned by the King.

In Premunire, 7 *R.* 2. *c.* 14. May be made in *Præmunire*, by ſuch as paſs the Sea by Licence.

Examination, 4 *H.* 4. *c.* 18. All ſhall be examined by the Juſtices, and be inrolled, and ſworn truly to ſerve in Office, and to make no Suit in a Foreign County eſpecially.

No Steward, &c. *c.* 19. No Steward, Bailiff or Miniſter of Lords of Franchiſe, that have Return of Writs, ſhall be ſo in that Bailywick.

Examination, 5 *H.* 4. *c.* 8. Judges may examine them before Defendants be received to wage Law.

On malady, 7 *H.* 4. *c.* 13. May be allowed on Utlary or Waver, on Examination of the Perſons of their Malady.

Under-Sheriff, &c. 1 *H.* 5. *c.* 4. Bailiffs, Under-Sheriffs, Clerks, Receivers, *&c.* ſhall be none while in Office.

By Abbots, 1 *H.* 5. *St.* 2. *c.* 2. Made by ſome Abbots in *Standiff* and *Friendleſs* Wapentakes in *Yorkſhire*.

In Courts Baron, &c. 5 *H.* 5. *p.* 221. All until the next Parliament may make Attornies in Wapentakes, Hundreds and Courts Baron.

Duke of Bedford, 2 *H.* 6. *c.* 3. May be made by the Duke of *Bedford*, to defend his Right, being in the *French* Wars.

By Abbots, &c. 9 *H.* 6. *c.* 10. A Confirmation of 3 *H.* 5. *St.* 2. *cap.* 2. And that other Abbots and Religious may make them.

In Hundred, &c. 15 *H.* 6. *c.* 7. As long as the King pleaſes, all Perſons may make them in Hundred or Wapentake.

Forfeiture, 18 *H.* 6. *c.* 9. Forfeits forty ſhillings for not entring his Warrant for ſuch as are entred to appear by Attorny.

Fountain-Ab. 33 *H.* 6. *c.* 6. May wage Law for the Abby of *Fountain*.

In Norfolk, *&c.* *c.* 7. There ſhall be but ſix Commons in *Norfolk*, ſix in *Suffolk*, and two in *Norwich*, and admiſſion of more, void, and forfeit twenty pounds, if the Juſtices think this Statute fit.

By Appell. 3 *H.* 7. *c.* 1. May be made by Appellant where Battail lieth not.

Attaint, 23 *H.* 8. *c* 3. §. 8. May be made by a Petty Juror in Attaint.

Forfeiture, 32 *H.* 8. *c.* 30. Muſt deliver in Warrant the Term of Iſſue to be entred on Record, on forfeit of ten pounds, to prevent Error.

18 *Eliz.* *c.* 14. §. 3. Forfeits ten pounds not delivering in Warrant to be entred and impriſoned.

On Penal Law, 29 *El.* *c.* 5. §. 21. May be made for appearance on Penal Law, at return of the firſt Proceſs, in all Caſes bailable.

For Subjects, &c. 31 *El.* *c.* 10. §. 2. That 29 *Eliz.* *cap.* 5. §. 21. ſhall extend only to Subjects and free Denizens, and to no others to make Attornies.

Ticket for Fees 3 *Jac.* *c.* 7. Not to be allowed Fees of Councellors or Officers, unleſs ſubſcribed by them in Ticket, and Bill given to Client, and on falſe Bills, treble Damages, and diſcharged of Practice.

Admiſſion, §. 2. None but experienced to be admitted: no Solicitor but ſufficient and honeſt: none to practice in others Names, on forfeit of twenty pounds.

Appearance in Hill. 1688. **continued,** 1 *W.* & *M.* *ſeſſ.* 1. *c.* 4. Appearance that was to have been on Writs or Proceſs, *&c.* in *Hill.* Term. 1688. to be in *Quinden. Paſch.* in *Eaſter*-Term next.

Auditors, ſee *Exchequer* and *Accomtant*.

Averment.

Death.

Of Entry and ſeiſin, 3 *Ed.* 1. *c.* 40. *W.* 1. In Writs of Poſſeſſion, that the Tenant or his Anceſtor was the firſt that entred, is good againſt Voucher in Writs of Degrees, that Vouchee, *&c.* were never ſeized of the Lands demanded, ſaving *Warrantia Chartæ*, if abſent.

On Eſſoin, *c.* 44. The Defendants Eſſoin *de ouſter le mere*, was the day of Summons, and three Weeks after in *England*, if true, makes default.

Of ſmall Iſſues, 13 *Ed.* 1. *c.* 39. *W.* 2. Of too ſmall Iſſues on *Oyer* of Return, is ſufficient for Sheriff to be amerced, if found.

Againſt Vouchee, 20 *Ed.* 1. *p.* 57. *Of Vouchers.* That Vouchee hath nothing, is good, whether preſent or abſent.

Of ſeiſin, 27 *Ed.* 1. *c.* 1. *de fin. levat.* Of Heir or Party to fine, that he or his Anceſtors were always ſeized, ſhall not be admitted againſt it to defeat it by Jury falſly and maliciouſly procured.

In falſe Judgment, 1 *Ed.* 3. *c.* 4. In a Writ of falſe Judgment, that the Record is otherwiſe ſhall be tried by the Country.

Small Iſſues, *c.* 5. May be of too ſmall Iſſues, or in other Caſes againſt Return of the Sheriff or Bailiffs of Franchiſe.

Not impriſoned, 5 *Ed.* 3. *c.* 13. That Party was not impriſoned at the time of Utlawry, may be *contra* to return of Sheriff.

Of no Vouchee, 14 *Ed.* 3. *c.* 18. May be by Demandant, that there is no ſuch Vouchee, or that he is dead.

Of Bigamy on Marriage of two Wives, or one Widow, ſhall be tried by the Ordinary, not by Enqueſt. **Of Bigamy,** 1 *c.* 2.

That Suit is not for Tithes ill, unleſs ſhewed, eſpecially how its Lay Chattel. **Of Lay Chatte** *c.* 14.

Of diminution and variance of Record, certified on Error from that below, may be in affirmance of the Judgment. **Diminution,** 8

That Plaintiff or Defendant was not of the Kings Houſhold the day of the Plea commenced, may be againſt the Record. **Againſt Record** 6. *c.* 1.

That Cauſe of Suit aroſe out, or not during the Fair, may be notwithſtanding Plaintiffs Oath, that it was in, *&c.* **Againſt Juriſ** 17 *H.* 4. *c.* 2.

May be of Colluſion in Recovery, or bar pleaded by another Action popular, unleſs tried. **Of Colluſion,** *c.* 20.

That Debt came to the King by Attainder, Utlary, Forfeiture of Gift, good, not ſaying how, *&c.* **Of Debt to** 33 *H.* 8. *c.* 39.

Of any Lives omitted, is Aid by Verdict. **Of lives,** 21 *Jac.*

Reverſioners often defeated, by being forced to prove death of Tenants. **Evidence of** 19 *Car.* 2. *c.* 6. §. 2.

Abſence ſeven years, and no proof of Life, ſufficient Evidence.

Juror challenged for Eſtate, depending on the like Lives, *&c.* **Challenge,** §. 3

The ſame courſe of Evidence for Perſons attainted of Murder of the King, as before. **Murder of Ki**

If Tenant appear after Eviction, to be alive, he may recover mean Profits. **Tenant alive,**

Aulnage, ſee *Drapery*.
Ancient Demeau, ſee *Cinque Ports*.
Avowry, ſee *Replevin*.
Advowſon, ſee *Church* and *Preſentation*.

Badger.

B*Adger*, ſee *Cattel.* *Market Overt.*

Bail.

Pledges, Sureties, Main-prizes.

Shall not be diſtrained, while principal Debtor to the King is able. **Principal** able, *c.* 8. *Magna Ch*

Are diſcharged by Render of Body, tho Clerk ſtand on his Priviledge, and will not anſwer to Crime. **Render,** 52 *H.* 3 *Marlb.*

To prevent it on favourable Enqueſt, or by Writ *de Odio & Atia*, on Murder, Enqueſt ſhall be on and two Knights. **On Murder,** 3 *c.* 11. *W.* 1.

Shall not be taken for Utlaws, abjured, Provers, and thoſe taken with the manner, Breakers of Priſon, Defamed, Thieves, Houſe-burners, Excommunicated for Treaſon againſt the King, by the Common Writ nor with out Writ, but for Indictment of Larceny before Sheriff, of light ſuſpition, petty not above twelve pence, if not before guilty of Receit, Aid, Force or Command, of Felony or Treſpaſs, for which Life is to be loſt, after Death of Prover, Sheriff ſhall be anſwerable without Reward. **Offence bailable**

None ſhall be diſtrained in City, Borough, Town, Market or Fair, for Debt he oweth not, as Debtor or Pledge. **Diſtreſs,** *c.* 23.

Shall not be taken in Execution, but for default of the Recognizance, or Statute-Merchant. **Execution,** 13 *p.* 54. *Acton. B*

Shall not be taken of one utlawed or committed to Priſon for Arrerages of Accounts. **On Outlary,** 13 *c.* 11. *W.* 2.

By Writ *de Odio & Atia*, on a Writ of Oyer and Terminer, Grant of Appeal, which is but in eſpecial Caſes. Odio & Atia, *c.* 2

On receit of Stranger as Reverſioner, ſhall be put in to anſwer the Demandant. **On Receit,** 21 *p.* 58. *defenſ.*

Taken by Sheriffs, or others, of Perſons not bailable. ſhall be enquired of by Juſtices as Gaol-delivery in the County. **By Sheriff,** 27 *c.* 3. *de fine leva*

Frankpledge ſhall enquire of Perſons impriſoned, and let go without Mainpriſe. **Frankpledge,** 18 *p.* 84. §. 32.

Chief Warden of Foreſt ſhall loſe treble Damages, if he Bail not one impriſoned, unleſs indicted or taken with the manner for Veniſon. **Warden of F** 1 *Ed.* 3. *c.* 8.

Taken by Marſhals of *B. R.* or of the Houſhold, for Perſons not to be bailed is an Eſcape. **Marſhal eſcape,** 5 *c.* 8.

Of Good Behaviour on Pardon, ſhall be returned into *Chancery*, and is forfeited by breach of the Peace. **Good behavior,** 10 *c.* 3.

Fines ſhall be levied in their preſence before the Juſtices. **Fine,** 38 *Ed.* 3.

Shall ſatisfie Plaintiff for his delay, where Defendant keeps not his day. **Delay,** 7 *R.* 2.

Shall be found for the Iſſue on receit of him in Reverſion. **On Receit,** 13 *R.* §. 2.

Shall not be taken on *Certiorari* or *Hab. Corp.* of Priſoner condemned, but remain till Debt ſatisfied. **On** Certiorari Corp. *&c.* 2 *H*

On

c. 10. On *Hab. Corp.* in Chancery, or *Sc. fac.* on Recognizance, or Statute-ſtaple, ſhall be as well to the King as the Party.

pœna, 15 *H. 6.* Shall be put in to ſatisfie Damages before *Subpœna* granted.

earance,23 *H.6.* Shall be reaſonable, and only twenty pence Fee to appear at the day.

lony, 1 *R.*3.*c.9.* May be by Juſtice of Peace on light ſuſpition of Felony.

c. 3. One Juſtice of Peace cannot, but two *Quorum unus*, may Bail to the next Seſſions, and then certifie, *&c.*

h.& *M. c.*13. §.2. None to be taken but what is allowable by *Weſt.* 1. *cap.* 15.

laughter,&c.§ 3. For Man-ſlaughter or Felony, to be in Seſſions, or by two Juſtices of the Peace preſent at taking, one of the *Quorum*, and both to certifie it to next Gaol-delivery.

§. 4. Before taking, Juſtice of Peace ſhall examine the Fact, and take Proof in Writing, and certifie both, *&c.*

§. 5. Defaults to be fined at diſcretion of Juſtice of Gaol-delivery.

, &c. §. *6.* Of *London, Middleſex*, and Cities and Towns corporated, ſhall be by Juſtices and Coroner, as uſed, but all to certifie Bail-bonds and Examination.

p. &c. §. 7. No *Hab. Corp.* or *Certiorari* for ſuch Priſoner, but ſigned by Chief Juſtice, or one Juſtice, *&c.*

. **by Attorny,** *c.* 5. §. 21. Appearance to information where bailable may be by Attorny.

ror, 31 *El. c.* 3. Shall be put in to anſwer Action and Condemnation before allowance of Error on Utlary.

8. Muſt be in Error of Debt on Bond for Mony, Rent or Contract ſued it *Weſtm.* County Palatine or *Wales*, elſe no ſtay.

eas, 21 *Jac. c.*8. *Superſedeas* of Good Behaviour, or the Peace, void, unleſs worth five pounds a-piece.

r of Bail, §.5. Judges may puniſh inſufficient and falſe Procurers of Bail.

i, §. 6. Seſſions may proceed, unleſs put in on *Certiorari.*

c. 26. §. 2. In anothers Name Felony.

nnary, 17 *Car.* 5. §. 8. In Stannary Courts not chargeable by Return of Bailiff, unleſs he ſubſcribe Note of Sum, Action and Parties in preſence of two.

earance, .2.*St.*2.*c.*2. §.2. Shall not be above forty pounds to appear at the day unleſs cauſe of Action appear on the Writ.

§. 3. Diſcharged on Appearance at the return of the Writ.

9. Muſt be as 3 *Jac. cap.*8. in Debt, on 2 *Ed.6. cap.*13. and *Aſſumpſit* for Mony in Trover, Covenant, Detinue and Treſpaſs, elſe no ſtay of Execution by Error.

i, 14 *Car.*2. *c.6.* No *Certiorari* of Order of Seſſions for Ways till Recognizance of forty pounds.

16 & 17 *Car.* 2. 3. Error in Perſonal Action no *Superſedeas*, unleſs Recognizance be, as 3 *Jac.* 8. nor to be allowed in Dower or Ejectment till Bail.

p.31 *Car.* 2. *c.*2. 7. On return of *Habeas Corpus*, Chancellor, Juſtice or Patron, *&c.* ſhall within two days diſcharge the Priſoner on Recognizance, with one or more Sureties, in any Sum, to appear in *B. R.* unleſs for Treaſon or Felony expreſs.

fore Sheriffs udges in 87 *&* *W.* & *M. ſeſſ.* 1. Bail taken ſince 1 *Nov.* 1687. by Sheriffs not qualified; and ſince 11 *Dec.* 1688. before any that were Judges on 1 *Dec.* 1688. to be good, and may be inrolled in *Eaſter-Term* 1689.

e bail,_ſeſſ._2. *c.*2. Exceſſive Bail not to be required.

re Commiſſi= in the Coun= & 5 *W.*& *M.c.*4. Judges may commiſſionate Perſons (except Attornies and Sollicitors) to take Special Bail in the Country, which ſhall be tranſmitted to the Judges, and Affidavit made of the true taking; uſual Fees to Judges, and 2 *s.* to Commiſſioners.

g Bail in untry, §. 2. Judges may make Rules for juſtifying, *&c.* ſuch Bail, ſo as Cognizor be not compelled to appear at *Weſtminſter*, unleſs (he live in *London, Weſtminſter*, or ten Miles thereof) but to be determined before the Commiſſioners.

ore Judge of §. 3. Judges of Aſſize may take Bail in their Circuits, to be tranſmitted as above, and received without Oath.

ing Bail,§.4. Perſonating others before the Commiſſioners, *&c.* to be Felony.

Bailiff.

Sheriffs, Officers, Arreſt.

Lands of Debtor, 8. *Mag. Charta.* Shall not ſeize Lands of the Kings Debtor that hath ſufficient Goods, nor the Pledge, if Principal be able.

and inrol= ods of Kings *c.* 18. May attach and inrol the Goods and Chattels of the Kings Debtor dead within his Fee, ſhewing Patent of Summons, ſo that nothing be taken away till the Debt paid, and the reſidue ſhall remain to Executors.

Shall not put a Man to his open Law, nor to his Oath, without faithful Witneſs brought in. **Putting to Law, Oath,** *c.* 28.

No Conſtable, Caſtellon or Bailiff ſhall hold Plea of the Foreſt. **Plea of Foreſt,** 9 *H.*3. *c.* 16. *de Foreſt.*

Of Franchiſe ſhall account at *profer* of *Exchequer*, on *Monday* after *Michaelmas*, at *Utas* of *Eaſter*, or Sheriff to enter. **Account,** 51 *H.*3. *p.* 11. §. 2. *de Scaccario.*

Bailiff within Franchiſe, and Sheriff without ſhall make delivery of Diſtreſs on Complaint. **Delivering Diſtreſs,** 52 *H.* 3. *c.* 21. *Marlb.*

They ſhall be attached that withdraw, and do not account, and have no Lands. **Attachment for not Account,** &c. *c.* 23.

If he be not able, in Debt, on eſcape of Accountant Committed for Arrears, *Reſpondeat Superior*, that committed the Gaol to him. **Eſcape of Accountant,** 13 *Ed.* 1. *c.* 11.

Of Franchiſe, taking a Man without Enqueſt, of Felony or Treſpaſs, are ſubject to falſe Impriſonment. **Taking without Inqueſt,** *c.* 13.

Shall be fined, and pay treble Damages on malicious Diſtreſs. **Malicious Diſtreſs,** *c.* 36.

Shall be known and ſworn that takes Diſtreſs, and no Stranger, on payment of Damages. **Diſtreſs,** *c.* 37.

Shall Summon only twenty four on one Aſſize. **Summons on,**&c.*c.*38.

Of Franchiſe ſhall follow the Hue and Cry, and muſt keep Horſes and Armor. **Huy and Cry,** &c. 13 *Ed.*1.*c.6. Winch.*

Of Franchiſe ſhall return by Indenture between him and Sheriff by their proper Names, and have double Damages, if Sheriff alter it. **Return,** 12 *Ed.*2. *c.* 5. *York.*

Shall not Leaſe Franchiſe of Hundred, but at the ancient Farm, and *Reſpondeat Superior.* **Leaſing Hundred,** 14 *Ed.* 3. *c.* 9.

All Statutes againſt Bailiffs, *&c.* for undue Panels, Execution, Proceſs, Fees and Office to extend to Franchiſe, *&c.* **Statutes extending to Franchiſe,** 27 *H.* 8. *c.* 24. §. 14.

Of Franchiſe, *&c.* to take Oath, *&c.* **Oath,** 27 *El. c.*12. §. 4.

Of Franchiſe or Liberties, *&c.* nor any of their Officers, Servants, Bailiffs or Deputies, to do no Extortion. **Extortion,** 37 *El. c.* 4.

Baniſhment, ſee *Utlary.*
Banks, ſee *Ways.*

Bankrupt.

Trades.

The Chancellor, Treaſurer, *&c.* to order his Body, Lands and Goods, *&c.* to pay. **Chancellor to order,** 34 & 35 *H.*8. *c.* 4.

Merchant or other uſing Trade, *&c.* by way of Bargain, Exchange, Barter, Cheviſance, or otherwiſe, in Groſs or Retail, or ſeeking Trade of Living by buying and ſelling, Subject or Denizen that departs the Realm, abſents, ſuffers Arreſt, Utlary or Impriſonment, or go from his Houſe to defraud, *&c.* is ſo. **Who,** 13 *El. c.* 7.

Chancellor to grant Commiſſion, and Majority to order Body, Lands, *&c.* Free and Copy, Goods, *&c.* for ſatisfaction of Creditors *pro rata:* ſuch Order to be effectual againſt Offenders. **Commiſſioners,** §. 2.

Aſſignee before Entry ſhall compound with Lord of Copy-hold, for Fine, and Lord ſhall thereupon admit. **Copyhold,** §. 3.

Commiſſioners on requeſt, to declare to Bankrupt their Orders, and pay him Surpluſage. **Surpluſage,** §. 4.

If after Offence, and Complaint to Commiſſioners, or relation of Debtors, *&c.* Debts, *&c.* appear, Commiſſioners may make Proceſs againſt all Perſons ſuſpected, *&c.* **Proceſs,** §. 5.

He that diſcovers no truth, or refuſeth to ſwear, forfeits double value of what is concealed, to be levied by Commiſſioners, as againſt the Bankrupt. **Concealing,** §. *6.*

If before cauſe of Bankrupſie, any fraudulently poſſeſs what is due to Offender, they ought to forfeit double of what is detained, *&c.* **Fraud,** §. 7.

Moiety of Overplus of Forfeitures to be to the Queen, the other to the Poor. **Forfeitures,** §. 8.

After five Proclamations five Market-days next after withdrawing from Houſe, Commiſſioners to impriſon, and they that receive him, and pay Fine, *&c.* **Proclamations, Impriſonment,** §. *9.*

If Creditor be not ſatisfied, he may take remedy *pro* reſidue, as before this Act. **Remedy for Reſidue,** *c.* 10.

If Lands Free or Copy, diſcend or come to Offender before ſatisfaction, Commiſſioners may ſell, *&c.* **Lands deſcending,**§.11

Not to prejudice Sales before Bankrupſie, *bona fide*, other than to uſe of Offendor, or his Heirs, or of party privy to the Fraud. **Sale** bona fide, §. 12.

All that uſe Trade of Merchandize by Bargain, Exchange, Bartery, Cheviſance, or otherwiſe, in Groſs or by Retail, ſeek Trade of Living by buying and ſelling, Subject or Denizen that depart Realm, keep Houſe, abſent or take Sanctuary, is Arreſt, *&c.* **Who Bankrupt,** 1 *Jac. c.* 15. §. 2.

The Remedies 13 *Eliz. cap.* 7. to be taken againſt Perſons, Lands, *&c.* thus deſcribed. §. 3.

Any Creditors within four Months after Commiſſion, and until diſtribution, may partake, paying ſhares of Charges, *&c.* **Contribution,** §. 4.

Fraudulent Convey-ance, §. 5.	Conveyances to Child, to transfer Debts in others Names, unleſs on Marriage, *&c.* to be in power of Commiſſioners to diſpoſe.
Examination on Oath &c. §. *6*.	The Commiſſioners may examine Bankrupt on Oath, and on notice thrice at his Houſe, to be declared a Bankrupt, and on five Proclamations not appearing, to be apprehended, *&c.*
On Interrogatories, §. 7.	Commiſſioners may examine Offendor on Interrogatories, as to Lands, Goods, *&c.*
Not anſwering, §. 8.	On refuſal to anſwer fully, Commiſſioners may commit.
Perjury, §. 9.	For Perjury thereon above value of ten pounds, to ſtand on Pillory.
Non appearance, §. 10.	Such as refuſe on Summons to appear, and be examined by Commiſſioners, may be committed till ſubmiſſion.
Witneſſes, §. 11.	Witneſſes ſent for, to be allowed Charges by Commiſſioners, Pillory if Perjury.
Forfeitures, §. 12.	Forfeitures to be ſued for by Creditors only.
Debt aſſignable, §. 13.	Commiſſioners may aſſign Debts due or to be due, and property alter, as if made to them.
Payment to Bankr. §. 14.	Not to prejudice Debtor that payeth before he knoweth of Bankrupt.
Commiſſioners to diſ-cover, §. 15.	Commiſſioners to declare on requeſt, the beſtowing of Bankrupts Mony, *&c.*
General Iſſue, §. 16.	Commiſſioners being ſued may plead General Iſſue, and give the Statute in Evidence.
Death, §. 17.	On death after Commiſſion, and before diſtribution, Commiſſioners may proceed to execution.
Beneficial expoſition, 21 *Jac. cap.* 19.	All former Statutes largely and beneficially expounded in Aid of Creditor.
Bankrupt who, §. 2.	All that uſe Merchandize, by Bargaining, Exchange, Barter, Cheviſance, or otherwiſe, in Groſs or Retail; or ſeeking living by buying and ſelling: Scrivener that obtains Protection, unleſs by Parliament, that exhibited Bill againſt Creditors, to take leſs then due, or to get long day of Payments, or not pay one hundred pounds in ſix Months, after due Impriſonment two Months for Debt, eſcape on one hundred pounds debt, or getting out by Common Bail, are ſo.
Perſon, Lands, &c. §. 3.	The Commiſſions, Benefits, *&c.* of 13 *Eliz.* 7. and of 1 *Jac.* 15. to be taken againſt Perſon, Lands and Goods.
§. 4.	The benefit, *&c.* of this Statute to extend to former deſcribed Perſons.
Wife of Bankr. §. *6*.	Commiſſioners may examine the Wife of Bankrupt on the ſame Penalty as of the Bankrupt.
Fraudulent Convey-ance, §. 7.	Fraudulent Conveyances of above twenty pounds not diſcovered, without caſual loſs, *&c.* Pillory.
Break houſe, §. 8.	Commiſſioners may authorize to break open Houſe, Shop, Trunk, *&c.* and ſeize.
Payment *pro rata*, §. 9.	Creditors to be relieved *pro rata*, without regard to greater or leſſer Security.
Extent, §. 10.	Extent to proceed againſt him, unleſs originally Accountant by Contract with the King.
Sale, §. 11.	Commiſſioners may ſell what Bankrupt poſſeſſeth, as Owner, though ſold before, *&c.*
Convey to Creditors, *c.* 12.	Commiſſioners in ſix Months, unleſs Remainder be in the King by his Gift, may convey all Lands, *&c.* to uſe of Creditors.
Lands ſold, §. 13.	Commiſſioners may revoke or tender on power reſerved, and then convey Lands ſold, *&c.*
No Commiſſion after five years, §. 14.	Commiſſion to be ſued forth within five years after being a Bankrupt.
Aliens, §. 15.	All Statutes againſt Bankrupt to extend to Aliens for benefit and charge.
Exception, 14 *Car.* 2. *c.* 24. §. 3.	For Stock put into *Eaſt-India* or *Gminey* Companies, or Royal Fiſhing, or Dividend received in Goods, *&c.* none to be eſteemed Merchant or Trader.
§. 4.	Trade, Traffick or Merchandize in any other way than the Royal Fiſhing, *Guiney* or *Eaſt-India* Company, *&c.* are liable.
Judgments reverſed, §. 5.	Judgment againſt Sir *John Wolſtenholme* in Suit by *Phineas Andrews* againſt *R. Woolward* and *W. Meggs*, declared to be againſt Law, and reverſed.
§. 6.	All Sales and Diſpoſitions under Commiſſion againſt Sir *J. Wolſtenhome*, to ſtand good.

Baron & Feme.

Coverture, Women.

Feme Appeal, 9 *H.* 3. *c.* 34. *Mag. Charta.*	She only ſhall have an Appeal on his death.
Bar of Heir, 6 *Ed.* 1 *c.* 3. *Glouc.*	Their Deed ſhall not bar her Heir, unleſs there be a Fine in the Kings Courts.
Eſſoyne, *c.* 10.	Shall have but one Eſſoyn, and not fourth.
Receipt, 13 *Ed.* 1. *c.* 3. *Weſt.* 2.	For her her Land ſhe ſhall be received on Prayer before Judgment, and have a Writ of Entry *Cui in vita*, on Judgment by default after Husbands death, and not to be put to a Writ of Right.
Taking Feme *cum bonis*, &c. *c.* 34.	Of taking away a Woman *Cum bonis viri*, the King ſhall have the Suit.
Aliening, &c. **Joyn-ture,** 11 *H.* 5. *c.* 20.	Her Alienation, Recovery, Warranty, Diſcontinuance, *&c.* of Jointure, void; but if Heir, or he in Reverſion joyn, its good.

She hath ſix years to ſue after diſablity removed, beſides the time limited for Suit.	**Time to ſue,** *c.* 2. §. 8.
His Leaſe of her Inheritance to be good againſt him and his Heirs.	**Leaſe,** *c.* 28.
Leaſe of her Lands binds not her, unleſs ſhe be party, and Seal Indenture, and Rent be reſerved to her and them, and her Heirs.	§. 3.
Fine, Feoffment or other Act of him, ſhall be no diſcontinuance, but Heir may enter.	**Diſcontinuanc**
She ſhall not avoid Leaſe by them, if ancient Rent be reſerved.	**Avoiding Lea**
Their Fine, Recovery or Deed inrolled in *London*, *&c.* by Cuſtom, bars *Feme* being examined, notwithſtanding 32 *H.* 8. *cap.* 28. §. 7.	**Bar to Feme,** *H.* 8. *c.* 22.
She cannot demand Dower while his Attainder of Treaſon continues.	**Dower on A** 5 & 6 *Ed.* 6. *c*
Prieſt ſhall be Tenant *per* Courteſie, of Fee or General Tail, and *Feme* endowed.	**Prieſt and Fe** §. 2.
He ſhall not be charged for her not receiving Sacrament, nor ſhe, during the marriage.	**Sacrament,** 3 §. 40
Married Woman convict of Recuſancy, forfeit two parts of Joynture or Dower, and diſabled to be Executor to Husband.	**Recuſancy,** *c.*
If they cohabit, Husband to pay five ſhillings, and ten ſhillings for her being taken at a Conventicle.	**Cohabiting,** *c.* 1. §. 16.
Explains 22 & 23 *Car.* 2. *cap.* 10. §. 3. not to extend to *Feme* Covert, but Husband to be Adminiſtrator.	**Explanation,** *c.* 3. §. 25.

Bar.

Peremptory, Claim, non Claim.

Warranty of Tenant by the Courteſie, is none to Heir of the *Feme* without Aſſets.	**Warranty of** per **Curt.** 6
Uſurpation of Co-heir, is none to preſent next Turn.	**Uſurpation,** *c.* 5. §. 5.
Sentence in *Spiritual Court* is none to ſue at Common Law for the ſame thing.	**Sentence,** 9
Non Claim on Fine is none.	**Fine,** 34 *Ed.* 3.
Feoffment by *Ceſtuy que uſe*, is ſo againſt Heirs and Feoffees.	**Feoffment,** 1 R
Fine is ſo by five years non Claim of party able, *&c.*	**Non-claim,** 4
Shall not be of Heir by Alienation of Joyntures or Husband.	**Alienation,** 11
Recovery is none of Heir in Tail, where Reverſion is in the King.	**Recovery,** 34 H
By Attainder of Earl of *Weſtmorland*, of all that claim not in *Exchequer*, &c.	**Earl** *Weſtmorla* *c.* 4.
By Attainder, unleſs Purchaſer claim on Record in *Exchequer* by a day.	**Attainder,** 29
Entry or Claim to Lands in any Fine, on which Proclamation was to have been in *Hillary*-Term 1688. to begin 12 *Febr.* 1688.	**Entry,** &c. **whe** **levied in** 168 & *M. ſeſſ.* 1.

Barretor, ſee *Maintenance.*
Barger, ſee *Sewers.*
Barks, ſee *Woods.*
Barwick, ſee *Scotland.*

Baſtard.

Adultery, Whoredom, Sodomy, Buggery, Incontinency.

He that is born before Marriage, is ſo, notwithſtanding the Canon Law *contra*.	**Baſtard Eign** *c.* 9. *Merton.*
Born beyond Sea is triable here by Certificate of the Ordinary.	Ouſter le mere, *St.* 2. *p.* 113.
On Iſſue thereon, one Proclamation ſhall be; and another of three Months in *Chancery*, before any Writ to the Ordinary to certifie; as in Lord *Audleys* Caſe.	**Proclamation,** *c.* 11.
They that dwell at the Stews in *Southwark*, not to be Jurors, nor keep Tavern nor Inn, but there.	**Stews,** 11 H. 6
Ordinary to puniſh Religious Men by Impriſonment, *&c.*	**Religious,** 1 H.
Buggery with Man or Beaſt, Felony without Clergy.	**Buggery,** 25 H.
Iſſue of Prieſt married, is Legitimate, as if Lay.	**Iſſue of Prieſt,** *Ed.* 6. *c.* 12.
The two next Juſtices of Peace to the Pariſh where born, to puniſh reputed Father and Mother.	**Reputed Fat** **Mother,** 18 E
Concealing its death is Murder, unleſs Witneſs prove it ſo born.	**Concealing,** 21
Iſſue thereon tried to be by Common Law, if Marriage were by Juſtice of Peace, *&c.*	**Trayl,** 12 *Car.* §. 2

Beggers, ſee *Poor.*
Bell-mettal, ſee *Mettal.*
Benevolence, ſee *Taxes.*
Beaupleader, ſee *Pleading.*
Biſhops, ſee *Eccleſiaſtical Perſons.*

Books.

Printing, Stationers, Grayls, Pourtraict, Chart.

ed, 1 *R.* 3. *c.* 9. §. 12 May be imported and retailed, *&c.*

, 25 *H.* 3. *c.* 15. A Repeal of 1 *R.* 3. *cap.* 9. §. 12.

§. 2. None to retail Books imported bound, *&c.* on forfeit.

§. 3. None to buy printed Books of Strangers, but in Groſs, forfeit 6 *s.* 8 *d.*

§. 4. Chancellor, Treaſurer, and two Chief Juſtices, or two of them, to ſet Prizes.

es, 31 *H.* 8. *c* 14. Printing opinion againſt the ſix Articles to be burnt.

=Book, 2 & 3 *c.* 1. §. 8. Pariſhes to be at charge of Service Books.

itions, 3 & 4 *c.* 10. All Antiphoners, Miſſals, Grayles, Proceſſionals, Manuals, Legends, Pies, Portuaſſes, Primers, Couchers, Journals, Ordinals, *&c.* aboliſhed.

on Prayer, *Ed.* 6. *c.* 1. §. 5. The Book of Common Prayers, with Addition of Form of Conſecration of Archbiſhop, *&c.* to be eſtabliſhed, as 2 & 3 *Ed.* 6. *cap.* 1.

2. §. 3. The Book of Common Prayer authorized, 5 & 6 *Ed.* 6. *cap.* 1. §. 5. with Addition, *&c.* of Leſſons for every Sunday, Letany, *&c.* to be eſtabliſhed.

ible, 5 *El.* *c.* 28. The Bible and Book of Common Prayer to be tranſlated into *Welſh.*

ition, 3 *Jac.* *c.* 5. None to import or print, ſell or buy Primers, Lady Pſalters, Manuals, Roſaries, Catechiſms, Miſſals, Breviaries, Portals, Legends, Lives of Saints, of Superſtitious matter, in no Language.

limited, 14 *Car.* 33. Limiting number of Printing-Preſſes, to ſuppreſs Licentious Pamphlets.

al Books, §. 2. None to print Heretical, Schiſmatical, Seditious Pamphlets, *Contra* to Chriſtian Faith, Doctrine or Diſcipline of Church, or tending to ſcandal of the Government, *&c.* nor imported.

Licenſed, §. 3. No private Man to print, unleſs entred firſt in Regiſter of Stationers of *London*, but Acts of Parliament, Proclamations, Books warranted by Sign Munual, or by Secretary of State, or Licence, *viz.* of Common Law, by Allowance of Chancellor, Chief Juſtice and Chief Baron: any Hiſtory, by Secretary of State, *&c.* of Honours, Arms, *&c.* by Earl-Marſhal, *&c.* Divinity, Phyſick and Philoſophy, by Archbiſhop or Biſhop of *London*, &c.

§. 4. The Books Licenſed, to be returned to Licenſer after Printed.

ed, §. 5. Shall be imported at *London* only, without ſpecial Licence of Archbiſhop, and Note thereof, and no Packs to be opened till Archbiſhop by Learned Men inſpect, *&c.*

§. 6. None to print or import Bills or Indenture, paint beyond Sea, without conſent of Owner, duly entred, *&c.* on forfeit.

of Author, §. 7. They that Print, to ſhew Name to Author, if required; none to counterfeit anothers Mark, Name, Venit, *&c.* without Owners Conſent.

tice, or licenſed, No Haberdaſher, Irongmonger, Chandler, *&c.* not Licenſed by Ordinary, nor ſeven years Apprentice, to uſe Bookſeller, Printer, Binder, *&c.* nor buy and ſell, *&c.*

ng, Importa- §. 9. None to print beyond Sea, nor import Engliſh Books, on forfeit; and Alien to import none.

§. 10. None to erect Preſs, or ſuffer it in Vault, *&c.* without Notice to Stationers; nor Joyner, Smith or Founder, make Materials on forfeit of 5 *l.*

rs, §. 11. Only twenty Maſter-Printers, unleſs the Kings and Univerſities; four Maſter-Founders of Letters allowed by Archbiſhop, on Security in *Banco Regis*, Aſſize or Seſſions, *&c.*

§. 12. Maſter not to keep above two Preſſes, or upper Maſter, *&c.* three, unleſs by publick leave.

tices, §. 13. None but the Kings Printers to make more than, Maſter three Apprentices, of Livery two, and Yeoman one, by Copartnetſhip, Scriveners, *&c.*

yman, §. 14. Maſters to take Care Journy-men be ſet on Work, on forfeit of 5 *l.*

§. 15. Meſſenger by Warrant of the King, Secretary or Maſter of Stationers may ſearch, *&c.*

ty, §. 16. Printer or Founder offending: firſt, diſable three years, ſecondly for ever, and puniſhed, not exceeding to Life.

Copies, §. 17. Printer to reſerve three Copies, and before Sale bring them to Stationers; firſt to the King, the other two to Univerſities.

ity, §. 18. Not to prejudice Univerſities, as to Licence there.

§. 19. No ſearch in Houſe of Peer, but by the Kings Warrant.

ation, §. 20. Stationer ſerving ſeven years, may import Books printed ten years before.

inſter-Hall, §. 21. Not to prohibit Sale of Books and Papers in *Weſtminſter.*

ntee, §. 22. Not to prejudice Rights of Patentees.

Streater, §. 23. Not to prohibit *J. Streater*; but he may Print, *&c.*

§. 24. Not to reſtrain *York* from Printing-Preſs.

inuance, 17 *Car.* 2. Continuance of 14 *Car.* 2. *cap.* 33. to the end of firſt Seſſion of the next Parliament.

Copies, §. 2. Every Printer, except in Univerſities, to reſerve three Copies, *&c.*

Printers of Univerſities to deliver one Copy to the Kings Library, to Vice-Chancellor, and two other to publick Libraries of each. §. 3.

Reviver 13 & 14 *Car.* *cap.* 33. **Reviver,** 1 *Jac.* 2. *c.* 17. §. 15.

Reviver 13 & 14 *Car.* 2. *cap.* 33. to continue for one year. **Reviver,** 4 & 5 *W.* & *M.* *c.* 24. §. 14.

Borderers, ſee *Scotland.*
Boatman, ſee *Sewers.*
Bows, ſee *War.*
Braſs, ſee *Mettal.*
Breakers of League and Truce, ſee *Admiral.*
Brewers, ſee *Ale.*
Bricklayers, ſee *Trades.*
Bridges, ſee *Ways.*
Brief, ſee *Writs.*
Brokers, ſee *Trades.*
Bromfield and Yale, ſee *Wales.*
Bulwarks, ſee *War.*
Burials, ſee *Church.*
Butchers, ſee *Cattle.*
Butler of the King, ſee *Wine.*
Butler, ſee *Victuals.*
Buggery, ſee *Coron.*
Burglary, ſee *Coron.*
Buildings, ſee *Cottages.*
Burning, ſee *Coron.*
Buts, ſee *War.*
Cables, ſee *Trades.*
Calves, ſee *Cattel.*
Cambridge, ſee *Ways and Parliament.*
Capias, ſee *Proceſs.*
Captains and Caſtles, ſee *War.*
Caps, ſee *Apparel.*
Captives, ſee *Ouſter le mere.*
Carriers, ſee *Wards.*
Cards for Wool, ſee *Drapery.*

Cattle.

Butchers, Drover, Badger, tame Beaſts, Horſes, Oxen, Sheep, Cows, Hogs, Calves, &c.

OF the Plow, ſhall not be diſtrained while there are others. **Plow-beaſts,** 51 *H.* 3. *p.* 11. *Diſtreſs Scaccar.*

Enquire by twelve, if Butchers ſell contagious Fleſh; or Cook that boyls unwholeſom Meat, or bought of Jews. **Butcher, Cook,** 51 *H.* 5. *p.* 13. *Pillory & Tumbrel.*

Diſtreſs ſhall not be of Plow-beaſts for the Kings Debt, if any elſe be. **Plow-beaſts,** 28 *Ed.* 1. *c.* 12. *Artic. ſuper Chart. Incert. Temp.*

Selling Meazled Swines-fleſh, or dead of Murrain, or bought of Jews, 1. Amerced, 2. Pillory, 3. Fine and Impriſoned, 4. Abjured a Town. **Swines Fleſh,** 17 *Ed.* 2. *c.* 7.

Sheep ſhall not be tranſported without Licence, but to victual *Calice.* **Sheep,** 3 *H.* 6. *c.* 2.

Butchers ſhall kill none in the Scalding-Houſe, or within the Walls of *London.* **Butcher,** 4 *H.* 7. *c.* 3.

Calves ſhall not be killed between firſt of *January*, and firſt of *May*, on forfeit 6 *s.* 8 *d.* the ſame 24 *H.* 8. *cap.* 7. **Calves,** 21 *H.* 8. *c.* 8.

Spiritual perſons that buy to ſell again forfeit treble Damages, and Contract void. **Spiritual Perſons,** 21 *H.* 8. *c.* 13. §. 5.

Butcher to kill no Weanlings under two years old. **Butcher,** 24 *H.* 8. *c.* 9.

No Farmer to keep above two thouſand Sheep. **Sheep,** 25 *H.* 8. *c.* 13.

Decay of Breed of Horſes by ſmall Stallions. **Stallions,** 27 *H.* 8. *c.* 6.

Park of a Mile, that hath Deer, ſhall keep Mares thirteen hand high from hoof to ſhoulder, each four Inches, or forfeit forty ſhillings a Month; and Park four Miles to keep four Mares. **Mares,** §. 2.

To be renewed in three Months after Death. §. 3.

No Stallion to be under fourteen hands high, on forfeit 40 *s.* **Stallion,** §. 4.

Not to extend to *Durham*, *Weſtmerland*, &c. where Tenants have Common. Durham, *&c.* §. 5.

The Encreaſe may be ſold. §. 6.

Cattle eſcape into Foreſt in *Wales*, ſeized as ſtray, ſhall be re-delivered to Owner, paying for Meat, or double value forfeit. Wales, **Stray,** *c.* 7.

Governor may commit Butcher that refuſeth to ſell by weight, as by 24 *H.* 8. *cap.* 3. and if Graſier, Farmer, Breeder, Drover, *&c.* refuſe to ſell fat Cattel to Butcher on reaſonable price aſſeſſed by Statute, to appear in *Star-Chamber*, and puniſh as the Kings Council ſhall think fit. **Weight,** 25 *H.* 8. *c.* 1.

Decay of Horſes by ſmall Stone-Horſes feeding in Foreſts, Moors, *&c.* **Horſes, Commons,** 32 *H.* 8. *c.* 13.

No Commoner to put in Stone-Horſe above two years old, unleſs fifteen hand high, every hand four Inches, on Forfeiture. §. 2.

Finder of Horſe under ſize, taking Foreſter or Conſtable, *&c.* to bring to the next Pound, and there the Officer to meaſure, and if under ſize, Finder to retain, *&c.* §. 3.

Officers that refuſe to do their duty to forfeit 40 *s.* §. 4.

Not to extend to ſuch Stone-horſes as break Paſture againſt Will of the Owner, nor being there four days after notice at Houſe, or on Sunday. §. 5.

Foreſts.

Driving Foreſt, §. 6.	Foreſts, Chaſes, Commons, Moors, Marſhes, Heaths and waſte Grounds, ſhall be driven yearly by the Lords and Officers, *&c.* in fifteen days of St. *Michael*, on forfeit of 40 *s.*
Horſe, §. 7.	If one Drift of Common, *&c.* any Horſe be found unable or not like to be of Stature, by Majority of Drivers, to be killed.
§. 8.	Juſtice of Peace may enquire and take Preſentments and determine Offence, forfeit 40 *s.*
§. 9.	No infected Horſe, or ſcabby, to be put to Paſture on forfeit 10 *s.* to be preſented in Leet.
§. 10.	Not to prejudice feeding of Stone-Horſes under meaſure, where no Mares are.
33 *H.* 8. *c.* 5.	Every one for his Degree, to keep ſtoned trotting Horſes.
Cutting Tongue, 37 *H.* 8. *c.* 6. §. 4.	Cutting out the Tongue of any tame Beaſt of anothers, forfeits ten pound.
Horſes, 1 *Ed.* 6. *c.* 5.	Horſe, Mare or Gelding conveyed into *Scotland*, or beyond Sea, forfeited, and forty pounds beſides.
§. 2.	The Wardens of the Eaſt, Weſt and Middle Marches of the North, and all Juſtices of Peace in *England*, and *Wales* to enquire and impriſon *Scotchman, &c.*
§. 3.	Licence or Warrant under Great or Privy Seal is ſufficient for all mentioned therein.
§. 4.	Not to prejudice the Kings Service beyond the Sea.
§. 5.	He that hath Licence muſt ſhew it to one of the three Wardens of the Marches.
§. 6.	Party giving Oath the Horſes are for himſelf only, may tranſport.
§. 7.	Warden of the Cinque Ports may permit ſix in a year without Licence.
§. 8.	Not to prejudice the Kings Maſter of the Horſe.
Mare tranſported, §. 9.	Mares not above 10 *s.* price, may be tranſported.
Stealing Horſes, 2 & 3 *Ed.* 6. *c.* 33.	Stealing one Horſe, Mare, *&c.* ſhall not have Clergy.
Oxen, &c. **ſold,** 3 & 4 *Ed.* 6. *c.* 19.	No Oxen, Steers, Runts, Kine, Heifers or Calves, to be contracted for, but in open Market, and not ſell alive in the ſame Market, on forfeit of double.
§. 2.	Any man may buy out of Fair for private uſe.
Butcher, §. 3.	No Butcher ſhall buy Cattel to ſell alive, on forfeit.
§. 4.	Butcher may buy fat Oxen, Sheep, *&c.* out of Fair, *&c.* and kill them.
Ingroſſing, 5 & 6 *Ed.* 6. *c.* 3. §. 9.	Buying alive, unleſs keep five weeks in paſture, if ſold, is ingroſſing.
Drover, §. 16.	Common Drover licenced by three Juſtices, may buy as uſual.
Cows, 2 & 3 *Ph.* & *Mar.* *c.* 3.	For every ſixty Sheep, one Cow and Calf to be reared yearly.
§. 3.	For every ten Oxen, Runts, Steers, Shrubs, Heifer or Kine to rear one Cow and Calf yearly.
§. 4.	Not to prejudice for ſuch as are kept for Family.
Horſes tolled, *c.* 7. §. 2.	Horſes, *&c.* ſhall be ſold in open place in Fair or Market, and tolled.
Scotchman, 1 *Eliz.* *c.* 7.	A Reviver of 23 *H.* 8. *cap.* 16. Felony to deliver Horſe to *Scotchman.*
Repeal, 5 *Eliz.* *c.* 19.	A Repeal of 1 *Ed.* 6. *cap.* 5. §. 6. As to that *Proviſo* only of Parties Oath to tranſport.
Tranſport Ships, 8 *Eliz.* *c.* 3.	Tranſporting Sheep, *&c.* firſt, forfeits all his Chattels.
§. 2.	The ſecond Offence is Felony.
Ely, *c.* 8. §. 2.	So much of 32 *H.* 8. *cap.* 13. §. 6. as concerns the Iſle of *Ely*, or any Fen or Marſh-Grounds, repealed, as to breed Horſes.
Stone-horſe, §. 3.	No Stoned-horſe above two years old, unleſs thirteen handful high from the bottom of Hoof to the higheſt part of Withers, to be put in Fen or Marſh, *&c.*
Tolling, 31 *Eliz.* *c.* 12. §. 2.	Seller of Horſe muſt be known, or bring Voucher to Toll-taker.
§. 3.	Juſtice of Peace to determine within Liberties, or without.
Horſe ſtollen, §. 4.	Sale of Horſe ſtollen, alters not property, if proof by two in ſix Months be made to Buyer, *&c.* where found, nor after, if Tender be of what Vendee paid.
§. 5.	Acceſſories before and after Horſe-ſelling, no Clergy.
Butcher, Hide, 1 *Jac.* *c.* 27. §. 2.	Butchers ſhall not gaſh Hides, on forfeit of 1 *s.* 8 *d.* nor ſell rotten, on forfeit 3 *s.* 4 *d.*
Butcher, Calf, §. 3.	Butcher not to kill Calf under five Weeks old, on forfeit of ſix ſhillings eight pence.
Marden, 4 *Jac.* *c.* 11.	In *Marden*, &c. in *Herefordſhire*, are houſed all the year, *viz.* Sheep and Oxen.
Milch Kine, 7 *Jac.* *c.* 8.	That 2 & 3 *Ph.* & *Mar.* *cap.* 3. extend to all Grounds meet for Milch-Kine hereafter incloſed, and not to be laid open for Common, *&c.*
Cornwal, 11 *Jac.* *c.* 28. §. 12.	That 32 *H.* 8. *cap.* 13. §. 2. ſhall not extend to *Cornwall*, as to putting in Horſes of certain ſize into Common.
Tranſport Sheep, 14 *Car.* 2. *c.* 18. §. 2.	Tranſporting of Sheep from *England*, *Scotland* or *Ireland*, Felony, *&c.*
Importing Cattel, 25 *Car.* 2. *c.* 7. §. 13.	For all great Cattle imported, forfeit 20 *s.* to the King, 10 *s.* to Seizer, and 10 *s.* to Poor.
§. 14.	Importer of Sheep, to pay ten ſhillings each.
§. 21.	Under ſix hundred may be imported from Iſle of *Man* a year, landing at *Liverpool.*
Butcher, *c.* 8. §. 2.	For explanation of 3 & 4 *E.* 6. *c.* 19. §. 3. Butcher not to ſell fat Cattle, on forfeit of double value.
Importing Iri **tel,** 18 *Car.* 2	Import from *Ireland*, Common Nuſance, and to be ſeized.
§. 3.	Iſle of *Man* may Import by *Cheſter*, not exceeding ſix hundred.
20 *Car.* 2. *c.* 7. §	Any Inhabitants where Iriſh Cattel are imported, on the Conſtables default, *&c.* may ſeize.
§. 4.	On default of Seizure, Inhabitants forfeit 100 *l.*
Tranſport, 22 *c.* 13. §. 4.	Beef, Pork, *&c.* may be tranſported.
§. 6.	Cuſtom of Ox tranſported, 12 *d.* only. §. 7. So for Cows and Heifers.
§. 7.	Horſes and Geldings, Mares, *&c.* may be tranſported, paying 5 *s.*
Killing in the 22 & 23 *Car.* 2.	Killing Cattle in the Night, Felony. §. 5. Maiming, treble Damages.
Reviver, *c.* 19.	A Reviver of 2 *&* 3 *Ed.* 6. *cap.* 15. and 15 *Car.* 2. *cap.* 8. Except one Branch in 2 & 3 *Ed.* 6. *cap.* 15. §. 4. Repealed by 3 & 4 *Ed.* 6. *cap.* 20.
Jobber, §. 2.	No Jobber, *&c.* to be allowed within twenty Miles of *London*, to buy or ſell Cattel.
Butcher, §. 3.	Butcher in ten Miles of *London*, buying fat Cattel to ſell forfeits the value.
Drover, §. 4.	Licences to Drover within eighty Miles of *London*, void.
Graſier, Butch	Seſſions not to licence Graſier or Butcher, till Recognizance not to ſell within ſixty Miles.
Sale, §. 6.	Seller to prove Property, and a lawful Sale, as to time and place.
Coſts, §. 7.	Double Coſts on vexatious Information.
Seſſions, §. 8.	Seſſions to determine. §. No *Certiorari* to be allowed.
Smithfield, §. 1	Cattel brought into *Smithfield*, after bought there, ſeized.
Toll taken, §	Bailiff or Toll-taker to mark all Cattle ſold.
London, §. 12.	Cuſtom of *London* of Foreign bought and ſold, not to hold in *Smithfield.*
Repeal, §. 13.	A Repeal of 1 *Jac.* *cap.* 22. §. 3. As to killing five weeks Calf.
Limitation, §	Offence to be proſecuted within ſix Months.
§. 15.	Continued for three years, from 24 *June* 1671. and ſo to the end of the next Seſſion of Parliament.
Compounding,	Compounding or not proſecuting Offence, forfeits 20 *l.*
Sales-men, 2 *c.* 4.	A Repeal of 22 & 23 *Car.* 2. *cap.* 19. as to Salesmen imployed by Farmers, but not as to Salesmen, *&c.* Of Butchers, Jobbers or Brokers.
Ireland, 32 *Car.* §. 2. *n.* 2.	Make 18 *Car.* 2. *cap.* 2. perpetual againſt Importation thereof from *Ireland*, &c.
Seizors, §. 3. *n*	That all who ſhall ſeize ſhall have the advantage, *&c.*
§. 5. *n.* 1.	All Seizors ſhall within ſix days after Conviction and Forfeiture, kill the Cattel.
§. 10. *n.* 2	Cattel to be ſeized as often as they remove into another Pariſh.
§. 11. *n.*	Cattel intermixt to be ſeized as *Iriſh* Drove.
Reviver, 1 *Jac.* §. 10.	Continues 22 & 23 *Car.* 2. *cap.* 19. for ſeven years and to end of next Seſſion.
Keeping Sw London, &c. *M. Seſſ.* 2. *c.* 8.	No Swine to be kept near paved Street in Bills of Mortality on forfeiture thereof; and Officer by Mayor of *London*, or Juſtice Warrant, may ſearch of Swine, and ſeize and ſell them.
Fleſh, &c. ex 3 & 4 *W.* & *M.*	Beef, Pork, Hogs-Fleſh, Butter, Cheeſe or Candles exported, freed Impoſition.
Reviver, 4 & *M.* *c.* 24. § 9.	Reviver 22 & 23 *Car.* 2. *cap.* 19. for ſeven years, but not to extend to Factors of Feeders.
Coach-horſes, *W.* & *M.* *c.* 22.	Horſes uſed in Hackney or Stage-Coaches to be fourteen hands.
Reviver, 6 *W.* §. 3.	Reviver 22 *Car.* 2. *cap.* 13. for ſeven years.

Certiorari.

Toll, *pone*, *recordare.*

Corpus cum Cauſa, removing *Habeas Corpus.*

Bail, 2 *H.* 5.	Bail thereon ſhall not be allowed for one condemned in Debt, but remanded.
Proceſs on re **Indictment,** *c.* 6.	On removal of Indictment of Felony, in Foreign County out place, where taken in *Banc. Reg.* The like Proceſs by *Capias*, &c. ſhall be made as in the County, by *H.* 6. *cap.* 10.
Remanding In **ment,** 6 *H.* 8.	Juſtices may remand Indictments by *Procedendo* to Gaol-delivery, Seſſions of the Peace, *&c.*
Allowing fo **der, Felony** *Ph.* & *Mar.* *c.*	Not to be allowed for Priſoner for Murder, Felony, &c. unleſs ſigned by Chief Juſtice, or one Judge, nor *Habeas Corpus.*
Allowing Wri **move Cauſe,** *c.* 5.	*Habeas Corpus*, or other Writ to remove Cauſe below, not to be allowed, unleſs ſhewed before one Juror ſworn to try Iſſue.
Delivering 21 *Jac.* *c.* 8. §	Muſt be delivered in Quarter Seſſions, and Bail before Allowance, elſe Juſtices may proceed on the Indictment below.
Delivery, *c.*	No *Habeas Corpus*, *Certiorari*, &c. other then Error or Attaint, ſtay nothing, unleſs delivered before Iſſue joyned in Cauſe depending.
New Certiora	After *Procedendo*, no new *Certiorari* to be allowed, &c.
Debt remove,	Debt under five pounds ſhall not be removed but by Error or Attaint.

Officer

ing, §. 5. Officer below may proceed, notwithſtanding Writ granted *contra* to this Statute.

how, §. 16. This to extend only to ſuch Courts of Record, and ſo long as utter Barreſter of three years ſtanding is Steward, *&c.*

Plea, 17 *Car.* o. §. 8. Not to extend to Suits wherein foreign Plea not triable there is pleaded.

Habeas Corpus, . 2. *c.* 23. §. 35. In three days after *Habeas Corpus* to be filed, or Priſoner remanded.

14 *Car.* 2. *c.* 6. Shall not ſuperſede Execution of Orders of Commiſſioners of Exciſe.

ay, 31 *Car.* 2. Not to be allowed of Seſſions Order for Highways, till Recognizance of forty pounds.

ing Priſoner auſes, §. 2. *n.* 2. That Gaoler within three days after Service of *Habeas Corpus*, and tender of Charge, ſhall return Priſoner and Cauſes, unleſs for Treaſon or Felony eſpecially expreſſed.

Corpus **between** 88. **and** Apr. 89. & *M. ſeſſ.* 1. *c.* 4. *Habeas Corpus* in Civil Cauſes between *Hillary* Term, 1688. and 17 *Apr.* 1689. returnable immediate.

t in Foreſt, . & *M. c.* 23. §. 7. *Certiorari* not to lie for Offender in Foreſt, *&c.* unleſs Defendant give Security to pay Proſecutor Coſts, *&c.*

ent or Preſent- at Quarter ons, *c.* 11. §. 2. In Term *Certiorari* not grantable out of Kings Bench to remove Indictment or Preſentment at Quarter Seſſions, but upon Motion and Rule of Court; and before Allowance, Defendant to find Sureties to appear and plead at his own Coſts, and procure Tryal next Aſſizes, Term or Sitting, *&c.* and give notice thereof: The Recognizance to be certified with the *Certiorari* and Indictment to be filed, and Proſecutor or publick Officers Name endorſed on Indictment.

. 3. If Defendant convict, Proſecutor grieved, or Civil Officer to have Coſts taxed, and for Non-payment an Attachment. And the Recognizance to ſtand till Coſts paid.

ges de B.R. **in tion**, §. 4. In Vacation *Certiorari* grantable by Judges of Kings Bench, whoſe Names ſhall be endorſed, and alſo Defendants who ſhall find like Sureties.

Lancaſhire, m, §. 5. Upon *Certiorari* granted in Palatinates of *C. L.* or *D.* on Indictment or Preſentment, Defendant to find Sureties to procure Tryal next Aſſizes, and give Proſecutor Notice, and if convicted liable to Coſts, to be taxed.

ays, §. 6. If Indictment or Preſentment be for not repairing High-ways, *&c.* and right to repair come in queſtion, upon *Affidavit*, &c. a *Certiorari* may be granted to remove the ſame into the Kings Bench.

s. Provided that Parties proſecuting the *Certiorari* find Sureties as above.

ance, §. 7. To Continue for three years, and to the end of the next Seſſion.

Certificate & Certification.

13 *Ed.* 1. *c.* 25. Of Aſſize lieth of all Profits, and on Failer, Defendant is Diſſeizor.

, 18 *Ed.* 3. *c.* 2. Of Bigamy, ſhall be by the Ordinary not tried by Enqueſt.

tal, 33 *H.* 8. . 4. Cuſtomer to certifie Diſcharge of Bell-metal tranſported.

Felony, 34 & . *c.* 14. §. 2. Of Utlary of Felony ſhall be in *Banco Regis*, &c.

ting, &c. 2 & . *c.* 37. §. 2. Merchant forfeits ten pounds every thouſand pounds of Bell-Metal tranſported without.

ent, &c. 3 & & *M. c.* 9. Indictment and Conviction of Felons and Benefit of Clergy, or Statute, ſhall be certified by Clerks of Crown, Peace, or Aſſize at Requeſt, to Judges in another County.

Ceſſavit, ſee *Rents.*
Chaſe, ſee *Foreſt.*
Challenge, ſee *Enqueſt.*
Champerty, ſee *Maintenance.*
Chancery, ſee *Courts.*
Chantries, ſee *Abbies.*

Charge.

Incumbrance.

ng Pledge, 8. *Mag. Chart.* Pledge ſhall not be diſtrained while the Kings Debtor is liable.

or Service, Diſtreſs ſhall be for no more Services for a Knights Fee then due.

ng to make Banks, *c.* 15. No Town or Freeman ſhall be diſtrained to make Bridges nor Banks, but as of Right accuſtomed in time of *H.* 2.

Banks, No Banks ſhall be defended from henceforth, but ſuch as were in time of *H.* 2. in defence.

of Dower, H. 3. *c.* 1. *Mer-* Damages againſt Deforceor of Dower or Quarentine, ſhall be from Husbands death to the day of Recovery.

deviſing 2. Widows may deviſe the Crop upon their Dowers, ſaving the Lords Services.

The Conſtable, Marſhal and Chamberlain of Fee in Exchequer, ſhall anſwer for Acts of Deputy, §. 8. *Reſpondeat Superior*, whether Officer be *hac vice* for Life or in Fee, ſworn or not. **Conſtable**, &c. **anſwering for Deputy**, 51 *H.* 3. *p.* 12. §. 7. Reſpondeat Superior.

Guardian in Socage ſhall at lawful age of Infant account for Iſſues and Profits, without Sale, Waſte or Deſtruction. **Guardian in Soccage accounting**, 52 *H.* 3. *c.* 17. *Marlbr.*

Succeſſor may renew Treſpaſs of Predeceſſor, or for Goods, late violently taken from the Church, or of Entries in Vacation. **Succeſſor renewing Treſpaſs**, *c.* 28.

If Executors be not ſufficient, Heir ſhall pay Daughter Aid levied by *Anceſtre, pur file marier.* **Paying Daughter Aid**, 3 *Ed.* 1. *c.* 36. *W.* 1.

Reſpondeat Superior, if Bailiff be not able, to reſtore Cattel replevied. **Reſtoring Diſtreſs**, 13 *Ed.* 1. *c.* 2. §. 2. *W.* 2.

Reſpondeat Superior that committed the Gaol to Defendant in Debt on Eſcape of Accountant committed for Arrears. **Accountant eſcaping**, *c.* 11.

Shall not be of Religious Houſes, or other places of the Church, with the ſojourning or purveyance of Great Men, nor with Corodies or Penſions. **Religious Houſe, Church**, 9 *Ed.* 2. *c.* 11. *Artic. Cleri.*

Shall not be on Archbiſhop, Biſhop, Abbe, Prior, *&c.* with Corodies, Penſions, Prebends or Churches. **Biſhop, Abbe**, &c. 1 *Ed.* 3. *c.* 10.

All the Hundred or Franchiſe where Robbery was, ſhall in forty days anſwer Damages. **Robbery**, 28 *Ed.* 3. *c.* 11.

Of Goods where they were when Quinzime was granted, and every place in the County diſtrained to anſwer, but not double. **Quinzime**, 9 *H.* 4. *c.* 7.

Of Collector of Diſmes, in Account is ſufficient for Debt againſt his Companion. **Collector of Diſme**, 5 *H.* 5. *St.* 2. *c.* 10.

He that hath right may diſtrain Lands of Perſon attainted in the Hands of any but the King. **Diſtraining Lands of Attainted**, 7 *Ed.* 4. *c.* 5.

He that hath a Freehold in *Callice*, muſt pay Duty iſſuing out of it within a year, or forfeit it. Callice, 11 *H.* 7. *c.* 16.

Succeſſor ſhall pay Predeceſſors Arrear of Tenth to the King, if there be ſufficient Diſtreſs on the Land to be ſold. **Arrears of Tenths**, 27 *H.* 8. *c.* 8. §. 4.

Biſhop on Oath, he cannot levy Tenth of Abbe Lands for the King ſhall be diſchaged. **Levying Tenth**, &c. 32 *H.* 8. *c.* 22. §. 5.

Biſhop of *Norwich* notwithſtanding 26 *H.* 8. *cap.* 3. and 27 *H.* 8. *cap.* 8. ſhall collect Diſmes granted to the King, and in Vacation the Dean and Chapter. **Collecting Diſme Biſhop of** Norwich, *c.* 47.

Shall be of Lands intailed for the Kings Debt, by ſpecialty. **Kings Debt**, 33 *H.* 8. *c.* 39. §. 26.

Of Heir of Collector of Diſmes, *&c.* in by Colluſion. **Heir of Collector of**, &c. 34 & 35 *H.* 8. *c.* 2.

Heir ſhall have remedy over againſt Executors of Collector. **Remedy**, §. 5.

He from whom the King recovers to make up third part, ſhall have Contribution in Chancery. **Contribution**, *c.* 5. §. 19.

Of Lands aſſured to *Hind*, with ten pounds *per annum*, to Knights and Sheriff of *Cambridge*, in diſcharge of County-wages of Parliament. Cambridgeſhire **Wages of Parliament**, *c.* 24. §. 2.

Purchaſe by Accountant to the Queen in others Names, as liable as in his own. **Accountant to Queen**, 13 *El. c.* 4. §. 5.

Of him that gains Releaſe from Adminiſtrator by Colluſion, as Executor *de ſon tort*, for what is Surplus of juſt Debt. **Releaſe by Colluſion from Adminiſtrator**, 43 *El. c.* 8. §. 2.

Charitable uſes, ſee *Poor.*

Chattels.

Goods, Moveables.

While they are ſufficient, the Kings Debtors Land nor Rents ſhall not be diſtrained. **Kings Debtor**, 9 *H.* 3. *c.* 8. *Magna Charta. Cap.* 18.

Of the Kings Debtor, ſhewing Patent of Summons, may be attached and inrolled after his death, that nothing be taken away; but if party owe nothing all ſhall go to uſe of the Dead, ſaving to Wife and Children their reaſonable part.

Freeman may in his own Wood, Land or Water in Foreſt make Mills, Spring, Pools, Marſh-Pits, Dikes and Arable Ground not encloſed. **Foreſt**, 9 *H.* 3. *c.* 12. *Chart. de Foreſt.*

Freeman ſhall have Averies of Hawks, Sparrow-hawks, Falcons, Eagles, Herons and Hony found in his Woods in Foreſt. **Averies**, &c. **in Foreſt**, *c.* 13.

Widows may demiſe the Crop of their Dowers, and other Tenements, ſaving the Lords Services. **Wid. deviſing Crop**, 20 *H.* 3. *c.* 2. *Merton.*

Plow-beaſts ſhall not be diſtrained for the Kings Debt, but until other Chattels found, and Owner may freely feed impounded Diſtreſs. **Plow-beaſts not diſtrainable**, 51 *H.* 3. *p.* 11 *Diſtreſs Scaccar.*

Lately taken violently from Predeceſſor, Abbot or Prelate is ſufficient for Succeſſor to have Treſpaſs. **Violent taking**, &c. 52 *H.* 3. *c.* 28. *Marlb.*

Debtor hath no Remedy if Sheriff ſell Goods leſs than worth, becauſe he might have done it himſelf before Execution. **Sheriff ſelling at under worth**, 13 *Ed.* 1. *p.* 54. *St. Merch.*

Plaintiff on Recovery may elect to have *Fi. fac.* of Lands and Goods, or Delivery of Chattels; except Plow-beaſts and Moiety of Land, by reaſonable Extent, till Debt ſatisfied. **Election of** Fi. fa. **or** Elegit, 13 *Ed.* 1. *c.* 28. *W.* 2.

Ordinary ſhall pay Debts as far as Goods of Inteſtate will extend in ſuch ſort as Executors. **Pay Inteſtates Debts** *c.* 19.

Diſtreſs ſhall not be of the Beaſts of Plow for the Kings Debt, if any elſe. **Plow-beaſts**, 28 *Ed.* 1. *c.* 12. *Artic. ſuper Ch.*

Quinzime, 9 *H.* 4. *c.* 7.	Are liable where they were when Quinzime was granted, and the County may diſtrain, but not doubly charged.
Reſiſting Purveyor, 20 *H.* 6. *c.* 8.	Seller may reſiſt Purveyor under 40 *s.* without ready Mony.
Mony, &c. **given Church,** 21 *H.*8.*c.*6.§.5	Parſon, Viçar, *&c.* ſhall have Mony, *&c.* given to the Church or to the High Altar.
Seizing bona Felonum 1 *R.* 3. *c.* 3.	Of Felon ſhall not be ſeized till Conviction, upon Forfeiture of double.
Profits deviſed for Sale, 21 *H.* 8. *c.* 5.	The Profits of Lands deviſed to be ſold, are not Aſſets in Executors.
Reſtored on Conviction of Robery, *c.* 11.	Shall be reſtored upon Conviction of Party robbed, by Writ of Juſtices on Trial.
Sheep, 25 *H.*3. *c.* 13.	No Farmer to keep above two thouſand Sheep.
Abbie, 27 *H.*8.*c.*28. §.5.	Of Abbies given to the King.
Encumbent deviſing Crop, 28 *H.*8.*c.*11.§.6.	Encumbent may deviſe the Crop of Lands ſown by him.
Property alter, London, 1 *Jac. c.* 21.	Property of Goods in *London* not altered by Sale there.
Property bound, 29 *Car.* 2. *c.*3. §. 16.	Property thereof is bound but from the time of Execution delivered to the Sheriff.
Goods of Robber, 4 & 5 *W.* & *M. c.* 8. §. 6.	Goods of a Robber taken with him, if not ſtoln, to be to the Apprehender, Proſecutor and Convictor of the Robber.
Grants, &c. **of Felons Goods,** *c.* 22.	None compellable to plead Grants or Conveyances of Felons Goods, *&c.* inrolled and allowed in Kings Bench, to Coroners Inqueſt, nor wholly to inrol their Grants, but only granting a part.
Iſſuing Proceſs againſt Grantees, §.2.	Clerk of Crown iſſuing Proceſs againſt Grantees after Inrolment, forfeits 5 *l.* but may againſt thoſe, whoſe Titles are not inrolled, nor pleaded.

Cheeſe, ſee *Victuals.*
Cheſter, ſee *Cinque Ports* and *Wales.*
Chelſey, ſee *Abbe.*
Chemin, ſee *Ways.*
Chirographer, ſee *Fees* and *Fines.*

Church.

See *Eſgliſe, Temple, Divine Service, Sacraments, Religion, Advowſon, Avoidance, Preſentation, Quare Impedit, Appropriation, Covent Garden, Union, Chapel, Burials.*

Church free, 9 *H.*3. *c.*1. *Magna Charta.*	The Church of *England* ſhall be free, and ſhall have all her whole Rights inviolable.
Cuſtody, *c.* 3.	The Cuſtody thereof when vacant, ſhall not be ſold, but fully reſtored.
Amerciament, *c.* 14.	Amerciament on Churchmen is according to Laytenement, ſaving his Spiritual Benefice.
Cuſtody, *c.* 33.	When void ſhall be in the Cuſtody of Patrons as accuſtomed, and before declared.
Succeſſor has Treſpaſs, 52 *H.* 3. *c.* 28. *Marlb.*	Succeſſor ſhall have Treſpaſs of late violent taking Goods of Church in Predeceſſors time, and Damages as in Aſſize for Entry in Vacation.
Vacation, 3 *E.* 1. *c.* 21. *W.* 1.	Shall be kept in Vacation, without deſtruction of any thing.
Pendant debate, *c.* 28.	No Clerk ſhall receive Preſentation, while debate in the Kings Court, without the Kings ſpecial Licence.
In whoſe Gift, 4 *Ed.*1. *p.* 27. §. 12. *Extent. Manerii.*	It is to be enquired how many Churches belongs to the Lords Gift, what and where, and value yearly.
Darrein Preſentment, 13 *Ed.* 1. *c.* 5. *W.* 2.	After Judgment reverſt by Error, Darrein Preſentment lieth on Uſurpation during Infancy, Coverture or Vacancy of Prelate.
Plenarty pleadable, §. 2.	Plenarty of Defendants Preſentation, is no Plea in Darrein Preſentment, or *Quare Impedit*, if brought within the ſix Months by Heir, after death of particular Tenant.
Damages, §. 3.	Damages if ſix Months Lapſe is two years value, if not, half a year, and if inſolvent, two year, or half a years Impriſonment.
Writs, §. 4.	Writs lie of Chappels, Prebends, Vicarage, Hoſpitals, Abbies, Priories, and other Houſes of other Mens Advowſon, and by Patrons of Tythes.
Coparcener, §. 5.	Twice Preſentation by one Coparcener, bars not the other to preſent the next Turn.
Quod permittat, *c.* 24. §. 2.	*Quod permitat* lieth by Succeſſor Parſon againſt Diſſeiſor of Common, or his Heirs.
Frank Almoign, *Ibid.*	A Writ ſhall be granted to try whether it be the free Alms of this or that Church.
Contra formam Collationis, *c.* 41.	The Founder may ſeize, or have *Contra form. Collation.* on Alienat. of Alms, Chantry or Light in Church, and *Ceſſavit* on Ceſſer.
Church-yards, 13 *Ed.* 1. *c.* 6. *Winch.*	Fairs and Markets ſhall not be kept in Churchyards.
Spiritual Court, 13 *Ed.* 1. *p.* 55. *Circumſpect. Agat.*	Fornication, Avowtry, Ornaments and Reparation of Church, Tythes not exceed fourth part of Benefice, Oblations, Mortuaries, Penſions, Striking Clerk, and defamation, ſhall be in Spiritual Court, and no Prohibition.
Magna Charta, 25 *Ed.*1. *c.* 3. *at* London.	The Grand Charters ſhall be read in all Cathedrals twice a year, and remain there under Seal.

The Curſes againſt Excommunicated Breakers of the Charters to be read there twice a year, and on default Prelates to be diſtrained by Archbiſhop of *Canterbury* and *Tork.*	*Cap.*
The Statute to be read twice a year in Cathedrals, and the Curſe in every Pariſh Church then againſt Breakers.	*Temp. Ed.* 1. *p.*
The Property of Trees in Church-yard, is the Parſons as the Soil; is not to be cut but for Reparation of Chancel, unleſs in Charity the Parſon give to the Pariſh to repair the Church.	**Church-yard,** *p.*75. *ne Reſt*
Barons of the Exchequer, or Clerks in the Kings Service, ſhall not be puniſhed by Ordinaries for Non-reſidence, for ſuch things as be thought neceſſary for the King and Commonwealth, ought not to be ſaid prejudicial to the Liberty of the Church.	**Non-Reſiden** 2. *c.* 8. *Art.*
Diſtreſs ſhall not be in ancient Fees, but only in thoſe newly purchaſed.	**Diſtreſs,** *c.* 9.
Keepers of perſons abjured, ſhall not enter the Church-yard, but on fear of Eſcape, and ſhall let party adjured out to, *&c.* Confeſſors may not inform Appellors what they hear.	**Perſons abjur**
Shall not be charged with Purveyance or Sojourning of the Great Men of the Realm.	**Purveyance,**
Perſon excommunicated may be taken by Citation out of the Town or Pariſh.	**Excommunica**
The Ability of Clerk belongs to Ordinary to examine.	**Ability,** *c.* 13
Elections to vacant Dignities ſhall be free according to Statutes and Ordinances.	**Elections free,**
A Clerk fleeing thither for Felony ſhall not abjure ſubmitting himſelf to the Law.	**Abjuration,** *c.*
Priviledge ſhall not be denied to any Appellor, as a Clerk, being asked in due Form.	**Priviledge Cl**
The King ſhall not be prejudiced by Lapſe, ſo he preſent within ſix Months after Recovery of Advowſon.	**Lapſe,** 17 *Ed.* *Prerog. Regis.*
Parſons, Vicars, Wardens of Chapels, Provoſts, Wardens, and Prieſts of perpetual Chantries, ſhall have a *Juris utrum*, to recover their poſſeſſions given in Alms.	Juris utrum, 1 *c.* 17.
No people of Holy-Church ſhall be charged to receive Gueſts nor Horſes, Hawks nor Dogs, nor no Purveyance, made in their Houſe nor without, but by Aſſent.	**Purveyance,** 1 *St.* 3. *c.* 1.
Penalty of three years is a good Plea againſt the King ſeized of Temporalties, or in right of Infant.	**Plenarty,** *c.* 2
Chancellor or Treaſurer ſhall leaſe Temporalties in Vacation to the *Corps*, at yearly, quarterly or monthly Rent without Fine.	**Temporalties,**
The Fees of the Church ſhall be excepted in all Commiſſions of Purveyance.	**Purveyance,** 1 *c.* 4.
A Repeal of 14 *Ed.* 3. *St.* 3. *cap.* 2. as to three years Plenarty, and that the Kings Laches ſhall not prejudice his Preſentation.	**Plenarty,** 25
The Kings Title on Preſentation in anothers Right ſhall be examined, and if untrue, the Patron or Poſſeſſor ſhall have *Brief al Eveſque.*	**Kings Preſenta** *c.* 3.
The Ordinary on Lapſe may counterplead the Kings Title in Suit againſt Patron.	*Cap.* 6.
Juſtices ſhall receive Challenge by Ordinaries of Conuſance of Avoidance of Benefices.	**Challenge, Co** *c.* 7.
Being all of the Kings Foundation, or of Great Men of the Realm, no Reſervation, Collation or Proviſion ſhall be made by the Court of *Rome.*	**Proviſion,** Ro 25 *Ed.* 3. *p.* 1 *Proviſors.*
None ſhall give a Pariſh Prieſt for Wages above three pounds ſix ſhillings eight pence, or his Board and twenty ſix ſhillings eight pence.	**Prieſts Wages,** 3. *c.* 8.
Prieſt ſhall not be arreſted there, or in Church-yard doing Divine Service.	**Privilege, Im** 50 *Ed.* 3. *c.* 5.
They ſhall be impriſoned, ranſomed and make Agreement that arreſt any perſon of Holy-Church in Divine Service.	1 *R.* 2. *c.* 15.
On Certificate of Preacher of Hereſie, the Sheriff by Commiſſion ſhall impriſon them till juſtified by Law.	**Hereſie, Impri** 5 *R.*2. *St.*2. *c.*
Ordinary ſhall not receive the Kings Preſentee, where its full before; but if he doth, Suit muſt be within the year.	**Kings Preſente** 13 *R.* 2. *c.* 1.
Church-yard dedicated without Licence of the King or Lord, is Mortmain.	**Mortmain,** 15 *R* *c.* 5.
On every Appropriation, Vicar ſhall be endowed, and Poor provided for.	**Appropriation** *c.*
Preacher ſhall be licenſed by Ordinary, he may puniſh Conventicles, or burn obſtinate Heretick.	**Preacher, Heret** 2 *H.* 4. *c.* 15.
On every Appropriation there ſhall be Vicar perpetual, a Man Secular Canonically inſtituted, and not Religious.	**Appropriation,** 4 *c.* 12.
Encumbent put out by Patentee, may notwithſtanding 13 *R.* 2. *cap.* 1. ſue at any time.	**Encumbent,** *c.* 1
The Kings Licence or Pardon ſhall not avail to make a Plenarty by Proviſion from the Pope.	**Plenarty, Pro** 7 *H.* 4. *c.* 8.
All Officers of Government ſworn to aſſiſt Ordinaries to extirpate Lollards and other Hereſies who forfeit Fee, Lands, Goods and Chattels.	Lollards, 2 *H.* 5. *c.*

Wages

laine Wages, 5. *St.* 2. *c.* 2. Wages of Chaplains, four pounds thirteen ſhillings four pence yearly, and of Pariſh Prieſts ſix pounds for Board, Apparel, and other Neceſſaries.

ſion, &c. 3 *H.* 5. *c.* 4. All Proviſions, Licences and Pardons, void, and Premunire lieth by him that is diſturbed thereby, and treble Damages.

y, 4 *H.* 8. *c.* 2. None not in Orders ſhall have Clergy on Murder or Felony in Church or Chappel, or hallowed Place.

uary, §. 2. Taking Sanctuary in Foreign County, try where Indictment is.

h Mony, 21 *H.*8. §. 5. Parſon, Vicar, &c. ſhall have Mony, &c. given to the Church, or to the High Altar.

n, *c.* 13. §. 9. The firſt is void on Inſtitution and Induction to the later unqualified.

§. 25. None to be advanced to above two with Cure.

uary, 21 *H.*8. *c.*6. Mortuary ſhall not be paid, unleſs of ten Marks, and then if under thirty pounds, only three ſhillings four pence, or if above, and under forty pounds, only ſix ſhillings eight pence, or of whatſoever value, not above ten ſhillings.

uary, 22 *H.*8.*c.*14. If he that take Sanctuary be taken out, or commit any other Petty Treaſon, Murder or Felony, he may be taken out and hanged by Juſtices of Peace or Sheriffs.

main, 23 *H.*8.*c.*10. Uſe for *Obit* perpetual, or Service of Prieſt, void as Mortmain.

am Head, 26 *H.*8. The King is the Supream Head.

agan, *c.* 14. §. 8. Suffragan Biſhop may have two Benefices with Cure.

ion, 28 *H.*6. *c.*11. Executors of Succeſſor ſhall recover Arrears in time of Vacation, toward payment of Firſt-fruits.

es of Cure, §.5. Ordinary may deduct Charges of ſerving the Cure, out of Profits received in time of Vacation.

§. 10. If Profits ſuffice not in Vacation to ſerve Cure, the Succeſſor in fourteen days after poſſeſſed, ſhall repay it.

eſident, *c.*13.§.2. Encumbent above forty, unleſs Head or Profeſſor in Univerſities, ſhall not be Non-reſident, on pain in 21 *H.* 8. *c.* 13. §. 26.

§. 3. Encumbent under forty, ſhall not be Non-reſident 21 *H.* 8. *cap.* 13. §. 28. unleſs he attend Publick and Private Exerciſes of Univerſities.

uary, 32 *H.*8.*c.*12 All Sanctuaries taken away, except Pariſh-Church, Cathedral, Hoſpital, &c.

n, §. 44. *Royſton* five Pariſhes reduced to one of St. *John Baptiſt*; the Vicar to be preſented by the King, and capable to purchaſe, &c.

uary, 33 *H.*8.*c.*15 Sanctuary to be at *Weſtcheſter*, inſtead of *Mancheſter*, named in 32 *H.* 8. *cap.* 12.

, *c.* 31. A Union of Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*, to Biſhoprick of *Cheſter*, Subject to Province of *York*.

gate, *c.* 32. The Vicar of our Lady in *Whitegate* in *Cheſhire*, made perpetual at the Kings Nomination, and to be a Pariſh-Church.

, 37 *H.*8.*c.*31. §.3. One not being above ſix pounds in the Kings Firſt-fruits, and not above a mile, may be united by Parſon, Patron of full age, and Ordinary.

§. 4. Former Unions to continue.

§. 5. Saving the Kings Firſt-fruits as before Union.

§. 6. Union without Aſſent of Mayor or Corporation, &c. in Towns, void.

§. 7. Where Inhabitants will aſſure eight pounds *per annum* to Encumbent, the Union void.

c. 9. In *York* united by Mayor, Recorder, Ordinary, and ſix Juſtices, not exceeding twenty pounds *per annum*.

fluous, §. 2. Superfluous to be pulled down and beſtowed in repair of others, and for Bridges, Poor, &c.

s, §. 4. Tenths to be paid according to the ancient value.

mity, 2 & 3 6. *c.* 1. Uniformity of Prayers, Mattins, Maſs, and other Rites of Divine Service.

upting Parſon Interrupting Parſon, &c. forfeit ten pounds. 2. Twenty pounds. 3. Impriſonment for Life.

e Book, §. 8. Pariſhes ſhall be at the Charge of Books of Divine Service.

ſort to Church, 6 *Ed.* 6. *c.*1. §.2. All having no juſt Impediment, to reſort to Pariſh-Church or Chappel, and there abide orderly during Common Prayer, Preaching and other Service of God.

, §. 4. Archbiſhop and Ordinaries in exempt or not exempted places to correct, &c.

on Prayer, §.5. A Confirmation of 2 & 3 *Ed.* 6. *cap.* 1. of the Book of Common Prayer.

y, §. 6. Being preſent at any other Form in the Church and Committed before Juſtice of Peace, to be 1. Impriſoned 3 Months. 2. For a year. 3. For life.

ing in Church, Laymen fighting or quarrelling there, to be ſuſpended *ab ingreſſu*, and Clerk, from Miniſtration of his Office at pleaſure of the Ordinary.

§. 2. Actual ſtriking to be *ipſo facto* excommunicated.

§. 3. Striking with Weapon drawn to loſe one Ear, or if he have none, burnt on the Cheek with Letter *F.* on Conviction before Juſtice, &c.

On malicious Diſturbance of Preacher, defacing Sacrament of the Altar, breaking Crucifix, &c. Party to be arreſted and impriſoned 3 months, &c. **Diſturbing Preacher,** 1 *Mar. St.* 2. *c.* 3. §.4.

Inhabitants of *York* may rebuild St. *Ellens* in *Stanegate*, &c. and the Queen preſent. York, *c.* 15.

The Queen during life, may make and preſcribe Statutes for Lands and Government of Foundations erected by *H.* 8. or *Ed.* 6. **Statutes for Government,** 1 *Mar. St.*3. *c.*9.

A Repeal of 2 *Ed.* 6. Private Statute of Union of *Onger* and *Greenſtead* in *Eſſex*, and they ſevered, and *James Morris*, &c. to preſent to *Onger*. **Union,** *c.* 10.

All to reſort to Pariſh or Church. **Reſort to Church,** 1 *El.* *c.*2. §. 14.

Service Book to be had at Charge of Pariſhioners. **Service Book,** §. 19.

Forbearing Pariſh *contra* to 1 *Eliz.* *cap.* 2. §. 14. a year forfeits twenty pounds, beſides, &c. after Certificate by Ordinary in *Ban. Reg.* &c. 23 *El.* *c.* 1. §. 5.

He that keeps Schoolmaſter that abſents, forfeits ten pounds. **Schoolmaſter,** §. 6.

Schoolmaſter that abſents, diſabled and impriſoned a year. §. 7.

He that hath private Service on Sundays, and is four times a year at the Publick, to be excuſed. **Private Service,** §.12.

Proclamation of Utlawry to be at or near the Porch, after Service on Sunday. **Utlary proclaimed,** 31 *El.* *c.* 3.

Inhabitants of *Melcomb* in *Dorſet*, may build Pariſh-Church of *Radipoll*, and incloſe Waſte for Church-yard to bury. 1 *Jac.* *c.* 30.

Churchwardens and Conſtables to preſent monthly Abſence. **Abſence,** 2 *Jac.* *c.*4. §.4.

Juſtice of Peace may levy twelve pence for not coming every Sunday. 12 d. **abſence,** §. 27.

No proſecution to be after a Month. §. 28.

Confirmation of poſſeſſors, and reſtoring Perſons ſequeſtred. **Sequeſtration,** 12 *Car.* 2. *c.* 17.

For making the Precinct of *Covent Garden* Parochial. Covent Garden, §. 37.

Sale of Delinquents Eſtates to Vicarage, Maintenance of preaching, and Lectures, &c. and Securities thereof void. **Delinquents Eſtate,** 14 *Car.* 2. *c.* 25.

Tenants, &c. of ſuch Advowſons, Rectories, Glebe-tythes, &c. to pay Rent to whom Intereſt belonged before Sale. **Rent,** §. 2.

Purchaſers from Redemiſer or Truſtee, &c. to pay and have remedy by Diſtreſs, &c. §. 3.

Veſtry-men within the Bill of Mortality or Corporations, where there are ſelect Veſtries, on Election, to ſubſcribe before Archbiſhop, &c. as §.3. **Veſtry-men,** 15 *Car.*2. *c.* 5. §. 2.

Refuſers *ipſo facto* deprived, and new Election to be. §. 4.

Archbiſhop, &c. to certifie on Requeſt. §. 5.

Not to give any new Power to ſelect Veſtry-men. §. 6.

Cities in *England* and *Wales* that have Mayor, &c. Biſhop by their conſent to unite, where convenient, and by conſent of Patron. **Union,** 17 *Car.*2. *c.*3.

Pariſhes to continue diſtinct as to Rates and Parochial Rights, &c. §. 2.

The ſeveral Patrons to preſent by Turns. §. 3.

No Union till Regiſtred by Biſhop of Dioceſs. §. 4.

No Union where ſetled Maintenance exceeds one hundred pounds *per annum*. §. 5.

Encumbent of Church united, to be a full Incumbent. §. 6.

Impropriator may annex it to Parſonage near. §. 7.

Where Union not amounting to one hundred pounds *per annum*, Encumbent may purchaſe ſo much. §. 8.

From 25 *March*, 1667. only Woollen for Burial to be put into Coffin. **Burying in Woollen,** 18 *Car.* 2. *c.* 4.

Only thirty nine to be rebuilt in *London*. London **building,** 19 *Car.* 2. *c.*3. §.31.

Scites and Materials of thoſe not rebuilt, veſt in Lord Mayor. §.32.

Not to veſt St. *Gergories*, nor St. *Faiths* in City, &c. §. 33.

Of Pariſhes in *London*, to be fifty one, notwithſtanding 19 *Car.* 2. *cap.* 3. §. 31. 22 *Car.* 2. *c.* 11. §. 62.

Settlement of Curates and Parſons in Pariſhes burnt. 22 & 23 *Car.* 2. *c.* 15.

Sheriff may make Execution of Rectory in Truſt. **Execution, Truſt,** 29 *Car.* 2. *c.* 3. §. 10.

Leaſe by Impropriation by Archbiſhop, &c. without mention of an Augmentation to Vicar, void. **Impropriation,** *c.*8. §.8.

For Burying in Woollen. **Burying in Woollen,** 30 *Car.* 2. *c.* 3.

An additional Act for burying in Woollen. 32 *Car.* 2. *c.* 1.

For building and finiſhing *Pauls*-Church; Coals brought into *Thames*, between 29 *Sept.* 1687 and 1700. to pay 18 *l. per* Chaldron or Tun. Pauls **Church,** 1 *Jac.* 2. *c.* 15.

Coal-meeters, on unlading, to deliver a Certificate of quantity; and Coals concealed to pay 5 *s. per* Chaldron or Tun. **Certifying quantity, Coals concealed,** §.2.

If Importer, on Coal-meeters Certificate, give in his *Poſt Entre*, and pay Duty for Surpluſage, Penalty to be diſcharged. **Diſcharging Penalty,** §. 3.

Archbiſhop *Canterbury*, Biſhop *London*, and Lord Mayor, may appoint Officers to inſpect Coal-meeters, and to Certifie. **Inſpecting,** §. 4.

Mony raiſed to be applied to finiſhing *Pauls*-Church. **Appropriation,** §. 5.

Receits and Diſburſements ſhall be entred, and an Abſtract **Receits & Diſburſements,** §. 6.

	Abſtract thereof yearly tranſmitted into Receit of Exchequer.
Diſpoſing the Mony, §. 7.	The Mony to be diſpoſed as directed by Archbiſhop, Biſhop *London*, and Lord Mayor.
Allowances, §. 8.	Allowance to be made to Officers.
Borrowing mony, §. 9.	Mony may be borrowedon ſecurity of the Duties.
Defendants plea, §. 10.	Defendant may plead General Iſſue, *&c.*
Receiver, §. 11.	Receiver to be appointed by Archbiſhop and Biſhop, and Mayor of *London*, and to give ſecurity for due repayment of Mony received, to be approved by Lord Keeper, Chief Juſtice, and Chief Baron.
Parochial Churches unfiniſhed, §. 12.	Archbiſhop and Biſhop, and Mayor of *London*, may appropriate part of the Duties (not exceeding one fifth) for compleating Parochial Churches unfiniſhed at expiration of 22 *Car.* 2. and remainder to be to finiſhing *Pauls*.
Newcaſtle-Coals for Chelſey-Colledge, §. 13.	Not to charge *Newcaſtle*-Coals, to be delivered by the Mayor and Burgeſſes for *Chelſey*-Colledge, they giving notice of delivery.
St. Anns Weſtminſter, *c.* 20.	An Act for raiſing Mony for building St. *Anns* Church *Weſtminſter*,
Appointing Supervi-ſors and Commiſſi-oners, §. 2. Diſplacing and elect-ing Veſtry-men.	Biſhop of *London* may appoint thirty Inhabitants Supervisors, and Commiſſioners of the Church, till finiſhed, and after Veſtry-men as in other Pariſhes diſplaceable for Miſgovernment; and Vacancies to be ſupplied by Election of remaining Commiſſioners.
Commiſ. ſwearing. Appointing them a Clerk. Place to meet, §. 3.	Commiſſioners to be ſworn, and to appoint a Clerk to regiſter their Acts and Orders; and to meet in Veſtry of St. *Martins* till a Veſtry erected in St. *Anns*.
Rector and Church-wardens, &c. §. 4.	Rector and Churchwardens to be additional Superviſors and Commiſſioners.
Eſtimate of Charge. Aſſeſment, §. 5.	An Eſtimate to be made of the Charge of Building; and for Mony not raiſed by ſale of Pews, Commiſſioners to make Aſſeſment for four years, payable quarterly, upon Inhabitants and Occupiers of Lands, *&c.* by pound rate, not exceeding 5000 *l.*
Taxing Tenant. Aſſeſſor, Collector, Treaſurer, §. 6.	No Tenant to be taxed for Perſonal Eſtate at leſs then one fifth of the Sum aſſeſſed on the Landlord; and Commiſſioners to appoint twelve Aſſeſſors Collectors and a Treaſurer.
Diſtreſs and Sale. Tenants paying Aſ-ſeſment, §. 7.	Collectors on non-payment, by Commiſſioners Warrant, may diſtrain, and ſell Goods, and call to their aſſiſtance, Sheriff of *Middleſex*, or Conſtable of St. *Martins*; and differences about Diſtreſſes to be determined by Commiſſioners, and Tenants to pay Aſſeſſments, and deduct them out of the Rent.
Appeal. Deficiency, §. 8.	Differences concerning Rates to be determined, and Grievances by Aſſeſsments redreſſed, by Commiſſioners; and deficiency in one quarterly payment to be ſupplied by next, and if in laſt by Aſſeſsment next quarter.
Paying Commiſſio-ners, Clerks, Aſſeſ-ſors, Collectors, §. 9.	Commiſſioners out of the Mony raiſed to pay a Salary to their Clerk, and allow him neceſſary Expences, and to recompence Aſſeſſors and Collectors.
Entring Debts, Con-tracts, &c. Paying workmen, §. 10	Debts, Credits or Contracts, with or by Artificers or Work-men, to be entred in a Book, and out of the Aſſeſsments to pay Work-men, *&c.*
Refuſal or neglect of Office, §. 11.	Refuſing to be a Collector or Aſſeſſor, or neglecting Duty, finable by Commiſſioners, not exceeding 40 *s.*
Collector refuſing to pay Receiver, §. 12.	Collector refuſing to pay Mony collected to Receiver, to be impriſoned by Commiſſioners Warrant till payment.
Annual account, §. 13.	Commiſſioners to make an Annual Account till the Church be finiſhed to Biſhop.
Quor. of Superviſors Commiſſioners, §. 14	*Quorum* of Superviſors and Commiſſioners, after Conſecration of the Church, to purpoſes not hereby directed to conſiſt of ſeven.
Defendants plea, §. 15.	Defendant may plead General Iſſue, *&c.*
St. James Weſtminſter, *c.* 22.	For erecting St. *James* Pariſh Church *Weſtminſter*.
Bounds, §. 2.	How bounded, to be a diſtinct Pariſh, and called St. *James*, and divided from St. *Martins*, and diſcharged from Duties relating thereunto.
A Pariſh Church, §. 3.	Church and Ground to be called the Pariſh-Church and Church-yard.
Rector, §. 4.	To be for Publick Worſhip, and uſe of Inhabitants, and there to be a Rector and Succeſſion of Rectors.
Firſt Rector. Capacity of Rector, §. 5.	*T. T. D. D.* to be firſt Rector, and he and his Succeſſors, Rectors and capable to ſue, *&c.* and have *Cura animarum*, and to have a Houſe erected, and as Rector to purchaſe Lands, *&c.* not exceeding 200 *l. per annum*.
Advowſon, §. 6.	Advowſon veſted in Biſhop of *London* for two Turns, and in Lord *J.* one.
Succeſſors preſentable, §. 7.	Succeeding Rector to be preſented, *&c.* as others.
Duties and Glebe to Rector, §. 8.	Rector to have like Duties and Profits, as Vicar of St. *Martins*, and be ſeized of Church Lands, *&c.* ſaving Rights of others.

Rector may demiſe for 41 years, upon improved Rent without Fine.	Demiſe, §. 9.
Inhabitants ſubject to Laws for choice of Pariſh Officers, and Parochial Duties; and Officers of St. *Martins* to act in St. *James* till *Eaſter*, but Surveyor till *Chriſtmas*.	Subject to La Officers of St. tins acting, §.
J. H. and *W. N.* conſtituted firſt Churchwardens to continue till *Eaſter*, and they and their Succeſſors to receive Duties, as thoſe of St. *Martins*, and be accountable as others.	Churchwardens
Veſtry-men appointed, and others to be added by Election, and to exerciſe Power as thoſe of St. *Martins*, and Vacancies to be ſupplied.	Veſtry-men, §.
Pews or Places not to be diſpoſed, without allowance of Veſtry-men.	Pews, §. 13.
Rector, Veſtry-men and Churchwardens to nominate a Miniſter, to be aſſiſtant to Rector; and a Pariſh-Clerk and Sextons, who ſhall have like Dues, and Profits as thoſe of St. *Martins*; all to continue for Life, if inhabiting there, except for Offence diſplaced by Rector and Veſtry-men.	Miniſter Aſſi Pariſh-Clerk, tons, §. 14.
Churchwardens to pay Pariſh-Clerk 30 *l. per annum* quarterly.	30 *l.* per ann. to P Clerk, §. 15.
An Eſtimate to be made of Charge for Church and Rectors Houſe; and Mony and Debts for the Church, to be charged on Inhabitants, *&c.* and payable in four years quarterly, to be aſſeſſed by Churchwardens and Veſtry-men by Pound Rate, and allowed by Juſtices of Peace, and Collectors appointed.	Eſtimate of Ch Aſſeſment, §. 1
No Tenant ſhall be rated for perſonal Eſtate, at leſs then one fifth of Tax on Landlord.	Rating Tenant,
If Eſtimate be inſufficient, additional Aſſeſsments may be made, not exceeding with the quarterly payment 2000 *l.*	Additional Aſſe ment, §. 18.
Tenant to pay Taxes, and deduct out of Rent.	Tenant to pay,
Debts and Contracts with Work-men to be regiſtred, and Debts on Rectors Houſe firſt paid, and then the Work-men, and Intereſt for forbearance.	Regiſtring Deb Contracts. Paying Debts Work-men, §.
One hundred pounds to be paid yearly, taxed for Preacher Aſſiſtant, and Aſſeſsment allowed as the others, and collected and paid quarterly.	100 *l.* per annu Preacher, Aſſi §. 21.
For non-payment of Preacher, or Clerk, Juſtices of Peace may commit Churchwardens till payment.	Non-payment Preacher or Cl §. 22.
Aſſeſsments ſhall be made for cleanſing Streets, and repairing Church, and allowed as above.	§. 23.
Notice to be given in Church to Houſe-holders to meet, to make the Aſſeſsment for Preachers, and if no notice nor meeting, the Offender to forfeit 5 *l.* to be levied by Diſtreſs and Sale, by Juſtices Warrant.	Notice for Aſſeſ for Preacher,
Where deficiency in quarterly payment, to be a Re-aſſeſsment, or Addition to the next.	Deficiency of qua ly payment, §.
Collector refuſing, or negligent, to forfeit 40 *s.* to Poor; and for non-payment of Aſſeſsment, Collector by Juſtices Warrant may diſtrain Goods and ſell them; and Perſons conveying away Goods to be committed till payment, and Differences or Grievances determinable by Juſtices of Peace.	Collector refuſin negligent. Non-payment of ſeſments. Diſtreſs, &c. Appeal, §. 26.
Aſſeſsments to be accounted for by Scavengers and Surveyors, and Remainder paid Succeſſors, and thoſe refuſing to account, to be commit till Account, and payment of Remainder; and Sheriffs of *Middleſex*, and Bailiffs of *Weſtminſter*, to be aſſiſting in Execution of this Act.	Scavengers and veyors account Sheriffs of Midd Bailiffs of W §. 27.
Additional Burgeſſes to be elected, and their Wards to be ſet out.	Additional Burg §. 28.
Aſſiſtants to Burgeſſes to be erected, and Burgeſſes and Aſſiſtants to take Oaths appointed by 27 *Eliz.* and accordingly to be continued and ſupplied, and accept Office under Penalty therein.	Aſſiſtants to Bu ſes. Burgeſſes and ſtants taking O §. 29.
To have Power as Aldermens Deputies in *London*, and other Burgeſſes, and Aſſiſtants in *Weſtminſter*.	Their Power, §.
Juſtices of Peace to elect Burgeſſes and Aſſiſtants, in default of Dean of *Weſtminſter*, and High-Steward.	Juſtices of Pe electing, §. 31.
St. *James* to be within Juriſdiction of Biſhop of *London*.	In London Dio §. 32.
Defendant may plead General Iſſue, *&c.*	Defendants plea,
Simony after death of Parſon Simoniacally promoted, not to be alledged in prejudice of Patron *Innocent*, or of his Clerk, unleſs Conviction in Life of Parſon Simoniacally promoted.	Simony, 1 *W.* & *Seſſ.* 1 *c.* 16.
In Actions againſt Churchwardens or Overſeers for Monies miſpent, *&c.* Evidence of the Pariſhioners (except Poor) to be admitted.	Evidence for Po Mony, 3 & 4 W *M. c.* 11. §. 12.
Where Union of Churches by 17 *Car.* 2. *cap.* 3. and one of them demoliſhed, the Pariſhioners of the Church demoliſhed ſhall contribute to Repairs.	Repairing Chu unite by 17 *Ca* 4 & 5 *W.* & *M.*

Repairs, *&c.* of the Church Preſentative, as the Biſhop ſhall appoint, and for want thereof, then to one third of the Charges to be levied as if no Union made.

Marriages, & 7 *W.*3. *c.*6. Duties on Marriages, Births, Burials, *&c.* granted for five years, for carrying on the War againſt *France.* Vide *Tit. Taxes.*

§. 24. Miniſters to keep Regiſters, to which all may have acceſs *gratis*, on Penalty of 100 *l.*

Gentry,§.55. On Burial of Nobility or Gentry, a Certificate of deceaſed's Name, Quality, *&c.* to be delivered Officers at Arms, and Alphabetically digeſted in Books and filed.

Cinque Ports.

Durham, Cheſter, Lancaſter, County Palatine, Ancient Demeſne, Dover, Ely, Franchiſe, Iſle of Wight, Man, Cornwal.

, 9 *H.* 3. *c.* 9. *Char.* The Barons of the Cinque Ports,and all other Ports, ſhall have their old Liberties and Cuſtoms.

28 *Ed.* 1. *c.* 7. *ſuper Chart.* The Conſtable of *Dover* ſhall hold no Foreign Pleas, but ſuch as concern the Caſtle in the Gate, nor Diſtrain Inhabitants of the Cinque Ports otherwiſe to plead then by old Franchiſe confirmed by the Creat Charter.

*Ed.*2.*c.*2. *York.* Taking Aſſize ſhall not be deferred for abſence of Witneſs at the day in Franchiſe, *ubi breve Dom. Regis Orig. non Currit*

1 *H.* 4. *c.* 18. Where Party is utlawed in the County on Felony, there it ſhall be certified to the Miniſters of *Cheſter*, and there his Lands ſeized.

, 9 *H.* 4. *c.* 5. Where Lords of Franchiſe or Bailiff,Mayor, *&c.* are found, no Diſſeizors Writ abate for the Colluſion, though others named be Diſſeizors.

Exhamſhire, . *c.* 5. Of Murder,Treaſon,Robbery,*&c.*committed out of *Trindal* and *Exhamſhire*, where the Kings Writ runs not, Party ſhall be utlawed, and on Certificate to the Lord of the Franchiſe, his Miniſter ſhall take and do Excecution.

, 7 *H.*5. *p.*221. Indictments in *Lancaſter*, on Murders,Felonies, *&c.* done in places where no ſuch are, ſhall be enquired preſently *ex officio* by the Juſtices on Oath of twelve, having five pounds a Man.

Deeds, §. 2. Proceſs of Exigent againſt makers of untrue Deeds.

,9 *H.* 5. *c.*2. Utlary in *Lancaſter* forfeits only Lands and Goods there.

le, *c.* 7. The Statute of 2 *H.* 5. *cap.* 5. extended to Offenders in *Rydeſdale.*

8 *H.*6. *c.* 10. Of Indictments in Foreign County, extend not to *Cheſter.*

, 18 *H.*6. *c.*13. A Confirmation of 9 *H.* 5. *cap.* 2. of *Lancaſter.*

c. 2. Utlary in *Lancaſter* forfeits only Lands and Goods there; 31 *H.* 6. *cap.* 6. made perpetual; but 33 *H.* 6. *cap.* 2. repealed, and Trials to be in the Counties by Jurors worth five pounds, and forfeit every where.

, 22 *Ed.* 4. *c.* 8. All Merchandize to or from *Scotland*, to be ſhipt at *Barwick*, they to Farm Fiſhing.

, §. 3. Not to prejudice the Biſhop of *Durham.*

4 *H.*7. *c.* 14. Writings of Earldom of *March* ſhall be ſealed under the Broad Seal of *England.*

c. 16. Leaſe in the Iſle of *Wight* ſhall not be above ten marks to one Tenant.

er, 27 *H.* 8. *c.*24. Juſtice of Peace in *Lancaſter*, may be made under Dutchy Seal.

p. 11. §. 4. Leaſes of Lands, *&c.* in County Palatine or out, ſhall and may be under Dutchy Seal as accuſtomed.

Flint, §. 18. Officers of *Cheſter* and *Flint*, may be made under Seal of the County Palatine.

20. Biſhop of *Ely* and his Steward to be Juſtices of Peace.

, §. 21. Biſhop of *Durham* and his Chancellor to be Juſtices of Peace.

§. 22. Archbiſhop of *York* and his Chancellor to be Juſtices of Peace.

er, 32 *H.*8. *c.*20. The Priviledges of Abbies given to *Lancaſter*, to be in diſpoſe of Officers of County Palatine.

§. 11. Officers of Dutchy to be attendant to the Kings Court, and Sheriff not to intermeddle.

Palatine,§.12 Franchiſe of County Palatine not to be prejudiced.

§. 13. The Cinque Ports not to be prejudiced, but to enjoy all Cuſtoms and Grants by *Ed.* 4. &c.

c. 43. Seſſions of the Peace at *Cheſter* ſhall be only twice a year, notwithſtanding 27 *H.* 8. *cap.* 5. at *Michaelmas* and *Eaſter*, as at *Lancaſter.*

c. 48. The Owners of Lands in *Dover*, not to pay Surſiſes at Caſtle, but Rents to Exchequer yearly,on forfeit of double: no Caſtle Guard by Ward there: Conſtable to be paid yearly one hundred and ſixty pounds, and to ſurvey Bulwarks,*&c.* in *Kent* and *Suſſex.*

33 *H.*8. *c.*13. Sheriff ſhall hold County-Court monthly at *Cheſter*, and chooſe Coroner by Writ, *&c.*

Seſſions to be holden as Juſtice, or Deputy appoint on Proclamation fifteen days before. §. 2.

A Union of the Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*,to the Biſhoprick of *Cheſter.* Cheſter, *c.* 31.

Cheſter enabled to ſend two Knights for County Palatine,two Burgeſſes for the Town,to Parliament. 34 & 35 *H.* 8. *c.* 13.

No Protections by Writ of Exchequer in *Cheſter*, to be granted in deceit of Creditors. §. 2.

Wales nor County Palatine of *Cheſter*, *Lancaſter*, *Durham*, &c. ſhall not certifie Records of Felony in *Ban. Reg.* Wales, **Palatine,** *c.*14. §. 5.

Archbiſhop of *York*, Biſhop of *Durham*, *Ely*, and Corporation, may as before make *Cuſtos Rotulorum* or Clerks of the Peace, *&c.* York,Durham,*&c.*37 *H.* 8. *c.* 1. §. 5.

Rippon, &c. annext to Dutchy of *Lancaſter.* Rippon, *c.* 16.

Fines before Juſtices of Aſſize in *Lancaſter*,of Lands there proclaimed two Seſſions after, to be as effectual as in *C. B.* &c. Lancaſter, *c.* 19.

Fines before High Juſtice proclaimed three days in Seſſions, or before Deputy, to bind for all Lands in County Palatine. **County Palatine,** 2 & 3 *Ed.* 6. *c.* 28.

Mayor, *&c.* of *Wincheſter*, to appoint where Ballaſt of Ships is to be laid. Wincheſter, *c.* 30.

Recognizance, *&c.* taken in *Cheſter* as uſual, to be as effectual,as if in words purſuant to Stat.Merch. *Acton Burnel*, &c. Cheſter, *c.* 31.

Exigents ſhall be to the Sheriff of *Lancaſter*, not as 6 *H.* 8. *cap.* 4. to next adjoyning County. Lancaſter, 5 & 6 *Ed.* 6. *c.* 26.

Sheriff of County Palatine to return Proclamation thereon, and Utlary void without. **County Palatine,** §.3.

Sheriff to make Deputy in *B. R.* and *C. B.* to receive Writs, *&c.* §. 4.

Sheriff of County Palatine of *Lancaſter*, forfeits five pounds for not returning Writ. Lancaſter, §. 5.

Not to prejudice other Franchiſe thereof. §. 6.

Capias Utlagat. &c. to be to Chancellor of Dutchy, and he make Proceſs thereon. **Chancellor of Dutchy** §. 7.

Whatever was 20 *Jan.* 1. *Ed.* 6. parcel, *&c.* of *Lancaſter*, and aliened by *Ed.* 6. or Queen *Mary*, and ſince Return again to the Crown,to be re-annext, and parcel. Lancaſter,2 & 3 *Ph.*& *M.* *c.* 20. §. 2.

All re-annext to paſs under Dutchy Seal, as anciently. §. 3.

The King and Queen under Great Seal, *&c.* may unite other Lands, *&c.* to Dutchy. §. 4.

Union by Patent to be as effectual as by Parliament. §. 5.

Lands annexed that are not in County Palatine, to be in Survey of Dutchy, *&c.* §. 7.

The King ſhall not annex any Ancient Inheritance of the Crown or of *Wales*,or of *Cornwal*,*Cheſter* or *Flint*,nor above two thouſand pounds *per annum.* §. 8.

Tales ſhall be at *Niſi prius* in County Palatine, and Iſſues loſt, and return, though 23 *H.*8. *cap.*6. §.6. extended not to them. **County Palatine,**5 *El.* *c.* 25. §. 2.

Inrolments of Writing,mentioned in 27 *H.*8.*cap.*16. in Counties Palatine, to be as effectual for Lands there, as if at *Weſtminſter.* *Cap.* 26.

Not to prejudice Corporations,*&c.*that have power to inrol. §. 2.

Fines before Juſtices, *&c.* of *Durham*, proclaimed at two General Seſſions, before Juſtices of Aſſize there, to be as effectual for Lands there, as at *Weſtminſter.* Durham, *c.* 27.

Office in County Palatine to be tranſcribed into Court of Wards, *&c.* **County Palatine,** 18 *El.* *c.* 13.

That 23 *Eliz. cap.* 3. of Inrolment of Fines and Recoveries extended to *Wales*, *Cheſter*, *Lancaſter* and *Durham*, &c. Wales,Cheſter,*&c.*27 *El.* *c.* 9.

On Utlary in *B. R. C. B.* &c. of Party in *Durham*, &c. Proclamation to go to the Biſhops, and in Vacation, to Chancellor, *&c.* Durham, 31 *El.* *c.*9. §.2.

Biſhop to make Deputy in *Ban. Reg.* and *Com. Ban.* to receive Writs. §. 3.

Biſhop, *&c.* forfeits five pounds for undue Return. §. 4.

Not to prejudice Biſhop for any other Liberties. §. 5.

All Proceſs on Utlary to be directed to Biſhop. §. 6.

Biſhops to have but one Fee for Proclamation,Mandate and Execution. §. 7.

A Continuance of 23 *Eliz. cap.* 6. for Repair of *Dover* Haven by three pence *per* Tun, of all Ships above twenty Tun, to end of next after next Parliament. Dover **Haven,**35 *El.* *c.*7. §. 19.

Merchant ſhall pay three pence *per* Tun for lading only, not for Ship, to repair *Dover.* 43 *El.* *c.* 9. §. 35.

So 1 *Jac. cap.* 32. for ſeven years.

That 2 & 3 *Ed.* 6. *cap.* 28. Of Fines in County Palatine,extends not to *Cheſter*, that 6 *Apr.*21 *H.*7. was made County of it ſelf. **Fines, County Palatine,** *c.* 15. §. 2.

Fines in Portmoot before Mayor by Writ out of Exchequer, good. **Portmoot,** §. 3.

Mayor may award *Dedimus Poteſtatem*, on Original out of Exchequer. §. 5.

Fines before Mayor reverſed by Error before High Juſtice. §. 6.

That Prince *Charles* Duke of *Cornwal*, &c.may make Leaſes thereof of three Lives, or one and thirty years, *&c.* Cornwal, 21 *Jac.* *c.* 29.

Dover **Haven,** 14 *Car.* 2. *c.* 27.	Tax for Repair of *Dover* Haven for ſeven years, as 1 *Jac. cap.* 32. on Ships, *&c.*
§. 5.	Collection to ceaſe when twenty two thouſand pounds is raiſed.
Lancaſter, 16 & 17 *Car.* 2. *c.* 3. §. 5.	On *Venire fac.* in *Lancaſter*, *Hab. Corp.* and *Diſtringas*, to be returned next Aſſizes at *Lancaſter*.
§. 6.	Sheriffs to ſummon twelve Jurors of each Hundred to be at Aſſizes at *Lancaſter*.
Cap. 9.	Chancellor may grant Commiſſion take Affidavits in *Lancaſter*, &c.
Durham, 25 *Car.* 2. *c.* 9.	To enable County Palatine of *Durham* to ſend two Knights and two Burgeſſes to Parliament.
Leaſes in Cornwal, 1 *Jac.* 2. *c.* 9.	The King enabled to make Leaſes, *&c.* of Lands, *&c.* parcel of Dutchy of *Cornwal*, and Leaſes already made, confirmed. Vide *Tit. Leaſe.*
Leaſes good, §. 2.	Leaſes, *&c.* made by the late King, or to be made within ſeven years next (except Honours, *&c.*) ſhall be good.
How made, §. 3. **Term.** **Waſt.** **Rent,** §. 3.	Not to exceed three Lives, or thirty one year, or a Term determinable upon three or fewer Lives; and if made in Reverſion, *&c.* then with the Eſtates in Poſſeſſion, not to exceed three lives, or thirty one years, not diſpuniſhable of Waſt; Ancient Rent, *&c.* to be reſerved, and where none, a reaſonable Rent, not under twentieth part of yearly value.
Covenants, &c. **good,** §. 4.	Covenants, Conditions, *&c.* to be good againſt all in Reverſion, ſaving Rights of others.
Compoſition. **Encreaſed Rent,** §. 5.	Upon Compoſition within ſeven years for encreaſed Rents, and payment of Compoſition Mony, increaſed Rents to ceaſe.
Nominating Members of Parliament 2 *W.* & *M. ſeſſ.* 1. *c.* 6. §. 2.	Nomination to Cinque Ports, of Perſons to ſerve in Parliament, claimed by the Lord Wardens illegal, *&c.* and void.
Certiorari **in Palatines,** 5 & 6 *W.* & *M. c.* 11.	When and how a *Certiorari* ſhall be granted in Palatinates of *C. L.* or *D.* to remove Indictment or Preſentment from Quarter-Seſſions, and what ſhall be done thereupon. Vide *Tit. Certiorari.*
Leaſes, &c. **in** Cornwal, 5 & 6 *W.* & *M. c.* 18.	Their Majeſties enabled to make Leaſes, *&c.* of Lands, *&c.* parcel of Dutchy of *Cornwal*, and Leaſes already made, confirmed.
Leaſes good, §. 2.	Leaſes and Grants by late Kings, *Car.* 2. *Jac.* 2. or by their Majeſties, or to be made within ſeven years (except Honours, *&c.*) ſhall be good.
How to be made. **Term.** **Waſt.** **Rent,** §. 3.	Not to exceed three lives, or thirty one years, or a Term determinable on three or fewer Lives, and if made in Reverſion, not to exceed three lives, or thirty one years with Eſtate in poſſeſſion, not to be diſpuniſhable of Waſt, Ancient Rent, or more to be reſerved, and where none, a reaſonable Rent, not under twentieth part of yearly value.
Covenants, &c. **good,** §. 4.	Covenants, Conditions, *&c.* good againſt all in Reverſion, *&c.*
Rights ſaved, §. 5.	Saving of all others Rights, *&c.*
Compoſition, §. 6.	Tenant within ſeven years may compound for encreaſed Rents, and on Compoſition, and Mony paid accordingly, encreaſed Rent ſhall ceaſe, and the old or other Rent directed by Compoſition charged.
Fees for Leaſes, &c. §. 7.	Charge of Leaſes, *&c.* (where Fine or Value exceeds not 80 *l.*) ſhall not exceed 10 *l.* and 4 *l.* for Copies (beſides Fine or Value,) to be divided amongſt Officers, *&c.* and Officers, *&c.* taking greater Fees, to forfeit ſo much as received, and 20 *l.* more.

Citation, ſee *Ordinary*.
Clapboard, ſee *Merchants*.
Claim, ſee *Bar*.
Clergy-men, ſee *Eccleſiaſtical Perſon*.
Clergy, ſee *Priviledge and Eccleſiaſtical Perſon, Coron.*
Clerk of Aſſize, ſee *Ability*.
Clerk of the Market, ſee *Market overt*.
Clerks of the Chancery, ſee *Eccleſiaſtical Perſons*.
Clerk of Crown, ſee *Fees*.
Clerk of the Privy Signet, &c. ſee *Seals*.
Clerk of the Peace, ſee *Peace*.
Clerk of the Statutes, ſee *Recognizances*.
Cloth, ſee *Drapery*.
Coaches, ſee *Ways*.
Coffee, ſee *Ale*.
Coals, ſee *Merchants*.
Collectors, ſee *Accountant*.
Colledges, ſee *Abbe*.
Coynage, ſee *Mony*.

Colluſion.

Fraud, Covin, Deceit, Cheats, Quod ei deforceat.

Tenant, ſervices, 9 *H.* 3. *c.* 32. *Mag. Charta.*	Tenant ſhall leave ſufficient unaliened to perform his Services to the Lord.

No *Præcipe in capite* to be awarded, whereby Freeman loſeth his Court.	Præcipe in Cap
By Feoffment to Heir within Age or Leaſe, on non-payment of more than Land is worth, at the end of Term to Retain, the Lord ſhall not be defeated of Ward, but cannot enter, but have Writ to be reſtored to it.	**Ward,** 52 *H.* 3. *c.*
Writs of Entry in the *Poſt*, lie againſt never ſo many Alienations of Diſſeizor, and need make no mention of Degrees.	**Entry in the**
Of Clerk to delay or diſturb Right, ſhall pay thrice as much as received, and loſe Office for a year, and puniſhed more grievous, if requiſite.	**Clerk,** 3 *Ed.* 1. *c.*
Serjeant or Pleader Attaint thereof, ſhall be impriſoned a year and day, and not to be heard in that Court any more for any, and others ſhall be impriſoned for a year.	**Serjeant Pl** *c.* 29.
Such as do not duly pay the Kings Debt for Purveyance, or take part to pay the reſt, or reward, to let Carts or Proviſion go, ſhall pay double or treble Damages, and be impriſoned forty days.	**Purveyance,** *c.*
Copartners not Joynt-tenants ſhall have but one Eſſoyn, and no Fourchier.	**Eſſoyn,** *c.* 34.
Eſſoyn *ultra mare*, ſhall be turned to a Default, if Defendant were in *England* the day of Summons, and three Weeks after.	*Cap.* 44.
Baron and Feme ſhall Fourch by Eſſoyn.	6 *Ed.* 1. *c.* 10. Gl
Recovery ſo had againſt Reverſioner ſhall not make Termor loſe his Term, if ſo found on Challenge before Judgment.	**Recovery,** *c.* 11
No Religious Perſon or others, ſhall by Engine or Colour of Title purchaſe in Mortmain, whereby Fees and Services provided for defence of the Realm, are wrongfully withdrawn.	**Mortmain,** 7
Such Recovery againſt Husband by default, ſhall not bar the Wife of Dower; alſo ſhe ſhall have a *Quod ei deforceat* of Dower recovered againſt Guardian by default.	**Recovery,** 13 *Weſt.* 2.
Of delivered Writs in abſence of Adverſary at Aſſizes, remedy by Juſtices receiving none but Dower, Darraign Preſentment, *Quare Impedit*, and Aſſize after a certain day ſet before.	**Writs deli**
On falſe exception or failer of Record, Diſſeizor pays double Damage, and a years Impriſonment.	**Failer of Re**
Shall be enquired of on Recovery, by Religious or other Eccleſiaſtical Perſons, and if not on good Title is Mortmain.	**Mortmain,** *c.* 3
Tenants ſetting up Croſſes to be defended by Templers and Hoſpitallers, is Mortmain.	*Cap.* 33.
Of Sheriff, Bailiff or Lord for Suit, ſhall be fined and pay treble Damages.	**Sheriff,** &c. *c.*
Sheriff ſhall be amerced for a falſe Return, as by *Weſt.* 2. made 13 *Ed.* 1. *cap.* 39.	28 *Ed.* 1. *c.* 16.
A Writ of Deceit ſhall be as well on Garniſhment, as Summons in Plea of Land.	**Deceit,** 2 *Ed.* 3.
Exigent againſt Bringers in of falſe Mony.	**Falſe M.** 18 *Ed.* 3
The Ordinary by Lapſe may Counterplead the Kings Title in Suit againſt Patron, unleſs the Right be tryed.	**Ordinary,** 25 *Ed*
Between Merchants Foreigners and Engliſh, forfeit Life and Eſtate by Eſcheat.	**Merchant,** 27 *Ed* *c.* 3.
Aſſurances ſo made, and found by ſuch as after take Sanctuary, ſhall not hinder Creditor of Execution.	**Sanctuary,** 50 *Ed*
Feoffments to Perſons unknown, or to delay Right, void, and Recovery ſhall be had againſt the firſt Feoffor, if he take the Profits.	**Feoffment,** 1 *R.* 2
Deeds of Lands or Goods by ſuch as take Sanctuary void, and liable to Creditors Execution.	**Sanctuary,** 2 *R.* 2 *c.* 3.
Of Recovery againſt Tenant for Life, in Dower, *per* Courteſie or *apres* poſſibility, may be traveſt after reverſal by Error or Attaint.	**Recovery,** 9 *R.* 2.
Where Tenants will ſuffer Recoveries, and not pray Aid or Vouch, he in Reverſion ſhall be received.	13 *R.* 2 *c.* 12.
Not ſhewing in Petition the value of Demand, and what been already received, is ſo, to repeal the Kings Grant.	**Kings Grant,** 1 *H*
In Sheriffs, Eſcheators, Cuſtomers, Aulnagers, Controllers, *&c.* ſhall be enquired of by Commiſſion after Accounts paſſed.	**Sheriff, Offic** *c.* 3.
If Mayor, Bailiffs or Lords of Franchiſe be found no Diſſeizors, Aſſize ſhall abate, though others named be.	**Diſſeiſor,** 9 *H.* 4.
Where Franchiſe is challenged on default of Defendant in Aſſize, *&c.* and found by Colluſion, the Writ ſhall abate.	**Aſſiſe,** 8 *H.* 6. *c.*
Averment that Sheriff named Diſſeizor, is none, ſhall abate the Writ, if true.	**Sheriff Diſſeiſ** 11 *H.* 6. *c.* 2.
Deed of Goods or Chattels in Truſt for the Maker, is void.	**Goods in truſt,** 3 *c.* 4.
Heir of *Ceſtuy que uſe* ſhall be in Ward, and have Waſt againſt Guardian; notwithſtanding Will of Anceſtor.	**Ward, Waſt,** 4 *H.* 7.
May be averred in Recovery, or bar by later Action Popular, but not after Action tried.	**Recovery in Ac** **Popular,** *c.* 20.

Termor

y, 21 *H.* 8. *c.* 15. Termors may falſifie Recoveries againſt their Leſſors, or their Heirs, *&c.*

§. 4. Statute Merchant, Staple nor *Elegit* ſhall not be avoided by feigned Recovery.

c. 28. §. 4. All ſuch Deeds or Recoveries by Abbe before diſſolution, void.

c. 31. Recovery by Aſſent againſt Tenant for Life, void, unleſs by Aſſent of him in Reverſion.

okens, 33 *H.* 8. Gaining Mony or Goods by falſe Tokens, to be puniſhed by Impriſonment, Pillory or otherwiſe, not extending to Life.

c. 26. Deeds, Eſtates, Wills and Conveyances, ſo made by Sir *John Shelton*, void.

34 & 35 *H.* 8. §. 15. In Limitation of Remainder to right Heir to defeat Ward, void.

Debtor, Pur= 13 *El. c.* 4. §. 5. Purchaſe by the Queens Debtor in others Names, as liable as if in his own.

§. 7. Being found in Purchaſe by Accountant, the Queen may ſeize.

§. 14. As to Sale by Account is traverſable, and Purchaſer *bona fide* not to be prejudiced.

ance, &c. **by void**, *c.* 5. §. 2. All Feoffments, Bargains, Conveyances, *&c.* Leaſe, Rents, Common, *&c.* All Bonds, Judgments, made to defraud Action, Suits, *&c.* of Creditors to be void.

ure, §. 3. Parties, *&c.* that willingly avow ſuch Deeds, forfeit a years value, and as much Mony as is contained in the Bonds, *&c.*

n=Recovery, Common Recoveries to be as effectual as before this Act againſt Reverſioner.

r, §. 5. Not to void any Conveyance as to Voucher, *&c.*

§. 6. Not to prejudice Eſtates made *bona fide*, and upon good conſideration to any that had no notice of the fraud, *&c.*

y, 14 *Eliz. c.* 8. Recovery vouching Tenant of Life by Aſſent, void againſt him in Remainder.

§. 3. Not to prejudice Recovery by good Title.

§. 4. Recovery good againſt Party aſſenting on Record, *&c.*

§. 5. A Repeal of 32 *H.* 8. *cap.* 31.

Weſtmerland, *iz. c.* 4. Deeds from Earl of *Weſtmerland* Attaint, unleſs ſhewed in Exchequer, and entred of Record in two years, to be ſo taken.

ance, &c. **d**, 27 *Eliz. c.* 4. Every Conveyance, Charge, Leaſe, Eſtate, Incumbrance, Uſe, *&c.* to the intent to defraud Purchaſer of Lands, Rent, Profit or claiming from them void.

§. 3. Party or knowing the ſame to avow it to prejudice of Purchaſer *bona fide*, &c. to forfeit a years value, Moiety to Queen, Moiety to Party.

§. 4. Not to void Grant, or charge on good Conſideration, *bona fide.*

tion, Purcha= §. 5. Condition of Revocation, Determination or Alteration at pleaſure (not revok'd) to be void againſt a latter Purchaſer for Mony or other value, *&c.*

ge, §. 6. Mortgage *bona fide*, without fraud, on good conſideration, to ſtand, *&c.*

es, §. 7. Tenor and Contents of all Statutes Merchant and Staple in ſix Months to be entred in the Office of Clerk of the Recognizances according to 23 *H.* 8. *cap.* 6. paying Clerk eight pence.

§. 8. Statute not brought in four Months to be entred, void againſt Purchaſer after.

§. 11. Not to make good Grant to charge, *&c.* defeated by former Conveyances, ſo he that defeated were poſſeſſed.

hamber, §. 12. Not to reſtrain the power of the Star-Chamber.

der, 29 *Eliz. c.* 3. Eſtates claimed from Perſons attainted, to be inrolled in the Exchequer in two years.

r de ſon tort, *iz. c.* 8. §. 2. In gaining Releaſe from feigned Adminiſtrator, chargeth as Executor *de ſon tort*, for what is not juſt Debt.

, 29 *Car.* 2. *c.* 3. An Act to prevent Frauds and Perjuries.

t, 1 *Jac.* 2. *c.* 17. Continues 22 & 23 *Car.* 2. *cap.* 19. for ſeven years.

void, 3 & 4 *W.* *c.* 14. Wills, *&c.* of Lands, and Hereditaments fraudulent and void againſt Creditors, except for juſt Debts or younger Childrens Portions purſuant to Marriage Contract.

uance. This Act to continue for three years and to the end of next Seſſion.

ge, 4 & 5 *W.* & 16. An Act to prevent Frauds by clandeſtine Mortgages. *Vid. tit.* Mortgages.

, *c.* 24. §. 9. Revives 22 & 23 *Car.* 2. *cap.* 19. for ſeven years.

M. c. 1. §. 3. Reviver 12 *Car.* 2. *cap.* 19. and 14 *Car.* 2. *cap.* 11. for five years.

3. *c.* 14. Makes perpetual 3 & 4 *W.* & *M. cap.* 14.

Commiſſion, ſee *Proceſs.*
Commitment, ſee *Impriſonment.*

Common.

Corody, *Quod Pemittat*, *Eſtovers*, *Agiſtment*, Hounſlow-Heath.

ſt, 9 *H.* 3. *c.* 1. *de Foreſt.* Shall be ſaved in the Kings Demean made Foreſt.

No purpreſture, Waſte or Aſſert of Parties Wood, in the Kings Foreſt, Demean without Licence. **Purpreſture**, &c. *c.* 4.

Freeman may agiſt his Wood in Kings Demean, Foreſt, and ſhall pay nothing if Hogs lie a Night. **Aſſignment**, *c.* 9.

Lords on approvement muſt leave ſufficient, to Feoffee, and Aſſize ſhall ſay what is ſufficient, and give Damages according. **Approvement**, 20 *H.* 3. *c.* 4. *Merton.*

It ſhall be enquired of Foreign Paſture, how many, and what Beaſts and Cattel the Lord may have on it, and what each worth, to be let yearly. **Lords Common**, 4 *Ed.* 1. *p.* 27. §. 3. *Extent Manerii.*

Enquiry ſhall be of Foreign Woods, where other men have Common, what the Lord may improve the Acres and value of Veſture, and Land felled, and whether the Lord may give or ſell any thing of the reſidue of the ſaid Wood. **Woods**, §. 5.

Juſtices on their Admeaſurement give Damages on *Secunda ſuperoneratione*, Sheriff Eſtreats value of the Cattle that overcharge, into Exchequer. **Admeaſurement**, 13 *Ed.* 1. *c.* 8. *W.* 2.

Perſons may have *Quod permittat* againſt Diſſeiſor of Common or his Heir. Quod permittat, *c.* 24. §. 2.

Aſſize lieth of that or any profit *Apprendre* for Life, and on falſe Exception on failer of Record, double Damages, and a years Impriſonment. **Aſſize**, *c.* 25.

Lord may approve againſt Neighbours as well as Tenant, unleſs on Feoffment for certain number. **Approvement**, 13 *Ed.* 1. *c.* 46. *Weſtm.* 2.

No Aſſize lieth by occaſion of Wind-Mill, Dairy, Sheep-cote or Curtilage. **Aſſize**, *Ibid.*

Towns adjoyning where its not know who broke the Fences, ſhall be diſtrained to levy them, and pay Damage. **Fences**, *Ibid.*

No Aſſize, unleſs uſed ſince the time that a *Mortdanceſter* ran. **Aſſize**, *Ibid.*

Shall not be by Purlieuer in Foreſt till made parcel of it, as they may. **Purlieus**, 33 *Ed.* 1. *p.* 69. *Ord. Foreſt.*

Reſtrained by Perambulation Regrant in Foreſt under Arrentation. **Reſtrained**, 34 *Ed.* 1. *c.* 6. *Ord. Foreſt.*

Aſſize lieth in Confines of County, where Tenements are to which its appendant. **Confines**, 7 *R.* 2. *c.* 10.

Shall feed no Stoned Horſe above two years old, under fifteen handful high, *&c.* **Stone=horſe**, 32 *H.* 8. *c.* 13.

Of Wood ſhall ſet out fourth part of Copice for the Lord to incloſe. **Wood**, 35 *H.* 8. *c.* 17. §. 7.

Incloſure of Wood to be ſeven years, but till felled Commoner may put in Cattel within four Months. §. 8.

The Lord that incloſeth fourth part of Coppice, ſhall during the Incloſure be excluded of Common in the reſt. §. 10.

Hounſlow-Heath may be approved by the Kings Leſſee or Copyholder of part. Hounſlow-Heath, 37 *H.* 8. *c.* 2.

Neceſſary Houſes that do no harm on Waſte, under four Acres to ſtand. **Houſes**, 3 & 4 *Ed.* 6. *c.* 3. §. 5.

Lord of Waſte may lay open all above three Acres laid to Cottage. **Cottage**, §. 6.

Shall put only Calves, *&c.* into Copice Incloſe for five years after, *&c.* **Calves, Copice**, 13 *El.* *c.* 25. §. 18.

Ratione Commorantiæ by Preſcription in Marſhes and Fens. **Marſh and Fens**, 43 *Eliz. c.* 11.

Contract with Drainers to be good againſt Lords and Commoners. §. 2.

Contract by Majority of Commoners to bind all for draining in the Kings Soil, but not the King. §. 3.

Not to extinct Intereſt of Lord or Commoners in what is not drained. §. 4.

Not to extend to annoyance of Havens or Ports, not within eight miles of *Lyn*, &c. §. 5.

Common-Prayer, ſee *Religion.*
Condition, ſee *Leaſes.*
Conduit, ſee *Sewers.*
Confirmation, ſee *Grants.*

Conjuration.

Sorteligus, *Ariolus.*

Witchcraft, *Sorcery*, *Enchantment*, *Charms*, *Egyptians*, *Fortune-tellers*, *Invocation*, *Prophecy*, *Augurs*, *Divination*, *Vaticination*, *Malifici.*

Egyptians to depart the Realm in fifteen days, or forfeit Goods and Chattels. Egyptians, 22 *H.* 8. *c.* 10.

Felony to get Mony, conſume Body, Goods or provoke Luſt, to deſpite Chriſt, or pull down Croſs, or tell where ſtollen Goods be. **Felony**, 33 *H.* 8. *c.* 8.

Felony to declare falſe Prophecies on occaſion of War. *Cap.* 14.

The Statute of 3 *H.* 8. *cap.* 11. was made for avoiding thereof, not to exclude any Subject from Practice of known Medicines. **Medicines**, 34 & 35 *H.* 8. *c.* 8.

Importing Egyptians, to forfeit forty pounds. Egyptians, 1 & 2 *Ph.* & *Mar.* *c.* 4. §. 2.

Egyptian ſtaying here a Month is a Felon. §. 3.

Suer for Licence to continue here, forfeits forty pounds. §. 6.

Phantaſtick Prophecies to raiſe Rebellion, impriſonment a year, and forfeit ten pound. **Propheſies**, 5 *Eliz. c.* 15. §. 2.

Conjuration, *c.* 16.	Invocation of wicked Spirits, Conjurations, *&c.* puniſht.
Egyptians, *c.* 25. §. 2.	A Confirmation of 1 & 2 *Ph.* & *Mar. cap.* 4. and that §. 3. counterfeiting a Month to be an Egyptian, is Felony.
Caſt Nativity, &c. 23 *Eliz. c.* 2.	Setting Figure, caſt Nativity, Prophecy, Witchcraft or Conjuration, to know how long the Queen ſhall live, who ſhall ſucceed, *&c.* Felony.
Fortune-Tellers, &c. 39 *Eliz. c.* 4.	Pretenders to Phyſiognomy, Palmeſtry, to tell Deſtines, Fortunes, or ſuch fantaſtick Imaginations, pretended Egyptians adjudged Rogues.
§. 2.	A Repeal of 5 *Eliz. c.* 16.
Invocation of Spirits, &c. 1 *Jac. c.* 12. §. 2.	Practice of Invocation or Covenant with evil Spirit to take up dead body to uſe it in Sorcery, is Felony without Clergy.
Witchcraft, §. 3.	Taking upon him by Witchcraft to tell where Treaſure is of Goods ſtollen, of unlawful Love, deſtruction of Cattel, impriſoned a year and ſix hours Pillory.
§. 4.	Offence after Conviction, Felony without Clergy, but no Corruption of Blood.
§. 5.	Peer to be tried by Peers.

Conſimili Caſu, ſee *Writs*.

Conſpiracy.

Conſpirators, Informers, 23 *Ed.* 1. *c.* 10. *Artic. ſuper Chart.*	Juſtices on Plaint, or Writ out of Chancery againſt falſe Conſpirators, Informers, and evil Procurers of Dozens, Aſſizes, Juries and Enqueſt, ſhall do Right.
Maintenance, &c. 33 *Ed.* 1. *p.* 69. *Defin. of Conſpir.*	Are ſuch as by Oath, Covenant or other Alliance, aid each others in falſe Indictment, Maintenance of Quarrels, Pleas, Retainers with Fees and Liveries to Enterpriſe, Takers and Givers, Stewards of Lords that undertake others Quarrels.
Champerty, 33 *Ed.* 1. *p.* 69.	Champerty or Attaint ſhall have three years Impriſonment, be fined at the Kings Pleaſure, and be attached by Writ of Conſpiracy on the Statute.
Maintenance, 4 *Ed.* 3. *c.* 11.	And Confederacy to maintain, *&c.* ſhall be enquired and determined by Juſtices of Aſſize, *&c.*
Confederacy, 18 *Ed.* 3. *p.* 109.	*Exigent* againſt Confederators of Quarrels, and them.
1 *R.* 2. *c.* 7.	Juſtices ſhall enquire of Fraternities gathered together by Liveries to maintain Quarrels.
Inditement, 7 *H.* 5. *p.* 221.	To indict or appeal without alledging place to render Damages.
Falſe Deeds, §. 2.	Of making falſe Deeds, Proceſs of *Exigent*, &c.
Confirmation, 9 *H.* 5. *c.* 1.	A Confirmation of 7 *H.* 5. till the Parliament next the Kings Return.
18 *H.* 6. *c.* 12.	Makes 7 *H.* 5. perpetual.
By Servant, 3 *H.* 7. *c.* 14.	By Servant ſworn to deſtroy the King, any Peer or Privy Counſellor, Felony.
By Corporation, 2 & 3 *Ed.* 6. *c.* 15. §. 2.	By Corporation to ſell at ſet Prices, diſſolves them.

Conſtable and Marſhal, ſee *Courts*.
Conſultation, ſee *Prohibition*.
Contra formam Collationis, ſee *Avoe*.
Conventicles and Convocations, ſee *Religion*.

Contempt.

Diſtreſs, 52 *H.* 3. *c.* 1.	Diſtreſs without Award of the Kings Court is Fine to the King, and Damage to Party.
Cap. 2.	Diſtreſs out of Fee, or of one that lives out of Fee, is ſo.
Cap. 3.	Not ſuffering Delivery of Diſtreſs by the Kings Officer, nor Summon, Attachment or Executions of Judgments in the Kings Courts, puniſhed as they who will not obey the Law.
Cap. 4.	Driving Diſtreſs out of the County without Judgment, is breach of the Peace, and Fine.
Againſt Magna Charta, *c.* 5.	Againſt *Magna Carta* or *Charta de Foreſta*, puniſhed before the King, the Juſtice of the Bench, or in Eyre.
Lodging with Religious, 3 *Ed.* 1. *c.* 1. *W.* 1.	Lodging with Religious Men, or taking their Goods without Leave, is ſo, and indictable at the Kings Suit, if Abbe will not ſue.
Amerciament, *c.* 6.	Amerciament of no City, Town or Freeman ſhall be without cauſe, and proportionable to Treſpaſs *per pares*.
Pain fort & dure, *c.* 12.	Notorious Felons that refuſe Tryal before the Juſtices, ſhall have ſtrong and hard Impriſonment, not on light ſuſpicion.
Temporalities, 25 *Ed.* 3. *c.* 6.	Temporalities of Biſhops ſhall not be ſeized, bnt only for Fine.
Forfeiture, 31 *H.* 6. *c.* 2.	They who for ſeven years diſobey, or refuſe the Kings Writ of Summons to anſwer Oppreſſions, Riots, *&c.* 1. Loſe Offices, 2. Forfeit for Life, and Fine at diſcretion of two Chief Juſtices.

Continuance.

Repeal of Statutes, Prorogation.

Lancaſter, 7 *H.* 5. *p.* 221.	Statute of Indictment without place in *Lancaſter*, continued until the next Parliament only.
9 *H.* 5. *c.* 1.]	A Continuace of 7 *H.* 5. till the next Parliament to be holden after the Kings Return.
	Of Amendments, to the Parliament firſt holden after the Kings Return.

A Confirmation of 9 *H.* 5. *cap.* 4. and made perpetual of Amendments.	**Amendments,** 4 *H.* 6. *c.* 3.
Of *Capias* on Indictments, ſo long as it pleaſe the King.	**Inditement,** 6 *c.* 1.
Of Priviledge to *London* to take Apprentice that hath nothing ſo long as the King pleaſe.	London, 8 *H.* 6.
The Stat. of 2 *H.* 5. *cap.* 9. *Capias* on Riots certified into Chancery, made perpetual.	**Riots,** *c.* 14.
Of Entries of *Obtulit ſe*, to endure till next Parliament.	Obtulit ſe, 10
Of Extortion by Sheriff of *Hereford*, 9 *H.* 6. *cap.* 7. revived three years.	**Extortion,** 11
Of Wool at *Calice* ſold for ready Mony, 8 *H.* 6. *cap.* 18. for three years.	**Wool,** *c.* 13.
A Suſpenſion of 2 *H.* 5. *cap.* 6. of Truce-breakers.	**Truce-break.** 1
Of making Attornies, ſo long as it pleaſe the King.	**Attornies,** 15
The Stat. 10 *H.* 6. *cap.* 4. made perpetual.	18 *H.* 6. *c.* 9.
The Stat. 9 *H.* 5. *cap.* 1. expired by the Kings death, and made perpetual to reconcile doubts.	*Cap.* 12.
Of packing and ſhipping Thrums, to be forfeit, three years.	**Packing Th** 23 *H.* 6. *c.* 3.
The Stat. 15 *H.* 6. *cap.* 2. of tranſporting Corn, made perpetual.	**Tranſporting** *c.* 6.
Of Markets on Holy-days, to the next ſitting of Parliament, and ſo forth; except in the ſaid Parliament, Cauſe be proved to the *contra*.	**Holy-days,** 27
The Stat. 20 *H.* 6. *cap.* 2. of Utlaries in *Lancaſter*, made perpetual, but 33 *H.* 6. *cap.* 2. repealed.	Lancaſter, 31 *H.*
Of ſix Attornies in *Norfolk* ſix in *Suffolk*, and two at *Norwich*, to begin at *Eaſter* next, and not before, if the ſame ſeem reaſonable to the Juſtices.	**Attornies,** 33 *H.*
To the firſt day of the Parliament.	17 *Ed.* 4. *c.* 2.
Of the Stat. 22 *Ed.* 4. *cap.* 3. againſt importing Lace for ten years, and after in.	**Importing** 3. *c.* 10.
The Stat. 22 *Ed.* 4. *cap.* 3. is revived for twenty years.	1 *H.* 7. *c.* 9.
Of the Stat. 17 *Ed.* 4. *c.* 1. againſt tranſporting Mony, for twenty years.	**Tranſport Mon** 7. *c.* 23.
Of 11 *H.* 7. 24, & 25. of Riots and Perjury, until the next Parliament.	**Riots, Perjury** 7. *c.* 2.
No Forfeiture 1 *R.* 3. *cap.* 8. of breadth of Cloth, to be taken before the next Parliament.	**Cloth,** 12 *H.* 7.
Nothing to be paid Cuſtom for good Bow-Staves till next Parliament.	**Bowſtaves,** 19 *c.* 2.
Of Attaint by 11 *H.* 7. *cap.* 24. till the next Parliament.	**Attaint,** *c.* 3.
Of 15 *H.* 6. *cap.* 6. at the Kinge pleaſure being expired, is made perpetual, againſt By-Laws of Corporation.	**By-Laws,** *c.* 7.
Of 1 [illegible] 7. *cap.* 26. of Ability of Jurors, until next Parliament.	**Jurors,** *c.* 16.
None ſhall take advantage of Penalties of 1 *R.* 3. *cap.* 8. till the next Parliament.	1 *H.* 8. *c.* 2.
Of Attaint by 11 *H.* 7. *cap.* 24. until next Parliament.	**Attaint,** *c.* 11.
Of tranſporting Mony, 17 *Ed.* 4. *cap.* 1. and 4 *H.* 7. *cap.* 23. ſaving the Penalty of Felony, until next Parliament.	**Tranſport Mon**
A Confirmation of 1 *H.* 8. *cap.* 8. and made perpetual, of Eſcheators.	**Eſcheators,** 3 *H.*
Until the next Parliament Clergy taken away.	**Clergy,** 4 *H.* 8.
A Confirmation of 11 *H.* 7. *cap.* 5. and made perpetual, of pulling down Engines in Haven of *Southampton*.	Southampton, 14 *H.* 8. *c.* 13.
A Confirmation of 3 *H.* 5. *cap.* 8. which was only to next Parliament.	21 *H.* 8. *c.* 5.
Of ſtealing by Servant, until the next Parliament.	**Servants ſteal**
Is to the next Parliament.	*Cap.* 12.
Of 14 *H.* 8. *cap.* 3. of Worſted Weavers in *Yarmouth* and *Lyn*, until the next Parliament, 26 *H.* 8. *cap.* 16. made perpetual.	**Worſtead-Weav**
Of 4 *H.* 8. *cap.* 2. Ended from and ſince the Parliament of 6 *H.* 8. for ever, as if it had been originally perpetual, and not determinable.	22 *H.* 8. *c.* 2.
To the laſt day of the next Parliament, of Attaints.	**Attaints,** 23 *H.* §. 16.
A Confirmation of 5 *H.* 8. *cap.* 4. to the next Parliament, made perpetual.	25 *H.* 8. *c.* 5.
The King by Proclamation may revive or repeal 23 *H.* 8. *cap.* 7. or any Law ſince 21 *H.* 8. for Export or Import.	**Export, Import,** 8. *c.* 10.
Making 7 *Ed.* 4. *cap.* 1. and 14 *H.* 8. *cap.* 3. perpetual of Worſtead-Weaver in *Lyn* and *Norwich*.	**Worſtead-Weav** §. 10.
Butchers may ſell Fleſh for two years, as before 24 *H.* 8. *cap.* 3.	**Butcher,** 27 *H.* 8
Until the King, and 32 by him named, appoint other Eccleſiaſtical Laws for payment of Tythes.	**Tythes,** *c.* 20.
Of 22 *H.* 8. *cap.* 14. or Sanctuary, and 23 *H.* 8. *cap.* 1. returning from the Sanctuary, 25 *H.* 8. *cap.* 3. to take away Clergy, to the laſt day of the next Parliament.	**Sanctuary,** 28 *c.* 1.
Making 21 *H.* 8. *cap.* 7. and 27 *H.* 8. *cap.* 17. perpetual of imbezeling Maſters Goods by Servants.	**Servants,** *c.* 2.
Of 22 *H.* 8. *cap.* 7. & *cap.* 12. and of 25 *H.* 8. *cap.* 6. and 26 *H.* 8. *cap.* 11.	*Cap.* 6.

Cap. 8. Of 21 *H.* 8. *cap.* 10. & 12. and of 23 *H.* 8. *cap.* 17. and of 24 *H.* 8. *cap.* 9.

Cap. 9. Of 23 *H.* 8. *cap.* 2, & 3. and of 24 *H.* 8. *cap.* 24. and of 25 *H.* 8. *cap.* 9.

c. 7. Of 21 *H.* 8. *cap.* 10. & 12. and of 22 *H.* 8. *cap.* 7. & 12. and alſo of the Statute 23 *H.* 8. *cap.* 2. & 3. & 17. and of 24 *H.* 8. *cap.* 4. & 9. and of 25 *H.* 8. *cap.* 6. & 9. and of 26 *H.* 8. *cap.* 11. and of 27 *H.* 8. *cap.* 25. and of 28 *H.* 8. *cap.* 6. & 8, & 9. until the laſt day of the next Parliament.

c. 11. Of 28 *H.* 8. *cap.* 3. for three years, the King to allot Towns in *Wales*.

, 32 *H.* 8. *c.* 3. Makes 22 *H.* 8. *cap.* 14. and 23 *H.* 8. *cap.* 1. and 25 *H.* 8. *cap.* 3. & 6. and 28 *H.* 8. *cap.* 1. perpetual to take away Clergy in Treaſon, Murder and Felony, *&c.*

r, **Braſs**, 33 *H.* 8. The Stat. 4 *H.* 8. *cap.* 7. and 25 *H.* 8. *cap.* 9. Continued 28 *H.* 8. *cap.* 9. to the end of the next Parliament; and by 31 *H.* 8. *cap.* 7. to the laſt day of the next Parliament, now made perpetual, againſt Hawks and ill Metal in Pewter and Braſs.

, **Horſes**, **Poor**, ls, **Perjury**, l, &c. *c.* 17. Of 21 *H.* 8. *cap.* 12. for Cables, *&c.* and of 22 *H.* 8. *cap.* 7. of Horſes, *cap.* 12. of Poor, and of 23 *H.* 8. *cap.* 2. of Gaols, *cap.* 3. of Perjury, *cap.* 17. of Wool, and of 24 *H.* 8. *cap.* 4. of Flax, and *cap.* 9. of killing Weanlings, and of 26 *H.* 8. *cap.* 11. of Welſhmen, and of 32 *H.* 8. *cap.* 3. of Jeofails, to the laſt day of the next Parliament.

37 *H.* 8. *c.* 22. Of 35 *H.* 8. *cap.* 6. §. 9. Of *Tales* on default of Jurors unto the end of the next Parliament.

, **Horſes**, **Va**= nds, &c. *c.* 23. Of 21 *H.* 8. *cap.* 12. of Cables, *&c.* and of 22 *H.* 8. *cap.* 7. of exporting Horſes, *cap.* 12. of Vagabonds, of 23 *H.* 8. *cap.* 2. of Gaols, *cap.* 3. of Perjury, *cap.* 17. winding Wool, and 24 *H.* 4. *cap.* 4. of Hemp and Flax, *cap.* 9. of killing Weanlings, 32 *H.* 8. *cap.* 30. Jeofails, 33 *H.* 8. *cap.* 2. of Fiſh, *cap.* 16. of Worſtead Yard, and of 34 *H.* 8. *cap.* 7. of prices of Wine, *cap.* 16. of diſcharge of Sheriffs, until the laſt day of the next Parliament.

d, **Wool**, 1 *Ed.* 6. §. 3. The Stat. of 33 *H.* 3. *cap.* 16. of Worſtead Yarns, and 37 *H.* 8. *cap.* 15. retailing Wool, made perpetual.

ment, *c.* 7. The Kings Demiſe ſhall not abate Suit between Parties.

§. 2. Of Aſſize of Diſſeiſin, Mortdanceſter, *Juris utrum*, notwithſtanding new Commiſſion, Aſſociation, or not coming of Juſtices.

§. 6. Of Proceſs before Juſtice of Aſſize, Gaol-delivery, Oyer and Terminer, of the Peace, or any Commiſſion, notwithſtanding new Commiſſion, or Aſſociation.

ls, &c. 2 & 3 *c.* 32. Is ſo of 32 *H.* 8. *cap.* 30. of Jeofails, and 35 *H.* 8. *cap.* 6. of Jurors for ever.

Ed. 6. *c.* 8. Of 23 *H.* 8. *cap.* 5. §. 20. made only for twenty years to be for ever.

ng, **Foreſt**, *c.* 17. Is ſo of 31 *H.* 6. *cap.* 12. of hunting in Foreſt, and 32 *H.* 8. *cap.* 1. of killing Deer in Park, *&c.* for three years.

, **Hunting**, 5 & 6. *c.* 17. Is ſo of 37 *H.* 8. *cap.* 23. and the Statutes therein, and of 35 *H.* 8. *cap.* 17. for preſerving Woods, and of 3 & 4 *Ed.* 6. *cap.* 17. againſt hunting in Park, *&c.*

ſporting **Gold**, 7 *Ed.* 6. *c.* 6. Is ſo of 17 *Ed.* 4. *cap.* 1. againſt tranſporting Gold and Silver for twenty years.

ng **Hats**, *c.* 8. Of 22 *Ed.* 4. *cap.* 5. againſt fulling Hats, *&c.* in Mill for five years.

er, **Malt**, **Pro**= ſſes, &c. *c.* 11. Is ſo of 2 & 3 *Ed.* 6. *cap.* 9. carrying Leather, *cap.* 10. making Malt, *cap.* 11. for making Leather, and of 3 & 4 *Ed.* 6. *cap.* 5. unlawful Aſſemblies, *cap.* 15. of Propheſies, *cap.* 19. buying Rother Beaſts, *cap.* 21. Butter and Cheeſe, and of 5 & 6 *Ed.* *cap.* 2. of Poor, *cap.* 14. againſt Regrators and Foreſtallers.

ament, **Biſhops**, 1 *Mar. St.* 2. *c.* 2. A Repeal of 1 *Ed.* 6. *cap.* 1. of the Sacrament, *cap.* 2. of Election of Biſhops, of 2 *Ed.* 6. *cap.* 1. of Uniformity, *cap.* 21. of Prieſts Marriage, and of 5 *Ed.* 6. *cap.* 10. of Images, *cap.* 12. of Eccleſiaſtical Miniſters, and of 5 *Ed.* 6. *cap.* 1. Uniformity, *cap.* 3. of Holydays, *cap.* 12. of Prieſts Marriage, *&c.*

Cap. 13. Is ſo of 21 *H.* 8. *cap.* 7. and *cap.* 12. and of 23 *H.* 8. *cap.* 3. and *cap.* 17. and of 28 *H.* 8. *cap.* 6. *cap.* 8. *cap.* 9. and of 31 *H.* 8. *cap.* 7. and of 33 *H.* 8. *cap.* 2. and of 35 *H.* 8. *cap.* 17. and of 37 *H.* 8. *cap.* 23. and of 2 & 3 *Ed.* 6. *cap.* 9. & *cap.* 10. and *cap.* 11. and of 3 & 4 *Ed.* 6. *cap.* 19. and *cap.* 21. and of 5 & 6 *Ed.* 6. *cap.* 2. & *cap.* 14. and of 7 *Ed.* 6. *cap.* 11. and revived to the end of next Parliament.

s, &c. *c.* 14. Of 23 *H.* 8. *cap.* 2. of Gaols, for ten years next after this Parliament.

St. 3. *c.* 12. Reviver and Continuance until the laſt day of the next Parliament of 22 *H.* 8. *cap.* 6. 24 *H.* 8. *cap.* 9. and of 1 *Mar. St.* 2. *cap.* 12, & 13, &c. So by 1 & 2 *Ph.* & *Mar.* *cap.* 16.

Of 1 *Mar. St.* 2. *cap.* 12, & 13. and of 1 & 2 *Ph.* & *Mar.* *cap.* 3. until laſt day of the next Parliament. 2 & 3 *Ph.* & *Mar.* *c.* 21.

Is ſo of 1 *Mar. St.* 2. *cap.* 12. for the Queens Life, and to the end of next Parliament. 1 *Eliz.* *c.* 16.

Reviver of 2 & 3 *Ph.* & *Mar.* *cap.* 2, 3. & 5. until the end of next Parliament, *&c.* *Cap.* 18.

Is ſo of 2 & 3 *Ph.* & *Mar.* *cap.* 8. for twenty years, and to the end of next Parliament after. 5 *Eliz.* *c.* 13.

Is ſo of 23 *H.* 8. *cap.* 2. for two years, and that Juſtice of Peace in *Wales* do ſo, for new Gaols. Wales, *c.* 24.

Is ſo of 21 *H.* 8. *cap.* 17. and §. 2. of 23 *H.* 8. *cap.* 3. and §. 3. of 35 *H.* 8. *cap.* 17. and §. 4. of 5 & 6 *Ed.* 6. *cap.* 14. and §. 5. of 2 & 3 *Ph.* & *Mar.* *cap.* 3. and made perpetual. 13 *Eliz.* *c.* 25.

Is ſo of 21 *H.* 8. *cap.* 8. and §. 7. of 3 & 4 *Ed.* 6. *cap.* 19. and §. 8. of 3 & 4 *Ed.* 6. *cap.* 21. and §. 9. of 5 *Eliz.* *cap.* 2. and §. 10. of 5 *Eliz.* *cap.* 3. and §. 11. of 1 *Eliz.* *cap.* 17. and §. 12. Revived and continued to the end of the next Parliament. §. 6.

Is ſo of 23 *H.* 8. *cap.* 2. and of 1 *Mar. St.* 2. *cap.* 14. and of 5 *Eliz.* *cap.* 24. for ten years more. §. 13.

Is ſo of 5 *Eliz.* *cap.* 7. & *cap.* 9. and §. 15. of 8 *Eliz.* *cap.* 10. and §. 16. of 8 *Eliz.* 15. to the end of the next Parliament. §. 14.

Is ſo of new Proviſo, and §. 18. ſo long as 35 *H.* 8. *cap.* 17. continues. §. 19.

Is ſo of 1 *Eliz.* *cap.* 10. againſt tranſporting raw Hides for ſeven years. **Raw Hides**, 14 *Eliz.* *c.* 4.

Is ſo of 24 *H.* 8. *cap.* 7, & 9. and §. 2. of 3 & 4 *Ed.* 6. *cap.* 19. and §. 3. of 3 & 4 *Ed.* 6. *cap.* 21. and §. 4. of 5 *Eliz.* *cap.* 2. and §. 5. of 1 *Eliz.* *cap.* 17. and §. 6. of 5 *Eliz.* *cap.* 7. and §. 7. of 5 *Eliz.* *cap.* 9. and § 8. of 8 *Eliz.* *cap.* 10. and §. 9. of 8 *Eliz.* *cap.* 15. and 13 *Eliz.* *cap.* 25. and §. 10. of 13 *Eliz.* *cap.* 5. and §. 11. of 13 *Eliz.* *cap.* 20. and §. 12. of 13 *Eliz.* *cap.* 21. §. 20. to endure unto the end of the next Parliament. *Cap.* 11.

Is ſo of 5 & 8, & 14 *Eliz.* not printed, for two years for inning *Plumſtead* Marſh, *&c.* Plumſted **Marſh**, 23 *El.* *c.* 13.

Is ſo of 18 *Eliz.* *cap.* 5. for ever. 27 *Eliz.* *c.* 10.

Nineteen Stat. of *H.* 8. *Ed.* 6. and Queen *Eliz.* revived to the end of next Parliament. *Cap.* 11.

Is ſo of 2 & 3 *Ed.* 6. *cap.* 10. for three years, and to end of Parliament then next following, for making Malt. **Malt**, *c.* 14.

The Statutes 5 *Eliz.* *cap.* 9. and of 13 *Eliz.* *cap.* 5. and §. 2. of 2 & 3 *Ph.* & *Mar.* *cap.* 8. made perpetual. 29 *Eliz.* *c.* 5.

Is a Continuance of 21 *H.* 8. *cap.* 12. and §. 4. Is ſo of 24 *H.* 8. *cap.* 9. and §. 5. Is ſo of 3 & 4 *Ed.* 6. *cap.* 19. and §. 6. of 3 & 4 *Ed.* 6. *cap.* 21. and §. 7. Is ſo of 1 *Eliz.* *cap.* 17. and §. 8. of 5 *Eliz.* 2. and §. 9. of 5 *Eliz.* *cap.* 7. and §. 10. Is ſo of 8 *Eliz.* *cap.* 10. and §. 11. Is ſo of 13 *Eliz.* *cap.* 20. and §. 12. of 13 *Eliz.* *cap.* 21. and §. 13. of 13 *Eliz.* *cap.* 8. and §. 14. of 14 *Eliz.* *cap.* 11. and §. 15. of 14 *Eliz.* *cap.* 5. and §. 16. of 18 *Eliz.* *cap.* 3. and §. 17. of 27 *Eliz.* *cap.* 11. and §. 18. of 27 *Eliz.* *cap.* 7. and §. 19. of 27 *Eliz.* *cap.* 17. for Government of *Weſt.* &c. unto the end of the next Parliament. §. 3. Weſtminſter.

Is a Continuance of ſo much only of 5 *Eliz.* *cap.* 5. as is in force. §. 20.

Is ſo of 21 *H.* 8. *cap.* 12. and §. 2. of 24 *H.* 8. *cap.* 9. and §. 3. of 4 *Ed.* 6. *cap.* 19. and §. 4. of *Ed.* 6. *cap.* 21. and §. 5. of 1 *Eliz.* *cap.* 17. and §. 6. of 5 *Eliz.* *cap.* 2. and §. 7. of 5 *Eliz.* *cap.* 7. and §. 8. of 8 *Eliz.* *cap.* 10. and §. 9. of 13 *Eliz.* *cap.* 20. and §. 10. of 13 *Eliz.* *cap.* 21. and §. 19. of 5 *Eliz.* *cap.* 5. and §. 11. of 13 *Eliz.* *cap.* 8. and §. 12. of 14 *Eliz.* *cap.* 11. and §. 13. of 14 *Eliz.* *cap.* 5. and §. 14. of 18 *Eliz.* *cap.* 3. and §. 15. of 27 *Eliz.* *cap.* 11. and §. 16. of 27 *Eliz.* *cap.* 7. and §. 1. of 27 *Eliz.* *cap.* not printed until the end of the next Parliament. 31 *Eliz.* *c.* 10. §. 1.

Is ſo of all the former Acts, and of 18 *Eliz.* *cap.* 20. and §. 15. of 23 *Eliz.* *cap.* 6. and §. 19. of 2 *Ed.* 6. *cap.* 10. and 27 *Eliz.* *cap.* 24. and 31 *Eliz.* *cap.* 8. & 13. to the end of the Parliament next enſuing, and 23 *Eliz.* *cap.* 6. to the end of the next Parliament then next following. 35 *Eliz.* *c.* 7.

Is ſo of 27 *Eliz.* for Maintenance of Peer of *Lyn* for ten years, and to the end of next Parliament. Lyn, §. 29.

Is ſo of all the former Acts, and §. 12. of 13 *Eliz.* *cap.* 19. and §. 16. of 18 *Eliz.* *cap.* 20. and §. 17. of 23 *Eliz.* *cap.* 9. and §. 19. of 27 *Eliz.* *cap.* 4. and §. 23. of 27 *Eliz.* *cap.* 14. and §. 25. of 23 *Eliz.* *cap.* for relief of *Lincoln*, and §. 26. of 35 *Eliz.* *cap.* 1. for retaining Subjects in obedience, and §. 27. of 35 *Eliz.* *cap.* 4. and §. 28. of 35 *Eliz.* *cap.* 10. and §. 29. of 35 *Eliz.* *cap.* 11. until the end of the next Parliament. 39 *Eliz.* *c.* 18. Lincoln **retaining Subjects.**

The Stat. of 13 *Eliz.* *cap.* 8. and of 27 *Eliz.* *cap.* 4, & 7. made perpetual. §. 32.

The Statutes of 14 *Eliz.* *cap.* 11. and 27 *Eliz.* *cap.* 11. Except §. 34. that of 5 *Eliz.* 7. and §. 35. of §. 33, & 40.

5 *Eliz.* 5. and §. 36. of 5 *Eliz.* 2. and §. 37. of 13 *Eliz.* 19. and §. 38. of 14 *Eliz. cap.* 5. and §. 39. of 18 *Eliz.* 3 and of 23 *Eliz.* 6. and 35 *Eliz.* 4. continue to end of next Parliament.

§. 41. Is ſo of 5 *Eliz.* 5. and of 23 *Eliz.* 6. and §. 42. of 18 *Eliz.* 20. with ſuch Proviſoes as in 35 *Eliz. cap.* 7.

§. 43. Reviver of 5 *Eliz.* 7. to the end of next Parliament.

Husbandry, Houſes, §. 44. A Repeal of 13 *Eliz.* 19. and §. 45. of 5 *Eliz.* 2. only as to Husbandry, Houſes, *&c.* continued if no other Act be this Parliament to the end of the next, 39 *Eliz.* 1.

§. 46. Reviver of 14 *Eliz.* 5. and of 18 *Eliz.* till the end of the next Parliament: Except what is altered by Statute this Parliament.

§. 47. Is ſo of 35 *Eliz.* 4. to end of the next Parliament, what is unaltered in this.

Poor, 43 *Eliz. c.* 2. §. 17. Is ſo of 39 *Eliz. cap.* 3. until *Eaſter* next, for relief of Poor.

Cap. 9. Is ſo of 21 *H.* 8. 12. and of 24 *H.* 8. 9. and of 4 *Ed.* 6. *cap.* 19. and 21. and of 1 *Eliz.* 17. and of 5 *Eliz.* 5, & 7. and of 8 *Eliz.* 10. and of 13 *Eliz.* 20. and of 14 *Eliz.* 11. and of 18 *Eliz.* 11. and of 13 *Eliz.* 21. and of 18 *Eliz.* 20. and 3. and of 23 *Eliz.* 6. and of 35 *Eliz.* 7. and of 27 *Eliz.* of *Weſtm.* and of 2 *Ed.* 6. *cap.* 16. and of 27 *Eliz. cap.* 14. and 39 *Eliz.* 16. and of 27 *Eliz.* 24. and of 31 *Eliz.* 8. and of 23 *Eliz.* and of 31 *Eliz.* and of 35 *Eliz.* 1. and of 35 *Eliz.* 10, and 17. and of 39 *Eliz.* 1, 2, and 7. and of 13 *Eliz.* 4. and alſo of 39 *Eliz.* 10. & 12. & 14. & 17. & 4. & 3. and of 43 *Eliz.* 2. and of 35 *Eliz.* 4. and 39 *Eliz.* 21. but 43 *Eliz.* 3. and 39 *Eliz.* 6. repealed; yet Decrees to be executed until the end of the firſt Seſſion of the next Parliament.

Cloths, *c.* 10. §. 13. Is to the end of the next Seſſion of the next Parliament, and no longer, of Tentred Cloths.

1 *Jac. c.* 8. §. 8, & 9. Is ſo of 39 *Eliz. cap.* 4. but until the end of next Parliament.

Cap. 8. Unto the end of the firſt Seſſion of the next Parliament.

Cap. 25. Is ſo of 21 *H.* 8. 12. of 24 *H.* 8. 9. of 3 & 4 *Ed.* 6. 19. and 21. of 1 *Eliz.* 17. of 5 *Eliz.* 5. 7. of 8 *Eliz.* 10. of 13 *Eliz.* 21. 16. 20. of 18 *Eliz.* 20. & 3. of 27 *Eliz.* not Printed. 27 *Eliz.* 14. of 3 & 4 *Ed.* 6. 10. of 39 *Eliz.* 16. of 27 *Eliz.* 24. of 31 *Eliz.* 8. of 31 *Eliz.* and 23 *Eliz.* not Printed, of 35 *Eliz.* 1. & 10. of 45 *Eliz.* 11. of 39 *Eliz.* 2. 43 *Eliz.* 9. of 39 *Eliz.* 10. of 23 *Eliz.* 4. of 39 *Eliz.* 12. of 5 *Eliz.* 4. and of 39 *Eliz.* 14. 17. and of 43 *Eliz.* 3. & 6. & 2. of 21 *Jac.* 28. of 43 *Eliz.* 10. 5. to the end of the firſt Seſſion of the next Parliament.

§. 29. Is ſo of 5 *Eliz.* 19. to the end of the firſt Seſſion of next Parliament; §. 32. of 14 *Eliz.* 5.

§. 30. And 31 is ſo of 14 *Eliz.* 7. and 27 *Eliz.* 3. and 13 *Eliz.* 4. from the end of this Seſſion.

§. 33. Is ſo of 27 *Eliz.* not Printed, for ten years, and ſo to the end of the next Seſſion.

Sanctuaries, §. 34. A Repeal of all Statutes of Sanctuaries, of 22 *Ed.* 4. 5. of 3 *H.* 8. 15. of 21 *H.* 8. 9. of 7 *Ed.* 6. 8. of 1 *Mar.* 11. of 4 *H.* 5. 3. of 4 *Ed.* 4. 9. and of 15 *R.* 2. 11. of 5 & 6 *Ed.* 6. 21. of 7 *Ed.* 6. 5. of 4 *Ed.* 4. 8. of 24 *H.* 8. 13. 1 & 2 *Ph.* & *Mar.* 2. and all

Apparel. Statutes of Apparel, and of 4 & 5 *Ph.* & *Mar.* 2. of 5 *Eliz.* 8. of 1 *Mar.* 2.

§. 49. And of §. 50. a Reviver of the Statutes of 2 & 3 *Ed.* 6. *cap.* 21. and of 5 & 6 *Ed.* 6. 1. and made perpetual.

Poor, *c.* 31. §. 9. No longer than the end of firſt Seſſions of next Parliament, for Poor infected.

21 *Jac. c.* 1. Makes 39 *Eliz. cap.* 5. perpetual.

Cap. 9. §. 4. For ſeven years after this Seſſion, and thence to next Seſſion of Parliament thoſe ſeven years.

Tranſportation, 21 *Jac. c.* 28. Is ſo of 21 *H.* 8. 12. and 24 *H.* 8. 9. and of 3 & 4 *Ed.* 6. *cap.* 19, & 21. and 1 *Eliz.* 17. and 5 *Eliz.* 7. & 5. So much as doth not concern Tranſportation, *&c.* And 8 *Eliz.* 10. and 13 *Eliz.* 21. & 10. & 20. and 14 *Eliz.* 5. and 18 *Eliz.* 3. & 10. and 27 *Eliz.* two Statues not Printed. 27 *Eliz.* 14. and 3 & 4 *Ed.* 6. 10. and 27 *Eliz.* 24. and 31 *Eliz.* 8. 35 *Eliz.* 10, & 11. & 1. and 39 *Eliz.* 4. and 1 *Jac.* 25. and 39. 10. and 23 *Eliz.* 7. and 39 *Eliz.* 12. and 5 *Eliz.* 4. and 29 *Eliz.* 14. & 16, & 17. and 43 *Eliz.* 3. & 6. & 2. & 10. 33 *Eliz.* 5. and 1 *Jac.* 6. and 1 *Jac.* 7. & 8, & 9. & 18. & 22. and 4 *Jac.* 6. and 1 *Jac.* 27. 1 *Jac.* 31. and 3 *Jac.* 8, & 9, & 10, & 11, & 12. and 4 *Jac.* 2. & 5. & 11. And alſo of 7 *Jac.* 1, & 4, & 5, & 11, & 12, & 13. and 3 *Jac.* 13. and 7 *Jac.* 17, & 81. & 20. until the end of the firſt Seſſion of the next Parliament.

Perjury, §. 8. Is ſo for ever of 5 *Eliz.* 9. of Perjury, notwithſtanding 1 *Jac. cap.* 25.

§. 9. Is ſo of 25 *H.* 8. 11. notwithſtanding repealed 3 & 4 *Ed.* 6. *cap.* 7.

§. 10. Is ſo of 1 *Mar.* 5. to the end of the firſt Seſſion of next Parliament.

§. 11. A Repeal of 4 *Ed.* 3. 8. and 13 *R.* 2. 20. and 14 *Ed.* 4. 10. and 9. *Ed.* 3. 8. 37 *Ed.* 3. 3. and 34 *Ed.* 3. 6. and 28 *Ed.* 3. 10. and 34 *Ed.* 3. 20. and 17 *R.* 2. 7. 3 *Ed.* 4. 3. and 3 *H.* 7. 9. and 14 *R.* 2. 7. and 15 *R.* 2. 8. and 4 *H.* 5. 8. and 36 *Ed.* 3. 8. and 2 *H.* 5. 2. and 4 *H.* 7. 8. and 11 *H.* 7. 2. and 7 *R.* 2. 5. and of 19 *H.* 7. 12. and 23 *Ed.* 3. 7. and 7 *R.* 2. 5. and 12 *R.* 2. 3. & 4, & 5, & 6, & 7, & 8, & 9. 22 *H.* 8. 12. and 3 & 4 *Ed.* 6. 16. and 11 *H.* 6. 12. and 51 *H.* 3. *p.* 10. *de Piſtoribus*; and 24 *H.* 8. 6. and 28 *H.* 8. 12. and 25 *H.* 8. 18. and 4 *H.* 7. 19. and 7 *H.* 8. 1. and 27 *H.* 8. 22. 5 & 6 *Ed.* 6. 5. and 5 *Eliz.* 2. and 27 *H.* 8. 28. and 14 *R.* 2. 4. and 8 *H.* 6. 5. and 5 & 6 *Ed.* 6. 7. and 33 *H.* 8. 5. and 13 *Ed.* 1. 6. of *Wincheſter.* 28 *Ed.* 1. 20. and 37 *Ed.* 3. 7. 2 *H.* 5. 4. and 2 *H.* 6. 13. and 2 *H.* 4. 6. & 12. & 16, & 17, 18. & 2. and 4 *H.* 4. 26. & 30, & 31, & 32, & 33, & 34. and 9 *H.* 4. 3. and 25 *H.* 6. 1. and 13 *R.* 2. 8. 4 *H.* 4. 25. and 4 & 5 *Ph.* & *Mar.* 5. and 5 & 6 *Ed.* 6. 6. and 18 *Eliz.* 16.

All Statutes and Acts of Parliament continued to the end of this Seſſion, to continue till this Seſſion end, and if by Diſſolution, then to continue to the end of the firſt Seſſion of the next Parliament, and Statutes made before to be executed. 1 *Car.* 1. *c.* 1. §.

Is ſo of 1 *Eliz.* 17. Except §. 13. *Proviſo* not to extend to *Tweed*: And of 13 *Eliz.* 10. 27 *Eliz.* not printed, 3 *Jac.* 8. for ever ſo; 21 *Jac.* 17. and of 21 *H.* 8. 12. and 3 & 4 *Ed.* 6. 19. & 21. and 21 *Jac.* 22. and 5 *Eliz.* 5. part, and 5 *Eliz.* 7. and 8 *Eliz.* 10. and 13 *Eliz.* 21. and 14 *Eliz.* 5. and 18 *Eliz.* 3. & 20. and 27 *Eliz.* not printed, and 27 *Eliz.* 14. and 3 & 4 *Ed.* 6. 10. and 27 *Eliz.* 28. and 31 *Eliz.* 8. and 35 *Eliz.* 10, 11. & 1. and of 39 *Eliz.* 4. and 1 *Jac.* 25. and 39 *Eliz.* 10. and 23 *Eliz.* 7. and 39 *Eliz.* 14. & 16, & 17. and 43 *Eliz.* 3. & 5. & 2. and 1 *Jac.* 25. and 43 *Eliz.* 10. & 5. and 1 *Jac.* 7. and 39 *Eliz.* 4. 1 *Jac.* 8. & 21. and 4 *Jac.* 6. and 1 *Jac.* 27. & 18. & 6. and 5 *Eliz.* 4. and 1 *Jac.* 31. and 3 *Jac.* 9, & 10, & 11, & 13. and 4 *Jac.* 11. and 7 *Jac.* 1. & 4. & 11, & 12, & 13. & 18. 25 *H.* 8. 11. and 3 & 4 *Ed.* 6. 7. and 21 *Jac.* 8. and 1 *Mar.* 5. and 21 *Jac.* 28. & 6. & 18. 4 *Jac.* 2. and 21 *Jac.* 20. & 27, & 28. Until the end of the firſt Seſſion of the next Parliament, of the ſame effect as the firſt day of Seſſion of Parliament, 1 *Car.* 1. and of 1 *Car.* 1. *cap.* 1. unto the end of the next Seſſion of Parliament. 3 *Car.* 1. *c.* 4.

To be in force as altered by later new Acts. §. 23.

A Repeal of 16 *R.* 2. 1, & 4. and 14 *R.* 2. 2. and 7 *H.* 4. 7. and 6 *H.* 4. 14. and 13 *H.* 4. 3. and 8 *H.* 6. 4. & 2. and 3 *H.* 7. 1. & 12. §. 27.

Is ſo of 7 *Jac.* 20. until the end of the next Seſſion of Parliament. §. 28.

All Statutes that have Continuance, or were continued by 3 *Car.* 1. *cap.* 4. to the end of the firſt Seſſion of the then next Parliament, ſhall be adjudged continuing, until ſome other Act be made touching the Continuance or Diſcontinuance of the ſaid Acts in 3 *Car.* 1. 4. mentioned. 17 *Car.* 1. *c.* 4. §

Of Proceſs and Judicial Proceedings on the Kings Return to the Crown. **Proceſs,** &c. 12 *c.* 3.

Is ſo until the end of the firſt Seſſion of the next Parliament, of concealing Cuſtoms. *Cap.* 19. §. 3.

For Confirmation of 12 *Car.* 2. *cap.* 11. and 4, & 5, & 8, & 9, & 12, & 15. and 10. and 12 *Car.* 2. *cap.* 19, & 20, & 23, & 24, & 25, & 26, & 27, & 28, & 29, & 30. and 12 *Car.* 2. *cap.* 2. as if made by this preſent Parliament. 13 *Car.* 2. *c.* 7.

For Confirmation of 12 *Car.* 2. *cap.* 21. or 29. and *cap.* 33. and *cap.* 14. *Cap.* 11.

And Confirmation of 12 *Car.* 2. *cap.* 18. & 32, & 36. and 34, and 13. and 6. *Cap.* 14.

Of power of Commiſſioners of Corporations to 25 *March*, 1663. and no longer. **Corporations,** 13 *St.* 2. *c.* 1. §. 14

Of High-ways, until the end of the firſt Seſſion of the next Parliament. **High-ways,** 13 *Car.* 2. *c.* 6. §.

For Relief of Poor Maihem, Widows, *&c.* or ſuch as ſerved the King in War, is to the end of the firſt Seſſion of the next Parliament. **Poor,** *c.* 9.

To determine ten days after notice 310000 *l.* raiſed by Impoſt upon Wine, *&c.* **Impoſt on** 20 *Car.* 2. *c.* 1.

Of Tax on Proceedings at Law, is for nine years. **Law Tax,** 22 *Car.* 2. *c.* 9.

Until the end of the firſt Seſſion of the next Parliament. 14 *Car.* 2. *c.* 2. §

As to all but Incorporation for the Poor, until the twenty ninth of *May*, 1665. and to the end of the firſt Seſſion of the next Parliament. **Poor,** *c.* 12. §.

Of Powers in this Act, until the end of the firſt Seſſion of next Parliament. *Cap.* 20. §. 7.

Of Sheriffs to the end of the firſt Seſſion of the next Parliament. **Sheriffs,** *c.* 21. §

Is only for five years againſt Moſs-Troopers. **Moſs-troopers,** *c.*

Of incorporating Clothiers of Weſt Riding in *York-ſhire*, to the end of the firſt Seſſions of the next Parliament. **Clothiers,** *c.* 32. §

For

ng, *c.* 33. §. 25.	For two years of the Act of Printing.
ways, 15 *Car.* 2. §. 13.	For eleven years for Repairs of Ways in *Cambridge, Hertford* and *Huntington.*
men, *c.* 5. §.7.	Of ſelect Veſtry-men, to the end of firſt Seſſion of next Parliament.
ing Cattel, *c.*7.	Of importing Cattel till the end of firſt Seſſion of the next Parliament.
ticles, 16 *Car.*2. §. 23.	Of Conventicles, three years after the end of this Seſſion, and to the end of the next Seſſion of Parliament, after the three years.
c. 5. §. 7.	Of Navy for two years, from 1 *June* 1664. and thence to the end of next Seſſion of Parliament.
. 6. §. 13.	Of Ships for three years, and to the end of next Seſſion of Parliament.
g, *c.* 7.	Is ſo of 14 *Car.* 2. *cap.* 31. of Printing, to the end of next Seſſion of Parliament.
16 & 17 *Car.* 2. §. 3.	Of Coals for three years, and ſo to the end of next Seſſion of Parliament.
c. 3. §. 7.	For three years, and ſo to the end of next Seſſion of Parliament, for Jurors, and the like in
, *c.* 5. §. 5.	Of Extents upon Recognizances, *&c.* made perpetual, 22 & 23 *Car.* 2. *cap.* 2.
g, *c.* 7.	Is ſo of 14 *Car.* 2. *cap.* 33. §. 25. until the end of next Seſſion of Parliament, of Printing.
ments, *c.*8. §.6.	Of Amendment of Errors for three years, and to the end of next Seſſion of Parliament next.
c. 4.	Is ſo of 14 *Car.* 2. *cap.* 33. until the end of the firſt Seſſion of next Parliament.
c. 8.	Of Error by death, *&c.* for five years, and ſo to the end of next Seſſion of Parliament.
attel,18 *Car.*2.	Of Iriſh Cattel for ſeven years, and to the end of firſt Secton of next Parliament.
n Robbers, *c.*3.	Is ſo of 14 *Car.* 2. *cap.* 22. of Northern Robbers for ſeven years longer.
, *c.*5. §.11.	Of Coynage to 20 *December* 1671. and to the end of firſt Seſſion of next Parliament then next following.
19 *Car.* 2. *c.*2.	Of the Judicature in *London*, of Houſes burnt, to 31 *December* 1668.
, *c.* 7. §. 7.	Of diſturbance of Seamen to 1 *Febr.* 1666. and ſo to end of the next Seſſion of Parliament.
Accounts, *c.*9.	Of Commiſſioners taking Account, for three years from the end of this Seſſion of Parliament.
r Orders,	Of Aſſignment of Orders of Exchequer, till 10 *Sept.* 1674. and ſo to the end of Seſſion of Parliament next.
20 *Car.*2. *c.*5.	Of Tranſporting Leather to 25 *March* 1675. and to the firſt Seſſion of Parliament then next enſuing.
c. 11. §. 22.	A Reviver of 19 *Car.* 2. *cap.* 2. and powers therein, till 29 *Sept.* 1671.
Judgment, 22 *r.* 2. *c.* 4.	Makes 16 & 17 *Car.* 2. *cap.* 8. perpetual, from laſt Seſſion of Arreſt of Judgment.
s Eſtate, *c.*10	Of Inteſtates Eſtates, for ſeven years, and ſo to the end of next Seſſion of Parliament.
Beer, &c. 6.	Of Exporting Beer, Ale and Mum, for ſix years, from 26 *June* 1671. and ſo to the end of the next Seſſion of Parliament.
c. 14. §. 3.	Of Judicature of *London* Building, to 29 *September* 1672.
el, *c.*19. §.15.	Of Fat Cattel, for three years, from 24 *June* 1671. and ſo to end of next Seſſion of Parliament.
c. 22. §. 13.	Of Eſtreats, for three years, and ſo to end of next Seſſion of Parliament.
c. 23. §. 14.	Of Seamen, for ſeven years, from 1 *June* 1671. and ſo to end of next Seſſion of Parliament.
c. 26. §. 15.	Of Plantations and Tobacco, for nine years, and ſo to the end of next Seſſion of Parliament.
Corn, 25 *c.* 1. §. 37.	For Tranſporting Corn, three years, from the firſt day of this Seſſion of Parliament, and ſo to the end of next Seſſion, *&c.*
ap. 8.	Is ſo of 18 *Car.* 2. *cap.* 5. §. 11. for ſeven years after this Seſſion, until the end of the firſt Seſſion of Parliament then next.
c. 9.	Is ſo of 18 *Car.*2. *cap.*5. Of Coynage, for ſeven years, from the end of this Seſſion, and ſo to the end of the Seſſion of Parliament next.
ap. 10.	Is ſo of 19 *Car.* 2. *cap.* 2. until 25 *Febr.* 1675.
9 *Car.* 2. *c.* 2.	Is ſo of 22 & 23 *Car.* 2. *cap.* 5, & 13. of Exciſe for three years longer.
, *c.*4. §.9. *n.*3.	For Rebuilding of *Southwark*, is for three years from 25 *March* 1676.
Robbers, 30 *Car.* 2. *c.* 2. *n.* 2.	For continuance of 13 & 14 *Car.* 2. *cap.* 22. and 18 *Car.* 23. of Robbery on the Northern Borders for ſeven years, and from thence until the end of the firſt Seſſion of the next Parliament.
2. *c.* 6.	Is ſo of 22 & 23 *Car.* 2. *cap.* 10. and of 17 *Car.* 2. *cap.* 8. from 23 *May* 1678. for ſeven years, and to the end of the next Seſſion of Parliament.
, *c.* 7.	Of remedy againſt Executor of Executor *de ſon tort*, is for three years, and ſo to the end of the next Seſſion of Parliament.
nt, 31 *Car.*2. §. *n.* 1.	The Chief Juſtice of C.B. with one or more Judges there, on Certificate and Examination Engroſs Fines burnt by late Fire.

Makes 18 *Car.* 2. *cap.* 2. againſt importing Iriſh Cattel, perpetual.	**Iriſh Cattel,** 32 *Car.* 2. *c.* 2. §. 2. *n.* 2.
12 *Car.* 2. *cap.* 19. and 13 & 14 *Car.* 2. *cap.* 11. revived for the Kings Life.	**Frauds in Cuſtoms,** &c. 1 *Jac.* 2. *c.* 1. §. 4.
A Repeal of the Clauſe of Prohibition of French-Commodities in 29 & 30 *Car.* 2. *cap.* 1.	**Prohibiting Trade with** France, *c.* 6.
Reviver of 18 *Car.* 2. *cap.* 5. and 25 *Car.* 2. *cap.* 8. of Coynage for ſeven years, and to end of next Seſſion.	**Coynage,** *c.* 7.
Reviver 13 & 14 *Car.* 2. *cap.* 20. for ſeven years.	*Cap.* 11.
Reviver 20 *Car.* 2. *cap.* 5. for ſeven years, and to end of next Seſſion.	*Cap.* 13.
Reviver of 13 & 14 *Car.* 2. *cap.* 22. 18 *Car.* 2. *cap.* 3. and 29 & 30 *Car.* 2. *cap.* 2. for eleven years.	*Cap.* 14.
Reviver of 13 & 14 *Car.* 2. *cap.* 12. for ſeven years, §. 4. makes perpetual. Of 13 & 14 *Car.* 2. *cap.* 21. §. 5. is ſo of 17 *Car.* 2. *cap.* 8. 22 & 23 *Car.* 2. *cap* 10. 29 *Car.* 2. *cap.* 3. §. 25. and 30 *Car.* 2. *cap.* 6. and all made perpetual, §. 9. continues. 19 *Car.* 2. *cap.* 12. for ſeven years, §. 10. continues. 22 & 23 *Car.* 2. *cap.* 19. for ſeven years, §. 11. So it is of 22 & 23 *Car.* 2. *cap.* 22. §. 12. Is ſo of 22 & 23 *Car.* 2. *cap.* 23. §. 13. Is ſo of 22 & 23 *Car.* 2. *cap.* 26. §. 14. The like of 30 *Car.* 2. *cap.* 7. §. 15. Reviver of 13 & 14 *Car.* 2. *cap.* 33. for ſeven years.	**Poor.** **Sheriffs.** **Inteſtates Eſtates.** **Exchequer Orders.** **Cattel.** **Fines & Forfeitures.** **Seamen, Navy.** **Tobacco.** **Of Executors** de ſon tort. **Printing,** *c.* 17. §. 2.
A continuance and reviver of Actions, Pleas and Proceſs diſcontinued by not holding *Hill.* Term 1688. and other defects in Proceedings at Law ſupplied.	**Judicial Proceedings in** 1688. 1 *W.* & *M.* *ſeſſ.* 1. *c.* 4.
Repeal 13 & 14 *Car.* 2. *cap.* 10. 15 *Car.* 2. *cap.* 13. and 16 *Car.* 2. *cap.* 3.	*Cap.* 10.
Repeal of 23 *Eliz.* *cap.* 1. 29 *Eliz.* *cap.* 6. 1 *Eliz.* *cap.* 2. §. 14. 3 *Jac.* 1. *cap.* 4 & 5. and all other Laws againſt Papiſts, *&c.* As to Proteſtant Diſſenters that ſhall take Oaths in 1 *W.* & *M.* *cap.* 1. and ſubſcribe Declaration in 30 *Car.* 2. *ſeſſ.* 2. *cap.* 1. Except 25 *Car.* 2. *cap.* 2. and 30 *Car.* 2. *c.* 1. *St.* 2. Vide Tit. Religion.	**Proteſtant Diſſenters,** *c.* 18.
Reviver of 20 *Car.* 2. *cap.* 5. and 1 *Jac.* 2. *cap.* 13. to continue for ſeven years, and to the end of next Seſſion.	1 *W.* & *M.* *ſeſſ.* 1. *c.* 23.
Repeal of 5 *H.* 4. *cap.* 4. againſt multiplying Gold and Silver.	**Multiplying Gold,** &c. *c.* 30.
Repeal of 1 *Jac.* 1. *cap.* 1.	2 *W.* & *M.* *ſeſſ.* 1. *c.* 3.
Reviver of 12 *Car.* 2. *cap.* 19. and 13 & 14 *Car.* 2. *cap.* 11. 22 *Car.* 2. *cap.* 13.	*Cap.* 4. §. 3.
25 *Car.* 2. *cap.* 6. & 7. and 1 *Jac.* 2. *cap.* 19. for four years, but not to determine perpetual Clauſes.	§. 4.
Reviver of 1 *Jac.* 2. *cap.* 3. and of *cap.* 4. as to Tobacco only till 2 *June* 1696.	**Tobacco,** *ſeſſ.* 2. *c.* 5.
Revives 16 & 17 *Car.* 2. *cap.* 2. from *December* 1690. for ſeven years, and to the end of next Seſſion.	*Cap.* 7.
Diſpenſation with 12 *Car.* 2. *cap.* 18. §. 6. as to Coal Veſſels during the War.	**Coal Veſſels,** §. 3.
Reviver of 13 & 14 *Car.* 2. *cap.* 20. §. 3. 18 *Car.* 2. *cap.* 5. and 25 *Car.* 2. *cap.* 8. for ſeven years, §. 4. makes 22 & 23 *Car.* 2. *cap.* 22. perpetual.	4 & 5 *W.* & *M.* *c.* 24. §. 2.
Revives 22 & 23 *Car.* 2. *cap.* 26. §. 7. 19 *Car.* 2. *cap.* 12. §. 8. 22 & 23 *Car.* 2. *cap.* 23. for ſeven years, §. 9. 22 & 23 *Car.* 2. *cap.* 19. for ſeven §. 10. revives 1 *W.* & *M.* *ſeſſ.* 1. *cap.* 32. for three years, and §. 11. is ſo of 13 & 14 *Car.* 2. *cap.* 12. §. 12. makes 30 *Car.* 2. *cap.* 7. perpetual, §. 15. 3 & 4 *W.* & *M.* *cap.* 9. to continue for three years, §. 16. revives 13 & 14 *Car.* 2. *cap.* 33. for three years.	§. 6.
Repeal of 2 & 3 *Ed.* 6. *cap.* 14.	6 & 7 *W.* 3. *c.* 13. §. 3.
Makes perpetual 3 & 4 *W.* & *M.* *cap.* 9. 4 & 5 *W.* & *M.* *cap.* 24. §. 2. 3 & 4 *W.* & *M.* *cap.* 14. §. 3. revives 3 & 4 *W.* & *cap.* 20. §. 13. for one year.	*Cap.* 14. §. 1.

Contracts, ſee *Market Overt*, *Det*, *Aſſumpſit.*
Controlers of Cuſtoms, ſee *Merchants.*
Conuſance, ſee *Juriſdiction.*
Coopers, ſee *Trades and Meaſures.*

Copyholder.

It ſhall be enquired of Cuſtomary Tenants, how many, what they hold, by what Works and Cuſtoms, what Rent, and which are taxed at the Will of the Lord.	**Enquiry of Cuſtoms,** &c. 4 *Ed.* 1. *p.* 7. §. 9. *Extent. Manerii.*
Juror in Town ſhall have twenty ſhillings, *per annum* free, or twenty ſix ſhillings nine pence Cuſtomary, commonly called Copyhold.	**Juror,** 1 *R.* 3. *c.* 4.
May be granted as uſual within a year of diſſolving Monaſteries.	**Grant,** 31 *H.* 8. *c.* 13. §. 11.
Several Mannors of the Abbe of *Walſingham* to be granted by Copy in Fee for Lives, *&c.* by Steward, *&c.* good againſt the King.	Walſingham, 35 *H.* 8. *c.* 13.
Forfeits three ſhillings four pence *per* Acre, cutting Coppice, not leaving 12 Standils in every Acre of Oak, *&c.*	**Cutting Coppice,** *c.* 17.
So much of *Hownſlow*-Heath as is the Kings, and fit for Tillage, *&c.* to be Copyhold.	Hownſlow, 37 *H.* 8. *c.* 2.

Veſted in King, 1 *Ed.6. c.* 14. §. 39.	Shall not be veſt in the King by giving to Chantry, during life of Incumbent.
Office, 2 & 3 *Ed.6. c.*8. §. 3.	Omit in Office, to be as if none were being, elſe remedileſs.
Bartons Lands, *c.* 12.	Grant by Duke of *Somerſet* of *Bartons Lands*, confirmed.
Forfeit, 1 *M.*1.*St.*2. *c.*12.	Is forfeited by refuſal to aſſiſt againſt unlawful Aſſembly above twelve, for life.
Bankrupt, 13 *Eliz. c.*7. §. 11.	By purchaſe or diſcent after Bankrupſie, may be ſold for Debts.
Fugitive, 14 *Eliz. c.*7.	The Queen may grant Lands of Fugitive ſo.
Forfeit, 35 *Eliz.c.*2.§.5.	Forfeit for life to the Lord, and if Lord be Recuſant convict, to the Queen.
Fines, &c. 7 *Jac. c.*21.	Kings Fines and Eſtates of Copyholders to be ſetled by Decree of Lord Treaſurer, Chancellor of Exchequer, or Dutchy, by Decree, *&c.*
§. 2.	Decrees to be as Acts of Parliament good againſt the King and Party, *&c.*
Reſtitution, 21 *Jac.c.*15.	Shall have Reſtitution as of Freehold.
Serv. 12 *Car.*2.*c.*24.§.7.	Saves Services of Copyhold.
Dutchy, 22 *Car.*2. *c.*7.	Of Dutchy of *Cornwal*, good Grant againſt the King.
§. 5.	Agreeing with Treaſurer in three years, to be diſcharged of new improved Rent.

Copper, ſee *Mettals.*
Cordwainers, ſee *Trades.*

Corn.

Grain, Meal, Flower, Straw, Barley, Bakers, Malt, Bread, Bisket, Oats, Wheat, Rye, Peaſe, Beans, Hops.

Meaſure, 9 *H.*3. *c.* 52. *Mag. Char.*	There ſhall be one Meaſure throughout the Realm, *viz* the Quarter of *London.*
Arable in Foreſt, 9 *H.*3. *c.* 12. *Ch. de Foreſta.*	Freeman within his own Land in Foreſt, may make Arable Ground without Incloſure.
Price, 51 *H.*3. *p.*10. *Aſſiſ. Panis & Cerviſ.*	Bread, Waſtel, Cocket, Symnel and Treet, *&c.* ſhall be according to the middle price of Wheat in weight, and the Aſſize not to changed but ſix pence *per* Quarter, as Barley and Oats ſell *per* Quarter, ſo is the price of Ale and Beer three Gallons, without Cities and Towns, as two within.
Baker, 51 *H.*5. *p.*13. *Pillory & Tumbrel.*	Baker ſhall be amerced that obſerves not the Aſſize, and if often, Pillory.
Toll, *Incert. Temps* 85. *& Piſtoribus*, *c.* 4.	Toll of a Mill ſhall be taken the twentieth or twenty fourth Corn, according to the ſtrength of Water-courſe.
Purveyor, 4 *Ed.*3. *c.*3.	To be taken by Purveyors, by the meaſures uſed through the Realm.
Tranſport, 31 *Ed.*3.*c.*20	Shall not be tranſported but to *Calice* or *Gaſcoin.*
Purveyor, 36 *Ed.*3. *c.*2.	Purveyors ſhall take it according to Standard ſtriked, elſe Felony.
Malt, 17 *R.* 2. *c.* 4.	The Malt of *Huntington, Cambridge, Northampton* and *Bedford*, ſhall be, if brought to *London*, ſifted, and eight Buſhels to Quarter.
Tranſported, *c.* 7.	May be tranſported by all Subjects when they will.
4 *H.* 6. *c.* 5.	May be tranſported, but reſtrainable by the King and Councel, when they think fit.
15 *H.* 6. *c.* 2.	Wheat at ſix ſhillings eight pence, Barley at three ſhillings four pence the Quarter may be tranſported without Licence.
Confirmation, 20 *H.*6. *c.* 6.	A Confirmation of 15 *H.* 6. *c.* 2. and after 23 *H.* 6. *cap.* 6. made perpetual.
Tranſport, 3 *Ed.*4. *c.*2.	Reſtraint of tranſporting, till it exceed certain price.
11 *H.* 7. *c.* 4.	Shall be eight Buſhels only raſed and ſtricken to the Quarter.
Deviſed, 28 *H.*8.*c.*11.§.6.	May be deviſed by Incumbent that ſowed it.
Tranſport, 34 & 35 *H.*8. *c.*9. §. 3.	None ſhall be ſhipt in any Creek between *Glouceſter* Key and *Briſtol*, to be tranſported without Cuſtom, till viewed and meaſured.
§. 4.	Cocket of Contents to be delivered to Owner of Ship lading Corn to be tranſported, on forfeiture, *&c.*
§. 5.	If on meaſuring in *Briſtol* by Mayor and Cuſtomers more appear then the Contents of Cocket or Licence, the overplus to be ſold.
Malt, 2 & 3 *Ed.*6. *c.*10.	Malt, except in *June*, *July* and *Auguſt*, to be three Weeks durying of the Barley, and ſeventeen days in Fat, Floor, *&c.* perfecting, on forfeit two ſhilling *per* Quarter, not to mix Mow-burnt and ſpired with other Barley, *&c.*
§. 3.	Sale of Malt not well trodden, rubbed and fanned, forfeit twenty pounds *per* Quarter.
Leet, Price, §. 4.	Juſtices of Peace and Leet, to determine Preſentments and ſet prices.
§. 5.	No Proſecution but in a year after Offence.
Ingroſſing, 5 & 6 *Ed.*6. *c.* 14. §. 7.	Buying Barley for Malt, or Oats for Oat-meal, is no ingroſſing.
§. 13.	Wheat when ſix ſhillings eight pence, Barley three ſhillings four pence, Oats two ſhillings, Peaſe four ſhillings, Rye five ſhillings the Quarter, may be ingroſſed, or under may be tranſported.
Tranſport, 1 & 2 *Ph.* & *Mar. c.* 5.	No Wheat, Rye, Barley, nor other Corn, nor Grain, nor Malt to be tranſported without ſufficient Authority, on forfeiture of Ship and Apparel, and Corn, by each Owner.
§. 5.	Licence to tranſport muſt be all at one Port.

Juſtice of Peace to determine.

When Common price exceeds not of Wheat 6 *s.* 8 *d.* the Quarter, of Rye 4 *s.* of Barley 3 *s.* they may be tranſported.

Not to prejudice Victualling of Ships.

Not to prejudice Admirals Juriſdiction at Sea.

No Ship to be forfeited by tranſporting Corn prohibited by 1 & 2 *Ph.* & *Mar. cap.* 5.

May be tranſported as by Proclamation, in Engliſh Ships, when Wheat is 10 *s.* the Quarter, and Rye, Peaſe and Beans 8 *s.* Barley or Malt 6 *s.* 8 *d.*

Shall not be bought out of Fair or Market by Kidder, Drover, *&c.* without ſpecial words in Licence.

Juſtices at Aſſize and Seſſion (unleſs controlled by the Queen) to determine when fit to be permitted to be tranſported or prohibited.

Such determination to be notified to the Queen before Publication.

Cuſtoms for a Quarter of Wheat twelve pence, of other Grain eight pence, by Licence two ſhillings Wheat, and one ſhilling four pence other Grain.

The Queen by Proclamation may prohibit, tranſport, general or ſpecial.

When Wheat exceeds to 20 *s.* a Quarter, Rye, Peaſe and Beans 13 *s.* 4 *d.* the Quarter, Barley and Malt 12 *s.* the Quarter, then to be tranſported.

Not to prejudice Perſons Licence to tranſport at leſs Cuſtoms.

Proclamation may prohibit generally or ſpecially, as to ſome Ports.

None to tranſport *contra* to ſuch Proclamation, on forfeit as 13 *Eliz.* 13.

Seſſions to reſtrain number of Maſters, the diſobedient impriſoned three days, and till Recognizance of forty pounds to obey, *&c.*

Only Mayor and Juſtices of Corporation to reſtrain Malſters therein.

Any may convert their own Barley, or Rent, or Tythe-Corn to Malt.

No Dealers in Malt or Barley to meddle in execution of this Act.

Cutting or taking away Corn growing, to make ſatisfaction, as any Juſtice of Peace Award, or be whipt.

Importing corrupt or deceitful Hops forfeits them.

When Wheat exceeds not 26 *s.* 8 *d.* the Quarter, Rye, Peaſe and Beans 15 *s.* Barley and Malt 14 *s.* it may be tranſported, paying Cuſtoms, *&c.*

The King by Proclamation general or ſpecial, may prohibit.

When Malt exceeds not ſixteen ſhillings the Quarter, Beer in Veſſels may be tranſported, paying ten ſhillings *per* Tun impoſt.

Not to repeal 35 *Eliz.* 11. or 1 *Jac. cap.* 25. as to importing Clapboard.

At what price Holſter, where no Bakers are may bake Horſe-bread, *&c.*

May be tranſported when one Quarter of Wheat exceeds not thirty two ſhillings, of Rye twenty ſhillings, Peaſe and Beans ſixteen ſhillings, Barley and Malt ſixteen ſhillings, paying Cuſtoms.

May be tranſported as by 21 *Jac. cap.* 28.

May be tranſported when Wheat is forty ſhillings the Quarter, Rye, Peaſe and Beans twenty four ſhillings, Barley and Malt twenty ſhillings, Oats ſixteen ſhillings.

May be tranſported when Wheat exceeds not forty eight ſhillings the Quarter, Barley, Malt or Buckwheat twenty eight ſhillings, Oats thirteen ſhillings four pence, Rye, Peaſe and Beans thirty two ſhillings.

May be imported the ſame Rates, paying poundage five ſhillings four pence Quarter of Wheat, for Rye, Peaſe and Beans, four ſhillings, Barley and Malt two ſhillings eight pence, Buckwheat two ſhillings, Oats one ſhilling four pence.

At the ſame Rates to buy in Market Stores to ſell again, without Foreſtalling.

May be imported from the Iſle of *Man*, landing at *Liverpool.*

May be tranſported though Prices exceed 15 *Car.* 2. *cap.* 7. §.2. paying Cuſtoms, and to be imported when Wheat exceeds not two pounds thirteen ſhillings four pence, pay ſixteen ſhillings, when not above pounds, cuſtom eight ſhillings, for Rye ſixteen ſhillings, when not above forty ſhillings the Quarter: So of Peaſe and Beans; Buckwheat, Barley and Malt ſixteen ſhillings, when it exceeds not thirty two ſhillings the Quarter, Oats ſixteen ſhillings the Quarter, Cuſtom five ſhillings four pence.

When prices exceed at Importation, to pay Duties as before this Act.

Cuſtom of French or Pearl Barley, for every hundred weight five ſhillings.

Burning Barn, or deſtroying Stack of Corn in the Night, *&c.* Felony.

c.12. §.2. Meaſures to be ſhaked, elſe forfeit value, beſides Penalty, 22 *Car.* 2. *cap.* 8.

§. 3. Not to be ſold in private places, proof whereof to lie on Defendant.

§. 5. Tythes or Reſervation ſhall be by Meaſures and Values agreed.

25 *Car.*2.*c.*1. To enable Husbandman to pay Tax, may be tranſported for three years, *&c.* when Malt and Barley is twenty four ſhilling the Quarter, Rye thirty two ſhillings, Wheat forty eight ſhilling, giving Bond, *&c.* and Cuſtoms.

1 *Jac.* 2. *c.* 19. Recites a defect in 22 *Car.* 2. *cap.* 17. in not aſcertaining the Prices of Engliſh Corn.

ning Prices ntry, §. 3. Juſtice of the Peace at Quarter-Seſſions by Oath, *&c.* to determine Market prizes of midling Engliſh Corn and Grain mentioned in 22 *Car.* 2. *cap.* 13. and to certifie the ſame to Chief Officer in Port where Corn or Grain imported, to be hung up publickly.

oreign Corn, Cuſtom and Duty of Foreign Corn and Grain imported, to be paid according to the Prices contained in the Juſtices Certificate.

ning Prices don, §. 5. Mayor, Aldermen and Juſtices of Peace of *London* to do all in *October* and *April*, that is to be done by Juſtices at Quarter-Seſſions; but Perſons making Oath to be no Corn-Chandler, Meal-man, or intereſſed in Corn imported, but Houſekeepers, *&c.*

ence to Ex- 1 *W.*& *M.Seſſ.*1. Exporter of Corn (Malt or Barley, not above 24 *s.* Rye 32 *s.* Wheat 48 *s. per* Quarter in Port, Maſter, and two third Mariners, Kings Subjects) on Certificate of quantity, *&c.* and Bond for Exportation, to have 2 *s.* 6 *d. per* Quarter for Barley or Malt, 3 *s.*6 *d.* for Rye, 5 *s.* for Wheat, and on Certificate of landing beyond Sea, or proof of its being taken by Enemies, or periſht, the Bond to be cancelled, and Mony paid, Exporter allowed on Account.

g from Ber- 24. §. 18. Exporter of Corn from *Berwick* purſuant to *cap.*12. of this Seſſion to have benefit of that Act.

Corn, §. 19. Scotch Corn ſhipt at *Berwick* to be forfeit.

W.& *M.Seſſ.*2.*c.*8. Truſs of Hay ſold in *L. W.* or Places in Bills of Mortality, between *Auguſt*, and *June* to contain 56 *l.* and between firſt of *Auguſt* and laſt of *June*, new Hay 60 *l.* and old Hay 56 *l.* on forfeiture for each Truſs 18 *d.*

raw, §. 17. Carts loaden with Hay or Straw to ſell, ſhall not ſtand in places within Bills of Mortality, from *Michaelmas* to *Lady-day* after two in the Afternoon, nor from *Lady-day* to *Michaelmas* after three in the Afternoon, on pain of 5 *s.*

on, Penalty, By whom, and how Conviction may be, and how penalty levied and diſpoſed.

6 *W.*& *M. c.*1. Reviver 22 *Car.* 2. *cap.* 13. and 1 *Jac.* 2. *cap.* 19. for five years.

Cornwal, ſee *Leaſes.*

Coron & Coroner.

Crown, Clergy, Theft, Burglary, Burning, Poyſoning, Felony, Engliſhire, Robbery, Larceny, Deodands, Moſs-troopers, Appeals, Indictments.

the Crown, c.17. *Mag.Char.* No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bailiff, ſhall hold Pleas of the Crown.

pearance in 52 *H.*3. *c.* 24. Townſhip ſhall not be amerced for not appearing of all above twelve years old, in Eyre, if there be a full Enqueſt, unleſs on death of a Man.

c. 25. Murder ſhall not be where it is found only by miſfortune, but where one is ſlain by Felony.

religious, &c. 1. *c.* 1. *W.* 1. He that lodgeth or takes Goods of Religious Perſons without Licence, ſhall be indicted and fined.

concealing, Coroners concealing Felons, or not doing Duty in freſh Suit impriſon and fine.

c. 10. Coroner ſhall be of the moſt diſcreet Knights, and take nothing for doing his Office, ſhall attach and preſent Pleas of the Crown, and keep Counter Rolls with Sheriff.

c. 11. To prevent Replevin by favourable Inqueſt, or the Writ *de Odio & Atia*, on Murder, Inqueſts ſhall be on Oath, and two Knights.

t & dure, Notorious Felons that refuſe Tryals, ſhall have ſtrong and hard Impriſonment.

Sheriff, *c.*15. Sheriff ſhall not on Common Writ nor without Writ, Bail Perſons Outlawed, Abjured, Excommunicated, Houſe-burners, Defamed, Thieves taken with the manner that falſifie Mony, counterfeit the Great Seal, or do Treaſon againſt the King himſelf, but for Pety Larceny not above twelve pence.

ach, *c.* 26. He that takes tame Beaſts out of Park or Pound, ſhall be puniſht as a Felon, Thief or Robber.

c. 37. Diſſeiſor with force or Robbery, ſhall pay Damage, Fine, and be impriſoned.

Coroner ſhall enquire at the place of Slain, by four of the next Town, five or ſix, and of Treaſure Trove, of Perſons Riotouſly living, of Deodands, Wreck, *&c.* and take Sureties or impriſon Parties, and levy Hue and Cry. **Coroner,** 4 *Ed.*1. *p.*28. *de off. Cor.*

No Writ ſhall be granted to enquire if Killing were by misfortune or Felony, but Party impriſoned, till tried by Juſtices in Eyre, or Gaol-delivery; nor ſhall Appeal abate for want of freſh Suit, if Count on year, day and place, *&c.* **Impriſonment, Appeal,** 6 *Ed.*1. *c.*9.*Glouc.*

On falſe Appeal, the Appellor ſhall be impriſoned a year, and fined, and pay damages, and if not able, Abettors ſhall pay, and be ſo impriſoned. **Falſe Appeal,** 13 *Ed.*1. *c.* 12. *W.* 2.

Freſh Suit ſhall be made by the County, after Robberies, on pain to reſtore the Damages. **Freſh Suit, Hundred,** 13 *Ed.* 1. *c.* 1. *Winch.*

If Robbery be within Diviſion of two Hundreds, both ſhall anſwer in forty days after *Cap.* 2.

The whole County ſhall anſwer from Eaſter next. *Cap.* 3.

Walled Towns ſhut from Sun to Sun, Lodgers in Suburbs enquired after, Watch all Night, ſix at every Gate of City, twelve in Burrough, ſix or four in Town; who may Arreſt Strangers ſuſpected, and on Reſiſtance, levy Hue and Cry. **Watch,** *c.* 4.

Foreſter, Parker or Warrener, may juſtifie killing Treſpaſſer there, that reſiſts or will not yield on Hue and Cry. **Foreſter, Reſiſtance,** 21 *Ed.*1.*p.*59.*Malefact. in parcis.*

One killed muſt be doing Treſpaſs in Park, elſe its malice to kill. §. 2.

Sheriffs or others that Bail Perſons for Murder or Felony, not repleviable, ſhall be enquired of by Juſtices of Gaol-delivery. **Bail by Sheriff,** 27 *Ed.*1. *c.*3. *de fin. Levat.*

Juſtices of Gaol-delivery, ſhall on Provers Accuſation, ſend for all Appellors, and try them in the Country. **Prover Tryal,** 28 *Ed.*1. *p.* 62. *St.* 8.

Of the County ſhall joyn with Coroner of the Kings Houſe of Felonies within the Verge, and ſhall make freſh Suit. **Coroner, Verge,** 28 *Ed.*1 *c.*3. *Artic. ſuper Chart.*

The Articles on *Wincheſter* ſhall be enquired of: Robberies after Eaſter, of ſhutting City Gates, of Watches, Armor, freſh Suits, High-ways, and if all have Weapons, and all between fifteen and ſixteen be ſworn to keep the Peace. **Coroners Enqueſt,** 31 *Ed.* 1. *p.*71. *Art. on Winch.*

Breakers of Priſon ſhall not have Judgment of Life or Member, unleſs the cauſe of Party eſcaped required ſuch Judgment. **Priſon Breaker,** 1 *Ed.*2. *p.*76. *St.*2. *de frang. priſonam.*

If Bread want a Farthing in two ſhillings ſix pence, Baker ſhall be amerced, if more then a Farthing, Pillory not to be bought off. **Baker,** *Incert. temp p.*85. *c.* 2.

Pillory muſt be ſo, as Execution may not be to peril of the Body. **Pillory,** *c.* 3.

Nothing ſhall be taken by Sheriffs on receit of Thieves, nor by Gaolers. **Sheriff, Gaoler,** 4 *Ed.*3. *c.* 10.

Engliſhire ſhall be no more preſent before Juſtices in Eyre. Engleſhire, 14 *Ed.*3. *c.*4.

Coroner ſhall not be choſen, unleſs he have Land in Fee ſufficient within the County. **Coroner choſen,** *c.* 8.

Shall be choſen by the Commons in full County, ſaving the Franchiſes of the King, and other Lords. 28 *Ed.* 3. *c.* 6.

All the Hundred or Franchiſe where Robbery was done, or both, if on Confines, ſhall pay Damages in forty days. **Hundred,** *c.* 11.

Sheriff in Perſon ſhall four times a year in every Hundred proclaim the Statute 13 *Ed.*1. of *Winch.* and the Bailiffs in every Town. **Proclaiming Statute,** 7 *R.* 2. *c.*6.

To multipy Gold or Silver is Felony. **Multiply gold,** 5 *H.*4.*c.*4

Cutting out Tongue or Eyes, maliciouſly, is Felony. **Cutting Tongue,** *c.* 5.

Coroner on Commiſſion to enquire of Riot, ſhall on Sheriffs default, *&c.* return Panel with 1. Twenty ſhillings Iſſues at leaſt. 2. Forty ſhillings at leaſt, and 3. Five pounds, *&c.* **Panel returned,** 2 *H.*5. *c.* 8.

Clipping, waſhing and filing Mony of the Land is Treaſon. **Clipping,** &c. 3 *H.* 5. *St.*2. *c.*6.

Exigent againſt Conſpirators to Indict or Appeal, or to make falſe Deeds. **Exigent,** 7 *H* 5. *p.*221.

Burning Houſe on Threats if Mony be not paid on Bills caſt in, is Treaſon. **Burning Houſe,** 8 *H.*6. *c.* 6.

Inhabitants of *Tewkesbury* may ſue *Foreſt of Dean*, or other Hundreds, on the Statute of *Winch.* for Robbery on the *Severn.* Tewkesbury, *c.* 27.

On Proclamation by Sheriff, the Coroner ſhall be at next County to aſſeſs Wages of Knights, *&c.* **Wages of Knight,** 23 *H.* 6. *c.* 11.

Servants not appearing on the Return of Proclamation of Riot, and imbezelling his Maſters Goods after his death, Felony. **Servant,** 33 *H.*6. *c.* 1. §. 1. *n.* 3.

Indictments ſhall not ſtay a year and a day for Appeal, but proceed preſently to Trial, Coroner to enquire of Slain, *&c.* and his Fee thirteen ſhillings four pence. **Appeal, Coroners Fee,** 3 *H.* 7. *c.* 1.

The Steward, Treaſurer and Controller ſhall enquire by twelve of the Chequer-Roll, of Conſpiracy, Confederacy and Imagination, or compaſſing to deſtroy the King, or any Lord or Privy Councellor, and if Convict, to be Felony. **Inquiry before Steward, Treaſurer,** &c. *c.* 14.

Clergy, 4 *H.7. c.*13.	Clergy shall be allowed but once, and for Murder markt M in the Brawn of the left Thumb, and T for other Felony.
12 *H.* 7. *c.* 7.	Clergy taken away on wilful Murder, and *James Grame* Attaint.
Coroner Fee, 1 *H.*8. *c.*7.	Coroner ſhall take nothing for Inquiry of Men ſlain till after enquiry made.
Clergy, 4 *H.* 8. *c.* 2.	None in Orders ſhall have Clergy for Murder or Felony in Church, Chappel or hallowed-place, nor of Robbery, *&c.* on High-way, nor in Houſe where Servant is in fear.
Sanctuary, §. 2.	Taking Sanctuary pleaded in Foreign County, ſhall be tried where the Indictment is laid, made perpetual, 22 *H.8. cap.* 2.
Abjuration, 21 *H.*8. *c.*2.	Perſons abjured to be markt with hot Iron by Coroner, on the Thumb.
Servant ſtealing, *c.* 7.	Servant above eighteen, ſtealing above forty ſhillings is Felony, *contra* of Apprentice.
Reſtitution, *c.* 11.	Reſtitution to be made by the Juſtices on Conviction at Suit of Party robbed.
Sanctuary, 22 *H.*8. *c.*14	Perſons abjured ſhall elect Sanctuary, and if taken out hanged.
§. 2.	If they that take Sanctuary after commit Pety Treaſon, *&c.* hanged.
Breaking priſon, 23 *H.*8. *c.*11.	Clerk breaking Priſon of Ordinary, is Felony, without Clergy.
Juror, *c.* 13.	Any that have forty pounds Goods, may try Murder in Corporation.
Manſlaughter juſtifiable, 24 *H.*8. *c.*5.	One may juſtifie killing Perſons, attempting to rob on the Ways, or to break Houſes in the Night, and forfeit nothing.
Clergy, 25 *H.*8. *c.*3.	Clergy taken away from ſuch as ſtand mute, or challenged above twenty.
§. 3.	Where Felony was in other County, yet mute, loſeth Clergy.
Buggery, *c.* 6.	Buggery with Man or Beaſt, Felony without Clergy.
Servant, 27 *H.*8. *c.*17.	Servant embezelling Goods, forty ſhillings, no Clergy.
Cheat, 33 *H.*8. *c.*1.	Gaining Mony by falſe Token, Letters in others Names, *&c.* to be Impriſoned, Pillory, *&c.* except death.
Murder, &c. *c.* 12.	Treaſon, Murder, Bloodſhed, *&c.* to be determined by the Lord, Steward or Marſhal of the Houſhold, albeit the King remove.
Kings Palace, §. 28.	Entring the Kings Palace with intent to ſteal, is Felony, though abſent.
Cheſter, *c.* 13.	There ſhall be two Head Coroners for the County of *Cheſter*, yearly choſen.
Record certified, 34 & 35 *H.* 8. *c.* 14. §. 2.	Records of Convict, Utlary, Attainder, Indictment, *&c.* of Felony, to be certified into *Ban. Reg.* and there remain Record.
§. 5.	Not to extend to *Wales*.
Burning houſe, 37 *H.*8. *c.* 6. §. 2.	Burning of Houſe or Farm death, and forfeit for life of all, *&c.*
Dower, §. 3.	Dower not to be forfeited by Attainder.
Burning Wood, cutting Dams, &c. §.4.	Burning maliciouſly Heaps or Carts of Wood, Coals, cutting Head or Dam of Ponds, *&c.* or the Tongues of Beaſts, or to cut off the Ear of any Subject, Bark, Trees, *&c.* forfeit ten pounds, and treble Damages.
Stealing Horſe, *c.* 8. §. 2.	Stealing Horſe, Gelding, Mare, Fole or Filly, death, without benefit of Clergy.
Repeal, 1 *Ed.*6. *c.* 12. §. 4.	A Repeal of all Statutes ſince 1 *H.* 8. that make Felonies that were not before.
Clergy, §. 10.	Murder, Burning, Robbery, *&c.* not to have Clergy.
Poyſoning, § 13.	Wilful poyſoning of any is Murder.
§. 18.	The Statute 27 *H.* 8. *cap.* 17. to ſtand in full force unrepealed.
Wiſne, 2 & 3 *Ed.*6. *c.*24. §. 2.	Indictment ſhall be where death is, albeit ſtroke were in another County.
Acceſſory, §. 4.	Acceſſories to be indicted where Acceſſory; whereever Principal be.
Buggery, *c.* 29.	Buggery to ſuffer death as a Felon.
Stealing Horſe, *c.* 33.	Stealing one Horſe, Mare, *&c.* ſhall not have Clergy.
Felony, 3 & 4 *Ed.*6. *c.*5.	For twelve to attempt to deſtroy Park, Pond, Conduit, Dove-houſe, or to gain a Way in anothers Ground, to pull down Houſes, Barn or Mills, or burn Stacks of Corn, to abate Rents of Lands, or Prices of Victuals, is Felony.
Houſe breaker, Clergy, 5 & 6 *Ed.* 6. *c.* 9.	Clergy taken away by 32 *H.*8. *cap.*1. from breakers of houſe, where Servant is in Precinct thereof.
§. 5.	Clergy taken away from Robbers in Booth, *&c.* if Servant be there.
Clergy, *c.* 10. §. 4.	A Confirmation of 25 *H.* 8. *cap.* 3. that takes away Clergy from Perſons indicted in one County of Robbery in another, and 1 *Ed.*6. *cap.*12. §.10. that allows it, repealed.
Felony, Premunire, 1 *Mar.* 1. *c.* 1. §. 5.	Nothing to be Felony or Premunire, but what was ſo before 1 *H.* 8.
Felony, Forfeiture, 1 *Mar. St.* 2. *c.* 12.	For twelve by force to alter Laws for Religion by Parliament, *&c.* or to continue againſt Proclamation to depart, to throw down Pales, Park, *&c.* to diminiſh Rent, or price of Victual, to raiſe Tumult by Bells, *&c.* above twelve, Wife, Servants and Aſſiſtants, is Felony, and if above two, and under twelve, to be impriſoned a year, and Copyholder or Termor to forfeit Leaſe.

Coroner ſhall put Evidence of Murder, Man-ſlaughter or Acceſſory, in Writing, what is material, and bind ſuch proof to Gaol-delivery, to give Evidence.	**Evidence in** 1 & 2 *Ph.&* §. 5.
Juſtice of Peace ſhall take Examination of Manſlaughter and Felony and bind material Witneſs to proſecute, *&c.* as well where he commits, as where he Bails.	**Juſtice of Pea** *Ph.* & *Mar.*
A River of 21 *H.* 8. *cap.* 7. repealed by the general words of 1 *Mar. cap.*1. to continue for ever.	**Reviver,** 5 *El*
Reviver 25 *H.*8. *cap.*6. of Buggery, being repealed by 1 *Mar. cap.*1. §.5.	**Buggery,** *c.*
Clergy taken away from Cut-purſe, or taker from Perſon of a Man.	**Clergy,** 8 *El. c.*
Allowance of Clergy bars not Indictment of former Offence, for which its not allowable.	§. 4.
By words or writing adviſedly to expreſs, withholding Caſtle, *&c.* where the Queens Souldiers are, Felony, *&c.*	**Felony,** 14 *El*
No Clergy to Rape or Burglary, confeſs Utlaw, or found Guilty.	**Rape, Burgla** *c.* 7.
On Allowance of Clergy to be diſmiſt on burning in the Hand.	**Clergy,** §. 2.
Juſtices may retain in Priſon after Clergy, for Correction.	§. 3.
Clerk convict to anſwer all former Felonies not pardoned, *&c.*	§. 5.
Inhabitants where default of freſh Suit is, ſhall anſwer moiety of what is recovered againſt Hundred where Robberies was.	**Hundred,** 27 §. 2.
Acceſſories before and after Horſe-ſtealing, not to have Clergy.	**Acceſſory,** 31 *El*
Clergy taken away from Takers of five ſhillings out of dwelling-houſe in the day.	**Clergy,** 39 *El*
Felony without Clergy to take out of County, or reſtrain any within, till Ranſom paid.	43 *El. c.* 13.
Clergy taken away from Stabber of him that ſtrikes not firſt, nor hath Weapon drawn.	1 *Jac. c.* 8.
Not to extend to *ſe defendendo*, miſadventure, nor other manner.	§. 3.
Offences Capital commit in *Holland*, to be tryed there, if Offender be taken North of *Tyne*.	Holland, 7 *Ja*
Women to be burnt in the Hand (T) where Men have Clergy.	**Women, Cler** *c.* 6.
Fines, Recovery, Deed inrolled, Statute, Recognizance, Bail or Judgment in anothers name not privy, is Felony.	**Perſonating,**
Concealing death of Baſtard, is Murder, unleſs one Witneſs prove it born dead.	**Baſtard, Mur**
Tranſporting Sheep, Wool, Yarn, Fullers Earth, *&c.* Felony.	**Wool, Fullers** &c. 14 *Car.*
For five years Seſſions may charge *Northumberland* and *Cumberland* with Tax againſt Moſs Troopers.	**Moſs Trooper,**
Northumberland not to be charged above five hundred pounds *per annum*, and thirty Men to raiſe on occaſion.	Northumberland
Seſſions may appoint Collectors, *&c.* Treaſurer, *&c.*	§. 4
Corruption or neglect in Border, Service, diſabled, fined and impriſoned.	§. 5.
Seſſions may moderate Charge.	§. 6.
To continue but five years.	§. 7.
A Reviver of 4 *Jac. cap.* 1. and 7 *Jac. cap.* 1.	**Reviver,** §. 8.
The Reverſal of the Attainder of *Tho.* Earl of *Strafford* and recital of the Treaſon.	Strafford, *c.*29.
Clergy taken away from Stealers of Cloth, *&c.* off the Rack, and from Imbezellers of Stores, *contra* to 31 *Eliz. cap.* 4.	**Cloth,** 22 *Car.*
Baniſhment of Sir *Thomas Sands*, &c. Noſe-Cutters, unleſs appear by a day.	**Noſe-Cutters,** 22 & 23 *Car.*
Return after Baniſhment, to be attainder of Felony.	§. 4
Sir *Thomas Sands*, &c. not pardonable but by Parliament.	§. 5.
Attainder to be no Corruption of Blood, loſs of Dower, *&c.*	§. 8.
In the Night deſtroying Stacks of Hay, Corn, *&c.* burning Barns or killing Cattel, to be Felony.	**Burning Barn** §. 2.
No Attainder to corrupt Blood, §. 4. Judges may Tranſport party convict.	§. 3.
Maiming of Cattel in the Night, or deſtroying Plants, Trees, Incloſures, *&c.* treble Damages.	§. 5.
Any three Juſtices by Oath of twelve, to enquire and Convict.	§. 6.
None to be doubly puniſht.	§. 7.
Crimes and Offences during late *Inter-regnum* puniſhable.	**Offenders** in inte 1 *W.* & *M. ſeſ.*
Cruel and unuſual Puniſhments not to be inflicted.	**Puniſhments,** *ſeſ*
Robbing Perſon, taking away Goods in Dwelling-Houſe, any therein put in fear; robbing Dwelling-Houſe in day-time, any therein, and Acceſſories to thoſe Offences, or to breaking Dwelling-Houſe, *&c.* in day-time, and taking away any Goods to the value of 5 *s.* although	**Robbing, break** **Dwelling-hou** **& Acceſſories** **to, and to Bur** 3 & 4 *W.* & *M.*

none

	none therein and Acceſſories to Burglary, Convict, &c. ſtanding mute not anſwering directly or challenging above twenty ouſted of Clergy.
nding mute, not ſwering directly, hallenging, §. 3,	Perſons convict of Offence, for which Clergy was tolled by former Statute, ouſted of Clergy in Caſe of ſtanding mute, not anſwering directly, or challenging above twenty.
ns in another ounty, §. 4.	Felons of Goods in another County, Convict, ſtanding mute, not anſwering directly, or challenging above twenty, excluded from Clergy, where if Convict in proper County Clergy was tolled.
ing, &c. **ſtolen oods**, §. 5.	Buyers and Receivers of ſtoln Goods (knowing them to be ſuch) made Acceſſories after the Fact.
ger imbezelling oods, §. 6.	Lodgers imbezeling, &c. Goods they were to uſe in their Lodging to ſuffer as Felons.
ning Women in and, §. 7.	In Felonies where Men may have Clergy, Women to be burnt in the hand.
ifying Indict= ent, Conviction, lergy, Stat. §. 8.	Clerks of Crown Peace, or Aſſize to certifie to Judg Indictment, and Conviction, and Allowance of Clergy, or Stat. &c. where the Offender ſhall be again indicted for Offence in another County.
onating Bail, &c. & 5 *W.* & *M.c.*4.§.4.	Perſonating Bail before Commiſſioners in the Country Felony.
ard to Apprehen= , & Proſecutor of ghway=man, *c.* 8.	Apprehender and Proſecutor of Highway-Man to have 40 *l.* reward paid by Sheriff or his Succeſſor on Judges Certificate of Conviction and taking, and Diſpute on Judges Certificate about the ſame determinable by the Judge certifying.
go to Executor or miniſtrator of ſon killed, §. 3.	Executors or Adminiſtrators of perſons killed in apprehending or purſuing upon Certificate of Judge or Juſtices of Peace of the killing, to have the Reward.
wance to Sheriff, 4	Sheriffs, their Executors, &c. upon producing Certificates and Receipts to be allowed on Account Mony diſburſed (except Penalty.)
ayment of She= f, §. 5.	If Sheriff hath not ſufficient in his Hands to reimburſe himſelf then, to be repaid out of the Revenue upon Clerk of Pipes Certificate.
ers Goods, §. 6.	Apprehender, Proſecutor and Convictor ſhall have the Robbers Goods taken with him, if not ſtoln.
r diſcovering, 7.	Robber diſcovering other Robbers, ſo as they be convicted ſhall be pardoned Robberies before the Diſcovery, which alſo ſhall bar an Appeal.
ts, &c. **of Fe= s Goods**, *c.* 22.	None compellable to plead Grants or Conveyances of Felons Goods, &c. inrolled and allowed in Kings Bench to Coroners Inqueſt.
ng Proceſs a= nſt Grantees, §.2. §. 3.	Clerk of Crown iſſuing Proceſs againſt Grantees after Inrolment forfeits 5 *l.* but may againſt thoſe whoſe Titles are not inrolled nor pleaded.
amation on an igent, §. 4.	Upon an Exigent in Criminal Caſes ſhall iſſue a Proclamation according to 31 *Eliz. cap.* 3. to be delivered three Months before Return.
inuance, §. 5.	To continue for three years and to end of the next Seſſion.
fit of Stat. &c. 4. §. 13.	Women to have benefit of Stat. of laſt Seſſion but once, where a Man might have Clergy oftner, to continue for three years.
inuance. 6 *W.* & *M. c.* 13.	Reapeal of 10 *Ed.* 3. *cap.* 3. Provided that upon Pardon pleaded, Judges may remand perſons till Security given for their good abearing for ſeven years.
ce determinable B.R. &c. *c.* 25.	Offences againſt 13 *Car.* 2. *cap.* 9. determinable in the Kings Bench, or before Juſtices of Oyer and Terminer.
e out of the alm, §. 2.	Offences committed out of the Realm, may be alledged in County within the Realm.
tryed twice, §. 3.	None ſhall be tryed both in Kings Bench and Court Martial for ſame Offence.
ber, 6 & 7 *W.* 3. 4. §. 1.	Makes perpetual 3 & 4 *W.* & *M. cap.* 9. and 4 & 5 *W.* & *M. cap.* 24. §. 13.

Corporation.

Guilds, Societies, Fraternities, By-Laws, Toll.

men, 9 *H.* 3. *c.* 1. *gna Charta.*	Grant by the King for him and his Heirs, to all the Freemen, and the Realm, and their Heirs.
on, &c. *c.* 9.	The City of *London*, and all other Cities, Burroughs, Towns and the Cinque-Ports, ſhall have their Liberties and Cuſtoms as of old.
arance, Amerci= ent, 52 *H.* 3. *c.* 24. *llo.*	Townſhip ſhall not be amerced, becauſe all of twelve years old appear not, if there be a full Enqueſt in Circuit, unleſs on death of a Man.
eſſor, Treſpaſs, 8.	Succeſſor of Abbot or Prelate may renew Treſpaſs begun by Predeceſſor, or have Treſpaſs of late violent taking Goods from Church of Predeceſſor, or of Entry in Vacation.
orth, 51 *H.* 3.	An Award by Statute between the King, Noblemen and Commons at *Kenelworth*.
Elections, 3 *Ed.* 1. *W.* 1.	None by Arms or Malice to diſturb free Elections.

No City, Burrough, Town, nor any Man, ſhall not be amerced but for reaſonable Cauſe according to Treſpaſs by Peers.	**Amerced by Peers**, 3 *Ed.* 1. *c.* 6. *W.* 1.
No Foreigner ſhall be diſtrained in City, Burrough, Town, Market, nor Fair, for Debt he oweth not, as Debtor or Pledge.	**Diſtreſs**, *c.* 23.
Forfeit Market by outragious Toll and Murage, to incloſe the Town, by taking more then due.	**Outragious Toll** *c.* 31.
Attachment of Foreigner paſſing through inferiour Juriſdictions, for Contract *Dehors*, ſhall pay double Damages.	**Juriſdiction**, *c.* 35.
No perſons Religious or other, ſhall by Craft or colour of Title, purchaſe in Mortmain, whereby Fees and Services, provided for defence of the Realm, are wrongfully with-drawn.	**Mortmain**, 7 *Ed.* 1. *p.* 33.
No Feoffment in Fee ſhall be made, whereby Lands ſhall come unto Mortmain.	18 *Ed.* 1. *c.* 3. *Qu. Empt.*
Elections in Vacancies in Church to be free.	**Elections free**, 9 *Ed.* 2. *c.* 14. *Artic. Cleri.*
No Officer in City or Burrough ſhall during his Office Merchandize for Wine or Victual, while ſuch in Groſs, or by Retail.	**Officer**, 12 *Ed.* 2. *c.* 6. *York.*
Attaint ſhall be taken by the Sheriff of Foreigners in County, on a falſe Verdict in *Lincoln*.	**Attaint**, 13 *R.* 2. *c.* 18.
Mayors, Bailiffs, and Commonalty of Cities, Burroughs, and Towns, and all other Guilds, Fraternities, and Corporations Spiritual or Temporal, that take Profits on Feoffment to other perſons, is Mortmain.	**Mortmain**, 15 *R.* 2. *c.* 5.
Mayors, Sheriffs and Bailiffs to enquire of Deceits in making Arrow Heads, and Quarrels.	**Arrow=heads**, 7 *H.* 4. *c.* 7.
No Congregation or Company ſhall make Liveries, or Cloaths or Hats.	**Liveries**, *c.* 14.
Since *Lincoln* altered from Bailiffs to Sheriffs, and made a County, with certain Precinct, Attaints ſhall not be in County or City, but to the Sheriff of the County at large.	**Attaint**, 3 *H.* 5. *St.* 2. *c.* 5.
Writs by the Wardens of *Rocheſter* Bridge, ſhall not abate by death or removal.	Rocheſter, 9 *H.* 5. *c.* 12.
Of Maſters and Brethren of St. *Leonards* in *York*, enabled to ſue for a Thrave of Corn of every Plow, to be gathered at St. *Martins*.	York, 2 *H.* 6. *c.* 2.
They who cauſe Chapters and Congregations of Maſons, to avoid the Statutes of Labourers, are Felons, they that aſſemble, fined and impriſoned, and ranſomed.	**Maſons**, 3 *H.* 6. *c.* 1.
Inhabitants of *Tewksbury* enabled to ſue Foreſt of *Dean*, and other Hundreds, on Stat. of *Winch.* for Robbery on the *Severn*.	Tewksbury **Hundred**, 8 *H.* 6. *c.* 27.
A Reſtraint of unlawful Orders made by Maſters of Guilds, Fraternities, and other Companies.	**Unlawful Orders**, 15 *H.* 6. *c.* 6.
Four Wardens of Worſtead-weavers of *Norwich* choſen yearly.	**Worſtead=Weavers**, 20 *H.* 6. *c.* 10.
All Patents to Citizens of *York* to be exempted of Offices, &c. forfeit forty ſhillings.	York, 29 *H.* 6. *c.* 3.
The four Wardens of Worſted Craft to be ſworn the Munday after *Corpus Chriſti*, before Mayor or Steward of *Norwich* yearly.	**Worſtead Craft**, 7 *Ed.* 4. *c.* 1.
The Search and Survey of Ale, Beer, Wine or Victual, belongs to them, Leet or Franchiſe, and Patent of ſuch Office void.	**Search of Ale**, &c. 12 *Ed.* 4. *c.* 8.
Mayors, &c. to ſearch packing of Fiſh by diſcreet perſon named daily, &c.	**Search Fiſh**, 22 *Ed.* 4. *c.* 2. §. 5.
The Fraternity of *London* ſhall not exact on Merchants at any Mart in *Brabant*, above ten Marks by By-Laws.	London, 12 *H.* 7. *c.* 6.
Mayor, &c. to appoint Gaugers, Searchers, Packers, &c. of Fiſh, Fee 1 *d.* Barrel.	**Search Fiſh**, 11 *H.* 7. *c.* 23.
Shall make no By-Laws, not ſue to the King, or in diminution of Prerogative or Common profit of the People, but as approved by Chancellor, Treaſurer and Chief Juſtices, or three of them.	**By=Law**, 19 *H.* 7. *c.* 7.
Of Worſted-Weavers in *Yarmouth* and *Lyn*.	**Worſtead=Weavers**, 14 & 15 *H.* 8. *c.* 3.
Of Phyſicians confirmed with power to have eight Elects, and out of them a Preſident yearly.	**Phyſicians**, *c.* 5.
Preſident and three Elects to approve all over *England*.	§. 3.
Of *Newcaſtle* may pull down Wears, Gores and Engines on the *Tyne*, between *Sparhawk* and *Hedwin* Streams.	Newcaſtle, 21 *H.* 8. *c.* 18.
Shall take of Apprentice but two ſhillings ſix pence at Entry, and two ſhillings four pence, when out of his time.	**Apprentice**, 22 *H.* 8. *c.* 4.
Shall ſet up Tables of Cuſtoms, Tolls, Duties, Sums of Mony, and Wares, and Merchandize, for which, &c. on forfeit of forty ſhillings.	**Table of Duties**, *c.* 8. §. 2.
To uſe of any Guild, Fraternity, Brotherhood or Company not incorporate, for above twenty years, is Mortmain.	**Mortmain**, 23 *H.* 8. *c.* 10.
Mayors, &c. to aſſeſs Prices, Barrel, Kilderkin, Ferkin, &c. of Ale, &c.	**Price of Ale**, 23 *H.* 8. *c.* 4. §. 5.
Any that have forty pounds Goods may try Murder there, &c.	**Juror**, *c.* 13.
Of *Nottingham* and other Towns, to have decayed, and void places not rebuilt by the Owners in three years, &c.	Nottingham, 27 *H.* 8. *c.* 1.
A Reſtraint of Exactions by the Mayor, &c. of *Hull*.	Hull, *c.* 3.

By-

By-Law, 28 *H.* 8. *c.*5.	By-Law not to exerciſe Trade without Licence of the Craft, void, and to forfeit forty pounds.
Knights of St. John, 32 *H.* 8. *c.* 34.	The Diſſolution of the Fryers or Knights of St. *Johns* of *Jeruſalem* in *England* and *Ireland*.
Wives Leaſe, *c.* 28. §. 7.	Reſtrains Wife to make Leaſes, *&c.* by Deed inrol in Corporation, but 34 *H.* 8. *cap.* 22. ſets her free.
Phyſicians, *c.* 40.	Phyſicians, *&c.* ſhall be diſcharged of Watch and Ward in *London* and Suburbs.
§. 2.	Shall yearly chooſe four ſworn to ſeach Apothecaries, and defective Ware to forfeit five pounds, and Refuſer to ſwear or ſearch, forty ſhillings.
§. 3.	Phyſician may uſe Surgery.
Barber-Surgeon, *c.*42.	The Barbers and Surgeons unite into one Corporation of Barber-Surgeons.
§. 2.	They may without Suit to the King, take four Bodies of perſons condemned for Felony to diſſect.
§. 3.	None uſing Barbery or Shaving to uſe Surgery, only Tooth-drawing, nor Surgeon Barbery or Shaving.
§. 4.	No Barber in *London*, but to be Freeman of this Company.
§. 5.	Four Wardens, two Surgeons, two Barbers to overſee and ſearch.
Majority, 33 *H.* 8. *c.*27.	Aſſent, Election, Grant or Leaſe by Majority, good againſt negative voice or diſſent of Minority, by By-law and Oath *Contra*, void.
Phyſician, Surgeon, 34 & 35 *H.* 8. *c.* 8.	Of Phyſicians and Surgeons by 3 *H.* 8. *cap.* 11. to practiſe ſole within ſeven Miles of *London*, is not to exclude any Subject from applying known Remedy in either at their pleaſure to any other.
Canterbury, *c.* 18.	A Confirmation of Liberties of *Canterbury* to be reſumed, on cauſe that none uſe Shop or Myſtery there without Licence of Mayor, *&c.*
Deed inrolled, *c.* 22.	Deeds inrolled to be of the ſame force as before 32 *H.* 8. *cap.* 28. §. 7.
Cambridge, *c.* 24.	Of two Knights and Sheriffs of *Cambridge*, to have ten pounds *per annum*, out of Lands aſſured to *Hind*, in diſcharge of County Wages.
Scarborough, 37 *H.* 8. *c.* 14.	Of two Keepers of the Peer, or Key of *Scarborough*.
Fee-farms, 2 & 3 *Ed.* 6. *c.* 5.	Fee-Farms to ceaſe for three years, and beſtowed in Walls, Bridges, and ſetting Poor on work.
Diſſolved, *c.* 15. §. 2.	Diſſolved by Conſpiracy to ſell at certain Prices, to work but in one ſort.
Maſons, Carpenters, &c. §. 4.	Cannot on forfeit of five pounds interrupt Maſons. Capenters, Plummers, Glaſiers, *&c.* from working with Followers, though no Freeman nor Inhabitants.
Repeal, 3 & 4 *Ed.* 6. *c.* 20. §. 3.	Repeals 2 and 3 *Ed.* 6. *cap.* 15. §. 4. at inſtance of City of *London*.
Norwich, 5 & 6 *Ed.* 6. *c.* 24. §. 3.	None to uſe Felt-making, *&c.* in *Norfolk*, but in *Norwich*, and Towns Corporate.
Phyſicians, 1 *Mar.* *St.* 2. *c.* 9.	A Confirmation of 14 and 15 *H.* 8. *cap.* 5. and §. 4. That Colledge of Phyſicians may commit Offenders.
Grocers, §. 5.	The Warden of Grocers to view with Searchers, according to 32 *H.* 8. *cap.*40. and Reſiſters forfeit ten pounds.
§. 6.	Juſtices, Mayors, Sheriff, *&c.* to aſſiſt.
Retailer, Forfeiture, 1 & 2 *Ph.* & *Mar.* *c.* 7.	Inhabitants out of City, Burrough, *&c.* ſhall not retail Woollen Cloth, Linen, Haberdaſh Wares, Grocery, or Mercery, at or within any City, *&c.* or Market Town, except in Fairs, on forfeit of Wares, and ſix ſhillings eight pence.
§. 3.	Not to prejudice Wholeſale in Groſs, *&c.*
§. 4.	When any Inhabitant in the Country is made free of City, *&c.* he may retail.
§. 5.	All may retail Wares of their own making, in City, *&c.*
§. 6.	Not to prejudice the Univerſities.
Norwich, *c.* 14. §. 2.	Of four Wardens out of Mayor, *&c.* of *Norwich*, for *Norwich* Sattins, *&c.*
Watermen, London, 2 & 3 *Ph.* & *Mar.* *c.*16. §. 3.	Of Overſeers of the Watermen between *Graveſend* and *Windſor*, to be eight Water-men choſen by Mayor of *London* next Court after 1. *March* yearly.
Commiſſion of Peace, *c.* 18.	Later Commiſſion of Peace for the County, *&c* ſhall not repeal former to Corporation that is no County, *&c.*
Tillage, 4 & 5 *Ph.* & *Mar.* *c.* 3. §. 31.	Decay of Cities, *&c.* and of Tillage, by Clothiers, *&c.* withdrawing out of Corporation into the County, and ingroſſing Farms.
Soap, &c. 8. *Eliz.* *c.* 9.	A Repeal of 23 *H.* 8. *cap.* 4. §. 5. and that Mayor, *&c.* ſet prices of Barrel, *&c.* of all Soap, *&c.*
Rocheſter **Bridge**, 18 *Eliz.* *c.* 7.	Of Wardens and Commonalty of *Rocheſter* Bridge, to meet at *Eaſter* yearly, and other Leaſes and Terriers of Lands Contributory.
Erected by Deviſe, &c. 39 *Eliz.* *c.* 5.	May be erected by Deviſe or Conveyance to Hoſpital, *Meaſon de Dieu*, or Houſes of Correction.
§. 4.	Muſt be of ten pounds *per annum*.
§. 5.	Shall not transfer, nor alter Intereſt, *&c.*
Fiſh, *c.* 10. §. 6.	Reſtraining buying of Fiſh, void.

Only Mayor, *&c.* to reſtrain exceſſive Malt-making in the Town, *&c.*	**Malt**, *c.* 16. §. 2.
Mayor, *&c.* to enquire of Cordwainers, Curriers, Tanners, Leather, *&c.*	**Cordwainer**, &c. *c.* 22. §. 50.
A Confirmation of Patent and Franchiſe to Mayor of *Berwick*.	Berwick, *c.* 28.
Of Merchants trading into the Dominions of *Spain*, *Portugal* or *France*, not to hinder, but all Subjects may trade thither.	**Merchants**, 3 *Jac.*
Of Grammar School of *Northleech* in *Glouceſter*.	Northleech, 4 *Jac.* *c.*
Queens Colledge in *Oxford* to viſit and preſent, *&c.*	§. 3.
Juſtice of Aſſize, on Default of Colledge a Month, may preſent.	§. 4.
The Orders of the Colledge, to be the Laws of the School.	§. 7.
Juſtice of Aſſize to decide Difference between Colledge and the School.	§. 8.
Queens Colledge to have the Vicarage of *Chedworth*.	Chedworth, §. 9.
Rents under fifty pounds *per annum*, to be twenty ſhillings eight pence at leaſt quarterly, by aſſent of the Colledge.	**Rents**, §. 10.
Only one Leaſe of Parſonage, *&c.* and that for three Lives, or one and twenty years, to repay *Weſtwood*'s Son one hundred and ſixty pounds for Nomination, and after to be only during Reſidence, *&c.*	**Leaſe of Parſon** §. 11.
Not to defeat former Leaſe, or Charge, *&c.*	§. 12.
Saving Rights of King and Strangers; other than Founders, *&c.*	§. 13.
The Merchant Adventurers of *Exceſter*, not diſſolved by the general words of 3 *Jac.* *cap.* 6.	Exceſter, *c.* 9. §.
A Confirmation of Charter of *H.* 6. to *Southampton*, as to trading there.	Southampton, *c.*
That none buy or ſell Merchandize, (except Salt or Sea-fiſh) unleſs free there.	§. 3.
Private perſons may buy for their own Houſes.	§. 4
Perſons may ſell at Fairs, or on Board of Ship.	§. 5.
Not to extend to Barons, or Freemen of Cinque Ports.	§. 6.
Chelſey Colledge founded by King *James* for defence of Religion.	Chelſey-**College**, *c.* 9.
Monopolies, Commiſſions, Grants, *&c.* to Perſons or Corporation, for ſole Buying, Licenſing, Compounding, *&c.* is againſt Law.	**Monopolies**, 21 *c.* 3.
Not to prejudice *London* or Town Corporated.	London, *&c.* §.
The Cutlers in *Hallamſhire* in *York*, made ſo.	Hallamſhire, *c.* 31
Confirmation of Priviledges granted by Queen *Elizabeth*, to Governours of *Dutch Bay Hall* in *Colcheſter*.	Colcheſter, 15 *Car.* *c.* 22.
They may make By-Law. §. 7. Not in diminution of Prerogative, or Laws to be uſed, till approved by Lord Chancellor, *&c.*	**By-Law**, §. 6.
To prevent Queſtions of Election, and for Succeſſion, affected to the Crown.	**Crown**, 13 *Car.* *c.* 1.
Commiſſions before 20 *Febr.* to be iſſued, and the King to name.	**Commiſſions**, §.
No Charter to be avoided for any thing done or omitted before the firſt day of this Parliament.	**Charter**, §. 3.
All Mayors, *&c.* 24 *Decemb.* 1661. when required by three Commiſſioners, ſhall §. 5. ſwear, and §. 6. ſubſcribe Declaration againſt the League and Covenant.	**League and Co** §. 4.
Refuſers to be *ipſo facto* removed, and Office void, as if dead.	§. 7.
Any five Commiſſioners by Warrant under Seal, may remove Subſcriber, *&c.*	§. 8.
Any five Commiſſioners may reſtore thoſe unduly removed, chooſe new, taking Oaths.	§. 9.
Any three Commiſſioners, during Commiſſioner, to give Oath, and after according to Charter, *&c.*	§. 10.
Commiſſioners to cauſe Entries, *&c.* delivered to to Town-Clerks, *&c.*	§. 11.
None to be choſen hereafter, that hath not within a year before taken the Sacrament.	§. 12.
Perſons placed by this Act to take Oath as Members of Corporation.	§. 13.
Power of Commiſſioners to continue until 25 *March*, 16673.	§. 14.
Commiſſioners, *&c.* may plead general Iſſue, and have treble Coſts.	§. 15.
Not to prejudice Reverſion of Officers in *London*, *&c.*	§. 16.
Cf Worſted Weavers of *Norwich* to be twelve Wardens, and thirty two Aſſiſtants ſworn.	Norwich, 14 *Car.*
Wardens of *Norwich* to give perſonal Notice to Wardens of *Norfolk*, when By-Laws made.	§. 6.
Preſident and fifty two Aſſiſtants of Work-houſe for Poor in *London* and *Middleſex*.	London **Poor**, *c.* 12
The Maſter, Wardens, Aſſiſtants and Commonalty of Silk Throwſters ſo made, 5 *Car.* 1.	**Silk Throwſters** §. 15.
Of all the Juſtices of Peace of *Weſt Riding* of *Yorkſhire*, two Maſters, ten Wardens, twelve Aſſiſtants of ableſt Clothiers, ſeven years Apprentice, one Maſter, five Wardens, and ſix Aſſiſtants to be choſen yearly, Monday after *Pentecoſt*.	York **Clothiers**

Perſons

2. c 2. §. 2. Perſons pretending Holy Orders, reſtrain to come within five Miles, unleſs he take Oath not to alter Government, *&c.*

3 *Car.* 2. *c.* 8. §. 2. Of *Kidderminſter* Stuffs, to be yearly choſe a Preſident, four Wardens, eight Aſſiſtants ſworn.

, 2 *W.* & *M.* . *c.* 8. Judgment in Trinity Term 35 *Car.* 2. againſt Charter of *London* and Proceedings thereupon, illegal and void, and the ſame reverſed ; the City reincorporated and reſtored to its Rights. *Vid. tit.* London.

of Eng. 5 & 6 *M. c.* 20. §. 20. Corporation of the Bank of *England* to be erected, *Vid. tit.* Taxes.

Corpus cum Cauſa, ſee *Certiorari.*

Coſts.

Diſſeiſor, &c. 1. *c.* 1. *Glouc.* Of the Writ ſhall be given as well as Damages, for Iſſues of the Land on Recovery againſt Diſſeiſor, Surrender, *&c.* on his own Act

rror, 3 *H.* 7. *c.* 10. On Affirmation of Judgment, or Diſcontinuance of Error by default of Party, and that he that ſued it be Nonſuit, ſhall be paid.

. *c.* 20. A Confirmation of 3 *H.* 7. *cap.* 10. of Delays in Error.

Covenant, De- , &c. 23 *H.* 8. Defendant in Action *ſur Stat.* 5 *R.* 2. *c.* 7. Debt or Covenant, on Specialty or Contract, in Detinue of Plaintiffs Goods, in Account, as Bailiff or Receiver, and in Action *ſur* Caſe, or on Stat. for perſonal *Tort*, ſhall on Nonſuit or Verdict, have the ſame Proceſs for Coſts againſt Plaintiff, as Plaintiff, elſe hath againſt Defendant.

§. 2. *Pauper* to ſuffer Corporal puniſhment.

to the King, 8. *c.* 8. None ſhall be paid where Plaintiff is but nominated in Obligation or Contract to the Kings uſe.

, &c. 7 *H.* 8. *c.* 4. He that makes Avowry or Conuſance, or Juſtification for Rent, *&c.* ſhall have Damages and Coſts.

c. 19. §. 3. If Avowry, Juſtification, or Conuſance, be found for Defendant, or Plaintiff be Nonſuit, or otherwiſe barr'd, Avowants to have Damages and Coſts, as if Plaintiff, *&c.*

Coſts, 33 *H.* 8. §. 6. The King ſhall have Coſts and Damages as other perſons, in Debt, *&c.*

Suit, 8 *Eliz.* Treble with Damages, Charges and ſix Months Impriſonment, on falſe Suit in anothers Name.

§. 5. Debt againſt Executors for Coſts and Damages recovered againſt the Teſtator.

Informer, *c.* 5. §. 3. And Damages ſhall be paid by Informer on Nonſuit, *&c.*

under 40 s. *c.* 6. §. 2. Shall be no more than Damages under forty ſhillings unleſs, for Intereſt of Lands, Title or Battery.

fendant, 4 *Jac.* A Confirmation of 23 *H.* 8 *cap.* 15. of Coſts *pro* Defendant.

§. 2. Defendant to have Coſts in Treſpaſs, Ejectment, or any Action where Plaintiff or Defendant might have them.

nder, 21 *Jac.* §. 6. Shall be no more than Damages on Verdict under forty ſhilling, in Slander.

17 *Car.* 1 *c.* 15. §. 5 Coſts ſhall be allowed in Stannary Courts.

mmiſſioners, . 2. *St.* 2. §. 15. Treble to Commiſſioners for Corporation on Suit againſt them.

. 2. §. 10. Defendant on Affirmance of Judgment in Error, to pay double Coſts.

of Hearth, 13 *Car.* 2. *c.* 10. §. 14. Treble on hint of Officer of Hearth-Mony Cauſeleſs, *&c.*

peal, 15 *Car.* 2. §. 19. Double in Appeal to Seſſions againſt Judgment of Commiſſioners of Exciſe.

under 40 s. 23 *Car.* 2. *c.* 9. For making 43 *Eliz.* 6. *cap.* 3. §. 2. effectual in Treſpaſs, and other perſonal Actions found under forty ſhillings, no more Coſts than Damages, unleſs certified that the Aſſault and Battery was proved, or that Title was in Queſtion.

in late Revo- , 1 *W.* & *M.* *c.* 8. Double Coſts given againſt Plaintiff, in Action, or Proſecution for things done in late Revolution, for their Majeſties, or the Governments Service.

Fine, 5 & 6 & *M. c.* 12. Plaintiff to pay 6 *s.* 8 *d.* for *Capiatur* fine diſcharged, *&c.* and be allowed it in Coſts.

Cottages.

Lodgers, Inmates, Buildings, Husbandry.

of Husbandry *E.* 1. *p.* 27. §. 10. Husbandry, Inmates, Buildings, Approvement, Lodgers, enquire of, and the Service and Rent.

of Houſes, *c.* 19. Pain for decaying Houſes of Husbandry, by not laying convenient Land for Maintenance.

1. Againſt decaying Houſes of Husbandry.

. 13. §. 15. A Confirmation of 4 *H.* 7. *cap.* 19. and 7 *H.* 8. *cap.* 1.

6. *c.* 3. §. 5. Neceſſary Houſes under four Acres, that do no harm to waſte, to ſtand notwithſtanding *Merton cap.* 4. and *W.* 2. *cap.* 46.

Waſt, §. 6. The Lord of Waſte may lay open all above three Acres laid to Houſe.

31 *Eliz. c.* 7. None to erect or convert Houſe to Cottage, unleſs four Acres meaſured, as 34 *Ed.* 1. *p.* 70. *De terris menſurandis* be laid to it, on forfeit of 10 *l.*

Continuance forfeits forty ſhillings a Month, while upheld. §. 2.

No Inmates, nor more Families than one, on forfeit of ten ſhillings to Leet by Owner for every Month. **Inmates,** §. 3.

Juſtice of Aſſize, and Seſſions, and Leet, to award Execution by *Elegit, Capias, Fi fa.* &c. Elegit, Capias, *&c.* §. 4.

Not to extend to Habitation in City, Corporation, or ancient Market Town, *&c.* or for Miners, *&c.* not a Mile diſtant. **Exception,** §. 5.

Not to extend to ſix Miles of Sea, or Navigable River, where Admiral hath Juriſdiction, nor to Foreſter, *&c.* Sheepcote, nor to Cottage, decreed by Juſtice of Aſſize or Seſſions. §. 6.

No new Buildings to be within three Miles of *London* or *Weſtminſter*, nor no Inmates, *&c* **New Building** London, 35 *Eliz. c.* 6.

A Repeal of 4 *H.* 7. *cap.* 19. and pain for decaying Houſes, ſince 1 *Eliz.* **Houſes,** 39 *Eliz. c.* 1.

Erection Lands incloſed in *Herefordſhire*, may be thrown down by the Lord. **Incloſure,** 4 *Jac. c.* 11. §. 10.

Lodgers imbezelling, *&c.* Goods uſed in their Lodgings ſuffer as Felons. **Lodger imbezelling Goods,** 3 & 4 *W.* & *M. c.* 9. §. 6.

Coverlets, ſee *Drapery.*
Coverture, ſee *Baron and Feme.*

Court-Baron.

County, Hundred, Turn.

Of Freemen ſhall not be loſt by Award of *Præcipe in Capite.* Præcipe, 9 *H.* 3. *c.* 24. *Magn. Charta.*

County is holden every Month, Turn or Hundred twice a year, after *Michaelmas* and *Eaſter.* **When held,** *c.* 35.

Freeman may do Suit by Attorny to the County, Tything, Hundred, Wapentake, or Court of the Lord. **Suit by Attorny,** 20 *H.* 3. *c.* 10. *Merton.*

Officers of Wards and Eſcheats, ſhall be found in the Sheriffs Turn. **Wards,** 51 *H.* 3. *p.* 11. §. 3. *de Scaccar.*

None ſhall diſtrain out of Fee to come to Court, by reaſon of Hundred or Bailiwick. **Diſtreſs,** 52 *H.* 3. *c.* 2. *Marlb.*

Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, nor any Religions Men or Women, nor ſuch, as have Hundreds of their own, ſhall not need come to Sheriffs Turn, unleſs ſpecially required for other Cauſe. Turns ſhall be kept as uſed by Great Charter. **Turn,** *c.* 10.

Court Baron, County, nor Hundred henceforth ſhall take no Fine for fair Pleading. **Beau Pleader,** *c.* 11.

None ſhall be ſworn to warrant Eſſoin there. **Eſſoin,** *c.* 19.

None but our Lord the King ſhall hold Plea of falſe Judgment in the Court of his Tenants. **Falſe Judgment,** *c.* 20.

Sheriff ſhall not ſuffer Barreters, Maintainers of Quarrels, nor Steward of Great Lord, if not his Attorny, to give Judgment, unleſs ſpecially required by all the Suitors. **Barreters,** &c. 3 *Ed.* 1. *c.* 33. *W.* 1.

Shall enquire of Caſtles and other Buildings, Gardens, Dovehouſes, and all other Iſſues, of the Land, and Materials. 2. Of Demean Fields, Meadow, Paſture, Acres, and Value, to Farm yearly, for what Cattle moſt fit. 3. Of foreign Paſture or Common, how many, what Cattel the Lord may have, and how let. 4. Of Parks and Woods of the Lord, what he may aſſert and improve, what Acres, what Veſture alone and Land is let for Acre yearly. 5. Of foreign Woods, what the Lord may improve, whether the Lord may give or ſell any reſidue of the Woods, and the yearly value. 6. Of the Pannage and Herbage, of the Town, of Hony and other Profits of Foreſt, Wood, Rivers, Moors, Marſh, Heath, Turbary and Waſte. 7. Of Mills, ſeveral Fiſhing and Common. 8. What Freeholders there be, what Fees they hold, by what Service, Rent, and who by Charter, who by old Tenure, who by new Feoffment, which do Suit of County, which not, and what Eſcheat after their death to Lord. 9. Of Cuſtomary Tenants, how many, what he holds, what Works and Cuſtoms, by what Rent, and which are taxt at the Lords Will. 10. Of Cottages what, and Curtilages, Rent and Service. 11. Of Pleas and Perquiſites of Counties, and Courts of Foreſts, with Lawing Dogs the value. 12. Of Churches that are of Lords Gift, what, where, and value. 13. The value of Herriots, Fairs, Markets, Eſcheats, Cuſtoms, Service, Works, Pleas and Perquiſites, Reliefs, Fines and all other Caſualties. **To enquire of,** &c. 4 *Ed.* 1. *p.* 27. §. 1. *Extent. Manerii.*

County Courts ſhall be held only from Month to Month. **When held,** 2 & 3 *E.* 6, *c.* 25. §. 2.

County Court of *Northumberland* to be at *Alnewick* Caſtle. Northumberland, §. 3.

Steward receiving Profits that belong to the Lord, forfeits forty pounds, and diſabled ever after to be Steward. **Stewards, Forfeiture,** 1 *Jac. c.* 5.

Courts.

Cognizance, Juriſdiction, Juſtices, Conſtable, and Marſhal, B. R. C. B. Chancery, Commiſſion, High-Court, Star Chamber.

Common Pleas, 9 *H.* 5. *c.* 11. *Magn. Chart.*	Common Pleas ſhall be holden in a certain place, and not follow the Court.
Juſtices of Aſſize, *c.* 12.	The Difficulties in Aſſize of *Novel Diſſeiſin*, and *Mortdanceſter*, that the Juſtices of Aſſize cannot determine, ſhall be referred to Juſtices of the Bench.
Darrein Preſentment, *c.* 13.	Aſſize of *Darrein Preſentment* ſhall always be taken and determined before Juſtices of the Bench.
Pleas of the Crown, *c.* 17.	No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bailiff, ſhall hold Pleas of the Crown.
Præcipe in Capite, *c.* 24.	Shall not be loſt to Freeman by awarding *Præcipe in Capite* of Freehold.
Sell Juſtice, *c.* 29.	Shall not ſell, deny nor defer Juſtice or Right.
County Turn, Frankpledge, *c.* 35.	The County ſhall be every Month, the Turn or Hundred twice a year, after *Eaſter* and *Michaelmas*, the View of Frankpledge yearly after St. *Michael.*
Swainmote, 9 *H.* 3. *c.* 8. *Chart. de Foreſt.*	No Swainmote but thrice a year, *viz.* In the beginning of fifteen days afore *Michaelmas*, and about the Feaſt of St. *Martin* in Winter, and in the beginning of fifteen days before St. *John Baptiſt*, but every forty days Foreſters and Verders ſhall meet to ſee Attachments, and make Preſentments of Greenhue and Hunting.
Foreſt, *c.* 16.	No Conſtable, Caſtellain or Bailiff ſhall hold Pleas of Foreſt, but Foreſter in Fee ſhall make Attachments, and preſent to Verders, and the Verders to the Juſtices.
Attorny, 20 *H.* 3. *c.* 10. *Merton.*	Freeman may do Suit by Attorny to the County, Tithing, Hundred, Wapentake, or Court of the Lord.
Cheſter, 51 *H.* 3. *p.* 11. §. 3. *de Scaccar.*	Officers and Juſtices of *Cheſter* ſhall account yearly at the profer of Exchequer Monday after *Michaelmas*, and *utas* of *Eaſter*, and Offices of Wards and Eſcheats ſhall be found in Sheriffs Turn.
Diſtreſs, 52 *H.* 3. *c.* 1. *Marlbr.*	He that diſtrains for private Injury without award of the Kings Court, ſhall pay Fine to the King, and Damage to the Party.
52 *H.* 3. *c.* 2. *Marbl.*	None ſhall diſtrain ſuch as are not of the Fee to come to his Court, by reaſon of Hundred or Bayliwick, nor out of the Fee.
Cap. 3.	He that refuſeth Delivery of Diſtreſs or Summons, Attachment or Execution of Judgment in the Kings Courts, is puniſhed as not obedient to the Law.
Magna Charta & de Foreſta, *c.* 5.	Writs againſt Offenders of the great Charter or *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench or in Eyre.
Sheriffs Turn, *c.* 10.	Archbiſhop, Biſhop, Abbots, Priors, Earls, Barons, nor any Religious Men or Women, nor ſuch as have Hundreds of their own, ſhall not need appear at Sheriffs Turn, but for other ſpecial Cauſe.
Faint Pleading, *c.* 11.	Circuits, County, Hundred nor Court Baron ſhall take no Fine henceforth for faint Pleading.
County, Hundred, &c. *c.* 19.	None ſhall in County, Hundred, Court Baron, nor other Courts, be ſworn to warrant Eſſoin.
Falſe Judgment, *c.* 20.	None but our Lord the King ſhall hold Plea of falſe Judgment in the Court of his Tenants.
Contract Dehors, 3 *E.* 1. *c.* 35. *W.* 1.	Of Inferior Liberty, arreſting Forreigner on Contract *dehors*, ſhall pay double Damages.
Kings-Bench, *c.* 46.	*Banc. Reg.* ſhall decide all Pleas determinable on the ſame day, before any new be arraigned, or commence the day after.
Sheriffs Court, 6 *E.* 1. *c.* 8. *Glouc.*	Treſpaſs ſhall be before Sheriff, not before Juſtices, unleſs Plaintiff ſwear by his Faith the Value forty ſhillings, at leaſt, and that Plaint of beating is true.
London, *c.* 14.	Amerciaments in *London*, ſhall be by two Barons of Exchequer yearly.
Exchequer, 4 *Ed.* 1. *p.* 34. §. 11. *Rutland.*	No Plea ſhall be holden or pleaded in the Exchequer unleſs it concern the King and his Miniſters.
Replevin, 13 *Ed.* 1. *c.* 2. *W.* 2.	On Replevin, Suit ſhall be removed out of County before the Juſtices, and their Defendant avow the Diſtreſs.
Secunda Superoneratione, *c.* 8.	Juſtices in *Secunda ſuperoneratione* on Admeaſurement by them give Damages, Sheriffs Eſtreat Value of the Cattel that over-charged into Exchequer.
Chancery, *c.* 24.	If Clerks in Chancery cannot agree Writs in like Caſe, they ſhall refer it to the next Parliament, by conſent of Men Learned in the Law, that there be no failer of Juſtice.
Hoſpitalers, &c. *c.* 43.	Superior ſhall anſwer Damages and Puniſhment to the King, if Hoſpitalers, Templers or other Keepers, draw Suits before them that belong to the Kings Courts.
Conſultation, 24 *Ed.* 4. *p.* 59.	On Prohibition to Spiritual Court, where no Writ lieth in Chancery to redreſs, a Conſultation ſhall be awarded to Spiritual Court.

Stewards and Marſhals ſhall hold Plea only of Treſpaſs done within the Houſe, and of Contracts by the Kings Servants in the Houſe, and not of Freehold, nor of Debt, Covenant or Contract, between the Kings People; freſh Suit and Enquiry of Felonies ſhall be by Coroner of County.	**Steward, Ma** 28 *Ed.* 1. *c.* 3. *ſuper Chart.*
No Common Pleas ſhall be holden in the Exchequer.	**Exchequer**, *c.* 4.
The Chancellor and Juſtices of *B. R.* ſhall follow him.	**Chancellor and Bench**, *c.* 5.
The Hundred ſhall be kept by able and convenient Men that have ſufficient within the County.	**Hundred**, 9 *Ed.* *Sheriffs.*
C. B. ſhall not be removed but on timely Adjournment, not to loſe Proceſs.	**Common Pleas** *c.* 11.
Errors in Marſhalſey ſhall be redreſſed in *B. R.*	**Marſhalſey**, 5 E
Enqueſt in Marſhalſey ſhall be of the People of the Country, not of the Houſhold.	10 *Ed.* 3. *c.* 2.
Error in the Marſhalſey redreſs in *B. R.*	*Cap.* 3.
Commiſſion of new Enquiries ſhall ceaſe.	**New Inq.** 15 E
The Statutes of the Juriſdiction of the Stewards and Marſhal ſhall be holden in all points.	**Steward and** **ſhal**, *c.* 7.
The Staple proceed from day to day, and hour to hour.	**Staple**, 27 *Ed.* *c.* 4.
The Kings Juſtices have no Cognizance where Staple is.	*Cap.* 5.
The Marſhal, nor any other Officer of the King ſhall not meddle in Staple.	*Cap.* 6.
The Staple hold Debt, Covenant, Treſpaſs without or within that concern the Staple, before the Mayor and Conſtables, and where one is an Alien, try *per medietatem.*	*Cap.* 8.
Error in Exchequer redreſs by Chancellor and Treaſurer, calling Juſtices.	**Error**, 31 *Ed.*
The Chancery may relieve upon any Statute Party grieved.	**Chancery**, 36 E
Conſtable and Marſhal ſhall not draw Pleas from the Common Law.	**Conſtable, Ma** 8 *R.* 2. *c.* 5.
Conſtable hath Conuſance of Deeds of Arms and War out of the Realm, but of nothing that may be tried at Common Law, but a *Superſedeas.*	13 *R.* 2. *c.* 2.
The Steward and Marſhal ſhall not exceed twelve Miles of the Kings Lodging.	**Steward, Ma** *c.* 3.
No Appeal to be made or purſued in Parliament.	**Appeal**, 1 *H.* 4.
Parties and their Heirs ſhall be in place till Judgments in the Kings Courts be reverſed by Error or Attaint, and not come before the King or his Council or the Parliament.	**Council, Parli** 4 *H.* 4. *c.* 23.
Eſtreats of Exchanges of Merchants ſhall be ſent every fifteen days from Chancery into Exchequer.	**Eſtreats**, 11 *H.*
In Marſhalſey Averment ſhall be, that Plaintiff or Defendant at the time of the Suit commenced, were not of the Kings Houſe againſt the Record.	**Marſhalſea**, 15 *c.* 1.
The Chancellor, Treaſurer, and Privy Seal, or two, calling a Biſhop and a Lord of the Kings Council, and two Chief Juſtices, on Bill or Information to the Chancellor, may make Proceſs againſt Maintainers, Liveries, Embracers, Retainers, Miſdemeanours in Pannels, Riots, Aſſemblies, *&c.* and to puniſh as if Convict by Order of Law.	**Chancellor, Tre Privy-Seal**, *c.* 1.
Entry of Plaints in County ſhall be in preſence of Plaintiff or Attorny, and not more than one for one Treſpaſs or Contract, on forfeit by Sheriffs, Clerks and Officers, *&c.* forty ſhillings, Juſtice of Peace to determine.	**Plaint, Cou Court**, 11 *Ed.*
Of *Suſſex* ſhall be holden at *Chicheſter* and *Lewis*, *alternis vicibus* yearly.	Suſſex, 19 *H.* 7.
The Chancellor, Treaſurer, Preſident of the Kings Council, and Privy Seal, or two calling a Biſhop, *&c.* as 3 *H.* 7. *cap.* 1. to determine in Riots.	**Chancellor, Tre** &c. 21 *H.* 8.
Action *ſur* Stat. and treble Damages on Suit in Stannery Courts, againſt ſuch as ſue Tinners, not making Ties in River to waſh Gravel.	**Stannery**, 23 *H* §. 2.
None but for Hereſie, or Probate of Will, may cite Party out of Dioceſs where he liveth.	**Hereſie, Probat**
Of Faculties given to the Archbiſhop of *Canterbury.*	**Faculties**, 25 *H* §. 3.
Within the Verge, whereever the King repoſeth, his Steward, Marſhal, Coroner, and Clerk of the Market, ſhall exerciſe Juriſdiction.	**Verge**, 27 *H.* 8. §. 12.
The Court of Augmentations of Revenues of the Crown to be a Court of Record.	**Augmentation**, §. 4.
The Kings Palace to be from *Charing Croſs* to *Weſtminſter-Hall*, the ſame of *Old Palace* in Priviledge.	**Palace**, 28 *H.* 8.
All Monaſteries, but ſuch as come to the King by Attainder of Treaſon, ſhall be in Survey, *&c.* of the Court of Augmentations.	**Augmentation**, *c.* 13. §. 4
Perſon Eccleſiaſtical or Lay, may have Writ of Aſſize, *&c.* of Tythes in the Temporal Courts, but for Detainer muſt ſue in Spiritual Court.	**Tythes**, 32 *H.* §. 7.
Of Augmentations, to order all Liberties, Priviledges and Franchiſes in Abbey-Lands, as fully as Owner had them.	**Augmentation**

§. 5.	Fines may be levied in the Court of Augmentation.
§. 6.	Deeds may be there inrolled to the Kings uſe.
ard, **Marſhal,**	The Steward, Marſhal, *&c.* to have Juriſdiction where the King reſides in any Franchiſe, *&c.*
fruits, *c.* 45.	Of Firſt-fruits and Tenths, erect of Record.
s, *c.* 46.	Erection of the Court of Wards.
ent and **Council**	Of Preſident and Council in the Weſt, as in *Wales* and the North.
e. , 33 *H.*8. *c.* 12.	Treaſon, Murder or Bloodſhed in the Verge to be determined by the Lord Steward or Marſhal, albeit the Kings Houſhold remove.
y, *c.* 39.	Of Survey of the Kings Lands to be of Record.
Debts, §. 7.	The Kings Debts that ariſe in Exchequer, *Lancaſter*, Augmentation, Survey, Wards or Firſt-fruits, to be ſued for there by *Capias*, &c. under their Seals.
§. 8.	Thoſe Courts to have power to determine ſuch Suits.
§. 9.	They may determine all Debts, Detinues, Treſpaſs, Accounts, Waſtes, Reckonings, Deceits, Negligences, Contempts, Riots, and whatever groweth by reaſon of any Cauſe or Thing within their Governance.
ntation, 37 *H.*8. §. 9.	Of Augmentations to have Rule of Chantry Lands, *&c.* hereby given to the King.
quer, §. 20.	Payments in Exchequer to continue, notwithſtanding Union in the Crown.
y, 2 & 3 *Ed.* 6.	Of County to be holden from month to month.
c. 2.	Recites 27 *H.* 8. *cap.* 27. §. 4. and 32 *H.*8. *cap.* 45 & 46. and 33 *H.* 8. *cap.* 39.
ntation, §. 2.	That the King repealed the Court of Augmentation and General Survey, and that Officers ſurrendered.
ntation by Pa- §. 3.	That *H.* 8. by Patent after erected a new Court of Augmentation.
§. 4.	Doubt whether being erected by Parliament, might be repealed by Patent.
§. 5.	The Kings Patent confirmed.
§. 6.	That the Kings Majeſty during his natural Life, by Patent may alter, unite, diſſolve or reduce any of the ſaid Courts.
§. 7.	Not to charge any Subjects with Penalties for levying the Kings Revenue, but as by Law before ſuch Patents.
§. 8.	Not to give Power to any Officer of ſuch Courts to hold Plea, but where the King is Party ſolely, ſaving Officers of Bodies Politick, *&c.*
§. 9.	Not to take away Fees, Annuities, Charges, *&c.* iſſuing out of ſuch Offices.
ntation, Firſt= , 1 *Mar.* *St.* 2.	The Queen by Patent may alter, unite, tranſpoſe, reduce, *&c.* the Courts of Augmentation of Firſt-fruits, of Wards, of General Survey, and of Dutchy of *Lancaſter*, or any two, *&c.*
§. 3.	Not to charge the Subject in other manner of Penalty than before, *&c.* as *Ed.* 6. *cap.* 2. §. 6.
§. 4.	To give no Authority to Officers, but where the Queen is ſole Party.
§. 5.	Thoſe that are annext to Exchequer, to be ordered as Court of Exchequer is.
§. 6.	Not to prejudice Annuities, Charges, *&c.*
ommiſſion , 1 *El.* *c.* 1. §. 18.	Is the Foundation of the High Commiſſion Court.
Chancellor, *c.* 18.	The Lord Keeper of the ſame Power, *&c.* as Chancellor.
ance, &c. 8 *El.*	*Banc. Reg. Marſhalſey*, *London*, &c. If Plaintiff declare not in three days after Bail or Appearance, or be Non-ſuit, he pays Damages and Coſts.
y, *c.* 5.	Definitive Sentence in Civil or Marine Cauſe on Appeal in Chancery, by Delegates nominated by the Queens half Seal to be final.
27 *El.* *c.* 8.	Error in *Ban. Reg.* was only to be redreſſed in Parliament.
uer, §. 2.	Juſtices of *Com. Ban.* and Exchequer, in Exchequer Chamber, to redreſs Error in *B. R.* 6.
§. 3.	Judgment in Exchequer Chamber not ſo final, but may ſue in Parliament after.
p. 13 *El.* *c.* 5.	No *Habeas Corpus* nor other Writ to remove Cauſe below, to be allowed after one Juror ſworn to try Iſſue, unleſs ſhewed before.
of Aſſurance,	Of Policy of Aſſurance is by Commiſſion to judge of Admiralty, the Recorder of *London*, two Doctors of Civil Law, two Common Lawyers, eight Merchants, *Quorum* five, *&c.*
§. 2.	To give Oath, Convict diſobedient, and to ſit weekly.
§. 3.	Party grieved, depoſiting the Mony decreed, *&c.* may appeal to Chancery.
§. 4.	No Commiſſioner to proceed in his own Cauſe, nor before ſworn, *&c.*
e, Report, *c.* 10.	He forfeits one Hundred pounds that takes any thing for Report or Certificate, on reference to him by Judges of *Weſtminſter*.
, *c.* 14.	For Remedy of Freemen of *Londons* Debts under forty ſhillings.

A Court of Conſcience in *London* for Debts under forty ſhillings, and Proceſs therein.	**Court of Conſcience,** 3 *Jac.* *c.* 15.
A Recital of *Magna Charta* 29. and 5 *Ed.* 3. *cap.* 9. and 15 *Ed.* 3. *cap.* 4. and 28 *Ed.* 3. *cap.* 3. and 42 *Ed.* 3. *cap.* 3. and 30 *Ed.* 3. *cap.* 15. and 3 *H.* 7. *cap.* 1. and 21 *H.* 8. *cap.* 20. and that the Judges have decreed without Authority.	17 *Car.* 1. *c.* 10.
That the Court of Star-Chamber, and all Juriſdiction, and all Statutes thereof be repealed.	**Star=chamber,** §. 3.
The like Juriſdiction in Marches, Dutchy, *Cheſter* repeal, and no Court to be erected of the like Juriſdiction.	**Marches, Dutchy,** &c.
Neither King nor Council have Juriſdiction by Bill, Petition, Articles, Libel, *&c.* Arbitrary to diſpoſe of Lands, *&c.*	**Council,** &c. §. 5.
Chancellor, *&c.* doing *contra* to this Law, forfeits five hundred pounds to party, and for offence after Judgment, forfeits one thouſand pounds, and convict again, diſabled.	**Chancellor,** §. 6.
All offending forfeit treble Damages.	§. 7.
Party impriſoned by Star-Chamber, Warrant from King or Council, to be delivered in three days after *Habeas Corpus*.	**Star=chamber,** §. 8.
To extend only to Star-Chamber, Marches, Council of the North, Dutchy and *Cheſter*, &c. and Warrants of Council-Board, or Commitments by the King.	§. 9.
Offence to be proſecuted within two years at moſt.	§. 10.
A Repeal of the High Commiſſion, 1 *Eliz.* *cap.* 1. §. 18.	**High Commiſſion,** *c.* 11 §. 3.
No new Court of like Power to be erected, but Patent void.	§. 5.
The Priviledge and Juriſdiction of Stannaries, ſhall be only in Vill, Tything or Hamlet where Tin-work is ſituate, and only while working.	**Stannaries,** *c.* 15. §. 4.
Defendant ſhall have Coſts in Stannaries, where he hath at Common Law.	§. 5.
Tinners may ſue others at Common Law at Election.	§. 6.
None to be troubled as Surety by Return or Bailiff, unleſs he ſign Note in preſence of two, of Suit, Sum and Parties Names.	§. 8.
No Defendant to be condemned by Return of Bailiff, unleſs Note in preſence of two be, *&c.*	§. 10.
Party may traverſe Return of Reſcue.	§. 11.
All Pleas, Writs, Plaints, Bills, Suits, Proceſs, *&c.* continued on the Kings Return.	**Continuance,** 12 *Car.* 2. *c.* 3.
Nothing to abate by Uſurpt Stiles before 1 *May* 1660.	**Uſurpation,** §. 13.
Books and Proceſs in Engliſh, till 1 *Auguſt* 1660. good.	§. 14.
No Fines, Recoveries, Verdicts, Judgments, Statutes, Recognizances, Decrees, *&c.* and other Proceedings in Law and Equity, to be void for want of Legal Power, *&c.*	12 *Car.* 2. *c.* 12.
Fines good without Entry of Kings Silver, or before one Judge.	§. 3.
Fines, *&c.* at *Weſtminſter*, good of Lands in County Palatine.	§. 4.
Not to confirm High Court of Juſtice.	§. 5.
Perſons charged with Treaſon for adhering to King or Parliament, reſtored, *&c.*	§. 6.
Sales by order of Parliament, not confirmed.	§. 7.
Recognizance and Sureties to uſurpt Powers by Adherers to the King, void.	§. 8.
Not to continue Juſtices, Barons, Serjeants, Commiſſioners of Sewers, *&c.* of pretended Power.	§. 9.
Perſons grieved may have Writs of Error, *&c.*	§. 10.
Non-claim to bar only Parties to Fines in uſurpt time.	§. 11.
The Stiles uſurpt and rebellious, and only named for neceſſity.	§. 12.
Indictment, Utlary, *&c.* of levying War againſt Uſurpers, void, and Attainders diſcharged.	§. 13.
Of Policy of Aſſurance of Merchants to be by ſtanding Commiſſion yearly, *&c.* to three of the *Quorum*, the firſt to be Doctor of Civil Law, or Barreſter of five years, *&c.* who may proceed againſt Witneſs, *&c.* after Oath taken before Lord Mayor only.	**Policy of Aſſurance,** 14 *Car.* 2. *c.* 23.
Cannot proceed againſt Perſon and Goods for the ſame Debt, and Appeals to be in Chancery.	§. 5.
Any three of the Judges at *Weſtminſter*, are Court of Record for Houſes burnt in *London*.	London **Fire,** 19 *Car.* 2. *c.* 2. §. 3.
Quorum of five Commiſſioners to be a Court of Record for the Rebuilding of *Northampton*.	Northampton, 27 *Car.* 2. *p.* §. 1.
The Chief Juſtice, and one Judge of any Court in *Weſtminſter*, may aſſign Commiſſioners to take *Affidavits* in the Country.	Affidavits, 29 *Car.* 2. *c.* 5. *Seſſ.* 2.
Actions, Pleas and Proceſs diſcontinued by not holding *Hillary* Term 1688. continued and revived, and other defects in proceeding at Law ſupplied.	**Proceedings in** 1688. **revived,** 1 *W.* & *M.* §. 1. *c.* 4.
Office of Chancellor or Keeper may be executed by Commiſſioners, who ſhall have place next after Peers and Speaker of Houſe of Commons, *&c.*	**Commiſſioners of Great Seal,** *c.* 21. §. 2.

Authority to one, §. 3.	One Commiſſioner may hear Motions, and give interlocutory Orders; but two to be preſent at Decrees, and affixing great Seal, *&c.*
President & Council-Court, Wales, *c.* 27. §. 2	Court of Preſident and Councel of *Wales* diſſolved.
Ecclesiastical Commissioners, *ſeſſ.* 2. *c.* 2.	Court of Commiſſioners for Eccleſiaſtical Cauſes, and all Courts of like nature illegal.
Indempnity, *c.* 8.	Indempnity for things done for bringing in their Majeſties, or for Service of the Government, and General Iſſue may be pleaded.
Proceedings in London **Courts,** 2 *W.* & *M.* *ſeſſ.* 1. *c.* 8. §. 5.	Proceedings in Courts in *London* ſince Judgment againſt the Charter in *Trinity*-Term, 25 *Car.* 2. not to be avoided for defect of illegal Authority in Officers or Miniſters.
Indempnity, *ſeſſ.* 2. *c.* 13.	Perſons acting for their Majeſties, or the Kingdoms Service in 1690. Indempnified; and Defendant may plead General Iſſue, *&c.*
Information. **Reversing, Judgment,** B. R. 4 & 5 *W.* & *M.* *c.* 18.	An Act to prevent malicious Informations in Kings Bench, and for eaſier Reverſal of Judgments there. Vide *Tit. Information* and *Outlawry.*
Indempnity, *c.* 19.	Indempnity for acting for their Majeſties Service, and defence of the Kingdom in 1692. and Defendant may plead General Iſſue, *&c.*
Judgment, *c.* 20.	An Act for better diſcovery of Judgments in Courts at *Weſtminſter.* Vide *Tit. Judgment.*
Offence ag. 13 *Car.* 2. 5 & 6 *W.* & *M. c.* 25.	Offences againſt 13 *Car.* 2. *cap* 9. to be determinable in Kings Bench.
None twice tried, §. 3.	None tried in Court Martial, ſhall for ſame Offence be again tried in Kings Bench, *& e contra.*
Continuance.	To continue for three years.
Reviver, 6 & 7 *W.* 3. *c.* 14. §. 3.	Revives 4 and 5 *W.* and *M. cap.* 20. for one year.

Counterplea of Voucher, ſee *Voucher.*
Counterfeit Letters, ſee *Colluſion.*
Couſenage, ſee *Writs.*
Covent Garden, ſee *Churches.*
County, ſee *Lieu.*
Coverlets, ſee *Drapery.*
Crown, ſee *Coron and Prerogative.*
Crows, ſee *Fowl.*
Croſs-bows, ſee *War.*
Croſſes, ſee *Mortmain.*
Cumberland, ſee *Coron.*
Cui in vita, ſee *Women.*
Currier, ſee *Trades.*
Curſing, ſee *Oath.*
Cuſtos Brevium, ſee *Fines.*
Cuſtos Rotulorum, ſee *Peace.*

Custom.

Cities, &c. to have Liberties, 9 *H.* 3. *c.* 9. *Mag. Char.*	That *London*, and all Cities, Burroughs and Towns, and Ports, ſhall have all their Liberties and Free-Cuſtoms.
2 *H.* 4. *c.* 1.	That Lords, Cities, Burroughs, and Towns, Enfranchiſe, enjoy all their Liberties and Franchiſes.
Of Glouc. **and** Kent **confirmed,** 17 *Ed.* 2. *c.* 16.	The Cuſtoms of *Glouceſter* and *Kent*, that Heirs of Perſons attainted divide after a year and a day, but not Males with Females, that Dower is of Moiety, and forfeit by Fornication, or taking another Husband, confirmed.
Void, 9 *Ed.* 3. *c.* 1.	Contrary to this Statute void, and all Charters, *&c.*
Lands disgaveled, 31 *H.* 8. *c.* 31.	The Lands of Lord *Cromwel*, Lord *Burgh*, Lord *Cobham*, Lord *Windſor*, *Thomas Chenie*, *Charles Hales*, *Thomas Willoughby*, *Anthony St. Leger*, *Edward Wotton*, *Edward Boneton*, *Roger Chomley*, *John Champners*, *John Baker*, *Reynold Scot* *John Gulford*, *Tho. Kemp*, *Edward Thwaitis*, *William Roper*, *Anthony Sands*, *Edward Iſaac*, *Percival Hart*, *Edward Momus*, *William Whetnal*, *John Fogg* and *Edmund Fetyplace*, *Thomas Hardres*, *William Waller*, *Thomas Wilford*, *Thomas Moyle*, *Thomas Herlackenden*, *Geoffry Lee*, *James Hales*, *Henry Huſſy* and *Thomas Roydon*, diſgaveled.
Oſwelbeck Soke, 32 *H* 8. *c.* 39.	Of *Oſwelbeck Soke* in *Nottingham*, to be departible between Males taken away.
Fine, &c. **by Feme bars** 34 & 35 *H.* 8. *c.* 22.	That Recovery, Fine or Deed inrolled by Baron and Feme, ſhall bind her being examined, notwithſtanding 32 *H.* 8. *cap.* 28.
Province of York, 4 & 5 *W.* & *M. c.* 2.	Cuſtom of Province of *York*, reſtraining diſpoſition of Perſonal Eſtates by Teſtament aboliſht, (except as to *York* and *Cheſter.*)

Cuſtoms, ſee *Merchants.*

Days.

Jours, Time, Computation, Anniverſary Thanks, Faſting, Humiliation, Holy-days, Sabbath.

FULL Age of Heir in Ward is twenty four, to have Inheritance reſtored.	**Age, Ward,** 9 H *Mag. Char.*
Dower ſhall be aſſigned to Widow in forty days, till then ſhe may dwell in the Manſion, if no Caſtle.	**Dower,** *c.* 7.
The King will hold Lands of Felons convicted but a year and a day, and then deliver them to the Lord of the Fee.	**Felons Lands,**
County Court ſhall be held from Month to Month, Turn or Hundred, twice a year, after *Eaſter* and *Michaelmas*, the view of Frankpledge yearly after St. *Michael.*	**County Court, Hundred,** &c.
Range ſhall be through the Foreſt as accuſtomed.	**Forest,** 9 H. 3. c *de Foreſta.*
Lawing of Dogs in Foreſt ſhall be when the Range is, *viz.* from three years to three years.	*Cap.* 6.
No gathering by Forſter, but by Oath of twelve Rangers when they Range.	*Cap.* 7.
No Swainmote but thrice a year, *viz.* in the beginning of fifteen days after *Michaelmas*, and about the Feaſt of St. *Martin* in Winter, and in the beginning of fifteen days before St. *John Baptiſt*; but every forty days the Foreſters and Verders ſhall meet to ſee Attachments and Preſentments of Greenhue and Hunting.	**Swainmote,** *c*
Nothing ſhall be taken for Hogs lying a Night in the Kings Demean and Foreſt, going to agiſt.	**Hogs,** *c* 9.
Deer-Killer ſhall Fine or be impriſoned a year and a day, and after abjure the Realm, or find Sureties.	**Deer,** *c.* 10.
Damages againſt Deforceor of Dower or Quarentine, ſhall be the value from Death of Husband to day of Recovery.	**Dower,** 20 *H.* 3. *Merton.*
Uſury ſhall not run on againſt an Enfant while within Age, yet ſo as what was due at death of Anceſtor ſhall not remain.	**Enfant, Usury**
He that withholds Ward under fourteen, ſhall loſe the value of the Marriage, and be impriſoned till fined for the Treſpaſs, and Enfant of fourteen or above, that marries himſelf *coutra* to tender by the Lord, ſhall loſe the double value.	**Ward,** *c.* 6.
If the Lord marry Enfant under fourteen to Villain or Burger, he loſeth the Wardſhip; but if above fourteen by conſent nothing.	*Ibid.*
On refuſal of Marriage tendred, the Enfant at Age ſhall pay the full value that any would give for the Marriage before the Receit of the Land.	*Cap.* 7.
Diſcent in Writs of Right ſhall be conveyed from *H.* 2. not from the time of *H.* 1.	**Writs of Right,** *c.* 8. *Merton.*
Mortdanceſter de Nativis and Entry, ſhall not paſs the laſt Return of King *John* from *Ireland* to *England.*	Mortdanceſter,
Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *H.* 3. into *Gaſcoyn.*	Novel diſſeiſin,
The additional Day wherein Leap-year falls, ſhall be accounted as one with the precedent, ſo that no default ſhall be reckoned by reaſon thereof, exceeding year and day for ſick Men to plead.	**Leap year,** 21 *De Ann. Biſſ*
Writs that come in the *Utas* of St. *Michael*, ſhall have day in Bank to the *Utas* of St. *Hillary*; ſo of *Quinzim*, and if it came in three Weeks of St. *Michael*, to *Cras Purificat.* from *Menſe Mich.* to *Utas Purificat.* from *Cras Animar.* to *Quinzim* of *Eaſter*, from *Cras Martini* to three Weeks of *Eaſter*, from *Utas Martin.* to a Month of *Eaſter*, from *Quinzim* of St. *Martin* to five Weeks of *Eaſter*, or ſpecial day to *Cras Aſcenſionis*, from *Utas* of St. *Hillary* to *Utas Trinity*, from *Quindena Hillary* to *Quindena Trinity*, or *Cras* St. *John Baptiſt*, from *Cras Purificationis* to *Cras* or *Utas* St. *John Baptiſt*, from *Utas Purificat.* in *Quindena* St. *John Baptiſt*, from 15 *Paſch.* to *Utas* of St. *Michael*, from three Weeks of *Paſch.* to 15 *Mich.* from a Month of *Paſch.* to three Weeks of *Mich.* from five Weeks of *Eaſter* or *Cras Aſcention* to Month of *Michael.* from *Utas Trinity* to *Cras Animar.* from 15 *Trinity* or *Cras* St. *John Baptiſt* to *Cras Martin*, from *Utas* of St *John* to *Utas* of St. *Martin*, from 15 St. *John Baptiſt* to 15 *Martin*, and ſo every Term ſhall anſwer to other, and 51 *H.* 3. *St.* 3. *p.* 11. the like days in a Writ of Dower.	Dies Communes *St.* 2. *p.* 10.
Sheriffs and Bailiffs ſhall pay Rents, Iſſues and Farms and Account at the profer of the Exchequer, Monday after *Michaelmas*, and the *Utas* of *Eaſter.*	**Profer,** 51 *H.* 3. *p.* 11. *de Scac.*
Three Surveyors yearly go through *England*, to counſel the Sheriff to let the Kings Demean.	**Surveyors,** §. 4

quer, §. 5.	All Pleas to ceaſe, but of the Kings Debt, till the Kings Buſineſs be over, and when one Accountant is begun, no other to intervene till end.
alers of accounts	Concealers of Account, they ought to charge themſelves with, or making ill Allowances, impriſon a year and forty days, and repay.
ats, §. 10.	Eſtreats of all Courts come into Exchequer at *Michaelmas* yearly, and thence Summons into every Shire.
ſs, 52 *H.* 3. *c.* 9. *lbr.*	Diſtreſs ſhall not be for Service againſt Feoffment, unleſs uſed before *H.* 3. his Voyage into *Britain*, being thirty years and half, until now, nor otherwiſe againſt Parol, ancient Feoffment before the Conqueſt.
r, Qu. Impedit,	In Dower *Unde nihil habet*, ſhall be four in the year at leaſt, and more, and five or ſix at leaſt in *Darrein Preſentment*, and in a *Qu. Impedit*, from fifteen to fifteen, or from three weeks to three Weeks, as place is near or far off: On the 1. Summons, 2. Attachment. 3. Grand Diſtreſs; and on default, a Writ to the Biſhop.
n, *c.* 13.	After Iſſue in ſuch Writs only one Eſſoin, and on default then Judgment.
, *c.* 26.	Vouchee in Eyre ſhall not be amerced on default; the firſt but on Summons, the third or fourth, and if out of the Office, by fifteen days.
s, ; *Ed.* 1. *c.* 4. *W.* 1.	If none claim Wreck kept by Sheriff in next Turn by a year and a day, its the Kings or Lords of the Soil.
ſhment, *c.* 13.	If none ſhall ſue for Raviſhment, or taking away Maid or Woman within Age, without, or by force of full Age, within forty days the King will ſue for the ſame.
, **Pond,** *c.* 20.	If none will ſue in a year and a day for Treſpaſs in Park or Ponds, the King ſhall have the Suit.
of Aſſiſe, Clerk, *c.* 27.	Clerk of any but Juſtice of Aſſize, (and he, if above two ſhillings of Town) that taking any thing for Chapters, ſhall loſe Service for a year.
ant, *c.* 29.	Serjeant Pleader, or others that be Attaint of Deceit, ſhall be impriſoned a year and a day, and they never heard in that Court.
eyor, *c.* 31.	Impriſonment of Purvey or forty days, that lets go Carts or Proviſion for Reward, and treble Damages.
Chevalier, file ma- , *c.* 36.	*Aid pur fair fits Chevalier*, twenty ſhillings Knights Fee, or twenty pounds Soccage Lands, is leviable at fifteen years old, and *pur file marier* at ſeven years old.
tation, *c.* 39.	Of Limitation in Writs of Right is from *R.* 1. on Diſſeiſin, Partition, or *Nuper obiit*, ſince the firſt Voyage of *H.* 3. into *Gaſcoyn*, *Mortdanceſter*, *Coſinage*, *Ayel*, *Entry & de Nativis*, from the Coronation of *H.* 3.
le mere, *c.* 44.	If Defendant Eſſoin *De ouſter le mere*, averred to be the day of the Summons, and three Weeks after in *England* were ſo, its a default.
Bench, *c.* 45.	The Juſtices of *B. R.* ſhall decide all Pleas determinable at one day before any Matter be arraigned, or Plea commenced at day following.
t, **&c.** *c.* 51.	Aſſize of *Novel diſſeiſin*, *Mortdanceſter*, and *Darrein Preſentment*, ſhall be taken in *Advent*, *Septuageſima*, and *Lent*.
demur, 6 *Ed.* 1. *Glouc.*	Parol ſhall not demur for Nonage, where Feoffment of Anceſtor is pleaded in Bar.
t, *c.* 4.	If Tenant at fourth part of value tender not Arrears of Rent before a Judgment in *Ceſſavit per Biennium*, the Land is loſt for ever, if no Diſtreſs were to be had in that ſpace.
Suit, *c.* 9.	Want of freſh Suit, if made within a year and a day, ſhall not abate an Appeal of Felony.
cement, *c.* 14.	Amerciaments of Diſſeiſors in *London*, ſhall be by two Barons of the Exchequer yearly.
y, Intruſion, *d.* 1. *p.* 32. §. 1. *Exp.* *Glouc.*	Damages for Entry by Diſſeiſin, ſhall incur from the time the Statute publiſht: ſo of Intruſion, *Mortdanceſter* after the Writ purchaſed againſt ſuch as held by Statute.
§. 2.	As to Enqueſts of Age, the Statute incurs without time.
nt by Curteſie, 3.	As to Alienations by Tenants *per Curteſie*, *&c.* the Statute ſhall run for Lands alien after Statute publiſhed.
farm, §. 4.	As to Lands let to Fee-farm, the Statute runs as well to Leaſes before as after, if Ceſſer be two years after publication of the Statute.
§. 5.	In all Caſes (but of Dowers and Wards) the Waſte is meant ſince the Statute.
ct, §. 6.	The Alienation of Dower is intended after publication of this Statute of *Glouc.* which was the Sunday next after St. *Peter ad vincula*.
wry, 13 *Ed.* 1. *c.* 2. 2.	Avowry on Seiſin of any Anceſtor or predeceſſor, ſhall be ſince the time that Aſſize of *Novel Diſſeiſin* ran.
receit, *c.* 3.	Feme before Judgment ſhall on Abſence of Huſband be received, ſo of him in Reverſion, or have a Writ of Entry, *Cui in vita*, on Judgment by default after Huſbands death, or of Tenant for Life.

Quare Impedit, nor *Darrein Preſentment*, or Error, lieth on Uſurpation during Enfancy, Coverture or Vacation of Prelate: And §. 2. Plenarty by ſix months of his own Preſentation, is no Plea, if the Writ be before: And §. 3. the Damages, if ſix months Lapſe is two years value, if not, half a year; and if Inſolvent, two years, or half a years Impriſonment.	Quare Impedit, **&c.** *c.* 5. §. 1.
Admeaſurement ſhall be made if Defendant come not in two Counties after Grand Diſtreſs on Proclamation.	**Admeaſurement,** *c.* 7.
Shall be certain, after which Juſtices in Circuits ſhall receive no Writs but Dower, on death: *Darrein Preſentment* and *Quare Impedit* on Vacancy ſince the laſt Summons, and Aſſiſe of *Novel diſſeiſin*.	**Days certain,** *c.* 10.
A years Impriſonment of Principal, or Abettors on falſe Appeal.	**Falſe Appeal,** §. 12.
Ceſſavit lieth againſt any Tenant, on Ceſſer of Services due and accuſtomed two years.	Ceſſavit, *c.* 21.
Diſſeiſor on failer of Record in Aſſiſe, ſhall pay double Damages, and have a years Impriſonment.	**Diſſeiſor,** *c.* 25.
Only one Eſſoin the day after Enqueſt, and none after day by *Prece partium*.	**Eſſoin,** *c.* 27.
Niſi prius thrice a year, *viz.* between the *Quinzim* of St. *John Baptiſt*, and the Gule of *Auguſt*; 2. Between Holy Croſs and the *Utas* of St. *Michael*; 3. Between *Epiphany* and *Purification*, and may adjourn in *Banco*.	Niſi prius, 13 *Ed.* 1. *c.* 30. *Weſt.* 2.
Seventy years old excuſeth Juror, and Sheriff ſhall pay Damage, and be amerced.	**Dotage,** *c.* 38.
Execution of things recorded, may within the year be immediate, but after muſt be on *Sc. fac.*	Sc. fac. poſt. ann. *c.* 45.
Taking Salmons from *Lady-day* to St. *Martins*, or with Nets from midſt of *April* to St. *John Baptiſt*, ſhall on the firſt Offence have Nets and Engines burnt: 2. Impriſoned a quarter of a year: 3. A year.	**Salmons,** *c.* 47.
Country ſhall in forty days agree for Robbery, or anſwer for the Body of the Offender.	**Robbery,** 13 *Ed.* 1. *St.* 2. *c.* 2. *Winch.*
Walled Towns ſhall be ſhut from Sun to Sun, and Lodgers and Suburbs, every fifteen day enquired, and from *Aſcention* to *Michaelmas*, in every Gate of City ſix, in Borough twelve, in Towns ſix or four ſhall watch all Night and Arreſt Strangers ſuſpected.	**Walled Towns,** *c.* 4.
Recognizance binds from the day of Acknowledgment before Mayor, *&c.* into whoſe Hands ſoever Lands come.	**Recognizance,** 13 *Ed.* 1. *p* 54. *St. Merch.*
Claim muſt be in a year and a day, elſe Fine bars all of Age, Memory, out of Priſon, and within the four Seas.	**Claim,** 18 *Ed.* 1. *p.* 56. *Of Fines.*
The Grand Charters ſent to be read in all Cathedral Churches twice a year.	Mag. Chart. 25 *Ed.* 1. *c.* 3. *At London.*
The Curſes againſt excommunicated Breakers of the Charters to be read twice a year, and on default Prelates to be diſtrained by Archbiſhop of *Canterbury* and *York*.	*Cap.* 4.
Once a year a Baron and a Clerk ſhall go throughout *England*, to ſee Debts paid by Green Wax, Tallies of Sheriffs, Iſſues and Inrol them.	**Kings Debts,** 27 *Ed* 1. *c.* 2. *de fine levat.*
The Grand Charters ſent under Seal to every County, may be read four times a year before the People in full County, *viz.* the next County-day after *Eaſter*, *Midſummer*, *Michaelmas* and *Chriſtmas*.	**Grand Charter,** 28 *Ed.* 1 *c.* 2. *Artic. ſuper Chart.*
Of Summons and Attachment in Pleas of Land, ſhall be full fifteen, as at Common Law, unleſs in Aſſiſes in the Kings preſence, or Pleas, during the Eyre.	**Pleas of Land,** *c.* 15.
The Statute of *Wincheſter*, 13 *Ed.* 1. ſhall be read and publiſhed four times a year, and kept in all as ſtrictly as the two great Charters.	**Robbery,** *c.* 17.
This Act of Enqueſts, and Statute of the Forreſt were made on *Sunday*.	**Enqueſts,** &c. 31 *Ed.* 1. *p.* 69. §. 2. *Act of Enqueſts.*
The Statute to be read in Cathedral Churches twice a year, and in every Pariſh the Curſe againſt Breakers.	*Temp. Ed.* 1. *c.* 6.
Lapſe ſhall not prejudice the King, ſo he preſent in ſix months after Recovery.	**Lapſe,** 17 *Ed.* 2. *c.* 8. *Prerog. Reg.*
C. B. ſhall be adjourned by timely warning, that Proceſs be not loſt on removal.	**Common Pleas adjorned,** 2 *Ed.* 3. *c.* 11.
Proceſs of Treſpaſs in time of *Ed.* 2.	**Treſpaſs,** *c.* 13.
Fair at beginning ſhall be proclaimed how long, and if exceed ſeized till fined.	**Fair,** *c.* 15.
At *Niſi prius* in Plea of Land, ſhall be at requeſt of Tenant and Demandant, in all elſe as 12 *Ed.* 2. *cap.* 3.	Niſi Prius, *c.* 16.
Aſſiſes ſhall be taken thrice a year.	**Aſſizes,** 4 *Ed.* 3. *c.* 2.
A Parliament ſhall be every year, or oftner, if need.	**Parliament,** *c.* 14.
On the morrow of *All-Souls* yearly new Sheriffs ſhall be choſe by the Chancellor, Treaſurer, and Chief Baron, taking the Chief Juſtices of the one Bench and the other.	**Sheriff,** 14 *Ed.* 3. *c.* 7.

Authority to one, §. 3. One Commiſſioner may hear Motions, and give interlocutory Orders; but two to be preſent at Decrees, and affixing great Seal, *&c.*

Preſident & Council-Court, Wales, *c.* 27. §. 2. Court of Preſident and Councel of *Wales* diſſolved.

Eccleſiaſtical Commiſſioners, *ſeſſ.* 2. *c.* 2. Court of Commiſſioners for Eccleſiaſtical Cauſes, and all Courts of like nature illegal.

Indempnity, *c.* 8. Indempnity for things done for bringing in their Majeſties, or for Service of the Government, and General Iſſue may be pleaded.

Proceedings in London **Courts,** 2 *W.* & *M.* *ſeſſ.* 1. *c.* 8. §. 5. Proceedings in Courts in *London* ſince Judgment againſt the Charter in *Trinity*-Term, 25 *Car.* 2. not to be avoided for defect of illegal Authority in Officers or Miniſters.

Indempnity, *ſeſſ.* 2. *c.* 13. Perſons acting for their Majeſties, or the Kingdoms Service in 1690. Indempnified; and Defendant may plead General Iſſue, *&c.*

Information. Reverſing, Judgment, B. R. 4 & 5 *W.* & *M.* *c.* 18. An Act to prevent malicious Informations in Kings Bench, and for eaſier Reverſal of Judgments there. Vide *Tit. Information* and *Outlawry.*

Indempnity, *c.* 19. Indempnity for acting for their Majeſties Service, and defence of the Kingdom in 1692. and Defendant may plead General Iſſue, *&c.*

Judgment, *c.* 20. An Act for better diſcovery of Judgments in Courts at *Weſtminſter.* Vide *Tit. Judgment.*

Offence ag. 13 *Car.* 2. 5 & 6 *W.* & *M. c.* 25. Offences againſt 13 *Car.* 2. *cap* 9. to be determinable in Kings Bench.

None twice tried, §. 3. None tried in Court Martial, ſhall for ſame Offence be again tried in Kings Bench, *& e contra.*

Continuance. To continue for three years.

Reviver, 6 & 7 *W.* 3. *c.* 14. §. 3. Revives 4 and 5 *W.* and *M. cap.* 20. for one year.

Counterplea of Voucher, ſee *Voucher.*
Counterfeit Letters, ſee *Colluſion.*
Couſenage, ſee *Writs.*
Covent Garden, ſee *Churches.*
County, ſee *Lieu.*
Coverlets, ſee *Drapery.*
Crown, ſee *Coron and Prerogative.*
Crows, ſee *Fowl.*
Croſs-bows, ſee *War.*
Croſſes, ſee *Mortmain.*
Cumberland, ſee *Coron.*
Cui in vita, ſee *Women.*
Currier, ſee *Trades.*
Curſing, ſee *Oath.*
Cuſtos Brevium, ſee *Fines.*
Cuſtos Rotulorum, ſee *Peace.*

Cuſtom.

Cities, &c. to have Liberties, 9 *H.* 3. *c.* 9. *Mag. Char.* That *London*, and all Cities, Burroughs and Towns, and Ports, ſhall have all their Liberties and Free-Cuſtoms.

2 *H.* 4. *c.* 1. That Lords, Cities, Burroughs, and Towns, Enfranchiſe, enjoy all their Liberties and Franchiſes.

Of Glouc. **and** Kent **confirmed,** 17 *Ed.* 2. *c.* 16. The Cuſtoms of *Glouceſter* and *Kent*, that Heirs of Perſons attainted divide after a year and a day, but not Males with Females, that Dower is of Moiety, and forfeit by Fornication, or taking another Husband, confirmed.

Void, 9 *Ed.* 3. *c.* 1. Contrary to this Statute void, and all Charters, *&c.*

Lands diſgaveled, 31 *H.* 8. *c.* 31. The Lands of Lord *Cromwel*, Lord *Burgh*, Lord *Cobham*, Lord *Windſor*, *Thomas Chenie*, *Charles Hales*, *Thomas Willoughby*, *Anthony St. Leger*, *Edward Wotton*, *Edward Boneton*, *Roger Chomley*, *John Champners*, *John Baker*, *Reynold Scot*, *John Gulford*, *Tho. Kemp*, *Edward Thwaitis*, *William Roper*, *Anthony Sands*, *Edward Iſaac*, *Percival Hart*, *Edward Momus*, *William Whetnal*, *John Fogg* and *Edmund Fetyplace*, *Thomas Hardres*, *William Waller*, *Thomas Wilford*, *Thomas Moyle*, *Thomas Herlackenden*, *Geoffry Lee*, *James Hales*, *Henry Huſſy* and *Thomas Roydon*, diſgaveled.

Oſwelbeck Soke, 32 *H* 8. *c.* 39. Of *Oſwelbeck Soke* in *Nottingham*, to be departible between Males taken away.

Fine, &c. **by Feme bars** 34 & 35 *H.* 8. *c.* 22. That Recovery, Fine or Deed inrolled by Baron and Feme, ſhall bind her being examined, notwithſtanding 32 *H.* 8. *cap.* 28.

Province of York, 4 & 5 *W.* & *M. c.* 2. Cuſtom of Province of *York*, reſtraining diſpoſition of Perſonal Eſtates by Teſtament aboliſht, (except as to *York* and *Cheſter.*)

Cuſtoms, ſee *Merchants.*

Days.

Jours, Time, Computation, Anniverſary Thanks, Faſting, Humiliation, Holy-days, Sabbath.

FULL Age of Heir in Ward is twenty four, to have Inheritance reſtored. **Age, Ward,** 9 *H.* *Mag. Char.*

Dower ſhall be aſſigned to Widow in forty days, till then ſhe may dwell in the Manſion, if no Caſtle. **Dower,** *c.* 7.

The King will hold Lands of Felons convicted but a year and a day, and then deliver them to the Lord of the Fee. **Felons Lands,**

County Court ſhall be held from Month to Month, Turn or Hundred, twice a year, after *Eaſter* and *Michaelmas*, the view of Frankpledge yearly after St. *Michael.* **County Court, Hundred,** &c.

Range ſhall be through the Foreſt as accuſtomed. **Foreſt,** 9 *H.* 3. *c.* *de Foreſta.*

Lawing of Dogs in Foreſt ſhall be when the Range is, *viz.* from three years to three years. *Cap.* 6.

No gathering by Foreſter, but by Oath of twelve Rangers when they Range. *Cap.* 7.

No Swainmote but thrice a year, *viz.* in the beginning of fifteen days after *Michaelmas*, and about the Feaſt of St. *Martin* in Winter, and in the beginning of fifteen days before St. *John Baptiſt*; but every forty days the Foreſters and Verders ſhall meet to ſee Attachments and Preſentments of Greenhue and Hunting. **Swainmote,** *c.*

Nothing ſhall be taken for Hogs lying a Night in the Kings Demean and Foreſt, going to agiſt. **Hogs,** *c* 9.

Deer-Killer ſhall Fine or be impriſoned a year and a day, and after abjure the Realm, or find Sureties. **Deer,** *c.* 10.

Damages againſt Deforceor of Dower or Quarentine, ſhall be the value from Death of Husband to day of Recovery. **Dower,** 20 *H.* 3. *Merton.*

Uſury ſhall not run on againſt an Enfant while within Age, yet ſo as what was due at death of Anceſtor ſhall not remain. **Enfant, Uſury.**

He that withholds Ward under fourteen, ſhall loſe the value of the Marriage, and be impriſoned till fined for the Treſpaſs, and Enfant of fourteen or above, that marries himſelf *contra* to tender by the Lord, ſhall loſe the double value. **Ward,** *c.* 6.

If the Lord marry Enfant under fourteen to Villain or Burger, he loſeth the Wardſhip; but if above fourteen by conſent nothing. *Ibid.*

On refuſal of Marriage tendred, the Enfant at Age ſhall pay the full value that any would give for the Marriage before the Receit of the Land. *Cap.* 7.

Diſcent in Writs of Right ſhall be conveyed from *H.* 2. not from the time of *H.* 1. **Writs of Right,** 2 *c.* 8. *Merton.*

Mortdanceſter de Nativis and Entry, ſhall not paſs the laſt Return of King *John* from *Ireland* to *England.* Mortdanceſter, *Ib*

Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *H.* 3. into *Gaſcoyn.* Novel diſſeiſin, *Ib*

The additional Day wherein Leap-year falls, ſhall be accounted as one with the precedent, ſo that no default ſhall be reckoned by reaſon thereof, exceeding year and day for ſick Men to plead. **Leap year,** 21 *H.* *De Ann. Biſſextil*

Writs that come in the *Utas* of St. *Michael*, ſhall have day in Bank to the *Utas* of St. *Hillary*; ſo of *Quinzim*, and if it came in three Weeks of St. *Michael*, to *Cras Purificat.* from *Menſe Mich.* to *Utas Purificat.* from *Cras Animar.* to *Quinzim* of *Eaſter*, from *Cras Martini* to three Weeks of *Eaſter*, from *Utas Martin.* to a Month of *Eaſter*, from *Quinzim* of St. *Martin* to five Weeks of *Eaſter*, or ſpecial day to *Cras Aſcenſionis*, from *Utas* of St. *Hillary* to *Utas Trinity*, from *Quindena Hillary* to *Quindena Trinity*, or *Cras* St. *John Baptiſt*, from *Cras Purificationis* to *Cras* or *Utas* St. *John Baptiſt*, from *Utas Purificat.* in *Quindena* St. *John Baptiſt*, from 15 *Paſch.* to *Utas* of St. *Michael*, from three Weeks of *Paſch.* to 15 *Mich.* from a Month of *Paſch.* to three Weeks of *Mich.* from five Weeks of *Eaſter* or *Cras Aſcention* to Month of *Michael.* from *Utas Trinity* to *Cras Animar.* from 15 *Trinity* or *Cras* St. *John Baptiſt* to *Cras Martin*, from *Utas* of St. *John* to *Utas* of St. *Martin*, from 15 St. *John Baptiſt* to 15 *Martin*, and ſo every Term ſhall anſwer to other, and 51 *H.* 3. *St.* 3. *p.* 11. the like days in a Writ of Dower. Dies Communes, 5 *St.* 2. *p.* 10.

Sheriffs and Bailiffs ſhall pay Rents, Iſſues and Farms and Account at the profer of the Exchequer, Monday after *Michaelmas*, and the *Utas* of *Eaſter.* **Profer,** 51 *H.* 3. *p.* 11. *de Scac.*

Three Surveyors yearly go through *England*, to counſel the Sheriff to let the Kings Demean. **Surveyors,** §. 4.

quer, §. 5.	All Pleas to ceaſe, but of the Kings Debt, till the Kings Buſineſs be over, and when one Accountant is begun, no other to intervene till end.
ealers of accounts 9.	Concealers of Account, they ought to charge themſelves with, or making ill Allowances, impriſon a year and forty days, and repay.
reats, §. 10.	Eſtreats of all Courts come into Exchequer at *Michaelmas* yearly, and thence Summons into every Shire.
treſs, 52 *H.* 3. *c.* 9. *lbr.*	Diſtreſs ſhall not be for Service againſt Feoffment, unleſs uſed before *H.* 3. his Voyage into *Britain*, being thirty years and half, until now, nor otherwiſe againſt Parol, ancient Feoffment before the Conqueſt.
er, Qu. Impedit, 12.	In Dower *Unde nihil habet*, ſhall be four in the year at leaſt, and more, and five or ſix at leaſt in *Darrein Preſentment*, and in a *Qu. Impedit*, from fifteen to fifteen, or from three weeks to three Weeks, as place is near or far off: On the 1. Summons, 2. Attachment. 3. Grand Diſtreſs; and on default, a Writ to the Biſhop.
in, *c.* 13.	After Iſſue in ſuch Writs only one Eſſoin, and on default then Judgment.
y, *c.* 26.	Vouchee in Eyre ſhall not be amerced on default; the firſt but on Summons, the third or fourth, and if out of the Office, by fifteen days.
ck, 3 *Ed.*1. *c.*4. *W.*1.	If none claim Wreck kept by Sheriff in next Turn by a year and a day, its the Kings or Lords of the Soil.
iſhment, *c.* 13.	If none ſhall ſue for Raviſhment, or taking away Maid or Woman within Age, without, or by force of full Age, within forty days the King will ſue for the ſame.
k, **Pond**, *c.* 20.	If none will ſue in a year and a day for Treſpaſs in Park or Ponds, the King ſhall have the Suit.
. of **Aſſiſe, Clerk**, *c.* 27.	Clerk of any but Juſtice of Aſſize, (and he, if above two ſhillings of Town) that taking any thing for Chapters, ſhall loſe Service for a year.
jeant, *c.* 29.	Serjeant Pleader, or others that be Attaint of Deceit, ſhall be impriſoned a year and a day, and they never heard in that Court.
veyor, *c.* 31.	Impriſonment of Purvey or forty days, that lets go Carts or Proviſion for Reward, and treble Damages.
Chevalier, file ma- ier, *c.* 36.	*Aid pur fair fits Chevalier*, twenty ſhillings Knights Fee, or twenty pounds Soccage Lands, is leviable at fifteen years old, and *pur file marier* at ſeven years old.
itation, *c.* 39.	Of Limitation in Writs of Right is from *R.* 1. on Diſſeiſin, Partition, or *Nuper obiit*, ſince the firſt Voyage of *H.* 3. into *Gaſcoyn*, *Mortdanceſter*, *Coſinage*, *Ayel*, *Entry & de Nativis*, from the Coronation of *H.* 3.
ter le mere, *c.* 44.	If Defendant Eſſoin *De ouſter le mere*, averred to be the day of the Summons, and three Weeks after in *England* were ſo, its a default.
gs **Bench**, *c.* 45.	The Juſtices of *B. R.* ſhall decide all Pleas determinable at one day before any Matter be arraigned, or Plea commenced at day following.
vent, &c. *c.* 51.	Aſſize of *Novel diſſeiſin*, *Mortdanceſter*, and *Darrein Preſentment*, ſhall be taken in *Advent*, *Septuageſima*, and *Lent*.
rol **demur**, 6 *Ed.* 1. *c.* 2. *Glouc.*	Parol ſhall not demur for Nonage, where Feoffment of Anceſtor is pleaded in Bar.
ſavit, *c.* 4.	If Tenant at fourth part of value tender not Arrears of Rent before a Judgment in *Ceſſavit per Biennium*, the Land is loſt for ever, if no Diſtreſs were to be had in that ſpace.
ſh **Suit**, *c.* 9.	Want of freſh Suit, if made within a year and a day, ſhall not abate an Appeal of Felony.
rcement, *c.* 14.	Amerciaments of Diſſeiſors in *London*, ſhall be by two Barons of the Exchequer yearly.
ntry, **Intruſion**, 6 *Ed.*1. *p.*32. §.1. *Exp.* *f Glouc.*	Damages for Entry by Diſſeiſin, ſhall incur from the time the Statute publiſht: ſo of Intruſion, *Mortdanceſter* after the Writ purchaſed againſt ſuch as held by Statute.
ge, §. 2.	As to Enqueſts of Age, the Statute incurs without time.
nant **by Curteſſe**, §. 3.	As to Alienations by Tenants *per Curteſie*, *&c.* the Statute ſhall run for Lands alien after Statute publiſhed.
e-farm, §. 4.	As to Lands let to Fee-farm, the Statute runs as well to Leaſes before as after, if Ceſſer be two years after publication of the Statute.
aſt, §. 5.	In all Caſes (but of Dowers and Wards) the Waſte is meant ſince the Statute.
ower, §. 6.	The Alienation of Dower is intended after publication of this Statute of *Glouc.* which was the Sunday next after St. *Peter ad vincula.*
owry, 13 *Ed.*1. *c.* 2. *W.* 2.	Avowry on Seiſin of any Anceſtor or predeceſſor, ſhall be ſince the time that Aſſize of *Novel Diſſeiſin* ran.
me receit, *c.* 3.	Feme before Judgment ſhall on Abſence of Huſband be received, ſo of him in Reverſion, or have a Writ of Entry, *Cui in vita*, on Judgment by default after Husbands death, or of Tenant for Life.

Quare Impedit, nor *Darrein Preſentment*, or Error, lieth on Uſurpation during Enfancy, Coverture or Vacation of Prelate: And §. 2. Plenarty by ſix months of his own Preſentation, is no Plea, if the Writ be before: And §. 3. the Damages, if ſix months Lapſe is two years value, if not, half a year; and if Inſolvent, two years, or half a years Impriſonment.	Quare Impedit, &c. *c.* 5 §. 1.
Admeaſurement ſhall be made if Defendant come not in two Counties after Grand Diſtreſs on Proclamation.	**Admeaſurement**, *c.* 7.
Shall be certain, after which Juſtices in Circuits ſhall receive no Writs but Dower, on death: *Darrein Preſentment* and *Quare Impedit* on Vacancy ſince the laſt Summons, and Aſſiſe of *Novel diſſeiſin.*	**Days certain**, *c.* 10.
A years Impriſonment of Principal, or Abettors on falſe Appeal.	**Falſe Appeal**, §. 12.
Ceſſavit lieth againſt any Tenant, on Ceſſer of Services due and accuſtomed two years.	Ceſſavit, *c.* 21.
Diſſeiſor on failer of Record in Aſſiſe, ſhall pay double Damages, and have a years Impriſonment.	**Diſſeiſor**, *c.* 25.
Only one Eſſoin the day after Enqueſt, and none after day by *Prece partium.*	**Eſſoin**, *c.* 27.
Niſi prius thrice a year, *viz.* between the *Quinzim* of St. *John Baptiſt*, and the Gule of *Auguſt*; 2. Between Holy Croſs and the *Utas* of St. *Michael*; 3. Between *Epiphany* and *Purification*, and may adjourn in *Banco.*	Niſi prius, 13 *Ed.*1. *c.*30. *Weſt.* 2.
Seventy years old excuſeth Juror, and Sheriff ſhall pay Damage, and be amerced.	**Dotage**, *c.* 38.
Execution of things recorded, may within the year be immediate, but after muſt be on *Sc. fac.*	Sc. fac. poſt. ann. *c.*45.
Taking Salmons from *Lady-day* to St. *Martins*, or with Nets from midſt of *April* to St. *John Baptiſt*, ſhall on the firſt Offence have Nets and Engines burnt: 2. Impriſoned a quarter of a year: 3. A year.	**Salmons**, *c.* 47.
Country ſhall in forty days agree for Robbery, or anſwer for the Body of the Offender.	**Robbery**, 13 *Ed.*1. *St.*2. *c.* 2. *Winch.*
Walled Towns ſhall be ſhut from Sun to Sun, and Lodgers and Suburbs, every fifteen day enquired, and from *Aſcention* to *Michaelmas*, in every Gate of City ſix, in Borough twelve, in Towns ſix or four ſhall watch all Night and Arreſt Strangers ſuſpected.	**Walled Towns**, *c.* 4.
Recognizance binds from the day of Acknowledgment before Mayor, *&c.* into whoſe Hands ſoever Lands come.	**Recognizance**, 13 *Ed.*1. *p* 54. *St. Merch.*
Claim muſt be in a year and a day, elſe Fine bars all of Age, Memory, out of Priſon, and within the four Seas.	**Claim**, 18 *Ed.* 1. *p.*56. *Of Fines.*
The Grand Charters ſent to be read in all Cathedral Churches twice a year.	Mag.Chart. 25 *Ed.*1. *c.*3. *At London.*
The Curſes againſt excommunicated Breakers of the Charters to be read twice a year, and on default Prelates to be diſtrained by Archbiſhop of *Canterbury* and *York.*	*Cap.* 4.
Once a year a Baron and a Clerk ſhall go throughout *England*, to ſee Debts paid by Green Wax, Tallies of Sheriffs, Iſſues and Inrol them.	**Kings Debts**, 27 *Ed* 1. *c.* 2. *de fine levat.*
The Grand Charters ſent under Seal to every County, may be read four times a year before the People in full County, *viz.* the next County-day after *Eaſter*, *Midſummer*, *Michaelmas* and *Chriſtmas.*	**Grand Charter**, 28 *Ed.*1 *c.*2. *Artic. ſuper Chart.*
Of Summons and Attachment in Pleas of Land, ſhall be full fifteen, as at Common Law, unleſs in Aſſiſes in the Kings preſence, or Pleas, during the Eyre.	**Pleas of Land**, *c.* 15.
The Statute of *Wincheſter*, 13 *Ed.* 1. ſhall be read and publiſhed four times a year, and kept in all as ſtrictly as the two great Charters.	**Robbery**, *c.* 17.
This Act of Enqueſts, and Statute of the Forreſt were made on *Sunday.*	**Enqueſts**, &c. 31 *Ed.* 1. *p.* 69. §.2. *Act of Enqueſts.*
The Statute to be read in Cathedral Churches twice a year, and in every Pariſh the Curſe againſt Breakers.	*Temp. Ed.* 1. *c.* 6.
Lapſe ſhall not prejudice the King, ſo he preſent in ſix months after Recovery.	**Lapſe**, 17 *Ed.* 2. *c.* 8. *Prerog. Reg.*
C. B. ſhall be adjourned by timely warning, that Proceſs be not loſt on removal.	**Common Pleas adjorned**, 2 *Ed.*3. *c.*11.
Proceſs of Treſpaſs in time of *Ed.* 2.	**Treſpaſs**, *c.* 13.
Fair at beginning ſhall be proclaimed how long, and if exceed ſeized till fined.	**Fair**, *c.* 15.
At *Niſi prius* in Plea of Land, ſhall be at requeſt of Tenant and Demandant, in all elſe as 12 *Ed.*2. *cap.* 3.	Niſi Prius, *c.* 16.
Aſſiſes ſhall be taken thrice a year.	**Aſſizes**, 4 *Ed.*3. *c.* 2.
A Parliament ſhall be every year, or oftner, if need.	**Parliament**, *c.* 14.
On the morrow of *All-Souls* yearly new Sheriffs ſhall be choſe by the Chancellor, Treaſurer, and Chief Baron, taking the Chief Juſtices of the one Bench and the other.	**Sheriff**, 14 *Ed.*3. *c.*7.

Plenarty, 14 *Ed*. 3. *St*. 3. *c*. 2.	Plenarty three years is a good Plea againſt the King, ſeized in Right of Temporalities of Biſhops or of Enfant.
Seſſions, 25 *Ed*. 3. *c*. 8.	Juſtices may hold their Seſſions four times a year, and at all times needful.
Plenarty, 25 *Ed*. 3. *c*. 2.	A Repeal 14 *Ed*. 3. *Stat*. 3. *cap*. 2. as to the Plenarty three years, and that the Kings Laches ſhall not prejudice his Preſentation.
Staple, 27 *Ed*. 3. *St*. 2. *c*. 2.	Merchant-Stranger ſhall proceed in Staple againſt Purveyor from day to day and hour to hour, and not as at Common Law, whether within or without.
Sheriff, 28 *Ed*. 3. *c*. 7.	Sheriff ſhall be removed every year, and not abide the next year following.
Robbery, *c*. 11.	In forty, the Hundred or Franchiſe where Robbery was done ſhall anſwer damages.
Seſſions, 36 *Ed*. 3. *c*. 12.	That Seſſions be in *Utas* of *Epiphany*, Second in the ſecond Week of *Lent*, Third between *Pentecoſt* and St. *John Baptiſt*, Fourth in eight days of St. *Michael*, ſhall be expreſſed in the Commiſſion of Juſtice of Peace and of Labourers.
Sheriff, 1 *R*. 2. *c*. 11.	None ſhall be Sheriff again in three years after, if there be others ſufficient in the County.
7 *R*. 2. *c*. 6.	Sheriff in Perſon ſhall four times a year Proclaim the Statute *Wincheſter*, 13 *Ed*. 1. in every Hundred, and his Bailiffs in every Turn.
Seſſions, 2 *H*. 5. *c*. 4. §. 2.	Seſſions of the Peace ſhall be in the firſt week after *Michaelmas*, *Epiphany*, *Eaſter*, and Tranſlation of St. *Thomas* the Martyr.
7 *H*. 5. *p*. 221.	Statute continued until the next Parliament only.
9 *H*. 5. *c*. 1.	A Continuance of 7 *H*. 5. till the next Parliament to be holden after the Kings return from beyond Sea to *England*.
Sheriff, Purveyor, 1 *H*. 6. *c*. 2.	Sheriff ſhall proclaim the Statute received againſt Purveyors four times a year through his Bailiwick.
Capias **on Indictment**, 6 *H*. 6. *c*. 1.	*Capias* on Indictment ſhall be ſix Weeks Teſte before the return, and no exigent till return.
Keeping with force, 8 *H*. 6. *c*. 9. §. 7.	He that hath been in Poſſeſſion three years, ſhall not be endamaged for keeping with force.
Juſtice of Middleſex, 14 *H*. 6. *c*. 4.	Juſtices of Peace of *Middleſex*, ſhall not incur Penalty of 2 *H*. 5. *cap*. 4. §. 2. ſo they hold Seſſions twice a year at leaſt.
Patent dated, 18 *H*. 6. *c*. 4.	Patents ſhall be dated the day that Warrant is delivered into Chancery, and not before.
Parliament Elections 23 *H*. 6. *c*. 15. §. 2.	Election of Knights of Parliament muſt be between 8 and 11 in the morning.
Falſe Return, §. 3.	The Suit for Penalty on falſe Return of Knight or Burgeſs to Parliament, muſt be in three months after Parliament commenced.
Fair, Market, 27 *H*. 6. *c*. 5.	No Fairs or Markets on *Aſcenſion*, *Corpus Chriſti*, *Sundays*, and on *Aſſumption* of our Lady, *All-Saints* or *Goodfriday*, except for neceſſary Victual.
Treſpaſs againſt Officers, 28 *H*. 6. *c*. 5.	Treſpaſs againſt Water Bailiff, Cuſtomer or Controller, for taking duty where none is due, muſt be in two months after offence.
Sunday, 4 *Ed*. 4. *c*. 7.	Shoes ſhall not be made on the *Sunday*, or other Holy-days.
Juror, appearance, 8 *Ed*. 4. *c*. 3.	Jurors of *Middleſex* ſave Iſſues by appearing the fourth day of Return, but Eſſoins, Defaults and Delays of Parties, allow as before.
Penal Law, 1 *H*. 8. *c*. 4.	Actions on Penal Laws muſt be by the King in three years, by others in one after the offence.
Office found, *c*. 11.	Notwithſtanding 6 *H*. 6. *cap*. 16. traverſe, and Security to have Farm, may be in three months of Office returned by Eſcheator into Chancery.
Shoes, 14 & 15 *H*. 8. *c*. 9.	A Repeal of 4 *Ed*. 4. *cap*. 7. of pulling on Shoes on certain days.
Conſecration, 26 *H*. 8. *c*. 14. §. 5.	Biſhop ſhall conſecrate Suffragan in three months after receipt of the Kings Patent of Preſentation.
Firſt-fruits, 28 *H*. 8. *c*. 11. §. 3.	The year of Payment of Firſt-fruits to begin immediately after avoidance of Benefice and Executors of Succeſſors ſhall recover arrears in Vacation towards it.
Non-reſident, *c*. 13. §. 2.	Encumbent above forty unleſs Head or Profeſſor in Univerſity, ſhall not be non-reſident, §. 3. nor under forty, unleſs attending Exerciſes, *&c*.
Writ of Right, 32 *H*. 8. *c*. 2.	Writs of Right, Preſcript, *&c*. to be in ſixty years of Teſte on Seiſin of Anceſtor, *&c*.
Mortdanceſtor, §. 2.	Mortdanceſter, Coſinage, Ayel, *Entre ſur diſſeiſin*, or Aunceſtrel poſſeſſory, Actions to be within fifty years.
Poſſeſſion 30 **years**, §. 3.	On his own Poſſeſſion no claim above thirty years next before.
Avowry, §. 4.	Avowry not above fifty year next before made, *&c*.
Formedon, Sc. fac. §. 5.	*Formedon* or *Sc. fac*. not above fifty year.
Proof of Seiſin, §. 6.	Not proving Seiſin on Traverſe, to be peremptory bar.
Enfant, Feme Covert §. 8.	Enfant may ſue in ſix years after diſability removed.
§. 9.	On Enfants, Feme Coverts, *&c*. death, Heir to have the ſame advantage till ſix years after diſability removed.
Abatement, §. 10.	On abatement of former Suit before one thouſand five hundred forty ſix by death, *&c*. Heir, *&c*. and to have ſix year.

Information againſt Maintainor, Champertor, *&c*. muſt be within a year after the Offence.	**Information**, *c*
Only four Returns to be in *Trinity* Term, *Craſt. Trinit. Octab. Quindena & in Tres Septiman. Trinit.* to be obſerved in all Courts of Record.	**Returns of Te** *c*. 21.
Trinity Term to begin *Munday* after *Trinity Sunday*, full Term to be *Friday* after *Corpus Chriſti*.	§. 2.
Several Continuances from *Hillary* to *Trinity* Term in real Actions.	§. 3.
Continuances in Dower from *Paſch.* to *Trinit.* and from *Trinity* to *Michaelmaſs*.	§. 4.
All Common Writs to be returned, *Craſt. Octab. Tres*, or in *Tres Septiman. Trinitat.*	§. 5.
Special days of Return to be as uſed by diſcretion of Juſtices.	§. 6.
In Darrein Preſentment and *Quare Impedit*, as by 52 *H*. 3. *cap*. 12. and in Attaint as by 5 *Ed*. 3. *cap*. 7. not contrary to this Statute to be kept.	§. 7.
Seſſions at *Cheſter* and *Wales* ſhall be only twice a year, notwithſtanding 27 *H*. 8. *cap*. 5. at *Eaſter* and *Michaelmas*, as at *Lancaſter*.	**Seſſions** Cheſter Wales, *c*. 43.
Proceſs to be from Seſſions to Seſſions.	33 *H*. 8. *c*. 10.
A Repeal of all former Laws, Uſages, and for faſting on *Fridays*, *Saturdays*, Embring days, Vigils or Lent, or abſtinence of any ſort of Meat.	**Faſting-days**, 2 *Ed*. 6. *c*. 19.
None to eat Fleſh on Fiſh-days, or in Lent, on forfeit ten ſhillings, *&c*.	**Fiſh-days**, §. 2.
Forfeit ſecond Offence twenty ſhillings, and Impriſonment twenty days.	§. 3.
Juſtices to determine, *&c*. and eſtreat moiety of forfeit to Exchequer.	§. 4.
Not to prejudice him that hath Licence from the King to eat, *&c*. or aged, ſick, *&c*.	§. 5.
Ordinaries may enquire and preſent, *&c*.	§. 6.
No Offender to ſuffer but in three Months of Offence.	§. 7.
County Courts ſhall be kept from month to month only.	**County Court**, *c*
Being holy only for the Service therein done to God, not for the Saints ſake, *&c*. and no definite time or number preſcribe in Scripture, therefore only *Sundays* and the Feaſts mentioned are to be kept as ſuch.	**Holy-days**, 5 & 6 *c*. 3.
The Eve of every Feaſt, but of St. *John* and of St. *Philip* and *Jacob* to be a Faſt.	§. 2.
Ordinaries to puniſh Offenders.	§. 3.
Not to abrogate the Fiſh days in 2 & 3 *Edw*. 6. *cap*. 19.	**Fiſh-days**, §. 4.
Where the Feaſt is on Monday, the Faſt to be Saturday Even before.	**Feaſt-days**, §. 5.
Husbandmen, Labourers and Fiſhermen, may work any Feaſt-day.	§. 6.
St. *Georges* Feaſt, by Knights of the Garter to be celebrated yearly as the King appoints.	§. 7.
That right of Advowſon, *Qu. Impedit*, *Jure Patronatus*, *Darrein Preſentment*, Right of Ward and Raviſhment, are not within 32 *H*. 8. *cap*. 2. but ſuable at Common Law at any time.	Qu. Impedit, *&c*. 1 *St*. 2. *c*. 5. §. 4.
Wedneſday to be a Fiſh-day hereafter, as *Saturday* uſed to be, unleſs in *Chriſtmas* and *Eaſter*.	**Fiſh-days**, 5 *El*. *c* §. 14.
Suit againſt Hundred for default of freſh Suit on Robbery, muſt be within a year.	**Robbery**, 27 *El*. *c* §. 2.
Fines to be proclaimed only four times, *viz*. the Terms of Ingroſsments, and three after once.	**Fine proclaimed**, *c*. 2.
Proclamation of Utlary to be at Church-door, after Service on *Sunday*.	**Utlary proclaimed**
Summons in real Action to be fourteen days, and proclaim at Church, *&c*.	**Real Action**, §. 2.
Where forfeit is to the Queen, Information muſt be in two years, where to the Queen and Proſecutor, muſt be within a year.	**Information, Pe Law**, *c*. 5. §. 5.
Where Statute limits ſhorter time, to be as limited.	§. 6.
An Anniverſary Thankſgiving for delivery from the Powder Treaſon, 5 *Nov*. 1605. and this Statute to be read.	**Powder-plot**, 3 *Jac*.
No Title to be made to the King, unleſs within ſix years he hath been anſwered the Profits or charge, *ſuper* on Record.	**Kings Title**, 21 *c*. 12.
Sheriff is diſcharged by *Quietus*, unleſs ſued in four year after.	Quietus, *c*. 5.
If the King were not ſeized in twenty years, Defendant may plead General Iſſue.	**Kings Seiſin**, *c*
Formedons to be ſued in twenty years of Title deſcended, *&c*.	**Formedon**, *c*. 16.
Treſpaſs, Detinue, Trover, Replevin, Account, unleſs of Merchants, *&c*. in ſix years.	**Treſpaſs, Detinue**, §. 3.
No Sports, Bulbaitings, Plays, *&c*. on the Lords-Day, on forfeit three ſhillings four pence.	**Sunday**, 1 *Car*. 1.
Carrier, Waggon, Cart, Drover or Wayn on the Lords-day forfeits twenty ſhillings, Butcher killing Meat forfeits ſix ſhillings eight pence.	3 *Car*. 1. *c*. 1.
Michaelmas Term beginning ſo ſoon after *Michaelmas*, prejudice to Seſſions, Leets, Harveſt, *&c*.	Mich. **Term Retur** 17 *Car*. 1. *c*. 6.

Only

§. 2. Only ſix Return days of *Michaelmas* Term, the firſt in *Tres Septiman.* &c.

§. 3. Theſe Return days to be holden at *Weſtminſter*, and where the King appoints, and no *Octab.* nor *Quind. Mich.* the Term to begin *Tres Mich.* as to Eſſoins, *&c.* and if *Sunday*, the day after.

§. 4. Real Actions other than Entry for Recoveries and right of Advowſon, Dower, *&c.* Return *Tres Mich.* to have day in *Craſt. Purificationis*, &c.

§. 5. Dower, Entry for Common Recovery, or right of Advowſon, Return *Tres Mich.* to have day given *Octab. Martini*, &c.

§. 6. In Dower only fifteen days between Teſte and Return of *Ven. fac.* and Proceſs after Iſſue.

§. 7. *Craſt. Aſcention.* a good Return, though not fifteen days before *Cras Trinit.*

§. 8. Perſonal Writs and Proceſs from *Tres Mich.* to *Cras Annun.* good, though not fifteen days.

§. 9. Return *Octab.* or *Quind.* of St. *Mich.* to have day to *Tres Michaelis.*

§. 10. Only five Return in Summons *ad Warrant.* Entry for Recoveries, and right in Advowſon, as in Dower, and not nine.

§. 11. All Common Writs and Proceſs to keep Return *Tres Mich.* &c.

§. 12. Proceſs that have ſpecial days of Return, is at Juſtices diſcretion what day.

§. 13. In *Darrein Preſentment*, *Qua. Impedit*, 52 *H.* 3. *cap.*12. in Attaint, as 5 *Ed.* 3. *cap.* 7. and 23 *H.*8. *cap.*3.

Cap. 10. §. 8. In three days after Return *Habeas Corpus* to be filed, or the Priſoner remanded.

gs Reſtauration, 12 *Car.* 2. *c.* 14. Anniverſary Thankſgiving 29 *May* for ever, for the Kings Reſtauration.

§. 2. Notice to be given the Lords-Day before in the Churches.

ſt 30 May, *c.* 30. Anniverſary Faſt 30 *January*, or if *Sunday* the next day, for Murder of *Charles* the Firſt.

ſt and Return, 13 *Car.* 2. *St.*2. *c.* 2. Needs not be fifteen between Teſte, and Return of *Ven. fac. Habeas Corpus*, *Diſtring. Fi. fac.* or *Cap. ad ſatisfaciend.* nor in no Error.

ath, 17 *Car.* 2. *c.* 8. Death of either Party after Verdict no Error, ſo Judgment be entred in two Terms after.

ſt Fire of London, 19 *Car.* 2. *c.* 3. §. 28. Anniverſary Faſt for the Fire of *London* and Liberties 2 *Sept.* or next day if Sunday.

eement by Deed, 29 *Car.* 2. *c.* 3. §. 4. Unleſs Agreement be to be performed within a year, no Aſſeſſment againſt Executors or Party, but by Deed.

gment ſigned, §. 15. Judgment againſt Purchaſor, ſhall not relate but to the day they were ſigned.

ecution charges from Delivery, §. 16. Execution binds properly but from the time of delivery to the Sheriff.

ecognizance from Inrolment, §. 18. Recognizance binds but from the Inrolement.

turalization, *c.* 6. §. 2. All born beyond Sea, between 14 *June*, 1641. and 25 *March*, 1660. to be naturalized.

ds-day, *c.* 7. For Execution of former Laws for better Obſervation of the Lords-Day, and none to work, *&c.*

§. 2. No Drover, Butcher, Waggoner, Higler or their Servants, to travel on the Lords-Day on forfeit of twenty ſhillings.

§. 3. Not to prohibit dreſſing or ſelling Meat, Milk, *&c.*

§. 4. Proſecution to be within ten days after the Offence.

ds-day Robbery, §. 5. No remedy for the Party robbed on the Lords-Day againſt Hundred.

ceſs, §. 6. Service of Proceſs on the Lords-Day, void.

Corpus, 31 *Car.* 2. *c.* 2. Officer ſhall return *Habeas Corpus* in three days after Service and Tender of Charges, unleſs for Treaſon or Felony expreſs.

ies, *c.* 3. §.4. *n.* 1. Fines burnt in *Temple* Fire may be reingroſſed within three years.

ceedings in 1688. **ived,** 1 *W.* & *M.* *ſſ.* 1. *c.* 4. Actions, Pleas and Proceſs diſcontinued by not holding *Hillary* Term, 1688. continued and revived and other Defects in Proceeding at Law ſupplyed.

turns in 1688. **adjourned.** Returns of *Hillary* Term, 1688. adjourned to *Quindena Paſchæ* next; and Parties to appear on Forfeiture of Security.

Damages.

wer, 20 *H.* 3. *c.* 1. *rton.* Shall be the Value of the whole Dower or Quarentine, from the death of Husband to the day of Recovery.

provement, *c.* 4. To the Commoner againſt Lord in Aſſize on Approvement not levying ſufficient, ſhall be given on Oath as heretofore.

treſs, 52 *H.* 3. *c.* 1. *rlb.* Shall be according to Treſpaſs on Diſtreſs for private injury without Award of the Kings Court.

d, *c.* 6. Shall be paid in Suit to have Ward againſt Feoffee, if there be no Colluſion.

treſs, *c.* 9. §. 2. Shall be recovered by Lord or Tenant, withholding or diſtraining for more Services than due by Feoffment.

d, *c.* 16. In Aſſize of *Mortdanceſter* againſt Lord detaining Wards Land after full Age, or ouſting him when of full Age.

Farmer that doth waſte, ſale or exile, in Houſe Woods, or Men without ſpecial Licence by Deed, ſhall be grievouſly amerced, and pay full Damage. **Waſt,** *c.* 23.

Shall be to Succeſſor againſt Diſſeiſor in time of Vacation, as in Aſſize. **Diſſeizor,** *c.* 28.

Shall be doubled, and Fine of all, except Sheriff with five or ſix Horſe, and that not often, that lodg or take Goods of Religious Men without Licence. **Goods of Religion,** 3 *Ed.* 1. *c.* 1. *W.* 1.

He that takes Wreck within the year and a day, ſhall be fined and impriſoned, and render Damages. **Wreck,** *c.* 4.

Shall be thrice as much as received, if Debtor that hath paid be not diſcharged by Sheriff and Tally made in Exchequer, and Heir of Sheriff ſhall anſwer it. **Sheriff, Exchequer,** *c.* 19.

Shall be great and large againſt Treſpaſs in Parks. **Parks,** *c.* 20. *W.* 1.

Shall be double againſt Eſcheator, Sheriff, or the Kings Bailiff, that diſſeiſe Men of Freehold by colour of Office without ſpecial Warrant. **Eſcheator, Diſſeizin,** *c.* 24.

On Non-payment of Creditor, when Purveyor is paid in Exchequer, and double for taking part of Debt to pay the reſt, and treble with Impriſonment forty days on letting go Carts or Proviſion for Reward. **Purveyor,** *c.* 32.

Shall be doubled on Arreſt of Foreigner paſſing through inferiour Juriſdictions for Contract *dehors*. **Contract** dehors, *c.* 35.

On Diſſeiſin with Force or Robbery. **Diſſeizin,** *c.* 37.

Shall be as well againſt Alienee as Diſſeiſor, and in Mortdanceſter, Couſinage, Ayel and Beſayl, as well for Coſts of the Writ as the Iſſues of the Land, and againſt all Intruders. **Alienee, Diſſeizor,** 6 *Ed.* 1. *c.* 1. *Glouc.*

Shall be treble againſt Tenant *per* Curteſie for Life, Years, or in Dower, and if loſs of Ward be not ſufficient, Committee ſhall pay Damage to the value. **Waſt,** *c.* 5.

Shall be given by the Aſſize againſt Diſſeizor in *London*, and not ſtay the coming of the Juſtices to the *Tower*, and Amerciaments ſhall be by two Barons of the Exchequer yearly. **Diſſeizor,** *c.* 14.

Is two years value of Church on ſix Months Lapſe, elſe half a year in *Quare Impedit.* Quare Impedit, 13 *E.* 1. *c.* 5. §. 3. *W.* 2.

In a *Secunda Superoneratione*, after Admeaſurement of Paſture by the Juſtices or Sheriff. *Secunda Superoneratione*, *c.* 8. *W.* 2.

If Appellor be not able, ſhall be paid by Abettors on falſe Appeal. **Falſe Appeal,** *c.* 12.

Double, and a years Impriſonment on falſe Exception, or failer of Record by Diſſeizor. **Diſſeizor,** *c.* 25.

Double in Rediſſeiſin upon any Recovery that is not on Verdict of Aſſize. *Cap.* 26.

Shall be treble againſt Sheriff, Lord or Bailiff that maliciouſly takes Diſtreſs. **Diſtreſs,** *c.* 36.

Shall be paid, if he that diſtrains be not a Bailiff known and ſworn. *Cap.* 37.

By Bailiff that ſummons Men not worth twenty ſhillings *per annum* in the County, nor forty ſhillings out, and amerced to the King. **Amerceament,** *c.* 38.

By Sheriff that refuſeth to return his Writ delivered. **Writ return,** *c.* 39.

By adjacent Towns, for not levying Fences thrown down by perſons unknown. **Levying Fences,** *c.*46.

Shall be allowed in Execution on Recognizance of Statute Merchant. **Stat. Merchant,** 13 *Ed.* 3. *p.* 54.

Double with Seiſin on the Land on falſe Exception of Joyntenancy found againſt the Tenant. **Joyntenancy.** 34 *Ed.* 1. *p.*70. *De Conjunct. Feoff.*

Sheriff ſhall pay double to Lord of Franchiſe, on alteration of Return made by Indenture. **Return altered,** 12 *E.*2. *c.* 5. *York.*

Treble, if chief Warden of Foreſt do not bail one impriſoned, unleſs indict, or taken with the manner of Vert, or Veniſon. **Warden of Foreſt,** 1 *Ed.* 3. *c.* 8.

Shall be Award againſt Sheriff that doth not return his Writ, with reſpect to delay and peril. **Writ return,** 2 *Ed.* 3. *c.* 5.

At *Niſi Prius*, in Pleas of Land, ſhall be at requeſt of Tenant and Demandant. **At** Niſi Prius, *c.* 16.

Shall be anſwered by the Hundred of Franchiſe where Robbery was done in forty days. **Robbery,** 28 *Ed.* 3. *c.*11.

Shall be given in Chancery on an untrue Suggeſtion. **Suggeſtion,** 17 *R.* 2. *c.* 6.

Treble in Aſſize againſt Patentee of Lands where the Kings Entry is not congeable, nor no Title found. **Againſt Patentee,** 1 *H.* 4. *c.* 8.

Treble in *Præmunire* againſt Diſturbers by any Proviſion from *Rome*. **In** Præmunire, 3 *H.* 5. *St.* 2. *c.* 4.

Treble in Action *ſur* Caſe, on Acquittal by Verdict of Indictment in a foreign County. **Indictment,** 8 *H.* 6. *c.* 10.

And Coſts ſhall be recovered in Attaint. **Attaint, Coſts,** 11 *H.*6. *c.* 4.

Cap. 11.

Double with Fine and Ranſom, for Aſſault to Lords Spiritual or Temporal, Knights of Shire, Citizen or Burgeſs come to or attending the Parliament, or other Councel by the Kings Command.

And Coſts ſhall be recovered on Affirmance of Judgment againſt Plaintiff in Error. **Error, Coſts,** 3 *H.* 7. *c.* 10.

That

Cognizance, 7 *H.* 8. *c.*4. §. 3.	That every Avowant or Baily, that makes Cognizance on Verdict or Bar of Plaintiff, ſhall recover Damags.
Replevin, 21 *H.* 8. *c.* 19.	Given to Avowant in Replevin or ſecond Deliverance.
King, 33 *H.*8. *c.*39. §.6.	The King ſhall in Debt recover Damages and Coſts as other perſons.
Aſſize, 3 & 4 *Ed.* 6. *c.* 3. §. 4.	Treble in Aſſize of *Novel Diſſeiſin* upon *Merton cap.*4. or *W.* 2. *cap.* 46. of Approvements.
Nonſuit, 8 *Eliz. c.* 2.	If he that arreſts by Proceſs of *Banc. Reg.* do not declare in three days after Bail, or do not proſecute with effect, but is Nonſuit, *&c.* Judge to tax at diſcretion.
§. 3.	In Marſhalſea and *London,* &c. the like Rule.
Falſe Suit, §. 4.	With treble Coſts and Charges to be paid on falſe Suit in anothers Name, and ſix Months Impriſonment, and pay ten pounds to perſon whoſe Name is uſed.
§. 5.	Party to have remedy for them by Debt, Bill, Plaint, *&c.* againſt Executors.
No more Coſts than Dam. 43 *Eliz. c.* 6 §. 2.	Under forty ſhillings ſhall have no more Coſts, unleſs for Intereſt of Lands, Title or Battery.
21 *Jac. c.* 16. §. 6.	Where Verdict in Slander is under forty ſhillings, Coſt ſhall be no more than found.
Damage clear, 17 *Car.* 2. *c.* 6. §. 2.	Damage clear to ceaſe after 29 *Septemb.* 1672. and no more paid.
Coſts, Damages, 22 & 23 *Car.* 2. *c.* 9. §. 149.	No more Coſts than Damages found under forty ſhillings, unleſs Judge certifie that Aſſault and Battery was proved, or that Title was in queſtion in perſonal Actions.

Darrein Preſentment, ſee *Preſentation.*
Death, ſee *Averment.*
Debt al Roy, ſee *Accountant.*
Decies tantum, ſee *Enqueſts.*
Deceits, ſee *Colluſion.*
Declaration, ſee *Amendment.*

Deed.

Muniments, Faits, Eſcrowl, Charters, Patents.

Waſte, &c. 52 *H.* 3. *c.* 23. *Marlbr.*	No Farmer ſhall do Waſte, Exile or Deſtruction, unleſs Licence by Deed on full Damages and Amerciament.
Baron & Feme, Fine, 6 *Ed.* 1. *c.* 3 *Glouc.*	Of Baron and Feme ſhall not bar Heir of Feme, unleſs Fine be levied in the Kings Court.
Ceſſavit, *c.* 4.	*Ceſſavit per Biennium,* on want of Diſtreſs ſhall be granted to have Lands let to Farm at fourth part of Value, but if Tenant tender Arrears before Judgment, he ſhall ſave the Land.
Return by Indenture 12 *Ed.* 2. *c.* 5. *York.*	Return by Bailiff of Franchiſe ſhall be by Indenture between him and Sheriff, by their proper Names.
Armed, 1 *Ed.* 3. *c.* 15.	To come armed to the King, void.
Tryal, 9 *Ed.* 3. *c.* 4.	Dated in Franchiſe where the Kings Writ runs not, ſhall be tried in the County.
Burned, &c. 5 *R.* 2. *c.* 8.	Burnt, deſtroyed, or otherwiſe eloyned in the late Rumor, of proof of that and Contents, provide Remedy.
Recorded, *c.* 14.	Of Covenants between the King and his Miniſters, ſhall be recorded in Exchequer.
Enrolled, 6 *R.* 2. *c.* 4.	Enrolled by Traytors to the King, and torn, rent or burnt in the late Inſurrection, ſhall be exemplified.
Marches, 4 *H.* 7. *c.* 14.	Of what belongs to the Marches, ſhall be under the Broad Seal of *England.*
Of Lady Jane, 1 *Mar. St.* 2. *c.* 4. §. 2,	Of Lady *Jane Dudley, alias Grey,* as Queen, good and pleadable in Style of the now Queen.
§. 4.	Not good of Crown Lands, *&c.* nor as private, *&c.*
1 *Ph.* & *M. c.* 1. §. 3.	A Repeal of 1 *Mar. St.* 3. *cap.* 2.
Forgery, 5 *Eliz. c.* 14. §. 2.	Forgery, or Publication of what concerns Freehold, *&c.* double Coſts, Pillory, Ears, Noſe ſlit, *&c.*
Earl of Weſtmerland, 18 *Eliz. c.* 4.	From Earl of *Weſtmerland* attaint, to be ſhewed in a year in Exchequer, and entred on Record, elſe Fraud.
At Will without Deed, 29 *Car.* 2. *c.* 3.	No Leaſes or uncertain Intereſts, but at Will without Deed.
Aſſignable by Deed, §. 3.	No Leaſe aſſignable or ſurrender, but by Deed or Note in Writing or operation of Law.
Note in Writing, §. 4.	No *Aſſumpſit* againſt Executors without ſuch Agreement, *Memorandum,* or Note in Writing.
Deviſe or Revocation void, §. 5, & 6.	Deviſe or Revocation void, unleſs ſo atteſted by three Witneſſes.
Truſt in Writing, §. 7.	Creation of truſt to be by Writing.
§. 9.	Aſſignment of Truſt to be in Writing.
Contract above 10 l. §. 17.	No Contract for above ten pounds without earneſt or Writing.
Charter, 1 *W.* & *M. Seſſ.* 2. *c.* 2.	Charters, *&c.* made before the 23 *Octob.* 1689. to be good.

Default.

Laches, Negligence, Peremptory, Receipt.

Quare Impedit, 52 *H.* 3. *c.* 12. *Marlbr.*	In *Quare Impedit,* is, 1. Summons. 2. Attachment. 3. Diſtreſs, and on Default, a Writ to the Biſhop.

After Iſſue in ſuch manner of Writs, as Dower *Unde nihil habet,* Aſſize of *Darrein Preſentment, Quare Impedit,* &c. only one Eſſoign, is allowed, and on Default, Judgment.	**Eſſoign,** *c.* 13.
Of Common Summons ſhall be amerced only by the Chief Juſtices, or in Eyre, not by Eſcheator or Commiſſioners, *&c.*	**Common Sum** *c.* 18.
Of Vouchee the firſt day in Eyre ſhall not be amerced, but on Summons three or four, and if out of the Shire, by fifteen days.	**Vouchee,** *c.* 26.
Verdict ſhall be ſo taken, if Tenant make no Attorny after appearance in Aſſize, Attaint or *Juris utrum,* and no Eſſoin.	**Verdict,** 3 *Ed.* 1. *W.* 1.
Eſſoign *De ultra mare,* if Tenant averred to be the day of Summons, and three Weeks after in *England,* were ſo, it's Default.	**Eſſoign,** *c.* 44.
At Grand Diſtreſs after Enqueſt forfeits Iſſues to the King.	**Grand Diſtreſs,** *W.* 1.
If Tenant at fourth part of Value tender not Arrears of Rent before Judgment in *Ceſſavit in Biennium,* he loſeth the Land for ever.	Ceſſavit, 6 *Ed.* 1. *c* *Glouc.*
Eſſoign of Defendant in the Kings Service, if he bring not Warrant at the day, is ſo where Attachment and Diſtreſs lie.	**Eſſoign,** *c.* 8.
Of freſh Suit ſhall not abate on Appeal of Felony, if made within a year and a day.	**Freſh Suit,** *c.* 9.
Feme ſhall be received before Judgment, ſo ſhall he in Reverſion, and ſhe have *Cui in vita* after Judgment, and death of Husband, and he in Reverſion, a Writ of Entry on death of Tenant for Life, *&c.* after Judgment.	**Receit, Feme,** 13 *c.* 3. *W.* 2.
Judgment againſt Husband ſo, ſhall not bar Wife of Dower; alſo ſhe may have *Quod ei deforceat* (on Recovery by Heir againſt Guardian by Default) of Dower before aſſigned.	**Dower,** *c.*
Of Meſne to acquit Tenant at Grand Diſtreſs and Proclamation two Counties, ſhall be fore-judged.	**Forejudger,** *c.* 9.
Eſſoign *de malo Lecti,* if not ſick, in truth is ſo in Circuit in the ſame Shire.	**Eſſoign,** *c.* 17.
Of *Ouſter le mere* in the Kings Service, on Averment that Party was at a place certain, within found certain, is ſo.	33 *Ed.* 1. *p.* 68. *De* *tectionibus.*

Delays, ſee *Amendment.*
Demurrer, ſee *Amendment.*
Denizen, ſee *Alien.*
Deodands, ſee *Coron.*

Deputy.

Of ſworn Clerk in Exchequer, ſhall be by Licence, and ſworn, but *Reſpondeat Superior* whether ſworn or not, or Officer in Fee or not.	**Clerk in Excheq** 51 *H.* 3. *p.* 11. *De Scaccar.*
Sheriff ſhall anſwer for Receivers defaults in Exchequer.	**Receivers,** 3 *Ed.* *W.* 1.
Cuſtomer, Controller, Searcher, *&c.* ſhall be reſident, and not make Deputy.	**Cuſtomer,** &c. *c.* 13.
Parliament Writs Award in the Name of the Kings Lieutenant, ſhall not be ſtayed by the Kings Return into *England.*	**Parliament W** 8 *H.* 5. *c.* 1.
Officers of the Kings Court ſhall make ſuch Clerks and Miniſters ſworn ſufficient, and faithful, for whom they will anſwer.	**Officers of the Courts,** 2 *H.* 6
None but the King ſhall pardon Treaſon, Murder, or other kind of Felony.	**Pardon,** 27 *H.* 8.
Shall not make Juſtices in Eyre, of Aſſize, Gaol-delivery, or of the Peace.	**Juſtices in Ey** §. 2.
May be made by Juſtices of the Foreſt, *&c.*	**Juſtices of Fo** 32 *H.* 8. *c.* 35.
Sheriff in two Months ſhall make four, not above twelve Miles diſtant from each other, to make Replevin of Diſtreſs, on forfeit of five pounds a Month.	**Sheriffs,** 1 & 2 *M. c.* 12. §. 3.
Shall be made by Cuſtomer in every Port.	**Cuſtomer,** 1 *El.*
Cuſtomer ſhall anſwer for wilful default of Deputy.	31 *Eliz. c.* 13.

Debt.

Foreigner of this Realm ſhall not be diſtrained in Franchiſe for Debt he oweth not there as Debtor or Pledge.	**Foreigner,** 3 *Ed.*
Lieth by Collector charged in Account againſt his Companions.	**Collector,** 9 *H.* 5 *c.* 10.
Under forty ſhillings relievable by Commiſſioners of Court of Conſcience in *London.*	**Court of Conſc** 3 *Jac. c.* 15.
Shop-Book of Tradeſmen no Evidence, unleſs ſued within the year.	**Shop-Book,** *c.* 12.
Order of Exchequer may be aſſigned irrevocable to Aſſignee, Executors, Adminiſtrators, *&c.*	**Order of Exch ſignable,** 19 *C*
Lands of *A. Davis* ſettled on Truſtees for Payment, *&c.*	A. Davis, 27 *C*
Wills, *&c.* of Lands and Hereditaments fraudulent and void againſt Creditors.	**Will void,** 3 & *M. c.* 14.
Creditors may have Debt on Specialties againſt Heir and Deviſee joyntly; and Deviſee liable to falſe Plea.	**Det vers Heir viſee,** §. 3. **Falſe Plea.**
Deviſes for Payment of juſt Debts or Childrens Portions purſuant to Marriage Contract good.	**Juſt Debts, drens Porti**

n no diſ-, §. 5. **ce.** Alienation not *bona fide* not to diſcharge Heir; and like Preference ſhall be, as in Actions againſt Executors, *&c.* and Execution to be to full value.

n. diſcent **le**, §. 6. In Debt on Specialty, *Riens per Diſcent*, &c. may be pleaded, and Reply made that Lands deſcended; and if found for Plaintiff, Judgment and Execution to be for full value; But Judgment by Confeſſion, (without confeſſing Aſſets,) or upon Demur, or *Nihil dicit*, to be general.

nt for Plain-

chargeable as §. 7. Deviſee liable to be chargeable, as Heir at Law, notwithſtanding Alienation before Action brought.

ance. This Act to continue for three years, and to end of next Seſſion.

n or Admini-, &c. **waſting** **erting**, 4 & 5 *M. c.* 24. §. 12. Executor or Adminiſtrator, of Executor or Adminiſtrator *de jure*, that waſted or converted Teſtator or Inteſtates Goods to be liable as Teſtator or Inteſtate.

Orphans, *W.* & *M. c.* 10. An Act for Relief of Orphans and Creditors of City of *London*, *Vid. tit.* London.

Debts re- **le**, 23. Debts due to Orphans mortgaged, redeemable on payment of Principal and Intereſt, within three years after this Seſſion of Parliament.

s with Sol- **s**, 24. Contracts with Sollicitor to obtain their Debts, void.

, 6 & 7 *W.* 3. §. 2. Makes perpetual 3 & 4 *W.* & *M. cap.* 14.

Debt al Roy, ſee *Accountant.*

Divine Service, ſee *Religion.*

Deviſe.

Enqueſt, *Legacy*, *Wills*, *Teſtament*, *Probate*, *Counteſs of* Warwick.

, 20 *H.* 2. *c.* 3. May be by Widow of Crop upon her Dower, and other Tenements, ſaving the Lords Services.

rch, 21 *H.*8.*c.*6. Of Mony, *&c.* to the Church or to the High Altar giveth to the Parſon, Vicar, *&c.*

rdſhip, 3 *H.* 8. May be of Wardſhip of *Capite* Lands, by ſuch as are in the Kings Wars.

s ſell, 21 *H.* 8. That Executors ſhall ſell, enables thoſe that undertake Probate of Will to ſell alone.

27 *H.* 8. *c.* 10. All true and juſt Wills made, or to be made before 1 *May*, 1536. to be as good as within forty years laſt paſt.

p, 28 *H.* 8.*c.*11. May be of Crop by the Incumbent that ſowed it.

ccage, 32 *H.* 8. All that have Soccage, and no Knights Service Tenures, may by Will or otherwiſe diſpoſe all at his Will and Pleaſure.

§. 3. Saving the Kings right of Relief, and Primer Seiſin of Soccage held in Chief, and Fines for Alienation.

nights Service **Soccage**, §. 4. Or Act executed, may diſpoſe two parts of three of Knights Service in *Capite*, for advancement of Wife and Children, or payment of Debts.

§. 5. Saving Ward and primer Seiſin, as to third part, without diminution of Dower, *&c.*

§. 6. Saving Fines for Alienation of Freehold by Wife.

§. 10. Where Knight Services is held of Common perſon and Soccage, Will may be of two parts of Knights Service, and of all the Soccage.

§. 11. May be of two parts of Knights Service held of the King, and if none be held in Chief, may be of all the Soccage.

§. 12. Saving the Kings Wardſhip, *&c.*

§. 13. The King may at Election take as much as makes up his third part diſcend, if it be not full, and ſo may other Knights Service, Lords.

, §. 14. Livery for Poſſeſſions ſhall be as at Common Law.

§. 15. Fines to be paid in Chancery on Writs of Entry in the *Poſt.*

§. 16. No other Fines for any ſuch Writ in the ſame Court.

§. 17. Heir of *A.* Joyntenant in Fee with *B.* for Life, ſhall be in Ward, ſaving Dower.

nation, 33 *H.* 8. 26. By fraud to defeat Wardſhip of Sir *John Skelton*, void.

35 *H.* 8. *c.* 5. §. 3. By Eſtate of Inheritance in 32 *H.* 8. *cap.* 1. is meant only Fee-ſimple.

, §. 4. All ſeized of a ſole Eſtate in Fee, or in Coparcenary, or in Common, having no Knights Service, (except Bodies Politick and Corporate) may by laſt Will, or otherwiſe, ſole or joyntly diſpoſe, *&c.*

s Service, §. 5. Of ſole Eſtate in Fee, or in Coparcenary, or in Common held of the King by Knights Service in Chief, (except to Bodies Politick) two parts may be diſpoſed.

§. 6. Of all, good for two parts, to be ſet out by Deviſor or Commiſſion out of Court of Wards.

§. 7. Lands holden in Knights Service, and not in Chief, to be deviſed to any but Corporation, two parts.

§. 8. Will of all good for two parts of Knights Service not in Chief, and for all the Soccage.

The Savings 32 *H.* 8. *cap.* 1. §. 3. 5. 12. to be effectual for the King, to take for his third part Lands entailed or in Fee, that diſcend or are deviſed. §. 9.

Deviſe to the King of more than two parts, good. §. 10.

The King to take as much of two parts diſpoſed, as make his full third part. **To the King**, §. 11.

On Eviction, the King to recover againſt Deviſee *pro Rata.* §. 12.

The ſaving 32 *H.* 8. *cap.* 1. §. 6. of Fines for Alienation diſcharged, by ſuing Pardon by Deviſee. **Fine for Alienation**, §. 13.

By Feme Covert, Infant, Ideot, or *None ſane* memory, not good. **By Infant**, &c. **ill**, §. 14.

Not to extend to Deviſes by ſeveral perſons named. §. 18.

He from whom the King recovers, to make up third part to have Contribution in *Chancery.* **Contribution**, §. 19.

May be of Cuſtody of Child to any but Papiſt Recuſant. **Cuſtody of Child**, 12 *Car.*2. *cap.* 24. §.8.

Mary Counteſs Dowager of *Warwick*, enabled to perform her Husbands Will. **Counteſs of** Warwick, 27 *Car.* 2. *p.*

Shall be in Writing atteſted by three preſent, *&c.* **Writing**, 29 *Car.* 2. *c.*3. §. 5.

Shall not be revoked but by Writing atteſted by three, *&c.* or by Burning, *&c.* §. 6.

May be of an Eſtate *pur auter vie.* Pur auter vie, §. 12.

Nuncupative above thirty pounds void, unleſs direct by Teſtator, atteſt by three, *&c.* **Nuncupative**, §. 19.

Not proveable after ſix Months ſpeaking. §. 20.

Nuncupative not proveable, unleſs after fourteen days of death, and on Proceſs againſt the Widow or Kindred. §. 21.

Nuncupative, unleſs commit to Writing in Life of the Teſtator, no Repeal of Will in Writing. §. 22.

Nuncupative of Goods by Souldier or Mariner, good. §. 23.

Wills, *&c.* of Lands and Hereditaments fraudulent, void againſt Creditors. **Will void**, 3 & 4 *W.* & *M. c.* 14. §. 2.

Creditors may have Debt on Specialties againſt the Heir, and Deviſee joyntly, and Deviſee liable for falſe Plea. **Det vers heir & deviſee** §. 3. **Falſe Plea.**

Deviſes for payment of juſt Debts, or younger Childrens Portions purſuant to Marriage Contract to be good. **Juſt Debt, Childrens Portions**, §. 4.

Deviſee liable, ſhall be chargeable as Heir at Law, albeit Alienation was before Action brought. **Deviſee chargeable as Heir**, §. 7.

This Act to continue for three years and to end of next Seſſion. **Continuance.**

Inhabitants of Province of *York* may diſpoſe perſonal Eſtates by Teſtament, *&c.* **Cuſtom of Y. Province**, 4 & 5 *W.* & *M.c.*2.§.2.

Except Citizens of *York* and *Cheſter.* York **and** Cheſter, §. 3.

Makes perpetual 3 & 4 *W.* & *M. cap.* 14. **Reviver**, 6 & 7 *W.* 3. *c.* 14. §. 2.

Dice, ſee *Games.*

Dying, ſee *Drapery*,

Dilapidations, ſee *Eccleſiaſtical Perſons*, *Reparation.*

Diſablement, ſee *Ability.*

Diſcent.

To be as at Common Law, and the Land of the Lord *Cromwel*, Lord *Burgh*, Lord *Cobham*, Lord *Windſor*, *Thomas Chenie*, *Chr. Hales*, *Thomas Willoughby*, *Anthony St. Leger*, *Edward Wotton*, *Edward Boneton*, *Roger Cholmley*, *John Champnes*, *John Baker*, *Reynold Scot*, *John Guilford*, *Tho. Kemp*, *Edw. Thwaitis*, *William Roper*, *Anthony Sands*, *Edward Iſaac*, *Percival Hart*, *Edward Monyns*, *William Whetnal*, *John Fogg*, *Edmund Fetyplace*, *Thomas Hardres*, *William Waller*, *Thomas Wilford*, *Thomas Moyle*, *Thomas Herlackenden*, *Geoffrey Lee*, *James Hales*, *Henry Huſſy* and *Thomas Roydon*, diſgaveled. **Gavelkind deſcendible**, 31 *H.* 8. *c.* 3.

Of *Oſwelbeck Soke* in *Nottingham*, ſhall be at Common Law, and not departible between Males as uſed. Oſwelbeck, 32 *H.*8.*c.*29.

Unleſs above five years after Diſſeſin, takes away no Entry of Diſſeiſee. **Tolls entire**, *c.* 33.

Diſceit, ſee *Colluſion.*

Diſcontinuance of Eſtate, ſee *Tail.*

Diſcontinuance of Proceſs, ſee *Proceſs.*

Diſme, ſee *Tythes.*

Diſſeizor.

Purpreſtures, *Aſſize*, *Quod ei deforceat*, *Intruſion*, *Uſurpation.*

Aſſize of *Novel Diſſeiſin* and *Mortdanceſter*, ſhall be only in the Shire, and in the Kings abſence out of the Realm, Juſtices ſent by Chief Juſtice, with Knight, and thereof ſhall end what they can, and adjourn Difficulties in *Banco.* Novel Diſſeiſin, 9 *H.* 3. *c.* 12. *Magna Charta.*

No Freeman ſhall be taken, impriſoned, diſſeiſed, or otherwiſe deſtroyed, utlawed or exiled, but by lawful Judgment by Peers, or by the Law of the Land. **Judgment of Peers**, *c.* 29.

Of Dower or Quarentine, ſhall pay Damage to Widow the value, from death of Husband to the day of Recovery, and be amerced at the Kings pleaſure. **Dower**, 20 *H.* 3. *c.* 1, *Merton.*

Diſſeiſin, *c.* 3.	On Rediſſeiſin after Recovery in Aſſize of Novel Diſſeiſin, Mortdanceſter, or of all Lands recovered by Enqueſt, Sheriff may reſtore, and Deforceor ſhall be fined and impriſoned.
Ward, 52 *H.* 3. *c.* 6. *Marlbr.*	Entry by Lord on Feoffee by Colluſion to defeat him of Ward, is ſo.
Cap. 8.	Thoſe impriſoned for Rediſſeiſin ſhall make Fine, and not be delivered by the Sheriff without the Kings ſpecial Command.
Cap. 28.	Succeſſor of Abbot, or other Prelate, ſhall have Writ to recover Seiſin againſt ſuch as enter in Vacation, and have Damages as in Aſſize.
Cap. 29.	Entry in the Poſt may be after never ſo many Alienations, and make no mention of the Degrees.
3 *Ed.* 1. *c.* 24. *W.* 1.	Againſt Eſcheator, Sheriff, or the Kings Bailiff, that ſeize by colour of Office, without ſpecial Warrant, party may have Aſſize or new Office, and double Damages.
Cap. 37.	With force or Robbery, ſhall pay Damages, make Fine, and be impriſoned.
Cap. 47.	Entry *ſur* Diſſeiſin lieth by Heir of Diſſeiſee, againſt Heir of Diſſeizor, of what Age ſoever they be of.
Cap. 48.	Prochein Amy that cannot inherit, ſhall ſue Aſſize againſt Tenant that is Diſſeizor by Feoffment of Guardian.
4 *Ed.* 1. *c.* 4. *De Bigamis.*	The King may reſeize Uſurpations of Franchiſes during Life of Uſurper.
6 *Ed.* 1. *c.* 14. *Glouc.*	The Aſſize ſhall give Damages againſt him in *London*, and not ſtay the coming of the Juſtices in the *Tower*, and Amerciaments by two Barons of Exchequer yearly.
13 *Ed.* 1. *c.* 5. *W.* 2.	Uſurpations during Infancy, Coverture or Vacation, ſhall be redreſſed by Error, Darrein Preſentment, or *Quare Impedit*.
§. 5.	Several Uſurpations by one Coparcener, bars not the other to preſent the next Turn.
13 *Ed.* 1. *c.* 21. *W.* 2.	Entry on *Ceſſavit*, 6 *Ed.* 1. *cap.* 4. lieth by Heir of Demandant againſt Heir of the Tenant and the Alienees.
Cap. 24. §. 2.	Perſon may have *Quod permittat* againſt Diſſeizor of Common, or his Heir, and try if it be the free Alms of this or that Church.
Cap. 25.	Aſſize lieth againſt Feoffor and Feoffee of particular Tenant, or of any profit *apprendre* for Life, and on falſe Exception, or failer of Record, double Damages, and a years Impriſonment.
Cap. 26.	Double Damages in Rediſſeiſin upon any Recovery that is not by Recognizance of the Aſſize.
Cap. 46.	Approvement of Common for Windmill, Dairy, Sheepcoat, or Curtilage, is none.
12 *Ed.* 2. *c.* 1. *York.*	Tenants in Aſſize may make Attorney, or plead by Bailiff, as before.
17 *Ed.* 2. *c.* 13. *Prerog. Regis.*	Heir dying ſeiſed before the Kings primer Seiſin or Homage paid, gains nothing, nor his Wife be endowed.
Recovery, 1 *R.* 2. *c.* 9.	Recovery ſhall be had againſt him, notwithſtanding Alienation to great Men or Perſons unknown, if he take the Profits.
Entry, 5 *R.* 2. *c.* 7.	Entry ſhall be only where lawful, and that not with ſtrong hand or multitude, on Impriſonment and Ranſom.
Aſſize in Confine of County, 7 *R.*2. *c.*10.	Aſſize lieth in Confine of County, where Tenements are for Rent or Common appendant to, *&c.*
Kings Patentee, 1 *H.*4. *c.* 6.	An Aſſize lieth againſt the Kings Patentee, without Title found by Enqueſt or otherwiſe, if the Kings Entry be not congeable, and treble Damages.
Feoffment to perſons unknown, 4 *H.*4. *c.*7.	Aſſize muſt be againſt the firſt during Life, on Feoffment to Perſons unknown, and then other Writs againſt Tenant of Freehold, when Action accrued, if Pernors.
Forceable Entry, *c.* 8.	Aſſize with double Damages and Impriſonment, on forcible Entry by Maintenance.
Aſſize abate, 9 *H.*4. *c.*5.	Aſſize ſhall abate, if Mayor or Lord of Franchiſe named be found none, though others in the Writ be.
Forcible Entre, Detainor, 8 *H.6.* *c.*9. §.6.	Treble Damages againſt forcible Entrer or Detainer, that hath not been poſſeſſed three years.
Abate Writ, 11 *H.* 6. *c.* 2.	Averment that Sheriff ſo named is none, abates the Writ if true.
Pernor, *c.* 3.	If Pernor on Aſſize lieth againſt him, notwithwithſtanding Alienation by him or Diſſeizee.
Tythes, 32 *H.* 8. *c.* 7. §. 7.	Aſſize lieth by perſon Eccleſiaſtical or Lay, of Tythes.
Dying ſeized, *c.* 33.	His dying ſeized, unleſs above five years after Diſſeiſin, takes away no Entry.
Entre or Claim on Fine in 1688. 1 *W.* & *M.* *Seſſ.* 1. *c.* 4.	Entre or Claim to Lands in a Fine, whereon Proclamation ſhould have been in *Hillary* Term, 1688. to begin 12 *Feb.* 1688.

Diſpenſations, ſee *Licences.*

Diſtreſs.

Shall not be made on the Widow of the Kings Tenant to marry again.	**Widow**, &c. 9 *Magna Charta.*
Shall not be of Pledges, while the Kings Debtor is willing, or able to pay, but if they be compelled, they ſhall have Lands and Rents of the Debtor till ſatisfied.	**Kings Debtors, Pledges**, *c.* 8.
Shall be for no more Service for Knights Fee, then due.	**Knights Fee**,
Shall be on no Town, nor Freeman to make Bridges nor Banks, but ſuch as in time of *H.* 2. were of right accuſtomed.	**For Bridges**, *c.*
Shall not be for Mony by Conſtable upon a Knight for keeping his Caſtle, if he will do it by himſelf or Deputy.	**For Caſtle gard**
Owner may feed Cattle impounded for the Kings Debt, and they ſhall not be ſold in fifteen days after taken, and on ſhewing Tally of Payment ſhall ceaſe, it ſhall not be made of Plow-beaſt, but until other Chattels be found, but only Damage feſant.	**Feeding Diſtre Plow-beaſts,** *p.* 11. *Diſtrict.*
For private Injury without Award of the Kings Court, ſhall pay Fine to the King, and Damage to Party, according to the Treſpas.	**Fine to King Damages**, 52 *Marlbr.*
None out of Fee ſhall be diſtrained to come to Hundred not Bailywick, on like pain, nor Diſtreſs out of the Fee.	**For Suit at Hu** *c.* 2.
None ſhall refuſe Delivery by the Kings Officers, under Fine to the King, and Damage Party, but if Lords ſuffer Delivery, they ſhall only be amerced for Diſtreſs without Cauſe.	**Delivery**, 52 *H.* *Marlbr.*
Shall be reaſonable, and not driven out of County without Judgment on Fine, or if Lord, Amerciament as Breaker of the Peace.	**Reaſonable** *c.* 4.
Shall not be for more Services againſt Feoffment by Deed, unleſs before thirty years and half unto this Statute, nor otherwiſe on Parol ancient Feoffment, before the Conqueſt.	**For Services**, *c.*
Proceſs in *Quare Impedit*, is from fifteen to fifteen days, or from three Weeks to three Weeks, 1. Summons, 2. Attachment, 3. Diſtreſs, and on default a Writ to the Biſhop.	Quare Impedit, *c.*
Shall not be taken out of the Fee, in the Kings High-way, Common-ſtreet, *&c.* but only by the Kings Officers by ſpecial Authority.	**High-way**, *c.* 15
Sheriffs without and Bailiffs within Liberties, ſhall on Complaint make Delivery of Diſtreſs.	**Delivery**, *c.* 21.
Shall not be on Freeholder to anſwer for his Freehold, nor to ſwear againſt his Will, but by the Kings Writ.	**To ſwear**, &c. *c.*
It ſhall be done with ſuch as take Beaſts wrongfully and diſtrain out of Fee, as by 52 *H.* 3. *cap.* 4. with thoſe that drive out Fee, and more grievouſly if requiſite.	Hors de ſon Fee, 3 *c.* 16. *W.* 1.
On Detainer in Caſtle, *&c.* to pay double damage, and to demoliſh the Caſtle.	**Caſtle**, *c.* 17.
Shall not be on Foreigner in City, Burrough, Town, Market or Fair for Debt he oweth not as Debtor or Pledg.	**On Foreigner**, *c.*
Grant on Default of Tenant the firſt Attachment Return, and the Iſſues thereon are ſaved by Appearance at day after, elſe forfeit to the King.	**Attachment, Appearance**, *c.*45.
If there be none ſufficient after two years, *Ceſſavit* lieth, and if Tenant tender not Arrears before Judgment, the Land is loſt for ever.	Ceſſavit, 6 *Ed.* 1. *Glouc.*
On Replevin ſhall be removed out of County, and avow before the Juſtices on Seiſin of Anceſtor or Predeceſſor ſince Aſſize of Novel Diſſeiſin ran.	**Avowry**, 13 *Ed.* *Weſtm.* 2.
On Return, Award by Juſtices on a Writ of ſecond Deliverance, the Diſtreſs is irreplevisable, unleſs for new Cauſe.	**Second Delivera** §. 2.
If Tenant be not acquitted on grand Diſtreſs, and Proclamation two Counties, the mean, if but one of full age, ſhall be fore-judged.	**Tenant, meſne**, *c.*
Found to be by malice of Sheriff, Bailiff or Lord, ſhall pay Fine to the King, and treble Damages.	**Fine, Damage**,
Shall be taken only by Bailiffs known and ſworn, on payment of Damages.	**Bailiff ſworn**, *c.*
Of adjacent Towns to levy Fences, not known who threw down, and pay Damagas.	**To levy Fences**,
By Archbiſhop of *Canterbury* and *York*, or other Prelates that neglect to read Curſes againſt Breakers of the Grand Charters, twice a year.	**Reading** Magna ta, 25 *Ed.* 1. *c.*
Shall not be for the Kings Debt, of Plow Beaſts, if any elſe, nor driven too far, but releaſe on Surety to pay by day limit to the Sheriff.	**Plow-beaſts** 28 *Ed.* 1. *c.* 12. *ſuper Chart.*
Shall not be taken on any under twenty pound *per annum*, beſides Debts inſtalled in Exchequer to be Knights.	**Knights**, 1 *Ed.* 2.
Shall not be in High-ways, nor Ancient Fees of the Church, but only thoſe newly purchaſed.	**Highway**, 9 *Ed.* *Artic. Cleri.*
For want of it by Writ of Gavelet in *London*, if Tenant deny or be not able, the Lord ſhall hold in Demean.	**Gavelet**, 10 *Ed.*

Land

Plevin, 9 *Ed*. 3.	Land ſhall not be forfeited by non-Plevin in any Plea.
of Goods,9 *H*.4. 7.	May be in any place of the County for Demiſe of Goods, where they were at time of the Grant, but not double.
Welſh,*&c.* 28 *H.6.*	By *Welſh* or *Lancaſhire* Men in *England* without cauſe, Felony.
Cuſtomer,&c. *c*.5.	By Cuſtomer, Searcher, Waterbailiff or Controller, where nothing is due, Treſpaſs lieth.
Lands of Attaint, *Ed*.4. *c*. 5.	He that hath right, may diſtrain in Lands of perſon Attaint, in the Hands of any but the King.
Recoveror, 7 *H*. 8. 4	May be by Recoverors, their Heirs and Aſſigns, for Rents, Services and Cuſtoms of the Manor, Arrear.
ry, 21 *H*.8. *c*.19. 2.	May be avowed as within his Fee and Seniory without naming any Perſon, certain on Replevin or ſecond Deliverance.
ages, Coſts, §. 3.	Avowant on Verdict, or Nonſuit of Plaintiff, or other Bar, ſhall have Damages and Coſts.
for Bridges, *H*.8. *c*.5. §.4.	May be ſold on refuſal to pay Tax, for repairing of Bridges.
Succeſſor,27 *H*.8.*c*.8.	Taken by Succeſſor for Prececeſſors Arrears.
for King, §. 4	Of Tenth may be appraiſed, and ſold to pay the King.
Executors, 32 *H*.8. 37.	By Executors of Tenant in Fee, in Tail or for Life, for Arrears of Rent.
by King, 7 *Ed*.6. §.11.	May be ſold for Arrears of the Kings Debt, delivering over-plus to Owner.
Pound,1 & 2 & *Mar*. *c*.12.	Not to drive out of Hundred, *&c.* but to Pound-overt, three miles from taking, not in ſeveral places, to put Plaintiff to ſeveral Replevies, on forfeit of five pound.
ding Fee, §. 2.	Poundage not above four pence, but leſs as uſual, on forfeit of five pound beſide what is taken more.
ties for Repleg. 3.	Sheriff in two Months to proclaim four Deputies, not diſtant above twelve miles from each other, to make Replevies on forfeit of five pound a month on default.
freſh Suit ſold, *El*.*c*.13. §.5.	Of Hundred for default of freſh Suit, on refuſal of Tax, *&c.* to be ſold, and the overplus to Owner.
poor ſale, 43 *Eliz*. 13. §. 4.	May be ſold Succeſſor, Overſeer, on refuſal to pay poor Tax.
Cap. 13.	May be ſold by Warrant of Juſtice of Peace, on refuſal of poor Tax.
ghts,17 *Car*.1. *c*.20.	Shall not be made for Fine for not taking order of Knight-hood.
Hearth=mony, *Car*.2. *c*.3. §.3.	May be ſold on non-payment of Hearth-mony within an hour after demand.
levin,17 *Car*.2. *c*.7.	Ineffectual by intricacy of proceedings in Replevin.
, &c. **arrear of** **nt,** §. 2.	On Nonſuit before Iſſue in Replevin, a Writ of Enquiſition of value of Cattel and Arrears, but after Iſſue by the Jurors impanelled.
§.3.	Judgment on Return of Enquires on Demurrer, as to value of Diſtreſs.
§.4.	May be *de novo pro reſiduo*, where value of Cattel is not the full Arrear.
venticle, 22 *Car*. 2. 1. §.2.	May be ſold on refuſal to pay ten ſhillings for ſecond Offence at Conventicle.
e meaſure,22 & 23 2. *c*.12. §.3.	May be ſold for five pound, ſelling by falſe Meaſures.
ing diſtreſs, 1 *W*. *M* *ſeſſ*. 1. *c*. 5.	Diſtreſs for Rent, if not replevied within five days after Diſtreſs, and notice, may be appraiſed by two ſworn Appraiſers, and ſold, rendring over-plus.
, Hay diſtrainable **obal.**	Corn in Sheaves, or looſe, *&c.* or Hay in any wiſe on the Land, *&c.* may be detained in the place as Diſtreſs, till replevied, or ſold as above; but not to be removed to Owners Damage.
d=breach, Re= **us.**	Treble Damages, *&c.* to be recovered in *Action ſur Caſe*, for Pound breach, or Reſcous, againſt Offender, or Owner.
aining without **ſe.**	Double value of Diſtreſs ſold, recoverable in Treſpaſs or Caſe, againſt Perſon diſtraining without cauſe.
om, Exciſe, Im= **tation, Exporta=** **in** 1688. *c*. 24.	Diſtreſſes concerning Cuſtom, Exciſe, Tranſportation of Wool, Importation or Exportation of prohibited Goods incurred between 11 *December*, and 13 *February* 1688. may be ſued for by Informer.

Done, ſee *Grants*.

Dover, ſee *Cinque Ports*.

Dower.

Widows, *Women*, *Joyntures*, *Quarentine*.

part Eſtovers, 3. *c*.7. *Mag. Char.*	Shall be of the third part of Husbands Eſtate during Coverture, if leſs be not agreed at Church-door, and aſſign within forty days after death of Husband, till which ſhe ſhall have Eſtovers in the Common, *&c.*
ges againſt De- **or,** 20 *H*.3. *c*. 1. m.	Damages againſt Deforceor of Dower or Quarentine, ſhall be the value thereof from death of Husband to the day of Recovery.
, Crop, *c*. 2.	Widows may Deviſe their Crop, ſaving the Lords Services.

Shall be continued from Return days of one Term to another, according as it comes in.	**Continuance,** 51 *H*. 3. *p*. 11.
Unde nihil habet ſhall have four days in the year at leaſt, and 1. Summons. 2. Attachment. 3. Diſtreſs.	Unde nihil habet, 52 *H*.3. *c*. 12. *Marlb.*
Unde nihil habet ſhall not abate by Endowment of any other before the Writ purchaſed, but of the Tenant in the ſame Town.	Unde nihil habet, 3 *Ed*.1. *c*. 49. *Weſt*. 1.
Againſt Guardian by Grant of the King, or againſt Heir, they ſhall not have *Aid del Roy*.	Aid del Roy, 4 *Ed*.1.*c*.3. *De Bigamis.*
On waſt, ſhall loſe the place, and pay treble damages to Heir.	**Waſt,** *Ed*. 1. *c*. 5. *Glouc.*
On Sale or Gift in Fee or for Life, Heir may have a Writ of Entry.	**Entry on Sale,**&c. *c*.7.
Is not barred by Recovery, by Default, by Colluſion, but Recoveror may plead his Right, or vouch as Tenant alſo; *Quod ei deforceat* lieth by Feme on Judgment by Default againſt Heir or Guardian that aſſigned it.	**Recovery, Colluſion,** 13 *Ed*.1. *c*.4. *W*.2. Quod ſi deforceat.
Shall be admeaſured by Guardian or Heir, if no appearance of Defendant be in two Counties, of Grand Diſtreſs and proclaimed.	**Admeaſurement,** *c*.7.
Shall not be had of Heir dying ſeized before Homage done to the King.	**Heir dying before,** &c. 17 *Ed*.2.*c*.13. *Prer. Reg.*
Is forfeit by conſent to Raviſher.	**Conſent to raviſh,** 6 *R*. 2. *c*. 6.
Joynture is forfeit by Alienation, Recovery, *&c.* unleſs Heir, or he in Reverſion joyn.	**Alienation,**&c. 11 *H*.7. *c*. 20.
Joyntreſs of uſe ſhall claim none.	**Joyntreſs of Uſe,**27 *H*. 8. *c*. 10. §. 6.
Joyntreſs of uſe evict, may claim Dower of reſidue.	**Joyntreſs evict,** §. 7.
Joynture after Marriage, unleſs by Act of Parliament, may be waved at Election.	**Waver Joynture,** §. 8.
Saved to Wife of *A*. Joyntenant with *B*. for Life, of *Capite* Lands.	**Joyntenancy** in Capite **&c.** 32 *H*.8. *c*.1. §.17.
May be demanded by Wives of Perſons Attaint, Convict or Utlaw for Treaſon, Murder, *&c.*	**Demand on,**&c. 1 *Ed*.6. *c*. 12. 17.
Shall not be demanded while Attainder of Husband or Treaſon continues.	**Demand continuing,** &c. 5 & 6 *E*.6. 11. §.9.
Feme of Prieſts ſhall have it of Fee or Tail general, and he be Tenant *per* Courteſie.	**Feme of Prieſts,** &c. *c*. 12. §. 2.
Not forfeit for Treaſon in extolling the See of *Rome*.	**Extolling** Rome, 5 *El*. *c*. 1. §. 12.
Not loſt for Treaſon in Clipping, Waſhing, Rounding or Filing Mony. So 18 *Eliz*. *cap*. 1.	**Clipping,** *c*. 11. §. 4.
Not forfeit by felonious Tranſporting Sheep.	**Tranſporting Sheep,** 8 *El*. *c*. 3. §. 3.
Not forfeit for Bigamy.	**Bigamy,**1 *Jac*.*c*.11. §.4.
Not forfeit for Witchcraft.	**Witchcraft,** *c*.12. §.4.
Not forfeit be Felony of infected Perſon going abroad.	**Infected going abroad,** *c*. 31. §. 8.

Drapery.

Coverlets, *Fuſtians*, *Logwood*, *Clothes*, *Wool*, *Linnen*, *Bays*, *Stuff*, *Mercer*, *Aulnager*, *Seals*, *Worſted-Camblet*, *Silk*, *Sattin*, *Weaving*, *Hoſiers*, *Stockings*, *Dyers*, *Cards*, *Flocks*, *Upholſter*.

On breadth of dyed Cloth throughout the Realm, Ruſſets and Haberjects, *viz.* two yards within the Liſt.	**Breadth,** 9 *H*. 3. *c*. 25. *Mag. Charta.*
The Meaſure and Aſſize of Clothes of Ray, and of Colour.	**Meaſure,** 2 *Ed*.3. *c*. 14. *Northampt.*
Felony to export Wool till otherwiſe ordained.	**Wool export,** 11 *Ed*. 3. *c*. 1.
None ſhall wear any Cloth, but ſuch as is made in *England*.	*Cap*. 2.
None ſhall import into *England*, *Ireland*, *Wales* or *Scotland*, any Clothes Foreign made, on Forfeiture.	**Cloth import,** *c*. 3.
Foreign Cloth-workers may come into *England*, *Ireland*, *Wales* or *Scotland* and have ſufficient Franchiſe.	**Foreign Cloth-worker** *c*. 5.
A Subſidy for the Kings Wars of Wool, Wool-fells, Leather, *&c.*	**Subſidy of Wool,** 14 *Ed*. 3. *c*. 21.
The Kings Aulnager ſworn, ſhall meaſure all Cloth Ray by a ſeven Yard Line four times by the Liſt breadth, ſix Quarters by the Yard coloured by the back, by a Line ſix Yards and half four times the breadth, ſix Quarters and half by the Yard without defoyling, or elſe to be Arreſt by every Buyer.	**Aulnager Meaſure,** 25 *Ed*. 3. *c*. 1.
A Subſidy of every Cloth, on Releaſe of the King Forfeiture for want of Meaſure, and only an allowance to be to Party, and Aulnagers Fee is a half peny for every whole Cloth of Aſſize, and a Farthing of half, and if leſs, nothing; nor to meddle with Cloth not ſold, and if Cloth be put to ſale before ſealed, its forfeited.	**Aulnagers Fee,** 27 *Ed*. 3. *c*. 4.
No Merchant to make other refuſe of Wools, then Cote, Gare and Villain Fleeces.	**Cote, Gare,**&c. 31 *Ed*.3. *c*. 8.
Cloths ſhall be made of ſufficiency for the Prices.	**Price,** 37 *Ed*. 3. *c*. 15.
The length and breadth of Ray and Colour-cloth.	**Length, Breadth,** 47 *Ed*. 3. *c*. 1.

Fulling, 50 *Ed.* 3. *c.* 7.	Woollen Cloaths ſhall not be tranſported, nor Subſidy paid till fulled.
Aulnage Frize, *c.* 8.	No Aulnage for Frize-ware of Iriſh Wool, being no Ray nor coloured Cloths.
Aulnagers Forfeiture, 3 *R.* 2. *c.* 2.	Aulnager that put Seal to deceitful Cloth, or not meaſured, forfeits the Value and his Office and a years Impriſonment.
Forfeit to Informer, 7 *R.* 2. *c.* 9.	All former Statutes confirmed, and third part of defective Cloth given to the Informer, to be paid by Aulnager, and the reſt anſwered into Exchequer.
Length, Breadth, 12 *R.* 2. *c.* 14.	The Length and Breadth of Cloth, as 47 *Ed.* 3. *cap.* 1. confirmed.
Wools weight, Cote, Gare, 13 *R.* 2. *c.* 9.	Wool ſhall be only fourteen pound to the Stone, and no refuſe but Cote, Gare and Villain; Contract for good packing void, Impriſonment and double Damages.
Cogware and Kendal, *c.* 10.	Cloths called Cogware and Kendal three quarters broad, ſome forty pence, ſome five ſhillings price, may be as uſed, but not of the beſt Wool.
Cloth tacked, &c. *c.* 11.	No plain Cloth tacked nor folded, ſhall be ſet to Sale in *Somerſet*, *Dorſet*, *Briſtow* or *Glouceſter*, but opened as in *Eſſex*, and ſealed by the Worker, Weaver or Fuller.
Guilford **Cloth,** 15 *R.* 2. *c.* 10.	No *Guilford* Cloths to be bought before fulled, *&c.*
Kerſeys, Aulnager, 17 *R.* 2. *c.* 2.	All may ſell Kerſies and other Cloths of what Length and Breadth he pleaſe paying Aulnage *pro rata*, but not ſell till meaſured by Aulnager, nor no deceit in mingling.
Single Worſtead, Bolts, *c.* 3.	Workers of ſingle Worſtead, may carry Bolts whither they will, paying Cuſtoms without Duties of *Calice*, but to carry no double Worſtead, nor half double Ray, nor Morley, on Forfeiture.
May pack, 1 *H.* 4. *c.* 16.	Merchant of *London* may pack as well as others.
Subſidy, *c.* 19.	For three years no Cloth not exceeding thirteen ſhillings four pence the Dozen, ſhall pay Subſidy or be ſealed.
London **Cloths,** 4 *H.* 4. *c.* 6.	A Seal of Lead ſhall be for Cloths wrought in *London*.
Aulnage to farm, *c.* 24.	The Treaſurer may let the Aulnage of Cloths to Farm, notwithſtanding 17 *R.* 2. *cap.* 5.
Length and Breadth, 7 *H.* 4. *c.* 10.	The Length and Breadth of Cloth, Ray and Colour, Repealed by 9 *H.* 4. *cap.* 6.
Kendals, 9 *H.* 4. *c.* 2.	Owners of *Kendal* Cloth not above 6 *s.* 8. *d.* Dozen, may ſell without Aulnage.
Plait or tack, 11 *H.* 4. *c.* 6.	None ſhall plait or tack Cloth, till ſealed with new Seal of the Aulnager.
Merchant-Strangers Cuſtoms, *c.* 7.	Merchant-Strangers ſhall pay Cuſtom and Subſidies, Grant thereof for Garments proportionable to the Piece.
Length and Breadth, 13 *H.* 4. *c.* 4.	A Confirmation of 7 *H.* 4. *cap.* 10. and 11 *H.* 4. *cap.* 6. *&c.* of the Length and Breadth of Cloth.
Clocking, packing, &c. 8 *H.* 6. *c.* 22.	No Clocking or Bearding of Wool by Strangers, due Packing, no Inwinding of Locks, Tar, Sand, Earth, Glaſs, nor any Dirt, nor pelt Wool
Thrums, &c. *c.* 23.	None ſhall tranſport Thrums or Woollen Yarn, on forfeit of double.
Exportation, 10 *H.* 6. *c.* 7.	Wools carried any where but to *Calice*, forfeit.
Explanation, 11 *H.* 6. *c.* 19.	The word Cloth in 17 *R.* 2. *cap.* 2. in 7 *H.* 4. *cap.* 10. and in 11 *H.* 4. *cap.* 6. is intended whole, called Broad Cloth and Broad Dozens, not of other Cloths or Pieces called Strait, which muſt be fourteen Yards length, and one Breadth unwatered, twelve watered.
Norwich, 20 *H.* 6. *c.* 10.	Four Wardens of Worſted Weavers of *Norwich* yearly to ſearch Length and Breadth of Stuffs.
Shipping Thrums, 23 *H.* 6. *c.* 3.	The packing or ſhipping Thrums beyond Sea, forfeits value.
Norwich, *c.* 4.	Four Wardens in *Norwich*, and four in County, ſhall order all Worſteads.
Silk, 31 *H.* 6. *c.* 5.	Wrought Silk ſhall not be imported for five years.
Breadth, Length, 4 *Ed.* 4. *c.* 1.	Broad Cloth ſet to Sale after watering, ſhall hold twenty four yards, and twenty four Inches by the Creſt, Breadth two yards, or ſeven quarters and two Inches.
Straits Length, &c. §. 2.	Straits twelve Yards and three Inches Length, Breadth a yard within the Liſts.
Kerſies Length, &c. §. 3.	Kerſey eighteen Yards and three Inches, Breadth a Yard and a Nayl.
Half Cloth mingled, §. 4.	Half Cloth to be proportionable; none mingled with Lambs-Wool, Flocks or Cork, on pain twenty ſhillings, unleſs ſeparate or uſed for Dying, or perfectly boiled.
One Workmanſhip in Weaving, &c. §. 5.	All Cloth to purſue one Workmanſhip in weaving, knitting, fulling or burling, and on difference of Raw, Skaw, Cocket or Fagge, to be ſealed at lower end for that purpoſe; if perfect ſealed with Print of Lead; Lord Treaſurer to make as many Keepers of Seals as he pleaſe, but no Alien; Cloth-makers ſhall not deliver by weight, but pay Wages to Carders and Spinſters.
Carder, &c. **Penalty,** §. 6.	Carder, Spinſter, Weaver, Fuller, Sheerman and Dyer to perform Duty on double Damages, Juſtice of Peace to hear and determine.
Cloth imported, forfeit, §. 7.	All Cloths made in other Regions but *Wales* and *Ireland*, or taken on the Sea, forfeit if imported to ſell.

For three years none ſhall contract for Wool then not ſhorn, but that they make Cloth of them, not for growing Bark.	**Contract for W** &c. *c.* 4.
The four Wardens of Worſted Crafr, ſworn yearly the Monday after *Corpus Chriſti*.	**Warden of Wo** 7 *Ed.* 4. *c.* 1.
Shall ſee to the Aſſize, the greateſt Beds fourteen yards largely, and Breadth four, Aſſize of leſſer Beds twelve Yards and three in Breadth, the leaſt ten Yards and in Breadth five Quarters, Monks Cloths twelve Yards and five Quarters Breadth, Chamon Cloths ſix Yards, and two Breadth, or five and ſeven Quarters Breadth, Double Motlies ſeven yards and five Quarters Breadth, Double Worſted ten Yards and five Quarters Breadth, and Roll of Worſtead thirty yards, and half a Yard Breadth not mixt.	**Beds length, B** §. 2.
Mayor with twelve ſhall hear and determine, and charge twelve Artificers to ſwear to ſearch the work of the Wardens.	**Searching Wo**
Defects in Wardens or Artificers to be corrected by the Mayor and Steward.	**Defects in Arti** &c. §. 4.
Forfeiture of Stuffs defective, and each to put his Mark.	**Stuffs forfeit,** §.
Wardens ſhall aſſign place for View of Stuff certain days, and all Acts and Grants in prejudice, void.	**View of Stuff**
That all Officers be attending to the Mayors, *&c.* in Search.	**Search,** §. 7.
Liſton, *Taveſtock*, and *Rowburgh*, in *Devon* may put in Flocks to Cloths by reaſon of ſtubborneſs of the Wool.	Devon, *c.* 2.
None ſhall tranſport Woollen Yarn or Cloth unfulled, on forfeit of the Value.	**Export fulled,** *c.*
The Length, Breadth and Weight of *Norwich* and *Norfolk* Cloth, and *Suffolk* and *Eſſex*.	**Length,** &c. 8 *E* *c.* 1.
Wools of ſome places to *Newcaſtle*, of all elſe to the Staple at *Calice*.	Newcaſtle, Calic 12 *Ed.* 4. *c.* 5.
Cloths, Straits and Kerſeys, made as 4 *Ed.* 4. *cap.* 1. §. 5. ſhall pay no more for two Seals of Wax than before for one, the Treaſurer may let the Subſidy or Aulnage, to Farm, taking half Forfeiture upon yearly Rent to the Exchequer.	**Straits, Kerſies,** **nage,** 17 *Ed.* 4.
No Broad Clothes to be ſold unwatered.	**Watering,** 1 *R.* 3.
Shall be twenty four yards and twenty four inches long by the Creſt, two yards bredth with the Liſt.	**Length, Breadth,**
Half Cloth not to exceed ſixteen yards length on cutting, and forfeit ſix ſhillings eight pence.	§. 3.
Straits twelve and twelve inches, and bredth a yard watered.	§. 4.
Kerſey watered, eighteen yards and eighteen inches, and a yard and a nail bredth at leaſt.	§. 5.
Seals to be provided, and Aulnager to be expert in making Cloth, and to be worth one hundred pound.	**Seals,** §. 6.
No Cloth, Woollen Fulled, ſhall be drawn by Tentring or otherwiſe, on Forfeiture.	**Tenting,** §. 7.
No Flocks or deceit, on Forfeiture of forty ſhillings.	**Flocks,** §. 8.
No Chalk to be caſt on white Cloth.	**Chalk,** §. 9.
No Sheerman ſhall cancel Cloth till watered, on forfeit of forty ſhillings.	**Cancelling,** §. 10.
No Woollen Cloth to be exported till fulled.	**Export fulled,** §.
No Cloth to be retailed till watered.	**Retailing,** §. 12.
None ſhall keep Tenters to draw out Cloth.	§. 13.
That all Wool ſhall be pure wound, and not of Carracks or Ships of the Straits.	**Wool winding,** §.
No dying of Woollen with Orchel or Cork called Jarrock, on forfeit of forty ſhillings.	**Dying,** §. 15.
Cork made in the Realm may be put on Cloth boiled perfect; Dyer ſhall dye Cloth and Liſt of the ſame with one Colour, nor with Bulruſhes tackt or ſewed, on forfeit of forty ſhillings.	§. 16.
Seizures to be brought to the Mayor, *&c.* and he to judge the ſame.	**Seizures,** §. 17.
Not to prejudice Ray nor Cloth of *Wincheſter* or *Salisbury*, nor to Verdiſe or Plunkets, Turkins or Celeſtrines, nor Packing Whites, Veſſes, Cogware, Worſteads Baſtards, Kendals, Saylingware, nor Frizeware.	**Verdiſe, Plunke** **Turkins,** &c.
Yet all Cloth to be duly made for the Kings honour.	§. 19.
No Cloth ſhall be tranſported before it be bearded, rowed and Shorn.	**Bearding, Row** &c. 3 *H.* 7. *c.* 11.
None for ten years may contract for Wool that ſhall grow in Beards, *&c.* before Lady-day next after the Sheering.	**Beards,** 4 *H.* 7. *c.*
No Irons or Inſtruments, nor no undue or ſubtile mean to be uſed in Fuſtains, on forfeit of twenty ſhillings, and the Mayor and Wardens of Sheermen in *London*, to enter and ſearch, *&c.*	**Fuſtains,** 11 *H.* 7.
A Repeal of 11 *H.* 7. *cap.* 27. as to ſeparate Worſtead ſheering from the Sheermens Craft, but to ſtand as to taking, putting, *&c.* Apprentices.	**Worſtead ſheering,** 19 *H.* 7. *c.* 17.
The King nor none ſhall take Penalties on 1 *R.* 3. *cap.* 8. till the next Parliament.	**Penalty on** 1 *R.* 1 *H.* 8. *c.* 2.
The Duties of Breaker, Kember, Carder, Spinner, Weaver, Fuller, Clothier and Aulnager.	**Duty of Breake** **Carder,** &c. 3 *H.* 8

A Con-

ſſels **Rays, &c.** *c.* 7.	A Confirmation of 7 *Ed.* 4. *Cap.* 3. and 3 *H.* 7. *Cap.* 11. and that Veſſels, Rays, Sayling Clothes and others ſold at four Mark or under, be not compriſed but may be Tranſported not Barbed, Rowed nor Shorn.
ſtomers **Silks**, 4 *Hen.* 8. *cap.* 6.	Cuſtomer and Controller forfeit twenty pound; that take more then two pence a piece for Sealing Cloth of Gold, Silver, Baudekin, Velvet, Damask, Sarcenet, Tarriton, Chamlet, and other Silks.
raits **mark**, 5 *Hen.* 8 *cap.* 2.	White Straits of Devonſhire to be yard half quarter broad, and fifteen long, each to ſet his own Mark, not anothers, on forfeiture.
loth **tranſported unſhorn**, *cap.* 3.	Woollen Cloth under five Marks may be Tranſported unſhorn, unbarbed or unrowed, but if above, forfeit.
llender, *cap.* 4.	None ſhall dry Kalender any Worſteds, on forfeit of five pound, nor uſe wet Kalender, unleſs Apprentice ſeven years.
ſſet **Straits**, 6 *Hen.* 8. *cap.* 8.	A Confirmation of 5 *H.* 8. *Cap.* 2. and that Ruſſet Straits be in the ſame manner, and to weigh Raw fifteen pound, on forfeit.
ol **Waſt**, *cap.* 9.	Wool delivered by the Clothier ſhall be true *haver de pois* Sealed, not exceeding after the rate of twelve pound ſeamed above a quarter of a pound for waſt, and redeliver the waſt except, without fraud.
avers **weight**, §. 2.	Weaver ſhall deliver the ſame weight and ſurplus of Yarn.
ad, §. 3.	None buy coloured Woad of Carder, but in open Market.
ker **Fuller**, §. 4.	The Walker and Fuller ſhall uſe no deceit, nor row or work Cloth with Cards.
th **ſhrunk**, §. 5.	No Cloth ſold till full wet, and not ſhrunk above a yard, on rebate.
ained **Tenters**, §. 6.	Cloth ſhall not be ſtrained by Taynder or Wrench.
cks, §. 8.	No Flocks to be deceitfully wrought, on forfeiture.
aſure, §. 9.	The meaſure of all Cloth to be by the yard and inch, on forfeit One hundred ſhillings.
dals, §. 10.	Not to prejudice *Kendals* or *Carpenel* whites.
folk Wool, *c.* 12.	None ſhall Tranſport *Norfolk* Wool for Worſted.
mouth, 14 & 15 *H.* 8. *cap.* 3.	That the Warden of Worſted Weavers in *Yarmouth* ſhall be ſworn before the Mayor of *Norwich*, as 7 *Ed.* 4. *cap.* 1.
k **Worſteds, &c.** §. 2.	He may appoit a Seal (Y) to Seal Worſteds, Says and Stamins.
rk, §. 3.	Every man ſhall uſe particular Mark.
§. 4.	So long as *Lyn* hath ten Houſholders of this Craft, they may chuſe Warden, &c. and Seal L. and Search, &c.
§. 5.	None but Inhabitants Engliſh, that have Apprentice, to make any Stuff.
§. 6.	When *Lyn* have not twelve, one of *Norwich* ſhall viſit and by name of *Unus Guardianorum* ſue forfeit againſt Inhabitants *de Lyn*.
§. 7.	All Worſted, Says, and Stamins, being once Markt, may be ſold without marking by others, notwithſtanding 7 *Ed.* 4. *Cap.* 1.
prentice, §. 8.	They may take Apprentices not above two, though of no Eſtates.
wich, §. 9.	Not to prejudice *Norwich* in any other points of 7 *Ed.* 4 *Cap.* 1.
§. 10.	None to Sheer, Dye, put in Colour, or Kalender any Worſteds, Says or Stamins, but only in *Norwich*, on forfeit.
anſportation, §. 12.	None ſhall Tranſport Clothes or Worſteds before Shorn, Dyed, Coloured and Kalendred.
ſſels, &c. *cap.* 11.	Veſſels and ſet Clothes of *Suffolk* under forty ſhillings, may be ſold as uſual, notwithſtanding they ſhrink above a yard and nayl, 6 *H.* 8. *Cap.* 9. §. 5.
wlas, &c. 21 *Hen.* 8. *cap.* 14.	The length and bredth of Dowlas and Locram Imported.
s, &c. 22 *Hen.* 8. *c.* 1.	None for ten years to buy Wool in *Berks*, &c. twenty eight Counties, before the Aſſumption of our Lady, unleſs to make Cloth.
ll winding, 23 *H.* 8. *cap.* 17.	Wooll not to be wound till received and waſhed, nor with Clay, Lead, Stones, Sand, Tayles, deceitful Locks, Cott, Calls, Comber, &c. nor any thing whereby Fleece is more weighty, on forfeit ſix pence.
§. 2.	Not to prejudice ſuch as cuſtom not to waſh, or ſell Fleece by Tale.
ing, 24 *Hen.* 8. *c.* 2.	None ſhall Dye or alter Woollen Cloth, &c. unleſs perfectly Boyled, Maddered, &c. no Dyer to uſe Brazlie.
llender, 25 *Hen.* 8. *cap.* 5.	A Confirmation of 5 *Ed.* 8. *Cap.* 4. made perpetual, and that none uſing Trade of Dying Worſteds, ſhall Kalender any, on forfeit of forty ſhillings.
rceſter, &c. *c.* 18.	None but Inhabitants of *Worceſter*, *Everſham*, *Droitwich*, *Kederminſter* and *Bromiſgrave*, ſhall make Woollen Cloth within the County.
§. 3.	Rents in thoſe Towns to be but as twenty years laſt.
Yarmouth, 26 *H.* 8. *cap.* 16.	A Confirmation of 7 *Ed.* 4. *Cap.* 1. and 14 *H.* 8. *Cap.* 3. and made perpetual of Worſted Weavers in *Lyn* and *Yarmouth*.
rk, 27 *Hen.* 8. *c.* 12.	Every Clothier to Weave with ſeveral Token or Mark, and Seal them with Lead, of what length, on forfeit of double value, and the Cloth.
ad Cloth, Kerſey, edth, § 2	Broad Cloth to be ſeven Qarters bredth between the Liſts, notwithſtanding 1 *H.* 8. *Cap.* 2. that it ſhould two yards, and Kerſey to contain a yard within the Liſts watered.

Not to extend to ſet Clothes of *Suffolk*, of two pound ſix ſhillings eight pence the Cloth, nor to *Taveſtocks*, Weſtern Dozens, Frizes, *Kendal* Cottons, and courſe Clothes for Lynings.	§. 3.
Aulnager ſhall not Seal till maker Seal; no buyer to ſtretch it, on forfeit double.	**Aulnager**, §. 4.
Cloth in *Worceſter*, *Droytwich*, &c. to be Sealed by Searcher there.	Worceſter, &c. §. 5.
White Cloth Woollen of four pound or under, and coloured Cloth of three pound or under, may be Tranſported, notwithſtanding 5 *H.* 8. *Cap.* 3. unbarbed, unſhorn, unrowed.	**Tranſport unſhorn**, *c.* 13
Any Clothes above that value Tranſported, to be forfeited.	§. 2.
A Repeal of 21 *H.* 8. *Cap.* 14. againſt Importing Locram and Dowlas.	**Dowlas, &c.** 28 *Hen.* 8. *Cap.* 4.
Whole or half piece of the ſaid Linnen, unleſs the number of yards and ells be expreſſed, not to be ſold, on forfeiture, &c.	§. 2.
White, Ruſſets, and Kennets of *Northwales* and *Orcheſter*, to be foulded in Pleats or Cuttels as other Clothes, and not hard Rolled, on forfeiture.	Northwales, &c. **folding**, 33 *Hen.* 8. *Cap.* 3.
None ſhall buy in *Norwich* or *Norfolk*, any Worſted Yarn Spun there, but only Weavers, or ſuch as cauſe it to be woven there, on forfeit of forty ſhillings every pound.	Norwich **Weavers**, *c.* 16.
Tranſporter of Worſted Yarn not wrought in Cloth, forfeit forty ſhillings a pound.	**Tranſport of Yarn**, §. 2.
Flax and Hemp ſhall not be watered in running Waters, Rivers, &c.	**Flax Watring**, *cap.* 17.
A Repeal of 27 *H.* 8. *cap.* 12. §. 2. as to bredth of Kerſeys.	**Kerſey breadth**, *cap.* 18.
For Explaining 27 *H.* 8. *cap.* 13. white Cloth above four pound, and coloured above three pound, are forfeit by Shipping to Tranſport, before conveyed beyond Seas.	**White Cloth Tranſport**, *cap.* 19.
Coverlets in *York* City to be three yards long and two and a quarter broad, or elſe three yards long and two broad, or two yards and half length, and one and three quarters bredth.	**Coverlets bredth**, 34 & 35 *Hen.* 8. *cap.* 10.
None of *Yorkſhire* to make any Coverlets for ſale, unleſs in *York* or Suburbs, on forfeit.	York, §. 2.
Aulnager in *Wales* to do and be bound, and forfeit as by the Laws of *England*.	**Aulnager in** Wales, *c.* 26 § 122.
None but Merchants of the Staple to buy Wooll in twenty ſeven Shires, &c.	**Wooll buyers**, 37 *H.* 8. *cap.* 15.
Woolls in *Norfolk* may be brought to retayl there notwithſtanding 37 *H.* 8. *Cap.* 15.	1 *Edw* 6. *cap.* 6.
The Stature 37 *H.* 8. *Cap.* 15. and 33 *H.* 8. *Cap.* 16. made perpetual.	§. 3.
Hatmakers in *Norwich* may buy Worſted Yarn middle woof.	**Hatmakers**, §. 4.
Clothier to ſet his Seal of Contents to be tried by the water.	**Seal of Contents**, 3 & 4 *Ed.* 6. *cap.* 2.
Sets Clothes nor other to be ſtretcht above a yard and a half in length, and a quarter of a yard in bredth.	**Stretching**, §. 2.
On forfeit of forty ſhillings no Cloth to be ſold that Shrinks more, and narrow Streights and Kerſeys to be ſtretcht but a yard in length, and half a quarter in bredth, on forfeit of twenty ſhillings.	**Shrinking, Streching** §. 3.
Dyers not to alter Brown, Blew, Pewks, Tawnyes and Violets, unleſs well Boyled, &c.	**Dyers**, §. 4.
Ruſſets, Muſters, Marbles, Grayes, Royes, not to be dyed, or made Hats or Caps, &c.	§. 5.
No Flocks, Chalk, Flower or Starch, to be put on Cloth coloured.	**Flocks, Chalk, &c.** §. 6.
None to have Iron Cards or Pricards in rowing Cloth.	**Iron Cards**, §. 7.
No Cloth to be ſold but according to the true meaſure, adding inch to yard.	**Meaſure**, §. 8.
Juſtices of Peace in Towns not Corporate, or two, with Clothiers, to Examine on Oath.	**Juſtice of Peace**, § 9.
Overſeers every Quarter to viſit Clothiers, Drapers, Cloth-workers, Dyers, Preſſors.	**Overſeers**, §. 16.
If Overſeers Sue not in half a year, the King to have moiety and the Informer the other.	§. 11.
Refuſer to be overſeer forfeits forty ſhillings, and if he do not ſearch quarterly ten pound, and he that interrupts ſearch forfeits twenty pound.	§. 12.
Suit for offence to be within a year after.	§. 14.
Every Cloth to be Marked (E) Crowned before Sale.	**Mark**, §. 15.
Broad Cloth of *Kent*, *Suſſex* or *Reading*, or the like watered, twenty eight or thirty yards, and ſeven quarters bredth, and in weight Fulled and Dried ninety pound.	**Watring, Meaſure, Weight**, 5 & 6 *Ed.* 6. *cap.* 6. §. 4.
Whites of *Worceſter* and the like, wet twenty nine or thirty one yards ſo many inches, and ſeven quarters broad, and in weight eighty four pound.	§. 5.
Coloured Cloth of *Coventry* and like, the ſame meaſure.	§. 6.
Short *Worſteds* wet, twenty three or twenty, or twenty five and inches length, weight ſixty pound.	§. 7.
Cloured long Cloth of *Suffolk*, &c. wet, twenty eight and thirty inches, &c. weight eight pound.	§. 8.

§. 9.	Short Coloured, &c. wet twenty three and twenty five and inches, and weight ſixty four pound.
§. 10.	Handyworks wet, &c. ſeven quarters broad, of what length ſoever, and weight three pound a yard, Whites the like.
§. 11.	Whites and Reds of *Wiltſhire*, &c. wet twenty ſix and twenty eight, &c. weight ſixty four pound, Coloured, wet twenty five and twenty eight and inches, weight eighty eight pound.
§. 12.	Kerſyes ordinary ſeventeen and eighteen and inches, &c. weight twenty pound, ſo of Sorting Kerſyes.
§. 13.	*Devonſhire* Kerſyes, Dozens, wet twelve and thirteen and inches, &c. weight fourteen pound.
§. 14.	*Taunton* Broad Clothes, &c. wet twelve and thirteen and inches, the narrow twenty four and twenty five and inches, and in bredth one yard, in weight thirty four pound.
§. 15.	Chequer Kerſyes and Straits, wet ſeventeen and eighteen and inches, weight twenty four pound.
§. 16.	Welſh Cottons not ſtretcht, wet thirty two goads length, three quarters bredth, weight forty ſix pound.
§. 17.	Welſh Frieze watered, thirty ſix and inches length, ſeven quarters bredth, weight forty eight pound.
§. 18.	Northen Cloth twenty and twenty five and inches, &c. weight ſixty ſix pound and ſo §. 19. of half piece.
§. 20.	Penyſtones and Forreſt Whites, wet twelve and thirteen and inches length, ſix quarters bredth, weight twenty eight pound.
§. 21.	Cottons of *Mancheſter, &c.* twenty two goads length, the quarters bredth, thirty pound weighr.
§. 22.	*Mancheſter* Ruggs or Frizes thirty ſix yards, &c forty eight pound weight.
Forfeiture, §. 23.	Sale of leſs meaſure, forfeits forty ſhillings every Cloth, and for leſs weight, above four pound, two ſhillings *per* Ell.
§. 24.	No penalty for over meaſure.
§. 25.	Sale of every narrow Cloth, Kerſey, &c. of leſs meaſure, forfeits twenty ſhilling.
Hair Flocks, §. 26.	No Hair, Flocks, or Yarn of Lambs wooll to be put in; on forfeiture of Cloth, &c.
Cloth Purſey, §. 27.	If Cloth prove Purſey, Bandy, &c. or ill *Burled* in the Mill, &c. not to be Sealed.
Aulnagers Fee, §. 28.	Sale by Clothier before Aulnagers Fee agreed for, forfeits twenty ſhillings.
Sealing, §. 29.	None to be Tranſported, unleſs Sealed by the King or Aulnager and party, on forfeiture.
§. 30.	No Draper or Retailer to ſell Cloth Sealed, till tryed by the water, and weighed.
Defects preſented, §. 31.	Defects to be preſented to Mayor, Head officer, or two next Juſtices, and Cloth cut in three parts.
Defective Cloth, §. 32.	Clothier to repay on ſale of defective Cloth Sealed, or forfeit double damages.
Stretching, §. 33.	No Cloth to be ſtretcht above one yard length, and half in bredth, on forfeit of five pound.
Tentors, §. 34.	None that uſe Tentors, ſhall uſe Wrench, Rope or Ring therewith.
Defective Cloth, §. 35.	Merchant that Returns not defective Cloth to the maker forfeits it if Tranſported.
Search, §. 37.	Mayor of *London*, &c. to appoint two upon Oath to Search Cloth Dreſſed, and Seize, &c.
Informer, §. 38.	He in whoſe hands defective Cloth is Seized, to Inform, &c.
Seal London, §. 39.	The Mayor of *London, &c.* to have Seal of Lead for Clothes ſufficient, and two pence *per* Cloth Fee.
Searchers Seal, §. 40.	If Searchers find Cloth Cockly, &c. and defective, to Seal it with an (F).
§. 41.	If Searcher do not ſo Seal faulty Cloth, the Corporation to forfeit the value of it.
§. 42.	Corporation forfeit five pound if faulty Cloth be not Sealed with (F), and marked in the Liſt, &c.
§. 43.	Retayler forfeits the Cloth, if Seal of Corporation remain not till Remnant be ſold.
§. 44.	Corporation forfeits ten pound not naming ſufficient number of Searcher. &c.
§. 45.	Refuſal to be Searcher forfeits five pound, and Impriſoned till Payment or Security.
Retailing, §. 46.	No Cloth to be Retailed of other Colour then Scarlet, Red, Crimſon, &c. Gray.
Hot preſs, §. 47.	No Cloth to be Preſſed with the *Hot* Preſs.
Seal, §. 48.	Taking away any Seals from Cloth, forfeits ten pound, and Second Pillory, Third all his Goods, &c.
Clothier, §. 49.	He that gives over Draping, except by Licence of three Juſtices, forfeits Cloth, if he uſe it again.
§. 50.	All Acts of Parliament contrary to any Article herein void.
Crowned, §. 51.	(E) Crowned not to be wrought in Cloth for two years next.
Bayling Gauls, § 52.	None to boyl Wools to Convert into Broad Cloth, &c. with Gauls, &c. on forfeit, &c.

Not to extend to *Taveſtock*, Cloth.	§ 53.
For perſons and times of buying and ſelling of Wool.	**Times of buying**, c
None to weave or make Broad Cloth, unleſs ſeven years Apprentice, on forfeit.	**Apprentice**, *c.* 8.
Uſing Gig-Mills to work Woollen Cloth, forfeits Five pounds a Cloth.	**Gig-mill**, *cap.* 22.
None to make Hats, Dornix, Coverlets, &c. unleſs Licence by four Juſtices, or Apprentice ſeven years.	**Apprentice**, *c.* 24. §
None to make Felts, &c. but in *Norwich*; or Towns Corporated, &c.	**Felts**, &c. §. 3.
White Pinned Straits twelve Yards length, one breadth, eleven pound weight, Hair, Flocks, &c. may be put into them, &c.	**Straits Meaſures**, *Ed.* 1. *cap.* 9.
Inhabitants in *Worceſter*, and Towns Corporated, or Markets where Broad Cloth hath been uſually made, may notwithſtanding, *5 Edw. 6. Cap.* 8. not being Apprentice, make it of true meaſure, &c. according to *5 Ed. 6. Cap. 6.*	**Apprentice**, 1 *Ma.* St *cap.* 7.
Wearing Silk on Hat, Bonnet, Girdle, Scabbord, Shoes, &c. Impriſonment three Months, and forfeit Ten pounds.	**Wearing Silk**, 1 *Ph. & Ma. cap.* 2.
Ruſſels Sattins, Sattins reverſed, and Fuſtians of *Naples*, to be called *Norwich* Sattins, and *Norwich* Fuſtians, and the Mayor, &c. Incorporated as Warden, &c. of that Myſtery, and Seal with Lead, &c.	**Ruſſells Sattins**, *cap.* 1[illegible]. §. 2.
The Corporation enabled to ſue and puniſh Defects.	**Defects**, §. 3.
Wardens Sworn to preſent and reform all abuſes in ſuch Sattins, and to make By Laws.	§. 4.
None to ſue that Trade till free of City, and of that Corporation, nor out of the City, till Licence by them, or ſerve ſeven years.	**Licence Apprentic**
Wardens to ſearch by all ways, &c.	**Search**, §. 7.
Wardens may ſeize and preſent to Mayor, and he, &c. to aſſeſs Fine, &c.	**Seizure**, §. 8.
The Sattins defective, to be cut in pieces, and forfeit.	**Defective forfeit**, §.
No Cloth-maker out of City, &c. to have above one Woollen Loom, nor let any, on forfeit of Twenty ſhillings.	**Loom letting**. 2 *Ph. & Ma.* c. 11
No VVoollen VVeaver out of City to keep above two, on forfeit of Twenty ſhillings.	**Weaver no Tucker**
No VVoollen VVeaver to be Tucker, Fuller or Dyer or uſe a Tucking Mill.	§. 4.
No Tucker to have any Loom in his houſe.	§. 5.
None not Cloth-maker to weave Broad VVhite Cloth but in City, &c.	**Broad White wea** §. 6.
No VVeaver out of City, &c. to have above two Apprentices.	**Apprentice Weave**
No *Taunton* Cloths, &c. to be ſold, till ſearcht, viewed, and ſealed by *Taunton*, *Bridgewater*, or *Shard*, *&c.* according to *5 Edw. 6. Cap. 6.* §. 14. on forfeit of value.	Taunton **Cloth**, *ca*
Inhabitants in Pariſh of *Hallifax*, may buy otherwiſe then Engroſſing any VVools, carrying it to *Hallifax* when Clothier buy VVool, Driver elſe forfeits the the double value,	Hallifax, *cap.* 13.
For Mitigation of *5 & 6 Edw. 6. Cap. 6.* at Clothiers Requeſt.	**Mitigation of** 5 & 4 & 5 *Ph.* & *M*
VVhites of *Worceſter* to weigh ſeventy five pound at leaſt, before §. 5. to be eighty four pound.	VVorceſter, **Whites**,
VVhites of *Wiltſhire, &c.* to weigh ſixty one pound, before §. 11. to be eighty eight pound.	Wiltſhire **Whites** §
Broad Cloth of *Kent* to weigh eighty ſix pound at leaſt, before, §. 4. to be ninety pound.	Kentiſh **Cloth**, §. 4
Short Cloth of *Suffolk*, not above ſix pound price, ſix quarters and half, before §. 10. to be ſeven quarters.	Suffolk, §. 5.
Handy-VVarps to be ſeven quarters, and weigh two pound and half, before to be three pound,	**Handy-Warps**, §
No Liſts to be added as in Handy-VVarps, unleſs ſpun on the Rock, except in *Worceſter*.	§. 7.
None of weſt Riding of *York*, to make Pewks, Tawnies, or Green broad Cloath, but dyed blew.	**Pewks, &c. Dyed** §. 8.
Kerſeys ordinary ſixteen or ſeventeen Yards, and weight nineteen pound, before §. 12. to be twenty pound.	**Kerſey weight**, §
Dozens, &c. to weigh one pound a Yard, before §. 13. to be fourteen pound the whole.	**Dozens**, &c. §. 10.
Goad of VVelſh Lining three Quarters of a Yard breadth, and one pound weight, and half quarter, and before §. 16. to void.	**Goad of Welſh** **ning** §. 11.
No Retailer of Welſh Linings to dreſs them, but put them to Sheermen.	§. 12.
Mancheſter Cottons &c. may be divided into two Pieces but Meaſure as before §. 21.	Mancheſter **Cotto**
Every Yard exceeding the meaſures, ſhall weigh as they ought on forfeit of Five ſhillings.	**Weight** § 14.

For

§.15.	For every pound ſhort of weight above four, Maker forfeits Five ſhillings, under four pound, but two ſhillings before 24.
aling **Purſey**, &c. §.16.	A Repeal 5 & 6. *Ed.*6. *cap*.6. § 27. as to Aulnagers not ſealing Purſey, Bandy, &c. Cloth.
rth, &c. **defective**, §.17.	The Maker of every Cloth &c. that proves defective at the Mill, &c. ſeal (faulty) on it in Lead, §.40.
aling **faulty**, §.18.	Cloths not ſealed Faulty, not to be returned by Merchant, but Recompence, and before §.35. Repealed.
aſure, **weight**, §.19.	Merchant not to be recompenced for want of length, breadth or weight, if Town ſeal be fixt.
aling, §.20.	Setting to, or taking away Seal appoint, puniſhed as before § 48.
§.32.	Cloth ſealed by City, &c. not to be ſearcht by Officer.
§.22.	Such as live out, may bring Cloth into Corporation to ſeal.
§.23.	If ſearcher or ſealer fix Corporation Seal to ſcanty Cloth, &c. the Corporation forfeit the value of the Cloth.
archer, §.24.	Searchers in the day-time may enter into ſearch and ſeize.
§.25.	They that withſtand them forfeit Ten pounds.
§.26.	Not to ſearch Cloth that hath any ſeal of City, &c. in *Blackwell Hall*, or any Fair or Market.
§.27.	Every Article of 5 & 6 *Ed*. 6. *cap*. 6. not repugnant hereto, confirmed.
nalty mitigated, §.28.	None to incur Penalty of former Act, mitigated by this.
§.29.	Cloths to be markt with (M) Crowned, on forfeit of Twenty ſhillings.
feiture, §.30.	No other coloured Cloth to be ſold than hereafter mentioned, &c. on forfeit of twenty ſhillings.
ecay of Tillage, §.31.	Decay of Cities, and of Tillage, by Clothiers living in the Country, and taking Farms.
eaving in Towns, §.32.	None to weave woollen Cloth, Kerſeys, &c. to ſell, but in Market Town, City, &c.
pprentice, §.33.	None to weave, &c. unleſs Apprentice ſeven years.
feitures, § 34.	Forfeitures here, and by 5 & 6 *Ed*.6. *cap*.6. to be divided between King and Informer.
Wales, &c. §.36.	Inhabitants in *Wales*, *Cheſhire*, *Lancaſhire*, *&c.* may Trade out of City, &c.
inen Cloth, ſtretching, 1 *Eliz*. *c*.12.	Linnen Cloths forfeit by Deceits in ſtretching, chalking, &c.
Juſtices, §.2.	Any three Juſtices, *Quorum* one, to determine Offences.
Informer, §.3.	Moiety to Informer.
feiture, §.4.	Forfeits to be Eſtreated into Exchequer.
pprentice, *c*.14.	Inhabitants of *Bocking*, *Weſtbarfold*, *Cockſhall* and *Dedham* being Apprentice ſeven years, may uſe weaving, notwithſtanding 4 & 5 *Phil*. & *Mar*. *cap*. 5. § 32.
5 *Eliz*. *cap*.4. §.27.	Merchant that puts Cloth out to make, may not take Apprentice, unleſs Son, under Forty ſhillings *per Annum*.
§.32.	No Woollen-cloth Weaver, unleſs in *Cumberland*, &c. to take Apprentice but of three pounds *per annum*.
Journeyman, §.33.	Cloth-maker, &c. that hath three Apprentices, to have one Journeyman.
§.34.	Not to prejudice the Worſted-Weavers, &c. of *Norwich*.
Cloth unwrought, 8 *El*. *c*.6.	For every Nine Cloths unwrought, ſhipt by Licence *contra* to *Stat*. one ſhall be wrought.
§.3.	Merchant muſt have Licence for Tenth Cloth wrought to Tranſport.
§.4.	No *Kentiſh* or *Suffolk* Cloth unwrought to be Tranſported, on forfeit of Forty ſhillings.
§.5.	No Licence to extend to thoſe Cloths.
Forfeiture, §.6.	Half forfeit to the King, Moiety to Cloth-workers for the Poor, &c.
Shrewsbury, *c*. 7.	For Relief of *Shrewsbury*, §. 3. No Inhabitant, unleſs Apprentice ſeven years, by any Engin, ſhall uſe buying *Welſh* Cottons, Freezes, and Plains.
Freezing, Cottoning, §.4.	No Buyers of Cottons, &c. to uſe Trade of Freezing and Cottoning.
§.6.	Buyer of Cotton, &c. ſhall pay ready money to ſheermen for Freezing, &c.
Sealing, Lancaſter, *c*.12. §.2.	None of *Lancaſter* to ſell or convey out of the County any Cottons, Cloth, Freeze, &c. until the Aulnager and Makers ſeal, on forfeiture.
§.3.	Aulnager of *Lancaſter* to have Deputy at Towns therein named.
§.4.	Owner or Marker of Cloth, &c. to pay Aulnager three pence weighing and ſealing.
Weight, meaſure, §.6.	Every of their Cottons, &c. to weigh one and twenty pound at leaſt, long one and twenty Goads, or twenty, and in breadth three Quarters wanting a Nail.
§.7.	All under three pound that lack weight, forfeit twelve pence the pound, above is Five ſhillings, &c.
Cottons, Freezes, &c. **Repealed**, § 8.	A Repeal of all former Satutes of ſealing and making Cottons, Freezes and Rugs, &c.
§.9.	Not to prejudice any Corporation.
Kerſey, 14 *Eliz*. *c*.10.	None uſing Trade to make Kerſeys, to uſe above eighteen yards length.

A Repeal of 8 *Eliz*. *cap*.7. at the Suit of the Poor, for whoſe benefit it was made.	**Repeal**, *c*.12. §.3.
So much of 8 *Eliz*. *cap*.7. §. 4, & 6. as concerns ready payment and freezing, to ſtand.	**Freezing**, §.4.
Dwellers out of Corporation in *Somerſet*, *Glouceſter*, and *Wilts*, may make Cloth, notwithſtanding 4 & 5 *Ph*. & *Mar*. 5. *c*. §.31.	**Corporations**, 18 *Eliz*. *c*.16.
Wools and Yarn may be bought and ſold in new *Woodſtock* on Fair days.	VVoodſtock, *c*.21.
All Logwood or Blockwood to be burnt; Dyer to forfeit value of what is dyed.	**Logwood**, &c. **Dying**, 23 *Eliz*. *c*.9. §.2.
No Cloth to be Mathered black, unleſs grounded with Woad or blew Inkle, unleſs the black be put in with Shoemake on forfeit.	**Mather**, §. 3.
Gall black or Shoemake may be dyed where no Mather is uſed.	**Gall-Shoemake**, §.4.
Dyer to ſeal (M) on Cloth not Woaded, elſe forfeit double value.	**Woading**, §.5.
A Recital of 5 *Ed*.6. *cap*.6. §.11. and of 4 & 5 *Phil* & *Mar*. *cap* 5. §.3.	27 *Eliz*. *c*.17.
None to be charged for default of Cloth not ſeven quarters breadth, in ſix quarters and half within Liſts.	**Meaſure**, §.3.
Want of ſix quarters and half breadth, to be puniſht as want of ſeven quarters.	§. 4.
Narrow liſted Whites leſs then ſixty one pounds, or broad liſted Whites leſs then ſixty three pounds, or either above twenty eight Yards length, to incur double the pain of 4 & 5 *Phil*. & *Mar*. *c*.5. §.14.	§.5.
A Recital of 5 *Ed*.6. *cap*.6. §.26. and §.2. of 7 *Ed*. 6 *cap*.6. and §.3, & 4 both Repealed.	*Cap*.18.
Inhabitants of *Devon* and *Cornwal*, *&c.* may make plain and Pinned white Straits, and uſe Flocks, Hair and Yarn, of Lambs-wool, and keep three Looms.	**White-ſtraits, Flocks, Hair**, &c. §.5.
No Piece to be above twelve pound weight, nor above fourteen Yards length and breadth, on forfeit.	**Weight**, §.6.
Boxted and *Langham* in *Eſſex*, being Apprentice ſeven years, may make Cloth there, &c.	Boxted, Langham, *c*.23. §.3
Makes 27 *Eliz*. *cap*.17. perpetual.	27 El. **perpetual**, 35 *El*. *c*.7. § 30.
None to be charged by 5 & 6 *Ed*.6. §. 11. for default in Plunkets and other coloured Cloths, ſo breadth be ſix quarter and half within Liſts.	**Plunkets**, *c*.9.
VVanting of ſix quarters and half, to incur Penalties as before.	**Weight, Meaſure**, &c. §. 2.
If weight be leſs than ſixty eight pound, to incur double the Penalties of 5 & 6 *Ed*.6. *cap*.6.	§.3.
The Cloth of *Somerſet* leſs than ſixty eight pound, double Penalty.	§.4.
Devonſhire Kerſeys to weigh in Market fifteen pound.	*Cap*.10. §.2.
Raw Kerſeys to weigh in Market ſeventeen pound, and between fifteen and ſixteen Yards long.	§.3.
VVeaver, if leſs weight, forfeits Twelve pence every quarter	§. 4.
Shop mark to be woven at end of Kerſeys, and Purrel three quarters of an Inch.	**Mark, Kerſey, Purrel**, §.5.
None to be ſold til be ſearcht, and allowed by Officer in City or Corporation.	**Search**, §.6.
Every City &c. to have two known Searchers yearly.	§.7.
Defaults of Searchers, and negligence, forfeits twenty ſhillings every Market-day.	§. 8.
None to be bought till weighed, tried and markt by City, &c.	**Weight, mark**, § 9.
No Clothier, Tucker, Fuller, or other, to cut any Kerſey, on forfeit of twenty ſhillings.	**Cutting Kerſey**, §.10.
Juſtices of Peace out of Corporation to apprehend Deceit, in mixing Logwood with VVoad, and to Commit on refuſal, to be bound to anſwer at Seſſions.	**Deceit in Dying**, 39 *El*. *c*.11.
The Lord Mayor of *London*, or Deputy, the Maſter of Cloth-workers, &c. to ſearch for Iron Inſtruments of Sheer-men, *contra* to 11 *Hen*.7. *cap*.27. and Reſiſter forfeits twenty ſhillings.	**Search**, *c*.13.
None to Import Cards for Wool, on forſeiture to be ſeized.	**Wool, Cards**, *c*.14. §.2.
None on the North-ſide of *Trent* to ſtretch Cloths, Dozens, Kerſeys, &c. on forfeit of Five pounds.	**Stretching**, *c*.20.
None to uſe Tenter of whatſoever, VVrinch, Rope, or other Engin, on pain of twenty pounds.	§.2.
Their Cloths to be the ſame weight, length and breadth, as in other Statutes.	**Weight, Meaſure**, §.3.
In every Riding or Shire, two Juſtices to appoint Overſeer to ſearch Hamlets.	**Search**, §.4.
Overſeers to preſent falſe Seals and Stretching to Seſſions, reſiſtance forfeits ten pounds, and refuſing to be Overſeer, forfeits five pounds.	**Falſe Seal, Stretching**, §.5.
Overſeers to put Seal with this word (*Searched*)	**Seal**, §.6.
VVilful Counterfeit, or taking away Seal, forfeits ten pounds, and ſecond Offence is twenty pounds and Pillory.	**Counterfeit**, §.7.
Juſtices of Peace, Conſtable, or Overſeers, may enter to ſearch and break Engins.	**Search**, §.8.
Juſtices of Peace of negligence, forfeits five pounds.	**Juſtices negligent**, §.9.
Seſſions to determine, except of forfeits by Juſtice of Peace, Preſentments, &c.	**Seſſions**, §.10.

Juſtice of Aſſize, §.11.	Juſtice of Aſſize to determine Defaults of Juſtice of Peace.
Blackwel-Hall, **ſearching**, §.12.	All Cloths beyond *Trent* to be brought to *Blackwell-Hall, London*, to be ſearched.
Hair, Flocks, &c. deceit, 43 *Eliz. c.*10.	None to put Hair, Flocks, Thrums or Yarn, in Woollen Cloth, Kerſey, Frize, Dozen, Peniſtone, Cotton, &c. or other deceivable thing, on forfeit of the Cloth, &c.
Stretching, §.2.	No Tenter, Inſtrument, or Engin to be uſed for ſtretching, &c. forfeits Twenty pounds.
§ 3.	None to ſell Cloth on the Tenter, or utter wrought Woollen Broad-Cloth, &c. tentred, &c.
Weight, Meaſure, §.4.	Woollen Cloth not to exceed the Weight and Meaſure before limited, on forfeiture.
Woollen, §.5.	Woollen Cloth, ſaving *Taunton*, *Bridgwater*, *&c.* to weigh thirty pound at leaſt, and Cloth of *Norfolk, Suffolk, &c.* may abate four pound for Workmanſhip.
§.6.	Want of weight three pound in Broad whole Cloth, forfeits Ten ſhillings one pound, and ſo double.
39 *Eliz. c.*20. §.7.	That 39 *Eliz. cap.*20. ſhall extend to all Woollen Cloths in *England*.
Sealing, ſearching, §.8.	Cloths ſealed by Overſeers, ſhall not be ſearcht and viewed by other City &c.
Repeal, §.9.	A Repeal of 5 *&* 6 *Edw.*6. *cap.*6. and of 4 *&* 5 *Ph. & Mar. cap.*5. and of 27 *Eliz. cap.*17. and of 35 *Eliz. cap.*9 as to exceeding in Length of Cloths, mentioned 5 *Edw.*6.6.
Clothiers hand, §.10.	No Merchant to take advantage of Clothiers hand to his Book or Ticket.
Former acts void, §.11.	All Articles of former Acts *contra* to this, void.
Forfeitures, §.12.	Moiety of Forfeits not otherwiſe appointed, to be to Searchers and Overſeers.
Aulnager, §.13.	Not to abridge Aulnagers power by Patent.
Tenters, §.14.	Merchant may return Cloth tentered to the Maker, &c.
Mildernix, &c. 1 *Jac. c.*24.	*Mildernix* and Pouldavies Sail-Cloths, 32 *Eliz.* brought from *France*.
§.3.	None to cauſe *Mildernix, &c.* to be Weaved, unleſs ſeven years Apprentice.
§.4.	Such Cloth to be only Hemp, thirty two yards long, three quarters breadth, well ſhutled.
§.5.	Moiety of Forfeits to the King, Moiety to Informer.
Welſh **Cottons**, *c.*25. §.28.	No Penalty for want of length, breadth or weight of *Welſh* Cottons, ſo not mixt with deceitful Stuff, or ſhrink above half a yard in two yards.
Kerſeys, meaſure, 3 *Jac. c.*16. §.2.	A Repeal of 14 *Eliz. cap.* 10. as to length of Kerſeys.
§.3.	Ordinary Kerſeys not to exceed twenty four yards, meaſured by Inch and Yard, &c. weight to be twenty eight pound and half, ſorting Kerſeys the ſame length, weight thirty two and half.
Forfeiture, §.4.	Maker on Default, forfeits Five ſhillings every yard exceeding, and two ſhillings every pound.
Cuſtoms, §.5.	The ſame Cuſtoms proportionably to be paid now as before.
Welſh **Cottons, Meaſure**, *c.*17.	No Penalty to be incurred for want of Content or Seal of breadth, length or weight, of Welſh Cottons, nor none to be tried in Water but by Buyer.
Kent **meaſure**, 4 *Jac. c.*2.	Broad coloured Cloth of *Kent, &c.* between thirty and thirty four yards and inch wet, and no more.
Worceſter, §.2.	White Cloth of *Worceſter, &c.* between thirty and thirty three, &c. breadth ſeven quarters, weight ſeventy pound.
Meaſure, Weight, §.3.	Plunkets, &c. of *Suffolk, &c.* twenty nine, and thirty two, breadth ſeven quarters and half, weight eighty pound, and ſorting Cloths, twenty three, and twenty ſix breadth ſix quarters, weight ſixty four pound.
§. 4.	Short white *Suffolks, &c.* twenty three, and twenty ſix, breadth ſix quarters and half, weight ſixty four pound, and Handy. Warps twenty nine and thirty two, breadth ſeven quarters, weight ſeventy ſix pound, broad Plunkets of *Wiltſhire, &c.* twenty ſix, and twenty eight, breadth ſix quarters and half, weight ſixty eight pound, ſhort Cloths of *York* twenty three and twenty five yards length, and breadth ſix quarters and half, weight ſixty ſix pound, and Dozens the like.
§.5.	Broad Whites of *Wiltſhire, &c.* twenty ſix, and twenty eight, breadth ſix quarters and half, and weight ſixty four pound, the narrow ſorting Pack Cloth, weight ſixty one pound.
§.6.	Fine Cloth with plain Liſt in *Wiltſhire, &c.* twenty nine and thirty two, breadth ſix quarters and half, weight ſeventy two pound.
§. 7.	Stop Liſts to be thirty and thirty three, breadth ſeven quarters, weight ſeventy eight pound, *Tauntons, &c.* twelve and thirteen, breadth ſeven quarters, and weight thirty pound.
§. 8.	*Devonſhire* Kerſeys or Dozens, twelve and thirteen, weight thirteen pound, Checquer Kerſey ſeventeen and eighteen, breadth a yard, weight twenty four pound.

Cogware, &c. to be as beſt pleaſeth the Buyer.	§. 9.
Waſh white Kerſeys of *York, &c.* ſeventeen, and eighteen, and nineteen, weight ſeventeen pound, no Clothier to uſe Oyls, Greaſe, &c.	**No Oyl**, &c. §. 10.
No Clothier to uſe Knife, but only Sheer for backſide of Cloth.	**Sheers**, §.11.
No Cloth-worker, Sheerman, Fuller, &c. not to bedew Liſts of Cloth, to ſhew better Edges.	**Bedewing Liſt**, §.1
White Cloths not appointed to be wrought, to be allowed four pound dreſſing, &c.	**Dreſſing**, §.13.
Clothier may make Flocks, Thrums, &c. in only one kind of Cloth, twelve and thirteen, breadth a yard, weight fifteen pound.	**Flocks, Thrums**, & §. 14.
Cloths of Flocks, &c. to be Liſt black, &c. no Flocks in other Cloth.	**Flocks**, §.15.
Flannel, Wadnals, &c. to be made as uſed.	**Flannel, Wadnal**, §.1
Exceeding length, forfeits Ten ſhillings yard and Inch.	**Meaſure**, §.17.
Every pound weight wanting, Ten ſhillings.	**Weight**, §.18.
Want of breadth, Twenty ſhillings Cloth, and under half, Five ſhillings.	§. 19.
Owner of Cloth forfeits ſix ſhillings eight pence to Buyer of Cloth too ſhort, &c	§.20.
A Repeal of former Acts, as to reforming the Meaſures, &c.	§.21.
No Cloths ſealed, as by 39 *Eliz.* 20. or 43 *Eliz.* 10. to be ſearcht.	**Sealing**, §.22.
Cloths faulty, where not Certified, forfeit moiety to Merchant.	**Cloth faulty**, §.23.
Duties and Payments to be for broad Woollen Cloth, over or under twenty four yards.	**Duties**, &c. §.24.
Any may make Woollen Cloth, that bears name of other Counties,	**Making**, §. 25.
Not to diminiſh any Cuſtoms or Duties to the King.	**Cuſtoms**, §.26.
Whoever deceitfully imbezels or detains any part of Wool or Yarn delivered by Clothier to Sorter, Carder, Kember, Spinſter, &c. to make ſatisfaction, &c.	**Imbezelment**, 7 *Jac.* §.2.
Buyers knowing Wool or Yarn imbezelled, to have the ſame puniſhment.	§.3.
Spinners of Wool in *Eſſex*, delivering ſhorter Reels then two yards about, the like penalty, &c.	**Reels**, §.4.
Cogware, Kendals, courſe Cottons, and Carptmeals, not exceeding thirteen ſhillings four pence the Dozen, ſhall not be ſearcht or ſealed by 39 *Eliz. cap.*20. but ſold as by 9 *H.*4. *cap.*2.	**Cogware**, &c. **ſearchin** *Cap.*16. §.2.
Inhabitants of *Wales* may ſell or barter *Welſh* Cloths, Cottons, &c.	Wales, 21 *Jac. cap.*9. §.
They may be Tranſported, paying Cuſtom, but in no other manner, on forfeit.	**Tranſportation**, §.3.
Not to authorize Foreigner to Retail ſuch Cloths.	**Retail**, §.5.
A Repeal of 4 *Jac. cap.* 2. §.14. as to making Flocks of one kind.	**Flocks**, &c. *cap.*18. §.2.
Clothier, &c. forfeits Five pounds that puts Flocks, Nails, Hair, or other deceivable mixture.	§.3.
Overſeers and dearchers in ſeveral Pariſhes, to enter on ſuſpicion, and examine on Oath.	**Searchers**, &c. §.4.
After Certificate of Offence by two Juſtices to Church-wardens, they may Diſtrain, &c. and on Suit plead General Iſſue.	**Diſtreſs, General Iſſue**, §. 5.
Cloths once ſearched and ſealed, as 4 *Jac. cap.*2. §.22. ſhall not be re-ſearched, on forfeit of Five pounds.	**Search, Seal**, §.7.
All Woollen Cloths woven in Corporation, to be ſearched by Overſeers thereof, &c.	§.8.
No Tenter for Broad cloths in *York* to be ſold or allowed, but half a quarter of a yard, on Penalty in 39 *Eliz. cap.*20. §.2.	**Tenters**, §.9.
Amending Tenter defaced, forfeits Forty ſhillings.	§.10.
Overſeer to put Chriſtian and Surname in ſeal of Lead, deceitful Preſſing Cloth, to be adjudged a Hot Preſs, and of like Forfeitures.	**Seal, Preſſing**, §.11.
All Penalties of this and former Acts to be in three parts; 1. To Searcher, and To Poor.	**Penalty**, §.12.
None to incur penalty for Default of *Welſh* Cottons, Fifteen pence the Yard, or two ſhillings Goad, ſo they be not mixt deceitfully, ſo 3 *Car.* 1. *cap.* 4. §.26.	*Cap.*28. §.5.
The Governour of *Dutch Bay-Hall* in *Colcheſter*, to have Priviledges before Grant.	Colcheſter, 12 *Car.*2. *c.*2
Bays named Four and fifties, ſixty, ſixty eight, eighty, and hundred, not in two days after weaving, carried to *Raw-Hall* to ſearch and view, forfeits Forty ſhillings Diſtreſs and Sale.	**Bays**, §.2.
Bays carried out of *Colcheſter* before viewed, &c. forfeited.	§. 3.
Counterfeiting Seal of the *Dutch* Corporation, forfeit Twenty pounds to Governours.	**Search, Seal**, §.4.
Officers of *Dutch Hall* to ſearch Waggons, and with Conſtables ſearch ſhops &c.	§. 5.
Governours of *Dutch-Hall* to make By Laws for Bays.	**By-Law**, §. 6.
No By-Law in diminution of Prerogative, or the Laws, till approved by Lord Chancellor, &c.	§.7.

On

rwich-Stuff increaſe, 14 Car.2.c.5. On increaſe of *Norwich* Stuffs, 7 *Ed.*4. *cap.* 1.being not ſufficient, and eight Wardens too few.

ardens,&c. §.2. Of Maſter Weavers, twelve Wardens, and thirty Aſſiſtants in the City of *Norwich* on Oath.

y-laws, §.3. Any thirteen, *Quorum* ſeven Wardens, to make By-laws for Regulation,&c.

ine, §.4. May impoſe Fine, and §. 5. not exceeding Ten ſhillings for firſt Offence.

y-law, Notice, §.6. Notice by Wardens of *Norwich* perſonally, to Wardens of *Norfolk*, on making By-law.

eling, §.7. Worſted Yarns to be Reeled a yard about Staff fourteen Leas, each Lea forty Threds,he that ſells otherwiſe, forfeits moiety.

earch, ſeizure, §. 8. Any two Wardens may ſearch and view Fairs and Publick Sales, and ſeize and try by Jury, &c. in twenty days.

§.9. No Offence to be doubly puniſht by this and other Statutes.

eavers-Hall, §. 10. All Stuffs and Weavers in *Norwich* and *Norfolk*, under Regulation,except Ruſſet Sattins,&c. and brought to Weavers Hall and tried,&c.

arden, defects, §.11. VVarden ſealing defective Stuffs, to be fined, &c. not exceeding forty ſhilling.

§.12. VVarden and Aſſiſtants unjuſtly ſued, to have double Damages.

eal, §.13. Poſſeſſor of Cloth not ſealed, forfeits four ſhillings each piece.

§.14. Counterfeiting Seal forfeits Twenty pounds.

entice, §.15. None to Trade as VVeaver, unleſs ſerved ſeven years, on forfeit of forty ſhillings a month.

ark, §.16. Every man to weave his proper Stuff, mark at the Head, on forfeit three ſhillings four pence.

earch, ſeize, §.17. Any two VVardens or Aſſiſtants may enter VVorkhouſe, and ſearch at uſual times of working, and ſeize,&c.

urneymen, §.18. For every two Apprentices during that time, to employ two Journey-men.

feiture, §.19. Diſobedience to this Act, forfeits forty ſhillings.

ry, §.20. Refuſal of Jury to appear, forfeits five ſhillings,Diſtreſs and Sale,&c.

aber, §.21. No VVeaver to ſet Loom on work from 15 *Auguſt* till 15 *September*, Harveſt-time.

feitures, §.22. Account of Forfeits, &c. to be at Quarterly Aſſembly before Mayor and Juſtices,&c.

eral Iſſue, §.23. All Mayors, Juſtices, Officers, &c. to aſſiſt, and on Suit to plead General Iſſue, and double Coſt.

Yarmouth, §. 24. Not to compel *Lyn* to bring VVare to *Norwich*, nor prejudice *Lyn* nor *Yarmouth*, as to Priviledges granted 14 & 15 *H.*8. *cap.*3.

gwood,&c. c.11.§.26. A Repeal of 23 *Eliz.*9. §.2. and of 39 *Eliz.* 11. And that any quantity of Logwood or Blockwood may be Imported.

ol exported, c.18.§.2. No VVools,&c. to be Tranſported, on Felony, &c.

ported, c.19. No forein VVool, Cards, &c. to be Imported, on forfeit.

adder, c. 30. Madder to be Imported pure and unmixt,and 15 *Car.*2. *cap.*16. §.3. Repealed.

Riding, c.32.§.2. Corporation of VVeſt-Riding of *Yorkſhire*, of all the Juſtices, two Maſters, ten VVardens, twelve Aſſiſtants of the ableſt Clothiers that have ſerved ſeven years; one Maſter, five VVardens, ſix Aſſiſtants yearly choſen next Monday after *Pentecoſt*, taking Oaths,&c

dens,&c. may keep Court at Leeds, §.3. Superviſors, Maſters, VVardens,&c. enabled to ſue, and purchaſe two hundred pound *per annum*, to keep Court the firſt Saturday every month in *Leeds*, or where thirteen appoints and ſummons,&c.

-laws, §.4. To have Common Seal and By-Laws, and impoſe Penalties,&c.

e, §.5. Fine not to exceed Twenty ſhillings for one Offence.

earcher, §. 6. Juſtices,&c. thirteen to chooſe Searchers for length, weight,&c.

aſure, Weights, §.7. Of new Drapery ends or half cloth,between fifteen and eighteen Yards watered,and not above one Yard and half breadth, ſhort Cloth between twenty four and twenty eight, long Cloth botween thirty and thirty ſix, every Yard to weigh two pound and one Quarter, according to ſixteen Ounces, fines as 21 *Jac.* *cap.*18.

earcher, §.8. Searcher doing contrary to his Oath, forfeits Five pounds.

§.9. Searcher may enter Shop, Reſiſter forfeits Ten pounds.

entice, §.10. None to make Broad Cloth there, unleſs Servant ſeven years.

aſurer,&c. §.11. Any thirteen may nominate Treaſurer, Clerk,Regiſter, &c.

es,&c. Diſtreſs, §.12. Fines, Forfeits,&c. to be Levied by Diſtreſs and Sale by VVarrant of thirteen.

al, §.13. Counterfeiting the Seal of Corporation forfeits twenty pounds.

eral Iſſue, §.14. A Repeal of all Cauſes in any Statute, *contra* to any of theſe, and party ſued, to plead General Iſſue, and have double Coſts.

nager, §.15. For to take away Rights of Aulnager.

Not to impoſe other or leſſer Rates on inferior workmen then allowed by Law. **Rates of Work, §.16.**

Native or Foreigner may in any place uſe Trade of Breaking, Hickling, or Hemp dreſſing, or Flaxwhitning, Thread ſpinning, Bleching Cloth, Twine, or Nets for Fiſhery, ſtoving Cordage,Tapeſtry,Hangings. **Flax and Hemp-dreſſing,&c. 15 Car.2. c.15.**

Foreigners for three years to enjoy Priviledge of Native in thoſe Trades. **Foreigners priviledge, §. 3.**

All to be buried in woollen, on forfeit of Five pounds, unleſs §.2. dead of the Plague. **Burying in Woollen, 18 Car.2.c.4.**

Corporation of Silk-Throwers making By-law to ſtint number of Utenſils, void. **Silk-Thrower, By-Law, 20 Car.2.c.6.**

Clergy taken away from ſtealers of Cloth off the Rack. **Clergy, 22 Car.2.c.5.§.3.**

Judges may Reprieve or Tranſport Offender. **Reprieve, §.4.**

Preſident, four VVardens, eight Aſſiſtants of *Kidderminſter* Stuffs choſe yearly with Oath. **Kidderminſter, 22 & 23 Car. 8.§.2.**

Maſter VVeavers of the Borough to ſupply Vacancies. **§.3.**

Any ſeven *Quorum* three VVardens,to order and make By-laws, Fine, &c. §. 5. not above Forty ſhillings. **By-law, Fine, §.4.**

Refuſing to be Officer choſen forfeits Five pounds. **Forfeiture, §.5. & 6.**

Linnen Yarn Reeled to be without deceit, and ſold in Marker. **Linnen Yarn Reeled, §. 7.**

Otherwiſe ſold, to be ſeized, and Value appraiſed by Jury, if inſufficient, forfeit. **Seizure, §.8.**

All Cloth and Stuffs under Regulation, to be of VVool alone or mixt. **Under Regulation §.9.**

Cloth and Stuff to be viewed before Sale, §. 11. Any two Aſſiſtants and Preſident to enter and ſearch. **Viewing ſearch, §.10.**

None to buy till ſealed, Poſſeſſor forfeit Four ſhillings, and Marker Four ſhillings. **Seal, § 12.**

Counterfeiting Seal forfeits Twenty pounds, §. 14. For every two Apprentices, two Journeymen. **§. 13.**

Moiety of Fines to the King, and other to the Poor of the Trade. **Fines, §.15.**

Officers to aſſiſt Preſident,&c. Defendant ſued, to plead General Iſſue, and double Coſts. **General Iſſue § 16.**

For Burying in woollen. **(30 Car.2.c.3.**

An additional Act for Burying in woollen. **Burying in Woollen, 32 Car.2. c.1.**

An Impoſition on *French* and *Eaſt-India* Linnens, and other Manufactures of *India*, and Stuffs and other wrought Silks, and on all *French* wrought Silks, Imported between the 1ſt of *July*, One thouſand ſix hundred eighty nine, and One thouſand ſix hundred and ninety. **Indian and French Goods, 1 Jac.2. c.5.**

Wool carried towards Sea, or within five miles thereof, to be Tranſported, to be Entred at Port, before Lading, on forfeiture of the Wool, Beaſts, and Carriages, and Perſons aiding to ſuffer according to Laws againſt Exportation of Wool. **Entring Wool tranſported, 1 W.& M.Seſſ.1. c.32.§.2.**

Not to extend to Wool ſhorn within five miles of the Sea, ſo as the Owner certifie Cuſtom Officer thereof. **Exception, §.3.**

Cockets to be on Paper, and Cockets and Certificates of Re-landing, ſigned by three Officers, and Wool to be weighed before Officers,and Weight,&c. expreſt in Cocket and Certificate. **Cocket, Certificate, Weight, §.4.**

Officers not obſerving theſe Directions, to ſuffer Penalty in 12 *Car.* 2. *cap.* 32. and 13 & 14 *Car.* 2. *cap.*18. **Officer offending, §.5.**

No Wool to be ſhipp'd from *Ireland*, but from *D. W. Y. K. C.* and *D.* nor Imported from thence but into *L. C. B. M. B. B.* and *E.* **Iriſh Wool, §.6.**

Commiſſioners appointed to Execute this, and other Laws, and by Agents to ſeize Wool, &c. and proſecute Offenders. **Commiſſioners to execute Laws, §.7.**

Owner of Ships, Maſter, or Mariner, within Three Weeks after their knowledge, or Return, &c. diſcovering Offenders, &c. diſcharged from penalty of this, or other Acts, and enabled to Benefit thereof. **Diſcovering Offender, §. 8.**

Powers given Commiſſioners, not to hinder others from ſeizing and proſecuting. **Seizing, Proſecuting, §.9.**

Defendant may File Common Bail, Enter Common Appearance, and Plead General Iſſue,&c. **Bail, Appearance, Plea, §.10.**

Wool Imported from *Ireland*, and ſent from Port to Port, to be Regiſtred at Cuſtom houſe, *London*. **Iriſh Wool, §.11.**

This Act to continue for Three years, and to the End of next Seſſion. **Continuance.**

Engliſh Woollen Manufacture may be Exported, paying uſual Cuſtoms. **Engliſh Woollen Manufactures, §.12.**

Not to extend to Charters and Grants to *Levant*, *Eaſtland*, *Ruſſia*, and *African* Companies. **Grants &c. to Companies ſaved, §.13.**

Wool Unkembed, may be Tranſported from *Southhampton*, for uſe of Inhabitants of *Guernſey*, One thouſand Tods, of *Jerſey* Two thouſand Tods, of *Alderney* Two hundred Tods, and of *Sark* One hundred Tods, more than permitted by 12 *Car.*2.*cap.*32. **Unkembed Wool from S. to G. J. H. and S. §. 14.** and according to that Act,and under further Penalty of Twenty pounds *per* Tod, and forfeiture of Wool, **Penalty.**

	and Offenders incapable of grant of Wool from *Southampton*.
Throwing of Silk, 2 *W.& M.Seſſ.* 1.*c*.9.§.2. **Importing Thrown Silk.**	Throwing of Silk no Manufacture within 12 *Car.* 2. *cap.* 18. and no Thrown Silk to be Imported, on forfeiture thereof, (Except of growth of *Italy*,*Cicily*, or *Naples*, and Imported according to that Act.)
Thrown Silk from I.S. **or** N. **except**, §.3.	Not to extend to Thrown Silk of growth of *Italy*, *Sicily*, or *Naples*, Imported againſt this Act before *September*, One thouſand ſix hundred and ninety, and bought there before *June*, One thouſand ſix hundred and ninety.
Thrown Silk from I. P. **or** C. **except**,§.4.	Thrown Silk laden in *India*, *Perſia* or *China*, to be Imported before *September*, One thouſand ſix hundred ninety one,not liable to Forfeitures by this Act.
Additional Duty on Eaſt-India, &c. **and other Goods**,*Seſſ.*2. *Cap.* 4.	Additional Impoſitions on all *Eaſt-India* Goods and Manufactures, and upon all wrought Silks, and ſeveral other goods and Manufactures Imported, after 1 *Dec.* 1690, granted for the Reducing *Ireland*,and carrying on War againſt *France*. *Vide* tit. *Merchant.*
Notice, and Licenſe, of and for Importing Silk, 4 *& 5 W. & M.c.*5.§.14.	No Silk to be Imported after *March* 1693. without Notice firſt given to Commiſſioners, or Farmers of Cuſtoms, of quality, quantity, &c. and a Licence for Importing. on forſeiture of the Goods.
Cloaths for Army,*c.*13. §.26.	Cloaths for the Army to be brought in *England*, on pain that the Offender be caſhiered.
Reviver,*c.*15.§.7.	Continuance of 2 *W.& M.Seſſ.*2.*cap*.4.from the ninth of *November*, One thouſand ſix hundred ninety five, till the tenth of *November*, One thouſand ſix hundred ninety ſeven.
Reviver, *c.*24.§.10.	Continues 1 *W.& M.Seſſ.* 1. *cap.* 32. for three years, (except as to free Exportation of Woollen Manufacture,) Provided that no Wool be Imported from *Ireland* to *Exeter*.
Fine Italian S. **or** N. **Thrown Silk**,5 *& 6 W. & M.c.*3.§.2.	Importation of fine *Italian*,*Silician*,or *Naples* Thrown Silk permitted, except from *France* during War,and three Months after.
Sorts importable,§.3. Italian **Frams**,&c. **and other thrown Silk, prohibit**, §. 3.	Provided, that *Italian* Thrown Silk be not courſer then third *Bolonia*, nor *Silician* then ſecond *Orſoy*; and Importation of *Italian* Frams, &c. and other Thrown Silk prohibited, on forfeiture thereof.
Bringing Silk to Cuſtom-houſe.§.4.	Silk, whereſoever Landed, to be brought to the Cuſtom-Houſe, *London*.
Reviver, *c.*9.	Repeal of 5 *Eliz.cap*.4.§.32.
Marking, Sealing and Regiſtring Luteſtrings and Alamodes, *c.*20. **Penalty**, &c.	Luteſtrings and Alamodes Imported, to be Marked, Sealed and Regiſtred, before delivered out of *Cuſtom-houſe* upon forfeiture thereof, and under Penalties of 1 *W.& M.Seſſ.*1.*cap*.34. and counterfeiting Mark or Seal, to forfeit Five hundred pounds.
Sealing Luteſtring,&c. 6 *& 7 W.*3.*c.*18.§.28.	None to deal with Luteſtrings not ſealed with Seal uſed for foreign Goods, or by Luteſtring-Company, on forfeiture of the Goods and One hundred pounds.
Diſcovery, §. 29.	Buyer of ſuch Goods diſcovering Seller, diſcharged. Penalty, and to have a moiety of other Forfeiture
Altering, &c. **Mark**, §.30.	Altering, counterfeiting, or miſapplying Mark, to forfeit One hundred pounds.

Drovers, ſee *Cattel.*
Drunkenneſs, ſee *Ale.*
Durham and Dutchy, ſee *Cinque Ports.*

Dureſs.

Threats, Menace.

Pain Fort & dure, 3 *Ed.*1. *c.*12. *W.*1.	Judgment of pain *Fort & Dure* againſt Felons that refuſe to plead.
View,&c.13 *Ed.*1.*c.*48. *W.* 2.	No View to lye on Deed made by Defendant in Priſon.
Aſſurances, 1 *Ed.*3.*c.*3.	All Aſſurances made to Rebels ſo ſhall be void.
Sheriffs,&c. *c.*7.	Of Sheriffs, Gaolers and Keepers of Priſons, to make men Appeal others guiltleſs of Felonies, ſhall be enquired of.
Writing, 1 *Ed.*3. *St.*2.*c.*15.	Writing to come Armed to the King, binds none.
Laws Repealed, 15 *Ed.* 3. *St.*2.*c.*2.	All the Laws of Parliament, 15 *Ed.* 3. Repealed, becauſe the Kings Aſſent was not free, but diſſembled, for fear of diſcord.
Tythes, 1 *Ric.*2.*c.*13.	Obligation ſo made not to ſue in Spiritual Court for Tythes, void.
Manumiſſions, &c. 5 *Ric.*2.*c.*6.	Manumiſſions, Releaſes, and other Bonds made in the laſt Tumult by Compulſion, void.
Threats, 21 *Ric.*2.*c.*1.	A Repeal of 10 *Ric.*2. *cap.*1. and Commiſſion thereby granted, for that they were made by Threats given to the King, and by Conſtraint.
Obligation,&c. 31 *Hen.* 6. *cap.*9.	Obligation, Statute or Recognizance, ſo obtained of Women with pretence of Marriage, or otherwiſe, unleſs for due Debt, void.

Dutchy and Durham, ſee *Cinque Ports.*
Ears, ſee *Treſpaſs.*

Eccleſiaſtical Perſons.

Archdeacon, Appropriation, Mortuary Abbe, Dean, Eveſque, Prebend, Parſon, Whitegate, Incumbent, Miniſter, Reſidents, Encumbent, Egliſe, Priviledge, Exemption, Juris utrum, Dilapidations, Faculty, Diſpenſations, Churches, Contra Form. Collat. Penſions, Firſt-fruits Vicar, Curate.

Amerciament on Churchmen is according to Lay Tenement, ſaving their Spiritual Benefices.	**Amerciament**, 9 *Hen.* *c.*14. *Magn.Chart.*
Plow Beaſts of Religious Perſons ſhall not be diſtrained for the Kings Debt, but until other Chattels be found.	**Diſtreſs** &c.51 *H.*3.*p.* *Diſtrict.Scaccar.*
Archbiſhops, Biſhops, Abbots, Priors, Earls,Barons, nor any Religious men or women, ſhall not need to come to Sheriffs Turn, unleſs for ſpecial Cauſe required.	**Sheriffs Torn**, 52 H *c.* 10. *Marlbr.*
Bail ſhall be diſcharged by render of Body, though Clerk refuſe to anſwer to Crime.	**Bail**, *c.*27.
Succeſſor ſhall renew Treſpaſs begun by Predeceſſor, or have Treſpaſs of Goods of Church late violently taken in Predeceſſors time, or recover Damages, as in Aſſize for Entry in Vacation.	**Bringing Treſpaſs**, *c.*28.
Shall have double Damages,and party fined, that lodges Servants, Horſe or Dogs, but only of Sheriff, unleſs by Licence, or if Abbot will not ſue, the King will Indict.	**Lodging Servants fined**, 3 *Ed.*1.*c.*1.*W.*
Delivered to the Ordinary, ſhall not by them be delivered without due purgation.	**Purgation**, *c.*2.
Prelates and men of Religion to whom Lands cannot diſcend, ſhall have Entry *ſur* Diſſeiſin againſt Heir of Diſſeiſor, of what Age ſoever.	**Entry** ſur **Diſſeiſin**, *c.*47.
At the ſpecial Requeſt of the King to the Biſhops by Aſſent of all the Prelates, Aſſize of Novel Diſſeiſin, Mortdanceſtor, and Dar. Preſentment, ſhall be taken in *Advent*, and *Septuageſima* and *Lent*.	**Advent**,&c. *c.*51.
Bigamus before or ſince the Council of *Lyons*, ſhall not have Clergy.	**Clergy**, 4 *Ed.*1.*c.*5. D *Bigamis.*
None Religious or others ſhall by craft or colour Purchaſe, whereby Mortmain, the Fees and Services provide for Defence of the Realm, are withdrawn.	**Mortmain**, 7 *Ed.*1.*p.* *Of Mortmain.*
Succeſſors ſhall have Error, Dar.Preſentment,or *Quare Impedit*, on uſurpation during Vacation,	**Succeſſor's Action**, 13 *Ed.*1.*c.*5.*W.*2.
Writs ſhall be granted for Chappels, Prebends, Vicars, Hoſpitals, Abbies, Priories, and other Houſes which be of the Advowſon of other men.	**Advowſon**, §.4.
Succeſſor of Parſons ſhall have *Quod permittat* againſt Diſſeiſor of Common, or his Heir.	Quod permittat, *c.*24.§
If their Recovery by default be not on good Title, its mortmain.	**Mortmain**, *c.*32.
On their Alienation, if of the Kings Foundation; he ſhall ſeize, if of Lords, he ſhall recover by *Contra form. Collation.*	**Alienation**, *c.*41.
Prelates that neglect reading the Curſes againſt Excommunicated breakers of the Grand Charter twice a year in Cathedral Churches, ſhall be Diſtrained by Archbiſhop of *Canterbury* and *York*.	**Reading Curſes**, 25 1.*c.*4. *at London.*
The property of Trees in the Churchyard, is the Parſons, but cut for Repairs.	**Churchyard Trees**, 35 *Ed.*1.*p.*75.*Ne Re*
Such as attend in the Kings Service ſhall not be corrected by Ordinaries for Non-reſidence.	**Non-Reſidence**, 9 *Ed* *c.*8. *Artic.Cler.*
Shall not be charged with Sojourning or Purveyance of Great men, nor with Penſions and Corodies.	**Purveyance**, *c.*11.
Examination of Ability of Clerk belongs to the Spiritual Judge.	**Examination**, *c.*13.
Election to vacant Dignities ſhall be free, according to the Statute and Ordinances,without fear of Temporal Power.	**Election free**, *c.*14.
A Clerk fleeing to the Church for Felony, ſhall not be forced to abjure, ſubmitting himſelf to the Law.	**Fleeing to the Chur** *c.*15.
Priviledge being demanded by Ordinary in due form, ſhall not be denied to an Appellor of a Clerk.	**Priviledge**, *c.*16.
The King ſhall have Eſcheats of Freeholders of Archbiſhop and Biſhop attaint of Felony, in time of Vacation.	**Eſcheats**, 17 *Ed.*2.*c.*14 *Prerog Reg.*
The Lands of the Knights Templars transferred to the Knights of St. *John* of *Jeruſalem*.	**Knights Templars**, 17 *Ed.*2. *p.*86.
The King will not ſeize the Temporalties of Biſhops,as before by evil Counſellors *Ed.*2. did.	**Seiſin of Temporalties**, 1 *Ed.*3.*c.*2.
Parſons, Vicars, VVardens of Chappels, and Provoſts, VVardens, and Prieſts of perpetual Chantries, have *Juris utrum* of poſſeſſions given in Alms.	Juris utrum, 14 *Ed.*3.*c.*1
No Purveyance ſhall be in houſe of Archbiſhop,Biſhop, Abbot, Prior, Parſon, Vicar, or other People of Holy-Church, nor without, but by Aſſent; no charge to receive Gueſts. Horſes, Hawks, or Dogs.	**Purveyance**, 14 *Ed.* *St.*3.*c* 1.
No Temporalties of People of Holy Church ſhall be ſeized without juſt cauſe.	**Seiſin of Temporalties**, *c.*3.
Temporalties ſhall be firſt Leas'd to the Sub-Priors, Dean and Chapter, and the ſeveral Houſes, and if they refuſe. Eſcheators ſhall take the Profits without deſtruction or waſte.	*Cap.*4.

The

mporalties, *cap.* 5.	The Chancellor and Treaſurer ſhall Leaſe Temporalties to Dean and Chapter, or other Corps, at Monthly, Quarterly, or yearly Rent, and no Fine.
ine, &c. 18 *Ed.* 3. *c.* 3.	Shall only pay Fine for want of Licence, or *Ad quod Damnum*, and the Mortmain ſhall not be enquired of.
mporal Judges, *c.* 6.	No Commiſſion of Temporal Judges to enquire of exceſſive Proceſs of the Judges of Holy-Church.
ithes, *cap.* 7.	No *Scire fac.* againſt Prelates, Religious, and other Clerks, for Tithes.
lergy, 25 *Ed.* 3. *c.* 4.	Shall have Clergy for any Treaſon or Felony touching other perſons then the King himſelf, or his Royal Majeſty.
raingment, *cap.* 5.	Clerk ſhall be Arraign'd for all Felonies at once, and not be removed to Priſon.
eizure of Temporal-ties, *cap.* 6.	Temporalties of Biſhops ſhall not be ſeized for Contempts but for a Fine.
ounterpleader, *c.* 7.	The Ordinary by Lapſe may Counterplead the Kings Title in Suit againſt Patron.
ognizance of Avoid-ance, *cap.* 8.	Cognizance of Avoidance of Benefices ſhall be on challenge by Eccleſiaſtical Judge allowed.
ages, 36 *Ed.* 3. *c.* 8.	None ſhall give Wages to Pariſh Prieſt above three pounds ſix ſhillings eight pence, or his Board, and one pound ſix ſhillings and eight pence.
rest, 50 *Ed.* 3. *c.* 5.	Prieſt and Parſons that attend in Church or Churchyard, ſhall not be Arreſted doing Divine Service.
urveyors, 1 *Rich.* 2. *cap.* 3.	Becauſe Clerks cannot ſue any by way of Crime, they ſhall have Treſpaſs againſt Purveyors, and recover treble Damages.
ithes, *cap.* 13.	Shall not be Indicted, or by *Dureſs* moleſted in Suit for Tithes, &c.
rest, *cap.* 15.	He that Arreſts any Parſon in Divine Service, ſhall be Impriſoned, Ranſomed, and make Agreement to party.
ees, 9 *Rich.* 2. *c.* 5.	Prieſts taken in the Marſhalſea, ſhall pay the ſame Fees as Lay.
lenarty, 13 *Rich.* 2. *cap.* 1.	The Kings Preſentee ſhall not be received where Church is full, but if received, muſt be ſued within a year.
unt, &c. *cap.* 13.	Shall not Hunt or keep Greyhounds, &c. unleſs of ten pounds *per annum*.
ortmain, 15 *Rich.* 2. *cap.* 5.	Vicars and other Spiritual Perſons that Dedicate Churchyards for Burial without Licence, or take Profits on Feoffment of others to their uſe, is Mortmain.
ndowment, *cap.* 6.	On every Appropriation, Vicar ſhall be Endowed, and Poor provided for.
munire, 2 *Hen.* 4. *c.* 3.	Acceptance of Proviſion to be exempt from Obedience, is *Præmunire.*
Cap. 4.	Bulls to Ceſtertians to be diſcharged of Tithes void, and *Præmunire.*
rdinary, *cap.* 15.	Preachers ſhall be Licenced by the Ordinary.
ergy, 4 *Hen.* 4. *cap.* 2.	Shall have Clergy, though the words *Inſid. viarum*, or *Depopulatores agrorum* be not left out of Indictment.
urgation, *cap.* 3.	No Clerk Convict of Treaſon, or being Common Thief, ſhall make Purgation.
ppropriation, *cap.* 12.	On every Appropriation there ſhall be Vicar perpetual, conveniently Inſtituted, and a Secular Perſon, not Religious.
ncumbent, *cap.* 22.	Encumbent put out by Patentee, may notwithſtanding 13 *R.* 2. *Cap.* 1. ſue at any time.
ections, 9 *Hen.* 4. *c.* 8.	Elections ſhall not be Interrupted by the Pope, or the King; all Statutes againſt Proviſors, confirmed with a Pardon of Paſt.
ages, 2 *Hen.* 5. *Stat.* 2. *cap.* 2.	Wages of Chaplains is Four pounds thirteen ſhillings four pence yearly, and of Pariſh Prieſt ſix pounds, for Board, Apparel, and other neceſſaries.
Damages, 3 *Hen.* 5. *Stat.* 2. *cap.* 4.	Shall have treble Damages in *Præmunire*, againſt Diſturbers, and all Proviſions, Licence, and Pardons void.
riviledge 8 *Hen.* 6. *c.* 1.	Clergy called to Convocation ſhall enjoy the ſame Priviledges for them, and Servants from Arreſt, coming, tarrying, and returning as the Great men and Commonalty to be called to the Kings Parliament.
xchequer, 1 *Rich.* 3. *cap.* 14.	Collectors for Diſme of Clergy, not liable in Exchequer to other mens Action on Account, but in other Courts they are.
rdinary, 1 *Hen.* 7. *c.* 4.	Ordinaries ſhall puniſh and chaſtiſe Prieſts, Clerks, and Religious men for Avowtry, Fornication, Inceſt, or other fleſhly Incontinence, and no Action for falſe Impriſonment.
ithes, 4 *Hen.* 7. *cap.* 5.	Repeal of Patent to be diſcharged of Payment or Collection of Diſms.
Hen. 7. *cap.* 6.	Patents to be diſcharged of Diſm, ſhall extend no further then in time of *Edw.* 4.
lergy, 12 *Hen.* 7. *c.* 6.	Clergy taken away on wilful Muder, and *James Grame* Attaint.
Hen. 8. *cap.* 2.	None not in Orders ſhall have Clergy for Murder or Felony, in Church, Chappel, or Hallowed place, nor for Robbery, &c. on the High way, or Houſe where Servant is in fear.
ortuaries, 21 *Hen.* 8. *cap.* 6. §. 3.	Shall take no Mortuaries under ten Marks; and if party hath ſo, and not above thirty pounds, only Three ſhillings four pence, if under, Forty pounds ſix ſhillings eight pence, and of whatſoever, not above ten ſhillings, to forfeit ten pounds, and forty ſhillings to Party.

Parſon, Vicar, &c. may take Money, &c. Demiſe to them, the Church, or High Altar.	**Take Money, &c.** §. 5.
None Secular or Regular ſhall take Farms, on forfeit of Ten pounds a Month.	**Farms**, *cap.* 13.
They who have Farms to their uſe, ſhall bargain, ſell, give, or grant away the ſame to whom they will, without Rent, on forfeit of ten times as much.	§. 2.
All Leaſes unto ſuch to be void.	**Leaſe void**, §. 3.
May Farm Temporalties during Vacation, or on Traverſe of Office.	**Farm**, §. 4.
Shall not buy to ſell again for Lucre, Gain, or Profit, in Markets, on forfeit of treble.	**Buy and Sell**, §. 5.
May buy Horſes, Mares or Mules for his Occaſions, or Utenſils for Houſe, or for *Manuring* Glebe, without fraud.	**Buy**, §. 6.
May uſe as much Demean of their Monaſteries, &c. as is ſufficient for Hoſptality.	**Uſe Demean**, §. 7.
If they have not ſufficient Glebe, they may Farm for Expence of Houſhold.	**Farm** §. 8
The firſt Benefice with Cure of eight pound, void on Inſtitution and Induction into later.	**Avoidance**, §. 9.
Patron may preſent as on Death or Reſignation, notwithſtanding Licence, Union, or other Diſpenſation, and that to be void.	**Preſentment**, §. 10.
Licence, Union, or Diſpenſation, Toleration, &c. from *Rome*, forfeit twenty pound, and loſe profits of Benefice.	**Licence from** Rome, &c. §. 11.
Thoſe of the Kings Council may Purchaſe Licence or Diſpenſation, and take or keep three Parſonages with Cure, other Chaplains two.	**Licence**, 13.
Six Chaplains of Archbiſhop or Duke, may Purchaſe, &c. for two.	§. 14.
Marqueſs and Earls five Chaplains, to have two.	§. 15.
Of Viſcount, and other Biſhop, four.	§. 16.
Of the Chancellor, and every Baron, and Knight of the Garter, three.	§. 17.
Dutcheſs, Marchioneſs, Counteſs, and Barons Widows, two.	§ 18.
None to be advanced to above two Cures.	**Pluralities**, §. 25.
Muſt be reſident at one of the Cures, and not abſent above two Months in a year, on forfeit ten pound.	**Reſidents**, §. 26.
Scholars of Univerſity, or Men in the Wars, &c. may be Non reſident.	§. 28.
The King may diſpenſe with his Chaplains reſident, and give as many as he pleaſe.	§. 29.
None to take Salary to Sing for Souls, nor Farm Perſonage, forfeity forty ſhillings.	**Salary**, §. 30.
Under Sub-deacon ſhall not have Clergy for Pety Treaſon, Murder, Felony, Robbing Church, Chappel, Houſe, or High-way.	**Clergy**, 23 *H* 8. *c.* 1. §. 3.
Above Sub-deacon ſhall make Purgation, and find two Sureties of the Peace, before Juſtices.	**Purgation**, §. 4.
Clerk Convict breaking Priſon ſhall ſuffer as Felon.	**Felony**, *cap.* 11.
In holy Orders to be delivered to Ordinary, without Purgation.	**Purgation**, §. 2.
Ordinary may degrade, and ſend Clerk in *B. R.* to ſuffer.	**Degradation**, §. 3.
Unleſs Sub-deacon or above, loſeth benefit of Clergy, ſtanding mute or challenging above twenty.	**Clergy**, 25 *Hen.* 8. *c.* 3.
Though Felony were in another County.	§. 3.
Every Judge, and chief Baron, the Attorney and Solicitor, may have a Chaplain to be Non reſident.	**Reſident**, *cap.* 16.
Biſhops ſhall be Choſen by Dean and Chapter, by the Kings Licence, and on their Default the King to Elect.	**Election of Biſhops**, *cap.* 20.
Archbiſhop may at diſcretion grant Diſpenſations, &c. and none from *Rome*.	**Diſpenſation**, *c.* 21. §. 3.
The King is the Supreme Head of the Engliſh Church.	**Supremacy**. 26 *Hen.* 8. *cap* 1.
The King ſhall have the Firſt-fruits and Profits of all Spiritual Promotions for a year.	**Firſt fruits**, *cap.* 3.
Search by Commiſſion, to be of the value.	§. 3.
Receit by Clerk of the Hanaper or Treaſurer of the Chamber, ſhall be a diſcharge, and obligation for them, to be as Statute Staple.	§. 4.
He is an Intruder that Enters before payment of Firſt-Fruits or Compoſition.	**Intruſion**, §. 5.
The Firſt-Fruits pay to the Biſhop of *Norwich*, and Arch-deacon of *Richmond*, to ceaſe.	**Firſt-fruits**, §. 6.
Inſtitution may be before Agreement.	**Inſtitution**, §. 7.
Priors removeable, ſhall pay no Firſt-Fruits.	**Priors**, §. 8.
The King to have a yearly Penſion out of all Spiritual Promotions, the tenth part of the value.	**King**, §. 9.
Commiſſioners to enquire values, § 11. to be Sworn.	**Value**, §. 10.
Archbiſhop and Biſhop ſhall Collect and be charged.	**Collection**, 13.
Biſhop may compel payment by cenſures.	**Puniſhment**, §. 15.
On non-payment Certifie, Parſon ſhall be adjudged, deprived of all, &c.	§. 17.
Biſhop chargeable by his Certificate.	**Biſhop charged.**

Acquittances, §. 19.	All Acquittances by Treaſurer of Chamber to be effectual,
Account, §. 20.	Biſhop to pay nothing on Account.
Predeceſſor, §. 21.	To retain charge to Predeceſſor or other Perſons, out of Benefice.
Reſignation, §. 22.	Above the third part of value ſhall not be charged on Reſignation.
Abbot, §. 23.	Abbot charged with above forty pound, to be diſcharged of half.
Prior, &c. §. 24.	The Prior of St. *John* and Commandries, to pay Firſt-Fruits and Tenth.
Dean, &c. §. 25.	Dean, Provoſt, Maſter, Chief Governour, Vicar, &c. to after the Rate of Profits.
Parſons, §. 27.	Parſons, &c. under eight Marks, ſhall not pay Firſt-Fruits till three years living there.
Sheriff, §. 30.	Charges to be allowed paid to the Sheriff, Commiſſioners, or other Officers.
Surety, 26 *H.* 8. *c.* 12.	Above Sub-deacon in *Wales*, Convict of Felony, Murder, &c. as on 23 *Hen.* 8. *Cap.* 1. ſhall find Surety before Juſtice of next Engliſh County.
Election of Biſhop, *cap.* 14.	Biſhop *Suffragan* in *Ipſwich*, and other places named, &c. ſhall be preſent to the King by Archbiſhop or Biſhop with another, and the King to Chuſe one.
Conſecration, §. 3.	On the Kings Patent to Archbiſhop of the Dioceſs, ſhewing the Stile and Preſentation, he ſhall Conſecrate, &c.
§. 5.	Archbiſhop ſhall Conſecrate in three months after Receit of Patent.
Suffragan, §. 6.	Such Suffragan to Exerciſe only the Authority Licenced and Limited by the Archbiſhop or Biſhop by Commiſſion under Seal, and that to be as accuſtomed or thought convenient, and no other Juriſdiction, on *Præmunire*.
§. 7.	Suffragan ſhall at his own charge provide two Biſhops to Conſecrate, and being reſident in Dioceſs, may be abſent from Benefice.
§. 8.	Suffragan may have two Benefices with Cure, notwithſtanding any former Law.
Cap. 15.	Shall take no Penſion or Portion after deceaſe of Inhabitants, but only for Probat of Teſtament, as by 21 *H.* 8. *Cap.* 6. §. 3. on pain of *Præmunire*.
Farmer of the Firſt-fruits, *cap.* 17.	Farmer ſhall not pay Firſt fruits to the King, but the Leſſor, notwithſtanding Covenant *Contra*.
27 *Hen.* 8. *cap.* 8.	Shall deduct Tenth out of Firſt-fruits to the King.
Firſt-fruits, §. 2.	Commiſſioners ſhall allow Tenth to Parſon out of Firſt-Fruits.
Predeceſſor, §. 4.	Succeſſor, if he hath ſufficient goods of Predeceſſor diſtrainable, ſhall ſell and pay, elſe Executor of Predeceſſor only is liable for Tenths.
Clergy, 28 *H.* 8. *c.* 1. §. 7.	Perſons in holy Orders for any Offences, in 22 *H.* 8. *Cap.* 14. or 23 *H.* 8. *Cap.* 1. or 25 *H.* 8. *Cap.* 3. ſhall loſe Clergy as well as thoſe not in Orders.
Firſt-fruits, *c.* 11. §. 3.	The year of Firſt-fruits ſhall begin immediately after Avoidance, and Executors of Succeſſor ſhall recover Arrears in Vacation towards it.
Succeſſor, §. 5.	Ordinary ſhall pay to Succeſſor what is received in Vacation.
§. 5.	Deducting Charges for Serving the cure.
Deviſe, §. 6.	May Deviſe the Crop of Corn Sown by them.
Reſignation, §. 7.	Leaſes whereon without forty ſhillings by the Kings Books is Reſerved, ſhall not be defeated by Reſignation, for ſix years after ſuch Avoidance, but Succeſſor may Diſtrain for Rent.
Succeſſor, §. 8.	Leſſee to hold one year, if Parſon dye before end of Leaſe, paying Rent to Succeſſor.
§. 9.	Succeſſor on a Months warning after Induction, ſhall have Parſonage Houſe.
Curate, §. 10.	Curates Charges ſhall be paid in fourteen days after Succeſſors Poſſeſſions,
Reſidence, 28 *Hen.* 8. *cap.* 13. §. 2.	All Beneficed above forty year old, except Heads and Profeſſors in Univerſities, ſhall be Reſident on one, on the pain in 21 *H.* 8. *Cap.* 13. §. 26.
§. 3.	Under forty ſhall not enjoy the priviledge of 21 *Hen.* 8. *Cap.* 13. §. 28. unleſs they attend all Exerciſes of the Univerſities.
§. 4.	Not to extend to publick Readers of Divinity, Civil Law, Phyſick, Philoſophy, Humanity, or other Liberal Sciences, or Common Interpreter.
Dignity, *c.* 16. §. 4.	Loſe no Dignity by Suppreſſion of the Monaſtery, but none ſhall Exerciſe by Authority from *Rome*, but under this Statute.
Ability to purchaſe, 31 *H.* 8 *c.* 6.	Enabled to Purchaſe, Sue or take *de cætero*, as if never Profeſs.
Ability to Marry, §. 2.	Prieſt above Twenty one ſhall not be enabled to Marry.
Number of Biſhops, *cap.* 9.	The King may nominate what number of Biſhops and Catheral Churches, as he pleaſe.
Office, *cap.* 13. §. 3.	All Religious and Eccleſiaſtical Houſes Suppreſt and to be Suppreſt, to be Veſted in the King without Office.
Leaſe void, §. 7.	Their Leaſes within a year before Parliament or Diſſolution, void, unleſs the Ancient Rent be reſerved.
Clergy, 32 *H.* 8. *c.* 3. §. 8.	Clerks in Orders that ought to have had Clergy, ſhall be burnt in the Hand as Lay men are.

On Diſſeiſin, &c. may have Aſſiſe, &c. in Temporal Courts, but for the detainer of Tithes muſt Sue in Spiritual Court.	**Diſſeiſin Tithes**, §. 7.
A Repeal of 31 *Hen.* 8. *Cap.* 14. §. 3, & 4. as to Death on Marriage of Prieſt, but on their Incontinence, to forfeit Eſtate, &c.	**Marriage**, *cap.* 10.
In all Commiſſions of Religion to Biſhops, Chancellor, and Commiſſary, according to 31 *Hen.* 8. *Cap.* 14. §. 6. Archdeacons and Official ſhall be joyned by name of Dignity.	**Dignity**, *cap.* 15.
There being divers falſe Certificates of value of Tenth on 26 *Hen.* 8. *Cap.* 1. the Biſhop on Oath he cannot Levy it, ſhall be diſcharged.	**Tenth**, *cap.* 22.
The Diſſolution of the Fryers or Knights of St. *Johns* of *Jeruſalem* in *England* and *Ireland*.	**St.** Johns, *cap.* 24.
They cannot Leaſe Tithes or Lands, &c. but as at Common Law.	**Tithes**, *cap.* 28. §.
Notwithſtanding 26 *Hen.* 8. *Cap.* 3. and 12 *Hen.* 8. *Cap.* 8. the Biſhop of *Norwich* ſhall be Collector of Diſm, and Dean and Chapter in Vacation.	*Cap.* 47.
The Chancellor of the Dutchy of *Lancaſter*, of Augmentations, of the Firſt fruits, the Maſter of the Wards and Liveries, and the Surveyors of the King, the Treaſurer of the Chamber of Augmentation, and the Groom of the Stole, may have one Chaplain non Reſident.	**Non-reſidents**, 3 *cap.* 28. §. 2.
Such Chaplains to repair twice a year at leaſt, eighty days a time at his Benefice.	§. 3.
As well ſuch as were Tranſlated and Tranſported, as thoſe that were diſſolved, ſhall be enabled to purchaſe on Deraignment.	**Ability to purchaſe**, §. 2.
Leaſes, Grants, &c. by Biſhops of *Coventry* and *Lichfield* confirmed by Dean and Chapter of *Lichfield*, bind Succeſſor.	**Succeſſor** *cap.* 33.
The Biſhoprick and Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*, unite to Biſhop of *Cheſter*, and Subject to Province of *York*.	**Province of** York, *c*
A Vicar perpetual named by the King, of the Pariſh Church of our Lady in *Whitegate* in *Cheſhire*.	Whitegate, *cap.* 32.
Grants, &c. by Biſhop of *Bath*, &c. confirmed by Dean and Chapter of *Wells*, united thereto, binds Succeſſor.	**Succeſſor**, 34 & 3 8 *cap.* 15.
Biſhops of *Cheſter*, *Glouceſter*, *Peterborough*, *Briſtol*, *Oxenford*, Erect by patent, ſhall pay Tenth and Firſt-fruits to Court of Augmentation.	**Tithes, &c.** *cap.* 17.
On the ſaving in 31 *H.* 8. *Cap.* 13. Archbiſhop, &c. denied Penſion, Synody, &c. lawfully Iſſuing, and poſſeſs ten years before Monaſtery diſſolved, may ſue by Eccleſiaſtical Proceſs.	**Eccleſiaſtical Proce** *cap.* 19. §. 4.
Againſt the Kings Patentee diſcharged by Covenant, Suit muſt be in Court of Augmentation, and not elſewhere.	**Proceſs**, §. 6.
The King to name ſixteen Spiritual, and ſixteen Temporal, to examin the Canons, and what they think convenient, to eſtabliſh.	**Canons**, 35 *Hen.* 8. *c.*
The Land of Colledges, free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and Stipendary Prieſt, that pay Firſt-fruits, or Tenths, and continue for ever, given to the King.	**King**, 37 *Hen.* 8. *cap.*
Clergy not to be allowed to Horſe-ſtealer.	**Clergy**, *cap.* 8. §. 2.
A Confirmation of Aſſurances by Archbiſhop of *York*, to the King, againſt Dean and Chapters.	**King**, *cap.* 16. §. 4.
Grants by Archbiſhop of *Canterbury* to the King, confirmed.	§. 6.
Aſſurances by Biſhop of *London* to the King confirmed.	§. 7.
The Canons Eccleſiaſtical made void by 25 *Hen.* 8. *Cap.* 18 notwithſtanding contrary practice ſince.	**Canons**, *cap.* 17. §
The King Supream Head of the Church, hath power to puniſh all Vice.	**King**, §. 3.
Doctors of Civil Law, Lay, or Married, may be Chancellor, Vicar-General, Commiſſary, Official, Scribe, or Secretary, by appointment of the King, Archbiſhop, Biſhop, &c.	**Ability to be Chanc lor, &c.** §. 4.
Archbiſhop, Biſhop, &c. may be conſecrated on delivery of the Kings Patent, and no *Conge de Eſlire* ſhall Iſſue to Dean and Chapter.	**Conſecration**, 1 *Ed* *cap.* 2.
Biſhop Suffragan, &c. to pay Fees as anciently.	**Suffragan**, §. 2.
All Proceſs Eccleſiaſtical, and Acquittances to be as Writs in Style of the King, and Teſte by the Biſhop.	**Proceſs**, §. 3.
The Kings Arms to be in Eccleſiaſtical Seals of Office, on Impriſonment, &c.	§. 4.
The Fees of Proceſs, &c. to be as heretofore.	§. 5.
Archbiſhop of *Canterbury* to uſe his own Name and Seal in Faculties and Diſpenſations, according to 25 *H.* 8. *Cap.* 21. and Certificates, &c. by other Biſhops.	**Faculties**, §. 6.
Certificates of Tryal, &c. in Spiritual Court, of Plea in matter depending at Common Law, ſhall be in ſtile of the King, Sealed with his Arms, and Teſte by Biſhop.	**Certificates**, §. 7.
All Colledges, Chantries, free Chappels, Anniverſaries Stipends, or for finding a Prieſt for years, or for ever, to be actually in the King.	**King**, *cap.* 14.
For moderation of the Penalty of Deprivation 26 *H.* 8. *Cap.* 3. 17. its Enacted, That on Certificate of De-	**Deprivation**, 2 & *Ed.* 6. *Cap.* 20.

mard,

nth, §. 4.	Non-payment of Tenth, &c. ſhall not diſable to enjoy other Benefices.
§. 5.	All payments of Tenth, other then what is mentioned herein, to ſtand.
arriage, *cap.* 21. § 2.	May marry, and all Laws, &c. to the *contra* void, but better to live ſole.
nſecration, 5 & 6 *Ed.* 6. *cap.* 12.	Archbiſhop, Prieſt and Deacon, &c. to be made and Conſecrated as ſix Prelates, and ſix others appointed by the King deviſed, &c.
gitimation, 2 & 3 *Ed.* 6. *cap.* 12. §. 2.	Their Iſſue is Legitimate, and they ſhall be Tenants by the Courteſie, of Fee, or General Tail, and the Wife endowed.
aim as heir, *c.* 13. §. 3.	Shall claim as Heir to any Anceſtor ſince Deraignment.
§ 4.	Shall not claim as Heir to Anceſtors Lands before Deraignment.
nth, 7 *Ed.* 6. *cap.* 4. §. 2.	Under Collector by Patent to enter Recognizance in Firſt fruits, to ſave Archbiſhop harmleſs of Tenth, and Duties to the King.
§ 3.	Archbiſhop, &c. to pay Tenth, &c. to the King, before, or at the laſt of *May* yearly.
motion void, §. 4.	Where Promotion is void, and no Incumbent can be provided, Archbiſhop to certifie it, and thereby to be diſcharged as of Recuſants, and the King to ſeize.
llectors Patent, §. 5.	Patent of Collectorſhip to endure no longer then Grantor is Archbiſhop, &c. of that See.
ſhoprick of Durham, 1 *Mar. St.* 2. *cap.* 3.	A Repeal of 7 *Ed.* 6. a private Statute, by which Biſhoprick of *Durham* was diſſolved and given to the King, &c. and *Cuthbert Tunſtal* reſtored, &c.
ds Marchers, 1 & 2 *Ph. & Mar. cap.* 15. §. 5.	Lords-Marchers, Spiritual and Eccleſiaſtical; and Succeſſors to enjoy Profits, &c. as full as Lords-Marchers Temporal, by 27 *H.* 8. *cap.* 26. §. 25 & 30.
ſe void, *cap.* 17.	That 28 *H* 8. *cap.* 11. §. 7. ſhall not make good Leaſes of Parſon, Vicar or others having Spiritual Promotion, but void by Reſignation.
an of Hereford, 2 & 3 *Ph. & Mar. cap.* 14.	Dean and Chapter of *Hereford* may re-edifie two Farms, two Fulling Mills uſed of old.
mmiſſion Court, 1 *Eliz. cap.* 1. §. 18.	Is the Foundation of the High Commiſſion Court.
rſt-fruits, 1 *Eliz. c.* 4. §. 28.	Incumbents and Farmers ſhall pay Firſt-Fruits and Tenths into Exchequer.
§. 37.	All Spiritual Promotions remain chargeable to Firſt-fruits and Tenths.
fts void, *cap.* 19.	All Gifts and Eſtates, &c. other then for One and twenty years, or for three Lives, from commencement by Archbiſhop, Biſhop, &c. void.
rliament, *cap.* 2. §. 2.	The Clergy included as one of the three Eſtates of Parliament that Recognize the Queens Title.
lander, 8 *Eliz cap.* 1.	Againſt ſlander of the Clergy, being one of the greateſt States of the Realm.
ervice, §. 3.	A Confirmation of 1 *Eliz.* 2. and of 5 & 6 *Ed.* 6. *cap.* 1 and that Service to ſtand.
nſecration, §. 4.	That all Acts about Conſecration, &c. of Archbiſhop, &c. by Patent, good.
§. 5.	Biſhops, Prieſts and Deacons, &c. according to the form therein preſcribed, good.
ſhops Certificate, §. 7.	Biſhops Certificate of refuſal of Oath, ſince 1 *Eliz. c.* 1. void.
ilapidations, 13 *Eliz. cap.* 10. §. 2.	Archbiſhop, &c. having Dignity or Office, Parſon, Vicar, &c. that are to repair, &c. or their Alienee, ſhall be ſued in Eccleſiaſtical Court for Dilapidations.
aſes void, §. 3.	All Leaſes, &c. other than for three Lives, or One and twenty years from making, and with accuſtomed Rent, void.
§. 4.	Not to make Leaſe in Univerſities, good for more years than by private Statute.
aſe good, § 5.	Not to prejudice new Leaſe or Covenans *pro reſiduo*, not exceeding One and twenty years, &c.
ſent to Confeſſion, *cap.* 12.	All under degree of Biſhop to aſſent and ſubſcribe Confeſſion of Faith, and the Doctrine of the Sacraments, in Articles 1562. teſtified by Biſhop, &c.
privation, §. 2.	Maintaining Doctrine *contra* to thoſe Articles, to be deprived, or not Reading.
§. 3.	None but of Twenty three years old, and Deacon that hath Subſcribed and Read in Pariſh Church, to be admitted by Biſhop to Cure, but deprived in a year.
iſpenſation, §. 4.	To any under One and twenty, not Deacon, nor admitted within one year after twenty four, Diſpenſation is void.
eachers, §. 5.	None to Preach or adminiſter Sacraments under Twenty four, nor without teſtimony of honeſt Life and Faith, nor unleſs he account to Ordinary of his ability.
ure, §. 6.	None to have Cure above Thirty pounds in the Queens Books, unleſs Bachelor of Divinity, or Licence.
iſpenſation, §. 7.	All Diſpenſations and Licence *contra*, to be void.
apſe, § 8.	No Lapſe till ſix Months notice by Ordinary to Patron, of Deprivation.
eaſe void, *cap.* 20.	No Leaſe of Cure not Impropriated to laſt longer than Parſon is reſident, without abſence above Forty days in one year, but is void, and Parſon forfeits a years profit.
emiſe good, §. 2.	He that hath Diſpenſation, may demiſe one, but no longer than Curate is reſident.
nder-collectors, 14 *El. cap.* 7.	A Confirmation of 13 *Eliz. cap* 4. and that it extend to Sale of Under-Collectors of the Clergy, to ſell their Lands for payment to the King, &c.
Words not revived, *cap.* 11. §. 14.	That the words (ſo-ſoon as it, or any part thereof come to any poſſeſſion or uſe above forbidden) in 13 *Eliz. cap.* 20. not revived.
Bond, &c. void. §. 15.	Bonds or Covenants, &c. for enjoyment of Leaſe by Non-reſident, void.
§. 16.	All Leaſes, Bonds, Covenants, &c. by Curate, to be void as of Parſon.
Leaſe void, §. 17.	That 13 *Eliz.* 10. §. 3. ſhall not extend to grant Leaſe, &c. of Houſes in City, &c. ſo it be no Capital Meſſuage, or have above Ten acres.
Dilapidations, §. 18.	Recoveries for Dilapidations ſhall be employed in Rebuilding.
Leaſe void, §. 19.	No Leaſe in Reverſion or without old Rent, or that Leſſee repair not, or above forty years, to be permitted, nor alienation but for value received in other Land.
College Leaſe, 18 *Eliz. cap.* 6.	Maſter of Colledge, &c. not to Leaſe, &c. unleſs third part of old Rent in Corn, *viz.* Six ſhillings eight pence the Quarter of Wheat, Five ſhillings Malt, at Election of Leſſee, all Leaſes, Bonds, &c. otherwiſe void.
Magdalen **College**, §. 2.	Not to prejudice *Magdalen* Colledge of *Oxford* for *Monken Barn, &c.*
St. Johns **College**, §. 3.	Not to extend to Leaſe by St. *Johns* in *Oxon*, to Heir of Founder *White*.
Leaſe void, *c.* 11. § 2.	Eccleſiaſtical, Spiritual or Collegiate Parſons Leaſe (former not within three years after expiring,) void.
Bond void, §. 3.	Bonds or Covenants to enjoy Leaſe *contra* 13 *Eliz. cap.* 10. or this Statute, void.
Sequeſtration, §. 7.	In two Months after ſentence upon 13 *Eliz. cap.* 20. for void Leaſe, Ordinary to ſequeſter, &c. Inhabitant to retain Tythes, Churchwardens to enter Glebe, &c.
Schoolmaſter, 23 *Eliz. c.* 1. §. 6.	Schoolmaſter not allowed by the Ordinary, forfeits x *l. per menſem.*
Treaſon, 27 *El. c.* 2. §. 3.	Jeſuit, Prieſt, Deacon, &c. profeſt by Authority of *Rome*, ſtaying in the Realm otherwiſe than appoint, Treaſon.
Preſentation, 31 *El. c.* 6. §. 5.	Preſentation to Benefice with Cure for Reward, &c. void, and forfeit to the Queen, and the double value of one years profit, and Parſon diſabled to enjoy.
Induction, §. 6.	Induction for other than lawful Fees, void, and forfeit double of one years value, and Patron to Preſent, as if naturally dead.
Lapſe, § 7.	Lapſe to accrue but within ſix months after notice by Ordinary to Patron.
Reſignation, §. 8.	Reſignation corruptly, forfeits double in giver and taker, and double value of a years profit.
Penalties, §. 9.	Not to take away the penalties inflicted by Eccleſiaſtical Laws.
Reward, §. 10.	Taking reward for making Miniſter, Orders, Licence to Preach, forfeit forty pound and gives ten pound and Induct to Benefice within ſeven year after void.
Deprivation, 39 *Eliz. cap.* 8. §. 2.	Deprivations between 1 & 4 *Eliz.* of Biſhops, Deans, &c. good againſt Appeal.
Queen, § 3.	Archbiſhops, Biſhops and Deans made by the Queen before 4 *Eliz.* good.
King, *cap* 22.	Grant by Biſhop of *Norwich* as Patron of St. *Gyles*, ſurrendred to *Ed.* 6. not to prejudice St. *Benets* Monaſtery, being parcel of Biſhoprick by general words.
Judgments void, 2 *El. cap.* 9. § 8.	A Continuance of 13 *Eliz. cap.* 20. and of 14 *Eliz.* 11. and 18 *Eliz.* 11. with this, that all Judgments to enjoy Leaſe *contra* thereto, ſhall be void.
Founder, 1 *Jac. c.* 3.	The King Founder of all Archbiſhops, Biſhops, &c. and none could alien for above twenty one years, or three Lives.
Alienation, §. 2.	Archbiſhop and Biſhop diſabled to alien to the King, and Alienations void.
Jeſuits, *cap.* 4.	All Statutes of Queen *Eliz.* againſt Jeſuits, &c. of Authority from *Rome, &c.* to be put in execution.
School, 1 *Jac. c.* 4. §. 9.	None to keep School, &c. out of the Univerſities without Licence, &c.
4 *Jac. c.* 7. §. 2.	The Grammar School of *Northleech* in *Glouceſter*, Incorporated on Deviſe of *Hugh Weſtwood*, Viſitable by *Queens Colledge* in *Oxford*.
King, 21 *Jac. c.* 3.	Aſſurances of *York Houſe* to the King, and of other Manors, &c. by the King to the Archbiſhop in lieu.
Commiſſion-Court, 17 *Car.* 2. *c.* 11. §. 3.	A Repeal of 1 *Eliz. cap.* 1. §. 18. whereby the High Commiſſion Court is eſtabliſhed.
Eccleſiaſtical Judge, §. 4.	No Archbiſhop, Biſhop, Vicar General, nor Ordinary, nor any Eccleſiaſtical Judge, &c. to Fine, Impriſon &c. for Contempt or *ex Officio* inforce, Oath of Crime, &c.
Court, §. 5.	No new Court of like Power to be erected, but Patent void.
Temporal Powers, *c.* 27.	That perſons in Holy Orders ſhall not exerciſe certain Temporal Powers.
Enjoyment. 12 *Car.* 2. *cap.* 17.	Miniſter Ordained before 25 *December* twenty four year old, not removing it ſince 1 *Jan.* 1642. nominate to Cure &c. that was poſſeſſed 25 *Dec.* other than thoſe reſtored, to enjoy, &c.

Reſignation, §. 2.	Voluntary reſignation to uſurpt Powers, good.
Uſurpation, §.3.	No Confirmation by this Act, to make any uſurpation to prejudice Patron.
Reſtauration, §.4.	All lawfully Preſented and taking profits, that have not ſubſcribed Petition againſt the King, or refuſe to Baptize, to be reſtored, and party removed to have profits, till 25 *Decem.* and then pay moiety to party reſtored.
§. 5.	Miniſters not ſcandalous, ignorant or inſufficient, on proof of Sequeſtration of two, to be reſtored to one.
Miniſter Confirmed, §.6.	Miniſters Confirmed, to enjoy but one, unleſs on Reſignation Patron new Preſent.
Dilapidation, §.7.	On Agreement of Parſon ſequeſtred before Commiſſioners, the Miniſter Confirmed to enjoy, elſe to pay Tenth and Dilapidations,&c.
Fifths, §.8.	Parſon Confirmed to Arrears of Fifths,&c.
§.9.	Parſon to whom Fifths are due, his Executors, Adminiſtrators,&c. ſhall recover them.
Arrears, §.10.	Parſon Confirmed or Removed,his Executors,&c. to Sue for Arrears of Profits,&c.
Reſtitution, §.11.	Reſtitution void, where Parſon hath Petitioned againſt the King, or declared againſt Baptiſm.
Juſtice of Peace, §.12.	Juſtice of Peace in Commiſſion 1 *Sept.* 1660, or five next the Church not Intereſt, to execute this Act.
Leaſes good, §.13.	Grants and Leaſes on Conſideration, Copy or Free, except Glebe and Tythes,before 25 *Dec.*1659 for three Lives, or Twenty one years of ſequeſtred Livings, good.
Incumbent, §.14.	Parſon preſent to Committee of Triers 1659.and refuſe without cauſe, to be perfect Incumbent.
Poſſeſſion quit, §.15.	Not to Confirm any that have ſince 25 *Dec.*laſt, voluntarily quit the poſſeſſion.
Fifths, §.16.	No Fifths to be paid, where Agreement hath been between Parſons.
Tythes, §.17.	Compoſition for Tythes of any Poſſeſſor, by colour of Authority, is a diſcharge.
Ewelme, §.18.	Not to Confirm *Ewelme* in *Oxfordſhire*, nor §.19.*Somerſham* in *Huntington.*
Refuſers, §.19.	Not to Confirm refuſers of Oath of Allegiance and Supremacy.
Clerks preſent, §.20.	Not to prejudice Clerks preſent under the Great Seal, between 1 *May*,1660. and 29 *September.*
Poſſeſſors, §.21.	Poſſeſſors not charged to ſuch Preſentees of profits before 29 *Sept.*
Kindlington, §.23.	Not to Confirm *Kindlington* in *Oxford*, nor §.24. *Garſington* in *Oxford.*
Caſtor, §.25.	Not to Confirm *Caſtor* in *Northampton*,nor §.26. *Cudſden* in *Oxford.*
Confirmation, §.27.	Not to Confirm Printer or Preacher againſt the King.
Giving poſſeſſion, §.28.	Commiſſioners Warrant to Sheriff, to give poſſeſſion to party reſtored.
Confirmation, §.29.	Not to Confirm any that appeared in Arms,or Troop, in oppoſition to Reſtoration.
§.30.	Not to Confirm *Acton* in *Middleſex.*
Peers, §.31.	Peers of Realm may Preſent in ſix Months, notwithſtanding Lapſe.
Kings Preſentee, §.32.	The Kings Preſentee before 9 *Sept.*1660. by Lapſe, to enjoy.
Stay of Profits, §.33.	Order of Repeal of ſtay of Profits in hands of Churchwardens,&c.
Parliament, 13 *Car.* 2. *cap.*2.	A Repeal of 17 *Car.*1.*cap.*27. altering the Conſtitution of Parliament.
Juriſdiction, *cap.*12.	That nothing 17 *Car.* 1. *cap.*11. §.4. ſhall take away ordinary power from Archbiſhop, &c. but they to exerciſe all Eccleſiaſtical Juriſdictions.
Commiſſion-Courts, §.2.	A Repeal of all 17 *Car.*1. *cap.*11. but what concerns the High Commiſſion Court.
1 El. Rep.§.3.	Not to revive 1 *Eliz.*1.*c.*1. §.18. but that to ſtand Repealed.
Oath ex Officio, §.4.	No Archbiſhop, &c. to adminiſter the Oath *ex Officio*, or other Oath to accuſe,&c.
King, §.5.	Not to give other Juriſdiction then 1639.nor to abridge the Kings Power, nor to Confirm the Canons 1640. nor other Eccleſiaſtical Laws not Confirmed 1639.
Aſſent, 14 *Car.*2.*c.*4. §.6.	All put into Eccleſiaſtical promotion, to read Publick Prayers in two Months, and declare aſſent and conſent to Book of Common Prayer.
Declaration, §.8.	Deans, Profeſſors, Curates, School-maſters,&c. at or before Admiſſion, to ſubſcribe Declaration §.9. againſt League and Covenant, and taking up Arms againſt the King.
Reſtoration, 15 *Car.* 2. *cap.*6.§. 3.	Deans,&c beyond Sea, Sick, Impriſoned,&c. at time of 14 *Car.*2.*cap.*4.ſhall be reſtored, if no other be duly Inſtituted before 1 *Aug.*1663.
§.4.	Such to ſubſcribe Declaration, &c. in forty days after Return, and read Service in Three months.
Oath, 17 *Car.*2. *c.*2. §.2.	Parſons, &c. pretending Holy Orders, not to come within five miles of Corporation, unleſs they take Oath not to alter Government,&c.
London, 22 & 23 *Car.*2. *cap.*15.	Incumbents of Pariſhes burnt in *London* ſetled, and maintenance.
Rents, 29 *Car.*2.*cap* 8.	Vicars had no remedy for Rents, &c.

Vicars are ſeiz'd of Rents reſerve to Leſſors of Impropriations,&c. for ever, and to have Diſtreſs or Debt, &c.	§.2.
No Augmentation to Vicar, to exceed moiety of Impropriations,&c.	**Augmentation,** §.3
Archbiſhop,&c. to Regiſter on Leaſe,&c. all Augmentations, what Copy atteſted to be ſufficient Evidence for Vicar.	§.4.
Subſtance of agreement for Augmentation not Entred, to be Regiſtred,&c.	§.5.
Such Augmentation good againſt Archbiſhop,&c.	§.6.
Conſtruction to be for Vicars,&c. as for Charity.	**Conſtruction,** §.7.
Leaſe without mention of Augmentation, void.	**Augmentation,** §.8.
Not to void Leaſe by Dean and Chapter of *York* to Vicar of *Sturton.*	§.9.
Not to void Leaſe of D. and Ch. of *Exon* to *Spry.*	§.10.
Where no Juſtice of Peace reſides, or is found in Pariſh of Burial, the Parſon, Vicar and Curate ſhall take Affidavit of Burial in Woollen.	**Burial in Woollen** 32 *Car.*2.*c.*1.§.3.
New Oaths appointed to be taken, and a Declaration ſubſcribed by Eccleſiaſtical perſons, in lieu of the Oaths of Supremacy in 1 *Eliz.* and of Allegiance in 3 *Jac.* 1. abrogated. *Vide* tit. *Oaths.*	**Oaths,** 1 *W.*& *M.*Se *cap.*
Simony after death of perſon Simoniacally promoted, not to be alledged in prejudice of Patron innocent, or of his Clerk; unleſs perſon Simoniacally promoted, or his Patron, was Convict in life of Parſon Simoniacally promoted.	**Simony,** *cap.*16. §.
Leaſes *bona fide* made by Parſon Simoniacally promoted, to any not privy to the Simony, to be good.	**Leaſes by Parſon moniack,** §.3.
An Act for the Relief of the Proteſtant *Iriſh* Clergy. *Vide* tit.*Ireland.*	**Iriſh Clergy,** *cap.*
An Act for abrogating the Oath of Supremacy in *Ireland*, and appointing other Oaths. *Vide* tit. *Ireland.*	**Oath in** Ireland, 3 *W.* & *M. cap*
Miniſters to keep Regiſters of Marriages, Burials, Chriſtenings and Births; to which all may have acceſs *gratis*, on penalty of 100 *l.*	**Regiſter,** 6 & 7 *W.*3 §.24.
Makes perpetual 3 & 4 *W.*& *M.cap.*9. and 4 & 5 *W.* & *M. cap.*24.§. 13.	**Reviver,** *cap.*14. §.

Eels, ſee *Fiſh.*

Egyptians, ſee *Conjuration.*

Elections.

Conge d'Eſtire.

Shall be free, and not diſturbed by force or malice, on great forfeiture.	**Free,** 3 *Ed.c.*1.5*Weſ*
Is in Diſſeiſee of Freehold to have Aſſize or new Office, and double Damages againſt Eſcheator, Sheriff, or the Kings Bayliff,that diſſeiſeth without ſpecial Warrant.	**Diſſeiſee,** *cap.*44.
To have *Fi. fac.* of Lands and Goods, or delivery of Chattels, (except Beaſts of Plow, and moiety of Land till Debt ſatisfied) by reaſonable Extent.	**Execution,** 13 *Ed.*1.*c.* *Weſtm.*2
By Tenant in Common on Recovery in Waſte againſt the other, to have in Severalty, or to take as Partners.	**Tenant in Common,** *cap.*22
Of three Knights, or lawful, wiſe and well diſpoſed perſons to be ſworn Juſtices for the Shire,to hear and determine breaches of the Grand Charter, ſhall be in every ſhire Court, by the Commonalty.	**Magna Charta,** 28 1. *cap.* 1. *Artic. ſu Chart.*
Of Sheriff that is not of Fee, ſhall be by People of the County if they will.	**Sheriff,** *cap.*8.
Shall not be for Reward or Bribes, but Sheriffs ſhall be ſuch as will not charge the County, nor lodge too oft in one place, nor with Poor perſons or men of Religion.	*Cap.*13.
Of Verderors ſhall be by Writ, other Officers are put in by Juſtice of Foreſt or his Lieutenant.	**Verderors,** 34 *Ed.*1. *c.* *Ordinat.Foreſt.*
To vacant Dignities in the Church, ſhall be free according to the Statute and Ordinances.	**Church Free,** 9 *Ed.* 2 *cap.*14.*Artic.Cleri.*
Of Sheriffs, ſhall be by Chancellor, Treaſurer, and Chief Baron, calling the Chief Juſtices of both Benches on the morrow of *All Souls* yearly.	**Sheriffs,** 14 *Ed.*3.*c.*7
Eſcheators ſhall be choſen as Sheriffs at the ſame time yearly, and Coroners ſhall be able.	**Eſcheators,** *cap.*8.
Of Coroner, ſhall be by the Commons in full County.	**Coroner,** 28 *Ed.*3.*cap.*
Of Officers, ſhall not be for gift, favour or purſuit; but of lawful men, ſufficient, and of beſt knowledge.	**Officers,** 12 *Ric.*2.*cap.*
Of Knight of Parliament, ſhall be by the next County day after delivery of the Writ proclaiming the day and place of the Parliament, and then all ſhall Elect indifferent, notwithſtanding any command to the contrary, Indenture of Choice tackt to the Writ, ſhall be the Return.	**Knight of Parliament,** 7 *Hen.*4.*c.*15.
Of Spiritual Promotions, ſhall not be interrupted by the Pope or the King.	**Interruption,** 9 *Hen.*4 *cap.*8.
Juſtices of Aſſize ſhall enquire, and Sheriff of Return *contra* to 7 *H.* 4. *cap.* 15. ſhall forfeit one Hundred pound, and the Knight unduly choſe loſe his wages.	**Knight of Parliament,** 11 *Hen.*4.*cap.*1

Of

a. 5. cap. 1. Of Knight of Parliament, muſt be reſident in the County the day of the Writ as well the Electors, as Elected, and Citizens and Burgeſſes reſiant, dwelling and free in the ſame, &c.

ght of Shire, 8 *H.* 6. *cap.*7. Of Knight of Shire, ſhall be by reſidents that have forty ſhillings *per annum*, and he that hath Majority, Return by Sheriff, on pain of an hundred pound, Impriſonment a year, and Knight loſe his wages.

ght of Parliament §.2. He that cannot Expend xl. s. *per annum*, to be no Chooſer of Knights for Parliament.

*26. chap.*2. Electors of Knight of Parliament muſt have forty ſhillings *per annum*, Freehold at leaſt in the ſame County.

*26.cap.*15. Of Knight of Parliament or of Burgeſſes, on Precept by Sheriff on Receipt of Writ, ſhall be between eight and eleven in the Morning, and if unduly made by the Sheriff, one hundred pound to the King and an hundred pound to party; if by Mayor, &c. forty pound, and debt againſt Executors.

ops, 25 *Hen.*8.*c.*20. §.4. Of Biſhops, is by Dean and Chapter by the Kings Licence, and on their default the King by Patent to Preſent.

ation, 33 *Hen.* 8. *cap.* 27. By Majority of Corporation, good againſt diſcent of Minority or Negative voice, by founders Law, and Oath to do *contra*, void.

, 1 *Ed.*6. *cap.*2. No *Gonge d' Eſlire* ſhall go to Dean and Chapter, but the Kings Patent to be ſufficient Collation of Biſhop, &c. being after Conſecrated.

y, 31 *El.cap.*6.§.2. The Queen, &c. may preſent on voydance of place by Simony, as if the Party unduly choſen were dead naturally.

rd, §.3. He that takes Reward for voice, or ſignation, to forfeit double, and he for whom its paid to be incapable of that room for that Turn.

Read, §.4. This Act and the private Statutes of the place to be Read, on forfeit of forty pound.

ntation for reward, §.5. He that preſents, &c. for reward to Benefice, forfeits the Preſentation to the Queen, and the double value of a years profit.

ction for reward, §. Induction for other Reward then uſual Fees forfeits double one years value.

ghts for *Durham,* *Car.*2. *cap.*9. Of two Knights for County of *Durham*, and two Citizens for the City to Parliament.

ony, 1 *W.* & *M.* *Seſſ.*1. *cap.*16. §.2. Simony after death of perſon ſimoniacally promoted, not to be alledged, in prejudice of Patron innocent, or his Clerk unleſs perſon Simoniacally promoted, or his Patron was convict in life of Parſon Simoniacally promoted.

Emblements.

Blees, Eſplees, Pernor, Cattels.

Crops, 20 *Hen.* *cap.*2. *Merton.* Widows may Deviſe the Crops upon their Dower and other Tenements, ſaving the Lords Services.

Embracery, ſee *Enqueſt and Maintenance.*

Eucumbent, ſee *Eccleſiaſtical Perſons.*

Enchantments, ſee *Conjuration.*

Endictment.

Coron, Indictment, Preſentment.

hibition, 1 *Ed.* 3. *cap.* 11. Indictors being Sued in Spiritual Court, ſhall have a Prohibition.

, *cap.* 17. In Torn, ſhall be by Roll Indented between Sheriff or Bailiff of Franchiſe and the Indictors.

ices of Aſſiſe 4 *E.* 3. *cap.* 2. Taken before Keepers of the Peace in each Shire aſſigned hereby, ſhall be ſent to Juſtices of Aſſize to determin.

, 5 *Ed.*3. *cap.*11. Juſtices aſſigned, &c. ſhall direct Writs to all Counties where need ſhall be, to take the Perſons Indicted.

miſſon holy church 18 *Ed.* 3. *cap.*6. No Commiſſion to Temporal Judges to enquire of Exceſſive Proceſs of Judges of Holy Church.

tion, 25 *Ed.* 3. *cap.*9. Indictments of Ordinaries and their Miniſters for Extortion, ſhall ſhew in what, of what, and in what manner.

feiture, 25 *Ed.* 3. *Stat.* 4. *cap.* 14. If Indictee of Felony comes not on *Capias*, and *Alias* goeth to ſeize Chattels, which is ſaved by taking before Return, elſe put in Exigent.

queſt, 25 *Ed.* 3. *Stat.* 5. *cap.* 3. No Indictor of Felony to be put upon ſuch Enqueſts.

Tithes, 1 *Rich.*2. *cap.* 13. Shall not be of Clerks Suing in the Spiritual Court for Tithes.

rgy, 4 *Hen.*4. *cap.*2. Clerks ſhall have Clergy though the word *Inſidiatores Viarum* or *Depopulatores Agrorum* be in, but they muſt be left out.

queſt Officer, 11 *H.*4. *cap.* 9. Shall be taken by Enqueſt Returned by Sheriff or Officer Sworn, without any other denomination.

dition, 1 *Hen.*5. *cap.*5. Muſt have addition of degree or myſtery; and of Town, Hamlet or place within the County where Indict.

ceſs, 8 *Hen.*6. *cap.*10. In a Foreign County ſhall make a ſecond *Capias* where party lives, Teſte three Months before Return, and then Exigent, otherwiſe void.

Action *ſur* Caſe on Acquital by Verdict lieth againſt Procurer of ſuch Indictment, and treble Damages. **Action *ſur* Caſe,** §.4.

Capias and Proceſs thereon againſt ſuch as Flee into ſecreet Places. **Proceſs,** *cap.* 14.

On Removal in *B. R.* by *Certiorari*, there ſhall be the like ſecond *Capias* as where its in the County, by 8 *H.* 6. *cap.*10. *Certiorari*, 10 *Hen.* 6. *cap.* 6.

Jurors thereon ſhall be worth five pound in the ſame County. **Juror,** 33 *Hen.*6. *cap.*2. §.2.

Juſtices of Peace at Seſſions, to proceed on Indictments brought by Sheriffs, &c. **Seſſions,** 1 *Ed.*4. *cap.*2.

Shall not ſtay the year and day for Appeal, but proceed to Trial preſently. **Tryal when,** 3 *Hen.* 7. *cap.* 1.

Removed in *B.R.* &c. may be remanded by *Procedendo* to Gaol-delivery or Seſſions of Peace. *Procedendo*, 6 *Hen.*8. *c.* 6.

For killing Burgler in the night, Forfeits nothing. **Forfeiturs,** 24 *Hen.* 8. *cap.* 5.

Shall not be avoid by Error or abatement, by want of *Vi & Armis*, viz. *Baculis*, *Cultellis*, *Arcubus & Sagittis*, or either of them. **Error,** 37 *Hen.*8. *cap.* 8.

Indictments and Proceedings thereon, Pending 11 *Dec.* 1688. revived and continued. **In 1688 Revived,** 1 *W.* & *M. Seſſ.*1. *cap.*4.

Indictments for Crimes during late *Interregnum*, to have the year of our Lord inſtead of the year of the King, and to conclude *cont. pacem Regni.* **When year of our Lord, and to conclude** *cont. pac. Regni.* §. 10.

Indempnity for things done for bringing in their Majeſtys, or for Service of the Government in 1690, & 1692, and Defendant may plead General Iſſue, &c. **Indempnity, Defendant Pleas,** *Seſſ.* 2. *cap.*8. 2 *W.* & *M. Seſſ.*2. *cap.*13. 4 & 5 *W.* & *M. cap.*19.

Certiorari, when and how grantable to remove an Indictment from Quarter-Seſſions, and what ſhall be done thereupon, *Vide* tit. *Certiorari.* *Certiorari*, 5 & 6 *W.* & *M. cap.* 11.

Enfant.

Age, Infant, Nonage, Deins Age, Parol Demur.

Uſuries ſhall not run on againſt him, yet ſo as what was due at death of Anceſter ſhall not remain. **Uſury,** 20 *Hen.*3. *cap.*5. *Merton.*

Infeoſt to defeat Lord of Ward, is avoidable by Writ, not by Entry of Lord. **Feoffment voidable,** 52 *H.*3. *cap.* 6. *Marlb.*

Guardian in Soccage ſhall do nothing but for his Advantage, and rendring an account at his lawful Age. **Guardian in Soccage** *cap.* 17.

Townſhip ſhall not be Amerced becauſe all above twelve do not appear to enquire of Robbery, burning Houſes, &c. if there be a full Enqueſt, unleſs for the death of a Man. **Amercement,** *cap.*24.

If Women in Ward be not married in two years after fourteen, they may ſue for Inheritance. **Marriage,** 3 *Ed.* 1. *cap.* 22. *W.* 1.

Heir of Diſſeizee ſhall have Entre *ſur* Diſſeizin againſt Heir of Diſſeizor, of what Age ſoever, and an Attaint if Enqueſt paſs againſt him. **Entry *ſur* Diſſeizin,** *cap.* 46.

Shall ſue by a Prochein Amy on Diſſeizin, by Feoffment of Guardian. **Prochein Amy** *cap.* 47.

Parol ſhall not Demur, where Juſtices award Enqueſt, on Feoffment of Anceſter, or other thing. **Parol Demur,** 6 *Ed.* 1. *cap.*2. *Glouc.*

Shall have Error, Darrain Preſentment, or Quare Impedit, on Uſurpation during Minority. **Uſurpation,** 13 *Ed.* 1. *cap.*5. *W.*2.

Eloyn'd that cannot ſue perſonally, ſhall ſue by Prochein Amy. **Prochein Amy,** *cap.*15.

A Womans Suit on Alienation during Coverture, ſhall not be deferred for Nonage of the Heir. **Parol Demur,** *cap.*40.

All between fifteen and ſixteen ſhall be ſworn to keep the Peace. **Oath,** 31 *Ed.* 1. *pag.* 71. *Artic. ſuper Winch.*

Shall be Judged by the Court on a Fine. **Fine,** 15 *Ed.*2. *p.*81. *Carl.*

May not be received to be Frier without Parents conſent. **Profeſſion,** 4 *Hen.* 4. *cap.* 17.

Women at fourteen on death of Anceſter ſhall ſue Livery. **Sue Livery,** 39 *Hen.*6. *cap.* 2.

Servant above eighteen Stealing above Forty ſhillings from Maſter, its Felony, *Contra* of Apprentice. **Felony,** 21 *Hen.*8. *cap.*7.

Hath ſix year after diſability removed, &c. to ſue after the time limited by the Statute. **Limitation,** 32 *Hen.* 8. *cap.*2. §.8.

At full age, notwithſtanding Office, may Sue Livery, &c. **Sue Livery** 2 & 3 *Ed.* 6. *cap.* 8. §. 5.

Maid or Woman-child under ſixteen ſhall not be taken out of Cuſtody againſt the will of Father, &c. **Raviſhment,** 4 & 5. *Ph.* & *Mar. cap* 8. §. 2.

Bound Apprentice by Indenture, ſhall ſerve out his time &c. **Apprentic,** 5 *El.c.*4. §.43.

Under twenty three not Deacon, nor Subſcribing the Articles 1562. deprived. **Deprivation,** 13 *El.c.* 12. §. 3.

None under twenty four to Preach or Adminiſter Sacraments. **Preacher,** §. 5.

No Sale of Lands of Heir of Account, &c. till full Age. **Accountant,** 27 *El.c.*3. §.7

† Shall not be enabled to Deviſe to Charitable uſe, &c. † **Deviſe,** 39 *El.cap.*5. §.3.

* Guardian or Truſtee may advance 100 *l.* of Infants Money on theſe Acts, and be diſcharged. * **Guard. &c advancing money,** 4 & 5 *W.* & *M. c.* 1. §.11. 5 & 6 *W.* & *M. cap.*20. §. 36.

Guardian or Truſtee may advance 70 *l.* of Infants Money on this Act, and be diſcharged, and Infant Contributor. **Advancing Infants Money,** 6 & 7 *W.* 3. *cap.* 6.

Enqueſt.

Birth, *cap.* 6.	Duties on Births, &c. for 5 years, for carrying on War againſt *France*, *Vide* tit. *Taxes*.
	Engliſhire, ſee *Coron.*
	Engliſhmen, ſee *Aliens*.
	England and *Scotland*, ſee *Scotland*.

Enqueſt.

Attaint, Decies tantum, Hab. Corpora, Ven. Fac. Diſtringas, Iſſues del ter, Embracery, Jurors, Pannel, Exemption, Tales, Niſi Prius, Commiſſion, Enquiry, Articles, Charge, Verdict, Ad quod Damnum, Odio & Atia, Trials, Office, Eſcheators.

Fee, 9 *Hen.* 3. *cap.* 26. *Mag. Charta.*	Nothing ſhall be taken for Enqueſt of Life or Member, but granted freely.
Default, 52 *Hen.* 3. *cap.* 13. *Malbr.*	Shall be taken by default on the firſt Eſſoyn after Iſſue in Dower, *Unde nihil habet, Darrain preſentment, Quare Impedit, &c.*
Exemption, *cap.* 14.	Charters of Exemption ſhall not be allowed where Juſtice cannot be done without parties Oath.
Amercement, *cap.* 24.	Juſtice in Eyre ſhall not Amerce Townſhip becauſe all above twelve do not appear to enquire of Robbery, or Burning-Houſes, if there be a full Enqueſt, unleſs on death of a Man.
Odio & Atia, 3 *Ed.* 1. *cap.* 11. *W.* 1.	To prevent Replevin by favourable Enqueſts, or the Writ *De Odio & Atia*, two Knights, ſhall be in Enqueſts, and all Sworn.
Attaint, *cap.* 38.	The King *Ex Officio*, ſhall grant Attaints on falſe Oath of Enqueſt, in matters touching Freehold.
cap. 46.	Enfant Heir of Deſſeizee, ſhall have an Attaint, if it paſs againſt him.
Aſſize, *cap.* 51.	Aſſize of Novel Diſſeizin, Mordanceſter, and Darrain Preſentment, may be taken in *Advent*, *Septuageſima*, and *Lent*.
Extent of Manner, &c. 4 *Ed.* 1. *p.* 27. §. 1. *Extent. Manerii.*	Shall be of Caſtles and other Buildings, the Price of Building without Ditch, and of Covering and the Value, with the Gardens, Curtilage, Dove-houſes, and all other Iſſues.
§. 2.	How many Fields, Acres, and yearly value of Demean, what Meadow in each Field, what Acre may be Let for, what Paſture, for what Cattel, and the value of a Beaſt-Gate yearly.
§ 3.	What Forein Paſture, or Common, and what each may be Let for a Beaſt.
§. 4.	Of Parks and Woods that the Lord may aſſert and improve at pleaſure, what the veſture of an Acre is worth, what the Land after the wood Felled, the yearly value of each Acre.
§. 5.	Of Forein Woods, what the Lord may improve, and whether he may ſell the reſidue, and yearly value.
§. 6.	Of Pawnage, Herbage, Hony, and all profits of Forreſts, Woods, Rivers, Moors, Marſh, Heath, Turbary and Waſt, the yearly value.
§. 7.	Of the yearly value of Fiſh, Mills and Common.
§. 8.	What Freeholders, what Fees, what Services, the yearly Rents of Aſſize, the Tenure by Charter, old Tenure or new Feoffment, what Eſcheats.
§. 9.	Of Cuſtomary Tenants, what they hold, what Works and Cuſtoms they do, what Rent, and who Taxed at will of the Lord.
§. 10.	Of Cottage, the Service and Rent.
§. 11.	Of pleas and Perquiſites, of County Courts and of Forreſts.
§. 12.	Of Churches that belong to the Lords Gift, the yearly value.
§. 13.	The value of Herriots, Fines, Markets, Eſcheats, Reliefs, Caſualties, Cuſtoms, Services, Pleas, Courts, Fines yearly.
Coroner, 4 *Ed.* 1. *p.* 28. *de off. Cor.*	By Coroner on Slain or Suddenly dead, of perſons Riotouſly living, of Treaſure-Trove, Deodands, Wreck, and Attach the Parties, and ſuch as follow not the Hue and Cry.
Parol Demur, 6 *Ed.* 1. *cap.* 2. *Glouc.*	Where its Award on Feoffment of Anceſtor or other thing, the Parol ſhall not Demur for Nonage of Plaintiff.
Tryal, *cap.* 9.	If Killing were by Misfortune or Felony, ſhall not be on Writ, but party Impriſoned till Tried by Juſtices in Eyre or Gaol delivery.
Jury, 13 *Ed.* 1. *cap.* 10. *W.* 2.	Making General Attorney in all Pleas in Circuit, hinders not to be of Juries.
Sheriff, *cap.* 13.	If Sheriff or Bailiff of Franchiſe take a man for Felony or Treſpaſs, before found under Seals of twelve, falſe Impriſonment lieth.
Nul Deſſizin, *cap.* 30.	Juſtices ſhall not Compel Jurors to ſay preciſely, whether Diſſeizin or not, ſo they ſhew the Truth of the Deed, and require Aid of the Juſtices.
Juror's Number and Age, *cap.* 38.	Only twenty four ſhall be Summoned, none above ſeventy year old, nor in the County that are not worth twenty ſhillings *per annum*, and out, forty ſhillings *per annum*.
Juror, 22 *Ed.* 1. *p.* 58. *de non po. in Aſſ.*	Juror in Counties ſhall have forty ſhillings, out of the County five pound, but in Cities, Towns, and before Juſtices Errant ſhall be as accuſtomed.

Fine ſhall not be defeated by Averment by party or his Heirs, that he or his Anceſtors were always Seized, becauſe Jury may be faſly and maliciouſly procured.	**Fine**. 27 *Ed.* 1. *de fin. Levat*
Determinable before Juſtices of either Bench, ſhall in Vacation be taken in the Shire, unleſs of great Examination, and Juſtices ſhall uſe their diſcretion, as to Ability of Jurors.	**Niſi prius**, *cap.* 4.
Ad quod damnum, ſhall be on purchaſe of Liberties, or amortizing Lands, or making general Attornies.	**Ad quod damn** *Ed.* 1. *p.* 62. §. 1. *bert. perquir.*
No Sheriff nor Bailiff ſhall put over many, nor otherwiſe then ordain, of the next Neighbours moſt ſufficient and leaſt ſuſpicious, if Attaint, to pay double damages.	**Jury**, 28 *Ed.* 1. *Artic. ſuper Ch*
A Writ out of the Chancery lieth againſt Conſpirators, of falſe Informers, and evil procurers of Dozens, Aſſizes, Enqueſts and Juries, or on every Plaint without Writ, right ſhall be done.	**Conſpiracy**, *cap.*
Challenge as not indifferent for the King, ſhall ſhew cauſe certain at Juſtices diſcretion.	**Challenge**, 33 *p.* 69. *Ord. of E*
Shall be on the Articles of *Wincheſter*, what Robberies after *Eaſter*, if City Gates were ſhut, what Lodgers, Watch, Armour and freſh Suit, of High ways, and if all between fifteeen and ſixteen be Sworn to keep the Peace.	**Robberies**, 31 *p.* 71. *Art. ſuper W*
No Miniſter of the Foreſt ſhall be put on Juries *dehors*.	**Juror**, 34 *Ed.* 1. *Ordinat. Foreſ*
Shall not be deferr'd in Aſſize for abſence of Witneſſes in Franchiſe, *ubi breve Domini Regis orig.* doth not lye.	**Aſſize**, 12 *Ed.* 2. *York.*
Niſi prius of leſs Examination, may be before one Juſtice and Knight, and day given in Bank, but the greater Examination muſt be before two Juſtices.	**Niſi prius**, *cap.* 3.
By default in Pleas of Land, may be taken at *Niſi prius*.	*Cap.* 4.
On thirty three Articles in the view of Frankpledge, are one Oath.	**Frankpledge**, 18 *p.* 84. *v. of F.*
Attaint lieth as well of damages in Treſpaſs as of Principal.	**Attaint**, 1 *Ed.* 3.
At *Niſi prius* in Plea of Land, ſhall be at requeſt of Tenant and Demandant, in all elſe as 12 *Ed.* 2. *cap.* 3.	**Niſi prius**, 2 *Ed.* 3
By *Niſi prius* may be as well in Attaint as other Writs.	5 *Ed.* 3. *cap.* 6.
Attaints lye as well in Treſpaſs without Writ as with, if Damages exceed Forty ſhillings.	**Attaint**, *cap.* 7.
Jurors that take of both parties, ſhall be put out of Juries. Impriſon and Ranſom at the Kings will, and Juſtices ſhall Enquire.	**Jurors**, 5 *Ed.* 3. *ca*
Shall be taken in the County where Deed bears Date, in Franchiſe where the Kings Writ runs not.	**Lieu**, 9 *Ed.* 3. *cap.* 4
In *Marſhalſea*, ſhall not be of Houſhold, but of the County.	Marſhalſea, 10 *Ed.* 3
Shall not Preſent Engliſhire before Juſtices in Eyre.	**Engliſhire**, 14 *Ed.*
Of *Niſi prius* in Franchiſe, ſhall be on Tenor of Record, but elſe ſhall be for one Juſtice of *B. R. C. B.* or Eſchequer, or the Kings Serjeant Sworn.	**Niſi prius**, *cap.* 1
Commiſſion of new Enquiries ſhall ceaſe.	**Commiſſion**, 15 *Ed*
Shall not try Bigamy, but the Ordinary.	**Bigamy**, 18 *Ed.* 3
Want of *Ad quod damnum* on Mortmain, ſhall not be Enquired, only pay Fine.	**Ad quod damnum**,
Shall not be of Exceſſive proceſs in Spiritual Court, ſaving the Article in Eyre.	**Spiritual Court**,
Imbraceors of Juries, and Jurors ſuſpect, ſhall be enquired of, and puniſht by Juſtices of Aſſize.	**Imbracery**, 20 *Ed.* *cap*
No Indictor ſhall be put on the Enqueſt againſt Indictee, if Challenged.	**Juror**, 25 *Ed.* 3. *St* *cap.* 3.
By ſpecial Commiſſion, upon 23 *Ed.* 3. *cap.* 6. of Victuals.	**Victuals**, 27 *Ed.* 3.
Is *De medietate*, on Trial between Merchant and Miniſter of the Staple, if either party be an Alien.	**Juror**, *cap.* 8.
Attaint as well in Bill as Writ of Treſpaſs, without regard to the Damages.	**Attaint**, 28 *Ed.* 3.
Shall be *De Medietate Linguæ* wherever any Alien is party, or as many as can be found Aliens.	**Juror**, *cap.* 13. §. 2.
Shall be of the neareſt People not ſuſpected, or procured, Sheriff to anſwer damages.	34 *Ed.* 3. *cap.* 4.
Attaint lieth as well in real as perſonal Actions, and poor to have it without Fine.	**Attaint**, *cap.* 7.
Attaint of taking at Suit of other then party, he to have half, elſe damage and a years Impriſonment.	*Cap.* 8.
Of Eſcheators, ſhall be of lawful men by Indenture in good Towns openly.	**Eſcheators**, 34 *E.* 3.
Shall not be by Juſtices *ex officio*, on the Statute 34 *Ed.* 3. *Cap.* 8. but only at the Suit of the party or other.	**Juſtices**, 38 *Ed.* 3.
Shall be by Commiſſion to Juſtices of the one Bench or the other, of Aſſize or of the Peace, ſaving the Office of Eſcheators.	42 *Ed.* 3. *cap.* 4.
None but Aſſize and Gaol delivery to be taken by *Niſi prius*, nor in other manner till names returned in Court, and Array four days before, on twenty pound pain.	**Niſi prius**, *cap.* 11.
In Foreſt, ſhall give their Verdicts where charged without Travel.	**Foreſt**, 7 *Rich.* 2.
By *Niſi prius*, ſhall be granted at requeſt of Jurors, if parties refuſe to conſent, as well in Exchequer as elſewhere.	**Niſi prius**, *cap.* 7.
Attaint ſhall be in County on falſe Oath in *Lincoln* or Franchiſe.	**Attaint**, 13 *Rich.* 2.

Shall

n, 11 *Hen.* 4. *c.* 9.	Shall be Returned by Sheriff or Officer Sworn, and not at others Denomination and Indictments, otherwiſe void.
enge, 2 *Hen.*5.*St.*2. *cap.*3.	Where Plead is not above forty Marks,any may be challenged for want of forty ſhillings a year above charges
nt, 3 *Hen.*5.*Stat.*2. *cap.* 5.	Attaints on falſe Verdict in *Lincoln* ſince made a County, ſhall not be in County of the City, but to Sheriff of County at large.
ice, 7 *Hen.*5.*p.*221.	Shall be taken preſently in *Lancaſter* on Indictment of Fact done at *A.* where there is no ſuch place.
ff, 4 *Hen.*1 *cap.*1.	Shall be warned by the Sheriff, and Writs Returned by the day.
nel, 6 *Hen.*6: *cap.* 2.	Copies of Pannels ſhall be delivered to parties on requeſt, ſix days before Aſſizes.
ament, *cap.* 4.	Sheriff nor Knights of Shire ſhall not be endamaged till Convict by Traverſe of Enqueſt, of undue Return to Parliament.
n, 8 *H.*6.*cap* 9.§.4.	Shall have forty ſhillings *per annum*, to Enquire of forcible Entry.
6. *cap.*29.	Alien when its *De Mediate Linguæ* cannot purchaſe, and therefore need not have forty ſhillings *per annum*, notwithſtanding 2 *H.*5. *Cap.*3.
prius, 9 *Hen.*6.*c.*1.	Of Aſſize and *Niſi prius* during Parliament, adjourned certain days.
nt, 11 *Hen.*6. *c.*4.	Party ſhall have damages and coſts in Attaint.
n.6. *cap.*5.	In Attaint ſhall have twenty pound, and diſtrain on forty ſhillings Iſſues doubled in Counties , not in Cities or Gavelkind.
iff, §. 2.	If there be not ſufficient of value in the County Sheriff may take of the Franchiſe.
int, 18 *Hen.*6.*c.*2.	Notwithſtanding 15 *Hen.* 6. *Cap.* 5. he that hath twenty pound *per annum* Gavelkind, may be Juror in Attaint.
Title, *cap.* 6.	Nothing ſhall be granted or farmed till the Kings Title found, and a month after return into *Chancery* or *Exchequer*.
eator, *cap.*7.	Eſcheator that doth not return Office taken, forfeits forty pound and damages.
nel, *cap.*14.	If they who make Array or Pannel take reward, he forfeits ten times as much.
n, 23 *Hen.*6. *cap.*10.	Sheriff not to return Bailiffs, Officers, or Servants to Officer in any Pannel.
tor, 32 *Hen.*6.*cap.*2.	Before Proceſs Iſſue, it ſhall be enquired in *Lancaſter*, if Indictors had a hundred ſhillings.
s, 8 *Ed.*4. *cap.*3.	Of *Midleſex*, ſave Iſſues by appearing the fourth day of Return , but parties allowed Eſſoins, Defaults, and other Dilatories as before.
n, 1 *Rich.*3. *cap.*4.	In Turn, ſhall have twenty ſhillings *per annum* Free, or twenty ſix ſhillings nine pence Copyhold.
ealment, 3 *Hen.* 7. *cap.* 1.	Juſtices of Peace may Impannel one to enquire of anothers concealment.
llenge, 7 *Hen.*7. *c.*5.	*Riens deins le Guard*, no Challenge in *London*.
en.7.*cap.*21.	Challenge in *London*, unleſs of forty Marks Lands,&c and on Attaint lieth in the Huſtings there, and Tales to be worth a hundred pound a man, Judgment to be forfeit of twenty pound or more, Defendant to pay ten times reward given.
aint, *cap.* 24.	Attaint maintainable againſt Party and Pety Jury, Juſtices to reform Pannels.
riff, *cap.* 26.	Sheriff of *Southampton, Surrey* and *Suſſex*, may Summon twenty four to the County or Tourn, that live within their Precinct, that have ten ſhillings Free or Copy.
or, 19 *Hen.*7. *cap.*13.	Each ſhall have twenty ſhillings Charter or Free, and twenty ſix ſhillings eight pence Copy-hold, on Riot, and Maintainor or Imbraceor to forfeit twenty pound, Juſtice of Peace to certifie.
heator, 1 *Hen.*8. *c.*2.	Eſcheator ſhall not return Office without Indenture, and Oaths of Twelve.
§. 3.	Evidence before them ſhall be openly given upon Offices.
ror, §.4.	Each Juror to have forty ſhillings *per annum* within the Shire, Indenture of Charge to remain with the Foreman to be Returned in a Month into *Chancery*.
*Cap.*8.§.4.	Sheriff to Return none but of forty ſhillings *per annum*, before Eſcheators, &c.
averſe, *cap.*12.	Found of Tenures in *Capite* , by *Emſon* and *Dudley*, may be Traverſed, notwithſtanding Livery ſued.
heriff, 3 *Hen.*8.*c.*12.	Unleſs between party and party, ſhall be reformed by Juſtice of Peace, and offence of Sheriff puniſhed.
ues, 4 *Hen.*8.*c.*3.§ 2.	Mayor or Sheriff of *London* may Diſtrain for Iſſues loſt.
uror, §. 4.	Sheriffs of *London* may return of One hundred Marks or above, to try Cauſes depending in *Weſtminſter*.
annel, §. 5.	A full Pannel ſhall be returned on the firſt Diſtreſs.
ues, 5 *Hen.*8.*cap.*5.	Sheriffs by 4 *Hen.* 8. *Cap.* 3. ſhall forfeit nothing for return of Iſſues on Jurors, but only at St. *Martins le Grand* in *London*.
uror, 22 Hen.8. *cap.*10. §.2. *N.*3.	Eſtrangers calling themſelves *Egyptians* , ſhall not be tried *per medietatem Linguæ* for Murder, Felony, &c.
ttaint, 23 *H.*8.*c.*3.§.2.	In an Attaint above forty pounds, muſt have twenty Marks, if under five Marks.
uror, § 3.	Pety Juror for untrue Verdict forfeit twenty pounds.

He that enjoyeth Liberties of City , Burrough or Town , having forty pounds in moveable Goods, may be Juror therein to try Murther, &c.	**Juror**, *cap.* 13.
Not to extend to Knight or Eſquire dwelling therein, &c.	§.2.
In *Wales* when Sworn in Criminal Cauſe, ſhall be kept by an Officer.	**Officer**, 6 *Hen.*8 *c.*4.
May be Committed or Fined for Verdict againſt Evidence in *Wales*.	**Fined** §. 1.
Attaints are not limited, but ſuable as at Common Law.	**Attaint**, 32 *Hen.* 8. *c.*2. §.11.
One may be Impanelled to enquire of anothers Concernment of Offence , of keeping Croſs bow or Hand-gun.	**Concealment**, 33 *Hen.*8. *cap.*6 §.10.
Ven. fac. to try at *Weſtminſter*, to be of Twelve, *Quorum* each hath forty ſhillings *per annum* at leaſt, elſe omit, and where *Quorum* is, Six to be of Hundred, if ſo many be.	**Ven. fac.** 35 *Hen.*8. *c.*6. §. 3.
Hab. Corpora, Diſtring. with *Niſi prius*, to have return of five ſhillings Iſſues on each Juror the firſt, ten ſhillings the ſecond , and thirteen ſhillings four pence the third.	**Hab. Corp. &c.** §. 4.
Tales on default, or challenge at *Niſi prius.*	**Tales**, §. 6.
Tales to be challenged as on *Ven. fac.* §. 8. Tryal by *Tales* good.	§.7.
Tales Fined at diſcretion upon default.	§.9.
Jurors to loſe Iſſues, though filled by *Tales.*	**Iſſues**, §.10.
Juſtices may diſcharge Iſſues on reaſonable excuſe.	§.11.
No Iſſues to be loſt on diſcontinuance by not coming of the Juſtices.	§.12.
Sheriff forfeits double that retuns Iſſues on Juror unduly.	**Sheriff**, §.13.
Not to extend to any City or Town Corporated.	§.14.
On Attaints in *London*, ſhall be worth four hundred Marks in Goods, and taken only by the Juſtices at *Guild-hall* , or within the City, notwithſtanding, 33 *Hen.*8. *Cap.*3.	**Attaint**, 37 *Hen.* 8. *c.*5. §.3.
Of Treaſon, Murder or Treſpaſs, ſhall not be avoided for *Vi & Armis, viz. Cultellis, &c.*	**Treaſon, &c.** *cap.*8.
A Confirmation of 35 *Hen.*8. *Cap.*6. and that	4 & 5 *Ph. & Mar. c.*7.
Tales may be Award as *Niſi prius* on Challenge, default, &c. as well on the Kings part, as the parties, or for Informer, *tam quam.*	**Tales**, §. 2.
That Statute to give like advantage to the King, or Informer, as if named.	**King, &c.** §. 3.
That *Tales* ſhall be in *Wales*, Counties Palatine, &c. as 33 *Hen.* 8. *Cap.* 6. §. 6. and Iſſues loſt, and returned, &c.	**Tales**, 5 *Eliz. cap.*25.
The Defendant may have a *Tales* wherever Plaintiff before might have it.	14 *Elizab. cap.*9.
In all popular Actions, &c, on penal Laws, *tam quam*, Defendant to have a *Tales*.	§ 2.
Not to come above thirty miles from *Weſtminſter* in Information, unleſs Trial at Bar.	**Information**, 18 *Eliz. cap.*5.§.2.
Chief Juſtice of *B.R. C. B.* or Chief Baron of Exchequer, or two Juſtices, may try by *Niſi prius* Cauſes in *Middleſex*, or in their abſence two Judges, and grant *Tales, &c.*	**Niſi prius**, *cap.*12.
Where Jurors in *B. R. C. B.* and Exchequer , and at Aſſize, had forty ſhillings *per annum*, now to have four pounds *per annum* Freehold.	**Juror**, 27 *Eliz. cap.*6.
On the firſt *Hab. Corpora, Diſtr.* or *Niſi prius*, Sheriff returns ten ſhillings Iſſues, ſecond double, &c.	**Iſſues**, §.2.
Sheriff forfeit double value of Iſſues on falſe return, Summon.	**Sheriff**, §.3.
Sheriff taking Reward to ſpare Juror, &c. forfeits Five pounds by Moieties to the King and Infor-	§.4.
No Challenge in perſonal Action if two Hundredors appear.	**Challenge**, §.5.
Other Challenges to be allowed.	§ 6.
Not to extend to Cities, Corporations, or Places priviledged to hold Plea, nor to *Wales*.	§.7.
Sheriff ſhall Return Jurors name , Addition, &c. to know the Party , and no Iſſues Eſtreat without.	**Return**, *cap.*7.§.7.
All Juſtices within their Commiſſions to determine Offences, and five Marks forfeit, &c.	**Juſtices**, §.3.
Jurors to have twenty pounds *per annum*, in *Wales* Eight pounds *per annum* in Pannel or *Tales*, on Challenge, and no Iſſues ſaved but by Special Order of Judges, Sheriff forfeits five pounds if he return under.	**Juror**, 16 & 17 *Car.* 2. *cap.*3.
Sheriff at *Eaſter* yearly to deliver at Seſſion Names, and Seſſions to approve.	**Sheriff**, §.3.
Sheriff to return none ſummoned, but on ſix days notice before Appearance.	§.4.
Hab. Corp. & Diſtring. to be on Iſſues in County Palatine of *Lancaſter*.	**Hab. corp. &c.** §.5.
Sheriff to Summon twelve of each Hundred of County Palatine of *Lancaſter*.	**County Palatine**,§.6.
To continue three years, and ſo to end of next Seſſion of Parliament.	§.7.
None compellable to plead Grants or Conveyances of Felons Goods, &c. inrolled and allowed in Kings-Bench, to Coroners Inqueſt.	**Grants, &c.** de bonis Felonum, 4 & 5 *W. & M. cap.* 22.

Birth, *cap.* 6.	Duties on Births, &c. for 5 years, for carrying on War againſt *France*, *Vide* tit. *Taxes*.
	Engliſhire, ſee *Coron*.
	Engliſhmen, ſee *Aliens*.
	England and *Scotland*, ſee *Scotland*.

Enqueſt.

Attaint, *Decies tantum*, *Hab. Corpora*, *Ven. Fac. Diſtringas*, *Iſſues del ter*, *Embracery*, *Jurors*, *Pannel*, *Exemption*, *Tales*, *Niſi Prius*, *Commiſſion*, *Enquiry*, *Articles*, *Charge*, *Verdict*, *Ad quod Damnum*, *Odio & Atia*, *Trials*, *Office*, *Eſcheators*.

Fee, 9 *Hen.* 3. *cap.* 26. *Mag. Charta.*	Nothing ſhall be taken for Enqueſt of Liſe or Member, but granted freely.
Default, 52 *Hen.* 3. *cap.* 13. *Malbr.*	Shall be taken by default on the firſt Eſſoyn after Iſſue in Dower, *Unde nihil habet*, *Darrain preſentment*, *Quare Impedit*, *&c.*
Exemption, *cap.* 14.	Charters of Exemption ſhall not be allowed where Juſtice cannot be done without parties Oath.
Amercement, *cap.* 24.	Juſtice in Eyre ſhall not Amerce Townſhip becauſe all above twelve do not appear to enquire of Robbery, or Burning-Houſes, if there be a full Enqueſt, unleſs on death of a Man.
Odio & Atia, 3 *Ed.* 1. *cap.* 11. *W.* 1.	To prevent Replevin by favourable Enqueſts, or the Writ *De Odio & Atia*, two Knights, ſhall be in Enqueſts, and all Sworn.
Attaint, *cap.* 38.	The King *Ex Officio*, ſhall grant Attaints on falſe Oath of Enqueſt, in matters touching Freehold.
cap. 46.	Enfant Heir of Deſſeizee, ſhall have an Attaint, if it paſs againſt him.
Aſſize, *cap.* 51.	Aſſize of Novel Diſſeizin, Mordanceſter, and Darrain Preſentment, may be taken in *Advent*, *Septuageſima*, and *Lent*.
Extent of Manner, &c. 4 *Ed.* 1. *p.* 27. §. 1. *Extent. Manerii.*	Shall be of Caſtles and other Buildings, the Price of Building without Ditch, and of Covering and the Value, with the Gardens, Curtilage, Dove-houſes, and all other Iſſues.
§. 2.	How many Fields, Acres, and yearly value of Demean, what Meadow in each Field, what Acre may be Let for, what Paſture, for what Cattel, and the value of a Beaſt-Gate yearly.
§ 3.	What Forein Paſture, or Common, and what each may be Let for a Beaſt.
§. 4.	Of Parks and Woods that the Lord may aſſert and improve at pleaſure, what the veſture of an Acre is worth, what the Land after the wood Felled, the yearly value of each Acre.
§. 5.	Of Forein Woods, what the Lord may improve, and whether he may ſell the reſidue, and yearly value.
§. 6.	Of Pawnage, Herbage, Hony, and all profits of Forreſts, Woods, Rivers, Moors, Marſh, Heath, Turbary and Waſt, the yearly value.
§. 7.	Of the yearly value of Fiſh, Mills and Common.
§. 8.	What Freeholders, what Fees, what Services, the yearly Rents of Aſſize, the Tenure by Charter, old Tenure or new Feoffment, what Eſcheats.
§. 9.	Of Cuſtomary Tenants, what they hold, what Works and Cuſtoms they do, what Rent, and who Taxed at will of the Lord.
§. 10.	Of Cottage, the Service and Rent.
§. 11.	Of pleas and Perquiſites, of County Courts and of Forreſts.
§. 12.	Of Churches that belong to the Lords Gift, the yearly value.
§. 13.	The value of Herriots, Fines, Markets, Eſcheats, Reliefs, Caſualties, Cuſtoms, Services, Pleas, Courts, Fines yearly.
Coroner, 4 *Ed.* 1. *p.* 28. *de off. Cor.*	By Coroner on Slain or Suddenly dead, of perſons Riotouſly living, of Treaſure-Trove, Deodands, Wreck, and Attach the Parties, and ſuch as follow not the Hue and Cry.
Parol Demur, 6 *Ed.* 1. *cap.* 2. *Glouc.*	Where its Award on Feoffment of Anceſtor or other thing, the Parol ſhall not Demur for Nonage of Plaintiff.
Tryal, *cap.* 9.	If Killing were by Misfortune or Felony, ſhall not be on Writ, but party Impriſoned till Tried by Juſtices in Eyre or Gaol delivery.
Jury, 13 *Ed.* 1. *cap.* 10. *W.* 2.	Making General Attorney in all Pleas in Circuit, hinders not to be of Juries.
Sheriff, *cap.* 13.	If Sheriff or Bailiff of Franchiſe take a man for Felony or Treſpaſs, before found under Seals of twelve, falſe Impriſonment lieth.
Nul Diſſeizin, *cap.* 30.	Juſtices ſhall not Compel Jurors to ſay preciſely, whether Diſſeizin or not, ſo they ſhew the Truth of the Deed, and require Aid of the Juſtices.
Juror's Number and Age, *cap.* 38.	Only twenty four ſhall be Summoned, none above ſeventy year old, nor in the County that are not worth twenty ſhillings *per annum*, and out, forty ſhillings *per annum*.
Juror, 22 *Ed.* 1. *p.* 58. *de non po. in Aſſ.*	Juror in Counties ſhall have forty ſhillings, out of the County five pound, but in Cities, Towns, and before Juſtices Errant ſhall be as accuſtomed.

Fine ſhall not be defeated by Averment by party or his Heirs, that he or his Anceſtors were always Seized, becauſe Jury may be falſly and maliciouſly procured.	**Fine**, 27 *Ed.* 1 *de fin. Leva*
Determinable before Juſtices of either Bench, ſhall in Vacation be taken in the Shire, unleſs of great Examination, and Juſtices ſhall uſe their diſcretion, as to Ability of Jurors.	**Niſi prius**, *cap.*
Ad quod damnum, ſhall be on purchaſe of Liberties, or amortizing Lands, or making general Attornies.	**Ad quod dam** *Ed.* 1. *p.* 62. §. 1 *bert. perquir.*
No Sheriff nor Bailiff ſhall put over many, nor otherwiſe then ordain, of the next Neighbours moſt ſufficient and leaſt ſuſpicious, if Attaint, to pay double damages.	**Jury**, 28 *Ed.* 1. *Artic. ſuper C*
A Writ out of the Chancery lieth againſt Conſpirators, of falſe Informers, and evil procurers of Dozens, Aſſizes, Enqueſts and Juries, or on every Plaint without Writ, right ſhall be done.	**Conſpiracy**, *cap.*
Challenge as not indifferent for the King, ſhall ſhew cauſe certain at Juſtices diſcretion.	**Challenge**, 33 *p.* 69. *Ord. of*
Shall be on the Articles of *Wincheſter*, what Robberies after *Eaſter*, if City Gates were ſhut, what Lodgers, Watch, Armour and freſh Suit, of High ways, and if all between fifteeen and ſixteen be Sworn to keep the Peace.	**Robberies**, 31 *p.* 71. *Art. ſuper*
No Miniſter of the Foreſt ſhall be put on Juries *dehors*.	**Juror**, 34 *Ed.* *Ordinat.*
Shall not be deferr'd in Aſſize for abſence of Witneſſes in Franchiſe, *ubi breve Domini Regis orig.* doth not lye.	**Aſſize**, 12 *Ed* *Ten*
Niſi prius of leſs Examination, may be before one Juſtice and Knight, and day given in Bank, but the greater Examination muſt be before two Juſtices.	**Niſi prius**, *ca*
By default in Pleas of Land, may be taken at *Niſi prius*.	Cap. 4.
On thirty three Articles in the view of Frankpledge, are one Oath.	**Frankpledge**, 18 *p.* 84.
Attaint lieth as well of damages in Treſpaſs as of Principal.	**Attaint**, 1 *Ed.* 3.
At *Niſi prius* in Plea of Land, ſhall be at requeſt of Tenant and Demandant, in all elſe as 12 *Ed.* 2. *cap.* 3.	**Niſi prius**, 2 *Ed*
By *Niſi prius* may be as well in Attaint as other Writs.	5 *Ed.* 3. *cap.* 6.
Attaints lye as well in Treſpaſs without Writ as with, if Damages exceed Forty ſhillings.	**Attaint**, *cap.* 7.
Jurors that take of both parties, ſhall be put out of Juries.	**Jurors**, 5 *Ed*
Impriſon and Ranſom at the Kings will, and Juſtices ſhall Enquire.	
Shall be taken in the County where Deed bears Date, in Franchiſe where the Kings Writ runs not.	**Lieu**, 9 *Ed.* 3.
In *Marſhalſea*, ſhall not be of Houſhold, but of the County.	Marſhalſea, 10 *Ed*
Shall not Preſent Engliſhire before Juſtices in Eyre.	**Engliſhire**, 14 *E*
Of *Niſi prius* in Franchiſe, ſhall be on Tenor of Record, but elſe ſhall be for one Juſtice of *B. R. C. B.* or Eſchequer, or the Kings Serjeant Sworn.	**Niſi prius**, *cap.* 1
Commiſſion of new Enquiries ſhall ceaſe.	**Commiſſion**, 15 *E*
Shall not try Bigamy, but the Ordinary.	**Bigamy**, 18 *Ed.*
Want of *Ad quod damnum* on Mortmain, ſhall not be Enquired, only pay Fine.	**Ad quod damnum**
Shall not be of Exceſſive proceſs in Spiritual Court, ſaving the Article in Eyre.	**Spiritual Court**
Imbraceors of Juries, and Jurors ſuſpect, ſhall be enquired of, and puniſht by Juſtices of Aſſize.	**Imbracery**, 20 *E* *ca*
No Indictor ſhall be put on the Enqueſt againſt Indictee, if Challenged.	**Juror**, 25 *Ed.* 3. *ca*
By ſpecial Commiſſion, upon 23 *Ed.* 3. *cap.* 6. of Victuals.	**Victuals**, 27 *Ed*
Is *De medietate*, on Trial between Merchant and Miniſter of the Staple, if either party be an Alien.	**Juror**, *cap.* 8.
Attaint as well in Bill as Writ of Treſpaſs, without regard to the Damages.	**Attaint**, 28 *Ed.*
Shall be *De Medietate Linguæ* wherever any Alien is party, or as many as can be found Aliens.	**Juror**, *cap.* 13. §. 2.
Shall be of the neareſt People not ſuſpected, or procured, Sheriff to anſwer damages.	34 *Ed.* 3. *cap.* 4.
Attaint lieth as well in real as perſonal Actions, and poor to have it without Fine.	**Attaint**, *cap.* 7.
Attaint of taking at Suit of other then party, he to have half, elſe damage and a years Impriſonment.	*Cap.*
Of Eſcheators, ſhall be of lawful men by Indenture in good Towns openly.	**Eſcheators**, 34 *E*
Shall not be by Juſtices *ex officio*, on the Statute 34 *Ed.* 3. *Cap.* 8. but only at the Suit of the party or other.	**Juſtices**, 38 *Ed*
Shall be by Commiſſion to Juſtices of the one Bench or the other, of Aſſize or of the Peace, ſaving the Office of Eſcheators.	42 *Ed.* 3. *cap.* 4
None but Aſſize and Gaol delivery to be taken by *Niſi prius*, nor in other manner till names returned in Court, and Array four days before, on twenty pound pain.	**Niſi prius**, *cap.* 11.
In Foreſt, ſhall give their Verdicts where charged without Travel.	**Foreſt**, 7 *Rich.* 2.
By *Niſi prius*, ſhall be granted at requeſt of Jurors, if parties refuſe to conſent, as well in Exchequer as elſewhere.	**Niſi prius**, *cap.* 7.
Attaint ſhall be in County on falſe Oath in *Lincoln* or Franchiſe.	**Attaint**, 13 *Rich.* 2.

Shall

, 11 *Hen.* 4. *c.* 9.	Shall be Returned by Sheriff or Officer Sworn, and not at others Denomination and Indictments, otherwiſe void.
nge, 2 *Hen.* 5. *St.* 2. *cap.* 3.	Where Plead is not above forty Marks, any may be challenged for want of forty ſhillings a year above charges
t, 3 *Hen.* 5. *Stat.* 2. *cap.* 5.	Attaints on falſe Verdict in *Lincoln* ſince made a County, ſhall not be in County of the City, but to Sheriff of County at large.
er, 7 *Hen.* 5. *p.* 221.	Shall be taken preſently in *Lancaſter* on Indictment of Fact done at *A.* where there is no ſuch place.
ff, 4 *Hen.* 1. *cap.* 1.	Shall be warned by the Sheriff, and Writs Returned by the day.
el, 6 *Hen.* 6: *cap.* 2.	Copies of Pannels ſhall be delivered to parties on requeſt, ſix days before Aſſizes.
ment, *cap.* 4.	Sheriff nor Knights of Shire ſhall not be endamaged till Convict by Traverſe of Enqueſt, of undue Return to Parliament.
, 8 *H.* 6. *cap* 9. §. 4.	Shall have forty ſhillings *per annum*, to Enquire of forcible Entry.
6. *cap.* 29.	Alien when its *De Mediate Linguæ* cannot purchaſe, and therefore need not have forty ſhillings *per annum*, notwithſtanding 2 *H.* 5. *Cap.* 3.
ius, 9 *Hen.* 6. *c.* 1.	Of Aſſize and *Niſi prius* during Parliament, adjourned certain days.
t, 11 *Hen.* 6. *c.* 4.	Party ſhall have damages and coſts in Attaint.
6. *cap.* 5.	In Attaint ſhall have twenty pound, and diſtrain on forty ſhillings Iſſues doubled in Counties, not in Cities or Gavelkind.
ff, §. 2.	If there be not ſufficient of value in the County Sheriff may take of the Franchiſe.
t, 18 *Hen.* 6. *c.* 2.	Notwithſtanding 15 *Hen.* 6. *Cap.* 5. he that hath twenty pound *per annum* Gavelkind, may be Juror in Attaint.
Title, *cap.* 6.	Nothing ſhall be granted or farmed till the Kings Title found, and a month after return into *Chancery* or *Exchequer.*
tor, *cap.* 7.	Eſcheator that doth not return Office taken, forfeits forty pound and damages.
l, *cap.* 14.	If they who make Array or Pannel take reward, he forfeits ten times as much.
23 *Hen.* 6. *cap.* 10.	Sheriff not to return Bailiffs, Officers, or Servants to Officer in any Pannel.
n, 32 *Hen.* 6. *cap.* 2.	Before Proceſs Iſſue, it ſhall be enquired in *Lancaſter*, if Indictors had a hundred ſhillings.
, 8 *Ed.* 4. *cap.* 3.	Of *Midleſex*, ſave Iſſues by appearing the fourth day of Return, but parties allowed Eſſoins, Defaults, and other Dilatories as before.
1 *Rich.* 3. *cap.* 4.	In Turn, ſhall have twenty ſhillings *per annum* Free, or twenty ſix ſhillings nine pence Copyhold.
lment, 3 *Hen.* 7. *cap.* 1.	Juſtices of Peace may Impannel one to enquire of anothers concealment.
nge, 7 *Hen.* 7. *c.* 5.	*Riens deins le Guard*, no Challenge in *London.*
7. *cap.* 21.	Challenge in *London*, unleſs of forty Marks Lands, &c. and on Attaint lieth in the Huſtings there, and Tales to be worth a hundred pound a man, Judgment to be forfeit of twenty pound or more, Defendant to pay ten times reward given.
t, *cap.* 24.	Attaint maintainable againſt Party and Pety Jury, Juſtices to reform Pannels.
f, *cap.* 26.	Sheriff of *Southampton, Surrey* and *Suſſex*, may Summon twenty four to the County or Tourn, that live within their Precinct, that have ten ſhillings Free or Copy.
, 19 *Hen.* 7. *cap.* 13.	Each ſhall have twenty ſhillings Charter or Free, and twenty ſix ſhillings eight pence Copy-hold, on Riot, and Maintainor or Imbraceor to forfeit twenty pound, Juſtice of Peace to certifie.
ator, 1 *Hen.* 8. *c.* 2.	Eſcheator ſhall not return Office without Indenture, and Oaths of Twelve.
§. 3.	Evidence before them ſhall be openly given upon Offices.
, §. 4.	Each Juror to have forty ſhillings *per annum* within the Shire, Indenture of Charge to remain with the Foreman to be Returned in a Month into *Chancery.*
Cap. 8. §. 4.	Sheriff to Return none but of forty ſhillings *per annum*, before Eſcheators, &c.
erſe, *cap.* 12.	Found of Tenures in *Capite*, by *Emſon* and *Dudley*, may be Traverſed, notwithſtanding Livery ſued.
iff, 3 *Hen.* 8. *c.* 12.	Unleſs between party and party, ſhall be reformed by Juſtice of Peace, and offence of Sheriff puniſhed.
s, 4 *Hen.* 8. *c.* 3. § 2.	Mayor or Sheriff of *London* may Diſtrain for Iſſues loſt.
, §. 4.	Sheriffs of *London* may return of One hundred Marks or above, to try Cauſes depending in *Weſtminſter.*
nel, §. 5.	A full Pannel ſhall be returned on the firſt Diſtreſs.
s, 5 *Hen.* 8. *cap.* 5.	Sheriffs by 4 *Hen.* 8. *Cap.* 3. ſhall forfeit nothing for return of Iſſues on Jurors, but only at St. *Martins le Grand* in *London.*
, 22 *Hen.* 8. *cap.* 10. §. 2. *N.* 3.	Eſtrangers calling themſelves *Egyptians*, ſhall not be tried *per mediatem Linguæ* for Murder, Felony, &c.
nt, 23 *H.* 8. *c.* 3. §. 2.	In an Attaint above forty pounds, muſt have twenty Marks, if under five Marks.
, §. 3.	Pety Juror for untrue Verdict forfeit twenty pounds.

He that enjoyeth Liberties of City, Burrough or Town, having forty pounds in moveable Goods, may be Juror therein to try Murther, &c.	**Juror**, *cap.* 13.
Not to extend to Knight or Eſquire dwelling therein, &c.	§. 2.
In *Wales* when Sworn in Criminal Cauſe, ſhall be kept by an Officer.	**Officer**, 6 *Hen.* 8 *c.* 4.
May be Committed or Fined for Verdict againſt Evidence in *Wales.*	**Fined**, §. 2.
Attaints are not limited, but ſuable as at Common Law.	**Attaint**, 32 *Hen.* 8. *c.* 2. §. 11.
One may be Impanelled to enquire of anothers Concernment of Offence, of keeping Croſs-bow or Hand-gun.	**Concealment**, 33 *Hen.* 8. *cap.* 6. §. 20.
Ven. fac. to try at *Weſtminſter*, to be of Twelve, *Quorum* each hath forty ſhillings *per annum* at leaſt, elſe omit, and where *Quorum* is, Six to be of Hundred, if ſo many be.	**Ven. fac.** 35 *Hen.* 8. *c.* 6. §. 3.
Hab. Corpora, Diſtring. with *Niſi prius*, to have return of five ſhillings Iſſues on each Juror the firſt, ten ſhillings the ſecond, and thirteen ſhillings four pence the third.	**Hab. Corp. &c.** §. 4.
Tales on default, or challenge at *Niſi prius.*	**Tales**, §. 6.
Tales to be challenged as on *Ven. fac.* §. 8. Tryal by *Tales* good.	§. 7.
Tales Fined at diſcretion upon default.	§. 9.
Jurors to loſe Iſſues, though filled by *Tales.*	**Iſſues**, §. 10.
Juſtices may diſcharge Iſſues on reaſonable excuſe.	§. 11.
No Iſſues to be loſt on diſcontinuance by not coming of the Juſtices.	§. 12.
Sheriff forfeits double that returns Iſſues on Juror unduly.	**Sheriff**, §. 13.
Not to extend to any City or Town Corporated.	§ 14.
On Attaints in *London*, ſhall be worth four hundred Marks in Goods, and taken only by the Juſtices at *Guild-hall*, or within the City, notwithſtanding, 33 *Hen.* 8. *Cap.* 3.	**Attaint**, 37 *Hen.* 8. *c.* 5. §. 3.
Of Treaſon, Murder or Treſpaſs, ſhall not be avoided for *Vi & Armis, viz. Cultellis, &c.*	**Treaſon, &c.** *cap.* 8.
A Confirmation of 35 *Hen.* 8. *Cap.* 6. and that	4 & 5 *Ph. & Mar. c.* 7.
Tales may be Award as *Niſi prius* on Challenge, default, &c. as well on the Kings part, as the parties, or for Informer, *tam quam.*	**Tales**, §. 2.
That Statute to give like advantage to the King, or Informer, as if named.	**King, &c.** §. 3.
That *Tales* ſhall be in *Wales*, Counties Palatine, &c. as 33 *Hen.* 8. *Cap.* 6. §. 6. and Iſſues loſt, and returned, &c.	**Tales**, 5 *Eliz. cap.* 25.
The Defendant may have a *Tales* wherever Plaintiff before might have it.	14 *Elizab. cap.* 9.
In all popular Actions, &c. on penal Laws, *tam quam*, Defendant to have a *Tales.*	§ 2.
Not to come above thirty miles from *Weſtminſter* in Information, unleſs Trial at Bar.	**Information**, 18 *Eliz. cap.* 5. §. 2.
Chief Juſtice of *B.R. C.B.* or Chief Baron of Exchequer, or two Juſtices, may try by *Niſi prius* Cauſes in *Middleſex*, or in their abſence two Judges, and grant *Tales, &c.*	**Niſi prius**, *cap.* 12.
Where Jurors in *B.R. C.B.* and Exchequer, and at Aſſize, had forty ſhillings *per annum*, now to have four pounds *per annum* Freehold.	**Juror**, 27 *Eliz. cap.* 6.
On the firſt *Hab. Corpora, Diſtr.* or *Niſi prius*, Sheriff returns ten ſhillings Iſſues, ſecond double, &c.	**Iſſues**, §. 2.
Sheriff forfeit double value of Iſſues on falſe return, Summon.	**Sheriff**, §. 3.
Sheriff taking Reward to ſpare Juror, &c. forfeits Five pounds by Moieties to the King and Infor-	§. 4.
No Challenge in perſonal Action if two Hundredors appear.	**Challenge**, §. 5.
Other Challenges to be allowed.	§ 6.
Not to extend to Cities, Corporations, or Places priviledged to hold Plea, nor to *Wales.*	§. 7.
Sheriff ſhall Return Jurors name, Addition, &c. to know the Party, and no Iſſues Eſtreat without.	**Return**, *cap.* 7. §. 7.
All Juſtices within their Commiſſions to determine Offences, and five Marks forfeit, &c.	**Juſtices**, §. 3.
Jurors to have twenty pounds *per annum*, in *Wales* Eight pounds *per annum* in Pannel or *Tales*, on Challenge, and no Iſſues ſaved but by Special Order of Judges, Sheriff forfeits five pounds if he return under.	**Juror**, 16 & 17 *Car.* 2. *cap.* 3.
Sheriff at *Eaſter* yearly to deliver at Seſſion Names, and Seſſions to approve.	**Sheriff**, §. 3.
Sheriff to return none ſummoned, but on ſix days notice before Appearance.	§. 4.
Hab. Corp. & Diſtring. to be on Iſſues in County Palatine of *Lancaſter.*	**Hab. corp. &c.** §. 5.
Sheriff to Summon twelve of each Hundred of County Palatine of *Lancaſter.*	**County Palatine**, §. 6.
To continue three years, and ſo to end of next Seſſion of Parliament.	§. 7.
None compellable to plead Grants or Conveyances of Felons Goods, &c. inrolled and allowed in Kings-Bench, to Coroners Inqueſt.	**Grants, &c.** de bonis Felonum, 4 & 5 *W. & M. cap.* 22.

Iſſuing Proceſs againſt Grantees, §.2	Clerk of Crown iſſuing Proceſs againſt Grantees after Inrolment, forfeits five pounds, but may againſt thoſe whoſe Titles are not inrolled nor pleaded.
Continuance, §. 5.	To continue for three years.
Juror in England 10 l. **in** Wales 6 l. per ann. **enabling Clauſe**, Ven. fac. **Iſſues ſaved**. *c*.24. §.15.	Jurors returned (except ſtrangers) to have in *England* Ten pound, and in *Wales* ſix pound *per annum* Freehold, on penalty of five pounds, and all of ſuch Eſtate enabled to be returned; a *venire facias* formed for the purpoſe, and Iſſues ſaved to be by Order of Court, or Judge.
Return. ſummoned, excuſing Jurors, §.16.	None ſhall return ſummoned, unleſs Summons was ſix days before day of Appearance, nor take rewards to excuſe Jurors, on penalty of Ten pounds.
Uſage of Corporations ſaved, §.17.	Ancient Uſage of Cities, Burroughs and Corporations, of returning Jurors ſaved.
Tales in England 5 l. §.18.	Perſons having five pounds *per annum*, may be returned on *Tales* in *England*.
In Wales 3 l. per annum §.19.	Perſons having three pounds *per annum*, may be returned on *Tales* in *Wales*.
Fees for Tales, §.20.	No Fees to be taken for returning *Tales*, or on account of *Tales* returned, on pain of Ten pounds.
De non ponendo Aſſiſis & Juratis, § 21.	Writ *De non Ponendo* — *Aſſiſis & Juratis*, —— ſhall not be granted, but upon Oath that the ſuggeſtions are true.
Continuance, §. 22.	This Act, as to return of Jurors, ſhall continue for three years, and to the end of next Seſſions.
Apothecary exempt, 6 & 7 *W*.3.*c*.4.§.2 & 3.	Apothecaries Exempt from ſerving on Juries for ſeven years.

Entry Congeable.

Entry in Poſt, 52 *Hen*.3. *cap*.29.	Entry in the Poſt, &c. lieth againſt any Alienee, without mention of Degrees, &c.
Enfant, 2 *Ed*.1. *c*. 29.	Enfant Heir of Diſſeizor may have entry, &c. againſt Heir of Diſſeizor.
Caſu Proviſo, 6 *Ed*.1. *c*.7. *Glouc.*	*Entre in Caſu* Proviſo on Alienation by Feme Tenant in Dower.
Caſu Conſimili, 13 *Ed*. 1. *cap*.3. & 24.§.3. *W*.2.	*Entre in Conſimili Caſu* where Husband Tenant for life &c *Jure Uxoris* Aliens.
Ceſſavit, *cap*. 21.	Lieth for the Heir of the Demandant on *Ceſſavit* againſt Heir of Tenant, and the Alienees.
Sur Diſſeiſin, *cap*.25.§.2.	By Feoffment of Tenant for years of a Guardian is *Diſſeiſin*, and on death of either Entry lieth.
Forceable, 5 *Rich*.2. *c*.7.	Shall not be made but where lawful, nor that with ſtrong hand or multitude, on Impriſonment and Ranſom.
Sur **conſent to Rape**, 6 *Rich*.2 *cap*.6.	Next of Blood may enter on conſent to a Rape, as if dead.
Forceable, 15 *R*. 2. *c*.2.	Juſtices of Peace on view may Record Force, and Impriſon party.
Patentee, 1 *Hen*.4.*c*.4.	Where it is not, Aſſize lieth againſt Patentee, if no Title be found by Enqueſt or otherwiſe.
Detainer, 8 *H*.6. *c*.9.§.7	They who keep poſſeſſion three years, ſhall not be endamaged for detaining with force.
Lawful, 11 *Hen*.7.*c*.20.	By Heir, or him in Reverſion, upon Alienation, Recovery, Warranty, Diſcontinuance, &c. by Feme Joyntres.
32 *Hen*. 8. *cap*. 2. §.6.	May be by Heir of Wife, notwithſtanding Fine, Feoffment, or other Act of Husband, only of her Land.
Coll Entry, *cap*.33.	Is not taken away by Diſcent, unleſs five years after Diſſeizin.
Sur **Condition**, *cap*. 34.	Heirs, Executors, Succeſſors and Aſſignees, may take advantage of Condition, Covenants and Agreements in Indenture of Leaſe, as if privy.
Papiſt, 3 *Jac*.*c*.5.§.17.	Next of Kin to Papiſt not taking Oaths, &c. in ſix Months after Return from beyond Sea, to have and enjoy Lands, &c.
Sc. fac. 21 *J*.*c*.14.§.2.	No *Sc. fac.* where Intruſion lieth for the King.

Entry, ſee *Diſſeizor*.

Error.

Falſe Judgment, Exception, Appeal.

Falſe Judg. 52 *Hen*. 3. *cap*. 20 *Marlb.*	None ſhall (except our Lord the King) hold plea of falſe Judgment in the Court of his Tenants.
Fine for falſe Judg. 3 *Ed*.1. *cap*.18. *W*.1.	The Common Fine on Counties for falſe Judgments, and other Treſpaſſes, ſhall be aſſeſſed by the Juſtices in Eyre, by Oath of Knights, and not by Sheriff or Barretors.
Bill of Exception, 13 *Ed*.1. *cap*.31. *W*.2.	The Juſtices ſhall Seal a Bill of Exception.
Tryal del record. 1 *E*.3. *cap*.4.	Averment in a Writ of falſe Judgment, that the Record is otherwiſe, ſhall be tried by the County.
Marſhalſea, 5 *Ed*.3.*c*.2.	In *B. R.* ſhall be on Judgment in the *Marſhalſea*, ſo 10 *Ed*.3. *Cap*.3.
Error in Chancery, &c. 14 *Ed*. 3. *cap*. 5.	In Chancery *B. R. C. R.* and in Exchequer before Juſtices Aſſigned of *Oyer* ſhall be redreſt by Commiſſion to a Prelate, two Earls, and two Barons, and if they cannot end it, by Parliament on Petition.
Eſcheq. 31 *Ed*.3. *c*.12.	In Exchequer ſhall be redreſſed by the Chancellor or Treaſurer.
No proceſs, 24 *Ed*.3.*c*.3.	If any be put to anſwer without Preſentment before Juſtices, or matter of Record, or due Proceſs and Original is void and Error.

By him to whom Reverſion belongs, when Judgment is given againſt Tenant for Life in Dower, *per Curteſey*, or *apres* poſſibility.	**For Reverſioner**, *c*. 3.
No Appeals to be made or purſued in Parliament.	**Parliament**, 1 H.
The Penalty on *London* for not redreſſing Errors, ſhall not be Fine certain, but a diſcretion of the Juſtices, and this ſhall extend to all other Cities and Towns,	London, 1 *Hen*.4.
Till Judgment be ſo, or by Attaint reverſe, Parties and their Heirs, ſhall be in the Peace, and not come before the King or his Councel, or to the Parliament.	**Judgment**, 4 H.4
Juſtices may amend as well after Judgment as before, of Letter or Syllable.	**Amendment**, 9 H.
Raſing, Interlining, Addition, Subſtraction, or Diminution of Words, Letters, Title, or Parcels of Letters, in any Record, Proceſs, Warrant of Attorney, Writ, Pannel, or return is none.	**Not Error**, 8 Hen.
Party may in affirmance of the Judgment alledge Diminution that the Record Certified is variant from the Original, and if ſo Certified, it ſhall be amended.	**Diminution**, §.2.
In Exemplification, ſhall not be Aſſigned after its once Certified well.	**Aſſignment**, §.4.
Record, Proceſs, and Returns of all Miniſters may be amended ſo, or otherwiſe on miſpriſion of Letter or Syllable.	**Amendment**, *cap*.1
Plaintiff ſhall pay Coſts if Judgment be affirmed, or the Writ diſcontinued by his default or Nonſuit.	**Coſts**, 3 *Hen*.7.
A Confirmation of 3 *Hen*.7. *Cap*.10. of Coſts to be put in Execution.	19 *Hen*. 7. *cap*.20.
Errors of real Actions in Grand Seſſions in *Wales*, to be redreſſed in *B. R.* in *England*, but of perſonal Actions by the Preſident there.	Wales, 34 *Hen*.8. §.113.
Shall not be Aſſigned in want of *Vi & Armis*, viz. *Cultellis*, &c. in Indictment or Enqueſt.	**Aſſignment**, 37 E
Appeal to Delegates by Commiſſion out of Chancery in Civil Law Cauſes, final,	**Delegates**, 8 Eliz
Want of Form in Bill, Commiſſion, Return of Sheriff, Warrant of Attorney, &c. Aid by Verdict.	**Aid by Verdict**, *cap*.14.
On Fine to be within a year of age, &c. after Abatement, within ſeven years, after Impediment removed.	**Fine**, 23 *El*.*c*.3.
Shall not reverſe Judgment in want of Form unleſs expreſs in Special Demurrer.	**Want of Form**, *cap*.5.
Did lye of Judgment in *B. R.* only in Parliament.	**In** *B. R. cap*.1.
In Debt, Detinue, Covenant, Ejectment, &c. firſt begun in *B. R.* (other then where the Queens Majeſty is party) to be in Exchequer-Chamber, before *C.B.* and of Exchequer, or ſix.	**Eſcheq; Cham**
May be in Parliament after Affirmation in Exchequer Chamber.	**Parliament**, §.3.
Shall not reverſe Fine or Recovery in *Wales*, &c. for Form, &c.	**Fine**, *cap*.2.§.2.
In want of Form ſhall not reverſe Fine in *Wales*.	27 *Eliz*. *cap*.9.§.
Chancellor and Treaſurer taking Record of Exchquer, &c. with Juſtices, &c. to hear, &c. and the not coming &c. to be no Diſcontinuance, as 31 *Ed*.3. *Cap*.12.	**Eſchequer** 31 *El*.
No Judgment unleſs Chancellor and Treaſurer be preſent.	§.2.
Receits 27 *Eliz*. *Cap*. 8. *and* §. 4. that three Juſtices and Barons may proceed.	§.3.
No Judgment, but by full number of Juſtices.	§.5.
Party at Election may ſue in Parliament, after.	**Parliament**, §.6.
Shall not be allowed of Utlary, &c. till Bail put in to anſwer Action, and Condemnation.	**Utlary**, *cap*.3. §.
Lieth as well of Fines as other Judgment before the Juſtice of *Cheſter*.	**Fines**, 43 *Eliz*.
Shall not ſtay Execution in Debt on Bond for Money let or contract, ſued in *Weſtminſter* or County Palatine, *Wales*, &c. unleſs Bail be, &c.	**Execution**, 3 *Ja*
Barreſter three years need allow no other Writs to remove ſuit.	**Barreſter**, 21 *Jac*. §.2.
Want of fifteen days between Teſte and Return of *Ven. fac. Hab. Corp. Diſtring. Fi. fac. Cap. ad ſatisf.* is none.	**Nul Error**, 13 C *Stat*.2. *c*.2.§.6.
A Confirmation of 3 *Jac*. *cap*.8. and that no Execution be ſtayed.	**Execution**, §.8.
In Debt on 2 *Ed*. 6. *Cap*. 13. nor in Aſſault for Money Trover, Covenant, Detinue, Treſpaſs, &c. after Verdict and Judgment, no ſtay without Bail.	§.9.
If either of the Great Officers, &c. come at Return, the Writ of Error ſhall proceed.	**Eſchequer**, 16 Ca
No Judgment to be unleſs Chancellor and Treaſurer be preſent.	§.3.
After Judgment on Verdict in perſonal Action, no *Superſedeas* till Recognizance, as 3 *Jac*. *Cap*. 8. nor be allowed in Dower or Ejectment till Baill, &c.	Superſedeas, 16 *Car*.2.*c*.8.§.3.
Writ of Enquiry of Mean Profits and Waſte after firſt Judgment.	**Writ of Enquiry**
Not to extend to Error by Executor, nor Action *ſur Stat.* except for Tithes, &c.	**Executor, &c.** §.5.
Death of either party after Verdict, is none, if Judgment be entred in two Terms,	**Death of party**, 17 2. *cap*. 8.
Judgment may be given in preſent of Lord Chancellor, though Treaſurer be vacant.	**Exchequer**, 20 C *cap*.4.
Writs of Error in Exchequer Chamber and proceedings thereupon in *Hillary*-Term, 1688 Revived.	**In** 1688 *W*. & *M*. *Seſ* 1.
Errors in Pleas perſonal in *Wales*, to be redreſſed, as Errors in Pleas real, and mixt by 34 & 35 *Hen*.8. *Cap*.26.	**In perſonal** Wales. §.4.

Eſcape.

Eſcape.

itute, 3 *Ed*.1.*c*.3. *W*.1. Of Thief, or Felon, ſhall forfeit nothing till adjudged in Eyre, Sheriff to pay what is received, and as much to the King.

,13 *Ed*.1.*c*.11.*W*.2. Debt lieth if Accountant Commit, get away, and if Keeper of the Gaol be not ſufficient, Reſpondeat Superior that committed the Gaol to him.

uiry, 18 *Ed*.2.*p*.84. §.32. *Pr.Pledge.* To enquire of perſons Impriſoned, and let go without Bail.

ſhal, 5 *Ed*.3. *c* 8. Marſhal that is found guilty, ſhall have half a years Impriſonment, and Ranſom at the Kings Will, and be left to the Law.

itute,31 *Ed*.3.*c*.14. Of Felons, Fugitives and Clerks Convict, ſhall be Levied as they fall.

,1 *Rich*.2.*c*.12. Debt lieth againſt Warden of the Fleet, that permits Priſoner to get at large, unleſs by Writ at the Kings Command, or Agreement to the party.

ection,7 *Hen*.4.*c*.4. No Protection to be allowed to Gaolers in Suits for Eſcape.

,2 *Hen*.5.*c*.2. Bail ſhall not be allowed on *Certiorari* or *Hab. Corp.* for one condemned in Debt, but he ſhall be remanded.

ant,33 *Hen*.6.*c*.1. §.3. Of Servant ſued by Executor, for imbezelling Maſters Goods, forfeits Forty pounds.

er,3 *Hen*.7.*c*.1. Of Murder, the Town ſhall be amerced.

iff,19 *H*.7.*c*.10. Sheriffs ſhall have Gaols, and be Fined for them.

rber of Preacher, *Mar.St*.2.*c*.3. §.8. Of Diſturbers of Preachers to be preſent next Seſſions, &c. on forfeit of Five pounds.

Eſchange, ſee *Merchants.*
Eſcheators, ſee *Office.*

Eſcheat.

bice, 9 *Hen*.3.*c*.31. *Mag.Charta.* Shall pay no more Service to the King, then to the Lord of the Fee, unleſs Honour Eſcheat held in Chief.

ean,33 *Ed*.1.*p*.69. *rd. Foreſt.* The Demean Land of the Crown retain free Chaſe, and free Warren as purlieu.

,17 *Ed*.2.*c*.12. *Prerog.Reg.* Shall be to the King, of Lands deſcended to Alien, whoſe Anceſtors were not of the Allegiance of the Kings of *England*.

, *cap*.14. Of Freehold of Archbiſhops and Biſhops on Attainder in time of Vacation, belongs to the King.

&c. *cap*.16. In *Glouceſterſhire* and *Kent*, the Heirs on Attainder of Father ſhall after the Kings year, day, and waſte, have the Land, not the Lords.

plars Lands, .2.*p* 86.*De Templar.* Of Templars Lands, may be retained with ſafe Conſcience by the King or other Lords.

§.2. Templars Lands, aſſigned to other Religious men to Charitable Uſes, to the Knights of St.*John* of *Jeruſalem*.

ion del Eſcheator, 14*Ed* 3.*c*.8. Eſcheator to be elect by Chancellor, Treaſurer and Chief Baron, not for above one year.

Treaſon, 25 *Ed*.2. *St*.2.*c*.2. For High Treaſon are to the King, for Petty to the Lord of the Fee.

eator,33 *Hen*.8. *c*.24. §.17. Eſcheators to be ſworn in a Month after Patent tendred to them.

Exchequer.

Collectors, Eſtreats, Profer, Wardrobe, Accounts, Treaſurers.

iff,51 *Hen*.3.*p*.11. *Diſtrict.Scac.* Sheriffs Confeſſion diſchargeth Debtor, and he puniſhable if Levied and not Conteſt, and on ſight of Tally, Diſtreſs for the Kings Debt ceaſeth.

en.3.*p*.11.*De Scac.* Sheriffs and Bailiffs at profer of the Exchequer, Monday after St.*Michael*, and Monday after the *Utas* of *Eaſter*, ſhall pay Farms, Rents and Iſſues, and make Account.

iliffs of Franchiſe, §.2. Bailiffs of Franchiſe ſhall on ſummons Account at the ſame time, elſe be Impriſoned, and Sheriffs enter the Franchiſe.

ter,§.3. The Juſtices of Bailiffs of *Cheſter* at the ſame time ſhall Account, and all Sheriffs except *Weſtmerland*, *Lancaſter*, *Worceſter*, *Rutland* and *Cornwal*, ſhall keep all Wards and Eſcheats out of Franchiſe, and find Offices thereof at their Turns.

veyor, §.4. Three able Surveyors yearly ſhall go through the Realm, to Counſel the Sheriff to Farm Wards and Eſcheats to the beſt Profit.

eator, §.5. The Sheriff of *Cumberland* is Eſcheator of *Weſtmerland* and *Lancaſter*; the Sheriff of *Nottingham*, in *Rutland*; of *Glouceſter*, in *Worceſter*; Of *Devon*, in *Cornwal*; and ſhall anſwer for Wards and Eſcheats, and Farm, by Council of three Surveyors, who keep the Kings Demeans, and improve and anſwer Iſſues, and Let from year to year, and Farmers chargeable to them, and they to the Exchequer the Monday after *Aſcenſion* yearly.

ectors of Wool= uſtom, §.6. The Collectors of Cuſtoms of Wool ſhall Account at the ſame time, and anſwer for every Ships quantity.

Warden of the Kings Wardrobe ſhall Account yearly at St.*Margaret*, and Treaſurer and Barons ſwear not to hold Pleas but for the Kings Debt, till that buſineſs be over; and when Sheriff being to Account, none ſhall intervene till end; the Conſtable, Marſhal and Chamberlain that are of Fee ſhall anſwer for their Deputies. **Warden of Wardrobe,** §.7.

The Treaſurer and Barons ſhall ſwear not to make Deputy, nor no Officer aſſign Deputy unleſs ſworn, and by the Kings Licence, but both ſhall be puniſht, and Reſpondeat Superior, whether of Fee or otherwiſe. **Treaſurer, &c.** §.8.

Officers of Wool-ſtaple ſwear to diſcover Deceits they perceive to the Barons, to ſearch about the Feaſt of St.*Margaret*, whether Sheriff or Bailiff have not Accounted, and thoſe in Arrear ſhall firſt Account, Surveyors ſhall be choſen, &c. by Oath of Twelve, who ſhall ſwear juſt Allowances to be Examined by the Barons on ſuſpicion, and the Faults puniſht with Impriſonment a year and forty days, and repayment of Allowances, and puniſht at the Kings pleaſure; ſo he that conceals Accounts that ought to charge himſelf **Officers of Wool Staple,**§.9.

All Juſtices and Commiſſioners ſhall deliver in Eſtreats at *Michaelmas* yearly, and the Exchequer make Summons through all Shires, but thoſe of the Eyre, ſhall be immediately after the Eyre end. **Eſtreats,** §.10.

Juſtices in Eyre ſhall eſtreat Common, Fines and Amerciament on County for falſe Judgments, and other Treſpaſſes, and they ſhall not be aſſeſſed by Sheriffs and Barretors. **Eſtreat,** 3 *Ed*.1.*c*.18. *Weſt*.1.

Heir of Sheriff that doth not diſcharge Debtor on payments, and make a Tally, ſhall pay Fine and thrice ſo much as received. **Heir of Sheriff,** *cap*.19.

Iſſues levied on Grand Diſtreſs and Forfeit, ſhall be delivered by the Kings Juſtices into Wardrobe, by Juſtices of the Bench at *Weſtminſter* into the Exchequer; by Juſtices in Eyre to Sheriff. **Iſſues on Grand Diſtreſs,** *c*.45.

Amerciaments of Diſſeizors in *London*, ſhall be by two Barons yearly, and delivertd into the Exchequer to the Kings uſe **Amerciaments,** 6 *Ed*.1. *cap*.14. *Glouc.*

Shall have diſtinct Rolls of each Shire of Farms, Profits of County, Allowances of Sheriffs, to be certified to Chancellor, or by Barons and of Debts hopeful of payment, all but new Duties. **Rolls of Farms, &c.** 10 *Ed*.1.*p*.84.*Rutland.*

One Roll *Comitatus* of deſperate Debts, ſhall be read yearly on Sheriffs Account §.2.

Tallies ſhall be delivered to Sheriff on his Receit, ſhewing the occaſion of the Debt. **Tallies,** §.3.

Two Knights ſhall be preſent at Sheriffs Receit of Tallies, and ſeal Indenture with Sheriff of Receit. §.4.

The Knights ſhall ſend their Indenture into Exchequer at the time appointed. §.5.

On Proclamation to bring in Tallies, Diſtreſs ſhall be for whole Debt as Tally not paid, if not brought in. §.6.

Debts to come, whereof Debters proffer Tallies againſt Sheriffs ſhall be acquitted. §. 7.

Perſons ſhall be ſent into each Shire to take Enqueſts of Sheriffs, their Heirs and Aſſigns, and Tenants that have received Debts and Rolls of parties Convict, and Tallies broken, and Sheriffs ſhall have Tranſcripts to examine what is paid **Enqueſt of Sheriffs,** §.8.

No Tallies to Sheriff *De dividendus*, till of them the particular ſums of the Debts and Names of parties that paid them, be received. §.9.

Debts whereof *Nihil in Ballivo* is returned by Sheriff, ſhall be entred on Roll and enquired of. **Nihil in Ballivo,** §.10.

No Plea ſhall be holden there, unleſs it ſpecially concern us, or our Miniſters. **Juriſdiction,** §.11.

Sheriff ſhall not levy Iſſues till Eſtreat thence, and ſhall Tally all their Officers received, and once a year a Baron, and a Clerk ſhall go throughout *England* to ſee Debts demanded by Green Wax paid, and Tallies, and Enroll them. **Iſſues,** 27 *Ed* 1.*cap*.2. *De fine Levat.*

No Common Pleas ſhall be holden there againſt the form of the Great Charter. **Juriſdiction,** 28 *Ed*.1. *c*.4. *Artic ſuper Chart.*

The Barons and their Clerks ſhall not be corrected by Ordinaries for Non-reſidence. **Non-reſidence** 9 *Ed*. 2. *c*.8. *Art. Cleri.*

Records of Juſtice of Aſſize Gaol delivery and Oyer and Terminer, ſhall yearly at *Michaelmas* be delivered there, taking Eſtreats of them. **Return of Record,** 9 *Ed*.3.*c*.5.

The Barons ſhall deliver the People without undue tarrying. **Ley,** 20 *Ed*.3.*c*.2.

Errors there ſhall be redreſſed by the Chancellor and Treaſurer. **Error,** 31 *Ed*.3.*c*.12.

Clerk of Remembrance, to ſee the Diſcharges of the Pipes and ſtop Proceſs. **Pipe,** 27 *Ed*.3.*c*.4.

Clerk that makes out new Proceſs for the ſame Debt, loſeth Office, and be Impriſoned until he ſatisfie the party &c. **New Proceſs,** 1 *Ric*.2. *c*.5.

All Impeachable there ſhall plead, ſue, and have his reaſonable Diſcharge without ſuing any Writ or Commandment. **Diſcharge,** 5 *Ric*.2.*c*.9.

Embaſſies,&c. §.10.	The Covenants and Repeals of Retainers in Wars, Embaſſies, &c. ſhall be put in Writing, and ſent in to Exchequer, and allowed on Account
Accounts,§.11.	Parcels ſhall be as full as ever, but the Accounts heard more ſhort.
Cap.12.	Two Clerks aſſigned to make parcels of Account, taking reaſonably as aſſigned by the Barons.
Cap.13.	Accountants ſhall be diſcharged on their Oath, and *Nihils* wholly put out.
Pipe,&c.*Cap*.14.	Clerks of the Pipes and Remembrancers ſhall be ſworn to ſee all diſcharged under Great or Privy Seal, and make Schedules thereof.
Livery diſcharge, *c*.15.	On Tenor of Record ſent by *Mittimus* hither, he in whoſe Office the Account is, ſhall diſcharge the Livery.
Fee for Commiſſion, *Cap*.16.	Clerks Fee for Commiſſion Two ſhillings, for *Niſi prius* Two ſhillings.
Obligation for double, 13 *Ric*.2 *cap*.14.	Obligation or Recognizance of Debtor taken for double in Exchequer, void.
Rolls of Eſtreats, &c. 7 *Hen*.4.*cap*.3.	Shall make Rolls of Eſtreats of Iſſues and Americaments forfeit, expreſſing the Cauſe of the loſs, the Term, the Writ and Parties, or the King at whoſe Suit.
Officers Fee, 26 *H*. 8. *cap*.3.§.20.	No Officer of Exchequer to take any Fee of Archbiſh. Biſhop, &c. for *Quietus*, or Account as Collector of Tenths,&c.
Dover, 32 *H*.8.*cap*.48.	Owners of *Dover* to pay Rents in Exchequer, not at Caſtle.
Proceſs, 33 *H*.8.*c*.39. §.33.	May uſe Proceſs as at Common Law, or by this Statute for the Kings Debt: So 2 & 3 *Ed*.6.*c*.4.
Error,31 *Eliz*.*cap*.1.	Chancellor and Treaſurer taking Record of Exchequer with Juſtices,&c. to hear Errors, &c. and not coming of &c. to be no Diſcontinuance.
Privy-Seal,1 *Jac*.*c*.26.	Iſſues loſt to be diſcharged againſt the King by Privy Seal.
Treaſurer,&c. §.3.	Treaſurers,Remembrancer,&c. offending againſt Order, forfeits Twenty pounds.
Proceſs, §.4.	The Orders 15 *Jun*. 1573. are firſt, §. 5. That no Proceſs to do Homage, Fealty, &c. or *Sc.fac.Capias*, or Diſtreſs go upon ſuppoſal, but to be vouch'd preciſely.
§. 6.	Upon the eſtreat of Original of Chancery of the firſt Grants, Pardons, Alienat. *Ouſter le main*, Livery, &c. Proceſs to be only for Service thereon.
§.7.	*Diſtring. Tenent.* on Return *Mort* or *Nihil*, againſt new Tenant for Service.
Licence pleaded,§.8.	Bringing firſt Licence of Alienation to Barons, diſcharged without pleading.
§.9.	Licence and Aſſurances agreeing to be diſcharged.
Pleading,§.10.	Shewing Record of Avoidance of Writ of Reverſion, is a Diſcharge.
§.11.	Mannor of the ſame Name diſcharged without pleading.
Iſſues, §.13.	Iſſues diſcharged are of ſuch as are returned Tenants of Lands they have not.
§.14.	Iſſues of Heir in Ward.
§.15.	Iſſues on Committee of Wards.
§.16.	Iſſues of Lands in the Queens hands by Extent.
§.17.	Iſſues on Tenants for life, &c. §. 18. of Tenants in Chief by Extent.
§.19.	Iſſues by untrue Returns, or Miſ-returns.
§.20.	Iſſues of Lands formerly in Chief, §.21. Of Jurors,&c. the rate of Fines for Homage,&c.
Fines, §.22.	Fines to be paid as rated to Parliament Houſe by Treaſurers Remembrancers offer.
Iſſues, §.23.	Clerks of Treaſurers Remembrancer to pay all that is loſt.
Proceſs, §.24.	To preſerve Tenures Proceſs may Iſſue by Treaſurers Remembrancer.
Prize-Goods,14 *Car*.2. *cap*.14. §.5.	On defect in Admiral, reſort to be to Exchequer for Prize Goods.
Accountants, *cap*.16.	Againſt Accountants,except 12 *Car*.2. *c*.11. §.10. neglecting till 1662. Proceſs to go as on 33 *H*.8. *c*.39. of Recognizance.
Seizures,*cap*.21.§.4.	Seizures charged on foreign Account of Sheriffs, to be put in the Great Roll, and to be hereafter certified without Copy of Commiſſion, and examine and engroſs the Term after Receit.
Remembrancer, §.6.	Remembrancers to inform Ingroſſer of Debts returned, Fines,&c. by next Term.
§.10.	Remembrancers to Tranſcribe only what is charged on foreign Account, but Inquiſitions and Attainders to be as before, not to exclude Proceſs,&c.
Money-Orders,19 *Car*. 2. *cap*.12.	Orders for Money may be aſſigned irrevokable to Aſſignee, Executors and Adminiſtrators,&c.
Tax,20 *Car*.2.*c*.1. §.23.	The whole Tax of One and thirty thouſand pounds, to be iſſued thence by Orders for extraordinary Fleet, 1668.
§.24.	Diſtinct Regiſters of Receit and Orders to expreſs for the Fleet,&c.
Cap.2.	Officers to pay ſix pounds *per Cent.* not accounting when Money due.
§.2.	Not accounting in two Months after Receit, to pay twelve pounds *per Cent.*

Not to alter ancient payments of Revenue by Sheriff, &c.	§.3.
That Fines, Iſſues, Americaments, and Forfeits in *B.R.* *C.B.* or Exchequer, be certified in *Hillary* and *Trinity* Term yearly.	**Certificate of Fi** &c.out of C.B.and 22 & 23 *Car*.2.*c*.22
Officer on default forfeits Fifty pounds, § 4. not to alter Certificates of Poſt Fines in C.B.&c.	§.3.
Judge of Aſſize, Clerk of Market, Commiſſioner of Sewers,&c. to Certifie at *Michaelmas* and *Eaſter*.	§.5.
Officer forfeit Fifty pounds,not Certifying before *Hillary* Term.	§.6.
Town Clerk and of the Peace, to Certifie to Sheriff in twenty days after 29 *September*.	§.7.
Duplicate to be delivered to Exchequer, on forfeits of fifty pounds.	§.8.
Sparing or concealing, or miſ-certifying, forfeit treble the Fine,&c.	§9.
Summons and Proceſs of Green Wax to be award againſt ſuch Officer that Levied,&c.	§10.
Not to prejudice Corporation,or Lords of Franchiſe,&c. nor §.12. *London*.	§.11.
To continue for three years, and to the end of next Seſſion of Parliament.	§.13.
Reviver 19 *Car*.2.*cap*.12. for ſeven years.	**Reviver**,1 *Jac*.2.*c*.17
Commiſſioners appointed to Examine the Publick Accounts of this Kingdom.	**Publick Accounts**,2 & *M.Seſſ*.2.*c*.11 &c.
Upon delivery of Eſtreats returned, Oath ſhall be made, that the ſame are carefully Examined.	**Eſtreats**, 4 & 5 *W*. *M*.§.5.
Reviver of 19 *Car*.2 *cap*.12. for ſeven years.	**Reviver**, §.7.
Officers of Receipt may take one peny in the Pound, for Money iſſued to the Army.	**Fee for Money to** **my**,5 & 6 *W*.& *M*.
Revives 4 & 5 *W*.& *M*.*cap*.20 for one year.	**Reviver**, 6 & 7 *W*. *c*.19.§.
Eſcuage, ſee *Services*.	
Eſgliſe, ſee *Church*.	

Eſſoyn.

After Iſſue only one ſhall be allowed in ſuch Writs as Dower, *Unde nihil habet*, Aſſ.of Darrein Preſentment, *Quare Impedit*, and on default, Judgment.	**Iſſue**,52 *Hen*.3.*cap*.1 *Marlbr*.
None ſhall be ſworn to warrant it in County, Hundred, Court Baron, nor other Courts.	**Warrant**,*cap*.19.
Shall not be allowed after appearance in Aſſize, Attaint, and *Juris utrum*, but Verdict by default, if Tenant make no Attorney.	**Appearance**,3 *Ed*.1.*c*. *W*.1.
There ſhall be but one to Coparceners and Jointtenants, and no Fourchier.	**Fourchier**, *cap*.43.
De ultra mare ſhall be turned to a default, if found that Defendant was in *England* the day of Summons, and three Weeks after.	De ultra mare, *c*. 44.
By default at Grand Diſtreſs after Enqueſt, forfeits Iſſues to the King.	**Grand Diſtreſs**, &c 3 *Ed*.1.*c*.45 *W*.1.
Of Plaintiff after Appearance, ſhall have day before Juſtices in Eyre, and of Defendant where Attachments and Diſtreſs lye, Eſſoyn as in the Kings Service is a default, unleſs Warrant be had at the day.	**Appearance**, 6 *Ed*.1 *Glouc*.
Baron and Feme ſhell have but one, and not fourch.	**Fourchier**, *c*.10.
Shall not be allowed for an Appellor in no Court.	**Appellor**,13 *Ed*.1.*c*.
De malo lecti lieth not in Writ of Right, if both claim by one conſent, nor in Circuits, unleſs ſick in truth, but is default.	Malo lecti,*cap*.17.
One ſhall be the day after Enqueſt, but none after *Prece partium*.	**Enqueſt**, *cap*.27.
One Eſſoyn only as well for Demandant as Tenant, after appearance in Aſſize.	**Aſſize**, *cap*.28.
Lieth not 1. Where Land is taken into the Kings hand. 2. Where the Land is diſtrained. 3. Where Judgment is given thereon if Jurors come. 4. If party be ſeen in Court. 5. *Ultra mare* after *De malo veniendi*. 6. If Party be Eſſoyned another day. 7. Where Sheriff is commanded to make party appear. 8. *De ſervitio Regis* for Women, unleſs Nurſe, Midwife, or Command *Ad ventr. inſpic.* 9. In Dower. 10. For want of Pledges in Plaintiff. 11. Where Attorney was Eſſoyn. 12. Where party hath an Attorney. 13. If Confeſs that he is not in the Kings Service. 14. Where Summons is not return, or if not attach. 15. After Eſſoyn *De ſervitio Regis*. 16. In Reſummons in Mortdanceſtor or Darrein Preſentment. 17. That one is not named in the Writ. 18. On Diſtreſs of Lands and Goods to appear. 19. Where Biſhop is to cauſe Party to appear. 20. Where the Term is paſt, but *De ſervitio domini Regis*, is allowed after Grand or Petit Cape, or diſtreſs of Lands or Goods.	**Lieth not**,12 *Ed*.2 *Stat. of Eſſoyn*.
Shall not be granted in Attaint.	**Attaint**, 5 *Ed*.3
All ſhall have but one before Appearance, and one after.	9 *Ed*.3
Such Proceſs in Attaint as in Dower, and no Eſſoyn or Protection to lye, nor be allowed in the ſame.	23 *El*

Eſtates.

Eſtates.

Freehold, Jurors, Tail, Diſcontinuance, Ability.

tts,9 *Hen.*3.*c.*8. *Magna Charta.*	Freehold ſhall not be diſtrained for the Kings Debt, ſo long as Goods ſuffice.
*Cap.*10.	None ſhall be diſtrained to do more Service for a Knights Fee, then due.
rciament, *c.*14.	Amerciament ſhall be proportioned to offence, ſaving to Freeman his Conteniment, to Merchant Merchandize, to Villain Waynage, to Churchmen Spiritual Benefice.
cipe in Capite, *c.*24.	No *Præcipe* in *Capite* ſhall be awarded of Freehold, whereby Freeman loſeth his Court.
es, 1 *Hen.*4.*c.*9.	The Sales by Act 11 *R.*2. Confirmed.
, *Hen.*5.*St.*2.*c.*2.	Juror in Plea above forty Marks, ſhall have forty ſhillings.
*Hen.*6.*c.*29.	Aliens Jurors need not have forty ſhillings *per annum*.
s,10 *Hen.*6.*c.*2.	Electors of Knights of Parliament muſt have forty ſhillings *per annum* Freehold at leaſt.
,15 *Hen.*6.*c.*5.	Juror in Attaint ſhall have twenty pound *per annum*, except Gavelkind,&c.
*Hen.*6.*c.*2.	Jurors of twenty pound *per annum* Gavelkind, may be Returned in Attaint, notwithſtanding 15 *H.*6.*cap.*5.
e,1 *Ric.*3.*c.*1.	Shall be good to Feoffee, &c. and all ſeized to his uſe againſt Feoffor, &c. and all Claiming only to uſe of Feoffor, his Heirs,&c. at the time of Bargain.
, *c.*4.	Juror in Turn ſhall have forty ſhillings *per annum* free, or twenty ſix ſhillings nine pence Copyhold.
s **Debtor**, 13 *El.* §.5.	Purchaſed by the Queens Debtor in other names, as liable as in his own.
d, 3 *Car.*1.*c.*5.	Of Tenants of *Bromfield* and *Yale* in *Denbigh*, Confirmed as agreed with the King.
ſitions,14*Car.*2. *cap.*25.	Sold by Delinquents to uſe of Vicarage, Preaching Lectuier,&c. void.
§.3.	Re-demiſed by Truſtees on payment of Rent to ſuch uſes, by Purchaſers, ſuch Purchaſers to pay to Owners before &c.
t **Deed**, 29 *Car.*	None but at Will, unleſs by Deed.
§.10.	Truſt is ſubject to Execution, and is Aſſets in *Ceſtuy que Truſt*.
r vie,§.11,& 12.	*Pur auter vie* is deviſable, and Aſſets in Heir or Executors.
Office and Ex- *Jac.*2.*c.*12.§.4.	Conſolidation of Kings Eſtate Tail and Fee, Poſt-Office, and 24000 *l. per Annum* hereditary Exciſe.
§.5.	Not to avoid Queens Joynture.
C. **Sir** B. F. d J.C. 6 & 7 19.	An Act for Impriſoning Sir *Tho.Cooke*, Sir *B.F. C.B.* and *J.C.* and reſtraining them from aliening their Eſtates.

Eſtreats, ſee *Exchequer.*
Eſtrepement, ſee *Waſte.*
Eveſque, ſee *Eccleſiaſtical Perſons.*

Evidence.

Proof, Teſtimonies, Witneſſes.

,13 *Eliz. c.*6. §2.	A Confirmation of 3 & 4 *Edw.*6. *cap.*4. §.2. and that an Exemplification or *Conſtat* of Patent under Great Seal, is ſufficient for Patentee.
ſue, 43 *Eliz.*	Overſeers of Poor may give that on General Iſſue.
§.4.	Fiſhers in *Cornwal* may give that on general Iſſues.
nd general 7 *Jac.c.*5.	May be ſpecial and general Iſſue by Juſtice of Peace, Mayor,&c. of City, Headborough, Portreve, Conſtable, Tythingman, Collector of Subſidy and Fifteen.
ok, *c.*12.	Shop-Book of Tradeſman is none, unleſs Debt be ſued for within a year.
ſſue,*c.*20.§.10	May be ſpecial for Drain in *Norfolk* on general Iſſue.
2.§.2.	The Stat. 7 *Jac.cap.*5. made perpetual.
3.	That Churchwardens, Overſeers and Aſſiſtants may plead general Iſſue,&c.
	That Fact was not in County, where laid againſt Officer, is againſt Plaintiff,
ſue, *c.*14.	If the King not ſeized in twenty year, Defendant to keep poſſeſſion, and plead general Iſſue.
*ar.*2.*c.*6. §.2.	Abſence ſeven years, and not proving life, is ſufficient that Tenant is dead.
*r.*2.*c.*7.§.7.	Muſt be that Seizure was in place where Information is againſt Seizor of Cattel Imported.
9 *Car.*2.*c.*5.	Affidavit taken by Commiſſioners in the Country, is ſo in any Court of *Weſtminſter.*
on, *c.*8.§.4.	Copy atteſted of Augmentation, not Regiſtred by Biſhop on Leaſe,&c. is ſufficient Evidence for the Vicar.
7.& *M.c.*16.	Simony after death of perſon Simoniacally promoted, not to be given in Evidence in prejudice of Patron innocent, or his Clerk, unleſs Parſon Simoniacally promoted, or his Patron, was Convict in Life of Parſon Simoniacally promoted.

Exception, ſee *Error.*
Exciſe, ſee *Taxes.*

Excommengement.

Sententia lata ſuper Chart. viz. A Sentence of Curſe by the Biſhops againſt the breakers of the great Chart.	**Charter**,12 *Hen.*3.*p.*18.
Such perſons ſhall not be bailed or replevied.	**Bail**,3 *Ed.*1.*c.*15 *W.*1.
Prelates that neglect to read the Curſes againſt breakers of the Grand Charterr twice a year in all Cathedrals, ſhall be diſtrained by the Archbiſhop of *Canterbury* and *York.*	**Prelates**,25 *Ed.*1. *c.*4. *at London.*
A Sentence by the Clergy againſt Breakers of Articles.	**Articles**, 25 *Ed.*1.*p.*60.
Twice a year to be pronounced againſt Breakers of the Kings Grant of Liberties.	**Charter**, *Temp.Ed.*1.*c.*6.
No Prohibition to diſcharge it for Tythes of new Mill.	**Tythes**, 9 *Ed.*2.*c.*5. *Art.Clcri.*
The Kings Letters to Ordinary to diſcharge it, ſhall be only where its found his Liberty is prejudiced.	**Diſcharge**, *c.*7.
On Citation out of Town or Pariſh, may take party within after forty days.	**Arreſt**, *c.*12.
Is a void Plea in Attaint.	**Attaint**,23 *H.*8.*c.*3.§.5.
May be on Sentence for non-payment of Tythe, if no Appeal depend,&c.	**Tythe**,2 & 3 *Ed.*6.*c.*13. §.13.
Ipſo facto on Striking in the Church.	**Striking**, 5 & 6 *Ed.* 6. *Cap.*4.§.2.
Was not returned in any Court, but executed at Sheriffs pleaſure before.	**Return**,5 *Eliz.c.*23.
Shall be made out of *Chancery* in Term-time, Returned in *B.R*, twenty days after *Teſte.*	**How made**, §.2.
Sheriff ſhall not be forced to bring the Body, but only the Writ at Return.	**Return**, §.3.
Upon *Non eſt Invent. Capias* to iſſue, Return in two Months, and proclaimed mean,&c.	§.4.
On not yielding to Sheriff, to forfeit ten pound:	**Sheriff**, §.5.
The ſecond *Capias* to be on pain of twenty pound, and Proclaimed, and on default of party to be Eſtreat:	**Second** Capias, §.6.
After a third *Capias* on twenty pound forfeit, to be Eſtreat on default, and ſo in infinity,&c.	**Third** Capias, §.7.
Party that yields himſelf, to be in Cuſtody without Bail, &c.	**Bail**, §.8.
Sheriff on falſe Return of *Reddidit ſe, &c.* forfeits forty pound.	**Return**, §.9.
Saving Authority of Archbiſhop,&c. to Certifie or Aſſoil, &c.	**Certificate**,&c.§.10.
In *Wales* and *Lancaſter, Ely, &c.* the tenor of *Capias* to be ſent by *Mittimus, &c.*	Capias, §.11.
Perſon Impriſoned, Enfant, Feme Covert, *Ouſter le mere*, or of *Non ſane memory*, not puniſht.	**Enfant**,&c.§.12.
Want of true addition of Name voids it, unleſs for Hereſie, or refuſing of Baptiſm, or Communion, or not coming to Church, or Error in Doctrins.	**Addition**, §.13.
Where Addition is *Nuper*, Proclamation to iſſue firſt with *Capias* into that County where reſident.	§.14.
Sheriff may break Houſe, to take Recuſant therein.	**Recuſant**,3 *Jac.c.*4.§.35.
Recuſant convicted, ſtands Excommunicate.	*c.*5.§.11.

Executors.

Adminiſtrators, Diſtribution, Rationabili parte, &c.

Shall have reſidue after the Kings Debt paid, and if there be none, the Chattels ſhall go to the uſe of the dead, ſaving to Wife and Children their reaſonable part.	**Diſtribution**,9*H.*3.*c.*18. *Magna Charta.*
Of the Father, to be obliged to Daughter to pay what the Father received, *pur file marier, &c.* and in their default, the Heir.	File marier,3 *Ed.*1.*c.*35. *W.*1.
The Ordinary ſhall be bound to anſwer Debts in ſuch ſort as Executors, ſo far as Goods of Inteſtate will extend.	**Ordinary**, 13 *Ed.*1.*c.*19. *W.* 2.
Shall have Writ of Account, and the ſame Proceſs that Teſtator had.	**Account**,*c.*23.
Shall Reſummon Raviſhment of Ward againſt Executors of Raviſhor, if the Ward be by gift, or heir againſt heir, if by reaſon of the Fee.	**Reſummons**,*c.*35.
Of Perſons ſlain with *Ed.*3. ſhall recover Debts of Teſtator.	**Debts**,1 *Ed.*3.*c.*3.
Shall have Treſpaſs of Goods taken in life of the Teſtator, and Damages.	**Treſpaſs**, 4 *Ed.*3.*c.*7.
All ſhall have but one Eſſoyn, and he that firſt comes on the Grand Diſtreſs, ſhall anſwer, and Judgment againſt him and the reſt named.	**Eſſoyn**,9 *Ed.*3.*c.*3.
Of Executors, ſhall have Actions of Debt, Accounts, and taking Goods of the firſt Teſtator, and Execution of *Stat. Merch.* and Recognizance.	**Of Executors**, 25 *Ed.*3. *St.*4.*c.* 5.
May have *Idenditate nominis*, to avoid Utlary of Teſtator.	**Outlary**, 9 *Hen.*6. *c.*4.
Of Sheriff or Bayliff are liable to Debt, for falſe Return to Parliament.	**Falſe Return**,23 *Hen.*6. *cap.*15.
Shall have remedy againſt Servants of the Teſtator, riotouſly dividing Goods after Maſters death.	**Servants**, 33 *Hen.*6. *cap.*1.
So many as undertake Probate of Teſtament, may make the Aſſurance and Deviſe that Executors ſell.	**Sale**,21 *Hen.*8. *c.*4.

Inventory, *cap.5.*	May deliver Inventory by Indenture between them and the Ordinary, each to keep a part.
Tenth,27 *Hen.*8.*c.*8.§.4.	Of Predeceſſor is liable for Tenth, if Succeſſor cannot diſtrain Goods on the Benefice to ſell,&c.
Arrears, 28 *Hen.*8.*c.*11. §.3.	Of Succeſſor ſhall recover Arrears in Vacation, towards the payment of Firſt-fruits of Spiritual Promotion.
Reverſion, 32 *H.*8.*c.*28. §.2.	He in Reverſion to have the ſame remedy as Leſſor, Tenant in Tail againſt Leſſee,Executors and Aſſigns, &c.
Heir, *c.*32.§.2.	Of Party that made Partition are bound, but not Heirs.
Remedy,*c.*34.	Of Patentee or Aſſignee may have like advantage againſt Leſſee, &c. as if party, ſo of Executors of Leſſee,&c.
32 *Hen.*8.*c.*37.	Executors and Adminiſtrators of Tail, Fee, or for Life, to have Debt againſt Tenant that ought to pay it, and may diſtrain upon Lands chargeable, while in the hands of Tenant or Claimers by him.
Wales, §.2.	Not to extend to *Wales*, where Fine for Redemption of all forfeits.
Debt, §.3.	Of Husband after death of Wife to have Debt, and he diſtrain as while ſhe lived.
§.24.	Of Tenant *pur auter vie* on Heirs death, to have debt againſt Executor of Tenant in whoſe time it was due, and diſtrain the Lands chargeable.
Kings Obligation, 33 *Hen.*8.*c.*39.§.3.	Or Heir ſhall have Obligation made to the King, at his free diſpoſe or appointment.
Kings Debt,§.28.	Are liable for Aſſets in Debt or in Law to the Kings Debt.
Aſſets,34 & 35 *H.*8.*c.*2. §.4.	Of Collector are chargeable, but as ſuch for Aſſets.
Heir, §.5.	Heir of Collector being charged, hath remedy againſt them.
Debt, 8 *Eliz.c.*2.§.5.	Debt againſt them for Coſts recover againſt the Teſtator.
Heir, 27 *Eliz.c.*3.§.3.	Heir of Accountant is not chargeable to the King, unleſs they have no Aſſets.
De ſon tort,43 *Eliz.c.*8. §.2.	*De ſon tort* by gaining Releaſe from Adminiſtrator by Colluſion.
Diſability, 3 *Jac. c.*5. §.10.	Married Women convict Recuſants, diſabled to be ſo to Husband.
§.22.	Recuſant convict, to be no Executor nor Adminiſtrator.
Adminiſtred, 7 *El.c.*20. §.19.	Of Collector of Drein in *Norfolk*, *&c.* may plead to Aſſets *ultra*,or fully Adminiſtred.
Execution,17 *Car.*2.*c.*8. §.2.	Adminiſtrator *de bonis non*, ſhall have *Sci. fac.* for Execution of Judgment had by Executor or Adminiſtrator on Verdict.
Aſſumpſit,19 *Car.*2.*c.*3. §.4.	Not charge for Damages in *Aſſumpſit de proprio*, unleſs by Deed.
Aſſets, §.12.	Shall have Eſtate *pur auter vie* as Aſſets, is no ſpecial Occupant,&c.
De ſon tort,30 *Car.*2.*c.*7.	Executors and Adminiſtrators of Executors *De ſon tort*, liable as the Teſtator.
Reviver, 1 *Jac.*2.*c.*17.§.14.	Continues 30 *Car.*2.*cap.*7. for ſeven years.
Province of York, 4 & 5 *W.*& *M.c.*2.§.2.	Inhabitants of Province of *York* may diſpoſe Perſonal Eſtates by Teſtament.
Exception, §.3.	Except Citizens of *York* and *Cheſter*.
Executors or Adminiſtrators of Executors, or Adminiſtrators Waſting, c.24.§.12.	Executor, or Adminiſtrator of Executor, or Adminiſtrator *de Jure*, that ſhall convert Teſtator or Inteſtates Goods, ſhall be liable as Teſtator or Inteſtate.

Exemption, ſee *Priviledge*.
Exemplifications, ſee *Records*.

Execution.

Double voucher,16 *Ed.*1.*c.*12. *Glouc.*	For the value of Warranty, ſhall be before Juſtices on Recovery upon a foreign Voucher in *London*, but if determined, below.
Statute Merchant, 11 *Ed.*1. *p.*35. *Act. Burnel.*	On Stat. Merch. day expired, Goods and Burgage movable ſhall be ſold preſently, and if appraiſed too high, Creditor may refuſe and deliver them to Appraiſors, if too low, Debtor hath no remedy.
§.2.	Shall not be againſt Bail on Stat. Merch. while Debtor hath ſufficient moveables.
Elegit,13 *Ed.*1.*c.*18. *W.*2.	Plaintiff on Recovery of Debts or Damage may elect *Fi. fac.* of Lands and Goods, or delivery of Chattels, except Oxen and Beaſts of Plow, and moiety of Land by reaſonable extent, till Debt ſatiſfied.
Scire facias,*c.*45.	For things Recorded may be againſt Party or Ordinary within the year preſently, but after the year, not without *Sc.fac.*
Recognizance,13 *Ed.*1. *p.*54. *Stat.Merch.*	Shall go out of Chancery returned before Juſtices of one Bench or the other, on Certification of Statute by Mayors and Officers in Towns, and is of Lands from day of Recognizance until Debt be fully ſatisfied, allowing all Damages, Coſts, Labours, Suits, Delays and Expence.
Executor, 9 *Ed.*3.*c.*3.	Againſt that Executor,&c. who firſt anſwers, &c. at the Grand Diſtreſs,&c.
Recognizance, 25 *Ed.*3. *St.*4.*c.*5.	May be taken by Executors of Executors on Stat Merch. or Recognizance of the firſt Teſtator.
Statute,5 *Hen.*4.*c.*	On Statute once ſhewed in *C. B.* may be at another time without ſight, notwithſtanding diſcontinuance of Proceſs,&c.
Falſifie,21 *Hen.*8.*c*	By *Stat.Merchant*, *Staple* or *Elegit*, may falſifie Recovery.
Recognizance, 23 *cap.*6.	On Recognizance before either Chief Juſtice or Mayor, and Recorder is the ſame, as heretofore on *Stat. Staple.*
Scire facias,32 *Hen.*	Recogniſee evict without fraud or default, ſhall have *Sc.fac.* againſt the firſt Defendant,his Heirs, Executors,&c. of Lands liable then,&c.
Kings Palace, 3 *cap.*12. §.8.	The Solemnity of ſtriking off the Hand of Blood ſhedder in the Kings Palace.
Kings Debt,*c.*39.	For the Kings Debt, ſhall be preferred.
Sheriffs Fee, 29 *c.* 4.	Sheriff to have twelve pence in twenty ſhillings, if ſum exceed not an hundred pound, and ſix pence in twenty ſhillings if above.
Priviledge, 1 *Jac.* §.2.	May be ſued out *de novo* after priviledge of Parliament ended,&c.
Error, 3 *Jac.c.*8.	Shall not be ſtaid by Error in Debt on Bond for Money, Rent,&c. unleſs Bail,&c. be put in.
Reſtitution, 21 *Ja*	Such Tenant may have Reſtitution, as if Freehold on forceable Entry.
De novo, *c.*24.	May be ſued out *de novo* againſt Lands,&c. of one dying in Execution.
Purchaſer,&c.§.	Not to prejudice Sale *bona fide*,and payment by conſent of Creditor.
Contribution,16 *Car.*2.*c.*5.§.2.	Extents not to be avoided on Statute, Judgment, or Recognizance for omitting part, but party extended on, to have Contribution againſt party omit.
§.3.	No Contribution againſt Heir during minority.
§.4.	This to extend only to Statute for money, and to Extents within twenty year,&c.
§.5.	Continued for three years, and ſo to next Seſſion of Parliament.
22 & 23 *Car.*2. *c.*	Makes 16 & 17 *Car.*2.*cap.*5. perpetual.
Superſedeas,*c.*8.	Shall not be ſtayed after Verdict in perſonal Action till Recognizance, nor Error allowed in Dower or Ejectment till Bail.
§.4.	Shall be had on Return of mean profits,and waſte after the firſt Judgment.
*Cap.*20.	Any Juſtice of Peace to ſend for Priſoner,14 *Apr.*1671. a Mile.
§.2.	On Oath mention, §.3. Juſtice of Peace to remand and certiſie to next Seſſions, and on notice to party, and Oath not diſproved, Seſſions to diſcharge.
§.4.	If Creditor will not be ſatisfied, to deliver party to pay one ſhilling ſix pence *per* Week to Priſoner.
§.5.	Gaoler to plead General Iſſue, and have double Coſts.
§.6.	Notwithſtanding diſcharged, the Judgment to ſtand againſt Eſtate and new Execution,&c.
§.7.	On Perjury party may be retaken and puniſht, by 5 *Eliz. cap.*4. alſo.
§.8.	Gaoler forfeits an hundred pound, on refuſal to bring Priſoner ſent for.
§.9.	Under-Sheriff, Bailiff, &c. not to carry party Arreſt to Tavern, or take undue Fees.
§.10.	Gaoler, Bayliff, &c. to permit party Arreſt to ſend for Beer, Ale,&c. as he pleaſeth.
§.11.	That Juſtices uſe endeavours to find out Gifts to Gaols and poor Priſoners.
§.12.	Accounts of Gifts and rates of Fees, to be ſigned by Chief Juſtice and Chief Baron or two,&c.
§.13.	Debtors and Felons not to be put together.
Tythes,&c.29 *Car* §.10.	Shall be of Rectories, Tythes,&c. and in truſt diſcharge, &c. as if *Ceſtuy que Truſt* were ſeiſed.
Lien, §.16.	Binds property of Goods but from time of delivery to the Sheriff.
Service, *c.*7.§.6.	Served on the Lords-day, void.
Diſcharge 30 *Car* §.2.*N.*1.	All Perſons in Priſon, upon 29 *May*, 1678. by mean Proceſs, Judgment or Execution, for Debt or Damages, to be diſcharged taking the Oath, as in 22 & 23 *Car.*2. *cap.*20.§.2.
Executions retu 1 *W.*& *M.Seſſ.*1.*c.*	Executions returnable *Eaſter* Term next, may be ſued out before 17. *Apr.* 1689. to be dated the day they are ſued out.
Proceſs,&c. of M mas **Term**,168	Writs and Proceſs, as of *Michaelmas* Term 1688, Executed before returnable, to be good.
In Court of P dent,&c.*c.*27.	Executions upon Judgments and Proceſs, in Court of Preſident and Council of *Wales*, before *June* 1689, to be as before the diſſolution of the Court.
On Grants of 2 *W.*& *M.Seſſ.*1.*c.*	Executions upon Grants, of Forfeitures pardoned, void.
Heir liable, 3 & *M.c.*14.	Heir ſhall be liable to Execution upon Judgment againſt him, for value of Lands deſcended, and not *bona fide* aliened before Action brought.

Exigent, ſee *Utlary*.
Exaction and *Extortion*, ſee *Fees*.

Exile.

Exile.

Baniſhment, Utlary, Ouſter le mere, Fugitive, Abjuration Pilgrimage.

eeman, 9 *H.*3.*cap.*29. *Magna Chart.*	No Freeman ſhall be Exiled, but by Judgment of his Peers, or by the Law of the Land.
er-killer, 9 *H.*3. *St.*2. *c.*10. *Ch. de Foreſta.*	Deer-killer that cannot find Sureties after a year and a days Impriſonment, ſhall abjure the Realm.
ail, 3 *E.* 2. *c.* 15. *W.*1.	Sheriff ſhall not Bail perſons abjured.
eſpaſs in Park, 3 *Ed.*1. *cap.*20. *W.*1.	Treſpaſs in Parks or Pond, if Inſolvent, after thre years Impriſonment, ſhall abjure the Realm.
nfeſſors, 9 *E.* 2. *c.*10. *Art. Cler.*	Confeſſors ſhall not inform Appellors what perſons abjure ſay.
rk, *cap.*15.	Clerk ſubmitting to the Law, ſhall not be forced to abjure, taking Sanctuary.
encers, 1 *Ed.*3. *cap.* 1.	A Confirmation of the Baniſhment of the *Spencers*, *Cap.*2. the Repeal thereof void.
lgrims, 9 *Ed.*3. *c.* 8.	Pilgrims ſhall paſs over Sea only at *Dover*.
viſion, 13 *Rich.* 2. *Stat.*2. *cap.*2.	He that beyond Sea or here accepts Benefice by any proviſion from *Rome*, ſhall be baniſht.
gitive, 2 *Hen.*5. *c.*4.	Juſtices of Peace may ſend Proceſs for Fugitive out of the County.
holars, 9 *H.*5. *c.*8.	Scholars Baniſht the Univerſity that diſſeiſe men, Hunt in Foreſt, or take Clerks convict of Felony out of Priſon, to be outlawed.
jurers, 21 *H.*8.*c.*2.	Perſons abjure, to be markt with a hot Iron on the Thumb.
Hen. 8. *cap.* 14.	Perſons abjure may elect Sanctuary, and if taken out, hang'd.
part the Realm, 13 *Eliz. c.* 3.	None to depart the Realm without Licence, but to return on ſix months notice, forfeit, &c.
gitives, 14 *El. c.* 6.	The Queen may grant Lands of Fugitive, by Copy, &c.
piſt, 35 *El.c.*1.§.2.	Papiſt not Conforming in three Months after Convict, ſhall abjure, &c. in Seſſions,
lony, §. 3.	Not abjuring, departing or returning, to be Felony without Clergy.
cuſant, 35 *El.c.*2.§ 8.	Popiſh Recuſant, unleſs Feme Covert, or of twenty Marks *per annum* to abjure.
rtificate, §. 9.	Juſtice of Peace or Coroner to certifie Abjuration, Gaol-delivery at Aſſizes.
fuſ. to abjure, §.10.	Refuſing to abjure, &c. Felon without Clergy.
actice againſt King, 3 *Jac. cap.* 4. §. 22.	Practice on or beyond the Seas, to withdraw from the Kings obedience, or to be reconciled to the Pope, Treaſon.
uaker, 16 *Car.* 2. *c.* 4. §.18.	Quaker refuſing it when legally tendred, is Convict, and ſhall be Tranſported.
ptives, 16 & 17 *Car.* 2.*c.*24.	For Relief of Captives taken by the Moors.
idence of death, 19 *Car.* 2. *cap.*6.	Abſence ſeven year is evidence of Death of Tenant, unleſs his life be proved.
arendon, *cap.* 10.	The Earl of *Clarendon*.
nds, 22 & 23 *Car.* 2. *cap.*1. §.2.	Baniſhment of Sir *Thomas Sands*, &c. unleſs they appear by a day.
ranſportation, *c.*7.§.4.	The Judges may Tranſport deſtroyers of Stacks of Hay, Corn, &c. in the Night.

Exportation, ſee *Merchants*.

Faculties.

Faculties, ſee *Eccleſiaſtical Perſons.*
Faits, ſee *Deeds.*
Fait Enrol, ſee *Enrolments.*
Fairs, ſee *Market Overt.*
Falſifying of Recoveries, ſee *Recoveries* and *Colluſion.*
Falſe Judgment, ſee *Error.*
Farms, ſee *Leaſes.*
Faſting, ſee *Days*, *Religion.*
Fealty, ſee *Services.*

Fees.

Wages, Appraiſment, Reward, Bribe, Extortion, Allowance, Salary.

nqueſt, 9 *Hen.* 3. *c.*26. *Mag. Charta.*	Nothing ſhall be taken for an Enqueſt of life or member, but grant freely, and not deny.
heriffs, *cap.*35.	Of Sheriffs County Court, Hundred, and view of Frankpledge, ſhall be as in time of *H.* 2.
himage, 9 *H.* 3. *St.* 2. *c.*14.*Ch.de Foreſta.*	Only Forreſters in Fee-Farm ſhall take Toll or Chimage, two pence half yearly of Cart, and half peny of Horſe Loaded, of Merchants that buy and ſell Wood, but nothing of Bearers of Burden, except in the Kings Demean.
onſtable, 3 *Ed.* 1. *c.*7. *W.*1.	Conſtable or Caſtellain ſhall exact no price of ſuch as be not of the Town, and that on Agreement or Payment in forty days.
air pleading, *c.* 8.	Nothing ſhall be taken for fair pleading as prohibited, 52 *H.*3. *cap.*11.
oroner, *cap.* 10.	Coroner ſhall take nothing for doing his Office.
heriff, *cap.* 26.	No Sheriff nor other the Kings Officer ſhall take any Reward but of the King, elſe ſhall yield twice as much, and be puniſht at the Kings pleaſure.

No Clerk of any Juſtice, Eſcheator or Enquirer, ſhall take any thing for delivery of Chapiters, but only Clerks of Juſtices in Circuit twenty ſhillings and no more, of Wapentake, Hundred or Town that anſwers by twelve or by ſix, elſe pay thrice as much, and loſe ſervice for a year.	**Chapiters**, *cap.* 27.
Taken unduly by Officers and Criers of Fee, Office ſhall be ſeized into the Kings hand, by Marſhal to Juſtices in Eyre, puniſht at the Kings pleaſure, both to pay thrice the value of what received.	**Puniſhment**, *cap.* 29.
Of Marſhal and Chamberlain of the King is a Palfry, or the price, of ſuch as hold by Barony, and of an entire Barony a reaſonable Fine when they do Homage, whether Spiritual or Temporal perſons.	**Marſhal Baron**, 13 *E.* 1. *cap.* 42. *W.*2.
Of the Juſtices, Marſhal in Circuits, is ten pence for keeping Jury, &c. of Chirographer four ſhillings, of Clerks for Original or Judicial Writ one peny, and on third offence forfeit Office in Fee, elſe fore-judge the Court.	**Juſtices Marſhal**, *c.*44.
Nothing ſhall be taken by Sheriffs or Gaolers, on Receit of Felons.	**Sheriffs**, 4 *Ed.*3.*c.*10.
The Judges Fees increaſed.	**Judges**, 20 *Ed.*3.*c.*1.
The old wages and no more, ſhall be given to Servants.	**Servants**, 23 *Ed.*3.*c.*3.
Any Artifier or Workman, that takes more Wages than uſed to be paid, ſhall be committed to Gaol.	**Artificers**, *c.* 5.
Taker of more Wages then uſed, ſhall pay Surplus towards the Kings Tenth.	**Puniſhment**, *c.* 8.
The year and days Wages of Servants, and Labourers in Husbandry.	**Servants, &c.** 25 *Ed.*3. *cap.*1.
What ſhall be given for Threſhing all ſorts of Corn by the Quarter.	**Threſhers**, *c.* 2.
Of ſeveral ſorts of Artificers and Labourers.	**Artificers**, *cap.* 3.
Forreſter ſhall take no ſuſtenance, without good will.	**Forreſt.** 25 *E.*3.*St.*4.*c.*7.
Of Aulnager is half peny a whole Cloth, a farthing half, and not otherwiſe taken of Seller.	**Aulnager**, 27 *E.*3.*c.*4.
Of the Staple Commodities.	**Staple Commodities**, 27 *E.*3.*St.*2.*cap.*1.
For Oligation or Recognizance before the Mayor of Staple an hundred pound or under, a half peny above an hundred pound, a farthing of every fifty pound.	**Recognizance**, *c.*9.
Taken on Probat of Wills by outragious Fines, Oppreſſions and Extortions, ſhall be enquired of by the Juſtices.	**Extortion**, 31 *Ed.*3.*c.*4.
None ſhall give Pariſh Prieſt more Wages than three pound ſix ſhillings eight pence, or his Board and one pound ſix ſhillings eight pence.	**Pariſh Prieſt**, 36 *Ed.*3. *cap.* 8.
Eſcheator ſhall take none of Wood, Fiſh, nor Veniſon, of Lands ſeized.	**Eſcheator**, *c.* 13.
Of two Clerks that make parcels of Accounts, is as Aſſign by Barons of Exchequer.	**Exchequer**, 5 *R.*2.*c.* 12.
Of Clerks for Commiſſion two ſhillings, for *Niſi prius* two ſhillings.	**Commiſſion, Niſi prius**, *cap.*16.
Shall be taken by Juſtices and Barons of none but the King, but by 9 *R.*2.*Cap.*1. Repealed.	**Juſtices**, 8 *Rich.*2.*c.*3.
Of Prieſts taken in the *Marſhalſea*, ſhall be the ſame as Lay.	**Prieſts**, 9 *Rich.*2.*c.* 5.
The Penalty of giving or taking more Wages than appoint.	**Penalty**, 12 *R.*2.*c.*4.
Of Juſtice of Peace is four ſhillings *per diem*, Clerk two ſhillings during Seſſions.	**Juſtice of Peace**, *c.* 10.
Archbiſhop or Duke ſhall pay a thouſand pound, Biſhop or Earl a thouſand Marks, Abbot, Prior, Baron or Baronet, five hundred Marks, Clerk, Bachelor, or other, two hundred Marks.	**Archbiſhop, &c.** 13 *R.*2. *St.*2. *cap.*1.
No Duke, Earl, Baron, nor Baronet Juſtices of Peace, to take any, and Sheriff to allow only eight others.	**Duke, &c.** 14 *R.*2.*c.* 11.
Sheriff being Attaint of Extortion, puniſh at the Kings will.	**Extortion**, 1 *H.*4.*c.*11.
Chirographer of Fines, of *C. B.* his Farmer or Deputy, ſhall take but four ſhillings for Fine Levy, elſe forfeit Office, before-judged, and pay treble Damages.	**Chirographer**, 2 *H.*4.*c.*8
Clerk of the Crown of *B. R.* ſhall have but two ſhillings for *Ven.fac.* or Plea where there are ſeveral Defendants.	**Clerk of the Crown**, *cap.* 10.
Marſhalls Fee on *Capias* four pence, Bail two pence, in Treſpaſs two pence, Impriſonment by Judgment four pence, of Felon delivered or Bail four pence, ſhall not be more on loſs of Office.	**Marſhal**, *c.*33.
No Servitors of Bills that bear Staff, take more than one Peny a Mile, and double for *Ven. fac.* twelve, on Impriſonment and Fine.	**Servitors of Bills**, §.2
The old Fee, one ſhilling ten pence, uſually paid for Concord, to be paid for Enrolment of the Writ of Covenant, &c. to Chirographer of Fines.	**Chirographer**, 5 *H.* 4 *cap.* 14.
The yearly Wages of Chaplains four pound thirteen ſhillings four pence, and of Pariſh Prieſts ſix pound for Board, Apparel, and other neceſſaries.	**Chaplains**, 2 *H.*5.*St.*2.*c.*2
Ordinary ſhall take no more than in time of *Ed.* 3. for proving Teſtament with Inventory.	**Teſtament**, 3 *H.* 5. *St.*2 *cap.* 8.
The Penalty of exceſſive Wages by 12 *R.*2. *Cap.*4. ſhall be impoſed only in the Taker.	**Penalty**, 4 *H.*5.*c.*4.
Wages of Artificers and Workmen, ſhall be proclaimed by Juſtice of Peace.	**Artificers, &c.** 6 *H.*6.*c.*3

Weighing, 8 *Hen.6.c.5.*	Of Foreigners for every Draught within forty pounds one farthing, and between one hundred and a thouſand weight, one peny at moſt to Head Officer, weighing, &c.
8 *Hen.6. cap.8.*	A Confirmation of 6 *H.6. Cap.*3.
Extortion, 9 *Ed.6.c.7.*	Sheriffs of *Hereford* ſhall do no Extortion, on forfeiture of Office.
Gauger, 18 *H.6.c.*17.§.2.	Of Gauger, is for Oil and Hony, as for Wine *per* Pipe or leſs.
Sheriff, &c. 23 *H.6.c.*10.	Of Sheriff twenty pence for Pannel, Bailiff four pence, Gaoler four pence for Arreſt, four pence for Pannel, four pence for Bail to appear.
Kts. of Parliament, *Cap.*11.	Wages of Knights of Parliament ſhall not be taxt by Sheriff in preſence of Coroners and Conſtables, and levied on Hundred and Village ſued.
Eſcheator, *cap.*17.	Of Eſcheator for Office, ſhall not exceed forty ſhillings.
Reſumption, 31 *H.6.c.*7.	Of Officers, ſhall not be compriſed within 28 *H. Cap.* of Reſumption.
Exchequer, 33 *H.6. c.* 3.	The Fees and Extortion of Officers of Exchequer.
Tile, 17 *Ed.*4. *cap.*4.	Of Searchers of Tile, is of every Tile-maker for one thouſand of plain Tile one peny, for one hundred of Roof Tile an half peny, of Gutter or Corner a farthing.
Coroner, 3 *Hen.7.cap.*1.	Of Coroner, is thirteen ſhillings four pence, for enquiring of ſlain or Felon eſcaped.
Continuance of the Act 4 *Hen.7. cap.7.*	Shall be no longer in force, than while the Kings Officers do their duties.
Souldier, 7 *Hen.7. c.*1.	Of Yeomen Souldier, ſhall be ſix ſhillings eight pence, of a Gentleman, thirteen ſhillings four pence yearly.
Marking Buſhel, 11 *Hen.7. cap.4.*	For marking every Buſhel, one peny to Head Officer, &c.
Pauper, *Cap.*12.	The Poor ſhall pay none to Clerks, Attornies, nor Councel.
Servants, &c. *c.*22.	Of Servants, Bailiff, Hind, Carter, Shepherd, and Child not fourteen years old, in Husbandry.
Gauging, *c.*23.	Of Gauging a Barrel of Eels, Herring, &c. a farthing, for Search and Packing one peny, for Napping, Boning of Barrel Fiſh one peny, for Barrel two pence of Eels, on forfeit of Office and Impriſonment.
Artificers, 12 *H.7.c.*3.	A Repeal of 11 *H.* 7. *cap.* 22. as to Wages of Artificers.
Coroner, 1 *H.8. c.7.*	Coroner ſhall take none for enquiry of men ſlain by miſadventure, &c.
Penalty, 4 *H.8.cap.5.*	No penalty on giver of more Wages that the Statute appoints, 12 *R.2. Cap.*4.
Cuſtomer, *cap.6.*	Of Cuſtomer or Controller, is two pence for Sealing every piece of Cloth of Gold, Silver, Bawdekin, Velvet, Damask, Sarcenet, Chamlet, or other Silk Cloth, and forfeity twenty pound if more.
Servants, 5 *Hen.* 8.*c.*3.	The Wages of Servants in Husbandry.
Waterman, 6 *H.8.c.7.*	The Fares of Watermen near the City of *London.*
Probate, 21 *H.8.c.5.*	For writing Probate of one hundred ſhillings or under, only ſix pence, for Adminiſtration ſix pence.
Probate, §.3.	Of Probate above five pound, and under forty pound, only three ſhillings four pence, to the Ordinary two Shillings ſix pence, and to Scribe one ſhilling and not above, for Probate above forty pound only five ſhillings, *viz.* two ſhillings ſix pence to the Ordinary, and two ſhillings ſix pence the Regiſter or Scribe, or one peny every ten lines of ten Inches.
Copy of Probate, §.5.	The like for Copies demanded of either.
Penalty, §.7.	Ordinary or Officer, &c. doing *contra,* to forfeit what is received, and ten pound.
Mortuary, *c.6.* §.3.	For Mortuary of ten Marks or more, is only three ſhillings four pence to Parſon.
Apprentice, 22 *H.8.c.*4.	Corporation ſhall take of Apprentice only two ſhillings ſix pence entring, and two ſhillings four pence when coming out of time.
Commiſſioners of ſewers, 23 *H.8.c.5.*§.13.	Commiſſioners of Sewers to have forty ſhilling a day, Clerk two ſhillings.
Execution, *c.6.*§.8.	For Proceſs of Execution on Recognizance, is as on Statute Staple, an half peny in the pound.
Recognizance, §.10.	Of Chief Juſtice or Mayor, &c. for Recognizance three ſhillings four pence, Clerk three ſhillings four pence, and for a Certificate twenty pence.
Citation, *cap.9.* §.6.	For Seal of Citation from Archbiſhop or Ordinaries Court, three pence.
Diſpenſations 25 *H.* 8. *cap.*21.§.12.	None to pay more for Diſpenſations then as Tax in Book of Rates.
Quietus, 26 *H.8. c.*3.§.20.	None to be taken by Officers of Eſcheator, of any Archbiſhop, Biſhop, &c. for Account or *Quietus,* as Collector of Penſions, Tenths, &c.
Incumbent, 26 *H.8.c.*15	No Portion or Penſion ſhall be taken after death of Incumbent, but for Probate the Fees, 21 *H.8.Cap.5.* §.3. and *Cap.6.*§ 3.
Signet, 27 *H.8.c.*11 §.4.	Clerks of Signet and Privy Seal, ſhall make Bills in three Months after Receit.
§.8.	For Signet or Privy Seal, Clerks of Warrant for Tales, or Reward twelve pence, for Office, Penſion, or Annuity twenty pound, or Wages for *Conge de Eſlire*, Royal Aſſent, Reſtitutions of Temporalties, Ideot and Ward, three ſhillings four pence.

Of Packer for telling Leather two pence a Dicker, that is, ten Hides, and four pence to the Town or Port.	**Leather,** *cap.* 14.
For writing, where Deed exceeds not forty ſhillings *per annum,* two ſhillings and five pence; if it exceed, for Clerk half, and Juſtice for Inrolment half,	**Deed,** *cap.* 16.
Fines for Alienation of *Capite* Lands, to be paid upon the Writs of entry in *Chancery.*	**Fine,** 32 *H.8. c.*1.§.
To Eſcheators for Office, &c. ſix ſhillings eight pence, writing three ſhillings four pence, Jury three ſhillings, Officers two ſhillings, &c.	**Eſcheators,** 33 H *cap.* 22.§.18.
Sewers to have only ſuch Fees as by 23 *H.8. cap.5.*§.13. are ſaid to be paid for *Dedimus Poteſtatem* in *Chancery*	**Sewer,** 3 & 4 *E.6.*
Alehouſe-keeper to pay only twelve pence for Recognizance, &c.	**Alehouſe-keeper,** 5 6 *E. 6. cap.* 25.
For Poundage of Diſtreſs, not above four pence, and leſs as uſed.	**Diſtreſs,** 1 & 2 *Ph* *Mar. c.*12.§ 2.
Watermens Fares to be ſet by Lord Mayor and Court of Aldermen.	**Watermen,** 2 & 3 & *Mar. c.*16 §.1
Officer that payeth not Souldier, &c. forfeits Treble, &c.	**Military Officer,** 4 5 *Ph.& Mar. c.*3.
Of Servants, Labourers, and Artificers, ſhall be Aſſeſt by a Juſtice of Peace.	**Servants, &c.** 5 *El.* §.15.
Of Juſtice of Peace ſitting in Execution of this Act, five ſhillings *per diem.*	**Juſtice of Peace,** §
To the Clerk of the Peace, &c. for Licence of Kidder, Drover, Badger, &c. and for Recognizance eight pence, Regiſter four pence.	**Licence of Kidder,** §.6.
For Enrolment of Fine or Recovery ſix ſhillings eight pence, Exemplification five ſhillings.	**Enrolment of Fine,** 32 *Eliz. c.3.* §.6.
Clerk of Recognizance to take only two pence for every years Search, on Statute Merchant or Staple, &c.	**Search of Statute,** 27 *Eliz.c.*4. §.10.
For Enrolment of Fine or Recovery in *Wales, &c.* five ſhillings, for Exemplification three ſhillings.	**Enrolment of Fine** Wales, **&c** 27 *E.c.9*
For Execution on Lands, Goods, &c. twelve pence in twenty ſhillings, under a hundred pound, and if above, ſix pence in twenty ſhillings.	**Execution,** 19 *E.c.*4
Not to extend to Fees taken in City or Town Corpo-	§.2.
For Gauging Foreign Veſſels of Beer and Ale one peny the But, and ſo proportionable.	**Gauging of Foreig Beer, &c.** 31 *E.c.*8
Biſhop of *Durham* to have only one Fee for Proclamation, and Mandate, &c.	Durham, **Proclamati** *cap.* 9. §.7.
The Authority of 5 *Eliz. c.*4. §.15. to extend to all that may Rate, and to all Labourers, Weavers, Spinſters, and Work-people whatever.	**Labourers,** 1 *Jac.c.6.*
Majority reſident in any Diviſion of Juſtice of Peace, to Rate, &c.	**Rate,** §. 5.
The Proclamation of Rates to be obſerved.	**Proclamation,** §.6.
Clothier and other not obſerving the Rates, forfeits ten ſhilling.	**Clothier,** §.7.
No penalty for not certifying Rates into Chancery, ſo they be proclaimed.	**Rate,** §.8.
No Clothier Juſtice of Peace, to rate any Artiſan of Cloth.	**Juſtices,** §. 9.
He forfeits an hundred pound, that takes any thing for Report, on reference to him by Judges.	**Reference to Judg** *c.*10.
Clerk to have twelve pence the firſt Side, and two pence after for writing, &c.	**Writing,** §.2.
Clerk of the Peace to take only twelve pence for Licence to Shoot in hand Gun, &c.	**Licenſe Hand-gun,** §.7.
An Attorney muſt give a Bill before he Charge his Client, &c.	**Attorney,** 3 *Jac cap.7.*
Of Officers of Wine are five ſhillings Licence, four pence Acquittance, and ſix pence Bond.	**Wine Officers,** 12 C 2.*c.* 25. §. 10.
Of Poſt-Maſter for Inland Letters.	**Poſt-Maſter,** *c.*35.§.4
For Foreign Letters.	**Foreign Letters,** §.5
Payment to be where Letter is laſt delivered.	**Payment where,** §.1
Hackny Coachmen to take but ten ſhillings a day, *viz.* twelve hours, or eighteen pence the firſt hour, and twelve pence the next, and from the Inns of Court to *Weſtminſter,* St. *James,* or *Exchange,* twelve pence.	**Hackny Coach.** 14 C 2. *cap.* 2. §.8.
For Affidavit in Dutchy of *Lancaſter,* twelve pence.	**Affidavit,** 16 & 17 C 2. *c.* 9. §.2.
No Damage clear to be taken after 29 *Sept.*1672.	**Damage clear,** 17 *Car.* 2. *cap.* 6.
Of Mariner for Probate of Will or Adminiſtration, &c. only twelve pence.	**Probate of Will,** 1 *Car.2. c.7.* §.6.
Repeals 19 *Car.2. Cap.7.*§.6. only,	**Repeal,** 22 & 23 *C.2.c.2*
Wife, Child, &c. of Seamen to pay only five ſhillings for charge of Executor or Adminiſtrator, unleſs the Eſtate exceed twenty pound.	**Mariner Executor,** §.1
Of Commiſſioners for taking Affidavits in the Country, is twelve pence.	**Affidavit,** 29 *Car.2.c.5* §.3.
Fee to Clerk of Doggetts, for ſearch of Judgments four pence.	**Searching Judgment,** 4 & 5 *W& M.c.*20.§.2.
To Clerk of Judgments, for Judgment entred, above other Fees four pence.	**Entring Judg.** §. 4.
Clerk of Crown, to Enrol only granting part, of grants of Felons Goods, &c. for which to have twenty ſhillings.	**Grants** de bonis felonum **Fee for entry,** *cap.*22.
Clerk of Crown not to Iſſue Proceſs againſt Grantees after Enrolment of Grants, on Penalty of five pounds, but may againſt thoſe whoſe Titles are not Enrolled, or pleaded, although the original Grant be.	**Iſſuing proceſs againſt Grantees** § 2.

No

c. 24. §. 20. No Fees ſhall be taken for returning *Tales*, or an account of *Tales* returned on pain of Ten pounds.

to the Army, 5 & 6 *W.* & *M. c.* 20. Officers in Receipt, may receive one pence in the pound, for Moneys iſſued to the Army.

Fee-Farms, ſee *Rents.*
Felony, ſee *Coron.*

Feoffment.

within Age, 52 *H.* 3. *c.* 6. *Marlbr.* Of Heir within Age to defeat Wardſhip, is no cauſe for Lord to Enter, but on Suit againſt Feoffee if Colluſion be found, he ſhall be reſtored, if not, pay damages.

treſs, *cap*, 9. Diſtreſs ſhall not be for other Services, unleſs done before King *H.* 3. Voyage into *Britain*, being thirty years and half unto this time, nor otherwiſe on Parol Ancient Feoffment before the Conqueſt.

rch. 3 *Ed.* 1. *c.* 43. *W.* 1 Joyntly to many ſhall not fourch by Eſſoin, but have only one.

ardian, *cap.* 48. By Guardian of Wards Land, is a Diſſeiſin, and *Prochein Amy* may ſue an Aſſize.

g, 4 *Ed.* 1. *c.* 1. *De igamis.* By the King with warranty, is ſufficient for *Aid del Roy*, and Juſtices ſhall not proceed without the Kings Command.

del Roy, *cap.* 2. On Surrender, or Confirmation of Deed to uſe of another, or a Grant is ſufficient to have *Aid del Roy*.

rranty, *cap.* 6. By *Dedi* and *Conceſſi*, to hold of the Feoffor, binds Heir to Warrant, not if to hold of the Chief Lord, but Feoffor muſt Warrant both.

demur, 6 *Ed.* 1. *c.* 2. *Glouc.* Of Anceſtor or other thing on which Enqueſt is taken, hinders the Parol to demur for Nonage of Plaintiff.

Heirs, *cap.* 3. Of Tenant *per* Courteſie, bars Heir but to the value of Aſſets deſcend from the Father, which may be Reſummoned at any time, alſo Feoffment by Baron and Feme bars not Heir.

ant Dower, *c.* 7. By Tenant in Dower or Leaſe for Life, is preſent forfeiture, and Heir may have Writ of Entry.

in Tail, 13 *Ed.* 1. *c.* 1. *W.* 2. By Donee in Tail is void on death, without Iſſue againſt Donor.

iority, *c.* 16. Priority ſhall be preferred in Marriage of Ward, not Sex or quantity of Land, diſcend from Father or Mother.

of Entry, *cap.* 21. Heir of Lord may have a Writ of Entry againſt Heir of particular Tenant, after ſuch Alienation.

as before, 18 *E.* 1 *c.* 1. *Qu. Empt.* By one Freeholder to another, ſhall ſtill hold of the Chief Lord as before.

pportionment, *c.* 2. Services ſhall be apportioned to Chief Lord, according to the quantity of the Lands ſold.

main, *cap.* 3. Of Fee Simple ſhall not be made, whereby Lands come into Mortmain.

ditor, 50 *Ed.* 3. *c.* 6. To Friends and fleeing into Fanctuary, if found by Colluſion, taking the profits, &c. is void againſt Creditor.

great men void, 1 *Rich.* 2. *c.* 9. To great Men or perſons unknown, void, and Recovery may be had againſt the firſt Feoffor, if he take the profits.

main, 15 *R.* 2. *c.* 5. To others to uſe of any Corporation or Fraternity, if they take the profits, its Mortmain.

cible entry, 8 *H.* 6. *c.* 9. §. 3. & 6. By forcible Entrer or Detainer for maintenance, void.

to uſe, 1 *R.* 3. *cap.* 1. Shall be good to Feoffee and his uſe, againſt Feoffor and all claiming to his uſe.

Feoffee to uſe, §. 5. The Lands whereof the King was joyntly Enfeofft to uſe of Feoffor, ſhall be in the Co-Feoffees.

diſcontinuance, 32 *H.* 8. *cap.* 28. §. 6. By Husband ſeized *Jure uxoris*, no diſcontinuance, but her Heir may enter.

Fens, ſee *Sewers.*
Feſants, ſee *Fowl.*
Fifteens, ſee *Taxes.*
Fighting, ſee *Treſpaſs.*

Fines.

Aſſurances, Cuſtos Brevium, Chirographer, Contempt.

diſſeiſin, 20 *H.* 3. *c.* 3. *Merton.* On Deforceor for Rediſſeiſin after Recovery before, againſt him.

ediſſeiſor, 52 *H.* 3. *c.* 8. *Marlbr.* Rediſſeiſor not to be delivered till fined, without the Kings ſpecial Command.

heriff, 3 *Ed.* 1. *c.* 9. *W.* 1. Of Sheriff for concealing Felon, or not making freſh Suit.

ailing perſons, *c.* 15. At the Kings pleaſure for Bailing perſons not Bailable, or taking Reward.

ine on County, *c.* 18. The Common Fine or Amerciament on County ſhall be Aſſeſſed, and Eſtreat by Juſtices in Eyre, and not by Sheriffs and Barretors, but by the Juſtices by the Oath of Knights.

heriff, *cap.* 19. Of Sheriff that doth not diſcharge the Kings Debtor on payment, or make Tally thereof.

ark, *cap.* 20. A the Kings will after three years Impriſonment for Treſpaſs in Parks or Ponds.

iſſeizor, *cap.* 37. And Impriſonment of Diſſeizor with Force or Robbery.

If none be Levied in the Kings Courts, no Deed of Baron and Feme will bar Heir of Feme in Mortdanceſter, &c. **Baron and Feme**, 6 *Ed.* 1. *c.* 3 *Glouc.*

By Tenant in Tail on death without Iſſue, is void againſt Donor in Reverſion. **Donor**, 13 *Ed.* 1. *c.* 1. *W.* 2.

Chirographer hath four ſhillings for Original or Judicial Writ, to Clerks one peny, on forfeit, &c. **Chirographer**, *c.* 44.

The form of a final Concord Pleaded, that it cannot be without Original, and muſt be before four Juſtices in the Bench or in Eyre, and not otherwiſe, which done in preſence of Parties of Age, out of Priſon, of good memory, and Feme-Coverts Examined, and within the four Seas, bars all other that Claim not within year and day. **Final Concord**, 18 *Ed.* 2. *p.* 56. *of Fines.*

Shall not be Adnulled by Jurors falſly and maliciouſly procured, on Averment by Party or his Heir, that he or his Anceſtors were always Seized. **Annulling**, 27 *Ed.* 1. *c.* 1. *de fine Levat.*

Parties that Levy Fine ſhall appear perſonally, that Age, Ideocy, or other Default, may be judged by the Juſtices, but if unable to appear, one Judge ſhall go to the Party, and take the Cognizance with Abbe, Prior or Knight. **Perſonal appearance**, 15 *Ed.* 2. *p.* 81. *Carleil.*

Of Labourers and Servants given to Lords of Franchiſe. **Labourers**, 31 *Ed.* 3. *c.* 6

Non-Claim thereon ſhall be no bar. **Non-claim**, 34 *E.* 3. *c.* 16.

Shall be Levied in the preſence of the Pledges. **Pledges**, 38 *Ed.* 3. *c.* 3.

Chirographer ſhall take only four ſhillings, on forfeit of Office, &c. **Fee**, 2 *Hen.* 4. *c.* 8.

All Writs of Covenant, *Dedimus Poteſtat.* and other Notes of Chirographer, ſhall be Enrolled. **Enrolment**, 5 *H.* 4. *c.* 14.

After Ingroſſing ſhall be proclaimed four times the three next Terms, all Pleas ceaſing, and Tranſcript ſent to Juſtices of Aſſize, and Juſtice of Peace in the County where the Land is, to proclaim and to be certified by them, and ſo bar Strangers, except Covert, Enfant, Impriſoned, or out of the Realm. **Proclamation**, 1 *R.* 3. *c.* 7

Saving ſuch Action, Right, Title, Claim, and Intereſt as grow, &c. by Entail before the Fine, ſo it be purſued in five year. **Rights ſaved**, §. 5.

So it be ſued to ſuch as are Covert, &c. and when the Writ accrues, &c. and to Heirs ſaved till they come to be diſcovert, &c. ſo that they and their Heirs ſue in five year after Diſcoverture, full Age, &c. **Covert**, §. 6.

If Enfants Covert, &c. do not take their Actions when of Age, &c. then to be concluded as Parties. **Enfant Covert**, §. 7.

That Fines as before this Statute Levied, be of the ſame effect as before, and at Parties election as to the manner. **Fines before**, §, 8.

A Confirmation of 18 *Ed.* 1. *pag.* 56. and that after Fine and Proclamation four days in four Terms, it ſhall conclude Parties, ſaving to Heirs of others then Parties, their Right, &c. **Proclamation**, 4 *H.* 7. *cap.* 24.

For Alienation ſhall be paid for Writs of Entry in Chancery, on Recoveries. **Alienation**, 32 *H.* 8. *c.* 1. §. 15.

May be Levied of Tithes as of Lands, &c. **Tithes**, 32 *H.* 8. *c.* 7. §. 7.

Of Abbey Lands, may be in Court of Augmentations. **Abbey lands**, 32 *H.* 8. *cap.* 20. §. 5.

By Husband alone is no Diſcontinuance, but Feme may Enter. **Diſcontinuance**, *c.* 28. §. 6.

Levied according to 4 *H.* 7. *Cap.* 24. ſhall be a bar to Tenant in Tail, and all Claiming to his uſe, or under him. **Bar**, *cap.* 36.

Not to exclude Entry on 11 *H.* 7. *Cap.* 20. on forfeiture by Feme Joyntures. **Entry**, §. 2.

By any that are reſtrained by Statute to Alien void. Void, §. 3.

Not to extend to Patentee of the King, or to Tail by Parliament. **Kings Patentee**, §. 4.

Before Juſtices of Aſſize in *Lancaſter*, of Lands there, Proclaimed two Seſſions after, to be as effectual as in *C. B. &c.* **Before whom**, 37 *H.* 8. *cap.* 19.

Before High Juſtice, &c. of *Cheſter*, good of Lands in County Palatine. 2 & 3 *Ed.* 6. *c.* 28.

Fines without Proclamation if Term be adjourned, as good as with. **Proclamation**, 1 *Mar.* *St.* 2. *cap.* 7.

Before Juſtice of *Durham* proclaimed, two Seſſions before Juſtice of Aſſiſe there, as effectual for Lands there as if at *Weſtminſter*. **Before whom**, 5 *Eliz. cap.* 27.

Writs of Covenant, and whereon Fines are, and Return thereof, &c. may on requeſt of any be Enrolled, and of as full force as if extant. **Enrolment**, 23 *El. c.* 3.

No Fine, Proclamation, or Common Recovery, to be Reverſed for falſe Latine, &c. **Reverſal**, §. 2.

Not to bar Enfant, nor Feme Covert, *Non compos*, Impriſon or beyond Sea, from Error, in ſeven years after Impediment removed. **Error**, §. 3.

Error begun within ſeven years on abatement by death to be ſued by Heir within a year after the ſeven, or of Age of Enfant. §. 4.

Day of Conuſance to be Certified by Taker of Recovery, elſe not to be received, on forfeit of five pound, no Attornment, unleſs entred of Record in Writ, &c. **Day of Conuſance**, §. 5.

Enrolment, §. 6.	An Office to be for Enrolment of Fines and Recoveries, diſpoſed by Chief Juſtice of C. B. Fees ſix ſhillings eight pence, Exemplification five ſhillings, *&c.*
Chirographer, §. 7.	Chirographer to keep a Table of Counties, Towns, &c. and deliver one to Sheriff the Term next before the Aſſiſes, &c, on forfeit of five pound.
Kent's **Manors**, §. 8.	Not to prejudice Error of Fines of Earl of *Kents* Manors, &c.
Fees, §. 9.	Juſtices Clerks to pay nothing for writing out Record, *&c.*
Amendment, §. 10.	No Fines or Recoveries to be amended after Exemplification.
Wales, **&c.** 27 *Eliz. c.*9.	That 22 *El. Cap.* 3. extend to *Wales*, and to *Cheſter*, *Lancaſter*, and *Durham*.
Reverſal, §. 2:	No Fines in *Wales*, &c. to be Reverſed for falſe Latine, Miſ-entry, &c.
Bar, §. 3.	Not to bar Feme-Covert, Enfant, &c. nor Heir of ſuch as die beyond Sea, proſecuting within ſeven years after impediment removed.
Error, §. 4.	Heir may proſecute Error within a year after abatement by Anceſtors death.
Conuſance, §. 5.	Conuſance to be Certified in a year after taken.
Conuſance and Attornment, §. 6.	No Fine to be, unleſs day of Conuſance and Warrant appear, and no Attornment but in perſon.
Enrolment, §. 7.	An Office of Enrolments to be there at diſpoſe of Juſtices, &c. Fees five ſhillings a Fine, Exemplification three ſhillings, and ſo of Recoveries.
Exemplification, §. 8.	Exemplification of Enrolment in Shire of County Palatine, to be Record, *&c.*
Tranſcribed, §. 9.	Juſtices Clerks may Tranſcribe.
Amendment, §. 10.	None to be amended after Exemplification.
Grey, **&c.** §. 11.	Not to *Edw. Grey*, Knight, Lord *Powis*, &c.
Kent, §. 12.	Not to prejudice Error by Earl of *Kent*, &c.
Proclamation, 31 *El. cap.* 2.	Shall be Proclaimed only the Term they are Engroſs'd, and three Terms after once.
Cheſter, 43 *El. c.*15. §. 2.	That 2 *&* 3 *Ed. 6. Cap.* 28. Extends not to *Cheſter*, ſince 6 *April* in 21 *H.*7. made a County of it ſelf.
Fines, §. 3.	Fines in Portmoot before Mayor of *Cheſter*, by Writ out of Exchequer.
Cheſter **Dedimus**, §. 5.	Mayor of *Cheſter* may award *Dedimus Poteſtatem* on Original out of Exchequer.
Reverſal, §. 6.	May be Reverſed by Error before the High Juſtice, as other Judgments.
Felony, 21 *J.c.* 26.	Suffered in anothers name, Felony.
Void, 12 *Car.* 2. *cap.* 12.	Shall not be avoided for defect of legal Power in late Times.
Kings Silver, §. 3.	Before one Judge Confirmed, albeit no Kings Silver Entred,
County Palatine, §. 4.	At *Weſtminſter*, of Lands in County Palatine, Confirmed.
Non-claim, §. 11.	Non-Claim to bar only Parties in late Times.
Fines Burnt re-ingroſſed, 31 *Car.*2. *c.*3. §. 4. *N.* 1.	At any time within three years, Fines, &c. Burnt in the late Fire of the *Temple*, may be Re-ingroſſed.
Reviver, 1 *Jac.*2. *c.*17. §. 11	Revives 22 *&* 23 *Car.* 2. *Cap.* 22. for ſeven years, and to the end of next Seſſion.
Hill. **Term**, 1688. 1 *W. & M. Seſſ.* 1. *c.*4. §. 5.	Fines upon which Proclamation ought to have been made in *Hillary-Term* 1688 to be good, and if laſt Proclamation was to have been in ſame Term, the time for Entry or Claim to begin from 12 *Feb.* 1688.
Exceſſive, *Seſſ.*2. *c.*2.	Exceſſive Fines not to be impoſed.
Grant before Conviction.	Grant of Fines and Forfeitures before Conviction Illegal.
Par. 2 *W. & M. Seſſ.* 1. *c.* 10.	Fines, &c. before 10 *May* 1690 pardoned.
Reviver, 4 *&* 5 *W. & M. cap.* 24.	Makes 22 *&* 23 *Car.*2. *Cap.*22. perpetual.
Capiatur, 5 *&* 6 *W. & M. cap.* 12.	*Capiatur* Fine diſcharged, and Plaintiff to pay for the ſame ſix ſhillings and eight pence, and be allowed it in Coſt.

Firſt-fruits, ſee *Tithes*.

Fiſh.

Nets, Herrings, Madder, Eels, Salmon.

Salmon, 13 *Ed.*1. *c.*47. *W.* 2.	Taking Salmons at undue times, or with Nets; firſt, the Nets and Engines burnt; ſecond, a quarter of a years Impriſonment; third Offence, a year.
Whales, Sturgeon, 17 *Ed.*3. *cap.* 11.	The King ſhall have Whales and great Sturgeon in the Sea, and elſewhere not Priviledged.
Herrings, 31 *Ed.*3. *St.*2. *cap.* 1.	No Herrings to be bought or ſold at Sea, till come to Haven and drawn to Land.
Herrings at Yarmouth, *cap.* 2.	Sold freely at *Yarmouth* by Fiſhers without diſturbance of Hoſtlers or others from Sun riſing to Sun-ſet, only four ſhilling a Laſt or leſs, no Foreſtalling by Pickers, buying Freſh-Herring between *Michaelmas* and St. *Martin*, nor enter Haven to abate the Price thereafter mention, none ſell in ſeven Miles but in three Towns, theſe Ordinances to be cried every *Sunday*, between *Michaelmas* and St. *Martin*, on forfeiture of Franchiſe, and theſe hold where all Herring is taken, ſix ſcore to the hundred.
Sale of Stock-fiſh, &c. *cap.* 3.	The Chancellor and Treaſurer by advice of Juſtices, ſhall remedy the Sale of Stock-Fiſh of St. *Buttolph*, Salmon of *Berwick*, of Wines and Fiſh of *Briſtow*.

Doggers and Landſhips of *Blackney*, ſhall diſcharge Fiſh between *Baynard* and *Hogfleet*.	Blackney, 31 *Ed.* 3. S *cap.* 1.
No Fiſher or Owner of Ship, but onely Buyer to handle Loch Fiſh, Lob, Ling, and Cod, every hundred to be ſix ſcore, price to be ſet by Merchant at firſt coming; none ſhall buy Fiſh-hooks of *Norfolk*, but Owners, Maſters and Mariners of Ships.	**Loch-fiſh, Lob.** *cap.*
Fiſhers of *Yarmouth* may ſell Herring by night or by day, but ſhall go through with the firſt Buyer, before others grow upon heightning the price at any time of the year.	**Herring**, 35 *Ed.*3. *p.*
May be Retailed by Alien Merchants, and ſold cut or whole.	**Herring**, 6 *Rich.*2. *c*
Shall not be Foreſtalled by Hoſts on Sea Coaſts, nor bought freſh by *Londoners* to ſell again.	*Cap.* 11.
Officers of Chief Towns ſhall be Sworn to obſerve the Ordinances of Fiſhmongers.	**Ordinances**, *cap.*12.
A Repeal of 6 *R.* 2. *Cap.* 11. and all put in Rule of Mayor and Aldermen of *London*.	**Mayor of** London *Rich.* 2. *cap.* 11.
Young Salmons ſhall not be taken from *Mid-April*, to *Midſummer* at Mill Dams or other Places; no Fiſhers ſhall uſe Stalkers or other Nets, to deſtroy the Fry; Conſervators ſhall be aſſigned and ſworn.	**Young-Salmon**, **Conſervators**, 1 2. *cap.* 19.
The Juſtices of Peace are made Conſervators of the Stat. 13 *Ed.*1. *Cap.*47. and 13 *R.*2. *Cap.*19. and the Mayor of *London*, of *Thames* and *Medway*, to ſee and Correct Wears, *&c.*	**Conſervators**, 17 *R* *cap.* 9.
Alines may Trade free, notwithſtanding Patent to the Fiſhmongers.	**Aliens**, 1 *Hen.* 4. *c.*
Herring, Eels and Salmon, forfeit if Imported in falſe Meaſures.	**Herring**, 2 *H.* 4. *c.*
He that faſtens Nets or Engins called Trinks, a-croſs the *Thames* all night, ſhall loſe five pound a time.	**Nets**, *cap.* 15.
Salmon not to be ſold by But or other Veſſel, unleſs well Packed Great by it ſelf without mingle.	**Salmon**, 22 *Ed.*4. *c.*
Grills or ſmall Fiſh to be Packt by themſelves on forfeit ſix ſhillings eight pence a But.	**Grills**, §. 2.
Herring all of one taking as good in the middle as without at ends, on forfeit of three ſhillings four pence a Barrel, &c. Eels to be well Packed and ſold apart, on forfeit ten ſhillings a Barrel; Tale-Fiſh by themſels; no Thokes but each twenty ſix inches from Bone in Fin to the third Joynt in the Tail, the vain no longer then the little Bone on the great Fin, and taken away to the Navel.	**Herring**, §. 3.
Shall be Splated to the Tayl within a handful, on forfeit three ſhillings four pence.	§. 4.
Gaugers and Packers, and Searchers appoint.	§. 5.
All Franchiſes to enjoy their forfeitures.	**Forfeitures**, §. 6.
The Town of *Berwick* ſhall Farm all the fiſhing of that Seigniory.	Berwick, *cap.* 8.
No Engine to deſtroy Fiſh in *Orford* Haven in *Suffolk*.	Orford **Haven**, 4 *H.*7.
A Confirmation of 22 *Ed.*4. *Cap.*2. and that no Gauger, Searcher, Packer, take but a farthing for a Barrel of Salmon, Eels, Gauging, and one penny for Packing, from Head to Head, one penny for Boning, &c. Barrel Fiſh, on forfeit of Office and Impriſonment.	**Gauger**, 11 *H.*7. *c.*
Juſtices of Peace eight, ſeven or ſix, whereof two to be Citizens of *York*, one of Weſt, and one of Eaſt Riding, to Survey and pull down all Fiſhgarths, Pills and Stakes in *Humber* and *Owſe*,	Humber **and** Owſe, *Hen.* 8. *c.*18. §. 2.
No Nets nor Engins, but of Aſſiſe and Standard meaſured by Cuſtom.	**Nets and Engins**,
Only Merchants Adventurers to *Iſeland* for Salt-fiſh, Stock-fiſh, *&c.* ſhall buy any at the Stone or Eaſt Sea ſide to ſell again.	**Salt-fiſh, &c.** 25 *H* *cap.* 4.
None to uſe Nets, Engins, or Devices to deſtroy Fry of Eels or Salmon, in any Waters for ten year, on forfeit of five pound and the Nets, &c.	**Salmon Nets**, *cap*
Stealing Fiſh in the night with Nets, breaking head of Pond, to be Felony, and none to fiſh in Pond of Owners without Licence.	**Nets**, 31 *Hen.*8. *cap*
Except Sturgeon, Porpus and Seal, ſhall not be bought of Strangers beyond or upon the Sea to ſell again here, on forfeit of ten pound, Except in *Iſeland*, *Scotland*, *Orkney*, *&c.*	**Fiſh beyond S** *Hen.* 8. *cap.* 2.
A Repeal of 27 *H.* 8. *Cap.* 3. of Exactions by Mayor of *Hull*, and that he may take two pence of Fiſhers Priviledge for a Laſt of Herring, and two ſhillings ſix pence if not.	Hull, *cap.* 33.
A Repeal of Exactions by Mayor of *Hull*, 27 *H.* 8. *Cap.* 3. and that he take of Fiſhermen for a Laſt of Herrings only twenty pence, if priviledged, &c.	33 *Hen.* 8. *cap.* 33.
A Repeal of 25 *H.* 8. *Cap.* 4. of regrating and foreſtalling Fiſh.	**Regraters**, 35 *H.*8.
Admiral not to exact of Fiſhermen for Voyage to *Ireland*, *Newfoundland*, *Iſeland*, &c. on forfeit of treble, &c.	**Admiral**, 2 *&* 3 *E* *cap.* 6. §. 2.
Tranſporting Herrings, &c. without Licence, forfeits the Goods, &c.	**Herrings**, 1 *&* 2 *Ph* *Mar*, *cap.* 5. §. 2.

ns, 1 *Eliz. c.*17.	No Device or Engin, &c. to be uſed to deſtroy young Brood, Spawn, nor no Salmons or Trouts, not being in ſeaſon.
s, §.2.	None to take Pike or Pickerel, unleſs ten Inches fiſh, or Salmon not ſixteen Inches, nor Trout, unleſs eight Inches, nor Barbel, unleſs twelve Inches fiſh.
ng in Rivers, §.3.	None to fiſh in Rivers but with Net or Tramel, Meaſh two Inches and half a quarter broad.
, §.4.	Nets, Lepes, or other Engins, may be uſed for taking Smelts, Loches, &c.
alty, §.5.	Offender forfeits twenty pound, (or twenty ſhillings.)
ral, §.6.	Admiral and Corporation that have Grants, &c. to puniſh Offenders.
§.8.	Leets to enquire, and §. 9. the Lord to have forfeiture.
§.10.	Steward of Leet forfeits forty ſhillings, that doth not charge Enquiry.
cution, when, §.11.	Offences to be proſecuted within a year.
ſaved, §.12.	Saving right of other Juriſdictions, &c.
§.13.	Not to extend to *Tweed*, nor to any River that pays Rent to the Crown, nor to *Wye* or *Uske*.
ſportation, 5 *Eliz. Cap.*5.	Herrings and other Sea-fiſh may be tranſported in *Engliſh* Ships, Cuſtom free.
§.2.	No Price, Reſtraint or Toll on Sea-fiſh Import, if catcht by *Engliſh*.
§.3.	Not to prejudice *Hull*, *&c.*
rpance, §.4.	Shall not be purveyed in Ships of Subject, on forfeit of double.
l fiſh, §.5.	Compoſition-fiſh, Travelling to *Iſeland*, and all Royal-fiſh, &c. ſaved.
ngs, §.6.	None to buy Herrings, &c. out of Strangers Bottom, unleſs well packt, ſalt, &c. on forfeit.
§. 7.	Not to prejudice buying Herring, &c. Shipwrackt.
nge Bottoms, §.8.	No Fiſh, Victual or Wears, to be carried in Strangers Bottom from Port to Port.
c. §.9.	Hoys and Plats may go to *Cane* or *Norway*, *&c.* notwithſtanding 1 *Elic.c.*13.
and Ling, §.10.	Cod and Ling not to be Imported in Cask, but in bulk and by tale looſe, on forfeit.
h Bottoms, §.11.	No Wine of *France* or *Tholouſe* Woad, but only in *Engliſh* Ships, as 4 *H.7.c.*10.
entice, §.12.	Owners of Ships and Houſholders uſing the Seas, may keep Apprentice for ten years or under.
fiſh unſalt, §.13.	A Repeal of ſo much of *5 & 6 Ed.6.cap.*14. and of all other Statutes, as concerning buying Sea-fiſh unſalt, Mud-fiſh, Wine, Oyl or Salt, Imported in *Engliſh* Ships, &c.
day, §.14.	*Wedneſday* to be Fiſh-day, as *Saturday* hath uſed to be.
§.15.	None to eat Fleſh on Fiſh-days, on forfeit of three pound, or three months Impriſonment.
§.16.	Concealment of ſuch eating Fleſh forfeits forty Shillings.
§. 17.	Not to prejudice thoſe that have Licence to eat Fleſh.
§.18.	Licence to be void, unleſs with Condition here mention.
§.19.	No Licence for Beef, nor for Veal, from *Michaelmas* to *May*.
§.20.	During Sickneſs, Biſhop, Parſon or Curate, may Licence under Seal.
§. 21.	If Parſon, &c. licence one not ſick, he forfeits five marks, and that void.
§.22.	All Licenſes heretofore granted, effectual.
§.23.	Priviledge of Age, &c. as by the Eccleſiaſtical Laws, to remain ſtill.
nſporting Corn, §.24.	No Ship to be forfeited by Tranſporting Corn prohibited by 1 & 2 *Ph. & M. cap.*5.
al, §.30.	All Offences on the Sea, out of Coaſt, Haven, or Cinque-Ports, to be tried by the Admiral.
ceſs, §.31.	Juſtices, Judges and Officers, to make Proceſs of Complaint againſt Offender.
feitures, §.32.	Forfeitures in Towns to be to uſe of Corporation.
§.33.	Forfeitures before Juſtices of Peace to be to the Kings uſe.
ceſs, §.34.	Proceſs to be made by Juſtices, and Officers to Levy, &c.
formation, §.35.	Information to be within half a year after the Offence.
h=day, §.36.	One Diſh of fleſh for three of fiſh on *Wedneſday*.
§.37.	Parſons Licenced to have one Diſh of fleſh for one of fiſh.
§.38.	To be expounded in favour of Expence of Sea-fiſh, to *Friday* and *Saturday*.
aching, §.40.	Preaching that eating Fiſh is neceſſary for the Soul, to be puniſht as falſe News.
her=man, §.41.	No Fiſher to be compelled to ſerve, but as a Mariner by Land or Sea.
miral, §.42.	Not to prejudice Franchiſe of Admiral Juriſdiction.
aman, §.43.	No Seaman to be taken by the Kings Commiſſion, till firſt ſhewed to Juſtice of Peace, &c.
nque=Ports, §.44.	Saving to the Cinque-Ports, and *Yarmouth* Fair, their Priviledge.

Strangers born may Import Wine of *France*, under an hundred Tun, in Foreign Ships.	**Import**, §.46.
Unlawful cutting Mill-dam in the Night, or deſtroying Ponds, &c. ſtored, to be Impriſoned three months, pay treble Damages, and bound to Good-behaviour ſeven year.	**Mill=Dam**, 5 *El.c.*21. §.2.
A Confirmation of 5 *Eliz. cap.* 5. as to Tranſporting.	**Tranſporting**, 13 *Eliz. cap.* 11. §.2.
Notwithſtanding 5 *Eliz. cap.* 5. §. 10. Cod and Ling taken by Subjects, may be Imported.	**Cod**, §.3.
No Catchmonger or Pickard, ſhall between 14 *Sept.* and 14 *Novemb.* Anchor in the High Sea or Stream, where Fiſhermen uſe to Drive, on forfeit.	**Pickard**, §.4.
Barrel twenty eight Gallons old meaſure, and thirty two new, to be Standard of Herrings, one thouſand each.	**Herrings**, §.5.
No *Scotch* or *Flemiſh* Fiſh to be dried in *England*, on forfeiture.	Scoth **Fiſh**, §.6.
None foreign to be Imported, but only by Aliens.	**Import**, 23 *Eliz.c.*7.
A Repeal of ſo much of 5 *Eliz. cap.*5. as to eating fiſh on *Wedneſdays* §.14. and reſtrain eating fleſh, §.15. Sea-fiſh to be ſold any days but *Sundays*, Victuallers to utter no fleſh in *Lent*, *&c.*	**Fiſh=day**, 27 *El.c.*11.
Subject may Import in *Engliſh* Ships, Crayers &c. Herring, Staple-fiſh, &c. paying Cuſtom, notwithſtanding any Statute, not to prejudice *Berwick*.	**Import**, *c.*15.
No Net to be ſet with Stalboat in *Orford* Haven, or the *Gull*, except the mask or ſcale be two Inches and half quarter from Knot to Knot.	Orford **Haven**, *c.* 21.
Eating fleſh *contra* to 5 *Eliz.cap.*5. §.15. forfeits twenty ſhillings or a months Impriſonment, and Houſe-keeper privy, thirteen ſhillings four pence.	**Fiſh=day**. 35 *El. c.*7. §.22.
A Recital of 23 *Eliz. cap.*7. and §. 2. a Repeal thereof as to the Penalties.	**Repeal**, 39 *El.c.*10.
Subject may buy fiſh of Alien, and Import in Croſs Sails.	**Import**, § 3.
Aliens to pay ſuch Cuſtoms here, as Subjects do there.	**Alien Cuſtom**, § 4.
Not departing with unwholſom fiſh, forfeits it by Alien.	**Alien unwholſom**, §.5.
Ordinance of Fiſhmongers, to reſtrain any Buyers of fiſh, void.	**Ordinance**, §.6.
A Diſcontinuance of 39 *Eliz. cap.*10. §.6. *&c.*	43 *El.c.*9. §.33.
No Ordinances to reſtrain Coaſt-men, &c. of ſale or buying Herring.	**Ordinance**, §. 34.
Ships on Fiſh-Voyage to pay only three pence *per* Tun, to repair *Dover*.	Dover, §.35.
Watchmen, Balcors, Huors, Condors, Directors and Guidors, and all ſuch Fiſhermen as attend Seans and Nets, in *Somerſet*, *Devon* and *Cornwal*, may enter Lands adjoyning for drawing Fiſh on ſhoar.	**Entry into Land**, 1 *Jac. c.*23. §.3.
Defendant being ſued, may plead General Iſſue, and give ſpecial matter in Evidence.	**General Iſſue**, §.4.
To what ſort of fleſh Licence to eat in *Lent* ſhall not extend.	**Lent**, *c.*29.
Subjects may tranſport Herrings or Sea-fiſh.	**Herrings**, *c.*33. §.5.
Erecting new Wear along Sea-ſhoar, or within five miles of Haven, Creek, &c. forfeits ten pound, or deſtroying Fry of fiſh, or fiſh with Draw-Net.	**Wear**, 3 *Jac.c.*12. §.2.
Not to puniſh Nets of leſſer Meaſh then allow, but only for Herring, Pilchard, Sprats, &c.	**Nets**, §.3.
Not to extend to *Angleſey*.	Angleſey, §. 4.
A Confirmation of Revocation of Patent, of ſole drying, ſalting, and packing Fiſh in *Devon* and *Cornwall*.	**Drying of Fiſh**, 21 *Jac. Cap.*11.
Herrings and Sea-fiſh may be tranſported Cuſtom-free.	**Cuſtom**, 12 *Car.*2.*c.*4. §.5.
Not caught in *Engliſh* Veſſels, to pay double Aliens Cuſtom.	*Cap.*18. §.5.
Caught, ſaved and cured in *Scotland*, not to pay Alien Cuſtoms.	§. 16.
Stock in Trade of Royal-fiſhing, makes no Bankrupt.	**Bankrupt**, 14 *Car.*2. *Cap.*24. § 3.
The publick Honour, Wealth and Safety of Navigation, &c. is in improvement of Fiſhery.	*Cap.*28.
None from 1 *June* to 30 *November* to fiſh in high Sea, &c. of *Devon* or *Cornwall*, with Drift-Net, Tramel, Stream Nets, &c. but within League and half of the ſhoar.	**Net**, §.2.
Tranſporting Pilchards or Fumathoes in Cask, unleſs bought of Owners of Boat or Fiſhers, forfeit.	**Pilchard**, §.3.
Owner purloyning Pilchard, or carrying away without leave, to pay treble.	§.4.
Idle perſons flocking about Boat, &c. in the Night, not departing on warning, to pay five ſhillings.	§.5.
No freſh Herring, Cod, Haddock, Cole Fiſh or Gull, to be Imported, but by *Engliſh*.	**Import**, 15 *Car.*2. *c.*7. §.16.
Import by Strangers Ships, to pay Cuſtom for Barrel of Cod-fiſh five ſhillings, Laſt three pound, the hundred, (being one hundred and twenty) ten ſhillings, an hundred of Ling, one pound, &c.	§.17.

Foreigners

Nets, *cap.*15.§.2.	Foreigner may make Twine or Nets for his Fiſhery.
Herring, *c.*16.	No white or red Herring of Engliſh catching, to be ſold, unleſs right packt, of one taking, ſalting, &c. and Veſſels markt, packers appoint, &c.
New-found-land, §.2.	No Planter or other to deſtroy Utenſils of fiſhing in *New-found-land* or *Green-land*, on forfeit of double, nor Houſe for the ſeaſon,&c.
Madder, §.3.	A Repeal of 14 *Car.*2. *cap.* 30. becauſe Dying Madder cannot be Imported ſo clean.
Import, 18 *Car.*2.*c.*2. §.2.	Ling, Cod, Herring, Pilchard, &c. Imported by Aliens, forfeited and ſeized.
Net, 22 & 23 *Car.*2. *c.*25.§.7.	Uſing Caſting-Net, &c. Angle, &c. if Convicted in a month, treble Damages,&c.
§.8.	Juſtice of Peace on Conviction may cut Nets,§.9. Party may appeal to Seſſions.
Cuſtom, 25 *Car.*2.*c.*6. §.3.	Denizen nor Alien to pay no more Cuſtoms than Natural Engliſh for fiſh caught by Engliſh, and exported with Engliſh Ships and Men.
Import, *c.* 7.	During Reſidence any may Trade to *Greenland*, and Import Oyl, Blubber, &c. or from any the Kings Plantations, paying ſix ſhillings *per* Tun.
Net, 30 *Car.*2.*c.*9.	Againſt fiſhing with Nets under the ſize of 1 *Eliz.*17.
Import, 32 *Car.*2.*c.*2. §.7.*N.*1.	Stock-fiſh or live Eels may be Imported from *Ireland*, &c.
Officer, Soldier, 4 & 5 *W.*& *M.c.*13. §.30.	For deſtroying Fiſh without Licence, Officer to forfeit five pound, and Chief Officer on the place, for Soldiers Offence ten ſhillings, and for non-payment Officer's Commiſſion to be void.
Reviver, *c.*23.	Reviver of Laws, for preſervation of Fiſh and other Game.
Searching Houſes for Fiſh, §.3. **Penalty.**	Conſtable by Juſtice Warrant, may ſearch for Fiſh, Houſes,&c. of ſuſpected perſons not qualified, and Offender to forfeit not under five ſhillings, or above twenty ſhillings, to be levied by Diſtreſs, &c. and for want thereof to be Committed to Houſe of Correction, not above one month, nor leſs than ten days; with ſame Penalties on perſons not qualified,keeping Inſtruments for deſtroying Fiſh.
Reſiſting Offender in Night, §.4.	Lords of Royalties, and Game keepers, may reſiſt Offenders in Night-time.
Keeping Engins, §.5. **Searching for and ſeizing Engins.**	None to keep Engins, (except Maker and Seller, and Occupier of Fiſhery); and Occupier, or any appointed by them, may ſeize Engins employed; and any, by Juſtice Warrant, may ſearch Houſes of perſons ſo prohibited and ſuſpected, and ſeize Engins.
Fiſhermen except, §.6.	Not to extend to Fiſhermen, and their Apprentices, authorized.
Certiorari, §.7.	*Certiorari* not to be allowed, unleſs party convict, give Security to pay Proſecutor Coſts, after Conviction confirmed, &c.
Not puniſhable twice, §.8.	None puniſhed by this Act to incur penalty of any other Law.
General Iſſue, §.9.	Defendant may plead general Iſſue,&c.
Tradeſmen, Apprentices,&c. §.10.	Inferiour Tradeſmen, Apprentices, and perſons of Imployments, that ſhall fiſh (unleſs in Company with Maſter of Apprentice qualified)to ſubject to penalties of this Act, Action of Treſpaſs and full Coſts.
Reward for Exporting Fiſh, 5 & 6 *W.*& *M. cap.*7. §.10.	Recompence allowed Exporter, for Fiſh exported, *viz.* Veſſel of Pilchard, or Scades, of fifty Gallons, twelve ſhillings, Barrel of White Herrings two ſhillings ſix pence, Red two ſhillings, Barrel of Salmon five ſhillings, One hundred Cod-fiſh,Ling, Conger or Hake, fifteen ſhillings, to be paid out of Duties on Salt, on a Debenter and Exporters Oath, that the Fiſh were *Engliſh* taken and exported; and Officer neglecting to pay,&c. to forfeit double the ſame.

Flax, ſee *Approvement*.

Fools, ſee *Ideot*.

Force.

War, *Peace*.

Election, 3 *Ed.*1.*c.*5.*W.*1.	Elections ſhall be free, and not diſturbed by force of Arms nor Malice.
Replevy, 3 *Ed.*1. *c.*17. *W.*1.	May be uſed by Sheriff to Replevy Cattle driven into Caſtle.
Reſiſters of Proceſs, 13 *Ed.*1.*c.*39.*W.*2.	Reſiſters of Proceſs reſerve to the King as diſturbers of the Peace.
Entry, 5 *Ric.*2.*c.*7.	No Entry ſhall be, but where lawful, not with ſtrong hand.
15 *Ric.*2. *c.*2.	Juſtices ſhall view and record ſuch Entry, and Impriſon Party.
Diſſeiſor, 4 *Hen.*4.*c.*8.	Aſſiſe and double Damages and Impriſonment on Alienation by ſuch a Diſſeiſor, by Maintenance,&c.
Entry, 8 *Hen.*6.*c.*9.	Juſtices of Peace may record and reſtore as well where Entry is peaceable, and withholding is with force.
Feoffment, §.3.	Feoffment by ſuch Entrer or withholder for Maintenance, void.
Poſſeſſion, §.7.	They who have had three years poſſeſſion, not to be damaged for detaining with force.
Purveyor, 20 *Hen.*6.*c.*8.	Seller may reſiſt Purveyor under forty ſhillings,without ready Money.
Diſcent, unleſs within five years after ſuch Diſſeiſin, takes away no Entry of him that hath Title.	**Entry**, 32 *Hen* 8.*c*
No reſtitution upon Indictment of forcible Entry to be, if party Indict had poſſeſſion three years next before Indictment found, and Eſtate not ended, to be pleaded.	**Forcible entry**, *c.*11. §.3.
Reſtitution ſhall be to Termor, Copyholder,Guardian, Tenant by Elegit, Statute-Merchant or Staple, as of Freehold,&c.	21 *Jac. c.*15

Forest.

Park, *Chace*, *Hunting*, *Deer ſtealers*, *Warren*, *Hares*, *Conies*, *Woods*, *Purlieu*, *Dogs*, *Ferrets*, *Buckſtalls*.

Only the Wood of the Kings own Demean ſhall be incloſed, ſaving others Common.	**Incloſure**, 9 *H.*3.*S* *Ch. de Foreſta.*
Such as dwell out ſhall not come before Juſtices by Common Summons, unleſs Implead, or Surety for ſuch as are Implead there.	**Juſtices**, *c.*2.
Of all Wood that is not on the Kings Demean, made by *R.*1. or King *John*, ſhall Diſafforeſt.	**Diſafforeſt**, *c.*3.
None ſhall make Purpreſtures, waſte, or Aſſarts of their Wood in Foreſt without Licence.	**Purpreſture**, *c.*4.
Rangers ſhall go through, as uſed in time of *H.* 1.	**Rangers**, *c.*5.
Lawing of Dogs, Cutting three Claws of Forefeet, ſhall be by View and Teſtimony of Lawful men, from three years to three years when the Range is made, and on default, Amerced three ſhillings as accuſtomed.	**Dogs**, *c.*6.
The number of Foreſters and Bedels ſhall be reaſonable, and ſhall make no Scotal, or gather Garbe, Oats, Corn, Lamb or Pig, nor other gathering, but by ſight and Oath of twelve Rangers when they Range.	**Foreſters**, *c.*7.
Swanimote only thrice a year in the beginning of fifteen days afore *Michaelmas*, when Geſt-takers or walkers of Woods come to take Ageſtments, and about St. *Martins* in the Winter when Geſt takers receive Pawnage, and to theſe come Foreſters, Geſt-takers, and none other by Diſtreſs, and in the beginning of fifteen days before St. *John Baptiſt*, when Geſt-takers meet to Hunt, and moreover every forty days Foreſters and Vierders ſhall meet to ſee Attachments for Greenhue and Hunting, theſe to be kept within the Counties as uſed.	**Swanimote**, *c.*8.
Freeman may Agiſt his own Wood, and take Pawnage, and drive Swine through the Kings Demean Woods, to Agiſt their own, and if they lye one night loſe nothing.	**Agiſtment**, *c.*9.
Takers of Veniſon pay Fine or be Impriſoned a year and a day, and then abjure the Realm or find Sureties.	**Deer ſtealers**, *c.*1
Archbiſhop, Biſhop, Earl or Baron, *Eundo & redeundo* at the Kings Command, may kill a Deer or two, blowing Horn if Foreſter be abſent.	*Cap.*11.
Freeman may make Mills, Springs, Pools, Marſh, Pits, Dikes, or Arable ground without Incloſure, in his own Wood or Land.	**Freeman**, *c.*12.
Freeman ſhall have Aires of Hawks, Sparrow Hawks, Falcons, Eagles, and Herons and Honey, that is found in his Woods.	*Cap.*13.
Only Foreſters in Fee-farm ſhall take Chimage, *viz.* of Cart two pence half yearly, and half peny of Horſe loaded coming as Merchants, to buy Buſhes, &c. to ſell, but of none other, and as uſed Bearers of Bruſhment, Bark, &c. pay nothing but in the Kings Demean Woods.	**Chimage**, *c.*14.
Pardon of Utlaries for Foreſt only, ſince the time of *H.*1. till the Coronation of *H.*3.	**Pardon**, *c.*15.
No Conſtable, Caſtellain or Bailiff, ſhall hold Pleas of Foreſt or Greenhue, but Foreſters of Fee attach and preſent to Vierders of each Province, and under Seal of Vierder Inroll, preſent to Juſtices of the Foreſt.	**Plea of Foreſt**, *c.*1
This Grant of Liberties is ſaving to all others their free Cuſtoms within or without, and in Warrens and other places.	*Ibid.*
The Lords prayed to Impriſon Treſpaſſers in their Parks and Ponds, which the King denied, therefore it is deferred.	**Impriſonment**, 20 *c.*11. *Merton.*
Taking out of Parks or Ponds, is three years Impriſonment and Fine on breaking, if by coming,ſtaying,and going is Felony, as Theft or Robbery.	**Taking out of Pa** 3 *Ed.*1. *c.*20. *W.*1.
In the Kings Woods and Foreſt, High ways ſhall be enlarged,&c.	**High-way**, 14 *Ed.*1. *Winch.*
Foreſter therein killing ſuch as will not yield on Hue and Cry, or reſiſt with force, is not puniſhable; ſo of Parker and Warrener.	**Foreſter killing**, 21 1.*p.*59. *de malefa* *Parcis.*
None ſhall be killed by malice, that only paſs through and do nothing.	§.2.
On purchaſe of Park or other Liberties; there ſhall be a Writ out of the Chancery to enquire of Points accuſtom, *Ad quod damnum*, *&c.* and if above twenty ſhillings *per annum*, returned into Exchequer.	Ad quod damnum, 27 *p.* 62. §. 1. *de li* *perquirend.*
On Eſcheat of Demean, Crown Lands, the Free Chace, and Warren ſtill remains as Purlieu, but none ſhall	**Purlieu**, 33 *Ed.*1. *Ordinat.Foreſt.*

Common

Foreſt.

Common in the Foreſt, unleſs made part of it as Purlieuers may.

wanimote, 34 *Ed.* 1. c. 1. *Ordinat. Foreſt.* Treſpaſs of Greenhue and Hunting ſhall be preſent at Swanimote, and there Inquire of by lawful Men, and Indictments otherwiſe void.

fficer, *c.* 2. If any Officer die or be ſick, preſently the Juſtice or Lieutenant ſhall put in another, but Verderers ſhall be elected by Writ.

nqueſt, *c.* 3. None of the Foreſters, Verderers, Regrators, Agiſtors or Miniſters of the Foreſt, ſhall be put on Enqueſts taken out.

wanimote, *c.* 4. Surcharges by Miniſters ſhall be enquired at Swanimote, and Reformation by removal, or Impriſonment at diſcretion.

Cap. 5. Pardon of Treſpaſs but under Arrentation, and what Wood is ſtanding the Seller to ſatisfie the Buyer.

ial, *c.* 6. The Juſtice in preſence of Treaſurer, may take Fines and Amerciaments of Treſpaſſers, and not ſtay till the Eyre; Commoners reſtrain by Perambulation, may under Arrentation have it as before.

ambulation, 1 *Ed.* 3. *cap.* 1. The Perambulation, as ridden in *Ed.* 1. time, ſhall be held, and where it was not bounded, it ſhall be by good men and lawful.

ſter, *c.* 2. They who have Woods, may take Boots by view of Foreſter.

nner, *c.* 8. None ſhall be Impriſoned for Vert or Veniſon, unleſs Indict or taken with the manner, and then Bail or chief Warden ſhall loſe treble Damages.

ſter, 25 *E.* 3. *St.* 4. *c.* 7. Foreſter ſhall take no Suſtenance without parties good Will.

queſt, 7 *Ric.* 2. *c.* 3. Enqueſt ſhall give their Verdict, where charged without travel.

rers, *c.* 4. Officers ſhall pay double Damages, be fined and ranſomed for taking any without Indictment, or in the manner.

&c. 13 *R.* 2. *c.* 13. None ſhall keep Dogs to hunt, nor Ferrets, Nets, Harepipes, or Cords to catch Deer, Hare or Conies, unleſs if Lay forty ſhillings *per annum*, if Clerk ten pound.

Cutter, 22 *Ed.* 4. *c.* 7. He that cuts Wood by Licence in the Kings, or without in other Subjects Chace or Purlieu, may Copy and Incloſe for ſeven years without Licence.

t-hunter, 1 *H.* 7. *c.* 7. Hunting in the Night with painted Vizors, is felony.

wood, 4 *Hen.* 7. *c.* 6. Repeal of Patents of Officers in *Englewood*, except Lord *Dacres* and the Earl of *Northumberland*.

ſtalls, 19 *Hen.* 7. *c.* 11. He that hath no Park, Chace, &c. that keeps Deer-hays, or Nets or Buckſtalls, or Stalks with Buſhes, forfeit Ten pound, Juſtice of Peace to determine.

, 14 & 15 *H.* 8. *c.* 10. None ſhall trace or kill Hares in the Snow, on forfeit ſix ſhillings eight pence.

, 27 *Hen.* 8. *c.* 6. Park of a Mile that hath Deer, ſhall keep two Mares thirteen hands high, from hoof to ſhoulder, &c. on forfeit of forty ſhillings *per* month, &c.

, *c.* 7. Cuſtoms in *Wales* to fine Traveller that hath not Token of Foreſter, to take Joynt or Ranſake, or ſeize Cattle Eſcape, void.

tonCourt, 31 *H.* 8. *c.* 5. The King ſhall have Chace and Warren in *Hampton Court*.

ſtealers, *c.* 12. To enter with Vizors &c. to the intent to ſteal Dear or Conies of Warren, felony.

32 *Hen.* 8. *c.* 11. Felony with Vizors to ſteal Deer in a lawful Park, or Conies in a Warren in the Day, or to hunt in the Night.

ing, *c.* 13. §. 6. Shall be driven at *Michaelmas* yearly, on forfeit of forty ſhillings.

ty, *c.* 35. Juſtices thereof may make a Deputy.

ery, 34 & 35 *H.* 8. *c.* 20. (21.) §. 5. Not to be prejudiced by feigned Recoveries of Land.

ſure, 35 *H.* 8. *c.* 17. §. 18. Owner of Park, &c. need Incloſe Coppice but four year.

deſtroyer, 3 & 4 6. *c.* 5. Felony for aſſembly of twelve to deſtroy Park, Pond, Conduit, or Dovehouſe, &c.

ſtealer, 5 *El.* *c.* 21. §. 3. By Night or Day unlawfully to enter Park, &c. and kill Deer, &c. to be Impriſoned three months, pay treble Damages, and after bound to good Behaviour ſeven years.

§. 4. Not to extend to any Park or Incloſed Ground, without the Kings Licence.

§. 5. Party may ſue for treble value of his Loſs.

§. 6. Juſtices to determine and award Proceſs, as well as on Indictments.

§. 7. On Confeſſion by Offender, Juſtices may diſcharge good Behaviour.

aking, *c.* 22. Skins or Pelts of Stags, Deer, &c. not to be tranſported.

Jac. *c.* 27. §. 2. Deſtroying Hare, &c. Impriſonment three months, or pay Twenty ſhillings.

ound, &c. §. 3. They that keep Greyhound or Setting dog, to have Ten pounds *per annum*.

ller, §. 4. Selling Deer, forfeits forty ſhillings.

3 *Jac.* *c.* 13. No ſufficient remedy for Deers and Conies, in Grounds Incloſed ſince 5 *Eliz.*

breaker, §. 2. Entring by Night or by Day, or breaking Park or other Incloſure uſed for keeping Deers and Conies, &c. Impriſon three months and treble Damages.

Foreſt.

All Juſtices may determine, &c. §. 3.

Party may take further remedy for treble Damages on Loſs by Suit. §. 4.

Not worth two hundred pound Goods, or forty pound *per annum* Lands, uſing Gun, Bow, Buckſtall, Hays, Nets, Ferrets, &c. may be taken away in place of twenty ſhillings *per annum*, by him that hath an hundred pound Fee, &c. **Buck ſtall**, &c. §. 5.

Confeſſing Offence in Seſſions, after ſeven years bound to good Behaviour, may be diſcharged. §. 6.

Not to extend to Incloſed Ground, without the Kings Licence. §. 7.

Not to extend to hunting in the Day, but only in the Night. §. 8.

That 3 *Jac.* *c.* 13. §. 2. as to hunting in the Night only, be repealed. **Hunting**, 7 *Jac.* *c.* 13. §. 2.

Hunting, &c, againſt will of Owner, forfeits ten pound or treble Damages. §. 4.

A Recital of 1 *Ed.* 3. *cap.* 1. & §. 2. of the known bounds ſince. **Metes and Bounds**, 17 *Car.* 1. *c.* 16.

Metes and Bounds to be as reputed and taken 20 *Jac.* and all Preſentments ſince void. §. 4.

Where no Juſtice or Verderers within ſixty years, its Diſaforeſt. §. 5.

Commiſſioners to enquire what was bounds 20 *Jac.* §. 6.

No Metes or Bounds beyond what is Certified. §. 7.

Grounds mentioned to be diſaforeſt in Patents ſince 20 *Jac.* not to be Enquired. §. 8.

Tenants excluded out of Commiſſion of Enquiry, may enjoy Common, &c. **Common**, §. 9.

Hunting in Foreſt, &c. or Ground uſually Incloſed for Deer, forfeit twenty pound. **Hunting**, 12 *Car.* 2. *c.* 10.

Patents of Woods, or Incloſure of Foreſt of Dean, void. **Foreſt of Dean**, 20 *Car.* 2. *c.* 3. §. 7.

Stock of Deer of all ſorts, not to exceed eight hundred. §. 8.

Incloſures to be without view of Foreſter. §. 9.

The Bounds to be as Perambulated 20 *Jac.* §. 17.

Lords of Mannors not under Eſquire, may have Gamekeeper to ſearch Houſes, &c. for Dogs, Nets, &c. **Dogs**, 22 & 23 *Car.* 2. *Cap.* 25.

None under an hundred pound *per annum*, unleſs Eſquires, Heir apparent, or Owner of Foreſt, &c. to be allowed Greyhound, &c. **Greyhound**, §. 3.

Killing Conies in Grounds uſed for them not Incloſed, treble Coſts, Impriſonment three Months. **Conies**, §. 4.

None to kill Conies in the night on borders of Warren, &c. Satisfaction, and ten ſhillings to the Poor. §. 5.

The ſame penalty of Hare-pipes, &c. §. 9. party may Appeal to Seſſions. **Hare-pipes**, §. 6.

Not to take away any of the Kings Prerogatives. **Prerogative**, §. 10.

Perſons unlawfully hunting Deer, and their Acceſſories, to forfeit twenty pound, and for wounding, taking, or killing, thirty pound, to be levied by Diſtreſs, &c. and for want thereof, Offender to be Impriſoned for one year, and ſet in Pillory for one hour; Conviction to be before Juſtice of Peace within Twelve months. **Hunting Deer**, 3 & 4 *W.* & *M.* *c.* 16. **Wounding, taking, killing.** **Conviction.**

Conſtable, by Juſtice Warrant, may ſearch Houſes of perſons ſuſpect, as where Goods are ſtolen, or ſuſpected ſo to be; and where Veniſon found, the Offender to give account to Juſtice of Peace, or be Convict. **Searching for Veniſon**, §. 3. **Finding Veniſon.**

After Conviction, Officer or Proſecutor may detain Offender for non-payment of Penalty, till return may be made of Warrant for diſtreſs, not exceeding two days. **Detaining Offender for non-payment**, §. 4.

Owners of Deer, and their Servants, may reſiſt Offenders, as if done within ancient Chaſe or Park. **Reſiſting Offender**, §. 5.

Certiorari not to be allowed, unleſs party Convict, give Security to pay Proſecutor Coſts and Damages after Conviction confirmed, &c. and for non-payment to proceed. Certiorari, §. 6.

Offenders puniſhed by this Act, not to incur penalty of any other Satute for the ſame Offence. **None puniſhable twice**, §. 7.

Defendant may plead General Iſſue, &c. **Plea for Defendant**, §. 8.

Perſons in Night time, deſtroying fences of places incloſing Deer, to be Committed for three months. **Deſtroying Fence in Night time**, §. 9.

For deſtroying Game without Licence, Officer to forfeit five pound, and Chief Officer on the place, for his Soldiers Offence, ten ſhillings, and for non payment Officers Commiſſion to be void. **Officer, Soldier, deſtroying Game**, 4 & 5 *W.* & *M.* *c.* 13. §. 30.

Reviver of all Laws for preſervation of Game. **Reviver**, *c.* 23. §. 2.

Conſtable, by juſtice Warrant, may ſearch for Game, Houſes, &c. of ſuſpected perſons not qualified, and the Offender to forfeit not under five ſhillings, nor above twenty ſhillings, to be levied by Diſtreſs, &c. and for want thereof to be Committed to Houſe of Correction, not above one month, nor leſs than ten days, with the ſame Penalty on perſons not qualified, keeping Dogs, &c. and Inſtrument for deſtroying Game. **Searching for Game**, §. 2. **Penalty on Offender**, **Perſon not qualified, keeping Dogs**, &c.

Lords of Manors, and Game-keepers, &c. may reſiſt Offenders in Night time. **Reſiſting Offender in Night**, §. 4.

Full Coſts, §.7.	*Certiorari* not to be allowed , unleſs party Convicted give Security to pay Proſecutor after Conviction confirmed,&c. full Coſts.
None tried puniſhable, §.8.	None puniſhed by this Act , ſhall be proſecuted by any other Law.
Defendants Plea,§.9.	Defendant may plead General Iſſue,&c.
Tradeſmen, Apprentice, &c. §.10.	Inferiour Tradeſmen, Apprentices, and perſons of Employments, Hunting or Fowling &c. (unleſs in Company of Maſter of Apprentice qualified) to be ſubject to the Penalty of this Act, Treſpaſs, Damages and falſe Coſts.

Foreſtallers, ſee *Market-overt.*

Forfeiture.

Pain, Iſſues del ter'.

Wardſhip,&c. 9 *H.*3.*c.*4. *Magna Chart.*	Of Guardianſhip, Cuſtody or Commitment of Ward by waſte, in Men or Goods to be aſſigned to others, only reaſonable Iſſues, Cuſtoms and Services may be taken.
Felon convict, *c.*23.	The King will hold Lands of Felon Convict but a year and a day, and then deliver them over to the Lord of the Fee.
Mortmain, *c.* 36.	Of Land given to Religious Houſe, and taken back by Tenure or Leaſe , is to Lord of Fee on Conviction, and the Gift void.
Agiſtment,9*H.*3.*St.*2.*c.*9. *Ch. de Foreſta.*	Shall not be for lodging Swine one Night in the Foreſt, to Agiſt.
Deer-killing, *c.*10.	Shall not be of life or member, for killing Deer in Foreſt, but Fine and Impriſonment for a year and a day, and after to abjure the Realm or find Sureties.
Ward,20 *Hen.*3.*c.*6. *Mert.*	Of Ward by Marriage to a Villain or a Burgher, &c.
Felon, 3 *Ed.c.*3.*W.*1.	Sheriff ſhall levy nothing on eſcape of Thief or Felon, till adjudged in Eyre, on pain to repay what is taken, and as much to the King.
Clerk's place, *c.*27.	Of Clerks place for a year that takes more than two ſhillings for delivery of Chapiters to Wapentake, Hundred or Town, that anſwer by twelve or ſix, and by others that take any thing, and thrice as much.
Extortion, *c.*30.	Of Office in Fee by wrongful taking what he ought not for Fees.
Market,&c. *c.*31.	Of Market by taking outragious Toll, of Franchiſe of Murage, by taking more then granted.
Ward, *c.*48.	Of Ward by Feoffment of Guardian of his Land.
Ceſſavit, 6 *Ed.*1.*c.*4. *Glouc.*	If Tenant in *Ceſſavit per biennium* tender not Arrears before Judgment, the Land is loſt for ever.
Waſte, *c.*5.	Of place waſte and treble Damages by Tenant *per* Courteſie, for life, years or in Dower, and by Committee of Ward, if the loſs of the Ward be not ſufficient.
Dower, *c.*7.	Of Dower by Alienation in Fee , or Leaſe for life, and Heir may have a Writ of Entry.
Brief del Entry, *c.*21.	Heir of the Lord may have a Writ of Entry againſt heir of particular Tenant, and them to whom Land is aliened.
Mortmain,13 *Ed.*1.*c.*33. *W.*2.	Setting up Croſſes by Tenant, by priviledge of Templars or Hoſpitallers, is Mortmain.
Dower,&c. *c.*34.	Of Dower by continuance in Avowtry , its of Life for Rape, and three years Impriſonment , ſatisfaction to Houſe, and Fine to the King on taking away a Nun.
Office, *c.*44.	Of Office of Fee, for third Offence in taking more then due Fees.
Iſſues, 3 *Ed.*1. *c.*45. *W.* 1.	Of Iſſues to the King on default at Grand Diſtreſs after Enqueſts.
Merchandize, 12 *Ed.*2. *c.*6. *York.*	Of Merchandize ſold by groſs or by retail, during Office in City or Borough, and third part the King gives to the Informer of Wine or Victual.
Biſhop, 17 *Ed.*2.*c.*14. *Prerog.Reg.*	Of Lands of Freeholders, of Archbiſhop and Biſhop, by Attainder in Vacation, belong to the King.
Felons,&c. *c.*16.	The King ſhall have all the Goods of Felons and Fugitives, and year, day and waſte of the Freehold.
Alienation, 1 *Ed.*3.*c.*12.	Shall not be by Alienation without Licence , but only Fine.
Non-plevin,9 *Ed.*3.*c.*2.	Shall not be of Land, by Non-plevin in any Plea.
Premunire,27 *Ed.*3.*c.*1. *Proviſors.*	On Premunire is forfeiture of Lands, Goods and Chattels from the day of default, Impriſonment and Ranſom at the Kings will, and on default at *Capias*, Utlawed.
Labourers, 31 *Ed.*3.*c.*6.	The Lords of Franchiſe ſhall have Fines of Labourers and Servants.
Felons,&c. *c.*14.	By Eſcape of Felons or Fugitives, ſhall be levied as they fall.
Treaſon,34 *Ed.*3.*c.*12.	Shall not be for Treaſon , unleſs Attaint in his Lifetime.
Labourers,36*Ed.*3.*c.*14.	Of Fines and Amerciaments of Labourers, Artificers and Servants, ſhall be to the uſe of the Commons for three years.
Ship, 38 *Ed.*2.*c.*8.	Shall not be of Ship for a ſmall thing , not Cuſtomed without knowledge.
Gold,&c.5 *Ric.*2. *c.*2.	Is as much as they may, on tranſporting Gold or Silver, &c.
Rape,6 *Ric.*2.*c.*6.	Of Dower, Joynt Feoffment and Inheritance , by conſent to Rape, and the next of Blood may enter as if dead.
Treaſon,11 *R*,2.*c.*1.	

Of Traytors Attaint is of Land and Goods, fraudulent Deeds void, or Rents, but Uſes ſaved where Traytor was Seized to uſe of others.	**Treaſon**,11 *Ric.*2.*c.*1
Is One hundred pounds of Cuſtomer, and One hundred pounds of Searcher,&c.	**Cuſtomer**,2 *Hen.* 4.*c.*2
Of Murderer, Traytor, Manſlayer, Robbers and others, ſaved to the King as belonging to the Right of his Crown.	**Murder**,&c. 2 *H.*5.*c.*
For Hereſie is of Fee-ſimple, and Goods and Chattels.	**Hereſie**, *Cap.*7.
Of Wares ſhewed in Markets or Fairs, &c. on Feaſt-days,&c.	**Market**, 27 *Hen.*6.*c.*
For Treaſon in *Lancaſter, &c.* ſhall be all over the County.	**Treaſon**,33 *Hen.*6.*c.*
Shall not be ſeized upon until Attainder.	1 *Ric.*3.*c.*3.
For Treaſon, ſhall not be by ſuch as attend the Perſon of the King that then was.	11 *Hen.*7.*c.*1.
By Alienation, Diſcontinuance, Recovery, Warranty of Feme Joyntreſs, unleſs Heir or he in Reverſion joyn.	**Feme Joyntreſs**,11 *Cap.*20.
Is Ten pounds, to tender unjuſtly ſued, and to Recite in 27 *H.*8.*c.*23.§.4.	23 *H.*8.*c.*8.§.2.
Shall not be for killing him that attempts to Rob on the Way, or to break Houſe in the Night.	**Murder**, 24 *H.*8.*c.*5.
Of Eſtate of Inheritance in right, uſe or poſſeſſion, ſaving all Strangers right, the day of Treaſon commit.	**Treaſon**, 26 *Hen.*8.*c.* §.4.
Is Ten pounds (taking above Fees.)	27 *H.*8.*c.*11.§
In Title is Cloths four pounds, but in §. 2. is Cloth, above the value of four pounds.	**Clothes**, *c.*13.
Is Ten pounds for waſhing Tin as 23 *H.* 8. and forfeit Twenty pounds not making Hatches.	**Tin**,*c.*23.
Is ſix pounds thirteen ſhillings and four pence , not keeping Husbandry.	**Husbandry**, *c.*28.§.1
Is Ten pounds for taking of Apprentice more than Fees for Freedom.	**Apprentice**,28 *Hen.*8
Is Ten pounds more for maintenance.	**Mainten.**32 *H.*8.*c.*9
Is forty ſhillings for Horſe under meaſure.	**Horſe**,*c.*13.§.8.
Is Ten pounds for every Stranger kept in Service above four.	**Service**,*c.*16.§.10.
Is Ten ſhillings for watering Hemp.	**Hemp**, 33 *Hen.*8.*c.*17
Recites 27 *H.*8. *c.*3. Of Cloth, four pounds and three pounds.	**Cloth**, *c.*19.
For Treaſon, is of all Eſtate of Inheritance , in right, uſe or poſſeſſion.	**Treaſon**, 5 & 6 E *c.*11.§.5.
Saving Right of Strangers,	§.8.
Is to next of Kindred for Life, of her that conſents to unlawful Marriage.	**Marriage**, 4 & 5 P *Mar.c.*8.§ 6.
Shall not be of Dower,&c. for Husband's Treaſon maintaining the Popes Authority, nor *cap.*11. §.4. for Clipping Money, &c. nor *c.*14.§.1. for Forgery &c.	**Treaſon**, 5 *Eliz.c.*1.
Is one peny every hours abſence of Labourer, but §.31.	**Labourer**, 5 *Eliz.c.*4
Is forty ſhillings every month.	§.12.
Of Witneſs, ten pounds on default.	**Witneſs**, *c.*9.§.12.
Is One hundred pounds, of Juſtice not Certifying.	**Juſtice**, *c.*53.*c.*8.
Of Lands, the Profits of Life and for Goods, not returning from beyond Sea in ſix months of Proclamation after Licence expired,&c.	**Beyond Sea**, 13 E
The Queen may grant Lands of Fugitive by Copy, and Rents to be anſwered in Exchequer.	**Fugitive**, 14 *Eliz.*
Is Ten ſhillings every Offence of Clothier.	**Clothier**, 1 *Jac.c.*6
Is Ten ſhillings not apprehending Rogue.	**Rogue**, *c.*7.§.6.
Is Twenty ſhillings ſelling Ale leſs than meaſure,and §. Is forty ſhillings Conſtable omitting Duty.	**Ale and Conſtable**, §.3.
Is twenty ſhillings of Conſtable not preſenting Recuſant,	**Conſtable.** 3 *Jac.c.*
Forty ſhillings by Clerk of the Peace not Entring, and §.8. Is Twenty pounds every month of Recuſancy.	**Clerk of the Peace**
Of all Lands of Twenty ſeven named in Uſe or Truſt, 25 *March* 1646. and veſt in the King without Office, and all Goods,&c, poſſeſs 11 *Febr.*1659.	**King**, 13 *Car.*2.*c.*1 § 2.
No Leaſe,Truſt,&c. not being Lands of the King, &c. or Biſhop ſince 1 *Jan* 1641. nor Stat. before 29 *Septemb.*1659, *&c.* other then to Children of Offenders, to be defeated.	§.3.
Five degraded and diſabled to bear Arms, as infamous.	§.4.
The five to be drawn with Ropes to *Tyburn,&c.*	§.5.
Executors of Offenders not to be moleſt for Debts or Legacies paid.	§.6.
Not to forfeit term of *Allen,* which Sir *W. Lewis* hath of Cuſtody of *Eaſt-mean* Park.	§.7.
Not to prejudice *Rachel Powers* Decree againſt *Wallop* in Chancery of Copy hold.	§.8.
B.Bourchier to enjoy Lands by Patent 22 *Mar.* 13 *Car.*2.	§.9.
Of Horſeman twenty ſhillings, of Footman ten ſhillings, imbezelling Furniture of Militia.	**Militia**,13 & 14 C *c.*3.§.10.
Is twenty ſhillings Travelling on *Sunday.*	Sunday,29 *Car.*2.*c.*
Reviver 22 & 23 *Car.*2.*cap.*22. for ſeven years.	**Reviver**,1 *Ja.*2.*c.*1
Forfeitures concerning Cuſtom, Exciſe , Tranſportation of Wool, Importation or Exportation of prohibited Goods, incurr'd between 11 *Dec.* and 13 *Febr.* 1688. may be ſued for.	**Cuſtom, Exciſe,** **portation, Im** **tation**,1 *W.& M.* *cap.*14.
Grants of Fines and Forfeitures before Conviction , Illegal.	**Grants before** *Seſſ.*2.*c.*2.
Forfeitures &c. to Their Majeſties before 10 *May*, 1690. pardoned.	**Pardon**,2 *W.& M.* §.4.
Grants of Forfeitures , and Executions thereupon, void.	**Grants and E** **tions**, §.5.& 6.

Perſons

8. §. 6.	Perſons not qualified, to act upon Charter, or Commiſſions, &c. of the late Kings, *Car.* 2. or *Jac.* 2. concerning City of *London*, ſince Judgment againſt the Charter 35 *Car.* 2. not to be diſcharged of forſeitures.
ds of Robbers, 4 5 *W. & M. c.*8.§.6.	Goods of Robbers taken with them, If not Stolen, to be to apprehender.
ading Grants, &c. **nrolling Grant,** p. 22.	None compellable to plead Grants, or Conveyances of Felons Goods, &c. Enrolled and allowed in Kings-Bench, to Coroners Inqueſt, nor wholly to Inrol them, but only granting part.
ing Proceſs a- **inſt Grants**, §. 2.	Clerk of Crown, not to Iſſue Proceſs againſt Grantees after Enrolment, on Penalty of 5 *l.*
§. 3.	But may againſt thoſe whoſe Titles are not Enrolled, nor pleaded.
tinuance, §. 5.	To continue for three years, and to end of next Seſſions.
iver, *cap.* 24.	Makes 22 & 23 *Car.* 2. *Cap.* 22. perpetual.

Forgery.

, 1 *Hen.* 5. *c.* 3.	He that doth Forge or publiſh falſe Deed, ſhall pay Damages, Fine and Ranſom.
aſter, 7 *H.* 5. *p.*221.	Exigent againſt ſuch in *Lancaſter*, 18 *H.*6. *cap.*12.§.2. made perpetual.
y, 5 *El. c.* 14. §.2.	Of Deed, Court-Roll, Will, &c. of Freehold, to pay double Coſts, ſtand in Pillory, have Noſe ſlit, and forfeit all for life.
§. 3.	Of Deed, &c. for years, or of Obligation diſcharged of Debt, Account, &c. double Coſts and Pillory.
ys Action, §. 4.	Party to have Action *ſur* Stat. by Orig. or by Bill and Proceſs, as in Treſpaſs.
iſhment, §. 5.	Offender to be once puniſht.
, §. 6.	Party may releaſe Coſts, but not the Corporal pain, &c.
y, §. 7.	The ſecond offence to be Felony.
er, §. 8.	No loſs of Dower, nor corruption of Blood.
nary, §. 9.	Not to charge Ordinary for Sealing Will, &c.
ions, §. 10.	Juſtice of Oyer of Aſſize to puniſh in open Seſſions.
al, §. 11.	A Repeal of all former Laws againſt it.
tor, §. 12.	Not to prejudice Proctors, &c. pleading Proxies in Spiritual Court.
ages, §. 13.	Forgery before, and Publications ſince the Statute, to pay damages, and be Impriſoned.
ney, &c. §. 15.	Not to prejudice Attorney, Councellor, &c. that ſhew forth falſe Deed in Evidence.
Exemplified, §. 16.	Not to prejudice ſhewing Deed Exemplified under the Great Seal, nor to Judge, Juſtice, &c. for ſetting the Seal of the Court.

Fortreſs, ſee *War*.

Fowl.

Hawks, Patridge, Pigeons, Hens, Geeſe, Birds, Feaſant, Swans, Ducks, Heron, Wild Fowl, Crows.

es, 9 *H.* 3. *St.* 2. *c.* 13. *Foreſta.*	A Freeman ſhall have Ayeries of Hawks, Sparrowhawks, Falcons, Eagles, and Herons in his own Woods, in Foreſt.
fals, 18 *Ed.*2.*p.*84 §. 32.	For Pledge, ſhall enquire of ſuch as take Doves in Winter by Doorfalls.
r of Falcon, &c. *Ed.* 3. *c.* 22.	Finders of a Falcon, Tarcelet, Lanner, Laneret, or other Hawk, are to bring it to the Sheriff, he to proclaim it in Towns, and the Lord on reaſonable proof within four Months, and Charges, on Concealment to be Impriſoned two years, pay the value, or abide.
s, 37 *Ed.*3.*c.*3.	The ſeveral Prices of Capon, Hen, Pullet and Gooſe, Repeal 21 *Jac.* 21.
-ſtealer, *c.* 19.	If any ſteal a Hawk, or do *contra* to 34 *Ed.* 3. *Cap.* 22. It ſhall be done with him as with the Thief that ſteals a Horſe or other thing.
ns, 22 *Ed.*4. *c.*6.	None ſhall have a Mark or Game of Swans but the King, unleſs he have five Marks a year, to be ſeized if not.
-houſe, 3 & 4 *E.* *ap.* 5.	Felony for Aſſembly of twelve to deſtroy Dovehouſe.
ne, Eggs, 11 *H.* 7. . 17.	None ſhall take Feaſant, Patridge, &c. by Net or Engine, out of his own Warren, in anothers Freehold, without Licence, on forfeit of Ten pounds, nor the Eggs of Falcon, Goſhawks, Lanners, or Swans, on Fine and Impriſonment, nor none carry *Nyeſſe*, Goſhawk, Taſſel, Lanner, Laneret, Falcon, on forfeit, Juſtice of Peace to determine.
. 7. *cap.* 11.	They who uſe Engines or Craft to catch Herons, other then Hawking, or Long-bow, off his Ground, forfeit Ten pounds, Juſtices of Peace to determine.
, &c. 24 *H.*8. *c.*10. §. 2.	All Rooks, Crows, and Choughs, to be deſtroyed; Stewards of Leets, Court-Barons, &c. to Amerce, or in their default, Juſtice of Peace.
§. 3.	Every Town of Ten ſhall make Nets to be preſent yearly.
, §. 4.	All to deſtroy Breed in their own Occupations.
ger, §. 6.	Stranger after requeſt, and refuſal by Occupier, may take all he kills.
, &c. Killer, §.7.	All that have five pounds *per annum*, to give the killer of old Crow, Rook or Chough, Two pence every twelve.

None to kill Doves or Pigeons.	**Doves**, §. 8.
The Chancellor, Treaſurer, Preſident, Privy-Seal, ſhall be of *Quorum*, in ſetting Prices of ſuch Victual.	**Prices**, 25 *H.* 8. *c.* 2.
None between 31 *May* and 31 *Auguſt*, to take Wildfowl with Nets, &c. on forſeit of Nets, &c. a years Impriſonment, and four pence for every Fowl.	**Nets**, *cap.* 1.
Juſtice of Peace to determine, as in Treſpaſs.	**Juſtices**, §. 3.
He that hath forty ſhillings *per annum* free, may Hunt with Spaniel.	**Spaniel**, § 4.
None by day or Night to purloyn Eggs.	**Eggs**, § 5.
Crows, Choughs, Ravens and Buzzards, may be deſtroyed.	§. 6.
Felony to take in the Kings Ground any Egg or Bird of Falcon, Goſhawk or Lanner, out of the Neſt, or to take up Falcon, Jerfalcon, Jerkin, Sacer, Goſhawk, &c. with the Kings Arms.	**Eggs King**, 31 *H.*8.*c.*12
Whoſoever ſell or buy Patridge, forſeits ſix ſhillings eight pence; except for the King, Queen, or Princes Houſe, &c.	**Patridge**, 32 *H.*8.*c.*8.
To take Eggs of Falcon, Goſhawk, &c. or Birds out of the Neſt, Felony.	**Eggs**, *cap.* 14.
Hail-ſhot not to be uſed on Dove-cote, or on Church, or in Town.	**Hail-ſhot**, 2 & 3 *E.* 6. *Cap.* 14.
At prayer of Fen-men 25 *Hen.*8. *Cap.*11.§.2. of taking Wild-fowl with Nets, is Repealed.	**Nets**, 3 & 4 *E.* 6. *c.* 6.
The Stat. of 25 *Hen.* 8. *Cap.*11.§.5. Confirmed againſt ſtealers of Eggs, &c.	**Eggs**, § 2.
Entring Incloſure, and taking Hawks, or Eggs, &c. or in Woods, Impriſon three months, pay treble Damages, and good Behaviour ſeven years.	**Entring-Incloſure**, 5 *El. cap.* 21.§.3.
Only that Branch of 24 *Hen.* 8. *Cap.* 10. §. 3. Revived as to Nets to deſtroy Crows.	**Nets**, 8 *Eliz. cap.* 15.
None to deſtroy Feaſant or Partridge with Nets, &c. in the Night, on forſeit of twenty ſhillings, &c. and Obligation not to offend again.	23 *Eliz. cap.* 10. §. 2.
Poor to have his part procures ſuch Offence, and then Informs.	**Penalty**, §. 3.
None to Hawk, or with Spaniel Hunt in Corn till Copped, on forſeit of forty ſhillings.	**Corn Hunt**, §. 4.
Juſtices, Leets, &c. to puniſh, &c.	**Juſtices, &c.** §. 5.
Not to extend to Lowbellers, Tramellers, &c. that let go and kill not, &c.	**Lowbellers, &c.** §. 6.
Killing, &c. Pheaſant, Patridge, Houſe-Dove or Pigeon, Hern, Mallard, Duck, Teal, Widgeon, Gooſe, Heath-Cock, Moregame, or Hare, &c. Impriſonment three Months, or pay twenty ſhillings each, &c.	**Killing**, 1 *Jac.c.*27.§.2.
Keeping Setting-Dog, or Nets for Partridge, unleſs ten pounds *per annum*, to be Commit or pay forty ſhillings.	**Setting-Dogg, Nets**, §. 3.
Selling Patridge, &c. forſeits forty ſhillings, unleſs rear.	**Patridge**, §. 4.
None to be puniſht by former Law that are puniſht by this.	§. 5.
Lords of Manors, &c. of ten pounds *per annum*, to take Pheaſants.	**Pheſants**, §. 6.
All keeping Hawks Licenſed at Seſſions, to kill Ring-Dove, &c.	**Hawks**, §. 7.
Killing Partridge or Pheaſant between 1 *July*, and 31 *Auguſt*, forty ſhillings, or Impriſonment a Month.	**Patridge**, 7 *Jac. c.* 11. §.2.
Puniſh by this Law, diſcharge as to others.	§.3.
Proſecution to be in ſix months after Offence.	§.4.
Freehold of ten pounds *per annum*, to take with Nets on his own Ground, as by 1 *Jac. Cap.* 27. §. 5. Repealed.	**Nets**, §. 6.
Freehold of forty pounds *per annum*, may in his own Lands take them.	§. 7.
Proof by one Witneſs before two Juſtices of Peace, ſufficient to Commit three months, or pay twenty ſhillings each.	**Conviction**, §. 8.
Conſtable by Warrant may ſearch Houſe, and take Nets, Dogs, &c.	**Nets, &c.** § 9.
Lord of Mannor under an Eſquire, not to keep Setting-Dogs, &c.	**Setting-Dogs**, 22 & 23 *Car.* 2. *c.*25.§.2.
None under One hundred pounds *per annum*, to keep Grey hounds, &c.	**Greyhounds**, §. 3.
For deſtroying Fowl without Licenſe, Officer to forfeit five pounds, and chief Officer on place for his Souldiers offence ten ſhillings, and for non payment, Officers Commiſſion to be void.	**Officer, Souldier, Deſtroying**, 4 & 5 *W.* & *M. c.*13. §. 30.
Reviver of all Laws for preſervation of Game, Conſtable by Juſtice Warrant, may ſearch Houſes of ſuſpected perſons not qualified, for Fowl, and the Offender to forfeit not under five ſhillings nor above twenty ſhillings, to be levied by diſtreſs, &c. and for want thereof to be committed to the Houſe of Correction, not above one Month, nor leſs then ten days, with the ſame Penalty on perſons not qualified, keeping Inſtruments for deſtroying Fowl.	**Reviver Laws, Searching for Fowl, Penalty, Perſon unqualified keeping inſtruments, &c.** *c.*35.§.3
Lords of Royalties, and Game-keepers, may reſiſt offenders in night time.	**Reſiſting Offenders, in Night**, §. 4.

Certiorari, §. 7.	*Certiorari* not to be allowed, unleſs party convict give ſecurity to pay proſecutor coſts after conviction confirmed, &c.
None twice puniſhed, §. 8.	None puniſhed by this Act ſhall incur penalty of any other.
Defendants plea, §. 9.	Defendant may plead General Iſſue, &c.
Tradeſmen, Apprentice, &c. §. 10.	Inferior Trades-men, Apprentices, or perſons of Imployment, that ſhall Fowl, (unleſs in company of Maſter of Apprentice qualified) ſhall be ſubject to Penalties of this Act, Action of Treſpaſs, Damages, and full Coſts.
Burning Ling, Firn, &c. §. 11.	None to burn Ling, Firn, &c. on Heath, or Waſts, between 2 *February*, and 4 of *June*, On pain of being committed to the Houſe of Correction, not above one month, nor leſs then twenty days.

France.

Calice, Britain, Normandy.

Subject, 14 *Ed.* 3. *p.* 107.	*England* never was ſubject to the King of *France*, nor to that Realm.
Gaſcoyn, 27 *Ed.* 3. *c.* 7.	*Engliſh* ſhall not go into *Gaſcoyn*, nor have Agent there to bargain before Vintage, not to buy at *Burdeaux* or *Bayon*, on Impriſonment.
Galice, &c. 42 *Ed.* 3. *c.* 10.	Children born at *Calice*, and other Seigniories of the King, are Inheritable.
43 *Ed.* 5. *cap.* 1.	The Staples of *Calice* put out, but in *England* remain as before.
Staples, 14 *Rich.* 2. *Cap.* 1.	The Staple removed from *Calice* to *England*, as 27 *Ed.* 3. *Cap.* 1.
21 *Rich.* 2. *c.* 17.	No Licence to ſhip Staple Commodities but at *Calice*, but the Stat. is Repealed by 1 *H.* 4. *Cap.* 3.
Calice, *cap.* 18.	Stones carried for Laſtage to repair Beacons, and Paradice, and other decayed Places in *Calice*.
1 *Hen.* 5. *cap.* 9.	The Revenues of *Calice* ſhall be employed to the maintenance of it.
Britains, 3 *H.* 5. *St.* 2. *c.* 3.	All *Britains* not made Denizens, to depart the Realm on death.
Calice, 2 *H.* 6. *c.* 4.	Merchant paſſing out of *England*, ſhall go to *Calice* ſo long as the Staple is there.
Cap. 5.	Wooll forfeit, and Merchant Impriſoned, that carries any whither but to *Calice*, not Cuſtomed.
Protections, 9 *H.* 5. *c.* 3.	Protections to thoſe in the Kings Service in *Normandy*, or that paſs with him into *France*.
Sheep tranſport, 3 *H.* 6. *cap.* 2.	Sheep ſhall not be Tranſported without Licence, only to Victual *Calice*.
Priviledge, 4 *Hen.* 6. *c.* 2.	A Confirmation of Priviledges, 9 *H.* 5. *Cap.* 3. of thoſe in the *French* Wars.
8 *Hen.* 6. *cap.* 13.	Priviledges of going into *France*, except in Aſſize of *Novel Diſſeiſin*.
Calice, 10 *Hen.* 6 *c.* 5.	For maintenance of the Places about *Calice*.
Exportation, *cap.* 17.	Merchants that ſhip Wooll, Fells, &c. from *England*, *Ireland* or *Wales*, but to *Calice*, forfeit double, and two years Impriſonment.
Calice, *cap.* 18.	Prices of Merchandize, and maintenance of the Mint at *Calice*.
Cap. 20.	Dwellers at *Calice* ſhall buy Merchandize of the Staple.
Cap. 21.	Repeal of Licence to *Newcaſtle* and *Berwick*, to Tranſport any where but to *Calice*.
Cap. 25.	Mayor of the Staple of *Calice*, ſhall be two years in Office.
14 *H.* 6. *c.* 2.	Woolls, &c. to *Calice*, and no Licence good *contra*, but the King may modifie this Statute.
15 *Hen.* 6. *cap.* 8.	None ſhall ſhip Merchandize in Creeks, but at Ports, and give Security to go to *Calice*.
Feoffment, Colluſion, 14 *Ed.* 4. *cap.* 1.	They who hold of the King and go into *France*, may make Feoffments by Colluſion to uſe of Will, and the Heir not be in Ward.
Cap. 2.	The Grant 9 *H.* 5. *Cap.* 3. to thoſe that went into *Normandy*, ſhall now avail thoſe that go into *France*.
Calice, 1 *Hen.* 7. *cap.* 3.	Priviledge ſhall not be allowed in any Court in *Calice*, or the Marches thereof.
Britain, 4 *Hen.* 7. *cap.* 4.	Priviledge of ſuch as ſhould be in the Kings Service in *Britain*.
Debts, 5 *H.* 8. *c.* 1.	Aſſurance of Debts from Subjects of *Tourney* and *Terwin* to *Engliſh* and *Contra*.
Sewers, 6 *H.* 8. *c.* 10.	A Commiſſion of Sewers for ten years in *England*, *Calice*, *Guiſnes*, and *Hammes*.
Calice, 21 *H.* 8 *c.* 6. §. 6.	No Mortuaries in *Calice*, but as accuſtomed.
Export, 22 *H.* 8. *c.* 7.	He forfeits forty ſhillings that Tranſports Horſe, &c. unleſs for Victualling *Calice*.
25 *Hen.* 8. *cap.* 2.	No Victuals to be Tranſported but for *Calice*, *Guiſnes*, and *Hammes*.
Calice, *cap.* 10.	The Stat. 23 *H.* 8. *Cap.* 5. to extend to *Calice*, and the Marches for Sewers.
Dowlas, &c. 28 *H.* 8. *cap.* 4.	Dowlas and Lockram being made in *Britian*, may be Imported, if number of Yards and Ells be expreſt thereon.
Reſumption, 32 *Hen.* 8. *cap.* 27.	A Reſumption of extraordinary Grants and Licences of Abſence and Reverſions in *Calice*, and the Marches.
Calice, 33 *H.* 8. *c.* 1. §. 5.	Any three of the Kings Council at *Calice*, to puniſh Gainer of Money by falſe Tokens or Letters in *Calice* and *Guiſnes*, except death.

Calice, *Jerſey*, &c. may keep Croſs-Bow, Hand-Gun, &c.	Cap. 6.
Calice Streets Paved, and Houſes Slated or Tyled.	Calice, 2 & 3 *E.* 6. *c*
Providing for *Calice*, *Guiſnes*, &c. is no Ingroſſing.	5 & 6 *E.* 6. *c.* 14. §. 7.
Wines of *Gaſcoyn*, *Guyan*, &c. may be Imported in Ships of any Army whatever, and 4 *H.* 7. *Cap.* 10. Repealed,	Gaſcoyn, *c.* 18. §.
The Rents and Profits of *Calice*, to be anſwered as heretofore.	Calice, 7 *Ed.* 6. *c.* 1. §
None to Retail Wines of *Gaſcony*, *Guyan* or *French*, above eight pence the Gallon at moſt, four pence *Rochel*, &c.	**Retail Wine**, *cap.*
All under the Dominion of the *French* King, to depart during the War, and Proclamation to Repeal Patent of Denization on Miſdemeanour proved.	**Depart the Realm** 5 *Ph.* & *Mar.* *c.*
Hoyes and Plates may paſs the Seas to *Cane* or *Norway*, notwithſtanding, 1 *Eliz.* 13. §. 3.	5 *El.* *cap.* 5. §. 9.
No Wines of *France* to be Imported but in *Engliſh* Ships, as 4 *H.* 7. *Cap.* 10.	**Importation**, §. 1
Strangers born may Import Wine of *France*, in Strangers Ships under one hundred Tun.	§. 46.
Strangers may Import into *Cheapſtow* in Forein Ships under one hundred Tun, &c.	§. 47.
Strangers may Import into North *Wales* under one hundred Tun.	§. 48.
Mildernix and *Pouldavy* Sails, 32 *Eliz.* brought from *France*.	1 *Jac.* *cap.* 24.
Wines, &c. of *France*, to be deemed Aliens, unleſs Imported in *Engliſh* Ships.	12 *Car.* 2. *cap.* 1
Ships of *French* King to pay five ſhillings *per* Tun, ſo long as ours pay fifty Sols newly impoſed there.	**Tunnage**, §. 17.
Wines of *France* not to be mixt with *Spaniſh* or *Rheniſh*, &c.	**Wines**, *c.* 25. §. 11.
No Sheep, Wool, Wooll-Fells, Fullers-Earth, Clay, &c. to be exported from *England*, *Wales*, or *Ireland*, to *Jerſey*, *Guernſey*, *Sark*, or *Alderny*.	**Exportation**, *cap.*
Not to extend to Wooll Exported from *Southampton* by Licence from the Governour of *Jerſey*, &c.	§. 12.
Governour to Licenſe none but for neceſſary uſe of the Iſle, &c.	§. 13.
Governour to make Entries, and Officers to take only Twelve pence for Licence, &c.	§. 14.
Repeal of a Clauſe in 29 & 30 *Car.* 2. *Cap.* 1. for Prohibition of *French* Commodities.	**Repeal**, 1 *Jac.* 2. *c.*
Prohibition of Trade and Commerce with *France* for three years, *Vid.* tit. *Merchant*.	**Prohibiting trade** France, 1 *W.* & *M*
For better Execution of 1 *W.* & *M.* *Seſſ.* 1. *Cap.* 34. by inflicting new Penalties on offenders againſt that Act, and diſturbers of Execution thereof. *Vide* tit. *Merchant*.	**Executing**, 1 *W.* & 2 *W.* & *M.* *Seſſ.* 2.
An Act for preſerving two Ships Lading of Bay Salt, the product of *France*, taken as Prize, for the benefit of their Majeſties Navy.	**Bay Salt**, 3 & 4 *M.* *cap.* 4.
Tranſporting, &c. Utenſils of War into Dominions of *French* King, during War with *France*, High Treaſon.	**Tranſport, &c.** **ſils of War**, *c.* 13. §
Tranſporting, &c. Goods or Merchandizes, (except as above) into *French* Kings Dominions, during War, ſhall incur Premunire.	**Tranſport, &c.** §. 2.
Voluntary going of Subjects, or Imbarking with intent to go into the *French* Kings Dominions, without Licence High Treaſon.	**Subjects going** France, &c. **Imba** **ing.** §. 3.
Voluntary coming, or returning of Subjects from the *French* Kings Dominions during War, without leave, commitment without Bail, &c. during Pleaſure, not exceeding twelve Months.	**Coming or return** **of Subjects**, §
Reviver of 1 *W.* & *M.* *Seſſ.* 1. *Cap.* 34 & 2 *W.* & *M.* *Seſſ.* 2. *Cap.* 14. for three years, if War with *France* laſt ſo long, and for Encouraging of Privateers. *Vide* tit. *Merchant*.	**Reviver, Privat** 4 & 5 *W.* & *M.* *c.*
Repeal of Clauſe in 1 *W.* & *M.* *Seſſ.* 1. *Cap.* 34. § 8.	**Repeal** 5 & 6 *W.* & *cap.* 2.

Franchiſe.

Liberties, Priviledges, Immunities, Corporation, Ad quod damnum, Quo Warranto.

Grant by the King for him and his Heirs unto all the Freemen of the Realm and their Heirs.	**Priviledges**, 9 *H.* 3. *Magna Chart.*
The City of *London* ſhall have all the old Liberties and Cuſtoms uſed, and all other Cities, Burroughs, Towns, and Barons of the Cinque Ports.	**London**, *cap.* 9.
No Freeman ſhall be taken, Impriſoned or Diſſeiſed of Freehold, Liberties or Free Cuſtoms, nor Exile, Utlaw, or otherwiſe deſtroy, but by lawful Judgment of Peers, or by the Law of the Land.	**Priviledge**, *cap.* 29.
That Purchaſer ſhall not be Impanelled on Juries holds not where Juſtice cannot be done without their Oaths.	**Jury**, 52 *H.* 3. *cap.* 1 *Marlb.*

Sheriff

treſs, *cap.* 21.	Sheriff without, and Baliffs within, ſhall make delivery of Diſtreſs on Complaint.
ſure, 3 *Ed.*1.*c.*9.*W.*1.	Shall be ſeized on default of freſh Suit after Felon, by Hue and Cry.
ry, *cap.* 17.	Sheriff ſhall enter, &c. if Bailiff of Franchiſe do not make Returns, &c.
ks **Office**, *cap.*27.	Of Clerks Office for a year, taking any thing for Chapiters, except Clerks of Juſtices in Eyre, Two ſhillings of Town, forfeit.
ption, *cap.*30.	Of Office in Fee, by wrongful taking what they ought not as Fees, is forfeit.
feiture, *cap.* 31.	Of Market, taking outragious Toll, and of Franchiſe of Murage, by taking more then Grant, is forfeit.
ſenger, *cap.* 34.	Arreſt of Paſſenger therein for Debt *Dehors*, is double Damages and Amerciaments.
rpation, 4 *Ed.*1.*c.*4. *Bigamis.*	The King may re-ſeize Uſurpations in Franchiſes, and elſe where, during Lives of Uſurpers.
riff, 13 *Ed.*1. *c.* 39. *W.*2.	If Sheriff return a Liberty that is not in the Rolls of Exchequer, he ſhall be puniſhed as a Diſheritor of the King.
firmation, 18 *Ed.* 1. 6. *de Quo warranto.*	Such as were impleaded that uſed them before *Rich.*1. or in his time, with Continuance ſince, ſhall be confirmed.
warranto, §. 2.	All Pleas of *Quo Warranto* now and hereafter, ſhall be Adjourned into the proper County, until the coming of the Juſtices.
Stat. pag. 56.	Reſtitution of Liberties loſt in *Quo Warranto*, ſhall be.
quod damnum, 27 1. *p.* 62. §. 1.	On Purchaſe thereof, or Amortizing Lands, or making General Attorneys, &c. there ſhall be Writs out of Chancery, to enquire *Ad quod damnum.*
warranto, 30 *E.*1 7. *de Quo warranto.*	If Uſurpation appear, Juſtices may give Judgment with Writ or without, but not againſt Heir, but on Original Writ of *Quo Warranto.*
riff, 12 *Ed.*2. *c.*5.	Bailiffs of, &c. ſhall return by Indentures to the Sheriff, &c.
rmation, 1 *Ed.* 3. .9.	Confirmed to Cities and Boroughs, and Towns Franchiſed.
iture, 9 *Ed.*3.*c.*1.	Shall be loſt, and double damages on diſturbing Merchant, Alien, or Denizen, Buying or Selling where he pleaſed.
l, *cap.* 4.	Tryal ſhall be in the County, if Deed be dated there where the Kings Writ runs not.
rius, 14 *Ed.*3. *c.*16.	Tenor of Record of *Niſi prius*, ſhall be ſent thither to try, and after the Judgment ſhall be in *Banco Regis*, or C. B. or Exchequer.
ery, 28 *Ed.* 3.*c.*11.	Shall anſwer for Robbery therein, the Damage within forty days.
ts, 42 *Ed.*5. *c.*9.	Shall have Copies of Eſtreats delivered to Bailiff, &c.
rmation, 2 *Hen.* 4. 1.	Of Holy Church, of Lord Spiritual and Temporal, and of Cities, Boroughs, and Towns in Franchiſe, Confirmed.
4. *cap.* 1.	All Confirmed, except that lately Granted to the Scholars of the Univerſity of *Oxford.*
, *cap.* 5.	Where Mayor, Bayliffs, or Lord is found no Diſſeizor, which ſhall be firſt Enquired, the Aſſize ſhall abate for the Colluſion, though others named be.
l, &c. 2 *H.*5. *cap.*5.	Utlary of Murder, Treaſon, or Felony done by Dweller in *Tyndal* or *Examſhire*, where *Breve Dom. Reg. non currit*, ſhall be certified to the Lord, and his Miniſter do Execution.
5. *cap.* 7.	The Statute of 2 *Hen.* 5. *Cap.* 5. Extend to Offenders in *Rydeſdale.*
d, *cap.* 8.	*Oxford* Scholars baniſht that Diſſeize men, or Hunt in Foreſts, or take Clerks Convict out of Priſon.
uſion, 8 *Hen.*6.*c.*26.	Where challenged on default of Defendant, and Colluſion found the Writ ſhall abate.
ery, *cap.* 27.	The Inhabitants of *Tewksbury* may ſue Foreſt of Dean, and other Hundreds on Robbery upon the *Severn*, on the Stat. *Wincheſter.*
18 *Hen.*6.*c.*2.	Jurors of twenty pounds *per annum* Gavelkind, may be returned in Attaint.
iture, 27 *H.*6.*c.*5.	The Lord, &c. ſhall have Wares ſhewed in Fairs, &c. on Feaſt-days, &c.
29 *H.* 6. *cap.* 3.	Grant to *York* to be exempt from Mayor, Sheriff, Chamberlain, Collector of Diſms, and Citizens of Parliament void.
k, 22 *Ed.*4.*cap.*8.	Merchant of *Berwick* ſhall Ship all there, from or to *Scotland.*
§.2.	They have the Farm of Fiſhing in that Seigniory.
l, 11 *H.*7.*c.*9.	*Tyndal* made Guildable and parcel of the County, and to find Security to obey the Kings Writs.
iff, 27 *Hen.*8. *c.*24. §.9.	Stewards and Bayliffs ſhall be Amerced for Inſufficient Returns, &c. and not Sheriff.
entation, 32 *H.*8. 2.	Of Abbe Lands revived in the Crown, and put in diſpoſe of the Court of Augmentation, as fully as Owner had them.
bury, 34 & 35 8. *cap.* 18.	A Confirmation of Liberties of *Canterbury* to be reſumed, on Cauſe that none uſe Myſtery there without Licence.
m, 14 *El. c.* 13.	*Hexam* and *Shire* made parcel of County of *Northumberland.*
er, 1 *Jac. cap.* 22. §. 32.	Above three miles off *London*, forfeit forty ſhillings not appointed Searchers of Leather, &c.

A Confirmation of Patent to Mayor, &c, of *Berwick.*	Berwick, 1 *Jac. c.* 28.

Fraudulent Aſſurances, &c. ſee *Colluſion.*
Freehold, ſee *Eſtates.*

Freſh Suit.

Watch, Hue and Cry, Eſcape.

All ſhall be ready on Hue and Cry, under Fine and Franchiſe to be ſeized, and Sheriff or Baliff Impriſon for neglect or concealment of Felons.	**Fine**, 3 *Ed.* 1. *c.* 9. *W.*1.
He that is Attacht of not following the Hue and Cry on Murder, &c. ſhall be Attached, to be before the Juſtices of the Gaol.	**Attachment**, 4 *Ed.* 1. *p.* 28. *Coron.*
If made within a year and day, want of it ſhall not abate an Appeal of Felony.	**Appeal of Felony**, 6 *E.*1 *cap.* 9. *Glouc.*
Shall be made from Town to Town, and from County to County, immediately after Robbery.	**When made**, 13 *E.* 1. *cap.* 1. *Winch.*
If Agreement be not in forty days for Robbery, all the people of the County ſhall anſwer for the Robbery.	**Robbery**, *cap.* 2 & 3.
Walled Towns ſhut from Sun ſet to Riſing, Lodgers in Suburbs ſhall be Enquired of, and from *Aſcenſion* to *Michaelmas*, Six at every Gate in City, and Twelve in Borough, Six or Four in every Town ſhall Watch all Night, and Arreſt Strangers, and on refuſal, Levy Hue and Cry.	**Watch**, *cap.* 4.
Sheriffs and Bayliffs ſhall keep Horſe and Armour, and Conſtables ſhall preſent them, if they do not purſue the Hue and Cry.	**Horſe, &c.** *cap.* 6.
Shall be made of Felonies commit within the Verge as without.	**Verge**, 28 *Ed.*1.*c.*3. *Artic. ſuper. Chart.*
Frankpledge to Enquire of Levies levied, and not purſued.	**Frankpledge**, 18 *Ed.* 2. *p.* 84. §. 17.
The People of each Country, all the Hundred or Franchiſe, or both, if Robbery be on the Confines, ſhall in forty days anſwer Damage.	**Damage**, 28 *Ed.*3.*c.*11.
Inhabitants where default of Freſh Suit is, ſhall anſwer Moiety of what is recovered againſt Hundred where Felony was, &c. to be recovered by Clerk of the Peace.	**Default**, 27 *El.c.*13 §. 2.
Suit ſhall not be diſcontinued by death of Clerk, but Succeſſor to proceed.	**Diſcontinuance**, §. 3.
Two Juſtices of Peace, *Quorum* one, to Aſſeſs Tax on Hundred, to Reimburſe Party ſued, and Conſtables, to Tax Hamlets, &c. and on refuſal, Diſtreſs and Sale.	**Tax damage**, §. 5.
Conſtables in ten days to deliver Tax to Juſtices of Peace and by him to Party on requeſt.	§. 6.
The like Tax in every Hundred, where default of Freſh Suit is.	§. 7.
If any one Malefactor be taken, the Hundred is diſcharged.	**Damages diſcharged**, §. 8.
No benefit of former Statutes, unleſs Suit be within a year after Robbery.	§. 9.
No Hue and Cry to be ſufficient, unleſs by Horſe and Foot.	**Horſe and Foot**, §. 10.
No benefit on 13 *Ed.*1. *Cap.*1. and 28 *Ed.*3. *Cap.*11. unleſs party robbed give notice convenient to ſome Inhabitants of Town near the place, no Suit but on Oath in Twenty days.	**Notice**, §. 11.
Benhurſt in *Berkſhire* to recover in Clerk of the Peace Name, againſt that Hundred where default of Freſh Suit is.	Benhurſt, 39 *El. c.* 25.
No total Recovery but where no notice is given to *Benhurſt*, and where they do upon notice purſue with Horſe and Foot, according to 27 *Eliz. Cap.*13. §.10.	§. 2.
No remedy for Party Robbed on Sunday, but Hundred forfeit to the King in default of Freſh Suit.	**Sunday**, 29 *Car.*2. *c.* 7. §. 5.

Fryers, ſee *Abbe.*
Fuel, ſee *Woods.*
Fugitives, ſee *Ouſter le mere* and *Exile.*
Fuſtians, ſee *Drapery.*

Games.

Plays, Stage-plays, Sports, Interludes, Bear-baiting, Mummers, Dice, Cards, Bowling-Alley.

Unlawful Games prohibited.	**Prohibition**, 12 *R.*2.*c.*6
Player at Games prohibited by 12 *R.*2. *Cap.* 6. ſhall be ſix days Impriſoned.	**Puniſhment**, 11 *Hen.*4. *cap.* 4.
Cloſs, Half-Bowle, Kayls, Hand in Hand, or Queckboard, ſhall not be uſed on two years Impriſonment, and forfeit ten pounds, and ſuffering it in private houſe three years Impriſoned, and forfeit twenty pounds.	**Cloſs, &c.** 17 *Ed.*4.*c.*3.
No Artificer, Labourer, or Servant, ſhall play at unlawful Games, but at *Chriſtmas.*	**Labourer**, 11 *H.*7.*c.*2.
Unlawful not to be uſed.	3 *Hen.*8. *cap.* 3.
Mummers Impriſoned three Months, and Fined: He that ſells Vizards, forfeits twenty ſhillings and Impriſonment.	**Mummers**, *cap.* 9.
Gentlemen, &c. may ſhoot at Butts in place convenient.	**Butts**, 33 *H.*8.*c.*6 §.6.
A Repeal of 25 *H.*8. *Cap.* 17. of reſtraining ſhooting in Croſs-bow.	**Croſs-bow**, §. 9.

Gaming-house, *cap.* 9. §. 11.	None to keep Gaming prohibited, nor new unlawful Games, as Bowling, Coyting, Cloyſhcayls, Tennis, Dicing or Carding.
§. 12.	Haunter of Gaming-houſe, forfeit ſix ſhillings eight pence.
§. 13.	Placard of Licence to contain certainty of Game, and what perſons to play.
§. 14.	Juſtice of Peace to puniſh Offenders.
§. 15.	Conſtables, &c. to ſearch for Offenders weekly.
Artificer, §. 16.	No Artificer, Husbandman, Apprentice, Servant, Labourer, Journeyman, &c. to play at Tables, Tennis, Cards, Dice, Bowls, Claſh, Coyting, Logating, or any other unlawful Games out of *Chriſtmas*.
§. 18.	Leaſes of ſuch Houſes to be void at Election of Leſſee.
Licence, 2 & 3 *Ph. & Mar. cap.* 9.	Licence, Placard, or Grant to have, maintain or keep Bowling-Alley, Dicing-houſe, or other unlawful Game prohibited, void.
Players, &c. 39 *Eliz. cap.* 4. §. 2.	Common Players, unleſs Authorized by Baron, &c. Juglers, &c. Rogues.
§. 10.	Not to prejudice *John Dutton* of his Juriſdiction and Preſcription.
43 *El. cap.* 9. §. 27.	Unleſs *John Dutton* procure Certificate of his Juriſdiction and Preſcription to Licenſe Minſtrels, the *Proviſo* in 39 *Eliz.* *Cap.* 4. §. 10. excluded.
1 *Jac. cap.* 7.	No Authority by Baron, &c. ſhall diſcharge from puniſhment, 39 *Eliz.* *Cap.* 4.
Gods name, 3 *J. c.* 21.	Uſing jeſtingly or profanely the name of God, &c. in Stage-play, &c. forfeits ten pounds.
Lords day, 1 *Car.* 1. *c.* 1.	No Bear-baiting, Sports, Plays, &c. on the Lords-day, on forfeit of three ſhillings four pence.
Deceit, 16 *Car.* 2. *c.* 7. §. 2.	Deceit at Cards, Dice, Tables, Tennis, Cock-fighting, Races, &c. forfeits the treble of what is won, proſecured in ſix Kalendar Months.
Sum, §. 3.	Loſing above one hundred pounds, unleſs in ready Money, remedileſs, Winner to forfeit treble what he wins, and treble Coſts.

Gaols, ſee *Impriſonment.*
Guard, ſee *Wards.*
Gavelkind, ſee *Deſcent* & *Partition.*
Gauging, ſee *Meaſures.*
General Iſſues, ſee *Iſſues joyned.*
Gigmils, ſee *Drapery.*
Gold, ſee *Mettals.*

Grants.

Reſumption, Patents, Confirmation done.

Liberties, 9 *H.* 3. *c.* 1. *Mag. Chart.*	Of the Liberties under-written by the King for him and his Heirs, unto all the Freemen of the Realm, and their Heirs.
Mortmain, *cap.* 36.	To Religious Houſe, and retaking by Tenure or Leaſe is void, and forfeit to the Lord of the Fee in Conviction.
Fifteenth, *cap.* 37.	By the Archbiſhop and Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other Subjects, of a Fifteenth of all their Moveables to the King, for his Grant of Liberties to them.
Aid del Roy, 4 *Ed.* 1. *c.* 2. *De Bigamis.*	By the King is ſufficient for Aid, but on Advertiſement to the King, they may proceed without delay.
Cap. 3.	Of Ward to Guardian ſhall not have *Aid del Roy* in Dower.
Donor's Will, 13 *E.* 1. *c.* 1	The Will of the Donor expreſt, ſhall be obſerved.
Del Roy, 17 *Ed.* 2. *c.* 15. *Prerogat. Reg.*	By the King of Mannors *cum pertinentiis*, paſſeth not, Knights Fees, Advowſons, nor Dower.
11 *Rich.* 2. *cap.* 1.	Of Annuity *Quouſq; pro ſtatu ſuo aliter Duximus ordinandum*, is void by after accepting any thing of the King.
14 *Rich.* 2. *cap.* 10.	Of Cuſtomers, Controllers, &c. by the King otherwiſe then at Will, Repeal and void.
17 *Rich.* 2. *cap.* 5.	Of Searcher, Gauger of Wine, Aulneger, Finder, Weight of Woolls, or any other Merchandize, Collectors of Cuſtoms, nor of Controller, ſhall not be for Life or Years, but Governed by Treaſurer.
Petition to the King, 1 *Hen.* 4. *cap.* 6.	Petition to the King muſt mention the Value of demand, and what hath been already received, elſe revocable for the Deceit.
Kings Patentee, *cap.* 8.	Aſſize and treble Damages on recovery againſt the Kings Patentee.
Del Roy, *cap.* 13.	Of Cuſtomers, Controllers, &c. other then at Will, void by the King.
2 *Hen.* 4. *cap.* 6.	An Expoſition of 1 *Hen.* 4. *Cap.* 6.
4 *Hen.* 4. *cap.* 4.	By the King ſhall be to none but on deſert, and they who demand without, puniſht.
Priority, 7 *H.* 4. *c.* 16.	The firſt Annuity grant by the King, ſhall be firſt ſatisfied.
Date, 18 *Hen.* 6. *cap.* 1.	Patent ſhall be dated the day of Warrant delivered to the Chancellor, and not before.
Grant when, *c.* 6.	Shall not be before Office or Record found of the Kings Title, nor Farmed till a Month after Return.
Sheriff, 23 *Hen.* 6. *c.* 8.	To be Sheriff longer then a year with *Non obſtante*, void.

To *York* to be exempt from Mayor, Sheriff, Chamberlain, Collector of Diſms, Citizens of Parliament, void.	York, 29 *Hen.* 6. *cap*
Of Aulnager, Cuſtomer, Gauger, Crontroller, Weigher, Finder, Searcher, &c. otherwiſe then by Bill of Treaſurer, void; except the Queen, Prince, *London*, &c.	**Aulnager, &c.** 31 *cap.* 5.
Fees, Rewards, and Wages, &c. not compriſed in 28 *H.* 6. *Cap* 1. of Reſumption.	**Reſumption**, *cap.*
By *Ed.* 4. before Parliament, to be as effectual as when made.	1 *Ed.* 4. *cap.* 1. §.
By *Ed.* 4. after 4 *March*, before the Parliament, ſhall be of no more force then they were then, to ſuch were ſeized.	7 *Ed.* 4. *cap.* 4.
Patentee of Lands of perſon attaint, may be diſtrain'd for Services, &c.	**Patentee diſtreſs**, *cap.* 5.
A Reſumption of all Eſtates of Lands made to *Eliz. Gray*, Queen of *England*.	**Reſumption**, 1 *Ri* *cap.* 15.
To be diſcharged of Diſm, Repealed.	4 *Hen.* 7. *cap.* 5.
Of Officers in *Inglewood* Forreſt, Repealed.	*Cap.* 6.
Of the Earldom of *March*, to be under the Great Seal, &c.	*Cap.* 14.
To be diſcharged of Diſm, ſhall extend no further then in time of *Ed.* 4.	**Tith-free**, 7 *H.* 7.
To any, after Eſcheator hath let Lands to Farm within three Months of Office, void.	**Eſcheator**, 1 *H.* 8. §. 10.
If later Patent do not recite former, and that is determined, its void.	**Patent recital**, 6 *cap.* 15.
Under the Great Seal, muſt come by Principal Secretary, or Signet Warrant,	**Great Seal**, 27 *cap.* 11.
None to paſs from Signet to Privy Seal, and ſo to Great Seal.	§. 3.
Dutchy Lands to be as uſual under *Lancaſter* Seal.	**Dutchy Lands**,
May at diſcretion of Lord Chancellor be delayed, or expedited.	§. 9.
Entered *per* A: *Ad mandatum Dom. Regis*, for the Kings private Affairs, or of the Realm, pays no Fees.	§. 11.
Of Farms not above Six pounds thirteen ſhillings four pence yearly, pay no Fees to Signet.	§. 12.
All Monaſteries Diſſolve to be in Survey, &c. Except ſuch as the King reſerves by Patent.	**Monaſteries**, 27 *H* *cap.* 27. §. 18.
That Denizen be as free as natural born Subject notwithſtanding Statute; exempts not from Obedience, unleſs the particular Franchiſe be ſpecified in Bill ſigned by the King, and in the Patent.	**Denizen**, 32 *Hen.* 8 §. 7.
A Reſumption of extraordinary Abſence and Reverſions in *Calice*, *Berwick*, and of Sheriffwicks for Life in *Wales*.	**Reſumption**, *cap.*
By Majority of Corporation, good againſt Founders Law of a Negative Voice, or Diſſent of Minority.	**Corporation**, 33 *cap.* 27.
By Biſhop of *Coventry* and *Lichfield*, Confirmed by Dean and Chapter of *Lichfield*, good againſt Succeſſor.	**Biſhop of** Cov *cap.* 30.
By Biſhop of *Bath*, &c. Confirmed by Dean and Chapter of *Wells*, binds Succeſſor.	**Biſhop of** Bath; 35 *Hen.* 8. *cap.*
To the King, good, notwithſtanding miſ-recital, non-recital, or not naming, &c.	**Miſrecital**, *cap.*
Grants by the King, good, notwithſtanding not finding Office, Value, Names or Places.	**Office, &c.** §. 2
By the King, good without Licence, Diſpenſation, Confirmation, Toleration, &c.	**Licence, &c.** §. 3
Of Offices to ceaſe, as Office ceaſe.	**Grant ceaſe**, §. 4
Patentee to pay twenty years Purchaſe for over value, above what is in Patent.	**Overvalue**, § 6.
By Archbiſhop of *York* to the King, confirmed againſt Dean and Chapter.	York, 37 *H.* 8. *c.* 16.
Of Archbiſhop of *Canterbury* to the King, confirmed.	Canterbury, §. 6.
Of the Biſhop of *London* to the King, confirmed.	London, §. 7.
Notwithſtanding 35 *H.* 8. *Cap.* 14. §. 3. the King may reſerve Tenure as well of all other Lands as of Abbeys, under forty ſhillings, that came by 27 *H.* 8. *Cap.* 28.	**Tenure**, *cap.* 20. §
Patentee with expreſs Clauſe to hold *Et non in Capite*, ſhall not ſue *Ouſter le main.*	Ouſter le main, §.
By the King, good, notwithſtanding miſ-recital, falſe or non recital, or miſ-naming of Places, Perſons, Things, or Values, &c.	**Miſrecital**, 1 *Ed.* 6 §. 2.
Not to extend to Leaſes by Courts, on Traverſe to Offices void by Parliament, &c.	§. 3.
Not to alter Grants of Offices from that they were before.	§. 4.
Recompence for the over Value to be made to the King.	§. 5.
All Patents and Alienation by the Kings Licence of Chantries, &c. confirmed.	**Chantries**, *c.* 14. §
All Gifts, Surrenders, &c. made by Chantries to the King good.	§. 31.
Of *Barton* Lands by the Duke of *Somerſet*, confirmed.	2 & 3 *Ed.* 6. *cap.*
Exemplification or *Conſtat* under Great Seal, to be as good Evidence for Patentee, &c. againſt the King, as it Enrolment were Extant, &c.	**Exemplification**, 4 *Ed.* 6. *cap.* 4. §

By

entation,&c.7 *Ed.* *c*.2.§.6.	By the King under Great Seal, may alter,change, determine,&c. any Court of Augmentation, Firſt fruits, Survey,&c. erect by Parliament.
lty, §.7.	Not to lay penalty on Subject,but where chargeable by Law.
itor, *c*.3 §.4.	All Patents made ſince 34 *H*.8. *c*.21. §.6. and 1 *Ed*.6. *c*.8. §.5. or hereafter, during the Kings Life, good, though wanting Bills, or particular, by Auditor.
§.6.	Patentee of more then is Rented by Auditor in a year after Decree by the Court of Survey, ſhall pay overplus.
aſter, §.7.	Not to prejudice Leaſes at old Rent,nor in Reverſion of Dutchy of *Lancaſter*.
age, §.10.	Patents under Great Seal of *England*, or Dutchy Seal of *Lancaſter*, good, notwithſtanding Nonage, or not reſerving Tenth, or Tenure in *Capite*.
op, *c*.4.	To be Collector of Diſm, ſhall endure no longer then Grantor is Archbiſhop or Biſhop of that See, &c.
n, 1 *Ma.St*.2.*c*.4. §.2.	By Lady *Jane Dudley*, alias *Grey*, as Queen, good and pleadable in ſtyle of the now Queen.
§.4.	Not good of Crown Lands, &c. nor in private Capacity.
1 *Ph.& Mar. c*.1.	A Repeal of 1 *Mar. St*.3. *c*.2. and ſo Warrant be by Sign Manual, Patent may be by *Phil. & Mar.* as good as if ſigned by her Seal.
firmation, 4 & 5 & *Mar.c*.1.	All Feoffments, Fines, Aſſurances, &c. to or for the King and Queen, by or from any perſon, Body Politick or Corporate, to be confirmed ſince 7 *July*, 1 *Mar.*
§.3.	Saving Strangers Rights.
§.5.	A Confirmation of all Grants by the Queen, ſince 7 *July*, 1 *Mar.* and ſaving all defects.
§.6.	Patents to be only of the ſame force as before this Act.
ealment, §.7.	Concealments to pay twenty years value for Overplus.
rmation, §.8.	Not to confirm Leaſe, if old Rent be not reſerved,nor Offices of Cuſtomer,&c. or Eſtates ended, or Leaſes on Traverſe,&c.
alments, §.9.	Not to make good Patents of concealed Lands, nor to Maſter of *Savoy* in St.*Clements*.
ell, §.10.	The Conveyance of *J. Beaumont* to the Crown for his Debts, good of *Southwell,&c.*
rmation, 13 *Eliz.*	A Confirmation of 3 & 4 *Ed. 6. c*.4. § 2. That Exemplification or *Conſtat* under the Great Seal,be ſufficient Title or Plea for Patentee.
ance, 18 *Eliz.c*.2.	All Aſſurances to the Queen,ſaving Right of Strangers, confirmed.
t Seal, &c. §.3.	By the Queen under the Great Seal, or Dutchy Seal, good,notwithſtanding without Confirmation,Licence, Toleration or Office, Recital, Miſnamer, Miſ-recital, &c.
§.4.	Not to make Patent of Offices of other effect then before.
r-value, §.5.	Patentee within a year of Proof made within ten years, to pay ſixty years purchaſe for over Value.
firmation, §.6.	Not to confirm Leaſes,&c. unleſs old Rent, or more,nor Offices,&c.
cealment, §.7.	Not to extend to Patentee of concealed Lands.
Lands, 35 *Eliz.* .§.2.	Explanation of 34 & 35 *H. 8. cap.* 21. Abbey Lands that came to the King after 27 *H*.8.or were granted from him, adjudged good, and the King ſeized, notwithſtanding defects.
ndation, §.3.	Patent of Foundation,&c. of Dean and Chapter, Colledge,&c. adjudged good.
§.4.	Saving Rights of Strangers, not Founders,&c.
les Hoſpital, 39 *Eliz.* .2.	By Biſhop of *Norwich* as Patron, upon ſurrender of St.*Giles* Hoſpital to the King.
§.2.	Not to prejudice St.*Bennets* Abbey, but that to remain parcel of Biſhoprick.
§. 3.	The Hoſpital of St.*Giles*, and Patronage, &c. to paſs effectually.
cealed Lands, §.4.	Statutes, &c. to or with Patentee of concaled Lands, knowing the fraud, to be void as to the Biſhop.
rances to the Queen,43 *Eliz.c*.1.	All Aſſurances to the Queen ſince 8 *Febr.* for Money,&c. good.
§.2.	Saving Right of Strangers.
rances by the Queen, §. 3.	By the Queen ſince 8 *Febr.*25 *Eliz. &c.* good, and expound liberally againſt falſe Recitals.
§. 4.	Not to confirm Patents of Offices.
§.5.	Patentee at leſs Rent then Survey, to pay ſixty years Purchaſe for Surplus a year after Office.
§.6.	Not to confirm Leaſe, if old Rent be not reſerved, nor Patents of Offices.
§.7.	Not to confirm Patents of concealed Lands.
§.8.	Patentees by Compoſition with Commiſſioners, not to be deemed concealed.
§. 9.	Not to confirm Patents adjudged void.
§.10.	Saving Strangers Right as before Patent.
§.11.	Not to confirm Eſtates Tail, unleſs recited.
§.12.	Not to confirm Lands conveyed by *H.* 8. to the Earl of *Shrewsbury* in *Derby* and *Stafford*.

Not to confirm Leaſe of Biſhop of *Carliſle* to the Queen, not Inrolled.	§. 13.
By Archbiſhop or Biſhops to the King, void.	**Archbiſhop**, 1 *Jac c*.3.§.2.
Of Subſidy of Tonnage and Poundage to the King for life.	**Tonnage**,&c.*c*.33.§.2.
Shall not be Impeached by the King, unleſs he hath been anſwered the Profits within ſixty years, or charged *ſuper* on Record.	**Kings impeachment**, 21 *Jac.c*.2.
To perſons or Corporation of the ſole buying, diſpenſing, compounding Penal Laws before Judgment, is againſt Law.	**Diſpenſing with Law**, *cap*.3.
Confirmation of a Judgment in Chancery, for revoking Patent of ſole ſalting, drying and packing of Fiſh.	**Fiſh**, *c*. 11.
By the King of part of his Prerogative to the People for their eaſe,&c.	**Prerogative**, *c*.14.
Shall not take advantage of forfeiture, ſo Rent ſervice, &c. be anſwered in Exchequer, &c. before taken, or Commiſſion iſſued, or Proceſs,&c. for it.	**King, forfeiture**, *c*.25.
By the Prince,of Dutchy of *Cornwal*, to be good againſt the King, §.3. except they exceed Three lives,or one and thirty years.	**Dutchy of** Cornwall, *c*.29.§ 2.
Aſſurance of *York* Houſe to the King, and of other Mannors, by the King to the Archbiſhop of *York* in lieu.	York **Houſe**, *c*.30.
By the King to Tenants of *Bromfield* and *Yale* in *Denbigh*, Confirmed	Bromfield, 3 *Car*.1.*c*.5.
New Impoſt of Exciſe of Ale, &c. grant to the King for life.	**Exciſe**, 12 *Car*.2 *c*.23.
By Delinquents to uſe of Vicarage,Preaching Lecturer, &c. void.	**Lecturer**, 14 *Car*.2.*c*.25.
Re-demiſes grant by Owners for Compoſition, &c. void, and Owners to have the Rents,&c.	**Redemiſes**, §. 3.
To Farmer of Exciſe to be Commiſſioner of the King, or *contra*, void.	**Exciſe**, 15 *Car*.2.*c*.11 §.3.
Of Wine Licences and Profits to the Duke of *York*, in Tail by the King.	**Wine Licenſes**, *c*.14. §. 6
Of Poſt-Office and Profits in Tail to the Duke of *York*, in Tail to the King.	**Poſt Office**, §.11.
By the King to the Duke of *York*, of four and twenty thouſand pounds *per annum*, in Tail out of Exciſe, of *Buckingham,&c.* in lieu of Wine-Licenes.	**Exciſe**, 22 & 23 *Car*. 2. *c*.6. §.2.
Can be but at will, unleſs by Deed,&c.	**Deed**, 29 *Car*.2.*c*.3.§.3.
Of Truſt, muſt be by Deed.	**Truſt**, §.9.
King enabled to make Grants of Offices, Lands, &c. parcel of Dutchy of *Cornwal*, and a Confirmation of Grants already made (except Honours, &c.) *Vide* tit. *Leaſes*.	Cornwal, 1 *Jac*.2. *c*.9.
Grants of Fines and Forfeitures before Conviction, Illegal.	**Fines**,&c. **before Conviction**, 1 *W.&M.Seſſ*.2.*c*.2.
Grants,&c. made before 23 *Octob*.1689. not to be Impeached by this Act.	**Before** 23 Oct. 1689. §. 13.
Grants of Forfeitures pardoned, and Executions thereupon, void.	**Pardon**, 2 *W & M.Seſſ*.1. *c*.10.§.5,& 45.
None compellable to plead Grants of Felons Goods,&c. inrolled and allowed in Kings Bench to Coroners Inquiſition, nor to Inroll more than granting part; Fee for Inrolment twenty ſhillings.	**Pleading Grant** de bonis felonum **to Coroners Inqueſt**, 4 & 5 *W & M.c*.22.
Clerk of the Crown, iſſuing Proceſs againſt the Grantees of Felons Goods, &c. after Inrolment, forfeits five pound; but may againſt thoſe whoſe Titles are not Inrolled, nor pleaded, altho' the Original Grants are.	**Iſſuing Proceſs againſt Grantee**, §.2.
To Continue for Three years.	**Continuance**, §.5.

Guardian.

Committee, Cuſtody, Prochein Amy.

Shall retain the Land till Age, though Heir be made a Knight.	**Retain Land**, 9 *H*. 3.*c*.3. *Magna Charta.*
Shall take only reaſonable Iſſues, Cuſtoms and Services, without waſte of Men or Goods, on forfeit to be Aſſigned to others.	**Iſſues**,&c. *c*.4.
Shall reſtore to Heir the Land as fully ſtockt as received, and maintain it with Iſſues.	**Reſtore**, *c*.5.
Of Archbiſhop, Biſhop,Abbe, Prior, Churches and Dignities, ſhall be fully reſtored,and not ſold.	**Archbiſhop**,&c. *Ibid.*
He ſhall not by default at Grand Diſtreſs, being not taken on Proclamation in half a year after,loſe Ward becauſe of Ward, as a Rebel.	**Ward perder**, 52 *Hen*. 3. *c*.7. *Marlbr.*
In Soccage, ſaving his Coſt, ſhall render Account at lawful Age of Enfant, and make no Sale, Waſte, nor Deſtruction.	**Account**, *c*.17.
Shall ſuſtain the Land without deſtruction of any thing, ſo of a Church in Vacation.	**Suſtain Land**, 3 *Ed*. 1. *c*.21. *W*.1.
His Feoffment of Wards of Land is a Diſſeiſin, and *Prochein Amy* may ſue an Aſſize,and the Ward forfeit.	**Diſſeiſin**, *c*.48.
Shall not have *Aid del Roy*, by Grant of Ward by the King in Dower.	Aid del Roy, 4 *Ed*.1 *c*.3. *De Bigamis.*
Shall pay Damages for Waſte, if loſs of Wardſhip be not ſufficient.	**Waſte**, 6 *Ed*.1.*c*.5 *Glouc.*
Prochein Amy ſhall ſue for Enfant eloyned, that cannot ſue perſonally.	Prochein Amy, 13 *Ed*.1. *c*.15. *W*.2.

Aſſize

Aſſize, 13 *Ed.*1.*c.*25.§.2. *W.* 2.	Aſſize lieth againſt his Feoffee, and if dead, a Writ of Entry.
Executors, 3 *Hen.*8. *c.*1.	Shall go to Executors or Aſſignees of *Capite* Lands, of ſuch as are in the Kings Wars.
Raviſhment, 4 & 5 *Ph.* & *Mar.c.*8.§.2.	Maid or Woman Child ſhall not be taken out of Cuſtody againſt the Will of Father,&c.
Recuſant,3 *Jac.c.*5.§.32.	Next of Kin that reſorts to Church, ſhall be ſo to Popiſh Recuſant.
Deviſe, 12 *Car.*2. *c.*24. §.8.	Patents may make any but Popiſh Recuſant by Deviſe, and he ſhall have Raviſhment of Ward.
Enfant, §.9.	Shall manage all for benefit of Enfant.
Cuſtom, §.10.	Not to prejudice Cuſtom of City or Corporation, &c. as to Orphans.
Advancing Infants Money on Fonds, 4 & 5 *W.*&*M.c.*1.§.11. 5&6*W.*&*M.c.*20.§.36.	Guardian may advance One hundred pound of Infants Money on theſe Acts, and ſhall be diſcharged.
‡ **Advancing Infants Money**, 6 & 7 *W.*3. *c.*5.§.9.	* Guardian may advance Ten pound of Infants Money on this Act, and be diſcharged, and Infant Contributor.

Gunpowder and Guns, ſee *War.*

Habeas Corpus, ſee *Certiorari. Impriſonment.*
Halſers, ſee *Trades.*
Hares, ſee *Foreſt.*
Hats, ſee *Apparel*,
Hawks, ſee *Fowl.*
Havens, ſee *Sewers.*

Heir.

Deſcent.

Relief, 9 *Hen.*3. *c.*2. *Magna Charta.*	Of an Earl payeth for relief One hundred pound, of a Baron One hundred Marks, of a Knight five pounds, and he that hath leſs, leſs according to Cuſtom.
*Cap.*3.	Such as have been in Ward, ſhall pay no Relief, but at twenty four years of Age ſhall have Inheritance free.
Diſparagement, *c.* 6.	Shall be Married without diſparagement.
Tenure, 14 *Hen.*3.*p.*7. *Stat. Hib.*	Every Coparcener holds of the chief Lord, though one doth Suit for all, and not one of another.
Uſuries, 20 *Hen.*3.*c.*5. *Merton.*	Uſuries ſhall not run on againſt Enfant while within Age, yet ſo as what was due at death of Anceſtor ſhall not remain.
Baſtard eign,*c.*9.	Born before Marriage, is Baſtard, and cannot Inherit, notwithſtanding the Canon Law *contra.*
Colluſion,52 *Hen.*3.*c.*6. *Marlbr.*	Feoffment to him within Age to defeat Lord of Ward, or taking back Leaſe quit of Service, and at the end of Term, Feoffee to pay more than Land is worth, is Colluſion, but Heir cannot enter.
Mortdanceſtor, *c.* 16.	Shall have Aſſize of *Mortdanceſtor* againſt Lord that ouſts him when of full Age, or renders not the Land when he comes to Age, and Damages.
Sheriff, 3 *Ed.*1.*c.*19. *W.*1.	Heir of Sheriff that doth not diſcharge the Kings Debtor on payment, and make Tally in Exchequer,ſhall pay thrice the value, and be fined.
Female, *c.*22.	Female not married in two years after fourteen, may ſue for her Inheritance clear, but on refuſal ſhall be in Ward till One and twenty, and after till Marriage taken.
Pur file marier, *c.*36.	If Executors be inſufficient, ſhall be chargeable to Daughter with Aid levied on Tenants *Pur file marier.*
Diſſeiſee, *c.*47.	Of Diſſeiſee, ſhall have Entry *ſur* Diſſeiſin againſt Heir of Diſſeiſor, of what Age ſoever either be.
Warranty, 4 *Ed.*1.*c.*6. *De Bigamis.*	Shall warrant on *Dedi & conceſſi*, to hold of Feoffor, not ſo, if to hold of chief Lord.
Parol demur,6 *Ed.*1.*c.*2. *Glouc.*	Parol ſhall not demur where Enqueſt is taken on Feoffment, or other thing, for Nonage of Plaintiff.
Bar, §.3.	Of Mother, ſhall not be barred by deed of Baron and Feme, nor by the Alienation of Tenant by the Curteſie, with Warranty further then for Aſſets deſcend, which at any time may be reſummoned.
Mortdanceſtor, *c.*6.	All ſhall joyn near and remote, Aunt and Niece, &c. in a *Mortdaunceſtor.*
Writ of Entry,6 *E.*1 *c.*7. *Glouc.*	Shall have a Writ of Entry on Feoffment, or Leaſe for Life by Tenant in Dower.
Darrein Preſentment, &c. 13 *Ed.*1.*c.*5.*W.*2.	Shall have *Darrein Preſentment*, or *Quare Impedit*, on diſturbance after death of particular Tenant.
Coparcener, §.5.	Twice Preſentation by one Coparcener, bars not the other to Preſent at another time.
Marriage, *c.*16.	Shall be Married, &c. by that Lord that is Prior in Feoffment, whether Land more or leſs deſcend from Father or Mother.
Plea in Coſinage, &c. *c.*20.	That the Plaintiff is not next, ſhall be a good Plea in Coſinage, Ayel and Beſayel, as well as in *Mortdanceſtor.*
Ceſſavit, *c.*21.	Of Lord, may have a Writ of Entry againſt Heir or Tenant on *Ceſſavit*, and againſt them to whom it is aliened.
Quod permittat, *c.*24.	Parſon ſhall have *Quod permittat* againſt Heir or Diſſeiſor Common.
Raviſhment, *c.*35.	Of Lord,ſhall reſummon Raviſhment of Ward againſt Heir of the Raviſher, ſo of Executors againſt Executors, where it is not of fee, but by gift.

His Nonage ſhall not delay the Suit of a Woman on Alienation during Coverture.	**Parol demur**, *c.*4
Heir ſhall have Waſte of Anceſtors time and his own.	**Waſte**, 20 *Ed.*1. *Of Waſte.*
Of Party to Fine ſhall not avoid it on Averment, that he or his Anceſtors were always Seized, by Jury falſly and maliciouſly procured.	**Fine**, 27 *Ed.*1 *c.* *De fine levat.*
Againſt him Franchiſe ſhall not be ſeiſed but on Original Writ of *Quo Warranto* out of Chancery.	**Seizure of Fra** 20 *Ed.*1.*p.*67 *De Qu*
The King notwithſtanding his Age, ſhall Aſſign Dower.	**King, Dower**, 17 *c.*4. *Præroq.Reg.*
Every Coparcener ſhall do homage to the King, and each ſhall after dividedly hold of the King.	**Homage**, *c.*5.
Dying before Homage paid to the King, gains no Freehold, nor his Wife ſhall not be Endowed.	*Cap.* 13.
By Cuſtom in *Glouceſterſhire* and *Kent*, ſhall after the Year, Day and Waſte, have Reſtitution of the Lands of perſon Attainted.	**Cuſtom attaint**, *c.*
Shall not be ouſt of Land as forfeit, unleſs his Anceſtor were Attaint in his Life-time.	**Attaint**, 34 *Ed.*3.
Of *Ceſtuy que uſe* ſhall be in Ward, and have Waſte againſt Guardian.	**Ward**, 4 *Hen.*7.*c.*1
His joyning with Feme Jointreſs makes her Alienation to be good, and no Diſcontinuance.	**Diſcontinuance**,1 *c.* 20.
Of *A.* Joynt-Tenant in Fee with *B.* for Life, ſhall be in Ward for a third part *Capite* Lands.	**Ward**, 32 *Hen.*8.*c.*1
Of Enfant, Feme-Covert, out of the Realm, Impriſoned,&c. to have the ſame advantage as Anceſtor, till ſix years after Diſability removed.	**Advantage**, *c.*2.§.
At Common Law ſhall take in *Oſwelbeck Soke* in *Nottingham*, and not be divided between Males.	Oſwelbeck, *c.*29.
Of him that made Partition may avoid it, not Executor or Aſſignee.	**Avoidance, Parti** *c.*32.§.2.
Is not bound by Diſſeizor dying ſeized, unleſs five years after Diſſeiſin.	**Diſcent caſt**, *c.* 33
Or Executors ſhall have Obligation made to the King at his liberty or appointment.	Obligation del Roy,3 8. *c.*39. §.3.
Omit in Obligation to the King, yet his Heir or Succeſſor may ſue.	§.27.
Of Collector, ſhall be charged only for Lands by Diſcent or Colluſion.	**Collector**, 34 & 35 *cap.*2. §.3.
Heir being Charged, hath remedy over againſt Executors of Collectors.	§.5.
Of Tenant in Tail, ſhall not be barred by Recovery with Voucher, or without, where Remainder is in the King, when had.	**Recovery**, *c.*20. §.2
He ſhall not purſue Recompence in value againſt Vouchee, on Recovery by Tenant in Tail, Remainder to the King.	§.3.
Shall not ouſt Leſſee for One and twenty years, or three Lives, &c. of ſuch Tenant in Tail.	**Leſſee**, §.4.
May Traverſe falſe Office in another County, that another is Heir.	**Office**, 2 & 3 *Ed.*6 §.5.
Upon 31 *H.*8. *cap.*6. Eccleſiaſtical perſons may claim as Heir to any Anceſtor, on Title ſince Deraignment.	**Eccleſiaſtical perſo** 5 & 6 *Ed.*6.*c.*13.§
Shall not claim as Heir to Anceſtors Lands diſcend while profeſs.	§.4.
Of Lord Marcher Temporal to enjoy the ſame Profits, &c. of his Tenants as his Anceſtor, by 27 *H.* 8. *cap.*26. §.25, & 30.	**Lord Marcher**, 1 *Ph.* & *Mar.*
On *Scire fac'* or two *Nihils*, is chargeable to the Kings Debt, if Executors have no Aſſets.	**Kings Debt**, *c.*15
His Sale *Bona fide* before *Scire fac'* good againſt the Queen.	**Sale**, 27 *El.c.*3.§.4
Of Ward and Dutchy Lands, firſt Privy Seal, then Attachment, then Sale.	§.6.
No Sale of his Land till full Age for the Queens Debt.	§.7.
Of Debtor that hath *Quietus* not chargeable.	Quietus, §.8.
Of perſons Attaint and Executed, ſhall not reverſe them for Error.	**Error**,29 *Eliz. c.*2.
Is not liable to Extent nor Contribution during Minority.	**Extent**, 16 & 17 *c.*5. §.3.
Shall take Truſt as Aſſets.	**Truſt**,29 *Car.*2 *c.*3.§
Of Truſt, ſhall not by falſe Plea be charged in his own Eſtate.	§. 11.
Hath ſpecial Occupancy as Aſſets.	**Occupancy**. §. 12.
Creditors may have Actions of Debt upon Specialty, againſt the Heir and Deviſee joyntly.	**Debt** verſus **Heir**, 3 & 4 *W.*& *M.c.*14.§
Alienation not *Bona fide* before Action brought, not to diſcharge Heir, and Execution to be to full Value.	**Alienation no Diſcharge**, §. 5.
In Debt *Sur ſpecialty riens per diſcent*, &c. may be pleaded, and Reply made, That Lands diſcended, and if found for Plaintiff, Judgment and Execution to be for full Value of the Lands; but Judgment by Confeſſion, &c. without Confeſſing Aſſets, upon Demurrer or *Nihil dicit* to be general.	Riens per diſcent, §.6. **Judgment.**
This Act to continue for three years.	**Continuance.**

Hemp, ſee *Approvement.*
Hearth-Money, ſee *Taxes.*
Hereſie, ſee *Religion.*
Herons, ſee *Fowl.*
Hexamſhire, ſee *Franchiſe.*

High-Commiſſion, ſee *Eccleſiaſtical perſons. Courts.*
High-Ways, ſee *Ways.*
Holy-days, ſee *Days.*
Holy Orders, ſee *Eccleſiaſtical perſons. Encumbent.*
Homage, ſee *Services.*
Honours, ſee *Prerogative.*
Honey, ſee *Trades.*
Hops, ſee *Ale* and *Corn.*
Horners, ſee *Trades.*
Horſes, ſee *Cattel.*

Hoſtler.

Cottages, Ale, Lodgers, Inns, Inholders, Inmates, Watch.

ts, 13 *Ed.*1.*c.*4. *Winch.* Walled Towns ſhall be ſhut, that no man Lodge in Suburbs from Nine at Night till day, but for whom his Hoſt will anſwer.

ch, 9 *Ed.*3.*c.*11. Shall be ſworn to ſearch their Gueſts.

bread, 13 *R.*2.*c.*8. He ſhall not bake Horſe-bread, but the Baker, and the Juſtice of Peace ſet the Price.

cher, 4 *H.*4.*c.*21. Searcher ſhall not be ſo to Merchant or Mariner.

bread, *c.*25. A Confirmation of 13 *Ric.*2. *c.*8. with forfeiture of treble value of the Horſe bread, and of Quatriple, taking away Halfpeny a Buſhel of Oats above the Common Market price.

d,5 *Hen.*4. *c.*9. Shall be aſſigned to Merchants by the Mayor, Sheriffs, &c. and they ſhall dwell only there.

ntr, &c. 11 *Hen.* 4. Common Hoſtler ſhall not be Cuſtomer, Controller, Finder, nor Searcher.

s, 11 *Hen.*6.*c.*1. None that live at the Stews in *Southwark*, ſhall keep an Inn any where elſe.

bread, 32 *H.*8. Some named, notwithſtanding 13 *Ric.*2.*cap* 8. and 4 *H.*4. *cap.*25. may bake Horſe-bread in their Houſe.

r, &c. 3 & 4 *Ed.*6. §.3. May ſell Butter and Cheeſe by Retail, and ſo buy it in his Houſe.

g, 1 *Jac.c.*9. Forfeits Ten ſhillings ſuffering Tipling longer then of urgent neceſſity.

ure, §.3. Forfeits Twenty ſhillings ſelling leſs then Ale Quart One peny, and two Quarts of ſmall One peny.

al, 21 *Jac.c.*21. A Repeal of 37 *Ed.*3. *cap.*3. of 13 *Ric.*2. *cap.*8. and 4 *H.*4.*cap.*25. and of 32 *H.*8.*cap.*41.

bread, §.2. No Hoſtler or Inholder to make Horſe bread, but Bakers, of reaſonable Price, and Weight, and Gain, and ſo to ſell Hay, Oats, &c.

g, §.3. In Through-fair where no Bakers are, may Bake at Price of Corn.

hts, §.4. Juſtices, Leets, &c. to enquire and puniſh falſe Weights and Deceits.

r imbezelling ods, 3 & 4 *W.*&*M.* §.6. Lodgers imbezelling Goods they were to uſe in their Lodgings, to ſuffer as Felons.

Hoſpital, ſee *Abbe* and *Poor.*
Hounſlow-Heath, ſee *Approvement.*
Hue and *Cry*, ſee *Freſh Suit.*
Hull, ſee *Merchants.*
Humiliation, ſee *Days.*
Hunters, ſee *Foreſts.*
Hundreds, ſee *Court-Baron.*
Husbandry, ſee *Approvement.*

Impriſonment.

Priſons, Gaol, Habeas Corpus, Commitment.

man, 9 *Hen.*3.*c.*29. *Magn.Chart.* No Freeman ſhall be taken, impriſoned, or otherwiſe deſtroyed, but by lawful Judgment of Peers, or by the Law of the Land.

al, *c.*34. Upon Appeal of a Woman ſhall be only on death of her own Husband.

eiſin, 20 *H.*3.*c.*3. *Merton.* Sheriff on *Rediſſeiſin* after Recovery in Aſſize of *Novel diſſeiſin, Mortdanceſter*, or by any other Enqueſt, may Impriſon the ſame Deforceor till fined.

paſs, *c.*11. Shall not be by the Lords for Treſpaſs in their Parks and Ponds.

eiſin, 52 *H.*3.*c.*8. *Marlbr.* For Rediſſeiſin ſhall not be delivered till fined, without the Kings ſpecial Command, on puniſhment of Sheriff for Treſpaſs.

riffs, 3 *Ed.*1.*c.*9. *W.*1. Of Sheriff or Bailiff of Franchiſe that make not Freſh Suit by Hue and Cry after Felon, or conceal it.

ns, *c.*12. Shall be ſtrong and hard of notorious Felons, that will not be Tried before the Juſtices.

iſhment, *c.*13. Two years for Raviſhment, or taking Maid or Wife by force, or Enfant by conſent or without.

paſs, *c.*20. Three years, and fined at the Kings Will, on Treſpaſs in Parks and Ponds, and if done by coming, ſtaying and going, puniſht as Robbery.

der, *c.*29. Of Serjeant Pleader, or others that uſe deceit, ſhall be a year and day for uſing deceit.

News, *c.*34. Of Teller of falſe News or Tales, till he bring in the firſt Author.

iſor, *c.*37. Of Diſſeizor with Force or Robbery.

mbent, 13 *Ed.*1. §.3. Two years if Incumbent be Inſolvent, and ſix months lapſe if not half a year.

Of a year for falſe Appeal, by Principal or Abettors. **Appeal**, *c.*12.

Falſe Impriſonment lieth againſt Sheriff or Bailiff of Franchiſe, that Arreſt for Felony, or Treſpaſs, before Enqueſt of twelve Seals taken. **Sheriff**, *c.*13.

A year of failer on Record by Diſſeizor in Aſſize. **Diſſeizor**, *c.*25.

A year and fined, if Joynt tenancy be found falſe by Aſſize, and in *Mortdanceſtor* double Damages. **Aſſize**, 34 *Ed.*1.*p.*70. *De Conjunct. feoff.*

View not to lye on Deeds made by Defendant in Priſon. **View of Deeds**, 13 *Ed.* 1. *c.*48. *W.*2.

Breakers of Priſon ſhall not loſe Life or Member, except the Cauſe of Party eſcape required ſuch Judgment. Rumper Priſon, *Ed.*2.*p.*76. *De frang. Priſon.*

Sheriffs and Gaolers *Dureſs* to Priſoners to make them Appeal others guiltleſs of Felonies, ſhall be enquired. Dureſs, *Ed.*3.*c.*7.

Shall not be unleſs Indict or taken with the manner for Vert or Veniſon in Foreſt, but Bail. **Vert**, *c.*8.

Gaolers ſhall receive Priſoners from Conſtable, &c. without taking any thing. **Fee**, 4 *Ed.*3.*c.*10.

By Marſhals ſhall be in a place certain at Priſoners charge, and if ſuffered to wander, or Bail, they ſhall have half a years Impriſonment, be Ranſomed at the Kings Will, and be left to Law. **Marſhal**, 5 *Ed.*3.*c.*8.

Shall avoid Utlary at the time, but any may Aver againſt ſuch Return of Sheriff. **Utlary**, *c.*13.

Gaols ſhall not be annext to Bailiwick, but in Cuſtody of the Sheriff, and he be put in ſuch for whom he will anſwer, &c. **Sheriff**, 14 *Ed.*3.*c.*10.

Shall not be on Suggeſtion or Petition, without Indictment, Preſentment, or Original Writ. **Suggeſtion**, 25 *Ed.* 3. *Stat.*4. *c.*4.

The Kings Caſtels and Gaols ſhall be rejoyned to the Bodies of the Counties. **County**, 13 *R.*2.*c.*15.

By Juſtices of Peace ſhall be only in the Common Gaol, and not elſewhere. **Juſtices of Peace**, 5 *Hen.*4. *c.*10.

Sheriffs and Bailiffs of Franchiſe that have Cuſtody of Gaols, ſhall certifie Names of their Priſoners at the next Gaol delivery. **Sheriffs**, 3 *Hen.*7. *c.*3.

The Sheriff ſhall have all Gaols, and be fined for Eſcapes, except, &c. 19 *Hen.*7. *c.*10.

The Majority of Juſtices of Peace of *Eſſex, Suffolk, &c.* may Tax and make Collectors to gather an account for building Gaols at the moſt convenient place in the County. **Gaols**, 23 *Hen.*8. *c.*2.

No *Habeas Corpus*, or *Certiorari*, to remove Priſoners, unleſs under the Hand of Judge of that Court where it iſſued, &c. Habeas Corpus &c. 1 & 2 *Phil.* & *Mar.c.*13. §.7.

A Continuance of 23 *H.*8.*cap.*2. and of 1 *Mar. Stat.*2. *cap.*14. and 5 *Eliz.cap.*24. for ten years more, and that they extend to making Gaols in *Cambridge*, &c. **Gaols**, 13 *Eliz.c.*25. §.13.

Two Juſtices, at Seſſions to Tax Counties at diſcretion, &c. for relief of poor Priſoners. **Priſoners**, 14 *Eliz.c.*5. §.2.

Of Conſtable that refuſeth to Execute a Juſtices Warrant. **Conſtable**, 43 *Eliz.c.*7. §.2.

Party Commit, if able, ſhall bear the Charge, on refuſal, Goods to be ſold. **Charges**, 3 *Jac.c.*10.

If no Goods, Townſhip to be Taxt by Churchwardens, &c. and Diſtreſs. § 2.

Defendant ſued to plead General Iſſue, and Special matter in Evidence. §.3.

No Freeman to be detained, &c. **Freeman**, 3 *Car.*1. *p.*1096.*Petit.&c.* §.10.

For proſecuting Great Officer deliver by *Hab. Corp.* in three days after Return. Hab.Corp. 17 *Car.*1. *c.*10. §.8.

On *Habeas Corpus*, Priſoner is chargeable with Debt, &c. in *C.B.* 13 *Car.*2.*St.*2.*c.*2.§.5.

For providing Stock to keep Felons at work till Trial. **Work-houſe**, 19 *Car.*2. *cap.* 4.

For Releaſe of Priſoners in Execution for Debt, Poor, &c. **Priſoners**, 22 & 23 *Car.*2.*c.*20.

None to be carried to Tavern on Arreſt, nor undue Fees. **Arreſt**, §.9.

Juſtices to endeavour to find out Gifts to Gaols, and poor Priſoners. **Gifts**, §.11.

Accounts of Gifts and Rates of Fees ſigned by Chief Juſtice, &c. or Seſſions. §.12.

Shall not be of Debtors and Felons together. §.13.

All perſons in Priſon upon 29 *May*, 1678. by mean Proceſs, Judgment or Execution for Debt or Damages, to be Diſcharged, taking the Oath, as in 22 & 23 *Car.*2.*cap.*20.§.2. **Priſoners**, 30 *Car.*2.*c.*4. *N.*2.

Officer ſhall within three days, on tender of Charges, Return *Habeas Corpus*, for any not expreſly Commit for Treaſon or Felony. Hab. Corp. 31 *Car.*2.*c.*2. §.2. *N.*2.

Commitments ſince 11 *Dec.* 1688. on Writ or Proceſs by any that were Judges in 11 *Dec.*1688. good. **Commitment**, 1688. 1 *W.*& *M.Seſſ.*1.*c.*4.

Priſoner for Debt 28 *Nov.* 1690. taking the Oaths in 22 & 23 *Car.* 2. *cap.* 20. and another in this Act, to be diſcharged according to 22 & 23 *Car.*2.*c.*20 and 30 *Car.*2.*c.*4. **Diſcharging Priſoner for Debt**, 2 *W.*& *M.* *Seſſ.*2.*c.*15.§.2.

Juſtices of Peace ordering Diſcharge of poor Priſoner, to adminiſter to Sheriff, Gaoler, or Keeper, on Oath hereby preſcribed. **Oath to Sheriff, Gaoler**, &c. §.3.

Refuſing Oath, §.4.	Sheriff, Gaoler, or Keeper, refuſing the Oath, to forfeit value of the Debt, or being perjured, to incur Penalties for Perjury.
Priſoners Oath, §.5.	The Oath to be taken by poor Priſoner.
Priſoner perjured, §.6.	Priſoner perjured, beſides penalties for Perjury, to be Impriſoned for ſeven years.
Perſons except, §.7.	Not to extend to perſons in Execution for Fines.
Obſerving, §.8.	Other things for Diſcharge of poor Priſoners, to be obſerved as directed by 22, 23 & 30 *Car.2.*
Priſoner not diſchargable, §.9.	Priſoners charged with above One hundred pound, or Indebted to Their Majeſties, not to be diſcharged.
Priſoners Eſtate liable, §.10.	Eſtate of Perſon diſcharged, to be liable to Judgment and Execution.
Priſoner chargeable with Declaration, 4 & 5 *W.&M.c.*21.§.2.	Priſoner chargeable with a Declaration, by delivering a Copy thereof to Priſoner or Gaoler, and for want of Plea, Plaintiff to have Judgment.
Alledging in whoſe Cuſtody, §.3.	In Declaration againſt Priſoner by Proceſs of Kings-Bench, it ſhall be alledged in whoſe Cuſtody he is.
Reviver, 5 & 6 *W.&M. c.*8. §.2. **Oath of Sheriff**, &c.	Reviver of 2 *W. & M. cap.*15. and the Oath of Sheriff, or Gaoler therein contained, aboliſhed, and another appointed.
Sheriff or Gaoler refuſing Oath, §.3. **Juſtices Examining matter.**	Sheriff, or Gaoler refuſing the Oath, to forfeit Value of the Debt, and Juſtices at Quarter Seſſions to Examine the Matter, and diſcharge Priſoner in Cuſtody, 28 *Nov.*1690.
Sheriff or Officer taking Rent, §.4. **Fee.**	Sheriff, or Officer, taking Rent of Priſoner diſcharged, or above ſix ſhillings ſix pence Fee, to forfeit value of Debt, and guilty of Extortion.
Clerk or Officer taking Fee, §.5.	Juſtice of Peace's Clerk, Clerk of Papers, or other Officer, taking Fee of Priſoner diſcharged, guilty of Extortion.
Debts except, §. 6.	Debtor not to be diſcharged of Debts contracted ſince 28 *Nov.*1690.
Sir T.C. **Sir** B.F. C.B. **and** J.C. 6 & 7 *W.*3.*c.*19.	An Act for Impriſoning Sir *Tho. Cooke*, Sir *B.F. C.B.* and *J.C.* and reſtraining them from aliening their Eſtates.

Ideot.

Fools, Lunaticks, Mad-men, Frantick, Ability, Non ſane Memory.

Fine, 15 *Ed.*2. *pag.*81. *Carleil.*	Shall be judged by the Juſtices, by perſonal appearance on Fine levied.
Profits, 17 *Ed.*2.*c.*9. *Prerog.Reg.*	The King ſhall have Profits without Waſte, finding him Neceſſaries that he may not Alien, and to render to Heir after his death.
*Cap.*10.	The King ſhall keep Lands of *Lunatick* without waſte, and maintain Family, but account when recovered, and take nothing to his own uſe, but on Death diſtribute for his Soul.
Court of Wards, 32 *H.*8. *c.*46. §.38.	Court of Wards to ſurvey, order, and govern Ideot, or Natural Fool, &c.
Will, 34 & 35 *H.*8.*c.*5. §.13.	Will of Ideot, or of *Non ſane Memory*, not good.

Identitate nominis, ſee *Noſme.*
Jeofaile, ſee *Amendment.*
Jeſuit, ſee *Pope.*
Images, ſee *Religion.*
Importation, ſee *Merchants.*
Inchantment, ſee *Conjuration.*
Incloſure, ſee *Approvement.*
Incontinence, ſee *Baſtardy.*
Incumbent, ſee *Eccleſiaſtical Perſons.*
Indicavit, ſee *Prohibition.*
Indictments, ſee *Endictment.*
Infection, ſee *Nuſance.*
Information, ſee *Action* ſur *Statute.*
Ingroſſers, ſee *Market-overt.*
Inholder, ſee *Hoſtler.*
Inmates, ſee *Cottages* and *Hoſtler.*
Inquiſition, ſee *Office.*
Inqueſt, ſee *Enqueſt*,
Inteſtate, ſee *Adminſtrators.*

Inrolments.

Fait Enroll.

Writ of Rediſſeiſin, &c. 13 *Ed.*1.*c.*8. *W.*2.	Shall be of Writs of Rediſſeiſin, *Secunda Superonerat.* and ſent into the Exchequer at the years end, ſo of Admeaſurement of Paſture, &c.
Kings Deeds, 5 *Ric.* 2. *c.*14.	Shall be in Exchequer, of Deeds between the King and his Miniſters.
Torn, 6 *R.*2. *c.*4.	Torn Removed, or Rent in the late Inſurrection by Traytors, ſhall be Exemplified.
Oath 4 *Hen.*4.*c.*18.	Shall be of Attorneys ſworn.
Ded.Poteſt.&c. 5 *H.*4.*c.*14.	Shall be of Writs of Covenant, *Dedimus poteſtatem*, and all other Notes of Fines.
Conduct, 20 *H* 6.*c.*1.§.2.	Shall be in Chancery of Letters of ſafe Conduct, elſe void.
Deeds, 27 *H*.8.*c.*16.	No Lands to paſs whereby Inheritance or Freehold be made to any perſon, or uſe, by reaſon only of Bargain and Sale, unleſs Indented, Sealed, and Inrolled in the Kings Court at *Weſtminſter*, or in the County, in ſix Months.
§.2.	Not to extend to City, Town, or Corporation, where Cuſtom is to Inroll.
Cuſtom, 34 & 35 H *c.*22.	In Corporations by Cuſtom, to be as effectual as before 32 *H.cap.*28.
County Palatine, *c.*26.	Of Writings mentioned in 27 *H.*8. *cap.*16. in Counties Palatine, to be in ſix Months after in Chancery, or Aſſizes at *Lancaſter* or in Exchequer, or at Aſſize in *Cheſter*, to be as effectual, as if Inrolled at *Weſtminſter*, of all Lands there.
§.2.	Not to extend to Corporation, &c. that have Authority to Inroll, &c.
18 *Eliz.c.*4.	Shall be of Deeds of Earl of *Weſtmorland, &c.* Attaint, ſhewing them within a year, elſe fraud.
Writs of Covenant 23 *Eliz.c.*3.	Of Writs of Covenant, &c. of Fines and Recoveries, at requeſt.
27 *El. c.*9.	Of Writs of Covenant, &c. on Fines and Recoveries in *Wales*, and Counties Palatine.
Perſons attaint, *c.*3.	Of Eſtates claimed from perſons Attaint to be in Exchequer in two year.
Felony, 21 *Jac.c.*26.	Of Deed in anothers Name, Felony.
Perſons attaint, 12 *Car.*2.*c.*30.§.2.	Of Conveyances, &c. of perſons Attaint ſhall be within two year, &c.
Recognizance, 29 *c.*3.§.18.	Of Recognizance, muſt ſet down day certain, and to bind Lands purchaſe but from thence.
Fines burnt, 31 *c.*3.§.4.*N.*1.	Of Fines burnt in *Temple* Fire, may be within three years, &c.
Pleading Gran **Coroners Inq** 4 & 5 *W.&*	None compellable to plead Grants, or Conveyances inrolled and allowed in Kings-Bench to Coroners Inqueſt, nor wholly to Inroll their Grants of Felon's Goods, &c. but only granting part, for which to pay Twenty ſhillings.
Inrolling Gran bonis felon', &c.	
Iſſuing Proceſs againſt Gra §.3.	Clerk of Crown, iſſuing Proceſs againſt Grantees, after Inrolment, to forfeit five pound.
	But may againſt thoſe whoſe Titles are not Inrolled, nor pleaded and allowed, nor where by Coroners Inqueſt Goods are not found to be in their hands.
Continuance, §.5.	To continue for three years.

Intruſion, ſee *Diſſeiſin.*

Joynt-Tenants.

Shall not fourch by Eſſoin, but have only one.	**Fourches**, 3 *Ed.*1.*c.* *W.* 1.
Shall all do one Suit, or be contributory to it.	**Suit**, 52 *Hen.*3.*c.*9. *Marlb.*
Found *contra* to Averment of Sole Tenancy by Aſſize, ſhall abate the Writ of Seiſin, and double Damages, if Sole.	**Averment**, 34 *Ed.*1. *De Conj. Feoff.*
Collectors of Diſm charged in Account, ſhall have Debt againſt their Companions.	**Debt**, 9 *Hen.*5.*St.*
Lands whereof the King is joyntly enfeoffed to uſe of Feoffor, ſhall be in the Co-feoffors.	**King**, 1 *Ric.*3.*c.*5.
With *Emſon* and *Dudley* Attaint of Treaſon, enfeofft to others uſe, ſhall ſtand ſeized of the whole.	Emſon **and** Dudley, 1 *Hen.*8.*c.*15.
A Writ *De partitione facienda*, to compel them to divide as for Coparceners of Inheritance.	**Writ of Partition** 31 *Hen.*8.*c.*1.
Each may after Partition have Aid of the other to deraign the Warranty.	**Aid**, §.3.
In Fee with another for Life, his Heirs ſhall be in Ward for a third part.	**Ward**, 32 *Hen.*8.*c.*5.
For life or years, or where one hath Fee, and the other but for life or years, ſhall be compelled to make Partition.	**Partition**, *c.*32.

Joynder.

One Coparcener ſhall do the Suit, and the reſt be Contributory, ſo of Joynt-Tenants.	**Suit**, 52 *H.*3.*c.*9.*Mar*
Joynt-Feoffees ſhall have but one Eſſoyn, and not Fourch.	**Fourcher**, 3 *Ed.*1.*c.* *Weſt.*1.
All the Heirs near and remote, Aunt and Niece, &c. ſhall bring *Mortdanceſtor.*	Mortdanceſtor, 6 *Ed.*1. *Glouc.*
Baron and Feme ſhall not Fourch, but have only one Eſſoyn.	**Fourch**, *c.*10.
All Executors ſhall have but one Eſſoyn, and he that comes at the Grand Diſtreſs ſhall anſwer, and Judgment againſt all named in the Writ.	**Eſſoyn**, 9 *Ed.*3.*c.*3.
Of Mayor, Bayliff, or Lords of Franchiſe by Colluſion, if they be found no Diſſeizors ſhall abate an Aſſize, though others named be Diſſeiſors.	**Aſſize**, 9 *Hen.*4.*c.*5.
Averment, that Sheriff named Diſſeizor is none, abates the Writ if found true.	Abatement del Brief, 11 *H.*6.*c.*2.
By Heir, or he in Reverſion with Feme Joyntreſs, makes Alienation to be no Diſcontinuance.	**Diſcontinuance**, 11 *c.*20.
Shall not be of more Farms then two, that keep two thouſand Sheep.	**Farms**, 25 *Hen.*8. §.14.

Jours, ſee *Days.*
Ipſwich, ſee *Ways.*
Iron, ſee *Metals.*

Ireland.

Ireland.

opartners, 14 *Hen*. 3. *p*.7. *Stat. Hiber.*	All Corparceners hold of the Chief Lord, and not one of another, though eldeſt may do Service for all.
ecognizance, 13 *E*. 1. *p*.54. *St. Merckt.*	This Statute the King wills to be obſerved throughout *England* and *Ireland*, and who will may make Recognizance.
urchaſe, 17 *E*. 1. *p*. 72. *c*.1. *Ord. pro St.Hibern.*	The Juſtices nor other Officers while in Service, ſhall purchaſe without the Kings Licence.
urveyance, *cap*. 2.	Purveyance there ſhall be by Writ out of Chancery of *England*, or other Warrant, and in time of neceſſity for common profit of the Realm, elſe nothing to be taken by any without Aſſent.
anſportation, *cap*.3.	No Juſtices or others, ſhall Arreſt Ships, but all Merchants may from *Ireland* Tranſport Corn and other Victual and Merchandize into *England* or *Wales*, on Security not to go to *Scotland*.
ll of Grace Fee, *c*.4.	Fees of Juſtice for Bill of Grace four pence, Writing two pence, and no more.
rſhals Fee, *c*. 5.	Marſhals Fee on delivery of Priſoner, four pence and no more, on Attaint to ſatisfie the party, and be grievouſly puniſht.
rdon, *cap*. 6.	No pardon of death of a man, nor other Felony, without the Kings Command, under ſome of our Seals of *England*, but before the date of this Statute.
s, Seals, *cap*. 7.	Original Writs ſhall be Sealed with the Great Seal, and proceſs of the Exchequer with that Seal.
e, *cap*. 8.	Juſtice ſhall not by Writ or Letter delay or adjourn Aſſize but in the County, during his preſence.
thes, 11 *Ed*.3. *cap*.3.	None ſhall Import thither any Clothes foreign made.
thworker, *cap*. 5.	Clothworkers of foreign parts, may have Franchiſe there.
ple, 27 *Ed*. 3. *St*. 2. 1.	The Staple places there, and the Cuſtoms of thoſe Commodities.
e, 34 *Ed*.3.*c*.17.	All Merchants may come and Trade there freely without Ranſom.
nd, *cap*. 18.	They who have Inheritance there may Import Corn, Beaſts, and Victual into *England*, and export thither, paying Cuſtoms.
t the Realm, *Hen*.5. *cap*.8.	All Iriſh Clerks, Beggers, &c. except Graduates, Serjeants, and Apprentices at Law, and Inheritors in *England*, Religious and Merchants, ſhall depart the Realm.
ation, 4 *H*. 5. *c*. 6.	If any Archbiſhop or Biſhop of *Ireland*, Rebel to the King, make Collation of a Benefice to an Iriſh man, or bring Iriſh to Parliament, to diſcover Counſel of Engliſh to Rebels, Temporalities ſhall be ſeized.
ty, 1 *Hen*.6. *cap*.3.	A Confirmation of 1 *H*.5. *Cap*. 8. and that Graduates, and men Beneficed find Surety of good behaviour, and be no principal of any Hall, to bring Letters to the Chancellor teſtifying they be of the Kings Obeyſance, and elſe not to come to *Oxford*.
d, 2 *H*. 6. *c*. 8.	The Chancellors of the Univerſity of *Oxford* and *Cambridge*, ſhall take the Letters Teſtimonial, and Sureties of *Iriſh* good behaviour, and Juſtice of Peace, Mayors, &c. and Certifie to Chancery.
, 3 *Ed*.4.*c*.3.§.3.	Wares and Chaffers wrought there may be Imported into *England*.
4 *Ed*.4.*c*.1. §.7.	May Import Cloth made there.
e, 17 *Ed*.4. *c*.1.	No Iriſh Money to be paid in *England* or *Wales*.
7. *cap*. 8.	On Importation of Merchandize, or Victual, ſhall imploy their money or Commodities in *England*.
7. *cap*.5.	Above three ſhillings four pence ſhall not be Imported or Exported from thence hither.
hns, 32 *H*.8.*c*.24.	The Priors or Knights of St. *John* of *Jeruſalem* there, diſſolved.
ment, 1 *Ed*.6.*c*.1. §.7.	The Sacrament to be Adminiſtred in both kinds to people there, &c.
, *cap*. 2.	No *Conge d' Eſlire* for Biſhops, but only Patent.
al, 12 & 3 *Ed*. 6. 6.	Admiral ſhall take nothing for Voyage thither for Fiſh.
aſtical Juriſdi, 1 *El*.*c*.1. §.18.	The King may Aſſign Eccleſiaſtical Juriſdiction to whom he pleaſe.
8 *Eliz*.*c*.3.	Tranſporting Sheep from *England*, *Wales*, or *Ireland*, &c. forfeits all Chattels.
ing 17 *Car*.1.*c*.33	For Reducing the Rebels in *Ireland*.
, *cap*. 34.	For Explanation of Clauſes in Act for Reducing Rebels in *Ireland*.
Cap. 35.	To enable Corporation to partake of Adventure for Reducing of *Ireland*.
Cap. 37.	For further Advancement of Reducing the Rebels in *Ireland*.
12 *Car*.2.*c*.7.	For Reſtoring *James* Marqueſs of *Ormond* to all poſſeſt, 23 of *October*, 1641.
ation, *cap*. 18.	No Goods Imported or Exported to *Aſia*, *Africa*, or *Amercia*, but in *Engliſh*, *Iriſh*, or *Welſh*, &c.
earth, *c*. 32.	No Fullers-Earth, or Clay, Sheep, Wool, &c. to be Exported thence to *Scotland*.
14 *Car*.2. *cap*.7.	No Hydes, &c. to be Tranſported from *England* thither.
15 *Car*.2.*c*.7.§.7	May Tranſport Horſes, Servants, or Victual, to any foreign Plantation.
18 *Car*. 2. *c*. 2.	Importation from thence to *England*, publick Nuſance of Cattel, Conſtable to Seize and Sell in forty eight hours, on default of Owners.

Not to prejudice Importation of Cattel from Iſle of *Man*, &c.	§. 2.
Any Inhabitants where *Iriſh* Cattel are Imported from *Ireland* to *England* may ſeize.	**Cattel**, 20 *Car*.2.*c* 7.§.3
Notwithſtanding 12 *Car*.2. *Cap*.18. §.19. ſhall be omit in Bonds of Importation of Goods of Plantation in *America*.	**Plantation**, 22 & 23 *Car*.2.*c*.26 §.11.
Makes 18 *Car*. 2. *Cap*. 2. perpetual againſt Importation of Iriſh Cattel.	**Iriſh Cattel**, 32 *Car*.2. *c*.2.§.2. *N*.2.
All may ſeize and have advantage.	§. 3. *N*. 2.
All Seizors within ſix days after Conviction, ſhall cauſe the Cattel, Sheep and Swine Imported to be killed.	§. 5. *N*. 1.
The Hydes and Tallow ſhall be to the Seizors, the reſt diſtributed to the Poor.	*N*. 2.
Neglect in Seizors or Overſeers of Poor, &c. forfeits forty ſhillings for each Great Cattel, ten ſhillings for a Sheep or Swine.	§. 6. *N*. 1.
To be Levied by Diſtreſs, and Sale by Warrant of one Juſtice on Confeſſion, View or Proof, by one Witneſs.	*N*. 2.
For want of Diſtreſs, Impriſonment for three Months.	*N*. 3.
Not to hinder Importation of Stockfiſh and live Eels.	§. 7. *N*. 1.
No Mutton or Lamb ſhall be Imported hither from *Ireland* or foreign parts.	§. 7. *N*. 2.
No Butter or Cheeſe ſhall be Imported.	§. 9. *N*. 2.
New Seizure may be in every Pariſh where Cattel remove.	§. 10. *N*. 2.
Cattle Intermixed in Drove may be ſeized as Iriſh.	§. 11. *N*. 2.
Proteſtant Iriſh Clergy beneficed in *Ireland*, and leaving the Kingdom for the Rebellion, not to loſe their benefices there by promotion in *England*, and this Act to continue till reſtored.	**Beneficed Clergy**, 1 *W*. *M*. *Seſſ*.1. *c*.29. §. 2.
Within three Months after Courts of Juſtice in *Ireland* be opened, and have Proteſtants Judges, to reſign their benefices in *England*, or the ſame to be void.	**Refuſing Engliſh benefice**, §. 2.
To be exempt from Firſt Fruits.	**Firſt Fruits**, §. 3.
Parliament in *Ireland* in 1689 unlawful, and all proceedings in *Ireland* ſince *Feb*. 1688, (except by their Majeſties Authority,) void.	**Parliament** 1689, *Seſſ*.2 *cap*. 9. §. 2. **Proceedings** 1688.
Cities, Corporations, &c. reſtored as in *June* 1683, and proceedings by *Quo Warranto*, and new Charters void.	**Reſtoring Corporations, &c.** §.3.
Proteſtants not to be prejudiced, by their abſence from *Ireland* ſince *December*, 1685, or for Non-payment of Rent or other Duties to the Crown, from *December*, 1688, till reduction of *Ireland*.	**Proteſtants abſenting** Ireland, §. 4. **Not paying Crown Duties.**
Proteſtants reſtored to their Poſſeſſions, and Detainers thereof to be puniſhed as forcible Detainers.	**Reſtored Poſſeſſion**, §.5. **Detainers.**
Oath of Supremacy in *Ireland* in 2 *Eliz*. abrogated, and other Oaths appointed.	**Supremacy Oath abrogated**, 3 & 4 *W*. & *M*. *cap*. 2. §. 2.
* New Oaths to be taken, by Biſhops, Barons, &c. perſons of Promotion or Imployment, Maſters, &c. of Colledges, &c. Barreſters, Clerks, Attorneys, Phyſitians, &c. and others required by 2 *Eliz*. or other Statutes to take the Abrogated Oath, and alſo to ſubſcribe a Declaration; and before whom, when, where, and under what Penalties.	* **New Oath to be taken and Declaration ſubſcribed**, §. 3. **Before whom, when, where, penalty refuſing.**
Subſequent Barreſters, Attorneys, Clerks, and Officers of Courts, and their Deputies to take new Oaths, and ſubſcribe Declaration, before admitted to Office, Practice, or to plead; and ſubſequent Officers, &c. at ſuch times, and before ſuch perſons, as for taking the Abrogated Oath.	**Subſequent, Barreſters, Attorneys, Clerks, &c.** §. 4. **Subſequent Officers.**
Members of both Houſes of Parliament not to Sit, till the Oaths taken, and ſubſcribe Declaration.	**Members of Parliament**, §. 5.
The Declaration.	**Declaration.**
Oaths and Declaration to be taken, and ſubſcribed in the next, and every ſucceſſive Parliament, in full Houſe, &c.	**Taking and Subſcribing by Members**, §.6
Members of Parliament, Barreſters, Attorneys, &c. offending to be diſabled, &c. and forfeit Five hundred pounds.	**Penalty**, §. 7.
New Oaths.	**New Oaths**, §. 8.
Not to extend to attendants to Miniſters, &c. in Forrein Courts, Preachers, Chaplains, or Officers out of *Ireland*, or *England*, that ſhall return and Swear and Subſcribe.	**Exception.**
W.H. Eſq; Ambaſſador to *Turkey*, not to be diſplaced from Vicetreaſurerſhip, but may Swear and Subſcribe after his return.	W. H. **except.** §. 9.
Iriſh Clergy in *England*, *Hillary* Term 1691, to take Oaths and ſubſcribe Declaration in *England*, and *Ireland*, on pain of deprivation, &c. and others in *England*, ſame time to Swear and Subſcribe there on penalty of Diſability, &c.	**Perſons in** England, Hil- **Term** 1691. §.10.
Not to diſable perſons in Garriſons poſſeſt by Iriſh, nor Officers, or Souldiers in King *James*'s Army, that have ſubmitted to their Majeſties.	**Penalty reſtrained.** §. 11

Claiming

Claiming of exemption from Oaths, Declaration, §. 12.	Claiming to be exempt from taking Oaths, and ſubſcribing Declaration, to be made in Kings-Bench, before laſt day of *Michaelmas* Term next.
Exerciſing Profeſſion, or Calling, before Swearing, §. 13.	Exerciſing Profeſſion, or Calling, before taking the Oath, to be faithful and bear true Allegiance, to forfeit Five hundred pounds, and be uncapable.
Juſtices ſummoning to take Oath to be faithful, &c, §. 14. **Not appearing, or refuſing firſt time.** **Second offence.**	Juſtices of Peace to Summon perſons of eighteen to take the Oath to be Faithful, &c. and thoſe not appearing, or refuſing, for Firſt offence to be committed for three Months, or pay forty ſhillings, and for Second offence, to be committed for ſix Months, or pay not above ten, nor under five pounds, and find Suerties to appear at Seſſions, or General Gaol Delivery, and be of good behaviour, and
Judge tendring,	Judge of Aſſize, &c. to tender the Oath again, and on refuſal, offender to incur a Premunire, except
Except Women Covert	Women Covert, who ſhall be commit till they take the Oaths.
Quakers Certificate, §. 15.	Quaker producing Certificate from ſix of their Congregation, owning him for one, it ſhall ſuffice to ſubſcribe a Declaration hereby appointed.
Quakers Declaration.	The Declaration.
Quaker uncapable of Imployment, §. 16.	Quaker not to be capable of Imployment, to which perſon taking the Oaths, and ſubſcribing Declaration may be intituled.
Diſpenſation, §. 17.	This Act not to be diſpenſed with.

Iſle of Wight, ſee *Cinque Ports*.

Iſſues Joyn.

General Iſſue, Evidence, Pleading.

Eſſoyn, 52 *H.* 3. *c.* 13. *Marlbr.*	After Iſſue in ſuch Writs, as Dower *Unde Nil habet, Aſſ.* of *Dar. Preſentment, Quare Impedit, &c.* only one Eſſoyn, and on default, Judgment.
Parol demur, 6 *Ed.* 1. *cap.* 2. *Glouc.*	After Enqueſt taken on Feoffment of Anceſtor, or other thing, the Parol ſhall not demur for Nonage of Plaintiff.
Sewers, 23 *H.* 8. *c.* 5. §. 11.	Shall be *De injuria ſua propria*, to Juſtification of Diſtreſs for Sewers, and all in Evidence.
Overſeers, 43 *El. c.* 2. §. 19.	Overſeers of Ways in *Fowlneſs* in *Eſſex*, to plead General Iſſue, &c.
General Iſſue, 1 *Jac. cap.* 23. §. 4.	May be general and ſpecial matter in Evidence of Fiſhing in *Cornwall*.
3 *Jac. cap.* 4 §. 38.	Defendant Sued for Executing this Statute againſt Recuſants, may plead General Iſſue.
Cap. 10. §. 3.	May be General, by Defendant ſued by Party Impriſoned for Diſtreſs for Charges.
7 *Jac. cap.* 5.	May be General and Special Evidence by Juſtice of Peace, Mayor, &c. Headborough, Conſtable, Tythingman, Collector of Subſidy and Fifteens.
21 *Jac. cap.* 4. §. 4.	On General Iſſue any Evidence may be to diſcharge Information out of the County.
Cap. 12. §. 2.	The Stat. 7 *Jac. Cap.* 5. made perpetual.
§. 3.	Churchwardens and Overſeers, and Aſſiſtants, may plead General Iſſue.
Cap. 14.	May be general by Defendant, where the King was not ſeized in twenty years.
Cap. 20. §. 2.	Officer ſued for Diſtreſs for twelve pence for profane Swearing, may plead General Iſſue.
12 *Car.* 2. *cap.* 3. §. 5.	The General Iſſue continue to 1 *Auguſt*, 1660.
Cap. 23. §. 34.	May be pleaded by Officer, &c. of Exciſe.
14 *Car.* 2. *cap.* 17.	Collector of publick Moneys, &c. may plead General Iſſue, and wave Demurrer.
20 *Car.* 2. *cap.* 7. §. 8.	Officer or Seizor of Cattel Imported, may plead General Iſſue, and give this Act in Evidence.
27 *Car.* 2. *p.* 1474. §. 11.	Party ſued in purſuance of Rebuilding *Northampton*, may plead the General Iſſue.

Iſſues del ter.

Mean Profits, Arrearages, Forſeiture, Diſtreſs, Amerciaments.

Sheriff, &c. 9 *Hen.* 3. *c.* 4. *Magna Chart.*	Taken by Sheriff, Guardian, or Committee of Ward, ſhall be reaſonable.
51 *H.* 3. *pag.* 11. §. 5. *De Scaccario.*	Sheriff ſhall keep Wards and Eſcheats in the County, and account for them.
Guardian, 52 *Hen.* 3. *cap.* 17. *Marlb.*	Shall be accounted for by Guardian in Soccage, at Enfants lawful Age, without Waſte, Sale, or Deſtruction.
Eſtreat, 3 *Ed.* 1. *c.* 44. *W.* 1.	Levied on Grand Diſtreſs and forfeit to the King, by Tenants not appearing after, ſhall be Eſtreat into Exchequer.
Sheriff, 13 *Ed.* 1. *c.* 39. *W.* 2.	If found too ſmall by Enqueſt on Averment againſt Sheriffs return on Oyer, Sheriff ſhall be Amerced to the value, and Iſſues contain Rent, Corn in Grange, and all Moveables, except Horſe-harneſs, and Huſhold ſtuff.
7 *Ed.* 1. *c.* 2. *de fin. Levat.*	Shall not be Levied by Sheriffs, till Eſtreat from the Exchequer.
Reſtoration, 28 *Ed.* 1. *c.* 19. *Artic. ſuper. Chart.*	Shall be reſtored wherever the Kings hands are removed, for any Seizure by Eſcheator or Sheriff, without Cauſe.
If after they be reſtored, new Cauſe of Seizure be found, a Reſeizure ſhall go *Ab initio.*	**Reſeizure**, 29 *Ed.* 1. *de Eſchetoribus.*
Rents Seck and Service ſhall be paid from the day encurred after Livery ſued, but all other Profits Eſcheator ſhall anſwer as courſe of Exchequer is.	**Rent**, 28 *Ed.* 3. *cap.*
Juror forfeits forty ſhillings on default at Grand Diſtreſs in Attaint, and after double, &c.	**Juror**, 15 *Hen.* 6. *cap.*
The Mayor or Sheriffs of *London* may Diſtrain Jurors for the loſing.	4 *Hen.* 8. *cap.* 3.
Jurors forfeit on default at the firſt Diſtreſs in Attaint twenty ſhillings, on ſecond forty ſhillings, and after five pounds.	23 *Hen.* 8. *cap.* 3. §.
On the firſt *Habeas Corpora, Diſtringas, & Niſi prius*, to be five ſhillings, on ſecond to be ten ſhillings, on third is thirteen ſhillings four pence.	Habeas Corp. 35 *Hen.* *cap.* 6. §. 4.
Juſtices may diſcharge them on reaſonable Cauſe.	**Diſcharge**, §. 11.
Shall not be loſt on diſcontinuance of Jury, by *Non venue* of Juſtices.	**Juror**, §. 12.
Sheriff forfeits double that returns them on Jury unduly.	§. 13.
Shall be ten ſhillings on the firſt *Habeas Corpus*, of Juror Diſtrained, and *Niſi prius*, and ſo double.	27 *El. cap.* 6. §. 2.
Sheriff forfeits double on falſe Return of Sheriffs.	§. 3.
Received by Sheriff are not diſcharged by Pardon.	**Sheriff**, 12 *Car.* 2 §. 17.
Of Jurors ſhall be twenty pounds *per annum* in *England*, in *Wales*, eight pounds.	**Pardon**, 16 & 1 2. *c.* 3. §. 2.
Juors Iſſues ſaved, ſhall be by Order of Court, or Judge.	**Jurors Iſſues** 4 & 5 *W.* &

Judicial Proceedings, ſee *Proceſs.*

Judgment.

Shall be on default after one Eſſoyn after an Iſſue, in *Quare Impedit, Dar. Preſentment*, Dower *Unde nihil habet, &c.*	**Default**, 52 *Hen.* 3 *Marlbr.*
None but our Lord the King ſhall hold Plea of falſe Judgment in any Court of his Tenants.	**Fale Judgment**, *c.*
Of Pain, fort and dure againſt Felons that refuſe to Plead.	**Pain fort**, 3 *Ed.* 1. *c.* *W.* 1.
Shall not be given in Shire by Barretors, Maintainers of Quarrel, nor Steward of any great Lord (unleſs his Attorney) but by ſpecial Requeſt of all the Suitors.	**Barretors, &c.** 3 *Ed.* *cap.* 33. *W.* 1.
If Tenant at fourth part of value tender not Arrears before Judgment in *Ceſſavit per Biennium*, he loſeth the Land for ever.	Ceſſavit, 6 *Ed.* 1. *c.* *Glouc.*
By Colluſion againſt Reverſioner, if challenged and found for Termor, he ſhall not thereby loſe his Term.	**Colluſion**, *cap.* 11.
Feme or he in Reverſion may be received before, but after Feme hath *Cui in vita* after death of Husband, and he in Reverſion, a Writ of Entry after death of particular Tenant.	**Receit**, 13 *Ed.* 1. *c.* 3
By default by Colluſion againſt Husband, bars not Feme of Dower, but ſhe or any particular Tenant may have a *Quod ei deforceat* on Judgment by default againſt Heir in Reverſion.	**Colluſion**, *cap.* 4
Againſt any Point of the Grand Charters, ſhall be undone and void.	**Magna Charta**, 1. *cap.* 2. *at*
Shall not be Life or Member for breaking Priſon, unleſs the cauſe of party eſcaped required it.	**Priſon**, 1 *Ed.* 2. *frang. Priſon.*
Shall not be on Accuſation, nor his Lands ſeized *contra* to the Great Charter.	**Accuſation**, 5 *Ed.* 3
None ſhall be taken or diſſeized by Petition or Suggeſtion, but by courſe of Law.	**Petition**, 25 *Ed.* 3. *cap.* 4.
Till Reverſt by Error or Attaint, parties and their Heirs ſhall be in peace, and not come before the King, or his Council, or the Parliament.	**Reverſal**, 4 *Hen.* 4.
Juſtices Aſſigned ſhall amend the Record in no Term after.	**Amendment**, 11 *H.*
Juſtices as well after as before, may amend Letter or Syllable.	9 *Hen.* 6. *cap.* 4.
Confirmation of 9 *H.* 5. *Cap.* 4. and made perpetual, to be as well after Verdict as matter in Law, but not in *Wales*, nor of Utlary.	**Verdict**, 4 *Hen.* 6.
Amendment may be as well by way of Error as otherwiſe.	**Amendment**, 8 *cap.* 15.
On Bloudſhed by malicious ſtriking in Palace, is to have right Hand cut off, to be Impriſoned for life, and fined, and Ranſomed at the Kings pleaſure.	**Bloodſhed**, 33 *Hen.* *cap.* 12. §. 7.
Shall not be Reverſed after Verdict, for want of form in Bail returned, Warrant of Attorney.	**Reverſal**, 18 *El. c.*
Shall be given on the Right, and not Reverſed by Error for want of form, unleſs expreſt in ſpecial Demurrer.	27 *Elizab. cap.* 5.
In anothers Name not privy, is Felony.	**Felony**, 21 *Jacob.*
If Entred in two Terms after Verdict, death of either party mean, is no Error.	**Error**, 17 *Car.* 2.
Scire facias lieth by Adminiſtrator *De bonis non*, for Execution of Judgment had by Executor or Adminiſtrator on Verdict.	Seire fac. §. 2.
May be on Error in Exchequer-Chamber, in preſence of Chancellor on vacancy of Treaſurer.	**Exchequer-Ch** 20 *Car.* 2. *cap.* 4

rreſt, 22 & 23 *Car.* 2. *cap.* 4.	Makes 16 & 17 *Car.*2. *Cap.*8. perpetual againſt Arreſts of Judgments.
ic of **Truſt**, 29 *Car.* 2. *cap.* 3. §. 11.	Againſt Heir of Truſt on falſe Plea, ſhall not charge his own Eſtate.
urchaſor, §. 15.	Againſt Purchaſors, ſhall not relate to the firſt day of Term, but to the day of Signing.
dgment, Hill-Term, 1688. 1 *W. & M. Seſſ.* 1. *cap.* 4. §. 6.	Judgments, which were to have been confeſſed, or entred in Courts at *Weſtminſter* in *Hillary*-Term 1688, to be entred as of *Eaſter*-Term after, if parties living,
eſident and Marches of Wales, *c.* 27.	Judgment, nor Decrees in Court of Preſident, and Marches of *Wales* before *June* 1689, not to be repealed.
ndon **Charter**, 2 *W.* & *M. Seſſ.* 1. *cap.* 8.	Declares Judgment in *Trinity*-Term, 35 *Car.*2. againſt Charters of *London*, and Proceedings thereon, Illegal, and Arbitrary.
verſal, §. 2.	The Judgments reverſed, and Vacats thereof to be entred.
ggeting **Judgments** & 5 *W. & M c.*20. §. 2. arch **Fee.**	Judgments for Debt, or Damages, in Courts at *Weſtminſter* of preceeding Term, to be Alphabetically Doggetted the ſucceeding Term, by Clerks of reſpective Courts, in Parchment Books, to be publickly viewed, upon pain that Clerk neglecting duty ſhall forfeit One hundred pounds, Fee for Search four pence.
gment **not Doggetted, nor entred, not affect Lands, or** ve **preference**, §.3.	Judgment not Doggetted, nor Entred, not to affect Lands, as to Purchaſers, or Mortgagees, or have preference, againſt Heirs, Executors, or Adminiſtrators.
itional **Entry, Fee** §. 4.	Plaintiff in Judgment Entred, to pay Clerk of Judgments four pence, above the Fees now paid.
tinuance, §. 5.	To continue for one year, and to the end of the next Seſſion.
iber, 6 & 7 *W.* 3. 14. §. 3.	Revives, 4 & 5 *W. & M. Cap.* 20. for one year.

Juriſdiction.

Courts, Juſtices, Powers and Authorities, Commiſſion, Conuſance, Prohibition.

t of Diſſeſin, 9 *H.* 3. 2. *Magna Chart.*	In the Kings abſence out of the Realm, the Chief Juſtice ſhall ſend Juſtices to take Aſſize of *Novel Diſſeiſin* and *Mortdanceſtor* in the proper County, and on difficulty to Adjourn before Juſtices of the Bench.
ein Preſentment, *c.* 13.	Aſſize of *Darrein Preſentment* ſhall alway be taken and determined before Juſtices of the Bench.
s of the Crown, p. 17.	No Sheriff, Conſtable, Eſcheator, Coroner, or other Bailiff, ſhall hold Pleas of the Crown.
ſt, 9 *H.*3 *St.*2. *cap.*2. *de Foreſta.*	Common Summons reacheth only ſuch as are impleaded in Foreſt, or Sureties for ſuch as are impleaded, if Out-dwellers.
Cap. 16.	No Conſtable, Caſtellain, or Bailiff ſhall hold Plea of the Foreſt, but the Foreſter in Fee ſhall Attach and Preſent to Verdors, and theſe Record them and preſent to Juſtices.
s, 20 *Hen.*3.*cap.*11. *Merton.*	Lords ſhall not Impriſon Treſpaſſers in their Parks or Ponds.
gs **Courts**, 52 *H.* 3. p. 1. *Marlbr.*	All perſons high and low, ſhall receive Juſtice in the Kings Courts, and he that Diſtrains without Award thereof, ſhall Fine to the King, and pay Damage to party.
ſers, *cap.* 3.	He that will not ſuffer delivery of Diſtreſſes by the Kings Officer, nor Summons, Attachments or Executions of Judgments in the Kings Courts, ſhall be puniſht as not obedient to the Law.
Charta, *cap.* 5.	Writs againſt Offenders of *Magna Charta*, or *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench, or in Eyre.
Judgment, *c.*20.	None but our Lord the King ſhall hold Plea of falſe Judgment in any Court of his Tenants.
ſs, *cap.* 22.	Freeholder ſhall not be Diſtrained to anſwer for Freehold, nor to Swear againſt his will, but by the Kings Writ.
1. *cap.* 23. *W.* 1.	No Diſtreſs ſhall be on Foreiner in City, Borough, Town, Market, or Fair, for Debt he oweth not as Debtor or Pledge.
igner, *cap.* 35.	If Foreigner paſſing through inferiour Juriſdiction, be Arreſt there on Contract *Dehors*, they ſhall pay double Damages.
paſs 6 *Ed.* 1. *cap.*8 *Glouc.*	No Writ of Treſpaſs before the Juſtices, unleſs Plaintiff ſwear by his Faith, that the Goods taken were worth forty ſhillings at leaſt, and that Plaint of Beating is true, but before Sheriff.
quer, 10 *Ed.* 1. *p.* §. 11. *Rutland.*	No Plea ſhall be holden in the Exchequer, unleſs it concern the King and his Miniſters.
riour, 13 *Ed.* 1. 43. *W.* 2.	Superiours ſhall anſwer for ſuch Officers of Hoſpitallers and Templars as draw men in Suit before them for matters pertaining to the Kings Courtt, Damages.
tual Court, 13 *E.* 5.*Circumſp.Agat.*	Of Fornication, Avowtry, Ornaments, and Reparation of Church, Tythes not exceeding fourth part of Benefice, Oblations, Mortuaries, Penſions, ſtriking Clerk, and Defamation belonging to Spiritual Court.

On prohibition where no Writ out of the Chancery lieth to redreſs, a Conſultation ſhall be granted to Spiritual Court.	**Conſultation**, 24 *Ed.* 1. *p.*59. *De Conſultat.*
Stewards and Marſhals hold Plea only of Treſpaſs in the Kings Houſe, and the Verge, and of Contract and Covenant between the Kings Servants there, and not of Freehold, Debt, or Covenant of other People, and Coroner of County ſhall joyn in Enquiry of Felonies and Freſh Suit.	**Kings Houſhold**, 28 *Ed.* 1. *c.* 3. *Artic. ſuper Chart.*
No Common Pleas ſhall be holden in the Exchequer.	**Exchequer**, *cap.* 4.
Error on Judgment in Marſhalſey lieth before the King.	**Error**, 5 *Ed.*3. *cap.* 1.
The Kingdom of *England* ſhall not be in Subjection to the King, as King of *France*, nor to that Realm.	**Subjection**, 14 *Ed.* 3. *pag.* 107.
No Commiſſion to Temporal Judges, to Enquire of the Eccleſiaſtical Judges Proceſs in Teſtamentary Cauſes or others in Spiritual Court, ſaving the Article in Eyre.	**Spiritual Court**, 18 *E.* 3. *cap.* 6.
Juſtices ſhall receive Challenge by Ordinaries of Conuſance of Avoidance of Benefices.	**Conuſance**, 25 *Ed.*3.*c.*8.
They who draw Pleas out of the Realm, that pertain to the Kings Courts, or of things adjudged there, or which ſue in any other Court to defeat them on default, on two months *Præmunire*, ſhall be out of the Kings Protection, and on default at *Capias*, Utlawed.	**Drawing Pleas out of the Realm**, 27 *Ed.* 3. *cap.*1. *Proviſors.*
Of the Staple is exempt from the Kings Juſtices there.	**Staple**, 27 *E.*3.*St.*2.*C.*5.
No Officer, Marſhal, &c. of the Kings Houſhold, ſhall meddle where the Staple is.	*Cap.* 6.
Notwithſtanding 27 *Ed.* 3. *Stat.* 2. *Cap.* 8. Proceſs of Felonies ſhall be at Common Law, but Alien may elect to Fine there or in the Staple.	36 *Ed.* 3. *cap.* 7.
Conſtable and Marſhal ſhall not draw Pleas belonging to the Common Law, but what they uſed.	**Conſtable**, 8 *R.*2. *c.*3.
No Appeal ſhall be made in Parliament.	**Appeals**, 1 *H.* 4. *c.* 14.
On Judgment in the Kings Court, till Reverſed by Error or Attaint, Parties ſhall be in Peace, and not come before King, Councel, or Parliament.	**Reverſals**, 4 *H.*4. *c.*23.
Conuſance in Aſſize ſhall be demanded by Franchiſe, on default of Defendant.	**Conuſance**, 8 *H.*6. *c.*26.
Recognizance before the Mayor of *Calice*, where Staple is, to be effectual in *England*.	Calice, 10 *H.* 6. *cap.* 1.
The Chancellor, Treaſurer, Privy-Seal, or two, calling a Biſhop and Lord of the Council, and the two Chief Juſtices, may make Proceſs againſt Maintainers, Liveries, Retainers, Embraceors, Sheriffs ill Panels, Return, Riots, Aſſemblies on Bill to the Chancellor, and puniſh as is Commit by due Order of Law.	**Proceſs againſt Maintainers, &c.** 3 *H.*7 *c.*1
Of granting Faculties given to the Archbiſhop of *Canterbury*.	**Faculties**, 25 *H.*8. *c.* 21. §. 3.
The King to name Thirty two, *viz.* ſixteen Spiritual, and ſixteen Temporal, to Examine the Canons, and none to be made without Royal Aſſent, nor againſt Prerogative, or Laws.	**Canons**, 27 *H.*8.*c.*15.
Of Palace from *Charing-Croſs* to *Weſtminſter-Hall*, the ſame as of old Palace.	**Palace**, 28 *Hen.*8 *c.*12
Treaſon, Murder, or Bloudſhed in the Verge, to be determined before Marſhal, or the Lord Steward of Houſhold, though the King remove.	**Verge**, 33 *Hen.*8. *c.*12.
Eccleſiaſtical and Temporal is delivered from the King as Supream Head.	**King**, 37 *Hen.*8. *c.* 17.
Eccleſiaſtical Laws not abrogated by puniſhment of Diſturbance in Church, &c. by Juſtices of Peace in Seſſions.	**Eccleſiaſtical**, 1 *Mar. Stat.* 2. *c.* 3. §. 10. (*E.c.*1.§.18.)
Is the foundation of the High-Commiſſion Court.	**Commiſſion Court**, 1
Confirms 1 *Eliz. Cap.*1. and that all Juriſdiction, Eccleſiaſtical and Temporal, is derived from the Queen.	8 *Elizab. cap.* 1.
Definitive Sentence on Appeal in Chancery by the Kings Delegates under the half Seal, to be final in Cauſes Civil and Marine.	**Kings Delegates**, 8 *El. cap.* 5.
Of Policies of Aſſurance by Commiſſion to Lord Mayor, Recorder, two Doctors, two Lawyers, eight Merchants, and *Quorum* of five.	**Policies**, 43 *El. c.* 12.
A Continuance of Writs, Pleas, Proceſs, &c. on the Kings Return.	**Continuance of Proceſs**, 12 *Car.* 2. *c.* 3.
No Judicial Proceedings to be avoided for defect of power in Uſurpt time.	**Judicial proceedings**, *cap.* 12.
No other given but what was 1669, in Eccleſiaſtical perſons, nor Canons, 1640.	**Eccleſiaſtical**, 32 *Car.*2. *cap.* 12. §. 5.
Of Differences on Fire in *Southwark.*	Southwark, 29 *Car.*2.*c.*4.

Juris utrum, ſee *Eccleſiaſtical perſons.*
Jurors, ſee *Enqueſt.*
Juſtices of Peace, ſee *Peace.*

Juſtices.

Of Aſſize, Gaol-delivery, Niſi prius, and of both Benches, Juſtice, Judges, Peace, Juriſdictions, Courts, Eyre, Oyer and Terminer, Tryal, Baſton.

In the Kings abſence ſhall be ſent through every County once a year, to take Aſſizes of *Mortdanceſter*, and *Novel Diſſeiſin*, in the proper County with Knight thereof, and to refer Difficulties to Juſtices *de B. R.*	**Aſſize**, 9 *H.* 3. *St.*2. *c.*12. *Magna Chart.*

Darrein Preſentment, *c.* 13.	Of the Bench only ſhall take and determine Aſſize of *Dar. Preſentment.*
Pleas of the Crown, *cap.* 17.	No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bailiff, ſhall hold Pleas of the Crown.
Cap. 29.	Shall not ſell, deny, nor defer Juſtice or Right.
Foreſt, 9 *H.* 3. *St.*2. *c.*2. *Chart. de Foreſta.*	Their Common Summons reacheth not Out-dwellers, unleſs Implead in Foreſt, or Sureties for ſuch as are Attacht.
Cap. 16.	No Conſtable, Caſtellain, or Bailiff ſhall hold Pleas of the Foreſt, but Foreſter in Fee ſhall Attach and preſent to Verderor, and he to the Juſtices.
Magna Charta, 52 *Hen.*3. *cap.* 5. *Malbr,*	Writs againſt Offenders of *Magna Charta,* or *Charta de Foreſta,* ſhall be before the King, the Juſtices of the Bench, or in Eyre.
Beau-pleading, *c.* 11.	In Circuit, County, Hundred, or Court-Baron, ſhall take no Fines henceforth for fair Pleading.
Juries, *cap.* 14.	Shall not allow Charter of Exemption from Juries, where Juſtice cannot be done without parties Oath.
Amercement, *cap.* 18.	Of Oyer and Terminer, or eſpecially aſſign to take Aſſize, in Circuit, nor Commiſſioners, Eſcheators, &c. ſhall not Amerce for default of Common Summons, but only the chief Juſtices, and Juſtices in Eyre in their Circuits.
Falſe Judgment, *c.* 20.	None ſhall hold Plea of falſe Judgment in Court of his Tenants, but our Lord the King.
Robbery, *cap.* 24.	In Eyre ſhall not Amerce Townſhip for not appearance of all above Twelve, to enquire of Robbery, burning Houſes, if there be a full Enqueſt, unleſs on death of a Man.
Murder, *cap.* 25.	Murder ſhall not be judged before our Juſtices, where one is found to be ſlain by Misfortune, but where its by Felony.
Vouchee, *cap.* 26.	Vouchee within the Shire ſhall not be Amerced on default the firſt day, but on Summons, the third or fourth, but if out of Shire, fifteen days in Eyre.
Religious, 3 *Ed.*1. *c.* 1. *W.* 1.	Of Foreſts, and other our Juſtices and Councellors ſhall be Fined and pay double Damage, that Lodge, or take Goods of Religous Men without Licence.
Beau-pleading, *cap.* 8.	Shall take nothing for fair pleading.
Impriſonment, *c.* 12.	Shall put ſuch as be notorious Felons, and refuſe Trial, to ſtrong and hard Impriſonment.
County, *cap.* 18.	In Eyre ſhall ſet common Fine and Amerciaments on County for falſe Judgments and other Treſpaſs, by the Oath of Knights, and not Sheriffs and Barretors.
Eſtreats, *cap.* 45.	Of the King ſhall deliver Eſtreats of Iſſues forfeit on Grand Diſtreſs to Wardrobe, Juſtices of the Bench at *Weſtminſter* to the Exchequer, Juſtices in Eyre to Sheriffs.
B. R. *cap.* 46.	Of *B. R.* ſhall decide all Pleas determinable at one day before any new one Arrain or Commence the day after.
Aſſize, &c. *cap.* 57.	May take Aſſize of *Novel Diſſeiſin, Mortdanceſter,* and *Darrein Preſentment,* in *Advent, Quadrageſima,* or *Lent.*
King's Feoffee, 4 *Ed.*1 *cap.* 1. *De Bigamus.*	Shall not proceed againſt the Kings Feoffee with Warranty, till the Kings Command had.
Treſpaſs, 6 *Ed.* 1. *c.* 8. *Glouc.*	No Writs of Treſpaſs before them, unleſs Plaintiff ſwear by his Faith, that the Goods taken were worth Forty ſhilling at leaſt, and that Plaint of Beating is true.
Killing Tryal, *cap.*9.	In Eyre or Gaol-delivery, ſhall try if Killing were by Felony or Misfortune, and no Writ to Enquire, &c.
London, *cap.* 12.	Shall award Execution to value of Warranty in Recovery, upon a foreign Voucher in *London,* but if determined, proceſs is below.
Cap. 14.	The Aſſize againſt Diſſeizor in *London,* ſhall give Damages, and not ſtay their coming to the Tower, and Amerciaments ſhall be by two Barons of Exchequer yearly.
Writs in Circuit, 13 *E.* 1. *cap.* 10. *W.* 2.	Shall receive all Writs in Circuit by a day certain, and not after, but may amend Writs abated, or accept Dower, *Darrein Preſentment, Quare Impedit,* or Aſſize of *Novel Diſſeiſin,* and may take a general Attorney, for all Pleas in the Circuit.
Oyer and Terminer, *cap.* 29.	Writs of Oyer and Terminer ſhall be only before Juſtices of either Bench, and in Eyre, unleſs for hainous Treſpaſs, Appeals ſhall be but in ſpecial Caſes, and in the mean time Bail by *Odio & Atia.*
Niſi prius, *cap.* 30.	Two Juſtices ſworn with aſſociate Knight, ſhall but thrice a year take Aſſizes and Attaints by *Niſi prius* in the Country, unleſs Treſpaſs be hainous, and need great Examination, they may adjourn in *Banco,* but not compel Jurors to ſay preciſe Diſſeiſin, or not, ſo they ſhew the ſpecial Fact.
Bill of Exception, *c.* 31.	Shall Seal a Bill of Exception offered in Writing to them.
Writ ſur Caſe, *cap.* 50.	Shall grant Writs upon the Caſe, rather then any depart without remedy.
Gaol-delivery, 27 *E.* 1. *cap.* 3. *de fine Levat.*	Of Gaol-delivery, ſhall after Aſſizes taken in the County, Enquire if Sheriff or others have Replevied perſons not Bailable.
Jurors, *cap.* 4.	Shall ſee Ability of Jurors at diſcretion, and one of thoſe in *Banco,* before whom the Plea depends, and another Knight ſhall take Enqueſts in the Shire, unleſs they be of great Examination.

The Juſtices of Gaol-delivery ſhall ſend Writs for Appellees, and Try them in the County after Aſſizes.	**Gaol-delivery,** 28 *pag.* 62.
Three Elect in the Shire-Court by the Commonalty, Knights, or lawful, wiſe, and well diſpoſed perſons, ſhall be Sworn to hear and determine Breaches of any of the Points of the Grand Charter, by the Kings Officers, or others not already puniſhable by the Common Law.	Magna Charta, 28 *cap.* 1.
Of *B. R.* and the Chancellor ſhall follow the King.	B. R. *cap.* 5.
Enqueſts and Juries in the Country, by a Juſtice of the Bench, and a Knight, and day given in *Banco,* thoſe of great Examination ſhall be in the Country, before two Juſtices of the Bench.	**Juries,** 12 *Ed.* 2. York.
The Juſtices of *Niſi prius* ſhall Record Nonſuits and default in the Country, and give Judgment in Bank, and take Enqueſts by Default, ſo in *Quare Impedit.*	Niſi prius, *cap.* 4.
If party be unable to appear before Juſtices, one taking Abbe, Prior, Knight, &c. ſhall go take it of him.	**Fine,** 15 *Ed.* 2. *Carl el.*
Juſtices of Gaol-delivery ſhall not be by procuring of Great men, againſt 27 *Ed.* 1. *Cap.* 3. but by the Juſtices commonly Aſſigned, knowing in the Law, and no other, and Oyer and Terminer ſhall be only for great hurt and horrible Treſpaſs, as 13 *Ed.* 1. *Cap.* 29.	**Gaol-delivery,** 2 *cap.* 2.
Shall enquire how Officers puniſh ſuch as go or ride Armed in publick Places.	*Cap.* 3.
May award Damages againſt Sheriff not returning Writ with regard, to delay, and peril.	*Cap.* 5.
Shall have power to puniſh Diſobeyers and Reſiſters of the Peace,	*Cap.* 6.
Commiſſioners to hear and determine Offences before Commit.	*Cap.* 7.
Shall not leave to do right for Commandment under the Great or Privy Seal.	*Cap.* 8.
Of *Niſi prius* in Pleas of Land, ſhall give day at requeſt of Tenant and Demandant, but in all elſe 12 *Ed.* 2. *Cap.* 3. to be obſerved.	Niſi prius, *cap.* 16.
If there can be found ſufficient, ſhall be of perſons other then of the Shires, to take Aſſizes, Juries, Certifications, and deliver Gaols, before whom the Keepers of the Peace ſhall ſend their Indictments, and to puniſh Sheriffs, and Circuit thrice a year.	**Shires,** 4 *Ed.* 3.
Juſtices of both Benches, and of Aſſize, ſhall enquire and determine of Maintainers, Conſpirators, &c. and all Articles as Juſtices in Eyre, and adjourn from *Niſi prius.*	**Maintainers,** *cap.*
Of Aſſize, Gaol-delivery, &c. and of Oyer and Terminer, ſhall ſend their Records into Exchequer yearly at *Michaelmas,* and take Eſtreats.	**Eſtreats,** 9 *Ed.* 3.
Of *Niſi prius* ſhall be of one Bench or of the other, or the Kings Serjeant ſworn, unleſs Tenor of Record be ſent into Franchiſe.	Niſi prius, 14 *Ed.* 3.
Temporal ſhall not be Commiſſion to enquire of exceſſive Proceſs in Spiritual Court, ſaving the Articles in Eyre.	**Spiritual Cou** *Ed.* 3. *cap.* 6.
Their Oath.	18 *Ed.* 3. *pag.* 110.
Shall proceed notwithſtanding Letters, Writs, or Commands of the King, and immediately after Inform him, their Fees increaſe.	**King,** 20 *Ed.* 3.
Oyer and Terminer of Aſſize, and Aſſociation and of Gaol delivery, ſhall take an Oath enjoyn'd by the King before their Commiſſion.	**Oath,** *cap.* 3.
Of Aſſize ſhall have Commiſſion to enquire of Sheriffs, Eſcheators, Bailiffs of Franchiſe, and Under-Miniſters, of Maintainers, Embraceors of Juries, and of Profits taken to put in ſuſpected Jurors, and to puniſh.	**Of Aſſize,** *cap.* 6.
Shall hold their Seſſions four times a year, and when needs.	**Seſſions,** 25 *Ed.*
Shall hold Aſſizes at the principal Towns of the County.	**Aſſize,** 6 *Rich.* 2.
No Man of Law ſhall be ſo in his own County; the Chief Juſtice of *C. B.* ſhall be Aſſigned to take Aſſizes and Gaol delivery, but Chief Juſtice of *B. R.* as uſed an hundred years laſt.	**County,** 8 *Rich.* 2.
Shall take no Fee but of the King, nor adviſe where he is Party or in Suit before them, nor Barons of Exchequer, Repealed 9 *R.* 2. *Cap.* 1.	**Fee,** *cap.* 3.
Or Clerk that alters Verdict, whereby party is diſherit, or Raze Rolls, &c. ſhall ſatisfie party, and be Fined, and Ranſom.	**Verdict,** *cap.* 4.
The Chancellor by advice ſhall remedy 6 *R.* 2. *Cap.* 5. the Aſſizes to be holden in great Town as need requires.	**Aſſize** 11 *Rich.* 2.
No Lord or other ſhall ſit upon the Bench with the Juſtices of Aſſize, nor be ſuffered by the Juſtices.	20 *Rich.* 2. *cap.* 3.
Of Aſſize ſhall enquire of undue Return of Knight of Parliament, and if found, the Sheriff ſhall loſe an hundred pound and the Knight his Wages.	11 *Hen.* 4. *cap.* 1.
Aſſignee ſhall amend Records in no Term after Judgment.	**Amendment,** *cap.*
A Confirmation of 8 *R.* 2. *Cap.* 2. of Juſtices of Aſſize and Gaol-delivery, ſo long as it pleaſeth the King.	**Of Aſſize,** 13 *Hen.*

Of

ing,3 *H.5.St.2. c.7.*	Of Aſſize ſhall hear and determine Clipping, and all falſity of Money, and Juſtice of Peace Enquire and Award *Capias* only.
ment,4 *H.6. c.3.*	May amend Records after Judgment on Verdict, as well as matter of Law, but not in *Wales*, nor in Proceſs of Utlary.
ntinuance,11 *H.6.*	Proceſs before Juſtices of the Peace, not diſcontinue by new Commiſſioners.
ſon, 14 *H.6.c.1.*	Of *Niſi prius* may give Judgment of Treaſon or Felony, on Attaint or Acquittal.
le, c.3.	Shall hold Aſſizes for *Cumberland* at *Carliſle*, in time of Peace.
iament Wages, *Hen.6.c.*11.	All may determine of Defaults in taxing Wages of Knights of Parliament.
ces, 1 *Hen.8.c.6.*	A Repeal of 11 *H.7. cap.*3. that gave power to Juſtice of Aſſize, or of the Peace, to determine all Offences againſt Statutes.
ners Fees, *c.7.*§.2.	May determine at Aſſizes or Seſſions, Coroners taking undue Fees.
nels,3 *H.8.c.*12.	May reform Panels of Sheriffs, unleſs between parties.
endo,6 *H.8.c.6.*	Of *B.R.* may ſend down Indictments by *Procedendo* to Gaol-delivery, or Seſſions of the Peace.
nt, 27 H.8. *c.*24. §.2.	Shall be made only by Patent under the Great Seal, in Name of the King and his Heirs, and of none other.
§.5.	In *Lancaſter* may be under Seal of County Palatine.
§.6.	In Cities and Towns Corporate, having power, ſhall be as uſed.
ty, 32 *H.8.c.*35.	Of the Foreſt,&c. may make Deputy.
s, 33 *H.8. c.*24.	A Confirmation of 8 *Ric.* 2. *cap.* 2. and 13 *H.4. c.*2. of Aſſizes.
it, §. 2.	Juſtice forfeits an hundred Pounds that rides Circuit where Born, or Inhabitant.
§. 3.	Not to extend to Clerk, or Aſſociate of Aſſize.
§.4.	Not to extend to Sheriffs, Recorders of Aſſize of Freſh force,&c.
§.5.	Not to extend to taking Aſſize in *Banco*, or by Adjournment for difficulty.
cel, §.6.	Clerk of Aſſize during Seſſions, not to be of Councel, on forfeit of Ten pounds.
§.7.	Not to extend to Juſtices of Aſſize, or Clerks, &c. of County Palatine of *Lancaſter*.
ſon,&c. 1 *Ed.6.c.7.* §.5.	New Juſtices of Gaol-delivery may award Proceſs, Judgment, and Execution upon perſons found guilty of Treaſon or Felony before,&c.
on Prayer, 1 *El.c.*2 §.17.	Of Oyer and Terminer, or of Aſſize, may determine Offences againſt the Book of *Common Prayer*.
ſex **Cauſes,** 18 *El.*	Chief Juſtice of *B.R.* or *C. B.* and Chief Baron, or in their abſence, two Juſtices may try Cauſes in *Middleſex* by *Niſi prius*, and grant *Tales*, &c.
l in Woollen, *Car.2.c.*1.§.3.*N*.1.	Where no Juſtice of Peace ſhall reſide, or be found in the Pariſh of Burial, the Parſon, Vicar and Curate ſhall take Affidavit of Burial in Woollen.
Cattel, *c.*2.§.*6.N.*2.	Forfeitures for neglect of ſeizing *Iriſh* or Foreign Imported Cattel to be levied by Diſtreſs, by Warrant of one Juſtice on Conviction by Confeſſion, View or Proof by one Witneſs.

Keeper of the Great Seal, ſee *Priviledge*.
King, ſee *Prerogative*.
Knights, ſee *Tenants*.

Labourers, ſee *Trades*.
Lader, ſee Cattel.
Lancaſter, ſee Cinque Ports.
Lapſe, ſee *Preſentation*.
Larceny, ſee Coron.
Layſtalls, ſee *Nuſance*.

Leaſes.

Farms, Termer, Aſſignee, Conditions.

ſe of the Kings **means**, 51 *H.* 3. .§.5. *De Scacc.*	Able Surveyors ſhall keep and approve the Kings Demeans, and let forth ſmall Mannors at diſcretion, and the Farmers ſhall be chargeable to the principal Approvers, and they to the Exchequer *Monday* after *Aſcenſion* yearly.
ſion,52 *Hen.* 3.*c.6.* *Marlbr.*	Taken back in Feoffment to defeat Lord of Ward, with *Proviſo*, on payment of more then Land is worth, at end of Term to be to Feoffee, is Colluſion.
c.23.	Farmer ſhall do no Waſte, Sale, nor Exile, in Houſe, Woods, nor Men, without ſpecial Licence by Deed, on pain of being grievouſly amerced, and full Damages paid.
it,6 *Ed.*1.*c.*4. *Glouc.*	If Tenant at fourth part of value tender not Arrears before Judgment in a *Ceſſavit per biennium*, he loſeth the Land for ever, if no Diſtreſs in that time.
iture, *c.*7.	For life is a forfeiture of Dower, and Heir may have Writ of Entry.
ſion, *c.*11.	Shall not be loſt by Recovery had againſt him in Reverſion, by Colluſion, if ſo found on Challenge before Judgment.

Shall not be of Bailiwicks and Hundreds in Farm, that charge with Contributions.	**Hundred,** 28 *Ed.*1.*c.*14. *Artic. ſuper Chart.*
Leaſe of Hundred ſhall be at reaſonable Rent, and no Sheriff or Hundredor ſhall Leaſe his Office to another.	9 *Ed.*2.*p.*79.*Sheriffs.*
Shall not be of Hundreds ſevered from the Counties, nor for diſtinct Farm.	2 *Ed.*3. *c.*12.
Shall be of Hundred and Wapentake for the old Farm, and not above, and Juſtices ſhall puniſh Sheriffs defaults.	4 *Ed.*3.*c.*15.
Of all Hundreds and Bailiwicks ſhall be at ancient Farm, not on Wrack-rent, on pain of forfeiture.	14 *Ed.*3.*c* 9.
The Dean and Chapter, Sub-prior, or other Corps, ſhall have refuſal of Temporalties, and Eſcheators ſhall do no Waſte.	**Temporalties,** 14 *Ed.*3 *St.*3.*c.*4.
The Chancellor and Treaſurer, &c. ſhall leaſe Temporalties in Vacation, at yearly, quarterly, or monthly Rent, without Fine.	*Cap.* 5.
Shall be to the Tenant of Wards Land pending Traverſe in Chancery.	**Ward's Land,** 36 *Ed.* 3. *c.*13.
Shall not be of Bailiwick, but Sheriff reſident.	**Bailiwick,** 4 *H.*4 *c.*5.
Shall not be made by Searchers of their Office.	**Searchers,** *c.*21.
The Aulnage of Cloths may be let to Farm by the Treaſurer, notwithſtanding 17 *R.*2. *cap.*5.	**Aulnage,** *c.*24.
Of Aliens Lands ſhall pay Tythes, though ſeized into the Kings hands.	**Tythes,** 5 *Hen.*4.*c.*11.
Shall not be made in a month after Office Returned by Eſcheator into Chancery, nor then, unleſs no Traverſe be.	**Traverſe,** 8 *Hen.*6.*c.*16.
Saved by Challenge before Judgment had againſt him in the Reverſion,&c.	**Challenge,** 6 *Ed.*1.*c.*11. *Glouc.*
Waſte lieth againſt Leſſee that takes the Profits, notwithſtanding Aſſignment over.	**Waſte,** 11 *Hen.6.c.*5.
Shall not be in a Month after the Kings Title found by Office and Return in Chancery, and then to him that Traverſeth.	**Traverſe of Office,** 18 *Hen.6.c.6.*
Shall not be for life or years of Cuſtomer, Aulnager, Gauger, Controller, Weigher, Finder, Searcher; Except by the Queen, Prince, Lord,&c.	**Cuſtomer,**&c.31 *H.6.c.*5.
May be of the Subſidy of Aulnage, taking half Forfeitures on yearly Rent to the Exchequer, and accounting for the reſt.	**Aulnage,** 17 *Ed.*4.*c.*5.
In the *Iſle of Wight* ſhall not be above Ten Marks yearly to one Tenant.	Iſle of Wight,4 *H.*7.*c.*16.
In *Northumberland*, to find two Sureties to the King to anſwer within eight days of all Treaſons, Murder,&c.	**Treaſon,**&c. 11 *H.*7.*c.*9.
Notwithſtanding 8 *H.6. cap.* 16. Traverſe and Security for Farm, may be in three months after Office Returned.	**Traverſe,**1 *H.*8.*c.*10.
To Spiritual perſons void.	**Spiritual perſon,**21 *H.* 8. *c.*13. §.3.
Shall falſifie as well for years as for life on feigned Recovery.	**Falſifie,** *c.*15.
Termors ſhall have the ſame remedy againſt Recoverors, & *e contra*, as Debt, Waſte,&c. as before.	**Recoverors,** §.3.
Joyning of Farms and laying to Paſture, being Enhanſer of Prices of Victual, no Farmer to have above two thouſand Sheep.	**Sheep,** 25 *H.*8.*c.*13.
Cannot be joyned above two ſuch holds.	**Farms,** §.14.
Ingroſſing Farmers not to uſe Clothing, but only in ſome Towns in *Worceſterſhire*.	**Clothing,** *c.*18.
Of Houſes in thoſe Towns, to be at the ſame Rent as twenty years laſt.	**Rent,** §.3.
Farmer of Parſonage, Vicar, Tythes, &c. ſhall pay no Firſt-fruits to the King, but the Leſſor, notwithſtanding Covenants *contra*.	**Firſt-fruits,** 26 *H.*8. *c.*17.
Of Dutchy Lands may be under that Seal in the Kings Name, as uſual.	**Dutchy Lands,**27 *H.*8. *c.*11. §.6.
Not exceeding ſix pounds thirteen ſhillings four pence pay no Fees of Signet or Privy-Seal.	§.12.
Shall not be avoided by reſignation of Spiritual Promotion for ſix years after, but Succeſſor may diſtrain for Rent.	**Reſignation,** 28 *Hen.* 8. *c.*11.§.7.
Leſſee of Spiritual Promotion, to hold one year on death before Leaſe ended.	**Spiritual Promotion,** §.8.
Within a year before diſſolution of Monaſtery of things not uſually Let, void.	**Monaſtery,** 31 *H.*8.*c.*13. §.5.
During another in being, or not reſerving ancient Rent, void.	§ 7.
Shall be good to Leſſee of Monaſtery only for One and twenty years.	§.9.
For life to Termor, good, if old Rent be reſerved.	§.10.
Confirmation by Court of Augmentation, good.	§.12.
Made of Dwelling-houſe or Shop to Alien Artificer, void, and Leſſee to forfeit five pounds, and Leſſor five pounds more.	**Alien,** 32 *H.*8.*c.*16.§.13.
By Indenture for life or years, by any of full Age, having Fee or Tail in their own, Wives or Churches Right, or joyntly to be good.	**Tenant in Tail,** &c. §. 28.
Not to extend to Lands in Leaſe, unleſs the old end within a year after making the new, nor to grant of Reverſion, nor to Leaſe of Lands not moſt commonly Let within twenty years before, nor without Waſte, nor to Leaſe above One and twenty years, or Three Lives,	§.2.

	Lives, from day of making, and that the Rent moſt uſed within twenty years before, be reſerved to Leſſor, Heir and Succeſſor, and to him in Reverſion,&c. who ſhall have the ſame advantage againſt Letters,&c. as Leſſor,&c.Iſſue in ſpecial Tail to have Rent on Leaſe by Tenant in ſpecial Tail.
Baron and Feme, §.3.	Wife muſt be Party, and Seal the Indenture, and Rent be reſerved to Baron and Feme, and her Heirs, and Husband not to Alien or Diſcharge, or grant away the Rent, but during the Coverture.
Parſon,&c. §.4.	Not to give power to take more Farms then allow, nor to Parſon, Vicar,&c. to Leaſe Lands or Tythes otherwiſe then before.
Feme, §.7.	Wife ſhall not avoid Leaſe for Three Lives or One and twenty years, made by Baron and Feme, whereon Rent is reſerved as within twenty years.
Conditions, *c.* 34.	Heirs, Executors, Succeſſors and Aſſignees, ſhall have the ſame advantage againſt Leſſee for Condition, Covenants, and Agreement in Indenture, as if privy.
§.2.	Farmers to have the ſame remdy againſt Patentees of Reverſion, or other Aſſignees.
Partition, *c.*32.	Shall make partition with him that hath the Inheritance,&c. joynt.
Gaming-houſe, 33 *H.*8. *c.*9. §.21.	Of Gaming houſe void at the election of Leſſee, on Quarters notice.
Corporation, *c.*27.	By Majority of Corporation, good againſt Founders Law of Negative voice, or diſſent of Minority.
Biſhop of Litchfield, *c.*30.	By Biſhop of *Coventry* and *Litchfield*, Confirmed by Dean and Chapter of *Litchfield*, good againſt Succeſſors.
Tenant in Tail, 34 & 35 *Hen.*8.*c.*20.§.4.	By Tenant in Tail of the Kings Gift, &c. for three Lives, or One and twenty years,&c. is good againſt Heir.
37 *H.*8.*c.*4.§.14.	More then year before old one expire of Lands not let for the more part of twenty years,or without ancient Rent, void of Chantry Lands,&c.
Office,2 & 3 *Ed.*6.*c.*8.§.3.	Not prejudice by being omit in Office.
*Cap.*12.	By Duke of *Somerſet* of *Bartons* Lands,&c.Confirmed.
Parſon,&c.1 & 2 *Ph.*& *Mar.c.*17.	That 28 *H.*8 *cap.*11. §.7. ſhall not extend to Leaſe by Parſon, Vicar, or other having Spiritual Promotion, to make their Leaſes good after Reſignation.
Biſhop, 1 *Eliz.c.*19.	By Biſhop,&c. other then for One and twenty years, or three Lives, from Commencement, with old Rent, to be void.
Fraud,13 *El.c.*5.§.2.	Made to defraud Creditors, void.
Colledge, *c.*10.§.3.	By Colledge, &c. having Spiritual Livings other then for three Lives or One and twenty years, with cuſtomed Rent, void.
§.4.	In Univerſities ſhall be as private Statutes of Colledge direct, under,&c.
§.5.	May be on ſurrender of old, or Covenant *pro reſiduo*, not exceeding One and twenty years, &c.
Cure, *c.* 20.	Of Cure not Impropriate longer then Parſon is reſident, without abſence above eighty days in one year, void, and Parſon forfeits a years profit.
§.2.	On Diſpenſation Parſon may demiſe one,but ſo long as Curate is reſident,&c.
14 *Eliz.c.*11. §.14.	That (*ſo ſoon as it or any part thereof come to any poſſeſſion or uſe above forbidden,*) in 13 *Eliz.cap.*10.§.1. be not revived.
Non-reſident, §.15.	All Bonds, Covenants and Contracts, to enjoy Leaſe of Non-reſident, void.
Curate, §.16.	All Leaſes, Bonds,&c. by Curate, void as by Parſon.
City,&c. §.17.	That 13 *Eliz.cap.*10.§.3.extend not to Houſes in City, &c. or that have ten Acres.
Leaſe in Reverſion, *c.*19.	No Leaſe in reverſion without old Rent and charging Leſſee to repair, or that is above forty years, to be permitted, nor alienation,but on pre-aſſurance of full value.
Colledge, 18 *Eliz.c.*6.	By Maſter of Colledge,&c. unleſs third part of old Rent be in Corn,&c.or ſix ſhillings eight pence Wheat one quarter, and Malt five ſhillings at Election of Leſſee, that Bonds, Covenants,&c. void.
§.2.	Not to prejudice *Monken Barn* of *Magdalen* Colledge in *Oxford*.
§. 3.	Not to extend to Leaſe to Founder of St.*Johns*, Alderman *White*'s Heir.
Leaſe in Reverſion, *c.*11.§.2.	The former not expiring,&c. in three years next after, the latter to be void.
§.3.	Bond or Covenant to renew *contra* to this Act, or 13 *Eliz. cap.*10. to be void.
§.4.	Not to prejudice former Leaſes before this Statute.
§.6.	St.*Johns* Colledge may demiſe for ninety nine years to any Heir Male of Founder for ever.
Sequeſtration, §.7.	In two Months after Sentence againſt Encumbent, upon 13 *Eliz.cap.*20. Ordinary to ſequeſter Profits,Pariſhioner may retain Tythes, Churchwardens to enter Glebe.
Hoſpital, 39 *El.c.*5.§.2.	By Hoſpital, *Meaſon de Dieu*, or Houſes of Correction, exceeding One and twenty years in poſſeſſion, or not with ancient Rent,void.
Judgment,43 *El.c.*9.§.8.	A Continuance of 13 *Eliz.*20.and of 14 *Eliz.*11.and of 18 *Eliz.*11. with this, That all Judgments to enjoy Leaſe *contra* to thoſe Statutes, be void.
King, 1 *Jac.c.*3.	By the Archbiſhop or Biſhop to the King, void.

By the School-maſter of *Northleech* in *Glouceſter*, to be only good, during reſidence,&c.	Northleech,4 *Jac.c.*7.§
In *Cornwal* at Common Law, good but for the life of the Leſſor that hath Inheritance.	**Dutchy of** Cornwal, 21 *Jac c.*29.
All Leaſes made by Prince *Charles* the Firſt, to be good againſt Succeſſor of Dutchy,&c.	§.2.
Of Dutchy of *Cornwal* to be by Deed but for three Lives, or One and thirty years ſo determinable, and reverſion and poſſeſſion not to exceed, nor diſpuniſht of Waſte, and with ancient Rent,&c.	§.3.
All Covenants, Conditions, Reſervations or other Agreements,good againſt Leſſor,&c.and Aſſignee or Leſſee.	§.4.
All Leaſes in three years of Dutchy of *Cornwal*, good againſt the King and Succeſſors.	1 *Car.*1.*c.*2.§.2.
Not to exceed three Lives, or One and thirty years determinable ſo,&c.and ancient Rent,&c.	§.3.
All Covenants, Conditions, Reſervations, &c. good againſt Aſſignees of Reverſion, or of Leſſee.	§.4.
New Impoſt granted to the King for Life on Ale, &c. may be farmed.	**Exciſe**, 12 *Car.*2.*c.*23. §.27.
May be of Wine Licence not exceeding One and twenty years, if party ſo long live, and Rent half yearly.	**Wine-Licenſe**, *c.*25.§.
Of Colledges and Hoſpitals, confirmed.	**Colledges**,&c. *Cap.* 3
May be of Poſt-Office for Life, or One and twenty years.	**Poſt-Office**, *c.* 35.§.
May be by Maſter of the Rolls, for new built Houſes of the Rolls.	**Rolls**, *c.* 36.
Recites 21 *Jac. cap.* 29. and dilapidation by expiring.	**Dilapidations**,13 Ca *St.*2.*c.*4.
That all made, and in three years to be made (other then of Honours, Lordſhips, &c.) to be effectual according to purport, in Dutchy of *Cornwal*.	**Dutchy of** Cornwal,§
To be in poſſeſſion for three Lives, or One and thirty years in Reverſion, not to exceed.	§.3.
All Covenants, Reſervations, &c. to be good againſt Reverſioner,&c.	§.4.
Farmer of Exciſe not to be Commiſſioner, nor *contra.*	**Exciſe**, 15 *Car.*2.*c.*11.§
Farmers of Exciſe to have the power of Commiſſioners to levy, not to fine,&c.	16 & 17 *Car.*2.*c.*4.
Within three years of Copyhold, &c. of Dutchy of *Cornwal*, good againſt the King.	**Dutchy of** Cornwal, 22 *Car.*2.*c.*7.§.2.
To be only for one, two, or three Lives, or One and thirty years determinable ſo,&c.	§.3.
All Covenants to be effectual to Aſſignees againſt the King, ſaving others,&c.	§.4.
The Maſter of the *Savoy* may demiſe the Brothers Lodgings, forty years.	Savoy, 22 & 23 *Car.*2. *c.*14.
Within three years after this Seſſion, under Great Seal, or Seal of Exchequer, good of Dutchy of *Cornwal*, Free or Copy.	**Dutchy of** Cornwal, 25 *Car.*2.*c.*3. §.3.
None to be for more then three Lives in poſſeſſion, or One and thirty years, &c. and Reverſion to make up ſuch,&c. with uſual Clauſes.	§.4.
All Covenants, Agreements, &c. good againſt Reverſioner,	§.5.
Is but at Will by Livery, or Parol Agreement without Deed.	**Parol**,29 *Car.*2.*c.*3.
Not exceeding three years good by Parol, where Rent is third part of value.	§.2.
Shall not be Aſſign, Grant or Surrender, but by Deed or not in Writing, or operation of Law.	§.3.
Not mentioning Augmentation to Vicar or Curate of Impropriation, void.	**Augmentation**, §.8.
King enabled to make Leaſes of Lands, &c. parcel of Dutchy of *Cornwal*, and Leaſes already made confirmed (except Honours,&c.)	**Dutchy of** Cornwal, 1 *Jac.*2.*c.*9.
Leaſes,&c. made by the late King,or to be made within ſeven years next (except Honours, &c.) ſhall be good.	**Leaſes good**, §.2.
Not to exceed three Lives, or One and thirty years, or a Term determinable on three Lives, and if made in Reverſion,&c. then with the Eſtates in poſſeſſion, not to exceed three Lives or One and thirty years, not to be diſpuniſhable of Waſte, the ancient Rent,&c. to be reſerved; and where none,a reaſonable Rent, not under the twentieth part of yearly value.	**Term**, §.3. **Waſte.** **Rent.**
Covenants, Conditions, &c. to be good againſt all in in Reverſion, ſaving Rights of others.	**Covenants**, §.4.
Upon Compoſition within ſeven years, for Increaſed Rent, and payment of Compoſition Money, Increaſed Rents to ceaſe.	**Compoſition**, §.5. **Increaſed Rent.**
Leaſes *Bona fide* made, by Parſon Simoniacally promoted, to any not privy to Simony, ſufficient.	**By Parſon Simoniac** 1 *W.* & *M.c.*16. §.3.
Reviver of 19 *Car.*2.*c.*12. for ſeven years.	**Rev.**4 & 5 *W.*& *M.c.*24.§
Their Majeſties enabled to make Leaſes, &c. of Lands, &c. parcel of Dutchy of *Cornwal*, and Leaſes already made, Confirmed.	**Dutchy of** Cornwal, 5 & 6 *W.*& *M.c.*18.
Leaſes and Grants made by late Kings, *Car.* 2. and *Jac.* 2. or by Their Majeſties, or to be made within ſeven years, (except Honours,&c.) ſhall be good.	**Leaſes good**, §.2.
Provided the ſame exceed not three Lives, or One and thirty years, or a Term determinable on three or fewer Lives; and if made in Reverſion, not to exceed three Lives, or One and thirty years, with the Eſtate	**For what Term**, §.3.

ft. nt.	Eſtate in poſſeſſion; not to be diſpuniſhable of Waſte, the ancient Rent or more to be reſerved, and where none, a reaſonable Rent, not under the twentieth part of clear yearly Value.
enants,&c. good, §.4.	Covenants, Conditions, &c. ſhall be good.
hts ſaved, §.5.	Saving of all others Rights &c.
poſition, §.6. reaſed Rent.	Tenants within ſeven years, may Compound for increaſed Rents, and upon Compoſition, and Money paid accordingly, increaſed Rent to ceaſe, and the old Rent, or other directed by Compoſition, only charged.
ge of Leaſe, &c. §.7.	Charges of Leaſes, &c. (where Fine or Value exceed not Eighty pound) not to exceed Ten pound, and Four pound for Copies (beſides Fine, or Value) to be divided amonſt Officers, &c. and Offenders to forfeit ſo much Money as received, and Twenty pound.

Leather, ſee *Trades*.

Lee Rivers, ſee *Sewers*.

Leet.

View of Frank-pledge, Law-days, Turn, Tything, Wapentake.

day, 9 *Hen.3.c.35.* *Mag.Chart.*	Sheriff ſhall hold County but from month to month, Turn, or Hundred, twice a year, after *Eaſter* and *Michaelmas*, in due place accuſtomed, and view of Frankpledge once a year, after St.*Michael*, taking Fees, as in time of *H.2.*
ney, 20 H.3.c.20. *Merton.*	Freeman may do Suit to the Tything by Attorney.
of Wards, &c. H.3.p.11.§.3.*De Scac.*	Offices of Wards and Eſcheats ſhall be found in Sheriffs Turn every County.
ny, 51 *H.3.p.13.§.2.* ry *& Tumbrel.*	Twelve men ſhall on Oath preſent, if Town have Pillory and Tumbrel for Brewers and Bakers, on third default.
ops,&c.52 *H.3.c.10.* *Marlbr.*	Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Religious men or women, nor ſuch as have hundreds of their own, need not attend Turn.
tment, 13 *Ed.1.c.13.* *W.2.*	Indictment in the Turn to be under the Seal of XII.
les, 18 *Ed.2. p.84.* of *Frankpledge.*	The Thirty three Articles that are to be Enquired of upon Oath in the View of Frankpledge.
tments, 1 *Ed.3.* 7.	Indictment by Turn ſhall be by Roll Indented between Sheriff or Bayliffs of Franchiſe and Indictors.
Enquiries, 15 *Ed.* 1.	Commiſſion of new Enquiries ſhall ceaſe, ſaving Indictment of Felonies.
day, 31 *Ed.3.c.15.*	Turn ſhall be holden in a Month of *Eaſter* and *Michaelmas*, or elſe void for that time.
ſs, 1 *Ed.4.c.2.*	Sheriffs ſhall make no Proceſs in Turn or Law-days, but bring all Indictments before the Juſtices of Peace, on pain of One hundred pounds.
§.2.	Not to prejudice the City of *London*.
§.3.	Not to prejudice Grantees of Fines and Americiaments dated before 10*th* of *December*, nor Franchiſe by Preſcription.
, 14 & 15 *H.8.*	Stewards, &c. to determine Offences of tracing Hares, &c.
ick, 25 *H.8.c.14.*	May enquire of Hereticks, and certifie the Ordiuary.
1 *H.8.c.14.§.6.*	May enquire of Hereſies and other Felonies.
nce, 32 *H.8.c.13.* §.9.	May preſent putting in Infected Horſes or Scabby into Common, as Common Nuſance.
-bow, 33 *H.8.c.6.* §.19.	May determine Offences of keeping Croſs Bow or Hand-Gun.
, *c.9.* §.18.	May have moiety of Offence in unlawful Games, or defects in Archery within Precinct.
, 2 & 3 *Ed.6.c.10.* §.4.	Stewards, &c. to determine by Preſentment of Information as to the Offences againſt this Act of Malt-making
als, *c.15.* §.3.	Stewards to determine Offences of Victuals, and Labourers, &c.
7 *Ed.6. c.5.* §.6.	May enquire by Oath, &c. of ſelling Wine contrary to the Statute.
way, 2 & 3 *Ph.&* *r.c.8.*§.3.	Stewards to determine Offences of not working in High-ways.
Muſter, 4 & 5 *& Mar.c.3.* §.5.	Stewards to determine Offences of falſe Muſters, &c.
ng, 1 *El.c.17.*§.8.	May enquire of Fiſhing *contra* to the Stat.
§.10.	Steward forfeits forty ſhillings if he charges not Jury to Enquire.
way, 18 *El.c.10.*§.9.	Shall puniſh not repairing High-ways.
, 23 *El.c.10.*§.5.	Stewards, &c. to determine Offences of killing Pheaſants, &c.
31 *El.c.5.*§.7.	Games, Bowls, and Trades may be Enquired of there.
c.7.§.4.	Stewards to determine Offences of Colledges, &c.
s, 1 *Jac.c.5.*	No Stewards of Leet or Court-Baron, to receive Profits to their own uſe that belong to the Lord, on forfeit of forty ſhillings, and diſabled to be Steward.
ter, *c.22.*§.5.	Stewards may enquire, hear and determine Offences againſt this Statute of Tanning Leather, &c.

Ley.

Wager of Law, Serement, Oath.

ff, 9 *Hen.3.c.28.* *Magna Chart.*	Bayliffs ſhall not put a man to his open Law, nor to his Oath, without faithful Witneſs brought in.
A Writ ſent to put in Execution *Magna Charta*, as the Common Law, and *Chart. de Foreſta*, for the Wealth of the Realm.	Magna Charta, &c. 25 *Ed. 1. c.1.*
May be received againſt Shop-book in *London*.	London, 38 *Ed.3.c.5.*
Shall be allowed or not in *Inſimul computaſſet*, in diſcretion of the Juſtices on Examination of Attorneys.	Ley-Gager, 5 *Hen.4 c.8.*
Wage by Attorney by the Abbot of *Fountain*.	33 *H.6. c.6.*

Libel, ſee *Prohibition* and *Slander*.

Liberties, ſee *Franchiſe*.

Licence.

Faculties, Diſpenſation, Toleration, Ad quod damnum.

Widow of the Kings Tenant ſhall find Surety not to marry without.	**Marriage**, 9 *Hen.3 c.7.* *Magna Chart.*
No mans Wood ſhall be taken for a Caſtle without the Owners Licence.	**Caſtle**, *c.21.*
Party ſhall not make Purpreſture, Waſte, nor Aſſart his Wood in the Kings Demean Foreſt without Licence.	**Purpreſture**, 9 *H.3.St.2.* *c.4. Ch.de Foreſta.*
Deputy of ſworn Clerk in Exchequer, ſhall not be admit without the Kings Licence, and then *Reſpondeat Superior*, whether ſworn or not, of Fee or not.	**Clerk in Exchequer**, 51 *H.3. p.11.* §.8. *De Scac.*
Muſt be ſpecial during Term, elſe Farmer for Waſte, Sale or Exile, in Houſe, Woods or Men, ſhall be grievouſly amerced, and pay full Damages.	**Waſte**, &c. 52 *H 3.c.23.* *Marlbr.*
They who Lodge or take Goods of Religious men without, ſhall pay double Damages, and Fine, or be Indicted.	**Religious**, 3 *Ed.1. c.1.* *W. 1.*
None of the Kings Clerks ſhall receive Preſentation to Church, while in debate in the Kings Court, without the Kings ſpecial Licence.	**Preſentation**, *c.28.*
On purchaſe of Liberties or Amortizing Lands, ſhall be on Writ out of the Chancrey, to enquire *Ad quod damnum*.	**Purchaſe of Liberties**, &c. 27 *Ed.1 p.62.*§.1. *De libert. perquir.*
Marriage without by the Widow or Tenant, of Inheritance of the King, ſhall be Diſtrained till years value paid.	**Marriage**, 17 *Ed.2.c.4.* *Prerog. Reg.*
Tenant by Knights-Service of the Kings ſhall not alien the more part of his Lands without, but leaving ſufficient for Service, except Members and Parcels.	**Tenant by Knights Service**, *c.6.*
Serjeanty aliened without, is Rate at reaſonable Extent.	**Serjeanty**, *c.7.*
Alienation without ſhall pay only Fine, the King ſhall not ſeize as forfeit.	**Fine**, 1 *Ed.3.c.12.*
Want of it on Mortmain, ſhall not be enquired of, but only a Fine paid.	**Mortmain**, 18 *Ed.3.c.3.*
Iſſue born beyond Sea of Father and Mother that then were of the Kings Allegiance, may Inherit, if Mother went over by Licence.	**Iſſue**, 25 *Ed.3.St.2.c.7.*
To Tranſport *contra* to the Laws of the Staple, ſhall not be granted by the King nor his Heirs.	**Staple**, 27 *Ed.3.St.2.c.7.*
Merchant ſhall not Tranſport Gold or Silver, but by Licence.	**Tranſport Silver**, 5 R.2.c.2.
None but Lords and Great men, notable Merchants, and the King's Soldiers may go over Sea without Licence.	*Ibid.*
Who may Travel without, and at what Ports.	**Travel**, 13 *Ric.2.c.20.*
Dedication of Church-yard for Burial is *Mortmain* without.	**Mortmain**, 15 *R.2.c.5.*
Of Appropriation, ſhall contain that Vicar be Endowed, and the Poor provided for.	**Appropriation**, *c.6.*
A Confirmation of 15 *R.2. cap. 5.* and that on every Appropriation, Vicar be perpetual, Secular, and not Religious.	4 *Hen.4. c.12.*
By the King, ſhall not avail to make Plenarty by Proviſion from the Pope.	**Plenarty**, 7 *Hen.4.c.8.*
Merchandize of the Staple ſhall not be Tranſported without, till firſt carried thither.	**Staple**, 2 *H.5.St.2. c.6.*
For a Proviſion, void, and *Præmunire* and treble Damages againſt any that diſturb thereby.	**Proviſion**, 3 *H.5.St.2.c.4.*
Sheep ſhall not be Tranſported without, but to Victual *Calice*.	**Tranſport**, 3 *Hen.6.c.2.*
Concealment of Cuſtoms paid by Cuſtomer, Collector, Controller, ſhall forfeit treble Value, and be fined and ranſomed.	**Cuſtoms**, *c.3.*
May be granted by Chancellor, to tranſport Butter and Cheeſe.	**Tranſport**, *c.4.*
The King may reſtrain Tranſportation of Corn when he thinks fit.	4 *H.6. c.5.*
Wheat at Six ſhillings eight pence, Barley at Three ſhillings four pence, may be Tranſported without.	15 *H.6.c.2.*
Safe Conducts with Clauſe *Vidimus*, ſhall be put in ſpecial Caſes, but Names of Perſons, Ships and Maſters.	**Conducts**, *c.3.*
To Tranſport to other place then *Calice*, becauſe of decay of Cuſtoms, he that put it in Execution ſhall be out of the King's Protection.	**Tranſport**, 27 *H.6. c.2.*
Horſe or Mare above ſix ſhillings eight pence, and under three years old, ſhall not be Tranſported without, but for parties own uſe.	11 *H.7. c.13.*

Hand-Gun, 6 *H*.8.*c*.13.	None unleſs of Three hundred Marks *per annum*, ſhall uſe Hand-Gun, or Croſs-Bow without.
Parliament-man, *c*.16.	Parliament-man ſhall not depart without Licence of the Speaker, on forfeit of Wages.
Import, 7 *H*.8. *c*.2.	To Import *Gaſcoyn* Wine, and *Thoulouſe* Woad, *contra* to 4 *H*.7.*c*.10. Repealed.
Rome, 25 *H*.8. *c*.21.§.3.	Not to be ſued for from *Rome*, but Archbiſhop to have power.
Marriage, &c. §.8.	Marriage and Legitimation to be by Licence of Archbiſhop, and ſo Confirmed.
Suffragan, 26 *H*.8.*c*.14. §.6.	By Biſhop to Suffragan ſhall be as uſual or requiſite, and if he Exerciſe other Juriſdiction, to incur *Præmunire*.
By-Law, 28 *H*.8.*c*.5.	By-Law, not to exerciſe Trade without, void, and forfeit forty pounds.
Abbe, 31 *H*.8.*c*.13.§.6.	Fines, Recoveries by Abbe,&c. within a year of Parliament, or before Diſſolution, void, unleſs under Great Seal.
§.25.	By Parol by the King to D. of *Norfolk*, and Lord *Cobham*, to purchaſe Abbe-Lands, Confirmed.
Croſs-Bow, 33 *H*.8.*c*.6.	To ſhoot in Croſs-Bow,&c. void.
Cap.6.§.17. (§.8.	*Contra* to this Statute to ſhoot,&c. void.
Tranſport, *c*.7.	Shall not be given to Tranſport Braſs, &c. except Tyn and Lead.
Games, *c*.9.§.13.	Placards to contain perſons and the particular unlawful Games.
Tranſport, 1 *Ed*.6.*c*.5.	Horſes not to be ſent into *Scotland*, nor Tranſport without.
Egyptian, 1 & 2 *Ph*. & *Mar*.*c*.4.§.6.	Suit for it to continue *Egyptian* here, forfeits forty pounds.
Game, 2 & 3 *Ph*. & *Mar*.*c*.9.	Placard or Grant for having, maintaining, or keeping Bowling-Alleys, Dicing-Houſes, or other unlawful Games prohibit, to be void.
Fiſh-day, 5 *El*.*c*.5.§.18.	To eat Fleſh on Fiſh-days, void, unleſs with Condition here mentioned.
§. 19.	Not to be for eating Beef, nor to eat Veal from *Michaelmas* till *May*.
§.20.	During Sickneſs, may be by Biſhop, Parſon or Curate, under Seal.
§.21.	By Parſon, unleſs for Sickneſs, void, and he forfeit five Marks.
§.23.	The ſame Priviledge of Age, &c. to be now as by Eccleſiaſtical Laws.
Drover,&c. *c*.12.§.4.	Of Drover, Kidder, Carrier, Badger, &c. to be only in open Seſſions of ſuch as three years before *Teſte*, be Houſholders, Married, above thirty,&c.
§.5.	To be Sealed by three Juſtices, one *Quorum*.
§.6.	Juſtice at diſcretion to take Recognizance of them, not to Foreſtal, &c. and Clerks fee Twelve pence.
§.7.	Perſons Licenſed not to buy out of open Fair, without ſpecial words in Licene.
§.8.	Juſtice of Peace in *Wales* may puniſh Offences againſt Act.
Tranſport, 8 *El*.*c*.6.§.5.	To Tranſport Cloth extends not to *Kentiſh* and *Suffolk*, &c unwrought.
Depart Realm, 13 *El*. *c*.3.	Departing the Realm without, or ſtaying after Expire, On notice by Proclamation to return, forfeits Profits of Lands for life, and Goods,&c.
Preaching,&c. *c*.12.§.7.	*Contra* to this Stat. to Preach or Adminiſter Sacraments, or be Incumbent, void.
Go beyond Sea, 1 *Jac*. *c*.4.§.8.	None but Sailers, Ship-Boys, Apprentice, or Factor in Merchandize, to go beyond Sea without, on forfeit of Office and Ship, by permiſſion.
School, 1 *Jac*.*c*.4.§.9.	None to keep School,&c. out of the Univerſities without Licence by Ordinary, &c.
Alienation, 1 *Car*.1.*c*.3.	For eaſe in obtaining Licence of Alienation, and pleading Alienation *ſans* Licence,&c.
Wine, 12 *Car*.2. *c*.25. §. 4.	To retail Wine muſt be Trader or Owner of Houſe.
Coffee, 15 *Car*.2.*c*.11. §.15.	None to retail Coffee without Licence firſt had in General Seſſions.
Lord's Day, 29 *Car*.2. *c*.7.§.2.	Of Wherry, Barge, &c. on the Lord's Day, to be by Juſtice of the Peace of County,&c. or Head Officer, &c. adjoyning.
Suſpenſion, Diſpenſation, 1 *W*.& *M*.*Seſſ*.2.*c*.2.	Suſpending of, or diſpenſing with Laws, by Regal Authority, Illegal.
Non obſtante, §. 12.	No Diſpenſation by *Non obſtante*, to be allowed of, except ſpecially provided for.
Duty on Fleſh, Butter, &c. 3 & 4. *W*.& *M*.*c*.8.	Diſpenſation with 2 *W*.& *M*. *Seſſ*.1. *c*.4. as to Duty on Beef, Pork or Hogs-fleſh, Butter, Cheeſe, or Candles, Exported.
Alienation no diſcharge of Heir, &c. *c*.14.§.5.	Alienation, not *Bona fide*, before Action brought, &c. ſhall not diſcharge Heir or Deviſee.

Lieutenants, ſee *War*.

Lieu.

Common Pleas, 9 *H*.3. *c*.11. *Mag*.*Chart*.	Common Pleas ſhall be holden in place certain, and not follow the King.
Aſſizes, *c*. 12.	Aſſizes ſhall be taken only in Shires by Juſtices ſent by Chief Juſtice in Kings abſence out of the Realm, through each County, with Knight of that County, and Caſes of Difficulty referred to Juſtices *De Banco*.

No Town, nor Freeman ſhall be diſtrained to make Bridges nor Banks, but as in time of *H*.1. of right accuſtomed, the ſame Bounds.	**Banks**,&c. *c*.15.
No Banks ſhall be defended from henceforth, but ſuch as in time of *H*. 1. were in defence of the ſame Bounds.	*Cap*. 16.
County Court, Turn or Hundred, and View of Frank-pledge, ſhall be held in due and accuſtomed places.	**County Court**,&c.
Out-dwellers ſhall not come by Common Summons, unleſs Impleaded in Foreſt, or Sureties for ſuch as are Attacht there.	**Out-dweller**, 9 *H*.3 *c*.2. *Ch. de Foreſta*
None out of the Fee ſhall be Diſtrained to come to the Lords Court by reaſon of Bailywick, nor Hundred, nor Diſtreſs taken out of the Fee.	**Diſtreſs**, 52 *Hen*.3. *Marlb*.
None ſhall drive Diſtreſs out of the County without Judgment on Fine, as breakers of the Peace, and if Lords, amerced.	*Cap*. 4.
No man for no Cauſe may diſtrain out of Fee, in High-way or Common Street, but the Kings Officer by ſpecial Authority.	*Cap*.15.
They who drive Beaſts out of Shire, ſhall make grievous Fine, as in 52 *H*.3.*c*.4. and ſo it ſhall be done to thoſe that take Beaſts wrongfully, and Diſtrain them out of Fee, and more grievous, if requiſite.	3 *Ed*.1. *c*.16.
No Diſtreſs ſhall be on Foreigner, in City, Borough, Town, Market or Fair, for Debt he oweth not as Debtor or Pledge.	*Cap*. 23.
Attachment of Foreigner paſſing through inferior Juriſdiction for Debt on Contract out of their power, ſhall pay double Damages.	**Attachment**, *c*.3
No Treſpaſs before Juſtice, but before Sheriff, unleſs Plaintiff ſwear by his Faith, the Goods taken are worth forty ſhillings at leaſt, and that Plaint of Beating is true.	**Treſpaſs**, 6 *Ed*.1. *Glouc*.
On foreign Voucher in *London*, if determined, Proceſs is there, if Plaintiff recover on Warranty, the Execution is from the Juſtices.	**Foreign Voucher**,
Enqueſts ſhall be taken in the County, unleſs of great Examination, and of ſuch Ability as Juſtices think fit.	**Enqueſts**, 27 *Ed*.1.
Frank-pledge ſhall enquire of Bounds withdrawn or taken away.	**Frankpledge**, 18 E *p*.84. §.9.
Proceſs ſhall be into all Counties of *England*, to take Felons or Utlaws.	**Felons**,&c. 5 *Ed*.3.*c*.
Enqueſt ſhall not be delayed on default of Witneſs in Franchiſe, where the Kings Writ runs not, ſo Proceſs be into the County, if Date be within.	**Enqueſt**, 9 *Ed*.3.*c*.4
Strangers may come into any part of *England*, and go freely, and all Staples to ceaſe.	**Strangers**, 2 *Ed*.3
The ſeveral Staples in *England*, *Wales* and *Ireland*, and what Cuſtoms to be paid of Wool, Lead, Leather,&c.	**Staple**, 27 *Ed*.3.*St*.2
The Hundred or Franchiſe where Robbery was done, or both, if on Confines, ſhall anſwer Damages in forty days.	**Robbery**, 28 *Ed*.3.*c*.
Plea that Contract aroſe out of the County, contained in Original Writ, will abate Debt, Account,&c.	**Foreign Plea**, 6 *R*.
Juſtices ſhall hold Aſſizes at the principal Towns in the County.	**Aſſize**, *c*. 5.
Aſſize ſhall be taken in Confines of County, where Tenements are, for Rent or Common appendant to, &c.	7 *Ric*.2.*c*.10.
The Kings Caſtles and Gaols ſhall be rejoyned to the Body of the Counties.	**Kings Caſtles**,&c 13 *Ric*.2.*c*.15.
The Staple removed from *Calice* to *England*, to Places mentioned by 27 *Ed*.3.*c*.1.	**Staple**, 14 *R*.2.*c*.1.
Goods are liable to *Quinzim*, where they were then granted, and the County may be Diſtrained, but not double Charge.	Quinzim, 9 *H*.4.*c*.7.
Shall be in Addition, elſe Utlary void.	**Addition**, 1 *Hen*.5.*c*.
On Indictment in *Lancaſter*, of Fact done in *A*. where there is no ſuch place, Juſtices by Enqueſt of Twelve, having one hundred ſhillings a man, ſhall Enquire preſently.	Lancaſter, 7 *H*.5.*p*.2
Utlary in *Lancaſter* forfeits only Lands and Goods there.	9 *Hen*.5.*c*.2
The Mint at *Calice*.	**Mint**, *c*.6.
On Indictments out of County, a ſecond *Capias* ſhall go into County where party is, *Teſte* three months before Return and Exigent, otherwiſe void.	**Indictment**, 8 *H*.6.
Aſſizes for *Cumberland* ſhall be holden by the Juſtices at *Carliſle* in time of Peace.	**Aſſize**, 14 *H*.6.*c*.3.
Utlary in *Lancaſter* forfeits only Land and Goods there.	**Utlary**, 20 *H*.6.*c*.2.
Trial of foreign Plea by Tenant, ſhall be where Writ is brought.	**Trial**, 23 *H*.6.*c*.12.
The Stat. 20 *H*.6.*cap*.2. made perpetual; but 33 *H*. 6. *cap*. 2. Repealed, and Trial to be in the County by Jurors worth five pounds.	31 *H*.6.*c*.6.
Tyndal made parcel of the County of *Northumberland*.	Tyndal, 11 *H*.7.*c*.9.
None not in Orders ſhall have Clergy on Murder or Felony, in Church, Chappel, or Hallowed place, or on Robbery,&c. in High-way or Houſe, where Servant is brought.	**Clergy**, 4 *H*.8.*c*.2.

Taking

Sanctuary, §. 2.	Taking Sanctuary pleaded in foreign County, ſhall be Tried where Indictment is laid.
Tryal, 22 *Hen.* 8. *c.* 2.	A Confirmation of 4 *H.* 8. *Cap.* 2. §. 2. that foreign Pleas ſhall be tried where Indictment is ſo, 22 *Hen.* 8. *Cap.* 14. §. 5.
Citation, 23 *Hen.* 8. *c.* 9.	None ſhall be Cited out of Dioceſs but for Hereſie and Probate of Will.
Kings Palace, 28 *H.* 8. *cap.* 12.	The Limits of the Kings Palace to be from *Charing-Croſs* to *Weſtminſter-Hall*, and the ſame Priviledge as old Palace.
Tryal, 32 *H.* 8. *c.* 4.	Trials for Treaſon in *Wales*, or where the Kings Writ runs not, ſhall be in the next Shire by the Kings Commiſſion.
Sanctuary, 33 *H.* 8. *c.* 15	*Weſtcheſter*, to be the place of Sanctuary in ſtead of *Mancheſter*, named in 32 *H.* 8. *Cap.* 12.
Tryal, 33 *Hen.* 8. *c.* 23.	Murders, &c. beyond Sea, may be Tried in *England*.
Ampthill, *cap.* 37.	The Manor of *Ampthill* made an Honour, and ſeveral other Manors, &c. annext to it.
Cap. 38.	The Mannor of *Grafton* made an Honour, and ſeveral other Mannors, &c. annext to it.
Rippon, 37 *Hen.* 8. *c.* 16.	*Rippon, &c.* annext to Dutchy of *Lancaſter*.
Tryal, 2 & 3 *Ed.* 6. *c.* 24. §. 2.	Indictment ſhall be where death is, on Stroke in foreign County.
§. 3.	Juſtices to proceed thereon, as if all in one County, ſo on Appeals, &c.
§. 4.	Acceſſary to be proceeded againſt where Acceſſary, wherever Principal be.
Hexam, 14 *Eliz. cap.* 13.	*Hexam* and *Hexamſhire* to be within the County of *Nortkumberland*.
Attorney, 29 *El. c.* 5. §. 21.	In Information, &c. againſt Men living remote, they may appear by Attorney, where Bailable.
Tryal, 31 *El. c.* 5. §. 2.	Offence againſt Penal Law to be laid where Contract or Offence was.
§. 4.	Action *ſur* Statute 1 *Eliz. Cap.* 11. & 20. and againſt Champertors, buying Titles, Extortion, Uſury, or Foreſtalling, where Forfeit is twenty pounds, &c. may be any where.
§. 7.	Information againſt Gaming, and not uſing Bows, &c. muſt be at Aſſizes or Seſſions of the Peace, where offence is.
Jac. cap. 1. §. 3.	Capital Offence in *Scotland* Tried there, if Offender be taken North of *Tyne*.
Information, 21 *Jac. c.* 4	Information, &c. to be in County where Offence was Committed.
§. 2.	Muſt be proved in Evidence in Information on Penal Law.
§. 3.	No Officer to File Information till ſworn in what County.
Tryal, *c.* 12. §. 5.	Unleſs Fact in Suit againſt Officer be proved where laid its againſt Plaintiff on the General Iſſue.
Alien, 12 *Car.* 2. *c.* 18. §. 2.	Alien, or not born within the Kings Allegiance, not to be Merchant or Factor to *America, &c.*
Tryal, 20 *Car.* 2. *c.* 7. §. 7	That offence was where Information is, muſt be Evidence againſt Seizor of Imported Cattel.
Affidavit, 29 *Car.* 2. *c.* 5.	The Chief Juſtice and one Judge may Aſſign Commiſſioners to take Affidavits in the Countrey, and good Evidence, &c.
Offence 5 & 6 *W.* & *M.* *c.* 25. §. 2.	Offences againſt 13 *Car.* 2. Committed out of the Realm, may be alledged in any County within the Ream.

Limitation.

Claim, Non-Claim.

rit of Right, 20 *H.* 3. *cap.* 8. *Merton.*	Deſcents in a Writ of Right ſhall be from Anceſtor, ſince H. 2. not from H. 1.
rtdanceſtor, *ibid.*	Writs of *Mortdanceſter*, *De nativis* and *Entre*, ſhall not paſs the laſt Return of King *John* from *Ireland* to *England*.
vel Diſſeiſin, *ibid.*	Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *H.* 3. into *Gaſcoyn*.
uit, Service, 52 *H.* 3. *c.* 9. *Marlbr.*	They or whoſe Anceſtors uſed to do Suit before the firſt Voyage of *Hen.* 3. into *Britain*, being thirty years and half until this Statute, ſhall do it notwithſtanding Feoffment, but none by ancient Feoffment before the Conqueſt without Deed, ſhall otherwiſe be Diſtrained.
eck, 3 *Ed.* 1. *c.* 4. *W.* 1.	If none claim Wreck in a year and a day, its the Kings, or the Lords of the Soyl.
peals, 6 *Ed.* 1. *c.* 9. *Glouc.*	An Appeal ſhall not abate, tho freſh Suit were made within a year and a day.
viſhment, *cap.* 13.	If none ſue within forty days, the King ſhall, for Raviſhment, or taking away Maid, or Wife, or Enfant by conſent, or without.
ſpaſs in Park, *c.* 20	If none will ſue in a year and day for Treſpaſs in Park or Ponds, the Suit ſhall be the Kings.
t of Right, &c. *c.* 38	Seiſin of Anceſtor in a Writ of Right, not beyond *Rich.* 1. Diſſeiſin, Partition, *Nuper obiit*, ſince the firſt Voyage of *H.* 3. into *Gaſcoyn*, Writ of *Mortdanceſtor*, *Coſinage*, *Ayel*, *Entre*, or *De nativis*, from the Coronation of *H.* 3.
owry, 13 *Ed.* 1. *c.* 2. *W.* 2	Avowry on Seiſin of Anceſtor or Predeceſſor, ſhall be ſince the time that Aſſize of *Novel Deſſeiſin* ran.

Liberties uſed in time of *Rich.* 1. and continued ſince, ſhall be Confirmed.	Liberties, 18 *Ed.* 1. *p.* 56. *Quo Warranto.*
None ſhall loſe his Land by Non-plevin.	Non-plevin, 9 *Ed.* 3. *c.* 2. §. 1. *N.* 2.
The King ſhall not have *Quare Impedit* after three years Laches, in right of Temporalties, or of Enfant, but ſuch Plenarty is a good Plea.	Quare Impedit, 14 *Ed.* 3. *Stat.* 3. *c.* 2.
Incumbent put out by the Kings Patent muſt ſue within the year.	13 *Rich.* 2. *cap.* 1.
Incumbents put out by the Kings Patentee, may ſue at any time within the year or after, as well of time paſt as to come, notwithſtanding 13 *R.* 2. *Cap.* 1.	4 *Hen.* 4. *cap.* 22.
They who have kept poſſeſſion three years, not to be endamaged for detaining with force.	Detainers, 8 *Hen.* 6. *c.* 9. §. 7.
Debt againſt Sheriff or his Executors, for forſeiture on falſe Return to Parliament, muſt be in three months after Parliament Commenced.	Sheriff, 23 *Hen.* 6. *c.* 15. §. 2.
Treſpaſs againſt Water-Bailiff, Searcher or Controller, taking where nothing is due, muſt be in two years.	Water-Bailiffs, &c. 28 *Hen.* 6. *cap.* 5.
Indictment found ſhall not ſtay till year and day of Appeal is out, but proceed preſently.	Indictment, 3 *Hen.* 7. *c.* 1
Actions upon Penal Laws muſt be by the King in three years, and by others in one after the Offence.	Penal Laws, 1 *H.* 8. *c.* 4
Notwithſtanding 8 *H.* 6 *Cap.* 16. Traverſe, and Security to have Farm, may be in three Months after Office Returned.	Traverſe to have Farm *cap.* 10.
Of Actions, Suits, Bills, Indictments or Informations, for King or Party.	Actions, 7 *Hen.* 8. *c.* 3.
No Writ of Right nor Preſcription, Title or Claim to Mannors, Lands, Tenements, Rents, Annuities, Commons, Penſions, Portions, Corodies, or other Hereditaments, but on Seiſin of Anceſtor, or Predeceſſors, within ſixty years next before Teſte of the Writ.	Writ of Right, &c. 32 *Hen.* 8. *cap.* 2.
Mortdanceſter, *Coſinage*, *Ayel*, *Entre ſur Diſſeiſin*, to Anceſtor or Predeceſſor, nor other Action poſſeſſory of Anceſtor or Predeceſſor, but on Seiſin within fifty years before Teſte.	Mortdanceſter, &c. §. 2.
No Action upon his own Poſſeſſion above thirty.	Poſſeſſion, §. 3.
No Avowry or Conuſance for Rent, Suit, or Service of his own, or Seiſin of Anceſtor or Predeceſſor, or other above fifty years before, &c.	Avowry, §. 4.
Formedons, or *Scire fac.* ſhall be in fifty years next after Title fallen.	Formendons, §. 5.
If Avowant or Plaintiff on Traverſe prove not Seiſin, to be utterly barred.	Avowry, §. 6.
Enfants, Feme Covert, Impriſon, or out of the Realm, may ſue, &c. within ſix years next after Diſability removed, and have all advantage.	§. 8.]
On death of Enfant, &c. within ſix years after Age &c. next Heir being Enfant, &c. ſhall have ſix years after diſability removed.	§ 9.
Heir or Avowant within a year after Abatement of Suit begun before 1540. ſhall have the ſame advantage to purſue, as if not abated.	Avowry, 10.
Attaints on falſe Verdict ſhall be as heretofore uſed.	Attaints, §. 11.
Maintainors, Champertors, &c. muſt be ſued within a year after the Offence.	Maintenance, &c. *c.* 9. §. 6.
Suit for Offence of Keeping Croſs bow or Gun, &c. muſt be in half a year.	Croſs-bow, 33 *H.* 8. *c.* 6. §. 22.
Suit muſt be within a year after Offence of unlawful Games, or defect in Archery.	Game, 27 *H.* 8. *c.* 9. §. 17.
That 32 *H.* 8. *Cap.* 2. §. 1. & 4. & 6. extends not to Writ of Right of Advowſon, *Quare Impedit*, *Dar. Preſentment*, *Jure Patronatus*, Right of Ward, or Raviſhment of Knights Service, but they may be ſued as before, &c.	Quare Impedit, &c. 1 *Mar. St.* 2. *c.* 5. §. 4.
Suit againſt Hundred on default of freſh Suit of Robbery, muſt be within the year.	Robbery, 27 *El. c.* 13 §. 9
Offence of imbezelling Armour, to be proſecuted within a year.	Armour, 31 *El. c.* 4. §. 2.
Information where Queen hath the Profit, muſt be in two years, where the Queen and the Party, within one year.	Information, *c.* 5. §. 5.
No Title to be made to the King, unleſs within ſixty years the Profits have been taken by him, &c. or charged *ſuper* of Record.	King, 21 *Jac. c.* 2.
Not to bar Remainder or Reverſion fallen within ſixty years to the King.	§. 2.
Not to prejudice Eſtates Conditional, &c. fallen to the King in ſixty years.	§. 3.
The Tenure to continue of the King, as if not confirmed by this Act,	§. 4.
Not to prejudice the Cuſtom of Two pence a Chaldron for Sea-coal at *New-caſtle*.	§. 5.
The King to enjoy all Arrears of Fee-Farms, as for the more part of ſixty years.	§. 6.
No charge or taking Fee-Farms by Patent of Concealments, &c. to be within this Act.	§. 7.
Not to prejudice Compoſitions for defective Titles, unleſs Money be paid.	§. 8.

Sheriff

Sheriff, *Cap.* 5.	Sheriff is diſcharged by *Quietus*, unleſs ſued within four years after.
King, *cap.* 14.	Unleſs the King were Seized within twenty years, Defendant may keep poſſeſſion, and plead General Iſſue.
Formedon, *cap.* 16.	*Formedons* in *deſcendre*, Remainder, Reverter, to be within twenty years of Title accrued.
§. 2.	Enfant, Feme Covert, beyond Sea, *Non Compos*, or in Priſon, within ten year of Diſability removed, to Enter or Claim.
Action perſonal, §. 3.	Action *ſur* Caſe (other then for Slander) Account, Treſpaſs, Debt, Detinue, Replevin, Treſpaſs within ſix years after Cauſe of Action, Aſſault in four years, Slander in two.
Utlary, §. 4.	On reverſal of Judgment or Utlary for Error, new one within a year.
Treſpaſs, §. 5.	Defendant on involuntary or negligent Treſpaſs, may Diſclaim and tender Amends.
Diſability, §. 7.	Perſons diſabled when Cauſe of Action accrues, may after removal of it ſue within the times limited.
Executors, 29 *Car.* 2. *c.* 3. §. 4.	No Aſſumpſit againſt Executors, unleſs agreement be by Deed, or to be performed within a year.
Will, §. 20.	Nuncupative Will void after ſix months, unleſs written within ſix days of death of Inteſtate.
Lords-day, *c.* 7. §. 4.	Of working on the Lords day, Suit muſt be in ten days after Offence.
Fines, **Grant**, 31 *Car.* 2 *c.* 3. §. 4. *N.* 1.	Fines burnt in Temple Fire, may be re-ingroſt within three year.
Time between, 10 Dec. & 12. *Mar.* 1688. 1 *W.* & *M. Seſſ.* 1. *c.* 4.	Time between 10 *Decemb.* & 12 *Mar.* 1688. to be no part of time of Limitation of Action by Statute.

Lyn, ſee *Reparation.*
Linen Cloth, ſee *Drapery.*
Liquors, ſee *Ale.*
Liveries, ſee *Maintenance.*
Livery, ſee *Wards and Feoffment. Seizure.*
Lodgers, ſee *Hoſtler and Watch.*

London.

Liberties, 9 *Hen.* 3. *c.* 9. *Mag. Chart.*	They ſhall have all their old Liberties and Cuſtoms uſed.
Meaſures, *cap.* 25.	There ſhall be one Meaſure of Wine, Ale, Corn, *viz.* the Quarter of *London.*
51 *Hen.* 3. *pag.* 10. *Aſſiſ. Panis & Cerviſ.*	The *London* Buſhel is eight Wine Gallons, and the Quarter is eight Buſhels.
Colluſion, 6 *Ed.* 1. *c.* 11. *Glouc.*	The Mayor and Bailiffs on Challenge by Termor before Judgment, may Enquire if Recovery had againſt him in Reverſion, were by Colluſion or not.
Recoveries, *cap.* 12.	Mayor and Bailiffs may proceed on foreign Voucher over-ruled, but on Recowery Execution ſhall be Award in value on the Warranty by the Juſtices.
Waſt, *cap.* 13.	Mayor and Bailiffs ſhall keep Waſte or Eſtreapment done by the Tenant pending a Writ.
Diſſeizor, *cap.* 14.	The Aſſize there ſhall give Damages againſt Diſſeizor, and they Amerced by two Barons of the Exchequer yearly, and ſhall not ſtay the coming of the Juſtices to the Tower.
Foreign Voucher, 9 *E.* 1. *pag.* 33.	A ſpecial Writ is to Juſtices to execute Article, though not according to *Glouceſter*, *Cap.* 12. that on default of foreign Vouchee before Juſtices, Pety Cape lie returned in Huſtings, and Judgment there on default.
Gavelet, 10 *Ed.* 2. *p.* 79.	If on Writ of Gavelet for want of Diſtreſs, the Tenant deny, or be not able to anſwer Arrears of Rent or Services, the Lord by *Forſchoke* ſhall hold the Land in Demean by Judgment in Huſtings.
Liberties, 14 *Ed.* 3. *c.* 2.	Their Franchiſes ſaved, all Merchants paying Cuſtoms, being not of the Kings Enmity, may trade freely.
Tryal, 28 *Ed.* 3. *c.* 10.	Their Miſpriſions tried by Neighbour Counties, and if Attaint, Mayor, Sheriffs and Aldermen loſe, firſt, One thouſand Mark, ſecond, Two thouſand, third, the Franchiſe ſeized.
Fiſhers, &c. 31 *Ed.* 3. *cap.* 10.	The Mayor and Aldermen ſhall redreſs Reſtraint by by Fiſhers, Butchers, Poulterers, or other Franchiſes, that all may buy and ſell at Market Victuals freely, and bring it by Water or Land.
Shop-book, 38 *E.* 3. *c.* 5.	One may wage Law againſt their Shop-Book.
Vituals, 42 *Ed.* 3. *c.* 7.	They only ſhall ſell Victual by Retail.
Fiſhers, &c. 7 *Ric.* 2. *c.* 11.	All Fiſhers, Vintners and Victuallers, coming thither, ſhall be in Rule of Mayor and Aldermen.
17 *Rich.* 2. *cap.* 94	As Conſervators of the Statute 13 *Ed.* 1. *Cap.* 47. of Fiſh, muſt Survey and Correct all Wears in *Thames* and *Medway.*
Aldermen, *cap.* 11.	Aldermen ſhall not be Elect yearly, but remain they be put out.
Mayor, *cap.* 12.	The Mayor, &c. ſhall not incur the Penalty by 28 *Ed.* 3. *Cap.* 10. on erroneous Judgment.
Errors, 1 *Hen.* 4. *c.* 15.	The Conſtable of the Tower ſhall execute Proceſs againſt the City, for default of Redreſs of Errors: this Statute to extend to other Cities and Boroughs, and the penalty of them at diſcretion of Juſtices, not certain.
Pack Clothes, *c.* 16.	Merchant there may as well pack Clothes, as elſewhere.
Cloth, &c. 7 *H.* 4. *c.* 9.	Merchants may ſell Cloth, Wine, Oyl, Wax, or other Merchandiſe, as well by Wholeſale as Retail, to all the Kings Subjects, as well as to *Londoners*, notwithſtanding Franchiſe to the *contra.*

For their kindneſs to the King in his Affairs, they may notwithſtanding, 7 *H.* 4. *Cap.* 14. as long as the King pleaſe, take Apprentices that have nothing.	**Apprentices**, 8 *Hen.* *cap.* 11.
London not prejudiced by removal of Proceſs in Sheriffs Turn, before Juſtice of Peace.	**Sheriffs**, 1 *Ed.* 4. *c.* 2
The Dean and Chapter of St. *Martins le Grand*, not prejudiced by Importation of Wares unwrought.	**St.** Martins, 3 *E.* 4. *c.* 4. §
Every Freeman and Citizen may lead, carry, and go with his Victual, Ware and Merchandize to any Fair or Market within the Realm.	**Fair, &c.** 3 *Hen.* 7. *c.*
The Mayor and Succeſſors ſhall have the like Conſervation as far as the Water ebbs and flows, on breach out of the *Thames*, as to puniſh Nets, as he had in.	Thames, 4 *Hen.* 7. *c.* 15.
Riens deins le Gard, is no Challenge to Enqueſt there.	**Challenge**, 7 *H.* 7. *c.*
Challenge of Enqueſts, unleſs worth forty Marks a man, and Attaint in the Huſtings, Juror and Tales worth One hundred pounds a man, the Judgment to be as at Common Law, and forfeit Twenty pounds at leaſt, and Defendant to loſe ten times the Reward given, the one half of Jury to be to Strangers, the other Citizens.	11 *Hen.* 7. *cap.* 21.
The Fraternity of Merchants ſhall not exact more then Ten marks of any Subject Trading in *Brabant*, as taxt to St. *Thomas* of *Canterbury.*	**Tax**, 12 *Hen.* 7. *cap.*
No Phyſician or Chirurgeon, unleſs approved by Ordinary, and four expert, to practiſe in ſeven miles of *London.*	**Phyſician**, 3 *Hen.* 8. *c.*
The Mayor and Tallow-Chandlers to Survey and Correct all Oyls Imported.	**Oyls**, *cap.* 14.
A Confirmation of 11 *H.* 7. *Cap.* 21. of Jurors.	**Jurors**, 4 *Hen.* 8. *c.*
That Mayor or Sheriffs may Diſtrain for Iſſues Loſt.	§. 2.
Enqueſt to try Cauſes in *Weſtminſter*, to have one hundred Marks a man.	§. 4.
Sheriff to return Pannel on the firſt Diſtreſs.	§. 5.
Sheriff ſhall forfeit nothing for other returns in *London*, by 4 *H.* 8. *Cap.* 3. but only of Jurors as St. *Martins le Grand.*	6 *Hen.* 8. *c.* 5.
The Fares of Watermen, and treble forfeit on refuſal.	**Watermen**, 6 *H.* 8. *c.* 7.
Alien Artificers in the Sanctuary of St. *Martins le Grand*, ſhall be ſubject to the Biſhop of *London*, and the Kings Patentees.	**Alien-Artificers**, 2 *Hen.* 8. *cap.* 16.
Mayor and Commonalty to recover One hundred ſhillings agaiſt Annoyer of the *Thames*, by digging, &c. unleſs for Ballaſt.	Thames, 27 *Hen.* 8. *c.* 1
Alien Artificers of St. *Martins le Grand*, and other Priviledge places, to take but two Apprentices.	**Alien-Artificers**, *H.* 8. *c.* 16. §. 8.
Algate, *Chancery-Lane*, *Holborn*, *Shoe-Lane*, *Fetter-Lane*, *Grays-Inn-Lane*, to be paved.	**Paving**, *cap.* 17.
Mayor, Aldermen and Juſtices may Enquire, Amerce, and Fine the defaults of Paving.	§. 4.
Mayor, &c. may Levy Fines, Amerciaments, &c. for not Paving, by Diſtreſs, Plaint, or Action, to the uſe of City.	§ 6.
For paving *White-Croſs-Street*, *Cheeſewel Street*, *Golding-Lane*, *Grub-Street*, *Goſwel-Street*, *Long-Lane*, *St. John-Street*, *Water-Lane*, from *Temple-Bar*, by *Clements-Inn*, and *New-Inn*, to *Drury-place*, and *Drury-Lane*, *Petty-France*, *Shoreditch*, *Strand-Bridge*, *Fosken-Lane.*	34 & 35 *Hen.* 8. *c.* 12
Juſtice of Peace of *Middleſex* in Seſſions, to puniſh defaults.	§. 2.
Mayor, &c. to puniſh in *London.*	§. 5.
Their Recoveries, Deeds Inrolled, or Fines, to bar Feme Coverts, being Examined, notwithſtanding 32 *H.* 8. *Cap.* 8.	**Inrolment of Deeds** *cap.* 22.
The Mayor, &c. and Succeſſors may enter the Kings or any other Land not incloſed with Stone or Wall, to find, dig, lay, or amend Water-pipes.	**Water-pipes**, 35 *H.* *cap.* 10.
Mayor to ſatisfie Owner in a Month after digging, what three or four by Commiſſion out of Chancery judge fit, in ten days after Tax, on forfeit Thirteen ſhillings four pence.	§. 2.
If Mayor tender not reaſonable Amends, &c. Treſpaſs to lie.	§. 3.
Owner reſiſting, to forfeit forty ſhillings.	§. 4.
Mayor, &c. ſhall not abate or withdraw Springs found, or Pipes laid.	§. 5.
The Kings Lands to be digged without Licence.	§. 6.
Mayor, &c. to pay to Biſhop of *Weſtminſter*, for Water of *Hamſtead-Heath*, one pound of Pepper yearly, as acknowledgment.	§. 7.
Mayor not to meddle with the incloſed Spring at the foot of the Heath.	§. 8.
The Biſhop may find Spring in *Weſt-hamſtead*, for his Mannor, &c.	§. 9.
Enqueſts to be at St. *Martins le Grand*, or at the *Guild-hall*, except in Eyre, and thoſe at the Tower.	**Enqueſts**, 37 *Hen.* 8.
Citizen worth four hundred Marks in Goods or Chattels, to be Juror in Attaint, and the Juſtices to ſit only at the *Guild-hall*, or within the City, notwithſtanding 23 *H.* 8. *Cap.* 3.	**Juror**, §. 3.

The

thes, cap. 12.	The Decree for payment of Tythes there, to be as Act of Parliament.
§. 20.	If Mayor end not difference in two Months, Lord Chancellor to do it.
4 Ed.6. c. 20. §.3.	At their Inſtance Repeals 2 & 3 Edw. 6. Cap. 15. §. 4.
ter-men, 2 & 3 hil. & Mar. c.16. §.3.	Mayor, &c. at next Court after 1 March, to name Watermen yearly, to be Overſeers of Rowing between Graveſend and Windſor.
§. 11.	Mayor, &c. to Aſſeſs Fare of Watermen, and two Privy Councellors to Sign it.
entice, 5 El. cap. 4. §. 40.	May take Apprentices as before, notwithſtanding the Statute, &c.
dings, 35 El. c.6.	No new Buildings in three Miles, nor Inmates, &c.
t, 1 Jac. c. 14.	Remedy for Freemans Debt under forty ſhillings, in City or Liberties, by Commiſſioners, &c.
wers, 3 Jac.c.4.§.2.	Walls, Ditches, &c. in two Miles of London, falling into Thames, to be ſubject to Commiſſioners of Sewers, as if named, or Ebbing water, &c.
t of **Conſcience**, p. 15. §. 2.	Citizens of London, and other Inhabitants, Tradeſmen, &c. for Debts under forty ſhillings, may Summon into Court of Conſcience, and Commiſſioners there to Regiſter Orders.
§. 3.	Any three of Commiſſioners may give Oath to Witneſſes.
§. 4.	If Suit in Weſtminſter appear to be under forty ſhillings, Plaintiff to have no Coſts.
§. 5.	On refuſal to appear, Serjeant at Mace, or Commitment, &c. againſt Defendant.
§. 6.	Not to Extend to Debt for Rent, or Matrimony, Teſtaments, &c.
t of **Requeſts**, §.7	A Repeal of 1 Jac. Cap. 14. as to Orders to be made in Court of Requeſts.
t. cap. 18.	For bringing a running ſtream from Chadwell and Amwell, in Hartfordſhire.
lt, 4 Jac. c. 12.	Mayor, &c. after Limits ſet out, &c. may not only dig, but make Trunk or Vault of Brick or Stone, as intend 3 Jac. Cap. 18.
t, 7 Jac. cap. 9.	Provoſt, &c. of Chelſey Colledge, may cut Drein out of Lee River at Hackney, and bring it to London in Pipes, &c.
s for **Rebuilding City**, 19 Car. 2. p. 2.	All the Judges in Weſtminſter, or any three to determine Differences in Rebuilding the City Sine forma & figura judicii, ſummarily.
§. 3.	Any three to order Surrenders, abridging, or charging of Eſtates, &c.
§. 4.	Any three on Complaint to iſſue Warrant for Appearonce, and on Oath and Default, to proceed.
§. 5.	Any three to be a Court of Record, Judgments to be entred and kept by Lord Mayor, no Fee.
§. 6.	Any three to order Table of Fees of Officers, §. 7. to continue to 21 Decemb. 1668.
§. 8.	Where Decree is by fewer than ſeven, Party may except in ſeven days, to two Chief Juſtices, &c.
Cap. 3. §. 2.	The Rules of Building hereafter preſcribed, to be obſerved, §. 43. infra.
§. 3.	Building otherwiſe than preſcribed, adjudged a Common Nuſance, and to be abated.
§. 4.	Surveyors to be choſen and ſworn by Lord Mayor, &c.
§. 5.	Only four ſorts of Building to be, By-Lanes, Streets, High-Streets, and Manſions.
§. 6.	Lord Mayor, &c. before 1 April, to declare which are By-Lanes, Streets, &c. by Stakes, &c.
§. 7.	Building to be outſide Brick, or Brick and Stone, &c.
§. 8.	Surveyors to ſee Party Walls and Peers built by firſt Beginner, and moiety repaid by next, &c.
§. 9.	The leaſt Houſes in By-Lanes to be two Stories beſides Cellars and Garrets, &c. on ſort.
§. 10.	The Street Houſes ſecond ſort, to be three Stories beſides, &c. Cellars ſix Foot and half, one Story ten Foot.
§. 11.	Houſes of third ſort, to High Streets four Stories beſide, &c. firſt to be ten Foot, ſecond ten and an half, the third, nine, &c.
§. 12.	Manſions, the fourth ſort let to Table, not to exceed four Stories.
§. 13.	In High Streets to the Balconies four Foot breadth, and two parts of Front length.
§. 14.	No Builder to High Street to lay the firſt Floor above eighteen Inches over Cellar, nor leſs than ſix with Step, no Trap-doors without the Front, nor Jets, but Shopwindows to turn over, &c.
§. 15.	After three years not Building, Lord Mayor on Proclamation, of nine months to value by Enqueſt, and ſell the Inheritance, as by Bargain and Sale finally.
§. 16.	Any two Juſtices of B. R. to ſet Prices of Materials.
§. 17.	Any two Juſtices of B. R. on complaint of Lord Mayor, to rate Wages of Artificers.
§. 18.	They that work ſeven years in Rebuilding the City, to be free, &c. paying Duties, &c.
§. 19.	Differences of Builders about Lights, &c. determined by Aldermen of Ward, and Deputy.
§. 20.	Sewers, Paving and Pitching the Streets, ſet out and deſigned by perſons Authorized by Lord Mayor &c.
§. 21.	Lord Mayor, &c. may Prohibit noyſom or perilous Trades for Fire in High Steets.
§. 22.	Lord Mayor, &c. to remove Conduits, &c.
§. 23.	Lord Mayor, &c. may enlarge the Streets mentioned, and

§. 24 Any Paſſage leſs than fourteen Foot breadth, and make new Streets to Guild-hall.	
City to give ſatisfaction to Owners, by Oath of Enqueſt.	§. 25.
On refuſal or incapacity of Owners, parties meliorate to pay as Enqueſt allow.	§. 26.
Any three Judges to determine Differences of Propriety, and Satisfaction.	§. 27.
The ſecond of September, or the next day if that be Sunday, to an anniverſary Faſt in the City, &c.	§. 28.
A Pillar of Braſs or Stone, to be ſet up where Fire began.	§. 29.
All tenders of Money on Aſſurances, &c. to be at Greſham Houſe, &c. for the Exchange.	§. 30.
No more than Thirty nine Pariſhes Rebuilt. §. 32. Thoſe not Rebuilt, veſt in the City.	§. 31.
Not to veſt St. Gregories, nor St. Faiths in the City.	§. 33.
Between Thames Street and the Thames, all to be raiſed three Foot.	§. 34.
No Buildings to be within forty Foot of Wall, Key, or Wharf to Thames, Tower, London, Temple.	§. 35.
City to have Tax of Twelve pence per Chaldron of Sea-Coals Imported, and Twelve pence per Tun Scotch, &c. till 1677.	§. 36.
Coal-meters to deliver Certificate to City of Fraight, and on Concealment, Five ſhillings per Chaldron, &c.	§. 37.
Importer to be diſcharged on Poſt Entry, and diſcharge of Surplus, &c.	§. 38.
This Tax to be applied for ſatisfaction of Ground enlarged, then for Fleet-Ditch, &c.	§. 39.
Chamber of London to keep Receipts and Dirburſments, and Duplicate in Exchequer.	§. 40.
Morris Water-houſe near London-Bridge, to be Rebuilt.	§. 41.
City to open ſeveral Paſſages named.	§. 42.
A Scheme of Proportions and Scantlings of greater and leſſer Buildings.	§. 43.
Some General Rules to be obſerved in Buildings.	§. 46.
Other Streets fit to be enlarged.	22 Car. 2. cap. 11.
Places enlarged, &c. to be Stak'd out.	§. 2.
Mayor, &c. to employ places appoint by the Kings for Markets, Exchange, &c.	§. 3.
Satisfaction to be given to Owners by Enqueſt, and payment in ſix months, the Intereſt to be determined by Petition to Judge in ſix months.	§. 4.
One Joynt-Tenant of Houſe or Rooms, &c. to Rebuild, and Reimburſe, &c.	§. 5.
Surveyors to determine Differences of Party-Walls.	§. 6.
Holborn-bridge to be enlarged §. 8. Corners, Peers, to be as 19 Car. 2. Cap. 3. §. 43.	§. 7.
Corner Houſe may uſe Oaken Poſt for Peer; §. 10. the Water to fall in Pipes on Front.	§. 9.
From Cheapſide to the Thames, to be as now, notwithſtanding 19 Car. 2. Cap. 3. §. 24 & 34.	§. 11.
Owners to take notice of Stakes, Levels, and Marks, &c made before 29 September, 1671.	§. 12.
Surveyors to do as little Damage to Builders before Stakes ſet up as poſſible.	§. 13.
No Builders to lay Foundation till Surveyors determine the Party-Wall.	§. 15.
Builder to pay ſix ſhillings eight pence to Chamberlain and enter his name, §. 17. ſo of time paſt.	§. 16.
Penalty of not obtaining Appeal of party Walls, Lights, &c. made to Aldermen of the Ward, 19 Car. 2. Cap 3. §. 19. to be the ſame as §. 3. on irregular Building.	§. 19.
Aldermen to mediate Difference of Ways, &c. and Mayor, &c. to determine.	§. 20.
The Table of Rates of Wharfage and Cranage, not obey, forfeits ten pounds.	§. 21.
A Continuance of the Judicature 19 Car. 2. Cap. 2. to 29 Sept. 1671.	§. 22.
Term of forty years not to be added ſo as to make former exceed ſixty years.	§. 23.
Judges to determine only Petitions before 29 Sept. 1670. as to the reſt, the Owners may enter, &c.	§. 24.
Leaſe of Termor that omitted to rebuild, void, but Recompence.	§. 25.
Decree ſigned by Survivors of the three that made it, good.	§. 26.
Decree on Summons left at place, &c. to bind Ouſter le mere.	§. 27.
Parties may execute Terms decreed by new Leaſe, &c.	§. 28.
Majority of Judges to appoint a Seal of Warrants.	§. 29.
Decree of any three to be good of Leaſe againſt Enfant, Truſtees, &c. and Enfant to execute it at full Age.	§. 30.
Decrees for Builders to bind Eſtates-Tail, Remainder, &c. §. 32. to hold only by Rents decreed.	§. 31.
Debt lieth for non payment of Contribution decreed, and Action ſur Caſe, or Bill in Equity to perform.	§. 33.
Judges may give Oath out of Court, §. 35. Exceptions to decree the laſt Week of Judicature.	§. 34.
Decrees to be of the ſame effect of Houſes fired three years before this Fire, as of this.	§. 36.
Judges to determine Titles of Slips of Ground not fit to build on from Guild-hall to Thames.	§. 37.
City from 1 May 1670. to have Two ſhillings above the	§. 38.

One ſhilling, in 19 *Car.* 2. *Cap.* 3. §. 36. and of Coals Imported from 24 *June* 1677. until 29 *Sept.* 1687. to have three ſhillings *per* Chaldron.

§. 39. Of Tax, and forfeits a third part from 1 *May* 1670. for Churches, till 1677. Moiety after for Pariſh.

§. 40. Chamberlain to deduct ten ſhillings in One hundred pounds for Receipt.

§. 41. A fourth part of what is for Churches, to be for St. *Pauls.*

§. 43. Archbiſhop, &c. may engage Profits to advance Stock to build.

§. 44. A Key of forty Foot breadth from *London-Bridge* to the *Temple,* to be left.

§. 45. Bounds of Owners to be diſtinct only by Denter-Stones in Pavement.

§. 46. Wharfs to receive only ſuch Rates of Landing Goods, as appoint by the King.

§. 47. *Bridewell-Dock* to *Holborn-Bridge,* one hundred Foot broad, and not above one hundred and twenty.

§. 48. The City to defray Charges of the Channel out of the fourth part of Impoſt on Coals.

§. 49. The ſame Rules of ſatisfaction of Owners for Wharfs, as of Streets, by 19 *Car.* 2. *Cap.* 3. §. 25.

§. 50. Buildings to be liable to former Incumbrances, only as to the value of the Ground.

§. 51. Builders to pay only Ground-Rent on Eviction from reputed Landlord.

§. 52. Owners of Water-houſe at *Broken-wharf,* ſaved harmleſs of Building with Timber.

§. 53. Water-houſe at *London-Bridge* to be as 19 *Car.* 2. *Cap.* 3. §. 14.

§. 54. Owners may leave Foundation unbuilt, being ſufficiently paved.

§. 55. Lord Mayor, &c. to widen *Threadneedle Street* to *Lothbury,* fourteen Foot.

§. 56. Remainder of *Berry-Street* in *Beavis Marks,* may be Rebuilt.

§. 57. Soyl taken in from High-Streets, to be annext to Houſes.

§. 58. The new Scite of St. *Pauls* School veſted in Dean and Chapter.

§. 59. Not to ſettle any part of St *Pauls*, St. *Faiths,* and St. *Gregories,* or Church-yards, in the City, &c.

§. 60. *Whites-Alley* in *Coleman-Street*, may rebuild on old Foundations.

§. 61. City to have Market three or four days in the Week within *Newgate,* on Leaſe of forty years, by Dean and Chapter of St, *Pauls.*

§. 62. Pariſhes to be Fifty one, notwithſtanding 19 *Car.* 2. *Cap.* 3. §. 31. named §. 63. particularly, as alſo thoſe to be united to them.

§. 64. Buildings of Churches to be as Archbiſhop, &c. directs.

§. 65. Goods of Churches burnt to be to thoſe rebuilt.

§. 66. The Scites to be Incloſed for Burial, unleſs §. 67. Stak'd to be built in Streets, &c.

§. 68. Pariſhes united to continue diſtinct as to Rates, Taxes, Parochial Rights, &c.

§. 69. Not to deprive the preſent Incumbents of Tithes, ſaving other Charges, &c.

§. 70. Warden and Minor Canons of St. *Pauls,* and Parſon of St. *Gregories,* to receive Tithes, &c.

§. 71. The Scite of St. *Mary Colechurch,* Convert by *Mercers* into a School houſe.

§. 72. Parſons of Churches burnt Indempnifie of Dilapidationis, and §. 73. of Firſt-fruits, &c.

§. 74. Parſons Indempnified from Reading the Articles 13 *El. Cap.* 12. §. 2. till re-edifie.

§. 75. Parſons may Let Leaſes not exceeding forty years, to Rebuild.

§. 76. Where Mayor, &c. is concerned, the Judges to determine, &c.

§. 77. Mayor, &c. to make two Poſterns at *Ludgate* for Foot-paſſage.

§. 78. Mayor, &c. by 19 *Car.* 2. *Cap.* 3. §. 15. not to ſell before 24 *March,* 1671. not where part is left for Court-yard, or Eaſement, &c.

§. 79. Tenants in Tail, or for life or years Remainder to firſt Son, &c. may make Leaſe for fifty years.

§. 80. The King to determine Differences about *Serjeants-Inn,* and recompence Maſter *Melliſh.*

§. 81. The Houſes on or near the *Tower-Ditch* pulled down, &c. to be decided by the Judges.

§. 82. Sheds in *Smithfield* and *Moorfields* removed before 29 *Sept.* 1674.

§. 83. Defendant ſued againſt this Act, to plead General Iſſue, and double Coſts.

§. 84. Not to void Acting on Commiſſion, 1 *Eliz. Cap.* and 14 *Eliz. Cap.* on making Keys and Wharfs in *London.*

22 & 23 *Car.* 2. *Cap.* 14. For Rebuilding Houſes within the Bills of Mortality, from 1 *Octob.* 1666, to 1670.

§. 2. The Judicature erected 19 *Car.* 2. *Cap.* 2. and 22 *Car.* 2. *Cap.* 11. to decree according &c.

§. 3. That Judicature continued to 29 *Sept.* 1672.

§. 4. Complaints before 29 *Sept.* 1671. to be received.

§. 5. City not to ſell for not Building before 29 *Sept.* 1672.

Maſter of *Savoy* may Deviſe the Brothers Lodgings not above forty years at Rent only. Savoy **Deviſe**, §.

The Annual certain Tithes of Pariſhes ſingle or annext, to be as §. 2. particularly. **Tithes**, 22 & 23 C *cap.* 15.

Thoſe ſeveral Sums over and above the Glebe and Perquiſites, &c. to be the Maintenance. §. 3.

Alderman of the Ward, &c. to proportion particular Aſſeſſments of Pariſhioners. §. 4.

Lord Mayor ſummarily on Appeal within fourteen days to determine. §. 5.

Aſſeſſment review in three months after 24 *June* 1674. and again three after 24 *June* 1681. §. 6.

On refuſal of Alderman, Lord Mayor to Aſſeſs. §. 7.

Tranſcripts in ten days after Appeals determine, return in Exchequer twenty days after, &c. §. 8.

Payments to parſons, &c. at four Feaſts uſual, or within fourteen days, to begin on Preaching. §. 9.

Impropriators to allow what was uſed, §. 11. Diſtreſs and Sale on Oath of refuſal. §. 10.

In default of Lord Mayor, the Chancellor or two Barons of Exchequer to give Warrant to Diſtrain and Sell. §. 12.

Survivor of Incumbents of united Churches to enjoy as if preſent anew, &c. §. 13.

No Judge Eccleſiaſtical or Temporal, to hold Plea hereof, but as appoint, nor Suit, &c. §. 14.

Warden, &c. of St. *Pauls,* and Rector of St. *Gregories,* to enjoy as heretofore. §. 15.

For diſcovery of ſuch as defrauded Money given to Poor infected or burnt. **Poor**, ca

For effecting, 19 *Car.* 2. *Cap.* 3. §. 2. Lord Mayor, &c. to Tax with Diſtreſs and Sale. **Paving**,

That 19 *Car.* 2. *Cap.* 3. §. 20. to be perpetual, §. 4. ſole cleanſing, &c. to be in Lord Mayor, &c. §. 3.

All Paviers, &c. to obey his Orders, §. 6. Offenders Indicted next Seſſions, unleſs, &c. §. 5.

Any ſeven to Tax Wards and Precincts, and make Officers to Levy on Toſts, Houſes, &c. §. 7.

Of Church fronting the Streets, the Pariſh to pay Scavengers, to Levy by Diſtreſs and Sale. §. 8.

Scavengers to pay unto City of *London,* and Iſſued by Warrant of ſeven. §. 9.

On Complaint of Party, ſeven to order Redreſs of Pavement. §. 10.

City may purchaſe Lay-ſtalls as convenient for Soyl. §. 11.

Purchaſes to be ſatisfied by Impoſition upon Coals, 22 *Car.* 2. *Cap.* 11. §. 38. §. 12.

Parties grieved with Tax, in five days to Appeal to Lord Mayor. §. 13.

None liable to this Tax, to be otherwiſe charged or liable. §. 14.

The Judicature 19 *Car.* 2. *Cap.* 2. by reaſon of burning the Navy Office ſince, revived until 25 *Febr.* 1675. **Rebuilding Navy-Office**, 25 *Car.* 2. c.

The Kings Surveyor may employ Places adjacent for Ornament. §. 2.

Satisfaction to be made to Owners by Enqueſts, &c. §. 3.

Intereſt Covenants between Landlord and Tenants, &c. to be determined by any three of Judicature, and ſo of Houſes in *Seething-Lane, &c.* §. 4.

Judicature Erect for the Differences on Fire in *Southwark.* Southwark **Fire**, 19 2. *cap.* 4.

Declares Judgment in *Trinity*-Term, 35 *Car.* 2. againſt Charter, and proceedings thereon, to be Illegal, and Arbitrary. **Judgments** aga **Charters**, Hill. Te 35 *Car.* 2. 2 *W.* & *Seſſ* 1. *c.* 8.

* The Judgment Reverſed, and Rates thereof to be entred. * **Reverſal**, §. 2.

London Reincorporated, and reſtored to its Antient Rights, &c. **Reincorporation**, §

Charters, and Grants of the late Kings, *Car.* 2. Or *Jac.* 2. Of Incorporations, Rights, or Liberties, ſince the Judgment, void. **Charters**, &c. of Ca or *Jac.* 2. *void.* §

Actings, or Proceedings in Courts in *London* ſince the Judgment, not to be avoided, for want of legal Authority in Officers, or Miniſters, and Perſons acting on ſuch Charters, &c. Indempnified. **Proceedings** in Co **ſince Judgment** §. 5. **Indempnity.**

Perſons not qualified to Act on ſuch Charters, &c. not to be diſcharged, Penalties. **Perſons** liable to p **alties**, §. 6.

Officers and Miniſters in *L.* or *S.* confirmed, (except ſuch as ſurrendred, or were juſtly removed.) **Officers** confirm, §

Where and what Leaſes and Grants by late Kings, *Car.* 2. or *James* 2. Or others by authority from them, ſince Judgment, ſhall be good, and have benefit thereof. **Leaſes** and G **good**, §. 8.

Judgments, &c. for Lands and Intereſt belonging to City, and Freedoms ſince Judgment good. **Judgments**, §. 9. **Freedoms.**

Mayor, Sheriffs, Chamberlain and Common-Council, to continue till a new Election, and thoſe to be Elected, Sworn, and new Elections when to be, and perſons elected how long to continue. **Mayor, Sheriff, Ch berlain**, Com **Council**, §. 10. **Their Election Continuance.**

† If no Election of Mayor, Sheriffs, Chamberlain, and Common Council, at time limited, thoſe at time of Judgment, to continue till new Elections. † **Thoſe** at time **Judgment** to **tinue** §. 11.

‖ Perſons reſtored, and continued, to take the new Oaths appointed by 1 *W.* & *M.* c. 8. under the Penalties therein. ‖ **Taking Oaths**, §

rating Maior, Sheriffs, &c. §.13.

Mayor, Sheriff, and Chamberlain, to be ſworn as uſually, on or before 20*th* of *June* next.

mpanies and Corporations, §.14.

Companies and Corporations re-incorporated and reſtored to Rights, &c. and all Surrenders and Charters of late K n͢gs, *Car.*2. or *Jac.* 2. ſince the Judgment, to be void.

ndepmnity.

Perſons lawfully acting on ſuch Charters, &c. indempnified.

mpanies, Leaſes, &c. §.15.

Where and what Leaſes and Eſtates made by the Companies, ſince the Judgment ſhall be good, and the Companies have benefit thereof.

miſſions into Freedoms, §.16.

Admiſſions into Freedoms, &c. ſince Judgment, according to Uſage, good.

Publick Act, §.17.

This to be a publick Act.

ving and cleanſing Streets, *Seſſ.*2.*c*.8.
gulating Markets.

For Paving and Cleanſing Streets, in *London* and *Weſtminſter*, Out-Pariſhes in *Middleſex*, *Southwark*, and places in Bills of Mortality, and for regulating Markets. *Vide* tit. *Ways.*

phans, Creditors, & 6 *W.*& *M.c.*10.

An Act for Relief of Orphans, and Creditors, of City of *London.*

rpetual Fond of 8000 l. per Annum, §.2.
tereſt, and how computed.

Perpetual Fond of Eight thouſand pounds *per Annum* to pay Intereſt of Four pounds *per Cent. per Annum*, to the Orphans and Creditors of the City, charged on City Lands and Revenues, (Except Hoſpitals and Lands, &c. chargeable with Repairs of *London-Bridge*;) The Intereſt, how to be computed.

ducts, §.3.
ception.

Aqueducts belonging to City, and their Rents, appropriated, (Except Water for publick Conduits, &c.)

ſſment, §.4.

Two thouſand pounds *per Annum* to be raiſed by Aſſeſment, on Perſonal Eſtates, and Diſtreſs for non-payment.

hts, §.5.

Sole uſe of Publick Lights, for One and twenty years, under ſix hundred pound Rent, to be granted perſons intereſſed in lower Lights, and after Leaſe ended, Profits of Licences for Light in the Steeets appropriated.

ntice, §.6.

Apprentice at binding to pay Two ſhillings ſix pence to Maſter, or Warden of the Company, to be tranſmitted to the Chamberlain half-yearly, on penalty of five pounds, and to Enter the Two ſhillings ſix pence, and Apprentices Name, in a Book.

man, §.7.

Freeman at Admiſſion to pay Five ſhillings. The Two ſhilling ſix pence, and Five ſhillings, to be paid above uſual Fees.

, §.8.

Four ſhillings *per* Tun to be paid for Wine Imported into *London* Port, or Members thereof, above preſent duty by Importer.

ting Duty on ine, §. 9.

Mayor and Court of Aldermen to appoint Collectors of Duty on Wine, which ſhall be collected and paid according to 12 *Car.*2.*cap.*4.

s, §.10.

Coals or Culm Imported into Port of *London*, or Members thereof, to pay perpetually Four pence *per* Chaldron Meetage; and after *September* 1700, ſix pence *per* Chaldron more; and ſix pence *per* Tun from *September* 1700. for fifty years; to be paid by Owner of Veſſel, and collected according to 19*Car.*2. *cap.*3. All Duties, &c. to be paid into the Chamber of *London*.

ies to Chamber of ndon.

ipt-Officers, §.11.

Officers for Receipt, before Admittance, to give Security.

nues charged th 6000 l. per Annum **more**, §.12.

After Ceſſer of the ſix pence Duty, City Lands and Revenues to ſtand charged with ſix thouſand pounds *per Annum* more.

opriation, §. 13.
eſt computed, able.

Moneys ariſing (deducting Sallaries, &c.) appropriated for payment of Intereſt, to be computed as above, and payable half yearly.

sfaction, §.14.

The perpetual Intereſt to be in full of Debts, and Satiſfaction acknowledged, paying Fees, appointed by Mayor and Court of Aldermen, not exceeding Thirteen ſhillings four pence for One thouſand pounds.

pts and Diſburſements, §.15.
ing, Auditing.
nts ſigned, allowed, entred, &c.

Receipts and Diſburſments to be Entred in Books, and yearly Audited, and the Accounts ſigned by Auditor, and allowed by Mayor and Aldermen and Entred, and Auditor to have Twenty pounds for One thouſand pounds.

pplying, §.16.

Any miſapplying Money, to forfeit treble the Sum, to be recovered by Orphans, or other Creditors.

of Principal or tereſt, § 17.
ment.

Chamberlain, and Common Serjeant, on requeſt, to give Orphans and Creditors, &c. Note of Principal or Intereſt; and Moneys payable, aſſignable.

ing Orphans ney, &c. §.18.

None obliged to pay, or deliver into Chamber of *London* Orphans money, or Perſonal Eſtate.

nizances, §.19.

Not to avoid Proceſs on Recognizances alredy given, according to Cuſtom.

ation anſwerable, §.20.

Corporation anſwerable in an Action, for Moneys miſapplyed by them, or their Order.

ciaments, Fines, s, Diſtreſſes, §.21.

Amerciaments, Fines, Iſſues, and Diſtreſſes, on ſuch Actions, to be applied as above.

ng Money in mber **on application**, §.22.
g off the Sum,

Upon Application to lodge Orphans money in the Chamber, like Sum to be paid off to Perſons, not Orphans, and their Annual Sums to ceaſe and be payable to the Orphans paying in the moneys, to be Regiſtred and aſſignable.

redeemable, § 23.

Orphans Debts mortgaged, &c. redeemable on payments of Principal and Intereſt within three years after this Seſſion of Parliament.

Contracts, &c. with Solicitors for payment of Orphans Debts, void, and in diſcretion of Mayor and Aldermen what to allow them, and Solicitors demanding more, to forfeit treble the Sum.

Contracts with Solicitors, §.24.
Allowance to Solicitors.

Not to extend to the *New-River* Water, nor to obſtruct Undertakers for Raiſing the *Thames* Water in *York* Buildings. Provided that the Undertakers nor Citizens diſturb not each other in laying Pipes, &c.

New-River **Water except**, §. 25.
Thames **Water except.**
Laying Pipes, &c.

Not to extend to Governour and Company of Water-works, &c. in *Shadwell*, ſaved.

Shadwell **Water-works**, §.26.

Nor to Water-works of *Thomas Morris* at *London-Bridge.*

T.Morri,'**s Water-works except.** §.27.

Samuel Hutchinſon paying Partners of Convex-Lights his proportion for Stock, &c. and Covenanting to perform Agreements, to enjoy ſame Intereſt with them.

Samuel Hutchinſon, §.28.

Priviledge of Perſons ſued on this Act.

Def. Priviledge, §.29.

This to be a General Act.

General Act, §.30.

Part of the Money appropriated, not exceeding Two thouſand pounds *per Annum*, may be applied to the uſe of the City for ſeven years for neceſſary Expences.

City may uſe 2000 l. per Annum **for ſeven years.** §.31.

If ſufficient remaineth not to ſatisfie Orphans and Creditors Intereſt for the ſeven years, the City to ſupply the deficiency, and City Lands and Revenues (Except as above) charged for Repayment.

City liable for deficiency. §.32.

Lords, ſee *Priviledge.*
Lunaticks, ſee *Ideot.*

Maeriſm, ſee *Woods.*
Madder; ſee *Fiſh.*
Mayhem, ſee *Treſpaſs.*
Mainpriſe, ſee *Bail.*
Mayors, ſee *Corporation.*
Manufacture, ſee *Trades.*
Mault, ſee *Corn.*

Merchants.

Barretors, Champerty, Buying of Titles, Imbracery, Liveries.

None of the Kings Officers, by himſelf or others, ſhall maintain Pleas, Suits or Matters hanging in the Kings Courts for Lands, &c. by Covenant to have part or profit thereof.

King's Officer, 3 *Ed.* 1. *c.*25. *W.*1.

No Clerk of any Juſtice or Sheriff take part in any Quarrel or Matters depending in the Kings Courts, nor delay Rights by fraud, on pain to loſe Office for a year, pay thrice as much, and more grievous, if Treſpaſs require it.

Clerk to Juſtice, &c. *c.*28.

None of the Kings Clerks ſhall receive Preſentation to any Church while in debate, without the Kings ſpecial Licence.

King's Clerk, *ibid.*

Purveyor taking part of Debt to pay the reſt, ſhall pay double Damages and be puniſht at the Kings pleaſure.

Purveyor, *c.* 32.

Sheriff ſhall not ſuffer Barretors, or maintainers of Quarrels, nor Stewards of Great Lords to make Suit, nor give Judgment, unleſs ſpecially required by all the Suitors.

Sheriff, *c.*33.

Buyer and Seller, Clerk or Lay-Chancellor, Treaſurer, Juſtices, Councel, Clerks, or any Officer, or any of the Kings Houſhold, ſhall be puniſht at the Kings pleaſure, that purchaſe any thing pending Suit.

Buyer and Seller, &c. 13 *Ed.*1.*c.*49.*W.*2.

No Officer, nor any other to have part, ſhall take the Buſineſs in Suit, nor none on any ſuch Covenant ſhall give up his Right, the Taker to forfeit the value, but may take Counſel of Pleaders for Fee, or of Parents and next Friends.

Officer, &c. 28 *Ed.*1.*c.*11. *Artic. ſuper Chart.*

Conſpirators are they that by Oath, Covenant, or other Alliance, aid each other falſly to indict, move, or maintain Pleas, Enfants to appeal, Retainers with Fees and Liveries to do malicious Enterprizes, Givers and Takers, Stewards, and Bayliffs of Lords that maintain others Quarrels, Pleas, and Debates, Champertors procure Suits to be moved at their Coſts, to have part.

Conſpirators, &c. 33 *Ed.*1. *St.*2. *p.* 69. *Of Conſpirators.*

Champertor Attaint ſhall have three years Impriſonment, Fined at the Kings pleaſure, and be Attacht by Writ of Conſpiracy on the Statute.

Attaint, 33 *Ed.*1. *St.* 3. *p.*69. *Of Champerty.*

None great nor ſmall ſhall maintain Quarrels nor Parts in the Country, to the diſturbance of the Com. Law.

Maintainers, 1 *Ed.*3. *c.*14.

Juſtices of both Benches, and of Aſſize, ſhall enquire and determine of Maintainers, Bearers and Conſpirators, and Champertors, and all other Articles, as Juſtices in Eyre did.

Inqueſt, 4 *Ed.*3.*c.*11.

Exigent againſt Conſpirators and Confederators of Quarrels.

Conſpirators, 18 *Ed.*3. *p.*109.

The King, Queen, Prince, nor none of their Houſe, nor Prelates, Earls, Barons, nor other great nor ſmall, ſhall not apert or ſecret, for gift, fear or favour, diſturb the free Suit of every man by maintenance.

King, &c. 20 *Ed.*3.*c.*4.

Lords and Great men ſhall put thoſe out of their Service that be Maintainers.

*Cap.*5.

Shall be Enquired of by Juſtices of Aſſize.

*Cap.*6.

Jurors Attaint of taking at Suit of other then party, to have half a years Impriſonment, elſe a year.

Juror, 34 *Ed.*3. *c.*8.

Juſtices

Jury, 38 *Ed.*3.*c.*12.	Juſtices ſhall not take Jury *Ex Officio*, on 34 *Ed.* 3. *c.*8. but only a Suit of party,&c.
King's Counſellors,&c. 1 *Ric.*2.*c.*4.	Councellors of the King, and Great men, ſhall ſuffer for it as the King and Lords adviſe; the leſſer,of his Houſe, Exchequer and Family, to loſe their Offices, and all other perſons to be Impriſoned.
Liveries for Maintenance, *c.*7.	No Liveries ſhall be given to maintain mutual Quarrels, and Juſtices ſhall Enquire, Impriſon,&c. So 1 *Hen.* 4. *cap.*7.and 7 *Hen.*4.*c.*14.and 13 *H.*4. *c.*3.
Diſſeizor, *c.*9.	Actions ſhall be maintained againſt the firſt Feoffor, if take the Profits, after Diſſeiſin, or wrongful withholding by Feoffment to perſons unknown,or by fraud.
Stat. confirm'd, 1 *R.*2. *c.*15.	The former Statutes againſt Maintenance and Champerty ſhall be kept.
Feoffment by Diſſeizors, 4 *Hen.*4.*c.*7.	Feoffment to perſons unknown by Diſſeizors, ſhall not hinder Aſſize againſt Diſſeizor during life, and after other Writs againſt Tenant of the Freehold when Action accrue.
Forcible Entry, *c.* 8.	No forcible Entry by Great men to maintain an Aſſize with double Damages, and Impriſonment lieth.
Livery for Maintenance, 8 *Hen.*6. *c.*4.	None ſhall buy or wear Livery to have maintenance in any Quarrel.
Forcible Entry, *c.* 9.	Feoffment, ſo by forcible Entrer, void.
Perjury, 11 *H.*7. *c.*25.	Perjury by Maintenance or Corruption, puniſh at Diſcretion by the Chancellor.
Imbracery 19 *H.*7. *c.*13.	Or Imbracery of Juror on Riot, forfeits twenty pounds, to be Certified by Juſtice of Peace.
Stat. confirm'd, 31 *H.*8. *c.*9.	A Confirmation of all Statutes in force againſt Maintenance, Champerty, and Imbracery, or any of them.
Title pretended, §. 2.	Gaining pretenſed Title, whereof they nor Anceſtors, nor Sellers were not in poſſeſſion a year before, to forfeit the value.
Imbracery, §. 3.	Shall not be in Chancery, Star-Chamber, *Whitehall*, or where any have Commiſſion, Patent or Writ to hold Plea,&c. nor no Imbracery of Jury, on forfeit of Ten pounds, nor ſuborn Witneſs by Letters,&c.
Pretended Title, §. 4.	Poſſeſſors may buy in any pretenſed Right,&c.
Stat. proclaimed, §. 5.	Juſtices of Aſſize ſhall proclaim all Statutes againſt Maintenance,Champerty,&c.
Fine for Action, §. 6.	Offender muſt be ſued within a year after Offence committed.
Cognizance, 33 *Hen.*8. *c.*10.	Juſtice of Peace to determine thereof, &c. So 37 *H.* 8. *cap.*7.
Procuration of Perjury, 5 *Eliz.c.*9. §.3.	Procuring Witneſs,&c. by Letters of Reward,to commit corrupt Perjury in the Courts there mentioned, forfeits forty pounds, or Impriſon or Pillory.

Man, ſee Cinque Ports.

Merchants.

Trades, Staple, Cuſtoms, Tranſport, Export, Import, Policies of Aſſurance, Fraight, Mariners, Ships, Spices.

Amerciament, 9 *Hen.* 3. *c.*14. *Magn.Chart.*	Shall be amerced proportionable to Offence, ſaving his Merchandize.
Foreigners, *c.*30.	Strangers may go, come, or ſtay by Land or Sea, unleſs openly prohibited, or in time of War.
Foreſt, 9 *H.* 3.*St.*2.*c.*14. *Ch. de Foreſta.*	That buy and ſell Wood in Foreſt, ſhall pay to Foreſter in Fee-farm, Two pence half yearly for Cart-load, one Half-peny for Horſe-load, and nothing for a mans Burthen, except in the Kings Demean.
Execution of Recogn. 11 *Ed.*1.*p.*35. *Act.Burn.*	In Recognizance before Mayor and Clerk,and day paſt, ſhall have Execution of Goods and Burgage deviſable, to be ſold preſently by Sheriff.
Certif. of Recogn. 13 *Ed.* 1. *p.*54. *Stat.Merch.*	If Debtor have nothing within the Town, the Recognizance ſhall be certified into Chancery, and thence Writ to Sheriff, Returned before Juſtices of the one Bench or the other, whereby all Lands and Tenements are bound from the day of Recognizance, to hold till Debts, Damages, Coſts, Suits, Labour and Expence allowed be ſatisfied.
Corn &c. 17 *Ed.*1.*c.*3. *Ord. pro Stat.Hiber.*	They and others may carry their Corn, Victuals, or other Merchandize, from *Ireland* unto *England* or *Wales*, on Security not to go to *Scotland*.
Officer, 12 *Ed.*2 *Ed.*6. *York.*	Merchandize in Groſs or by Retail, while Officer in City or Borough, is forfeit,and a third part the King gives to Informer of Wine or Victual.
Strangers, 2 *Ed.*3.*c.* 9.	Strangers and privy may come and go freely into *England*, and all Staples ſhall ceaſe.
Fair, 5 *Ed.*3. *c.*5.	He that ſells after Fair cloſe, forfeits double value, a fourth to him that will ſue for the King.
Aliens,&c. 9 *Ed.*3.*c.*1.	Aliens and Denizens, except the Kings Enemies,may ſell to whom they pleaſe, and double Damages, and loſs of Franchiſe that diſturbs, or by Lords that do not do right.
Ibid.	They may buy and carry whither they pleaſe,but Aliens ſhall Export no Wine.
Cloths, 11 *Ed.* 3. *c.*3.	Shall not Import Cloths Foreign made to *England*, *Ireland*, *Wales*, or *Scotland*.
Foreigners, 14 *Ed.*3.*c.*2.	All Merchants paying their Cuſtoms reaſonably due, may go and come freely,as well Foreigners as others, not of Enmity, ſaving the Franchizers Grant to *London*, and other Cities.

Exigent againſt Tranſporters of Wool uncocketed, or bringing in falſe Money.	**Wool,** 18 *Ed.*3.*p.*109.
The Sea ſhall be open to all, and they may buy Wool where and as they pleaſe.	15 *Ed.*3. *c.*3.
May Trade free, as well Strangers as others, and no Mayor, Bayliff, Catchpole, Miniſter, nor other, ſhall meddle with any Victual, but only he to whom the Victuals be, and all Laws to the *contra* void.	**Strangers,**&c. 25 *E. Stat.*4. *c.*2.
Felony to Engroſs or Foreſtall *Gaſcoyn* Wine.	**Gaſcoyn,** 27 *Ed.*3.*c.*5.
May bring Wine to what Port they will, ſaving Butlerage.	*Cap.*6.
Engliſh ſhall not go into *Gaſcoyn*, nor have Agent there to Bargain before Vintage,nor buy,but in *Bourdeaux*, or *Bayon*, on Impriſonment.	*Cap.*7.
Shall permit red and white Wines to be ſold, to be Gauged.	**Wine gaug'd,** *c.* 8.
Shall reſort to the ſeveral Staples here appointed for *England*, *Wales* and *Ireland*, and by Indenture between Mayor and the Cuſtomers, and Cocketed Payments at the ſeveral Prices here mentioned.	**Staples,** 27 *Ed.*3. *c.*1. *Stat.Staple.*
All Strangers to repleniſh the Land with Money, Plate, &c. may dwell here and return freely, and proceed againſt Purveyors in the Staple from day to day, and hour to hour, whether within or without.	**Strangers,** *c.*2.
Aliens may buy Wools, Leather, Woolfels, and Lead, bringing the ſame to the Staple, and warranting the Packing, and no deceit between Aliens and Denizens, on forfeiture of Life and Eſtate.	*Cap.*3.
No Purveyance to be at the Staple.	**Staple,** *cap.*4.
No Juſtices ſhall, where Staple is, take cognizance of things there.	*Cap.*5.
The Marſhal, nor other Miniſters of the Kings Houſe, ſhall not meddle where Staple is.	*Cap.*6.
No Licence ſhall be granted to Tranſport *contra* to Staple.	*Cap.*7.
Debt,Covenant and Treſpaſs of Staple, ſhall be determined before the Mayor and Conſtables, *Per medietatem linguæ*, where one is a Stranger, but of Freehold is of Common Law.	*Cap.*8.
Shall uſe but one Weight, Meaſure and Yard throughout the Realm.	**Weight,** *c.*10.
No Merchant ſhall foreſtal any Merchandize till it come to the Staple,by Pre-contract,&c.on forfeiture of Life and Eſtate.	**Staple,** *c.*11.
Shall not ſell Wool to the *Scots*.	**Wool,** *c.*12.
Shall have their Goods robbed on the Sea, brought hither, or Goods Shipwrackt,paying reaſonable Charges aſſeſs by Sheriff or Lord of Franchiſe.	**Wreck,**&c. *c.*13.
May bring in Bullion, taking Coyn at Exchanges, but not carry out.	**Bullion,** *c.*14.
Shall not Export Sterling, nor other Coyn.	**Sterling,** §. 2.
None ſhall be unduly diſturbed by Searchers.	**Searcher,** §. 3.
Carriers ſhall be ſworn to go to the Staple, and Indentures made of the Goods they received to the Bailiffs of the Town.	**Staple,** *c.*15.
Mayor ſhall ſet the Rents of Houſes in the Staple.	*Cap.*16.
Strangers ſhall not be taken for others Debt, unleſs Pledge or Mainpernor,but on the breach with foreign Lords, ſhall have forty days notice to depart.	**Stranger,** *c.*17.
May bring Staple Commodities cocketed in *Ireland* or *Wales*, into *England*, paying no other Cuſtom.	**Staple,** *c.*18.
Shall not loſe their Goods for Treſpaſs of Servant.	**Forfeiture,** *c.*19.
Stranger ſhall have Juſtice from day to day, where Offence is done, according to the Law-Merchant, and double damages.	**Stranger,** *c.*20.
Shall chooſe Mayor and Conſtables of the Staple yearly.	**Staple,** *c.*21.
Default in Mayor ſhall be redreſſed by the Chancellor and Councel.	§. 2.
On doubtful Caſes Mayor muſt ſhew to the Kings Councel.	§. 3.
Correctors ſhall be appointed to record Bargains that ſhall not Trade during ſuch Employments, to be uſed or not.	*Cap.*22.
The Mayor and Conſtables ſhall be ſworn in Chancery, all other Officers and Merchants in the Staple.	*Cap.*23.
Strangers ſhall chooſe one North, and another South, to ſit with Mayor and two of *Almaign*, two of *Lombardy*, two of *England*, on Difference ſhall amend undue Packing, elſe ſend to the Chancellor and the Councel.	*Cap.*24.
Felony to be Attaint of Conſpiracy to diſturb the Staple.	*Cap.*25.
Their Letters or Oath of the Content of Goods, ſhall be ſufficient for the Cuſtoms, Fee three pence in the pound.	**Cuſtom,** *c.* 26.
That have Tranſported *contra* to Proclamation before this Statute, ſhall be Impriſoned, and forfeit all their Goods and Chattels.	**Tranſport,** *c.*27.
The Staple Priviledges confirmed againſt all, as to matters thereof only.	**Staple,** *c.* 28.
Shall not Export Iron out of *England*.	**Iron,** 28 *Ed.*3.*c.*5.

Staple, *c.*13. The Warranty of packing Wool to be left out of 27 *Ed.* 3. *St.* 2. *cap.* 3. and not to be but by Covenant ſealed, nor none but Merchants ſhall be bound by the Laws of the Staple, till declared in Parliament.

Jury, §.2. All Enqueſts between them or other Aliens, ſhall be of moiety of Aliens.

free, §.3. Their Ships ſhall not be compelled into Port, nor to ſell more and otherwhere then as they pleaſe.

,*c.*14. The days of ſhewing Wool.

le, *c.*15. The Bounds of the Staples.

, 31 *Ed.*3. *c.*2. Shall not abate price of Wool by frauds, nor uſe other Weights then the balance of Sack, half Sack, quarter Pound, half and quarter, according to the Standard of Exchequer.

le, *c.*7. Juſtices ſhall enquire of Offenders againſt the Law of the Staple.

rt, *c.* 8. May Export to places in Amity, Wool, Leather, Wool-fells, paying the Cuſtoms, Fifty ſhillings *per* Sack, Fifty ſhillings for three hundred Wool-fells, and Five pounds a Laſt for Leather, with no other refuſe but Cot, Gare and Villen Fleeces, every Sack to contain twenty ſix Stone, at ſixteen pound a Stone by the Standard, and none ſold or ſhewed within three miles of the Staple.

*c.*9. The Chancellor and Treaſurer may defe the Tranſporting Wool when they ſee need.

as, &c. *c.*19. Shall not pay Cuſtoms for Canvas and Corders of Packing.

*c.*20. Shall not Tranſport Corn but to *Calice* or *Gaſcoyn.*

*c.*21. Denizens may Tranſport Wool till *Michaelmas* next.

Trial, 35 *Ed.*3. May for Felonies ſue there, or at Common Law if Aliens, elſe only at Common Law.

*c.*11. May Tranſport Wool.

ſſing, 37 *Ed.*3.*c.*5. Shall not engroſs or uſe but one ſort of Merchandize.

, 38 *Ed.* 3.*c.*2. May uſe any Merchandize but *Engliſh*, ſhall not Export Wools, Wool-fells, nor Gold or Silver in Plate, except Victuals, that fiſh for Herring.

*c.*6. Repeal of 27 *Ed.*3. *cap.* 3. as to the Felony for Tranſporting Wools, but to ſtand as to Lands and Goods forfeit.

t, *c.*7. A Confirmation of 27 *Ed.* 3. of the Staple, notwithſtanding any Grant, Licence, or other Statute or Ordinance made after.

iture, *c.*8. Shall not loſe Ship for a ſmall thing not Cuſtomed without knowledge.

e, 43 *Ed.*3.*c.*1. The Staples of *Calice* put out, in *England*, *Ireland*, and *Wales*, as before.

&c. 45 *Ed.*3.*c.*4. No Impoſt or Charge on Wools, Wool-fell, or Leather, but the Cuſtoms, without aſſent of Parliament, elſe void.

n Cloth, 50 *Ed.*3. Shall not Tranſport Woollen-Cloth, nor pay Subſidy till Fulled.

&c. 2 *Ric.*2.*c.*1. Aliens and Denizens may ſell where, and to whom they will by Retail, except Wine, which muſt be by whole Veſſels, and Diſturbers puniſht.

erchant, *c.*3. Of the Weſt, may buy Merchandize finding Surety, to ſell in the Weſt or at *Calice.*

&c. 5 *Ric.*2.*c.*2. Shall not Tranſport Gold or Silver in Money or Plate, but by Licence.

ing, *c.*3. None ſhall carry or bring Goods in Ships of the Kings Allowance.

gers, &c. 5 *Ric.*2. *c.*1. All Strangers and Denizens may come and Trade within Franchiſe or without, freely.

*c.*2. Wools and Wool-fells may not by Aliens be Tranſported into *France.*

n, *ibid.* Abatement on payment of Cuſtoms beforehand.

6 R.2.*c.*8. May hire Foreign Ships, if there be not *Engliſh* ſufficient and able.

&c. 11 R.2.*c.*7. Aliens or Denizens may Trade free, and Tranſport all but Wine; and Charters, Judgments, or Cuſtoms to the *contra* declared.

§.2. Saving to the King the Cuſtoms, all Charts, Proclamations, Franchiſe, &c. to the *contra* diſturbing 9 *Ed.* 3. *cap.*1. and 25 *Ed.*3.*cap.*2.

on Wool, &c. *c.*9. Impoſition on Wools, Wool-fells, and Leather, other then Subſidy by the Parliament, void, ſaving the Kings ancient Right.

, 12 *Ric.*2.*c.*16. The Staple removed from *Middleborough* to *Calice.*

13 R.2.*c.*9. Shall not Contract for Wool by good Packing, nor make Refuſe, but only of Cot, Gare, and Villen.

, 14 R.2.*c.*1. The Staple removed to the Places in *England* mentioned 27 *Ed.*3. *cap.*1.

ge, *c.*2. Shall upon every Foreign Exchange, buy as much of the ſtaple Commodity of *England.*

, *c.*3. Officers ſhall be ſworn firſt to the King, then to the Staple.

n, &c. 14 R.2.*c.*4. Denizens may buy, but not regrate Wools.

*Cap.*5. Denizen ſhall not Tranſport Wool, Leather, Wool-fells, nor Lead, but only Strangers.

*c.*6. *Engliſh* ſhall Fraight only *Engliſh* Ships.

7. Tin ſhall paſs out of the Realm only at *Dartmouth.*

auging, *c.* 8. None to be moleſted in Exchequer for not Gauging Wine otherwiſe then uſed.

Strangers ſhall be courteouſly uſed. **Stranger**, *c.*9.

Cuſtomer, Controller, Searcher, Weigher, and Finder, ſhall be at the Kings will only, and none to have Ships or meddle with Fraight. **Cuſtomer**, &c. *c.*10.

No Alien ſhall Trade with Alien to ſell again, nor ſell any Wares but Victuals, and ſhall ſell Wine and Spices by whole Veſſels, and not carry out any, on forfeiture. **Alien**, 16 *R.*2. *c.*1.

Paying Cuſtoms, and nothing at *Calice*, or the Staple, may carry Bolts of Worſted ſingle, if he be Clothworker, whither he will, and Surety at *Calice* reſtored, but ſhall not carry out double Worſteds, nor half double Ray, nor Morley. **Worſted**, 17 *R.*2.*c.*3.

May Tranſport Corn when they will. **Corn**, *c.*7.

A Confirmation of 28 *Ed.*3.*cap.*13. 20 *R.*2.*c.*4.

No Licence to Ship-ſtaple Commodities, but at *Calice*, Repealed, 1 *H.*4.*cap* 3. **Staple**, 21 *R.*2.*c.*17.

Shall be free to pack their Cloths in *London*, as out. **Cloths**, &c. 1 *H.*4.*c.*16.

That the Stat. *Ric.* 2. *cap.* 7. for Aliens to Trade free with Victual, being uſeful, is enjoyned, notwithſtanding Patent to the Fiſhmongers *contra.* **Alien Trade**, *c.*17.

That expendeth one half of money taken in Merchandize here, may Tranſport the other, not elſe, without confeſſing what they have on ſearch. **Tranſport**, 2 *H.*4.*c.*5.

Shall beſtow the money here they have received for Wares, to tranſport, and not tranſport Gold and Silver. 4 *Hen.*4. *c.* 15.

No perſon ſhall carry Gold or Silver beyond Sea without Licence. *Cap.*16.

Shall be charged and diſcharged at the great Ports of the Sea, and not in Creeks. **Place of Charge**, &c. *Cap.*20.

Aliens to be uſed here as our *Engliſh* beyond Sea. **Alien**, 5 *Hen.*4. *c.*7.

Aliens ſhall give Security to expend money taken on the Commodities of *England*, and ſhall have Hoſts aſſigned in Place certain. *Cap.*9.

Aliens may ſell at pleaſure notwithſtanding 5 *H.*4.*c* 9. but one Alien ſhall not Export what another Alien brings in. 6 *Hen.*4. *c.*4.

Drapers, Cloth-ſellers, and others, ſhall be free to ſell Cloth, Iron, Oyl and Wax, &c. to all the Kings Liege People, as well as *Londoners.* **Drapers**, &c. 7 *H.*4.*c.*9.

Common Hoſtler ſhall not be Cuſtomer, Controller, Finder, nor Searcher. **Cuſtomer**, &c. 11 *H.*4.*c.*2.

Strangers ſhall pay Cuſtoms and Subſidies of Cloth in Garments proportionable to the Piece. **Cuſtom**, *c.*7.

Eſtreats of Exchanges of Merchants ſhall be ſent from Chancery to the Exchequer every fifteen days. **Eſtreat**, *c.*8.

Shall not Tranſport ſtaple Commodities without Licence, till firſt brought to the Staple, on forfeiture. **Tranſport**, 2 *H.*5.*St.* 2. *c.*6.

A Confirmation of 5 *H.*4.*cap.*7. and *cap.*9. 4 *Hen.*5.*c.*5.

Stranger ſhall bring one Ounce of Gold Bullion to the Mint for every ſack of Wool, and of Silver for every three Pieces of Tin not coming to the ſtaple. **Stranger**, 8 *H.*5.*c.*2.

Shall pay Two pence for every twenty Chaldron of Coals at *Newcaſtel*, and Keels ſhall be meaſured by Commiſſioners. **Coals**, 9 *H.*5. *c.*10.

On Exchange to *Rome*, ſhall in Nine months buy the value of Commodities here. **Exchange**, 9 *H.*5.*St.*2. *c.*9.

Paſſing out of *England* ſhall go to *Calice*, ſo long as the ſtaple is there. **Staple**, 2 *H.*6. *c.*4.

Wool forfeit, and Merchant Impriſoned, that carries Wool not Cuſtomed, to any place but *Calice.* **Wool**, *c.* 5.

Aliens ſhall find Surety in Chancery, every Company by it ſelf, not to Tranſport Gold and Silver. **Alien**, *c.*6.

Shall not Tranſport Sheep without Licence, but to Victual *Calice.* **Sheep**, 3 *H.*6.*c.*2.

Cuſtomer, Controller, Collector, &c. that conceal what is paid, ſhall forfeit treble Damage, and be Fined and Ranſomed. **Concealment**, &c. *c.*3.

May by Licence of Chancellor Tranſport Butter and Cheeſe. **Tranſport**, *c.*4.

May Tranſport Corn, but when reſtrained by the King. **Corn**, 4 *H.*6. *c.*5.

May ſhip Merchandize in *Melcombe* and carry to *Calice.* Calice, 6 *H.*6.*c.*6.

None of *England* ſhall enter the Dominion of the King of *Denmark*, but into *Northbaram.* Denmark, 8 *H.*6.*c.*2.

That ſhip Woolfels, &c. from *England*, *Ireland*, or *Wales*, but to *Calice*, forfeit double, and two years Impriſonment, except Merchants of *Jean* and *Venice.* **Wool-fells**, *c.* 17.

Prices of Merchandize, and maintenance of the Mint at *Calice.* Calice, *c.*18.

Goods carried to any place but the Staple, forfeit. **Staple**, *c.*19.

Dwellers at *Calice* ſhall buy Merchandize of the Staple. Calice, *c.*20.

Repeal of Licence to *Newcaſtle* and *Berwick*, to Tranſport otherwiſe then to *Calice.* **Tranſport**, *c.* 21.

Wool ſhall not be Clackt or Bearded by Strangers to Tranſport, but good and due Packing, no Inwinding Locks, Pelt, Wool, Tar, Sand, Earth, Glaſs, nor any Dirt, Treſpaſs and Deceit lieth. **Wool**, *c.*22.

Engliſh ſhall ſell only for ready money, or other merchandize, nor pay in Gold to Strangers, but Silver. **Money**, *c.*24.

Mayor of the Staple of *Calice* ſhall be two years in Office. Calice, *c.*25.

Engliſh may ſell to Aliens on ſix months payment, notwithſtanding 8 *H.*6. *c.*24. **Aliens**, 9 *H.* 6. *c.* 2.

Staple, 11 *H.6.c.*14.	Felony for three years to carry Merchandize of the Staple in Creeks.
Cuſtom, *c.*15.	Cuſtomer and Controller ſhall give Seal of Diſcharge upon the payment of Cuſtoms.
*Cap.*16.	For three years its forfeiture of Goods, and three years Impriſonment, ſealing a blank Scrowl to deceive the King of Cuſtoms.
Calice, 14 *Hen.6.c.*2.	Wools and Fells ſent to *Calice*, and no Licence to the *contra*, but the King may modifie this Statute, ſaving to *Venice,&c.* the Liberties by other Statutes.
Cap. 5.	Wools and all other Merchandize ſhipt in Creeks, Cuſtom not paid, or to *Calice* and not come there, ſhall be forfeited.
Alien, *c.* 6.	A Confirmation of 6 R*ic.*2.*cap.*10. and 1 *H.*4. *cap.* 17. that Aliens may Retail Victuals, Diſturber to forfeit Ten pounds.
Goods taken, *c.* 7.	Merchandize of Arms taken in Ships of the Kings Enemies, not to be reſtored.
Wheat, 15 *Hen.6. c.*2.	May Tranſport Wheat at ſix ſhillings eight pence, Barley at three ſhillings four pence a Quarter.
Calice, *c.* 8.	None ſhall ſhip in Creeks, but at Ports aſſigned, and give ſecurity to go to Staple at *Calice*.
Cheeſe,&c. 18 *H.6: c.*3.	Notwithſtanding 21 *R.*2.*cap.*17. may carry Cheeſe and Butter whither they will, but reſtrainable at the Kings pleaſure.
Aliens, *c.* 4.	Aliens ſhall not ſell to Aliens in *England*, but be ſurveyed by Hoſt, and ſell or barter Goods in eight months, or forfeit, except *Almayns*.
Letters of Conduct, *c.*8.	May take Enemies that have not their Letters of ſafe Conduct on Board.
Wool, *c.*15:	Felony to carry Wool any where but to *Calice* or *Straits* of *Marrock*.
20 *Hen.*6.*c.*4.	They who carry Wools, &c. to other Place then the Staple, that had not Licence heretofore, ſhall pay Aliens Cuſtoms.
Cuſtomer,&c. *c.*5.	No Cuſtomer, Controller, Clerks, Deputies, Miniſters, nor their Servants, Factors, nor Searchers, &c. ſhall have any Ships, nor buy or ſell as Merchandize, nor meddle with Fraight, or keep Wharfs, Keys, Hoſteries, or Taverns, or be Factors or Attorneys, on pain of forty pounds.
Corn, *c.*6.	A Confirmation of 15 *H.*6. *cap.*2. of Tranſporting Corn at certain Price.
Cuſtom *c.*7.	Bringing *Engliſh* Merchandize from *Wales* uncuſtomed, forfeit.
Calice, *c.*12.	A Reformation of the Partition of Money on ſale of ſtaple Commodities at *Calice*.
Thrums, 23 *H.6.c.*3.	Packing or Shipping Thrums for beyond Sea, forfeits value for three years next.
Corn, *c.* 6.	The Statute of 15 *H.* 6. *cap.* 2. made perpetual of Tranſporting Corn.
Cloth, 27 *Hen.*6. *c.*1.	Cloth not accept in *Brabant, Holland*, and *Zealand*, no Merchandize of the Dominions of the Duke of *Burgon*, to come hither on forfeiture.
Calice, *c.*2.	They that put in Execution, Licence to Tranſport other where then to ſtaple at *Calice*, ſhall be out of the Kings Protection, by decay of Cuſtoms.
Alien, *c.*3.	Aliens ſhall not Export Gold or Silver, on forfeit.
Cloth, 28 *Hen.6.c.*1.	A Confirmation of 27 *H.*6. *cap.* 1. Prohibiting Importation from *Holland, Zealand*, and *Brabant*, till our Cloth be ſold there for ſeven years.
Cuſtomer, *c.*5.	Or their Succeſſors may have Treſpaſs in two months after Injury, Diſtreſs, Arreſt, Charge, Impoſition of Fourteen pence every *Tres* Cloth, ſix pence for every hundred of Canvas, twelve pence for every Tun of Iron, or on other merchandize, and recover Forty pounds againſt Water-Bayliff, Searcher or Controller.
Wool, 31 *H.6.c.*8.	Confirmation of Grant of Subſidy of Wool, by 31 *H.*6. *Cap.* not Printed.
Silk, 33 *H.6.c.*5.	Shall not Import wrought Silk for five years.
Alien, 3 *Ed.*4.*c.*1.	No Alien to Tranſport Wools, &c. not Denizen, but to *Calice*, except of growth of *Northumberland, Weſtmorland*, or *Durham*; payment at Staple ſhall be ready one half in Bullion; deceit in Winding pay ſix pence a Fleece; *Welſh* ſhall not Fraight Alien, if he can have *Engliſh* Ships.
Corn, *c.* 2.	A Reſtraint of Tranſporting of Corn, till it exceed certain Price.
Silk, *c.*3.	Importation of Wrought Silk forfeits that, and ten pounds.
Import, *c.* 4.	Shall not Import Woollen-Caps, Cloths, Laces, Corſes, Ribbands, Fringes, Silk twined or embroidered, Saddles, Stirrups, Harneſs, Bridles, Boſſes, Andirons, Gridirons, Locks, Hammers, Pincers, Tongs, Dripping-Pans, Dice, Balls, Points, Purſes, Gloves, Girdles, Buſcans, Shoes, Galloches, Knives, Daggers, Bodkins, Sheers, Raſours, Cheſs-men, Cards, Sacring Bells, Rings, Ladles, Baſins, Hats, Bruſhes, or any wrought Ware, to be uttered in *England* or *Wales*, on forfeiture.
Wrack, §.2.	Thoſe taken on the Sea not to be intended for Wrack.
Import, §.3.	Wares and Chaffers of *Ireland* or *Wales*, may be Imported.

The Wardens of every Craft to ſearch Warehouſe of their Craft.	**Search**, §.4.
Wardens &c. not to enter Franchiſe to ſearch, but by ſight of Officer, and to ſeize what is found to continue ſo long as pleaſe the King.	§.5.
No prejudice to the Dean and Chapter of St. *Martins le Grand*.	§.6.
Cloth of any Region made, unleſs in *Ireland* or *Wales*, forfeit if Imported.	**Cloth** 4 *Ed.*4.*c.*1.
Wools, Fells, Mortlings, Shorlings, to be ſhipt where the King hath a Beam, and Certification of Carriage to *Calice*.	**Wools**, *c.* 2.
Staple Commodities beyond *Tweed* and *Teeſe*, ſhall be carried to *Newcaſtle*, to be ſent to *Calice*.	**Staple**, *c.*3.
Shall not Import from *Burgundy* till that Dukes Proclamation for Baniſhment of *Engliſh* Cloth revoked.	**Import**, *c.*5.
A Qualification of 5 *H.*4. *cap* 9. of Aliens Security to employ Money here.	**Alien**, *c.*6.
No Stranger may buy *Engliſh* Horns unwrought within twenty four miles of *London*.	**Horn**, *c.*8.
None ſhall Tranſport Woollen Yarn, or Cloth Unfulled, on forfeit of value.	**Woollen Yarn**, 7 *c.*3.
Shall Import four Bowſtaves for every Tun of Merchandize from *Venice*, and thoſe Parts &c.	**Bowſtaves**, 12 *Ed.*
May carry Wool of ſome Countries to *Newcaſtle*, but all elſe to Staple at *Calice*.	**Wool**, *c.*5.
Wool ſhall be ſhipt at *Newcaſtle*, and carried thence to *Calice*, or elſewhere, notwithſtanding 12 *Ed* 4. *cap.*5.	14 *Ed.*4.*c.*3.
Shall not Export Gold, Silver, Money, Bullion, Plate, or Jewels without Licence, on Felony.	**Silver**,&c 17 *Ed.*4
Ribbands, Laces, Corſes, Girdles, *Calice* Silk, or *Cullen* Silk Twined, forfeit if Imported.	**Ribbands**,&c. 22 *E* *c.*3.
Shall not bring to or from *Scotland*, to or from *England, Ireland* and *Wales*, but by the Town of *Berwick*.	*Cap.* 8.
Of *Italy* ſhall ſell Wares Imported by the Groſs, and employ the Money here on forfeit thereof.	**Of** Italy, 1 *Ric.*3.*c.*9
Aliens ſhall Export what they do not ſell in two months after eight.	**Alien**, §.6.
May convey to any Port in *England*, but ſhall be no Hoſts.	§.7.
Aliens ſhall not ſell or Barter within the Realm, Cloth bought here.	§.8.
Aliens ſhall not be Handicraft, but Servants, on forfeit of Goods.	§.9.
No Alien Handicraft, nor other to his uſe, ſhall put Wool to work to make Cloth here.	§.10.
Alien Handicraft that Merchandize ſhall ſell in Groſs, and not take any Apprentice but a Subject, on forfeit of Twenty pounds.	§.11.
This not to prejudice Importing or Retailing Books, Scrivener, Alluminor, Reader or Printer.	§.12.
A Confirmation of 22 *Ed.*4. *cap.* 3. againſt Importing wrought Laces for ten years, Revived 1 *Hen.*7. *cap.*9. for twenty years.	**Laces**, *c.*10.
Shall Import ten Bow-ſtaves with every But of *Malmſey* or *Tyre*.	**Bowſtaves**, *c.*11.
Shall not Import to ſell Girdles, Harneſs, Points, Leather, Laces, Purſes, Pouches, Pins, Gloves, Knives, Hangers, Taylor's Sheers, Sciſſors, Andirons, Cobirons, Tongs, Fireforks, Gridirons, Stock-Locks, Keys, Hinges, Garnets, Spurs, painted Glaſſes, Papers, Forcers, Images, or painted Cloths, beaten Gold or Silver for Painters, Saddles, Trees, Harneſs, Boots, Bits, Stirrups, Buckles, Chains, Lalling Nails, Turnets, Hanging Candleſticks, Grates, Horn for Lantern, on forfeiture.	**Girdles**,&c.*c.*12.§
Aliens made Denizens, and ſtill pay double Cuſtom.	**Denizens**, 1 *H.*7
The Penalties of 1 *R.* 3. *cap.* 9. againſt *Italian* Merchants, given only to the King.	Italian, *c.*10.
All Bargains by the name of Dry Exchange, void.	**Exchange**, 3 *H.*7.*c.*
Exchange not to be made without the King's Licence, nor Inland Rechange; all unlawful Uſury extirpated, Brokers in Pillory.	*Cap.*6.
Shall have Certification of the Colour, Length, and Value of all Merchandize Imported, and of Weight, &c. from the Cuſtomer, on forfeiture; none to Enter but in his own Name.	**Cuſtomers Certi** 3 *Hen.*7.*c.*7.
Of *Ireland, Jerſey*, or *Guernſey*, and other Aliens that bring any Merchandize or Victuals in the Realm, ſhall employ their Moneys on Commodities, or forfeit the value, and give Security ſo to do.	**Money**, *c.*8.
Shall not Traſport Cloth before it be Bearded, Rowed, and Shorn.	**Cloth**, *c.*11.
Shall Import no *Gaſcoyn* or *Guian* Wine, nor *Tholouſe* Woad, but in *Engliſh* Ships.	**Wine**, 4 *Hen.*7.*c.*10
Shall not contract for Wool that grows in *Berks, &c.* on forfeit of double.	**Wool**, *c.*11.
Butt of *Malmſey*, one hundred twenty ſix Gallons, Aliens Cuſtom, eighteen ſhillings, beſide the old, and ſell no Butt above four pounds, till *Venetians* abate four Ducats at *Candy*.	Malmſey, 7 *H.*7.*c.*8

th, 11 *Hen.7.c.6.* Wherever Cloth is Packed, ſhall pay Cuſtom where they are ſhipt, notwithſtanding 12 *Ed.* 4. *Cap.* 3.

e, *cap.* 13. Shall not Tranſport Horſe, or Mare above ſix ſhillings eight pence, nor under three years old, unleſs on Oath not to ſell.

izens, *cap.* 14. Denizens ſhall pay the ſame Cuſtom as when Aliens.

ant, 12 *H.7. cap.* 6. May Trade free to all the Marts in *Brabant*, paying only ten Marks to the Fraternity of *London*.

vage, 19 *Hen.7.c.*8. None but Strangers ſhall pay Scavage.

s, *cap.* 21. Shall not Import Silk wrought by it ſelf, or with other Stuff in Tiſſues, Points, Ribbands, Corſes, Calls, on ferſeit.

ard, *cap.* 23. Of the Houſe in *Almaign*, ſhall enjoy their Priviledges (in the *Stillyard*) notwithſtanding Acts generally of Merchants, not to prejudice *London*.

ark, 1 *Hen.*8. *cap.*1. A Repeal of 8 *H.* 6. *Cap.*2. of Entring into *Denmark* and *Iſeland* by *Northbaram* only.

y of Goods, *cap.*5. 3. A Repeal of 3 *H.7.Cap.*7. and one *Engliſh* may Enter in anothers Name.

y, §. 4. Stranger may Cuſtom Goods in another Strangers Name.

it, §. 5. If Stranger deceive Cuſtoms, Merchandize to be forfeited.

ſage, §. 6. Perſons free of Priſage, ſhall not Cuſtom Goods of ſuch as are not free.

y, 3 *Hen.* 8. *cap.*1. Shall forfeit double that Tranſport Money, Plate, Jewels, &c.

aller, *cap.* 8. Victualler that is chief Officer of Town, after Price ſet by two ſworn Aſſiſtants, may ſell in Groſs, or by Retail.

ther, *cap.* 10. Alien ſhall not buy Leather but in Market Overt.

, *cap.* 10. The Mayor of *London* and Tallow-Chandlers, ſhall ſearch and correct Oyls Imported.

omers Fee, 4 *H.* 8. *p.* 6. Cuſtomer or Controller ſhall take but two pence for Sealing each piece of Cloth of Gold, Silver, Bawdekin, Velvet, and other Silk Cloths, on forfeit of Twenty pounds.

ther, 5 *Hen.*8. *c.* 7. Of the Fellowſhip of the *Trinity* may buy Leather in Markets.

-ſtaves, 6 *H.*8. *c.*11 That 1 R. 3. *Cap.* 11. of Importing Bow-ſtaves, extends only to Aliens.

ll, *cap* 12. None ſhall Export *Norfolk* Wooll for Worſteds.

, 7 *Hen.*8. *cap.*2. Licence to Import *Gaſcoyn* Wine and *Tholouſe* Woad, *contra* to 4 *H.7. Cap.* 10. Repealed.

th, 14 & 15 *Hen.* 8. *p.* 1. None ſhall ſell broad white Woollen Cloth to Stranger, unleſs in eight days, &c. he cannot ſell it to *Engliſh*.

om, *cap.* 4. *Engliſh* that are ſworn to Foreign Princes or States ſhall pay Cuſtoms as Aliens, till they return.

ll, 21 *H.*8.*cap.* 17. A Repeal of Patent to *York*, to ſhip Woolls.

aſtle, *cap.* 18. None may load or unload between *Sparhawk* and *Hedwinſtreams* on *Tyne* but at *Newcaſtle*, and they may pull down all Wears.

e, &c. 22 *H.*8.*cap.*7. Forfeits ſix ſhillings eight pence for Tranſporting Horſe, Mare, or Sheep, unleſs for Victualling *Calice*.

izen, *cap.* 8. Alien made Denizen, ſhall pay not only Cuſtom and Subſidy, but Tolls, Duties, and other ſums of Money for Merchandize, as before made *Denizen*.

-table, §. 2. A Table to be ſet up in every City, Borough and Town, of Duties.

yard, §. 3. Not to prejudice the Houſe of *Almaign*, called the Merchants of the *Stillyard*.

vage-tables, §. 4. The Tables of Scavage in *London*, to be approved by Chancellor, Treaſurer, Preſident, Privy-Seal, Steward of the Houſhold, and the two Chief Juſtices, or four of them.

e, 23 *Hen.*8. *cap.*7. Of Importation of Wines in *Engliſh* Ships, and Prices of Wine, and Confirmation of 5 *R.*2. *Cap.*3. and 6 *R.*2. *Cap.*8. and 4 *H.7. Cap.* 10.

tuals, 25 *H.*8. *c.*2. Shall not Tranſport Victuals, but for *Calice*, *Guiſnes*, or *Hams*.

ock-fiſh. *c.* 4. Only the Adventurers to *Iſeland*, ſhall buy Stock-Fiſh, Salt, Ling, Haberdine, or Lob-Fiſh, in the Eaſt Sea, to ſell again.

th, 27 *Hen.*8. *c.*13. Notwithſtanding 9 *H.* 8. *Cap.* 3. may Tranſport white Woollen Cloth unbarbed, &c. under four pounds, and coloured under three pounds, but not above.

ther, *cap.* 14. Shall not Tranſport Leather till packt by common Packer ſworn, Cuſtoms by Stranger, four ſhillings nine pence, by Denizens, four ſhillings one penny, every Dicker, *i. e.* ten Hides, as in *London*.

§. 2. There ſhall be a Teller of Leather appointed by Cuſtomers to have ſix pence a Dicker.

§. 3. No Leather to be Packt before Tolled, on forfeit of five pounds and Impriſonment; Telling in abſence of Cuſtomer, forfeits five pounds.

§. 4. Leather carried from one Port to another to be ſhipt, ſhall have Certification from every Port.

§. 5. No Tanner ſhall convey Merchandize tann'd or untann'd beyond Sea, Leather, nor Salt and untann'd Hides, on forfeiture.

tain of Ship, §.6. Not to prejudice Captain of Ship in time of War, going to *Iſeland*, *Dantzick*, *Norway*, &c.

es, §. 7. Hides untann'd in *Wales*, may be Tranſported by any but Tanners.

ight, 32 *H.*8. *c.*14. A Confirmation of 5 *R.*2. *Cap.*3. and of 6 *R.*2. *Cap.*8. and of 4 *H.7. Cap.*10. and of 23 *H.* 8. *Cap.* 7. and a Rate ſet on Fraight of Merchandize from and to *London*.

Shall not Tranſport Braſs, &c. except Tin and Lead, on forfeit of double. **Braſs, &c.** 33 *H.* 8. *c.*7.

Offence to be determined where ſhipt. **Tryal**, §. 3.

Obligation of double not to carry but to Port aſſigned, and the Cuſtomer on diſcharge to Certifie it. **Bond**, §. 4.

Cuſtomer to loſe his Office on falſe Certification. **Cuſtomer**, §. 5.

Metal caſt away by Tempeſt, or Robbed, to excuſe. **Metal loſt**, §. 6.

Aliens ſhall not Tranſport Long Bows, Arrow-Heads, &c. **Long-bows**, *c.* 9. §. 9.

Forfeits forty ſhillings a pound for Tranſporting Worſted Yarn not wrought. **Yarn**, *c.* 16. §. 2.

Forfeits white Cloth above four pounds, and coloured above three pounds, by ſhipping to be Tranſported, before Conveyed beyond Sea, on 27 *H.*8. *Cap.* 13. **Cloth**, *cap.* 19.

Shall not ſhip Corn in Creeks between *Glouceſter* Key and *Briſtol*, to be Tranſported, till Cuſtom paid, viewed and meaſured in *Briſtol*. **Corn**, 34 & 35 *Hen.* 8. *cap.* 9. §. 3.

Cuſtomer after Obligation taken to deliver Cocket of Contents, and Tranſport without, forfeits it. **Cocket**, §. 4.

If more then in Cocket be Laded on meaſuring by Mayor and Cuſtomers of *Briſtol*, the overplus to be forfeited. §. 5.

He that Tranſports Beer, ſhall bring in Clapboard. **Beer**, 35 *H.* 8. *c.* 8.

None but they of the Staple, &c. to buy Wooll in twenty ſeven Shires. **Wool**, 37 *H.* 8. *c.* 15.

Shall not Tranſport Horſes, &c. without Licence, on forfeit of that and forty pounds. **Horſes**, 1 *Ed.* 6. *c.* 5.

Admirals ſhall not exact of them for Voyage of Fiſh to *Iſeland*, *Newfoundland*, or *Ireland*. **Admiral**, 2 & 3 *Ed.* 6. *cap.* 6.

Shall at or before *Eaſter* yearly pay the Tenth of his clear Gains, deducting his Expences, &c. *Cap.* 13. §. 7.

Doing *contra* to 1 *H.*8. *Cap.*5. Cuſtoming others Goods, forfeits Goods and Chattels. **Entry**, *cap.* 22. §. 4.

Suit to be in three years of Offence committed. **Tryal**, §. 5.

Forfeits ſix ſhillings eight pence every Buſhel of white Aſhes Exported. **White Aſhes**, *cap.* 26.

Shall forfeit ten pounds every thouſand of Metal Tranſported beſide 33 *H.*8. *Cap.*7. of the double value. **Metal**, *cap.* 37. §. 2.

Shall not Tranſport Cloth unleſs Sealed by Clothier and Aulnager. **Cloth**, 5 & 6 *Ed.*6. *c.*6. §. 29.

Forfeits defective Cloth Tranſport, unleſs he return it to the Maker. §. 35.

May by Licence of three Juſtices buy Cattel to Tranſport. **Cattel**, *cap.* 14. §. 12.

May Tranſport Wheat ſix ſhillings eight pence, Barley three ſhillings four pence, Oats two ſhillings, Peaſe four ſhillings, Rye five ſhillings the Quarter, or under. **Corn**, §. 13.

On Licence to Tranſport tann'd Leather, may buy ſo much. **Leather**, *cap.* 15. §. 4.

Shall not ſhip to Tranſport Shooes, Boots, Buskins, Stirrups, Slippers, on forfeiture. **Shooes, &c.** §. 5.

Not to prejudice Tranſporting to *Calice*, the *Iſle of Man*, &c. Calice, §. 6.

A Repeal of 4 *H.*7. *Cap.*10. and that all in Amity may Tranſport *French* Wines in any Ships whatever. **Wine**, *cap.* 18. §. 3.

None ſhall Tranſport by Ship- Crayer, or other Veſſel beyond Sea, or into *Scotland*, any Wheat, Rye, Barley, or other Corn, or Grain, or Malt. **Corn**, 1 & 2 *Ph. & Mar.* *cap.* 5.

Tranſporting more Wood, Corn, Victual, &c. then is Licenſed, to forfeit treble, and be Impriſoned a year. **Wood, &c.** §. 4.

Shall not ſhip Corn, Wood, Victual, &c. Licenſed at ſeveral Ports. §. 5.

Juſtices of Peace to determine Offences. **Tryal**, §. 6.

When common Price ſhall not exceed of Wheat ſix ſhillings eight pence, a Quarter of Rye four ſhillings, Barley three ſhillings, they may be Tranſported. **Corn**, §. 7.

Not to prejudice Victualling Ships. **Ship victualling** §. 8.

Not to prejudice Admirals Juriſdiction at Sea. **Admiral**, §. 9.

Felony to Tranſport Leather untanned. 1 *Elizab. cap.* 10.

Shall not Lade or Unlade but by Day-light, from 1 *March* to 30 *September*, from Sun to Sun, from 30 *September* to 1 *March*, between ſeven in the Morning and four in the Afternoon, in Ports, &c. **Lading**, *c.* 11. §. 2.

None to receive Goods but in open Key, and times appointed, &c on forfeit of One hundred pounds. **Receiving**, §. 3.

Maſter of Ship to give notice to Cuſtomer, &c. before he Lade. **Notice**, §. 4.

No Owner, Maſter, Purſer, &c. that hath Charge of Ship, to unlade before notice to Cuſtomer. **Unlading**, §. 5.

None to Cuſtom Goods but in the name of the very Owner. **Name**, §. 6.

If Wharfinger, Searcher, &c. conſent to any Offence, not diſcloſing, &c. forfeits one hundred pounds. **Wharfinger**, §. 7.

Cuſtomer ſhall have Deputy in every Port and Creek, &c. **Deputy**, §. 8.

The ſame Cuſtoms for all ſweet Wines, as for Malmſey. **Wine**, §. 10.

Norfolk and *Suffolk* may Tranſport Corn as uſual. **Corn**, §. 11.

Not to prejudice to Noth *Wales*. §. 12.

Cap 13.	The inconvenience of Tranſporting only in *Engliſh* Ships.
Foreign Ships, §. 2.	A Repeal of 5 *R.* 2. *Cap.* 3. and of 4 *H.* 7. *Cap.* 10. but they that Import in Foreign Ships in time of Peace, ſhall pay Cuſtoms as Aliens.
§. 3.	No Hoy or Plate of *Engliſh* Owner to paſs beyond Sea with Goods.
§. 4.	Adventurers and of the Staple that ſhip Fleets twice a year with Wooll, may loade Strangers Ships.
§. 5.	*Briſtol* may by reaſon of Loſs Tranſport in Alien Bottoms.
Apprentice, 5 *Eliz. c.* 4. §. 27.	Shall not take Apprentice for putting Cloth to making, or ſale, unleſs of forty ſhillings *per annum.*
§. 29.	Shall not in Market-Town take Apprentice, unleſs three pounds *per annum.*
Fiſh, *cap.* 5.	May Tranſport Herrings and Sea-Fiſh Cuſtom-free in *Engliſh* Ships.
§. 9.	May go with Hoys and Plates to *Cane* and *Norway, &c.* notwithſtanding 1 *Eliz. Cap.* 13.
§. 10.	Cod and Ling not to be Imported in Cask, but in bulk by Tale, on forfeit.
Ships, §. 11.	No Wine of *France*, or *Tholouſe* Woad to be Imported, but in *Engliſh* Ships, as 4 *H.* 7. *Cap.* 10.
Apprentice, §. 12.	Owners of Ships and Houſholders uſing the Sea, may take Apprentice for ten years, or under.
Corn, §. 24.	Ship ſhall not be forfeited on Tranſporting Corn, Prohibited by 1 & 2 *Phil. & Mar. Cap.* 5.
§. 26.	Corn may be Tranſported in *Engliſh* Ships, when Wheat exceeds not ten ſhillings the Quarter, Rye, Peaſe, and Beans Eight ſhilling, Barly and Malt ſix ſhillings eight pence.
Ships, §. 26	Strangers born may Import Wines of *France* in Foreign Bottom under one hundred Tun yearly to the *Iſle of Man*, §. 47. under one hundred Tun to *Chepſtow*, &c. §. 48. under one hundred Tun to *North-Wales.*
§. 49.	Saving the Kings Duties.
Foreign wares, *cap.* 6.	Aſſurance or Bond above twenty eight days, to pay for Foreign Wares ſold to any that hath not three thouſand pounds *per annum*, void.
Cap. 7. §. 3.	Any Girdles, Rapiers, Daggers, Knives, Lockets, Horſe Harneſs, Gloves, Points, Leather, Laces, and Pins ready made, &c. Imported hither, to be forfeited.
Sheep-skins, &c. *c.* 22. §. 2.	Shall not Tranſport Sheep skins, Wooll-Fells, Shorlings, Mortlings, or Skins of Stag, Buck, Doe, Goat Fawn, or Kid, or Pelts, or Leather of them, forfeits Moiety.
§. 3.	Of the Staple, *Newcaſtle*, &c. do as they have uſed.
Sheep, 8 *El. c.* 3.	Tranſporting Sheep, &c. firſt forfeits all his Chattels, §. 2. the ſecond Offence Felony.
Cloths, *c.* 6.	For every nine Cloths unwrought, ſhall Tranſport one wrought.
§. 4.	*Suffolk* and *Kentiſh* Cloth Tranſported unwrought, forfeits forty pounds.
§. 5.	No Licence to Tranſport Cloth to extend thereto.
Leather, *cap.* 14. §. 2.	The firſt Branch of 5 *Eliz.* 22. §. 2. not being againſt Entercourſe of the *Low Countrys* of the King of *Spain*, to be Executed, and as to Tranſporting Tanned Leather, only, and no further Repealed, not as to making.
Corn, 13 *Eliz. cap.* 13.	Juſtices of Aſſize and of the Peace, to determine when Corn is fit to be Tranſported, when Prohibited.
§. 2.	To be notified to the King before publiſhed.
§. 3.	Cuſtoms of a Quarter of Wheat by Stat. one ſhilling, of other Grain eight pence; by Licence, Two ſhillings Wheat, and of other Grain one ſhilling four pence.
Bow-ſtaves, *cap.* 14.	All Merchants ſhall Import Bow-ſtaves, and Stat. 12 *Ed.* 4. *Cap.* 2, *&c.* to be Executed.
Hoys, *cap.* 15.	A Repeal of 5 *Eliz. Cap.* 5. § 9. and a Reviver of 1 *Eliz Cap.* 13. §. 3. that none croſs the Seas in Hoys, Plates, &c.
Foreign wares, *cap.* 25. §. 17.	That 5 *Eliz. Cap.* 7. ſhall not prejudice Entercourſe and Treaty now on Foot, &c. for Foreign Wares, Repeal 14 *Eliz. Cap.* 11. §. 13.
Leather, 18 *El. cap.* 9.	A Repeal of 1 *Eliz. Cap.* 8. and Reviver of 5 *Eliz. Cap.* 8. againſt Tranſporting Leather.
§. 2.	Tranſporting Leather, Tallow, or Raw Hides, forfeit by Owner, and Ship by Maſter.
§. 3.	Owner or Maſter to be diſcharged on diſcovery within ſix months notice.
§. 4.	Subſidy of Leather, Tallow, and Hides, ten ſhillings *per* Hide, three ſhillings four pence Calves Skins at twelve, and ſix ſhillings eight pence every hundred weight of Tallow.
Conceal Cuſtom, §. 5.	Farmers to account for Concealments of Cuſtoms, &c.
Dover, 23 *Eliz. cap.* 6.	For Ship of twenty Tun or upward, for eight years three pence *per* Tun, for Repair of *Dover.*
Fiſh, *cap.* 7.	No Foreign Fiſh, &c. to be Imported but by Owners, Aliens, &c.
Logwood, *cap.* 9. § 2.	Logwood and Blockwood to be burnt, and Dyer forfeit the value, &c.
Fiſh, 27 *El. c.* 15.	May Import Herring, Staple fiſh, &c. in Crayers, croſs Sails, &c.

May Tranſport Beer or Ale to *Scotland*, &c. in Gauged Veſſels.	**Beer**, 31 *El. cap.* 8.
Cuſtomer to anſwer for wilful default of Deputy.	**Deputy**, *cap.* 13.
Cuſtoms for Wheat two ſhillings the Quarter, of other Grain Sixteen pence for Poundage, &c.	**Corn**, 35 *El. cap.* 7. §
Perſons Licenſed may Tranſport Corn at leſs Price or Cuſtoms.	§. 31.
The Queens Proclamation may prohibit Tranſporting generally or ſpecially.	§. 32.
Tranſporting *contra* to Proclamation, to forfeit as 1 & 2 *Phil. & Mar.* 5. and 13 *Eliz.* 13.	§. 33.
To Import two hundred Clapboards three Foot two Inches long, for every ſix Tun of Beer Tranſported.	**Beer**, *cap.* 11. §. 2.
No Wine Cask to be Tranſported with Beer.	§. 4.
Subjects may Tranſport Fiſh in croſs Sails.	**Fiſh**, 39 *El. c.* 10. § 3.
Aliens to pay the ſame Cuſtoms here, as ſubjects do there.	§. 5.
Juſtices of Peace to Commit Deceits in mixture of Logwood with Woad, to next Seſſions.	**Logwood**, *cap.* 11.
Shall not Import Cards for Wooll.	**Cards**, *cap.* 14. §. 2.
Shall pay only Three pence *per* Tun, for Repair of *Dover*, of Lading, not of Ship.	Dover harbour 43 *El.* §. 35.
Chancellor may Award a ſtanding Commiſſion yearly to determine Pollicies of Aſſurance in a ſummary courſe.	*Cap.* 12.
The Commiſſioners may give Oath, or Commit, and ſit weekly.	§. 2.
Importing corrupt or deceitful Hops, forfeits them.	**Hops**, 1 *Jac. c.* 18.
Spices, Drugs, and Wares Garbleable, *viz.* &c. to be Garbled for Fees uſed.	**Garbling**, *cap.* 19.
Mixture after Garbling to be forfeiture of all.	§. 2.
Garbler of *London* to enter, &c. and Search and Garble, &c.	§. 3.
Merchant that utters not, but retains to Tranſport again, excuſe, &c.	§. 4.
Tranſporting Leather, and Officer not diſcloſing, forfeits One hundred pound.	**Leather**, *c.* 22. §. 4.
Falſe Certificate of Cuſtomer of Leather Import, forfeits one hundred pound.	§. 55.
May Tranſport Wheat, not exceeding twenty ſhillings eight pence the Quarter, Rye, Peaſe and Beans fifteen ſhillings, Malt and Oats, fourteen ſhillings.	**Corn**, *cap.* 25. §. 26.
The King by Proclamation may prohibit general or ſpecial.	§. 27.
Tunnage of three ſhillings *per* Tun, ſweet Wines Imported, an Awm of Rheniſh twelve pence, and Poundage of twelve pence, every twenty ſhillings value, of Merchandize.	**Wine**, *cap.* 33.
Sack of Wooll thirty three ſhillings four pence, and two hundred forty Woollfels, thirty three ſhillings four pence, Laſt of Hides, three pounds ſix ſhillings eight pence, Strangers pay double Cuſtoms.	**Wool**, §. 2.
Shipping Merchandize without Agreement for Duties at Cuſtom-houſe, forfeit.	§. 3.
May ſhip as much Goods as proved to be taken by Enemies or Pyrates, Cuſtom-free.	§. 4.
Subjects may Tranſport *Herrings* and Sea-Fiſh without Cuſtom.	**Fiſh**, §. 5.
All Subjects of *England* may Trade into the Dominions of *Spain*, *Portugal*, and *France*, as before Incorporation, &c.	**Trade**, 3 *Jac. c.* 6.
Not to enable any to Travel without Licence.	**Travel**, §. 2.
Shall not black Coney-skins, nor Tranſport them undreſſed.	**Coney-skins**, *c.* 9. §. 2.
Not to Contract for Coney-skins or Lamb-skins, called Morekins, under one thouſand black, or three thouſand grey Coney-skins, and two thouſand Morekins, nor ſell, unleſs to Skinners.	§. 3.
Moiety of Forfeits to the King, and Moiety to Informer.	§. 5.
When Malt exceeds not ſixteen ſhillings a Quarter, Beer paying ten ſhillings *per* Tun Cuſtom, may be Tranſport, and Veſſels.	**Corn**, *cap.* 11. §. 3.
Not to make void former Statute, as to Importing Clapboard.	**Clapboard**, §. 3.
Adventurers of *Exeter* Incorporated 17 *June*, 2 *Eliz.* not diſſolved by the general words of 3 *Jac. Cap.* 6.	Exeter, 4 *Jac. cap.* 9.
None not free of *Southampton*, to buy or ſell there, except Sea-Fiſh, &c.	*Cap.* 10. §. 3.
A Reviver of 4 *Ed.* 4. *Cap.* 8. Repeal 1 *Jac. Cap.* 25. §. 44. Except power to ſearch in *Sturbridge* Fair for Horns ſold to Aliens.	**Alien**, 7 *Jac. c.* 14 §
May Tranſport *Welſh* Cloths at due Ports, paying Cuſtoms, elſe forfeit.	**Cloth**, 21 *Jac. c.* 9. §
May Tranſport Corn when it exceeds not a Quarter of Wheat, thirty two ſhilling, of Rye twenty ſhillings, of Peaſe, Beans, Barley, and Malt, ſixteen ſhillings.	**Corn**, *cap.* 28. §. 4.
The Kings Proclamation general of ſpecial may reſtrain it.	§. 4.
The like power to tranſport corn as by 21 *Jac. cap.* 28. §. 3.	3 *Car.* 1. *c.* 4. §. 24 & 2
May Import Gunpowder paying Cuſtoms.	**Gunpowder**, 17 *Car.* 1 *c.* 21. §. 2.
Putting Proclamation againſt Importing it in Execution, *Præmunire.*	§ 4.
Importing or Exporting without Agreement for Cuſtoms and Subſidies, forfeit.	**Cuſtoms**, 12 *Car.* 2. *c.* 4. §. 3.

If

elade, §. 4.	If Goods periſh after Cuſtoms paid, on proof Merchant may Relade Cuſtom-free.
iſh, §. 5.	May Tranſport Herrings and Sea-Fiſh without Cuſtoms.
ate, §. 6.	Shall pay according to the Book of Rates, 24 *June*, 1660. Subſcribed by Speaker, during the Kings Life.
ee, §. 7.	Fees ſhall be only where 4 *Jac.* 1. until ſettled by Parliament to Cuſtomers.
§. 8.	None to be moleſt for Cuſtoms Collect after 24 *June*, and before 24 *July*, 1660.
§. 9.	Goods ſhipt before 24 *July*, and ſince 24 *June*, no Penalty.
ron, &c. §. 10.	May Tranſport Iron, Armour, Bandeleers, Bridle, Bitts, Halbert-Heads and Sharps, Holſters, Muſquets, Carbines, Fowling-Pieces, Piſtols, Pike-Heads, Sword, Rapier, Blades, Saddles, Snaffles, Stirrups, Calves-ſkins, Geldings, Oxen, Sheep-ſkins, and all Manufactures of Leather.
unpowder, &c. §. 11.	May Tranſport Gunpowder, not exceeding Five pounds the Barrel, Wheat Fourty ſhillings the Quarter, Rye, Beans and Peaſe, Twenty four ſhillings, Barley and Malt, Twenty ſhillings, Oats Sixteen ſhillings, Beef Five pounds the Barrel, Pork Six pounds Ten ſhillings, Butter Four pounds Ten ſhillings, Bacon Six pence the Pound, Cheeſe One pound Ten ſhillings the Hundred, Candles Five ſhillings the Dozen pound.
§. 12.	Proclamation may reſtrain Tranſporting Gunpowder, or Ammunition.
§. 13.	*London*, &c. to pay Three pounds Additional Duty for Wine.
Wine, §. 14.	Wine Imported into *London*, &c. freed Exciſe.
§. 15.	Priſage of Wines, or Priſe-Wines, pay no Cuſtoms or Subſidy.
ia, *&c.* c. 18.	No Goods to be Import or Export out of his Majeſties Territories in *Aſia*, *Africk*, or *America*, but in Ships of *England*, *Ireland*, or *Wales*, &c. Maſter and three quarters *Engliſh* Mariners.
lien, §. 2.	No Alien to be Merchant or Factor, on Forfeit of all his Goods, Oath by Governours, *&c.*
ia, *&c.* §. 3.	No Goods, *&c.* of *Aſia*, *Africk*, or *America*, to be Imported to *England*, but in *Engliſh* Ships.
oreign Growth, § 4.	No Foreign Growth to be brought from any other Place then of the Growth.
iſh, §. 5.	Fiſh not caught in Veſſels proper by *Engliſh*, to pay double Aliens Cuſtoms.
enizen, §. 6.	Not to carry any Goods from one Port of *England*, &c. to another, unleſs Denizens.
batement, §. 7.	Abatement or Eaſe in Rates, *&c.* is intended where three quarters of Ship are *Engliſh* Mariners.
uſcovy, *&c.* §. 8.	No Goods of *Muſcovy*, *Ruſſia*, no Maſts, *&c.* to be Imported, but in Ships of *Engliſh* Owners.
Wine, §. 9.	All Wines of *France* Import in other Ships then *Engliſh*, to be deemed Aliens; ſo of Spirits called Brandy-Wines.
oreign Ship, §. 10.	No Foreign Ship built to be ſaid *Engliſh*, till proved by Denizen, and Oath to Cuſtomer that he bought it, *&c.*
§. 11.	Officer allowing Priviledge of *Engliſh* Ship unduly, to be put out of Office.
§. 12.	Not to reſtrain *Straits* or *Levant* Goods in *Engliſh* Ships, *&c.* though not of that Growth.
§. 13.	Not to reſtrain *Eaſt-India* Commodities Imported in *Engliſh* Ships not of that Growth.
oreign Goods, §. 14.	*Engliſh*, *Iriſh*, *Welſh*, &c. may Import from *Spain*, *Portugal*, or *Azores*, or *Madera*, or *Canary* Iſlands, all ſorts of Goods of the Dominions thereof.
§. 15.	None to extend to Bullion, Reprizals, *&c.*
otch Goods, §. 16.	Not to lay Alien Duties on the Growth of *Scotland*.
ench Ship, §. 17.	Ships of Subjects of *French* Kings with Goods, or Paſſengers, pay Five ſhillings the Tun, to continue ſo long as Fifty Sols *per* Tun Impoſed by *French* King, continues.
ugar, &c. §. 18.	No Sugars, Tobacco, *&c.* of *Engliſh* Plantation in *America*, *Aſia*, or *Africk*, to be ſhipt thence to other Plantations there, but in *Engliſh* Ships, on forfeit.
merica, §. 19.	Exporting to *America*, &c. to give Bond to Cuſtomer One thouſand pound, with one Surety, if one hundred Tun Burden, if more, Two thouſand pounds, to unload Goods of Plantation here, *&c.*
uſtom, *c.* 19.	Conveying Goods without Cuſtoms due by 12 *Car.* 2. *Cap.* 4. §. 6. or Agreement, to be ſeized as forfeit, and Houſe in which Concealed, may be broken.
§. 2.	No Houſe to be entred but within a Month of the Offence.
§. 3.	To endure to Firſt Seſſion of the next Parliament.
§. 4.	On falſe Suggeſtion, Party to recover full Damages and Coſt againſt Informer.
uſtom, *c.* 23. §. 14.	Shall pay ready Money for new Impoſt during the Kings Life, on Foreign Liquors Imported.

The like upon Grant of the ſame Exciſe to the King in Fee in lieu of Tenures and Purveyance.	Cuſtom, *c.* 24. §. 27.
Shall not Export from *England*, *Wales*, or *Ireland*, Sheep, Wooll, Wooll-fells, Mortlings, or Shorlings, Wooll-Flocks, or Fullers-Earth, or Fulling-Clay, into *Scotland*, or elſewhere.	Sheep, *c.* 32.
None to Export to *Jerſey*, *Guernſey*, *Sark*, or *Alderney*.	§. 2.
The things forfeit, and Offenders pay Twenty ſhillings each Sheep, Three ſhillings each pound of Wooll, *&c.*	§. 3.
Merchant diſabled to require any Account of Factor, not to take away any greater Penalty in former Acts.	§. 4.
Offence to be determined where Wooll is Packt, *&c.* or Offender taken.	Wooll, §. 5.
Offence to be proſecuted within a year.	§. 6.
Any may Seize for the King and himſelf, Lading of Ship in River, *&c.*	§. 7.
Seizer not to give Evidence againſt Party Indicted, *&c.*	§. 8.
Ships whereof Alien is part Owner, ſo Laden, forfeit.	§. 9.
Not to extend to dreſs Lamb ſkin.	§. 10.
Not to extend to Exporting of Wooll-Fells or Pelts, or Beds ſtuft with Flocks for neceſſary uſe of Ships paſſing within the Realms.	§. 11.
Not to extend to Wooll Exported from *Southampton* to *Jerſey*, &c.	§. 12.
Governour of *Jerſey* to give Warrant for no more then for that Place, *&c.*	§. 13.
Governour to make Entries, taking Twelve pence for Licence, *&c.*	§. 14.
None to Plant Tobacco in *England*, *Wales*, *Jerſey*, *Ireland*, &c. in prejudice of *American* Plantations.	Tobacco, *c.* 34.
Not to extend to Univerſity, Gardens, nor Place not exceeding Pole and half.	§. 64.
The Prices of their Letters to all Port of Trade.	Letters, 12 *Car.* 2. *Cap.* 35. §. 5.
A Confirmation of 12 *Car.* 2. *Cap.* 18. and *Cap.* 36. and *Cap.* 6.	13 *Car.* 2. *c.* 14.
None to Tranſport Hides Tann'd or Untann'd from *England* to *Scotland*, *Ireland*, &c.	Leather, 14 *Car.* 2. *c.* 7.
Hides of *Iſeland* belonging to this Realm, except *Ireland*, to be only to *England*.	§. 3.
Red Tann'd Leather to be bought only in Fairs, on forfeit, and Contract void, *&c.*	§. 4.
Tranſporting other then Calve and Sheep-ſkins dreſt, *&c.* diſabled Trade, and forfeit Five hundred pounds.	§. 5.
Boots, Shoes, or Slippers, may be Tranſported; *Quære* 5 *&* 6 *Edw.* 6. *Cap.* 15. §. 5, *&c.*	§. 6.
Maſter, *&c.* of Cordwayners, Sadlers, Girdlers, and Curriers, *&c.* may Search and Seize.	§. 7.
Penalties to be recovered by Debt, *&c.*	§. 10.
Tranſporting Leather is a common Nuſance.	§. 11.
Not to extend to ſix raw Hides, and three tann'd for neceſſary uſe of Ships, *&c.*	§. 12.
Cutters of Leather to give Notice to Currier before day of ſale.	§. 13.
No Veſſel to be above three days from *Graveſend*, to Place of Diſcharge, and then Purſer on Oath to Account of Burden and Contents.	Cuſtom how Collected, *c.* 11. §. 2.
No Captain, Maſter, Purſer, *&c.* Commiſſion by King, *&c.* to take in Merchandize till Entred; no Ships of War to unload here till notified to Cuſtomers.	§. 3.
Cuſtomers, *&c.* to go on Board and ſeize prohibit Goods of ſmall Parcels, and ſtay till all Duties paid, and if Maſter, *&c.* ſuffer Pack, *&c.* to be imbezelled, forfeits One hundred pounds.	§. 4.
Concealed Goods found after clearing the Ship, by Writ of Aſſiſtance of Exchequer ſeized.	§. 5.
Collectors in Ports to Account to Collectors in *London* appointed, as 12 *Car.* 2. *Cap.* 18. §. 11.	§. 6.
Warfingers ſuffering prohibited Goods to be ſhipt or landed, except as 1 *Eliz.* *Cap.* 11. forfeits One hundred pounds, and if Goods be taken out without preſence of Officer, the Boat forfeit, and Goods from Port to Port in *England*, &c. uncocketed, forfeited.	§. 7.
Falſe Certificate by Officer, forfeits Office, Fifty pounds, and a years Impriſonment; Counterfeiting any Cocket, *&c.* forfeits One hundred pounds, and Cocket void.	§. 8.
Goods Tranſported eſcaping Cuſtoms by Concealment, forfeit double Export.	§. 9.
Merchant or Servant to Subſcribe Entries, and no Children of Aliens under One and twenty to Trade.	§. 10.
No Party Jury in Suits for Tunnage, Ships, or Goods, *&c.*	§. 11.
Allowances Five pounds *per Cent.* Import, and Twelve pounds *per Cent.* on Wines to Merchant	§. 12.

	for Damages, *&c.* to be on Oath, as Export, *&c.*
§ 13.	Goods to or from *Scotland*, to pay Cuſtom at *Berwick* or *Carliſle*, on forfeit.
§ 14.	The King by Commiſſion may appoint any further place, except *Hull*, as 1 *Eliz.* 11. § 3. for Cuſtoms and Landing Merchandize.
§ 15.	No Ship ſeized for Import or Export, but by Cuſtomer, *&c.*
§ 16.	Perſons appointed 12 *Car.* 2. *Cap.* 18. on Suit to plead General Iſſue, and give Stat. in Evidence.
§ 17.	On default by Proſecutor, any Cuſtomer, *&c.* may Inform on Seizure.
§ 18.	No Informer to Compound under a third part of appraiſed value.
§ 19.	Cuſtomers, *&c.* taking Bribe, or conniving at falſe Entries, forfeits One hundred pounds, and diſabled.
§ 20.	Revealing Offence in two Months, to be acquit by Lord Treaſurer.
§ 21.	Foreign Goods to be Landed at moſt convenient Ports.
§ 22.	No Packet Boats to carry Goods, *&c.*
§ 23.	As to doubts on 12 *Car.* 2. *Cap.* 18. § 3. no Wine (other then Rheniſh) no Spicery, Grocery, Tobacco, Pot-Aſh, Pitch, Tar, Salt, Rozen, Deal Boards, Fir-Timber, or Oyl-Olive, to be Imported from the *Netherlands* or *Germany* on forfeit of Goods and Ship.
Tonnage, § 24.	Any Ship on which five ſhillings *per* Tun is payable by 12 *Car.* 2. *Cap.* 18. §. 17. putting in by Boat without Cuſtom from *France*, &c. forfeits Fourty pounds.
Tonnage, § 25.	Vinegar, Perry, Rape, Cyder, *&c.* diſcharged of other ſums then by 17 *Car.* 2. *Cap.* 4. and on Exportation, three pounds ten ſhillings *per* Tun allow, to Aliens four pounds fifteen ſhillings.
Logwood, § 26.	A Repeal of 23 *Eliz. Cap.* 9. § 2. and of 39 *Eliz. Cap.* 11. and that any quantity of Logwood may be Imported.
Logwood, § 27.	Importation of Logwood to be by rules in 12 *Car.* 2. *Cap.* 4 *&* 18.
Onus probandi, § 28.	*Onus probandi* in ſuit againſt Officer, ſhall lie on him that claims Property in Ship.
Seizure, § 29.	On ſeizure by 12 *Car.* 2. *Cap.* 18. Defendant ſhall have Commiſſion out of Chancery to examine beyond Sea.
Writ of delivery, § 30.	No Writ of Delivery of Goods ſeized in Exchequer, but on ſecurity, if periſhable.
Forfeiture, § 31.	Moiety of forfeits to the King, and moiety to Informer.
Aid, § 32.	All Officers and Subjects to Aid, *&c.* and be ſaved harmleſs.
Oath to Execute, § 33.	Deputies, Servants, *&c.* under Commiſſioners, to take Oath of due execution, *&c.*
Extortion, § 34.	Taking more then due, putting out courſe, or illegal Detainer, double coſts and damages.
Tonnage, § 35.	Exporting in Veſſel of two hundred Tun beyond *Malaga*, or Importing in Ship that hath not two Decks, and leſs then ſixteen Ordnance, to pay one *per Cent.* above rates of Tonnage, *&c.*
Fish, § 36.	Fiſh to *Mediterranean*, may be Tranſported in any Ship, and if moiety of Lading be Fiſh, any Wares Import.
Two Deck'd Ship, § 37.	In ſeven years from 25 *March*, 1662. building Ship of three or two Decks and an half, to have a Tenth of Cuſtoms for the two firſt Voyages.
Salt, § 38.	All Salt brought from *Scotland* to *Wales*, &c. to pay a halfpeny the Gallon Import.
Export of Bone-Lace, *Cap.* 13. § 2.	None to ſell, Export, or Import any Foreign Bone-Lace, Cutwork, Embroidery, Fringe, Band-ſtrings, Buttons, or Needlework, *&c.* forfeit fifty pounds, and the thing.
§ 3.	Juſtice of Peace on complaint, to authorize Conſtable to ſearch Shops, *&c.*
§ 4.	All Informations, *&c.* to be within twelve months of diſcovery of offence.
Accountants, of Prize Goods, *c.* 14. § 3.	Accountants for Prize-Goods, except 12 *Car.* 2. *Cap.* 11. § 33. to be ſued in the Admiralty.
Tranſporting of wooll, &c. *Cap.* 18 § 2.	Directly or indirectly Tranſporting from *England*, *Scotland*, *Wales*, or *Ireland*, Sheep, Wooll, Woolfels, Mortlings, Shorlings, to foreign parts, Felony.
§ 3.	Owner of Ship or Veſſel Aſſiſting, or Maſter that conveys, *&c.* Felons.
§ 4.	Offence to be tried where ſhipt or taken, *&c.*
§ 5.	Peer to be tried by Peers.
§ 6.	Party Offending muſt be Indicted within a year of offence.
§ 7.	No Wooll, Woolfels or Yarn, to be Preſt by Screws or Engines, into Pack or Cheſt.
§ 8.	No Tobacco-pipe Clay or Fullers Earth to be Tranſported from *England*, *Ireland*, or *Wales*, into *Scotland*, &c.
§ 9.	No Packs, Bags, Sacks, or Cask of Wooll, Woolfells, *&c.* Fullers Earth, or Tobacco-pipe Clay, to be carried from *England*, but in the day, from four to eight, and ſeven and five.

Not to void Penalties 12 *Car.* 2. *Cap.* 32. and 13 *Car.* 2. *Cap.* 14.	§ 10.
Maſter or Owner of Ship knowing, *&c.* Felony, and Exporting is nuſance.	§ 11.
Juſtice of Peace in Seſſions to determine Felonies, *&c.*	§ 12.
No foreign Wooll-Cards, Card-wyer, or Iron-wyer to be Imported, on forfeit, *&c.*	Wooll-Cards, *c.* 19.
Owners may mend old Wooll-Cards, or ſell for Tranſportation.	§ 2.
Several defects of 43 *Eliz. Cap.* 12. diſcovered.	*Cap.* 23.
Chancellor to iſſue ſtanding Commiſſion yearly or oftner, for three *Quorum*, one a Doctor of Law, or Barreſter five years ſtanding, to ſummon Witneſs, *&c.* take Oath before Mayor only, and then proceed.	Commiſſion, § 2.
Commiſſioners to direct Proceſs out of Admiralty beyond Sea.	Proceſs, § 3.
Any one Commiſſioner may examine witneſs on notice.	Witneſs, § 4.
Commiſſioners not to proceed againſt Perſon and Goods for the ſame Offence; not to prejudice Appeals to Chancery.	Appeal, § 5.
Shall Import Madder pure and unmixt, 15 *Car.* 2. *Cap.* 16. § 2. Repealed.	Madder, *Cap.* 30.
Encouraging Tillage ſpecially to be regarded, and the more profitable to Uſer, the better Trade.	Tillage, 15 *Car.* 2 *c.* 7
May Tranſport when one Quarter of Wheat exceeds not fourty eight ſhillings, Barley or Malt Twenty eight ſhillings, Oats Thirteen ſhillings four pence, Rye, Peaſe, and Beans thirty two ſhillings, paying Cuſtom as 12 *Car* 2. *Cap.* 4.	Tranſportation of Co § 2.
May Import at the ſame Rates, paying Poundage five ſhillings four pence the Quarter of Wheat, and Peaſe, Beans and Rye four ſhillings, Barley and Malt two ſhillings, Oats one ſhilling four pence.	Import of Corn, § 5.
No Commodity of *Europe* to be Imported into Plantation in *Aſia*, *Africk*, or *America*, except, *Tangier*, but in *Engliſh* Ships.	Import to Plantation § 6.
May in *Engliſh* Ships Lade Salt for *New-England*, *Madera* Wines, Servants, and Horſes, in *Scotland* and *Ireland*, and all ſorts of Victual, *&c.*	Salt export, § 7.
In twenty four hours of Importation to Plantation, to ſend name and particulars to the Governour, and not lade or unlade till notice Ship is ſo Navigated, *&c.*	Import to Plantation § 8.
Officer giving Warrant to other Ports before unlading in *England*, &c, forfeits place and value.	Officers warrant, § 9
Sea-coal may be Laded to any Plantation, paying one ſhilling eight pence, *per* Chaldron, *Newcaſtle* meaſure.	Sea-coal, § 10.
Security to be given of Navigating Ship ſo, and going to Plantation.	Security, § 11.
May Export all foreign Coin, Bullion, or Silver, without Cuſtom.	Coin export, § 12.
Importing of Cattel, to pay twenty ſhilling a Head, and ten ſhillings to Seizor, and ten ſhillings to Poor, for great Cattel.	Cattel import, § 13.
For every Sheep Imported, ten ſhillings.	Sheep import, § 14.
Shall Import freſh Herring in *Engliſh* Ships on forfeit, *&c.*	Herring, § 16.
Cuſtoms of Cod-fiſh, the Barrel five ſhillings, Laſt three pounds, Hundred ten ſhillings, *&c.*	Cod-fiſh Cuſtoms, § 17.
Planting Tobacco, forfeits ten pounds a Rod or Pole, *&c.*	Tobacco, § 18.
Reſiſter of Execution of this Act to be impriſoned till Recognizance not to offend.	Reſiſter, § 19.
Not to prejudice Planting Tobacco in Phyſick Garden.	Tobacco, § 20.
Cattle of the *Iſle of Man*, Land at *Liverpool*, may be Imported under ſix hundred a year, or Corn.	Cattel, § 21.
Not to Land Foreign or Imported Liquors, till Entries made.	Land Liquors, *c.* 11. § 1
Not to Land Exciſeable Liquors, except, *&c.* untill Entries made, *&c.*	§ 18.
Maſter of Merchant-Man yielding to Pirate under double number of Guns, diſabled.	Maſter of Ship, 16 *Car.* *Cap.* 6. § 3.
Maſters ſhall have ſhare of Prize, as Private Man of War.	§ 11.
Maſter that becauſe of Bottomree, *&c.* deſtroys Ship, is a Felon.	§ 12.
Importing *Iriſh* Cattel a common Nuſance, and to be ſeized.	Iriſh Cattel, 18 *Car.* 2 *Cap.* 2.
Ling, Herring, *&c.* Imported by Aliens, to be ſeized.	Ling, § 2.
Iſle of Man may Import ſix hundred Cattel.	Cattel, § 3.
Charge for Coynage, ten ſhillings *per* Tun of Wine, Vinegar, Cyder or Beer, and twenty ſhillings *per* Tun Brandy, *&c.*	Coinage charge, *c.* 5. § 4

To

§. 7. To be Levied as Tonnage and Poundage; §. 8. Duty repaid on Tranſportation within a year.

Prizes, 19 *Car.* 2. *c.* 11. §. 2. Prizes *Bona fide* belonging to Subjects, to be uſed in Trade as *Engliſh* ſhips.

§. 3. Owners to ſwear that no Alien hath Intereſt therein.

§. 4. Officers of Cuſtoms to Regiſter and make Duplicates of ſuch of *England*, *wales*, or *Ireland*.

§. 5. The *Margaret*, and the *John*, and *Francis*, *Flemiſh* taken before the Peace, *Engliſh*.

eather, 20 *Car.* 2. *c.* 5. Abatement of Rent by prohibiting Export Leather, 14 *Car.* 2. *Cap.* 7.

§. 2. Native or Foreigner may buy in Market, and Export Leather, Sheep-ſkins, *&c.*

§. 3. Continued to 25 *March*, 1675. and to the end of the firſt Seſſion of Parliament then next, *&c.*

ish Cattel, *Cap.* 7. §. 2. Conſtable, *&c.* ſeizing *Iriſh* Cattel Imported *contra* to 18 *Car.* 2. *Cap.* 2. Indempnifie againſt all fraudulent Sales of Officers at Law, Rates to Importers, *&c.*

eizure, §. 3. Any Inhabitant where Cattel are Imported from *Ireland*, may ſeize and deliver to Conſtable.

orfeiture, §. 4. On default of Seizure, Inhabitants forfeit One hundred pounds to the Poor.

orfeiture, §. 5. Ship and Tackle forfeit, if ſeized within a year, Moiety of Sale to Poor, Moiety to Informer.

eizure, §. 6. Conſtable of any Pariſh, *&c.* into which Cattel are driven, may ſeize.

eneral Iſſue, §. 7. Party ſued, to plead General Iſſue, and Evidence muſt prove it in the County where laid.

e of Man, §. 9. Not to hinder Importation from the *Iſle of Man*.

eizure, §. 10. Wilful Conſpiracy to avoid Seizures, to be *Præmunire*.

ine Import, 22 *Car.* 2. *Cap.* 3. Importer to pay or ſecure Eight pounds *per* Tun *French* Wines after 24 *June*, 1670. and before 24 *June*, 1678.

andy, *Cap.* 4. §. 2. Shall pay for Brandy as Strongwater perfectly made, not as Spirits.

rn, *Cap.* 13. May Tranſport Corn at any Price, and Cattel.

ustom, §. 3. Cuſtoms of One hundred weight of *French* or Pearl-Barley, Five ſhillings.

ef, &c. §. 4. May Tranſport Beef, Pork, Bacon, Butter, Cheeſe, Candles.

utter, &c. §. 5. Barrel of Butter Twelve pence, for One hundred weight of Cheeſe Four pence, and no more Cuſtom.

eep, &c. §. 6. To pay for Sheep, Ox, *&c.* Tranſporting Twelve pence, and §. 7. Cows Twelve pence, and §. 8. Horſes Five ſhillings.

ip-builder, 22 & 23 ar. 2. *Cap.* 11. §. 13. Builders of Ships in ſeven years from 1 *May* next. of three Decks, to have Ten pounds of the firſt two Voyages.

§. 14. Builders of Ships of two Decks, a Twentieth part of all Cuſtoms.

er Cuſtom, *c.* 13. May Tranſport Ale, Beer, or Mum, at Twelve pence *per* Tun.

feiture, §. 2. Unlading in *England*, &c. What is ſhipt, forfeits that and One hundred pounds.

§. 3. Commiſſioners of Exciſe to charge Maſter of Ship with uſual proportion.

§. 4. Payments and Penalties to be as by the Laws of Tonnage and Poundage.

§ 5. No Duty of Mum paid at Importation, to be paid on Exportation.

§. 6. Continued for ſix years from 26 *June* 1671. and to end of next Seſſion of Parliament.

ort Tobacco, *c.* 25. Every Juſtice a month before every Seſſions, to iſſue Warrant to Enquire of Planting Tobacco.

§. 3. Preſentment to be Conviction, unleſs Party on ten days notice Traverſe next Seſſions.

§. 4. Conſtables by Warrant to pluck up, burn, or conſume it.

§. 5. If any be permitted fourteen days after Warrant, Officer forfeits Five ſhillings *per* Pole.

§. 6. Refuſing to aſſiſt Officer, forfeits Five ſhillings by Diſtreſs and Sale.

§. 7. Reſiſter forfeits Five pounds, and §. 8. Defendant to plead General Iſſue, and have Coſts.

§. 9. Not to extend to Phyſick-Garden, *&c.*

§. 11. That *Ireland* notwithſtanding 12 *Car.* 2. *Cap.* 18. §. 19. to be omitted in Bonds of Importation.

§. 12. Governours of Plantation once a year to Return to Cuſtomers of *London*, a Liſt of Ships, *&c.*

§. 13. Any perſon to proſecute ſuch Ships in Admiralty, and have Moiety.

§. 14. *Tangier* not to be deemed any Plantation, *&c.*

§. 15. To continue for nine years, and ſo to end of next Seſſion of Parliament.

t of Corn, 25 *Car.* 2. . 1. §. 37. To enable Owners of Land to pay Tax, Exportation for three years, *&c.* when Malt or Barley is Twenty four ſhillings the Quarter, Rye Thirty two ſhillings, VVheat Fourty Eight ſhillings, or under, paying Cuſtoms, *&c.* and giving Bond not to Import it again.

A Repeal of 11 *H.* 7. *Cap.* 14. and 12 *Car.* 2. *Cap.* 4. §. 6. and all other Statutes that concern Native Commodities, (except Coals) paying double Cuſtoms by Alien, *&c.* Alien, *Cap.* 6.

Aliens or Denizens to pay for all (except Coals) no other Cuſtoms then Subject. §. 2.

Denizen and Alien to pay for Fiſh caught, Export with *Engliſh* Ships and men only as Subject, and no more. §. 3.

VVhile Reſident here, Alien or Denizen may Trade to *Greenland*, and Import Oyl, Blubber, *&c.* paying Six ſhillings *per* Tun Cuſtoms. Import Oyl, *Cap.* 7.

No *Engliſh* Ship to enjoy benefit of Voyage from *Greenland*, unleſs it went from *England*, &c. Greenland, §. 2.

Shipping in Plantation, without firſt giving Bond to come to *England*, to pay the ſpecial Duties named. Duties, *Ibid.*

Commiſſioners of Cuſtoms of *England* to Levy the Duties by Direction of Lord Treaſurer. §. 3.

In ſtead of Money, proportion of Commodity may be accepted. §. 4.

Native or Foreigner may Trade to *Sweden*, *Denmark*, and *Norway*. Trade, §. 5.

Any Subject to *Eaſtland* Merchant, paying Fourty ſhillings. §. 6.

A Prohibition for three years of Importation of *French* Commodities. French Commodities, 29 & 30 *Car.* 2. *p.* 1497.

Makes 18 *Car.* 2. *Cap.* 2. perpetual againſt Importing Cattel. Cattel, 32 *Car.* 2. *c.* 2. §. 2. *N.* 2.

Not to hinder Importation of Stock-Fiſh or Eels. Stock-Fiſh, §. 7. N. 1.

No Mutton or Lamb ſhall be Imported. Mutton, §. 8. *N.* 2.

No Butter or Cheeſe ſhall be Imported. Butter, §. 9. *N.* 2.

Tonnage, Poundage and Exciſe ſettled on the King for Life, which was ſettled on the late King for Life, by 12 *Car.* 2. *Cap.* 4. & 23. Tonnage, Poundage, Exciſe, 1 *Jac.* 2. *c.* 1.

Reviver 12 *Car.* 2. *Cap.* 19. and 13 & 14 *Car.* 2. *Cap.* 11. for the Kings Life. §. 4.

Impoſition on VVines and Vinegar Imported between 24 *June* 1685. and 1693. towards repairs of Navy, and providing Stores for Navy, and Ordnance, *&c.* Wines, Vinegar, *c.* 3.

Tun of *French* VVines and Vinegar 8 *l.* of *Spaniſh* and other VVines 12 *l.* French, 8 l. Tun, Spaniſh, 12 l. §. 2.

Importer before Landing to pay down Duties, (deducting an Allowance) or giving Security for payment thereof, at thrice. Paying Duties, &c. §. 3.

Importer paying ready Money, to have abatement of 10 *l. per Cent. per annum.* Abatement, 10 l. per Cent. §. 4.

Liquors Landed without payment or ſecurity to be forfeit, or the value thereof, and Importer liable to Duties. Penalty, §. 5.

Importer to pay Duties for neat remainder only, Neat, remainder to pay. and Importer (not Vintner or Retailer) paying ready Money to have further abatement of 8 *l. per Cent.* Further abatement. And none to be Charged with Duty of Priſage Wine, but Perſon enjoying benefit thereof. Priſage Wine, §. 6.

If Imported Liquors are Exported, Duties not to be repaid, nor Security diſcharged. §. 7.

Officers to have like power as touching Tonnage and Poundage; Officers Power. and Liquors Landed before performance of what is required, Liquors ſeizable. and Perſons practiſing Fraud, liable to ſeizures and penalties of former Acts. Fraud, §. 8.

Proof of Duties paid, or ſecured, for Liquors ſeized, to lie on the Claimer. Onus Probandi, §. 9.

Impoſition on Tobacco and Sugar Imported, between 24 *June*, 1685. and 1693. for further Repairs of Navy, *&c.* and payment of Debts to late Kings Servants, and Family, *&c. viz.* Tobacco of *Engliſh* Plantations, 3 *d. per* pound; Foreign, not of *Engliſh* Plantations, 6 *d. per* pound; *Muſcovade* Sugar of ſame Plantations, 1/4 the pound; Sugar, of *Engliſh* Plantations, for Common uſe, 3/4 the pound; *Muſcovade* Sugar, not of *Engliſh* Plantations, 1/2 the pound; *Panele* Sugar, 1/2 the pound; Foreign White Powder Sugar, 1 *d.* 1/4 the pound; Foreign Loaf Sugar, 3 *d.* the pound; Tobacco, Sugar, *c.* 4. To be Levied on Conſumptioner, *&c.* and paid on Landing. Duties Leviable, on whom, when payable.

Merchant, not Retailer, *&c.* to give Security, not to deliver Goods before Duties paid; Delivering Goods. or if he ſell, or export not within Eighteen Months, to pay the Duties: Paying Duties. And Goods ſold to be Certified, Certifying Goods ſold. and Buyer pay Duties, Buyer paying. and Importer before Receipt of Certificate of payment, not to deliver, Delivering Receit. nor Buyer, or others, receive Goods, on Forfeiture of double Duties, or value of the Goods. Penalty, §. 2.

Barter ſhall be a Sale, and Duties preſently paid, on forfeiture as for not paying Duties on Sale. Barter, §. 3.

Goods ſold, or Barter to Export, to be Certified, and Bond given to Export, to be alſo Certified, and Importer diſcharged for ſo much, and the Bond to be diſcharged by Certificate of Shipping, and Oath that not relanded. Goods ſold, &c. to Export, §. 4.

Adjuſting Import Accounts, §. 5.	Merchants Import Accounts to be adjuſted every Three Months, what ſhall be done in order thereto, and Penalties on perſons neglecting or refuſing to do, what they are required.
Accounts diſcharged, §. 6.	Importers Accounts to be diſcharged by Exportation, and Certificate of the ſhipping out, and Oath that not relanded.
Repayment on Exportation, §. 7.	Importer a Retailer, *&c.* on Exportation, within Eighteen Months after Importation, to be repaid Duties.
Neat remainder chargeable, §. 8.	Importer to be charged only for Neat remainder of Goods duly Entred.
Goods waſted, §. 9.	Importer to have a further Allowance, not exceeding Eight pounds *per Cent.* for Goods waſted.
Not clearing Import Accounts, §. 10.	Importers not clearing Import Accounts, within Eighteen Months, to be charged, as Retailers, but Allowance to be for Waſtes.
Commiſſioners, Officers, §. 11.	His Majeſty may appoint Commiſſioners and Officers who ſhall duly attend.
Entring Goods, Lading, Unlading, Carrying, §. 12. Commiſſioners and Officers Power. Suing for Penalties. Swearing Deputy. Onus probandi.	Goods to be Entred in Importers Name, and none to be laden or unladen contrary to Statutes of Tonnage and Poundage, and penalties of thoſe Acts againſt Maſters of Ships, Seamen, *&c.* as to Landing, Loading or Carrying to be in Force, and Commiſſioners and Officers to Exerciſe Powers of thoſe Acts; Directions about Suing for the Penalties; Officers Deputies to be Sworn, and where Seizure, or Information by Officer, *Onus Probandi* to lie on Claimer or Defendant.
Linen, Silks, Stuffs, &c. *c.* 5. Brandy.	An Impoſition on all *French*, and *East-India* Linen, and other Manufactures of *India*, and on all *French* Wrought Silks, and Stuffs and other Wrought Silks, and on Brandies Imported, between 1 *July*, 1685. and 1 *July*, 1690.
29 & 30 *Car.* 2. *c.* 1. *Cap.* 6.	Repeal of Clauſe of Prohibition of *French* Commodities in 29 & 30 *Car.* 2. *Cap.* 1.
Coals, *c.* 15.	Impoſition of Eighteen pence *per* Chaldron or Tun of Coals brought into *Thames*, between 29 *Sept.* 1687. and 1700. for Building and Finiſhing *Pauls* Church.
Revivor, *c.* 17. §. 13.	Revives 22 & 23 *Car.* 2. *Cap.* 26. for Seven years.
Tonnage on Foreign Tranſport-Ships, *Cap.* 18. §. 2. For what Uſes.	Foreign built Ships, and Veſſels, imployed in Tranſporting Goods from Port to Port, to pay over Duties paid by *Engliſh* built Ships, Five ſhillings *per* Tun for every Voyage, One Moiety before delivery of Lading, to Cheſt at *Chatham*, and the other to *Trinity-Houſe* of *Debtford-Strond.*
Ships not free, §. 3.	Foreign Ships not Free, for every Voyage, to pay Twelve pence *per* Tun above Duties paid by *Engliſh* built Ships, for ſame uſes.
Duty how recoverable, §. 4.	Duties recoverable according to 12 *Car.* 2. *Cap.* 4.
Not Farmed, §. 5.	Theſe Duties not to be Farmed but paid and accounted for as directed.
Revenue, 1 *W & M. Seſſ.* 1. *c.* 14.	Revenue of two late Kings which Continued on 5 *Novemb.* 1688. (except Hearth-Money) to be Collected and paid their Majeſties till 25 *Decemb.* 1689. as formerly.
Penalties and Forfeitures, §. 6.	Forfeitures and Penalties, *&c.* concerning Cuſtoms, Exciſe, Importation, or Exportation of Prohibited Goods incurred, between 11 *Decemb.* and 13 *Febr.* 1688. may be proſecuted for, by Informer.
Prohibiting Trade with France, Deſtroying French Goods, *c.* 34. §. 2.	Prohibition of Trade and Comerce with *France* after 24 *Auguſt*, 1689. for Three years, and *French* Goods ſingle or mixt to be deſtroyed.
Forfeiture, §. 3. Diſtruction.	Importer to forfeit Value of the Goods; and perſon in whoſe poſſeſſion Seized, and Retailer to forfeit for firſt Offence, ſingle Value, and for ſecond double, and diſabled for Office, and Goods to be deſtroyed.
Poſſeſſor, Retailer, Onus probandi, §. 4. Proſecution. Officer Aſſiſtant. Keeping the Goods. Entries. Tranſmitting to Commiſſioners.	Perſon in whoſe Poſſeſſion found, and Retailer, liable to like Penalties; Proof Incumbent on Defendant. Informer, *&c.* fraudulently delaying Proſecution, to forfeit Five hundred pounds. All Officers to be aſſiſting in deſtruction, Goods to remain in Warehouſes till Judgment, to be Examined and Regiſtred; Entry to be made of Frauds, *&c.* Copies of Entries and Examinations, and Certificate of Deſtruction, to be tranſmitted to Commiſſioners of Cuſtoms, with the Abſtracts of the Ports.
Delivering out Goods, §. 5.	Goods not to be delivered out of Ware-houſe, till Judgment, unleſs at Tryal.
Seller, §. 6.	Seller, not Merchant, Vintner, or Shopkeeper, above Penalties aforeſaid, to be Twelve Months Impriſoned.
Forfeitures and Penalties, §. 7.	Ships, *&c.* wherein prohibited Goods ſhall be Imported, to be forfeit, and Maſter or others taking Care thereof, to forfeit Five hundred pounds, and be Commit for Twelve Months; Aſſiſtant to ſuffer like Impriſonment, or be Whipt; Carriages, *&c.* to be forfeit, and maſter and others unſhipping Goods to forfeit Five hundred pounds, and ſuffer like Impriſonment.
Brandy, Diſtilled Waters, §. 8.	No Brandy, or Diſtilled Waters, to be Imported under forfeiture thereof.
Value of Goods, §. 9.	Value of Goods to be at Rate of Thirty pounds *per* Tun Wine, and Fourty pounds *per* Tun Brandy, and as in Book of Rates for other Goods, and Goods not Rated in Book of Rates, to be valued by Jury.
One third to Proſecuto §. 10.	Proſecutor of Goods to Deſtruction, to have one third of the Value of the Goods paid by Owner.
Penalty divided, §. 1	Reſidue of the Penalties to be divided into three parts, two thirds to their Majeſties, and one third to Seizor and Proſecutor.
Claim, §. 12.	None to be admitted to Claim, till Security given.
Connivance, §. 13.	Penalty on Cuſtom Officer, or other, Conniving at Importation.
Entring Houſes, §. 1	Any by Writ of Aſſiſtance, may Enter Houſes, *&c.* and break open Doors, *&c.* to Seize prohibited Goods.
Seizure, Proſecution Defendants Priviledge, §. 15.	Seizing Goods, or Proſecuting Offenders, may be as for Offending againſt Laws of Cuſtoms, *&c.* And Defendant may plead General Iſſue, *&c.*
G. J. A. S. M. §. 16.	No prohibited Goods ſhall be Imported from *G. J. A. S. M.* under Penalty of this Act.
G. H. and A. S. §. 17.	*G. H.* and *A. S.* Merchants, permitted to Export *Spaniſh* Brandy.
Price of Wines, §. 1	*French* Wines, or Wines mixt, from *September*, 1689. to *September*, 1690. not to be ſold for above Twelve pence *per* Quart; and after *September*, 1690. Six pence *per* Quart, on Penalty of Five pounds firſt Offence, Ten pounds ſecond, and every other Offence.
Wine Meaſures, §. 19.	After *September*, 1689. Retailer not to ſell Wines, other then by Pewter Meaſures, Sealed under pain of Five pounds.
Adulterating Wine, §. 20.	Adulterating Wine, or ſelling Wine Adulterated, to forfeit Three hundred pounds, and be Commit for Three Months.
Revenue, *Seſſ.* 2. *c.* 3	Revenue (except Hearth-Money) of late Kings which Continued on 5 *Novemb.* 1688. to be collected and paid to their Majeſties till 25 *Decemb.* 1690. as formerly
Forfeitures, Penalties, §. 6.	Forfeitures and Penalties, *&c.* concerning Cuſtoms, Exciſe, Importation, or Exportation of prohibited Goods, incurred between 11 *December* and 13 *February*, 1688. may be proſecuted for by Informer.
Coffee, Chocolate, C *Cap.* 6. §. 2.	Repeal of Acts for Collecting Duty on Coffee, Chocolate, and Tea, by way of Exciſe, as to ſuch Collection.
Collecting Duty, § Additional Duties.	Duties to be Collect at Cuſtom-houſe. Additional Duties laid on Coffee, Cocao Nuts, Tea, and Chocolate Imported, *viz.* Hundred of Coffee Five pounds twelve ſhillings, Hundred of Cocao Nuts Eight pounds eight ſhillings, Pound of Tea or Chocolate Five ſhillings.
Payment, Tender, greement, §. 4 Continuance.	Duties to be paid, or Tendred with Conſent of Comptroller, and Surveyor, or agreed for in Cuſtom-houſe, before unſhipping, upon forfeiture of the Goods. To Continue for Five years.
Repayment on Ex tation, §. 5.	Importer upon Exportation within Six Months after Importation to be repaid two thirds of Duties.
Nutmegs, Cinam Cloves, Mace, §	Importation of Nutmegs, Cinamon, Cloves, and Mace in *Engliſh* Ships (one third Mariners *Engliſh*) permitted, paying double Cuſtoms, and firſt giving Notice thereof to Commiſſioners, or Farmers of Cuſtoms, and having Licence to Import.
Tonnage and Pou age, &c. to *Car.* 2 Life, 2 *W & M.* S *Cap.* 4. §. 2.	Tonnage and Poundage and other Moneys (granted to King *Charles* II. for Life by 12 *Car.* 2. *Cap.* 4.) granted to their Majeſties for Four years, from 24 *December*, 1690.
Revivor, §. 3.	Revives 12 *Car.* 2. *Cap.* 19. 13 & 14 *Car.* 2. *Cap.* 11. and 25 *Car.* 2. *cap.* 6 & 7. for Four years, but not to Determine perpetual Clauſes.
Thrown Silk, *c.* 9	Importation of Thrown Silk prohibited, upon forfeiture thereof, (except of Growth of *Italy*, *Sicily*, or *Naples*, and Imported as directed by 12 *Car.* 2. *Cap.* 18.)
Eaſt-India Goods, & Wrought Sil *Seſſ.* 2. *Cap.* 4.	Additional Impoſitions upon all *Eaſt-India* Goods and Manufactures, and on all Wrought Silks, and ſeveral other Goods and Merchandizes Imported, between 25 *December*, 1690. and 10 *Nov.* 1695.
Levying Duties, §	Duties to be Levied according to Value of Goods in Book of Rates, and where not Rated, according to Importers Oath.
Time for paying D §. 54. Abatement. Repayment on Ex ration.	Importer giving Security, to have Twelve Months time for payment Quarterly, or paying ready Money, Ten pounds *per Cent.* abated, and on Exportation within Twelve Months Duties to be repaid, or Security Vacated.

Except Stores, §. 55.	Not to affect Stores ſold to uſe of Navy before *Nov.* 1690.
Collecting Duty, &c. §. 56.	Duties to be Collected, and Paid according to 12 *Car.* 2. *Cap.* 4.
Clauſe of Loan, §. 57.	Clauſe for Loan at 8 *l. per Cent. per annum* Intereſt.
Entring Duties apart, Tallies, Orders, Regiſtring Orders, payment, §. 58.	The Monies to be Entred apart, and Lenders to have Tallies, and Orders for repayment of Principal, with Intereſt, and Orders to be Regiſtred, and Payments made in Courſe.
No Preference in Entrie, §. 59.	No undue preference where Tallies or Orders bearing Date, are brought and Entred the ſame day.
Payment, §. 60.	No undue preference in Payment, *&c.* of ſubſequent Orders brought before precedent, ſo as Money be reſerved to ſatisfy the precedent, but Intereſt to ceaſe.
Aſſignment, §. 61.	Orders Aſſignable by Indorſement thereon, *&c.*
Tobacco, *Cap.* 5. Borrowing Clauſe.	Continuance of 1 *Jac.* 2. *Cap.* 3. & 4. till 24 *June* 1696. as to Tobacco only, for defence of the Kingdom; But not to alter 1 *W & M. Cap.* 34. with a Borrowing Clauſe at 8 *l. per Cent. per annum.*
Reviver, *Cap.* 7. §. 2.	Revives 16 & 17 *Car.* 2. *Cap.* 2. from *Decemb.* 1690. for ſeven years, and to the end of the next Seſſion.
Coal Veſſels, §. 3.	Diſpenſation with 12 *Car.* 2. *Cap.* 18. §. 6. as to Coal Veſſels, during War.
Exporting Brandy, *Cap.* 9. §. 6.	Brandy made from Corn, may be exported, and the Exporter to have an Allowance of Three pence *per* Gallon.
Prohibited Goods Entred, Imbezelled, and not deſtroyed, *Cap.* 14. §. 2.	Officers knowingly ſuffering Prohibited Goods to be Entred, or Imbezelled, and not Deſtroyed according to the 1 *W & M. Seſſ.* 1. *Cap.* 34. to forfeit Five hundred pound, and be uncapable of Office.
etailing Wine, Meaſures, Price, §. 3.	Retailer of Wine, or other Liquors for Wine, by Meaſures not Pewter, and Sealed, or for a greater Price then appointed by 1 *W & M.* to Forfeit Fifty ſhillings, to be Levied by Diſtreſs and Sale, *&c.* or commitment till payment.
Offender not liable to other Penalties, Certiorari, §. 4.	Offender hereby puniſhed, not to incur Penalties of other Law, and no *Certiorari* to lie on proceedings upon this Act.
eſiſting Execution of this Act, or 1 *W & M.* §. 5.	Perſons reſiſting, *&c.* Execution of this Act, or 1 *W & M.* to be Commit till next Quarter Seſſions, and Fined, not exceeding Five pound, and remain till diſcharged, *&c.*
leſh, Butter, &c. 3 & 4 *W & M. Cap.* 8.	Diſpenſation with 2 *W & M. Seſſ.* 1. *Cap.* 4. as to Impoſition on Beef, Pork, or Hogs fleſh, Butter, Cheeſe, or Candles Exported.
& 5 *W & M. Cap.* 5.	Additional Impoſition laid on ſeveral Goods and Merchandizes Imported between 1 *March* 1692. and 1696. for Proſecuting War againſt *France.*
ollecting Duties, §. 4.	To be Collected, and Paid (except where otherwiſe directed) according to 12 *Car.* 2. *Cap.* 4.
ollecting Duty on Brandy, §. 5.	Duties on Brandies to be Collected, and Paid according to the 12 *Car.* 2. *Cap.* 24. and 15 *Car.* 2. *Cap.* 11. and other Laws of Exciſe.
ime for paying Duties, §. 6. atement. payment on Expor- ation.	Importer giving Security to have Twelve Months to pay Duties, or paying ready Money Ten pound *per Cent.* abatement, and on Exportation by *Engliſh* Merchant within Twelve Months, or by Stranger within Nine Months, Duty to be repaid, or Security vacated, (except Brandy.)
ber, &c. repayment n export, §. 7.	Duties for Amber, Coral and Cowries to be repaid, if Exported within Three years.
ndy Veſſel Import- d, §. 8.	No Brandy to be Imported in Veſſels not containing Sixty Gallons, upon forfeiture thereof, or the Value.
parate Accounts of Duties, Weekly ayment, §. 9.	Collectors to keep ſeparate Accounts, and pay Duties weekly into the Exchequer, upon Forfeiture of Office.
ins and Currants ſcharg'd part Du- , §. 10.	Raiſins and Currants Imported after 25 *Mar.* 1693. diſcharged of half the Duty charged by 2 *W & M. Seſſ.* 2. *Cap.* 4.
licoe how charg'd, 11.	Piece of Callicoe Imported after 1 *March* 1692. during 2 *W & M. Seſſ.* 2. *Cap.* 4. of one Yard and one Quarter breadth or under, exceeding Ten Yards in length; and above that breadth, Six Yards in length, to pay as in Book of Rates, otherwiſe according to Admeaſurement.
Countrey Linen, o to pay, §. 12.	Eaſt Countrey Linen (except *Ruſſia*) above Three Quarters and half broad, to pay as *Germany* Linen, during 2 *W & M. Seſſ.* 2. *Cap.* 4. and Whited Hinderlands from ſame Countrey, under that breadth, to pay as narrow Eaſt Countrey Linen.
diſcharg'd half y, §. 13. on Cocao Nuts. Chocolate above Rates.	Duty on Coffee, by 1 *W & M. Seſſ.* 2. *Cap.* 6. diſcharged after 25 *March* 1693. for one half; and *Cocao* Nuts Imported from *Engliſh* Plantations, to pay Six pence *per* pound, and from other places Eight pence; Tea One ſhilling *per* pound, and Chocolate ready made One ſhilling the pound all above Duties in Book of Rates.

Officers of Cuſtoms not to take Fee for Debenters for Repayment of Duties on Exportation, but what is allowed by Book of Rates, nor for Oath.	Cuſtom Officers Fee, §. 15.
Clauſe of Loan for 500000 *l.* at Eight pound *per Cent. per annum* Intereſt, with Directions relating thereto, and Penalties on Offenders.	Loans, §. 17.
Appropriation of Duties and Penalties.	Appropriation, §. 23.
Duties not to extend to Naval Stores contracted for before 1 *January* 1692. *&c.*	Naval Stores Except, §. 24.
Commiſſioners and Patent Officers of Cuſtoms, their Deputies, Clerks or Servants, to be Sworn before 19 *April*, and to take nothing but Sallaries, and Lawful Fees.	Commiſſioners, Officers, &c. of Cuſtoms, Swearing, Fees, &c. §. 25.
Importation and Sale of Foreign Buttons prohibited on Penalties, in 13 & 14 *Car.* 2. *Cap.* 13.	Foreign Buttons prohibit, *Cap.* 10. §. 2.
Juſtices of Peace inveſted with Authority for Seizing Foreign Buttons, given by 13 & 14. *Car.* 2. *Cap.* 13. for ſeizing Manufactures.	Seizing Foreign Buttons.
Reviver of 1 *Jac.* 2. *Cap.* 3. and of *Cap.* 4. (as to Tobacco) to continue till 24 *June* 1698.	Tobacco, *Cap.* 15. §. 2, 3.
Commiſſioners and Officers for Cuſtoms, and their Deputies, before 19 *April* next, or at their Admiſſions hereafter, to take Oath for true Execution of their Imployments, and not to take any reward beſides Sallaries and Fees.	Commiſſioners and Officers of Cuſtoms, §. 25.
Reviver of the 2d of *W & M. Seſſ.* 2. *Cap.* 4. to continue till 10 *Novemb.* 1697. Except Duties otherwiſe provided for, or altered this Seſſion; And for charging ſeveral Joynt Stocks.	Reviver, §. 4. Joynt Stocks.
Clauſe of Loan for 500000 *l.* at Eight pound *per Cent. per annum* Intereſt.	Loan.
Joynt Stock of *Eaſt-India* Company valued at 744000 *l.* to pay Five pound *per Cent* Quarterly.	Eaſt-India Company, §. 10.
Joynt Stock of Royal *African* Company, as now Computed, to pay Twenty ſhillings *per* ſhare Quarterly.	African Company, §. 11.
Joynt Stock of *Hudſon's-Bay* Company to pay Five pound *per* ſhare as now computed Quarterly; And for nonpayment, Companies Charter void.	Hudſons Bay Company, Nonpayment, §. 12.
None but true Exporter to Swear to a Debenture for Duties drawn back upon Exportation.	Swearing Debenture, §. 13.
Perſons agreeing to deliver Goods Imported without paying Cuſtoms, or any Prohibited Goods, and Procurers thereof, and their Aſſiſtants, to forfeit Five hundred pound.	Delivering Goods, Prohibited Goods, §. 14.
Perſons agreeing for Inſuring, or Conveying Goods Imported, without paying Duties, or Prohibited Goods, or Receiving Prohibited Goods on Land, or other Goods before Cuſtoms paid, to Forfeit Five hundred pound.	Inſuring, Conveying, Receiving on Land, §. 15.
Inſurer, Conveyer, or Manager of Fraud, diſcovering, to keep the Inſurance Money, or Reward, and be diſcharged of Penalties, and have half of the other Forfeitures; And if the Party Inſured make the diſcovery, to recover back his *præmium*, and have one Moiety of the others Forfeitures, and be diſcharged of his own.	Diſcovering Fraud, §. 16.
Penalties recoverable in the Exchequer, as other Penalties.	Penalties how recoverable, §. 17.
Penalty to be Proſecuted for within Twelve Months.	Proſecuting Penalty, §. 18.
Duties payable at Cuſtom houſe for Prize Goods, applicable to the Credit in *Cap.* 5. of this Seſſion.	Duties for Prize, §. 19.
An Act for ſettling the *Greenland* Trade.	Greenland Trade. *c.* 17.
A Joynt Stock of 40000 *l.* to be raiſed by Subſcriptions, by Sir *W. S. H. B.* and others, and paid to the uſe of the Company.	Raiſing Joynt Stock, §. 6.
Sharers Incorporated by Name of, *&c.* to have ſucceſſion common Seal, ability to Purchaſe, *&c.* and to do all that a Corporation may do.	Incorporation, Name, Capacity, §. 7.
Company may uſe Trade, *&c.* of Catching Whales (except in Sea of *Engliſh* Colonies.)	Catching Whale, §. 8.
Governour, Deputy Governour, and Sixteen Committees to be choſen for managing Trade and Companies Affairs.	Governour, Deputy Governour, 16 Committees, §. 9.
Subſcriptions to be made in a Book, on or before 1 *May*, and Stock not to be leſs then 40000 *l.* None to ſubſcribe leſs then 500 *l.* nor more than 2000 *l.*	Subſcription, Stock 40000 *l.* §. 10.
Subſcribers to pay down One Fourth, and reſidue as appointed by Governour, *&c.* within Four years.	Payment, §. 11.
Defaulters in payment, not to have other advantage then for Money paid.	Nonpayment, §. 12.
Defaulters in payment, to loſe to the Adventurers, Ten pound *per Cent.* for Sums not paid.	Nonpayment, §. 13.
A Court to be called, and a Governour, Deputy Governour, and Sixteen Committees to be choſen, to continue till 20 *Oct.* 1694.	Calling Court, §. 14.

Oath to Governour, Deputy Governour, §. 15.	Governour, and Deputy Governour, before their admittance to Office, to take an Oath. The Oath.
Oath to Sixteen Committees, §. 16.	The Sixteen Committees before admittance to take another Oath.
Votes, §. 17.	Subſcriber of leſs then Five hundred pounds to have no Vote at General Court, Five hundred pounds one Vote, One thouſand pounds or more two Votes.
Admiſſion, §. 18. The Oath.	Subſcribers, *&c.* to be admitted into Companies Freedom *gratis*, and to take an Oath of Admiſſion. The Oath.
General Court annual, Electing Governour, Deputy Governour, Committee, §. 19.	A General Court to be called annually in *October*, and ſucceeding Governour, Deputy Governour, and Committees, to be Choſen, and Vacancies by Death to be ſupplied by Election of others.
Taking Oaths, §. 20. Before whom to be Sworn.	Governour, Deputy Governour, and Committees to take the Oath appointed by 1 *W* & *M.* *Seſſ.* 1. *Cap.* 8. And before whom the firſt Governour, Deputy Governour, and Committees, and their Succeſſors ſhall be Sworn.
Calling Courts, §. 21. Governour a Caſting Vote.	Courts to be Summoned by Governour, Deputy Governour, or Five or more Committees; where Governour, or Deputy Governour, ſhall be preſent, and in Caſe of equality, have a Caſting Vote.
By-laws, §. 22.	Members may aſſemble at a General Court, timely Notice given, and make By-laws, *&c.* to be obſerved under Penalties therein, ſo as not againſt Law, *&c.*
Sale, §. 23.	Sale of Goods to be publick by Inch of Candle, and annual, and Notice given on the Exchange, and no Lott exceeding Three hundred pounds to be Expoſed, and the Moneys ariſing to be for Common Benefit.
Dividends, §. 24.	Dividends of the Profit to be made in Money.
Aſſignment, §. 25.	Shares and Intereſts aſſignable to Subjects or Denizens, and how.
Contract, Sale, §. 26.	None to Contract for more then they are poſſeſſed of.
Contract, &c. void, §. 27.	Contracts and Sales not Executed, *&c.* within Ten days, void.
Veſſels, §. 28.	Veſſels (whereof Maſters *Engliſh*) Employed by the Company, from *May*, 1693. till *October*, 1707. may be Navigated with one third Mariners *Engliſh*, and yet pay no more Cuſtom, then if Navigated with three fourths *Engliſh*.
Engliſh Veſſel, §. 29.	No *Engliſh* Veſſel not proceeding on her Voyage for *Greenland*, and not Victualled in *England*, to have benefit of this Act.
Continuance, §. 30.	This Act to Continue for Fourteen years.
Publick Act.	This to be a Publick Act.
Reviver, *c.* 24. §. 6.	Reviver of 22 & 23 *Car.* 2. *Cap.* 26. for Seven years.
Reviver, §. 8.	Is ſo of 22 & 23 *Car.* 2. *Cap.* 23.
Trade with France, *Cap.* 25. Privateers.	Reviver of 1 *W* & *M.* *Seſſ.* 1. *Cap.* 34 and 2 *W* & *M.* *Seſſ.* 2. *Cap.* 14. for Three years if War with *France* laſt ſo long, and for Encouragement of Privateers.
Prizes how to be ordered, §. 2.	Prize Ships, and Goods, to be brought into Port, and put into Poſſeſſion of Commiſſioners, or Officers, and preſerved till adjudged Prize, except where Goods periſhable, and then Bail to be taken.
French Prize, §. 3.	*French* Prize without Fraud, after adjudged Prize, to be Entred, Landed, and brought into their Majeſties Warehouſe, to remain till Sold.
Sale, §. 4.	Goods after adjudged Prize, to be publickly Sold by Inch of Candle, and publick Notice given Fourteen days before.
Proceed, Ship and Furniture diſpoſed, §. 5, 6.	Out of proceed of Sale, Duties to be anſwered their Majeſties; And Neat Proceed how to be divided, and with Ship and Furniture diſpoſed.
Imbezelling, putting on Shore, §. 7.	Officers or Seamen imbezelling, or putting on Shore Goods, elſewhere then into their Majeſties Warehouſe, to loſe Advantage in Prize; and the Goods to be to Informer, and to their Majeſties.
Peruſing Accounts, §. 8.	Any may peruſe Accounts of Prizes, Fee One ſhilling.
Colluſive taking, §. 9.	Ships and Goods Colluſively taken to be Prize, and how to be diſpoſed, with Penalty on Captain ſo taking.
Reward to Officers and Seamen, §. 10.	Where Prizes taken by Privateer, one tenth of Neat Proceed, to be for Rewards for Officers and Seamen.
Reward of 10 l. *per* Gun, §. 11.	Ship of War, Taking or Deſtroying *French* Ship of War, to have for each Piece of Ordnance in Ship Taken, *&c.* Ten pounds.
Non-payment 10 l. *per* Gun, §. 12.	Commiſſioners of Prizes not paying, *&c.* the Ten pounds a Gun, within Three days after ſame payable and demand, incapable of Office.
Shares and Rewards in lieu of all, §. 13.	Shares and Rewards to Officers and Seamen, to be in lieu of all Shares in Prizes Taken, during preſent War.
Imbezelment, §. 14.	Perſons imbezelling Goods, Tackle, *&c.* in Prize Ship, or Ship Re-taken, to loſe Shares, and Rewards, and if an Officer, to forfeit Five hundred pounds (one Moiety to their Majeſties, and other to Informer) and be incapable.

Prize Taken in *Mediterranean* or *Streights* may be carried into *C. A. M.* or *N.* and put into hands Authorized, to remain till diſpoſed, *&c.* and Captains to Tranſmit Papers taken therein, or Copies.	Prize in Mediterranean or Streights, §. 15.
Prizes Taken in *Weſt Indies* or *America*, may be carried into *Engliſh* Plantations there, and put into Poſſeſſion of Governour to remain till diſpoſed, *&c.*	Prize in Weſt-Indies or America, §. 16.
Prizes taken in *Eaſt-Idies*, or beyond *Cape of Good Hope*, may be carried to *Engliſh* Factory there, and put into Poſſeſſion of Governour to remain till Condemnation.	Prize in Eaſt-Indies or beyond Cape of Good Hope, §. 17.
Prize taken by Privateer, in which no *French* Goods, after Condemnation, and payment of Duties, Owner of Privateer to have Ship and Goods.	Prize taken by Privateer, §. 18.
Prize taken in Port or River by Privateer, to be to their Majeſties, and Captain to have ſuch Part as their Majeſties ſhall allow.	Prize in Port or River, §. 19.
Ships and Goods Re-taken, to be reſtored, Proprietor paying Salvage; and how, and in what proportions the Salvage ſhall be paid, and how divided and diſpoſed.	Reſtoring Ship, &c. re-taken, Salvage, §. 20.
Veſſels illegally Tranſporting Wooll taken by Privateer, to be to Owner of Privateer, and to their Majeſties.	Wooll Veſſel, §. 21.
Admiral, and Commiſſioners of Admiralty, to Expreſs Directions concerning Prizes, Shares and Rewards, in Inſtructions to Commanders.	Admiral, &c. Expreſſing Directions to Commander, §. 22.
French Goods Seized, to be Sued for, as provided by 13 & 14 *Car.* 2. *Cap.* 11. two thirds to be to their Majeſties, and one third to Proſecutor, and ſecured, and ſold as Prize.	French Goods Seized, §. 23.
Commiſſioners detaining Share of Owner of Privateer two days after ſame payable and demand, free from Deduction (except Warehouſe Room, and two pounds *per Cent.* other Charges) to forfeit double.	Detaining Share of Owner of Privateer, Warehouſe room, and 2 l. per Cent. Charges, §. 24.
Cruiſers appointed for ſecuring Trade.	Cruiſers, 5 & 6 *W* & *M.* c. 1
Duty on Bacon by 4 & 5 *W* & *M.* *Cap.* 5. to be paid from firſt day of this Seſſion.	Bacon, *c.* 2. §. 4.
Importation of Fine *Italian*, *Sicilian* or *Naples* Thrown Silk allowed. *Vide* Title *Drapery*.	Importing Thrown Silk, *c.* 3.
Coals or Culm Imported into *London* Port or Members to pay perpetually Four ſhillings *per* Chaldron Metage; and after *September*, 1700. Six pence *per* Chaldron more; and Six pence *per* Tun from *September*, 1700. for Fifty years; To be paid by Owner of Veſſel, *&c.* and Collected according to 19 *Car.* 2. *Cap.* 3. towards Four pounds *per Cent. per ann.* to *London* Orphans.	Coals, *c.* 10. §. 10.
Salt Petre may be Imported from Places in Amity, for one year, in Ships *Engliſh* Built.	Importing Salt Petre, *c.* 16.
Salt Petre Imported, not to be ſold at above Seventy pounds *per* Tun, on Penalty of Fifty pounds *per* Tun, and to pay ſame Duty as if Imported from *Eaſt-Indies*.	Price, §. 2. Duty.
If mingled with other Salt Petre, and ſold at above Seventy pounds *per* Tun, or more received by Barter, *&c.* ſuch Sale, *&c.* ſhall be againſt this Act.	Sale, Barter, &c. §. 3.
Exportation of Iron, Copper, or Mundick Metal permitted (except to *France*, during the War) paying the Cuſtoms thereof.	Exporting Iron, Mundick Metal, *c.* 17. §. 2.
Not to Extend to other Metal, then of *Engliſh* Ore.	Other Metal, §. 3.
Tunnage on Ships and Veſſels granted for Four years, for ſecuring Advantages to perſons advancing 1500000 pounds, for Carrying on War againſt *France*. *Vide* Title *Taxes*.	Tunnage on Ships, &c. *c.* 20.
Builder of Ship of certain Dimenſions, within Ten years, for firſt three Voyages, to have one tenth of Tunnage and Poundage paid for Goods Exported thereon. (Dimenſions ſet.)	Tunnage and Poundage to Builders of Ships, *c.* 24.
If after three firſt Voyages ſuch Ship by alteration ſhall be leſs Defenſible then at firſt, it ſhall be forfeit.	Altering Ship, §. 2.
Tunnage, Poundage, and other Moneys payable by 12 *Car.* 2. *Cap.* 4. Granted for Five years for Guarding Seas, and proſecuting War againſt *France*, and 12 *Car.* 2. Revived.	Tunnage, Poundage, &c. for Five years, 6 *W* & *M.* c. 1. §. 2.
Reviver of 12 *Car.* 2. *Cap.* 19. 14 *Car.* 2. *Cap.* 11. 25 *Car.* 2. *Cap.* 6 & 7. for Five years.	Reviver, §. 3.
Goods Imported and not Landed on 25 *Decemb.* 1694. ſubject to Duties.	Goods Imported & not Landed, 25 Dec. §. 4.
Commiſſioners and Officers, *&c.* of Cuſtoms to be Sworn, and when and how.	Cuſtom Officers, &c. Swearing, §. 5.
The Oath to be certified to Quarter Seſſions, and Recorded.	Certifying the Oath, &c. §. 6.
Debentures, Allowances and Abatements due ſince *Decemb.* 1690. to be allowed.	Debentures, &c. ſince Decemb. 1690. §. 7.
Certain Number of Cruiſers appointed for ſecuring Trade.	Appointing Cruiſers, 6 & 7 *W.* 3. *c.* 3. §. 47.

Part

Tonnage, Poundage, &c. §. 77.	Part of Tonnage and Poundage, *&c.* by *Cap.* 1. to be a fund of Credit for repayment of 1250000 *l.* and Intereſt. *Vide* Title *Taxes.*
Certifying Cruiſers, §. 89.	The Cruiſers to be certified to Commons in Parliament next Seſſion.
Coffee, Tea, Chocolate, Nutmegs, Cinamon, Cloves, Mace, Pictures, *Cap.* 7.	Further Duties laid on Spices Imported between *May* 1695, and 1698. for paying Intereſt of 5 *l. per Cent. per annum* for Three years, for 330769 *l.* 10*s.* 7 *d.* Principal Money due for Tranſport Ships for reducing *Ireland.*
Rates ſet.	A Hundred of Coffee 2 *l.* 16*s.* 100 *Cocoa* Nuts from *Engliſh* Plantations 2 *l.* 16 *s.* 100 *Cocoa* Nuts from other places 4 *l.* 4 *s.* One pound of Chocolate 1 *s.* One pound of *Cocoa* Paſt 2 *s.* One pound of Tea regularly Imported 1 *s.* One pound of Tea from place not of its growth, *&c.* 2 *s.* 6 *d.* A Hundred pound value of Nutmegs, Cinamon, Cloves and Mace 5 *l.* Pictures 20 *l. per Cent* of value.
Importation Nutmegs, Cinamon, Cloves, Mace, Tea, §. 3.	Importation of Nutmegs, Cinamon, Cloves, Mace and Tea permitted in *Engliſh* Ships (Maſter and two thirds Mariners *Engliſh*) if Notice and Licence.
Duties when payable, allowance for Exportation, §. 4, 5.	Goods unſhipt before Duties paid, tendred, or agreed for, forfeit on Exportation by Importer Native within 12 Months, or Alien 9 Months, Two thirds of Duties to be repaid; Exporter making Oath that the Goods are truly Exported, *&c.*
Accounts, weekly payment, §. 6.	Separate Accounts to be kept of Duties, and ſame Weekly paid into Exchequer.
Entring Money in Receit, §. 7.	A Book to be kept in Receit, in which Monies to be entred apart, and Monies to be a Fund.
Making out Debentures, *&c.* §. 8.	Commiſſioners for Tranſportation within Three Weeks to make out Debentures for Monies due to each Ship, to be Numbred in Courſe, and delivered Owner or his Agent.
Entring Note of Debentures in Receit, §. 9.	Debentures to be ſhewn in Receipt, and a Memorandum Entred, Monies to be applied to payment of Debentures with Intereſt.
Deficiency, §. 10.	If Duties Inſufficient to pay Intereſt, the Deficiency to fall on all proportionably.
Diverting Monies, §. 11	Penalty on Officer miſapplying Monies.
Mortgage, &c. redeemable, §. 12,	Mortgages, *&c*, of thoſe Debts redeemable by payment of Principal and Intereſt at 6 *l. per Cent. per annum*, within Twelve Months.
No Fees, §. 13.	Officers not to take Fees, *&c.*
Fees for extraordinary Service, §. 14.	Officers of Cuſtoms, for Extraordinary Service, may take recompences appointed by Commiſſioners of Cuſtoms, *&c.*
Newcaſtle, *Cap.* 10.	For better Admeaſurement and Marking of Keels, Boats, and Carriages of Coals in *Newcaſtle*, and Members. *Vide* Title *Meaſure.*
Admeaſuring Tonnage of Ships, &c. *Cap.* 12. §. 10.	Directions for Admeaſuring Tonnage of Ships and Veſſels, otherwiſe then according to 5 *&* 6 *W&M. Cap.* 20. In order to paying Duties thereby impoſed.
Coaſter, §. 11.	Ship or Veſſel Trading Coaſtwiſe, to pay Tonnage for Goods only laden on Board.
Glaſs Wares, Stone and Earthen Bottles, Coals, Culm, *c.* 18. §. 2 Quarts, Pints.	Duties on Glaſs Wares, Stone and Earthen Bottles, Coals and Culm for Five years, for carrying on War againſt *France.* *Viz.* 1. Quart Bottles, *&c.* (except Flint) to pay 12 *d. per* Dozen. 2. Pint Bottles, *&c.* (except Flint) 6 *d. per* Dozen.
Under Pint, above Quart. Flint Glaſs. Window Glaſs. Other Glaſs.	3. Bottles, *&c.* leſs than Pints, or more than Quarts proportionably. 4. Flint Glaſs to pay at Rate of 20 *l. per Cent.* value. 5. Window Glaſs to pay 10 *l. per Cent.* value. 6. Other ſorts of Glaſs to pay 15 *l. per Cent.* value.
Who to pay Duty, §. 3.	Duties payable by Maker and Importer.
Duties when payable, §. 4.	Imported Goods, Landed before Entred, Duties paid, or without Warrant, Forfeit.
Duties how to be managed & paid valuing Foreign Goods, §. 5.	Duties to be managed by Commiſſioners of Cuſtoms, and paid apart into Exchequer, Importer on Oath to value Foreign Goods.
Appointing Commiſſioners, and Officers, *&c.* §. 6.	Commiſſioners and Officers, *&c.* to be appointed for Duties, and by whom and how; and to be ſubject to Rules of Treaſury.
Valuing Inland Goods, §. 7.	Value of Inland Goods to be what they were worth as ſoon as made, and diſputes about valuation determinable by Makers Affidavit; and where Fraud, Goods may be taken as valued, and 20 *per Cent.* more for His Majeſties uſe.
Notice of kindling Fire, Entring or giving Accounts of Goods made. Paying Duties when. Allowance for prompt payment, §. 8.	Maker before Fire kindled, to give Notice to Officers on Penalty of 10 *l.* and to make Entries, or give Accounts daily of Quantities of Goods made, and Three Months after Making to pay Duties, and have a Warrant for removal, and for prompt payment to be allowed 20 *l. per Cent.* for Three Months.
Search, Fraud, Seizure, §. 9.	Officers to ſearch Glaſs-houſes and Warehouſes, *&c.* and Goods not duely Entred, given account of, or removed or fraudulently concealed, Forfeited and Seized.
Fees, § 10.	Officers not to take Fees, *&c.*
Wares broken, §. 11.	No Duties payable for broken Wares.

Duties to be repaid, or Security diſcharged for Goods Exported, on Oath of duties paid or ſecured, and Security that the Goods ſhall not be Relanded.	Goods exported, §. 12.
Furnaces and other Utenſils liable to Duties, and may be diſtrained and ſold, rendring overplus.	Furnaces and Utenſils liable, §. 13.
Duties laid on Coals and Culm Waterborne for Five years, *viz.* One Chaldron of Coals 5 *s.* Two Chaldron of Culm 1 *s.* Three Tun of Coals 5 *s.*	Coals, Culm, §. 14. Rates ſet.
Duties to be paid at place of Landing, before Bulk broken, or Meter, *&c.* aſſigned, Veſſels with Coals and Culm to be Entred, on Forfeiture thereof where Coals or Culm ſhall be unſhipped before Duties paid or ſecured.	Duties when and where payable, §. 15. Entries.
Weighers and Meaſurers to be appointed, who ſhall Meaſure and Weigh, and deliver Certificates of Coals or Culm delivered from on Board, on pain of 100 *l.* and Coals or Culm concealed to pay 10 *s. per* Tun; and for refuſal, Veſſel to be Attached and Sold, rendring overplus.	Appointing Weighers, Meaſurers and their Duty, §. 16. Conceal'd Coals or Culm.
Importer on Meaſurer or Weighers Certificate, giving in his Poſt Entre, and paying Duties for ſurpluſage, diſcharged penalties.	Penalty for conceal'd Goods how diſcharg'd, §. 17.
Officers to keep Books, and make Entries of Duties, of Coals and Culm; Duties to be paid Receivers General, and returned into Exchequer, and there kept and entred apart.	Entries, §. 18. Paying Duties.
Veſſel imployed in Coal Trade allowed yearly between *April* and *January* Two Seamen if under 100 Tun, and if 100 Tun or more, one for every 50 Tun, and Penalty for Impreſſing Men allowed.	Seamen allowed Coal Veſſel, §. 19.
Coals Exported in Foreign Bottoms, to pay 10 *s. per* Chaldron, and in *Engliſh* Bottom 3 *s. per* Chaldron.	Coals Exported, §. 20.
564700 *l.* may be borrowed on Credit of the Exchequer, and Tallies and Orders to be Levied and Orders aſſignable.	Borrowing Clauſe, §. 21.
To be repaid with Intereſt at 7 *l. per Cent.* out of Duties, or next Aids granted before *February* next, or out of his Majeſties Treaſure not appropriated.	Repayment with Intereſt, §. 22.
Part of the Cruiſers appointed by *Cap.* 3. where to Cruiſe.	Cruiſers, §. 23.
Maſter or Owner of Veſſel to have Three Months, time for paying Duties giving Security, and for prompt allowance of 10 *l. per Cent.* and on Exportation Duties repaid, or Security diſcharged.	Time for paying Duties to Maſter or Owner, and Allowance, Exportation, §. 24.
Monies ariſing by this Act appropriated; And Reviver of 1 *W&M. Seſſ.* 2. *Cap.* 1. as to payments, Diſtribution, Accounts, and Diverſion.	Appropriation, §. 25, 26.
Weight and Admeaſurement of Coal and Culm to be taken, as now it is.	Weight, Admeaſurement, §. 27.
None to deal with Luſtrings not Sealed with Seal uſed for Foreign Goods, or by Luſtring Company, on Forfeiture of the Goods and 100 *l.*	Luſtrings, §. 28.
Buyer of ſuch Goods not lawfully Sealed diſcovering Seller, diſcharged Penalty, and to have a Moiety of other Forfeiture.	Diſcovery, §. 29.
Altering, or Counterfeiting, or Miſapplying Mark, to Forfeit 100 *l.*	Counterfeiting of Mark, §. 30.

Marches, ſee *Wales.*

Market Overt.

Clerk of the Market, Toll, Fair, Ingroſſers, Foreſtallers, Regrators, Monopoly.

Twelve Men ſhall Preſent ſuch as buy Fleſh of Jews, Foreſtallers that buy before Market-hour, or meet it coming to Town.	Foreſtaller, 51 *H.* 3. *p.* 13. §. 3. *Pillory & Tumbrel.*
Shall Diſtrain no Foreigner for Debt he oweth not as Debter or Pledge.	Debt, 3 *Ed.* 1. *Cap.* 23. *W.* 1.
Seized into the Kings hand for taking outragious Toll.	Seizure, *Cap.* 31.
A Writ to abate Nuſance ſhall lie againſt them that Levied it in Houſe, Wall, Market, notwithſtanding any Alienation.	Nuſance, 13 *Edw.* 1. *Cap.* 24.
Shall not be kept in Church-yard.	Place, 13 *Ed.* 1. *St.* 2. *Cap.* 6. *Winch.*
Foreſtaller as Enemy to the whole Countrey, and Oppreſſor, firſt, Amerced and loſe the thing: ſecondly, brought to Pillory; thirdly, Fined and Impriſoned; ſourthly Abjured the Town.	Foreſtaller, *Incert. temp. pag.* 85. 17 *Edw* 2. *Cap.* 10.
Fairs by Charter or Cuſtom ſhall be proclaimed at beginning how long they laſt, and if exceed, Seized till Fined.	Proclamation, 2 *Ed.* 3. *Cap.* 15. *Northampton.*
Merchant that ſells after Fair cloſe, forfeits double value, and fourth part given to him that will ſue for the King.	Forfeiture, 5 *Ed.* 3. *c.* 5.
Foreſtallers by Land or Water, if Attaint by Indictment, forfeits what he hath, and Seller, if only Earneſt be received, and if unable, two years Impriſonment without Bail, if by Suit of Party, he ſhall have half.	Foreſtaller, 25 *Edw.* 3. *Cap.* 3.
Its Felony to Engroſs or Foreſtall *Gaſcoyn* Wine.	Engroſs, &c. 27 *Ed.* 3. *Cap.* 5.

Victuals, 31 *Edw.* 3. *Cap.* 10.	Any whoſoever may bring all Victuals to Market, and buy and ſell to whom they pleaſe, and Poulterers, Fiſhers, Butchers, *&c.* ſhall be Redreſs by the Mayor and Aldermen in *London.*
Foreſtallers, 2 *Rich.* 2. *Cap.* 2.	A Confirmation of 25 *Ed.* 3. *Cap.* 3. againſt Foreſtallers.
Clerk, 13 *Rich.* 2. *c.* 4.	Clerk of the Market of the Kings Houſe, ſhall burn falſe Meaſure, take no common Fine, nor Ride with above ſix Horſes, on forfeit, firſt, Five pounds; then Ten pounds; third, Twenty pounds.
16 *R.* 2. *c.* 3.	The Clerk of the Market ſhall carry the Signs and Marks of the Standard of Exchequer to aſſay Weights and Meaſures.
Purveyor, 20 *H.* 6. *c.* 8.	Seller may reſiſt Purveyor under Fourty ſhillings without ready Money.
Time, 27 *H.* 6. *c.* 5.	Nor Fairs ſhall not be on *Aſcenſion*, *Corpus Chriſti*, *Whit-Sunday*, nor other Sundays, *Aſſumption of our Lady*, *All-Saints*, nor *Good-Friday*, except for neceſſary Victual.
Pypowder, 17 *Edw.* 4. *Cap.* 2.	Plaintiff in Pypowder muſt ſwear Cauſe of Action aroſe in and during the Fair, yet Defendant may take Iſſue thereon, not to prejudice Biſhop of *Durham.*
Pypowder, 1 *R.* 3. *c.* 6.	A Confirmation of 17 *Ed.* 4. *Cap.* 2. and made perpetual, §. 4.
§. 2.	If Plaintiff or Attorney refuſe to be ſworn, the Defendant to be diſmiſt to Common Law.
§. 3.	Steward offending, to forfeit One hundred ſhillings, and Proclamation to be to Sheriff.
Freeman of London, 3 *H.* 7. *c.* 9.	Every Citizen and Freeman of *London* may load, carry, and go with Merchandize to any Fair or Market within the Realm.
London, 12 *H.* 7. *c.* 6.	Merchants may Trade free without Tax by the Fraternity of *London*, more then ten Marks in *Brabant.*
Pewter, &c. 19 *H.* 7. *Cap.* 6.	Pewter and Braſs ſhall not be ſold but in open Market, nor by uneven Weights.
Leather, 3 *H.* 8. *c.* 10.	No Alien may buy Leather but in Market.
24 *H.* 8. *c.* 1.	Leather ſhall not be ſold but in open Fair or Market.
Clerk, 27 *H.* 8. *c.* 24. §. 12.	The Kings Clerk of the Market during his reſidence, to execute Office, *&c.*
Kings-Lyn, 33 *H.* 8. *Cap* 34.	A Repeal of two Fairs and Markets Grant by Patent to *Kings-Lyn* in *Norfolk.*
Oxen, 3 & 4 *Edw.* 6. *Cap.* 19.	Oxen, *&c.* ſhall not be ſold alive at the ſame Fair as bought.
§. 3.	No Butcher ſhall buy Oxen, Sheep, *&c.* and ſell alive.
§. 4.	Butcher may buy fat Cattel out of Fair, *&c.* to kill.
Butter, &c. *c.* 21.	Butter and Cheeſe ſhall not be bought to ſell again, unleſs to Retail in Fairs, *&c.*
§. 2.	By Retail is meant ſelling leſs then Weigh of Cheeſe or Barrel of Butter.
Foreſtaller, Ingroſſer, and Regrator, 5 & 6 *Edw.* 6. *c.* 14.	He that buyeth Victual or Merchandize coming by Land or Water, to Market or Fair, or to City, Port, Haven, *&c.* to be ſold, *&c.* is a Foreſtaller.
§. 2.	He that gets into his Hands in Fair, *&c.* dead Victual to ſell again in that or other Market in Four Miles, is a Regrator.
§. 3.	He that buys up Corn or other dead Victual to ſell again, is an Ingroſſer.
§. 4.	Each forfeits value of Goods bought, and Two Months Impriſonment.
§. 5.	For ſecond Offence Impriſonment half a year, and double value; and §. 6. for third, Pillory, *&c.*
§. 7.	Buying Barley, Big, or Oats, for Malt or Oat-meal, is none, nor buying by Fiſhmonger, Butcher, or Poulterer, to ſell again by Retail, nor taking Cattel, Corn, *&c.* reſerved on Leaſe, buying Wine or dead Victual by Innholder, or of Salt-Fiſh, Herrings, or Sprats, buying Corn, Fiſh, *&c.* by Badger, Lader, Kidder, or Carrier Aſſign by three Juſtices, for Victualling Ships, or common Proviſion, *&c.*
§. 8.	Buying Corn of him that hath ſufficient, to forfeit double.
§. 9.	Buying Cattel alive, unleſs kept five weeks on his Grounds, to forfeit double.
§. 10.	Juſtice of Peace in Seſſions to Determine and Award Execution.
§. 11.	Once puniſht, to be diſcharged for that time.
§. 12.	Perſon allowed by three Juſtices, may buy Grain or Cattel to be Tranſported.
§. 13.	When Wheat is Six ſhillings eight pence a Quarter, Barley Three ſhillings four pence, Oats Two ſhillings, Peaſe Four ſhillings, Rye Five ſhillings the Quarter, every perſon not Foreſtalling, may Engroſs.
§. 14.	Offenders to be Sued within two years.
§. 15.	Inhabitant within a Mile of the Sea, may buy all Fiſh, *&c.*
§. 16.	Common Drover Licence by three Juſtices, may buy Cattel as uſual.
Ingroſſing of Leather, *Cap.* 15.	None ſhall Ingroſs any Tann'd Leather.

Sadlers, *&c.* to buy for their Occupations.	§. 2.
Artificers may ſell Necks, Wombs, and Shreds they cannot uſe.	§. 3.
On Licence, to Tranſport ſo much as may be bought.	§. 4.
Inhabitants in Countrey not to Retail Woollen Cloth, Linen, Haberdaſh, Grocery, or Mercery Wares in Market Towns, only at Fairs.	Retail, 1 & 2 *Ph. & Mar. c.* 7. §. 2.
Not to prejudice Whole-ſale, §. 4. nor Freemen when ſo made, §. 5. nor Retail of Wares of his own making, §. 6. nor Univerſities.	§. 3.
Horſes, *&c.* to be ſold in open place in Fair or Market, from ten to Sun-ſet; and Tolled in preſence of Parties, and their Names and Place Regiſtred.	Horſes ſale, 2 & 3 *Ph. & Mar. c.* 7.
Toll-Book to be delivered over to the Steward of the Fair, *&c.*	§. 3.
Property not altered, unleſs Horſe, *&c.* continue an hour in Fair, *&c.*	§. 4.
Owner may ſeize, *&c.* if not ſold, according to this Statute.	§. 5.
Seſſions to determine Offences.	§. 7.
Where no Toll is due, the Book-keeper to take but one Peny each Contract.	§. 8.
A Repeal of ſo much of 5 & 6 *Edw.* 6. *Cap.* 14. and of all other Statutes, as concern the buying Sea-fiſh unſalted, Mud-fiſh, Wine, Oyl, or Salt, being diſcharged in Port.	Sea-fiſh, &c. 5 *Eliz.* *Cap.* 5. §. 13.
Only Houſholders, married, thirty years of Age, *&c.* to be Licenſed Kidders, Badgers, Drovers, *&c.* and that in open Seſſions.	Licenſed Kidders, &c. *Cap.* 12.
Licence to have Day and Place of Seſſions, and Sealed by three Juſtices, one of the *Quorum*, or void.	§. 5.
Drover, Badger, Kidder, Carrier, *&c.* to enter Recognizance not to Foreſtall, *&c.*	§. 6.
Licence to buy out of Fair or Market, muſt be by ſpecial words.	§. 7.
Juſtice of Peace in *Wales* may puniſh Offences againſt this Act.	§. 8.
Not to prejudice Corporation.	§. 9.
Not to prejudice the Counties of *Weſtmorland*, &c.	§. 10.
None to be Buyer, Kidder, *&c.* of Cattel, Corn, Butter, *&c.* but as by 5 *Eliz. Cap.* 12.	Kidder, &c. 13 *Eliz.* *Cap.* 25. §. 20.
The Statute 5 & 6 *Edw.* 6. *Cap.* 14. againſt Regrators, not to extend to Wine, Oyl, Sugar, Spices, Currants, or Foreign Victuals, Fiſh only excepted.	Regrator, §. 21.
Woolls and Yarn may be ſold, *&c.* in *New Woodſtock.*	Wooll, &c. 18 *Eliz.* *Cap.* 21.
None to ſell in Fair, *&c.* unleſs Toll-taker, *&c.* take knowledge of Name, *&c.* or elſe Vender bring a Voucher to be Entred with Price, *&c.* Fee Two pence.	Toll and Property altered, 31 *Eliz. c.* 12. §. 2.
Juſtice of Peace may determine in Franchiſe and out.	§. 3.
On Oath of Two Witneſſes within Six Months after Sale, Property is unaltered, or at any time paying what Vendee gave for the Horſe.	§. 4.
Sale in *London* alters not property of Goods ſtollen, *&c.*	Property altered, 1 *Jac.* 1. *c.* 21. §. 5.
None to ſell Tann'd Leather but in open Market.	Leather, *c.* 22. §. 14.
None to Regrate or Engroſs Oak Bark.	Oak Bark, §. 19.
None to buy or ſell in *Southampton*, unleſs Free there.	Southampton, 4 *Jac.* 1. *Cap.* 10. §. 3.
Any may buy at Fairs, or on Board of Ship.	§. 5.
Monopolies and Commiſſions, Grants, *&c.* to perſons or Corporation, for ſole Buying, Selling, Diſpenſing, Licenſing, and Compounding Penal Laws, *&c.* againſt law.	Monopolies, 21 *Jac.* 1. *Cap.* 3.
Monopolies, and all ſuch Commiſſions, *&c.* to be Examined by the Common Laws.	§. 2.
Perſons and Corporations diſabled to put in uſe any Monopoly.	§. 3.
Party hindred, deſtrained, *&c.* by ſuch Monopoly, to recover treble Damages.	§. 4.
Not to extend to Priviledge to firſt Inventor of Manufacture for one and twenty years.	§. 5.
Not to extend to Priviledge fourteen years or under, to firſt Inventor, *&c.*	§. 6.
Not to prejudice Priviledge granted by Act of Parliament.	§. 7.
Not to extend to Warrant or Privy Seal, to Compound Forfeitures, *&c.*	§. 8.
Not to prejudice *London*, nor Town Corporate, as to grants or Cuſtoms.	§. 9.
Not to extend to Patents of Printing, Gunpowder, Caſting Ordnance, Shot, *&c.* nor to Offices not decried by Proclamation.	§. 10.
Not to extend to Commiſſion to dig Allum Mines.	§. 11.
Not to prejudice Priviledge of Hoaſtmen of *New-caſtle.*	§. 12.
Not to prejudice Glaſs-making.	§. 13.
Not to prejudice Grant of making Smalt, or melting Iron Ewer.	§. 14.
That 3 & 4 *Edw.* 6. *Cap.* 21. and 5 & 6 *Edw.* 6. *Cap.* 14. and all Statutes of Sale of Butter and Cheeſe	Butter, &c. *c.* 22. §. 6.

	Cheeſe extend not to Cheeſemongers and Tallow-Chandlers free of *London*, &c.
§. 7.	If Seſſions declare Traders forbear buying in the Countrey, Retailers here ſhall be liable to the Penalties.
Clerk of Market, 17 *Car.* 1. *c.* 19. §. 3.	No Clerk of the Market, of King, *&c.* to Execute Office but within the Verge, and Mayor or Head-Officer to do it elſewhere.
§. 4.	Seal or Allowance of other Weight or Meaſure then according to the Standard of Exchequer, or refuſe to Seal according to Exchequer, forfeits Five pounds.
§. 5.	Taking Common Fine, or other Fees then allowed by Statute, forfeits Five pounds.
§. 6.	None Amerced by this Act, to be again puniſht.
§. 7.	Not to extend to Rents of Land or Corn due to Lords, Colledges, *&c.* Water-meaſure to be ſtill uſed in Ports.
§. 8.	Defendant ſued on this Act, may plead General Iſſue.
§. 9.	Defendant to have treble Coſts, if found Not Guilty.
Leather, 14 *Car.* 2. *Cap.* 7. §. 4.	Tann'd Red Leather to be bought only in Fairs, *&c.*
§. 9.	For Leather at *Leadenhall* in *London*, is on *Tueſdays*.
Corn, 15 *Car.* 2. *c.* 7. §. 4.	When Wheat exceeds not Fourty eight ſhillings the Quarter, Rye, Peaſe and Beans Thirty two ſhillings, Barley, Malt, or Buckwheat, Twenty eight ſhillings, Oats Three ſhillings four pence, it may be bought in Market for Store to ſell again after Three Months.
Contract, 29 *Car.* 2. *Cap.* 3. §. 17.	No Contract good for above Ten pounds, without Earneſt or Writing.
Reviver, 1 *W & M.* *Seſſ.* 2. *c.* 7.	Reviver of 16 *&* 17 *Car.* 2. *Cap.* 2. for Seven years.
Hay and Straw Carts, §. 17.	Hay or Straw Carts, *&c.* not to ſtand within Bills of Mortality, from *Michaelmas* to *Lady day*, after Two in the Afternoon, nor from *Lady-day* to *Michaelmas*, after Three in Afternoon, on pain of Five ſhillings.
Conviction, Penalty, §. 18.	By whom and how Conviction may be, and how Penalty Levied and Diſpoſed.
Toll at Wades Mill, 4 *&* 5 *W & M.* *c.* 9. §. 2.	Reviver of the Toll in 15 *Car.* 2. *Cap.* 1. and 16 *&* 17 *Car.* 2. *Cap.* 10. at *Wades-Mill*, for Fifteen years for Repair of High-ways in *Hartfordſhire*. *Vide* Title *Ways*.

Marriage and Matrimony.

Bigamus, *Eſpouſals*, *Precontracts*.

Ward, 9 *H.* 3. *c.* 6. *Magna Chart.*	Of Heir in Ward, ſhall be without Diſparagement.
Widow, *c.* 7.	No Widow ſhall be diſtrained to Marry, but ſhall find Sureties not to do it without Licence.
Forfeiture, 20 *H.* 3. *Cap.* 6. *Merton.*	Of Enfant under Fourteen by Patent, loſeth the Value, by the Lord to Villain or Burger, forfeit, the Ward, by the Enfant *contra* to Tender, loſeth the double Value, but after Fourteen, nothing by conſent.
Cap. 7.	Of meer Right pertain to the Lord of the Fee, and on refuſal by Ward, he ſhall pay as much as any would have given for the Marriage before Receit of his Land.
Baſtardy, *c.* 9.	Child born before is a Baſtard, notwithſtanding the Canon Law to the *contra*, and cannot Inherit.
Forfeiture, 3 *Edw.* 1. *Cap.* 22. *W.* 1.	Shall be in two years after fourteen, elſe Women Wards may ſue for Inheritance, but if refuſed, the Lord retain till one and twenty, and after till Marriage taken.
Aid Pur file marrier, *Cap.* 36.	*Aid Pur file marrier* is Twenty ſhillings for Knight-Fee, or Twenty pounds Soccage Land, to be Levied when Daughter is ſeven years old, for which Executors and Heir are liable on Death of the Lord, if Levied, and not Married.
Bigamus, 4 *Edw.* 1. *c.* 5. *De Bigamis.*	*Bigamus* before or ſince the Councel of *Lyons*, ſhall not have Clergy.
Lord, 13 *Edw.* 1. *c.* 16. *W.* 2.	Of Heir ſhall go to Lord by Priority of Feoffment, whether it deſcend from Father or Mother, without reguard to Sex or Quantity.
Widow, 17 *Edw.* 2. *Cap.* 4. *Prerogat. Reg.*	Widow or other the Kings Tenant of Inheritance, ſhall ſwear not to Marry without Licence, and if broken, ſhall pay a years value by Diſtreſs.
Bigamy, 18 *Edw.* 3. *Cap.* 2.	Of two Wives or one Widow, one Averment of Bigamy, ſhall be Tried by the Ordinary, not by Enqueſt.
Six Clerks, 14 *&* 15 *H.* 8. *c.* 8.	The Six Clerks as well as the Curſitors and other Clerks in Chancery, may Marry.
H. 8. 25. *H.* 8. *c.* 22.	Of *Hen.* 8. with Queen *Katherine*, his Brothers Wife, void, with Queen *Anne*, good.
Degrees, §. 3.	Shall not be of Mother, Step-Mother, Siſters Son, or Daughters Daughter, the Fathers Daughter by Step-Mother, the Aunt, the Wives Daughter, or the Wives Sons Daughter, or his Wives Siſter.

The Kings Marriage with Queen *Katherine*, unlawful and void.	*H.* 8. 28 *H.* 8. *c.* 7. §. 7. *N.* 2.
With Queen *Anne Bullein*, void.	§. 8.
Within Degrees, void.	§. 11.
The Kings Marriage with *Jane Seymour*, good.	§. 12.
Former Marriages by the Popes Diſpenſation, *&c.* Confirmed.	28 *H.* 8. *c.* 16. §. 2.
Prieſt above one and twenty that conſents to be ſo, ſhall not hereby be enabled to Marry.	Prieſt, 31 *H.* 8. *Cap.* 6. §. 2.
A Repeal of 31 *Hen.* 8. *Cap.* 14. §. 3, *&* 4. as to puniſhment by death of Prieſt, but Incontinence, to forfeit Eſtate, *&c.*	Prieſt, 32 *H.* 8. *c.* 10.
By the King with Lady *Ann Cleve*, declared void by Convocation, and the Kings Aſſent, and Treaſon by word, *&c.* to do or procure any thing to Repeal this Act.	*Hen.* 8. *c.* 25.
From fourth Degree up to Couſin-Germans incluſive, or others not prohibited by the Laws of God, is legal, and not to be Repealed for Coſinage.	Degrees, *c.* 38. §. 2.
Shall not be defeated by Precontract.	*Ibid.*
No Reſervation or Prohibition (Gods Laws except) ſhall Impeach any out of Levitical Degrees.	*Ibid.*
Doctors of Civil Law, Lay or Married, may by the Kings appointment be Chancellor, Vicar-General, Commiſſary, Official, Regiſter, *&c.*	Civilian, 37 *H.* 8. *c.* 17. §. 4.
Bigamus of Maids, Widows, or Wives, ſhall have Clergy.	Bigamus, 1 *Edw.* 6. *c.* 12. §. 16.
Perpetual Chaſtity moſt commendable in Prieſts, but not to be compelled.	Prieſt, 2 *&* 3 *Edw.* 6. *Cap.* 21.
A Repeal of all Laws, Canons, *&c.* againſt Marriage of any Eccleſiaſtical perſons.	§. 2.
Not to Marry without Aſking in Church, and Ceremonies appointed, *&c.*	Asking in Church, §. 3.
Not to adnul any Decree or Sentence heretofore.	§. 4.
A Repeal of 32 *Hen.* 8. *Cap.* 38. §. 2. and that Eccleſiaſtical Judge ſhall determine Precontracts.	Precontracts, *c.* 23. §. 2.
Not to make void Marriages before 1 *May*, &c.	§. 3.
Not to void Marriages for any other Cauſe.	§. 4.
Of Eccleſiaſtical perſons, is not only permitted, but lawful in it ſelf.	Prieſt, 5 *&* 6 *Edw.* 6. *Cap.* 12.
Prieſt ſhall be Tenant *per* Courteſie of Fee, or Tail general, and Wife Endowed.	§. 2.
Muſt be by Aſking in Church, and Legal Ceremonies.	§. 3.
Not to alter Deſcents already had, nor Judgments, Poſſeſſions, *&c.*	§. 4.
Of *H.* 8. and Queen *Katherine*, Legal, and Divorced by Corrupt Practice.	*H.* 8. 1 *Mar. St.* 2. *c.* 1.
A Repeal of 25 *H.* 8. *Cap.* 22. and 28 *H.* 8. *Cap.* 7. as to Illegitimation of Queen *Mary*.	§. 8.
The Articles between Queen *Mary* and Prince *Philip*, Confirmed, She to be ſole Queen, no Tenancy by the Courteſie, all Gifts, *&c.* to be *Phil.* and *Mar.* Signed with her Manual to be to Subjects.	Q. Mary and K. Phil. 1 *Mar. St.* 3. *c.* 2.
Againſt the Canon Law only, not being againſt the Law of God, may be Confirmed.	Void, 2 *&* 3 *Ph. & Mar.* *Cap.* 8. §. 28.
So much of 32 *H.* 8. *Cap.* 38. as to Degrees of Conſanguinity, Revived, as is not Repealed by 2 *&* 3 *Edw.* 6. *Cap.* 23.	Degrees, 1 *Eliz.* *c.* 1. §. 11.
Reviver of ſo much of 37 *H.* 8. *Cap.* 17. as is not Repealed by 2 *Edw.* 6. *Cap.* 23.	§. 12.
The former Wife being alive, Felony.	Married to Two, 1 *Jac.* 1. *c.* 11.
Not to extend to perſons beyond the Sea, or abſent, without Notice where ſeven years.	§. 2.
Not to extend to perſons Divorced, or where former Marriage is by Eccleſiaſtical Court declared void, nor where former Marriage is within Age of Conſent.	§. 3.
No Attainder to corrupt Bloud, loſe Dower, not diſinherit Heir.	§. 4.
By Popiſh Recuſant not in Church, *&c.* no Tenant by Courteſie, Dower, *&c.* and if no Lands, forfeits One hundred pounds.	Popiſh Recuſant, 3 *Jac.* 1. *c.* 5. §. 13.
Since 1 *May*, 1642. before reputed Juſtice of Peace, or by Direction of any pretended Act or Ordinance, to be as if Rites of the Church of *England*, &c.	Juſtice of Peace, 12 *Car.* 2. *c.* 33.
Iſſues on Baſtardy to be Tried by the Common Law.	Baſtardy, §. 2.
Duties on Marriages, Births and Burials, and on Batchelors and Widowers (poor except) granted for Five years, for Carrying on War againſt *France*. *Vide* Tit. *Taxes*.	Duties, 6 *&* 7 *W.* 3. *Cap.* 6.
None to be Married in Place Exempt from Viſitation of Biſhop without Licence, except Banns Publiſhed and Certified, and Penalty on Miniſter Marrying otherwiſe.	Places Exempt, §. 52.

Mariners, ſee *Admiral.*
Marſhes, ſee *Sewers.*
Marſhal, ſee *Courts.*
Maſons, ſee *Trades.*
Maeriſm, ſee *Woods.*
Matrimony, ſee *Marriage.*
Mercers, ſee *Drapery.*

Meaſures.

Surveyors, Weights, Appraiſments, Foot, Inches, Admeaſurement, Coopers, Acre, Perch, Rod, Pint, Gallon, Gauging.

Wine, &c. 9 *Hen.* 3. *c.* 25. *Magna Chart.*	There ſhall be throughout the Realm one of Wine, one of Ale, and one of Corn, *viz.* The Quarter of *London*; one Breadth of Dyed Cloth, Ruſſets, and Haberjects, *viz.* two Yards within the Liſts.
Bread, &c. the Price, 51 *Hen.* 3. *pag.* 10. *Aſſiſ. Panis & Cerviſ.*	Bread, Waſtel, Cocket, Symnel, and Treat, ſhall be according to the Price of Wheat, and Ale and Beer, as the Price of Barley and Oats is *per* Quarter, the Aſſize not to be altered, but by Six pence *per* Quarter, and three Gallons without Cities and Towns, is as two within.
Enqueſt of Ale, &c. 51 *Hen.* 3. *pag.* 13.	Of Ale and Wheat, ſhall be Enquired and Preſented by Oath of Twelve, and whether Bakers, Brewers, and Victuallers ſell according to the Aſſize.
Admeaſurement of Dower, 13 *Edw.* 1. *Cap.* 7. *W.* 2.	Admeaſurement of Dower ſhall be by Guardian of Heir, on Default at Grand Diſtreſs, after two Counties, and Proclamation.
Cap. 8.	Damages ſhall be by Juſtices on Admeaſurement, and ſecond Surcharge; ſo if by Sheriff on Writ out of the Chancery.
Highway, 13 *Edw.* 1. *Cap.* 5. *winch.*	High-ways from Market to Market, ſhall be two hundred Foot on each ſide, without Buſhes, Woods or Dyke.
Sterling, 13 *Ed.*1.*p.*68. §. 2. *Ordin. of Meaſures.*	The *Engliſh* Sterling Peny ſhall be thirty two Wheat Corns in the middle of the Ears, and Twenty pence an Ounce, Twelve Ounces a Pound, Eight Pound a VVine-Gallon, Eight VVine-Gallons a *London* Buſhel, Eight Buſhels a Quarter.
Acre 33 *Ed.* 1. *pag.* 73. *Ordin. of Meaſures.* *Incert. temp* 85.	The Content of an Acre in length and breadth, in all proportions anſwerable.
Miller, 17 *Ed.* 2. *c.* 4.	Miller ſhall take twentieth, or twenty fourth Corn, by Raſe, not by Cantel, or in Heaps, as ſtrength of VVater is according to the Kings Standard.
Standard, *Cap.* 8.	The Standard of Buſhels, Ells, and Gallons, ſhall be Sealed with the Kings Iron Seal, and all others agree with it to be Examined twice a year, and if any uſe one to buy, and another to ſell, puniſht.
Cuſtody, *Cap.* 9.	Meaſures ſhall be in Cuſtody of Mayor and Bayliffs, *&c.* Sworn and Sealed before them, and no Grain ſold by Heap or Cantel, but Oats, Malt, and Meal.
Cloth, 2 *Edw.*3. *Cap.*14.	The Aſſize of Cloths of *Ray* and *Color.*
Standard, 14 *Edw.* 3. *Cap.* 12.	The Treaſurer ſhall cauſe certain Standards of Buſhels, Gallons, *&c.* and ſend the ſame into every County, not Ouſting Clerk of Market, or Lords of Franchiſe.
Commiſſion, 15 *Ed.*3.*c.*4.	All Commiſſions to Aſſay Meaſures, Repealed.
Aulnager, 25 *Edw.* 3. *St.* 3. *Cap.* 1.	Aulnager ſworn ſhall meaſure Cloth, *Ray* by a ſeven yard Line, four times by the Liſt, and the breadth ſix Quarters by the Yard; Coloured ſhall be meaſured by the Back, by a Line ſix Yards and half four times, the breadth ſix Quarters and half.
Standard, 25 *Edw.* 3. *Stat.* 4. *Cap.* 10.	All Buſhels, half Buſhel, Peck, Gallon, Pottle and Quart within Franchiſe and out, ſhall be according to Standard of Exchequer, a Quarter to be Eight Buſhels ſtriked and no more, unleſs in Rents and Farms of Lords, Juſtices ſhall Enquire, and thus Purveyance to be made.
Mint, *Cap.* 20.	The Miniſters of the Mint ſhall receive Plate by weight, not by number.
Cloth, 17 *Edw.* 3. *c.* 4.	No forfeiture of Cloth for want of it, but allowance to the Buyer; Aulnagers Fee is of Seller a Halfpeny, and of half a Cloth a Farthing, and not otherwiſe.
Wine, *Cap.* 8.	All Wines Red and White, ſold in *England*, *wales*, or *Ireland*, ſhall be Gauged, and Allowance for what is wanting.
Yard, &c. 27 *Edw.* 3. *Stat.* 2. *Cap.* 10.	There ſhall be one Meaſure and one Yard throughout the Realm, within Staple and without.
Wooll, 31 *Ed.* 3. *Cap.*8.	A Sack of Wooll is to be twenty ſix Stone, at Sixteen pounds the Stone.
Ale, 34 *Ed.* 3. *Cap.* 6.	Ale ſhall be according to the Standard ſtriked, except for Rent, and Juſtices of Peace ſhall Enquire, and puniſh.
Cloth, 47 *Ed.* 3. *c.* 1.	The length and breadth of Cloth of *Ray* and *Colors.*
Wine, &c. 4 *Rich.* 2. *c.*1.	All Veſſels of Wine, Vinegar, Honey, Oyl, or other Liquors Gaugeable, ſhall be Gauged by Officers Aſſigned.
Lancaſter, 13 *Rich.* 2. *Cap.*9.	Shall be the ſame every where but in *Lancaſter*, where greater is uſed.
14 *Rich.* 2. *Cap.* 11.	Former Statutes Confirmed.
Quarter, 15 *R.*2. *Cap.*4.	There ſhall be eight Buſhels to the Quarter, and no more, on forfeiture.
Standard, 16 *R.* 2. *c.*3.	Shall be Signed and Markt by Clerk of the Market, according to the Standard of Exchequer.
Cloth, 17 *R.* 2. *Cap.* 2.	Kerſeys and other Cloth may be of any length and breadth, but not ſold till meaſured by Aulnager.
Quarter, *Cap.* 4.	Eight Buſhels of Corn ſifted to the Quarter in *Huntington*, *Cambridge*, *Northampton*, *Bedford.*

The length and breadth of Cloth Ray and Coloured.	**Cloth,** 7 *Hen.* 4. *Cap.*1
Whole Coloured Cloth Twenty eight Yards by the Creſt, Dozens fourteen, Rays Fourteen, and new Aulnager Seal appointed, *&c.*	11 *Hen.* 4. *Cap.* 6.
Shall be only Eight Buſhels ſtrike to the Quarter, and nothing to be taken for Meaſure; and they who take by Fats of *London*, or otherwiſe, ſhall pay Five pounds to the King, Five pounds to Party, and Juſtice of Peace may Enquire.	**Quarter,** 1 *H.* 5. *Cap.*1
Shall be of Keels that bring Coals from *Newcaſtle*, and every Twenty Chaldron pay 2 *d.* Cuſtom.	**Coals,** 9 *Hen.* 5. *Cap.*10
A Tun of Wine Two hundred fifty two Gallons, a Pipe One hundred twenty ſix, the Tertian eighty four, the Hogſhead ſixty three, a Barrel of Herrings and Eels thirty Gallons fully packt, a Butt of Salmon eighty four Gallons fully packt, Kilderkins, Tertians, and Firkins of Herring, Eels or Salmon, unleſs fully packt, ſhall not be brought into *England*, on forfeiture, Juſtice of Peace to Enquire and Determine.	**Wine, &c.** 2 *Hen.* 6. *Cap.* 11.
A Confirmation of 1 *Hen.* 5. *Cap.* 10. and Mayor of *London*, and elſewhere, ſworn to obſerve the Statute, and Account into Exchequer.	**Quarter,** 11 *H.*6. *Cap.*8
The word Cloth in 17 *Rich.* 2. *Cap.* 2. and in 7 *H.* 4. *Cap.* 10. and in 11 *Hen.* 4. *Cap.* 6. is intended whole Cloth, called Broad-cloth, and Broad Dozens, and not of other Cloths and Pieces called Straits, fourteen Yards long, and one Yard breadth unwatered, or One hundred and two Yards watered, elſe Liſt to be cut off, and Six ſhillings eight pence on defect.	**Cloth,** 11 *Hen.*6. *Cap.*9.
Of Cloth ſhall be but one throughout the Realm by the Yard and Inch, not by the Yard and Handful, as in *London.*	**Cloth,** 18 *Hen.*6. *Cap.*16.
Veſſels ſhall be Gauged, and Prices proportioned.	**Veſſels Gauge,** *Cap.* 17.
Gaugers Fee is for Oyl and Honey, as for Wine by Pipe, or leſs.	§. 2.
The length and breadth of Worſteds of *Norwich.*	**Worſted,** 20 *H.* 6. *c.*10.
The Gauge-Peny ſhall not be received till Work done; Gauger to be ready at all Places on requeſt, on pain in 27 *Edw.* 3. *Cap.* 8.	**Gauge-peny,** 23 *Hen.*6. *Cap.* 16.
Broad-cloth watered, Twenty four Yards, and Twenty four Inches by the Creſt, and Two Yards and two Inches, or Seven Quarters broad.	**Cloth,** 4 *Edw.* 4. *Cap.*1.
Straits Twelve Yards and three Inches, and a Yard broad within the Liſt.	§. 2.
Kerſey Eighteen Yards three Inches, and breadth a Yard and a Nail.	§. 3.
Half Cloths to be proportionable.	§. 4.
Beds of Worſted of the greateſt Aſſize, Fourteen Yards length largely, and four in breadth; of the mean Aſſize, Twelve Yards and three; of the leaſt Aſſize, Ten and five Quarters; Monks Cloths, Twelve and five Quarters; Chanon Cloths one Aſſize ſix and two, of the other, five and ſeven Quarters; Double Motleys, Seven and five Quarters; Single Motleys, Six and five Quarters; Double Worſted, Ten and five Quarters; the half double Worſted, Six and five Quarters; the Roll of Worſted, Thirty Yards length, and half a Yard in breadth	**Worſted,** 7 *Edw.* 4. *Cap.* 1. §. 2.
The length, breadth, and weight of Cloths made in *Norfolk* and *Norwich.*	**Cloth,** 8 *Ed.* 4. *Cap.* 1.
Plain Tyle Ten Inches and half long, ſix broad, and a quarter and half an Inch thick, and half a quarter; Roof-Tyle Thirteen long and half, and half a quarter thick; Gutter and Cover-Tyle, Ten and half long; Sell *contra*, forfeit double Value, Fined and Ranſomed.	**Tyle,** 17 *Ed.* 4. *Cap.* 4.
Butt of Salmon Eighty four Gallons, the Barrel fourty two Gallons, on forfeit of Six ſhillings eight pence.	**Salmon,** 22 *Ed.* 4. *c.*2.
Barrel of Eels Fourty two Gallons, every Tale-Fiſh Twenty ſix Inches from the Bone in Fin, to the third Joynt in the Tail.	**Eels,** §. 3.
Broad Cloth watered, to be Twenty four Yards, twenty four Inches, two broad within the Liſt.	**Cloth,** 1 *Rich.* 3. *Cap.* 8. §. 1.
Half Cloth not to exceed Sixteen Yards length, on forfeit of Six ſhillings eight pence.	§. 3.
No Cloth Fulled ſhall be drawn by the Tentor.	§. 7.
A Butt of Malmſey One hundred twenty ſix Gallons, every Tun of Wine or Oyl two hundred fifty two, Pipe One hundred twenty ſix, a Tertian Eighty four, a Hogſhead Sixty three, a Barrel Thirty one Gallons and an half, and a Rundlet Eighteen Gallons and half, and none to be ſold till Gauged, on forfeit of the value.	**Wine, Oyl, &c.** *Cap.* 13.
A Yard of Scarlet Cloth Sixteen ſhillings, other Colours Eleven ſhillings.	**Cloth,** 4 *Hen.* 7. *Cap.* 8.
Shall be of Braſs, and ſent into every City.	**Braſs,** 7 *Hen.* 7. *Cap.* 4.
Meaſures of Braſs conveyed to ſeveral Cities and Towns named, to be Markt and Sealed: Juſtice of Peace to determine Difference; but eight Buſhels Razed and Stricken to the Quarter, and fourteen pounds	11 *Hen.* 7. *Cap.* 4.

	Pounds to the Stone, and ſix to Sack of Wooll, not to prejudice Ship-meaſure.
Buſhel, 11 H. 7. c. 5.	A Buſhel to contain eight Gallons of Wheat, every Gallon eight Pound *Troy* weight of Wheat, every Pound twelve Ounces, *&c.* and all other Meaſures to be damned and broken.
Cloth, 5 *H.* 8. *c.* 2.	White Straights of *Devonſhire* fifteen Yards long, and Yard half-quarter broad.
6 Hen. 8. *c.* 9. §. 9.	Of all Cloths ſhall be by the Yard and Inch, on forfeit of One hundred ſhillings.
Cloth, 14 *&* 15 *H.* 8. *Cap.* 11.	Notwithſtanding 6 *H.* 8. *Cap.* 9. §. 9. Veſſes or ſet Cloths of *Suffolk*, may be ſold under Fourty ſhillings, that are not ſo broad.
Dowlaſs, 21 *H.* 8. *c.* 14.	The length and breadth of Dowlaſs and Lockram Imported.
Barrel, 23 *H.* 8. *c.* 4. §. 2.	Barrel thirty ſix Gallons, a Kilderkin eighteen Gallons, a Firkin nine Gallons, *&c.*
Acre, 24 *H.* 8. *c.* 8.	An Acre is one hundred and ſixty Perches, each ſixteen Foot and half.
Sheep, 23 *H.* 8. *c.* 13. §. 12.	The number of Sheep in ſeveral Counties differ, but not above five ſcore to be hundred in Farm of two thouſand.
Horſes, 27 *H.* 8. *c.* 6. §. 2.	Mares kept in Park ſhall be thirteen Hand from bottom of Hoof to Shoulder-top, each Handful four Inches.
§. 4.	Stallion ſhall be fourteen Hands, *&c.*
Cloth, *c.* 12. §. 2.	Broad Cloth VVatered to hold ſeven Quarters within the Liſts, notwithſtanding 1 *H.* 8. *Cap.* 2. of two Yards, and Kerſeys a Yard.
Dowlaſs, 28 *H.* 8. *c.* 4.	A Repeal of 21 *H.* 8. *Cap.* 14. and that no Dowlaſs or Lockram be ſold, unleſs whole or half-pieces expreſs the number of Yards or Ells, on forfeiture.
Gauger, *c.* 14. §. 5.	A Confirmation of 1 *R.* 3. *Cap.* 13. and that Gauger, §. 6. forfeit four times value of what wants of Wine ſold unmarkt, and the want to be allowed to Buyer.
Court of Survey, 33 *H.* 8. *c.* 39.	The Erection of the Court of Record of Survey of the Kings Lands, *&c.*
Coals, &c. 34 *&* 35 *H.* 8. *c.* 3.	Of Coals, Tallwood, Faggots, and Billets, and forfeit, *&c.*
Corn ſhipt at Briſtol, *Cap.* 9. §. 3.	Shall be of all VVheat and Corn, *&c.* Shipt in any Creek of *Severn* at *Briſtol* before Tranſport, on forfeit.
§. 4.	Cocket of Contents of Lading to be delivered by Cuſtomer to Owner.
§. 5.	The Overplus Lade above what is Cocketed, forfeit on *Briſtol* meaſuring.
York Coverlets, *c.* 10.	The beſt Coverlets of *York* are three Yards length, and two and a Quarter breadth; ſecond ſort three length, and two breadth; third ſort two Yards and half length, and one and three Quarters breadth.
Frieze, *c.* 11.	Of *Welſh* Friezes and Cottons, and Forfeits thereon.
Cloth, 3 *&* 4 *Edw.* 6. *Cap.* 2.	Contents of Cloth to be Sealed and tried by the VVater.
§. 2.	Set Cloth not ſtretcht above a Yard and half length, and one Quarter breadth.
§. 3.	Straits, Kerſeys, *&c.* to be ſtretcht but a Yard length, and half a Quarter breadth.
5 *&* 6 *Edw.* 6. *c.* 6.	The length and breadth, *&c.* of all Cloths and Stuffs, *&c.*
Wood, &c. 7 *Edw.* 6. *Cap.* 7.	Shall not be as in 34 *&* 35 *H.* 8. *Cap.* 3. of VVood, Coals, Faggots, Billets, *&c.* but as hereby particularly markt, *&c.*
Veſſels, 8 *Eliz. c.* 9. §. 3.	So much of 23 *H.* 8. *Cap.* 4. §. 3. as to prices of the Veſſels, *&c.* Repealed.
Herrings, 13 *Eliz. c.* 9. §. 5.	Barrel of Herrings to be one thouſand, contained in twenty eight or thirty two Gallons, as Standard.
Kerſey, 14 *Eliz. c.* 10.	No Kerſeys to be made above Eighteen Yards length.
Gauger of Butts, &c. 31 *Eliz. c.* 8.	The VVarden, *&c.* of Coopers to Gauge all Butts, Pipes, *&c.* from beyond Sea, and to have one Peny the Butt, and ſo proportionable, *&c.*
Wood, 43 *Eliz. c.* 14. §. 4.	Every Talſhide round, ſixteen Inches; half round, nineteen; quarter cleft, eighteen and a half.
§. 5.	Over-meaſure to be to the Buyer.
§. 6.	Single Billet round, ſeven Inches and a half; half round, thirteen; quarter cleft, twelve and a half.
§. 7.	Faggots beſide Knot, to be twenty four Inches, each Stick three Foot, except one.
Cloth, 4 *Jac.* 1. *c.* 2.	Of ſeveral Cloths and Stuffs therein named.
Standard, 17 *Car.* 1. *Cap:* 19. §. 2.	One Meaſure and Yard according to Standard of Exchequer, in all places, *&c.*
Barrel, 12 *Car.* 2. *c.* 23. §. 20.	That thirty ſix Gallons of four Ale Quarts by Standard of Exchequer is a Barrel.
Coal, 16 *&* 17 *Car.* 2. *Cap.* 2.	Sea-Coals ſhall be ſold by the Chaldron thirty ſix Buſhels *Guildhall*, Scotch-Coals one hundred and twelve Pounds *Avir-Dupois* to the hundred, *&c.*
§. 2.	Lord Mayor and Juſtices to enter on refuſal of Retailers, *&c.* to ſell.
§. 3.	To Continue for three years, and ſo to end of next Seſſion of Parliament.
§. 4.	Party Sued on this Act, not to be Sued for the ſame Offence on any other; to plead General Iſſue, *&c.*
§. 5.	None that hath Intereſt in VVharf to meddle.
Car. 2. *c.* 8. §. 2.	A Repeal of Proviſo 17 *Car.* 1. *Cap.* 19. §. 7. for uſing VVater-meaſure.

Mayor, *&c.* ſuffering Corn, or Grain, or Salt, to be ſold by any other Meaſure then as 17 *Car.* 1. *Cap.* 19. §. 2. forfeits Five pounds.	Corn, &c. §. 3.
Clerk of Market neglecting to Seal, forfeits firſt, five; ſecond, ten pound; Fee a Peny only.	§. 4.
He that hath Toll to be at charge of Braſs Meaſure chained at Market, on forfeit Five pounds.	§. 5.
Conſtable, *&c.* to Enquire of uſing other Meaſures, and break, *&c.*	§. 6.
Selling on requeſt *contra* to 22 *Car.* 2. *Cap.* 8. without ſhaking the Meaſure, forfeits the value beſide.	Shaking Meaſure, 22 *&* 23 *Car.* 2. *c.* 12. §. 2.
Defendant to prove ſelling or buying to be according to the Statute, on forfeit of Five pounds Diſtreſs and Sale.	§. 3.
They who have benefit of Market, are to Seal, *&c.*	§. 4.
Rents of Tythes may be according to value, *&c.* reſerved.	Rents, &c. §. 5.
Commiſſioners ſhall be from time to time appointed by the King for meaſuring Keels, Boats, Carts, *&c.* uſed for Coals in the Port of *Newcaſtle*, or the Members.	Newcaſtle Keel Boats, 30 *Car.* 2. *c.* 8. §. 2. *N.* 2.
Gaugers ſhall have Notes of laſt Gauges on penalty of Fourty ſhillings.	Gauger, 1 *W & M. Seſſ.* 1. *c.* 24. §. 12.
Reviver of 16 *&* 17 *Car.* 2. *Cap.* 2. from *Dec.* 1689. for Seven years, and to the End of the next Seſſion.	Reviver, 2 *W & M. Seſſ.* 2. *c.* 7.
Truſs of Hay ſold within Bills of Mortality, between *Auguſt* and *June*, to contain Fifty ſix pounds, and in *June* and *Auguſt*, new Hay Sixty pounds, and old Fifty ſix pounds, on forfeiture of Eighteen ſhillings *per* Truſs.	Hay, *c.* 8. §. 16.
Gaugers to leave Notes in VVriting of laſt Gauges with Brewers, *&c.* on penalty of Fourty ſhillings.	Gaugers, 3 *&* 4 *W & M. c.* 1.
Surveyor of High-ways, how to be made; and his Duty upon this Act. *Vide* Title *ways*.	Surveyor of High-way, *c.* 12.
Reviver of a Clauſe in 3 *&* 4 *W & M. Cap.* 1. concerning Gaugers leaving Notes in VVriting of laſt Gauges, *&c.*	Gaugers, 4 *&* 5 *W & M. c.* 5. §. 16.
Duties on Salt granted for Four years, for ſecuring certain Recompences to perſons Voluntarily Advancing 1000000 pounds, for Carrying on VVar againſt *France*. *Vide* Title *Taxes*.	Salt, 5 *&* 6 *W & M. Cap.* 7.
Gaugers to leave Notes in VVriting of laſt Gauges with Brewers, *&c.* on penalty of Five pounds.	Gaugers, *c.* 20. §. 49.
Commiſſioners to be appointed for Admeaſuring and Marking Keels, Boats, and Carriages, *&c.* uſed for Coals in *Newcaſtle*, and other places in *Northumberland*, and *Durham*; Admeaſurement to be at Diſcretion of Commiſſioners, allowing Fifty three hundred weight to a Chaldron.	Keels, Boats and Carriages in Newcaſtle, and Members, &c. 6 *&* 7 *W.* 3. *c.* 10. §. 2.
VVain load of Coals to be One thouſand ſeven hundred weight and half, and Cart-load Eight hundred weight three quarters, and three VVains or ſix Carts to be reckoned one Chaldron; and no VVains or Carts to be meaſured, but thoſe Carrying Coals to the Staiths.	Wain-load, Cart-load, §. 2. What to be Meaſured, §. 3.
Notice to be given of Admeaſurement, and Keels, Boats, and Carriages meaſured to be marked; perſons Imployed to be Sworn.	Notice of Admeaſurement, Marking Keels, Boats, &c. §. 4.
Keels, Boats and Carriages when and where to be Admeaſured and Marked.	Place and Time, §. 5.
Keels, Boats and Carriages carrying Coals before admeaſured or marked forfeit, with the Coals.	Forfeiture, §. 6.
Altering Mark or Privy thereto, to forfeit Ten pounds, to be Levied by Diſtreſs and Sale, or Offender Commit for Three Months, and the Keel, Boat or Carriage to be Marked anew.	Altering

Meſne, ſee *Tenants*.

Metals.

Gold, Silver, Braſs, Iron, Tin, Allay, Ore, Lead, Plummers, Copper, Pewter, Pins, Steel, Latten, Bell-metal.

No Veſſel, Jewel, or other thing of Gold or Silver, but of true Allay of Gold of *Paris* Touch, of Silver Sterling, or better, and not worſe then Money, to be Aſſay by VVardens of the Craft, and markt with Leopards Head; none but natural Stones ſet in Gold, and Gravers, and Cutters of Seals ſhall give each their VVeight, or Impriſonment, and Ranſom at the Kings pleaſure, ſaving his Prerogative.	Veſſel of Silver, &c. 28 *Edw.* 1. *c.* 20. *Artic. ſuper Chart.*
No Sterling nor Silver to be melt into Plate, or Gold Veſſels, without Licence.	Sterling, 9 *Edw.* 3. *Cap.* 1.
Iron made or brought into *England*, ſhall not be Exported, on forfeiture of double; the Prices ſhall be Enquired.	Iron, 28 *Edw.* 3. *c.* 5.
Goldſmiths Silver-work ſhall be Sterling, if white, not to be Gilt by them, on forfeiture of the Metal.	Sterling, 37 *Edw.* 3. *Cap.* 7.
Tranſporting Gold or Silver, in Money or Plate, forfeits as much as he may.	Tranſport Silver, 5 *R.* 2. *c.* 2.
Tin ſhall paſs out of the Realm only at *Dartmouth*.	Tin, 14 *R.* 2. *c.* 7.
A Repeal of 14 *R.* 2. *cap.* 7. of carrying Tin from *Dartmouth* only.	15 *R.* 2. *c.* 8.

Gold

Tranſport Silver, &c. 4 *Hen*. 4. *Cap*. 16.	Gold or Silver ſhall not be Tranſported without Licence.
Locks, &c. 5 *Hen*. 4. *Cap*. 13.	No Locks, Rings, Beads, Candleſticks, Girdles, Sword-Hilts, Powder-Boxes, Cup-Covers, *&c.* ſhall not be Gilt.
Gilding, 2 *Hen*. 5. *St*. 2. *Cap*. 4.	Goldſmith ſhall Gild no Silver but Sterling, and ſell that for Two pounds ſix ſhillings eight pence at moſt a pound *Troy*, on forfeiture.
8 *Hen*. 5. *Cap*. 3.	None ſhall Gild any thing but Silver, and Ornaments of Holy Church, no Sheaths, *&c.*
Goldſmith, 2 *Hen*. 6. *Cap*. 14.	Shall not be workt by Goldſmith, unleſs of Sterling toucht and markt, on forfeiture of double value.
Weight of Gold, 4 *H*. 7. *Cap*. 22.	Gold of *Venice*, *Florence*, or *Gean*, to contain Twelve Ounces the Pound.
Pewter, &c. 19 *Hen*. 7. *Cap*. 6.	Pewter and Braſs ſhall not be ſold but at open Market, not hollow Ley Mettal, nor by uneven Scales.
4 *Hen*. 8. *Cap*. 7.	A Confirmation of 10 *H*. 7. *Cap*. 6. and made perpetual.
§. 6.	The Pewterers chief Officers, or Juſtice of Peace ſhall ſearch and determine Deceits.
§. 7.	Untrue and deceitful Pewter, Braſs, or Tin Veſſels, to forfeit half.
Braſs, 21 *Hen*. 8. *c*. 10.	Carrying Braſs, *&c.* to Port to go beyond Sea, forfeits it.
Pewter, 25 *Hen*. 8. *Cap*. 9.	None ſhall buy or exchange mixt Pewter, or Braſs Veſſels Import from beyond Sea, on forfeit.
§. 2.	Craft may appoint Searchers to Seize.
§. 3.	Pewterer ſhall not take Stranger to be Apprentice.
§. 4.	No Pewterer ſhall uſe that Trade beyond Sea.
§. 5.	He that returns not in three Months Summons by Craft, to be an Alien.
§. 6.	That the Moiety of Forfeitures by 4 *H*. 8. *Cap*. 7. ſhall be to Informer.
Pewter, &c. 33 *Hen*. 8. *Cap*. 4.	The Statute 4 *Hen*. 8. *Cap*. 7. and 25 *Hen*. 8. *Cap*. 9. againſt Hawkers and Sellers of ill Pewter and Braſs, made perpetual.
§. 7.	None on forfeit to take or exchange Wares made out of the Realm.
§. 8.	They who diſturb Wardens in Search, *&c.* to forfeit Five pounds, notwithſtanding Seizure of his Wares.
Tranſport, *Cap*. 7. §. 2.	No Braſs, Copper, Latten, Bell-metal, Pan-metal, Gun-metal, nor Shroff-metal, (Tin and Lead only except) to be Tranſported, on forfeit of double value.
§. 3.	Offence to be Tried where Metal is Shipt.
§. 4.	Before Shipping, Obligation to be of double to Diſcharge, as ſuggeſted, and to be Certified by Cuſtomer on Diſcharge.
Pins, 34 *&* 35 *Hen*. 8. *Cap*. 6.	No Pins, unleſs Double-headed, Soldered, Smoothed, Shaven, Pointed, Filed, and Sharpened, to be ſold, Repeal 37 *H*. 8. *Cap*. 13.
Steel, 2 *&* 3 *Edw*. 6. *Cap*. 27.	Gad of Bilbow Iron, *&c.* ſold for Steel, forfeits Four pence.
Metal, *Cap*. 37.	Adds to 33 *H*. 8. *Cap*. 7. §. 2. forfeit of Ten pounds, every thouſand weight of Metal.
§. 4.	Cuſtomer that ſuffers Obligation without Date, for diſcharge of Metal Shipt, forfeits Office,
§. 5.	If Maſter of Ship, *&c.* do not in three days diſcover to Cuſtomer where Metal is Shipt, to forfeit double value, and Cuſtomer loſe his Office, if not ſeized.
§. 6.	None to be Tranſported but where Cuſtom is paid, and Officer reſident, on forfeit of Metal, and Ten pounds the thouſand.
§. 7.	A Confirmation of 33 *H*. 8. *Cap*. 7.
Tranſport, 7 *Edw*. 6. *Cap*. 6.	A Continuance of 17 *Edw*. 4. *Cap*. 1. againſt Tranſporting Gold and Silver for twenty years.
Iron-work, 1 *Eliz*. *c*. 15.	No Timber of Oak, Beech, or Aſh, to be uſed for Coal in Iron-Works.
Price of Plate, &c. 18 *Eliz*. *Cap*. 15.	Goldſmith not to ſell Gold Plate leſs fine then two and twenty Carrets, nor take above Twelve pence the Ounce, beſide Faſhion of Gold, nor Silver leſs then eleven Ounces Two-peny weight, nor take above Twelve pence the pound beſide Faſhion, and to mark all, *&c.*
Iron-work, 23 *Eliz*. *Cap*. 5. §. 3.	No Iron-Works new within Twenty two miles of *London*, fourteen of *Thames*, and four of *Downs*, &c.
27 *Eliz*. *Cap*. 19.	None to Erect in *Suſſex*, *Surrey*, or *Kent*, any Iron-Mills but on old Bays, on forfeit of Three hundred pounds, nor to convert body of Tree a Foot ſquare in Timber, on forfeit of Fourty ſhillings.
§. 2.	Trees not within eight miles of *London*, or *Thames*, &c. Tops and Offal may be for Coals.
39 *Eliz*. *Cap*. 10.	A Repeal of 27 *Eliz*. *Cap*. 19. as to Amendment of Ways.
Ibid.	Owners or Farmers of Iron-Works to pay 3 *s*. or a Load of Cinders, *&c.* for Repair of Ways, for every Tun of Iron, or three Load of Coals Carriage.
Tin, &c. 1 *Jac*. 1. *c*. 33.	Tin and Pewter Exported, pay Poundage 12 *d*. in Twenty ſhillings, and beſide 12 *d*. *&c.*
Stannaries, 7 *Car*. 1. *Cap*. 15. §. 4.	Priviledge and Juriſdiction of Stannaries, ſhall be only in Vill, Tything, or Hamlet where Tin-work is ſituate, and while it is working only.
Export, 15 *Car*. 2. *c*. 7. §. 12	Bullion or Silver may be Exported without Cuſtoms.
Mines not Royal, 1 *W* *&* *M*. *Cap*. 30. §. 4.	Mines of Copper, Tin, Iron, or Lead, not to be Royal, although Gold, or Silver therein.

Explanation of 1 *W* *&* *M*. *Seſſ*. 1. *Cap*. 30.	1 *W* *&* *M* **Explained**, 5 6 *W* *&* *M*. *Cap*. 6.
Proprietors of Mines, to enjoy, and work the ſame, although pretended Royal.	**Working Royal Mine** §. 2.
Their Majeſties and Grantees, to have the Ore of Mines pretended to be Royal, at certain Rates, within a ſet time; The Rates and Time ſet.	**Preemption to Their Majeſties and Grantees**, §. 3.
Charters to Tinners of *Devon* or *Cornwall*, or Laws of Stanneries there, Saved.	Devon, Cornwall, §
Exportation of Iron, Copper, or Mundick Metal permitted, (Except to *France* during War) paying Cuſtoms.	**Export Iron, Copper Mundick Metal**, *Cap*. 17. §. 2.
Not to extend to other Metal, then of *Engliſh* Ore.	**Exception**, §. 3.

Mildernix, ſee *Drapery*.
Militia, ſee *War*.
Miniſters, ſee *Eccleſiaſtical Perſons*.
Miſnomer, ſee *Grants*.
Moyn and *Monaſteries*, ſee *Abbe*.

Money.

Coyn, *Metals*, *Bullion*, *Mint*, *Exchange*.

By Conſent of the Realm, the meaſure of an *Engliſh* Sterling Peny round without Clipping, ſhall be 32 Wheat-Corns in the middle of the Ears, and twenty pence do make an Ounce, twelve Ounces a Pound, eight Pounds a Wine Gallon, eight Wine Gallons a *London* Buſhel, eight Buſhels a Quarter; ſo 31 *Edw*. 1. *pag*. 68. *Ordin. of Meaſures*.	**Meaſure**, 51 *Hen*. 3. *pag*. 10. §. 3. *N*. 1. *Aſſ. Pan. & Cervis.*
Such as be taken for falſe Money, ſhall not be Bailed by Sheriff nor others on a Common Writ, nor without Writ, but Pety Larceny not above 12 *d*. may.	**Falſe Money**, 3 *Edw*. *Cap*. 15. *W*. 1.
Coroner ſhall Enquire of Treaſure-Trover, the Finders, and perſons that live riotouſly.	**Treaſure Trover**, 4 *Ed*. *pag*. 28. *De Offic. Coro*
No Sterling nor Silver melted into Plate or Gold Veſſel, and forfeiture, if without Licence.	**Sterling**, &c. 9 *Edw*. *Cap*. 1.
No falſe Money ſhall be Imported, but Bullion, Silver, Plate, or Veſſel to the Exchanges, and there receive value.	**Falſe Money**, *Cap*. 2.
No Sterling, Farthing, or Half-peny, ſhall be melted by Goldſmith, on Impriſonment and forfeiture of half.	*Cap*. 3.
Black Money ſhall not be currant in the Realm.	*Cap*. 4.
A fourth part to ſuch as ſue on Breaches of this Statute.	*Cap*. 5.
Exchanges ſhall be where it pleaſe the King and Council.	*Cap*. 7.
Search ſhall be made for Money carried out, and falſe brought in.	*Cap*. 9.
Exigent againſt Bringers in of falſe Money.	**Falſe Money**, 18 *Ed*. *pag*. 109.
Shall be made, and Exchanges ordained where the King Pleaſe.	**Exchange**, 15 *Ed*. 3.
None but the Kings Exchangers ſhall take Profit for Exchange of Gold or Silver.	**Exchange**, 25 *Ed*. 3. *St*. *Cap*. 12.
The now currant Money ſhall not be impaired in Weight or Allay.	**Impairing**, *Cap*. 13.
Miniſters of Mint ſhall receive Plate by Weight, not by Number, and ſo deliver it out.	**Mint**, *Cap*. 20.
The old Sterling nor other Coyn ſhall not be Exported, but any Gold or Silver may be Imported.	**Export**, 27 *Ed*. 3. *St*. *Cap*. 14.
A *Scotch* Groat is Three pence here.	Scotch, 47 *Ed*. 3. *Cap*.
Tranſporting Gold or Silver without Licence, forfeits as much as he may.	**Tranſport**, 5 *R*. 2. *Cap*.
The value of ſeveral ſorts of *Scotch* Money.	Scotch, 14 *R*. 2. *Cap*.
No Groat nor half Groat ſhall be melted; no Gold or Silver of *Scotland* ſhall be Currant here, but brought in Bullion, nor *Engliſh* Money ſent to *Scotland*, on Forfeiture, Impriſoned, and Ranſomed.	**Melting**, 17 *R*. 2. *Cap*.
Shall not be Tranſported without Licence, but confeſs on Search; but Alien Merchant ſpending one half taken in Commodities here, may carry the other.	**Tranſport**, 2 *H*. 4. *Cap*.
Of *Scotland* or other Countreys beyond Sea, ſhall be voided out of the Realm, or Coyned.	Scotland, *Cap*. 6.
The third part of Bullion ſhall be made Half-pence and Farthings by halves, and Coyner to be ſworn, and no Goldſmith to melt them down.	**Bullion**, 4 *H*. 4. *Cap*. 1
None to carry Gold or Silver without Licence beyond Sea.	**Tranſport**, *Cap*. 16.
To multiply Gold or Silver, is Felony.	**Multiplication**, 5 *H*. *Cap*. 4.
Shall not be carried to *Rome*.	**Tranſport**, 9 *H*. 4. *Cap*.
Gally Half-pence not Currant, but forfeit, if utter, and the Laws againſt *Scotch* and other Foreign Money to be Executed.	Scotch, *&c.* 11 *Hen*. *Cap*. 5.
A Confirmation of 11 *Hen*. 4. *Cap*. 5. conſidering the Deceit of Foreign Money.	**Foreign**, 13 *H*. 4. *Cap*.
Felony to bring in and pay *Gally* Half-pence, *Suskin*, *Dorkin*, and all *Scotch* Money of ſilver.	Scotch, *&c.* 3 *H*. 5. *Cap*.
Clipping, Waſhing, and Filing Money of the Land, is Treaſon.	**Clipping**, 3 *H*. 5. *Cap*. §. 6.

Juſtice

lipping, *c.* 7.	Juſtice of Aſſize ſhall hear and determine Clipping, and all falſity of Money, Juſtice of Peace Enquire, and Award *Capias* only.
taple, 8 *H.* 5. *c.* 2.	Merchant-Strangers that go not to the Staple, ſhall bring an Ounce of Bullion Gold to the Mint, for every Sack of Wooll, and of Silver for every three Pieces of Tin.
int, 9 *H.* 5. *c.* 6.	The Mint ſhall be at *Calice*, ſo 9 *H.* 5. *Stat.* 2. *Cap.* 5.
alue, *c.* 10.	No *Engliſh* Gold ſhall be received in payment, but by the Kings Weight and Allay.
H. 5. *St.* 2. *c.* 1.	A Confirmation of all Statutes touching Money.
int, *c.* 2.	All Men may reſort to the Kings Exchanges, or the Tower, to have Money new Coyned.
rchange, *c.* 3.	At the Exchanges good Moneys ſhall be delivered, or Parties may refuſe.
rchequer, *c.* 4.	The Officers of the Exchequer ſhall bring to the Tower all Gold or Silver they buy in Exchequer.
alue, *c.* 6.	The Allay and Weight of Money.
alue, *c.* 7.	The Weight of Gold ſhall be ſent to every City.
alue, *c.* 8.	Enquiry and puniſhment of Falſifiers of Weights.
rchange, *c.* 9.	For every Exchange to *Rome*, Merchant ſhall in nine Months buy the value of the Commodities here.
rchange, 1 *H.* 6. *c.* 1.	The Lords of the Kings Council may Aſſign Maſters and Workmen of Gold or Silver, and Exchanges at *York*, *Briſtol*, or where they ſee need.
int, *c.* 4	Maſter of the Mint ſhall ſend all to be Coyned that comes to him by Exchange.
ranſport, 2 *H.* 6. *c.* 6.	Shall not be Tranſported, unleſs for payment of Wars, Souldiers, or Priſoners, on forfeiture.
lanks, *c.* 9.	Called Blanks ſhall not be received, or paid after St. *John Baptiſt*, on the penalty in 3 *H.* 5. *Cap.* 1.
int, *c.* 12.	The Maſter of the Mint ſhall keep his Allay according to his Indenture, and receive at the value ſet by the Kings Aſſayer, and not Alien any Gold or Silver, but Coyn Half Nobles, Farthings of Gold, Groats, Half Groats, Pence, Half-pence, and Farthings.
alue, *c.* 13.	The Price of a Pound of Silver in Plate, Piece, or Maſs.
oldſmith, *c.* 14.	Goldſmith ſhall work none, unleſs as fine as Sterling, to be Touch'd & Mark'd, on forfeit of double value.
riſh, 17 *Edw.* 4. *c.* 1.	No *Iriſh* Money to be paid in *England* or *Wales*; Felony to Export Coyn, Plate, Jewels, or Bullion, without Licence; forfeiture of what is melted from Money; all things wrought ſhall be as fine as Sterling; Aliens ſhall not Export.
rchange, 3 *H.* 7. *c.* 5.	All Bargains by which Money is loſt by way of Dry Exchange, void.
Cap. 6.	Exchanges ſhall not be without the Kings Licence, nor Inland Rechange, Uſury ſhall be Extirpate, and Brokers in the Pillory.
llay, 4 *H.* 7. *c.* 2.	No Finer of Gold or Silver, nor Parter, ſhall make any Allay, but the Officers of the Mint, Changers, and Goldſmiths, nor ſell in Maſs any Molten, or Allayed, on forfeit of value, nor melt but for Amels.
oldſmith, §. 2.	One Goldſmith, *&c.* not to ſell Molten Allay to another.
int, §. 3.	All Patents of Offices of the Mint with Fees and Wages, void.
oreign, *c.* 18.	Forging of Foreign Coyn made Currant here, is Treaſon.
Hen. 7. *c.* 23.	A Continuance of 17 *Ed.* 4. *Cap.* 1. for twenty years.
lipt, 19 *H.* 7. *c.* 5.	Clipt ſhall not be Currant hereafter, a Circle ſhall be thereon to diſcover it in Gold or Silver, *&c.* no *Iriſh* Money to be Imported, or *Engliſh* Exported, above Three ſhillings and four pence.
ranſport, 3 *H.* 8. *c.* 1.	He that Tranſports, *&c.* forfeits double value.
alue, 14 & 15 *H.* 8. *c.* 12.	Every Hundred pound in Gold to be Coyned, Twenty pounds, Half Angels of Fourty pence, every Hundred pounds of Bullion, Plate or Silver, to be Fifty pounds in Groats, Twenty pounds in Two-pences, and Twenty pounds in Pence, Ten Marks in Half-pence, and Five Marks in Farthings, on forfet of Ten pounds.
§. 2.	The Half-peny to be Printed with a Portcolice, on the other ſide a Roſe and a Croſs.
§. 3.	The tenth part of what is brought to Mint under hundred pounds, ſhall be received in Farthings and Half-pence.
§. 4.	Not to prejudice *York*, *Durham*, and *Canterbury*.
herrington, 2 & 3 *Edw.* 6. *c.* 17.	A Confirmation of Attainder of *Sherrington*, for Counterfeiting Teſtons to Twelve thouſand pounds.
rchange, 5 & 6 *Edw.* 6. *c.* 12.	A Recital of 25 *Edw.* 3. *Stat.* 4. *Cap.* 12. and that none Exchange at greater Rates or Profits then the Kings Proclamation allows.
Edw. 6. *c.* 6.	A Continuance of 17 *Ed.* 4. *Cap.* 1. for Twenty years.
ounterfeit, 1 *Mar.* *St.* 2. *c.* 6. §. 2.	Counterfeiting Gold or Silver not of the proper Coyn of *England*, but Currant here by the Queens Aſſent, is Treaſon.
mporting falſe Money, 1 & 2 *Ph.* & *Mar.* *c.* 11.	Importing falſe Money Currant here, is Treaſon.
§. 3.	The ſame Evidence and Proof as at Common Law before 1 *Edw.* 6.
lipping, &c. 5 *Eliz.* *Cap.* 11. §. 2.	Clipping, Waſhing, Rounding or Filing of any Coyn, *&c.* Currant in the Realm by Proclamation, to be Treaſon, notwithſtanding 1 *Mar.* *Cap.* 1.

Forging Coyn of Gold or Silver not proper nor permitted Currant, is Miſpriſion of Treaſon, Impriſon, forfeit Lands, *&c.*	**Counterfeit,** 14 *Eliz.* *Cap.* 3.
By any Art, *&c.* to mix Tin, diminiſh, falſifie, ſcale, or lighten Coyn proper or permitted Currant, Councellors and Aiders, *&c.* adjudged Treaſon.	18 *Eliz.* *c.* 1.
Not to Corrupt Bloud, or loſe Dower.	§. 2.
None to melt any Silver Money Currant, on forfeit of that and double the value; and if Freeman, Disfranchiſe, if not, Impriſon ſix Months.	**Melting,** 14 *Car.* 2. *Cap.* 31.
Foreign Coyns, Bullion or Silver, may be Exported without Cuſtom.	**Export,** 15 *Car.* 2. *Cap.* 7. §. 12.
Every pound *Troy* of Crown or Standard Gold brought to Mint, ſhall receive as much in Coyn, ſo of Silver, *&c.*	**Mint,** 18 *Car.* 2. *c.* 5.
No Preference in Coynage, but Delivery to be as brought.	§. 2.
Payment of ſubſequent Entries before demand of former, no Preference puniſhable.	§. 3.
Maſter of Mint to deliver Bill of Weight, *&c.*	§. 4.
No ſtop or Confiſcation in Mint upon Imbargo, War, *&c.*	§. 5.
Tax of Ten ſhillings *per* Tun Wine, Vinegar, Cyder, or Beer Imported, and Twenty ſhillings *per* Tun Brandy.	§. 6.
Non-payment liable to the Penalties of Tunnage and Poundage.	§. 7.
Duty to be repaid for what is Exported within a year.	§. 8.
No Money Levied by this Act to be applied to other purpoſes.	§. 9.
Nor above three thouſand pounds in one year to be Iſſued out of the Exchequer for Officers of Mint.	§. 10.
Continue 20 *Decemb.* 1671. and the end of the firſt Seſſion of Parliament then next following.	§. 11.
Satisfaction to be made to Dame *Barbara Villiers*.	§. 12.
A Continuance of 18 *Car.* 2. *Cap.* 5. for ſeven years after this Seſſion, and until the end of the firſt Seſſion of Parliament next following.	**Mint,** 25 *Car.* 2. *c.* 8.
Duties to be paid to General Receiver of Cuſtoms, while in Commiſſioners.	§. 3.
When Farmed, to be paid in Ports to perſons appointed by Treaſurer, *&c.*	§. 4.
Duty to be paid at Importaion over and above all other Duties.	§. 5.
Officers to keep diſtinct Collections hereof apart from Cuſtoms.	§. 6.
Officers to have Salaries not exceeding Twelve pence in Twenty ſhillings.	§. 7.
Reviver of 18 *Car.* 2. *Cap.* 5. and 25 *Car.* 2. *Cap.* 8. for ſeven years, and to the end of next Seſſions.	**Reviver,** 1 *Jac.* 2. *c.* 7. §. 2.
Repeal of 5 of *H.* 4. *Cap.* 4.	**Repeal,** 1 *W* & *M.* *Seſſ.* 1. *Cap.* 30. §. 2.
Gold and Silver Extracted, to be for Increaſe of Money, and diſpoſed at the Mint, for which to be paid full value.	**Gold and Silver extracted,** §. 3.
Mines of Copper, Tin, or Lead, not to be Royal, although Gold or Silver therein.	**Mines not Royal,** §. 4.
Reviver of 18 *Car.* 2. *Cap.* 5. and of 25 *Car.* 2. *Cap.* 8. for ſeven years.	**Reviver,** 4 & 5 *W* & *M.* *Cap.* 24.
Explaination of 1 *W* & *M.* *Seſſ.* 1. *Cap.* 30.	1 *W* & *M.* **Explained,** 5 & 6 *W* & *M.* *c.* 24.
Proprietors of Mines, to Enjoy, and work the ſame, although pretended Royal.	**Working Mines,** §. 2.
Their Majeſties and Grantees to have the Ore of Mines pretended to be Royal at certain Rates, within a ſet time. The Rates and time ſet.	§. 3.
Charters to Tinners of *Devon* and *Cornwall*, or Laws of Stanneries there ſaved.	Devon, Cornwall, §. 4.
Any Paying, Receiving, *&c.* Money, for more then Coyned for, to forfeit Ten pounds for every Twenty ſhillings.	**Broad Money,** 6 & 7 *W.* 3. *c.* 17. §. 2.
None to Caſt or Mark Ingots or Bars of Silver in Imitation of the *Spaniſh*, on pain of 500 pounds.	**Imitating** Spaniſh **Bars of Silver,** §. 3.
Any buying, ſelling or poſſeſſing Clippings or Filings, to forfeit the ſame, and Five hundred pounds, and Branded in the Cheek.	**Clippings, Filings,** §. 4.
Molten Silver not to be Tranſported, unleſs Stamped, and Oath made that ſame is lawful Silver, and was not Coyn, Clippings, not Plate, and in Default of ſuch proof, the Silver to be Seized and Detained till proof, Stamp, Oath and Certificate thereof, how to be made, *&c.*	**Tranſporting Molten Silver,** §. 5.
Molten Silver unſtamped; and without Certificate of Oath, put on Board, to be Seized.	**Silver ſhipped without Stamp,** &c. §. 6.
Broker not Goldſmith nor Refiner Trading with Bullion or Molton Silver to be Commit for ſix Months.	**Broker,** §. 7.
Wardens with Two Aſſiſtants, within Bills of Mortality, and two Juſtices of Peace in places elſewhere, may Search for, and Seize perſons and Bullion; and if the Bullion be not proved lawful, before Juſtice of Peace, the Offender to be Commit, and Bullion Secured, and Witneſs bound to proſecute; and if not proved lawful on Trial, the Offender to be found Guilty, and Impriſoned ſix Months.	**Searching and Seizing Perſons, Bullion,** &c. §. 8.

Reward for Apprehending and Convicting, §. 9.	Reward of 40 *l.* for Apprehending and Convicting Coyner, Clipper, *&c.* or any bringing in falſe Coyn, to be paid by Sheriff on Judges Certificate, and Diſputes about Reward determinable by Judges, and Penalty on Sheriff for nonpayment.
Reimburſ Sheriff, §. 10	Sheriff to be allowed Reward on Account.
§. 11.	If not ſufficient in Sheriffs hands, to be reimburſed out of Revenue.
Diſcovery, §. 12.	Coyner, Clipper, *&c.* diſcovering, pardoned; and if an Apprentice to be a Freeman.
Onus probandi of **Bullion ſeiz'd**, §. 13.	*Onus probandi* that Bullion Seized on Ship-board is Foreign, to lie on Claimer, *&c.*
Entring or Shipping Bullion in falſe Name, §. 14.	Bullion Entred or Shipped, other than in true name of Proprietor or Importer, Forfeit, and Value thereof.
Bullion Licenced, §. 15.	Not to prohibit Exportation before *Jan.* 1695. of Bullion Licenced, not exceeding 700000 Ounces of Silver.

Mortgage.

Ward, 52 *Hen.* 3. *Cap.* 6. *Marlbr.*	To defeat Lord of Ward by taking back from Feoffee Leaſe quit of Service, and at the end of Term, unleſs more then Land be worth be paid by Feoffee, to be to Feoffor.
Crown, 1 *H.* 6. *Cap.* 5.	Of the Jewels of Crown except, all ſhall be Redeemed, or forfeit that were Mortgage.
Concealing Judgment, Statute, &c. 4 *&* 5 *W & M. Cap.* 16. §. 2.	Mortgagor Ouſted of Redemption, where he gives not Notice to Mortgagee of former Judgment, Statute, or Recognizance, unleſs upon notice by Mortgage, he diſcharge the ſame within 6 Months.
Concealing former Mortgage, §. 3.	Mortgagor Ouſted of Redemption, where he Mortgages twice, and diſcovers not former Mortgage to ſecond Mortgagee.
§. 4.	Where ſeveral Mortgagees latter Mortgagee may redeem.

Monopolies, ſee *Market Overt.*
Mortdanceſtor, ſee *Aſſize.*

Mortmain.

Churches, *Croſſes*, *Abbe*, *Appropriation.*

Religious Houſe, 6 *H.* 3. *Cap.* 36. *Magna Chart.*	Gift to Religious Houſe, and retaking by Tenure or Leaſe, is void and forfeit, on Conviction, to Lord of the Fee.
Religious, 7 *Ed.* 1. *p.* 33. *Of Mortm.*	On Purchaſe by Religious Perſons or other, whereby Fees and Services provided for Defence of the Realm by colour of Gift, Leaſe or any other Title or Engine, the Lord may Enter, and on his Default, the King.
Enqueſt, 13 *Ed.* 1. *c.* 32. *W.* 2.	Enqueſt ſhall be on Judgment by Default, for Religious or other Eccleſiaſtical Perſons againſt others, and if no Right, the Lord of the Fee or the King to Enter.
Croſſes, *Cap.* 33.	Setting up Croſſes by Tenants ſheltring under Priviledge of Hoſpitallers.
Seizure, *Cap.* 41.	The King Founder may ſeize Lands of Abbe, Hoſpital, *&c.* ſo of other Alms to Chantry, Church or Chappel, and Subject ſhall have a *Contra formam Collation. & Ceſſavit*, if only withdrawn two years.
Tenure, 18 *Ed.* 1. *Cap.* 3. *Qu. Emptor.*	No Feoffment in Fee or Sale of Tenements ſhall be, nor ſuch Lands come into *Mortmain* that cannot do Service to the chief Lord.
Ad quod damnum, 27 *Ed.* 1. *pag.* 62. §. 1.	Shall be on Writ out of the Chancery, to Enquire of the Points accuſtomed, *Ad quod damnum, &c.* and if above Twenty ſhillings *per annum*, ſhall be Returned into Exchequer.
Aſſent of Lord, *Temp. Ed.* 1. *p.* 71. *Amortm.*	Aſſent of mean Lords muſt be under Seal, nothing ſhall elſe paſs, nor if Donor reſerve nothing, or Original Writ do not ſpecifie all.
Templars, 17 *Ed.* 2. *p.* 86. *De Templar.*	The King and other Lords with ſafe Conſcience may retain Templars Lands.
Ibid.	The Lands of Templars given for Defence of Chriſtian and the Holy Land, againſt Pagans and Enemies of Chriſt and Holy Church, are Transferred to the Order of St. *John* of *Jeruſalem*, by the ſame Services, *viz.* Relief of Poor, Hoſpitalities, Celebration of Divine Service, Defence of Holy-Land, *&c.*
Juris utrum, 14 *Edw.* 3. *Cap.* 17.	Parſons, Vicars, Wardens of Chappels, and Provoſts, Wardens, and Prieſts of perpetual Chantries, ſhall have *Juris utrum* of Poſſeſſions given in Alms.
Enqueſt, &c. 18 *Ed.* 3. *Cap.* 3.	Shall not be Enquired of, but if done without Licence, or *Ad quod damnum*, ſhall be Fined.
Church-yards, &c. 15 *Rich.* 2. *Cap.* 5.	Making Church-yards without Licence, is within 7 *Ed.* 1. *pag.* 33. and Feoffments to the uſe of any Spiritual Perſons, or to uſe of Gilds or Fraternities, Commonalties, Corporation, of Cities, Boroughs, and Towns where they take Profits, to be a Forfeiture.
Offertory, 21 *Hen.* 8. *Cap.* 6. §. 5	Parſons, Vicars, *&c.* may take Money or other thing given to them, to the Church, or to the High Altar.
Uſe Superſtitious, 23 *Hen.* 8. *Cap.* 10.	All uſes, Intents, *&c.* of what nature ſoever, called or Deviſed to Pariſh-Church, Chappel, Church-wardens, Guilds, Fraternities, Commonalties, Companies, or Brotherhoods, Erect by Devotion or Aſſent, without Incorporation by Feoffee, Recoveree, or Cognizee, *&c.* to be void to have *Obiits*, or perpetual Service for ever of a Prieſt.
§. 3.	Deviſe, *&c.* may be made for twenty years to ſuch Uſes
§. 4.	All Contracts, Obligations, Crafts and Engines for longer time, void, and taken ſtrongeſt againſt the fraud.
§. 5.	Saving Cuſtoms of Towns to Deviſe in *Mortmain.*
Power to Infeoff, & 1 & 2 *Ph. & Mar. Cap.* 18. §. 50.	All Seized in Fee of Lands, Tythes, *&c.* not Copyhold, may (§. 53. for twenty years) Infeoff or Deviſe it to Body Politick or Corporate, *&c.*
§. 55.	Donors may reſerve Tenure in Free Almoin, or by Divine Service.
Poor, 35 *Eliz. Cap.* 7. §. 27.	For twenty years Feoffments or Deviſe may be to uſe of Poor, and Houſes of Correction, without *Ad quod damnum*, &c.

Mortuary, ſee *Eccleſiaſtical Perſons.*
Moſs-Troopers, ſee *Scotland.*
Multiplication, ſee *Money.*
Mummers, ſee *Games.*
Murder, ſee *Coron.*
Muſters, ſee *War.*

Noſme.

Addition, *Identitate Nominis*, *Miſnomer.*

Utlary or Seizure may be avoid by Writ *De Identitate.*	**Utlary**, 37 *Ed.* 3. *Cap.*
Want of addition of Degree, Myſtery, Place, and County where Utlary lieth, makes it void, *contra* of Surpluſage.	1 *Hen.* 5. *Cap.* 5.
Executors may have *Identitate* to avoid Utlary of Teſtator.	9 *Hen.* 6. *Cap.* 4.
No Entry of *Obtulit ſe* to avoid Utlary, unleſs Party appearing ſwear he is the ſame Man.	10 *Hen.* 6. *Cap.* 4.
Merchant may Enter Goods in anothers Name.	**Merchant**, 11 *H.* 8. *c.*
Obligation or Contract to *A.* for the Kings uſe, muſt be Sued in Name of *A.* but no Coſts on Nonſuit.	**King**, 24 *Hen.* 8. *Cap.*
Obligation for Benefit of the King muſt be *Dom. Reg. ſolvend. eid. Dom. Reg. Hæred. & Executor. ſuis.*	33 *Hen.* 8. *Cap.* 39. §.
The Kings Title and Style made parcel thereof, and Treaſon to Deprive.	35 *Hen.* 8. *Cap.* 3.
Of Duke, *&c.* pending Writ ſhall not abate it.	**Duke**, 1 *Ed.* 6. *Cap.* 7.
Calling the *French* King, King of *France*, no Treaſon.	**King**, *Cap.* 12. §. 21.
All Laws and Statutes that appoint the King to Have or Do, or that puniſh Offence againſt the King, his Crown and Dignity, ought to be taken alſo of the Queen, being Heir, *&c.*	1 *Mar. St.* 3. *Cap.* 1. §. 3.
The Kings Style good within or without Title of Supream Head.	1 *&* 2 *Ph. & Mar. Cap.* 8. §. 44.
Damages with treble Coſts and Charges to be paid on falſe Suit in anothers Name, and ſix months Impriſonment, and Ten pounds to Party whoſe Name is uſed.	**Suit in anothers Name**, 8 *Eliz. Cap.* §. 4.
Sheriff forfeits five Marks that Levies Eſtreats on Juror that hath no Addition.	**Juror**, 27 *Eliz. Cap.* 7. §. 2.
Fine ſuffered in anothers Name, Felony.	De'lauter, 21 *Jac.* 1. *Cap.*
The Style of Uſurpers traiterous and deteſted.	**Uſurper**, 12 *Car.* 2. *c.* §. 12.

Newcaſtle, ſee *Merchants.*
News, ſee *Slander.*
Niſi prius, ſee *Enqueſt.*
Nonability, ſee *Ability.*
Nonage, ſee *Enfant.*
Nonclaim, ſee *Limitation.*
Nonconformiſt, ſee *Religion.*
Nonplevin, ſee *Diſtreſs.*
Non-reſident, ſee *Eccleſiaſtic. Perſons*, *Encumbent.*

Nonſuit.

Shall not be after Verdict againſt Plaintiff.	2 *Hen.* 4. *Cap.* 7.
The Defendant ſhall have Coſts thereon.	23 *Hen.* 8. *Cap.* 15.
Debt for Coſts to recover on Nonſuit.	8 *Eliz. Cap.* 2. §. 5.
Informer to pay Coſts thereon.	18 *Eliz. Cap.* 5. §. 3.

Non-tenure, ſee *Tenants.*
Northampton, ſee *Reparation.*
Norwich Stuff, ſee *Drapery.*
Northumberland, ſee *Sheriffs.*
Noſe, ſee *Treſpaſs.*
Nun, ſee *Abbe.*
Nuper Obiit, ſee *Writs.*

Nuſance.

Quod permittat, *Infection*, *Layſtalls*, *Aſſize.*

That Purpreſtures on the King, ſhall be removed.	**Purpreſture**, 4 *Ed.* 1. *St.* 3. *Cap.* 4. *De Bigamis.*
A Writ lieth againſt him that Levied the Wall-houſe or Market, notwithſtanding any Alienation.	Breve. 13 *Ed.* 1. *Cap.* 24. *W.* 2.
The Frankpledge ſhall Enquire of Purpreſtures in Lands, Woods or Waters to Annoyance.	**Inqueſt**, 18 *Ed.* 2. *p.* 8 §. 7.
Shall be either Vicountiel, or by Aſſize before the Juſtices at Plaintiffs Election.	**Vicountiel**, 6 *Rich.* 2. *Cap.* 3.
They that throw Dung or Garbage in Ditches, Rivers, or Waters of Cities or Towns, ſhall remove it, or forfeit Twenty pounds, and Mayor Twenty pounds, if not done, and ſend a Writ to do it.	**Garbage**, &c. 12 *R.* 2. *Cap.* 13.
Butcher ſhall kill no Meat at the Scalding-houſe, nor within the Walls of *London.*	**Butcher**, 4 *Hen.* 7. *Cap.* 3.

Tryal, 22 H. 8. c. 5.	In Seſſions four Juſtices of Peace, one of the *Quorum* to determine Annoyance in Ways, Bridges, &c.
Common, 32 H. 8. Cap. 13. §. 9.	Putting in Infected or Scabby Horſes into Common is ſo.
Scavenger, 13 & 14 Car. 2. c. 2.	Scavengers, &c. may lay Dirt in publick vacant places near the Street, &c.
Wagon, c. 6. §. 10.	Travelling with Wagons not Seized, is ſo.
Leather, 14 Car. 2. c. 7. §. 11.	Tranſporting Leather is declared to be ſo.
Iriſh Cattel, 18 Car. 2. c. 2.	Importing *Iriſh* Cattel is ſo.
Building, 19 Car. 2. c. 3. §3	Building in *London* otherwiſe then preſcribe is ſo.
Layſtall, 22 & 23 Car. 2. Cap. 17. §. 11.	The City of *London* may purchaſe Layſtalls as convenient for Soyl, &c.

Oaths.

Serement, Swearing, Perjury, Curſes, Abjuration, Ley, Attaint, Witneſſes.

Amerciament, 9 H. 3. Cap. 14. Magna Chart.	A Merciament ſhall be proportionable to Offence, ſet only by Oath of honeſt and lawful Men of the Vicinage, and on Peer *Par pares*.
Open Law, c. 28.	No Bailiff ſhall put any Man to his open Law, nor to an Oath upon his own bare ſaying, without faithful Witneſs brought in for the ſame.
Foreſt, 9 H. 3. St. 2. c. 7. Ch. de Foreſta.	Foreſter ſhall make no Gathering but by Oath of Twelve Rangers when they Range.
Cap. 10.	Deer-killer that cannot find Sureties after year and days Impriſonment, ſhall abjure the Realm.
Approvement, 20 H. 3. Cap. 4. Merton.	Jury on their Oaths in Aſſize ſhall ſet out ſufficient Common on Approvement.
Exchequer, 51 H. 3. p. 11. §. 7. De Scaccario.	Of Treaſurer and Barons not to hear other Pleas then of the Kings Debt, while the Kings Buſineſs is in hand.
§. 8.	Of Treaſurer and Barons, and their Allegiance, not to make Deputy, nor let any ſworn Officer put perſon unſworn Deputy, but by Licence, and *Reſpondeat Superior*, whether ſworn or not, of Fee or not.
orn, 51 H. 3. p. 13.	Twelve ſhall be ſworn to preſent the Prices of Wheat, the firſt, ſecond, and third Rate, and if the Aſſize of Bread and Ale be according.
Juror, 52 H. 3. c. 14. Marlb.	Where Juſtice cannot be done without, no Charter of Exemption ſhall be allowed to Juror,
Eſſoin, c. 19.	None ſhall be ſworn to warrant Eſſoin in County, Hundred, Court-Baron, or other Courts.
Freeholder, c. 22.	Freeholder ſhall not be compelled to ſwear againſt his will, but by the Kings Writ.
Eyre, c. 24.	Townſhip ſhall not be Amerced becauſe all above Twelve do not appear in Eyre, if there be a full Enqueſt, unleſs it be on death of a Man.
Murder, 3 Ed. 1. c. 11. W. 1.	Enqueſt of Murther ſhall be by lawful Men choſen out by Oath, and two Knights, to prevent Replevin by favourable Enqueſts, or the Writ *De Odio & Atia*.
merciament of County, &c. c. 18.	Common Fine, and Amerciaments of County for falſe Judgments and other Treſpaſſes, ſhall be Aſſeſſed by Juſtices in Eyre, by Oath of Knights, and not by Sheriffs or Barrettors.
bjuration, 3 Edw. 1. Cap. 11. W. 1.	Traſpaſſer in Parks or Ponds, if Inſolvent, after three years Impriſonment, ſhall abjure the Realm.
ttaint, c. 38.	Attaints ſhall be granted by the King *Ex Officio*, on falſe Oath of Enqueſts, in any matter touching Freehold.
hampion, c. 41.	Of Champion of the Demandant being moſtly forſworn, in that he ſee the Seiſin of his Lord, &c. omit, but held in the reſt.
oroner, 4 Edw. 1. . 28. De Off. Coron.	The Coroner by Oath of Four, five or ſix next Towns ſhall Enquire of Men ſlain, Deodands, Treaſure-Trove, Riotous Livers, Tavern-Haunters, Wreck, Hue and Cry.
laintiff, 6 Edw. 1. c. 8. Glouc.	Plaintiff ſhall ſwear Treſpaſs in the Kings Court, by his Faith, that Goods were worth Fourty ſhillings at leaſt, and that Plaint of Beating is true.
enant in Common, &c. 13 Edw. 1. c. 23. W. 2.	Tenant in Common on Recovery in Waſte againſt the other, ſhall take in ſeveralty by Oath of Neighbours, or with the reſt.
Niſi prius, c. 30.	Two Juſtices ſworn, ſhall be Aſſigned to take Aſſizes with Aſſociate, by *Niſi prius*.
uſtices, c. 44.	Juſtices charge on Faith and Oath duly to Execute the puniſhment of Exceſſive Fees of Officers in Circuit.
eace, 31 Edw. 1. p. 71. rtic. ſuper Winch.	It ſhall be Enquired if all betwen fifteen and ſixteen be ſworn to keep the Peace.
nfeſſors, 9 Ed. 2. c. 10. rtic. Cleri.	Confeſſors ſhall not Inform Apellors what perſons Abjured ſay.
juration, c. 15.	Clerk ſubmitting to the Law, ſhall not be forced to Abjure, taking Sanctuary.
nkpledge, 18 Ed. 2. 84. View of Frankpl.	The Articles to be Enquired of in view of Frankpledge, are ſo, and thirty three in number in Leet.
tcher, Incert. Temp. 85. 7 Edw. 2. c. 7.	Butcher on fourth Offence ſelling Swine, Meaſled Fleſh, dead of Murrain, or bought of Jews, ſhall forſwear the Town.
ller, 9 Ed. 3. c. 11.	Hoſtlers ſhall be ſworn to ſearch their Gueſts.
ice, 14 Edw. 3. c. 5.	Shall be given to Officers of Juſtice to Serve the King and his People.
don, c. 15.	The King ſhall not pardon the killing of a Man, nor other Felony, but where he may do it, ſaving his Oath, as 2 *Edw.* 3. *Cap.* 2.

The Oath of the Juſtices.	Juſtices, 18 Ed. 3. p. 110.
Of the Clerks in Chancery and Curſitors.	Chancery, p. 111.
Shall be taken by Juſtices of Oyer and Terminer, of Aſſize and Goal-delivery, and Aſſociate before their Commiſſion.	Juſtices, 20 Edw. 3. c. 3.
Aulnager of the King ſhall be ſworn.	Aulnager, 25 Ed. 3. c. 1.
The Laws not Repeal, the King by his Oath to ſee Executed.	King, 25 Edw. 3. p. 121. §. 3.
Shall be taken not to chooſe Juſtice of Peace, Sheriffs, Eſcheators, Cuſtomers, Controllers, or other Officer or Miniſter of the King, for Gift, Favour, or Purſuit, but of the moſt lawful, able, and knowing.	King, 12 R. 2. c. 2.
Officers ſhall be ſworn firſt to the King, and then to the Staple.	Staple, 14 R. 2. c. 3.
Commiſſioners in time of *Rich.* 2. deſpoiled thereof, ſhall be diſcharged on Oath.	Commiſſioners, 2 H. 4. Cap. 9.
Of an Attorney is truly to Serve in his Office, eſpecially that they make no Suit in a Foreign County.	Attorney, 4 H. 4. c. 18.
Of Searcher not to be let in Office, or make Deputy, to take nothing but what is appointed, and not to be Hoſt to Merchant or Mariner.	Searcher, c. 21.
Of not receiving Commiſſions taken before Juſtices or Barons, ſhall diſcharge the Commiſſioners of Oyer and Terminer, and of Enquiry, and Certifying only.	Commiſſioners des Oyer, 7 H. 4. c. 11.
Muſt be made, that he who appears to avoid Utlary, is the ſame perſon, elſe no *Obtulit ſe* to be Entred.	Utlary, 10 H. 6. c. 4.
On Attaint Party ſhall have Damages and Coſts.	Attaint, 11 H. 6. c. 4.
Shall be by Plaintiff in Court of Pypowders in Fairs, that Cauſe of Action aroſe in and during the Fair.	Pypowder, 17 Edw. 4. Cap. 2.
If Plaintiff or Attorney refuſe to ſwear Cauſe of Action aroſe within the Fair, the Defendant to be diſmiſt.	1 Rich. 3. c. 6. §. 2.
Perjury by unlawful Maintenance, Imbracing or Corruption, puniſht at diſcretion of Chancellor, Treaſurer, &c.	Maintenance, 11 H. 7. Cap. 25.
Eſcheator that hath not fourty Marks in uſe nor poſſeſſion, may on Oath refuſe to act.	Eſcheator, 1 H. 8. c. 8.
Perſon Abjured ſhall be markt on the Thumb with hot Iron.	Abjured, 21 H. 8. c. 2.
On Attaint above Fourty pounds, every Juror to have Twenty Marks, if under, Five Marks.	Attaint, 23 H. 8. c. 3.
To obſerve the ſucceſſion to the Crown, as Limit, and refuſal is Miſpriſion of Treaſon.	King, 25 H. 8. c. 22. §. 14.
Of obedience to the King and his Heirs by Queen *Anne*, and none other ſhall be taken by all.	26 Hen. 8. c. 2.
Of the Chancellor of the Court of Augmentations.	Several Officers, 27 H. 8. c. 27.
The Oath of the Treaſurer.	§. 13.
The Oath of Attorney and Solicitor of Augmentations.	§. 14.
Of the Auditors of the Court of Augmentations.	§. 15.
Of the Receivers.	§. 16.
Of the Clerk.	§. 17.
By-law to ſwear not to Trade without Licence of Corporation, void, and forfeits Fourty pounds.	By-law, 28 H. 8. c. 5
To anſwer Interrogatories on Slander of the Kings Marriage, if refuſe, is Treaſon.	King, c. 7. §. 25.
Of Obedience to the King and his Heirs by *Jane Seymour*, and to maintain this Statute.	§. 28.
They that ſuborn Witneſs, &c. by Letters, &c. forfeit Ten pounds.	Subornation, 32 H. 8. Cap. 9. §. 3.
Muſt be taken within a Month after Patent tendred to Eſcheator.	Eſcheator, 33 H. 8. Cap. 22. §. 17.
To obſerve Founders Law of Negative Voice, or diſſent of Minority, void, and Grant, Election, &c. by Majority of Corporation, good.	Corporation, 33 H. 8. Cap. 27.
That Sheriff cannot Levy, ſhall diſcharge his Account in Exchequer.	Sheriff, 34 & 35 H. 8. c. 16.
A Fuller in lieu of thoſe in 25 *H.* 8. *c.* 22. §. 14. and 28 *H.* 8. *c.* 7. §. 28. againſt the Power of *Rome*.	35 H. 8. c. 1. §. 11.
All Spiritual and Temporal Suing Livery, doing Fealty, &c. to take it.	§. 12.
All Eccleſiaſtical perſons taking Orders or Degrees in Univerſities, and all Subjects.	Supremacy, §. 13.
Refuſal of the Oath to be Treaſon.	§. 14.
Of Supremacy to be taken by Archbiſhops, &c.	Supremacy, 1 El. c. 1. §. 19.
Refuſers to loſe all Spiritual Promotions.	§. 20.
Refuſers incapable of other Benefices.	§. 21.
Every Officer Spiritual or Lay, to take it before Exerciſe of Office.	§. 22.
On refuſal to be adjudged diſabled.	§. 23.
To be taken by him that Sues *Ouſter le main*, doth Homage, or is received to Service.	§. 24.
By all Degrees in Univerſities.	§. 25.
Officer of Inheritance refuſing, forfeits for life.	§. 26.
To be taken by all taking Orders or Degrees in Univerſity, by all that belong to the Common Law.	5 Eliz. c. 1. §. 5.
The Oath to be Expounded as in Admonition, annext to 1 *Eliz.* *Cap.* 1.	§. 14.
Parliament-Men ſhall take it before entring the Houſe, &c.	§. 16.
Peers not obliged to take it.	§. 17.
None but Eccleſiaſtical Officers, and ſuch as neglect ſervice, to be compelled ſecond taking.	§. 20.

He

Subornation, *Cap.* 9. §. 3.	He that ſuborns Witneſs in the Courts of Record of the King, *&c.* by corrupt dealing, to forfeit 40 *l.*
§. 4.	If Inſolvent, to be Impriſoned half a year, and Pillory.
§. 5.	Perſon Convict, never to be Witneſs again.
§. 6.	He that is ſuborned to Perjury in the Courts mentioned, forfeits 20 *l.* and Impriſonment ſix Months.
§. 7.	If inſufficient, Pillory, and Ears nailed, *&c.*
§. 9.	The Judges where Suit is, *&c.* to puniſh by Information, *&c.*
§. 10.	The Stat. to be proclaimed twice a year at the Aſſizes.
§. 11.	Not to extend to any Spiritual Courts.
Witneſs, §. 12.	Witneſs that doth not appear on Summons, and Charges paid, forfeits 10 *l.* and Recompence.
Chancellor, §. 13.	Not to reſtrain the power of Chancellor by 11 *H.* 7. *Cap.* 25. to examine Riots and hainous Perjuries.
Sheriff, 27 *Eliz. Cap.* 12. §. 2.	Of Supremacy, and not to uſe Office of Under-Sheriff corruptly, or to take Reward for Return to be taken before Execution.
Bailiffs, &c. § 4.	Bailiffs of Franchiſe, Deputy, and Clerks to Sheriff and Under-Sheriff, to take the ſame before medling with Proceſs, on forfeit of 40 *l.*
Robbery, &c. *Cap.* 13. §. 11.	Muſt be before ſome Juſtice of Peace of the County, whether party Robbed know the Felons, *&c.*
Abjuration, 35 *Eliz. Cap.* 1. §. 2.	To Abjure in three months after Convict of Abſence from Church, *&c.*
Recuſant, 3 *Jac.* 1. *Cap.* 4. §. 13.	By Biſhop and two Juſtices tender to all but Noble perſons, to ſay if Recuſant, or if they received the Sacrament twice laſt year.
§. 15.	The Form of Allegiance to be Subſcribed.
Foreign Service, §. 18.	Going into Foreign Service before taken, Felony.
Naturalization, 7 *Jac.* 1 *Cap.* 2.	Allegiance and Supremacy to be taken before Naturalized or reſtored in Bloud.
What Perſons to take the Oath of Allegiance, *Cap.* 6. §, 2.	All above eighteen years old after mentioned, to take the Oath, 3 *Jac.* 1. *Cap.* 4. §. 15. of Allegiance, Archbiſhop and Biſhop before Lord-Chancellor.
§. 3.	All Eccleſiaſtical Judge, Officer, and Miniſter, before Arch-biſhop or Ordinary.
§. 4.	Barons, or above, and Privy Councellors within thirty miles of *London*, before four of the Privy Council, *Quorum* Lord Chancellor, *&c.*
§. 5.	Servants ſworn in Ordinary or Extraordinary to the King, Queen or Prince.
§. 6.	Judges, Juſtices, Sheriffs, and other Officers of Juſtice, or others of Fee, before Lord Chancellor, *&c.*
§. 7.	Mayor, *&c.* before perſons uſual, before entry into Office.
§. 8.	Parliament Men before entry into the Houſe, before Lord Steward, *&c.*
§. 9.	All Officers within the Tower, before the Lieutenant.
§. 10.	Sea-Officers, before any two principal Officers of Navy.
§. 11.	All Captains, and that have charge of Caſtles, *&c.* before Juſtice of Aſſize, Peace, *&c.*
§. 12.	Doctors, Advocates and Proctors, and Clerks of Civil Law, before Biſhop.
§. 13.	All that ſue Livery, *Ouſter le main*, before Maſter of Wards.
§. 14.	All Serjeants, before the Chief Juſtice.
§. 15.	All of Inns of Court, or that be admit Principal and Treaſurers of Inns of Chancery, before Readers and Benchers in open Hall.
§. 16.	Ancients and others, not being Principal or Treaſurer, before them in Chancery.
§. 17.	Prothonotaries, Philizers, Attorneys, Clerks, *&c.* before Judge of that Court.
§. 18.	Clerks and Officers of Chancery, before Maſter of Rolls, or two Maſters of Chancery.
§. 19.	Parſons, Vicars, Curates, Schoolmaſter and Uſher, before Ordinary.
§. 20.	Vice-Chancellor and Heads of Colledges, in Convocation.
§. 21.	All Graduates, in the Congregation-houſe.
§. 22.	Fellows of Houſes, Scholars of Halls, before the Head in open Hall.
§. 23.	Phyſicians, before Preſident of the Colledge.
§. 24.	Aldermen, and Officers of Cities, and Freemen, before Mayor.
§. 25.	All to take it at time preſcribed, or in ſix months after this Parliament.
§. 26.	Privy-Councellor Biſhop, may tender it to Baron eighteen, and Juſtice of Peace to the reſt.
§. 27.	Refuſer to take the Oath, diſabled to Execute publick Judicature or Office.
§. 28.	Married Women not Conforming in three months after Convict of not coming to Church, Impriſon, unleſs Husband pay 10 *l.* a month.
Profane Swearing, 11 *Jac.* 1. *Cap.* 20.	Convict of profane Swearing and Curſing, forfeits 12 *d.* to uſe of Poor.
§. 2.	Officer may plead General Iſſue.
§. 3.	Offence to be proſecuted in Twenty days.
Ex Officio, 17 *Car.* 1. *c.* 11. §. 4	*Ex Officio* ſhall not be enforced by Archbiſhop, *&c.*
Exciſe, 12 *Car.* 2. *Cap.* 23. §. 33.	Shall be taken before intermeddling with Employment in Exciſe, *&c.*
League, &c. 13 *Car.* 2. *Cap.* 1. §. 3.	Solemn League and Covenant was unlawful, and Impoſed againſt the Laws.
Ex Officio, *Cap.* 12. §. 4.	*Ex Officio*, or to accuſe, not to be Adminiſtred by Arch-biſhop, *&c.*

To be taken by Officers of Corporations, and §. 6. their ſubſcription againſt the Solemn League and Covenant.	Corporation, 13 *Car.* 2. *Stat.* 2. *Cap.* 1. §. 4.
Of Member of Corporation, ſhall be taken by all perſons placed there.	§. 13.
Quakers, *&c.* that affirm or perſwade Oaths unlawful, departing from Habitation, and Aſſembling above Five under pretence of Religious Worſhip, forfeits 5 *l.* ſecondly, 10 *l.* and thirdly, Abjured, or be Tranſported.	Quakers, 14 *Car.* 2. *Cap.* 1.
Of Allegiance, Supremacy, and Abjuration of Covenant, *&c.* to be taken by Peer: and alſo §. 19. by Commoner before Acting, as Deputy-Lieutenant.	Allegiance, &c. *Cap.* 3. §. 18.
Declaration againſt taking up Arms againſt the King, and the Solemn League and Covenant muſt be by all Eccleſiaſtical perſons before Admit, *&c.*	Declaration, *Cap.* 4. §. 8.
Muſt be taken by Wardens and Aſſiſtants of Worſted-Weavers in *Norwich*.	*Cap.* 5.
Declaration ſubſcribed by ſelect Veſtry-men, §. 5. to be Certified by Ordinary.	15 *Car.* 2. *Cap.* 5. §. 3.
Commiſſioner or Farmer of Exciſe acting before ſworn, as 12 *Car.* 2. *Cap.* 23. forfeits 50 *l.*	Exciſe, *Cap.* 11. §. 27.
Corporation of *Bedford-Level* to take Oath before Exerciſe, *&c.*	Level, *Cap.* 17. §. 14.
Commiſſioners for the *Level* to take Oath before Execution of Powers, *&c.*	§. 31.
Refuſing it when Legally tendred, Commits Quaker to be Tranſported.	Quaker, 16 *Car.* 2. *Cap.* 4. §. 18.
Swearing I do not hold Oath unlawful. §. 20. Diſcharges as to Tranſportation.	§. 19.
Chancellor of Dutchy may grant Commiſſion to take Affidavits in the Countrey.	Affidavit, 16 & 17 *Car.* 2. *Cap.* 9.
Fee of taking it to be 12 *d.* only.	§. 2.
Not to take up Arms, or alter Government, to be taken by perſons reſtrained five miles of Corporation.	Corporation, 17 *Car.* 2. *Cap.* 2. §. 2.
Of Supremacy and Allegiance to be taken by all Officers, *&c.*	Supremacy, &c. 15 *Car.* 2. *Cap.* 2.
At ſwearing Party to ſubſcribe Declaration againſt *Tranſubſtantiation.*	Declaration, §. 9.
To be taken (as preſcribe) by the Commiſſioners for Rebuilding of *Northampton.*	Northampton, 27 *Car.* 2. §. 10.
The Chief Juſtice and one Judge in each Court at *Weſtminſter*, may make Commiſſioners to take Affidavits in the Countrey, and good Evidence, *&c.*	Affidavit, 29 *Car.* 2. *Cap.* 5.
Where no Juſtice of Peace reſides or can be found in the Pariſh of Burial, the Parſon, Vicar, or Curate ſhall take Affidavit of Burying in Woollen.	Woollen, 32 *Car.* 2. *Cap.* 1. §. 3. *N.* 1.
Repeal of 30 *Car.* 2. *Cap.* 1. as to Members of Parliament taking Oaths of Supremacy and Allegiance.	Supremacy, &c. 1 *W.* & *M. Seſſ.* 1. *Cap.* 1. §. 3.
New Oaths appointed to be taken by the Members, in liew of thoſe Oaths; and the Declaration in 30 *Car.* 2. *Cap.* 1. to be ſubſcribed by them; All to be done as limited in the 30 of *Car.* 2.	New Oaths, and Declaration of Members, §. 4 & 5.
The New Oaths.	New Oaths, §. 6,
Recites that the Coronation Oath hath been framed in doubtful words.	Coronation Oath, *Cap.* 16.
Appoints a New Coronation Oath, to be taken by King *William* and Queen *Mary.*	Appoints a new Oath for K. and M. §. 2.
New Coronation Oath.	New Oath, §. 3.
Same Oath to be Adminiſtred to ſucceſſive Kings and Queens.	Succeſſive King and Queen, §. 4.
Oaths of Supremacy and Allegiance abrogated.	Supremacy, &c.
New Oaths to be taken, and a Declaration ſubſcribed, by ſuch as were required to take the Oaths of Supremacy and Allegiance, and where, and when by Peers.	New Oaths and Declaration, when, &c. to be by Peers,
New Oaths to be taken, and Declaration ſubſcribed before ſuch as were authorized to tender Oath of Allegiance.	Before whom, §. 4.
All (except thoſe otherwiſe provided for) that ſhould have taken the abrogated Oaths, to take the New Oaths, in ſame manner, *&c.* as the former.	Taking General, §.
Penalties on Perſons in Office, *&c.* neglecting to take new Oaths within a certain time.	Officer neglecting, §. 6.
Penalties on Eccleſiaſtical Perſons neglecting to take the New Oaths within a ſet time.	Eccleſiaſticks, §. 7.
Penalty on Governours of Colledges, *&c.* Maſters of Hoſpitals, *&c.* or Profeſſors of Sciences in Univerſities or *London*, neglecting to take New Oaths, within a ſet time.	Governors of Colledges, &c. Maſters of Hoſpitals, &c. Profeſſors of Sciences,
Penalty on others then thoſe above named, for refuſing New Oaths on Tender.	Others refuſing, §. 9.
Sea or Land Officers before whom to take the New Oaths, and ſubſcribe Declaration, and ſucceeding Officers, before delivery of Commiſſion, or Warrant, to take New Oaths, and ſubſcribe Declaration, and Penalty for refuſal.	Sea and Land Officers, Succeeding Officers, Refuſal, §. 10.
The Oath in 13 & 14 *Car.* 2. *Cap.* 3. and former part of Declaration in *Cap* 4. of taking up Arms againſt the K. or thoſe Commiſſioned by him, not to be enjoyned.	Oath and Declaration not enjoyned, §. 11.
The New Oath.	New Oath, §. 12.
Names of Perſons taking New Oaths, with time of taking, to be inrolled, and the Rolls of ſeveral Courts to be publickly hung up, where, and when.	Inrolling Names, &c. hanging up Rolls, §. 13.

Taking

fficers made after 11 *Dec.* 1688.	Taking of New Oaths within a ſet time, by perſons coming into Office, *&c.* after 11 *Dec.* 1688. who could not take former Oaths to be ſufficient.
fficer admitted after ichaelmas, §. 15.	Perſons admitted into Office, *&c.* ſince *Michaelmas*, who could not take former Oaths, and ſubſcribe Declaration, as appointed by 25 *Car.* 2. *cap.* 2. Indempnified, by taking New Oaths, and ſubſcribing Declaration, and taking Sacrament, and procuring Certificate as directed by that Act, and where, and within what time to be done.
on jurant Clergy, §. 16.	Left to the King to allow *non Jurant* Clergy, not exceeding 12, a third part of their Benefices, during pleaſure.
ilitary Officer 20 Miles from London, *Cap.* 25. §. 2.	Military Officer made at above 20 miles diſtance from *London*, where, and before whom, to take the New Oaths, and ſubſcribe Declaration; the ſame to be certified.
efuſal, §. 3.	Penalty for refuſal.
ilitia except, §. 4.	Not to extend to the Militia.
llegiance and Supremacy abrogated, *Seſſ.* 2. *c.* 2.	Oaths of Allegiance and Supremacy abrogated, and other Oaths appointed; to be taken by all that were to take the abrogated Oaths.
eland, 3 & 4 *W.* & *M.* *c.* 2.	Oath of Supremacy in *Ireland* in 2 *Eliz.* abrogated, and other Oaths appointed; And by whom, and in what manner, and under what Penalties, *&c.* the new Oaths ſhall be taken, and a Declaration ſubſcribed. *Vide* Title *Ireland*.
urſing and Swearing, 6 & 7 *W* 3. *c.* 11.	For Suppreſſing Prophane Curſing and Swearing.
enalties on Offenders, §. 1.	Servant, Labourer, Common Soldier or Seaman for firſt offence to pay 1 *s.* and others 2 *s.* for ſecond offence double, and for third offence treble, all to poors uſe.
enalties how to be Levied, and Offenders puniſhed, §. 2.	Penalties to be Levied by Diſtreſs and Sale, and if no Diſtreſs, Offenders above 16 to ſit in Stocks for an hour for ſingle offence, and 2 hours for more offences; and if Offender under 16, to be Whipt in Conſtables preſence.
enalty on Juſtice of Peace, &c. §. 3.	Juſtice of Peace or chief Magiſtrate omitting Duty, to forfeit 5 *l.*
efendants Priviledge, §. 4.	Priviledge of Perſon ſued for acting in purſuance of this Act.
oſecution when, §. 5.	Proſecution to be within 10 days after offence.
eading this Act in Churches, §. 6.	This Act to be publickly read on *Sundays* four times in the year in Churches by the Miniſters after Morning Prayer.
egiſtring and certifying Convictions, &c. §. 7.	Convictions to be Regiſtred, and certified next Quarter Seſſions, and there kept on Record, to be ſeen *gratis*.

Oblations, ſee *Tythes*.

Obligation.

Perſon, 38 *Ed.* 3. *c.* 4.	Penal in the third perſon, is void.
reſs, 1 *Rich.* 2. *c.* 13.	Made by *Dureſs* not to ſue in Spiritual Court for Tythes, void.
tchequer, 13 *R.* 2. *c.* 14.	Of double by Debtor in Exchequer, void.
eriff, 23 *H.* 6. *c.* 10.	To Sheriff, or others to his uſe, Condition otherwiſe then to appear at the day and place in the Writ, void.
ecognizance, 23 *H.* 8. *Cap.* 6.	In nature of a Recognizance before Chief Juſtice, or Mayor and Recorder, doth ouſt Statute Staple between other then Merchants.
oſts, 24 *H.* 8. *c.* 8.	Sued in name of Obligee, or on Contract to uſe of the King, Plaintiff ſhall pay no Coſt on Nonſuit.
Law, 28 *H.* 8. *c.* 5.	Not to exerciſe Trade without Licence, void, and Corporation for ſuch By-Law, forfeits 40 *l.*
nd to the King, *H.* 8. *c.* 30. §. 2.	Shall be *Dom. Regi* for any Cauſe touching his Uſe, *Solvend. eid. Dom. Regi, Hæred. vel Executor. ſuis*, and as Statute Staple.
§. 3.	The King may appoint it to Heir, or Executors.
§. 4.	Suit ſhall be in the Kings Name, to whomſoever the Obligation be.
§. 26.	Is extendable for the King on Entail'd Lands.
§. 27.	To the King, not naming Heir or Succeſſors, may be ſued by them.
eriff, 13 *Car.* 2. *Stat.* 2. *Cap.* 2. §. 2.	Shall not be above Fourty pounds to Sheriff or Coroner, unleſs the Cauſe of Action appear.

Odio & Atia, ſee *Writs* and *Enqueſt*.

Office.

Eſcheators, Inquiſition, Monſtrans de droit.

rds, &c. 51 *H.* 3. . 5. *p.* 11. §. 3. *N.* 3.	Shall be found in the Sheriffs Turn of Wards and Eſcheats within every County.
heators, 52 *H.* 3. *c.* 18. *Marlbr.*	Eſcheators ſhall not Amerce any on default at Common Summons.
heator, 3 *Ed.* 1. *c.* 24. . 1.	May be *De novo*, or Aſſize and double Damages againſt Eſcheator, Sheriff, or the Kings Bailiff, that Diſſeized any of Freehold, by colour of Fine, without ſpecial Warrant.
oveas manum, 29 . 1. *p.* 66. of Eſcheators at Lincoln.	An *Amoveas manum*, and Mean Iſſues ſhall be where found that nothing is holden of the King.

Of Eſcheator, Return in Chancery may be there Traverſed.	Travers, 34 *Ed.* 3. *c.* 14.
On Traverſe thereof by Ward in Chancery, he or next Friend ſhall have it in Farm, not the Eſcheator.	Farms, 36 *Ed.* 3. *c.* 13.
Shall be Executed by able Eſcheator in perſon.	Eſcheator, 42 *Ed.* 6. *c.* 5.
May be Traverſed in a month after Eſcheators Return into Chancery, and no Leaſe to be before.	Travers, 8 *H.* 6. *c.* 16.
Grant before the Kings Title ſo found, is void; ſo of Leaſe in a month after Return, and then if not, to Traverſor.	Travers, 18 *H.* 6. *c.* 6.
Eſcheator that doth not Return, forfeits Fourty pounds and Damages.	Eſcheator, *c.* 7.
Eſcheator ſhall take it in a month after Writ of *Diem Clauſit*, &c. at good Towns, in open places, Fee Six ſhillings eight pence, or Thirteen ſhillings four pence, the whole not exceed Fourty ſhillings, on pain of Twenty pounds.	Eſcheator, 23 *H.* 6. *c.* 17.
No Protection in Traverſe of Office.	Travers, §. 2.
Evidence ſhall be openly thereon, and none Return without Enqueſt, and Eſcheator to have Fourty Marks *per annum*, to return it in a month into Chancery.	Evidence, 1 *H.* 6. *c.* 8.
Notwithſtanding 8 *H.* 6. *cap.* 16. Traverſe and Security for Farm, may be in three months after Return, becauſe often in Vacation.	Traverſe and Farm, *Cap.* 10. §. 3.
Found by *Empſom* and *Dudley* untruly of Tenures in *Capite*, may be Traverſt notwithſtanding Livery ſued.	Empſon and Dudley, *Cap.* 12.
A Confirmation of 1 *H.* 8. *c.* 8. and made perpetual.	3 *H.* 8. *c.* 2.
The King is Seized without by Attainder of Treaſon at Common Law.	Treaſon, 33 *H.* 8. *c.* 20. §. 2.
Termor nor Copyholder had no remedy at Common Law againſt the King, if omit.	Termor, &c. 2 & 3 *Ed.* 6. *c.* 8.
Grantee of Charge, if omit, remedileſs.	Grantee of charge, §. 2.
Termor, Copyholder, Pernor of Profit, omit, ſhall enjoy as if no Office were.	Termor, &c. §. 3.
Heir may ſue Livery from the time of his age, *&c.* notwithſtanding Office *contra*.	Livery, §. 5.
Any may Traverſe Office of Heir of Lunatick dead, as in *London*.	Lunatick, §. 6.
Monſtrans de droit lieth on falſe finding Attainder, and not put to Petition.	Monſtrans de droit, §. 7.
Ignoramus ſhall not be taken for Tenure in *Capite*, but a *Melius*.	Ignoramus, §. 8.
Heir within Age may Traverſe Tenure found immediate of the King that is mediate.	Heir deins age, §. 9.
Mean Lords to receive of the Kings Officers, and Heir at full Age diſcharged.	Mean Lords, §. 10.
The Kings Officer on requeſt ſhall pay to mean Lords their Dues.	§. 11.
Party enabled to Traverſe ſhall ſue *Sci. fac.* againſt Patentee, and he plead, *&c.* two Writs of Search where put to Petition.	Sci. Fac. §. 13.
Saving the Kings former Title by Record after Judgment on Traverſe.	§. 14.
Of Lands in County Palatine ſhall be Tranſcribed into Court of Wards.	County Palatine, 18 *El.* *c.* 13.
None Compellable to plead Grants, or Conveyances *de bonis Felonum*, *&c.* inrolled, and allowed in Kings Bench, to Coroners Inquiſition.	Grants, &c. de bonis Felonum, 4 & 5 *W* & *M* *Cap.* 22.
Clerk of Crown iſſuing Proceſs, after Inrollment, *&c.* Forfeits 5 *l.*	Iſſuing Proceſs againſt Grantees, §. 2.
But may againſt thoſe whoſe Titles are not Inrolled, nor pleaded.	§. 3.
To continue for 3 years, and to end of next Seſſion.	Continuance, §. 5.
Apothecaries in *London* and ſeven miles thereof, and free of Company, exempt from Pariſh, Ward and Leet Offices.	Apothecary in London, *&c.* exempt from Office, 6 & 7 *W.* 3. *c.* 4. §. 2.
Apothecaries elſewhere ſerving Apprenticeſhip according to 5 *Eliz.* exempt from the ſame Offices.	Apothecary elſewhere exempt, §. 3.
Not to exempt Apothecaries appointed to Office before Commencement hereof.	Exception, §. 4.
To continue for ſeven years.	Continuance.

Officer.

Eſcheators ſhall not hold Pleas of the Crown.	Eſcheators, 9 *H.* 3. *c.* 17. *Magna Chart.*
Diſſeiſing any without Warrant of the King, to be puniſht, on Office thereof, or by Aſſize at the Parties Election, and double Damages.	Diſſeiſor, 3 *Ed.* 1. *c.* 24. *W.* 1.
Eſcheators were only two, now more, as 1 *Edw.* 3. to be Elect yearly, *&c.*	Eſcheators, 14 *Ed.* 3. *c.* 8.
Shall not be choſen for Gift, Brokage, Favour or Affection, or upon ſollicitation, but by Oath of the moſt lawful, ſufficient, and skilful.	12 *R.* 2. *c.* 2.
All Serjeants at Arms diſcharged, only thirty without Extortion.	Serjeant at Arms, 13 *R.* 2. *c.* 6.
Cuſtomer, Controller, Searcher, Weigher, or Finder of Cuſtoms, ſhall be only at the Kings will, and not have ſhips, nor meddle with freight.	Cuſtomer, &c. 14 *R.* 2. *Cap.* 10.
No Searcher, Gauger of Wine, Aulnager, Finder, Weigher, Collector, Controller, ſhall be for life or years, but in the Kings hands govern'd by Treaſurer.	Searcher, &c. 17 *R.* 2. *Cap.* 5.

Cuſtomer, &c. 1 *Hen.* 4. *Cap.* 13.	Adds that Cuſtomer and Controllers ſhall be reſident at every Port, without making Deputy.
4 *Hen.* 4. *c.* 20.	Adds that they ſhall be Sworn, on pain of Impriſonment, and One hundred pounds, and the Lieutenant of the Kings chief Butler and Searcher ſhall be reſident, alſo every Coſtomer to be ſworn to Account without fraud.
Aulnage, *c.* 24.	The Aulnage may be Lett to Farm by the Treaſurer, notwithſtanding 17 *Rich.* 2. *Cap.* 5.
Cuſtomer, &c. 11 *H.* 4. *Cap.* 2.	Common Hoſtler ſhall not be Cuſtomer, Controller, Finder, or Searcher.
Cuſtomer, &c. 13 H. 4. *Cap.* 5.	A Confirmation of 1 *H.* 4. *Cap.* 13. and 4 *H.* 4. *Cap.* 20. and that all Cuſtomers, Controllers, Gaugers of Wine, and Searchers, ſhall be always reſident, eſpecially at Charge and Diſcharge of Ships, and not abſent three weeks, on forfeiture.
Officer of Court, 2. *H.* 6. *Cap.* 10.	Of Courts ſhall appoint ſuch Clerks and Miniſters for whom they will anſwer.
Collector of Diſme, 18 *H.* 6. *c.* 5.	Collector of Diſme appoint by Citizen or Burgeſs ſhall not be for the County, unleſs he have Five pounds *per annum.*
Juſtices, 23 *H.* 6. *c.* 10.	Shall not be Returned on Pannels by the Sheriff.
Cuſtomer, 35 *H.* 6. *c.* 5.	Of Cuſtomer, Controller, Searcher, Gauger, Aulnager, Finder, Weigher, or Collector, ſhall not be Lett for life or years, but by Bill of Treaſurer, and all Patents, except the Queens, Prince, *London*, &c. void.
Searcher of Wine, &c. 12 *Edw.* 4. *c.* 8.	Grant to be Searcher or Surveyor of Wine, Ale, Beer, or Victual, void, and left to Corporation, Leets, and Franchiſe.
Eſcheator, *Cap.* 9.	Eſcheator ſhall have Twenty pounds *per annnum* for Life, and anſwer for Deputy, both forfeit Fourty pounds if not ſo.
1 *Hen.* 8. *c.* 8.	Eſcheator ſhall have Fourty marks *per annum*, or forfeit Twenty pounds, and if he Return Office not found by Enqueſt and Indenture, One hundred pounds.
§. 2.	He that hath not ſufficient in uſe or poſſeſſion, may refuſe.
§. 3.	Eſcheator one year ſhall not be ſo in three years after, except in Franchiſe.
Great Maſter, 3 *H.* 8. *c.* 2. §. 17.	A Confirmation of 1 *H.* 8. *Cap.* 8. and made perpetual.
22 *H.* 8. *c.* 39.	The great Maſter of the ſame Authority as Lord Steward of the Kings Houſe.
Eſcheator, 33 *H.* 8. *c.* 22. §. 17.	Eſcheator to take Oath in a month after Patent tendred.
Doctor of Civil Law, 37 *H* 8. *c.* 17. §. 4.	Doctor of Civil Law, Lay, or Married, may be Chancellor, Vicar-General, Commiſſary, Official, or Regiſter.
Corrupt Agreement for Office, 5 & 6 *Ed.* 6. *c.* 16.	That concerns Adminiſtration of Juſtice, or Execution, or Receit, *&c.* of the Kings Treaſure, or Surveying his Lands, *&c.* or any Adminiſtration or neceſſary Attendance to be had on the Kings Cuſtoms, *&c.* or that concern Clerkſhip in Court of Record, or Deputy, gained by corrupt Contract, forfeit that and Fee, and be diſabled as to that.
§. 3.	Corrupt Agreements to be ſo, void to and againſt Maker.
§. 4.	Not to prejudice Offices of Inheritance, not of Foreſt, Park, Chaſe, *&c.*
§. 5.	All Acts done by ſuch Officer before removal, good.
§. 7.	Not to prejudice Chief Juſtice of *B. R.* and *C. B.* or Juſtices of Aſſize.
Under Collector of Tenth, 7 *Ed.* 6. *c.* 4. §. 2.	Under Collector of Tenth to Enter Recognizance in Firſt-fruits Office, to pay all yearly Duties to the King, and ſave Archbiſhop harmleſs.
Lord Steward, 1 *Mar.* *St.* 3. *c.* 4.	A Repeal of 22 *H.* 8. *Cap.* 39. and re-eſtabliſhing the Office in Lord Steward, *&c.*
Lord-Keeper, 5 *Eliz.* *cap.* 18.	Lord-Keeper is of the ſame power, *&c.* as Lord-Chancellor.
Conſtable, 43 *Eliz.* *c.* 7. §. 2.	Conſtable may be Impriſon that refuſeth to Execute a Juſtices Warrant.
1 *Jacob.* *c.* 5.	May plead General Iſſue, and give ſpecial matter in Evidence, ſo 21 *Jac. Cap.* 12.
Cap. 20. §. 20.	May plead General Iſſue, and ſpecial Evidence of Diſtreſs for Tax, *&c.* or Drein.
Collector of Tax, 14 *Car.* 2. *c.* 17.	Collector of Publick Money, *&c.* may plead General Iſſue, and wave Demurrer.
Oaths, 1 *W* & *M.* *Seſſ.* 1. *c.* 8.	New Oaths to be taken, and a Declaration ſubſcribed, by Officers in lieu of the Oaths of Supremacy and Allegiance Abrogated. *Vide* Title *Oaths.*
Taking Oaths in 1688 diſpenſed with, §. 14 & 15.	Taking the Abrogated Oaths, and ſubſcribing Declaration, by Officers in 1688. where impoſſible, diſpenſed with, if they take new Oaths, and ſubſcribe Declaration before *Auguſt*, 1689.
Collectors Indemnified, *Seſſ.* 2. *c.* 14. §. 5.	Collectors of Publick Revenue ſince 5 *November*, 1688. Indemnified.
London, Southwark, 2 *W* & *M. Seſſ.* 1. *c.* 8. §. 7.	Officers, and Miniſters, in *London*, or *Southwark*, at time of Judgment againſt Charter of *London*, 35 *Charles* 2. and ſucceeding Officers Confirmed, except thoſe that ſurrendred, or were juſtly removed.

Penalty on Officers, or Clerks, making out Proceſs, or levying Money, *&c.* for things Pardoned.	Pardon, *c.* 10. §. 8.
Officers of Exciſe, intermeddling in Elections of Members of Parliament, to forfeit One hundred pounds, and be diſabled.	Exciſe, 5 & 6 *W* & *M* *c.* 20. §. 48.
Apothecaries Exempt from Offices.	Apothecary Exempt, 6 & 7 *W* 3. *c.* 4.

Oyer and Terminer, ſee *Juſtices.*

Oyl, ſee *Trades* and *Wine.*

Ordinary.

Dean and Chapter, Eveſque, Eccleſiaſtical Perſons, Church, Adminiſtrators, Executors, Diſtribution, Juriſdiction, Canons.

Shall not deliver Clerk Convict of Felony, without making due purgation.	Clerk Convict, 3 *Ed.* 1. *c.* 2. *W.* 1.
Shall anſwer Debts as far as Goods of Inteſtate will extend in ſuch ſort as Executors.	Inteſtate, 13 *Edw.* 1. *c.* 19. *W.* 2.
Scire facias lieth againſt him on Record of Debt in any of the Kings Courts.	*Scire facias*, *c.* 45.
Shall not Correct Clerk in Service of the King for Non-reſidence.	Kings Clerk, 9 *Ed.* 2. *c.* 8. *Artic. Cleri.*
May take Party in Town or Pariſh Excommunicated on Citation out.	Excommunication, *cap.* 12.
Examination of Ability of Clerk preſent, belongs to the Spiritual Judge.	Clergy, *c.* 13.
Shall have Clerk on demand for Felony, or any Treaſon, unleſs it touch the King himſelf, or his Royal Majeſty.	Clergy, 25 *Edw.* 3. *cap.* 4.
May Counterplead the Kings Title in Suit againſt the Patron, unleſs the Right be tried.	Kings Title, *c.* 7.
Shall be received to challenge Cognizance of the Avoidance of Benefices.	Cognizance, *c.* 8.
Indictment of Extortion muſt ſay certainly in what, and of what, and in what manner.	Extortion, *c.* 9.
His Certificate of Baſtardy alledged beyond Sea, is a ſufficient Tryal.	Baſtardy, 25 *Edw.* 3. *Stat.* 2. *pag.* 113.
His Oppreſſion or Extortion in Probate of Wills, ſhall be Enquired of by the Juſtices.	Extortion, 31 *Edw.* 3. *cap.* 4.
Shall Depute the next and moſt lawful Friend of Inteſtate to be Adminiſtrator, to Sue and Anſwer in the Kings Courts, and Account to the Ordinary as an Executor.	Adminiſtrator, *c.* 11.
May proceed by Conſultation, notwithſtanding new Prohibition, if Cauſe be not altered.	Conſultation, 50 *Ed.* 3. *cap.* 4.
On Certificate of Preachers of Hereſie, Sheriff by Commiſſion ſhall apprehend them.	Preachers, 5 *Rich.* 2. *Stat.* 2. *c.* 5.
Whether Prior be Dative, or removable, is Triable by him.	Tryal of Prior, 9 *Rich.* *cap.* 4.
Shall not receive the Kings Preſentee, where Church is full.	Plenarty, 13 *Rich.* 2. *cap.* 1.
By Licence of Appropriation ſhall provide for the Poor, and Endow Vicar.	Appropriation, 15 *Rich.* 2. *c.* 6.
None ſhall Preach without his Licence, he may Impriſon ſuſpect of Hereſie, and for Conventicle, and obſtinate ſhall be burnt.	Preacher, 2 *H.* 4. *c.* 15.
No Clerk Convict of Treaſon, or being a common Thief, ſhall make purgation.	Clerks purgation, 4 *Hen.* 4. *c.* 3.
By Commiſſion ſhall Viſit and Reform Hoſpitals Founded by the King, and without, if by the Party.	Viſitation, 2 *Hen.* 5. *c.* 1.
Shall deliver Copy of Libel where grantable by Law.	Libel, *c.* 3.
All Officers of Government ſhall be ſworn to Aſſiſt them in Extirpation of Lollards and Hereſies, and on Conviction they forfeit Fee-ſimple, Goods and Chattels.	Lollard, *c.* 7.
Shall take no more then in time of *Edw.* 3. for Teſtament with Inventory proved.	Teſtament Fee, 3 *H.* 5. *St.* 2 *c.* 8.
No Certificate to him on Iſſue of Baſtardy, till one Proclamation where Iſſue is, and another of three months in Chancery.	Baſtardy, 9 *H.* 6. *c.* 11. §. 2.
Shall puniſh Prieſts, Clerks, and Religious Men, for Avowtry, Fornication, Inceſt, or other Fleſhly Incontinence, and no Action of Falſe Impriſonment.	Prieſts, &c. 1 *H.* 7. *c.* 4.
Calling four Expert, ſhall approve all that practiſe Phyſick or Surgery within ſeven miles of *London.*	Phyſick, 3 *Hen.* 8. *c.* 11.
Shall take only Six pence for Probate or Adminiſtration under Five pounds.	Probate of Will and Adminiſtrat. 21 *H.* 8. *c.* 5.
If above Five pounds, and under Fourty pounds, only Two ſhillings ſix pence: ſo if above, and may commit Adminiſtration to Widow of Inteſtate, or next of Kin, or both, or to all or any in *Equali gradu*, that do requeſt it.	§. 3.
Shall have one part of Indenture of Inventory, and Executor or Adminiſtrator another.	§. 4.
Shall not deny Copies of Probate or Adminiſtration.	§. 5.
Every Offence forfeits Ten pounds, and what is received above due.	§. 7.
He may Convent Executors to prove Teſtament, or Adminiſtrators for Inventories.	§. 8.
Shall Cite none out of Dioceſs but for Hereſie, or Probate of Will.	Citation out of Dioceſs, 23 *H.* 8. *c.* 9. §. 2.

Debt

§. 3.	Debt or Action *ſur* Caſe lieth againſt him on Citation out of Dioceſs, *&c.*
Clerk Convict, *c.* 11.	Breaking his Priſon by Clerk Convict, is Felony without Clergy.
§. 2.	If in Holy Orders of Sub-Deacon, *&c.* to be delivered without purgation.
§. 3.	May degrade, Clerk Convict, and ſend in *B. R.* to ſuffer.
Appeal, 24 *H.* 8. *c.* 12. §. 5.	Appeals to him from Archdeacon or Official, or §. *6.* Appeal from him to Archbiſhop, *&c.* muſt be in 15 days.
Heretick, 25 *H.* 8. *c.* 14.	A Confirmation of 5 *Rich.* 2. *Cap.* 5. and 2 *H.* 5. *Cap.* 7. and a Repeal of 2 *Hen.* 4. *Cap.* 15. for puniſhment of Hereticks to be preſent in Leet.
Suffragan, 26 *H.* 8. *c.* 14. §. 3.	Shall Conſecrate Suffragan-Biſhop preſent by the Kings Patent; and §. *6.* give him Commiſſion to Exerciſe Juriſdiction convenient.
Penſion, *c.* 15.	Shall take no Portion or Penſion upon death of Inhabitant, but only Fees; as by 21 *H.* 8. *Cap.* 5. and *Cap.* 6. §. 3. on *Præmunire.*
Charge of Court, 28 *H.* 8 *c.* 11. §. 5.	May deduct Charges of Serving the Cure out of Profits of Spiritual Promotion in time of Vacation.
Viſitation, 31 *H.* 8. *c.* 13. §. 23.	May Viſit all the diſſolved Monaſteries heretofore Exempt.
Hereſie, *c.* 14. §. *6.*	By Commiſſion ſhall Enquire of Hereſies.
Commiſſion Eccleſiaſtical, 32 *H.* 8. *c.* 15.	In all Commiſſions of Religion, according to 31 *H.* 8. *Cap.* 14. §. 6. Archdeacon and Official ſhall be joyned by Name of Dignity, not Surname.
Tenth, *c.* 22. §. 5.	On Oath he cannot Levy Tenth of Abbe Lands grant to the King, ſhall be Diſcharged.
Religion, *c.* 26.	All Decrees of Faith and *Chriſtian* Religion, and Ceremonies Confirmed by Patent, and not *contra* to the Laws of the Land, good.
Biſhop of Norwich, *cap.* 47.	Biſhop of *Norwich*, and in Vacation the Dean and Chapter, notwithſtanding 26 *H.* 8. *Cap.* 3. and 27 *H.* 8. *Cap.* 8. ſhall be Collector of the Diſme.
Biſhop of Coventry, *&c.* 33 *H.* 8. *c.* 30.	Leaſes, Grants, *&c.* by Biſhop of *Coventry* and *Lichfield*, Confirmed by Dean and Chapter of *Lichfield*, binds Succeſſor.
Province of York, *c.* 31.	The Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*, United to the Biſhop of *Cheſter*, and ſubject to the Province of *York*.
Biſhop of Bath, 34 & 35 *H.* 8. *c.* 15.	Grants, *&c.* by Biſhop of *Bath*, &c. Confirmed by Dean and Chapter of *Wells*, United thereto, binds Succeſſor.
Biſhops of Cheſter, *&c.* erected, *cap.* 17.	The Biſhops of *Cheſter*, *Glouceſter*, *Peterborough*, *Briſtol*, and *Oxford*, Erect by Patent.
§. 4.	Not to be Impeached in Court of Augmentation, for Penſion, *&c.* reſerved by Patent.
Penſion, *c.* 19. §. 4.	Farmer or Occupier of Diſſolved Monaſteries, *&c.* denying payment of Penſion, Corody, Synodals, *&c.* lawfully due, and poſſeſſed by Archbiſhop ten years before Diſſolution, ſhall be proceeded againſt by Eccleſiaſtical Laws.
Eccleſiaſtical Commiſſion, 35 *H.* 8. *c.* 16.	The King during life to name ſixteen Spiritual, and ſixteen Temporal, to Examine Canons, and Eſtabliſh what they think convenient.
Pope, 37 *H.* 8. *c.* 17. §. 2.	The Decrees, Conſtitutions, and Ordinances of the Pope were made void by 25 *H.* 8. *Cap.* 19. §. 2. albeit contrary Practice be ſince.
Doctor of Civil Law, §. 4.	Doctors of Civil Law, Lay or Married, may by the Kings appointment be Chancellor, Commiſſary, Official, Vicar-General, Scribe, or Regiſter to Archbiſhop, Biſhop, *&c.*
Style and Seal of Proceſs, 1 *Ed.* 6. *c.* 2. §. 3.	All his Proceſs ſhall be in Style of the King, and *Teſte* by Biſhop.
§. 4.	His Seals of Officers to be with the Kings Arms.
§. *6.*	Archbiſhop may uſe his own Name and Seal for Faculties, and the reſt in diſpoſing Officers, *&c.* and Certificates.
§. 7.	Certificate of Trial of Plea in Cauſe depending at Common Law, muſt be in the Kings Style, *Teſte* by Biſhop, and Sealed with the Kings Arms.
Church, 5 & 6 *Ed.* 6. *c.* 1. §. 4.	To Correct not coming to Church, in Places exempt or not.
Striking in Church, *cap.* 4.	To ſuſpend Lay-man Fighting or Quarrelling in the Church or Yard, *Ab Ingreſſu*, and Clerk from Miniſtration of Office.
§. 2.	Striker to be *ipſo facto* Excommunicated.
Tenth, 7 *Edw.* 6. *c.* 4. §. 3.	Archbiſhop, Biſhop, *&c.* to pay Tenth to the King at or before the laſt of *May* yearly, and Certifie Recuſants, *&c.*
Common Prayer, 1 *Mar. St.* 2. *c.* 3. §. 18.	May Aſſociate with Juſtice of Oyer and Terminer, or of Aſſize, to puniſh Offence againſt the Book of Common Prayer.
§. 23.	To Enquire of Offences againſt Service-Book, in Viſitation, and puniſh Offences.
Eccleſiaſtical Power, 1 *El.* *c.* 1. §. 18.	The King hath all Eccleſiaſtical Juriſdiction, and may Aſſign it to High Commiſſioners.
Lapſe, 13 *Eliz.* *c.* 12. §. 8.	Muſt give ſix months notice of Deprivation, before Lapſe incur.
Diſme, 14 *Eliz.* *c.* 7. §. 2.	To be diſcharged of ſo much as Under-Collector of Diſme hath paid the King.
Sequeſtration, 18 *El.* *c.* 11. §. 7.	In two months after Sentence of void Leaſe for Non-reſidence, may on the requeſt of Churchwardens, Sequeſter Profits.

Schoolmaſter not allowed by himſelf, *&c.* forfeits Ten pounds a month.	Schoolmaſter, 23 *Eliz.* *c.* 1. §. *6.*
None to keep School but publick, or in Noble or Gentlemans Houſe, not Recuſants, or Licence by Archbiſhop, *&c.*	1 *Jac.* *c.* 4. §. 9.
No Archbiſhop, *&c.* to Fine or Impriſon, or inforce Oath *Ex Officio.*	Oath Ex Officio, 17 *Car.* 1. *c.* 11. §. 4.
A Repeal of 17 *Car.* 1. *Cap.* 11. §. 4. as to all but taking away High Commiſſion.	High Commiſſion, 13 *Car.* 2. *c.* 12.
Shall not Adminiſter Oath *Ex Officio*, or other to accuſe, *&c.*	Oath Ex Officio, §. 4.
On Requeſt, to certifie ſelect Veſtry-mens Subſcription to Declaration.	Veſtrymen, 15 *Car.* 2. *c.* 5. §. 5.
Shall take of Mariner only Twelve pence for Probate of Will, or for Adminiſtration, *&c.*	Probate of Will, &c. 19 *Car.* 2. *c.* 7. §. *6.*
May take Obligation upon Grant of Adminiſtration.	Adminiſtration, 22 & 23 *Car.* 2. *c.* 10.
May call Adminiſtrator to Diſtribution, §. 5. Moiety to Wife, if no Children.	Diſtribution, §. 3.
No Repreſentation allowed after Brothers Children.	§. 7.
Shall have only Five ſhillings of Seamans Wife, Child, *&c.* for the Charge of Executor or Adminiſtrator, unleſs Eſtate exceed Twenty pounds, and 19 *Carol.* 2. *Cap.* 7. §. 6. Repealed.	Probate, *c.* 23. §. 10.
Alters not his Juriſdiction of Probate of Wills.	29 *Car.* 2. *c.* 3. §. 24.
Takes away the Writ *De Hæretico Comburendo.*	Bre. de Hær. Comb. *c.* 9.

Ouſter le mere.

Fugitive, Captive, Exile.

Upon Averment that Default, *&c.* *De Protectionibus* within the Realm being found, turns the Protection to a Default.	Protection, 31 *Edw.* 1. *pag.* 68.
Pilgrims ſhall paſs at *Dover* only.	Pilgrim, 9 *Ed.* 3. *c.* 8.
Baſtardy alledge beyond Sea, ſhall be Tried by Certificate of Ordinary here.	Baſtardy, 25 *Edw.* 3. *Stat.* 2. *pag.* 113.
None to paſs beyond Sea without Licence, but at Ports named.	Licence, 5 *Rich.* 2. *c.* 2.
Such as were impriſoned beyond Sea, muſt have Teſtimonial.	Impriſoned, 12 *Rich.* 2. *cap.* 8.
Pilgrims and all but known Merchants ſhall paſs at *Dover*, &c.	Pilgrims, 13 *Rich.* 2. *cap.* 20.
Juſtice of Peace may ſend Proceſs for Fugitive not of County.	Fugitive, 2 *H.* 5. *c.* 4.
What perſons ſhall paſs and land at *Dover*, and what not.	Dover, 4 *Edw.* 4. *c.* 10.
The Right of ſuch as were out of the Land when Title accrued on Fine, ſaved until five years after coming within the Land.	Fine, 4 *H.* 7. *c.* 24.
Pewterer ſhall not uſe that Trade beyond Sea.	Pewterer, 25 *H.* 8. *c.* 9 §4.
Treaſon out of the Realm ſhall be Tried within the Realm.	Treaſon, 26 *H.* 8. *c.* 13.
Murders, *&c.* beyond Sea, ſhall be Tried within the Realm.	Murder, 33 *H.* 8. *c.* 23.
None to depart the Realm without Licence, but to return on ſix months notice, on forfeit of Lands for Life, *&c.*	Licence, 13 *Eliz.* *c.* 3.
The Queen may grant Lands of Fugitive by Copy, and Rents to be in Exchequer.	Fugitive, 14 *Eliz.* *c.* *6.*
Any Educated in Colledge of Jeſuits, *&c.* not return in ſix months of Proclamation, and two months of Return ſubmit and ſwear, as 1 *Eliz.* *Cap.* 1. §. 19. is Traytor.	Foreign Education, 27 *Eliz.* *c.* 2. §. 5.
Sending Child without Licence, unleſs Trade, Merchant or Mariner, forfeits One hundred pounds.	§. 7.
Child Educate Popiſh beyond Sea, diſable to take Lands or Goods, and Truſts for him void.	1 *Jac.* *c.* 4. §. 6.
None but Sailers, Ship boys, Apprentice, or Factor in Merchandize, to paſs beyond Sea without Licence.	Licence, §. 8.
Going into Foreign Service before taking Oath of Allegiance, Felony.	Foreign Service, 3 *Jac.* *c.* 4. §. 18.
None enable to Travel without Licence, that were before diſabled.	*Cap.* 6. §. 2.
A Repeal of 5 *R.* 2. *Cap.* 2. Reſtraining Paſſage out of the Realm.	Licence, 4 *Jac.* 1. *c.* 1. §. 23.
For Relief of Captives taken by Moors, *&c.*	Captives, 16 & 17 *Car.* 1. *cap.* 24.
Quakers, *&c.* on third Offence to be Tranſported, or abjure.	Quaker, 14 *Car.* 2. *c.* 1.
Quaker Convict by refuſing Oaths, *&c.* to be Tranſported.	16 *Car.* 2. *c.* 4. §. 18.
Abſent ſeven years, and not proving life, is ſufficient Evidence Tenant is dead.	Death of Tenant, 19 *Car.* 2. *c.* 6.
Makes 18 *Car.* 2. *cap.* 2. perpetual againſt importation of *Iriſh* or Foreign Cattel.	Iriſh Cattel, 32 *Car.* 2. *c.* 2. §. 2. *N.* 2.
And that all that ſhall Seize ſhall have advantage.	§. 3. *N.* 2.
No Mutton or Lamb to be Imported.	§. 8. *N.* 1.
No Butter or Cheeſe ſhall be Imported.	§. 9. *N.* 2.

Offence againſt 13 *Car.* 2. *Cap.* 9. 5 & 6 *W.* & *M. cap.* 25. § 2.	Offences againſt 13 *Car.* 2 *Cap.* 9. Tryable in Kings Bench, and where committed out of the Realm may be laid in any County, within the Realm.
None twice tryable. § 3.	None to be Tryed both in Court Martial, and Kings Bench for ſame Offence.
Continuance.	To continue for three years.

Palace, ſee *Prerogative*.

Pain.

Forſeiture, Amerciament, Penalty, Fines.

Amerciament, 9 *H.* 3. *Cap.* 41. *Magna Charta.*	AMerciament ſhall be proportionable to offence, *Salvo Contenemento* of Freeman, Wainage of Villain, Merchandize of Merchant, and Spiritual Benefice of Churchmen, ſet by Oath of the Vicinage, and on Peer *Per Pares.*
Foreſt, 9 *H.* 3. *St* 2. *c.* 2. *Ch. de Foreſta.*	Nothing ſhall be taken for Swine lying one Night in Foreſt.
Killing Deer in Foreſt, *Cap.* 10.	Is onely Fine or Impriſon a year and day for killing Deer in Foreſt, and then Abjure the Realm, or find Sureties, no loſs of Life or Member.
Rediſſeiſor, 20 *Hen.* 3. *Cap.* 3. *Merton.*	Rediſſeiſor after Recovery in Aſſize of *Novel diſſeiſin*, *Mortdanceſtor*, or by any other Enqueſt ſhall be Fined and Impriſoned by Sheriff.
Treſpaſſer, *Cap.* 11.	Lords ſhall not Impriſon Treſpaſſers in their Parks or Ponds.
Reſp. Superior, 51 *H.* 3. *St.* 5. *p.* 11. § 8. *De Scac.*	*Reſpondeat Superior*, of Officer Depute by Licence or not, Sworn or not, whether in Fee or not.
Baker, 51 *H.* 3. *St.* 6. *p.* 13. *Pillory & Tumbrel.*	Baker ſhall ſuffer Pillory, and Brewer Tumbrel, on third, or outragious breach of Aſſize of Bread or Ale.
Diſtreſs, 52 *H.* 8. *c.* 1. *Malbr.*	On Diſtreſs for private Injury, without Award of the Kings Court, Party ſhall pay Fine to the King, and Damage to him diſtrain.
Delivery of Diſtreſs, *Cap.* 3.	Such as will not ſuffer Delivery of Diſtreſs, Summons, Attachments, or Executions of Judgments in the Kings Courts, ſhall be puniſht as they obey not the Law, by Fine.
Beau-Pleader, *Cap.* 11.	Neither in Circuit, Country, Hundred, or Court-Baron; no Fines for fair Pleading, except Fines certain, and Loans, ſince *H.* 3. paſſed into *Britain.*
Waſte, *Cap.* 23.	Farmer on Waſte, Sale, or Exile, in Houſe, Wood, or Men, ſhall without ſpecial Licence by Deed, be grievouſly Amerced, and pay full damage.
Sheriff. 3 *Edw.* 1. *c.* 3. *W.* 1.	Sheriff taking any thing for Eſcape before Adjudged ſhall repay what is received, and as much to the King.
Wreck, *Cap.* 4.	He that takes Wreck within the year and day, ſhall be Fined and Impriſoned, and render Damages.
Default of freſh Suit, *Cap.* 9.	Fine and Impriſonment two years on default of freſh Suit, by Hue and Cry after Felon.
Fort, Pain and Dure, *Cap.* 12.	Judgment of fort and dure Impriſonment againſt Felons that refuſe to Plead.
Sheriff, *Cap.* 15.	Shall be Fine and Impriſonment, if Sheriff Bail or Replevy men not bailable, or take Reward.
Treſpaſs in Park, *Cap.* 20.	Shall be Fined, and three years Impriſonment for Treſpaſs in Park or Pond, if inſolvent, abjured, if Fugitive, proclaim, and ſo Utlaw.
Delivery of Chapiters, 3 *Edw.* 1. *c.* 27. *W.* 1.	If any but Clerk of Juſtice in Circuit take any thing, or they above two ſhillings of Town or Hundred, that anſwer by Twelve for Delivery of Chapiters, ſhall pay thrice as much, and loſe Office for a year.
Serjeant, *Cap.* 29.	Serjeant or Pleader uſing deceit, ſhall be Impriſoned a year and day, and not be heard more in that Court.
Diſſeiſin, *Cap.* 37.	Of Damages, Fine and Impriſonment on Diſſeiſin with Force or Robbery.
Feoffment of Wards Land, *Cap.* 48.	Guardian ſhall loſe Ward, and be grievouſly puniſht by the King, on Feoffment of Wards Land.
Waſte, 6 *Edw.* 1. *c.* 5. *Glouc.*	Tenant *per* Courteſie for Life, Years, or in Dower, loſe Place, Waſte, and treble Damages, and if loſs of Ward be not ſufficient, Guardian ſhall pay Damages.
Incumbent, 13 *Edw.* 1. *Cap.* 9. § 3. *W.* 2.	If Incumbent cannot pay two years value of Church, nor half a year as recovery is, he ſhall be Impriſoned two years, or half a year.
Warrantor, *Cap.* 6.	The Warrantor, on denial of Warranty, ſhall loſe the Land.
Falſe Appeal, *Cap.* 12.	For falſe Appeal, is a years Impriſonment, Damages, and Fine, if the Principal be inſolvent; ſo of Abettors.
Failer in Aſſize, *c.* 25.	Double damages and a years Impriſonment, on failer of Record in Aſſize.
Rape, &c. *Cap.* 34.	Rape againſt conſent, or by force with conſent after, is death; continuance in Avowtry is loſs of Dower; and taking a Nun by conſent, is three years Impriſonment, ſatisfaction to Houſe, and Fine to the King.
Hoſpitallers, &c. *c.* 43.	Damages and other puniſhment to the King, on Hoſpitallers, or Templers, or Keepers, drawing men to ſue before them for matters belonging to the Kings Courts.

Fiſhing at days prohibited, or with Nets, the firſt offence burning the Engines, ſecond, a Quarters Impriſonment, third, for a year,	**Fiſhing,** *Cap.* 47.
Champertor Attaint ſhall be three years Impriſonment at the Kings will, and be Attacht by Writ of Conſpiracy on the Statute.	**Champertor,** 33 *Ed.* 1. *p.* 62. *of Champerty.*
On falſe Exception of Joynt-tenancy by Aſſize, he ſhall be Impriſoned a year, and Fine, and in *Mortdanceſtor* pay double damages and ſeiſin of the Land.	**Aſſize,** &c. 34 *Edw.* 1. *p.* 70 *De Conjunct. Feof.*
Baker ſhall be Amerced if Bread want a Farthing in Two ſhilling ſix pence, or under, if it want more, Pillory, not to be bought off.	**Baker,** *Incert. Temp. p.* 85. 17 *Edw.* 2. *Cap.* 2. *De Piſtoribus.*
Pillory muſt be done upon Offenders, without peril of body.	**Pillory,** *Cap.* 3.
Brewer that ſells Gallon for more, or increaſe Malt more then ſix pence a Quarter, firſt, *&c.* Amerced, fourth, Pillory without Redemption.	**Brewer,** *Cap.* 6.
Butcher that ſell Swine, Meazled fleſh, or dead of Murrain, or bought of Jews, firſt Amerce, ſecondly, Pillory, thirdly, Fine and Impriſonment, fourthly, forſwear the Town.	**Butcher,** *Cap.* 7.
For Foreſtalling, firſt, Amerce and loſe what is bought, ſecondly, Pillory, thirdly, Fine and Impriſonment, fourthly, Abjured the Town.	**Foreſtalling,** *Cap.* 10.
They ſhall forfeit Armour, and be Impriſon at the Kings pleaſure, that go or ride Armed in publick places, if no Aſſiſtant to Miniſter of Juſtice.	**Armory,** 2 *Ed.* 3. *Cap.* 3.
Of Juror that takes of one and the other, is to be put out of Enqueſts, Impriſoned, and Ranſomed at the Kings will.	**Juror,** 5 *Edw.* 3. *cap.* 10
Aulnager be attaint of undue Meaſure, ſhall be Impriſoned a year, Ranſomed at the Kings will, and put out of Office for ever.	**Aulnager,** 25 *Edw.* 3. *Cap.* 1.
Drawing Pleas out of the Realm that pertain to the Kings Courts, or ſuing in other Courts to defeat their Judgments, is *Præmunire*, and on default at two months, the Procurators, Attorneys, Executors, Notaries, and Maintainers, to be put out of the Kings protection, and on default at *Capias*, Utlawed.	**Proviſors,** 27 *Edw.* 3. *Cap.* 1. *Proviſors.*
Double damages, Fine and Ranſom for Aſſault of Lord Spiritual or Temporal, Knight, Citizen, or Burgeſs come to, or attending the Parliament, or other Council by the Kings command.	**Aſſault of Lord,** &c. 11 *H.* 6. *Cap.* 11.
He that takes reward to make Array or Pannel, forfeits ten times as much.	**Reward for Array,** 18 *Hen.* 6. *Cap.* 14.
Of gaining Money by falſe Tokens or Letters in others Names, is at diſcretion, except death.	**Cheating,** 33 *H.* 8. *c.* 1.
Takes away the Writ *De Hæretico Comburendo.*	Brev. de Hær. Combur. 29 *Car.* 2. *Cap.* 9.
Penalties concerning Cuſtom, Exciſe, Tranſport of Wooll, Import or Export of prohibited Goods incurred between 11. *December* and 13 *February*, 1688. may be ſued for by Informer.	**Penalty for Cuſtom, Exciſe, Tranſport, Import,** 1 *W* & *M. Seſſ.* 1 *Cap.* 24.
Cruel and unuſual puiſhments not to be inflicted.	**Cruel and Unuſual,** *Seſſ.* 2 *Cap.* 2.

Painters, ſee *Trades.*
Pannel, ſee *Enqueſt.*
Papa, ſee *Pope.*

Pardon.

Of rancour and evil will of ſuch as ſhould have gone with the King into *Flanders.*	Flanders, *Temp. Ed.* 1. *Cap.* 5.
If killing be found by the Countrey to be in defence, or by misfortune, then by report of the Juſtices, the King ſhall take him to his Grace, *&c.*	**Killing in defence,** &c. 6 *Edw,* 1. *c.* 9. *Glouc.*
Shall not be granted but where the King may do it by his Oath, *viz.* on killing in his own defence, and by misfortune; ſo 14 *Edw* 3. *Cap.* 15.	**King,** 2 & 3 *Ed.* 3. *c.* 2. *Northampton.*
Of Fines forfeited.	**Fines,** *Cap.* 10.
No man out of Parliament ſhall have Pardon of Felonies and Manſlaughters, but as 2 *Edw.* 3. *Cap.* 2. which ſhall be maintained.	**Parliament,** 4 *Edw.* 3. *Cap.* 13.
Shall not be of Utlary after Judgment, but on Certificate the party is ſatisfied, nor before Appearance, but on render of party.	**Utlary,** 5 *Ed.* 3. *c.* 12
Shall not be granted by the King to Murderers, Robbers, and other Felons, againſt the Statute 2 *Edw.* 3. *Cap.* 2. at *Northampton*; ſo 14 *Edw.* 3. *Cap.* 15.	**Murderers,** &c. 10 *Edw.* 3. *Cap.* 2.
Shall be void, unleſs Sureties of Good behaviour be found, or if the Peace be after broken.	**Surety,** *Cap.* 3.
Of Aid to make the Kings Son a Knight, and marry Daughter.	Aid pur Chivaler, 14 *Ed.* 3. *c.* 2.
Of divers Debts, Accounts, and Arrears to 10 *Edw.* 3	**Debts,** &c. *Cap.* 3.
Juſtices ſhall Enquire of Suggeſtions, and if found untrue, ſuch Charters of Felonies ſhall be diſallowed.	**Enqueſt of Suggeſtions,** 27 *Ed.* 3. *c.* 2. *Proviſors.*
Of Eſcape of Felons, and in lieu thereof, a fifteenth grant.	**Eſcapes,** 31 *Ed.* 3. *c.* 13.
Refuſe by the Commons, becauſe tending to diſherit the Crown in ſome things, but accept in others.	**Refuſed,** 36 *Edw.* 3. *pag.* 135.
A Writ of Allowance of a Pardon grant 36 *Edw.* 3.	**Writ of Allowance,** 42 *Ed.* 3. *c.* 2.

Of

oreſt, 43 *Edw.* 3. *c.* 4	Of Vert and Veniſon to all but Officers of the Foreſt.
lienation, 50 *Ed.* 3. *Cap.* 3.	Of Alienation without Licence, Intruſions, Fines, Amerciaments, Iſſues, Forfeits, Reliefs, Eſcuage, Debts, Accounts, and Suit of the Peace being Jubile, except, *&c.*
ich. 2. *Cap.* 10.	Granted 50 *Edw.* 3. confirmed.
apes, &c. 4 *R.* 2. *c.* 2.	Of Eſcapes, Felons, and Clerks convict.
bels, 5 *Rich.* 2. *c.* 5.	To thoſe that repreſſed or took revenge of his Rebels.
neral, 6 *Rich* 2. *c.* 13.	To the Subjects after the late Inſurrection, except, *&c.*
neral, 6 *R.* 2. *St.* 2. *c.* 1.	A larger Pardon of the Inſurrection.
lowance, 13 *Rich.* 2. *St.* 2. *Cap.* 1.	Saving the Kings Regality, no Pardon of Murther, Treaſon, or Rape ſhall be allowed, unleſs ſpecified, and Juſtices may enquire of it, and Name of him that makes Suit for it, on pain of One thouſand Marks, to be Indorſt and pay Fines.
Rich. 2. *Cap.* 6.	A Repeal of 13 *Rich.* 2. *Cap.* 1. as to the Names Indorſt, Penalty of ſuch as ſue for Pardon, becauſe it occaſioned many to be falſly Indicted.
obbery, &c. 21 *Rich.* 2. *Cap.* 14.	Of Robberies, Thefts, Utrages, and Riots in time of Commotion.
lienation, &c. *Cap.* 15.	Of Alienation without Licence, Intruſions by Heirs, Treaſons, Felonies, Utlaries, *&c.* except.
eneral, 1 *H.* 4. *Cap.* 20.	Of Treaſon, Felony, Utlary, *&c.* to all ſuch as will ſue out Pardon before, *&c.* except.
eneral, 2 *Hen.* 4. *c.* 13.	Made 2 *R.* 21. *Cap.* 15. confirmed, but Parliament repeal as to reſidue.
oceſs, *Cap.* 24.	Diſcharge of Proceſs againſt ſuch as were with the Duke of *York*, 23 *R.* 2. for Wages.
lony, 5 *Hen.* 4. *Cap.* 2.	The Name of him that procures it for Felon Attaint by confeſſion, ſhall be Indorſt, and on Reconviction, he to forfeit One hundred pounds.
neral, *Cap.* 15.	Of the ſuit of the Peace, Treaſons, Rebellions, Treſpaſſes, *&c.* except, *&c.*
oviſion, 7 *Hen.* 4. *c.* 8.	By the King ſhall not avail to make Plenarty by proviſion of the Pope.
oviſions, 3 *H.* 5. *St.* 2. *Cap.* 4.	Of proviſions void, and *Præmunire* with treble Damages againſt any that thereby diſturb Patrons.
uit of the Peace, 4 *H.* 5. *Cap.* 8.	Of Suit of the Peace, and Iſſues loſt, to Twenty ſix ſhillings eight pence, and under.
Coyning, 9 *H* 5. *Cap.* 11.	Of ſuch as cauſe Gold not Weight, nor Allay to be new Coyned by a time.
heriff, 23 *H.* 6. *c.* 8.	Of forfeiture of Sheriff being ſo longer then a year, void, though with *Non obſtante.*
rieſt, 27 *Hen.* 6. *c.* 6.	To Prieſts Secular and Regular, of ſeveral offences and forfeitures.
heriff, 28 *Hen* 6. *c.* 3.	Of Sheriffs, Under-Sheriffs, or Clerks for occupying their places above a year the laſt year.
Edw. 4. *Cap.* 4.	Of Sheriffs in 1, 2 & 3 *Edw.* 4. that were above a year, and yet the Statute 14 *Edw.* 3. *Cap.* 7. and 23 *H.* 6. *Cap.* 8. continued.
bellion, 1 *Hen.* 7. *c.* 6.	To thoſe that Aſſiſted *Hen.* 7. againſt *Rich.* 3. Duke of *Glouceſter.*
heriff, 3 *Hen.* 8. *c.* 12.	Of Sheriff returning undue Pannels, to be no bar againſt the Party, to ſue an Action, *&c.*
on Articles, 5 *H.* 8. *Cap.* 8.	All that will ſue for it on certain Articles, to have it.
feitures, &c. 21 *H.* 8. *Cap.* 1.	Of all offences, forfeitures, pains of death, and body, except treaſon, murder, *&c.*
oviſors, 22 *H.* 8. *Cap.* 15.	Of Spiritual Subjects, all offences againſt Proviſors, *&c.*
. 16.	Of Temporal Subjects, all offences againſt Proviſors, *&c.*
piritual, 23 *Hen.* 8. *Cap.* 19.	Of Spiritual Subjects of *York*, all offences not excepted.
lonies, &c. 26 *Hen.* 8. *Cap.* 18.	Of all Felonies, Treſpaſſes, and offences not except.
ng, 27 *H.* 8. *Cap.* 24.	Shall be only by the King for Treaſon, Murder, or other Felony.
ueen Anne, 28. *H.* 8. *Cap.* 7. § 10.	Of ſuch as ſpake or Writ againſt Queen *Anne Bullens* Marriage, or Legitimation of Queen *Elizabeth.*
reſie, 32 *H.* 8. *c.* 49.	By the King of Hereſie, Treaſon, Felony, *&c.* confirmed, except, *&c.*
pite Lands. 34 & 35 *H.* 8. *Cap.* 5. § 12.	Of Alienation of *Capite* Lands, diſchargeth the Deviſee, *&c.*
neral, 35 *Hen.* 8. *c.* 18.	Of Treaſons, Felony, Robbery, *&c.* except, *&c.* confirmed by Parliament.
dw. 6. *Cap.* 15.	General and free confirm, except, *&c.*
& 3 *Edw.* 6. *Cap.* 39.	By the King general and free confirmed, except, *&c.*
rington, 3 & 4 *Ed.* 6. *Cap.* 13.	Of Sir *William Sherington* of Treaſon, with Reſtauration in Bloud and Freedom.
mour, *Cap.* 14.	Of *Mary Seymour*, ſole Daughter of *Thomas* Lord *Seymour*, and reſtore in Bloud, but not to Lands.
neral, *Cap.* 24.	Of Hereſies, Treaſons, Rebellions, Murders, Felonies, Offences, Treſpaſſes, except, *&c.* confirmed.
dw. 6. *Cap.* 14.	General and free confirmed.
liz. *Cap.* 11.	General and free confirmed.
liz. *Cap.* 18.	Free and general, except, *&c.* confirm.
Eliz. *Cap.* 28.	Free and general confirmed. So 18 *El.* *Cap.* 24. ſo 23 *El.* *Cap.* 16.
Eliz. *Cap.* 30.	Free and general confirmed, except, *&c.* So 29 *El.* *Cap.* 9. ſo 31 *Eliz.* *Cap.* 16.

Free and general confirmed, except, *&c.* So 39. *El.* *Cap.* 28. ſo 43 *Eliz.* *Cap.* 19.	35 *Eliz.* *Cap.* 14.
Confirmation of Pardon free and general, except, *&c.* So 7 *Jac.* *Cap.* 24. and the like 21 *Jac.* 35.	3 *Jacob.* 1. *Cap.* 27.
For eaſe in obtaining Licence, or pleading Alienation without, or Pardon, *&c.*	Licence, 1 *Carol.* 1. *c.* 3.
In performance of the Kings word by Letter to Parliament, Declarations of all Treaſons, Miſpriſions, Murders, Felonies, Offences, Crimes, Contempts, and Miſdemeanours, counſelled or done, *&c.* ſince 1 *Jan.* 1637. before 24 *June* 1660.	General Pardon, 12 *Car.* 2. *Cap.* 11.
That all perſons, their Heirs, Executors, *&c.* acting, abetting, *&c.* be releaſt of all Pains, Judgments, Utlaries, Forfeitures, *&c.* and Sales, void.	§ 2.
Perſonal Suits by occaſion of Hoſtility before 1 *May* 1658. diſcharged.	§ 3.
Appeals and perſonal ſuits by reaſon of Hoſtility, *&c.* in the late Wars, *&c.* and all demands and arrears of Rents, profits, *&c.* diſpoſe by colour of authority, diſcharged.	§ 4.
All Subjects of *England*, *Ireland*, *Wales*, &c. Corporations diſcharged of Treaſons, Deceits, Sums of Money, *&c.* Concealment of Cuſtoms, *&c.* to 24 *June*, 1660.	§ 5.
Patents of Wards ſince 25 *March*, 1641. and Profits unreceived, diſcharged.	§ 6.
To be moſt beneficial for Subject, no Suit for Treſpaſs, *&c.* before 24 *June*, 1660.	§ 7.
To be expounded againſt all delays, alledged by the King, *&c.*	§ 8.
Officer making Proceſs againſt any Pardon, forfeits treble Damages and Coſts, and forfeits Ten pounds, and the Proceſs void.	§ 9.
Except Murder not before Diſcharge, Piracy, Buggery, Rape, Marriage of two Wives, Conjuration, and perſons Attaint thereof, *&c.* and all Accounts of Treaſurers, *&c.*	§ 10.
Heirs, Executors, Adminiſtrators, nor Terre-Tenants of Accountants, not to be charged.	§ 11.
None to be charged for Fees, Salary, and Wages heretofore allowed.	§ 12.
No Soldier to Account for Pay received.	§ 13.
None to be called to Account after 24 *June*, 1662. and they who are.	§ 14.
Oaths of parties being Plundered or Robbed ſince 1 *Jan.* 1642. and 30 *Jan.* 1648. to be a diſcharge.	*Ibid.*
Quietus in Exchequer, *&c.* ſince 1648. to be allowed, except of Churches in *Wales*, except Bribery, Perjury, Forgery.	§ 15.
Except purloining and detaining Goods, Money, Jewels, *&c.* of the late King, Queen, or Prince, *&c.*	§ 16.
Except Iſſues levied by Sheriff, *&c.*	§ 17.
Except offences committed by Seminary Prieſt, againſt 27 *Eliz.* *Cap* 2. and Proceſs thereon.	§ 18.
Parties Utlawed to be compelled to appear to *Scire fac.* and anſwer the Plaintiff, *&c.*	§ 19.
Not to extend to *Capias ad ſatisfaciendum* till party Utlawed agree with party.	§ 20.
Except Proceſs for High-ways and Bridges, Recognizance of Receiver, *&c.* in Exchequer.	§ 21.
Not to diſcharge Bond, Recognizance, *&c.* not yet forfeit.	§ 22.
Hoſtilities between King and Lords and Commons, or relating to publick difference, be not remembred after 24 *June*, 1660.	§ 23.
Malicious Objection of reproach in three years by Gentlemen, Ten pounds, under, Fourty ſhillings.	§ 24.
Not to benefit Plotters of the Rebellion in *Ireland*, unleſs Name, nor to reſtore any but Duke of *Ormond.*	§ 25.
All parties concerned may plead General Iſſue.	§ 26.
Not to pardon Felonies ſince 4 *March*, 1659.	§ 27.
Not to diſcharge Reſtitution of Rents, *&c.* Sequeſter, nor bar Owners.	§ 28.
None to be moleſted that have paid Money, *&c.* into publick Treaſury, *&c.* by colour of Commiſſion, Act, or Ordinance, *&c.*	§ 29.
Not to diſcharge Truſtees for Receits in the Kings Service ſince 1648.	§ 30.
Not to diſcharge Accounts to the King for Decimations, or *Militia.*	§ 31.
Servants of the King that held Correſpondence with uſurpt Powers, to be proſecuted in two years after 25 *April*, 1660.	§ 32.
Not to diſcharge Money due for Exciſe ſince 5 *March*, 1658.	§ 33.
Not to pardon any perſons inſtrumental in the Kings Murder.	§ 34.
Thoſe that appeared on Proclamation § 36. not to be executed but by Act of Parliament.	§ 35.
Except *O. Cromwel*, *H. Ireton*, and *Tho. Pride*, and *J. Bradſhaw*, deceaſed.	§ 37.

§. 38.	Not to diſcharge Lands of, *&c.* from Pains and Forfeits hereafter by Act expreſt.
§. 39.	Except ſix named ſitting in Aſſembly of Kings Judges, as to Pains, *&c.* not to extend to life, §. 40. So of Sir *J. H.*
• §. 40.	*J. H.* and *Fr. L.* diſabled to bear Office, and to pay a years value of Eſtate.
§. 42.	Except Sir *H. V.* and *J. L.*
§. 43.	If eighteen named accept Office or Employment, *&c.* after 1 *Septemb.* 1660. to be excepted.
§. 44.	They who gave Sentence ſince 5 *Decemb.* 1648. in High Court of Juſtice, *&c.* diſabled.
§. 45.	Truſtees 1649. for appropriate Tythes, *&c.* ſhall Account.
§. 46.	Not to pardon Bond in the late Queens Name, before *May* 1642. for proper Debt of her Receiver.
§. 47.	Not to pardon Perſons, Heirs, Executors, that have not paid proportion of Fifteen hundred thouſand pounds on Cuſtoms.
§. 48.	Not to pardon Arrears of Exciſe ſince 24 *June* 1659.
§. 49.	Not to diſcharge Money due by Soldier for free Quarter, ſince 2 *July*, 1652.
§. 50.	No Conveyance (unleſs of Biſhops or Delinquents Lands) nor Stat. *&c.* before 29 *Sept.* 1659. by perſons, except for Money *bona fide*, ſhall be Impeached, *&c.*
§. 51.	Not to Indemnifie Entries into Fabrick, Lands, Rents of Church, or Sacriledge.
Reſtitution, 13 *Car.* 2. *Cap.* 1. §. 7.	By the King, of any offences in this Act to work a Reſtitution, *&c.*
Noſe-cutters, 22 & 23 *Car.* 2. *c.* 1. §. 5.	Shall not be of Sir *Tho. Sands*, &c. but by Act of Parliament, Noſe-Cutters.
§. 2.	More Bountiful then accuſtomed.
Pardon, General, 25 *Car.* 2. *c.* 5. §. 2.	Of all perſons Eccleſiaſtical and Temporal, their Executors, *&c.* Corporations, *&c.* of Treaſon, Miſpriſion, Felony, Seditious Words, Meetings, *Præmunire*, Coining, *&c.*
§. 3.	To be as effectual as if ſpecified againſt the King, *&c.*
• §. 4.	Grant of all Goods, Debts, *&c.* Forſeit and Reſtitution.
§. 5.	The Act to be Evidence without Plea, §. 6. moſt beneficial for Subject.
§. 7.	Proceſs againſt any Diſcharged, treble Damages, and Ten pounds to the King.
§. 8.	Except Treaſons againſt the Kings Perſon, or Confederacy againſt him, or §. 9. beyond Sea.
§. 10.	Except Forgery, Diminiſhing of Coin, Concealment of Treaſon, *&c.* §. 11. Murder.
§. 12.	Piracy. §. 13. Burglary. §. 14. Buggery. §. 15. Rape. §. 16. Raviſhment. §. 17. Perjury.
§. 18.	All Profits due to the King Sued for within ſix years, §. 19. Information of High-ways.
§. 20.	Imbezelling Store, *&c.* §. 21. Conditions and Covenants broken, §. 22. Simony, *&c.*
§. 23.	Firſt-fruits, *&c.* §. 24. Concealments of Cuſtoms, Tax, Exciſe, *&c.* §. 25. Debts except.
§. 26.	Taking Goods forfeit for Treaſon, §. 27. Arrears of Rent, §. 28. Accounts, *&c.*
§. 29.	Recognizance, *&c.* of Collectors, §. 30. not to pardon Obligation, *&c.* not forfeit, §. 31. if forfeit, are.
§. 32.	Except Fines, *&c.* ſince 25 *March* 1663. §. 33. Eſtreats, §. 34. Returns, *&c.*
§. 35.	All other Fines diſcharged, §. 36. Sheriff to return charge, but diſcharge to be on Petition.
§. 37.	Not to benefit any, except 12 *Car.* 2. *c.* 11. nor to any §. 38. thereby diſabled.
§. 39.	Not to exempt from being Sheriff, *&c.* §. 40. Except all perſons Attaint by Parliament.
§. 41.	Except perſons Exiled by Parliament, §. 42. perſons Tranſported after Convict, §. 43. perſons except.
§. 44.	Except perſons in Priſon by the Kings Command.
§. 45.	*Cap. Utlagat.* may be Award to anſwer Plaintiff.
§. 46.	Not to extend to perſons Utlawed on *Cap. ad ſatisfaciend.* till ſatisfaction.
§. 47.	Defendant may plead General Iſſue, §. 48. Pardon as good againſt Patentee, as the King.
Before Oct. 1689.	Pardons before 23 *October* 1689. to be of Force.
General pardon, 2 *W & M. Seſſ.* 1. *c.* 10.	A General and Free pardon.
Commencement, §. 2, 3.	Offences before *May* 1690. pardoned, Except as after.
§. 4.	Fines and Forfeitures pardoned.
§. 5.	Grants of Forfeitures, and Executions thereon void.
Fee, §. 6.	This pardon pleadable without Fee, but only 16 *d.* for entry, *&c.*
Beneficially taken, §. 7.	To be taken moſt beneficially.
Making Proceſs Levying Money, §. 8.	Penalty for making out Proceſs, or Levying Money, *&c.* for things pardoned, and ſuch Proceſs, *&c.* to be void.

Except High Treaſon, *&c.*	§. 9.
Treaſons in *Ireland*, *&c.*	§. 10.
Counterfeiting Seal, *&c.* Diminiſhing Money, *&c.*	§. 11.
Petit Treaſons, Murders, *&c.*	§. 12.
Piracy, *&c.*	§. 13.
Burglary, Breaking Houſe day time, *&c.*	§. 14.
Robbery, *&c.*	§. 15.
Buggery, *&c.*	§. 16.
Rape, *&c.*	§. 17.
Taking away, or Marrying Women, *&c.*	§. 18.
Perjury, Subornation, Forgery, *&c.*	§. 19.
Offences in Foreſts.	§. 20.
Forfeitures.	§. 21.
Proceedings for High-ways, *&c.*	§. 22.
Imbezelling Their Majeſties Money, Goods, Stores, *&c.* and conveying to *France* Naval Stores, or Contraband Goods.	§. 23.
Conditions, Covenants and Penalties, *&c.*	§. 24.
Inceſt, Simony and Dilapidations.	§. 25.
Adultery, and Crimes of Perſons in Holy Orders.	§. 26.
Payments out of Eccleſiaſtical Promotions, *&c.*	§. 27.
Biſhop, or Receiver, *&c.*	§. 28.
Duties to their Majeſties, *&c.*	§. 29.
Takings from Their Majeſties, or K. *Charles* 2. or K. *James* the 2d.	§. 30.
Arrearages of Rents.	§. 31.
Accomptants and Accounts, *&c.*	§. 32.
Recognizances, *&c.* Debts, Forfeitures, *&c.*	§. 33, 34, 35.
Iſſues, Fines and Amerciaments, *&c.*	§. 36, 37, 38, 39.
Eſtreats.	§. 40.
Allowance of Fines Pardoned to Sheriffs, *&c.*	§. 41.
Perſons Except in 12 *Car.* 2.	§. 42.
Diſabilities, Incapacities.	§. 43.
Exerciſing Office, *&c.* againſt 13 *Car.* 2.	§. 44.
Attainder, Utlary.	§. 45.
Exile, Penalties, *&c.* by former Acts.	§. 46.
Felons Tranſported.	§. 47.
Penalties, *&c.* of Perſons Excepted out of 12 *Car.* 2.	§. 48.
Penalty of 500 *l.* for holding Office againſt 25 *Car.* 2.	§. 49.
Perſons Excepted by Name.	§. 50.
Jeſuits, Seminaries and Romiſh Prieſts, *&c.*	§. 51.
Popiſh Recuſants.	§. 52.
Outlary.	§. 53.
Perſons pardoned may plead general Iſſue, *&c.*	**Pleading General** ſue, §. 54.
To be good againſt all.	**Good againſt all**, §
Rebellion, *&c.* Adhearing to Enemies ſince *Feb* 1688.	§. 56.
Indempnity for things done for bringing in their Majeſties, or for Service of the Government, and Defendant may plead general Iſſue, *&c.*	**Indempnity**, 1 W *Seſſ.* 2. *c.* 8. 2 W *Seſſ.* 2. *c.* 13. 4 *W & M.* *c.* 19.
Robber diſcovering other Robbers, ſo as they be Convict, pardoned Robberies before diſcovery.	4 & 5 *W & M.* *c.* 8. §. 7.
Repeal of 10 *Ed.* 3. *c.* 3. but on pardon pleaded, perſons may be remanded till Security given, for their good abearing for 7 years.	**Repeal Pleading** don, 5 & 6 *W* *Cap.* 13.
Indempnity of Sir *Tho. Cooke*, for diſcovering to whom he diſtributed Money received from *Eaſt-India* Company.	**Sir** T. Cooke, 6 *W.* 3. *c.* 15.
A General and Free Pardon, with ſome Exceptions.	**General Pardon**, 20. §. 2.
To be as good, as if things had been particularly ſpecified *&c.*	**To be good as if** **particularized**, §
Forfeitures pardoned.	**Forfeitures**, §. 4.
Grants of Forfeitures by ſuch as Forfeited, good, *&c.*	§. 5.
Pardon pleadable without Fee, except 16 *d.* for Entry.	**Pleading Pardon**,
To be taken beneficially.	**Taken Beneficially**, §. 7.
Penalty for making out Proceſs for, *&c.* or Levying, *&c.* things pardoned.	**Proceſs for**, &c. **vying things** **doned**, §. 8.
Except perſons in Proclamations.	**Exceptions**, §. 9.
Priſoners of War.	**Treaſons**, §. 10.
Criminals on 29 *April* 1695.	§. 11.
Perſons in *French* Kings Dominions.	§. 12.
Perſons in Service of *French* King, or late King *James*.	§. 13.
Perſons Impeached in Parliament this Seſſion.	§. 14.
Treaſons done out of the Realm.	§. 15.
Offences againſt 3 & 4 *W & M.* againſt correſponding with Enemies.	§. 16.
Treaſons on high Seas.	§. 17.
Offences againſt 13 *Car.* 2. for better Government of Navies.	§. 18.
Offences againſt 1 *W & M. Seſſ.* 1. *c.* 34. 2 *W & M. Seſſ.* 2. *c.* 14. 4 & 5 *W & M.* *c.* 25.	§. 19.
Counterfeiting Seal, Moneys, Clipping, *&c.*	§. 20.
Bringing in and Uttering Falſe Money, and all Miſpriſions, Abetting, *&c.* of Treaſon.	§. 21.
Eſcapes.	§. 22.
Murders, Petit Treaſons, Poiſoning, Piracy, Burglary, Breaking Houſes, Robbery, Buggery, Rape.	**Felon**, &c. §. 24, 25, 26, 27, 28.

Taking

§. 29.	Taking away and Marrying Women.
§. 30.	Perjury, Subornation, Forgery.
§. 31, 32.	Offences againſt 25 *Car.* 2. *Cap.* 2. and 30 *Car.* 2. *Cap.* 1. *Stat.* 2.
§. 33.	Offences in Foreſts.
§. 34.	Offences proſecuted.
§. 35.	Proceedings about Highways, Bridges.
§. 36.	Imbezelling, *&c.* his Majeſties Goods, Stores, *&c.*
§. 37, 38.	Conditions, Covenants, Actions, *&c.* of *Quare Impedit.*
§. 39.	Inceſt, Simony, Dilapidations.
§. 40.	Adultery, Extortion, Crimes of Prieſts.
§. 41.	Payments out of Eccleſiaſtical Promotions.
§. 42.	Arrears received by Biſhop, or Receiver.
§. 43.	Duties by Act of Parliament, or otherwiſe.
§. 44.	Miſdemeanours, *&c.* of Officers.
Writing on Paper, &c. **unſtamped,** §. 45.	Penalties for Writing on Paper, *&c.* unſtamped, pardoned.
§. 46.	Except takings from his Majeſty, *&c.*
§. 47.	Arrears of Rents.
§. 48, 49, 50, 51.	Accounts, Recognizances, Obligations, *&c.*
§. 52, 53, 54, 55, 56, 57.	Iſſues, Fines, Amerciaments, *&c.*
§. 58.	Perſons by name Excepted in 12 *Car.* 2.
§. 59.	Not to reſtore Abilities or Capacities.
§. 60.	Accepting Office, *&c.* againſt 12 *Car.* 2.
§. 61, 62.	Attainder, Utlary, Exciſe, and Pains, *&c.* by Act of Parliament.
§. 63.	Priſoners and thoſe diſabled to diſpoſe their Eſtates.
§. 64.	Offences about Charter or Act of Parliament for *Eaſt India* Company, *&c.*
§. 65.	Tranſportation for Felony.
§. 66.	Penalties impoſed on any Excepted in 12 *Car.* 2.
§. 67, 68.	Offences of Jeſuits, Seminaries, or Romiſh Prieſts, Convictions of Recuſants.
§. 69.	Proceſs of Utlary not to be avoided, unleſs Defendant put in Bail (where neceſſary) and ſue a *Scire fac.* nor Outlary after Judgment to be diſcharged till Agreement.
Pleading General Iſſue, &c. §. 70.	Perſons pardoned may plead General Iſſue, and give this Act in Evidence, *&c.*
Good againſt all, §. 71.	This Pardon good againſt all.

Parks, ſee *Foreſts.*

Parliament.

Taxes, 9 *H.* 3. *c.* 37. *Magna Charta.*	For the Liberties granted by the King, the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other Subjects gave a Fifteenth of all their Moveables to him.
Treſpaſs in Parks, 20 *H.* 3. *c.* 11. *Merton.*	The Lords prayed to have Impriſonment of Treſpaſſers in their Parks and Ponds, *&c.* which the King denied, *Ideo differtur.*
Agreement, 51 *H.* 3. *pag.* 18. *Kenelworth.*	A Statute of Award, Agreement, or Compoſition at *Kenelworth*, between the King, Noblemen and Commons.
Prerogative, 3 *Edw.* 1. *cap.* 50. *W.* 1.	The things Ordained to the Honour of God and Holy Church, for the Commonwealth, and Remedy of Party grieved, ſhall not be prejudice to the King or his Crown, but the rights appertaining to him ſaved in all points.
Aſſizes, *c.* 51.	At Requeſt of the King to the Biſhops by their Aſſet, Aſſizes ſhall be taken in *Advent*, *Septuageſima*, and *Lent.*
King, 7 *Edw.* 1. *pag.* 33.	The Prelates, Earls, Barons, and Commonalty, on Advice tell the King that it belongs to his part as Sovereign Lord, at all ſeaſons to defend the Peace againſt Force and Armour in all Treaties and Aſſemblies.
Adjournment to Parliament, 13 *Edw.* 1. *cap.* 24. §. 2. *W.* 2.	Caſes in which Clerks of Chancery cannot agree; ſhall be Adjourned to the next Parliament by conſent of Men Learned in the Law, that there be no failer of Juſtice.
Magna Charta, 25 *Ed.* 1. *c.* 1. *At London.*	The Kings Writ ſent to enforce the Execution of the Grand Charter as the Common Law, and *Charta de Foreſta* for the Commonwealth.
Cap. 2.	Judgment againſt any Point of the Grand Charters, ſhall be undone, and void.
Cap. 3.	The Grand Charters ſhall be read twice a year in Cathedral Churches.
Cap. 4.	Excommengement of all Breakers of the Grand Charter, and the Curſes twice a year denounced, or Prelates Diſtrained for Default by the Archbiſhop of *Canterbury* and *York.*
Aid by Conſent, *c.* 6.	No Aids, Taſks, and Prices towards our Wars ſhall be taken but by Common Aſſent of the Realm, but as ancient due and aceuſtomed.
Toll upon Wooll, *c.* 7.	The King releaſeth the Male-tent Fourty ſhillings a Sack, Toll of Wooll, and not to be taken but by common Aſſent and good Will, ſaving the Cuſtoms of Wooll, Skins, Leather.
Grand Charter, 28 *Ed.* 1 *c.* 1. *Artic. ſuper Chart.*	The Grand Charters confirmed to be Read four days a year before the People in full County, and three Knights, or lawful, wiſe, and well-diſpoſed perſons ſhall be choſen in every Shire-Court by the Commonalty of that Shire, who ſhall be Juſtices ſworn to hear and determine all Points broken by the Kings Officers, or others, not already puniſhable by the Common Law.
Robbery, *c.* 17.	The Stat. 13. *Ed.* 1. *Stat.* 2. at *Wincheſter* againſt Robberies, Burnings and Manſlaughter, ſhall be Read and publiſhed four times a year, the Knights, ſhall Enquire of it as of the Grand Charters.
Aid, *Temp. Edw.* 1. *p.* 71. *Cap.* 1.	No Tallage nor Aid without Aſſent of Archbiſhop, Biſhops, Earls, Barons, Knights, Burgeſſes, and other Freemen.
Pag. 72. *c.* 4.	Statutes contrary to Free Cuſtoms uſed heretofore, void.
Pardon, 4 *Edw.* 3. *c.* 13.	None out of Parliament ſhall *contra* to 2 *Ed.* 3. *Cap.* 2. obtain pardon of Felonies or Manſlaughter of the King.
Holding Parliament, *Cap.* 14.	Shall be holden once every year, and oftner if need be.
Error, 14 *Edw.* 3. *c.* 5.	Shall redreſs Errour in Chancery, *B. R. C. B.* or other Juſtices, if on Commiſſion to a Prelate, and two Earls, and two Barons, they cannot agree.
Tryal, 15 *Edw.* 3. *c.* 2.	Peers of the Realm, and great Officers for great Offences ſhall be Tried in Parliament.
Tryal, *c.* 3.	Thoſe that attempt Suits againſt the Laws and Statutes, ſhall anſwer in Parliament.
King, *c.* 4.	At every Parliament the King may take ſeveral great Offices into his hands four or five days, except Juſtices, *&c.*
Kings Conſent, 15 *Ed.* 3. *Stat.* 2. *pag.* 108.	The Laws of 15 *Edw.* 3 before Repeal, becauſe the Kings Conſent was not free, but diſſembled, to prevent Diſcords by Fear.
Conditions for Subſidy, 18 *Edw.* 3. *c.* 1.	The Conditions demanded by the Great Men and Commons, on Grant of Subſidy to the King.
Treaſon, 25 *Edw.* 3. *Stat.* 4. *c.* 2.	In new Caſes of Treaſon not to proceed until declare in Parliament.
Men at Arms, *c.* 8.	None but by Tenure, or common Aſſent in Parliament ſhall be compelled to find Men at Arms, Hoblers nor Archers.
Commons of Parliament, 27 *Edw.* 3. *Stat.* 2. *c.* 1.	On deliberation with the Prelates, Dukes, Earls, Barons, and Great Men of the Counties, *viz.* of every County one for all the County, and of the Commons of Cities and Burroughs Summoned.
Chancery, 36 *Edw.* 3. *Cap.* 9.	Remedy ſhall be of Grievance againſt Statute by coming into Chancery.
Holding Parliament, *Cap.* 10.	Shall be holden every year.
Grand Charter, 42 *Ed.* 3. *Cap.* 1.	Statute made *contra* to the Grand Charters, void.
Tax, 45 *Edw.* 3. *c.* 4.	No Impoſition or Charge other then Cuſtoms on Wooll, Wooll-fells, *&c.* but by Parliament, elſe void.
Member, 5 *R.* 2. *Stat.* 2. *Cap.* 4.	They that come not on Summons, Amerced, and ſo of Sheriff that is negligent in making Return, or leaves out any City or Borough that ought to ſend.
Huy and Cry, 7 *R.* 2. *Cap.* 6.	The Stat. 13 *Ed.* 1. *Stat.* 2. of *Wincheſter*, ſhall be proclaimed by Sheriff in perſon four times a year in every Hundred, and by Bayliffs in every Town.
Rome, 16 *R.* 2. *c.* 5.	The Spiritual Lords opinion as well as the Temporal, of Proceſs from *Rome.*
Wages, 12 *R.* 2. *c.* 12.	Lands liable to Expences of Knights, ſhall be ſo ſtill in hands of Lords Spiritual or Temporal.
Act void, 21 *R.* 2. *c.* 1.	The Stat. 11 *R.* 2. *Cap.* 1. and the Commiſſion therein, Repeal, being made by Threats given to the King, and by Conſtraint.
Commiſſion about Petitions, *c.* 16.	Give Authority to Commiſſioners to Examine and Anſwer Petitions to the King.
Treaſon, *c.* 20.	He that is proved in Parliament to purſue Repeal of any Statute made 21 *R.* 2. adjudged a Traytor.
Repeal, 1 *H.* 4. *c.* 3.	A Repeal of the whole Parliament 21 *Rich.* 2. and the Authority thereby given.
Confirmation, *c.* 4.	A Confirmation of 11 *Rich.* 2. as a Parliament made for the Kings Honour, and for the profit of the Realm.
Reſtitution, *c.* 5.	Reſtitution to the Heirs of thoſe that were Attaint 21 *R.* 2. by Parliament.
Demand, *c.* 6.	The King by Aſſent of the Lords Spiritual and Temporal, and at requeſt of the Commons, be Counſelled by the wiſe Men of his Council as to his Eſtate and Realm, ſaving his Liberty, the value of Demand muſt be in Petition for Lands, and what Received.
Sales, *c.* 9.	Confirm Sales made by 11 *Rich.* 2. only.
Appeals, *c.* 14.	No Appeals ſhall be made or purſued in Parliament.
Repeal, 2 *H.* 4. *c.* 13.	Repeal as to all, but Pardon 21 *Rich.* 2. *Cap.* 15.
Error, 4 *H.* 4. *c.* 23.	On Judgment in any of the Kings Courts till Reverſe by Error or Attaint, parties ſhall be in peace, and not come before King, Council, or Parliament.
Member, 5 *H.* 4. *c.* 6.	Double Damages with Fine and Ranſom of *Savage*, for beating *Chedder* Servant to *Broke*, a Knight of Parliament, coming thither.
Crown intailed, 7 *H.* 4. *Cap.* 2.	Entailed the Inheritance of the Crown of *England* and *France*, to the Kings four Sons, and the Heirs of their Bodies ſucceſſively.

The

Election of Knight, *Cap.* 15.	The day and place thereof ſhall be proclaimed the next County day after Writ received by Sheriff to Elect Knight, and Indenture, with Names and Seals of Chuſers ſhall be Returned under the Sheriffs Seal.
Return of Knight, 11 *Hen.* 3 *Cap.* 1.	Juſtices of Aſſize ſhall enquire of undue return of Knight, and if found contrary to 7 *H.* 4. *Cap.* 15. Sheriff ſhall loſe One hundred pound, and Knight his Wages.
Juſtices of Aſſize, 13 *Hen.* 4. *Cap.* 2.	Confirms 8 *Rich.* 2. *Cap.* 2. of Juſtices of Aſſize, ſo long as it pleaſeth the King.
Knight reſident, 1 *H.* 5. *Cap.* 1.	Knights ſhall be reſident in the County the day of the Writ, and ſo for the Electors and Citizens, and Burgeſſes, reſident, dwelling and free therein, and no otherwiſe.
Lieutenant, 8 *H.* 5. *c.* 1.	Writs in the Name of Lieutenant ſhall not be ſtayed by the Kings return into *England.*
Sheriff, 9 *Hen.* 5. *c.* 5.	For four years the King notwithſtanding 14 *Ed.* 3. *Cap.* 7. may Aſſign Sheriffs to continue above a year.
Undue return, 6 *H.* 6. *Cap.* 4.	Sheriff or Knight ſhall not be endamaged by Enqueſt of Office of undue return till convict on Traverſe.
Convocation, 8 *H.* 6. *c.* 1.	The Clergy and Servants called to convocation, ſhall enjoy the ſame priviledge from Arreſt, coming, tarrying and returning, as the Great Men and commonalty called to the Kings Parliament.
Election of Knight, *Cap.* 7.	Knight ſhall elect by reſidents that have Fourty ſhillings *per annum*, and noother, and he that hath the Majority, return on pain to Sheriff, of One hundred pounds, and Knight to loſe his Wages.
8 *Hen.* 6. *Cap.* 7. § 2.	He that cannot expend Fourty ſhillings *per annum*, ſhall in no wiſe be chuſer of Knight.
10 *Hen.* 6. *Cap.* 2.	Elector of Knight ſhall have Fourty ſhillings a year Free hold at leaſt above all charges.
Aſſault upon Peer, &c. 11 *Hen.* 6. *Cap.* 11.	Double damages, Fine and Ranſom, on Aſſault made to Lord Spiritual or Temporal, Knight, Citizen, or Burgeſs come to, or attending the Parliament, or other Council of the King by his command.
Collector of Diſme, 18 *H.* 6. *c.* 5.	The Citizens and Burgeſſes Name Collectors of *Diſme* or *Quinzim* for the Town, but they ſhall not be for County, unleſs of Five pounds *per annum.*
Indictment, *Cap.* 12.	The Stat. of 9 *Hen.* 5. *Cap.* 1. continue to the next after the Kings return, being doubt if *Expire per Demiſe le Roy* is made perpetual.
Wages, 23 *Hen.* 6. *c.* 11.	Wages of Knights ſhall be Taxt by Sheriff in preſence of Coronors and Conſtables on Hundreds and Villages, uſing to pay proportionably, and deliver according, to be determined by Juſtice.
Election of Member, *Cap.* 15.	A Confirmation of 1 *Hen.* 5. *Cap.* 1. and other Statutes, Sheriff on receit of Writ ſhall make Precept Seal to Mayor, Bailiffs, *&c.* to chooſe Parliament-Man, and Return him Returned by them, of forfeit in One hundred pounds to King, and One hundred pounds to party, Debt againſt Executors, Mayor, or Bailiff, Fourty pounds, Debt againſt Executors no Wager of Law.
§ 2.	Sheriff for undue Return, or Election not made between eight and eleven, ſhall forfeit One hundred pounds to the King, another to the party.
§ 3.	Debt to be in three months after the Parliament begun, and no Knight to be a Yeoman or under.
Coventry, 39 *Hen.* 6. *c.* 1.	A Parliament holden at *Coventry*, 20 *November* 38 *Hen.* 6. Repeal, becauſe unlawfully Summoned and choſen.
Stat. Repealed, 17 *Ed.* 4. *c.* 7.	The Parliament held 9 *Edw.* 4. and 49 *Hen.* 6. and all Acts therein made, and their Exemplifications Repealed.
Reſumation, 1 *R.* 3. *c.* 15.	Reſume all the Grants and Eſtates made to *Eliz. Gray*, Queen of *England.*
19 *Hen.* 7. *Cap.* 10.	Reſume the Grants of all Gaols for life or years, except, *&c.* and give them to Sheriff of the County.
Suits againſt Strode, &c. void, 4 *H.* 8. *c.* 8.	All Suits, Condemnations, Charges, and Impoſitions on *Richard Strode* and his Complices, of the Parliament, or on any hereafter for any Bill, ſpeaking or reaſoning any thing concerning the Parliament, to be Communed or Treated of to be void.
Departure, 6 *Hen.* 8. *Cap.* 16.	None ſhall depart without Licence of the Speaker, on loſs of his Wages.
Stat. Confirmed, 5 *Hen.* 8. *c.* 20. § 2.	The Confirmation and Royal Aſſent to *Hen.* 8. *Cap.* by Patent Enrolled in Parliament.
Export, &c. 26 *Hen.* 8. *Cap.* 10.	The King during life by Proclamation may Repeal or Revive 23 *H.* 8. 7. or any Statute ſince 21 *Hen.* 8. for Export or Import.
Members in Wales, 27 *Hen.* 8. *c.* 26. § 29.	In *Wales*, *Brecknockſhire*, *Radnor*, *Montgomery*, and *Denbigh*, to Elect one Knight every Shire-Town, except *Merioneth* one Burgeſs.
Power to repeal, 28 *H.* 8. *Cap.* 17.	Any inheritable to the Crown from *H.* 8. may after twenty four years old repeal all Laws made during Nonage.

The Kings Proclamation to be of the ſame force as Act of Parliament, not to prejudice Life, Liberty or Eſtate, but contemners thereof to be Traytors.	**Kings Proclamation,** 31 *Hen.* 8. *c.* 8.
Precedence appertains to the Kings Prerogative to diſpoſe.	**Stat. of Precedence,** *Cap.* 10. § 1.
None to ſit on either ſide the Cloth of Eſtate, whether the King be abſent or preſent, but his Children, the Vicegerent to ſit on right-ſide of the Chamber.	§ 2.
Next to him the Archbiſhop of *Canterbury*, next of *York*, next the Biſhop of *London*, next of *Durham*, next of *Wincheſter*, and all the reſt as in ancienty.	§ 3.
The Chancellor, Treaſurer, Preſident, and Privy-Seal, if Barons, on the left ſide of the Chamber above Dukes, *&c.* unleſs the Kings Nephew.	§ 4.
Next the great Chamberlain, Conſtable, Marſhal, Admiral, Grand Maſter, Lord Steward, then the Kings Chamberlain, above all of the ſame degree.	§ 5.
The Secretaries, if Barons, above all Barons.	§ 6.
Dukes, Marqueſſes, Earls, Viſcounts, and Barons, as in Ancienty.	§ 7.
If chief Officers be no Barons, to ſit uppermoſt on Sack.	§ 8.
On Trial of Peers the ſame Precedence.	§ 9.
The ſame Order to be obſerved in Parliaments, in Star-Chamber, and all other Aſſemblies, and Conferences of Council.	§ 10. § 11.
Marriage with Lady *Anne Cleve*, void, and Treaſon by word, *&c.* to procure any thing that may repeal this Act.	**Marriage with Cleve,** 32 *Hen.* 8. *c.* 25.
All Decrees, *&c.* of Archbiſhops, *&c.* appoint for Articles of Faith and Ceremony, Confirmed by Patent, and not againſt the Laws of the Realm, good.	**Decrees Confirmed,** *Cap.* 26.
The Kings Royal Aſſent by Patent as ſufficient as in perſon.	**Kings Aſſent,** 33 *H.* 8. *Cap.* 21. § 2.
Cheſter to ſend two Knights for County Palatine, and two Burgeſſes for the Town.	Cheſter, 34 & 35 *H.* 8. *Cap.* 13.
The Knights and Sheriff of *Cambridge* Incorporate to have Ten pounds *per annum*, out of Land aſſured to *Hynde*, and the County diſcharge of Wages.	Cambridge, 34 & 35 *Hen.* 8. *c.* 24. § 2.
Treaſon directly or indirectly by Words or Writing, *&c.* to procure any thing to interrupt, repeal, or adnul this Statute, or the Crowns Succeſſion.	**Treaſon,** 35 *Hen.* 8. *c.* 1. § 15.
Sheriff in two months of delivery of Writ *De ſolut. feodi Militis*, of Parliament to pay Wages of Knights in *Wales*, Four ſhillings *per diem*, on forfeit of twenty pounds.	**Wages,** *Cap.* 11.
Mayor, *&c.* to pay in two months of delivery of Writ *De ſolut. feodi Burgenſ. Parliamenti*, Two ſhilling *per diem*, on forfeit of Twenty pounds.	§ 2.
The Stat. 5 & 6 *Edw.* 6. *Cap.* 15. is ſaid to appear to be procured for ſingular Commodity of a few rich, without reſpect of the Common-wealth.	**Leather,** 1 *Mar. St.* 3. *Cap.* 8.
Nothing done here in matters of Religion, to be Errour, Hereſie, *&c.*	**Religion,** 1 *Eliz. c.* 1. § 35.
The three Eſtates repreſentative, recognize the Queens Titles.	**Queen recogniz'd,** *Cap.* § 2.
Every Knight, Citizen, *&c.* of the Parliament, not taking the Oath of Supremacy before Entry into it, to be as if never returned, *&c.*	**Oath,** 5 *Eliz. c.* 1. § 1
The Clergy ſaid to be one of the greateſt States of the Realm.	**Clergy,** 8 *Eliz. c.* 1.
Errour lieth there after Judgment in *B. R.* affirmed, *&c.* in Exchequer Chamber.	**Errour,** 27 *Eliz. c.* 8. §
Recognize King *James* Title by Deſcent.	**King recogniz'd,** 1 *Jac.* 1 *c.* 1. § 4.
A Commiſſion to Treat of Union of *England* and *Scotland*, to be agreed in Parliaments.	**Union of England and Scotland,** *c.* 2.
After Priviledge ended, Party or Executors, *&c.* may take new execution.	**Execution,** *c.* 13. § 2.
The Kings Patent of Licence or Diſpenſation of what is prohibited, void.	**Kings Licence,** 1 *Jac.* 1. *c.* 22. § 57.
This Seſſion ſhall not determine by the Kings Aſſent to other Acts.	**Seſſion,** 1 *Car.* 1. *c.* 7.
That none be compelled to Gift, Benevolence, Loan, or Tax, but by Parliament, nor Impriſon, nor Condemned by Commiſſion of Martial-Law, Soldiers, diſcharged.	**Tax,** 3 *Car.* 1. *Petition*, &c. *p.* 196. § 10.
Parliaments to be called and held every third year.	**Holding Parliaments,** 16 *Car.* 1. *c.* 1.
This Parliament not to be Diſſolved or Adjourn, but by Act of Parliament.	**Diſſolution,** 17 *Car.* 1. *cap.* 7.
The Parliament 17 *Car.* 1. *c.* 7. is Diſſolved, and the preſent two Houſes of Parliament, as if called by Writ.	**Diſſolution,** 12 *Car.* 2. *Cap.* 1.
The Kings Aſſent to Bills not to determine that Seſſion.	**Seſſion,** *c.* 3. § 7.
Grant Tonnage and Poundage, and Subſidy on Cloth to the King for life.	**Tonnage,** *c.* 4. § 2.
All Orders or Ordinances of both or either Houſes,	**Orders without King void,** 13 *Car.* 2. *c.* 1. § 3.

for

	for Impoſing Oaths, Covenants, Engagements, Taxes, raiſing Arms, without Royal Aſſent, void; and ſaying the Parliament 17 *Car.* 1. *Cap.* 7. is yet in being, is *Præmunire*.
Debate, §. 6.	Each Houſe may Debate Alteration of old or new Grievance.
Aid, *Cap.* 4.	No ſuch Aids as free and voluntary Preſent, without Conſent of Parliament.
Petition, *Cap.* 5.	No Petition to be Preſent by twenty or above, to both or either Houſes.
§. 3.	Not to prejudice where Delivery is by under ten.
Militia, *Cap.* 6.	Both nor either Houſe ought not, nor can pretend to Militia.
Pt. Confirm'd, *Cap.* 7.	Several Acts of 25 *April*, 1660. being no formal Parliament, Confirmed.
Strafford, 14 *Car.* 2: *c.* 29.	A Recital of the Tumultuous obtaining Attainder of *Tho.* Earl of *Strafford*.
§. 3.	That all Records and proceedings of Parliament relating thereto be Cancelled.
Pt. Repealed, 16 *Car.* 2. *Cap.* 1.	A Repeal of 16 *Car.* 1. *c.* 1. as if never made, being againſt Prerogative.
Seſſion, §. 3.	Not to be intermit three years, but new one to be within three years after the old.
Noſe-cutters, 22 & 23 *Car.* 1. *c.* 1. §. 5.	The King not to pardon Sir *Tho. Sands*, &c. for cutting Noſe of Sir *J. Coventry* a Member, but by Parliament.
Seſſion, §. 9.	The Kings Aſſent to the Bill, not to determine Seſſion.
Durham, 25 *Car.* 2. *c.* 9.	*Durham* to have two Knights for County, and two Citizens for the City.
Tax, 29 *Car.* 2. *c.* 1. §. 56.	An Account of Tax for Shipping ſhall be Tranſmit by Auditor, *&c.* to the Commons in Parliament.
Oath, 30 *Car.* 2. *Stat.* 2. page 1509.	Peers and Members of Parliament diſable to Sit, until taking of the Oaths of Supremacy and Allegiance, and declaring againſt *Tranſubſtantiation*, and the Idolatries of *Rome*.
Convention 1688. 1 *W* & *M. Seſſ.* 1. *c.* 1. §. 2.	The Convention in 1688. a good Parliament, and all Acts to have relation to 13 *Feb.* 1688.
Old Oaths, §. 3.	Repeal of 30 *Car.* 2. *c.* 1. as to taking Oaths of Supremacy and Allegiance, by Members of either Houſe, *&c.*
New Oaths, §. 4.	New Oaths to be taken by Members, in lieu of the Old, and the Declaration in 30 *Car.* 2. *c.* 1. to be ſubſcribed by them; All to be done as limited in 30 *Car.* 2.
New Oaths, §. 6, 7.	The new Oaths.
Diſſolution, §. 8.	Preſent Parliament may be diſſolved as uſual.
ights and Liberties, Succeſſion of Crown, *Seſſ.* 2. *c.* 2.	An Act declaring Rights and Liberties of Subjects, and the Succeſſion of the Crown.
Elections, §. 8.	Elections of Members ought to be free.
Speech, §. 9.	Freedom of Speech not to be queſtioned out of Parliament.
Frequent, §. 13.	Parliaments ought to be frequent.
Acts, 1 *W* & *M.* good, 2 *W* & *M. Seſſ.* 1. *c.* 1. §. 2.	Acts of 1 *W* & *M.* declared good.
ings abſence, *Cap.* 6. §. 3.	The Kings abſence from *England*, not to Diſſolve Parliament.
Election, *Cap.* 7.	Recites that Elections of Members to ſerve in Parliament, ought to be free.
Nomination, Recommendation, §. 2.	Nominations and Recommendations of perſons to ſerve in Parliament, illegal and void.
xciſe Officer, 3 & 4 *W* & *M. Cap.* 1.	Penalty on Exciſe Officers intermeddling in Elections of Members.
eland, *Cap.* 2.	Members of Parliament in *Ireland*, to take New Oaths in lieu of the Old Oath of Supremacy in *Ireland* in 2 *Eliz.* abrogated, and ſubſcribed a Declaration. *Vide* Title *Ireland*.
xciſe Officer, 4 & 5 *W* & *M. Cap.* 5. §. 16.	Reviver of 3 *W* & *M. c.* 1. as to Exciſe Officers meddling in Elections during this Act, *&c.*
rming, Managing, &c. Duties, 5 & 6 *W* & *M. Cap.* 7.	No Member of Houſe of Commons to be concerned in Money Granted Their Majeſties (except Commiſſioners and Officers of Treaſury, Cuſtoms and Exciſe, *&c.*)
nk of England, *c.* 20. §. 33.	Member of Houſe of Commons, may be of the Corporation of the Bank of *England*.
iſe Officer, §. 48.	Penalty on Exciſe Officers intermeddling in Elections.
be once in 3 years, *W* & *M. Cap.* 2. §. 1.	Parliament to be held once in 3 years.
ing Writs, §. 2.	Within 3 years after determination of preſent or future Parliament, Writs to be Iſſued for a new Parliament.
to continue above years, §. 3.	No Parliament to continue longer than 3 years.
rmining preſent rliament, §. 4.	Preſent Parliament to determine 1 *Novemb.* 1696. unleſs diſſolved ſooner.

Parſon, ſee *Eccleſiaſtical Perſons*.

Partition and Parceners.

Rationabili parte, *Perambulation*, *Allotment*, *Diviſion*, *Nuper obiit*, *Chattels*, *Eſtates*, *Coparceners*, *Gavelkind*.

If no Debt be to the King, all the Chattels ſhall go to the uſe of the Dead, ſaving to Wife and Children their reaſonable part.	Rationabili parte, 9 *H.* 3. *Cap.* 18. *Magna Chart.*
All Coparceners hold in chief, not one of another, though the eldeſt do Service to inferiour Lords.	Tenure, 14 *Hen.* 3. *p.* 7. *Stat. Hibern.*
One Coparcener ſhall do Suit, and the reſt contribute, and if but one Suit due, all the Joynt-Feoffees ſhall contribute.	Contribution, 52 *Hen.* 3. *Cap.* 9. *Marlbr.*
No Exemption in *Rat. diviſis*, *Perambulation*, &c. if there want Jurors.	Exemption, *Cap.* 14.
Called *Nuper obiit*, is limit from the firſt Voyage of *Hen.* 3. into *Gaſcoyn*.	Nuper obiit, 3 *Edw.* 1. *Cap.* 39. *W.* 1.
There ſhall be but one Eſſoyn for all, and no Fourching.	Eſſoyn, *Cap.* 42.
Twice Preſentation by any, bars not the other to Preſent at another time.	Preſentation, 13 *Ed.* 1. *Cap.* 5. §. 5. *W.* 2.
On Recovery by one Tenant in Common in Waſte againſt the other, he ſhall Elect to hold in ſeveralty, by Oath, View and Aſſignment by Sheriff and Neighbours, or as the reſt hold.	Tenure in ſeveralty, *Cap.* 22.
All the Copartners ſhall do Homage, *&c.* to the King after Partition ſeverally.	Homage to the King, 17 *Edw.* 2. *c.* 5. *Prerogat. Reg.*
Could not be at Common Law between Joynt-Tenants, or Tenants in Common.	Partition, *Hen.* 8. *c.* 1.
A Writ *De partione faciend.* for any Eſtate of Inheritance to lie.	§. 2.
They may have Aid of each other to Deraign Warranty as Coparceners.	Aid, §. 3.
The Lands of Lord *Cromwell*, Lord *Burgh*, Lord *Cobham*, Lord *Windſor*, *Thomas Cheiny*, *Chriſtopher Hales*, *Thomas Willoughby*, *Anthony Saintleger*, *Edward Wooton*, *Edward Boveton*, *Roger Cholmley*, *John Champneys*, *John Baker*, *Reynold Scot*, *John Guildford*, *Thomas Kemp*, *Edward Thwaitis*, *William Roper*, *Anthony Sands*, *Edward Iſaac*, *Percival Hart*, *Edward Monyns*, *William Whetnall*, *John Fogg*, *Edmund Fettyplace*, *Thomas Hardres*, *William Waller*, *Tho. Wilford*, *Tho. Moyl*, *Tho. Herlakenden*, *Geoffry Lee*, *James Hales*, *Henry Hyde*, and *Thomas Roydon*, Diſgavelled.	Several Lands diſgavelled, *Cap.* 3.
Oſwelbeck Soake in *Nottingham* made Deſcendible at Common Law, and not Departible by Males as uſed.	Oſwelbeck deſcendible, 32 *Hen.* 8. *c.* 29.
Joynt-Tenants or Tenants in Common for life or years, or where one hath Inheritance, the other but for life of years, compellable to it.	Partition, *Cap.* 32.
Not to prejudice any but parties, their Executors, or Aſſigns.	§. 2.

Partridges, ſee *Fowl*.
Paſſage, ſee *Ways*.
Patents, ſee *Grants*.
Paving, ſee *Reparation* and *Ways*.

Peace.

Juſtice of Peace, *Riots*, *unlawful Aſſemblies*, *Clerk of the Peace*, *Force*, *War*, *Tumults*, *Diſorder*, *Seſſions*, *Barretors*.

Driving Diſtreſs out of the County, unleſs by Judgment of the Kings Court, is a Breach.	Diſtreſs, 52 *H.* 3. *c.* 4. *Marlbr.*
For due preſervation of it, all ſhall be ready to make Freſh Suit by Hue and Cry after Felon.	Hue and Cry, 3 *Ed.* 1. *Cap.* 9. *W.* 1.
Judgment ſhall not be given by Barretors, Maintainers, *&c.* in Shire, *&c.*	Barretors, 3 *Edw.* 1. *Cap.* 33. *W.* 1.
Coroner ſhall enquire of Sheriffs riotous living.	Sheriff, 4 *Ed.* 1. *p.* 28.
All Parliaments, Treaties, and other Aſſemblies, ſhall be without force; and the Parliament ſaid, It belonged to the King as Sovereign Lord to defend force of Arms, and all other force againſt the peace.	Parliament, &c. 7 *Ed.* 1. *pag.* 33.
It ſhall be enquired if all between fifteen and ſixteen years old be ſworn to keep the peace.	Oath, 31 *Edw.* 1. *p.* 71. *Artic. ſuper Winch.*
Good men and lawful, no Maintainers of evil, or Barretors, ſhall be Aſſigned to keep it in every County.	Juſtices, 1 *Edw.* 3. *c.* 16.
They ſhall forfeit Armour, and be Impriſoned, that go or ride Armed in publick places, being no Aſſiſtant to Miniſter of Juſtice.	Armed, 2 *Hen.* 3. *c.* 3.
Juſtices Aſſign ſhall have power to puniſh Diſobeyers and Reſiſters, and not as 13 *Edw.* 1. *c.* 6. report to the King which none hath ſeen.	Diſobeyers puniſhed, *Cap.* 6.
Good and lawful men in every County ſhall be Aſſigned to keep it, and ſhall ſend Indictments to the Juſtices of Aſſize and Gaol-delivery.	Juſtices, 4 *Edw.* 3. *c.* 2.

Breach, 10 *Ed*. 3. *c*. 3.	Breach thereof forfeits Pardon and Surety of Good behaviour.
Eſcapes, 14 *Edw*. 3. *Cap*. 10.	Juſtices to enquire of Eſcapes and Goals, and Sheriffs to anſwer, *&c.*
Keepers and Commiſſioners of Oyre, *&c.* 15 *Edw*. 3. *c*. 2.	In every County two or three Keepers ſhall be Aſſigned by the Kings Commiſſion, and when need is, they with other Wiſe and Learned in the Law ſhall hear and determine Felonies and Treſpaſſes.
Holding Seſſions, 25 *Edw*. 3. *c*. 3.	The Juſtices ſhall hold Seſſions four times a year, and at all times needful.
Rioters, &c. 34 *Edw*. 3. *Cap*. 1.	A Lord and three or four of the moſt worthy of the County, with ſome Learned in the Law in every County, ſhall have power to reſtrain Offenders, Riots, Barreters, to Arreſt and Chaſtiſe, and all general Enquiries granted within Seigniories to ceaſe.
Weights, &c. *c*. 5.	They who be Aſſigned to keep it, ſhall Enquire of Weights and Meaſures contrary to 25 *Edw*. 3. *Stat*. 4. *Cap*. 9.
Cap. 6.	The Juſtices of Peace ſhall Enquire and puniſh Offenders in falſe Meaſures.
Seſſions, 26 *Edw*. 3. *Cap*. 12.	Commiſſions of Juſtices of the Peace ſhall expreſs four Seſſions, firſt, in the *Utas* of *Epiphany*, the ſecond in the ſecond Week of *Lent*, the third between *Pentecoſt* and St. *John Baptiſt*, the fourth within eight days of St. *Michael*.
Eſtreats, 42 *Edw*. 3. *Cap*. 9.	Sheriff may be Sued before Juſtices, *&c.* for treble Damages for undue Eſtreats.
1 *Rich*. 2. *c*. 2.	Shall be kept to go, come and dwell as uſual, and Juſtice and Right indifferently Adminiſter to all.
Rioters, &c. 2 *Rich*. 2. *Cap*. 7.	Commiſſions ſhall be to Arreſt Rioters and perſons offenſive to the Peace, and to Impriſon them.
Riots, 2 *R*. 2. *St*. 2. *Cap*. 2.	A Repeal of 2 *R*. 2. *Cap*. 7. of Riots.
Entry, 5 *R*. 2. *c*. 7.	No Entry ſhall be but where lawful, not with ſtrong hand or multitude, on Impriſonment and Ranſom.
Commiſſion of Aſſize, 42 *R*. 2. *c*. 10. *Canterb*.	There ſhall be but ſix in Commiſſion with the Juſtices of Aſſize, to hold Seſſions each Quarter three days, if need, Wages Four ſhillings a day, Clerk Two ſhillings, not to bind the Juſtices of either Bench, no Steward of Lord.
Number of Juſtices, 13 *R*. 2. *c*. 7.	Juſtices ſhall be anew in all Counties of the moſt ſufficient Knights, Eſquires, and Gentlemen of the Law ſworn to Execute Statutes.
Victuals, &c. *c*. 8.	Juſtice of Peace betwixt *Eaſter* and *Michaelmas* Seſſions, ſhall at diſcretion ſet according to dearth of Victuals, what Maſon, Carpenter, Tyler, and other Craftſmen, Workmen and Labourers take by the day, with Meat and Drink, and without, ſet price of Victuals, with reaſonable Gains.
Cloth, *c*. 11.	The Juſtices ſhall limit pain for not Sealing Cloth:
Hunters, *c*. 13.	Juſtices ſhall Enquire of Hunters not having Fourty ſhillings *per annum* Lay, or Ten pounds *per annum* Spiritual Fee.
Number of Juſtices, 14 *R*. 2. *c*. 11.	There ſhall be eight Juſtices in every County, beſide the Lords in Parliament, Their Eſtreats to be doubled, Sheriff by Indenture to pay Wages, not to Dukes, *&c.* Baronets, but others.
Force, 15 *R*. 2. *c*. 2.	Juſtices ſhall View and Record Force, and Impriſon Party.
Riots, 17 *R*. 2. *c*. 8.	The Sheriff and all other the Kings Officers, ſhall Suppreſs and Impriſon Rioters.
Wears, &c. *c*. 9.	The Juſtices of Peace of all Counties ſhall be Conſervators of the Statute, and ſhall Survey Wears and Rivers, and make ſufficient Deputies, and the Mayor of *London* in the *Thames* and *Medway*.
Commiſſion about Felons, *c*. 10.	Men of Law ſhall in every Commiſſion of the Peace be Aſſigned to deliver Felons.
Liveries, 2 *H*. 4. *c*. 11. §. 2.	Juſtice of Peace may Enquire on 1 *H*. 4. *Cap*. 7. of Liveries, and ſee it Executed.
Wears, &c. 4 *H*. 4. *c*. 11.	Juſtices to have Commiſſions to enquire of Wears and Kiddles that deſtroy Fiſh.
Watch, 5 *H*. 4. *c*. 3.	Juſtices ſhall Enquire and puniſh Defaults of Watch.
Place of Priſon, *c*. 10.	Juſtice of Peace ſhall Impriſon only in the common Goal, and not elſewhere.
Arrows, 7 *H*. 4. *c*. 7.	Juſtices ſhall Enquire of Smiths making Arrow-Heads, if not markt and Steel pointed.
Suppreſſing Riot, 13 *H*. 4. *c*. 7.	Two or three Juſtices, and Sheriff or Under Sheriff, ſhall with power of the County Arreſt Riot, Aſſembly, or Rout of people, and if fled, ſhall Enquire.
§. 2.	Shall Certifie the Fact and Circumſtance, if truth cannot appear otherwiſe, to the King and Council, which ſhall be as a Preſentment by Twelve.
§. 3.	If parties Traverſe, and it be ſent in *B. R.* and they do not appear in three Weeks Summons, they ſhall be Attaint.
§. 4.	The next Juſtices, or the Juſtices of Aſſize, and Sheriff, if it fall in their Seſſion, ſhall do Execution, or forfeit One hundred pound.

Juſtices may Enquire and puniſh thoſe who take any thing for meaſuring Corn, or as in *London*, meaſure by Fatts, or other then eight Buſhels to Quarter.	Meaſuring Corn, 1 *H*. 5. *Cap*. 10.
A Confirmation of 12 *R*. 2. *Cap*. 3. and that Juſtices of Peace may ſend Proceſs for Fugitive, all Statutes of Labourers to be Exemplified and ſent to every Sheriff to be proclaimed.	Fugitive Labourers, 2 *H*. 5. *c*. 4.
Juſtice of Peace to be Reſiant of *Quorum*, except, *&c.* keep Seſſions the firſt Week after St. *Michael*, *Epiphany*, *Eaſter*, and St. *Thomas*.	Seſſions, §. 2.
Defaults of the Juſtices and Under-Sheriff in not Suppreſſing or Enquiring of Riots, ſhall be Enquired and puniſht by Commiſſion and Writ to Coroners, and others.	Riots, &c. *c*. 8.
The Juſtices and Officers ſhall Execute at the Kings Coſt, and ſuch Riots Fines great, the ſame ſhall hold in Cities and Boroughs.	§. 2.
Capias on Certificate to Chancery by two Juſtices under Seal, of Riot, ſhall Iſſue to take parties, or to Franchiſe to take them on Certificate.	*Cap*. 9.
Juſtice of Peace ſhall be of the moſt ſufficient within the County, by Advice of the Chancellor.	Ability, 2 *H*. 5. *Stat*. 2.
Juſtice of Peace may Enquire of Clipping and all falſity of Money, and Award *Capias* only.	Clipping, 3 *H*. 5. *Stat*. 2. *Cap*. 7.
Juſtices, *&c.* to determine Offences of Gilding, *&c.*	Gilding, 8 *H*. 5. *c*. 3.
Juſtice of Peace may take Sureties of the *Iriſh*-mans Good-behaviour.	Iriſh-man, 2 *H*. 6. *c*. 8.
Juſtice of Peace to Enquire and determine falſe Meaſures of Wine or Fiſh Imported.	Meaſures, *c*. 11.
Juſtice of Peace ſhall proclaim Artificers and Workmens Wages.	Wages, 6 *H*. 6. *c*. 3.
Becauſe 15 *Rich*. 2. *Cap*. 2. Extends not to peaceable Entry and holding with force, now Juſtice of Peace one or more may Record that and reſtore.	Entry, 8 *H*. 6. *c*. 9.
Juſtice ſhall Enquire on abſence of parties, and reſtore if he finds force.	§. 3.
Juſtices ſhall make Precept to the Sheriff for Jury to Enquire.	§. 4.
Juſtice ſhall Enquire and determine Defaults of Sheriffs and Bailiffs.	§. 5.
Juſtices, *&c.* may make Proceſs into a Foreign County, for Felons, *&c.* 5 *Edw*. 3. *Cap*. 11.	*Cap*. 10. §. 1.
The Stat. of 2 *H*. 5. *Cap*. 9. made perpetual, provided that it be Certified by two Juſtices of the County, that the common fame runs of ſuch Riot, before *Capias* Award; ſo to Chancellor of *Lancaſter*, or Lord of Franchiſe.	Riot, 8 *H*. 6. *c*. 14.
Proceſs before the Juſtices ſhall not be diſcontinued by any new Commiſſion.	Diſcontinuance of Proceſs, 11 *H*. 6. *c*. 6.
Juſtice of Peace to Enquire and determine Deceits in ſale of Wax-Candles.	Wax-Candles, *c*. 12.
Juſtices of Peace of *Middleſex* ſhall not incur the Penalty of 2 *H*. 5. *Cap*. 4. §. 2. ſo they hold Seſſions twice a year at leaſt.	Seſſions, 14 *Edw*. 8. *Cap*. 4.
Juſtice of Peace to have Twenty pounds *per annum*, on forfeit of Twenty pounds if he make Warrant.	Ability, 18 *H*. 6. *c*. 11.
Provided it extend not to Cities, *&c.* nor where there are not ſufficient beſide, or if they be Men of Law.	§. 2.
Juſtice of Peace ſhall hear and determine Felony of Soldiers running away within the term of Wages agreed.	Soldiers, *c*. 19.
Juſtice of Peace may determine Treſpaſs againſt Purveyors taking without payment.	Purveyors, 10 *H*. 6. *c*. 8.
Juſtices, *&c.* to determine Offences in raiſing the Wages of Parliament-men.	Wages of Parliament-men, 23 *H*. 8. *c*. 11. §. 3.
Sheriff ſhall remove all Indictments in Turn and Law-days to the Juſtice of Peace, and they Award Proceſs, not elſe, on pain of One hundred pounds.	Indictments in Turn, &c. 1 *Edw*. 4. *c*. 2.
Not to prejudice *London*.	§. 2.
Not to prejudice Grantees of Fines, *&c.* or Franchiſe by Preſcription.	§. 3.
Juſtice of Peace to Enquire and determine of Sufficiency of Eſcheator or Deputy.	Eſcheator, 12 *Edw*. 4. *Cap*. 9.
Juſtice of Peace to determine the making of Tyle, and ſet Fines not leſs then for one thouſand Plain-Tyles ill made, Five ſhillings, for one hundred Roof-Tyles, Six ſhillings eight pence, for one hundred Corner-Tyles, Two ſhillings, ſold *contra* to the Statute.	Tyle, 17 *Edw*. 4. *c*. 4.
Juſtices, *&c.* to determine Offences of ſelling Wine, *&c.*	Wine, 7 *Edw*. 6. *c*. 5. §. 6.
Juſtice of Peace may Bayl for light ſuſpicion of Felony.	Bayl, 1 *R*. 3. *c*. 3.
Juſtice of Peace to Enquire of Hunters with Vizards in the Night, and make Proceſs, and puniſh Treſpaſſers.	Hunters, 1 *H*. 7. *c*. 3.
Juſtices of Peace may Impannel one Enqueſt to Enquire of the Defaults and Concealments of another, and ſhall Enquire of Eſcapes of Murderers and Felons, ſhall Certifie Recognizance the next Seſſions.	Concealments by Inqueſts, 3 *H*. 7. *c*. 1.

Bail, *Cap.* 3.	Two Juſtices of Peace, one of *Quorum*, may Bail where Mainpernable, until the next Seſſions, and certifie the Recognizance then, on forfeit of Ten pounds, and the Statute of 1 *R.* 3. *Cap.* 3. Repealed as to one Juſtice doing it.
Proclaim Law, 4 *H.* 7. *Cap.* 12.	Juſtice of Peace ſhall at the four principal Seſſions proclaim for putting the Laws in execution, or be put out of Commiſſion.
Ale, 11 *Hen.* 7. *Cap.* 2.	Two Juſtices of Peace may reject ſelling Ale.
Juriſdiction, *Cap.* 3.	Juſtices of Peace may hear and determine all Offences, ſaving Treaſon or Felony againſt Statute.
Weights, *Cap.* 4.	Juſtices, *&c.* to determine Offences of falſe Weights, *&c.*
Rioters, *Cap.* 7.	Juſtice of Peace ſhall puniſh the principal Rioters, and if above fourty, or thought hainous, Certifie to the Council.
Sheriffs, &c. *Cap.* 15.	Juſtice of Peace to determine Deceits in Sheriffs and Officers Entring Plaints in abſence of Party or Attorney, and more then one for one Treſpaſs, and alſo two, one of the *Quorum*, ſhall allow all Eſtreats of Amerciaments by Indenture by appointment of *Cuſtos Rotulorum.*
Pheaſants, &c. *Cap.* 17.	Juſtices, *&c.* to determine Offences of taking Pheaſants and Hawks Eggs, *&c.*
Clipt Money, 19 *H.* 7. *Cap.* 5.	Juſtice of Peace to determine the utterance of Clipt Money, or Foreign Coyns Imported.
Pewter, &c. *Cap.* 6.	To determine of Pewter and Braſs bought in ſecret places with uneven Weights.
Deer-Hays, *Cap.* 11.	Juſtice of Peace to determine uſing Deer-Hays, Buckſtalls or Engines to catch Herons.
Ale, *Cap.* 12.	Any two may reject ſelling common Ale.
Riots, *Cap.* 13.	A Confirmation of 13 *Hen.* 4. *Cap.* 7. and all other Statutes againſt Riots, Enqueſt by Jurors of Twenty ſhillings Charter free, or Twenty ſhillings eight pence Copy-hold.
Juriſdiction, 1 *Hen.* 8. *Cap.* 6.	A Repeal of 11 *Hen.* 7. *Cap.* 3. for Juſtices of Peace to determine all Offences againſt Statutes.
Coroners Fees, *c.* 7. § 2.	Juſtices of Peace may determine Coroners taking undue Fees.
Pannels, 3 *H.* 8. *c.* 12.	Juſtices of Peace may reform Pannels of Sheriffs, unleſs between parties.
Cornwall, 4 *Hen.* 8. *c.* 1.	Juſtices of Peace ſhall aſſign Bulwarks, Brays, Walls, *&c.* by Sea-ſide in *Cornwall.*
Braſs, &c. *Cap.* 7. § 6.	Juſtices, *&c.* to appoint two Searchers of Braſs, Pewter, *&c.*
6 *Hen.* 8. *Cap.* 6.	Two Juſtices of Peace may be remanded Indictments removed in *B. R.*
Hares, 14 *&* 15 *Hen.* 8. *Cap.* 10.	Juſtices of Peace to puniſh Tracers of Hares in the Snow, ſix ſhillings eight pence.
Highways, Bridges, 22 *Hen.* 8 *Cap.* 5.	In Seſſions four Juſtices of Peace, one of the *Quorum*, to determine Annoyance of Way, decayed Bridges, *&c.*
§ 4.	To Tax and make Collectors by Indenture to Diſtrain and Sell.
§ 5.	To make Proceſs to Sheriff in each part of Town or Shire where it lieth.
Powdike River, *Cap.* 11.	Juſtices of Peace to enquire of Felony in cutting *Powdike* River in *Marſhland* in *Norfolk.*
Licenſed Beggars, *c.* 12.	Juſtices of Peace in every County dividing into Limits, ſhall Licenſe Poor to beg in a certain Precinct.
Gaols, 23 *Hen.* 8. *c.* 2.	The majority of Juſtices may Tax and appoint Collectors to gather and make Gaols in the moſt convenient places in the Counties of *Eſſex*, *Suffolk*, &c.
Ale, *Cap.* 4. § 5.	Juſtices to ſet price of Ale and Beer.
Humber, &c. *Cap.* 18.	Juſtices, eight, ſeven, or ſix, *Quorum* two, Citizens of *York*, one of Eaſt, and one of Weſt-Riding, to Survey and pull down Fiſh-Garths and Wears in *Humber* and *Owſe.*
Butcher, 24 *Hen.* 8. *c.* 9.	Juſtices to determine Offence of Butcher killing Wainlings, *&c.*
Buggery, 25 *Hen.* 8. *c.* 6.	Juſtices, *&c.* may determine Buggery, *&c.*
Sheep, *Cap.* 13. § 5.	Juſtices, *&c.* to determine Offences, *&c.* of keeping number of Sheep.
Severn, *Hen.* 8. *Cap.* 5.	Juſtices of *Glouceſter* may puniſh Ferry men that carry any Paſſengers over the *Severn* between Sun-ſet, and Sun-riſing.
Cheſter, &c. 27 *Hen.* 8. *Cap.* 5.	Juſtices ſhall be appointed in *Cheſter*, *Flint*, and *Wales*, as in *England*, &c.
Recognize, *Cap.* 20.	Two Juſtices, *Quorum* one, to take Recognizance or Obligation at requeſt of Ordinary, to obey Spiritual Proceſs.
How made, *c.* 24. § 2.	Juſtices to be made only by Patent under the Great Seal by the King, and no other.
§ 5.	Juſtices in *Lancaſter* may be under Seal of County Palatine.
§ 6.	Juſtices in Cities and Corporation may be made as uſed.
§ 16.	Juſtices made by this Act, not to extend limits of Juriſdiction.
§ 17.	Juſtices of Franchiſe ſhall not be compelled to joyn in Seſſions with Juſtices by the Kings Commiſſion there.

Not to prejudice Juſtice of *Cheſter.*	§ 18.
Biſhop of *Ely* and his Temporal Steward, to be Juſtice of Peace as uſual.	§ 20.
Biſhop of *Durham* and his Temporal Chancellor, to be Juſtice of Peace.	§ 21.
Archbiſhop of *York* and his Chancellor, to be Juſtice of Peace of *Hexam.*	§ 22.
Juſtices, *&c.* to puniſh want of Hoſpitality in Monaſteries, diſſolve, *&c.*	Monaſteries, *c.* 28. § 11.
Juſtices and Head Officers of Cities to puniſh Sale of Wines *contra* to Proclamation, at diſcretion.	Wine, 28 *Hen.* 8. *c.* 14. § 4.
Juſtices of Peace ſhall enquire of Hereſies and other Felonies.	Hereſies, 31 *Hen.* 8. *Cap.* 14. § 6.
Juſtices of Peace on certification of Ordinary of Sentence for Tythes, ſhall commit Refuſer till Recognizance given to obey the Sentence.	Tythes, 32 *Hen.* 8. *Cap.* 7. § 4.
Juſtices, *&c.* to determine Offences of feeding ſmall Horſes in Foreſts, *&c.*	Horſes, *Cap.* 13. § 8.
Juſtices ſhall be only twice a year at *Cheſter*, notwithſtanding 27 *Hen.* 8. *Cap.* 5. at *Michaelmas* and *Eaſter*, as at *Lancaſter.*	Cheſter, *Cap.* 43.
Seſſions may puniſh Getters of Money by falſe Tokens, at diſcretion, *&c.*	Cheats, 33 *Hen.* 8. *Cap.* 1. § 3.
Juſtices of Peace to determine Offence of uſing Croſs-Bows, *&c.*	Croſs-Bow, *Cap.* 6. § 16.
May repreſs and puniſh unlawful Games, and miſuſe of Archery.	Game, *Cap.* 9. § 14.
Juſtices after *Eaſter* to divide, two to every Hundred or number of Towns, and hold one Seſſions for each Diviſion ſix weeks before the Quarter Seſſions, to enquire of Poor, Liveries, *&c.*	Seſſions, *Cap.* 10.
Juſtices, *&c.* to divide Woods, to Incloſe between Lord and Commoners, *&c.*	Wood, 35 *Hen.* 8. *Cap.* 17. § 7.
Cuſtos Rotulorum in each County to be by Warrant or Bill, ſigned by the King, and under the Great Seal, and may make Deputy.	Cuſtos Rotulorum, 37 *Hen.* 8. *c.* 1 § 2.
Clerks of the Peace in each ſhire to be appointed by *Cuſtos Rotulorum* for ſo long as he continues *Cuſtos Rotulorum*, and may make Deputy.	Clerk of Peace, § 3.
Archbiſhop of *York*, Biſhop of *Durham*, *Ely*, and Corporation that may make *Cuſtos Rotulorum*, or Clerk of Peace, not to be prejudiced hereby.	§ 5.
A Repeal of 33 *H.* 8. *Cap.* 10. of ſix weeks Seſſions, and all Offences to be reformed at the Quarter Seſſions.	Seſſions, *Cap.* 7.
Want of *Vi & armis*, viz. *Baculis*, &c. ſhall not vitiate Indictment or Enqueſt.	Form, *Cap.* 8.
Juſtices may Award a ſecond *Capias Exigent*, and *Capias Utlagat.*, in *England*, *Ireland*, &c. againſt Depravers and Revilers of the Sacrament.	Proceſs, 1 *Edw.* 6. *Cap.* 1. § 3.
Juſtices, *&c.* to commit Soldiers departing with Horſe, *&c.* till ſatisfaction.	Soldiers, 2 *&* 3 *Ed.* 6. *Cap.* 2.
Juſtices to Record the Names of Shooters in Guns.	Shooters, *Cap.* 14.
Juſtices, *&c.* to determine Offence of ill Malt, *&c.*	Malt, 2 *&* 3 *Edw.* 6. *Cap.* 10. § 4.
Juſtices, *&c.* to puniſh Conſpiracy of Victuallers, Labourers, *&c.*	Victuallers, &c. *c.* 15. § 3.
Chancellor, *&c.* may without Bill ſigned by the King, name a *Cuſtos Rotulorum* in every Shire on Vacancy.	Cuſtos Rotulorum, 3 *&* 4 *Edw.* 6. *c.* 1. § 3.
Patentee may ſtill enjoy *&c.*	§ 4.
Biſhop of *York*, *Durham*, *Ely*, and Dutchy of *Lancaſter*, and Corporation, *&c.* to enjoy their Liberties and Grants.	§ 5.
Juſtices in Vills not Corporated, to appoint Overſeers of Cloth, *&c.*	Cloth, *Cap.* 2. § 9.
Quarrelling in Church, or Yard, to be ſuſpended, if Lay, *ab Ingreſſu*, if Clerk, from miniſtration of Office.	Quarrelling in Church, &c. 5 *&* 6 *Edw.* 6. *c.* 4.
Striker *ipſo facto* Excommunicated.	§ 2.
Malicious drawing Weapon there, on Conviction before Juſtices to loſe an Ear, or if he have none, markt on Cheek *F.* with hot Iron.	§ 3.
Juſtices, *&c.* to puniſh Ingroſſers, Regrators, and Foreſtallers, *&c.*	Ingroſſers, &c. *Cap.* 14. § 19.
Any two, *Quorum* one, may Licenſe or Suppreſs common Alehouſe, and take Recognizance againſt unlawful Games, and to maintain good Order, at diſcretion.	Ale, *Cap.* 25.
Juſtices, *&c.* to enquire of Diſturbers of Preachers, *&c.*	Preachers, 1 *Mar.* *St.* 2. *Cap.* 3.
Sheriffs during that time ſhall not be Juſtice, notwithſtanding 1 *Edw.* 6. *Cap.* 7. § 4.	Sheriff, *Cap.* 8.
Juſtices, *&c.* of *London* on requeſt to aſſiſt Colledge of Phyſicians.	Colledge of Phyſicians, *Cap.* 9. § 6.
Its Felony for Twelve to ſeek by force to alter Laws, to continue an hour againſt Proclamation, to pull down Pales, Park, *&c.* to diminiſh Rents, or price of Victual, to raiſe Twelve by Ringing Bells, *&c.*	*Cap.* 12.
Juſtices, *&c.* to determine Offence againſt 3 *Ed.* 1. *Cap.* 33. and 2 *R.* 2. *Cap.* 5. of falſe News; ſo 5 *Eliz.* *Cap.* 15. § 4.	Falſe News, 1 *&* 2 *Ph.* *&* *Mar.* *Cap.* 3.
Juſtices, *&c.* to determines Offences of Tranſporting Corn, *&c.*	Corn, *Cap.* [illegible] § 6.

Bail, *Cap.* 13. §. 2.	No Juſtice of Peace ſhall Bail perſons not Bailable by *W.* 1. *Cap.* 15.
§. 3.	No Bailment but in Seſſions, or by two Juſtices preſent at taking it, who ſhall certifie it.
§. 4.	Juſtices before Bailment of Manſlaughter, or Felony, to Examine the Fact, and certifie it in Writing.
Conſtable, 2 & 3 *Ph. & Mar. c.* 6.	Conſtables, *&c.* ſhall deliver Dockets of Purveyor to Juſtice of Peace, and they to Lord Steward.
Horſes, *Cap.* 7. §. 7.	Juſtices of Peace to determine Offences of ſelling Horſes in Markets unduly, *&c.*
High-ways, *Cap.* 8.	Juſtice of Peace in Seſſions to Fine Defaults in amending High-ways.
Evidence to proſecute, *Cap.* 10.	Juſtices of Peace ſhall Examine and Bind material Witneſs to proſecute, *&c.* as well where he Commits, as where he Bails, *&c.*
Watermen, *Cap.* 16. §. 6.	Juſtices, *&c.* of next adjoyning County, *&c.* to puniſh Watermen, *&c.*
Commiſſion, *Cap.* 18. §. 2.	Later Commiſſion of Juſtices of the County ſhall not Repeal former of Juſtices of Corporation, *&c.* that is no County.
Oath, 1 *Eliz. c.* 1. §. 19.	Juſtices, *&c.* ſhall take the Oath of Supremacy.
Pope, 5 *Eliz. c.* 1. §. 3.	Juſtices and Seſſions to Certifie in fourty days in *B. R.* Offences of Extolling the Pope, *&c.*
Servants, &c. Wages, 5 *Eliz. c.* 4. §. 5.	Juſtices ſhall Aſſeſs Wages of Servants, Labourers, and Artificers.
§. 35.	On Complaint of Maſter, or Apprentice, if Maſter be obſtinate, Juſtice of Peace may bind to the Seſſions, and there any four Juſtices may diſcharge Apprentice, or if he be faulty, correct him.
§. 37.	Juſtices of Peace in ſeveral Limits to Enquire yearly after *Michaelmas* and *Midſummer*, of Articles, *&c.*
§. 38.	Juſtice of Peace to be allowed Five ſhillings *per diem* in Execution of this Statute.
Apprentice Fugitive, §. 47.	Juſtice of Peace may grant *Capias* to Sheriff for Fugitive Apprentice in another Shire.
Stat. Seſſions, §. 48.	High Conſtables to keep Pety or Stat. Seſſions as uſual.
Imbezelling Stores, 5 *Eliz. c.* 5. §. 31.	Juſtices, *&c.* to puniſh Imbezelling of any Stores, *&c.* by Information, *&c.* And eating Fiſh in *Lent*, &c.
Perjury, *Cap.* 9. §. 9.	Juſtices, *&c.* to determine Perjury, *&c.* by Information, *&c.*
Badger, *Cap.* 12. §. 5.	Badger, *&c.* to be under Seals of three of the Juſtices, *&c.*
Hunting, &c. 5 *Eliz. Cap.* 21. §. 6.	Juſtices, *&c.* to determine Offences of Hunting and Hawking.
Sheep, 8 *El. c.* 3. §. 4.	Juſtices may deliver in Offence of Tranſporting live Sheep, *&c.*
Veſſels, 8 *El. c.* 9. §. 5.	Juſtices, *&c.* to ſet prices of Veſſels.
Rome, 13 *El. c.* 2. §. 10.	Juſtices, on diſcovery of Inſtruments from *Rome*, to Certifie Privy-Council in fourteen days, or *Præmunire*.
Uſury, &c. *Cap.* 8. §. 6.	Juſtices, *&c.* may determine Offences of Uſury, Brokage, *&c.*
Sewers, *Cap.* 9. §. 2.	Juſtices, *&c.* ſix, *Quorum* two, may act a year after Commiſſion of Sewers end.
Baſtard, 18 *Eliz. c.* 3.	The two next Juſtices of Peace, *Quorum* one, to order reputed Father and Mother of Baſtard, to weekly or other Relief, and if next Seſſions order nothing, that Order to ſtand.
Informer, 18 *Eliz. Cap.* 5. §. 4.	Juſtices, *&c.* to puniſh Informers on ill proſecution.
Supremacy, 23 *Eliz. Cap.* 1. §. 8.	Juſtices, *&c.* may enquire of Offences againſt this Statute, and 1 *Eliz. cap.* 1. and 5 *Eliz. cap.* 1. and 13 *Eliz. cap.* 2. of the Kings Supremacy.
Pheaſants, *Cap.* 10. §. 5.	Juſtices, *&c.* to determine Offences of deſtroying Pheaſants, *&c.*
Bailiffs, 27 *Eliz. c.* 7. §. 3.	Juſtices, *&c.* to determine of Bailiffs, *&c.* in Return of Juries.
Under-Sheriff, *Cap.* 12. §. 6.	Juſtices, *&c.* to determine Miſdemeanours in Oaths of Under-Sheriffs.
Robbery, 27 *El. c.* 13. §. 5.	Juſtices, *Quorum* one, to Tax Hundred, to reimburſe party ſued for Robbery, and Conſtables to Tax the Vill, and on refuſal, Diſtreſs and Sale, *&c.*
Cottages, 31 *Eliz. c.* 7. §. 4.	Juſtices, *&c.* to determine Offences of Cottages.
Horſes, 31 *Eliz. c.* 12. §. 3.	Juſtices, *&c.* to determine Offences of Tolling Horſes in Market, *&c.*
Houſe of Correction, 39 *Eliz. c.* 4. § 8.	Juſtices, *&c.* to Overſee the Erection of Houſes of Correction.
Dyers, 39 *Eliz. c.* 11. §. 2.	Juſtices, *&c.* to Examine Workmen of Dyers uſing Logwood, and puniſh, *&c.*
Malſters, 39 *Eliz. c.* 16.	Seſſions to reſtrain number of Malſters, *&c.*
§. 2.	Juſtices in County not to meddle in Corporation.
Cutting Corn, &c. 43 *El. Cap.* 7.	Cutting Corn, Fruit-Trees, Under-woods, *&c.* to make ſatisfaction as a Juſtice of Peace Awards, or be whipt.
§. 2.	Conſtable that refuſeth to Execute Warrant of Juſtice, Impriſon.
§. 3.	No Juſtice of Peace to puniſh Offence done to himſelf.
Wages, 1 *Jac.* 1. *c.* 6.	Their Authority by 5 *Eliz. cap.* 4. §. 15. to Rate Wages to extend to all Labourers, Weavers, Spinſters, and Work-people whatſoever.

They who may keep Hawks, *&c.* by Licence of Seſſions, may Shoot.	Hawks, 1 *Jac.* 1. *c.* §. 7.
Juſtices, *&c.* may Tax, and determine Offences of perſons Infected with the Plague.	Plague, *Cap.* 31. §.
Juſtices, *&c.* to determine Offence of ſelling Ale without Licence.	Ale, 4 *Jac.* 1. *c.* 4. §.
Any Juſtice of Peace in County or City, *&c.* may Convict of Tipling.	Tipling, 21 *Jac.* 1. §. 3.
Proceſs of Peace and Good-behaviour void, unleſs on Oath in Writing, and Motion in open Court, and if Vexatious, pay Coſts and Damages.	Proceſs of Peace, *Cap.* 8. §. 2.
Superſedeas void, unleſs on Motion and Sureties of Five pounds a year by party grieved.	Superſedeas, §. 3.
Judges may puniſh falſe and inſufficient Sureties.	§. 5.
Certioraries to be delivered at Quarter Seſſions, and ſufficient Sureties for Coſts.	Certiorari, §. 7.
Juſtices, *&c.* within three miles of Juriſdiction may puniſh gaſhing Hydes, *&c.*	Hides, *Cap.* 22. §. 50
Juſtice of Peace of County, City, *&c.* or Head-Officer may Licenſe Wherry, Barge, Boat, *&c.* on Sunday.	Wherry, 29 *Car.* 2. §. 2.
A Continuance of 13 & 14 *Car* 2. *Cap.* 22. and 18 *Car.* 2. *Cap.* 3. for prevention of Theft on Northern Borders for ſeven years, and to the end of the firſt Seſſion of next Parliament, with further Powers to the Juſtices.	Theft on Norther Borders, 29 & *Car.* 2. *c.* 2.
Cuſtos Rotulorum to be nominated as directed by 37 *Hen.* 8. *Cap.* 1.	Nominating Cuſt. R 1 *W & M. Seſſ.* 1. *c.* §. 4.
Cler. pacis to be one reſident in the County, *&c.*	Cler. Pac. Reſiant,
Juſtices of Peace may ſuſpend, or diſcharge, *Cler. pac.* for Miſdemeanor, and for default of nomination of another before next Quarter Seſſions, may nominate.	Suſpending or D charging, Cler. P §. 6.
New *Cler. pacis* to be liable to penalties, and amoveable as hereby ſpecified.	New Cler. Pac. §.
Cuſtos Rotulor', nor other, not to take reward, *&c.* for nominating *Cler. pac'* but a penalty on Buyer and Seller.	Reward to nomina Cler. Pac. §. 8.
Cler. pacis before he act, to take the Oath here preſcribed.	Cler. Pac. take Oath, §. 9.
Not to extend to *Cler. Pacis* of *Lancaſter*.	Lancaſter, §. 10.
Cruel and unuſual puniſhments not to be inflicted.	Puniſhments, *Seſſ.* *Cap.* 2.
A General Pardon with ſome Exceptions. *Vide* Title *Pardon*.	Pardon, 2 *W & M. Seſſ.* 1. *c.* 10.
Certiorari, when, and how grantable to remove Indictment or Preſentment from Quarter Seſſions, and what ſhall be done thereupon. *Vide* Title *Certiorari*.	Certiorari, 5 & 6 *W. M. Cap.* 11.
Repeal of 10 *Edw.* 3. *Cap.* 3. but on Pleading pardon, perſons may be remanded till Security given for their good abearing for 7 years.	Pleading Pardon, *Cap.* 13.

Penſion, ſee *Rents*.
Perambulation, ſee *Partition*.
Perjury, ſee *Oath*.
Peers, ſee *Priviledge*.
Petition, ſee *Proceſs*.
Pewter, ſee *Mettals*.
Phyſician, ſee *Corporation*.
Piracy, ſee *Admiral*.
Plague, ſee *Poor*.
Pleas of the Crown, ſee *Coron*.
Plays, ſee *Games*.
Pledges, ſee *Bayl*.

Pleading.

Beaupleader, *Bar*, *Iſſue*, *Amendment*.

No Fine in Circuit, County, Hundred, or Court-Baron, ſhall be taken henceforth for fair Pleading.	Beau-pleading, 52 *Cap.* 11. *Marlbr.*
Nothing ſhall be taken for fair Pleading, as prohibit before.	3 *Edw.* 1. *c.* 8. *W.* 1.
Serjeant or Pleader that uſeth deceit ſhall be Impriſoned a year and a day, and never be heard again in that Court.	Serjeant, *Cap.* 29.
The Juſtices of *B. R.* at *Weſtminſter*, ſhall decide all determinable at one day, before any new be Arraigned or Commenced.	Determination of Pleas, *Cap.* 46.
That Plaintiff is not next Heir, good in *Coſinage*, *Ayel* and *Beſayel*, as well as in *Mortdanceſter*.	Plea in Coſinage, &c. 13 *Edw.* 1. *c.* 20. *W.* 2.
Sheriffs as Kings Approvers ſhall not extort Money for *Beaupleader*.	Beaupleader, 1 *Edw.* 3. *Cap.* 8.
The Ordinary by Lapſe may Counterplead the Kings Title in Suit againſt the Patron, if the Right be not Tried.	Lapſe, 25 *Edw.* 3. *c.*
None ſhall be prejudiced by ancient Forms, ſo the matter of the Action be fully ſhewed in the Declaration and Writ, which ſhall be pleaded in *Engliſh*, but enroll in *Latine*.	Forms, 36 *Ed.* 3. *c.* 15.

That

Plea againſt Record, 15 H. 6. c. 1.	That Plaintiff or Defendant were not of the Kings Houſe the day of Suit in the *Marſhalſey*, good againſt the Record.
Foreign Pleas, 22 H. 8. Cap. 2.	A Confirmation of 4 *H.* 8. *Cap.* 2. and made perpetual for Trial of foreign Pleas, where Indictment is, ſo *Cap.* 14. §. 5.
Avowry, 23 H. 8. c. 5. §. 11.	Avowant may juſtifie Diſtreſs by Statute, and Plaintiff muſt reply *De injuria ſua propria*, and the matter of the Sewer to be Evidence.
Debt to the King, 33 H. 8. c. 39. §. 24.	That Debt came to the King by Forfeit, Attainder, Utlary, or Gift, not ſaid how to be ſufficient.
Form, 27 Eliz. c. 5.	Judgment on Demurrer joyn ſhall be according to the Right, without regard to any imperfection of Form in Writ, Return, Plaint, Declaration, or other Pleading Proceſs, and no Error.
Amendment, §. 2.	Court may amend any want of Form, unleſs expreſt in ſpecial Demurrer.
Appeal and Indictment, §. 3.	Not to extend to appeals of Felony or Murder, nor Indictments, nor Action popular.
Plea for not coming to Church, 29 El. c. 5.	Muſt be by party offending in not coming to Church, that he was beyond Sea, *&c.*
General Iſſue, 43 El. Cap. 2. §. 19.	May be General Iſſue with ſpecial matter in Evidence of Poor.
1 Jac. 1. c. 23. §. 4.	May be General Iſſue with ſpecial Evidence of Fiſhing in *Cornwall.*
3 Jac. 1. c. 4. §. 38.	May be of General Iſſue in Executing this Act againſt Recuſants.
Cap. 10. §. 3.	May be General Iſſue by Defendant for Charges of Impriſonment.
7 Jac. 1. c. 5.	Of General Iſſue may be by Juſtice of Peace, Mayor, Bailiff of City, *&c.* Headborough, Portreeve, Conſtable, Tything-man, Collector of Subſidy, *&c.* with ſpecial Evidence.
In Engliſh, 12 Car. 2. c. 3. §. 4.	In *Engliſh* Continued till 1 *Auguſt*, 1660. ſo of General Iſſue.
Diſcontinuance, 1688. 1 W & M. Seſſ. 1. c. 4.	Pleas diſcontinued by not holding *Hillary* Term, 1688. Continued and Revived.
Interregnum.	Actions may be ſued for matters done during late *Interregnum*, and the year of our Lord to be uſed inſtead of the year of the King, *&c.* and to be *Contra pacem Regni*, inſtead of *Contra pacem Domini Regis.*
Deviſee, 3 & 4 W & M. c. 14. §. 4.	Deviſee liable for Falſe Plea as an Heir, in Debt on ſpecialty againſt him and the Heir.

Plumſted Marſh, ſee *Sewers.*

Poll-Money, ſee *Taxes.*

Pollicies of Aſſurance, ſee *Marchants.*

Poor.

Rogues, Vagabonds, Indigents, Beggars, Egyptians, Villenage, Charitable uſes, Hoſpitals, Work-houſes, Plague, Contagion, St. Leonards.

Beggar, 23 Edw. 3. c. 7.	No perſon ſhall give any thing to a Beggar able to Labour.
agabond, 7 R. 2. c. 5.	Vagabonds ſhall be examined by Juſtices, bound to Good-behaviour, or Commit to Priſon.
Beggar, 12 R. 2. c. 7.	The puniſhment, if able to Serve, and proviſion for impotent Beggars.
Impriſon'd beyond ſea, Cap. 8.	Reporters that they were Impriſon beyond Sea, ſhall have Teſtimonial.
Appropriation, 15 R. 2. Cap. 6.	Licence of Appropriation ſhall contain that Ordinary Endow Vicar, and provide for the Poor.
Vicar, 4 H. 4. c. 12.	Vicar ſhall be Secular, Canonically Inſtituted, to keep Hoſpitality, and not Regular.
iſitation of Hoſpitals, 2 H. 5. c. 1.	Hoſpitals Founded for Impotent, Lazers, Mad-men, Poor, Women with Child, and to nouriſh and relieve other Poor by the King, ſhall be Viſited by the Ordinary, by others without Commiſſion.
t. Leonard in York, 2 H. 6. c. 2.	The Maſter and Brethren of St. *Leonard* in *York*, enabled to recover a Thrave of Corn of every Plow, to be gathered at St. *Martins.*
agabonds, &c. 11 H. 6. Cap. 2.	Vagabonds, idle, and ſuſpected, ſhall be put in the Stocks three days with Bread and Water, and then put out of Town, Beggar not able, ſhall reſort to the Hundred he laſt dwelt in, no Artificer to play but at *Chriſtmas*, two Juſtices of Peace may reject ſelling Ale.
rma Pauperis, c. 12.	Clerks, Attorneys, nor Council, ſhall take nothing, nor the Poor pay for Seals of Writs, or Writing, *&c.* but Sue *gratis.*
agabonds, 19 H. 7. Cap. 12.	For puniſhing Vagabonds, and ſuch as relieve them, a proviſion for Beggars, two Juſtices of Peace may Reject ſelling Ale.
yptians, 22 H. 8. c. 10.	If any called *Egyptians* come into the Realm, to forfeit their Goods, and depart in fifteen days.
ence Beggars, c. 2.	Juſtices of Peace to Licenſe Beggars.
per, 23 H. 8. c. 15.	*Pauper* ſhall ſuffer Corporal puniſhment, where other Plaintiff pays Coſts.
viſion for Poor, 7 H. 8. c. 25.	Governours of Shires, Cities, Towns, Hundreds, Hamlets, and Pariſhes, ſhall keep Aged, Poor, and Impotent, three years dwelling there, and compel able to Labour, under fourteen, and above five, to be put to Service, ſturdy Beggar to be whipt, and after loſe the upper part of Griſtle, or right Ear cut off, and after Execute as a Felon; no Alms but to common Box in Pariſhes.
Vagabond, 1 Edw. 6. Cap. 3.	A Repeal of all former Statutes for puniſhing Vagabonds; Idle three days to be Marked with hot Iron on the Breaſt *V.* and to be Slave to Taker, *&c.*
Chantry-Lands, c. 14. §. 13.	Commiſſioners of Chantry-Lands to employ them for the Poor, *&c.*
Fee-Farms, 2 & 3 Edw. 6. c. 5.	Fee-Farms to ceaſe for three years, and beſtowed on Walls, Bridges, and ſetting the Poor on Work.
Vagabonds, &c. 3 & 4 Edw. 6. c. 16.	A Repeal of 1 *Edw.* 6. *Cap.* 3. as to Vagabonds being Slaves, and 22 *Hen.* 8. *Cap.* 12. Revive to Licenſe Beggars by Juſtices, common Labourers idle when Wages is profered, to be taken as Vagabonds; Maimed, *&c.* to be relieved.
Relief of Poor, 5 & 6 Edw. 6. c. 2.	A Confirmation of 22 *H.* 8. *Cap.* 12. and 3 & 4 *Edw.* 6. *Cap.* 16. Poor to be relieved with what every Pariſhioner of Charity will give.
Egyptian, 1 & 2 Ph. & Mar. c. 4.	Bringing *Egyptian* into *England* or *Wales*, forfeits Fourty pounds.
§. 3.	*Egyptian* remaining here a Month, is a Felon.
§. 6.	Suing for Licence to the King to continue here, forfeits Fourty pounds.
§. 7.	Not to prejudice ſuch as honeſtly Work, or Serve.
§. 8.	Not to extend to Child thirteen, or under.
Vagabonds, 2 & 3 Ph. & Mar. c. 5.	To execute 22 *H.* 8. *Cap.* 12. and 3 & 4 *Edw.* 6. *Cap.* 16. Remedy for Pariſh Surcharge near two Counties.
Relief, 5 Eliz. c. 3.	A Reviver of 22 *H.* 8. *Cap.* 12. and of 3 & 4 *Edw.* 6. *Cap.* 16. Relief of Pariſh to be gathered by Collectors, and weekly Diſtribute, none to Beg openly, *&c.*
Egyptian, c. 20. §. 2.	A Confirmation of 1 & 2 *Phil.* & *Mar. Cap.* 4. againſt *Egyptians.*
§. 3.	To Counterfeit ſuch for a Month, Felony.
§. 4.	Not to prejudice Infant under fourteen.
§. 5.	Not to compel any to depart out of the Realm, but to work, *&c.*
Warwick, 13 Eliz. c. 13.	*Robert* Earl of *Leiceſter* may Found Hoſpital for Poor in *Warwick.*
Puniſhing of Vagabonds, &c. and raiſing Relief, 14 Eliz. Cap. 4.	A Repeal of 22 *H.* 8. *Cap.* 12. and of 3 & 4 *Edw.* 6. *Cap.* 16. and of 5 *Edw.* 6. *Cap.* 2. above fourteen to be whipt and burnt in Right Ear, above eighteen a Felon, unleſs taken for two years Service, no Relief to Vagabond, Pariſh to Aſſeſs Relief, Biſhop to Viſit Hoſpital, no Rogues from *Ireland.*
§. 2.	Seſſions to Tax Pariſh for poor Priſoners, not exceeding Six pence or Eight pence the Week.
§. 3.	Juſtices of Peace of County not to intermeddle in City, *&c.* where there is no other Juſtices of Peace.
§. 4.	Juſtices of Peace in City, *&c.* to be puniſhed for Default as Juſtices of Peace in County.
Vagabonds, 18 Eliz. Cap. 3.	Rogues conveyed from Conſtable to Conſtable, a Stock for Work, Correction, *&c.*
Cottage, 31 Eliz. c. 7. §. 6.	Extends not to Cottage for Poor, *&c.* ordered by Seſſions to continue, *&c.*
Maimed Soldiers, 35 Eliz. c. 1. §. 11.	The third part of Forfeitures of Abſence from Church to be to maimed Souldiers.
Cap. 4.	Pariſh Charge with weekly Sum for Relief of Souldiers and Mariners.
Vagabonds, c. 7. §. 24.	A Repeal of 15 *Eliz. Cap.* 5. and of 18 *Eliz. Cap.* 3. as to Goaling, Boring, and Death of Vagabonds.
§. 25.	A Reviver of 22 *H.* 8. *Cap.* 12. as to all but Beggars being Sworn, *&c.*
Charitable uſes, §. 27.	Feoffments or Deviſe, *&c.* may be in Fee to their uſe, *&c.* for twenty years.
Overſeers, 39 Eliz. c. 3.	Overſeers of the Poor, their Choice, Duty, and Account.
Vagabonds, c. 4.	A Repeal of former Statutes of Vagabonds, and Houſes of Correction; Seſſions to Erect Houſes, and their Orders to be effectual.
§. 2.	Begging-Scholars, Sea-faring pretenders of Loſs, idle and uſers of unlawful Games, Fortune-tellers, Patent-gatherers, Common Players, unleſs of Baron, Juglers, *&c.* deemed Rogues.
§. 3.	Such taken idle to be whipt, and ſent from Pariſh, *&c.*
§. 4.	Any two Juſtices of Peace, *Quorum* one, to Commit incorrigible Rogues, and by Seſſions Baniſh, and if Return, Felony.
§. 5.	Conſtable, *&c.* negligent in Apprehenſion, forfeits Ten pounds, wilful diſturbance, Five pounds.
§. 6.	None to be Imported from *Ireland*, *Scotland*, or the *Iſle of Man*, forfeits Twenty ſhillings.
§. 7.	None to reſort to *Bath*, unleſs Licenſed to Beg.
§. 8.	Juſtice of Peace of County not to meddle in City, Franchiſe, *&c.*
§. 9.	Not to prejudice St. *Thomas* Hoſpital in *Southwark.*
§. 10.	Not to prejudice *Duttons* Juriſdiction in *Cheſter.*

§ 11.	Forſeiture to be for repair of houſes of Correction, *&c.*
§ 12.	Any two, *Quorum* one, to hear and determine.
§ 13.	Commiſſion to enquire of Collections and Gifts, for Erecting Houſes or Stocks.
§ 14.	Seafaring men Shipwrackt, may by Licence beg relief in Paſſage.
§ 15.	Not to extend to Infant under ſeven years, nor Glaſs-men.
Hoſpitals, &c. *Cap.* 5.	All perſons may erect Hoſpitals, *Maiſon de Dieu*, and houſes of Correction.
§ 2.	Leaſes for above One and twenty years, or without ancient Rent in poſſeſſion, void.
§ 3.	Not to enable any to make Deviſe that cannot, as Infant, *&c.*
§ 4.	No houſe to be erect under Ten pounds *per annum.*
§ 5.	No Corporation to tranſfer or alter Intereſt given.
Commiſſion of Charitable Uſes, *Cap.* 6.	Commiſſioners to Enquire of charitable Uſes, and reform.
Vagabonds, *Cap.* 17. § 2.	Idle Wanderers in name of Soldiers or Mariners to ſuffer as Felons.
§ 3.	Such as have no Teſtimonial from Captain beyond Sea, or Juſtice of Peace at Landing, or counterſeiting it, Felony.
§ 4.	Unleſs Subſidy-man of Ten pounds Goods, or Fourty ſhillings Land, take them to Service a year.
§ 5.	Falling ſick by the way, not prejudiced by Elapſe of time in Teſtimonial.
§ 6.	Juſtice of Peace to order Work on complaint of ſuch idle perſons.
§ 7.	Juſtice of Peace on complaint may Licenſe as to the way home, *&c.*
§ 8.	No corruption of Bloud of Heir in Offenders.
Cap. 21.	Addition of Relief to 35 *Eliz. Cap.* 4. no Pariſh Tax above Eight pence, or under Two pence weekly.
Overſeers of the Poor Taxing, Relieving and Binding Apprentices, 43 *Eliz. c.* 2.	The Churchwardens of Pariſh, and four, three, or two nominated at *Eaſter*, by two Juſtices of Peace, *Quorum* one, under Seal to be Overſeers to ſet Children to Work, to Tax weekly for Stock and Relief.
§ 2.	To meet once a Month at Church on *Sunday*, and account in four days of new choſen, on forſeit of Twenty ſhillings.
§ 3.	Juſtice of Peace may Tax any Pariſh in the Hundred, in aid of ſuch as are not ſufficient, and if Hundred be not ſufficient, to Tax the County.
§ 4.	Succeſſor may levy Arrears by Diſtreſs and Sale, and two Juſtices to commit inſufficient, or ſuch as refuſe to Labour, and on refuſal to Account.
§ 5.	May bind Apprentices where they ſee convenient, and by aſſent of Lords Erect Cottages on the Waſte, notwithſtanding 31 *Eliz.* 7.
§ 6.	Seſſions on Complaint of Tax, *&c.* to make final Order.
§ 7.	The Father, Mother, Grandfather, and Grandmother, if able, to relieve Child.
§ 8.	Officers of City, *&c.* to have the ſame Power within as Juſtices of Peace in County.
§ 9.	Where Pariſh is divided in ſeveral Counties or Liberties, each Act proportionable.
§ 10.	Juſtice and Officer on default of nominating Overſeer, forſeits Five pounds.
§ 11.	Forſeitures to be employed for Relief and Stock.
§ 12.	Seſſions at *Eaſter* to Tax Pariſh weekly not above Six pence, nor under a Half-peny.
§ 13.	Juſtice of Peace may Levy by Diſtreſs or Sale, and Commit Refuſer.
§ 14.	Seſſions to order Sums to *B. R.* and *Marſhalſea*, Tax on every Pariſh.
§ 15.	Seſſions to order ſurplus of Stock for Hoſpitals, *&c*,
§ 16.	Treaſurer appoint by Seſſions, Fined on refuſal not under Three pounds, and levy by Sale, *&c.*
§ 18.	Overſeers in *Foulneſs* Iſland to be appoint, as if Pariſh, *&c.* in *Eſſex.*
§ 19.	Defendant to plead General Iſſue, or juſtifie, and *De ſon tort* to be replied.
Cap. 3.	A diſcontinuance of 35 *Eliz.* 4. and 39 *Eliz. Cap.* 21. from *Eaſter* next.
Relief of Soldiers, &c. § 3.	Every Pariſh in *England* and *Wales* Tax weekly to relief of Soldiers and Mariners not above Ten pence, nor under Two pence.
§ 4.	On default of payment, Diſtreſs and Sale.
§ 5.	Churchwardens and pety Conſtables to collect, Treaſurer to be Subſidy-man of ten pounds Lands, or fifteen pounds Goods.
§ 6.	Executors, *&c.* of Churchwarden or Conſtable not paying to Seſſions, *&c.* forſeits Twenty ſhillings.

Treaſurer negligent to be Fined, not exceeding Five pounds.	§ 7.
Maimed Soldiers to have Certificate of General of Camp or Governour of Town.	§ 8.
Juſtices of Peace may Aſſign Penſions revocable at diſcretion.	§ 9.
Treaſurers where they arrive may allow Charges.	§ 10.
Commiſſions for Enquiry by Twelve on Oath of all Gifts, Appointments, *&c.* to Charitable and Godly Uſes, and any four Commiſſioners to make Decrees.	**Commiſſions for Charitable Uſes**, *Cap.* 4.
Not to extend to Univerſities, nor Cathedral, *&c.*	§ 2.
Not to extend to City, Colledge, or Corporation, that have ſpecial Governour or Viſitor.	§ 3.
Not to prejudice the Juriſdiction of the Ordinary.	§ 4.
None that hath poſſeſſion of things controverted to be Commiſſioner.	§ 5.
Purchaſer for Value without notice or fraud not to be prejudiced, Commiſſioners may decree breach of Truſt.	§ 6.
Not to impower Commiſſioners to decree Lands ſurrendred to *Hen.* 8. *Edw.* 6. or Queen *Mary*, but only ſince the Reign of Queen *Elizabeth.*	§ 7.
Decrees and Orders of Commiſſioners to be Certified into Chancery.	§ 8.
Lord Chancellor to order execution of Decrees of Commiſſioners as fit.	§ 9.
Lord Chancellor on Complaint to alter or enlarge Decrees, and give Coſts, *&c.*	§ 10.
For Explanation of 39 *Eliz.* 4. § 2. no authority of Baron ſhall diſcharge from the puniſhment of that Act.	**Vagabonds, Sturdy Beggars**, &c. 1 *Jac.* 1. *Cap.* 7.
Wanderers, Glaſs-men, to be Rogues, notwithſtanding 39 *Eliz.* 4. § 15.	§ 3.
Incorrigible Rogue to be Branded *R.* on the left Shoulder a ſhilling breadth, and Offence after that againſt 39 *Eliz. Cap.* 4. § 4. to be Felony.	§ 5.
Sturdy Beggars, *&c.* to be Apprehended, on forſeit of Ten pounds.	§ 6.
Conſtable and Tything-man not doing Duty, forſeits Twenty ſhillings.	§ 7.
Not to prejudice *John Duttons* Priviledge.	§ 10.
A Continuance of 43 *Eliz.* 2. and that all to whom Overſeers bind Apprentice, may take, receive, and keep them, notwithſtanding any former Act.	**Apprentice**, *Cap.* 25. § 23.
Mayor, *&c.* any two may Aſſeſs Inhabitants of City, *&c*, for relief of Poor infected with the Plague.	**Relief of Infected with Plague**, &c. *Cap.* 31. § 2.
On default of Goods to commit party till ſatisfaction.	§ 3.
On inſufficiency of City, *&c.* Certifie by Mayor, *&c.* two Juſtices of the County may Aſſeſs within five miles weekly, and ſell Goods.	§ 4.
Juſtice of Peace in County may Tax Franchiſe that hath no Juſtices within five miles.	§ 5.
Taxes to be Certified to next Seſſions, and by them continued or determined.	§ 6.
Watchmen may force Infected to keep in, and going into Company with a ſore, to be Felony, without, to be taken as a Vagabond.	§ 7.
No Corruption of Bloud by Attainder.	§ 8.
Juſtices of Peace, *&c.* may appoint Searchers, Watchmen, Buyers, *&c.*	§ 9.
No Mayors, *&c.* to execute in Univerſities, Cathedral, or *Eaton*, &c. but Chancellor, *&c.* Biſhop, Warden, *&c.*	§ 10.
Corporation, or Parſon and Churchwardens, *&c.* in Towns not Corporated, to employ Money given to bind out Apprentices.	**Apprentice**, 7 *Jac.* 1. *c.* 3. § 2.
The pooreſt, and of Parents leaſt able to relief, to be bound out.	§ 5.
Commiſſion may be ſued out by any againſt Breakers of truſt.	§ 7.
That all Laws in force for houſes of Correction and puniſhing Rogues be Executed.	**Houſes of Correction**, *Cap.* 4.
Convenient houſes of Correction in each County as Seſſions appoint.	§ 2.
Every Juſtice of Peace where none is Erect, forſeits Five pounds.	§ 3.
A Governour to be appointed to ſet them to work, and Correct without Charge to County.	§ 4.
Juſtices to meet twice a year to Execute this Statute, and account taken of what Rogues.	§ 5.
The Governours Allowance to be yearly as Seſſions agree, paid Quarterly beforehand.	§ 6.
Lewd Women that have Baſtard chargeable, Commit a year, *&c.*	§ 7.
Runner away and leaving Family to the Pariſh, is incorrigible Rogue.	§ 8.
Governours not giving good account of perſons Commit, to be Fined, *&c.*	§ 9.
A Continuance of 32 *Eliz. Cap.* 5. for ever.	21 *Jac.* 1. *Cap.* 1. § 3.
Hoſpitals and *Maiſons de Dieu*, built ſince, to be Incorporated as before.	**Hoſpitals**, § 3.

All

Apprentice, 3 *Car.* 1. *Cap.* 4. §. 22.	All perſons to whom Overſeers put Apprentice, may keep them as ſuch, and that Churchwardens and Overſeers mention 43 *Eliz.* 2. by conſent of two Juſtices, one *Quorum*, may uſe Trade, Myſtery, or Occupation for Poor, notwithſtanding former Acts.
Indigent Officers, 14 *Car.* 2. *c.* 8.	For Diſtribution of Sixty thouſand pounds among Loyal Indigent Officers.
Relief of Soldiers, &c. *Cap.* 6. §. 2.	Every Pariſh to be charged as by 43 *Eliz. Cap.* 3. and further as next Seſſions agree, not exceeding Two ſhillings ſix pence a week, nor be under Three pence, as Reward of Loyal Sufferers.
§. 3.	To Widows and Orphans of Sufferers, two Juſtices of Peace to allow what is fit, beſide Pariſh Allowance.
§. 4.	Any two Juſtices to call Treaſurers to Account, *&c.*
§. 5.	No perſon to exceed Twenty pounds *per annum* to any one.
Rules for Poor, Vagabonds, Settlement, &c. *Cap.* 12.	Increaſe great, two Juſtices of Peace, one *Quorum*, on Complaint of Churchwarden in fourty days may remove to Place of laſt Settlement fourty days, as Native Houſholder, Sojourner, Apprentice, or Servant, unleſs Security, *&c.*
§. 2.	Parties grieved may Appeal to next Quarter Seſſions.
§. 3.	Any perſons may go to work in Harveſt on Certificate of Family left behind.
§. 4.	One or more Corporation or workhouſe within Bills of Mortality, Lord Mayor to be Preſident, and fifty two Aſſiſtants, *&c.* to Elect Officers, *&c.*
§. 5.	A Preſident, *&c.* for *Middleſex* and *Surrey* Elect at Seſſions, to be Corporation enabled without Licence to receive under Three thouſand pounds *per annum, &c.* and ſeven of each Corporation to order, *&c.*
§. 6.	Perſons Authorized by any two, may Apprehend Vagabonds, ſturdy Beggars, *&c.*
§. 7.	Mayor, Juſtices, *&c.* on Certificate of Preſident of want of Stock, to Tax, not exceeding a years Relief to the Poor.
§. 8.	Aldermen or two Juſtices may Authorize Churchwardens to receive.
§. 9.	All Stocks in other Corporation to be paid to theſe, and Account, *&c.*
§. 10.	All juſt Expences to be allowed to former Corporation.
§. 11.	Preſident, *&c.* and ſeven, to make By-Laws and Orders, *&c.*
§. 12.	By-Laws to be Preſent to Seſſions to Confirm.
§. 13.	Preſident, *&c.* to entertain all Officers and others needful.
§. 14.	All Officers to be aſſiſting to Corporation.
§. 15.	Any two Juſtices may ſwear new Conſtable on death of old, *&c.*
§. 16.	Perſons that Apprehend ſturdy Beggars, reward by Two ſhillings a Head, beſide the neglect of Conſtable, *&c.* puniſh by 39 *Eliz. c.* 4. and 1 *Jac.* 1.7.
§. 17.	Apprehending Beggar on Confines of County, to go to Juſtice of Peace where he was Unapprehended.
§. 18.	Conſtables with Churchwardens, *&c.* may Tax all chargeable by 39 *Eliz. Cap.* 2. with Rate for Charges in Paſſes, *&c.* to be Confirmed by two Juſtices.
§. 19.	Churchwardens may ſeize Goods, *&c.* of putative Father or Mother of Baſtard.
§. 20.	Perſons Sued to plead General Iſſue, and have treble Damages.
§. 21.	Of *Lancaſhire*, *Cheſhire*, *Durham*, *Derby*, *York*, *Northumberland*, &c. large Counties that have no benefit by 43 *Eliz. Cap.* 2. to be kept by Townſhip or Village.
§. 22.	Juſtices of Peace may raiſe Money, as in Pariſh, by 43 *Eliz. Cap.* 2.
§. 23.	Seſſions may Tranſport to any *Engliſh* Plantation, Rogues and ſturdy Beggars Convict.
§. 24.	Not to prejudice the Franchiſe of St. *Peters Weſtminſter.*
§. 25.	As to all but Incorporations to continue 20 *May*, 1665. and to the end of firſt Seſſion of next Parliament then next enſuing.
Working Stock, 19 *Car.* 2. *c.* 4.	Seſſions to provide Stock, and Overſeers to ſet Priſoners for Felony, *&c.* on work.
emoval of Sick, §. 2.	Sheriff on Emergent Occaſions with three Juſtices of Peace, one of *Quorum*, may remove ſick perſons.
§. 3.	Mayor, *&c.* with three of Corporation, may do the ſame during Infection.
§. 4.	Seſſions to order Two thouſand pounds purchaſe for Overſeer, Deputy, Miniſter, *&c.* of Workhouſe of *Exeter.*
§. 5.	The Overſeers to remove Priſoners back to Goal for Trial, *&c.*
§. 6.	Saving Rights of Strangers.

All that have received Money Collected for Poor of *London*, Burnt, or Infected, their Executors, *&c.* to pay to Chamberlain, before 1 *Novemb.* 1671.	**Poor of London Burnt**, &c. 22 & 23 *Car.* 2. *Cap.* 16. §. 2.
Archbiſhop, *&c.* to charge Miniſters in Viſitations, to Search and Diſcover.	§. 3.
Juſtices to charge Grand Juries to enquire of Concealments.	§. 4.
Juſtices of Peace in probable Evidence to bind to Seſſions, and party Impriſon till paid, *&c.*	§. 5.
Agents in two months after Receit, to Tranſmit to Chamberlain.	§. 6.
Each Biſhop in ſix months after this Seſſion of Parliament, to certifie Sums of publick Stock.	§. 7.
Not to prejudice the power of the Ordinary, Recovery to be till 1 *Novemb.* 1674.	§. 8.
Defendant to plead General Iſſue, and have double Coſts.	§. 9.
For better effecting 14 *Car.* 2. *Cap.* 12. Officers of Corporation to Account Quarterly.	**More Rules for the Poor**, *Cap.* 18.
Accounts made according to former Act to Juſtices not Governours, Ratified.	§. 2.
Debts to be diſcharged by Treaſurer, §. 4. Tax not to exceed one quarter of what is paid yearly to the Poor.	§. 3.
No Aſſeſſment to be after, 29 *Sept.* 1675.	§. 5.
Not to alter Power of Corporation in *London* or *Weſtminſter.*	§. 6.
For Releaſe of poor Priſoners in Execution for Debt.	*Cap.* 20.
For further Relief and Diſcharge of poor diſtreſſed Priſoners for Debt in Execution or on Proceſs, taking Oath, as in 22 & 23 *Car.* 2. *Cap.* 20. §. 2.	**Diſcharge of Priſoners**, 30 *Car.* 2. *c.* 4. §. 2.
Reviver of 13 & 14 *Car.* 2. *Cap.* 12. for 7 years.	**Reviver**, 1 *Jac.* 2. *c.* 17. §. 2.
The 40 days for Settlement, to be from delivery of Notice in Writing of Houſe of Abode, and to Churchwardens or Overſeers.	**40 Days for Settlement**, §. 3.
Reviver of 13 & 14 *Car.* 2. *Cap.* 12. and of 1 *Jac.* 2. *Cap.* 17. as to Settlement of Poor.	**Reviver**, 3 & 4 *W & M. Cap.* 11. §. 2.
The 40 days for Settlement, to be from Publication of a Notice in Writing to Churchwarden or Overſeer, to be Read in Pariſh Church, *&c.* and Regiſtred in Poors Book.	**40 Days for Settlement, Publiſhing and Regiſtring Notice**, §. 3.
Soldiers, and others in their Majeſties Service, not to have Settlement, unleſs diſmiſt Service.	**Soldiers**, &c. §. 4.
Penalty on Churchwarden or Overſeer, refuſing to Read or Regiſter Notice.	**Penalty on Churchwarden or Overſeer**, §. 5.
Perſon that for himſelf bears Office for a year, or pays Taxes, to have a Settlement without Notice.	**Bearing Office, paying Taxes**, §. 6.
Service of perſons unmarried, and without Child, hired for a year, to be a Settlement without Notice.	**Servant**, §. 7.
Apprenticeſhip by Indenture, and Habitation, a Settlement without Notice.	**Apprentice**, §. 8.
Appeal may be from determination of Juſtices of Peace, to next Quarter Seſſions, who ſhall finally determine.	**Appeal**, §. 9.
Churchwardens and Overſeers, to receive perſons removed by Warrant of 2 Juſtices of Peace, and Penalty for refuſal. Appeal may be from Judgment of 2 Juſtices, to next Quarter Seſſions, of place from whence removal was.	**Receiving perſons removed**, §. 10. **Appeal.**
In every Pariſh, a Regiſter to be kept of the Poor, and yearly (or oftner) the Pariſhioners to meet about relief of Poor, *&c.* and none to have Collection but by authority of Juſtices of Peace, or Order of Quarter Seſſions, Except Families infected with peſtilential Diſeaſe, *&c.*	**Regiſtring Poor.** **Pariſhioners Meeting for their Relief, Allowing Collection**, §. 11.
In Actions againſt Overſeers, *&c.* for Poors Money, the Evidence of Pariſhioners to be admitted.	**Evidence againſt Overſeer**, &c. §. 12.
Continues all parts of 13 & 14 *Car.* 2. *Cap.* 12. not continued by 3 & 4 of *W & M. Cap.* 11. (Except as to Corporations for 7 years.)	**Reviver**, 4 & 5 *W & M. Cap.* 24.

Pope.

Rome, Recuſant, Premunire, Proviſors, Prieſts, Jeſuits, Seminaries, Catholicks, Papiſt.

Abbe Purchaſer by Proviſion from *Rome*, ſhall be Enemy, and out of the Kings protection.	**Proviſion**, 25 *Edw.* 3. *Stat.* 4. *c.* 22.
In caſe any Reſervation, Collation, or Proviſion be made by the Court of *Rome*, of any Archbiſhop, Biſhop, or other Benefice in diſturbance of free Elections, the King ſhall have the ſame.	**Proviſion**, 25 *Edw.* 3. *p.* 121. §. 3. *Proviſors.*
If the King be Founder, he ſhall preſent, and on Laches by other Patrons, and if any be diſturbed, the Procurors of ſuch Proviſors ſhall be Attach, and Impriſon, if Convict, till Fine, Ranſomed, and Agreement to party, and renounce, and give Security to ſue no Proceſs from *Rome*, and if abſent, put to Exigent.	§. 4.
On drawing any out of the Realm, or ſuit to defeat Judgments in the Kings Courts, after default on two	**Drawing Suit out of the Realm**, 27 *Ed.* 3. *Cap.* 1. *Proviſors.*

	two Months premunire, the Procurators,, Attorneys, Executors, Notaries, and Maintainers, ſhall be out of the Kings protection, and on default at *Capias*, utlawed.
Bond in third perſon, 38 *Edw.* 3. *c.* 4.	All Obligations in the third perſon, as in Courts out of the Realm, void.
Receivers of Citations 38 *Edw.* 3. *Stat.* 2. *c.* 1.	Receivers of Citations from *Rome*, for cauſes of the Kings Cognizance, or Impetrations of other Benefices, ſhall incur the pain of Proviſors.
Cap. 2.	Suſpected Receivers that anſwer not on two Months warning, ſhall incur the ſame penalty.
Cap. 3.	Offenders puniſh as by 27 *Edw.* 3. *Cap.* 1.
Cap. 4.	The King and all the Parliament Houſe agreed to appeach Offenders, and reſiſt them, but ſuch as falſly ſue on this Statute, ſhall make party amends.
Urban, 2 *Rich.* 2. *c.* 6.	*urban* was duly choſen, and ſo ought to be accept and obey.
Farming, &c. of Alien, 3 *Rich.* 2. *c.* 3. §. 2.	None by virtue of Procuracy, Farm, and Adminiſtration, from any Alien or Foreign Prelates, ſhall convey Gold, Silver, nor other Treaſury of the Realm by Letter of Exchange or Merchandize, nor in other manner to the profit of Aliens, without the Kings Licence, nor Biſhop meddle by Sequeſtration to the profit of Aliens on preminure.
7 *Rich.* 2. *c.* 12.	A Confirmation of 3 *R.* 2. *Cap.* 3. and that if Alien have or do purchaſe to his own or others uſe, and occupy the ſame without Licence, he ſhall be in the ſame Condition, and puniſh by 25 *Edw.* 3. *pag.* 121. and none to ask Licence.
Benefice out of Realm, 12 *R.* 2. *c.* 15.	Benefice provided out of the Realm, void, and he that went out, put out of the Kings protection.
Acceptance of Benefice beyond Sea, 13 *R.* 2. *St.* 2. *c.* 2.	He that is beyond Sea, and accepts Benefice *contra* to 25 *Edw.* 3 *pag.* 121. ſhall abide Baniſht for ever, and forfeit Lands, *&c.* and be Baniſh if here, and whoever receive them on return *ſcienter*, ſhall be Baniſht.
Suit to go to Rome, §. 2.	He that makes Suit to the King to be ſent to *Rome*, forfeit a years Value, but Grants before 29 *January*, good, not after.
Bringer of Summons or Excommengement, 13 *R.* 2. *St.* 2. *c.* 3.	He that brings Summons or Excommengement againſt any for Execution of the Stat. 25 *Edw.* 3. *p.* 121. ſhall loſe Life and Member, and they who Execute it, if Prelate, loſe Temporalties; if leſs, Impriſon, Fine, and Ranſom.
Purchaſer of Tranſlations, &c. 16 *R.* 2. *Cap.* 5.	If any purchaſe or purſue, or cauſe in *Rome* or elſewhere, any Tranſlations, Proceſs, or Sentence of Excommunication, or any Inſtruments againſt any of the Kings Counſellors, againſt him, his Crown, Regality, or the Realm, ſhall be put out of the Kings protection, Attacht and premunire againſt them.
Proviſion, 2 *H.* 4. *c.* 3.	Proviſion to be exempt from obedience, is premunire.
Cap. 4.	The *Ceſtertian's* diſcharges of Tythes by Bull, void, and if they put it in Execution, premunire.
Firſt-fruits, 6 *H.* 4. *c.* 1.	They who pay more Firſt-fruits to *Rome* then wonted, ſhall forfeit as much as they may.
Tithes, 7 *H.* 4. *c.* 6.	If any by colour of Bulls from *Rome* hinder the Enjoyment of Tythes by Parſon, they ſhall incur premunire.
Cap. 8.	No Licence or Pardon by the King ſhall avail to make Plenarty by proviſions made, or to be made, by the Pope.
Carrying Money, 9 *H.* 4. *c.* 8.	Money ſhall not be carried to *Rome*, Stat. againſt Proviſors Confirmed, Elections not to be interrupted by Pope or King.
Alien, 1 *H.* 5. *c.* 7.	A Confirmation of 13 *R.* 2. *Stat.* 2. *Cap.* 2. againſt Aliens accepting Benefice.
Licences, &c. void, 3 *H.* 5. *Stat.* 2. *c.* 4.	All Licences and Pardons, and Proviſions void, and premunire with treble damages againſt Diſturbers by colour thereof.
Merchants to Rome, 9 *H.* 5. *Stat.* 2. *c.* 9.	Merchants on Exchange to *Rome*, ſhall in nine Months buy the value of Commodities there.
Pardon, 27 *H.* 6. *c.* 6.	A Pardon by the King to all Prieſts Secular and Regular, of ſeveral Offences and Forfeitures.
Ordinary's Juriſdiction, 1 *H.* 7. *c.* 4.	The Ordinary ſhall puniſh Prieſts, Clerks, and Religious Men for Avowtry, Incontinence, Inceſt, *&c.* and no falſe Impriſonment.
Procuring Licences, &c. 21 *H.* 8. *c.* 13. §. 11.	They who procure or put in Execution Licence, Union, Toleration or Diſpenſation for plurality from *Rome*, to forfeit Twenty pounds, and Profits of the Benefice.
Pilgrim, §. 28.	Pilgrimage is ſufficient to be non-reſident.
24 *H.* 8. *Cap.* 12.	*England* is imperial, and the King hath ſufficient Power and Authority over Spiritualty, and Temporalty.
Appeals for Teſtaments, &c. §. 2.	To eſchew delay by Appeals for Teſtaments, Matrimony, Tythes, *&c.* ſuch, whether concerning the King or others, ſhall be finally determined within the Kings Juriſdiction, notwithſtanding Excommengement, and all Spiritual Prelates may perform their Duties.

He that refuſeth ſhall be each time a year Impriſon, and Fine, and Ranſom at the Kings pleaſure.	§. 3.
He that purchaſeth a Foreign Proceſs, to encur premunire.	§. 4.
Appeals ſhall be only within the Realm from Archdeacon to Biſhop.	§. 5.
From Biſhop in fifteen days, to Archbiſhop of the Province, and there final.	§. 6.
Offenders againſt this Stat. to be puniſhed by Proceſs of 16 *R.* 2. *Cap.* 5.	§. 10.
The Clergy in *Verbo Sacerdotis*, promiſe not to Execute, *&c.* any Canon without the Royal Aſſent, and its Enact accordingly.	Canons and Appeals, 25 *H.* 8. *c.* 19.
What Canons, thirty two (to be Aſſigned by the King at pleaſure) think fit to be continued, to be ſo, and what they do not approve, void.	§. 2.
No Appeals to *Rome* in any Controverſie.	§. 3.
On Default of Juſtice in the Archbiſhops Courts, to Appeal to Chancery for ſpecial Commiſſion of the King.	§. 4.
Appeals from Abbots and places exempt, ſhall be as before, or to the King.	§. 6.
Canons not *contra* to Laws, nor in damage of the Kings Prerogative, to ſtand.	§. 7.
No Firſt-fruits to be paid to *Rome*, nor Annates, and if Biſhop name by the King be deferred, or denied by the Pope, he may be Inveſt by any two other Biſhops, and be thereby compleat Archbiſhop, *&c.*	Firſt-fruits, &c. *c.* 20
A Confirmation of *H.* 8. *Cap.* by Patent Enrolled in Parliament.	§. 2.
None ſhall be nominated or preſent to the Pope, nor procure Palls from thence.	Palls, §. 3.
They who refuſe Obedience to this Stat. to encur premunire, to admit other Proceſs.	§. 7.
The King with the Lords Spiritual and Temporal, and Commons in Parliament, have power of all Divine and Humane Laws in *England*, next under God.	*Cap.* 21.
None to pay Penſions, Cenſes, Peter-pence, or any other Impoſition.	Penſions, &c. §. 2.
No Licence, Diſpenſation, Grants, Delegacies, *&c.* from *Rome*, to be ſued by the King or others, but that the Archbiſhops have power thereof.	Diſpenſations, Grants, Delegacies, &c. §. 3.
Archbiſhop to grant by his Seal what were grantable in *Rome*.	§. 4.
In Caſes unuſual, Archbiſhop not to Grant till conſulting the King, and approve.	§. 5.
Grants that coſt Four pounds at *Rome*, muſt be Confirmed by the King.	§. 6.
To be pleaded as if from *Rome*.	§. 7.
Marriage and Legitimation by Licence of Archbiſhop ſo Confirmed, ſufficient.	§. 8.
Archbiſhop to appoint Regiſter, and the King a Clerk of Chancery to Confirm.	§. 9.
Taxes for Diſpenſation, *&c.* to be ſet by Archbiſhop, Chancellor, Treaſurer, *&c.*	§. 11.
The diſtribution of the Tax for Diſpenſation, *&c.*	§. 13.
Not to prejudice Archbiſhop of *York*, who uſed to diſpence before at Common Law.	§. 15.
In Vacation of the See of *Canterbury*, Licence, *&c.* to be by Guardian of the Spiritualties.	§. 16.
The Chancery may command Archbiſhop to grant Diſpenſation, *&c.* and if he refuſe, to make Commiſſion to two Biſhops.	§. 17.
Not to Derogate from any very Articles of Faith.	§. 19.
All Aſſemblies and Viſitations for Religion, to be within the Realm.	§. 20.
Not to Repeal 28 *Hen.* 8 *Cap.* 13. or give Licenſe to Plurality.	§. 21.
Not to take away Priviledge of Exemption, of Abbe, *&c.*	§. 23.
The King and Councel may order Redreſs, and reform all Indulgences, *&c.* obtained from *Rome*.	§. 27.
To ſay the King is an Heretick, Treaſon.	Treaſon, 26 *H.* 8. *c.* 1
Suffragan that Exerciſes any other Juriſdiction then by Commiſſion of the Biſhop, incurs a premunire.	Suffragan, 26 *H.* 8. *c.* 14. §. 5.
No Spiritual perſon to take Portion or Penſion on death of inhabitant, but Fees as 21 *H.* 8. *Cap.* 5. and 6. §. 3. on premunire.	Penſion on Death, *Cap.* 15.
The King may appoint thirty two, *viz.* ſixteen Spiritual, and ſixteen Temporal, to Examine the Canons, none to be made without Regal Aſſent.	Canons, 27 *H.* 8. *c.* 1
No Appeals to *Rome* to Repeal unlawful Marriage.	Marriage, 23 *H.* 8. *c.* §. 17.
Extolling the Popes Authority, to incur premunire, all Officers by Oath to renounce his Authority.	*Cap.* 10.
The Popes Authority extorted againſt the Law of God, the Statutes of the Realm, in derogation of the Kings Imperial Crown.	Popes Authority, *c.*
All Bulls, Briefs, Faculties, and Diſpenſations void, not to be uſed on pain of premunire, 16 *Rich.* 2. *Cap.* 5. but former Marriages Confirmed.	Briefs, Faculties, and Diſpenſations, §.

Archbiſhop

§ 3.	Archbiſhop and Biſhops by Authority of Parliament, and not by proviſion from *Rome* to be ſuch, and uſe all Authority as, *&c.*
§ 4.	All Abbes, *&c.* Eccleſiaſtical perſons, not excluded of Dignity by Suppreſſion, Prieſts, *&c.* to exerciſe Authority by this Statute, and not by proviſion or power of *Rome*.
§ 5.	The effects of Bulls, Briefs, *&c.* in ſuch Caſes as may be diſpenſed by Archbiſhop of *Canterbury*, ſhall be enjoyed as under this Statute a year.
§ 6.	After a year ſuch Briefs, *&c.* delivered to whom the King appoints as Archbiſhop, appoved to be by Patent under the Great Seal, paying Twenty ſhillings four pence, and for Writing, Three ſhillings four pence, for Examination Three ſhillings four pence, and not above.
§ 7.	Such Patent to be allowed good in all Courts, any Uſage, *&c.* to the *contra* notwithſtanding.
onaſtery, 32 *H.*8.*c.*24.	The Knights of St. *John* of *Jeruſalem* in *England* and *Ireland*, Friers and anciently Knights of *Rhodes* adhering to the Pope as Supreme Head, diſſolved.
ecrees of Faith, *c.* 26.	All Decrees of Archbiſhop, *&c.* of Faith and Ceremony, not *contra* to the Laws of the Realm, to ſtand.
opes Juriſdiction, *Cap.* 38.	His uſurpt power hath always entangled and troubled the meer Juriſdiction of the Regal Power of the Realm.
arriage, § 2.	He ſhall not void Marriage had with Carnal knowledge, by any Pre-contract, nor for Conſanguinity, unleſs againſt the Law of God.
ath of Obedience, 35 *H.* 8. *c.* 1. § 11.	A fuller Oath in lieu of thoſe 25 *H.* 8. *Cap.* 22. § 14. and 28 *H.* 8. *Cap.* 7. § 28. for Obedience againſt the power of the See of *Rome*.
anons, *Cap.* 16.	The King during life to name ſixteen Spiritual, and ſixteen Temporal to Examine the Canons, and what they think fit, to Eſtabliſh.
upremacy, 37 *Hen.* 8. *Cap.* 17.	The King is the Supreme Head of the Church, and may puniſh all Vice, Sin, Idolatry, Hypocriſie, Hereſie, and Superſtition, *&c.*
anons, &c. § 2.	The Decrees, Canons, and Conſtitutions Papal, aboliſh by 25 *H.* 8. *Cap.* 19. § 2. albeit practice hath been contrary ſince.
roceſs Eccleſiaſtical, 1 *Edw.* 6. *Cap.* 2. § 3.	All Proceſs Eccleſiaſtical, *&c.* and Acquittances to be in the Kings Style as Writs and *Teſte* by the Biſhop, *&c.*
iſſals, &c. 3 *&* 4 *Edw.* 6. *Cap.* 10.	All Antiphoners, Miſſals, Grayls, Proceſſionals, Manuals, Legends, Pies, Portuaſſes, Primers in *Latin* and *Engliſh*, Couchers, Journals, Ordinals, be utterly aboliſht, extinct, and forbidden.
anons, *Cap.* 11.	For three years the King, *&c.* to name thirty two to Examine Eccleſiaſtical Laws, and Comprize what is fit, and not againſt the Law of the Realm.
ræmunire, 1 *Mar. c.* 1. § 5.	Nothing to be *Præmunire* but what was ſo before 1 *H.* 8.
opes Authority revived and ſeveral Acts repealed, 1 *&* 2 *Ph. & Mar. Cap.* 8.	Spiritualty and Temporalty having ſwerved from the See Apoſtolick, and made Confeſſion thereof to Cardinal Pool.
§ 2.	The Parliament ſupplicate the King and Queen as a mean to the *Legate* to obtain Abſolution of their Diſobedience to the See *Apoſtolick* of *Rome*, and promiſe Repentance and Abrogation of Laws ſince 20 *H.* 8. which the Cardinal in name of the Pope accepts.
§ 4.	A Repeal of 21 *H.* 8. *Cap.* 13. § 11. for ſo much only as concerns obtaining from *Rome*.
§ 5.	A Repeal of 23 *H.* 8. *c.* 9. of Citation out of Dioceſs.
§ 6.	Of 24 *H.* 8. *Cap.* 12. againſt Appeals to *Rome*.
§ 7.	Of 27 *H.* 8. not Printed, of reſtraint of Annates to *Rome*.
§ 8.	Of 25 *H.* 8. *Cap.* 19. and *Cap.* 20. and *Cap.* 21. all Repealed, *&c.*
§ 13.	A Repeal of 26 *H.* 8 *Cap.* 1. and *Cap.* 14.
§ 15.	Of 27 *H.* 8. *Cap.* 15.
§ 16.	Of 28 *H.* 8. *Cap.* 7. *Cap.* 10. and *Cap.* 16.
§ 19.	Of 31 *H.* 8. *Cap.* 9. and of 32 *H.* 8. *Cap.* 38. and of 35 *H.* 8. *Cap.* 1. and *Cap.* 3.
§ 23.	Of 37 *H.* 8. *Cap.* 17. § 4. wholly Repealed.
§ 24.	A Repeal of 1 *Edw.* 6. *Cap.* 12. as to Derogation from Popes Supremacy.
§ 25.	A Repeal of all other Statutes of like effect againſt the Pope, *&c.*
26.	The Parliament ſupplicated Diſpenſation, Toleration, or Permiſſion of certain Articles.
§ 27.	That all Biſhopricks, Churches, Hoſpitals, Colledges, and Schools, and other Foundations made by authority of Parliament during the Schiſm, be continued for ever.
§ 28.	That Marriages prohibited by Canons only, may be affirmed.
§ 29.	That Inſtitutions and Promotions by Parliament be Confirmed.

That Judicial Proceſs of Ordinaries on Appeals, be Confirmed.	§ 30.
That Statutes for Lands of Archbiſhop, or Diſſolution of Monaſteries be kept, and good Aſſurances made to Poſſeſſors againſt Canons, *&c.*	§ 31.
The Biſhops and Clergy ſupplicated in the ſame manner.	§ 32.
The Cardinal diſpenſeth accordingly.	§ 33.
To be a Law pleadable in any Court, as to Lands, Marriages, Juriſdictions, *&c.*	§ 34.
As well the Queen, as all other perſons Sole and Corporate, ſhall enjoy all Scites, *&c.* of Monaſteries, Religious, or Eccleſiaſtical.	§ 37.
A Confirmation of all Statutes of Aſſurances of Abbe Lands, *&c.* to *Hen.* 8. and *Edw.* 6.	§ 39.
A Confirmation of all Statutes of Aſſurances from *Hen.* 8. and *Edw.* 6. to others.	§ 40.
Præmunire to obtain Proceſs Eccleſiaſtical, to moleſt any ſuch Poſſeſſors *contra* to the Laws, *&c.*	§ 41.
Any may ſue in Eccleſiaſtical Court for Tythes.	§ 42.
Title of Supreme Head may be uſed in Records as heretofore, *&c.*	§ 43.
The Kings Style to be good with or without Title of Supreme Head.	§ 44.
Bulls from *Rome* not *contra* to the Laws, may be executed.	§ 47.
Ordinary to exerciſe Juriſdiction in Churches exempt, or not poſſeſſed by Lay-men.	§ 49.
Not to prejudice Univerſities.	§ 50.
Any ſeized of Lands, Tenements, Tythes, Penſions, *&c.* not Copyhold, may Infeoff or Deviſe to Body Politick now, or to be Erect, without Mortmain, Licence, *&c.* for twenty years.	§ 52.
Nothing to derogate from Prerogative enjoyed before 20 *H.* 8. but Pope reſtored to Supremacy he lawfully had before.	§ 54.
A Repeal of 1 *&* 2 *Ph. & Mar. Cap.* 8. Except, *&c.*	Acts revived and Kings ſupremacy eſtabliſh'd, 1 *Eliz. Cap.* 1.
The Stat. 23 *H.* 8. *Cap.* 9. of not Citing out of Dioceſs, Revive, except, *&c.*	§ 3.
Reviver of 24 *H.* 8. *Cap.* 12. and § 5. of reſtraint of Annates, 25 *H.* 8. not Print.	§ 4.
Reviver of 25 *H.* 8. *Cap.* 19. and § 7. of electing Biſhops, 25 *H.* 8. not Print.	§ 6.
Reviver of 25 *H.* 8. *Cap.* 21. and § 9. of 26 *H.* 8. *Cap.* 14.	§ 8.
That 28 *H.* 8. *Cap.* 16. and all Articles, *&c.* be Revived, and extend to Queen *Elizabeth* as fully as to *H* 8.	§ 10.
So much of 32 *H.* 8. *Cap.* 38. of Conſanguinity revived, as is not Repealed by 2 *Edw.* 6. *Cap.* 23.	§ 11.
All Statutes and Articles in Acts of Repeal by *Phil. & Mar.* not hereby revived, ſtand repealed.	§ 13.
No Foreign Prince, State, or Potentate, Spiritual, or Temporal, enjoy any Authority here, *&c.*	§ 16.
All Eccleſiaſtical Authority for Reformation of Errour, Hereſie, Schiſm, *&c.* to be in the King.	§ 17.
All Archbiſhops, *&c.* to Swear the Kings Supremacy.	§ 19.
Refuſer to forfeit all Eccleſiaſtical Promotion.	§ 20.
Refuſer diſabled for life to take any other Benefice, *&c.*	§ 21.
Whoever adviſedly defend Foreign Authority, *&c.* or extol it, forfeit all Goods, *&c.* and § 28. if not worth Twenty pounds, to be Impriſoned a year beſide.	§ 27.
Spiritual Promotion void, and for ſecond Offence, *Præmunire*, third Offence, § 30. Treaſon.	§ 29.
Offences to be proſecuted within a year.	§ 31.
Not to Repeal 1 *&* 2 *Ph. & Mar. Cap.* 8. § 41.	§ 32.
Not to prejudice for Offences before reviver of Acts repealed.	§ 33.
Peer to be Tried by Peers.	§ 34.
Nothing done by Act of Parliament, to be hereafter adjudged Errour, Hereſie, *&c.*	§ 35.
Nothing to be adjudged Hereſie by Patentee, *&c.* but by Canon of Scripture.	§ 36.
Offence againſt Act revived, muſt be proved by two Witneſſes.	§ 38.
Appeal by *Chetwood* againſt *Terril* at *Rome*, ſave if determined.	§ 39.
He that refuſeth Book of Common Prayer, or uſeth other Rites, forfeits, *&c.*	Common Prayer, *Cap.* 2. § 4.
To avoid Perils, Diſhonours, and Inconvenience of uſurpt Powers.	Supremacy, 5 *Eliz. Cap.* 1.
Writing, Printing, Preaching, or act in defence of Power claimed by the See of *Rome*, being Convict within a year, to incur *Præmunire*.	§ 2.
Juſtices and Seſſions to enquire and certifie to *B. R.* in fourty days.	§ 3.
B. R. to determine as if Preſentment were on 16 *R.* 2. *Cap.* 5.	§ 4.
All perſons that have or ſhall take Orders or Degrees in Univerſity, Utter-Barreſters, Benchers,	§ 5.

	Readers, Ancients, Principal, Treaſurers, Attorneys, and all Sheriffs, and all that have Office belonging to the Law, to Swear Supremacy, as 1 *El. Cap.* 1. §. 19.
§. 6.	Archbiſhop, *&c.* may tender it to Eccleſiaſtical perſons.
§. 7.	Chancellor without Warrant may direct Commiſſion to any to take it.
§. 8.	Refuſer to incur *Præmunire* if preſent within a year.
§. 9.	Refuſers to be Certified in *Banc. Reg.* on forfeit One hundred pounds.
§. 11.	Offenders the ſecond time to ſuffer as for High Treaſon, in defence of that Authority.
§. 18.	Giving Alms or Charity is no Abetment.
§. 21.	Perſons Attaint in *Præmunire* cannot be killed.
§. 23.	Evidence to be ſuch proof as Jury believe.
Abſolution and Reconcilement to Rome, 13 *El. c.* 2. §. 2.	Putting in ure, or taking any Inſtrument of Abſolution or Reconcilement.
§. 3.	Seeking to *Rome* for any Matter or Writing, to be High Treaſon.
§. 4.	Aiders and Upholders of ſuch Abſolution, to incur *Præmunire.*
§. 5.	Concealment ſix Weeks of ſuch Abſolution, is Miſpriſion.
§. 7.	Bringing into the Realm any *Agnus Dei*, Croſſes, Pictures, Beads, and they that receive them, to incur *Præmunire.*
§. 8.	Diſcovery of perſon, or delivery of the thing in three days of receit, to diſcharge party.
§. 9.	All ſuch Inſtruments to be brought to Ordinary, and Offence confeſt, to be diſcharged.
§. 10.	Juſtice of Peace upon diſcovery in fourteen days, to ſignifie to Privy-Council, or *Præmunire.*
§. 11.	Peer to be Tried by Peers.
§. 12.	Saving Right of Strangers.
Departing the Realm, *Cap.* 3.	Subject or Denizen departing the Realm without Licence, or ſtaying after expire ſix Months after Proclamation to return, forfeits profits of Lands for Life, and all his Goods.
Pretending power, and withdrawing from Obedience &c. 23 *El. Cap.* 1. §. 2.	All that pretend power, or any ways abſolve, perſwade, or withdraw any from Obedience or Religion eſtabliſht, to *Rome*, Traytors.
§. 3.	Aiders and Maintainers of ſuch Offenders, Miſpriſion.
§. 4.	Convict of ſaying Maſs, Miſpriſion, and forfeit Two hundred Marks, and Hearers One hundred Marks, *&c.*
§. 5.	All ſixteen year old not coming to Church, forfeit Twenty pounds a Month.
§. 8.	All Offences againſt this Act, or againſt 5 *Eliz. c.* 1. or againſt 13 *Eliz. c.* 2. to be enquired and proſecuted within a year after Offence.
§. 9.	Juſtices of Oyer, *&c.* to determine Offences, and Juſtices of Peace thoſe not Treaſon, *&c.*
§. 10.	Any Offence not Treaſon, or Miſpriſion, diſcharged by Submiſſion before Judgment, *&c.*
§. 13.	Bonds and Aſſurances made by Colluſion and Grants, *&c.* void.
§. 14.	Peer to be Tried by Peers.
§. 15.	This Act not to abridge any Eccleſiaſtical Cenſures.
Jeſuits, Prieſts and Foreign Education, 27 *Eliz. Cap.* 2.	Jeſuits, Prieſts, *&c.* ſent to withdraw Obedience, and ſtir up Sedition, Rebellion, *&c.*
§. 2.	Ordained beyond Sea, or by Foreign Authority, to depart the Realm in fourty days.
§. 3.	Any Jeſuit, Prieſt, Deacon, or Eccleſiaſtical perſons, profeſſed by Authority from *Rome*, but what, where, and when Licence by this Act to ſtay within the Realm, Treaſon.
§. 4.	Receiving, Aiding, *&c.* out of Priſon, Felony without Clergy.
§. 5.	Any Educate in Colledge of Jeſuit, not returning within ſix Months after Proclamation, and in two Months ſubmit and take Oath, 1 *Eliz. Cap.* 1. §. 19. Treaſon.
§. 6.	Subject that conveys Relief to Jeſuit, *&c.* or Colledge, incurs *Præmunire.*
§. 7.	Sending Child without Licence, unleſs by Trade, Merchandize, or Mariners, forfeits One hundred pounds.
§. 8.	Offence to be enquired in *Banc. Reg.* or where Offender is taken.
§. 10.	Not to extend to Jeſuit, *&c.* that in three days after Return ſubmits and ſwears.
§. 11.	Peers to be Tried by Peers.
§. 13.	Subject knowing Jeſuit, *&c.* and not diſcovering to Juſtice of Peace in twelve days, Fine and Impriſonment, and if Juſtice of Peace in twenty eight days next Inform not ſome of Privy-Council, forfeits Two hundred Marks.
§. 14.	Privy-Councellor to give Note of Receit of ſuch Information.

Oaths, Bonds, and Submiſſions to be Certified into Chancery.	§. 15.
No benefit of Submiſſion to him that comes within ten Miles of the Queen without Licence.	§. 16.
For Execution of 23 *Eliz. Cap.* 1. every Eſtate, Uſe, *&c.* made by perſons not coming to Church, revocable, *&c.* void againſt the Queen as to Sums forfeit by not coming.	**Abſenters from Church,** 29 *El. Cap.* 6.
Convictions to be in *B. R.* or at Aſſizes, Goal-delivery, and not elſewhere, and to be Certified into Exchequer before the end of the next Term.	§. 2.
Not ſubmitting after Conviction, to pay Twenty pounds *per* Month, at *Trinity* and *Hilary* Term.	§. 3.
In *Eaſter* and *Michaelmas* Term after Conviction, to pay Twenty pounds *per* Month, for time in the Indictment, and on default, Seizure of all the Goods, and two parts of Lands liable, *&c.*	§. 4.
Need not Aver party was Inhabiting within the Realm, but to be pleaded by Offender.	§ 5.
No twenty pounds for Month in which party Conforms or dies, but payment of Arrears.	§. 6.
The third part to be diſpoſed in Exchequer, by Chancellor, Treaſurer, *&c.* for poor and maimed Soldiers.	§. 7.
Not to void any Grant or Leaſe *bona fide* for Rent, unleſs revocable.	§. 8.
Not to continue Seizure in the Queen after death of Tenant for years, life, *&c.*	§. 9.
If any abſenting a Month from Church, do by Words or Writing perſwade to deny, withſtand, and Impugn the Queens Authority Eccleſiaſtical, or from receiving the Sacrament, or be preſent at Conventicle, to be Impriſoned till Conformed.	**Abſenting from Church,** 35 *El. Cap.* 1.
Not Conforming in three Months after Convict, to abjure in Seſſions.	§. 2.
Not abjuring, departing, or returning, to be Felon without Clergy.	§. 3.
Making publick ſubmiſſion in Church on *Sunday*, to be diſcharged.	§. 4.
The form of ſubmiſſion in §. 6. to be Entred and Certified to Biſhop, *&c.*	§. 5.
Relapſe forfeits the benefit of this Act.	§. 7.
He that maintains Refuſer to come to Church after Notice, forfeits Ten pounds.	§. 8.
Not to puniſh relief of Kindred or Ward.	§. 9.
Forfeitures to be recovered by Debt, Bill, *&c.*	§. 10.
The third part to Charitable Uſes, as by 29 *Eliz. Cap.* 6.	§. 11.
No *Popiſh* Recuſant, or Feme-Covert compelled to abjure.	§. 12.
He that refuſeth to abjure, forfeits all his Goods, Chattels, and Lands for life.	§. 13.
Popiſh Recuſant above ſixteen years old, forbearing Church, to go but five Miles from Abode.	**Abſenting from Church,** *Cap.* 2. §. 2.
All Subjects above ſixteen paſſing above five Miles, forfeit Goods and Lands for Life.	§. 3.
Not repairing to place of Birth or of Parents, (if no Inhabitant, *&c.*) forfeits Goods and Lands for life.	§. 4.
Offender ſhall forfeit Copyhold for Life, and Uſe, Truſt, *&c.*	§. 5.
Such as have no Habitation, to Enter Names in Pariſh of Parents, *&c.*	§. 6.
Miniſter, *&c.* to Certifie to the Seſſions.	§. 7.
Popiſh Recuſant (unleſs Feme-Covert) or of twenty Marks, *&c. per annum*, to abjure, *&c.*	§. 8.
Juſtice of Peace, or Coroner, to Certifie Abjuration to Goal-delivery at Aſſizes.	§. 9.
Refuſing to Abjure, *&c.* Felon without Clergy.	§. 10.
Suſpect Jeſuit, Seminary, or Maſs-Prieſt, refuſing to anſwer, to be Impriſon.	§. 11.
Licence to Travel, *&c.* by two Juſtices with Aſſent of Biſhop or Lord Lieutenant.	§. 12.
They who appear by Proceſs of Courts at *Weſtminſter*, or by three Privy-Council, excuſed.	§. 13.
Yielding Bodies to Sheriff on Proclamation, excuſed.	§. 14.
Submiſſion before Conviction, to diſcharge.	§. 15.
The Form of ſubmiſſion §. 17. to be Entred and Certified to Biſhop.	§. 16.
Relapſe to have no benefit of this Act.	§. 18.
Feme-Covert bound to all but Abjuration.	§. 19.
That all Statutes of Qeeen *Elizabeth* againſt Jeſuits, *&c.* that claim Juriſdiction from *Rome*, or to withdraw Subjects from Obedience, *&c.* be put in Execution.	**Jeſuits, &c.** 1 *Jac.* 1. *Cap.* 4.
Child ſent beyond Sea to *Popiſh* Education, to be diſabled to take Lands or Goods, and Truſts for him, void.	**Popiſh Education,**
None to keep School, *&c.* out of the Univerſities, *&c.* without Licence, *&c.*	**School,** 1 *Jac.* 1. *c.* §. 9.
An Anniverſary Thankſgiving for Delivery from Powder Treaſon, 5 *Novemb.* 1605.	**Powder Plot,** 3 *Ja* *Cap.* 1.

An

cap. 2. §. 3.	An Attainder againſt *Winter*, *Fawks*, *Rookwood*, *Grant*, *Keys*, *Wright*, *Bates*, *Digby*, *Catesby*, *Percy*, *Owen*, and *Treſham*, for the Powder Treaſon.
Cap. 4.	Experience of Papiſts being pervert from Allegiance by Jeſuits, Seminaries, *&c.*
Sacrament, Abſenting from Church, Oath of Allegiance, &c. §. 2.	Popiſh Recuſant Conformed, ſhall once a year receive the Sacrament.
§. 3.	Not doing it, forſeits one year Twenty pounds, the ſecond year Fourty pounds, and after Sixty pounds a year, *&c.*
§. 4.	Churchwardens and Conſtables to preſent the Monthly abſence of nine years old.
§. 5.	Preſentments Record without Fee, and Defaults of Preſentments, forſeits Twenty ſhillings.
§. 6.	Churchwardens to have Fourty ſhillings for Preſentment out of Recuſants Eſtate.
§. 7.	Juſtices to Enquire and Determine of not receiving Sacrament, and not coming to Church.
§. 8.	Abſent from Church Convict to pay Twenty pounds a Month in *Eaſter* Term next.
§. 9.	Convictions to be Certified into Exchequer before Term after.
§. 10.	Recital of 23 *Eliz.* 1. §. 5. and §. 11. recites 29 *Eliz.* 6. §. 4. and that the King may refuſe penalty of Twenty pounds a Month, and take two parts of Eſtate.
§. 12.	Offenders Manſion-houſe not to be any of the two parts, nor Grantee ſhall not Aſſign the two parts to Recuſant, nor commit Waſte.
§. 13.	Biſhop and two Juſtices ſhall Examine all but Noblemen, *&c.* and Travellers on Oath, if they be Recuſants, or have received the Sacrament laſt year.
§. 14.	They that refuſe the Oath, to be Convict till Seſſions, and then premunire.
§. 15.	The Form of the Oath of Allegiance to be Subſcribed.
§. 16.	No Indictment, Utlary, *&c.* for abſence to be reverſed, but by Traverſe of receit of the Sacrament.
§. 17.	Upon Conformity, Utlary may be reverſed and diſcharged.
§. 18.	Going into Foreign Service before Oath taken, is Felony.
§. 19.	Gentlemen and Officers in Army, going into Foreign Service before Obligation of Twenty pounds, with Condition not to be reconciled to the Pope, or Plot againſt the King, is Felon.
§. 21.	Cuſtomer, *&c.* may receive ſuch Bonds, and give the ſaid Oath.
§. 22.	Practice on or beyond the Seas, to withdraw Obedience from the King, or be reconciled to the Pope, is Treaſon.
§. 23.	Perſons reconciled, Procurers, Aiders, *&c.* knowing, are Traytors.
§. 24.	Such as in ſix days after Return to *England*, take the Oath, *&c.* not to be prejudiced.
§. 25.	All Offenders againſt this Branch to be proceeded againſt as Traytors, before Juſtices of Aſſize, *&c.*
§. 26.	Peer to be tryed by Peers.
§. 27.	Juſtice of Peace may Levy Twelve pence for not coming to Church on Sunday.
§. 28.	Offender to be queſtioned withing a Month after Default.
§. 29.	None puniſht by this Act, to be puniſht by 1 *Eliz. Cap.* 2. §. 14.
§. 32.	A Repeal of 35 *Eliz.* 1. §. 8. and §. 9. only as to thoſe two Branches, and they that harbour Servant, Sojourner, or Stranger, not going to Church in a Month, to forſeit Ten pounds.
§. 33.	Retaining in Service, Fee, or Livery, knowing abſence, *&c.* forſeits Ten pounds.
§. 34.	Not to prejudice Maintainers of Parents, Ward, *&c.*
§. 35.	Sheriff may break Houſe to take Popiſh Recuſant Excommunicated.
§. 36.	Offences to be determined by Juſtices of the Bench and Aſſizes.
§. 37.	No Attainder of Felony by this Act to loſe Dower, or corrupt Blood.
§. 38.	Defendant ſued for Execution of this Act to plead General Iſſue.
§. 39.	Not to prejudice nor abridge Eccleſiaſtical Cenſures.
§. 40.	Huſband not to be charged for Offence of Wife, nor the Feme Covert.
§. 41.	Where Biſhop may take Oath of others, ſix of Privy Councel may take it of Peer.
§. 42.	Lord Warden of Cinque Ports there, may take Oath and Obligation of Paſſengers.
ruſant, *cap.* 5.	The firſt Diſcoverer of Recuſant, Maſs, or Relievers of Jeſuit, *&c.* to have the third part of the forſeiture, not exceeding One hundred and fifty pounds.
§. 2.	No Popiſh Recuſant Convict to come to the Kings Court, on forſeit of One hundred pounds.

All Abſenters three Months from Church, in three Months to depart ten Miles from *London*, and deliver up Name, on forſeit of One hundred pounds.	§. 3.
Recuſant to depart ten Miles from *London*, in ten days after Convict, on forſeit of One hundred pounds.	§. 4.
Manual Occupations, and ſole Dwellers in *London*, to remain there.	§. 5.
A Repeal of the *Proviſo*, only 35 *Eliz. Cap.* 2. §. 12. as to Licenſe to Travel.	§. 6.
The King or three of Privy Council may Licenſe without Cauſe, and four Juſtices for Cauſe Sworn before them.	§. 7.
No Recuſant to be Councellor, Attorney, Advocate, Proctor, *&c.*	§. 8.
Popiſh Recuſant not to Exerciſe publick Office.	§. 9.
Feme Covert Convict, forſeits two parts of Joynture or Dower, and diſabled to be Executor to Huſband, *&c.*	§. 10.
Recuſants Convict to ſtand Excommunicated.	§. 11.
Perſons diſabled may ſue for Lands, Rents, *&c.* not ſeizable by the King.	§. 12.
Marriage by Popiſh Recuſant otherwiſe then in Church, *&c.* no Dower nor Tenancy by Courteſie, *&c.* and if no Lands, forſeits One hundred pounds.	§. 13.
Baptiſm of Child of Popiſh Recuſant not in open Church, *&c.* forſeits One hundred pounds.	§. 14.
Executors knowingly Burying not in Church, Yard, *&c.* forſeit Twenty pounds.	§. 15.
Children going beyond Sea without Licence, take no Gift, Deviſe, *&c.* till at Eighteen they take the Oaths and Sacraments, *&c.*	§. 16.
If they that go beyond Sea without Licence, and Eighteen years old take no Oaths, *&c.* in ſix Months of Return, to take no Gift, *&c.* but next Kin enjoy, that is no Papiſt.	§. 17.
While Recuſant Convict, diſabled to preſent to Cure, or *ſine* Cure.	§. 18.
That the Chancellor of *Oxford* Preſent, *&c.* in Counties of, *&c.*	§. 19.
Cambridge to Preſent in Counties of, *&c.*	§. 20.
None to be Preſent by Chancellors that hath a former Cure.	§. 21.
Recuſant Convict to be no Executor, Adminiſtrator, nor Guardian.	§. 22.
Next of Kin to whom Land cannot deſcend, that reſorts to Church, to have Guardianſhip.	§. 23.
Grant of Wardſhip by the King to Recuſant, void.	§. 24.
Bringing in, Printing, Selling Popiſh Primers, Lady Pſalters, *&c.* forſeits Fourty ſhillings each Book.	§ 25.
Any two Juſtices of Peace may ſearch Houſe for Popiſh Reliques.	§. 26.
Armour, Gunpowder, and Munition in their Houſes, to be ſeized.	§. 27.
Refuſal to declare what Armour, *&c.* Recuſant hath, to forſeit that, and be Impriſoned.	§. 28.
Notwithſtanding Seizure, Recuſant chargeable to maintain, *&c.*	§. 29.
Not to abridge Eccleſiaſtical Cenſures.	§. 30.
Married Woman not taking Sacrament in three months of convict of abſence from Church, Impriſon, unleſs Husband pay Ten pounds a Month.	**Sacrament,** 7 *Jac.* 1. *c.* 6. §. 28.
Subject going or ſending Child beyond Sea, to be Educated in *Popiſh* Religion, diſabled to ſue, to be Guardian, Executor, or Adminiſtrator, Legatee, Officer, and forfeit Lands, *&c.*	**Popiſh Education,** 3 *Car.* 1. *c.* 2.
Perſons Conforming in ſix Months after return, diſcharged.	§. 2.
Offences determined by Juſtices of *B. R.* of Aſſize, and Oyer and Terminer, *&c.*	§. 3.
Perſon or Child Conforming, on return, diſcharged, during time of ſuch Conformity.	§. 4.
Parents may deviſe cuſtody of Child to any but *Popiſh* Recuſant.	**Ward deviſe,** 12 *Car.* 2. *c.* 24. §. 8.
Saying the King is an Heretick, or a *Papiſt*, &c. diſable Offices.	**King,** 13 *Car.* 2. *c.* 1. §. 2.
All Officers to receive the Sacrament, and take Oath of Allegiance and Supremacy in Chancery, *B. R.* or Seſſions.	**Sacrament, Oath of Allegiance,** &c. 25 *Car.* 2. *c.* 2.
Refuſal, *ipſo facto*, incapable of publick Truſt.	§. 4.
Executing Office after refuſal, diſabled to ſue, and forſeit Five hundred pounds.	§. 5.
Educating Child *Popiſh* by Parent that is not ſo, diſables both.	§. 8.
Swearer to ſubſcribe Declaration againſt *Tranſubſtantiation.*	§. 9.
Peers and Members of Parliament diſable to ſit until taking of Oaths of Allegiance and Supremacy, and declaring againſt *Tranſubſtantiation*, and the Idolatry of *Rome*.	**Oaths of Allegiance,** &c. 30 *Car.* 2. *Stat.* 2. *pag.* 1509.

Sending for and tendring Papiſts Declaration, 1 *W & M. Seſſ.* 1. *Cap.* 9. § 2. Refuſal.	Mayor of *L.* Juſtices of Peace for *L. W. S. M. S. K.* and *S.* to ſend for reputed Papiſts (except Merchants, Foreigners, *&c.*) and tender them Declaration in 30 *Car.* 2 *Cap.* 1. and if after refuſal they continue in the ſaid Cities or Ten miles thereof, to ſuffer as Popiſh Recuſants Convict.
Juſtice to certifie Subſcriptions, and Refuſal, § 3. Refuſer, Neglecting after.	Juſtices of Peace to certifie Subſcriptions and Refuſals into Kings Bench, or at Quarter Seſſions; and refuſer next Term, or Seſſions, not Subſcribing Declaration and Indorſing Certificate, to be a Popiſh Recuſant Convict.
Tredeſmen, Inhabitants, § 4.	Not to extend to Tradeſmen, nor Inhabitants, if before firſt *Auguſt*, 1689. they certifie their Names, *&c.* at the Seſſions. Fee for Entry, Two pence.
Exception, § 5.	Not to effect Foreigners, Menial Servants of Publick Agents.
Queen Dowagers Servants, § 6.	Except Queen Dowagers Servants, not exceeding Thirty, not Jeſuit, Prieſt, Monk, or Fryer.
Tendring Oath, *c.* 15. § 2. Refuſal.	Juſtices of Peace to tender ſuſpected Papiſts, Declaration in 30 *Car.* 2. *Cap.* 1. and for Refuſal to Subſcribe, or Appear, to be liable to Penalties, *&c.* herein mentioned.
Certifying Refuſers and Subſcribers, § 3.	Juſtices to certifie Names, *&c.* of Refuſers, and Subſcribers at next quarter Seſſions, to be recorded.
Arms, § 4.	Papiſt refuſing, or making default, not to have Arms, *&c.* (other then by allowance of Quarter Seſſions) and Juſtices may cauſe Search in day time for Arms in Papiſts houſes, *&c.* and Seize them.
Not diſcovering Arms, &c. diſturbing Search, &c. § 5.	Penalty on Papiſts (after refuſal, and default) not diſcovering and delivering up their Arms, or diſturbing Search, or Seizure thereof.
Concealing, Arms, &c. diſturbing ſearch, &c. § 6.	Penalty on Concealers of ſuch Arms, *&c.* and diſturbers of Search, *&c.*
Diſcovery, § 7.	Reward to diſcoverers of concealed Arms, ſo as the ſame may be ſeized.
Submitting, § 8.	Refuſers and Defaulters ſubmitting, and ſubſcribing Declaration, and taking Oaths diſcharged Forfeitures, *&c.*
Forfeiting Horſes, ſearch, &c. for Horſe, § 9.	Refuſers and Defaulters after 15 *May*, 1689. to forfeit Horſes worth above Five pound, and Juſtices may cauſe Search and Seizure.
Concealing Horſe, § 10.	Penalty in Concealers of Horſes after 15 *May*.
Juſtices of Eſſex to have powers in cap. 9. *c.* 17.	*Suſſex* incerted for *Eſſex* in *Cap.* 9. and Authorities to Juſtices of *S.* to extend to thoſe of *E.*
Toleration of Religion, *Cap.* 18.	Toleration of Religion, but Papiſts, Popiſh recuſants, and denyers of Trinity excepted. *Vide* Title Religion.
Party diſabled to Preſent, &c. *Cap.* 26. § 2.	Perſon refuſing Declaration or to appear, *&c.* diſabled to make Preſentation, *&c.* or grant avoidance of any Eccleſiaſtical Living, *&c.* and the ſame veſted in the two Univerſities.
Truſtees diſabled, penalty on Truſtee, § 3.	Truſtees for Papiſts or Popiſh recuſant diſabled to Preſent, *&c.* or to grant Avoidance, and the Preſentations, *&c.* veſted in the two Univerſities, and penalty on Truſtees, *&c.* Preſenting, *&c.* without notice to the Vice-Chancellor, *&c.*
Univerſity who not to Preſent, § 5.	Univerſities not to Preſent a perſon Beneficed.
Preſentee to be Reſident, § 6.	If Preſentee be abſent above Sixty days in one year, the Benefice to be void.
Crown, *Seſſ.* 2. *Cap.* 2.	Papiſt, or perſon Marrying Papiſt incapable of the Crown.

Poſtage and Letters, ſee *Ways.*
Poſt Diſſeiſin, ſee *Diſſeizor.*
Powl-Davy, ſee *Drapery.*
Preachers, ſee *Religion.*
Præmunire, ſee *Pope.*

Prerogative.

King, Patents, Crown, Queen, Honours, Roy, Grants.

Church, 9 *Hen.* 3. *c.* 1. *Magna Chart.*	Grant for the King and his Heirs, that the Church of *England* ſhall be free, and have all her own Rights inviolable.
Liberties, 9 *Hen.* 3. *c.* 1.	All the Liberties under-written, grant by the King for him and his Heirs, to all the Freemen of the Realm and their Heirs.
Relief, *Cap.* 2.	The King ſhall have relief of every Heir of full Age at death of Anceſtor, of an Earl One hundred pounds, of a Baron One hundred marks, of a Knight Five pounds, and if leſs, leſs as accuſtomed.
Cuſtody of Abbe, &c. *Cap.* 5.	He will not ſell Cuſtody of Abbe, Archbiſhop, Biſhop, Prior, Church, or Dignity, vacant.
Widow, *Cap.* 7.	His Widow of Ward ſhall find Surety not to Marry without Aſſent.
Debtor, *Cap.* 8.	He ſhall not take Lands where his Debter hath ſufficient Goods, not Pledge while the Principal is able.

Common Pleas ſhall be hold in a place certain, and not follow the King.	Common Pleas, *c.* 11.
In the Kings abſence out of the Realm, his Chief Juſtices may ſend Juſtices to take Aſſizes of *Novel Diſſeiſin*, and *Mortdanceſter* in their proper Counties.	Chief Juſtices, *c.* 12.
All Villains but the Kings ſhall be amerced proportionable to the Offence, ſaving his Wainage.	Villains, *Cap.* 14.
Bailiff in view and Teſtimony of lawful men, may after death of the Kings Debter ſhewing Patent of Summons, Attach and Enroll Goods and Chattels, ſo that nothing be taken away till Debt paid.	Debter, *Cap.* 18.
The King will hold Lands of Felon convict but a year and a day, and then deliver them to Lord of the Fee.	Felon Convict, *Cap.* 22.
Precipe in *Capite* ſhall not be Award of Freehold, whereby Freeman loſe his Court.	Precipe in Capite, *c.* 24.
The King ſhall not have Ward for Fee-farm, Soccage, or Burgage, that holds of another by Knights Service, nor unleſs he hold by Knight-ſervice of us, not for pety Serjeanty-ſervice, to pay Knife, Arrow-head, *&c.*	Ward, *Cap.* 27.
No Freeman ſhall be Condemned, Impriſoned, Diſſeized, Utlawed, Exiled, or otherwiſe deſtroyed, nor will the King paſs on him, nor Condemn him but by lawful judgment of his Peers, or by the Law of the Land, nor will he ſell, deny, or deſer Juſtice to any.	Judgment, *Cap.* 29.
Tenants of Barony, or Honour Eſcheat, ſhall pay no other Relief or Service to the King, then to the Lord of the Fee, unleſs the Lord held of the King in chief.	Relief, *Cap.* 31.
The Archbiſhop, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other Subjects, gave a Fiſteenth of all their Moveables to the King for Grant of their Liberties.	Fifteenth given, *Cap.* 37.
All Wood, unleſs on the Kings Demean, ſhall be diſafforeſt.	Forest, 9 *H.* 3. *St.* 2. *c.* 3. *Ch. de Foreſta.*
Purpreſtures, Waſte, and Aſſart, ſhall not be done in Woods on the Kings demean, without Licence.	Purpreſtures, *Cap.* 4.
The Lords prayed to have Impriſonment of Treſpaſſes in their Parks, *&c.* which the King denied, thereſore it was deferred.	Treſpaſs in Parks, 20 *H.* 3. *c.* 11. *Merton*
He ſhall not ſell diſtreſs in fiſteen days, nor take Beaſts of Plow, but until other Chattels be found.	Diſtreſs, 51 *H.* 3. *p.* 1 *Diſtric. Scac.*
Treaſurer and Barons ſworn to hold no Common Pleas while the Kings buſineſs is in hand, but for the Kings Debt, and his account begun, nothing to intervene.	Exchequer, 51 *H.* 3. *p.* 11. § 7. *De Scaccari*
Sheriff ſhall Let his demean by Council of Surveyors, to whom the Farmer ſhall anſwer, and the Surveyor to the King.	Sheriff, § 5.
All perſons of high and low Eſtate, ſhall ſubmit to the Award of the Kings Court, and take no diſtreſs without for private Injury, on pain of Fine to the King, and Damage to party.	Kings Court, 52 *H.* 3. *Cap.* 1. *Marlbr.*
Writs againſt Offenders of *Magna Charta* or *Charta de Foreſta* ſhall be before the King, the Juſtices of the Bench, or in Eyre.	Writs, *Cap.* 5.
None but our Lord the King ſhall hold Plea of Falſe Judgment in any Courts of his Tenants.	Falſe judgment, *c.* 20.
The Kings Officer, Sheriff without, and Bailiff within Liberty, ſhall make Delivery of Diſtreſſes.	Diſtreſs, *Cap.* 21.
None may Diſtrain Freeholder to Anſwer for their Freeholds, nor to Swear againſt their Wills, but by the Kings Writ.	Diſtreſs, *Cap.* 22.
The King will Indict ſuch as Lodge or take Goods of Religious Men without leave, if they ſue not.	Religious, 3 *Ed.* 1 *c.* 1 *W.* 1.
The King will do Right in *Wales* where his Writ runs not, (if they refuſe to deliver Diſtreſs) as Sovereign Lord of all.	Wales, *Cap.* 17.
Without his Special Licence his Clerks ſhall not receive any Preſentation to Church while in Debate in the Kings Court.	Clerk, *Cap.* 28.
The King *Ex Officio*, ſhall grant Attaints on falſe Oath of Enqueſt, in Matters touching Freehold.	Attaint, *Cap.* 38.
The Rights of the Crown ſued in all Points, without prejudice in the Ordinance, to the Honour of God, the Commonwealth, and Remedy of party grieved.	Crown Rights ſave *Cap.* 50.
Aid ſhall be granted of the King on his Feoffment with Warranty, and Juſtices ſhall not proceed till the Kings Command.	Aid, 4 *Edw.* 1. *Cap.* *De Bigamis.*
On Warranty, Grant, Surrender, or Confirmation of Deed to uſe of another, Aid ſhall be granted to the King.	*Cap.* 2.
Aid ſhall not be to Grantee of Ward of the King in Dower.	*Cap.* 3.
The King may reſeize Uſurpations in Franchiſes, or elſewhere, living the Uſurpers.	Reſeizure of Uſurp tions, *Cap* 4.
The Prelates, Earls, Barons, and Commonalty tell the King, that to his part it belongs as Sovereign Lord,	Peace, 7 *Edw.* 1. *p.*

	Lord, to defend the Peace of all Parliaments, Treaties and Aſſemblies, againſt Force and Armour.
rtmain, 7 *Edw.* 1. *g.* 33. *Of Mortm.*	If the Lords of the Fee do not Enter, the King may after the year of purchaſe by any Religious perſon, or other in *Mortmain*.
t Cape, 9 *Edw.* 1. *g.* 33. §. 2.	The King ſent a Writ to the Juſtices at *weſtminſter*, to obſerve the Stat. albeit in all things it did not accord with 6 *Edw.* 2. *Cap.* 12. at *Glouceſter*, but that on default before Juſtices, the Lands in *London* ſhould be Seized by Pety Cape Return at Huſtings.
e Cum bonis, *Edw.* 1. *c.* 34. *W.* 2.	The King ſhall have the Suit of taking away a Feme *Cum bonis viri*.
p Lands, *c.* 41.	The King may Seize Lands of Abbe, Hoſpital, *&c.* of his Foundation, If Aliened, and other Lords have *Contra form. Collat*.
pitallers, &c. *c.* 43.	If Hoſpitallers and Templars, or their Keepers, draw Men before them in Suit for Matters belonging to the Kings Court, Superiour ſhall anſwer Damages and other puniſhment.
s, &c. 25 *Edw.* 1. *ap.* 6.	Aids, Taſks, nor Prices, ſhall not be taken for his Wars, but by common Aſſent in Parliament.
t on Wooll, *c.* 7.	No Male-tent or Toll of Fourty ſhillings a Sack of Wooll, but by common Aſſent and Good-will, ſaving the Cuſtoms of Wooll, Skins, Leather.
ancerp and Kings Bench, 28 *Edw.* 1. 5. *Artic. ſuper Chart.*	The Chancellor and Juſtices of *Banc. Reg.* ſhall follow the King.
intenance, *c.* 11.	Any that will, ſhall be received to ſue for the King againſt Maintainer.
treſs, *c.* 12.	Beaſts of Plow ſhall not be Diſtrained for his Debt, others be, nor too far driven, and Releaſe on Security to pay by day limit to the Sheriff.
ues reſtored, *c.* 19.	Where his hands are removed, and Seizure by Eſcheator or Sheriff found to be without cauſe, the Iſſues of Land ſhall be reſtored.
ld, &c. *c.* 20.	Saved in the ordering of Gold and Silver-Smiths, Jewellers, Gravers, Seal-Cutters, *&c.*
eiſure, 29 *Edw.* 1. 71. *De Eſcheatoribus.*	If after the Kings Hands removed for Seizure without cauſe, any cauſe be found, a Reſeizure ſhall be as *Ab initio*.
allenge, 33 *Edw.* 1. *pag.* 69. *Ord. of Enq.*	Challenge that Enqueſt is not indifferent for the King, ſhall ſhew cauſe at diſcretion of Juſtices.
reſt, 31 *Edw.* 1. *pag.* 69, *Ord. Foreſt.*	On Eſcheat the Kings Demean Lands ſhall retain free Chaſe, and free Warren, but Purliewers ſhall not Common in Foreſt, unleſs made part of them, as they may.
s, &c. *Temp. Edw.* 1. *pag.* 71. *c.* 1.	He grants for his Heirs that no Tallage or Aid ſhall be Levied, but by Aſſent of Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other Freemen.
lerks, 9 *Edw.* 2. *c.* 8. *Artic. Cleri.*	Clerks employed in the Kings Services ſhall not be Correct by Ordinaries for Non-reſidence; ſuch things as be thought neceſſary for the King and Commonwealth, ought not to be ſaid prejudicial to the Liberty of the Church.
ze, 12 *Edw.* 2. *c.* 2. *York.*	Aſſize ſhall not be deferred for abſence of Witneſs in Franchiſe, where the Kings Original Writ lieth not.
ard, 17 *Edw.* 2. *c.* 1. *Prerogat. Reg.*	He ſhall be preferred in Wards for the ſame Service, except certain Fees where the Kings Writ runs not.
Cap. 2.	The King ſhall have Ward without regard to priority of Feoffment on Eſcheat, or becauſe of Ward.
Cap. 3.	He ſhall have *Primer-Seiſin* till the age of Heir be found by Enqueſt, and Homage done.
Cap. 4.	He ſhall Aſſign Dower though Heir be of full age, and on Marriage without Licence, Diſtrain, till ſatisfie at his own will, but takes no Iſſues, and the Fine is a years Value of Dower, and Women Tenants ſhall ſwear not to Marry without Licence.
omage, *c.* 5.	Every Coparcener ſhall do Homage to him, and hold dividedly of him.
ard, *c.* 6.	He ſhall keep Ward Married till *Annos nubiles*, and on diſſent, tender new one.
lienation, *Ibid.*	None may Alien without Licence, unleſs ſufficient be left to do Service, but of Members and Parcels.
Cap. 7.	Serjeanty Aliened without Licence, is Rate at Reaſonable Extent.
pſe, *c.* 8.	Lapſe ſhall not prejudice, ſo he Preſent in ſix Months after his recovery of Church.
eot, *c.* 9.	The King ſhall have Cuſtody of Ideots Lands, finding him Neceſſaries, and on Death render it to his Heir, to prevent Alienation.
natick, *c.* 10.	The King ſhall take nothing to his uſe of Lunaticks Land, but keep it, and maintain him and Family, and the reſt deliver to him when he recovers, or if he die, diſtribute for his Soul, to prevent Alienation.
reck, &c. *c.* 11.	He ſhall have Wreck, Whales, and Sturgeon, except in places priviledged by him.
iens Lands, *c.* 12.	He ſhall have the Lands of Aliens born, whoſe Anceſtors were not of his Allegiance of *England*.

Heir dying before paying Homage, gains no Freehold, nor his Wife ſhall not be Endowed.	**Homage**, *c.* 13.
He ſhall have Eſcheats of Freeholders of Biſhops in Vacation on Attainder of Felony, ſaving Prelates Services.	**Eſcheats**, *c.* 14.
Advowſons, Knights Fees, and Dowers, doth not paſs by his Grant of Mannor *Cum pertinentiis*.	**Grant Cum pertinentiis**, *Cap.* 15.
He ſhall have all the Goods of Felons and Fugitives Attaint, and the Year, Day, and Waſte of the Freehold.	**Forfeitures of Felons**, *Cap.* 16.
He ſhall not charge Archbiſhop, Biſhop, Abbe, Prior, *&c.* with Penſions, Prebends, Churches, or Corodies.	**Archbiſhop**, &c. 1 *Ed.* 3. *Cap.* 10.
Lands ſhall not be forfeited for Alienation without Licence, but Fine.	**Alienation**, *c.* 12.
Lands holden as of Honour, ſhall not be Seized on Alienation, but only ſuch as hold as of the Crown.	*Cap.* 13.
He ſhall pardon only where he may do it by his Oath, *viz.* on killing in his own defence, or by misfortune.	**Pardon**, 2 *Edw.* 3. *c.* 2. *Northampton.*
Becauſe on 13 *Edw.* 1. *Stat.* 2. *Cap.* 6. none hath ſeen Reports made to the King of Defaults in keeping the Peace, therefore the Juſtices Aſſign ſhall have power to puniſh the Diſobeyers and Reſiſters.	**Breakers of Peace**, 2 *Edw.* 3. *c.* 6.
Juſtices ſhall not leave to do Right for Commandment under the Great Seal, nor the Little Seal.	**Juſtices**, *c.* 8.
Proceſs on Treſpaſs in time of *Edw.* 2.	**Treſpaſs**, *c.* 13.
Charter, Uſage, Judgment, *&c.* againſt this Statute of Merchandize, void.	**Merchandize**, 9 *Edw.* 3. *Cap.* 1.
Exchanges ſhall be where it pleaſe Him and Council.	**Exchange**, 9 *Edw.* 3. *c.* 7.
He ſhall not pardon Murders, Robberies, or Felonies againſt the Statute at *Northampton*, 2 *Edw.* 3. *Cap.* 2.	**Pardon**, 10 *Edw.* 3. *c.* 2.
After four Writs of Search deliver Fourty days before the Return to the Treaſurer or Chamberlains, they who ſue for him ſhall be put to anſwer.	**Writs of Search**, 14 *Edw.* 3. *c.* 14.
Plenarty three years in a good Plea in a *Quare Impedit* brought in his Name, Seized in Right of Temporalties, or Enfant, and he ſhall not Preſent of time of Anceſtor.	**Plenarty**, 14 *Edw.* 3. *Stat.* 3. *c.* 2.
The Realm of *England* never was, nor ſhall be ſubject to the King, as King of *France*, nor to that Realm.	**Realm of England**, 14 *Edw.* 3. *pag.* 107.
All the Laws before made at a Parliament, 15 *Edw* 3. made void, becauſe the Kings conſent was not free, but diſſembled, for fear of Diſcord.	**Laws void**, 15 *Edw.* 3. *pag.* 108.
Hoblers, Archers, and Men at Arms, choſen to go out of *England*, ſhall be at the Kings pay till Return, and no Purveyance without Agreement.	**Archers**, &c. 15 *Edw.* 3. *Cap.* 7.
The King ſhall not Preſent, or make Title in anothers Right of the time of his Predeceſſor or Progenitor.	**Preſentation**, 25 *Edw.* 3. *Cap.* 1.
A Repeal of 14 *Edw.* 3. *Stat.* 3. *Cap.* 2. as to the three years Laches, and that it ſhall not prejudice the King to Preſent.	*Cap.* 2.
His Title ſhall be Examined when he Preſents in anothers Right, and if falſe, the true Patron Poſſeſſor ſhall have a Writ as needful.	*Cap.* 3.
All the Kings Children born beyond Sea, ſhall Inherit, *&c.*	**Children Inheritable**, 25 *Edw.* 3. *St.* 2. *p.* 113.
His Debter ſhall not be protected againſt Creditor that will undertake to pay his Debt.	**Debter**, 25 *Edw.* 3. *Stat.* 4. *c.* 19.
The King by his Oath is to Execute the Laws in force that are not Repealed.	**Oath**, 25 *Edw.* 3. *p.* 121. §. 3.
They that draw any out of the Realm, where the Cognizance pertains to the Kings Courts, or of things whereof Judgments are given in the Kings Court on Default, on two Months Warning, the Procurers, Attorneys, Executors, Notaries, and Maintainers ſhall be out of the Kings Protection, and Utlawed on Return of *Capias*.	**Temporal Juriſdiction**, 27 *Edw.* 3. *c.* 1. *Proviſors.*
The King nor his Heirs ſhall not grant Licence to Tranſport Goods *contra* to the Laws of the Staple.	**Staple**, 27 *Edw.* 3. *Stat.* 2. *c.* 7.
The Marches annext to the Crown of *England*, as always uſed, and not to the Principality of *wales*.	**Marches**, 28 *Edw.* 3. *Cap.* 2.
Commiſſion granted for a year to Survey the Kings Houſe, Courts, and Places of the Realm, Officers, Gifts, Revenue, Diſms, and Fees, and what prejudice to the Crown by Grants, *&c.*	**Surveyor of the Kings Houſe**, &c. 10 *R.* 2. *Cap.* 1.
Grant *Quouſque pro Statu ſuo aliter Duximus Ordinand.* void, by after accepting any thing of the Kings Gift.	**Grant**, 11 *R.* 2. *c.* 8.
Impoſition on Woolls, Leather, or Wooll-fells, other then by the Parliament, void, ſaving the Kings ancient Right.	**Tax**, *c.* 9.
Letters of Signet, nor Privy-Seal, ſhall not be ſent in prejudice of the Realm, or diſturbance of Law.	**Signet**, *c.* 10.
The Kings Preſentee to Church full ſhall not be received, if he be, muſt be Sued within a year.	**Preſentee**, 13 *R.* 2. *c.* 1.
Saving his Regality, his Pardon ſhall ſpecifie Murder, Treaſon, or Rape, and he that Sueth for it, if Archbiſhop or Duke, ſhall pay One Thouſand pounds, *&c.*	**Pardon**, 13 *R.* 2. *Stat.* 2. *Cap* 1.

Rome, *Cap.* 2.	He that makes ſuit to the King to ſend Letter, or in other manner to *Rome*, *contra* to the Stat. of Proviſors, ſhall pay the Value of his Poſſeſſions by the year.
Rome, 16 *R.* 2. *Cap.* 5.	The Crown of *England* which hath been ſo free at all times, that it hath been in no earthly ſubjection, but immediately ſubject to God in all things touching the Regality of the ſame, and to no other, would by Proceſs from *Rome* be ſubmitted to the Pope, and the Temporal Lords all reſolve to live and die in ſuppeſſing Attempts againſt the Crown.
Commiſſion of Survey 21 *R.* 2. *Cap.* 1. &c.	The Statute 10 *R.* 2. *Cap.* 1. and Commiſſion thereby given, are Repealed, becauſe made by Threats given to the King, and by Conſtraint.
Petition, 1 *Hen.* 4. *c.* 6.	Petitions ſhall make expreſs mention of the Value of what is demanded, and what hath been already received, elſe repeal for Fraud.
2 *Hen.* 4. *Cap.* 2.	An Expoſition of 1 *H.* 4. *Cap.* 6. Expired.
Grant, 4 *H.* 4. *Cap.* 4.	The King will grant no Land but to ſuch as deſerve it, and if any demand without, he ſhall be puniſht.
Tythes, 5 *H.* 4. *c.* 11.	Farmers of Aliens Land ſhall pay Tythes, though ſeized into the Kings hands.
Petition, 6 *Hen.* 4. *c.* 2.	The Statute of Petitions to the King for Lands 1 *H.* 4. *Cap.* 6. ſhall not extend to the Queen, or Prince.
Deſcent of Crown, 7 *Hen.* 4. *Cap.* 2.	The inheritance of the Crown of *England* and *France* Entailed to the Kings four Sons, and the Heirs of their bodies ſucceſſively.
Proviſion, 7 *H.* 4. *Cap.* 8.	His Licence or Pardon ſhall not avail to make plenarty by proviſion from *Rome*.
Annuities, *Cap.* 16.	Annuities of Elder date grant by him, ſhall be firſt ſatisfied.
Forfeitures, 2 *H.* 5. *c.* 5.	The Kings Forfeitures of Murderers, Traytors, *&c.* ſaved as belong to the Right of his Crown.
Proviſion, 3 *H.* 5. *St.* 2. *c.* 4.	All Licences and Pardons of Proviſions, void.
Parliament Writ, 8 *H.* 5. *Cap.* 1.	Parliament Writs award in Name of the Kings Lieutenant, ſhall not be ſtayed by the Kings return to *England*.
Sheriff, 9 *Hen.* 5. *Cap.* 5.	For four years the King notwithſtanding 14 *Edw.* 3. *Cap.* 7. may aſſign Sheriffs to continue above a year.
Retainers, 1 *Hen.* 6. *c.* 5.	An allowance to the Kings retainers out of the Gains of the War, the Jewels of *Hen.* 5. to be redeemed, or forfeited, except thoſe of the Crown.
Corn, 4 *Hen.* 6. *Cap.* 5.	May reſtrain Tranſportation of Corn when he thinks fit.
Indictment, 6 *H.* 6. *c.* 1.	The Statute of *Capias* on Indictments to continue as long as pleaſe the King.
Aſſault of Peer, &c. 11 *H.* 6. *Cap.* 11.	Double Damages, Fine, and Ranſom on Aſſault of Lord Spiritual or Temporal, Knight, Citizen, or Burgeſſes, coming to or attending the Parliament, or other Council of the King by his command.
Wooll, 14 *H.* 6. *Cap.* 2.	The King may modifie the Statute of Tranſporting Wooll to *Calice*.
Butter, &c. 18 *Hen.* 6. *Cap.* 3.	He may reſtrain the Tranſporting Butter and Cheeſe.
Cap. 6.	His Grant before his Title found by Record or Farm before a Month after Office return, to any but Traverſer, is void.
Indictment, *Cap.* 12.	The Statutes 9 *Hen.* 5. *Cap.* 1. Continue to the next Parliament after the Kings return, being doubt if expired *Per Demiſe le Roy*, is made perpetual.
Sheriff, 23 *H.* 6. *Cap.* 8.	Pardon of Forfeiture by being Sheriff above a year, void, and ſo of Grant for longer time, with *Non obſtante* of the Statute.
Purveyor, *Cap.* 14.	He ſhall allow no Protection to Purveyor taking *contra* to Commiſſion.
Officers Fees, 31 *Hen.* 6. *Cap.* 7.	Fees, Wages, and Rewards due to the Kings Officers, ſhall not be contained in Act of Reſumption, 28 *H.* 6. *Cap.* 1.
1 *Edw.* 4. *Cap.* 1.	Fines and all Judicial Acts other then of Parliament in time of *Hen.* 4. *Hen.* 5. and *Hen.* 6. as effectual, as if by lawful Kings.
Acts, &c. of *H.* 4. *H.* 5. *H.* 6. **good**, § 2.	Patents of Enobling and Erection with Annuities for maintenance of their Eſtates made by *Hen.* 4. *Hen.* 5. and *Hen.* 6. good.
§ 3.	Liberties, Priviledges, Franchiſes, Powers, Juriſdictions, Profits, Immunities, Corporations, Munitions, Enlargements, Annexions, Unions, Severances, all Pardons, Grants, Licences, Leaſes, *&c.* not Repealed, good for the Poverty and charge of Cities, *&c.*
§ 4.	All Licences, Gifts and Grants, by *Hen.* 4. *Hen.* 5. or *Hen.* 6. pretenſed Kings, to Give, Grant, Alien, Purchaſe, or Receive, all Pardons, Appropriations, Erections by Parliament for Alms, good.
§ 5.	Aſſignments and Grants of Dower by pretenſed Kings, good.
§ 6.	No prejudice to any Lands, *&c.* in right of the Crown.

Patents by pretenſed Kings (on Gift to them) to Amortize, good.	§ 7.
Not to prejudice Lands given to *Hen.* 4. *Hen.* 5. and *Hen.* 6. in exchange or recompence.	§ 8.
All preſentations by pretenſed Kings, good for life of Encumbent or Occupier.	§ 9.
The Kings enemies, nor perſons Attaint, not availed.	§ 10.
Grants of Wards by *Hen.* 4. *Hen.* 5. or *Hen.* 6. good.	§ 11.
Grants of Fairs, or Markets, good.	§ 12.
Liveries as if ſued in time of rightful King, unleſs in right of Crown.	§ 13.
Not to prejudice right of Attainder, or late Grants by *Edw.* 4.	§ 14.
Not to prejudice Wards of Marriage accrue by Attainder in this Parliament.	§ 15.
Not to prejudice Grants of Fees, Annuities, *&c.* by *Ed.* 4. ſince 4. *March* laſt, nor Grants of Offices of Juſtices, nor Truſts to *H.* 4. *H.* 5. or *H.* 6. to re-infeoff, nor Commiſſions of Peace, Gaol-delivery, Sewers.	§ 16.
Acts of Parliament by *Hen.* 4. *Hen.* 5. or *Hen.* 6. for quiet of *Shewsbury*, good.	§ 17.
Grant to Abbe of *Byland* by *Hen.* 6. under Seal of Dutchy of *Lancaſter*, to be as effectual, as 1 *March* laſt before this Parliament, which was 4. *November.*	§ 18.
Licences and Grants to Abbots and Priors to be Elective where they were Donatives, good.	§ 19.
All Records and Recognizances in time of *Hen.* 4. *Hen.* 5. or *H.* 6. good.	§ 20.
Licences and Grants to make Parks, Warren, Chaſe, Caſtles, Fortreſs, *&c.* good.	§ 21.
Not to prejudice *Cicely* the Kings Mothers Grant, before the firſt day of this Parliament.	§ 22.
Nothing to extend to Lands, *&c.* of perſons hereby attaint.	§ 23.
No perſon attaint, or with the Kings enemies to have benefit.	§ 24.
Grants, releaſe, confirmation, and reſtitution after 4. *March*, to ſuch as had right, ſhall be only of ſuch force, as before the beginning of the Parliament 1 *Edw.* 4.	**Grants after** 4 March, 7 *Edw.* 4. *Cap.* 6.
Perſons having right may diſtrain in Lands of perſons Attaint in any other hands but the Kings.	*Cap.* 5.
Lands of which the King is Seized to uſe of Feoffors ſhall be in Co-Feoffors.	**Uſe**, 1 *Rich.* 3. *Cap.* 5.
A Reſumption of all the Grants and Eſtates made to *Elizabeth Grey* Queen of *England*.	**Reſumption**, *Cap.* 15.
Indictment ſhall not ſtay a year and day for Appeal, but proceſs and tryal ſhall be preſently.	**Indictment**, 3 *H.* 7. *c.* 1.
None ſhall be attaint of Treaſon, or other Offence for Allegiance to the King and Sovereign Lord of the Land, ſerving in Wars, *&c.*	**Treaſon**, 11 *H.* 7 *Cap.* 1.
They who Attend not the King in his Wars, ſhall forfeit Fees, Annuities, and Gifts, *&c.* had by him, except the Juſtices, *&c.* Officers in *Berwick*.	**Non attendance in War**, *Cap.* 18.
All Patents of ſuch as Attend not the King to repreſs his enemies, *&c.* at home or abroad, and be at his Wages, on Proclamation to be void.	19 *Hen.* 7. *Cap.* 1.
By-laws of Corporation ſhall not be in diminution of it, as that none ſhall ſue to the King, *&c.* but to be approved by the Chancellor, Treaſurer, Chief Juſtice, and Juſtices, *&c.* any three.	**By-laws**, *Cap.* 7.
The King, nor any other ſhall take advantage of the penalties in 1 *R.* 3. *Cap.* 8. before next Parliament.	**Cloth**, 1 *Hen.* 8. *Cap.* 2.
All Acquittances by *Heron* Receiver-General, ſhall be a diſcharge to them, and *Heron* ſtand Charged to them Intereſt in the Receits.	**Acquittance by Heron**, *Cap.* 3.
He ſhall ſue on penal Laws in three years after the Offence.	**Penal Laws**, *Cap.* 4.
The Kings Pardon of undue returns of Pannels, no Bar to the party, *&c.*	**Pardon**, 3 *Hen.* 8. *c.* 12.
If later Patent do not recite former, and that its determined, its void.	**Patent void**, 6 *Hen.* 8. *Cap.* 15.
Engliſh that with Family paſs beyond Sea, and are Sworn to Foreign Princes, ſhall pay Cuſtoms as Aliens.	**Alien**, 14 *&* 15 *Hen.* 8. *Cap.* 4.
Where Plaintiff is but Nominal on Obligation or Contract to the Kings uſe, he ſhall pay no Coſts.	**Obligation**, 24 *Hen.* 8. *Cap.* 8.
The Realm of *England* is Imperial, and the King the Head ſufficient and able to determine Matters Divine by Spirituality, and of Property by Temporality of his body.	**Supremacy**, *Cap.* 12.
The Kings Confirmation and Aſſent to *H.* 8 by Patent enroll in Parliament.	**Firſt Fruits**, 25 *Hen.* 8. *Cap.* 20. § 2.
The King nor no other ſhall not ſue to *Rome* for Licence, Diſpenſation, *&c.* but Archbiſhop ſhall have power to grant, *&c.*	Rome, *Cap.* 21. § 3.
The King and Councel may redreſs and reform Indulgence, *&c.* had from *Rome*.	§ 27.

The

Crown Intayl'd, *c.* 22.	The Imperial Crown not to be diſpoſed of by the Pope.
§. 2.	The Kings Marriage with Queen *Ann* legal.
§. 8.	The Crown Entail'd upon *H.* 8. and Queen *Ann*, Remainder to Heirs Male of *H.* 8. Remainder to Queen *Elizabeth* and Females.
Supremacy, 26 *H.* 8. *Cap.* 1.	The King is Supreme Head of the Church of *England.*
Firſt-fruits, *Cap.* 3. §. 2.	The King ſhall have Firſt-fruits of all Spiritual Promotions for a year.
Tranſport, *Cap.* 10.	The King during life may by Proclamation Repeal or Revive 23 *H.* 8. 7. and all Statutes ſince 21 *H.* 8. of Tranſport and Import.
Treaſon, 26 *H.* 8. *c.* 13.	To ſay the King is an Heretick, Treaſon.
Suffragan, *Cap.* 13. §. 3.	Suffragan-Biſhop on Preſentation of the King by Patent to Archbiſhop or Biſhop, ſhall be Conſecrated in uſual manner.
Firſt-fruits, *Cap.* 17.	Farmer of Parſonage, Vicarage, Tythes, *&c.* ſhall pay no Firſt-fruits to the King, but the Leſſor, notwithſtanding Covenant, *contra.*
Grants by Signet, &c. 27 *H.* 8. *c.* 11. §. 11.	Grants under Signet, Privy or Great Seal, Entred *per* A. *Ad Mandatum Domini Regis*, pay no Fees.
Canons, *Cap.* 15.	The King may Nominate Thirty two, *viz.* ſixteen Spiritual, and ſixteen Temporal, to Examine Canons made, and none to be made without Royal Aſſent, nor *contra* to Prerogative, or the Laws.
Pardon, *Cap.* 24.	None ſhall have power to pardon Treaſon, Murder, or any kind of Felony, or Utlary thereof, but to be united and knit to the Imperial Crown.
Juſtices of Eyre, &c. §. 2.	Juſtices of Eyre, of Aſſize, of the Peace, of Goal-delivery, and all ſuch Officers and Miniſters, ſhall be by Patent under the Great Seal, by Authority of the King and his Heirs, and none other.
Proceſs, §. 3.	All Original Writs and Proceſs in Treaſon, Felony, or Treſpaſs, ſhall be in the Kings Name, but *Teſte* by him that hath County Palatine.
Writs and Indictments, §. 4.	Offences ſhall be in Writs and Indictments againſt the Kings Peace only, and no others.
Juſtices of Aſſize in Lancaſter, §. 5.	Juſtices of Aſſize, Goal-delivery, and the Peace in *Lancaſter*, ſhall be by Commiſſion under the Seal of *Lancaſter.*
Juſtices of Peace, &c. §. 6.	Cities, Boroughs, and Towns Corporated, to enjoy power to make Juſtices of Peace, or of Goal-delivery, as accuſtomed.
Juſtices of Aſſize, &c. §. 7.	All Stewards, Bailiffs, and other Miniſters of Franchiſe, to attend Juſtices of Aſſize, Goal-delivery, and of the Peace in the County, and execute Proceſs.
§. 8.	Not to prejudice ſuch as are exempted from Attendance.
Forfeitures, §. 9.	The King to have all Forfeitures and Amerciaments of Officers of Liberties for Laches, Misfeſans, or inſufficient Return.
Purveyors, §. 10.	Purveyors by the Kings Commiſſion may provide within Liberties, or without.
Court of Verge, §. 12.	Within the Verge wherever the King Repoſes, his Steward, Marſhal, Coroner, and Clerk of the Market ſhall have Juriſdiction.
§. 13.	Not to prejudice the City of *London.*
§. 17.	None ſhall be compelled to appear before Juſtices of Liberty, where the Kings Juſtices are not to appear out of Liberty, *&c.*
§. 18.	Not to prejudice the Juſtice of *Cheſter*, or his Deputy, as to any Office there.
§. 19.	Not to prejudice City, Borough, or Corporation of Liberties, Fines, Forfeits, Amerciaments, *&c.*
§. 20.	Biſhop of *Ely* and his Steward to be Juſtice of Peace.
§. 21.	Biſhop of *Durham* and his Chancellor to be Juſtice of Peace.
§. 22.	Archbiſhop of *York* and his Chamberlain to be Juſtice of Peace.
Abbeys above 200 l. per annum given the King, *Cap.* 27.	All Abbeys, Priories, Monaſteries of Monks, Canons, and Nuns, *&c.* not above Two hundred pounds *per annum*, given and confirmed to the King.
§. 2.	The King to have all the Ornaments, Jewels, Debts, Chattels, *&c.* of ſuch Houſes, in whoſe hands ſoever.
§. 4.	The Court of Augmentations of the Revenues of the Crown, to be a Court of Record.
§. 5.	Chancellor to have Great and Privy Seal of the Court.
§. 6.	Treaſurer to be the ſecond Officer.
§. 7.	The Kings Attorney the third Officer.
§. 8.	The Kings Sollicitor the fourth Officer.
§. 9.	Ten Auditors of the Revenue.
§. 10.	Seventeen Receivers.
§. 11.	A Clerk of the Court, Uſher, Meſſenger, with the ſame Fees as in Dutchy.
§. 12.	The Oath of the Chancellor.
§. 13.	The Oath of the Treaſurer.
§. 14.	The Oath of the Attorney and Sollicitor.
§. 15.	Of the Auditors. §. 16. Of the Receivers. §. 17. Of the Clerk.

All Houſes diſſolved and come, or that ſhall come by this Statute, *&c.* to be in the Survey and Governance of the ſaid Court, except ſuch as the King under Great Seal preſerves.	§. 18.
All Lands of the Kings Purchaſe to be in the Order and Survey of that Court.	§. 19.
All the Patents to be made by the Clerk, Signed by him, and Sealed with the Seal of the Court, and ſo good without Attornment, Chancellor by Sign Manual to make Warrant, and ſuch Fees as in the Dutchy.	§. 20.
Chancellor, Treaſurer, Attorney, and Sollicitor, or two of them, may ſell Wood or Leaſe in the Kings Name, under the Great Seal, with Reſervation to the King.	§. 21.
Clerk to Enroll all Gifts, Leaſes, *&c.* and the day of Surrender, *&c.* and Enter all Decrees.	§. 22.
Reſervation to be of Tenure in *Capite*, and Tenth part of Value in Rent, and no Averment for the King that Lands be of greater Value.	§. 23.
Chancellor may take Recognizance of Receivers, and Sureties of Farmers, Bailiffs, Reeve, *&c.* and Accomptants.	§. 24.
Chancellor may Award Writs of *Sci. fac.* in ſuch Recognizance and Execution as in Chancery, and direct Iſſues to be Tried at Law, and Execution in *B. R. &c.* and delivered over to Treaſurer, *&c.*	§. 25.
Chancellor to Award in the Kings Name ſuch Proceſs as in Dutchy.	§. 26.
Attorney and Sollicitor to Attend and ſee ſpeedy effects of Proceſs.	§. 27.
Concealers of Revenue to forfeit double Value.	§. 28.
Auditors and Receivers to Attend and Levy to the Kings uſe all Farms, Iſſues, *&c.* to ſurvey Repairs and Woods, and Certifie.	§. 29.
Every Receiver to pay and account to Treaſurer, and his Acquittance a Diſcharge.	§. 30.
Treaſurer to account before Chancellor and two Auditors yearly.	§. 31.
Any two of Chancellor, Treaſurer, Attorney, and Sollicitor, to ſet out to each Receiver, his Receits and Proportion.	§. 32.
Auditors and Receivers on Warning by Chancellor ſhall Aſſemble.	§. 33.
Accounts to be Ingroſs in Parchment.	§. 34.
Fees of Auditors, *&c.* to be as in Dutchy.	§. 35.
Buildings to be by Order of Chancellor, by conſent of Treaſurer, Attorney, and Sollicitor, or two Treaſurers to be allowed Fee on payment to Patentee.	§. 36.
Proceſs of Exchequer void as to Lands in Survey of this Court.	§. 37.
Chancellor and Treaſurer yearly to declare the true Value of all.	§. 38.
All Lands within Dutchy of *Lancaſter* to be in Juriſdiction of that Court of the Dutchy.	§. 39.
The King ſhall have all Abbeys, Monaſteries, Priories, *&c.* that are not above Two hundred pounds *per annum*, in Fee at his will and pleaſure.	Abbeys under 200 l. per annum, *Cap.* 28.
Patentee to enjoy according to purport of Patent, and to have Action, Entries, *&c.* as Priors, *&c.* had.	§. 2.
Saving to Strangers, not Abbe, *&c.* Governour, or Founder, all ſuch Profits, as if the ſame had not been ſuppreſt.	§. 3.
All fraudulent Deed and Recoveries by Abbe, *&c.* to be void; Leſſees under old Rent to enjoy Leaſes, *&c.*	§. 4.
All Ornaments, Goods, Chattels, *&c.* given to the King.	§. 5.
The King to be in actual poſſeſſion of ſuch as appear by Certificate in the Exchequer, not to be above Two hundred pounds *per annum.*	§. 6.
Not to prejudice Abbe, *&c.* above Two hundred pounds *per annum*, for Cells Dative, *&c.*	§. 7.
Founder to have all Common Fees, Annuities, Leaſes, *&c.* as before.	§. 8.
Patentee to Plow and Occupy as much as uſual within Twenty years for Houſe-keeping.	§. 9.
Not keeping Husbandry, to forfeit Six pounds thirteen ſhillings four pence a Month.	§. 10.
Juſtice of Peace to have power to determine Offence.	§. 11.
For three years the King may allot new Towns and Shires in *Wales.*	Wales, 28 *Hen.* 8. *c.* 3.
A Repeal of 25 *H.* 8. *Cap.* 22. and of 26 *H.* 8. *Cap.* 2. as to the Kings Marriage with Queen *Katherine*, and *Ann Bullein.*	Crown Reſettled, *Cap.* 7.
The Crown Entail'd on Heirs by *Jane Seymour.*	§. 19.
The King by Patent, or his laſt Will, may appoint and name his Succeſſor.	§. 22.
Treaſon to uſurp the Government in another manner then limit by this Statute.	§. 24.

§. 27.	Iſſue within eighteen at death of *H.* 8. or ſixteen, ſhall be kept by ſuch as the King appoints.
§. 28.	The Oath of Obedience to maintain this Act, *&c.*
§. 41.	The King may diſpoſe by Patent or laſt Will, any Honours, *&c.* to any of his Blood.
Limits of Palace, *c.* 12.	The Limits of the Palace of *Weſtminſter*, to be from *Charing-Croſs* to *Weſtminſter-Hall*, and the ſame Priviledge as of old.
Nonage, *c.* 17.	Any Inheritable from *H.* 8. to the Crown, may after twenty four years old Repeal Stat. made during Nonage.
Hampton-Court, 31 *H.*8. *Cap.* 5.	The King ſhall have Chaſe and Warren in *Hampton-Court*, and that be called the Honour of, *&c.*
Kings Proclamation, *Cap.* 8.	The Kings Proclamation to be obſerved as Act of Parliament, not to prejudice Life, Liberty, or Eſtate, yet Offenders not Anſwering, to be Treaſon.
Number of Biſhops,&c. *Cap.* 9.	The King may Nominate what number of Biſhops and Cathedral Churches he pleaſe, *&c.*
Precedence, *c.* 10.	The Honour of Precedence of Councellors appertains to the Kings Prerogative.
Monaſteries, *c.* 13.	The King ſhall enjoy all the Monaſteries ſuppreſs, given up, or come to him.
§. 3.	Monaſteries that are or ſhall be ſuppreſs, *&c.* to be in actual poſſeſſion without Office.
§. 4.	Abbe that comes not by Attainder of Treaſon, to be in Survey of the Court of Augmentations.
§. 14.	Purchaſers by Licence under Great Seal, to enjoy Abbeys, *&c.*
§. 16.	A Confirmation of the Kings Purchaſes, notwithſtanding miſ-recital, *&c.*
§. 19.	The Kings Patents of Abbeys good, notwithſtanding miſ-recital, or want of Office.
§. 21.	The King and Patentee to hold diſcharged of Tythes, as Abbe did.
§. 25.	The Kings Parole-Licence to Duke of *Norfolk*, and Lord *Cobham*, to Purchaſe, Confirmed.
Deviſe, 32 *H.* 8. *c.* 1. §. 13.	The King at Election may take as much as makes up a full third part of *Capite* Lands, where more then two parts are Deviſed.
Tryal of Treaſon, §. 4.	Treaſon in *Wales*, or where his Writ runs not, to be tried in the next Shire by Commiſſion.
Patent of Denization, *Cap.* 16. §. 7.	Patent of Denization to be as free as natural-born Subject, *Non-obſtante* Statute, *&c.* Exempts not from Obedience, nor unleſs the particular Franchiſe be ſpecified in the Bill, Signed by the King as well as in Patent.
Liberties of Abbies revived, *c.* 20.	The Liberties, Franchiſes, and Priviledge of Abbe Lands revived in the King, and put in diſpoſe of Court of Augmentation, as fully as Owner had them.
Marriage with Cleve, *Cap.* 25.	His Marriage with Lady *Anne Cleve*, void, and Treaſon by word, *&c.* to procure any thing that may Repeal this Statute.
Reſumption, *c.* 27.	A Reſumption of extraordinary Grants and Licences of Abſence and Reverſions in *Calice*, *Berwick*, &c. and of Sheriffwicks for Life in *Wales*.
Tail of Kings Gift, *Cap.* 36.	Tail of the Kings Gift is not barred by Fine and Proclamation, *&c.*
Great Maſter, *c.* 39.	The Great Maſter of the ſame Authority as Lord Steward.
Croſs-bow, 33 *H.* 8. *Cap.* 6. §. 17.	His Licence to Shoot in Croſs-bow, *&c. contra* to Statute, void.
The Court of Verge, *Cap.* 12.	Treaſon, Murder, or Blood-ſhed, within the Verge, to be determined by the Lord Steward, Marſhal, albeit the Kings Houſhold remove.
§. 7.	Judgment on Blood-ſhed, is to have right Hand ſtricken off, Impriſonment for Life, and Fine and Ranſom.
§. 8.	The ſolemn Execution of Cutting off the Hand of Offender.
§. 25.	The Limits of the Houſhold for ſuch Offences to be within 200 Foot of the Gate of Houſes, Spring-Garden, *&c.*
§. 27.	Not to prejudice Peers.
Felony, §. 28.	Felony to enter any of the Kings Houſes in his Abſence with intent to Steal.
Seizure without Office, *c.* 20. §. 2.	The King is on Attainder of Treaſon by Common Law, Seized without Office.
Royal Aſſent, *c.* 21. §. 2.	The Kings Royal Aſſent by Patent, as ſufficient as if perſonally preſent.
Ampthill, 33 *H.* 8. *c.* 37.	The Mannor of *Ampthill* made an Honour, and ſeveral other Mannors, *&c.* annext to it.
Grafton, *c.* 38.	The Mannor of *Grafton* made an Honour, and ſeveral other Mannors, *&c.* annext to it.
Recognizance and Debt given or forfeited, *c.* 39.	Obligation *Dom. Reg.* for all Cauſes concerning him, *Solvend. Eidem Dom. Reg. Hæred. vel Executor. ſuis*, to be as Statute Staple.
§. 3.	The King may at liberty appoint ſuch Obligation to Heir or Executors.
§. 6.	The King ſhall have Coſts, and Damages, as other perſons in Debt.
§. 24.	That Debt came to him by Forfeiture, Attainder, Utlary, or Gift, is ſufficient, not ſaying how, *&c.*

His Proceſs and Execution ſhall be firſt ſatisfied.	§. 25.
Lands Entail'd are liable to his Specialty.	§. 26.
His Heir and Succeſſor not name in Obligation, may ſue it.	§. 27.
An Explanation of 32 *H.* 8. *Cap.* 1. of Deviſing *Capite*, and Knight-Service Lands.	**Deviſe of** Capite **Lands** 34 & 35 *H.* 8. *c.* 5.
Biſhops of *Cheſter*, *Glouceſter*, *Peterborough*, *Briſtol*, and *Oxford*, Erected by Patent.	**Biſhopricks Erected,** *Cap.* 17.
Franchiſe of Corporation to be reſumed on Cauſe.	**Reſumption,** *c.* 18.
Recovery with Voucher, or without, bars not Tail of his Gift, if Reverſion be in him when had.	**Tail of his Gift,** *c.* 20. §. 2.
He ſhall have, hold, poſſeſs, and enjoy all Honours, Caſtles, Mannors, *&c.* which ſince 4 *Febr.* 27 *H.*8. or ſeven years next this Statute, he purchaſeth, notwithſtanding miſ-recital, miſ-naming, or non-recital, *&c.* ſaving Right of Strangers.	**Miſ-recital,** &c. *c.* 21.
His Patents good, notwithſtanding want of Licence, Office, or Names, Value, Place without Confirmation, Diſpenſation, or Toleration.	**Want of Licence,** &c. §. 3.
Grants of Offices to ceaſe where the Cauſe ceaſeth.	**Grant of Office,** §. 4.
Patentee to pay twenty years Purchaſe for over-value above what is in Patent.	**Patentee,** §. 5.
Judgment againſt Offenders of the Kings Proclamation, upon 31 *Hen.* 8 *Cap.* 8. to be given by nine of the Kings Council.	**Offenders of Proclamation,** *c.* 23.
Mayor of *Pool*, and Succeſſors, *&c.* may Erect Wind-mill, Conduit, *&c.* in the Kings Waſte and Common in *B.* rendring a Pepper-Corn.	**Mayor** of Pool, *c.* 25.
The Kings Majeſty may alter the *Welſh* Laws at pleaſure.	Welſh **Laws** 34 & 35 *H.* 8. *c.* 26. §. 119.
On Default of Iſſue of *Hen.* 8. *Edw.* 6. the Crown to come to Queen *Mary*, under Condition limited by the Kings Patent.	**Reſettlement of the Crown,** 35 *H.* 8. *c.* 2. §. 2.
If Queen *Mary* perform not the Condition, the Crown to come to Queen *Elizabeth*.	§. 3.
If Queen *Elizabeth* perform not, the Crown to go as the King by Patent, *&c.* appoints.	§. 4.
If the King by Patent or Will limits no Condition, to be enjoyed free.	§. 5.
On failer of Iſſue of *Hen.* 8. *Edw.* 6. Queen *Mary*, and Queen *Elizabeth*, the Crown to go as Patent or Will declares, and with ſuch Condition.	§. 8.
Words, Writing, *&c.* procuring Adnullation, or prejudice of this Statute, to be Treaſon.	§. 15.
Saving Strangers Right to Lands, *&c.* forfeit.	§. 16.
The Kings Style and Title annext to the Crown, *&c.* and Treaſon to deprive it.	**Kings Style,** &c. *c.* 3.
The Mayor, *&c.* of *London* may dig his Lands to lay Pipes to the City by Licence.	London, *c.* 10. §. 6.
The Lords and Commons remit a Loan, Preſent, and Privy Seals borrowed by him.	**Loan,** *c.* 12.
Copy by Steward, of *Walſingham* Poſſeſſions, to be good againſt him and Succeſſors.	Walſingham, *c.* 13.
Of all Lands not exceeding Fourty ſhillings *per annum* without Houſe, Tenth, with a Tenure in *Capite*, or Soccage, to be reſerved on Grant of Inheritance.	**Reſervation upon Grants,** *c.* 14. §. 3.
Of Houſes of Abbe without Lands for Eſtate of Inheritance, a Tenth and a Tenure in Soccage or *Capite* to be reſerved.	§. 4.
The King during Life to name ſixteen Spiritual, and Sixteen Temporal, to Examine the Canons, and Eſtabliſh ſuch as they think convenient.	**Canons,** *c.* 16.
His Steward may let part of *Hounſlow-Heath*, meet for Tillage, Paſture, or Meadow, by Copy at Will, or for Years to approve.	Hounſlow-Heath, 37 H.8. *Cap.* 2.
All Colleges, free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and Stipendary Prieſt perpetual, that pay Firſt-fruits or Tenths given to the King.	**Colleges,** &c. **given,** §. 4.
Union in the Crown not to Extinct Payments into Exchequer.	§. 20.
Rippon, &c. made parcel of Dutchy of *Lancaſter*.	Rippon, *c.* 16.
Aſſurances by the Archbiſhop of *York*, to the King, Confirmed againſt Dean and Chapter.	**Aſſurances by ſeveral Biſhops,** §. 3.
Confirmation of Aſſurances by Archbiſhop of *Canterbury* to the King.	§. 6.
A Confirmation of Aſſurances by Biſhop of *London* to the King.	§. 7.
To be in Order of the Court of Augmentations.	§. 11.
Union to the Crown not to Extinct Payments in Exchequer, *&c.*	§. 12.
The King is Supreme Head of the Church to puniſh all Vices, Sin, Idolatry, Hypocriſie, and Superſtition, and Hereſie.	**Supremacy,** *c.* 17.
Doctor of Civil Law, Lay, or Married, may by his appointment be Commiſſary, Vicar-General, Chancellor, Official, Scribe, or Regiſter, to Archbiſhop, *&c.*	**Civilian,** §. 4.
The King during life, by Patent and Proclamation may make *Weſtminſter*, *Kingſtone* upon *Hull*, *Doddington* Caſtle, St. *Oſyth*, and as many Honours as he will.	**Honours,** *c.* 18.
The King may reſerve Tenure of any Lands under Fourty	**Reſervation of Tenure,** *Cap.* 20. §. 2.

	Fourty ſhillings, as well as of Abbeys that came by 27 *Hen.* 8. *Cap.* 28.
§ 4.	Patentee by any Tenure with Clauſe *Et non in Capite*, ſhall ſue no *Ouſter le main.*
Making of Biſhops, 1 *Edw.* 6. *Cap.* 2.	His Patent makes Biſhop without *Conge d' Eſlire* to Dean and Chapter.
Eccleſiaſtical Proceſs, § 3.	All proceſs Eccleſiaſtical to be in his Style, and *Teſte* by Biſhop as Writs.
Tenure in Capite, *Cap.* 4.	Lands held of him or Subject by Knights-ſervice, *&c.* as of Dukedom, Barony, Fees, or Seignory, ſhall not by Attainder, *&c.* be held in *Capite.*
§ 2.	Not to prejudice ancient Crown-Lands ſo held that come to the King.
§ 3.	Parties that have on Record, confeſt Tenure in *Capite*, ſhall ſo hold.
Demiſe, *Cap.* 7.	His demiſe ſhall not abate Suit between parties.
Diſcontinuance of Proceſs, § 6.	Proceſs before Juſtices of Aſſize, Gaol-delivery, Oyer and Terminer, of the Peace, *&c.* not diſcontinued by new Commiſſion of Aſſociation.
Miſrecital, &c. *c.* 8. § 2.	The Kings Patents good, notwithſtanding miſ-recital, miſ-naming, not reciting, want of Office, or miſ-recital of Leaſes before made of record, or want of certainty of Value of Lands or Rents, *&c.*
Grants during Minority, § 3.	Not to make good Grants of Offices, nor Grant during Minority, nor Leaſe on Traverſe by Seal of any Courts.
Repeal of Statutes, *Cap.* 11.	The Kings Succeſſors, may repeal any Statute (but this and 28 *H.* 8. *Cap.* 17. repeal hereby, and pardons grant by Parliament) made before twenty four years of age.
Cap. 12. § 5.	A repeal of 31 *H.* 8. *Cap.* 8. and of 34 & 35. *H.* 8. *Cap.* 23.
Treaſon, § 21.	Calling the French King, King of *France*, no Treaſon.
Lands of Colledge, &c. *Cap.* 14.	Lands of Colledge, free Chappels, Chantries, Obiits, Prieſts for ever, or for years, to be actually in the King.
Fee-Farms 2 & 3 *Ed.* 6. *Cap.* 5.	Fee-Farms to ceaſe for three years, and beſtowed in repair of Bridges, Walls, ſetting Poor on work, *&c.*
Traverſe of Office, *Cap.* 8. § 14.	His former right by record, not barr'd by Judgment on Traverſe of a falſe Office.
Patentee of Caſtle, *Cap.* 16.	He may remove Patentee of Caſtle, Fortreſs, *&c.* allowing their Fees.
Exemplification. 3 & 4 *Edw.* 6. *Cap.* 4. § 2.	Exemplification or Conſtat under the Great Seal, to be as good evidence for Patentee againſt the King, as if Enrollent were ſhewed.
Eccleſiaſtical Laws, *Cap.* 11.	For three years the King, *&c.* to name thirty two to examine Eccleſiaſtical Laws, and to ſet forth what is not *contra* to the Laws of the Realm.
Fee-Farms, 3 & 4 *Edw.* 5. *Cap.* 18.	That Fee-farm Rents ſhall ceaſe two years longer then by 2 & 3 *Edw.* 6. *Cap.* 5.
Court of Augmentations &c. 7 *E.* 6. *c.* 2. § 6.	The King by Patent during his natural life, may Repeal, alter, *&c.* any Court of Augmentation, Firſt-fruits, Survey, *&c.* though Erect by Parliament.
Patents by Hen. 8. *Cap.* 3. § 4.	Patent ſince 34 *Hen.* 8. *Cap.* 21. and 1 *Edw.* 6. *Cap.* 8. good, though Bills or particulars were taken by Auditors.
§ 6.	Overplus of Lands Decree in Court of Survey, to be paid preſently by Patentee.
§ 10.	The Kings Patents good during life, notwithſtanding nonage, as Duke of *Lancaſter*, or want of Reſervation of Tenth or Tenure in *Capite.*
Tenths, 7 *Edw.* 6. *c.* 4. § 2.	Under-Collector of Tenth to enter Recognizance in Firſt-fruits Office, to ſave Archbiſhop harmleſs, and pay all Duties yearly to the King.
§ 3.	Tenths to be paid by Archbiſhop, *&c.* or Recuſants Certifie, at or before the laſt of *May* yearly.
§ 4.	Archbiſhop diſcharged on certificate of Vacancy, and the King to ſeize Glebe.
Deſcent of Crown, 1 *Mar.* *St.* 2. *c.* 4.	The Crown deſcended by Right of Inheritance, on death of *Edw.* 6.
§ 3.	Grants, *&c.* by Lady *Jane Dudley*, alias *Grey*, as Queen between 6 *July*, and 1 *Auguſt*, good and pleadable in Style of the now Queen.
§ 4.	Not to make good Grants of any Crown-Lands, *&c.* or private Grants.
Court of Augmentations, &c. *c.* 10 § 2.	The ſame power in the Queen, to alter, change, diſſolve, unite, *&c.* Courts, as in 7 *Edw.* 6. *Cap.* 2. § 6. of Augmentation, Firſt-fruits, Survey, Wards, and D. *Lancaſter.*
Crown, 1 *Mar.* *St.* 3. *Cap.* 1.	The Queen being Inheritrix and heir to the Imperial Crown.
§ 3.	All Laws and Statutes that appoint the King to have or do any thing, or puniſh Offenders againſt the Kings Crown and Dignity, ought to be taken of the Queen, *&c.* poſſeſſed.
Marriage Articles, with Philip, *Cap.* 2.	A Confirmation of Articles of Marriage with Prince *Philip*; 1. That ſhe be ſole Regent, 2. No Tenancy by the Courteſie, 3. All Gifts to be by *Phil.* & *Mar.* to Subjects, and 4 Sign with her Manual, or void.

A Repeal of a private Statute 7 *Edw.* 6. that gave Biſhoprick of *Durham* to the King, and *Curthbert Tunſtall* reſtored.	Durham, *Cap.* 3.
A Repeal of 32 *H.* 8. *Cap.* 39. and re-eſtabliſhing the Office of the Lord Stewards, *&c.*	**Lord Steward,** *Cap.* 4.
The Queen for life may preſcribe Laws as to Lands and Government of Foundations, *&c.* by *Hen.* 8. or *Ed.* 6.	**Foundation,** *Cap.* 9.
A Repeal of 1 *Mar.* *St.* 3. *Cap.* 2. and ſo Warrant be by Sign Manual, Patent by *Phil.* & *Mar.* good, as if Signed by her ſole.	**Sign Manual,** 1 & 2 *Ph.* & *Mar.* *c.* 1 § 3.
Suing to the King for Licence to continue Egyptian here, forfeits Fourty pounds.	**Egyptian,** *c.* 4. § 6.
Watermen being ſingle, *&c.* abſconding in time of preſs by Commiſſion for the Kings Sea ſervice, Excluded being ſo, § 5. unleſs Apprentice a year, *&c.*	**Waterman,** 2 & 3 *Ph.* & *Mar.* *Cap.* 16.
If he return again to Row, to be impriſoned two weeks, and baniſht a year,	§ 8.
Whatever 1 *Edw.* 6. was parcel, and ſince ſevered and returned to the Crown, ſhall be re-annext, and parcel of Dutchy of *Lancaſter.*	**Dutchy,** *Cap.* 20.
The King ſhall not annex any ancient Inheritance of the Crown, nor of *Wales*, *Cornwall*, *Cheſter*, or *Flint*, nor above Two thouſand pounds *per annum* to *Dutchy*, &c.	§ 8.
The King and Informer to have the like Advantage of 35. *H.* 8. *Cap.* 6. as if named to pray *Tales*, &c.	Tales, 4 & 5 *Ph.* & *Mar.* *Cap.* 7. § 3.
All Eccleſiaſtical Juriſdiction annext to the Crown.	**Eccleſiaſtical Juriſdiction,** 1 *E.* *c.* 1. § 17.
The King to appoint the exerciſe in *England*, and *Ireland*, &c. of Eccleſiaſtical Juriſdiction.	§ 18.
A Confirmation of the Crown, according to 35 *H.* 8. *Cap.* 2 § 3.	**Confirmation of Crown** *Cap.* 3.
A Recognition of the Queens Title, and Submiſſion in Fee by three Eſtates.	**Recognition of Queens Title,** § 2.
Promiſe to defend the Queens Iſſue Male's Title, *&c.* with Lives and Fortunes.	§ 3.
The Limitation of the Crown by 35 *H.* 8. *Cap.* 2. confirmed.	§ 4.
All Statutes and Clauſes derogatory to this Recognition, void.	§ 5.
A Repeal of 2 & 3 *Phil.* & *Mar.* *Cap.* 4. and Powers to Cardinal *Pool* void, and all payments of Firſt-fruits revive, and Tenths.	**Firſt-fruits,** *c.* 4. § 22.
The Queen to have Preſentation and Advowſon of Rectories, *&c.*	**Rectory,** 25.
A Recital of 25 *H.* 8. *Cap.* 22. and of 26 *H.* 8. *Cap.* 1. and of 5 & 6 *Edw.* 6. *Cap.* 1 *&c.* and that 1 & 2 *Phil.* & *Mar.* *Cap.* 8. was Repealed by 1 *Eliz.* *Cap.* 1. and *Cap.* 2. with Confirmation, and that all Spiritual or Eccleſiaſtical Juriſdiction is derived from her.	**Eccleſiaſtical Juriſdiction,** 8 *Eliz.* *Cap.* 1.
The Queen may grant Lands of Fugitive by Copy, Woodſales, *&c.* and Rents to be anſwered in Exchequer.	**Fugitives Lands,** 14 *E.* *Cap.* 6.
That twenty four part of Privy-Council, Reſidue Peers, by Commiſſion to examine Invaſion, Rebellion, or Attempt againſt the Queen, and proſecute to death, *&c.*	**Commiſſion of Oyer,** 27 *Eliz.* *c.* 1.
The Queen may reſtrain Tranſportation of Corn generally, or ſpecially.	**Corn,** 35 *E.* *c* 7. § 32.
The Queen may ſell her Accountant or Debters Lands for life, and after Proceſs to be againſt Ter-Tenants, Sureties, *&c.*	**Debters Lands,** 39 *E.* *Cap.* 7.
Archbiſhops, Biſhops, and Deans, *&c.* made by the Queen or her Licence, good.	**Archbiſhops,** &c. *Cap.* 8. § 3.
King *James* deſcended of *Margaret*, Siſter of *H.* 8. Father of Queen *Elizabeth.*	1 *Jacob.* 1. *Cap.* 1.
A Recognition of King *James* Title by Deſcent.	**King James, Title,** § 4.
Grants by Archbiſhop or Biſhop to the King, void.	**Grant by Biſhops,** *Cap.* 3. § 2.
His Licence of Diſpenſation with any Article of the Statute prohibited, void.	**Diſpenſation,** *c.* 22. § 57.
The King by Proclamation General or Special may prohibit Tranſportation of Corn.	**Corn,** *Cap.* 25. § 27.
A Subſidy of Tonnage and Poundage, *&c.* Grant to the King for life.	**Tunnage,** &c. *c.* 33. § 2.
The Oath of Allegiance to be taken by all there mention.	**Oath of Allegiance,** 7 *Jac.* 1. *Cap.* 6.
Aſſignment of Debts to the King not originally due to his Debter, void.	**Aſſignment of Debts,** *Cap.* 15.
Decrees of Lord Treaſurer, and Chancellor of Exchequer or Dutchy, to bind the King and his Copyholder as to Eſtate and Fines, as if Act of Parliament.	**Exchequer,** *Cap.* 21.
No Title to be made to the King, unleſs within ſixty years the Profits have been anſwered to him or charged *ſuper*, &c.	**Limitation,** 21 *Jacob.* 1. *Cap.* 2.
A Repeal of 34 & 35 *H.* 8. *Cap.* 26. § 119. and that the King ſhall not alter the *Welſh* Laws.	**Welſh Laws,** *c.* 10. § 4.
He remits a part of his ancient and Regal Power at Suit of People, as to pleading Title at large in	**Limitation,** *Cap.* 14.

	Information, where in twenty years he is not poſſeſſed.
Scire fac. §. 2.	No *Scire facias* lyeth, where Information of Intruſion will lye.
Bankrupt, 21 *Jac.* 1. *Cap.* 19. §. 10.	Extent may proceed againſt Bankrupt, unleſs original Accountant to the King.
Forfeiture, *Cap.* 25. §. 2.	He ſhall not take advantage of forfeiture, ſo Rent or Service be anſwered in Exchequer before Commiſſion Iſſue to Enquire.
§. 3.	His Patentee ſhall take no Advantage, but in like manner.
York-houſe, *Cap.* 30.	Aſſurances of *York*-Houſe to the King, and of other Mannors to Archbiſhop of *York* in lieu.
Seſſion, 1 *Car.* 1. *c.* 7.	Seſſion of Parliament ſhall not determine by the Kings Aſſent to other Act, *&c.*
Gift, &c. 3 *Car.* 1. *Petition*, &c. *p.* 1096. §. 10.	That none pay Gift, Tax, *&c.* without Parliament, no Soldiers, none Impriſon, nor condemned by Commiſſion of Martial Law.
Officers, §. 11.	That the King would declare, that all Officers ſerve according to Law.
Parliament, 17 *Car.* 1. *Cap.* 7.	This Parliament not to be Diſſolved, Prorogued, or Adjourned, but by Act of Parliament.
Star-chamber, *Cap.* 10.	For Regulation of Privy-Council, and taking away the Court of Star-Chamber.
§. 5.	Neither King nor Privy-Council ought by Bill to diſpoſe Lands, *&c.*
High-Commiſſion, *Cap.* 11. §. 5.	Patent of like Juriſdiction with High Commiſſion, void.
Ship-money, *Cap.* 14.	His Writ on Imminent danger to raiſe Ship-money on Subject, void.
Cap. 21. §. 4.	Putting Proclamation againſt Importing Gunpowder in Execution, is *præmunire.*
Tax, 12 *Car.* 2. *Cap.* 4. §. 2.	Tonnage and Poundage, and Subſidy on Cloth, Grant by Parliament to the King for life.
Gunpowder, §. 12.	By Proclamation he may reſtrain Tranſporting Gunpowder and Arms, *&c.*
Tenure, *Cap.* 24. §. 4.	All Tenures hereafter created by the King or Succeſſors to be Soccage, and not by Knights-ſervice, *&c.*
Preemption, §. 14.	No preemption to be allowed the King, but Owner to ſell at pleaſure, ſtay of Proceſs againſt Offender is *præmunire*, not to prejudice Stanneries and Butlerage.
Exciſe, §. 15.	In recompence of Tenures and Purveyance, an Exciſe is given to the King in Fee.
Wine-Licence, *Cap.* 25. §. 2.	The King may Commiſſion any two to grant Wine-Licences, *&c.*
Heretick, 13 *Car.* 2. *Cap.* 1. §. 2.	Saying the King is an Heretick or Papiſt, *&c.* diſable Offices.
Tax, *Cap.* 4.	Shall Levy no ſuch Aids as free and voluntary preſent without Parliament.
Delivery of Petition, *Cap.* 5.	No Petition to be delivered to him by above twenty.
§. 3.	Not to prejudice Delivery by under ten.
Militia, *Cap.* 6.	The ſole Supream diſpoſe of Militia declared in the King, and Parliament pretend not to it.
Dutchy of Cornwall, 13 *Car.* 2. *St.* 2. *c.* 4. §. 2.	Leaſes made, or to be in three years, good, of Dutchy of *Cornwall.*
Tax, 14 *Car.* 2. *Cap.* 3. §. 23.	The King in three years, from 25 *June*, 1662. upon apparent danger may Tax, not exceeding Seventy thouſand pounds in one year.
Debtor, *Cap.* 10. §. 22.	None Indebted to him for Smoak-money, to be priviledg'd as Debtor to Sue or to Aſſign to him.
Landing-place, *Cap.* 11. §. 14.	The King by Commiſſion may appoint any place of Landing Merchandize, except *Hull*, beſide what are 1 *Elizab. Cap.* 11. §. 3.
Exciſe, 15 *Car.* 2. *c.* 11. §. 3.	Patent to Farmer of Exciſe to be Commiſſioner, void, and *contra.*
Wine-Licence, *Cap.* 14. §. 6.	The Powers and Profits of Wine-Licence Veſt in Duke of *York* by his Grant.
Poſt-Office, §. 11.	The Rents, Profits, *&c.* of Poſt-Office, grant in Tail by the King to the Duke of *York.*
Parliament, 16 *Car.* 2. *Cap.* 1.	That 16 *Car.* 1. *Cap.* 1. is in Derogation of the Kings juſt Rights, therefore §. 2. it's Repealed.
Exemption, 16 *&* 17 *Car.* 2. *c.* 1. §. 23.	No Patents of Exemption, Priviledge, *&c.* to be allowed againſt Tax.
19 *Car.* 2. *c.* 8. §. 16.	No Patent of Exemption to be allowed againſt Tax.
Conventicle, 22 *Car.* 2. *Cap.* 18.	Of Conventicles, not to prejudice the Kings Supremacy in Eccleſiaſtical Affairs.
Dutchy of Cornwall, *&c. Cap.* 6. §. 2.	Priviledges not transferrable but by Act of Parliament given to Purchaſers of particular Rents due to the King in Right of his Crown, or Dutchies of *Lancaſter* or *Cornwall.*
Cap. 7.	Grants by Copy and Leaſes of Dutchy of *Cornwall* within three years, good againſt the King.
Scotland, *Cap.* 9. § 2.	Commiſſioners to Treat according to Commiſſion of Union, *&c.* with *Scotland.*
§. 3.	Nothing to take effect, till Confirmed by Parliament.
Prettyman's Eſtate, *Cap.* 10.	Sale of Sir *John Prettyman*'s Eſtate, for payment of the Kings Debt.
Noſe-Cutters, 22 *&* 23 *Car.* 2. *Cap.* 1.	Sir *Thomas Sands*, &c. that Cut Sir *John Coventry*'s Noſe, Member of Parliament, not capable of Pardon.

The Kings Aſſent to this Bill not to determine Seſſion.	§. 9.
No Patent of Exemption to be allowed againſt Tax.	Exemption, *Cap.* 3. §. 44.
The Power of Granting Wine-Licences reveſt in the King.	Wine-Licence, *Cap.* 6.
Saved in Fiſhing, Fowling, and Foreſt Laws.	Fiſhing, *Cap.* 25. §. 10.
Fee-farms nor no Priviledge allow againſt Tax.	Fee-Farm, 25 *Car.* 2. *Cap.* 1. §. 19.
To enable the King to make Leaſes of Dutchy of *Cornwall*, by Exchequer Seal.	Dutchy of Cornwall, *Cap.* 3. §. 3.
Tonnage, Poundage and Exciſe, ſettled on the King for Life, which was ſettled on the late King for Life, by 12 *Car.* 2. *Cap.* 4. and 23.	Tonnage, Poundage, Exciſe, 1 *Jac.* 2. *c.* 1. §. 3.
Reviver of 12 *Car.* 2. *Cap.* 19. and 13 and 14 *Car.* 2. *Cap.* 11. for Kings Life.	Reviver, §. 4.
King Enabled to make Leaſes and Grants of Lands, *&c.* parcel of Dutchy of *Cornwall*, and thoſe already made, Confirmed. *Vide* Title *Leaſes.*	Cornwall, *Cap.* 9.
Conſolidation of Kings Eſtates Tail and Fee in Poſt-Office, and 24000 *l. per annum*, Hereditary Exciſe.	Poſt-Office, Exciſe, *Cap.* 12. §. 4.
Not to avoid the Queens Joynture.	§. 5.
Coronation Oath doubtful as to ancient Laws.	Coronation Oath doubtful, 1 *W & M. Seſſ.* 1. *Cap.* 6.
King *W* and Queen *M.* to take a new Coronation Oath.	New Coronation Oath of Their Majeſties, §. 2.
New Coronation Oath.	The New Oath, §. 3.
Same Oath to be adminiſtred to ſucceſſive Kings and Queens.	To Succeſſors, §. 4.
Repeal of 13 *&* 14 *Car.* 2. *Cap.* 10. 15 *Car.* 2. *Cap.* 13. and 16 *Car.* 2. *Cap.* 3.	Repeal, *Cap.* 10.
Revenue (except Hearth Money) to be Collected and Paid Their Majeſties till 25 *Dec.* 1689. as formerly.	Revenue, *Cap.* 14.
Mines of Copper, Tin, Iron, or Lead, not to be Royal, although Gold or Silver therein.	Mines not Royal, *Cap.* 30. §. 4.
An Act for declaring the Rights and Liberties of the Subjects, and ſettling the Succeſſion of the Crown.	Rights and Liberties, Settling Crown, *Seſſ.* 2. *Cap.* 2.
Declaration of Lords and Commons, reciting, That King *James* 2. endeavoured to ſubvert Religion, Laws and Liberties.	Declaration of Lords and Commons.
By Diſpenſing with, and Suſpending Laws.	Recital of Grievances in K. James 2. Government. 1.
Proſecuting for Petitioning.	2.
Iſſuing a Commiſſion for Eccleſiaſtical Cauſes, *&c.*	3.
Levying Money by Prerogative.	4.
Raiſing and keeping a Standing Army, and Quartering Soldiers.	5.
Diſarming Proteſtants.	6.
Violating Freedom of Elections.	7.
Proſecutions, Illegal, and Arbitrary Courſes.	8.
Corrupt and Unqualified Juries.	9.
Exceſſive Bail.	10.
Exceſſive Fines.	11.
Cruel Puniſhments.	12.
Grants and Promiſes of Fines before Conviction, all againſt Law and Freedom.	13.
That K. *James* having Abdicated, and the Throne being vacant,	Abdication.
The Prince of *Orange* Writ Letters for Convening Lords and Commons.	Letters for Convention.
Lords and Commons Aſſembled declare,	Rights declared.
That Suſpending Laws, *&c.* is illegal.	1.
Diſpenſing with Laws, *&c.* Illegal.	2.
Commiſſions, *&c.* for Eccleſiaſtical Cauſes and ſuch like Illegal.	3.
Levying Money by Prerogative, Illegal.	4.
Is Subjects Right to Petition.	5.
Standing Army, Illegal.	6.
Proteſtants may have Arms.	7.
Elections ought to be Free.	8.
Proceedings in Parliament not queſtionable elſewhere.	9.
Exceſſive Bail, Fines, nor Cruel and Unuſual Puniſhments ought not to be.	10.
Jurors ought to be duly Impanelled and Returned.	11.
Grants and Promiſes of Fines, *&c.* before Conviction, Illegal.	12.
Parliaments ought to be frequent.	13.
And demand the Premiſſes as Rights and Liberties, *&c.*	
Lords and Commons Reſolve,	Reſolution of Lords and Commons, for declaring K. and Q. and Settling Crown.
That Prince and Princeſs of *O.* be declared K. and Q. to hold the Crown for their Lives, *&c.* with remainder over.	
And pray the Prince and Princeſs of *O.* to accept the ſame.	Acceptance of the Crown.
Whereupon Their Majeſties accepted the Crown.	§. 4.
Lords and Commons to continue to ſit.	Parliament to Sit, §. 5.

Eſtabliſhing Rights,&c. §. 6.	Rights and Liberties to be Eſtabliſhed.
Recognition of K. and Q's Title, §. 7.	Recognition of the King and Queens Title to the Crown.
Settling Crown, and how, §. 8.	Crown to be Settled on their Majeſties for Life, but the King to Exerciſe the Regal Power in both their Majeſties Names during their Joynt Lives.
	Remainder to the Queen in Tail.
	Remainder to Princeſs of *Denmark* in Tail.
	Remainder to the King in Tail.
Diſabling Papiſts, &c. §. 9.	A Papiſt, or Perſon Marrying a Papiſt, be Excluded to Enjoy the Crown; and in ſuch Caſe, the People Abſolved from Allegiance, and the Crown to be Enjoyed by a Proteſtant, &c.
King and Queen ſubſcribing Declaration, §. 10.	Succeſſive Kings and Queens Make and Subſcribe Declaration in 30 *Car.* 2. *Cap.* 1.
Premiſſes Eſtabliſhed, §. 11.	Enacting Clauſe for Eſtabliſhment of the Premiſſes.
Diſpenſation, §. 12.	Diſpenſation of Statutes, not to be allowed, except in ſame Statute, or provided for by Bill.
Charters, §. 13.	Saving of Charters before 23 *October*, 1689.
Revenue, *c.* 3.	Revenue (except Hearth-money) to be Collected and Paid their Majeſties till *December*, 1690. as formerly.
Recognition of their Majeſties Title, 2 *W & M. Seſſ.* 1. *c.* 1.	A Recognition of their Majeſties Title to the Crown.
Exciſe ſettled, *c.* 3.	The Exciſe payable by 12 *Car.* 2. *Cap.* 23. Settled on their Majeſties for Life, to be Collected and paid according to 12 *Car.* 2. *Cap.* 23. and 15 *Car.* 2. *Cap.* 11.
To be a Fond of Credit, §. 3.	To be a Fond of Credit for 250000 *l.* and Intereſt for three years, for Reducing *Ireland*, and Carrying on War againſt *France*.
Repeal, §. 11.	Repeal 1 *Jac.* 2. *Cap.* 1.
20000 *l.* grantable to Prince and Princeſs of *Denmark*, &c. §. 13.	Their Majeſties may grant 20000 *l. per annum* out of it, to Princeſs of *Denmark*, and after her Death to the Prince of *Denmark*, and Children of Princeſs.
King Abſent from England, *c.* 6. §. 2.	Queen to Govern in both their Majeſties Names, during the Kings Abſence out of *England*.
§. 3.	King not to be Excluded from Exerciſing Government in his Abſence, nor his Abſence to avoid Acts of Government.
§. 4.	The King upon his Return ſolely to Govern.
General Pardon, *c.* 10.	A General and Free Pardon with ſome Exceptions.
Explained, 5 & 6 *W & M. c.* 6.	Explanation of 1 *W & M. Seſſ.* 1. *Cap.* 30.
Royal Mine, Owner to work it, §. 2.	Proprietors of Mines to Enjoy and Work the ſame, although pretended Royal.
Their Majeſties and Grantees to have preemption, §. 3.	Their Majeſties and Grantees to have the Ore of Mines pretended to be Royal, at certain Rates within a time ſet, (the Rates and time ſet.)
Devon, Cornwall, §. 4.	Charters to Tinners of *Devon* and *Cornwall*, or Laws of Staneries there ſaved.
Cornwall, *c.* 18.	An Act for Enabling their Majeſties to make Leaſes and Grants of Lands, &c. parcel of Dutchy of *Cornwall*, and for Confirmation of Leaſes, &c. already made. *Vide* Title *Leaſes*.
Tunnage and Poundage, &c. for 5 years, 6 *W & M. c.* 1.	Tunnage and Poundage, and other Moneys payable by 12 *Car.* 2. *Cap.* 4. Granted their Majeſties for five years, for guarding Seas, and proſecuting War againſt *France*, and 12 *Car.* 2. Revived.

Preſcription, ſee *Cuſtom*.

Preſentation.

Egliſe, *Quare Impedit*, *Avoidance*, *Darrein Preſentment*, *Advowſon*, *Vacancy*, *Chattels*, *Lapſe*, *Encumbent*, *Church*, *Eccleſiaſtical Perſons*.

Darrein Preſentment, 9 *H.* 3. *c.* 13. *Magna Chart.*	Aſſize of Darrein Preſentment ſhall alway be taken and determined before the Juſtices of the Bench.
52 *Hen.* 3. *c.* 12. *Marlb.*	Darrein Preſentment ſhall have five or ſix days at leaſt in a year; and, 1. Summons, 2. Attachment, 3. Diſtreſs, and on Default, a Writ to the Biſhop.
Kings Clerk, 3 *Edw.* 1. *c.* 28. *W.* 1.	Shall not be received by the Kings Clerks to any Church, while in Debate in the Kings Courts, without the Kings Special Licence.
Cap. 51.	Aſſize of Novel Diſſeiſin, Mortdanceſter, and Darrein Preſentment, may be taken in *Advent*, *Septuageſima*, or *Lent*.
Uſurpation, 13 *Edw.* 1. *c.* 5. *W.* 1.	Error, Darrein Preſentment, or *Quare Impedit*, lieth on Uſurpation during Enfancy, Coverture, or Vacancy of Prelate.
Plenarty, §. 2.	Dy Defendant is no Plenarty, if Writ be in ſix Months, and Heir may have Darrein Preſentment, or *Quare Impedit*, after death of Anceſtor.
Darrein Preſentment, &c. §. 3.	The Damages in Darrein Preſentment, or *Quare Impedit*, on ſix Months Lapſe, is double Value of Church, if not, half a years Value, and if Inſolvent, two years, or half a years Impriſonment.

On *Indicavit* of Tithes againſt Parſon, the Patron ſhall have Writ for the Advowſon or the Tithes.	Tithes, §. 4.
Several Uſurpations by one Coparcener, bars not the other when the next Turn falls.	Uſurpations, §. 5.
Lapſe ſhall not prejudice the King, ſo he preſent in ſix Months after Recovery.	Lapſe, 17 *Edw.* 2. *c.* 8. *Prerogat. Reg.*
Shall not be by the King after three years Laches in right of Temporalities of Biſhop, or of Enfant, nor of Predeceſſors time.	Laches, 14 *Edw.* 3. *Stat.* 3. *c.* 2.
The King in any others right ſhall not preſent for any Lapſe in the time of his Progenitor or Predeceſſor.	Lapſe, 25 *Edw.* 3 *St.* 3. *Cap.* 1.
Repeal of 14 *Edw.* 3. *Stat.* 3. *Cap.* 2. as to the three years Laches only, and that the King ſhall not be prejudiced thereby to preſent.	Laches, *c.* 2.
The Kings Title in anothers Right ſhall be Examined, and if falſe, the true Patron or Poſſeſſor ſhall have a Writ as needful.	Kings Title, *c.* 3.
Shall not be made by Proviſors, or Collation from *Rome*.	Proviſors, 25 *Edw.* 3. *pag.* 121.
By the King to Church full, ſhall not be received, if it be, the perſon in muſt be ſued within a year.	Plenarty, 13 *Rich.* 2. *Cap.* 1.
Encumbents put out by Patentee, may ſue when they will, of time preſent or paſt, and ſhall not be confined to a year, notwithſtanding 13 *R.* 2. *Cap.* 1.	Patentee, 4 *H* 4. *c.* 22.
The Kings Licence or Pardon ſhall not avail to make Plenarty by Proviſion of the Pope.	Plenarty, 7 *H.* 4. *c.* 8.
Diſturbed by Proviſion, ſhall be premunire and treble Damages, and all Licences and Pardons void.	Proviſion, 3 *H.* 5. *St.* 2. *Cap.* 4.
Shall not be to more then two Benefices with Cure.	Plurality, 21 *H.* 8. *c.* 13. §. 25.
Of Biſhop may be by Patent, if Dean and Chapter refuſed to Elect.	Biſhop, 25 *H.* 8. *c.* 20. §. 4.
Of Suffragan-Biſhop, is by the Kings Patent to Arch-Biſhop, or Biſhop, on their Nomination of Two.	Suffragan, 26 *H.* 8. *Cap.* 14.
Shall not be by the Queen, &c. to St. *Ellens* rebuilt in *York*.	St. Ellens, 1 *Mar. St.* 2. *Cap.* 15.
Shall not be by Ordinary, on Lapſe by Deprivation, till ſix Months Notice to Patron for not reading the Articles.	Lapſe, 13 *Eliz. c.* 12. §. 2.
By Reward to Benefice with Cure, forfeits that and double of one years profit.	Simony, 31 *Eliz. c.* 6. §. 5.
Induction for other Reward then uſual Fees, the ſame.	§. 6.
Lapſe to accrew but ſix Months after Notice by Ordinary to Patron.	§. 7.
Not to take away Penalties by Eccleſiaſtical Laws.	§. 9.
Confirmation of Miniſters, not to make any Uſurpation againſt Patron.	Confirmation of Miniſters, 12 *Car.* 2. *c.* 17. §. 3.
To Committee of Tryers, 1659. is ſufficient Encumbent to be reſtored, albeit refuſed.	§. 14.
By Peers in ſix Months, from 1. *September*, 1660. on Right, ſince 1. *Jan.* 1642. good.	§. 31.
Time between 10 *Decemb.* and 12 *March*, 1688. to be no part of ſix Months from avoidance in Darrein Preſentment.	Avoidance in Darrein Preſentment, 1 *W & M. Seſſ.* 1. *c.* 4.
Simony after Death of Parſon Simoniacally Promoted not to be alledged in prejudice of Patron innocent, or of his Clerk, unleſs Parſon Simoniacally Promoted, or his Patron, was Convict in Life of Parſon Simoniacally Promoted.	Simony, *c.* 16.
Perſons refuſing Declaration, or to Appear according to 1 *W & M. Seſſ.* 1. *Cap.* 15. diſabled to Preſent, &c. or grant avoidance, and the Preſentation veſted in the two Univerſities.	Refuſer of Declaration, &c. diſabled, *c.* 26. §. 2.
Truſtees for Papiſts, &c. diſabled to Preſent or Grant, &c. and the Preſentations veſted in the two Univerſities.	Truſtees of Papiſts, &c. diſabled, §. 3.
And a Penalty of 500 *l.* on Truſtees, &c. Preſenting, &c. without giving Notice of the avoidance to the Vice-Chancellor.	§. 4.
Univerſities not to Preſent a perſon Beneficed.	Univerſities who to Preſent, §. 5.
If Preſentee be abſent above ſixty days in one year, the Benefice to be void.	Preſentee abſent, §. 6.
Perſons diſabled, Subſcribing Declaration, and taking Oaths, Enabled to Preſent.	Reſtoring Perſons diſabled, §. 7.
Ordinary to accept of Reſignation by *Iriſh* Clergy of their *Engliſh* Benefices, and to give Patron Notice thereof.	Reſignation of Iriſh Clergy, *c.* 29. §. 2.

Preſident of the Council, ſee *Priviledge*.
Prieſts, ſee *Pope*.
Preſſing, ſee *War*.
Primer Seiſin, ſee *Prerogative*.
Printing, ſee *Books*.
Priſons, ſee *Impriſonment*.
Prize-goods, ſee *Merchants*.
Privy Council, ſee *Prerogative*.

Priviledge.

Priviledge.

Sanctuary, Clergy, Exemption, Immunity, Protection, Precedency.

Amerciament, 9 *Hen.* 3. *Cap.* 14. *Magna Charta.*	Amerciament ſhall be proportionable to the Offence, but not to be ſet upon Peer without Tryal *Per Pares*, and on Freemen by Oath of Vicinage, ſaving Contenement, and on Merchant, ſaving Merchandize, and on Villain, ſaving Wainage, and on Churchmen, ſaving Spiritual Benefice.
Caſtle-Guard, *Cap.* 20.	Knight lead, or ſent to War, ſhall during that time be free from Caſtle-Guard.
Freeman, *Cap* 29.	No Freeman ſhall be taken, Impriſon, Diſſeized, Utlawed, Exiled, or otherwiſe deſtroyed, Paſſed on, nor Condemn but by lawful Judgment, or by the Law of the Land.
Foreſt, 9 *H.* 3: *St.* 2. *c.* 11. *Ch. de Foreſta.*	Archbiſhop, Biſhop, Earl, Baron, *Eundo, & Redeundo*, at the Kings command ſhall kill a Deer or two, by view of Foreſter, if abſent, blowing Horn.
Cap. 12.	Freeman in his own Wood or Land in Foreſt, may make Mills, Springs, Pools, Marſh-pits, Dikes, or Arable Ground without Incloſure.
Diſtreſs, 51 *H.* 3. *p.* 11. *Diſtr. Scaccarii.*	Plow-beaſts ſhall not be diſtrained for the Kings Debt, but until other Chattels be found to pay.
Turn, 52 *H.* 3. *c.* 10. *Marlbr.*	Archbiſhop, Biſhop, Abbots, Priors, Earls, Barons, nor any Religious Men nor Women, ſhall not need to come to Sheriffs Turn, but for other Special Cauſe, nor they that have Hundreds of their own.
Jury Exemption, *c.* 14.	Charter of Exemption from Juries ſhall not be allowed where Juſtice cannot be done without the parties Oath.
Diſtreſs, *Cap.* 15.	Only the Kings Officers may take diſtreſs in Highway, Street, or out of the Fee, and that by Special Authority.
Diſtreſs, *Cap.* 21.	Freeholder ſhall not be Diſtrained to Anſwer for his Freehold, nor to Swear againſt his Will, but by the Kings Writ.
Clerks Bail, *Cap.* 27.	Bail are diſcharged by render of Body, though Clerk will not plead to Crime, but ſtands thereon.
Clerk Convict, 3 *Ed.* 1. *Cap.* 2. *W.* 1.	Clerk convict of Felony, and prayed by the Ordinary, ſhall not be delivered without due purgation.
Bigamus, 4 *Edw.* 1. *c.* 5. *De Bigamis.*	Whether *Bigamus* before the conſtitution of *Lyons*, or after, no Clergy allowed.
Hoſpitallers. 13 *Ed.* 1. *Cap.* 33. *W.* 2.	Tenants ſetting up Croſſes ſheltering under Templers, and Hoſpitallers, is *Mortmain.*
Cap. 43.	If keepers of Hoſpitallers and Templers draw men into Suit for matters belonging to the Kings Courts, Superior ſhall anſwer damages.
Protection, 33 *Edw.* 1. *p.* 68. *De protectionibus.*	On Averment, that the party is within the four Seas, and out of the Kings Service, and if found, turns Protection to a Default.
Jury, 34 *Edw.* 1 *c.* 3. *Ordinat. Foreſt.*	No Miniſter of the Foreſt ſhall be put on Juries *Debors.*
Kings Clerk, 9 *Ed.* 2. *Cap.* 8. *Artic. Cleri.*	Clerks in the Kings Service ſhall not be corrected by Ordinaries for Non-reſidence; what is thought neceſſary for the King and Commonwealth, ought not to be ſaid prejudicial to the Liberty of the Church.
Diſtreſs, *Cap.* 9.	Diſtreſs ſhall not be in Highway, nor ancient Fees of Church, but only thoſe newly purchaſed.
Sanctuary, *Cap.* 10.	Keepers ſhall not enter the Church-yard, but on fear of Eſcape of perſon abjured, and ſhall let him out to——
Sanctuary, *Cap.* 15.	Clerk ſubmitting to the Law, ſhall not be forced to Abjure on Sanctuary.
Clerk, *Cap.* 16.	If demand by Ordinary in due form, ſhall not be denied to Appellor as a Clerk.
Sheriff, 9 *Edw.* 2. *p.* 79. *Sheriffs.*	None that is Steward or Bailiff to a great Lord while ſuch ſhall be Sheriff.
Clerk, 25 *E.* 3. *Cap.* 4.	All Clerks, Secular and Religious, Convict of Treaſon or Felony, touching other perſon then the King himſelf, or his Royal Majeſty, ſhall be delivered to the Ordinary.
Cap. 5.	Clerk ſhall be Arraigned of all Crimes together, and preſently delivered to the Ordinary, and not remand to Priſon.
Kings Debtor, 25 *E.* 3. *St.* 4. *Cap.* 19.	Shall not delay any Creditor that will undertake to pay the Kings Debt.
Prieſts, 50 *E.* 3. *Cap.* 5.	Prieſts ſhall not be Arreſt doing Divine Service in the Church or Church-yard.
Clauſula volumus, 1 *R.* 2. *Cap.* 8.	With Clauſe of *Volumus* ſhall not be allowed for Victuals, nor treſpaſs or other Contract after the date.
Profecturus, 13 *Rich.* 2. *Cap.* 16.	*Profecturus* not to be allowed in Suit begun before the date, unleſs in Voyage Royal, but *Moraturus* ſhall be allowed as uſed, and Repealed on Return.
Clerk, 4 *H.* 4. *Cap.* 2.	Clerk ſhall have Clergy, though *Inſidiat. viarum & Depopulatores Agrorum*, be not left out of Indictment.

Clerk convict of Treaſon, or being a common Thief, ſhall not make purgation.	*Cap.* 3.
Farmers of Aliens Lands ſhall pay Tythes, though Seized into the Kings hands.	**Tithes**, 5 *Hen.* 4. *c.* 11.
Shall not be allowed to any Gaoler in Suit for Eſcapes.	**Gaoler**, 7 *Hen.* 4. *c.* 4.
Grant to thoſe in the Kings Service in *Normandy*, that paſs with him into *France*.	Normandy 9 *H.* 5. *c.* 3.
A Confirmation of 9 *Hen.* 5. *Cap.* 3. for thoſe in Wars in *France*.	4 *Hen.* 6. *Cap.* 2.
Of Clergy called to Convocation, ſhall be the ſame for them and Servants from Arreſt, coming, tarrying, and returning, as of the Great men and Commonalty called to the Kings Parliament.	**Convocation**, 8 *H.* 6. *c.* 1.
For going into *France*, ſhall except Aſſize of *Novel Diſſeiſin*.	**Aſſize of diſſeiſin** *c.* 13.
Double damages, Fine, and Ranſom, on Aſſault of Lord Spiritual and Temporal, Knight, Citizen, or Burgeſs, coming to, or attending the Parliament, or other Councel of the King, by his command.	**Aſſault of Peer**, &c. 11 *Hen.* 6. *c.* 11.
Shall not be allowed by the King to Purveyor, taking *contra* to Commiſſion.	**Purveyor**, 23 *H.* 6. *c.* 14.
He that hath Right may Diſtrain in the Lands of perſon Attaint, in the hands of any but the King.	**Diſtreſs**, 7 *Edw.* 4. *c.* 5.
They who hold of the King and go into *France*, ſhall make Feoffments by Colluſion, and Feoffee ſhall have the Wards of the Heir.	**Colluſion**, 14 *E.* 4. *c.* 1.
The Grant 9 *H.* 5. *Cap.* 3. to ſuch as went to *Normandy*, ſhall now avail thoſe that go into *France*.	Normandy, *Cap.* 2.
Accountant for *Diſme* of Clergy, ſhall not be charged with Actions in Exchequer, but may any where elſe.	**Accountant pur Diſme**, 1 *Rich.* 3. *Cap.* 14.
Shall not be allowed in any Court in *Calice*, or the Marches thereof.	Calice, 1 *H.* 7. *c.* 3.
Of ſuch as were, or after ſhould be in the Kings Service in *Britain*.	Britain, 4 *H.* 7. *c.* 4.
To be exempt from Collection, or payment of *Diſms* grant to Spiritual perſons, Repealed.	Diſms, *Cap.* 5.
Clergy ſhall be allowed but once.	**Clergy**, *Cap.* 13.
Grant to be diſcharged of *Diſms*, ſhall extend no further then in time of *Edw.* 4.	Diſms, 7 *H.* 7. *c.* 6.
Clergy taken away on wilful Murder, and *James Grame* Attaint.	**Clergy**, 12 *H.* 7. *c.* 7.
Profecturus mortuar. & cum Clauſa Volumus to ſuch as are in the Kings Wars beyond Sea, and to Alien *Capite* without Licence, that Executors or Feoffees have Ward by his Will.	Profectur. &c. 3 H. 8. *Cap.* 4.
None to practiſe Phyſick within ſeven miles of *London* unleſs approved by the Ordinary, and four expert.	**Phyſician**, *Cap.* 11.
Taken from ſuch as are not in Orders, on Murder or Felony in Church, Chappel, or Hallowed place, and on Murder or Robbery by malice in High-way, or in Houſe, putting any in fear.	**Clergy**, 4 *Hen.* 8. *c.* 2.
Taking Sanctuary in Foreign County, ſhall be tried where Indictment is laid.	**Sanctuary**, § 2.
Barber-Surgeons ſhall be free of Watch, and all Offices in *London*.	**Barber-Surgeons**, 5 *Hen.* 8. *c.* 6.
The Phyſicians Incorporate, and their Patent confirmed.	**Phyſitian**, 14 & 15 *H.* 8. *Cap.* 5.
To have eight Elects renewed on death, and one Preſident yearly.	§ 2.
All over *England* Practiſers ſhall be approved by Preſident, and three Elects.	§ 3.
They who ſerve the King in War may Alien without Licence to uſe of laſt Will, and Executors or Feoffee ſhall have Wards.	**Soldiers**, *Cap.* 14.
The ſeveral Chaplains each Nobleman may have.	**Noblemans Chaplains**, 21 *H.* 8. *c.* 13.
Preſident of the Kings Council to ſit with Chancellor and Treaſurer where named.	**Preſident of the Council**, 21 *H.* 8. *c.* 20.
He that is taken out of Sanctuary elect on Abjuration, or that commits any new pety Treaſon, Murder, or Felony, may be taken and Hanged.	**Sanctuary**, 22 *H.* 8. *Cap.* 14. § 2.
Clergy taken away from all under Sub-Deacons that do pety Treaſon, Murder, or rob Church, Chappel, Dwelling houſe, or Highway, or burn Houſe, &c. or Abet the ſame.	**Clergy**, 23 *H.* 8. *c.* 1.
Juſtice of Peace to take two Sureties of Peace of Clerk convict in Orders.	§ 4.
Of Clergy taken away from ſuch as ſtand mute, or Challenge peremptory, being Indicted in another County.	**Clergy**, 25 *H.* 8. *c.* 3.
Of Sanctuary not to be allowed for Treaſon.	**Sanctuary**, 26 *H.* 8. *c.* 13. § 2.
Suffragan Biſhop may have two Benefices with Cure.	**Plurality**, *c.* 14. § 8.
Of Clergy and Sanctuary taken away from Felon at Sea, Tried by Commiſſion at Land.	**Clergy and Sanctuary**, 27 *H.* 8. *c.* 4. § 1
Sanctuary and Clergy taken away from Servant Imbezelling Goods of Fourty ſhillings.	*Cap.* 17.
Sanctuary perſons to wear Badges, and no Weapons,	**Sanctuary**, *Cap.* 19.

	pons, not to go abroad during the day, their Governours to determine differences, *&c.*
Clergy, 28 *Hen.* 8. *c.* 1.	Clergy taken away as well from thoſe within Holy Orders, as not, for all Offences within 22 *H.* 8. *Cap.* 14. and 23 *Hen.* 8. *Cap.* 1. and 25 *Hen.* 8. *Cap.* 3, *&* 6.
New-Palace, *Cap.* 12.	Of the *New-Palace* from *Charing-Croſs* to *Weſtminſter-Hall*, the ſame as of the old.
Non-reſidence, *Cap.* 13. §. 2.	Encumbent above fourty miles, Head or Profeſſor in the Univerſity, ſhall not be Non-reſident, on pain in 11 *H.* 8 *Cap.* 13. § 26.
§. 3.	Encumbent under fourty ſhall not be Non-reſident by 21 *H.* 8. *Cap.* 13. §. 28 unleſs he attend at Exerciſes in the Univerſities.
§. 5.	Readers of publick Lectures in Univerſity or Colledge, or ſuch as reſort to proceed Doctors, for that time may be Non-reſident.
Precedency, 31 *Hen.* 8. *Cap.* 10. §. 2.	None to ſit on either ſide of Cloth of Eſtate, whether the King be preſent or abſent, but his Children; but in Parliaments, the Vicegerent in Eccleſiaſtical Cauſes to be on the right ſide of the Chamber.
§. 3.	Next the Archbiſhop of *Canterbury*, next on the ſame Form, Archbiſhop of *York*, next the Biſhop of *London*, next of *Durham*, next of *Wincheſter*, and next according to Ancienty of Biſhops of each Province.
§. 4.	The Chancellor, Treaſurer, Preſident, and Privy-Seal, if Barons, on the left ſide of Parliament Chamber, above Dukes, unleſs the Kings Nephew.
§ 5.	The Great Chamberlain, Conſtable, Marſhal, Admiral, Grand Maſter, or Lord Steward, and then the Kings Chamberlain above all of the ſame Degree.
§. 6.	The Secretaries if Barons, above all Barons.
§. 7.	Dukes, Marqueſſes, Earls, Viſcounts, and Barons, as in Ancienty.
§. 8.	If any Chief Officer be no Baron, to ſit uppermoſt on the Sack.
§. 9.	And on Trial of Peers, the ſame Precedence to be obſerved.
§. 10.	The ſame Order to be obſerved in Parliaments, in Star-Chamber, and in all other Aſſemblies and Conferences of Council.
ithe, *Cap.* 13. §. 21.	The King and Patentee ſhall hold diſcharged of Tithe, *&c.* as Abbe held.
lergy, 32 *Hen.* 8. *c.* 3. §. 8.	Clerks in Orders that ſhould have had Clergy, to be burnt in the Hand as other Lay-men.
anctuary, *Cap.* 12.	All Sanctuaries taken away, except Pariſh-Churches, *&c.*
enizen, *Cap.* 16. §. 7.	That Denizen be as free as Natural born Subject *Non obſtante*, Stat. is no Exemption from Obedience, unleſs the particular Franchiſe be ſpecified.
ord of Parliament, §. 13.	A Lord of Parliament may have ſix Strangers Aliens in Family.
ourt of Augmentations, *Cap.* 20.	Of Abbe Lands revived in the Crown, and put in diſpoſe of the Court of Augmentation, as fully as the Abbe had them.
hyſician, *Cap.* 40.	Phyſician diſcharged of Watch and Ward in *London* and Suburbs.
§. 3.	Phyſician may practiſe Surgery.
urgeon, *Cap.* 42. §. 2.	Surgeons without Suit to the King ſhall have four perſons Condemned of Felony yearly, to Diſſect, *&c.*
§. 6.	Barbers and Surgeons ſhall pay Scot and Lot in *London.*
anctuary, 33 *Hen.* 8. *Cap.* 15.	A Repeal of 32 *H.* 8. *Cap.* 12. as to *Mancheſter*, and in ſtead thereof *Weſtcheſter* is to be the Sanctuary.
eer, *Cap.* 22. §. 3.	Peers that commit Treaſon, to be Tried by Peers.
haplain, *Cap.* 28. §2.	The Chancellor of *Lancaſter*, of Augmentations, of Firſt-fruits, the Maſter of the Wards, the Kings General Surveyors, the Treaſurer of the Chamber of Augmentations, and the Groom of the Stole, may retain one Chaplain, who may be Non-reſident.
heſter, 34 *&* 35 *H.* 8. *Cap.* 13. §. 2.	Shall not be granted by Writ of Exchequer in *Cheſter*, to defraud Creditors.
lergy, 37 *H.* 8. *c.* 8. §. 2.	Clergy not to be allowed to Horſe-ſtealer.
lergy and Sanctuary, 1 *Edw.* 6. *c.* 12. §. 1	Clergy nor Sanctuary not to be allowed for Murder, Poyſoning, Breaking a Houſe by Day or Night, if any be therein, Robbing on High-way, Felonies, Stealing Horſes, *&c.* Sacriledge, but in all other Caſes it may.
lergy, §. 16.	*Bigamus* ſhall have Clergy where its due.
& 3 *Ed.* 6. *Cap.* 33.	Stealer of one Horſe, Mare, *&c.* ſhall not have Clergy.
& 6 *Edw.* 6. *Cap.* 9. §. 4.	Upon 23 *H.* 8. *Cap.* 1. 1. Houſe-breaker where Servant is, in Precinct, not to have Clergy.
§. 5.	Robbers of Booth, where Servant is preſent, not to have Clergy.

A Confirmation of 25 *H.* 8. *Cap.* 3. of taking away Clergy from perſons Indicted in one County of Robbery in another, and as to this 1 *Edw.* 6. *Cap.* 12. §. 10. that allows it, Repeal.	*Cap.* 10. §. 4.
No Sanctuary allowed in Treaſon.	Sanctuary, 1 *Mar.* *St.* 2. *Cap.* 6.
Clergy taken from *Bennet Smith*, acceſſory to Murder of *Rufford* before the Fact.	Clergy, 2 *&* 3 *Ph. & Mar. Cap.* 17.
Clergy taken from Acceſſories in pety Treaſon, Murder, Robberies, *&c.*	4 *&* 5 *Ph. & Mar. c.* 4.
The Lord-Keeper of the ſame Power, *&c.* as Lord-Chancellor.	Lord-Keeper, 5 *Eliz. Cap.* 18.
Clergy not to be allowed to Cut-purſe, or on taking from the perſon, *&c.*	Clergy, 8 *Eliz. Cap.* 4. §. 2.
Allowance of Clergy bars not Indictment of former Offence, wherein its not allowable.	§. 5.
No Clergy on Confeſſion, Verdict, or Utlary, for Rape or Burglary.	18 *Eliz. Cap.* 7.
He that is allowed Clergy, to be diſcharged on Burning as to the Ordinary.	§. 2.
Juſtices after Clergy may detain a year for Correction.	§. 3.
Allowances of Clergy diſchargeth not Anſwer to former Felonies not pardoned.	§. 5.
Acceſſory before and after Horſe-ſtealing no Clergy.	31 *El. Cap.* 12. §. 5.
Clergy taken away from principal, and Acceſſory before the taking away Women, *contra* to 3 *H.* 7. *Cap.* 2.	39 *Eliz. Cap.* 9.
Clergy taken from Takers of Five ſhillings out of Dwelling-houſe in the day.	*Cap.* 15. §. 2.
Clergy taken away on Stabbing, without Stroke or Weapon drawn.	1 *Jac.* 1. *Cap.* 8.
Of Parliament being ended, Party or Executors may Sue new Execution.	Parliament, *Cap.* 13. §. 2.
A Repeal of all Statutes of Sanctuaries.	Sanctuary, *Cap.* 25. §. 34.
Women ſhall be burnt on the Hand with (T) where Men have Clergy.	Clergy, 21 *Jac.* 1. *Cap.* 6.
All Statutes that take away Sanctuary, Revived, notwithſtanding 1 *Jac.* 1. 25.	Sanctuary, *Cap.* 28. §. 6.
No Sanctuary to be allowed in any caſe.	§. 7.
Of Stannaries ſhall be only in Vill, Tything, or Hamlet, where Tin-work is ſituate, and only while working.	Stannaries, 17 *Car.* 1. *Cap.* 15. §. 4.
Soldiers 25 *April*, 1660. may exerciſe Trade without ſerving out Apprentice.	Soldiers, 12 *Car.* 2. *Cap.* 16.
Clergy taken away from Stealers of Cloth off the Rack, and Imbezellers of Stores *contra* to 31 *El. Cap.* 4.	Clergy, 22 *Car.* 2. *c.* 5.
Durham enable to ſend two Knights to Parliament for the County, and two Citizens.	Durham, 22 *Car.* 2. *c.* 9.
Soldier may Demiſe Goods by Nuncupative Will.	Soldier, 29 *Car.* 2. *c.* 3. §. 23.
An Act for Declaring Rights and Liberties of Subjects, and Settling Crown. *Vide* Title *Prerogative.*	Rights and Liberties, 1 *W & M. Seſſ.* 2. *c.* 2.
Robbing Perſon, or taking away Goods in Dwelling Houſe, any therein put in fear, Robbing Dwelling Houſe in day time any therein, and Acceſſories thereto, or to breaking Dwelling Houſe, *&c.* and taking away Goods value 5 *s.* though none therein, and Acceſſories to Burglary Convict, *&c.* ſtanding Mute, not directly Anſwering, or Challenging above 20 ouſted of Clergy.	Robbing, Breaking-Houſe, &c. and Acceſſories thereto and to Burglary, 3 *&* 4 *W & M. Cap.* 9. §. 2.
Offenders from whom Clergy was formerly toll'd, Excluded from Clergy in Caſe of ſtanding Mute, not Anſwering directly, or Challenging above 20.	Mute, Challenge, &c. §. 3.
Felons of Goods in another County (Convict) ſtanding Mute, not Anſwering directly, or Challenging above 20, excluded from Clergy, where if Convict in proper County Clergy was Toll'd.	Felons in another County, §. 4.
Women in Caſes of Felony (for which men may have Clergy) not to ſuffer Death, but be burnt in the hand.	Branding Women, §. 7.
Women Convict of Felony ſhall have benefit of *Stat.* of 3 *&* 4 *W & M. Cap.* 9. but once, where a Man may have Clergy oftner.	Women to have Benefit of Stat. but once, 4 *&* 5 *W & M. c.* 24. §. 13.
Makes perpetual 3 *&* 4 *W & M. Cap.* 9. and 4 *&* 5 *W & M. Cap.* 24. §. 13.	Reviver, 6 *&* 7 *W.* 3. *Cap.* 14.

Prize-Goods, ſee *Merchants.*
Probate of Teſtament, ſee *Ordinary.*

Proceſs.

Proclamation, Petition, Commiſſion, Right, Judicial Proceedings, Accuſation, Suggeſtion, Writs, Summons.

No *Precipe in Capite* ſhall be Award, whereby Freeholder loſe his Court.	Precipe in Capite, 9 *H.* 3. *Cap.* 24. *Magna Chart.*
No Freeman ſhall be taken, Impriſoned, Diſſeized, Outlawed, Exiled, or otherwiſe deſtroyed of Freehold, Liberties, nor Free Cuſtoms, nor will	Freeman, *Cap.* 29.

	the King paſs on or Condemn him but by lawful Judgment of his Peers, or by the Law of the Land.
Appeal, *c.* 34.	A Man ſhall not be taken or Impriſon in Appeal of a Woman, but on death of her Huſband.
Common Summons, *9 H. 3. Stat. 2. c. 2. Ch. de Foreſta.*	Common Summons reaches none but ſuch as are Impleaded in Foreſt, or Sureties for ſuch as be Impleaded.
Eſtreats, 51 *H.* 3. *p.* 11. §. 10. *De Scaccario.*	Shall be made out of Exchequer on Eſtreats into every Shire.
Fine, 52 *H.* 3. *c.* 3. *Malbr.*	He that will not ſuffer Diſtreſs to be delivered by the Kings Officers, nor Summons, Attachments or Execution of Judgments in the Kings Court, is puniſht as one that will not obey the Law, and Fine.
Common Pleas, *c.* 5.	Againſt Offenders of *Magna Charta*, and *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench, or in Eyre.
Deſorceor, *c.* 7.	On Abſence of Deforceor or Grand Diſtreſs, twice or thrice renewed half a year, and openly proclaimed, and being not to be taken, he ſhall loſe the Ward as a Rebel, and ſuch as will not be juſtified.
Diſtreſs, *c.* 9.	In a *Contra formam Feoffamenti*, is Diſtreſs, and Returned by Default of the Cattel Diſtrained.
Dower, &c. *c.* 12.	In Dower *unde nihil habet*, ſhall have four days in the year at leaſt, and five or ſix in *Dar. Preſentment*, and from fifteen to fifteen to *Quare Impedit*, or from three weeks to three weeks, and 1. Summons, 2. Attachment, 3. Diſtreſs, and on Default, a Writ to the Biſhop.
Amerciament, *c.* 18.	No Eſcheator, Commiſſioner, Juſtices of Aſſize, nor of Oyer and Terminer ſhall Amerce for Default of Common Summons, but only the Chief Juſtices in Eyre in their Circuits.
Delivery of Diſtreſs, *Cap.* 21.	Sheriffs without, and Bailiffs within Franchiſe, ſhall make delivery of Diſtreſs on Complaint.
Diſtreſs, *c.* 22.	None may Diſtrain Freeholders to anſwer for their Freehold, nor to ſwear againſt their Wills, but by the Kings Writ.
Bailiff, *c.* 23.	Bailiffs that have no Lands ſhall be Attacht that withdraw, and do not Account to their Lords.
Vouchee, *c.* 26.	Vouchee ſhall not be Amerced for Default the firſt day in Eyre, but on Summons the third or fourth, and if out of the Shire, by fifteen days.
Acceſſary, 3 *Edw.* 1. *c.* 14. *W.* 1.	Acceſſary ſhall not be Utlawed till Principal be Attaint.
Diſtreſs, *c.* 17.	Caſtle into which Diſtreſs is put, ſhall be forfeit and demoliſht, on refuſal to deliver Cattel to Sheriff on Demand, and Damages from the Demand, and in *Wales* the King as their Sovereign Lord will give remedy.
Diſtreſs of Foreigner, *Cap.* 23.	City, Borough, Town, Market, or Fair, ſhall not Diſtrain Foreigner for what he oweth not as Debter or Pledge.
Cap. 35.	Foreigner being Arreſt, paſſing through inferiour Juriſdiction for Contract *Dehors*, ſhall have double Damages.
Grand Diſtreſs, *c.* 45.	On Default of Tenant at firſt Attachment, Grand Diſtreſs ſhall be Award, and Iſſues Levied, forfeit by not appearing after.
Aid del Roy, 4 *Edw.* 1. *c.* 1. *De Bigamis.*	On *Aid del Roy*, ſhall ſtay till the Kings Command had for it.
Cap. 2.	On Advertiſement made to the King of Confirmation, Grant, Warranty, Surrender, *&c.* Party ſhall proceed without delay.
Voucher, 6 *Edw.* 1. *c.* 12. *Glouc.*	Is in *London* if foreign Voucher be determined, but if a Recovery be, Execution for Value of Warranty is before the Juſtices.
Waſte, *c.* 13.	The Tenant ſhall do no Waſte nor Eſtreatment pending the Writ.
Pety Cape, 9 *Edw.* 1. *p.* 33.	Pety Cape and Judgment in Huſtings in *London*, on Default before the Juſtices, and though not according to *Glonceſter*, *Cap.* 12. a ſpecial Writ is ſent to execute it.
Admeaſurement, 13 *Edw.* 1. *c.* 7. *W.* 1.	If Defendant come not in two Counties after Grand Diſtreſs on Proclamation, Admeaſurement ſhall be made.
Cap. 8.	Juſtices on Admeaſurement before them, give Damages in a *Secunda ſuperoneratione*, Sheriff Eſtreats Value of Cattel into Exchequer.
Mean Tenant, *c.* 9.	Mean not acquitting Tenant at Grand Diſtreſs, and Proclamation two Counties, ſhall be fore judged if of full age, and but one Mean.
Waſte, *c.* 14.	No Prohibition in Waſte, but on Default on Attachment and Diſtreſs, Sheriff ſhall Enquire at place Waſted, and Judgment thereon.
Raviſher, *c.* 35.	If Raviſher on Diſtreſs be not juſtifiable, he ſhall be Utlawed, and on death Heir or Executor may reſummon the Plea.
Execution, *c.* 45.	Execution may be immediate within the year of the Writ, but after not without *Sci, Fac.* to party.
View, *c.* 48.	View ſhall not be granted but for neceſſity, never after former Writ abate, nor in Dower againſt Tenant, nor to the Plaintiffs own Leſſee, though Enfant, *&c.*

The Recognizance, if Debter hath nothing in Town, is Certified into Chancery, and ſo a Writ to Sheriff Return before Juſtices of either Bench.	Recognizance, 13 *Ed.* 1. *pag.* 54. *Stat. Mercht.*
Where after Prohibition no Writ lieth out of Chancery to redreſs, a Conſultation ſhall be.	Conſultation, 24 *Edw.* 1. *pag.* 59. *De conſultat.*
The Kings Writ ſent to enforce Execution of the Grand Charter as the Common Law, and *Charta de Foreſta*, for the Weal of the Realm.	Grand Charter, 25 *Ed.* 1. *c.* 1. *At London.*
No Writ that toucheth the Common Law, ſhall be under any pety Seal.	Common Law Writ, 28 *Edw.* 1. *c.* 6. *Artic. ſuper Chart.*
Summons and Attachment in Plea of Land, ſhall contain fifteen days, unleſs Aſſizes in the Kings preſence, and Pleas in Eyre.	Summons, &c. *c.* 15.
Officer ſhall be Amerced on falſe Return.	Amerciament, *c.* 16.
In Writs of common Summons of *Quo Warranto*, ſhall be fourty Days, as in others, and on Default, Liberties Deſtrain by Seizure, and Replevied on Appearance, and preſent Anſwer by Uſurper apparent, without Original Writ, and Judgment if Uſurpation appear but againſt Heir on Original.	Quo Warranto, 30 *Ed.* 1. *pag.* 67. *De Quo Warranto.*
May be in Temporal and Spiritual Courts for the ſame Offence.	Juriſdiction, 9 *Edw.* 2. *c.* 6. *Artic. Clei.*
The Kings Letter to Ordinaries to aſſoyl Parties Excommunicated, ſhall go only where its found his Liberty is prejudiced.	Letters to aſſoyl, *c.* 7.
Shall be executed by Hundredors ſworn and known in full County, ſaving others Franchiſe of Return.	Hundredors, 9 *Edw.* 2. *pag.* 79. *Sheriffs.*
Shall be againſt Witneſs to appear the day of Aſſize, but that ſhall not be deferred for their Abſence in Franchiſe where the Kings Original Writ lieth not.	Witneſs, 12 *Edw.* 2. *c.* 2. *York.*
Shall not be by Command under the Great Seal to diſturb Juſtice.	Command of King, 2 *Edw.* 3. *c.* 8.
Shall not be loſt by Adjournment of *C. B.* without timely warning,	Loſing of Proceſs, 2 *Edw.* 3. *c.* 11.
Deceit lieth as well in Garniſhment, as Summons in Plea of Land.	Deceit, *c.* 17.
None ſhall be Attacht by Accuſation, or adjudged of Life or Land, againſt the Form of *Magna Charta.*	Judgment, 5 *Edw.* 3. *Cap.* 9.
Shall be into all Counties of *England*, to take Felons or Utlaws.	Felons, &c. *c.* 11.
Land ſhall not be forfeit by Non-plevin.	Non-plevin 9 *Ed.* 3. *c.*
Shall not be adnulled for Miſpriſion of Clerk in Syllable.	Miſpriſion of Clerk, 14 *Edw.* 3. *c.* 6.
After four Writs of Search, Party ſhall be put to Anſwer on *Aid del Roy.*	Aid del Roy, *c.* 14
Exigent againſt the Kings Receivers of Wooll or Money, or that Tranſport Wooll Uncocketed, againſt Conſpirators, Rioters, againſt ſuch as bring in falſe Money.	Exigent, 18 *Edw.* 3. *pag.* 109.
None ſhall be taken nor put out of Freehold by Suggeſtion or Petition, without Indictment, Preſentment, or Original Writ.	Suggeſtion, 25 *Edw.* 3. *Stat.* 4. *c.* 4.
Againſt one Indict of Felony, is a *Capias*, then another Return in three Weeks, and to Seize Chattels which are ſaved by taking before Return, but after an Exigent.	Felony, *c.* 14.
By *Capias* and *Exigent* ſhall be made in Debt, Detinue, and taking Chattel, as in Account.	Debt, &c. *c.* 17.
From the Court of *Rome* ſhall not be executed.	Rone, 25 *Edw.* 3. *p.* 121. *Proviſors.*
On drawing Pleas out of the Kings Courts out of the Realm, is a *Præmunire* two Months, then a *Capias*, then *utlary.*	Rone, 27 *Edw.* 3. *c.* 1.
Againſt Purveyors, and others in Staple, is from day to day, and hour to hour, not as at Common Law.	Purveyors, 27 *Edw.* 3. *Stat.* 2. *c.* 4.
None ſhall be put out of Lands or Tenement, or be Impriſon, or put to death, without Anſwering by Proceſs of Law.	Poſſeſſor of Freehold, &c. 28 *Edw.* 3. *Cap.* 3.
Shall be made from the Chancery on Surety there, that Suggeſtion made to the King is true, and none to be Impriſoned otherwiſe.	Surety, 37 *Edw.* 3. *Cap.* 18.
None to be put to Anſwer without Preſentment before Juſtices, or matter of Record, or by due Proceſs and Original Writ, the *contra* to be void, and Error.	Manner of anſwering, 42 *Edw.* 3. *c.* 3.
Prieſts ſhall not be Arreſt while Attending Divine Service.	Prieſts, 50 *Edw.* 3. *c.*
Shall be to Sheriffs of thoſe Counties where Contracts were made.	Place, 10 *R.* 2. *c.* 2.
None ſhall be compelled to appear before the Council of Lords or Ladies, to anſwer of Freehold, if done, may have a Writ out of Chancery.	Expal, 15 *R.* 2. *c.* 12.
If any Lords or Ladies compel to Anſwer of Freehold, *contra* to 15 *Rich.* 2. *Cap.* 12. they ſhall forfeit Twenty pounds.	16 *Rich.* 2. *c.* 2.

Protract perſons, 2 *H*.4. *Cap*. 22.	May go on againſt perſons meant to be protract by 11 *R*. 2. *Cap*. 1.
Cap. 24.	Againſt thoſe that were with the Duke of *York*, 23 *R*. 2. for Wages received, to be diſcharged.
Commiſſioners, 4 *H*. 4. *Cap*. 9.	Againſt Commiſſioners to return Enqueſt that never heard of any, *&c.* is to be remedied in Chancery.
7 *Hen*. 4. *c*. 11.	Shall be diſcharged in Exchequer againſt Commiſſioners, their Heirs and Tenants, on Oath that they never received any Commiſſion of Oyer and Terminer, or of Enquiry and Certifying.
Addition, 1 *H*. 5. *c*. 5.	Where Utlary lieth, is void for want of Addition of Degree, Myſtery, Town, Place and County, *contra* for Surpluſage.
Tyndal, 2 *H*. 5. *c*. 5.	On Utlary of Dweller in *Tyndal* in *Examſhire*, for Murder, Treaſon, or Felony done out, Certificate ſhall be to the Franchiſe, becauſe the Kings Writ runs not, and the Miniſters thereon ſhall do Execution.
Riot, *c*. 9.	On Certificate of Riot by two Juſtices of Peace, and that Parties are fled, a *Capias* ſhall Iſſue out of Chancery, and Certificate to Franchiſe.
Money, 3 *H*. 5. *Stat*. 2. *Cap*. 7.	Juſtice of Aſſize ſhall hear and determine all falſity of Money, Clipping, *&c.* and Juſtice of Peace Enquire and Award *Capias*.
Abatement, 4 *H*.6. *c*. 4.	Shall not abate by certain perſons being made Knights.
Indictment, 6 *H*.6. *c*. 1.	*Capias* on Indictment ſhall be ſix weeks *Teſte* before Return, and Exigent before Return, void.
Pannels, *c*. 2.	Copies of Pannels ſhall be given ſix days before Aſſizes.
Indictment, 8 *H*. 6. *Cap*. 10.	Where Party Indict lives out of the County or Liberty, a ſecond *Capias* ſhall be to the Sheriff of that County, *Teſte* three Months from date, and Utlary otherwiſe void.
§. 4.	A Confirmation of 6 *H*. 6. *Cap*. 1. and that perſons acquit, ſhall have Action *ſur* Caſe.
§. 6.	Againſt perſons in the ſame County when Indict, only one *Capias*.
Amendmetn, *c*. 12.	May be amend, or Error Aſſigned.
Cap. 15.	May be amend as well by way of Error, as otherwiſe.
Baſtardy, 9 *H*. 6. *c*. 11.	Shall not be to Ordinary to Certifie Iſſue on Baſtardy, till one proclaim where Iſſue is, and another of three Months in Chancery.
Certiorari, 10 *H*.6. *c*. 6.	Shall be the like in *B. R.* on removal by *Certiorari*, as before the Juſtice where Indictment of Felony in foreign place was taken, by 8 *H*.6. *Cap*. 10.
Diſcontinuance, 11 *H*.6. *Cap*. 6.	Before Juſtices of Peace ſhall not be diſcontinued by any new Commiſſion.
Subpœna, 15 *H*. 6. *c*. 4.	No *Subpœna* until Surety put in to ſatisfie Damages.
Diſobedience, 31 *H*. 6. *Cap*. 2.	Refuſal to obey in ſeven years, 1. Loſs of Offices. 2. Forfeit for Life, or Fine at diſcretion on Proclamation.
Cumberland, *&c.* *c*. 3.	Attachments in the Eaſt and Weſt Marches ſhall be in *Cumberland*, *Weſtmerland*, *Northumberland*, and *Newcaſtle*.
Robbers, *c*. 4.	Shall be out of Chancery againſt Robbers, *contra* to ſafe Conduct.
Proclamation Fine, 1 *R*.3. *c*. 7.	Proclamation of Fine to be the ſame, and three Terms after Levied, *&c.* ſo 4 *H*. 7. *Cap*. 24, *&c.*
Indictment, 3 *H*. 7. *c*. 1.	On Indictment ſhall be preſent, and not ſtay a year and day for Appeal.
Service, 11 *H*. 7. *c*. 15.	Shall be duly ſerved by Bayliff on Suit in County Court, on forfeit of Fourty ſhillings, and Amerciaments not Eſtreat, till allowed by two Juſtices of Peace.
Action ſur Caſe, 19 *H*.7. *Cap*. 9.	The ſame in Action *ſur* Caſe, as in Treſpaſs or Debt.
Exigent, 6 *H*. 8. *c*. 4.	For Continuance of 4 *Hen*. 8. *Cap*. 4. that Proclamation be where Party dwells on Exigent in another County.
Indictment, *c*. 6.	Indictments remove in *B. R.* may be remanded by *Procedendo*, to Goal-delivery, and Juſtice of Peace.
Attaint, 23 *H*. 8. *c*. 3. §. 2.	In Attaint is Summons, Reſummons and Diſtreſs infinite.
Citation, *c*. 9.	The Ordinary ſhall Cite none out of Dioceſs but for Hereſie, or Probate of Will, or on Appeal, *&c.*
Utlary, *c*. 14.	Of Utlary to lie in Action *ſur Stat*. 5 *R*. 2. *Cap*. 7. and in Annuity and Covenant.
Kings Name, 27 *H*. 8. *c*. 24. §. 3.	Shall be only in the Kings Name, but may be *Teſte* by County Palatine.
Returns, 32 *H*. 8. *c*. 21.	The ſeveral Returns thereof in each Term.
Continuance, 33 *H*. 8. *Cap*. 10.	Shall be continued from Seſſions to Seſſions, *&c.* 37 *H*. 8. *Cap*. 7.
For Kings Debt, *c*. 39. §. 5.	For the Kings Debt by Obligation, ſhall be as on Statute Staple, only againſt Parties bound, their Heirs, Succeſſors, *&c.* and none other.
§. 7.	Shall be under Seal of that Court where the Kings Debt doth ariſe.
§. 25.	For the King ſhall be firſt ſatisfied.
§. 33.	May be in Exchequer, as at Common Law, or by this Act,

Juſtice of Peace to Award Proceſs, *Capias*, Exigent, and *Capias Utlagat*. againſt Depravers or Vilifiers of the Sacrament.	**Sacrament**, 1 *Edw*. 6. *c*. 1. §. 3.
In Eccleſiaſtical Court, ſhall be as Writs at Common Law in Style of the King, but *Teſte* by the Biſhop.	**Eccleſiaſtical Court**, *c*. 2. §. 3.
Shall be under Seal of the Kings Arms, *&c.*	§. 4.
Shall not be Abated between Parties *per* Demiſe of the King.	*Cap*. 7.
Before Juſtice of Aſſize, Goal-delivery, Oyer and Terminer, of the Peace, or any Commiſſion, ſhall not be diſcontinued by new Commiſſion or Aſſociation.	**Diſcontinuance**, §. 6.
Proclamation ſhall be Awarded into *Wales*, *Cheſter*, &c. if the Party dwells there, on Exigent.	**Exigent**, *c*. 10. §. 2.
Exigends and Proclamation to be Award to Sheriff of County Palatine of *Lancaſter*.	5 *&* 6 *Edw*. 6. *c*. 26.
Sheriffs ſhall make Deputies in *B. R.*	**Sheriff**, §. 3.
Capias Utlagat. &c. ſhall be to Chancellor of Dutchy *Lancaſter*, and he to make Proceſs thereon, with Seal of County Palatine.	Cap. Utlag. §. 7.
In Action *ſur* Stat. forging Deeds, ſhall be as in Treſpaſs, *&c.*	**Forging Deeds**, 5 *Eliz*. *c*. 14. §. 4.
After Verdict, ſhall not be diſcontinued for want of Form, Variance, nor falſe *Latine*.	**Diſcontinuance**, 18 *El*. *Cap*. 14.
Where Exigent is in perſonal Actions, a Proclamation ſhall be in Court, and at place of Parties abode, and a Month before *Quinto Exactus*, at Church-door on *Sunday*.	**Exigent**, 31 *Eliz*. *c*. 3.
After every Summons in real Action fourteen days, Proclamation to be on *Sunday* near Church-door, where Land is, and no Grand Cape till Return.	**Summons in real Action**, §. 2.
Before Allowances of Error, Bail ſhall be put in to Anſwer Condemnation.	**Error**, §. 3.
Shall be direct to Biſhop of *Durham*, to proclaim Exigent in *B. R.* *&c.*	Durham, *c*. 9. §. 2.
Biſhop to make Deputy in *B. R.* and *C. B.* *&c.* to receive Writs, as Sheriffs.	§. 3.
Biſhop, *&c.* forfeits Five pounds for undue Return.	§. 4.
Not prejudice Biſhop of *Durham* in any other reſpects.	§. 5.
All againſt perſons Utlawed to be directed to Biſhop, *&c.*	§. 6.
Only one Fee for Proclamation, Mandate, and Execution, *&c.*	§. 7.
No *Habeas Corpus* or other Writ to remove Cauſe below, to be allowed after one Juror ſworn to Try Iſſue, unleſs ſhewed before.	Hab. Corp. 43 *Eliz*. *c*. 5.
Warrant by Sheriff, to Arreſt before receit of Original Writ, forfeits Ten pounds Damages, and Fine Twenty pounds to the Queen.	**Warrant of Sheriff**, *cap*. 6.
Clerk of the Peace in two Months to deliver Utlaries of Borderers to Sheriffs to proclaim, *&c.*	**Utlaries**, *c*. 13. §. 4.
Of Peace and Good-behaviour void, unleſs on Motion in Court, and Articles.	**Of Peace**, &c. 21 *Jac*. 1. *c*. 8. §. 2.
May be by Seſſions on Indictment, unleſs ſufficient Sureties be on *Certiorari*.	§. 7.
To Levy Ship-money by Writ on Imminent Danger, void.	**Ship-money**, 17 *Car*. 1. *Cap*. 14.
By Diſtreſs for Fine, for not taking Order of Knighthood, void.	**Knighthood**, *c*. 20.
All Pleas, Writs, Bills, Actions, Suit, Plaints, Proceſs, Precepts, *&c.* to continue to all Intents, as if Return-Days had been actually kept.	**Continuance of Pleas**, 12 *Car*. 2. *c*. 3.
Continued to the Morrow of *Aſcenſion Paſch*. 1660. as if former Returns had been kept.	§. 2.
No Writs, Proceſs, Plaints, Pleas, Informations, Indictments, or Judicial Proceedings before 5 *May*, 1660. to be abated by Style of Uſurper.	§. 3.
By Act, 1650. in *Engliſh*, to be good from 1651. to 1. *Auguſt*, 1660.	§. 4.
The Act for General Iſſue, 1650. to be in force till 1 *Auguſt*, 1660.	§. 5.
All Commiſſions henceforth to Iſſue in the Kings Name.	**Commiſſons**, §. 8.
No Judical Proceedings to be avoid for defect of power in Uſurpt time.	**Judicial proceedings**, *Cap*. 12.
Cauſes of Action ought to be Notified by the Common Law.	13 *Car*. 2. *Stat*. 2. *c*. 2.
None ſhall be forced to Bail above Fourty pounds, unleſs Cauſe be ſhewed, or Defendant be Bailable, by 23 *H*. 6. *Cap*. 10.	**Bail**, §. 2.
Bail diſcharged by Appearance at Return of Writ, and unleſs Plaintiff Declare before Term end, next after Appearance, Nonſuit, and Coſt *pro* Defendant, as 23 *H*. 8. *Cap*. 13.	§. 3.
Not to extend to Arreſt upon *Capias Utlagat*. Attachment, *Reſcous*, &c.	§. 4.
Priſoners in Fleet by *Habeas Corpus* to be Charged in *C. B.* with Actions.	**Priſoners Charg'd**, §. 5.
Need not fifteen days between *Teſte* and Return of *Ven. fac. Hab. Corp. Diſtringas, Fi. fac. Cap. ad ſatisfaciend.*	Teſte, §. 6.

Bail, § 7.	Not to extend to Exigent, nor to *Capias* in order to Bail.
§ 8.	A confirmation of 3 *Jac.* 1. *Cap.* 8.
§ 9.	No Execution to be ſtayed after Verdict, and Judgment in Debt on 2 *Edw.* 6. *Cap.* 13. for Tithe, nor in *Aſſumpſit* for Money, Trover, Covenant, Detinue, Treſpaſs, unleſs Bail, *&c.*
Coſts upon Affirmance, § 10.	Defendant on Affirmance of Judgment to pay double Coſts.
§ 11.	Not to extend to Action popular, nor on penal Law, nor to Indictment, *&c.*
Account, 14 *Car.* 2. *c.* 16.	Shall be as 33 *H.* 8. *Cap.* 39. on Recognizance of Statute, if Accountant neglect till 1662.
Collectors, *Cap.* 17.	Collector, *&c.* of publick Moneys may plead General Iſſue, and wave Demurrer.
Commiſſioners of Exciſe, 15 *Car.* 2. *c.* 12. § 2.	By Commiſſioners of Exciſe leaving Summons in Writing at Houſe, or with Wife, Child, or Servant, ſufficient Notice, *&c.*
Will, 29 *Car.* 2. *c. Cap.* 3. § 2.	Shall be againſt Widow or next of Kindred before Proceſs of a Nuncupative Will.
Affidavit, *Cap.* 5. § 2.	The Chief Juſtice and one Judge may Aſſign Commiſſioners to take Affidavits in the Countrey.
Lords day, *c.* 7. § 6.	Served on the Lords-day, void.
Hæret. combur. *Cap.* 9.	Takes away the Writ *De Hæretico Comburendo.*
Diſcontinuance in 1688. revived and adjourned, 1 *W* & *M.* *Seſſ.* 1. *c.* 4. § 2.	Proceſs in Courts at *Weſtminſter* Diſcontinued by not holding *Hillary* Term 1688 Revived, and Adjourned to *Quindena Paſchæ.*
Errour before Juſtices and Barons, § 3.	Writs of Errour in Exchequer Chamber before Juſtices and Barons, Revived and adjourned to 20 *April.* 1689. and parties to appear.
Errour before Chancellor and Treaſurer, § 4.	Writs of Errour in Exchequer Chamber before Lord Chancellor and Treaſurer; Revived to 23 *April*, and parties to appear.
Fines, § 5.	Fines on which Proclamation ought to have been in *Hillary* Term, to be good, and if laſt Proclamation was to have been in *Hillary* Term, the Five years for Entry or Claim, to be from 12 *February*, 1688.
Judgments, § 6.	Judgments that by Warrant of Attorney was to have been Entred in *Hillary* Term, may be Entred in *Eaſter* Term, if parties living.
Proſecuting Writ, &c. **before** 17 Apr. 1689. § 7.	Writs, Proceſs, *&c.* may be proſecuted before 17 *April*, 1689. Returnable in *Eaſter* Term, to be dated on day they are ſued out, and to be good without Original.
Habeas Corpus, § 8.	*Habeas Corpus* in Civil Cauſes, may be proſecuted before 17 *April*, to be Dated as above, and Returnable immediate.
Proceedings in other Courts, § 9.	Actions and Proceedings depending in other Courts on 11 *December*, 1688. Revived, and may be proceeded on without Adjournment
Offences in Interregnum, § 10. **Matters Actionable.** **Time and concluſion in Indictment, Declaration**, &c.	Offences in late Interregnum, and Offenders in Cuſtody, or on Bail 13 *February*, puniſhable, and Matters ariſing within that time Actionable, and Indictments, Declarations, *&c.* to have the year of our Lord inſtead of the year of the King, and *contra pacem regni* inſtead of *contra pacem Domini Regis.*
Recognizances in Interregnum, § 11.	Recognizance, *&c.* in late Interregnum to late King *James* to be good, and perſons to appear thereupon next *Eaſter* Term, Aſſizes, *&c.*
§ 12.	Writs and Proceſs of Courts of *Weſtminſter* as of *Michaelmas* Term, Executed before Returnable, and Proceedings in other Courts in late Interregnum, to be good.
Bail, § 13. **Commitments.**	Bail taken ſince 1 *November* 1687. by Sheriffs not qualified, and ſince 11 *December*, 1688. before late Judges, to be good, and Inrolled in *Eaſter* Term, 1689. and Commitments on Writ or Proceſs by ſuch Judges ſince 11 *December*, to be good.
Avoidance of Church, § 14. **Limitation of Action.**	Time from 10 *December* till 12 *March*, 1688. to be none of the ſix Months from avoidance of any Church in Darrein Preſentment, or *Quare Impedit*; nor of the time for bringing an Action by Stat. Limitations.
Commiſſion for Eccleſiaſtical Cauſes, *Seſſ.* 2. *Cap.* 2.	Commiſſion for Erecting a Court of Commiſſioners for Eccleſiaſtical Cauſes, and all ſuch Commiſſions Illegal.
Petitioning King.	Subjects have right to Petition the King.
Indempnity, *Cap.* 8.	Indempnity, *&c.* for things done in bringing in their Majeſties, or for Service of the Government, and General Iſſue may be pleaded, *&c.*
Kings Abſence, 2 *W* & *M.* *Seſſ.* 1. *Cap.* 6.	Kings abſence from *England* not to determine Commiſſions.
Pardon, *Cap.* 10.	Proceſs made out for things Pardoned void, and Officer or Clerk puniſhable.
London, *Cap.* 8. § 5.	Proceedings, *&c.* in Courts in *London* ſince Judgment againſt the Charter in 35 *Car.* 2. not to be avoided for want of legal authority in Officers, *&c.*
Indempnity, *Seſſ.* 2. *Cap.* 13.	Indempnity of perſons acting for the ſervice of the Kingdom, *&c.* in 1690.
Judges to make Commiſſions for taking Bails in Country.	**Bail in the Country**, 4 *&* 5 *W &* *M.* *Cap.* 4.
Indempnity of perſons acting for Service of the Kingdom, *&c.* in 1692.	**Indempnity**, *Cap.* 19.
Clerk Crown iſſuing Proceſs againſt Grantees of Felons Goods, *&c.* after Inrollment and allowance of their Grants forfeits 5 *l.*	**Grantees** de bonis Felonum, *&c.* againſt **whom lieth** not, *c.* 22. § 2.
But not Puniſhable where againſt thoſe whoſe Titles are not Inrolled, nor pleaded, *&c.*	**Againſt whom lieth**, § 3.
Upon an Exigent in Criminal matters before Judgment or Conviction ſhall iſſue a Proclamation according to 31 *Eliz.* *Cap.* 3. and be delivered Three months before Return.	**Proclamation** on an **Exigent in Criminal caſes**, § 4.
To continue three years.	**Continuance**, § 5.
Capias pro Fine taken away.	Capias pro Fine, 5 *&* 6 *W &* *M.* *Cap.* 12.
Officer or Clerk ſigning Proceſs before Judgment, to Indorſe day and year of Signing, to be Entered on Remembrance, or in Book where Abſtract Entred, on pain of 10 *l.*	**Indorſing day and year of Signing, Proceſs before Judgment**, *Cap.* 21 § 4.

Prochein Amy, ſee *Guardian.*
Proclamation, ſee *Proceſs.*
Proof, ſee *Witneſs.*

Prohibition.

Libel, Indicavit, Conſultation.

Shall not be to Spiritual Court on Fornication, Avowtry, Ornaments of Reparation of Church, Tythes not exceeding fourth part of Church, Oblations, Mortuaries, Penſions, ſtriking Clerk, and Defamation.	**Fornication** &c. 13 *Ed.* 1. *p.* 55. *Circumſpect. Age.*
Where no writ lieth out of Chancery to redreſs the Matter, a conſultation ſhall be awarded.	**Conſultation**, 24 *Ed.* 1. *p.* 59. *De Conſult.*
Indicavit ſhall not be grant until the Matter be Recorded in the Spiritual Court.	Indicavit, 34 *Edw.* 1. *p.* 70. *De Conj. Feoff.*
Lieth if Parſon cuts Trees in Church-Yard, unleſs it be to Repair the Chancel.	**Church-yard**, 35 *Ed.* 1. *p.* 75. *Ne Rect.*
Lieth on demand of Money in Spiritual Court, for Sale of Tithes in the Barn, but not in Suit for Tithes.	**Tithes**, 9 *Ed.* 2. *c.* 1. *Artic. Cleri.*
Lieth not of Tithes to fourth part of Church on the right of Patronage, nor on corporal Penance redeem for Money, but on Pecuniary Penance doth.	*Cap.* 2.
Amends for ſtriking Clerk is before the King, but Excommengement before Prelate.	**Striking**, *Cap.* 3.
No Prohibition for Defamation on corporal Penance redeemed for Money.	**Defamation**, *Cap.* 4.
Lieth not to revoke Excommengement for Tithes of a new Mill.	**Tithes**, *Cap.* 5.
The Kings Courts ſhall diſcuſs matter, notwithſtanding Sentence in Spiritual Courts.	**Temporal Power**, *ib.*
The King to Aſſoyl parties Excommunicated, ſhall go only where its found the Kings Liberty is prejudiced.	**Aſſoylment**, *Cap.* 7.
All the ſeven Articles above are ſaid to be Statutes made during the Reigns of *Hen.* 3. *Edw.* 1. or *Edw.* 2. but uncertain when and in whoſe time.	**Statute above**, *Incert. temp. pa.* 85.
Lieth on Suit in Spiritual Court againſt an Indictor for Defamation.	**Defamation**, 1 *Edw.* 3. *Cap.* 11.
Shall be only where the King hath of right the cognizance.	**Temporal Power**, 18 *Ed.* 3. *Cap.* 5.
Lieth to Spiritual Court in Suit for Tithe of Wood twenty years growth, as *Sylva Cædua.*	**Wood**, 45 *Edw.* 3. *c.* 3.
Shall not be granted after conſultation for the ſame cauſe.	50 *Edw.* 3. *Cap.* 4.
Until Copy of Libel in Spiritual Court be delivered where grantable by Law.	**Libel**, 2 *Hen.* 5. *Cap.* 3.
Lieth not where Archbiſhop, *&c.* ſueth for Penſion, Synody, *&c.* lawfully iſſuing and enjoyed ten years before Monaſtery diſſolved.	**Archbiſhop**, 34 *&* 35 *Hen.* 8. *c.* 11. § 4.
Suit againſt Patentee that by Covenant is diſcharged, muſt be in Court of Augmentations, and not elſewhere.	**Patentee**, § 6.
To be as uſed, *&c.* not proving ſuggeſtion in ſix Months, double Coſts, *&c.*	**Suggeſtion**, 2 *&* 3 *Ed.* 6. *c.* 13. § 14.

Properties, ſee *Chattels.*
Prophecy, ſee *Slander.*
Protection, ſee *Priviledge.*
Purbeck Iſland, ſee *War.*
Purpreſtures and *Nuſance*, ſee *Diſſeizor.*

Purveyance.

No Conſtable nor his Bailiff ſhall take Corn or other Chattels, if the Man be not of that Town where the Caſtle is, but paying preſently, or reſpite by conſent of the Seller, and if within the ſame Town, within fourty days.	**Of whom**, 9 *H.* 3. *c.* 19. *Magna Chart.*
No Sheriff nor Bailiff ſhall take Horſes or Carts for Carriage, but paying ten pence a day for two Horſes	**Horſes**, &c. *Cap.* 21.

	Horſes Carriage, Fourteen pence for three.
Ibid.	No demean Cart of any Shiritual perſon, Knight, or Lord, ſhall be taken, nor no mans Wood for Caſtle, but by Licence of the Owner.
Of whom, 3 *Edw.* 1. *Cap.* 1. *W.* 1.	Shall not be demanded of Abbe or other Prelate without Aſſent, unleſs for Sheriff, with five or ſix horſes, and that not often.
Cap. 7.	No Conſtable or Caſtellain ſhall exact any Price of ſuch as be not of the Town, unleſs ancient.
Repayment, *Cap.* 32.	Such as being paid in Exchequer, pay not the Creditor, ſhall pay Fine and Damages, they who take part of Debt, to pay the reſt, pay double Damages, and puniſh at the Kings pleaſure, they who let go Carts or Proviſion for Reward, pay treble Damages, and impriſon fourty days.
Manner how, 28 *Ed.* 1. *Cap.* 2. § 2.	None but the Kings Takers for his houſe only, and pay or agree with parties, § 3. and do it by Warrant under Great or pety Seal of the particular things, and ſhew it before the taking, § 4. they ſhall take no more then needful to the Kings Houſhold and his Children, and § 5. nothing for them in Wages or others, and ſhall anſwer in the Kings Houſe or Wardrobe. § 6. Such as take otherwiſe, on complaint to Steward and Treaſurer, if Attaint, ſhall agree, and be for ever put out of the Kings Service, and Impriſon at his pleaſure. § 7. He ſhall be a Felon takes without Warrant, if quantity require. § 8. Prices in Fairs, Towns, and Ports, ſhall be by Warrant under the Great Seal. § 9. What is taken, and value ſhall be in their Dividend remaining in the Wardrobe, and Price without warrant, is Felony. § 10. The ancient Prices of Wine and other Goods, ſaved to the King.
Conſent, *Temp. Edw.* 1. *pag.* 71. 34 *Edw.* 1. *Cap.* 2.	Shall not be to the Kings uſe without the Owners conſent.
For whom, &c. 4 *Ed.* 3. *Cap.* 3.	For the King, Queen, and their Children, ſhall be taken by Purveyor and none other, by the uſual Meaſure at the very Value Appraiſed by the Conſtables, and other good Men of Towns, on Oath, and payment before the King depart the Verge.
Cap. 4.	The Articles in 28 *Edw.* 1. *Cap.* 2. recited and re-enacted.
By whom, &c. 5 *Ed.* 3. *Cap.* 2.	Shall be made by Conſtable and four diſcreet Men ſworn, without Menace, with Tallies and Seals of Purveyors, and taking otherwiſe, Felony, their Commiſſion to mention it ſo, and Enqueſts ſhall be of the County, and not of the Kings Houſe; this and 4 *Edw.* 3. *Cap.* 3. is Re-enacted by 10 *Edw.* 3. *Cap.* 1.
10 *Ed.* 3. *Cap.* 4.	For the Kings Horſes ſhall be made by Sheriffs of Counties, and deliver to the Horſe-keepers by Indenture.
Tryal, *Cap.* 5.	Certain people Aſſign to hear and determine Offences of the Kings Horſe-keepers.
By whom, &c. 14 *Ed.* 3. *Cap.* 19.	For the King and Queens Houſe ſhall be expreſſed in Commiſſion, to take nothing without Aſſent, the great Purveyance of Victual for War or Caſtles, ſhall be by Merchants without Commiſſion, for Horſes and Dogs, ſhall be by the Sheriff.
Spiritual perſons, 14 *Ed.* 3. *St.* 3 *c.* 1.	Goods of People of Holy Church received into the Kings Protection, and nothing to be taken within their Houſes or without, but by conſent, they ſhall not be charged to receive Horſe, or Hawks, or Dogs.
Statutes, confirmed, 15 *Ed.* 3. *c.* 7.	All the Statutes ſhall be firmly holden not to take without Agreement, as well in War as Peace.
Church, 18 *Ed.* 3. *c.* 4.	Fees of the Church ſhall be Except in all Commiſſions.
Meaſure, 25 *Ed.* 3. *St.* 4. *Cap.* 1.	For the Kings Houſhold ſhall be by Meaſure ſtriked, at the very value, without Menace or Dureſs, as in next Markets, and Tallies to be made, as 5 *Edw.* 3. *Cap.* 2. and 28 *Edw.* 1. *Cap.* 2. Commiſſion to be under the Great Seal, and in no other Form.
Timber, *c.* 6.	Shall not take Timber about a mans Houſe.
Sheep, *c.* 15.	Shall not take Sheep before ſhearing, but what reaſonably ſuffice, if Attaint, a Thief.
Merchant, 27 *E.* 2. *S.* 2. *c.* 2	Shall not be taken of Merchant-Strangers.
Staple, *c.* 4.	Shall not be taken within the Staple Towns, but is Felony.
Payment, 28 *Edw.* 3. *Cap.* 12.	Under Twenty ſhillings ſhall be paid preſently, without Tally, above, within a quarter of a year, at places certain and of leaſt travel.
For whom, 34 *Ed.* 3. *c.* 2.	No Purveyors but of the King, Queen, or Prince.
Poultry, *Cap.* 3.	For Poultry or ſmall things the Queen pays preſently, of Great, in a month or ſix weeks where taken, and that the number of Purveyors be Abridged.
Price and Meaſure, 36 *Edw.* 3. *Cap.* 2.	Shall be only for the King and Queen, the Market price preſently paid, the Names changed to Buyers, and on diſagreement, Appraiſement by the Officer and four good men of the Town, by Indenture between Buyers and Officer, of what is needful, at convenient time and place, the Commiſſion to contain certain Form, the Meaſures to be as Standard ſtriked, elſe Felony.
Cap. 3.	Buyers or takers pay treble Damages, and be two years Impriſon on taking reward, and ſhall divide all Takings and Buyings of each County, Town, Village, and Perſon.
Inqueſt, *Cap.* 4.	Commiſſions to two in each County, and one of the Kings Houſe to enquire of the behaviour of Buyers and Takers, and inform the Juſtices, Steward, and Treaſurer, and Controller, who ſhall examine all Officers, and certifie every quarter of a year into Chancery, and thence ſent to Juſtices, and party Attaint to loſe life, ſo of Purveyors of great Horſes.
Kings Horſes, *Cap.* 5.	None of the Kings or Queens Houſe ſhall keep more Horſes then Aſſigned, and pay preſently, and all others that be at Wages ſhall do the ſame.
Conſent, *Cap.* 6.	None but the people of the King or Queen ſhall buy without conſent aud ready Money, but ſhall loſe life, *&c.*
Clerk, 1 *R.* 2. *Cap.* 3.	Treble Damages for Clerk againſt Purveyors, becanſe they cannot ſue criminally.
Servants, 7 *R.* 2. *c.* 8.	The Servants of others then compriſed in former Statutes, that buy, *&c.* ſhall pay Damage, and have the pain of Purveyor without Warrant.
Horſes, 20 *R.* 2. *c.* 5.	Takers of Horſes on pretence of ſpeedy Meſſage for the King, or of other Cattle, *&c.* againſt conſent, Impriſon till agree with party.
Payment, 2 *H.* 4. *c.* 14.	No buying for the Kings Houſe to the value of Fourty ſhillings, or under, but on ready payment, on forſeiture of Office.
Meaſure, 1 *H.* 5. *c.* 10.	Shall be a year Impriſon, pay Five pounds to the King, and Five pounds to party grieved, who ſhall have Action *ſur* Caſe againſt Taker of more then eight Buſhels to the Quarter.
Statutes confirmed, 1 *H.* 6. *Cap.* 2.	A Confirmation of all Statutes againſt them to be proclaimed by Sheriff through his Bailiwick four times a year.
Payment, 20 *H.* 6. *c.* 8.	Sellers may reſiſt taking under Fourty ſhillings, without ready payment, and if ſued, Purveyor to forfeit Twenty pounds, and Proceſs in Treſpaſs to be determined by Juſtice of Peace, the Stat. 1 *H.* 6. *Cap.* 2. and 36 *Ed.* 3. *Cap.* 6. confirmed.
Buyers, 23 *H.* 6. *Cap.* 1.	The Name altered to Buyers, and to be puniſh of life and Member, if they take in other manner then in their Commiſſion, as 36 *Edw.* 3. *Cap.* 6.
Tryal, *Cap.* 2.	Debt againſt Praiſors, or Town that do not reſiſt Purveyors doing *contra* to Commiſſion, iſſue try where taking was, moleſting by Purveyor forfeit Twenty pounds, and if Purveyors be inſufficient, the Serjeant of the Catery ſhall anſwer.
King, *Cap.* 14.	Taking of other then the King or Queen, ſhall be Arreſt on pain of Twenty pounds, till reſtored, or treble value and double Coſts, and no protection allowable, not reſtraining other Penalties.
Hoſtler, 28 *Hen.* 6. *c.* 2.	Patent to Hoſtler or Brewer, or houſe of retailing Victual, ſhall be void, no taking of Horſe or Cart, but by delivery of Mayor, Bailiff, or Conſtables.
Franchiſe, 27 *H.* 8. *c.* 24. § 10.	May by the Kings Commiſſion provide according within Franchiſe, or out.
§ 11.	Shall obſerve the Statutes in every behalf provided for them.
Conſent, 2 & 3 *Ed.* 6. *Cap.* 3.	None for three years by any Commiſſion or Warrants to take for the Kings Houſe, or his Siſters, *&c.* any Corn or Victual, *&c.* without Owners conſent on ready Money, nor for the Kings Wars any Goods, *&c.* but Barges, Ships, Carts, *&c.* without Owners conſent, *&c.* Except Poſt-Horſe for One peny a mile, on forfeit of value, and Impriſonment a year.
Commiſſions, 2 & 3 *Ph.* & *Mar.* *Cap.* 6.	Commiſſions not to endure above ſix months, but void, whatever words be to the *contra.*
§ 3.	The County, Victual, Proportion, *&c.* ſhall be expreſs in all Commiſſions.
§ 4.	Blanks to be annext to all Commiſſions as many as Counties, to ſet in Particulars, and Prices ſubſcribed by Conſtable, *&c.*
§ 5.	Purveyor or Deputy to make Docket of particulars, place and price, and deliver it to Conſtable, on forfeit of one hundred marks.
§ 6.	Conſtable, *&c.* to deliver over Docket to the Seſſions, *&c.* to certifie contents to Lord Steward.
§ 7.	Not to Purvey in other manner then by former Statutes, *&c.*
§ 9.	All former Statutes againſt them to extend to their Undertakers, ſervants, *&c.*
§ 10.	All Commiſſions to be in the *Engliſh* Tongue.
Oxford, *&c.* *c.* 15. § 2.	No Purveyor, Taker, Badger, Leader, *&c.* to take

	in Markets of *Oxford* or *Cambridge*, or Contract in five miles thereof for Victual, *&c.*
§. 3.	Except where the King, *&c.* comes to the Univerſity.
§. 4.	Not to prejudice Mayor, *&c.* of *Oxford* or *Cambridge*.
Herring, 25 *Eliz. Cap.* 5. §. 4.	Shall not take Herring or Sea-fiſh in Subjects Ships, but by Agreement, on forfeit of double.
Oxford, *&c.* 13 *El. c.*21.	A Recital of 2 & 3 *Phil. & Mar. Cap.* 15. §. 2.
§. 2.	They that Take within five miles of *Oxford* or *Cambridge*, only by Licence of Vice-Chancellor.
§. 3.	If any within five miles refuſe to ſerve the Univerſity, they ſhall be liable to the Kings Purveyance.
§. 4.	Not to be Executed where the Queen is preſent in ſeven miles.
§. 5.	Not to prejudice Mayor, *&c.*
Timber, 1 *Jac.* 1. *Cap.* 22. §. 21.	Shall fell Barking Timber only in Barking-time, and take only the Body and no Lops, *&c.* on forfeit of Fourty ſhillings.
Money, 12 *Car.* 2. *Cap.* 24.	No Money to be taken or impoſed for any Proviſion, Carriages, or Purveyance for his Majeſty, his Heirs, or Succeſſors.
Timber, §. 13.	None by Authority under the Great Seal, *&c.* to purvey for King, Queen, or Children, any Timber, Fuel, Cattel, Corn, Hay, Straw, Victuals, Carts, *&c.* without conſent.
Preemption, §. 14.	No Preemption to be allowed, but all to diſpoſe their Goods as they pleaſe, ſtay of Proceſs againſt Offender, to encur Premunire, not to prejudice Stanneries and Butlerage.
13 *Car.* 2. *Cap.* 8.	Recites prejudice of 12 *Car.* 2. *Cap.* 24. §. 13. to the King in Progreſſes, *&c.*
Notice, §. 2.	Officer of Carriages three days before the Kings Arrival, to give Notice to two Juſtices of Peace to provide for preſent uſe Carts with four Horſe, at Six pence the Mile laden, on Fourty ſhillings refuſal.
Travel, §. 3.	None to travel above a days Journey on ready payment.
Rate, §. 4.	None of the Kings Servants to pay above one ſhilling a Night for Lodging, if Horſe, nothing.
§. 5.	Juſtice of Peace on Notice from Green-Cloth to appoint Prices, *&c.*
Navy, 14 *Car.* 2. *c.* 20.	Notwithſtanding 12 *Car.* 2. *Cap.* 24. §. 13. ſo often as Navy or Ordnance do require, by Admirals Warrant, Carriage ſhall be provided for twelve Miles, *&c.*
§. 2.	Admiral and Commiſſioners of Navy, Lieutenant of Ordnance, *&c.* to Impreſs Ships, *&c.*
§. 3.	Refuſal to ſerve, forfeits Twenty ſhillings Land-carriage, and under Fifty pounds by Water.
§. 4.	No Land-carriage compelled longer then Juſtice Order, on ready payment.
§. 5.	Taking Reward to ſpare, or by Envy preſſing more then Command forfeit Ten pounds.
§. 6.	No Veſſel fraught, if others be ſufficient, ſhall be preſt.
§. 7.	Powers herein to continue to the end of firſt Seſſion of next Parliament.
§. 8.	Juſtices of *New Foreſt* to allow Carts Four pence a Mile, *&c.* Empty, *&c.*
Preſentation of Papiſt, 1 *W& M. Seſſ.* 1. *Cap* 26. §. 2, 3, 4.	Perſons refuſing Declaration, or to appear according to 1 *W& M. Seſſ.* 1. *Cap.* 15. and their Truſtees diſabled to preſent to Benefice, or Grant Avoydance, and the Preſentations veſted in the two Univerſities.
§. 5.	Univerſities not to Preſent a perſon Beneficed.

Quakers, ſee *Religion*,
Quare Clauſum fregit, ſee *Treſpaſs*.
Queen, ſee *Prerogative*.
Quinzim, ſee *Taxes*.
Quod permittat, ſee *Common*.
Quod ei deforceat, ſee *Colluſion and women*.
Quo Warranto, ſee *Franchiſe*.

Quare Impedit.

Proceſs, 52 *Hen.* 3. *Cap.* 12. *Marlbr.*	SHall be from fifteen to fifteen Days, or from three Weeks to three Weeks, and 1. Summons. 2. Attachment. 3. Diſtreſs, and on Default, a Writ to the Biſhop.
Uſurpation, 13 *Edw.* 1. *Cap.* 5. *W.* 2.	Lieth on Uſurpation during Enfancy, Coverture, or Vacation of Houſes of Religion.
Plenarty, §. 2.	Plenarty of Defendants own Preſentation, is no Plea, if writ be within the ſix Months, which may be by Heir after Death of Tenant for Life, Years, or in Tail.
Damages, §. 3.	Damages on ſix Months Lapſe is two years Value of the Church, if not, of half a year, and if Inſolvent, Impriſonment two years, or half a year.
Tithes, §. 4.	Shall be granted for the Advowſons of other men that were not before, and upon diſturbance of Parſons Tithes by Indicavit, the Patron ſhall have a Writ for the Advowſon of Tithes.

Lieth after ſeveral Uſurpations by one Coparcener.	**Coparcener**, §. 5.
Plenarty three years is a good Plea againſt the King Seized in Right of Enfant, or of Temporalities of Biſhop.	**Plenarty**, 14 *Edw.* 3. *Stat.* 3. *Cap.* 2.
Lieth by Recoverers of Manor, *&c.* on diſturbance, *&c.*	**Recoverers**, 7 *H.* 8. *Cap.* 4. §. 2.
The Statute of 32 *H.* 8. *Cap.* 2. of Limitations, ſhall not extend to a Writ of Right of *Advowſon*, *Quare Impedit*, or *Darrein Preſentment*, &c.	**Limitations**, 1 *Mar.* *St.* 2. *c.* 5. §. 4.
Poſſeſſions confirmed in ſome, and perſons Sequeſtred reſtored to other Livings.	**Confirmation**, &c. 12 *Car.* 2. *c.* 17.
The time between 10 *Dec.* and 12 *March*, 1688. to be no part of 6 Months, from Avoydance of any Church, in *Quare Impedit*.	**Avoydance**, in 1688. 1 *W& M. Seſſ.* 1. *c.* 4.

Rape, ſee *Women*.
Rationabili parte, &c. ſee *Executors*.
Rationab. diviſis, ſee *Partition*, *Lieu and Meaſures*.
Reaſonable Aid, ſee *Aid*.
Rebellion, ſee *War*.
Receivers, ſee *Accountant*.
Reſceit, ſee *Default*.

Recognizance.

Stat. Merchant, *Staple*, *Obligation*, &c.

OF Debt before Mayor and Clerk Aſſigned, is for Merchant to have after day paſt, Execution of Goods and Burgage deviſeable, and if Appraiſed too high, Creditors may refuſe, if too low, Debtor hath no remedy.	**Execution**, 11 *Edw.* 1. *pag.* 35. *Act. Burn.*
And if nothing be within the Town, Mayor ſhall Certifie into the Chancery, and thence a Writ to Sheriff of all or any Shire, Return before Juſtices of the one Bench or the other, but Debtor may ſell his Land, ſo Merchant have no Damage of the Approvements, but the Land is bound from the day of Recognizance, and thereby Debt is not extinct.	13 *Edw.* 1. *pag.* 54. *St. Mercht.*
Statute-Merchant ſhall be obſerved throughout *England* and *Ireland*.	*Ibid.*
Clerks that take Recognizances ſhall have ſufficient within the County.	**Clerks**, 14 *Edw.* 3. *Cap.* 11.
Before Mayor of Staple with Seal or without, ſhall pay a Half-peny for every Fifty pounds, and if under One hundred; and a Farthing for every Fifty pounds above One hundred pounds, and if Debtor have no Lands there, to be Certified into the Chancery without regard to the Quarter of a year in the Statute-Merchant.	**Certificate of St. Staple**, 27 *Edw.* 3. *St.* *Cap.* 9. *Stat. Staple*
May be taken by Mayor of the Staple of Merchant, or any other.	**By whom taken**, 36 *Edw.* 3. *Cap.* 7.
Of double by Debtor in the Exchequer, void.	**Exchequer**, 13 *R.* 2. *c.* 14.
Mayor of the Staple ſhall pay the Moiety on Recognizance, if one Seal be not his, and Record, as by 27 *Edw.* 3. *Stat.* 2 *Cap.* 9.	**Mayor**, 15 *Ric.* 2. *c.* 9.
Once ſhewed in *C. B.* is ſufficient in any other Suit to Award an Execution without ſight.	**Execution**, 5 *Hen.* 4. *Cap.* 12.
Before the Mayor and Conſtables of *Calice*, are as effectual as of Statute Staple here.	**Calice**, 10 *Hen.* 6. *c.* 1.
On *Habeas Corpus* in Chancery thereon, or on Statute Staple, the Surety ſhall be made as well to the King, as to the Party.	**Surety**, 11 *Hen.* 6. *Cap.* 10.
Taken by Juſtice of Peace, ſhall be Certified the next Seſſions.	**Certif.** 3 *Hen.* 7. *c.* 1.
Shall not be avoided by recovery, nor Statute Merchant, Staple, *&c.*	**Avoid**, 21 *Hen.* 8. *c.* 19. §. 4.
The form of the Obligation before Chief Juſtice of *B. R.* or of *C. B.* or Mayor and Recorder.	**Recognizance**, 23 *H.* 8. *Cap.* 6. §. 2.
Shall be ſealed with Seal of Party, of the King, and of the Chief Juſtice, or Mayor and Recorder.	§. 3.
Officer to Enroll Duplication for Chief Juſtice or Mayor, *&c.* and himſelf and Deputy not abſent two days, on forfeit of Ten pounds.	**Enrollment**, §. 4.
Officer ſhall certifie into Chancery.	**Certif.** §. 5.
Obligee, Executors, and Adminiſtrators, on default of payment, to have like Advantage againſt Obligor, his Heirs, *&c.* as upon Obligation or Statute ſtaple for the ſame Fees.	**Perſon ſuing**, §. 6.
Party, Obligor grieved to have *Audita Querela*, and Remedy as on Statute ſtaple.	**Proceſs**, §. 7.
For Proceſs of Execution, to pay a Half-peny a Pound.	**Execution**, §. 8.
On Diſſeiſin the like Remedy as on Statute ſtaple.	**Remedy**, §. 9.
Chief Juſtice, or Mayor, *&c.* to take Three ſhillings four pence, and not above for the Recognizance, and Clerk Three ſhillings four pence, for Certificate Twenty pence; to forfeit Fourty pounds on Offence.	**Fee**, §. 10.

The

ayor of Staple, §. 11.	The Mayor or Conſtable of the Staple to take no Recognizance, but between Merchants for Wares ſold.
§. 12.	All former Recognizances in the Staple, good.
cire fac. 32 *Hen.* 8. *Cap.* 5.	On Eviction without fraud or default, Recognizee may have *Sci. fac.* where Execution was firſt had and delivered againſt the firſt Defendant, his Heirs, Executors, or Aſſignee of Lands then liable, *&c.*
orm, 52 *Hen.* 8. *Cap.* 39. §. 2.	*Obligat. Dom. Regi ſolvend. eidem Dom. Regi Hæred. vel Executor. ſuis*, to be as Statute Staple.
erſon Suing, §. 27.	Heir and Succeſſor may ſue, though not named in the Obligation.
heſter, 2 & 3 *Edw.* 6. *Cap.* 31.	Taken as uſual in *Cheſter*, albeit not in Words purſuant to Statute Merchant or *Acton Burnell*, yet good.
le-houſe, 5 & 6 *Ed.* 6. *Cap.* 25.	Taken by Juſtices of Alehouſe-keeper againſt unlawful Games, and to maintain good Order at Diſcretion.
ffice, 27 *Eliz.* *Cap.* 4. §. 7.	Statute Merchant and Staple Tenor and Contents to be entred in Office of Recognizance, in ſix Months after acknowledgment, paying Eight pence to Clerk, as 23 *H.* 8. *Cap.* 6.
§. 8.	Statute Merchant or Staple not delivered by Conuzee to Clerk or Deputy, to be Enrolled, void againſt after Purchaſer for Money, *&c.*
§. 9.	Clerk not Entring Statute brought duly, forfeits Twenty pounds.
§. 10.	Fee for Search Two pence and no more for every year, on forfeit of twenty times what is taken.
elony, 21 *Jac.* 1. *c.* 26.	In anothers Name Felony.
xtent, 16 & 17 *Car.* 2. *Cap* 5. §. 2.	Extent thereon not avoidable for omiſſion of part, *&c.*
§. 3.	No Extent or Contribution againſt Heir during Nonage.
imitation, §. 4.	This to extend to Statutes only for Money, extend within twenty years.
2 & 23 *Car.* 2. *Cap.* 2.	Make 16 & 17 *Car.* 2. *Cap.* 5. perpetual.
nrollment, 29 *Car.* 2. *c.* 3. §. 18.	In Vacation relates but to day of Inrollment.
n late Interregnum, 1 *W* & *M.* *Seſſ.* 1. *c.* 4. §. 11.	Recognizances, *&c.* in name of King *James* 2. during *Interregnum*, good.

Records.

Exemplification, Rolls.

ſtreats, 51 *H.* 3. *p.* 11. *De Scaccario.*	Of Eſtreats of Fines ſhall be delivered into Exchequer by all Juſtices and Commiſſioners yearly at *Michaelmas*, and Exchequer make Eſtreats to every Sheriff of Summons.
heriff, 3 *Ed.* 1. *c.* 10. *W.* 1.	Sheriff ſhall keep Counter-Rolls with Coroner in Appeals, Enqueſts, Attachments, and other things belonging to that Office.
ſtreats, 3 *Ed.* 1. *c.* 18. *W.* 1.	Juſtices in Eyre ſhall Eſtreat Common Fines and Amerciament into Exchequer, not Sheriff or Barretors.
Cap. 45.	Of Eſtreats of Iſſues Levied on Grand Diſtreſs, and forfeit to the King, ſhall be by the Kings Juſtices into Wardrobe, by Juſtices of the Bench at *Weſtminſter* into Exchequer, by Juſtices in Eyre to Sheriff.
ounty Rolls, 10 *Ed.* 1. *p.* 34. §. 1. *Rutland.*	Shall be made of each Shire of Farms, Allowances, and Debts that are good, all but new Duties.
§. 2.	One Roll called *Comitatus* of deſperate Debts, to be Read yearly on Sheriffs Account.
§. 8.	Of Enqueſts of Tallies, and Debts of Sheriff, his Heirs or Tenants.
§. 10.	Of Debts whereof Debters are Returned *Nihil*, to be Enquired of.
iſſeizor, 13 *Edw.* 1. *Cap.* 25. *W.* 2.	Any Failer in Aſſize ſhall be adjudged Diſſeizor, and double Damages, and a years Impriſonment.
iſi prius, *Cap.* 30. §. 2.	Juſtices of Aſſize, of *Niſi prius*, ſhall have Clerks to Enroll Pleas in the Circuit.
ire fac. *Cap.* 45.	May be Executed preſently within the year of the Writ, but after muſt have *Sci. fac.* to party concerned.
iſi prius, 12 *Edw.* 2. *Cap.* 4. *York.*	Of Nonſuits and Defaults at day and place Aſſigned, may be by Juſtices of *Niſi prius*.
erment Expal, 1 *Edw.* 3. *c.* 4.	Averment that it's otherwiſe in a Writ of Falſe Judgment, ſhall be Tried by the Countrey.
urne, *Cap.* 17.	Indictment in Turns ſhall be made by Roll Indented between Sheriff and Indictors.
ſtreats, 9 *Ed.* 3. *c.* 5.	Of Juſtices of Aſſize, Goal-delivery, and Oyer and Terminer, ſhall yearly at *Michaelmas* be ſent into Exchequer, taking Eſtreats.
endment, 14 *Ed.* 3. *Cap.* 6.	Shall not be adnulled by Clerks miſtake of Syllable, but amend.
ongue, 36 *Ed.* 3. *c.* 15.	Shall be in *Latine*, but pleaded in *Engliſh*.
alſe Entry, &c. 8 *Rich.* 3. *c.* 4.	Falſe Entry of Pleas, razing Roll, or changing Verdict by Juſtice or Clerk, Fine and Ranſom, and ſatisfie the party.

Shall be made of all Writs of Covenant, *Dedimus poteſtatem*, and other Notes of Fines taken by Chirographer.	Chirographer, 5 *Hen.* 4. *Cap.* 14.
Rolls of Eſtreats ſhall be diſtinct, expreſſing the cauſe of loſs of Iſſues and Amerciaments, the Term, the Writ, the parties, the King, at whoſe Suit.	Eſtreat, 7 *Hen.* 4. *Cap.* 3.
Shall not be amended in no Term after Judgment by Juſtices Aſſigned.	Amendment, 11 *Hen.* 4. *Cap.* 3.
May be amend in Letter or Syllable as well after Judgment as before, 4 *H.* 6. *Cap.* 3. made perpetual, and to be as well after Verdict as Plea of Matter in Law, but not in *Wales*, nor on Utlary.	Amendment, 9 *Hen.* 5. *Cap.* 4.
Razing, Interlining, Addition, Subſtraction, or Diminution of Words, Letters, Titles, Parcels of Letters, in Record, Proceſs, Warrant of Attorney, Writ, Pannel, or Return, is not Error.	Error, 8 *Hen.* 6. *c.* 12.
May be amended where it is by Error, and Party in Affirmation of the Judgment may alledge Diminution, or that that which is Certified is variant from the Original.	Amendment, §. 2.
Willingly ſtealing, taking, withdrawing, or avoiding any Record, *&c.* in any Court at *Weſtminſter*, by Clerk or other, whereby Judgment is Reverſed, its Felony.	Felony, §. 3.
If Exemplification be once well, no Error ſhall after be Aſſigned therein.	Error, §. 4.
As well as Proceſs, Returns of Sheriffs, Coroners, or others, may be amend as well by Error, as otherwiſe in Letter or Syllable, not extending to *Wales*.	Amendment, *Cap.* 15.
Of *Obtulit ſe* in proper perſon, ſhall not be made to avoid Utlaries, unleſs party appear, and ſwear he is the ſame Man.	Amendment, 10 *H.* 6. *Cap.* 4.
Averment that Plaintiff or Defendant the day of the Suit in *Marſhalſey*, were not of the Kings Houſe, may be againſt the Record.	Averment, 15 *Hen.* 6. *Cap.* 1.
Shall be made of Warrant where Entry is *Per Attornat.* as on *Obtulit ſe* 10 *H.* 6. 6. *Cap.* 4. made perpetual, and forfeits Fourty ſhillings.	Averment, 18 *Hen.* 6. *Cap.* 9.
Of Indictment, Convict, Attaint, Utlary, *&c.* of Felony, ſhall be Certified in *B. R.* and remain Record there.	Certif. 34 & 35 *H.* 8. *Cap.* 14. §. 2.
Not to extend to *Wales*, County Palatine, *&c.*	§. 5.
Cuſtos Rotulorum in each County to be by Bill Signed by the King, and under Great Seal, *&c.*	Cuſtos Rot. 37 *Hen.* 8. *Cap.* 1. §. 2.
Cuſtos Rotulorum may be made by the Chancellor, *&c.* without Bill of the King.	3 & 4 *Edw.* 6. *Cap.* 1. §. 3.
Exemplification or *Conſtat* under the Great Seal, is as good Evidence for Patentee, as if Enrollment were extant.	Exemplification, *Cap.* 4.
Not to be removed by *Certiorari*, unleſs under a Judges Hand, *&c.*	Removal, 1 & 2 *Ph.* & *Mar.* *Cap.* 13. §. 7.
A Confirmation of 3 & 4 *Edw.* 6. *Cap.* 4. and that Exemplification or *Conſtat* under Great Seal, be a ſufficient Title or Plea for Patentee, *&c.*	Exemplification, 13 *El.* *Cap.* 6.
Deeds from Earl of *Weſtmorland* Attaint, to be within two years ſhewed in Exchequer, and Entred, *&c.*	E. of Weſtmorland, 18 *Eliz.* *Cap.* 4.
May be amended as to Form, not expreſſed in a ſpecial Demurrer.	Amendment, 27 *Eliz.* *Cap.* 5. §. 2.
Againſt Purchaſer ſhall relate only to the day of Judgment Signed.	Relation, 29 *Car.* 2. *Cap.* 3. §. 15.
Within three years Fines burnt in Fire of the Temple may be Re-Ingroſſed.	Fines Burnt, 31 *Car.* 2. *Cap.* 3. §. 4. *N.* 1.

Recovery.

Faux Recovery.

Suffered againſt Reverſioner to make loſs of Term by Colluſion, if challenged, and found before Judgment, ſaves the Term.	Colluſion, 6 *Edw.* 1. *Cap.* 11. *Glouc.*
On foreign Voucher in *London* ſhall ſue Execution thence where Recovery was.	Foreign Voucher, *Cap.* 12.
Againſt Husband of Wives Land, ſhe after his death ſhall avoid by *Cui in Vita*, and he in Reverſion by Writ of Entry on death of Tenant for life after Recovery.	Cui in vita, 13 *Edw.* 1. *Cap.* 3. *W.* 2.
Againſt Husband by Default, is fraud to defeat the Wiſe of Dower, and ſhe may have *Quod ei deforceat* on Judgment by Default, ſo of Tenant for life, *&c.*	Quod ei deforceat, *c.* 4.
If Reverſt for Error, Tenant for life, in Dower, *per* Courteſie, or *apres* Poſſibility, may Traverſe Colluſion.	Colluſion, 9 *Rich.* 2. *Cap.* 3.
Is forfeit thereby, unleſs Heir or he in Reverſion joyn, *&c.*	Forfeiture, 11 *Hen.* 7. *Cap.* 20.
Recoverers of Manor, their Heirs or Aſſigns, may Diſtrain for Rents, Services, and Cuſtoms.	Diſtreſs, 7 *Hen.* 8. *Cap.* 4.
Termor may falſifie as well as Tenant for life.	Falſifie, 21 *Hen.* 8. *c.* 15.
Termors and Executors, *&c.* ſhall have like remedy againſt the Recoverers, and *E contra*, as before againſt them by Debt, Waſte, *&c.*	Remedy, §. 3.

Stat. Merchant, &c. §. 4.	Shall not avoid Statute-Merchant, Staple, nor *Elegit*.
Fine, 32 *H.* 8. *c.* 1. §. 15.	Fines for Alienation to be paid for Writs of Entry thereon in Chancery.
Tithes, *c.* 7. §. 7.	May be ſuffered of Tithes, *&c.*
Void, 32 *H.* 8. *c.* 31.	By Aſſent againſt Tenant for life, void, unleſs by Title, or by Aſſent of Heir in Reverſion.
Void, 34 & 35 *H.* 8. *c.* 20. §. 2.	Shall not bar Hair in Tail where Reverſion is in the King, of his Gift when had.
Void, 14 *Eliz.* *c.* 8. §. 2.	By Agreement vouching Tenant for life, or had againſt him, void, againſt Remainder, *&c.*
By Title good, §. 3.	Recoveries by good Title to be as at Common Law not prejudice.
By Aſſent good, §. 4.	Had by Aſſent on Record, to be good againſt party aſſenting, *&c.*
Colluſion, §. 5.	A Repeal of 32 *H.* 8. *Cap.* 31. of Recoveries by Colluſion.
Writ of Covenant, 23 *Eliz.* *c.* 3.	Writs of Covenant, *&c.* may be Enrolled on requeſt.
Reverſal, §. 2.	Not to be Reverſed for falſe form, Latine, *&c.*
Enfant, §. 3.	Not to bar Enfant, *&c.* till ſeven years after Impediment, *&c.*
Certificate, §. 5.	Day of taking to be Certified, *&c.*
Diſpoſal of Office, §. 6.	Office of Enrollments diſpoſe by Chief Juſtice of *C. B.* Fee Six ſhillings eight pence.
Felony, 21 *Jac.* 1. *c.* 26.	In anothers Name Felony.
Reviver, 4 & 5 *W & M.* *c.* 24.	Makes 22 & 23 *Car.* 2. *Cap.* 22. perpetual.

Recuſant, ſee *Pope*.
Rediſſeiſin, ſee *Diſſeiſor*.
Relation, ſee *Days*.

Religion.

Divine Worſhip, Service, Faſting, Thankſgiving, Sabbath, Quakers, Non-Conformiſt, Conventicles, Schiſm, Faith, Preaching, Maſs, Sacraments, Images, Idolatry, Hereſie, Superſtition.

Preachers, 5 *R.* 2. *St.* 2. *Cap.* 5.	On Ordinaries Certificate of Preachers of Hereſie, Sheriff by Commiſſion ſhall apprehend them.
Preachers, 2 *H.* 4. *c.* 15.	None to Preach without Licence of Ordinary, and he may Impriſon ſuſpect of Hereſie, and if obſtinate, ſhall be burnt.
Lollard, 2 *H.* 5. *c.* 7.	All Officers to be Sworn to aſſiſt Ordinary in Extirpation of Lollards and Hereticks, and Convicted, to forfeit Fee-ſimple, *&c.*
Articles, 25 *H.* 8. *c.* 21. §. 19.	Not to Derogate from any the very Articles of Faith.
Viſitations, §. 20.	All Aſſemblies and Viſitations for Religion to be within the Realm.
King, 26 *H.* 8. *c.* 13.	To ſay the King is an Heretick, Treaſon.
Preach, &c. 31 *H.* 8. *Cap.* 14.	To Preach or hold opinion that Sacrament is not real Body Conſecrated after Conſecration, as well ſeparate as together, ſhall be burnt.
§. 2.	That the Sacrament in both kinds is neceſſary for the Salvation of the Soul, or ought to be received.
§. 3.	That Prieſt may Marry, or Contract Marriage.
§. 4.	That after Vow of Chaſtity, any may Marry.
§. 5.	That private Maſſes be not lawful.
§. 6.	That Auricular Confeſſion is not Expedient, *&c.* all theſe Opinions Felony, or for Prieſts to Marry, and Commiſſions to Biſhop, *&c.* to Enquire, and alſo Juſtice of Peace, Stewards in Leets, *&c.* to Enquire thereof.
Marriage, 32 *H.* 8. *c.* 10.	A Repeal of 31 *H.* 8. *Cap.* 14. §. 3, & 4. and as to puniſhment of death on Marriage, but on Incontinence to forfeit Eſtate, *&c.*
Commiſſions, *c.* 15.	In all Commiſſions of Religion to Biſhop, Chancellor, and Commiſſary, according to 31 *H.* 8. *Cap.* 14. §. 6. the Archdeacon and Official ſhall be joyned by Name of Dignity, not Sirname.
Decrees of Faith, *c.* 26.	All Decrees of Faith or Ceremony confirmed by Patent, and not *contra* to the Laws of the Land, to be holden firm.
Kings Pardon, *c.* 49.	The Kings Pardon thereof confirmed by Parliament.
Preaching, &c. 34 & 35 *Hen.* 8. *c.* 1.	Preaching, Teaching, *&c.* any Doctrine of Faith *contra* to the Kings Inſtruction, 1. To Recant. 2. To Abjure. 3. To be Burnt as Heretick.
Tryal, 35 *H.* 8. *c.* 5.	None to be tryed on 31 *H.* 8. *Cap.* 14. but on Preſentment by twelve, Preachers againſt the Six Articles to be preſent in fourty days.
King, 37 *H.* 8. *c.* 17.	The King as Supream Head of the Church may puniſh Hereſie, Vice, Idolatry, Superſtition, Hypocriſie, *&c.* and Popes Authority uſurpt.
Sacrament, 1 *Edw.* 6. *Cap.* 1.	Reviling and depraving the Sacrament, to be Impriſon, Fined, and Ranſomed at the Kings pleaſure, three Juſtices of Peace, *Quorum* one, to Enquire.
§. 2.	Juſtice of Peace to Examine Accuſers, and bind them to proſecute in Five pounds.
§. 3.	Juſtice of Peace may Award two *Capias*, *Exigent*, and *Cap. utlagat.* into *Wales*, &c. and may Bail at diſcretion.

Juſtice of Peace to Award Writ to the Biſhop to attend at Seſſions by Deputy.	§. 4.
No Indictment but in three Months after Offence.	§. 5.
Defendant may prove his Innocence by any Witneſs.	§. 6.
Sacrament to be Adminiſtred in both kinds to Prieſt and People, and not deny without reaſonable cauſe in *England*, *Ireland*, &c.	§. 7.
A Repeal of 5 *R.* 2. *Cap.* 6. of 2 *Hen.* 5. *Cap.* 7. of 25 *Hen.* 8. *Cap.* 14. and of 31 *H.* 8. *Cap.* 14. and of 34 & 35 *H.* 8. *Cap.* 1. and of 35 *H.* 8. *Cap.* 5.	Repeal of Acts, *c.* 12. §. 3.
An Act of Uniformity in Prayer, Mattens, Maſs, and other Rites, *&c.* he that Preaches or Declares in Derogation, 1. Forfeits beſt Benefice, and Impriſon ſix Moths. 2. Impriſonment a year, and deprived of all. 3. Impriſonment for life, *&c.*	Act of Uniformity, 2 & 3 *Edw.* 6. *c.* 1.
Declaring by Plays, Songs, *&c.* in Derogation, or compelling Parſon to ſay or do otherwiſe, or interrupt Parſon, and 1. Forfeits Ten pounds, and 2. Twenty pounds, and 3. All his Goods, and be Impriſoned for life.	§. 2.
Juſtice of Oyer, of Aſſize, and of Peace to determine.	§. 3.
Archbiſhop or Biſhop may Aſſociate to the Juſtices, *&c.*	§. 4.
He that underſtands Latine, Greek, or Hebrew, may read Prayers therein.	§. 5.
In Univerſities, Prayers in Chappel being no Pariſh, may be in Latine, Greek, *&c.*	§. 6.
Any Pſalm or Prayer of the Bible may be uſed without let of Service.	§. 7.
Pariſhes ſhall be at the charge of Books of Service.	§. 8.
No Impeachment but at next Seſſions after Offence.	§. 9.
Peers to be tried by Peers.	§. 10.
Mayor, *&c.* Head Officers, where Juſtices come not, to determine all Offences.	§. 11.
Archbiſhop, Biſhop, Ordinary, *&c.* to Enquire and puniſh Offenders.	§. 12.
None to be puniſhed twice for one Offence.	§. 13.
A Repeal of all former Statutes made againſt Faſting, and all Uſages, *&c.*	Faſting, *c.* 19.
All Antiphoners, Miſſals, Grails, Proceſſionals, Manuals, Legends, Pies, Portuaſſes, Primers Latine and Engliſh, Couchers, Journals, Ordinals, and other Books of Service, aboliſht, extinct and forbidden.	Books Aboliſhed; 3 & 4 *Edw.* 6. *c.* 10.
Corporation or others that have ſuch Books or Images, to deface or deliver to Mayor, Bayliff, or Churchwardens, they in three Months to deliver to Biſhop, *&c.* he to burn, *&c.*	§. 2.
Each Officer neglecting, to forfeit Fourty pounds.	§. 3.
Juſtices of Aſſize and of the Peace to Enquire of Offences.	§. 4.
Not to prejudice Tombſtone, *&c.* or Monument unleſs of reputed Saints.	Tombſtone, §. 5.
Any may keep Primers in Latine or Engliſh, ſet out by *Hen.* 8.	Primer, §. 6.
The form of Conſecrating Archbiſhop, Prieſt, and Deacon, ſet out by ſix Prelates, and ſix other aſſigned by the King to ſtand.	Conſecration, *c.* 12.
All on Sundays and Holydays to reſort to Pariſh-Church or Chappel, and abide there during Common Prayer, Preaching, and other Service of God.	Sabbath, 5 & 6 *Ed.* 6. *Cap.* 1.
Archbiſhop and Ordinaries to Correct Offenders.	§. 4.
A Confirmation of the Book of Common Prayer, 2 & 3 *Edw.* 6. *Cap.* 1.	Common Prayer, §
Being preſent at any other Form in the Church, and Convict before Juſtices, to be 1. Impriſoned three Months. 2. For a Year, 3. For Life.	§. 6.
Days being Holy only for the Service therein done to God, not for ſaints ſake, therefore Sundays and Feaſts mentioned to be ſo kept.	*Cap.* 3.
The Eve of every Feaſt to be a Faſt.	§. 2.
The Ordinaries to puniſh Offenders.	§. 3.
A Repeal of 1 *Edw.* 6. *Cap.* 1. *Cap.* 2. of Election of Biſhops, of 2 *Edw.* 6. *Cap.* 1. *Cap.* 21. and 3 *Edw.* 6. *Cap.* 10. *Cap.* 12. and of 5 *Edw.* 6. *Cap.* 1. *Cap.* 3. *Cap.* 12. and that Service uſed the laſt day of *H.* 8. be eſtabliſht.	Acts Repealed, 1 M. *St.* 2. *c.* 2.
By word or Deed to moleſt Licenſed Preacher by the Queen or Archbiſhop, *&c.* in Sermon, *&c.*	Moleſting Preachers, &c. *c.* 3. §. 2.
Or purpoſe to moleſt Parſon, and ſaying Maſs, *&c.*	§. 3.
Or if any pull down, deface, *&c.* the Sacrament of the Altar, or break Crucifix, *&c.* to be Arreſt by Conſtable, *&c.*	§. 4.
Juſtice of Peace in ſix days to Examine Fact.	§. 5.
On proof by two Witneſſes, the ſaid two Juſtices to Commit for three Months, and to Seſſions next, and then diſcharge, on Surety of Good-behaviour.	§. 6.
Reſcuer of Offender to ſuffer like puniſhment.	§. 7.

§. 8.	Eſcape of Offenders to be preſent next Seſſions, and Shire, *&c.* forfeit Five pounds.
§. 9.	Juſtice of Peace, *&c.* to hear and determine.
§. 10.	Not to Abrogate the Eccleſiaſtical Laws.
§. 11.	Party to be but once puniſht.
t Revived, 1 *El. c.* 1. §. 14.	A Reviver of 1 *Edw.* 6. *Cap.* 1. as fully as then.
ts Rep. §. 15.	A Repeal of 1 *&* 2 *Phil. & Mar. Cap.* 6. and of the Stat. thereby revived againſt Hereticks, *viz.* of 5 *R.* 2. *Cap.* 6. and of 2 *H.* 4. *Cap.* 16. and of 2 *H.* 5. *Cap.* 7.
ing, §. 17.	To be reformed by the King, and Eccleſiaſtical Juriſdiction annext to the Crown.
arliament, §. 35.	Nothing in Religion done by Authority of Parliament, to be adjudged Hereſie.
atentee, §. 36.	Nothing to be adjudged ſo by Patentee, but what is ſo by Scripture, *&c.*
ts Repealed, *c.* 2. §. 2.	A Repeal of 1 *Mar.* 2. *Stat.* 2. *Cap.* 2. as to Book of Common Prayer, 5 *&* 6 *Edw.* 6. *Cap.* 1. §. 5. only, and that Book with Additions ſubſequent, to ſtand.
ommon Prayer, §. 3.	Miniſters to ſay all the Common Prayers as in the Book, with Addition of Leſſons every Sunday, and the Litany Corrected, and two Sentences add in delivery of the Sacraments.
§. 4.	He that refuſeth or uſeth other Rites, 1. Loſeth Spiritual promotion, and Impriſon ſix Months.
§. 5.	For ſecond Offence Impriſon a year, and *Ipſo facto* deprived.
§. 6.	For third Offence deprived, *&c.* and Impriſoned for Life.
§. 7.	Lay-man, 1. Impriſon a year, §. 8. and 2. Impriſon for Life, *&c.*
§. 9.	Reviling the Book, or by menace compelling Parſon to uſe other, or interrupt the Parſon, forfeits, firſt, One hundred Marks, ſecond Offence is Four hundred Marks, and thirdly, All his Goods.
§. 12.	Upon Non-payment in ſix Weeks of Conviction, to be Impriſon ſix Months.
§. 13.	On Non-payment for ſecond Offence, *&c.* Impriſon a year.
§. 14.	All to Reſort to Pariſh-Church or Chappel.
§. 15.	All Ordinaries to do Execution hereof.
§. 16.	Ordinaries to have Juriſdiction by this Act in places Exempt, or not.
§. 17.	Juſtices of Oyer and Terminer, of Aſſize, to determine, *&c.*
§. 18.	Archbiſhop and Biſhop may Aſſociate.
§. 19.	Pariſhioners ſhall pay for Books.
§. 20.	None puniſht unleſs Indict next Seſſions of Oyer or Aſſize after Offence.
§. 21.	Peers for the third Offence, to be tried by Peers.
§. 22.	Mayor of *London*, &c. to Enquire and Determine.
§. 23.	Ordinaries to Enquire at Viſitations, and puniſh, *&c.*
§. 24.	Once puniſht, to be diſcharged.
§. 25.	Ornaments uſed by Authority of Parliament, 2 *Ed.* 6. to be retained, till ordered by the Queen.
§. 26.	The Queen to ordain further Ceremonies on miſuſe, *&c.*
§. 27.	All Laws whereby other Service, Sacraments, or Prayer is limit, *&c.* void.
iſh, 5 *El. c.* 5. §. 40.	Preaching that eating Fiſh is neceſſary for the Soul, puniſh as falſe News.
xcommunication, 5 *E. c.* 23. §. 13.	Want of Addition in Excommengement, unleſs for Original Hereſie, or Childs not Baptizing, or refuſing the Communion, or not coming to Church, or Errour in Matters of Religion or Doctrine, voids it.
aking Biſhops, &c. 8 *El. c.* 1. §. 5.	All Archbiſhops, Biſhops, Prieſts, and Deacons, made according to Form 1 *Eliz. Cap.* 2. and 5 *&* 6 *Edw.* 6. *Cap.* 1. Confirmed.
eprivation, 13 *El.* *c.* 12. §. 2.	Parſon maintaining Doctrine *contra* to the Articles 1562. to be deprived.
aſs, 23 *Eliz. c.* 1. §. 4.	Saying Maſs Impriſon a year, and forfeit Two hundred Marks, hearing forfeits One hundred Marks, and Impriſonment, *&c.*
ariſh-Church, §. 5.	Forbearing Pariſh-Church *contra* to 1 *Eliz. Cap.* 2. §. 14. forfeits Twenty pounds beſides, for twelve Months after Certificate by Ordinary, *&c.* in *B. R.*
chools, §. 6.	Schoolmaſter that doth not come to Church, they that keep him, forfeit Ten pounds.
§. 7.	The Schoolmaſter not Licenſe, diſabled, and Impriſon for a year.
§. 10.	Before Judgment, party diſcharged on Conformity, *&c.*
§. 11.	Forfeitures to be in three equal parts, to the Queen, for the Poor, and Informer.
§. 12.	He that hath private Service on *Sunday*, and is four times a year at Church, excuſe.
§. 15.	Not to take away Eccleſiaſtical Cenſures.
ſenting from Church, 5 *El. c.* 6.	For Execution of 23 *Eliz. Cap.* 1. every Eſtate, Uſe, *&c.* by perſon not coming to Church revocable, is void againſt the Queen as to Sums forfeit.

Convictions to be in *B. R.* or at Aſſize, or Goal-delivery, and not elſewhere.	§. 2.
Not ſubmitting after Convict, to pay Twenty pounds, *per* Month at *Trinity* and *Hilary* Term.	§. 3.
Need not aver Inhabitant within the Realm, but party muſt plead it.	§. 5.
No twenty pounds for Month in which Party dies, or Conforms.	§. 6.
The third part of the King to be diſpoſed by Chancellor and Treaſurer, for poor Soldiers.	§. 7.
Abſenting a Month from Church, or hearing Conventicle, Impriſon till Conform.	Abſenting from Church, 35 *El. c.* 1.
Not Conforming in three Months after, to Abjure.	§. 2.
Not Abjuring, Felon without Clergy.	§. 3.
Publick Submiſſion on *Sunday* to diſcharge.	§. 4.
The Form of Submiſſion, §. 6. the Entry and Certificate of it to Biſhop.	§. 5.
Relapſe forfeits benefit of this Act.	§. 7.
Maintenance of Abſenter after Notice a Month, forfeits Ten pounds.	§. 8.
Not to puniſh Relief of Kindred, or Wards.	§. 9.
Popiſh Recuſant above ſixteen, Confined to five Miles of Abode, *&c.*	Recuſant confined, *c.* 2. §. 2.
All Statutes of Queen *Elizabeth* againſt Jeſuits, Seminaries, Deacons, *&c.* pretending Juriſdiction of *Rome*, &c. to be put in Execution.	Jeſuit, 1 *Jac.* 1 *c.* 4.
Upon Conformity to be diſcharged.	§. 2.
Heir of Recuſant that is none, or Conforms, to be diſcharged.	Recuſant, §. 3.
Heir ſixteen years old, if Recuſant, not to be diſcharged till Conformity.	§. 4.
The third part ſhall deſcend to Heir, and not go to ſatisfie the Arrears of Twenty pounds *per* Month, but only the two parts Seized.	§. 5.
Sending Child beyond Sea to *Popiſh* Education, forfeits One hundred pounds, and Child diſabled to take Lands or Goods, and Truſts for him, void.	Education, §. 6.
Such Child, or that returns not in a year, *&c.* diſcharged on Conformity.	§. 7.
None but Saylers, Ship-Boys, Apprentice, or Factor in Merchandize, to paſs beyond Sea without Licence, on forfeit of Office and Ship that permit them.	§. 8.
None to keep School, unleſs Publick, or Noble, or Gentlemens Houſe, or Licence by Archbiſhop, *&c.* on forfeit of Fourty ſhillings a day.	§. 9.
An Anniverſary Thankſgiving for delivery from the Powder Treaſon 5. *Novemb.* 1605.	Powder Plot, 3 *Jac.* 1. *c.* 1. §. 2.
This Statute to be Read, and Notice the *Sunday* before to be given.	§. 3.
Prophane Swearing forfeits Twelve pence to uſe of Poor.	Swearing, 21 *Jac.* 1. *Cap.* 20.
No Aſſemblies out of Pariſh, no Sports, Bull-baiting, Plays, *&c.* on the Lords-day, on forfeit of Three ſhillings four pence to Poor, on Conviction before one Juſtice of Peace.	Lords-day, 1 *Car.* 1. *Cap.* 1.
No Carrier, Waggon, or Drover, to go on *Sunday*, forfeits Twenty ſhillings, Butcher killing Meat, forfeits Six ſhillings eight pence, and Juſtice of Peace to Convict, *&c.*	Sunday, 3 *Car.* 1. *c.* 1.
The Twenty ninth of *May* an Anniverſary Thankſgiving for ever, for the Kings Reſtauration.	Thankſgiving for Reſtauration, 12 *Car.* 2. *Cap.* 14.
That the Thirtieth of *January* be an Anniverſary Faſt for Murder of King *Charles* the Firſt, and if it fall on *Sunday*, the next day.	Faſt for Car. I. Murder, *c.* 30.
Saying the King is an Heretick, or a *Papiſt*, &c. diſable Offices.	Calling the King Papiſt, &c. 13 *Car.* 2. *c.* 1. §. 2.
Quakers affirming or perſwading Oaths unlawful, departing from Habitation and Aſſembly above five, under colour of Worſhip, *&c.* 1. Forfeits Five pounds, 2. Ten pounds, and 3. Tranſport.	Quakers, 14 *Car.* 2. *c.* 1. §. 2.
Seſſions to determine, *&c.*	§. 3.
Officer of Corporation may Commit to Goal, or take Sureties to Seſſions.	§. 4.
Diſcharge on Oath, and Security not to Aſſemble, *&c.*	§. 5.
Peer to be tried by Peers.	§. 6.
On the Kings Commiſſion to alter, and add, and power to Convocation ſitting to review the Books of Common Prayer, and Forms of Biſhops, *&c.* they altered, and add to the Book of Common Prayer.	Common Prayer, School-Maſter, Lecturer, Declaration againſt League, *c.* 4.
All Miniſters in publick places of Worſhip, to obſerve Order of Book of Common Prayer.	§. 2.
Miniſter on Lords day before St. *Bartholomew*, 1662. to Read Publick Service, and declare Aſſent and Conſent to Book of Common Prayer.	§. 3.
The Form of it.	§. 4.
Refuſer in a Month after Impediment removed, deprived of all.	§. 5.
All hereafter put into Eccleſiaſtical Promotion, *&c.* in two Months to Read and Aſſent, *&c.*	§. 6.
Incumbent to Read Publick Prayers once a Month, on forfeit of Five pounds.	§. 7.

§. 8.	Deans, Profeſſors, Curates, Schoolmaſters, *&c.* to Subſcribe Declaration againſt *League and Covenant.*
§. 9.	Declaration not to take up Arms againſt the King, to Conform to Liturgy, that no Obligation lieth on any by *Solemn League and Covenant.*
§. 10.	Failing to Subſcribe, forfeits the Living, *&c.*
§. 11.	Schoolmaſter Teaching without Licence or Subſcription, three Months Impriſonment, *&c.*
§. 12.	After 25 *March*, 1682. that Clauſe, That no Obligation by *Solemn League and Covenant* lies on any, to be omit.
§. 13.	None that is not in Holy Orders, ſhall hold any Eccleſiaſtical Promotion.
§. 14.	None capaple of Eccleſiaſtical Promotion, nor to preſume to Conſecrate that is not Epiſcopally Ordained.
§. 15.	Penalties not to extend to Aliens of Reformed Churches.
§. 16.	Ordinary on ſix Months Notice may deprive, and then void.
§. 17.	No other Form of Prayer in Publick, and Governours to Subſcribe Thirty nine Articles, as by 13 *Eliz. Cap.* 12. §. 2.
§. 18.	In Univerſities, *&c.* the Prayers may be uſed in *Latine.*
§. 19.	No Lecturer, unleſs Licence by Archbiſhop, *&c.* and Subſcribe the Thirty nine Articles, with Aſſent, and Reading Publick Prayer, with Declaration of Aſſent and Conſent, *&c.*
§. 20.	In Cathedral, *&c.* its ſufficient for Lecturer to declare Aſſent and Conſent to all generally.
§. 21.	Parſon diſabled, Preaching any Sermon, to be three Months Impriſon.
§. 22.	Common Prayer to be Read before Sermon or Lecture.
§. 23.	Not to extend to Univerſity-Sermon, or Lecture.
§. 24.	All Statutes of Uniformity to ſtand in force.
§. 25.	The Names of King, Queen, or Royal Progeny, to be altered in Prayers as occaſion fits.
§. 26.	Printed Copy of Common Prayer-Book at Pariſh Charge to be in all Churches, *&c.*
§. 27.	That Biſhops of *Hereford* and *Wales*, &c. take order for Tranſlation into *Welſh.*
§. 28.	Deans and Chapters to obtain Copies of this Act and the Book under the Great Seal.
§. 29.	Not to prejudice the Kings Profeſſor of Law in *Oxford*, for *Shipton* in *Sarum.*
§. 31.	The Thirty ſixth Article in §. 30. mentioned of the Thirty nine Articles, ſhall be applied to Biſhops mentioned to be Conſecrated by this Act.
§. 32.	The Books of Common Prayer and Conſecration 1 *Eliz.* 2. and 8 *Eliz.* 1. §. 5. to continue till *Bartholomew*, 1662.
Reſtoration to Livings, 15 *Car.* 2. *c.* 6.	All Deans, *&c.* who at paſſing 14 *Car.* 2. *Cap.* 4. §. 8. were beyond Sea, or Sick, Impriſon, *&c.* if no other be Inſtituted before 1. *Auguſt*, 1663. ſhall hold Livings, *&c.*
§. 4.	Such to Subſcribe, *&c* in fourty days after Return, and Read Prayers in three Months, *&c.*
§. 5.	Subſcriptions already made, or hereafter before Vicar-General, Chancellor, *&c.* good.
§. 6.	Such to allow for Serving the Cure as Ordinary adjudge, and pay Tenths, *&c.*
§. 7.	That the Penalties 14 *Car.* 2. *Cap.* 14. §. 21. againſt perſons prohibited to Preach, to be on perſons diſabled.
Conventicle, 16 *Car.* 2. *Cap.* 4.	Declareth that 35 *Eliz. Cap.* 1. is yet in force, and Enacts due Execution.
§. 3.	Subjects ſixteen years old preſent at Conventicle above five, beſide Houſhold, to be Impriſon three Months, unleſs he pay Five pounds to Poor, Juſtice to Record Offence.
§. 4.	For ſecond Offence ſix Months Impriſon, unleſs he pay Ten pounds.
§. 5.	On third Offence any two Juſtices to Commit till next Seſſions, Aſſize, or Oyer, which firſt happen, and on refuſal, to plead General Iſſue, Tranſport, *&c.*
§. 6.	On default of Offenders paying Charge, Sheriff may Contract to Labour for five years.
§. 7.	Offender diſcharged on paying One hundred pounds before Seſſions end.
§. 8.	Offender diſcharged on payment of Additional One hundred pounds every new Offence, Officer ſued may plead General Iſſue, and have treble Coſts.
§. 9.	Eſcape or Return on Tranſportation, without Licence, Felony.
§. 10.	Lieutenants, Militia, Sheriffs, *&c.* on Certificate of Juſtice, of Peace, to prevent Meetings.
§. 11.	Suffering Conventicle in his Houſe, to incur the ſame Penalty.
§. 12.	Eſcape ſuffered of Conventicler, forfeits Ten pounds.
§. 13.	Offender to be proſecuted in three Months, and but once puniſht.

Women Covert to be Impriſon, in ſtead of Tranſporting, unleſs Huſband be ſo.	§. 14.
Juſtice of Peace on denial, may enter Houſe where Conventicle is.	§. 15.
Houſe of a Peer to be Searcht only by the Kings Warrant, and entred by Juſtice of Peace.	§. 16.
None to Commit to Houſe of Correction, that hath Five pounds *per annum.*	§. 17.
Refuſing Oath legally tendred, Convict of Tranſportation.	§. 18.
Swearing Oath is not unlawful, §. 20. is diſcharged of that puniſhment.	§. 19.
On Convict below, Offender to remain in Goal till next Seſſions, *&c.* and then on refuſal of the Oath, to be Tranſported.	§. 21.
Peer to pay Ten pounds for the firſt Offence.	§. 22.
Continue to the next Seſſion of Parliament after three years.	§ 23.
Perſons in pretended Holy Orders not taking Oath not to alter Government.	**Perſons in pretended Orders,** &c. confined, 17 *Car.* 2. *c.* 2. §. 2.
And Preachers at unlawful Aſſemblies, not to be within five Miles of Corporation.	§. 3.
None reſtrained, *&c.* to keep School, take Boarders, *&c.* on forfeit of Fourty pounds.	§. 4.
Any two Juſtices to give Oath, or Commit for ſix Months.	§. 5.
Appearance by Proceſs without fraud, no Offence.	§. 6.
For Union of Churches, *&c.* under One hundred pounds *per annum.*	*Cap.* 3.
Anniverſary Faſt in *London* and Liberties 2 *Septemb.* or the next day if it be *Sunday* for the Fire.	**Faſt for the Fire,** 19 *Car.* 2. *c.* 3. §. 28.
Subject ſixteen years old preſent at Conventicle of Five beſide Family, Fine five ſhillings on Convict by Juſtice of Peace.	**Conventicle,** 22 *Car.* 2. *Cap.* 1.
For ſecond Offence Ten Shillings by Diſtreſs and Sale, if Poor, on any preſent, not exceeding Ten pounds, to be paid to Seſſions.	§. 2.
Preacher at Conventicle forfeits Twenty pounds, to be Levied on any preſent.	§. 3.
Suffering ſuch Conventicle in his houſe, *&c.* forfeits Twenty pounds to be Levied on any preſent.	§. 4.
None to pay above Ten pounds in regard of anothers poverty.	§. 5.
Offender charged above Ten ſhillings, may in a Week Appeal in writing to Seſſions.	§. 6.
Appellant to give Recognizance to proſecute with effect, §. 8. Appeal to be left with perſon Convicting.	§. 7.
Juſtice of Peace, *&c.* may break and enter with force, and take perſons Aſſembled into Cuſtody, *&c.*	§. 9.
Peers Houſe to be ſearcht by the Kings immediate Warrant.	§. 10.
Conſtable not Informing, or endeavouring Conviction, forfeits Five pounds, Juſtice of Peace One hundred.	§. 11.
Party ſued to plead General Iſſue, and have treble Coſts, except on Appeal.	§. 12.
Expoſition to be in Suppreſſion of Conventicle, no regard to Form, Juſtice of one County to Certifie the other on Flight of Offender.	§. 13.
Offenders to be proſecuted in three Months, and not double puniſht.	§. 14.
Aldermen in *London*, &c. to do as Juſtice of Peace in County.	§. 15.
If Feme-Covert Offender live with her Huſband, he liable to Five ſhillings, and Ten ſhillings.	§. 16.
No Peer to be Impriſoned or Attatcht, *&c.*	§. 17.
Not to prejudice the Kings Supremacy in Eccleſiaſtical Affairs.	§. 18.
Peers, and all Officers, Patentees, *&c.* to take Oaths of Allegiance and Supremacy, and take the Sacrament before 1 *Auguſt*, 1673.	**Teſt Act,** 25 *Car.* 2.
Within three Months after Admittance, to receive Sacrament, and Swear, *&c.*	§. 2.
Certificate of Miniſter and Churchwarden of Receit to be delivered into Court on Oath.	§. 3.
Refuſal to take the Oaths or Sacrament *ipſo facto* incapable.	§. 4.
Executing Office after neglect or refuſal, diſabled to ſue, *&c.* and forfeit Five hundred pounds.	§. 5.
Courts to Record Names, and publiſh every Term.	§. 6.
Courts to give Oath on Parties tender, *&c.*	§. 7.
Proteſtant Educating Child *Papiſt*, &c. diſables both.	§. 8.
Parties Swearing to Subſcribe Declaration, that there is no *Tranſubſtantiation.*	§. 9.
Regiſter thereof, §. 11. not to prejudice Peerage, nor Penſions for Value, *&c.*	§. 10.
Peers may take the Oath, and a Subſcription in Parliament.	§. 12.
Married Women, *&c.* not to forfeit Office but during Huſbands Life.	§. 13.
Party capable of new Grant after forfeit.	§. 14.
Not to prejudice Commiſſion-Officers of Navy.	§. 15.

§ 16.	Not to prejudice Earl of *Briſtols* Penſion, *&c.*
§ 17.	Not to extend to Head-Conſtable, *&c.* or any private Office.
Sunday, 29 *Car.* 2. *c.* 7. § 2.	Drover Travelling on *Sunday* forfeits Twenty ſhillings, ſo Waggoner, Butcher, Higler, *&c.*
Hererick, *Cap.* 9.	Proceſs and Death by *Hæretico comburendo* taken away.
Teſt in Perliament, 30 *Car.* 2. *St.* 2. *pag.* 1509.	Peers and Members of Parliament diſable to ſit until Oaths of Supremacy and Allegiance taken, and Declaration againſt *Tranſubſtantiation*, and the Idolatry of *Rome*.
Tolleration, 1 *W & M. Seſſ.* 1. *c.* 18. § 2.	Tolleration of Religion a means to Unite Proteſtants.
Repeal, § 2.	Repeal of 23 *Eliz. Cap.* 1. 29 *Eliz. Cap.* 6. 1 *Eliz. Cap* 2. § 14. 3 *Jac.* 1. *Cap.* 4. and 3 *Jac.* 1. *Cap.* 5. and all other Laws againſts Papiſts or Popiſh Recuſants, as to Proteſtant Diſſenters that ſhall take the Oaths in 1 *W & M. Seſſ.* 1. *Cap.* 1. and Subſcribe Declaration in 30 *Car.* 2. *Cap.* 1. § 2. Exception of 25 *Car.* 2. *Cap.* 2. and 3 *Car.* 2. *Cap.* 1. *St.* 2.
Adminiſtring Oath. Fees.	Juſtices of Peace at Quarter Seſſion to adminiſter the Oaths and Declaration, to ſuch as ſhall offer to take and ſubſcribe the ſame, Fees for Entry, and Certificate 6 *d.* each.
Recuſant, &c. diſcharged Penalties, and how, § 3.	Perſons Convict of Recuſancy or proſecuted that ſhall take the Oaths, and Subſcribe Declaration (to be certified into the Exchequer) diſcharged of Penalties, *&c.*
Exemption, § 4.	Perſons taking the Oaths and ſubſcribing Declaration exempted from Penalties, *&c.* in 35 *Eliz. Cap.* 1. and 22 of *Car.* 2. *Cap.* 1. nor to be proſecuted for Non-conformity.
At Worſhip with Doors Barr'd, § 5.	None at Aſſembly of Diſſenters with Doors Barred, *&c.* to have Benefit of this Law.
Tithes, § 6.	Not to exempt any from paying Tithes.
Diſſenter executing Office by Deputy, § 7.	Diſſenter appointed Ward or Pariſh Officer, *&c.* ſcrupling the Oaths, *&c.* may execute by Deputy, *&c.* who ſhall be approved as himſelf ſhould have been.
Diſſenting Miniſter taking Oaths and ſubſcribing Declaration and Articles, exempt from penalty. § 8.	Diſſenting Miniſter, *&c.* taking Oaths and ſubſcribing Declaration and Articles directed by 13 *El. Cap.* 12. except 34, 35, 36, and part of the 20. exempt from Penalties in 17 *Car.* 2. *Cap.* 2. and 22 *Car.* 2. *Cap.* 1. for Preaching, and 100 *l.* in 13 & 14 *Car.* 2. *Cap.* 4. for Officiating.
Regiſtring Swearing and Subſcribing, § 9.	Taking the Oaths and ſubſcribing Declaration and Articles to be Regiſtred, Fee 6 *d.*
Preaching with Doors Barr'd. § 10.	None to preach with Doors barr'd, *&c.*
Anabaptiſt Miniſter, § 11.	Anabaptiſt Miniſter qualifying himſelf, as above, excepting part of 27 Article touching Infant Baptiſm, to enjoy priviledges, *&c.* as other diſſenting Miniſters.
Miniſter exempt from Jury, Office, § 12.	Miniſters, *&c.* qualified as above, exempt from ſerving upon Juries, or bearing Offices.
Tendring Declaration and Oaths, Refuſing, § 13.	Juſtices of Peace to tender Declarations and Oaths, and commit Refuſers without Bail, and certifie their Names, *&c.* and for ſecond refuſal to be a Popiſh Recuſant convict.
Quaker, § 14.	Quakers to ſubſcribe Declaration above and a Declaration of Fidelity, and a profeſſion of Faith here expreſſed, to be recorded, *&c.* and Subſcribers exempt from penalties of Stat. *&c.* and to enjoy benefits as other Diſſenters.
efuſing Oath, § 15.	Refuſer of Oaths not to be admitted to Declarations, unleſs within 31. days after tender he produce Teſtimony or Certificate of his being a Proteſtant Diſſenter, *&c.*
Producing Teſtimony, Certificate, § 16.	Until Certificates and Teſtimony produced, Juſtice of Peace to take ſurety for the ſame or commit Refuſer till produced.
Frequenting Divine Service Lords day, § 17.	Laws for frequenting Divine Service on Lords day to be in force, except Offenders come to Congregation, allowed.
apiſts, Popiſh Recuſant, &c. § 18.	This Act not to give benefit to Papiſts, or Popiſh Recuſants, or perſons denying Trinity.
iſturbing Church or Congregation, miſuſing Preacher, § 19.	Diſturber of Church or Congregation, or miſuſer of Preacher, *&c.* to find Sureties to be bound in 50 *l.* or to be commit till next Quarter Seſſions, and on conviction Fined 20 *l.*
ertifing and Regiſtering place of meeting, § 20.	No Congregation to be permitted till place of Meeting certified, and Regiſtred or Recorded, and Regiſter or *Cler' pac.* to do it, and give Certificate thereof on demand, Fee 6 *d.*
ſh Quaker, 3 & 4 *W & M. Cap.* 2. § 15.	*Iriſh* Quakers ſubſcribing a Declaration, exempt from taking Oaths. *Vide* Title, *Ireland*.

Relief, ſee Services.

lief, 9 *Hen.* 3. *Cap.* 2. *Magna Chart.*	By the Heir of an Earl One hundred pounds, of a Baron One hundred Marks, of a Knight Five pounds, and he that hath leſs, according to Cuſtom.

Shall not be paid by ſuch Heir having been in Ward, but at twenty four years old, he ſhall have Inheritance free.	Ward, *Cap.* 3.
Shall be paid to the King on Eſcheate of Barony or Honour only as paid to the Lord of the Fee, unleſs the Lord held of the King in Chief.	Eſcheate, *Cap.* 31.
Heir ſo found ſhall not be put out by the Lord, but only a ſimple Seiſin.	Office found, 52 *H.* 3. *Cap.* 16.
Shall be paid by Heir, and Heriot as before.	Heriot, 32 *Hen.* 8. *Cap.* 1. § 14.

Rents.

Ceſſavit, Arrearages, Reſervation, Fee-Farms, Quit-Rent.

If Tenant at fourth part of value tender not Arrears before Judgment, the Land in *Ceſſavit per Biennium*, is loſt for ever.	Ceſſavit, 6 *Edw.* 1. *Cap.* 4. *Glouc.*
Gives the Lord a *Ceſſavit* of Services, *&c.*	Ceſſavit, 13 *Ed.* 1. *c.* 21. *W.* 2.
Of Hundred ſhall be reaſonable to prevent Extortion, and Sheriffs ſhall not let their Office.	Hundred, 9 *Edw.* 2. *pag.* 79. *Sheriffs.*
If Tenants in *London* deny Rents and Services, or be not able to ſatisfie for Arrears, the Lords ſhall by *Forſchoke* take their Land in Demean.	Forſchoke 10 *Ed.* 2. *pag.* 79. *Gavelet.*
Aſſize ſhall be in Confines of County where Tenements are, ſo of common appendant to, *&c.*	Aſſize, 7 *R.* 2. *Cap.* 10.
He that hath a Freehold in *Calice*, ſhall pay what iſſues out of it within a year, or forfeit it.	Calice, 11 *Hen.* 7. *c.* 16.
Recoverers, their Heirs or Aſſignees may Diſtrain for it.	Recoverers, 7 *H.* 8. *c.* 4. § 2.
Not to be increaſe for what it was twenty years laſt by Clothing in *Worceſter*, and other Towns in that County.	Worceſter, 25 *H.* 8. *Cap.* 18.
Truſt for Rent to *A.* and his Heirs, for life or years, ſhall § 5. be adjudged the Poſſeſſion and Seiſin of *A.* and his Heirs, *&c.* and they to Avow Diſtreſs, *&c.*	Truſt, 27 *Hen.* 8. *Cap.* 10. § 4.
May be deduct by Tenant for what is expend in Paving the Street.	Deduction, 32 *Hen.* 8. *Cap.* 17. § 7.
He in Reverſion ſhall have the ſame Advantage againſt Leſſee, *&c.* for it, as Leſſor had.	Reverſion *c.* 28. § 2.
Shall be reſerved to Baron and Feme, and her Heirs, *&c.* on Leaſe of her Land.	Baron and Feme, § 3.
Heirs, Executors, Succeſſors, and Aſſignees to have the ſave advantage of condition, *&c.* as if privy to Indenture.	Condition, *c.* 34.
Leſſees to have the ſame advantage againſt Patentees and Aſſignees.	§ 2.
Executors of Tail, Fee, or for Life, have Debt or Diſtreſs for Arrears.	Executors, *c.* 27.
Not in *Wales* where Fine is paid for Redemption of all Forfeits.	§ 2.
Executors of Husband have Debt or Diſtreſs, as in Wives life.	§ 3.
On death of *Ceſtuy que vi* Executors or Tenant, *&c.* may have Debt or Diſtreſs.	§ 4.
Non-payment in three months after day, forfeits fourth part the firſt year, and half that the next, and ſo increaſe as Penalty to the King againſt Patentee.	Patentee, 33 *Hen.* 8. *Cap.* 39. § 14.
The Penſions iſſuing out of Abbe Lands, to remain charged.	Abbe Land, 34 & 35 *H.* 8. *c.* 19. § 4.
Of Ten pounds *per annum* out of Lands aſſured to *Hynde* to be paid to two Knights and Sheriff of *Cambridge* in diſcharge of Wages of County to Parliament.	Cambridge, *c.* 24.
Payment to be by the Kings Receivers without Special Warrant of the King.	§ 4.
By the King on Grant of Abbe Lands under Fourty ſhillings, *per annum*, without Houſe to be a Tenure by Knights-Service, *Capite*, or Burgage, and a Tenanted value.	Tenure, 35 *Hen.* 8. *c.* 14. § 3.
The like on Grant of Houſe without Lands.	§ 4.
Fee-Farms of the King to ceaſe for three years, and be employed in Walls, Bridges, and ſetting Poor on work.	Fee-Farm, 2 & 3 *Ed.* 6. *Cap.* 5.
Mean Lords ſhall receive their Rents, *&c.* of the Kings Officers, and the Heirs at full age diſcharged.	Mean Lord, *c.* 8. § 10.
Felony for Aſſembly of Twelve to attempt Abatement, *&c.*	Abatement, 3 & 4 *Ed.* 6. *c.* 5.
The King, nor § 3. Patentee ſhall take no advantage of Forfeiture, ſo duty or ſervice be anſwered in Exchequer before Commiſſion or Proceſs to enquire.	Forfeiture, 21 *Jacob.* 1. *Cap.* 25.
On nonſuit before Iſſue, a Writ of Enquiry to go of Arrears, and value of Cattel, but after Iſſue the Jurors Impannelled to enquire.	Nonſuit 17 *Car.* 2. *c.* 7. § 2.
On return of Enquiry on Demurrer, Judgment of Arrears to the Value of Diſtreſs.	Demurrer, § 3.
Where Diſtreſs is not of Value of Arrears, new Diſtreſs *pro reſiduo*.	New Diſtreſs, § 4.
Priviledges given to Purchaſers of particular Rents due	Purchaſer of rents from the King, 22 *C.* 2. *c.* 6. § 2.

	due to the King in Right of his Crown, or in Right of Dutchy of *Lancaſter* or *Cornwall*.
§ 3.	Except Rents incident to Reverſions that is in the Crown, *&c.*
§ 4.	Patents to Truſtees for Sale before 24 *June*, 1672. good for Veſting, *&c.*
§ 5.	Truſts good againſt all defects, and Truſtees to Convey over according to Inſtructions.
§ 6.	Truſtees to Execute Eſtates to purchaſers by Bargain and Sale Enrolled.
§ 7.	Purchaſers Enrolled in ſix months to be in actual Seiſin, diſcharged, *&c.*
§ 8.	Purchaſer to have the ſame Remedy as the King had.
§ 9.	Rents not paid in fourty years, or reſerved, not to be inſerted where Concealed, or the Lands come to the Crown, Purchaſer to enjoy.
§ 10.	Corporation, *&c.* may purchaſe without *Mortmain*.
§ 11.	Not to extend to Rents out of *Wales*, as Prince of *Wales*.
§ 12.	The Inſtructions for the manner of the Sale.
§ 13.	Purchaſers of Mills to enjoy Suits and Priviledges of Exchequer.
§ 14.	Charges iſſuing out of ſuch Rents to continue, and expreſt in Aſſurance.
Fee-Farm, 22 & 23 *Car.* 2. *Cap.* 24.	Lord *Hawley*, &c. Truſtees for Fee-Farm, and other Rents, Fourty ſhillings *per annum*.
§ 2.	All Rents mentioned ſmall and great, Veſt in Truſtees to be conveyed.
§ 3.	Purchaſers Indemnified in quiet enjoyment.
§ 4.	Till Truſtees ſell, the Kings Receivers, *&c.* to Collect.
§ 5.	Purchaſers to enjoy Priviledge of this and 22 *Car.* 2. *Cap.* 6. and give them in Evidence.
§ 6.	Tenant in Tail of Fee-Farm, *&c.* not to ſuffer Recovery, *&c.*
§ 7.	Truſtees conveying by Warrant of Treaſurer and Chancellor to be diſcharged.
§ 8.	Purchaſer may avow without ſetting forth the Kings Title.
§ 9.	Truſtees may convey by expreſs words, or by particular of Auditor, or by Original Grant from the Crown to prevent Miſ-recitals.
Truſt, 29 *Car.* 2. *Cap.* 3. § 10.	Truſt thereof may be taken in execution.
Vicars, &c. *Cap.* 8. § 2.	Vicars, Curates, *&c.* may have Debt or Diſtreſs, the reſerve to the Impropriętor, Leſſor, *&c.*
Selling diſtreſs, 2 *W* & *M. Seſſ.* 1. *Cap.* 5. § 2.	Goods Diſtrained for Rent, if not replevied within 5 days after diſtreſs and notice thereof may be Appraiſed and Sold, returning Owner overplus.
Corn, Hay on the Ground, § 3.	Corn or Hay on the Land may be detained as Diſtreſs and if not replevied within time aforeſaid, to be Sold after Appraiſement, but not to be removed to Owners damage.
Pound-Breach Reſcous § 4.	In Special Action *ſur* Caſe for pound Breach, or reſcous, Offender, or Owner (if the Goods come to his uſe or poſſeſſion) liable to treble Damages and Coſts.
Diſtraining without Cauſe, § 5.	Double value of Goods Diſtrained and Sold to be recovered by Action of Treſpaſs or Caſe againſt perſon diſtraining without cauſe.

Reparation.

Towns, Banks, Ways, Decays, Bridges, Paving, Dilapidations.

Bridges, &c. 9 *H.* 3. *c.* 15. *Magna Chart.*	No Town nor Free-man ſhall be Diſtrained to make Bridges, nor Banks, but ſuch as in time of *H.* 2. were of right accuſtomed.
Banks, *Cap.* 16.	No Banks ſhall be from henceforth defended, but ſuch as in time of *H.* 2. were in defence.
Banks, 13 *Ed.* 1. *c.* 46. *W.* 2.	Adjacent Towns ſhall be diſtrained to pay Damages, and levy Fences caſt down by perſons unknown.
Calice, 21. *R.* 2. *Cap.* 18.	Stones carried for Laſtage to repair Beacons, and *Paradice*, and other decayed places in *Calice*.
1 *Hen.* 5. *Cap.* 9.	The Revenues of *Calice* ſhall be employed to the maintenance of it.
10 *Hen.* 6. *Cap.* 5.	For maintenance of places about *Calice*.
Charing-Croſs, 24 *H.* 8. *Cap.* 11.	Of Street by Paving between *Charing-Croſs* and *Strand-Croſs*.
Holborn, 26 *H.* 8. *Cap.* 8.	Paving *Holborn* to the Bars by the Owners and Mayor, *&c.* to enquire by twelve quarterly.
Norwich, 26 *H.* 8. *Cap.* 8.	Rebuilding Grounds void by Houſes burnt in *Norwich*, to be by Owners in two years, or City in two years after, elſe the chief Lord to Enter.
Lyn, *Cap.* 9.	Owners in *Lyn* ſhall repair decayed Houſes againſt the Sea, elſe the Mayor and Commonalty to enter in a year after Proclamation, *&c.*
Nottingham, &c. 27 *H.* 8. *Cap.* 1.	If Owners do not Rebuild decayed void places in *Nottingham*, *Shrewsbury*, *Ludlow*, *Glouceſter*, *B. Q.* and *Northampton* in three years, elſe the Lord to enter in three years after, and then the Corporation.
§ 5.	Not to prejudice Infant, Feme-Covert impriſon beyond Sea, in War, *&c.*
Algate, &c. 32 *H.* 8. *Cap.* 17.	*Algate*, *Chancery-Lane*, *Holborn*, to St. *Giles*, *Grays-Inn-Lane*, *Shoe-Lane*, *Fetter-Lane*, to be Paved, on forfeit of Six pence every ſquare.
Rebuilding in ſeveral Towns, *Cap.* 18.	By rebuilding decayed Houſes in certain Cities, Burroughs, and Towns named, to be in three years after Proclamation, or the Lord to enter, *&c.*
§ 2.	If Lord do not rebuild, he that hath Rent-charge ma y in two years after.
§ 3.	If no owner build, the Corporation to rebuild in three years.
§ 4.	If Corporation do not Rebuild void Ground, Owner to retain for ever.
§ 5.	Not to prejudice Infant, Feme-Covert, Impriſon, or *Ouſter le mere*.
Shafton, &c. *Cap.* 19.	The like Rebuilding *ut ſupra*, to be in *Shafton*, and one and twenty other Weſtern Towns.
Glouceſter, 33 *Hen.* 8. *Cap.* 35.	Mayor, and Dean and Chapter of *Glouceſter* may convey and amend Water-pipes, paying Owner of Soyl, *&c.*
Canterbury, &c. *Cap.* 36.	Of ſuch Houſes as within fourty years were built in the Towns of *Canterbury*, *Rocheſter*, *Stamford*, *Grimsby*, *Cambridge*, *Derby*, *Guildford*, *Denwich*, *Lewis*, and *Buckingham*.
§ 2.	The Lord that enters to build in two years and half.
Several Towns, 35 *Hen.* 8. *Cap.* 4.	Of decayed Towns in *Wales* and *England*, twenty three named.
Cambridge, *Cap.* 15.	They who have Lands adjoyning, ſhall Pave the Highways, Streets, and Lanes in *Cambridge*.
Huntington-Lane, 37 *Hen.* 8. *Cap.* 3.	Of *Huntington-Lane*, two miles and half near *Cheſter*, by one that ſhall have Common there for five Kine.
Comb-Marſhes, *Cap.* 11.	Every Inhabitant of *Comb-Marſhes* ſhall be Diſtrained for contribution to Tax.
Calice, 2 & 3 *Edw.* 6. *Cap.* 38.	Streets in *Calice* Paved, and Houſes Slated or Tyled.
Northumberland, &c. 2 & 3 *Ph.* & *Mar.* *Cap.* 1.	Commiſſion to enquire of decayed Caſtles, Fortreſs, Habitations, *&c.* and what places are fit to incloſe *Northumberland*, *Weſtmorland*, and *Durham*.
Dilapidations, 13 *Eliz* *Cap.* 10. § 2.	Archbiſhop, Parſon, Vicar, *&c.* and their Alinees are ſuable for Dilapidations.
Algate, 13 *Eliz.* *Cap.* 2	The Bars without *Algate*, and from *Old Cage* to *Nightingale-Lane*, and *Croſs-Mill*, Paved.
Ipſwich, *Cap.* 24.	*Ipſwich* and Suburbs to be Paved, on forfeit of eight pence a yard.
Chepſtow **Bridge**, 18 *Cap.* 18.	Of *Chepſtow* Bridge at charge of *Glouceſter* and *Monmouth*.
Chicheſter, *Cap.* 19.	City of *Chicheſter* to be paved by Owners.
Oxon, *Cap.* 20.	Inhabitants within five miles of *Oxon* to ſend Carts, and Work, *&c.*
Dover **Haven**, 23 *Eli* *Cap.* 6.	Of *Dover* Haven by Three pence *per* Tun, of Ships above twenty Tun, for eight years, continued by 35 *Eliz.* *Cap.* 7. § 19.
35 *Eliz.* *Cap.* 7. § 28.	Ships of ſubjects loading and diſcharging within the Realm, to be diſcharged of the Three pence *per* Tun.
43 *Eliz.* *Cap.* 9. § 3	Merchants ſhall pay Three pence *per* Tun for Lading, not for Ship to repair of *Dover* Haven, *&c.* ſee 1 *Jacob.* 1. *Cap.* 32. for ſeven years.
London, 19 *Car.* 2. *c.*	For Rebuilding the City of *London*, ſee Title *London*.
Dilapidations, 25 *Ca* *Cap.* 5. § 22.	Pardon Excepts Dilapidations for which any ſuit is begun.
Northampton, 27 *Ca* *p.* 1472. § 1.	*Quorum* five Commiſſioners ſitting within the Town of *Northampton*, to be a Court of Record, and at Diſcretion to determine Differences in Rebuilding without Appeal.
§ 2.	Any five Commiſſioners may Decree finally againſt Infant, Ideot, Corporation, *&c.*
§ 3.	Five may give Rules for Rebuilding at diſcretion, and Recompence by Jury, *&c.*
§ 4.	Five may alter Foundation on Recompence by Jury, and bar all, *&c.*
§ 5.	Not to take away Grounds but for enlargment of Streets, mentioned, and on three years default of Owner in laying Foundation, may diſpoſe, *&c.*
§ 6.	Buildings to be covered with Lead, Slate, or Tyle.
§ 7.	Appeals may be againſt Decrees made by fewer then ſeven Commiſſioners.
§ 8.	Decrees to bind Infants, *&c.* in Law and Equity, and a Regiſter to be kept by the Mayor, *&c.*
§ 9.	Juſtices living there to have Juriſdiction as in the County, and Builders to be made Freemen.
§ 10.	Commiſſioners before Execution, *&c.* to ſwear as preſcribed.
§ 11.	Party ſued in purſuance of this Act, to plead the General Iſſue.
Southwark, 29 *C.* 2. *c.* 4. §	For Rebuilding Houſes burnt in *Southwark*.
Yarmouth **Piere**, *c.* 1	Of the Piere of Great *Yarmouth*.

Great Yarmouth, 1 *Jac.*2. *Cap.* 16.	For Repair of Haven and Pieres of Great *Yarmouth*, Explained by 1 *W* & *M. Seſſ.* 1 *Cap.* 11.

Repealans.

Grants, Reſumption, Revocation.

Purpreſture, 4 *Edw.* 1. *St.* 3. *c.* 4.	May be by the King of Purpreſtures uſurpt, *&c.*
Protection, 33 *Edw.* 1. *pag.* 68.	Protection turns to a default on Averment that Defendant is within the Realm, and out of the Kings Service.
Charter, 9 *Edw.* 3. *c.* 1.	Of Charters, Cuſtoms, Judgments, *&c.* of Merchandize *contra* to this Statute.
Reſumption, 31 *H.* 6. *Cap.* 7.	Fees, Wages, and Rewards, not to be compriſed in Act of Reſumption.
Parliament, 17 *Ed.* 4. *Cap.* 7.	Is ſo of Parliament, 9 *Edw.* 4. and 45 *H.* 6. and of all Acts therein, *&c.*
Reſumption, 1 *R.* 3. *Cap.* 15.	Of all Grants made to *Eliz. Gray* Queen of *England*, and Lands reſumed.
Mint, 4 *H.* 7. *c.* 2. §. 2.	Of Offices with Fee belonging to the Mint.
Diſm, *c.* 5.	Of Patent to Spiritual perſons to be diſcharged of Diſm.
Englewood, *c.* 6.	Of Patents in *Englewood* Foreſt, except, *&c.*
Empſon and Dudley, 1 *H.* 8, *c.* 15.	Of the Grant made to *Empſon* and *Dudley*.
Patent, 6 *H.* 8. *c.* 15.	Later Patent ſhall not be ſo of former, without expreſs words.
Statutes, 26 *H.* 8. *Cap.* 10.	Of Statutes may be by *H.* 8. during life by Proclamation.
Patent, 32 *H.* 8. *c.* 27.	Of extraordinary Patents of Reverſions, and to Abſentees, *&c.*
Kings-Lyn, 33 *H.* 8. *c.* 34.	Of two Fairs granted to *Kings-Lyn*.
31 *H.* 8. *c.* 8. 1 *Edw.* 6. *c.* 12. §. 5.	Is ſo of 31 *H.* 8. *Cap.* 8. and of 34 *H.* 8. *Cap.* 23. and wholly void as to Repeal of Statute by Proclamation.
Scotland, 4 *Jac.* 1. *c.* 1.	Of Hoſtile Laws between *England* and *Scotland*.
24 *Eliz.* *c.* 4. §. 5.	Reſerved at pleaſure, voids Deed againſt later Purchaſer.
19 *Car.* 2. *c.* 3. §. 6.	Of Deviſe void unleſs by Writing Arreſted by Three, or by Cancelling, Burning, *&c.*
Reviver, 4 & 5 *W & M.* *c.* 24. §. 7.	Reviver of 19 *Car.* 2. *Cap.* 12. for ſeven years.

Repeal of Statutes, ſee *Continuance* and *Parliament.*
Repleader, ſee *Amendment.*

Replevin.

Diſtreſs, 52 *H.* 3. *c.* 3. *Marlbr.*	If any will not ſuffer Diſtreſs taken to be delivered by the Kings Officers after the Law and Cuſtom of the Realm, he ſhall be puniſht as one that will not obey the Law.
Sheriff, *c.* 21.	Sheriff without, and Bayliff within Franchiſe ſhall make delivery of Diſtreſs on Complaint.
Enqueſt, 3 *Edw.* 1. *c.* 11. *W.* 1.	Of Men by favourable Enqueſts, or by Writ *De Odio & Atia* prevent, by chooſing Enqueſts by lawful Men on Oath, and two Knights.
Sheriff, *c.* 15.	Shall not be made by Sheriff on Common Writ, nor without Writ of perſons Utlaw, Abjured, Excommunicated, open Defame, Thieves taken with the manner, for falſe Money, or Counterfeiting the Great Seal, nor for Treaſon againſt the King himſelf.
heriff, *c.* 17.	If refuſe, Sheriff with power of County may for not delivering up the Diſtreſs on demand, Demoliſh and Enter Caſtle or Fortreſs.
emoval, 13 *Edw.* 1. *c.* 2. §. 1.	Replevin ſhall be removed out of County before the Juſtices.
ledges, §. 2.	No Replevin till Pledges for return of Cattel, if Award againſt the Tenant, and *Reſpondeat Superior*, if Bayliff be not able, and after a Return Award, the Writ of ſecond Deliverance iſſueth by the Juſtices, (and if Return be by [illegible] Adjudg) irreplevilable, unleſs for new Cauſe.
mages, &c. *c.* 36.	Treble Damages, and Fine of Sheriff, Bayliff, or Lord, on malicious Diſtreſs.
n-plevin, 9 *Edw.* 3. *ap.* 2.	None ſhall loſe his Land by Non-plevin in any Plea.
mages, 7 *H.* 8. *c.* 4. 3.	Avowant or he that makes Conuſance, on Verdict or Bar of Plaintiff ſhall recover Damages.
owry, 21 *Edw.* 8. 19. §. 2.	Avowry may be made as within his Seigniory, without naming any perſon certain, ſo in ſecond Deliverance.
mages, §. 3.	Avowant ſhall have Damages and Coſts on Verdict, Nonſuit, or other Bar in Replevin or ſecond Deliverance.
, §. 4.	Plaintiffs and Defendants have the ſame Pleas as at Common Law, except Diſclaimer.
owry, 32 *H.* 8. *c.* 2. 4.	Avowry muſt be on Seiſin within fifty years before made.
Ph. & *Mar.* *c.* 12.	Party ſhall not be put to ſeveral, by putting Diſtreſs in ſeveral Pounds.
ff, §. 3.	Sheriff in a Month ſhall have four Deputies not above twelve Miles from each other, to make them on forfeit of five pounds a Month.

On Nonſuit before Iſſue in Suit legally depending in *Weſtminſter*, on Suggeſtion a Writ to Enquire of Arrears at Diſtreſs, and Value of Cattel, on fifteen days Notice, and on Return Judgment, on Non-ſuit after Iſſue the Jurors Impannelled to Enquire, *&c.*	**Writ of Enquiry of Arrears of Rent**, 17 *Car.* 2. *c.* 7.
On Judgment on Demurrer, Enquiry of Value of Diſtreſs to be, and Judgment as to Value.	**Enquiry of value of Diſtreſs**, §. 3.
Where Value of Diſtreſs is not to the full Arrear, party, *&c.* may Diſtrain again for Reſidue.	**Second Diſtreſs**, §. 4.
That 17 *Car.* 2. *Cap.* 7. and Proviſions thereof Extend to *Wales*, and County Palatine.	Wales, 19 *Car.* 2. *c.* 5.

Reſidence, ſee *Eccleſiaſtical Perſons.*

Reſceit.

Shall be of Termor before Judgment on Recovery ſuffered by Tenant of the Freehold by Colluſion.	**Termor**, 6 *Edw.* 1. *c.* 11. *Glouc.*
Of Wife on Default of Huſband, or of him in Reverſion on Default of particular Tenant before Judgment.	**Wife**, 13 *Edw.* 1. *c.* 3. *W.* 2.
Any before Judgment may be received on Prayer, finding Surety to anſwer the Demandant the Value of the Lands recovered, *&c.*	**Any before Judgment**, 20 *Edw.* 1. *pag.* 58. *Defenſ. Juris.*
Shall be of him in Reverſion that comes in before Judgment againſt Tenant without delay.	**Reverſion**, 13 *R.* 2. *c.* 17.
On Receit he ſhall find Surety of the Iſſues of the Land.	§. 2.

Reſtitution, ſee *Force and Coron.*
Reſumption, ſee *Repealans and Prerogative.*

Returns.

Falſe ſhall be puniſht on Averment of Greater Iſſues, *&c.*	**Falſe**, 13 *Edw.* 1. *c.* 39.
Where falſe Officer ſhall be Amerced.	28 *Edw.* 1. *c.* 16.
Shall be by Indenture between Bayliff of Franchiſe and Sheriff by proper Name, and Sheriff and Bayliff ſhall be Amerced that puts not his Name, and if Sheriff alter it, he ſhall pay double Damage.	**Bayliff and Sheriff**, 11 *Edw.* 2. *c.* 5. *York.*
Eſtops not to Aver againſt it of too ſmall Iſſues, or in other Caſes againſt Sheriff or Bayliff of Franchiſe.	**Averment againſt it**, 1 *Edw.* 3. *c.* 5.
Juſtices may Award Damages for not Returning Writ, with reſpect to delay, and peril.	**Damages**, 2 *Edw.* 3. *Cap.* 5.
On Diſtreſs to return Commiſſion and Iſſues where none was ever heard of by the Commiſſioners, Remedy is in Chancery.	**Diſtreſs**, 4 *H.* 4. *c.* 9.
Of Knight of Parliament ſhall be under Seal of Sheriff, and Indenture, with Names and Seals of the Chooſers.	**Knight of Parliament**, 7 *H.* 4. *c.* 15.
If unduly made of Knight to Parliament, he ſhall loſe his Wages, and the Sheriff forfeit One hundred pounds; Juſtices to Enquire.	11 *Hen.* 4. *c.* 1.
Shall be made by the Day of Writs Returnable by Sheriffs.	4 *Hen.* 6. *c.* 1.
Sheriff or Knight ſhall not be endamaged by Enqueſts of Office, that its unduly made to Parliament, till Convict of Traverſe.	6 *Hen.* 6. *c.* 4.
Is amendable as well by Errour as otherwiſe in Word or Syllable.	**Amendment**, 8 *H.* 6. *Cap.* 15.
Grant of Farm cannot be till a Month after the Kings Title found and returned into Chancery.	**Kings Grant**, 18 *H.* 6. *Cap.* 6.
If not made of Office by Eſcheator, he forfeits Fourty pounds, and Damages.	**Eſcheator**, *c.* 7.
Unduly of Knight of Parliament by Sheriff, loſeth One hundred pounds to the King, and One hundred pounds to the Party, and Mayor or Bayliff Fourty pounds to the King, and Fourty pounds to Party.	**Knight of Parliament**, 23 *H.* 6. *c.* 15.
By former Sheriff in *Michaelmas* and *Hilary* Term, after new Election, good, unleſs in that time he be diſcharged.	**Sheriff**, 7 *Ed.* 4. *c.* 5.
Shall not be of Office by Eſcheator, unleſs taken by Enqueſt, by Indenture, and then muſt be in a Month after taken to Chancery.	**Eſcheator**, 1 *H.* 8. *c.* 8.
Sheriffs ſhall forfeit nothing by 4 *H.* 8. *Cap.* 3. for other Returns then of Jurors at *Niſi prius*, at St. *Martins le Grand.*	**Sheriff**, 5 *H.* 8. *c.* 5.
Stewards or Bayliffs of Franchiſe ſhall be Amerced if ill, not the Sheriff.	**Forfeiture**, 27 *H.* 8. *c.* 24. §. 9.
Of *Reddidit ſe* on Excommengement, if falſe, forfeits Fourty pounds.	5 *Eliz.* *c.* 23. §. 9.
Need not be made out of an Inferiour Court by a Barreſter of Three years.	**Inferiour Court**, 21 *Jac.* 1. *c.* 23. §. 6.
Shall not charge Bayliff in Stannaries, unleſs he ſubſcribe Note in preſence of two, of Sums, Names of Parties and Action.	**Stannaries**, 17 *Car.* 1. *Cap.* 15.
Of Arreſt in Stannaries to charge none without Note in preſence of Two.	§. 10.
Of Reſcous in Stannaries is Traverſable.	§. 11.

In Hillary Term, 1688. 1 *W & M. Seſſ.* 1. *c.* 4. §. 2.	Returns of *Hillary* Term 1688. adjourned to *Quindena Paſchæ* in *Eaſter* Term next.
Taking Oath on delivery of Eſtreats, 4 & 5 *W & M. Cap.* 24.	Perſons making Return of Eſtreats, upon delivery thereof to take an Oath before Barons of Exchequer.
The Oath.	The Oath.
Jurors,	Jurors returned what Eſtates to have, *&c. Vide* Title *Enqueſt*.

Revocation, ſee *Repealans.*
Richmond, ſee *Eccleſiaſtical Perſons.*
Rye and *Winchelſey*, ſee *Cinque-Ports.*
Right, ſee *Proceſs.*
Riots, ſee *Peace.*
Robberies, ſee *Coron.*
Rivers, ſee *Sewers.*
Rogue, ſee *Poor.*
Roy, ſee *Prerogative.*
Rolls, ſee *Records.*
Rome, ſee *Pope.*
Sabbath, ſee *Days* and *Religion.*
Sacraments, ſee *Religion.*
Safe Conduct, ſee *Admiral.*
Salt, ſee *Victuals* and *Meaſures.*
Sanctuary, ſee *Priviledges* and *Church.*
Servants, ſee *Trades.*
Sattin, ſee *Drapery.*
Saint Johns, ſee *Abbe.*
Serjeant at Arms, ſee *Officer.*
Scarborough, ſee *Sewers.*

Scire facias.

Execution, 13 *Ed.* 1. *Cap.* 45. *W.* 1.	SHall be before Execution of any thing Recorded in the Kings Courts after a year of the Writ.
Tithes, 18 *Edw.* 3. *Cap.* 7.	Shall not be granted in Chancery for Tithes, ſaving the Right the King and his Anceſtors were wont to have.
Limitation, 32 *Hen.* 8. *Cap.* 2. §. 5.	Muſt be ſued in fifty years next after Title falls.
Traverſe of Office, 2 & 3 *Ed.* 6. *c.* 8. §. 13.	Shall be againſt Patentee on Traverſe of ſalſe Office, and he plead, *&c.*
King, 21 *Jac.* 1. *c.* 14. §. 2.	No *Sci. fac.* for the King where Title muſt be pleaded Special, if Information of Intruſion can be brought.
Adminiſtrator De bonis non, 17 *Car.* 2. *c.* 8. §. 2.	For Execution by Adminiſtrator *De bonis non*, upon Judgment by Executor or Adminiſtrator on Verdict.

Scotland.

Northumberland, Berwick, Borderers, Moſs-Troopers, Marches.

Iriſh **Merchant**, 17 *Ed.* 1. *Cap.* 3. *Ord. pro Stat. Hiber.*	*Iriſh* Merchant ſhall give Security not to go thither with Goods.
Men at Arms, 1 *Ed.* 3. *Cap.* 7.	No Commiſſions to Shires to prepare aud convey Men at Arms thither.
Cloth, 11 *Ed.* 3. *c.* 3.	No Cloths Foreign made ſhall be Imported thither.
Cap. 5.	All Foreign Clothworkers ſhall have Franchiſe there.
War, 14 *Ed.* 3. *Cap.* 2.	In reſpect of Wars, Ayds, Pardon.
Wooll, 27 *Ed.* 3. *St.* 2. *Cap.* 12.	Wools ſhall not be ſold thither, nor to *Berwick*.
Money, 47 *Ed.* 3. *c.* 2.	Their Groat is Three pence.
Armor, &c. 7 *R.* 2. *c.* 16.	No Armour nor Victual ſent thither but by Licence.
Money, 14 *R.* 2. *c.* 12.	The Value of *Scotch* Money of all ſorts.
Armor, 15 *Rich.* 2. *c.* 7.	Armour, Corn, and Victual may be carried to *Berwick* without Cuſtoms, notwithſtanding 7 *R.* 2. *Cap.* 16. and thence paying Cuſtoms.
Money, 17 *Rich.* 2. *c.* 1.	*Scotch* Silver or Gold ſhall not be ſent hither but in Bullion, nor *Engliſh* Money thither.
2 *Hen.* 4. *Cap.* 6.	Their Money ſhall be avoided out of the Realm, or put to Coyn.
Scotch **Money**, 3 *H.* 5. *Cap.* 1.	Felony to bring and pay Gally Half-pence, Suſkin, Dorkin, and all *Scotch* Money of Silver.
Merchandize, 22 *Ed.* 4. *Cap.* 8.	Merchandize to or from *Scotland* to be brought by *Berwick*.
Scots **not Denizens**, 7 *Hen.* 7. *Cap.* 7.	*Scots* not made Denizens ſhall depart in fourty days on Proclamation.
Horſes, 23 *Hen.* 8. *c.* 16.	Felony to Sell or Exchange any Horſe with *Scotchman*, or within *Scotland*, revived by 1 *El. c.* 7.
32 *Hen.* 8. *Cap.* 6.	Delivery of Horſe into *Scotland*, or Batable Ground to the uſe of a *Scotchman* without Licence, is Felony.
Reſumption, *Cap.* 27.	A Reſumption of Extraordinary Grants and Licence of Abſence or Reverſions in *Berwick*, and Marches.
Horſes, 1 *Ed.* 6. *Cap.* 5.	Horſes, *&c.* not to be ſent thither, nor Tranſported.

Borderers not Rendring on Proclamation to be Utlawed.	**Borderers**, 43 *El. c.* 13. §. 4.
Anciently but one Kingdom with *England*.	**Part of Eng.** 1 *Jac.* 1. *c.* 1.
Commiſſion to Treat in order to Union of *England* and *Scotland*, to be Confirmed by Parliament.	**Treaty of Union**, *Cap.* 2.
Treaty may continue and be done in any other Seſſion of Parliament, *&c.*	**Continuance**, 3 *Jac.* 1. *Cap.* 3.
Of Union with *England* repeals 4 *H.* 5. *Cap.* 7. as to Letters of Mart againſt them.	**Letters of Mart**, 4 *Jac.* 1. *Cap.* 1.
A Repeal of *Proviſo* 33 *Hen.* 8. *Cap.* 6. 23. as to Croſs Bows.	**Croſs-Bows**, §. 2.
A Repeal of 7 *R.* 2. *Cap.* 16. and §. 4. of 31 *H.* 6. *Cap.* 3. of March-Law of Attachments.	**Attachments**, §. 3.
A Repeal of 27 *H.* 7. *Cap.* 7. and §. 6. of 23 *H.* 8. *Cap.* 16. and of 1 *Eliz. Cap.* 7. of Horſes.	**Horſes**, §. 5.
Repeals 2 & 3 *Ph. & Mar. Cap.* 1. and §. 8. of 23 *El.* 4. and other Statutes that name *Scotchmen*, or *Scotland*, as Enemies.	**Hoſtility**, §. 7.
None of the Articles to take effect until the Acts of *Scotland* following be Repealed, *viz. Jac. Cap.* Treaſon to remain in *England*.	**Articles**, §. 9.
Taking Protection from *England*, Treaſon. §. 11. Paſſing into *England* without Licence, Treaſon. §. 13. Buying or Selling *Engliſh* Goods, Eſcheat. §. 14. No *Engliſh* to come into *Scotland* without Conduct. §. 15. Treaſon to ſupply *Berwick*. §. 16. That all be ready to aſſiſt againſt *England*. §. 17. Reſiſting *Edw.* 4. and §. 18. Upholding *Berwick*. §. 19. An Act by *Mary* Queen of *Scotland*, to leave Aſſurance with *England*. §. 20. Aſſured *Scotch* Aſſiſting *Engliſh* Army. §. 21. And that *Scotch* Borderers Marry not *Engliſh*. §. 22. Names of *Engliſh* that have Lands in *Scotland*, and Repeal by Hoſtility.	**Acts to be Repealed**, §. 10.
A Repeal of 5 *Rich.* 2. *Cap.* 2. that none paſs beyond Sea without Licence.	**Paſs over Sea**, §. 23.
None to be queſtioned for Facts before deceaſe of Queen *Elizabeth*.	**Offences**, &c. **diſcharged**, §. 24.
Conjuration, Murder, Felony, *&c.* to be Tried by Juſtice of Aſſize, or Oyer and Terminer.	**Tryal of Offences**, §. 27.
Juſtice of Peace on Complaint may bind Witneſs over, *&c.*	**Witneſſes**, §. 28.
Acceſſories to be Tried though Principal be not Attaint.	**Acceſſories**, §. 29.
Juror to have Five pounds, and §. 31. no Lands in *England* forfeit for Offence in *Scotland*.	**Juror**, §. 30.
Juſtice of Peace in *England* may bind Witneſs over to *Scotland*.	**Witneſſes**, §. 33.
Scotch may proſecute in *England*.	**Proſecution**, §. 34.
Fact to be alledged in *Scotland* in Indictment, and not where Trial is.	**Fact or Inditment**, §. 35.
Acquittal of the ſame Fact in either Realm, Diſcharged in both.	**Acquittal**, §. 36.
For Treaſon no Subject of *England* to be ſent into *Scotland*.	**Treaſon**, §. 37.
Jurors at diſcretion to Admit only ſufficient and lawful Witneſs.	**Jurors Witneſs**, §. 38.
Peer to be Tried by Peers.	**Peers**, §. 39.
That Felons in *Scotland* taken North of *Tyne*, ſhall be ſent thither, *&c.*	**Felons**, 7 *Jac.* 1. *c.* 1. §. 3.
Confirmation of Pacification between *England* and *Scotland*.	**Pacification**, 17 *Car.* 1. *Cap.* 17.
Not charged with Alien Duties for Corn, Salt, or Fiſh, *&c.*	**Alien Duties**, 12 *Car.* 2. *Cap.* 18. §. 16.
No Sheep-Woolls, VVoollſells, Mortlings, Shorling, Fullers-Earth or Fulling-Clay to be Export or Shipt thither from *England*, *Wales*, or *Ireland*.	**Wooll, Fullers-Earth**, *Cap.* 32.
No Hides to be Tranſported from *England* thither.	**Hides**, 14 *Car.* 2. *c.* 7.
Goods to or from *Scotland*, to pay Cuſtom at *Berwick*, or *Carliſle*, elſe forfeit.	**Cuſtom**, *Cap.* 11. §. 13.
All Salt from *Scotland* to *Wales*, or *Berwick*, to pay *Ob.* the Gallon *Wincheſter*, at Landing on Importation.	**Salt**, §. 38.
Tobacco-pipe-Clay nor Fullers-Earth not to be Export to *Scotland* hence.	**Tobacco-pipe-Clay, Fullers-Earth**, *Cap.* 18. §. 8.
Seſſions may Tax *Northumberland* and *Cumberland*, under Five hundred pounds, againſt the Moſs-Troopers.	**Tax in Northumb. and Cumb. againſt Moſs-Troopers**, *Cap.* 22. §. 2.
Northumberland may raiſe Thirty, and *Cumberland* Twelve Men upon occaſion to purſue.	**Purſuit**, §. 3.
Corruption or neglect in Border Service, Diſable, Fine, and Impriſon.	**Border-Service**, §. 5.
A Reviver of 4 *Jac.* 1. *Cap.* 1. §. 27. and 7 *Jac.* 1. *Cap.* 1. §. 3.	**Moſs-Troopers**, §. 8.
May Tranſport all Cattel, *&c.* of growth thereof, in their own or *Engliſh* Ships to Foreign Plantation.	**Cattel**, 15 *Car.* 2. *c.* 7. §. 7.
A Continuance of 14 *Car.* 2. *Cap.* 22. for ſeven years longer.	**Moſs-Troopers**, 18 *Car.* 2. *c.* 3.
Clergy taken away from known Thieves in *Northumberland* or *Cumberland*.	**Thieves in Northumb. and Cumber.** §. 2.

That

Treaty about Trade, 19 *Car.* 2. *Cap.* 13.	That twelve Commiſſioners, *Quorum* five, nominated by the King for *England*, to Treat with Select Commiſſioners of *Scotland*, and ſettle Trade by ſuſpending Impoſitions ſince 25 *March*, 12 *Car.* 2. for a year.
22 *Car.* 2. *Cap.* 9. § 2.	*Quorum* of perſons nominated by the King to Treat according to Commiſſion of Union, *&c.* Proceeding to be by Indenture Tripartite.
§ 3.	Nothing to take effect till confirmed by Parliament.
Reviver, 1 *Jac.* 2. *c.* 14.	Reviver of 13 *&* 14 *Car.* 2. *Cap.* 22. 18 *Car.* 2. *Cap.* 3. *&* 29 *&* 30 *Car.* 2. *Cap.* 2. for eleven years, *&c.*

Sectaries, ſee *Religion*.
Seamen and *Sea*, ſee *Sewers* and *Admiral*.

Seals.

Writs, 28 *Edw.* 1. *c.* 6. *Artic. ſuper Chart.*	Writs that touch the Common Law, ſhall not be under any pety Seals.
Meaſures *Incert. temp. p.* 86. 17 *Ed.* 2. *c.* 8.	If any do ſell by unſealed Meaſures, to be puniſht.
Juſtice diſturb, 2 *Ed.* 3. *Cap.* 8.	Juſtice ſhall not be diſturb by command under the Great Seal.
Cloth unſealed, 27 *Ed.* 3. *Cap.* 4.	Cloth put to ſale without Seal of Aulnager, forfeit.
Lead, 4 *Hen.* 4. *Cap.* 6.	Of Lead for Cloths wrought in *London*.
Earldom of March, 4 *Hen.* 7. *Cap.* 14.	Of Deeds of what belongs to the Earldom of *March*, ſhall not be under that, but under the Broad Seal of *England*.
Grants, 27 H. 8. *c.* 11.	Whatever Grants paſs the Great Seal, ſhall be brought to the principal Secretary, or one of the Clerks of the Kings Signet.
Letters of Warrant to Lord Keeper, &c. § 2.	Clerk of the Signet in eight days after Warrant ſigned by the King, unleſs he have notice of the Kings pleaſure to the *contra*, ſhall make Letters of Warrant to the Lord-Keeper of the Privy-Seal, and Clerk of Privy-Seal, in eight days to make Warrant to the Great Seal.
Penalty, § 3.	No Grants to paſs otherways, on forfeit of Ten pounds for every Bill.
Bills of Fees, § 4.	Clerks ſhall make Bills in three months, of Fees received, on forfeit of Ten pounds on Grants by immediate Warrant.
Treaſurers Warrants, § 5.	Not to prejudice Treaſurers Warrants to the Great Seal, or others, for Patents of Offices, Farms, *&c.*
Leaſes of Dutchy, § 6.	Leaſes of Dutchy may be as uſual in the Kings Name, under Dutchy Seal.
Fees by Dutchy Seal, § 7.	Fees not above Two pence a day, may paſs by Dutchy Seal, as uſual Grant by Chancellor.
Clerks Fees, § 8.	For Clerks Fee Twelve pence, Warrant of *Tales* or Reward Twenty pence, for Gift of Office for Penſion or Annuity, or Wages, for *Conge d' Eſlire*, Royal Aſſent, Reſtitution of Temporalities Three ſhillings four pence, ſo for Ideot, Ward, *&c.* on forfeit of Ten pounds.
Grants expedited or delayed, § 9.	Lord-Chancellor at diſcretion may expedite or delay Grants with or without Fees.
Officers of Augmentation, § 10.	This Statute to bind Officers of the Court of Augmentations.
Kings Commands, § 11.	Not to prejudice the Kings expreſs Commands for private Affairs, or of the Realm, , which may be Sealed without Warrant of Signet or Privy-Seal, *per A. ad Mandat. Dom. Regis.*
Kings Farmers, § 12.	Not to prejudice the Kings Farmers of leſs then ſix pounds thirteen ſhillings four pence, which are to be dilivered without Fees of Signet or Privy-Seal.
Clothier, *Cap.* 12. § 1.	Clothier to put his Seal of Lead to every Cloth, with the Content of it.
Aulnager, § 4.	Aulnager is not to Seal Cloth till Maker Seal it.
Grants within Augmentations, 27 *Hen.* 8. *Cap.* 27. § 19. *N.* 2.	All Grants of Lands within the ſurvey of the Court of Augmentations, ſhall be under the Great Seal of that Court.
Wales, 34 *&* 35 *Hen.* 8. *Cap.* 26. § 29.	Of *Wales*, appoints four Judicial Seals, *viz.* at *Cheſter*, and each of the other three Juſtices.
Mayor, of Lond. ſeal for Cloth, and Fee, 5 *&* 6 *Ed.* 6. *Cap.* 6. § 39.	Mayor of *London*, &c. to have Lead Seal for Cloth, ſufficiently made, and Two-pence *per* Cloth Fee.
Warrant and Patent, 1 *Ph. & Mar. c.* 1. § 3.	A Repeal of 1 *Mar. Stat.* 3. *Cap.* 2. and that ſo Warrant be by Sign Manual, Patent by *Phil. & Mar.* to be as good as if ſigned by her ſole.
Leaſes of Cornwall, 25 *Car.* 2. *Cap.* 3. § 3.	The Great Seal, or of Exchequer, ſufficient for Leaſes of Dutchy of *Cornwall*, &c.

Service and *Sacrament*, ſee *Religion*.
Severn, ſee *Sewers*.

Seizure.

Reſumption, *Inventory*, *Execution*, *Attachment*, *Seiſin*, *Livery*.

Chattels of Kings debtor, 9 *Hen.* 3. *Cap.* 18. *Magna Charta.*	May be of Chattels of the Kings Debter dead, within the Balliffs Fee, ſo that nothing be taken away till the Debt paid, but it muſt be with Teſtimony of lawful Men.
Year and day, &c. 9 *H.* 3. *Cap.* 22.	The King will hold Lands of Felon Convict, but a year and a day, *&c.*
Freehold, Liberty and Cuſtoms, *Cap.* 29.	No Freeman ſhall be taken, impriſon, diſſeized, utlawed, exiled, or otherwiſe diſtrained in Freehold, Liberties, or Free Cuſtoms, but by lawful Judgment of Peers, or by the Law of the Land.
Simple Seiſin, &c. 52 *H.* 3. *Cap.* 16.	Only ſimple Seiſin ſhall be make, if Heir be found at full Age, and no Ouſter, *&c.*
Office in Fee, 3 *Ed.* 1. *Cap.* 30.	Of Office in Fee into the Kings hands, for undue taking of pretended Fees.
Market, Franchiſe, *Cap.* 31.	Of Market for outragious Toll, or of Franchiſe of Murage taken otherwiſe then Grant.
Reſeiſer of Uſurpations 4 *Ed.* 1. *c.* 4. *De Bigamis.*	The King may reſeize Uſurpations in Franchiſes, or without, during lives of Uſurpers.
Abbe, Hoſpital, &c. 13. *Ed.* 1 *Cap.* 41. *W.* 2.	By the King founder of Abbe, Hoſpital, *&c.* on Alienation.
Iſſues, 27 *Ed.* 1. *Cap.* 2. *De fine Levat.*	May be made of Iſſues, but not Levied by Sheriffs till Eſtreat out of the Exchequer.
Without cauſe, &c. 28 *Ed.* 1. *Cap.* 19. *Artic. ſuper Chart.*	Whereever its found to be made by Eſcheator or Sheriff without Cauſe, and the Kings hand remove, the Iſſues of the Land ſhall be reſtored.
New cauſe appearing, 29 *Ed.* 1. *p.* 66. *De Eſcheatoribus of Lincoln.*	If new Cauſe appear after the Kings hand removed, the iſſues of the Land ſhall be reſeized *Ab initio.*
Liberties, 30 *Ed.* 1. *p.* 67. *Qao Warranto.*	Of Liberties on default of Claim may be without Writ if Uſurpation appear, but if party died ſeized, an Original Writ of *Qao Warranto* againſt Heir.
Primer ſeiſin, 17 *Ed.* 2. *Cap.* 3. *Prerogat. Reg.*	For *Primer-ſeiſin* ſhall be till Enqueſt of full age of Heir, and his doing Homage.
Temporality of Biſhops, 1 *Ed.* 3. *St.* 2. *c.* 3.	Shall not be of Temporalities of Biſhops, as *Ed.* 2. by evil counſel did.
Fine on Alienation, *Cap.* 12.	Shall be only till Fine on Alienation without Licence of the King, not as forfeit.
Alienation, *c.* 13.	Shall not be of Lands holden of honour for Alienation, but only of thoſe holden of the Crown.
Fair, 2 *Ed.* 3. *c.* 15.	Of Fair by Charter or Cuſtom, if held longer then proclaimed at firſt, till Fine.
Non-replev. 9 *Ed.* 3. *c.* 2.	Land ſhall not be loſt by Non-plevin in any Plea.
Temporalities of Eccleſiaſticks, 14 *Ed.* 3. *St.* 3. *c.* 3.	Shall not be without juſt Cauſe of Temporalities of Archbiſhop, Biſhop, Abbots, Priors, and other people of holy Church.
Temporalities of Biſhops, 25 *Ed.* 3. *c.* 6.	Shall not be of Biſhops Temporalities for contempt, but till Fine.
Traverſ. 34 *Ed.* 3. *c.* 14.	By Office of Eſcheator is Traverſeable in *B. R.*
Aliens Lands, 5 *Hen.* 4. *Cap.* 11.	Of Aliens Land doth not exempt the Farmer from paying Tithes.
Not before Conviction, 1 *R.* 3. *c.* 3.	Shall not be by Sheriff before Felon be Convict, on forfeiture of double.
Cattel Imported, 32 *Car.* 2. *c.* 2. § 3. *N.* 2.	All that will ſeize Cattel Import, ſhall have benefit, *&c.*
§ 5. *N.* 1.	Seizer ſhall Kill within ſix days after conviction.
N. 2.	The Hides and Tallow to be to ſeiſer, the reſt to the Poor, *&c.*
§ 6. *N.* 1.	Neglect of ſeizure forfeit, Fourty ſhillings every great Cattel, and Ten ſhilling every ſheep or ſwine.
Mutton or Lamb, Imported, § 8. *N.* 3.	All Mutton or Lamb imported and expoſed to ſale, to be ſeized in like manner.
Butter and Cheeſe Imported, § 9. *N.* 3.	All Butter and Cheeſe imported and expoſed to ſale, forfeit in like manner, and to be ſeized.
§ 10. *N.* 2.	May be *De novo* in every new Pariſh, as Cattel remove.
Engliſh Cattel mixt, § 11. *N.* 2.	May be of *Engliſh* Cattel mixt in drove with Cattel imported, *&c.*
Incurr'd in 1688. 1 *W. & M. Seſſ.* 1. *c.* 14. § 6.	Seizures for Cuſtoms, Exciſe, Tranſportation of Wooll, Importation or Exportation of Prohibited Goods, incurred between 11 *December* and 13 *February*, 1688. may be ſued for by Informer.

Seiſin.

Recognition of ſiginory, 52 *Hen.* 3. *c.* 16. *Marl.*	Shall be but ſimple for Recognition of Signiory, if heir be found of full Age, and no actual Ouſter, *&c.*
Averment againſt a Fine, 27 *Ed.* 1. *c.* 1. *De fine Levat.*	Shall not be Averr'd in Demandant, or his Anceſtors, againſt Fine to defeat it by Jury falſly and maliciouſly procured.
Detainm. 8 *H.* 6. *c.* 6. § 7.	Kept three years, may be detained with force.
Aſſize of Diſſeiſin, 11 *Hen.* 6. *Cap.* 3.	Diſſeizee or his Feoffee may have Aſſize of Diſſeiſin againſt Diſſeizor, if Pernor, notwithſtanding any Alienation.
Writ of right, 32 *H.* 8. *c.* 2.	In Writ of right on Anceſtors Poſſeſſion within ſixty years.
Mortdanceſter, *&c.* anceſtrel poſſeſſory, § 2.	In *Mortdanceſter*, &c. Anceſtrel poſſeſſory within fifty years.
By party before action, § 3.	By Party muſt be within thirty years next before Action.
In Avowry, § 4.	In Avowry muſt be fifty years before making.
Not proved, § 6.	If not proved on Traverſe, is a peremptory bar to Plaintiff, *&c.*

On Attainder of Trea-ſon, 33 *H.* 8. *c.* 20. §.2.	Is actually in the King on Attainder of Treaſon by Common Law without Office.
Information of Intru-ſion, 21 *Jac.* 1. *c.* 14.	Defendant may keep it, and plead General Iſſue, unleſs the King were Seized within twenty years.
Scire facias, §. 2.	No *Sci. fac.* where Defendant muſt plead Title ſpecially, to lie where Intruſion doth.
Reſtitution, *c.* 15.	The like Reſtitution to be given to Termor, Copyholder, Guardian, Tenant by *Elegit*. Stat. Merchant and Staple, *&c.* by thoſe that do it of Freehold.
29 *Car.* 2. *c.* 3. §. 10.	Shall be given by Sheriff on Execution, Truſtee as if *Ceſtuy que Truſt* were Seized.

Searchers, ſee *Merchants*.
Seminaries, ſee *Pope*.
Servants, ſee *Trades*.
Serement, ſee *Oath*.

Services.

Relief, Homage, Fealty, Eſcuage, Caſtle-Guard, Knight-Service, Tenures, Heriot, Tenant, Ceſſavit, Wards.

Relief, 9 *H.* 3. *c.* 2. *Magna Chart.*	Heir of an Earl for Relief pays One hundred pounds, of a Baron One hundred Marks, of a Knight Five pounds, and for leſs, leſs, as Cuſtom.
Homage, *c.* 3.	Heir of an Earl, Baron, or Knight within Age, muſt firſt pay Homage before he be in Ward.
Diſtreſs for Knights Fee, *c.* 10.	Diſtreſs ſhall be for no more for Knights Fee then is due.
Caſtle-Guard, *c.* 20.	Conſtable ſhall not Diſtrain Knight for Money, if Knight will keep the Caſtle, or find ſufficient Men.
Ibid.	He ſhall be free from Caſtle-Guard that is led or ſent to Ward during that time.
Wardſhip to the King, *Cap.* 27.	Fee-Farm, Soccage, Burgage, nor pety Serjeanty, ſhall not be in Ward to the King, if they held of another by Knights-Service, or not by Knights-Service of the King.
Relief on Eſcheat to the King, *c.* 31.	To the King on Eſcheat of Barony or Honour, ſhall be the ſame as paid to the Lord of the Fee, unleſs the Lord held of the King in Chief.
Alienation of Tenant, *Cap.* 32.	Of the Lord ſhall not be prejudiced by Alienation of the Tenant, but ſufficient ſhall be left.
Eſcuage, *c.* 37.	Eſcuage ſhall be taken as in the time of *H.* 2.
Coparceners, 14 *H.* 3. *p.* 7. *Stat. Hibern.*	All Coparceners hold of the Chief Lord, and not one of another, though the Eldeſt do Suit for all.
Deviſe of Crop by Widows, 20 *H.* 3. *c.* 2. *Merton.*	Shall be ſaved to the Lord in Deviſe of the Crop upon their Dowers by Widows.
Diſtreſs for Suit-Service, 52 *H.* 3. *c.* 2. *Merton.*	None out of Fee ſhall be Diſtrained to come to Lords Court by reaſon of Hundred or Wapentake, nor Diſtreſs taken out of the Fee.
Diſtreſs for Service not due, *c.* 3.	Where none is due, the Lord ſhall be only Amerced for Diſtreſs, if he ſuffer Delivery by the Kings Officers, elſe Fine.
Contribution, *c.* 9.	Shall be done by one Coparcener, and the reſt Contributory, and all the joynt Feoffees ſhall be Contributory if but one Suit due.
Diſtreſs againſt Feoffment, *c.* 10.	Lord or Tenant as Complaint of taking Diſtreſs againſt Feoffment is true or falſe, ſhall recover Damages.
Simple Seiſin, *c.* 16.	Heir ſo found of full Age ſhall not be put out, but only ſimple Seiſin, *&c.*
Services and Fees withdrawn, 7 *Ed.* 1. *p.* 33. *Of Mortmain.*	Services and Fees provide for Defence of the Realm, are wrongfully withdrawn by *Mortmain*.
Ceſſavit, 13 *Ed.* 1. *c.* 21. *W.* 2.	*Ceſſavit* lieth againſt any that withhold Services from the Lord by two years.
Feoffees Tenure, 18 *Ed.* 1. *c.* 1. *Quo Empt.*	Feoffees ſhall hold of the Chief Lord as Feoffors held.
Apportionment, *c.* 2.	Shall be Apportion'd to the Chief Lord, according to the Quantity of the Land ſold.
Wardſhip and Relief to what incident, 28 *Ed.* 1. *p.* 62. *Of Wards and Relief.*	Wardſhip and Relief are mutually incident, and both to Serjeanty, but to pety Serjeanty neither nor Marriage, a free Sokeman gives no Ward nor Relief, but doubles his Rent on Death of Anceſtor; for Knights-Service, Ward and Marriage belongs to Chief Lord, for Soccage, to next Friend of Father or Mother by whom he Inherits, Writs of Ward of Land and Heir, of Knights-Service, but not by later Feoffee of part, nor of Land, but of Heir, becauſe of a Ward.
Excuſe of Knighthood, 1 *Ed.* 2. *p.* 75. *De Milit.*	Cauſes to excuſe from taking Knighthood.
Alienation, 17 *Edw.* 2. *c.* 6. *Prerogat. Reg.*	Tenant by Knight-Service ſhall not Alien the more part of Land but by Licence, or leaving ſufficient, except Members and Parcels.
Homage and Fealty, 17 *Ed.* 2. *p.* 84. *Of Homage.*	The Form of Homage and Fealty done by Freemen or Villain to the Lord.
Lands forfeit, 7 *Ed.* 4. *Cap.* 5.	Of Lands of perſon Attaint, ſhall be the ſame in hands of Patentee.
Relief and Heriot, 32 *H* 8. *c.* 1. §. 14.	Relief and Heriots ſhall be paid by Heirs, *&c.* as heretofore.
Abbe Lands, 35 *H.* 8. *c.* 4. §. 3.	Of Abbe Lands without Houſe under Fourty ſhillings, the King to reſerve Tenth and Tenure in *Capite*, Knights-Service, or Soccage.
Houſes, §. 4.	Of Houſes without Land the like.
Incident to Knigh Service, Capite, 12 *Car.* 2. *c.* 24.	Incident to Knight-Service, or Tenures in *Capite* of the King, or others, taken away.
Services not taken away, §. 5.	Rents certain, Heriots, Suit, Fealty, and Relief not taken away.
§. 6.	Nor Fines for Alienation by Cuſtom, or of *Capite* immediately of the King.
§. 7.	Of Frankalmoyn, Copyholder, or Honorary not taken away.
Peerage, &c. §. 11.	Not to prejudice Peerage or Title of Honour, Feodal, *&c.*

Seſſions, ſee *Peace*.

Sewers.

Barges, Conduit, Lee, Southampton, Kiddels, Wears, Rivers, Streams, Thames, Creeks, Havens, Boatmen, Ferries, Ports, Medway, Severn, Water, Sluces, Garths, Mill-Dams, Banks, Ponds, Ditches, Drayns, Boggs, Fens, Marſhes, Bridges, Dykes, Dover, Gorces, Gutters.

Diſtreſs to make bridges, &c. 9 *H.* 3. *c.* 15. *Magna Chart.*	No Town nor Freeman ſhall be Diſtrained to make Bridges nor Banks, but as in time of *H.* 2. were of Right accuſtomed.
Banks defended, *c.* 16.	No Banks ſhall be defended from henceforth, but ſuch as were in time of *H* 2. in defence.
Wears to be pulled down, *c.* 23.	All Wears ſhall be pulled down but only by the Sea-Coaſts.
Foreſt, 9 *H.* 3. *c.* 12. *Ch. de Foreſta.*	Freeman may in his own Wood, Land, or Water in Foreſt, make Mills, Springs, Pools, Marſh-pits, Dykes, or Arable Land without Incloſure.
Frank-pledge, 18 *Ed.* *p.* 82. §. 12.	Frank-pledge ſhall Enquire of Waters turn'd or ſtopt, or brought from their right Courſe.
Pulling down Gorces, Mills, Wears, &c. 25 *Edw.* 3. *c.* 4.	All Gorces, Mills, Wears, Stankes, and Kiddels, ſet up in time of *Edw.* 1. and after, ſhall be pulled down, and Sheriff ſhall do Execution.
Annoyance by Wears, &c. 45 *Ed.* 3. *c.* 2.	If any Annoyance be done by Wears, it ſhall be pulled down by due Proceſs of the Statute 25 *Edw.* 3. *Cap.* 4. and he that Repairs it, pay One hundred Mark to the King; ſo by Enhanſing as well as new Levying Wears, Mills, *&c.*
Survey of Wears, &c. 17 *R.* 2. *c.* 9.	The Juſtices of Peace to Survey and Correct Wears, and the Mayor of *London* in *Thames* and *Medway*.
Pulling down Wears, Mills, Stakes, &c. 21 *R.* 2. *c.* 19.	A Confirmation of 25 *Ed.* 3. *Cap.* 4. and 45 *Ed.* 3. *Cap.* 2. of pulling down Wears, Mills, Stakes, *&c.* Repeal 1 *H.* 4. *Cap.* 3. but
Commiſſions to Survey and Enquire, &c. 1 *H.* 4. *c.* 12.	Commiſſions ſhall be to Juſtices to Survey and take Enqueſts, and to pull down Wears, Mills, Stanks, *&c.* too much Enhance, he that hath the Freehold to do Execution in half a year at his own Coſt, on forfeit of One hundred Marks.
Commiſſion to Enquire, &c. 4 *H.* 4. *c.* 1	Commiſſions ſhall be to Juſtices, to Enquire of Wears and Keddels, and by Indenture with Sheriff to Eſtreat Penalty on Offenders.
Levying Wears, &c. 1 *H.* 5. *c.* 2.	A Confirmation of the Statutes of Levying and ſtraitning Wears, Mills, Stanks, Kiddels, *&c.*
Trinks, 2 *H.* 6. *c.* 15.	Nets or Engines called Trinks, ſhall not be ſet croſs the *Thames*, on pain of Five pounds a time.
Lee **River**, 3 *H.* 6. *c.* 5.	Commiſſion to reform *Lee* River running from *Ware* to the *Thames*.
Form of Commiſſion, &c. 6 *H.* 6. *c.* 5. Lynſey.	The Form of the Commiſſion to all Counties, to Juſtices *Quorum*, &c. to Survey Walls, Ditches, Gutters, Sewers, Bridges, Caulcies, Wears, and Trenches, and Enquire by whoſe Default, who hath Defence or Benefit, and to Diſtrain them to repair the Limits of *Lynſey*: to make Collectors, and Orders as in *Romney* Marſh, and to Determine according to Cuſtom, to ſet on Workmen.
Commiſſioners power, 8 *H.* 6. *c.* 3.	All the Commiſſioners of 6 *H.* 6. *Cap.* 5. ſhall have power to Do, Ordain, and Execute the Statute, Ordinances, and other Affairs to be made.
Tewksbury, Dean, Severn, *&c.* *c.* 27.	Inhabitants of *Tewkſbury* may ſue Foreſt of Dean, and other Hundreds for Robbery on the *Severn*.
Burford **and** Culham, *Cap.* 28.	A Bridge over *Burford* and *Culham* Waters in *Oxfordſhire*.
Paſſage on Severn, 9 *H.* 6. *c.* 5.	All may uſe free paſſage on the *Severn*, with Floats, and Draggs, for Goods and Chattels.
Lee **River**, *c.* 9.	A Commiſſion to Scower the River *Lee*, to be granted by the Chancellor.
Awarding Commiſſions 18 *H.* 6. *c.* 10.	Commiſſions ſhall be Award during ten years, as need require.
Grantable for 15 **years by Chancellor**, 23 *H.* 6. *Cap.* 9.	Commiſſions may be granted by the Chancellor during fifteen years.
May Grant ſeveral, 12 *Ed.* 4. *c.* 6.	The Chancellor may for fifteen years next, grant ſeveral Commiſſions.
Pulling down Wears and Commiſſion to Survey, &c. §. 3.	A Confirmation of 9 *H.* 3. *Cap.* 23. and of 45 *Ed.* 3. *Cap.* 2. and of 1 *H.* 4. *Cap.* 12.

§ 3.	If Fiſh-Garths, Mills, *&c.* be found, and on *Sci. fac.* in three Months next not amended, they who are in Default forfeit One hundred Marks.
Offenders againſt award, § 4.	Offender continuing *contra* to Award of Commiſſioners, forfeit one hundred Marks every Month, and debt lieth without Fine in Chancery.
§ 5.	No Wager of Law, Protection, nor Eſſoin of the Kings Service.
§ 6.	If ſtrangers to ſuch Award of Commiſſioners, being Heir or Aſſignee continue the Nuſance, forfeits one hundred Marks a month.
Commiſſions in *England* or beyond Sea, 4 *Hen.* 7. *Cap.* 1.	Commiſſions into all parts of the Realm, and the Marches of *Calice*, *Guynes*, and *Hamms* for twenty five years.
Mayor of Lond. power in Thames, *Cap.* 15.	The Mayor of *London* and Succeſſors ſhall have like conſervation of breaches, as far as Ebb and Floud is without the *Thames*, to puniſh Nets, *&c.* as within.
Haven of Southampton, 11 *Hen.* 7. *Cap.* 5.	Every man may pull down Wears in Haven of *Southampton*, and he that levieth other, to pay One hundred pounds.
Tax on Boats, &c. on *Severn*, 19 *Hen.* 7. *c.* 18.	He that layeth Tax on Boats, Trows, Ships, *&c.* on the *Severn*, forfeits Twenty pounds, to be Tried in *Worceſterſhire*.
Bulwarks, &c. on ſeaſide Cornwal, 4 *H* 8. *c.* 1	Juſtice of Peace ſhall Aſſign Bulwarks, Brays, Walls, *&c.* on the Sea-ſide in *Cornwall*.
Watermen, 6 *H.* 8. *c.* 7.	The Watermens Fares near the City of *London*.
Commiſſion in *England* and beyond ſea, *c.* 10.	A Commiſſion for ten years in *England*, *Calice*, *Guynes*, and *Hamms*.
Canterb. R. 6 *H.* 8. *c.* 17.	The River of *Canterbury* Enhanſed for Lighters.
Southampton Haven, 14 & 15 *H.* 8. *Cap.* 13.	A confirmation of 11 *H.* 7. *Cap.* 5. of pulling down Engines in Haven of *Southampton*, and made perpetual.
Wears, &c. in Tyne Haven, 21 *H.* 8. *Cap.* 18.	The Mayor, Burgeſs, and Commonalty of *Newcaſtle*, and their Succeſſors, may pluck down all Wears, Gotes, and Engines made in the Haven of *Tyne*, between *Sparhawk* and *Hedwinſtreams*.
Plumſtead Marſh, 22 *Hen.* 8. *Cap.* 3.	Tax and Entry for non-payment for Inning of *Plumſtead* Marſh.
Commiſſions, 23 *H.* 8. *Cap.* 5.	Commiſſions to be granted to indifferent men named by Chancellor, one of the *Quorum*, the Treaſurer and two Chief Juſtices, or any three.
Form of Commiſſion, § 3.	That they or any ſix of Commiſſioners *Quorum*, *A. B. C.* to be three, to ſurvey all Walls, Streams, Ditches, Banks, Gutters, Sewers, Gotes, Caulcies, Bridges, Trenches, Mills, Mill-Dams, Floodgates, Ponds, Locks, Ebbing Wears, and other Letts and Annoyance, *&c.* to Exquire by Twelve, to Tax, Diſtrain, make Collectors, Officers, and Proceſs, *&c*,
§ 4.	Saving the Fines to the King.
Commiſſioner taking Oath, § 5.	Commiſſioner after notice ſhall be active, and Swear to execute truly all former Statutes not *contra*.
Binding Lands, § 8.	Their Decrees of Execution on Lands for non-payment of Tax, to bind Uſe and Poſſeſſion by the Royal Aſſent.
Commiſ. 40 Marks, § 10	Commiſſioner to have fourty Marks.
Diſtreſs juſtified, § 11.	Diſtreſs juſtifie by this Statute, and Plaintiff muſt reply *De injuria ſua propria*, and ſo the whole Matter in evidence.
Defendants damages, *&c.* § 12.	Defendant to have treble Damages on Nonſuit, and Coſts.
Commiſſioners, Clerks wages, § 13.	Commiſſioners ſhall have Four ſhillings a day executing, Clerk Two ſhillings.
Commiſſions to Dutchy Lancaſter, § 14.	Commiſſions to Dutchy *Lancaſter*, accordingly, one under the Great Seal.
For Seal of Commiſſion, § 15.	Only Two ſhillings ſix pence for the Seal of Commiſſion.
Continuance, § 16.	Commiſſion to endure three years after *Teſte*, unleſs diſcharged by *Superſedeas*.
Decrees in Parchment, and Certified, &c. § 17.	Decrees to be in Parchment, and to ſtand Certified to Chancery.
Duplicate Commiſ. to Cinque-Port, § 18.	Duplicate Commiſſion to Cinque-Ports, Franchiſe, or County Palatine.
ertifying Royal Aſſent, § 19.	Royal Aſſent to be certified into Chancery by Privy Seal.
ranchiſe making out commiſſion, § 20.	On ſight of Commiſſion under Great Seal, the Franchiſe to make out another, *&c.*
ynners making Tyes, *Cap.* 8.	Tynners, *&c.* on forfeit of Ten pounds ſhall make Tyes to waſh Tyn from Gravel, Robel, and Sand, ſo it do not annoy Rivers and Havens.
uing in Stannaries, § 2.	Action ſur Statute againſt ſuch as ſue in Stannaries for Proceſs on this Law, and treble Damages, and party deliver by Juſtice of Peace.
annary Priviledge abed, § 3.	Not to prejudice the Stannary Priviledges or Offices.
awing Boats on evern, *Cap.* 12.	Paſſengers on a foot and half drawing Troughs, Barges, and Boats on the *Severn*, not to be diſturbed, or bottles of Wine exact, on forfeit of Fourty ſhillings.
hey of Engines in wſe and Humber, . 18. § 2.	Juſtices of Peace, eight, ſeven, or ſix, *Quorum* two, Citizens of *York*, one of Eaſt, and one of Weſt Riding, to Survey and pull down and aſſign Fiſh-Garths, Piles, Stakes, or other Engines above a Yard above the high Water in *Owſe* and *Humber*.

Chancellor may direct Commiſſions to eight, *viz.* four Citizens, and four Juſtices of Peace, two of Eaſt, and two of Weſt-Riding, not retained with the Town, *Quorum* ſeven, ſix, or four, to pull down, *&c.*	Commiſſions for pulling down, &c. to whom to be. § 3.
No Net or Engines but of the Aſſize uſed to Fiſh in *Owſe* and *Humber*.	Aſſize of Engines in Owſe and Humber, § 4.
Owners of Fiſh-Garths, forfeit Fourty ſhillings a Month.	Penalty for Fiſh-Garths, § 5.
The Stat. 23 *H.* 8. *Cap.* 5. to be put in execution in the Marches of *Calice*, and none to be Commiſſioner unleſs dwelling within the County.	Calice dwelling in County, 25 *Hen.* 8. *Cap.* 10.
He that refuſeth to take his Oath as Commiſſioner, forfeits five Marks.	Refuſing Oath, § 2.
None ſhall carry Paſſengers over the *Severn*, between Sun ſet and Sun riſing, but whom they know.	Paſſengers over Severn 26 *Hen.* 8. *Cap.* 5.
Decayed Houſes in *Lyn* to be repaired by Owners againſt the Sea.	Houſes in Lyn, *Cap.* 9.
Annoying *Thames* Digging, unleſs for repair, to forfeit Five pounds, unleſs for taking Ballaſt.	Annoying Thames, 27 *Hen.* 8. *Cap.* 18.
None to labour in any Tyn, or Stream-Works in *Devon* and *Cornwall*, nigh unto Rivers, *&c.* deſcending to Havens, without ſufficient Hatches and Tyes, as 23 *H.* 8. *Cap.* 8. on forfeit of Twenty pounds.	Labourer in Tyn works, &c. in Devon and Cornwal, *c.* 23. § 2.
Treble Damages for ſuit in Stannaries, *&c.* for proſecuting on this Statute.	Suing in Stannaries, § 3.
Juſtice of Peace may by Warrant to Gaoler, deliver ſuch perſon impriſon for ſuit on this Statute.	Delivery of Priſoner, § 4.
To prejudice the Stannaries only in theſe ſpecial Caſes.	§ 5.
The Mayor and Bailiffs of *Exceſter* may break all Wears and Letts in the River *Exe*, paying Owners twenty years Purchaſe.	Power of Mayor and Bailiffs of Exon in Exe River, 31 *H.* 8. *c.* 4.
Mayor, and Dean and Chapter of *Glouceſter*, may convey and amend Water Leaden-Pipes from *Marſtones* Hill, paying Owner of Soil for digging.	Water-Pipes from Marſtones Hill, Glouc. 33 *Hen.* 8. *Cap.* 35.
None to unload Ballaſt or Robul, but above full Sea-Mark at *Kingrod*, or *Hungrod* near *Briſtol*, on forfeit of Fourty pounds a Tun.	Unlading Ballaſt, &c. at Kingrod or Hungrod, 34 & 35 *H.* 8. *c.* 9.
None to Emboat or Lade Wheat, *&c.* in Pichard, or other Veſſel at any Creek, *&c.* upon the *Severn*, between *Glouceſter* Key and *Briſtol*, to be Tranſported before Cuſtom paid.	Emboating Wheat, &c. in Severn, § 3.
None to Caſt or Unlade out of Ship, *&c.* being in Haven, Chanel, or River flowing to any City, Borough, or Town within the Realm, or any the Kings Dominions, any Ballaſt, Rubbiſh, Gravel, or other Wrack of Filth, but only above full Sea-mark.	Unlading Ballaſt, &c. § 6.
Mayor of *Pool*, &c. may erect Condult in the Kings Waſte, at *Totnam*, ſixteen Foot ſquare.	Condult at Totnam, *c.* 25
The Mayor, of *London* and ſucceſſors, may enter, dig, and lay Pipes, or amend Springs found, and convey them to the City, from *Hampſteed*, *Marybone*, *Hackney*, and *Muſwell* Hill.	Pipes and Springs to London, 35 *H.* 8. *c.* 10.
An Incorporation of two keepers of the Key or Pier of *Scarborough*.	Keepers of Scarborough Key, 37 *H.* 8. *Cap.* 14.
Mayor, *&c.* of *Winchelſey*, to appoint places to lay Ballaſt caſt out of Ships.	Winchelſey, 2 & 3 *Ed.* 6. *Cap.* 30.
Continuance of 23 *H.* 8. *Cap.* 5. for ever, ſo far as conſiſtent with this Statute.	Continuance Stat. 3 & 4 *Ed.* 6. *Cap.* 8.
Taxes for any Article in the Commiſſion to be Levied by diſtreſs, Acquittance by Collector appointed by ſix, ſhall be a diſcharge to Occupier, *&c.* and Warrant for Kings Receiver to allow no other Fees, but as for *Dedimus poteſtatem* under Dutchy Seal, every Commiſſion to continue five years, unleſs *Superſedeas*.	Taxes in Commiſſion, § 2.
All Commiſſions on 23 *Hen.* 8. *Cap.* 5. ſhall have power to make Laws, *&c.* on the overflowing of *Glamorgan* with ſand from the Sea, as well as againſt the rage of the Sea, *&c.*	Glamorgan, 1 *Mar.* *St.* 3. *Cap.* 11.
Mayor, *&c.* of *London* yearly to chooſe eight of the beſt Water-men Houſholders, between *Graveſend* and *Windſor*, firſt Court after 1. *March*, named Overſeers.	Overſeers between Graveſend and Windſ. 2 & 3 *P.* & *M.* *c.* 16. § 3.
Two and no more to Row in one Boat, whereof one to have ſerved two years, *&c.*	Rower, § 4.
No ſingle man to row unleſs Apprentice a year.	§ 5.
Mayor, *&c.* Juſtices of Peace adjoyning, to determine complaints.	Determining Complaints, § 6.
Boats to be twenty two Foot and half long, and four and half broad, Mid-ſhip to carry two of a ſide.	Boats their length and breadth, § 7.
He that Abſconds in time of Commiſſion of Preſs for the Kings ſervice, to be Impriſon two Weeks, baniſht from rowing a year.	Abſconding from Preſs, § 8.
The Overſeers to convent and regiſter names of Rowers, and ſurvey Boats, *&c.*	Regiſtring Rowers, § 9.

Overſeer refuſing, §. 10.	Refuſing to be Overſeer, forfeits Five pounds.
Aſſeſſing Fare, §. 11.	Lord Mayor, *&c.* to Aſſeſs the Fare, and bring them to Privy Council, and Subſcribe by two, and he that takes more, to forfeit Fourty ſhillings.
Weſtern Barge, §. 12.	No Weſtern Barge to take ſingle perſon but by the year, but ſuch as he will anſwer for.
Continuance of Commiſſion, 13 *El. c.* 9.	Commiſſion to endure ten years, unleſs Repealed by new one, or *Superſedeas*, Orders to be by Indenture of ſix Commiſſioners, and to ſtand without Royal Aſſent, or Certification to Chancery.
Former Orders, §. 2.	Former Orders to continue after the ten years, one whole year to be Executed by Juſtice of Peace, or the new Commiſſioners.
Juſtice of Peace, §. 3.	Power of Juſtice of Peace to Ceaſe by new Commiſſion.
Farmer, §. 4.	No Farmer under Fourty pounds *per annum*, to ſit or Act.
Returning Certif. §. 5.	Commiſſioners need not make Return of Certificates into Chancery.
Eſtreating Fines, §. 6.	Clerk to the Commiſſioners ſhall yearly Eſtreat Fines, *&c.* on forfeit of Five pounds.
Farmer Commiſ. §. 7.	Farmer may Sit and Vote for Lands to which he is not chargeable, if Commiſſioner.
Lee or Ware River Navigable, *Cap.* 18.	The River *Lee* or *Ware* made Navigable to *London* by the Mayor, *&c.*
Dover Haven, 23 *Eliz. Cap.* 6.	For Eight years every Ship of Twenty, to pay Three pence *per* Tun, to Repair *Dover* Haven.
Trenches from Plymouth to Mew, 27 *El. c.* 20.	Mayor, *&c.* of *Plymouth* may dig Trench ſix or ſeven Foot over to River *Mew*.
Stall-Boat, Orford Haven, *Cap.* 21.	No Stall-Boat to be uſed for Net in Mouth of *Orford* Haven, unleſs Mask be two Inches.
Chanel from Delkey to Fiſhborn, *Cap.* 22.	Mayor, *&c.* of *Chicheſter* may make new Chanel from *Delkey* to *Fiſhborn*.
Sea-Banks in Norfolk, days works, *c.* 24. §. 2.	Juſtice of Peace of *Norfolk* at Seſſions to limit Days Works at diſcretion, for Amendment of Sea-Banks.
Tax of Carriages, §. 3.	Tax to be of Carriages as for Amending Highways.
Tax for Rocheſter-Bridge, *Cap.* 25.	Corps *Rocheſter* Bridge when Profits ſuffice not, may Tax the Pariſhes where their Lands lie, *&c.*
Inning, L. P. and E. Marſhes, *Cap.* 27.	Liberty for ſix years to Inn *Leſnes*, *Plumſtead*, and *Erith* Marſhes.
Continues Stat. 35 *El. Cap.* 7. §. 19.	Continues 23 *Eliz. Cap.* 6. to the end of the next after the next Parliament.
Dover Haven, §. 28.	That Ships above Twenty Tun, of Subjects, Trading but to *Lands-end*, diſcharged of Three pence *per* Tun for repair of *Dover* Haven; ſee 1 *Jac.* 1. *c.* 32. for ſeven years.
Lyn Piere, §. 29.	Renews 27 *Eliz.* of Maintenance of the Piere of *Lyn* for ten years, and ſo to end of next Parliament then next, ſee 1 *Jac.* 1. *Cap.* 25. §. 33.
Dover Haven, 43 *Eliz. Cap.* 9. §. 35.	Merchant ſhall pay only Three pence *per* Tun for Lading, not for Ship, to repair *Dover*.
Drain of Marſhes, &c. *Cap.* 11. §. 5.	Drain of Marſhes or Fens not to annoy any Haven or Port, *&c.*
Taking Apprentice, 1 *Jac.* 1. *c.* 16.	None but Weſtern Barges, Mill-Boats, *&c.* to take Apprentice, unleſs five years a Waterman in *Thames*, nor unleſs eighteen years old, for ſeven years, pain Ten pounds.
Serving Apprentice, §. 2.	Son of Waterman ſixteen uſed to Row, may ſerve Apprentice.
Publiſhing Conſtitutions, §. 3.	The Eight Overſeers, two a year 1 *Sept.* and 10 *March*, to Read and publiſh Conſtitutions.
Erecting Wears along Sea-ſhore, penalty, 3 *Jac.* 1. *c.* 12. §. 2.	Erecting Wear along Sea-ſhore in Haven, *&c.* or within five miles of Mouth of Haven, Creek, *&c.* to deſtroy Fry of Fiſh, forfeits Ten pounds.
Water-Courſes about London, *c.* 14. §. 2.	The Walls, Ditches, Banks, *&c.* in two miles of *London*, falling into *Thames*, to be ſubject to all Statutes of Sewers, as if named, or were Ebbing Water.
Trench from Chadwel, and Amwel to London, *Cap.* 18.	Lord Mayor of *London*, and Succeſſors, *&c.* may ſet out Ten Foot broad for a Trench, from *Chadwell* and *Amwell* in *Hartfordſhire*, to *London*.
Earth, paſſage, &c. §. 2.	Shall lay Earth digged on ſides, and have free paſſage, *&c.*
Satisfaction, §. 3.	To make ſatisfaction to Owners, or elſe Commiſſion to do it.
Iſſuing Commiſſions, §. 4.	Commiſſions to iſſue to four of *Middleſex*, four *Hartford*, and four *London*, *Quorum* nine.
Breaches, §. 5.	Mayor, *&c.* to ſtop and mend Breaches.
Bridges, Ways, §. 6.	Mayor to maintain Bridges and Ways.
Digging, §. 7.	Not to begin to Dig till Agreement made and returned in Chancery.
New Drain, §. 8.	New Drayn to be ſubject to Commiſſioners of Sewers.
Cleanſing, §. 9.	The Cleanſing, *&c.* to be at Charge of City, and they to have Fines, *&c.*
Paſſage from London to Oxford, *Cap.* 20.	Paſſage by Water from *London* to *Oxford*.
Inning Leſnes, *&c.* 4 *Jac.* 1. *c.* 8. §. 2.	*William Burwell* may Inn *Leſnes*, and *Fants* Marſhes in *Kent*, &c.
Vaults, London, *Cap.* 12. §. 2.	Mayor of *London*, &c. performing Conſideration 3 *Jac.* 1. *Cap.* 18. may make Trunk or Vault of Brick or Stone to Convey the Water.

Francis Tyndall, *Hen. Far*, and *J. Cooper*, for ſeven years may Drayn Fens in *Ely*.	Ely Fens, *Cap.* 13.
Undertakers to enjoy two parts of three for effecting the Work.	Two thirds for Work, §. 2.
The two parts to be held by Fealty only, and diſcharged of Tithes.	To do fealty and be Tithe free, §. 3.
Owner may enter into the two parts on overflowing a Month in default of Undertakers, and enjoy till new amended.	Enter on Overflowing, §. 4.
Not to Authorize Undertakers to Drayn through others Grounds.	Draining, §. 5.
The Provoſt, *&c.* of *Chelſey Colledge*, may open Trench out of *Lee* River, between *Lock Bridge* and *Bow Bridge* to *London*, not to prejudice Barges, *&c.*	Trench out of Lee River to Lond. 7 *Jac.* 1. *Cap.* 9. §. 3.
Provoſt, *&c.* to open Springs on the Weſt-ſide of the River, and make Pipes, *&c.*	Springs and Pipes, §. 4.
Provoſt to Convey to *London* in Pipes for perpetual Maintenance.	Conveyance to London, §. 5.
Provoſt, *&c.* to fill up and dig Trenches, §. 7. to go and come with Carts, *&c.*	Trenches, Carts, &c. §. 6.
Commiſſion to Aſſeſs parties Damage.	Damage, Aſſeſs, §. 8.
Party to recover what is Aſſeſt by Bill, Plaint, *&c.*	Recovery of Damage, §. 9.
Not to Convey through Houſe, Garden, *&c.*	Conveyance, §. 10.
Boat-men of *Devon* and *Cornwall*, may fetch Sea-Sand within full Sea-Mark, paying the Duties uſed within five years.	Boatmen of Devon and Cornwall, *Cap.* 18. §. 2.
VVear or new Milleate ſet up by Mayor, *&c.* of *Exceſter* on *Exe* River, to ſtand as now erect with free paſſage, *&c.*	Milleate on Exe River, *Cap.* 19. §. 2.
Juſtices of Aſſize to order the Owners what ſatisfaction they think fit.	Satisfaction, §. 3.
Party may ſue Mayor, *&c.* for Sums Awarded.	Recovery of Sums, §. 4.
Juſtices of Aſſize to allow Recompence for heightning the new Wear.	Recompence, §. 5.
A Commiſſion to Biſhop of *Norwich*, and eleven Juſtices, and ſix of *Suffolk*, ſix of the *Quorum*.	Norfolk and Suffolk, *Cap.* 29. §. 3.
To Survey the Lands drowned, and decays by what means, and to Tax Inhabitants, *&c.*	§. 4.
Not to take Trees in Orchard within two Furlongs of Manſion.	§. 5.
Commiſſioners may Commit Workmen that refuſe reaſonable Wages.	Puniſhment of diſobedient. §. 6.
Commiſſioners may Authorize Diſtreſs or Sale for nonpayment of Tax.	Levying Tax, §. 7.
Leſſee may ſtop out of Rent ſo much as Levy for Repair.	Abatement by Leſſee, §. 8.
Leſſees to pay the Reſidue.	§. 9.
Commiſſioners may make By-Laws for preſervation of the high Grounds, *&c.*	Preſervat. of Grounds, §. 10.
All Forfeitures to be employed in Repairs.	Imployment of Penalty, §. 11.
Decrees, *&c.* of Commiſſioners to bind the Lands of the King and his Tenants.	Kings Lands, §. 12.
Commiſſioners next the Land charged, to ſell if Owner appear not on Proclamation, *&c.*	Selling, §. 13.
Party before Sale paying the Tax to Commiſſioners, ſtays Sale, *&c.*	Stay of Sale, §. 14.
Sheriffs of *Norfolk* and *Suffolk* to attend Commiſſioners, Levy Iſſues, *&c.* and Aid Execution.	Sheriffs to attend, §. 15.
Commiſſioners, *&c.* may call Collectors, *&c.* to Account on Oath, *&c.*	Account, §. 16.
Commiſſioners may cauſe Diſtreſs for Arrears on Officers, *&c.* Executors, Adminiſtrators, *&c.*	Arrears on Officers, §. 17.
On refuſal to Account, Commiſſioners may Commit.	Refuſing Account, §. 18.
Collectors, *&c.* dying before Account, Executors may plead no Aſſets *ultra*, *&c.* or fully Adminiſter.	Dying before Account, §. 19.
Officer, *&c.* may plead General Iſſue, and Special Matter in Evidence.	Defendants Plea, §. 20.
One or more Commiſſioners of each County preſent at Tax, *&c.*	Taxing Lands, §. 21.
Commiſſion to make the *Thames* Navigable from *Bercot* to *Oxford*.	Thames Navigable, &c. 21 *Jac.* 1. *c.* 32.
Before meddling, Commiſſioners to agree with Owners of Soyl, or three next Juſtices, or Juſtice of Aſſize, in three Months, and on payment to proceed.	§. 2.
Commiſſioners to Tax Univerſity and City.	§. 3.
Vice-Chancellor and Mayor, *&c.* to make By-Laws.	By-Laws, §. 4.
That number of Eight be always ſupplied as Commiſſioners, and Boat-men to Hale on Banks.	Commiſſioners and Boatmen, §. 5.
None priviledg'd in Univerſity, nor free of the Town, to be Taxt but by two Commiſſioners.	Tax, §. 6.
Commiſſioners to do nothing to divert the *Thames* out of ancient Courſe.	Thames, §. 7.
A Repeal of 3 *Jac.* 1. *Cap.* 20. of Paſſage from *London* to *Oxon*.	Paſſage from London to Oxon, §. 8.

Nominating Commiſſioners, 12 *Car.* 2. *c.* 6.	For Nominating of New Commiſſioners of Sewers.
Commiſſioners of Scotland-Yard may make Vaults, &c. 14 *Car.* 2. *c.* 2	Commiſſioners of *Scotland-Yard*, or any Five may make or mend Vault, Drayn, *&c.* within the Bills of Mortality.
Decrees about Sewers, &c. §. 18.	Decrees of Seſſions at *Weſtminſter*, for amending Sewers at *Charing-Croſs* and *Whitehall*, confirmed.
Dover Haven, *c.* 27. §. 2.	Tax on Ships for ſeven years, as 1 *Jac.* 1. *Cap.* 32. for Repair of *Dover* Harbour.
§. 5.	Collection to ceaſe when Two and twenty thouſand pounds is raiſed.
Bedford Level, 15 *Car.* 2. *Cap.* 17.	The great Level of the *Fens* undertaken by *Francis* Earl of *Bedford*, 6 *Car.* 1. (the Forelands not to exceed ſixty Foot breadth inſide of Banks) by Indenture, 17 *Car.* 1.
Incorporation, §. 2.	*William* Earl of *Bedford*, and Adventurers, *&c.* Incorporate one Governour, ſix Bayliffs, and twenty Commonalty of the Conſervators of the great Level of the Fens, to ſue, and purchaſe Two hundred pounds *per annum*, may Tax ninety five thouſand Acres, on Penalty not exceeding third part of Tax.
Parcel to Aſſignees of the King, §. 4.	Equal Value, or two thouſand parcel of twelve thouſand Acres ſettled in Aſſignees of the King, to hold of the Manor of *Eaſt Greenwich*.
Reſidue of all ſettled, §. 5. Proceedings how to be.	Reſidue eighty three thouſand Acres Veſt in Governour, *&c.* in Truſt for Adventurers ſo held, and the ten thouſand reſidue of twelve thouſand Acres Veſt in the King, *&c.* any five of Corporation to be Commiſſioners of Sewers in the whole Level, to proceed as if all in one County, as in *Rumney* Marſh.
Indictment, §. 6.	Indictment, *&c.* to be good, though place be not right named.
Commiſſioner limited, §. 7.	No Commiſſioner to Act within or without the Level, but as provided by this Statute.
Conveyance, §. 8.	Conveyance Regiſtred to be as good as Bargain and Sale for Money, Enroll, and no Leaſe above ſeven years, unleſs Regiſtred, nor Charge, *&c.* Endorſement to be Evidence.
Executing Eſtates, §. 9.	Corporation to Execute Eſtates according to their Truſts.
Selling Shares for Arrears of Tax, §. 10.	Corporation to ſell yearly on *Wedneſday* and *Thurſday* in *Whitſun* Week in *Ely*, ſo much of Shares as will pay Arrears of Tax only.
Removal of Tenants, §. 11.	Tenants not to be removed till Crop taken, paying their Rents.
Notice of Arrears, §. 12.	Notice of Arrears of Tax by Schedule under Seal, ſet up in *Ely* Market-place, *&c.*
Erecting Works, §. 13.	Corporation may Erect new Works within Level, or without, Deſtroyers pay treble Damages.
Taking Oath, §. 14.	Corporation to take Oath for due Executing Truſt before Exerciſe, *&c.*
Governour, §. 15.	New Governour yearly Elect at *Whitſun Wedneſday*, removable and accountable.
Shares on Attaint. §. 16	Shares of perſons Attaint Veſt in the King.
Uſing Participants, §. 17.	Corporation to be Seized for uſe of Participants, by the Indenture 17 *Car.* 1. of fourteen parts, and Execute Eſtates.
Decreeing Difference, §. 18.	The Two Chief Juſtices, and Chief Baron, and *C. B.* or any Two, to decree Difference, *&c.*
§. 19.	They have like power as Chancery.
Decrees, how, §. 20.	Decrees to regard the Sums diſburſed and Intereſt, and abated out of Receits.
Participants, § 21.	The Participants by the Indenture of fourteen parts, to have Treſpaſs, *&c.* and recover Shares, *&c.*
Decree for Arrears, §. 22.	Commiſſioners may decree on what perſons to charge Arrears.
Relief on Complaint, §. 23.	Complaints againſt Drayners, §. 24. Commiſſioners named to redreſs.
New Commiſſioners to redreſs, to ſatisfie and to regulate, &c. §. 25.	Commiſſioners new choſen, in three Months after death, *&c.* to redreſs all relating to the Drayn within Level or without, to ſatisfie thoſe worſted, to regulate Allotments, *&c.*
Aſſigning Parcel ſet out, §. 26.	Parcel ſet out before the Law at St. *Ives* and *Lyn*, &c. to be Aſſigned by Corporation according.
Non-payment of Tax, §. 27.	For default of payment of Taxes two Months after day, to be ſold by any ſeven Commiſſioners, and Sequeſtred.
§. 28.	If Governour, *&c.* pay not Tax ſet by Commiſſioners, the whole Level to pay Damage of party, *&c.*
§. 29.	If Governour after notice of Diſtreſs on Tenant, *&c.* or Sequeſtration, do not ſatisfie, Debt in any Court in *Weſtminſter* lieth againſt them.
Examining Witneſs, §. 30.	Commiſſioners may Examine Witneſs, §. 31. taking Oath before he Act.
Decrees, Orders, &c. final, §. 32.	Decrees, Orders, *&c.* of Commiſſioners, purſuant to this Act, to be final.
Sitting of Commiſſioners, §. 33.	Commiſſioners to ſit from 29 *Septemb.* to 25 *March*, at *Huntington*, from 25 *March* at *Ely*.
Voting, §. 34.	No Commiſſioner to Vote or give Judgment in Bounds of County of which he is Commiſſioner.

No Sharer to be Commiſſioner. §. 36. Deſcent, Gift, *&c.* voids Commiſſion.	Sharer no Commiſſioner, §. 35.
Commiſſioners to give ſatisfaction to Lands, made worſe by new Work.	Satisfaction, §. 37.
Lords of Manors may Approve, and Commiſſioners finally to determine.	Approving and determining, §. 38.
Commiſſioners may give remedy to *Sutton* and *Meadland*, for Contribution, *&c.*	Sutton and Meadland, §. 39.
Londoners Fen may ſue for profits of Share, the Executors, Adminiſtrators, *&c.* of Taker.	Londoners Fen, §. 40.
The King to have *Donſdale* Bank and Paſſages thereof, *&c.*	Donſdale Bank, §. 41.
Archbiſhop, *&c.* Bodies Politick, and Corporation, *&c.* may Demiſe parts approved by Indenture.	Demiſe, §. 42.
That Sir *Thomas Chichley* enjoy his ſix hundred ſeventy one Acres purchaſed on non-payment of Tax.	Sir T. Chichley, §. 43.
Waifs, Strays, and Priviledges of Manors, *&c.* ſaved to the Lords.	Saving to Lords, §. 44.
Not to infringe or weaken any Clauſe of 4 *Jac.* 1. *Cap.* 13.	Infringing Statutes, §. 45.
Any ſeven Commiſſioners to give Recompence to Lands adjoyning to Drayn, for Cutting, *&c.*	Recompence, §. 46.
If Judicature end not all in twelve Months, Barons of Exchequer to determine.	Determination, §. 47.
The Kings Leſſees capable of Office of Governour, *&c.* and Vote, *&c.*	Kings Leſſees, §. 48.
Not to void Obligation to *Offly* for Enjoyment, *&c.*	Offly, §. 49.
Corporation to make good accidental Breaches.	Breaches, §. 50.
Participants may enter on Lands given in Exchange, being altered, *&c.*	Exchange, §. 51.
Diviſion by Commiſſioners not to conclude the King.	Diviſion, §. 52.
Commoner forfeits Twenty pounds on breach of Fences.	Fences, §. 53.
No Tax exceeding Two ſhillings to be Levied on the Kings Ten thouſand Acres in one year.	Tax, §. 54.
Corporation may Tax the Eighty three thouſand Acres by an Acre-Tax.	§. 55.
Earl of *Mancheſter*, *Devonſhire*, &c. Undertakers in Truſt for Drayning *Deeping* Fens, *&c.* in ſeven years, all but places left for Lakes and Dykes, *&c.* and maintain Navigation, *&c.*	Deeping Fens, 16 & 17 *Car.* 2. *c.* 11. §. 5.
Truſtees to maintain Bridges, Gates, *&c.* as ordered by Commiſſioners.	Bridges, &c. §. 6.
Truſtees may continue old, or make new Drayn, *Spalding* to ſtop Sluces, *&c.*	Draining Sluces, §. 7.
Glean, *Welland*, and *Weſtloe* Currents not to be diverted.	Glean, Welland and Weſtloe, §. 8.
Breach not amend by Truſtees in ten days, to be amended by Inhabitants at their Charge.	Breach, §. 9.
Goole or overflowing in *Dozens*, *Hawthorn-Bank*, &c. Dyke-Reeves to Repair at the Coſts of Truſtees.	Dozens, Hawthorn-Bank, §. 10.
Truſtees to make ſatisfaction for loſs by inconvenient placing Sluces, *&c.*	Satisfaction, §. 11.
Truſtees may pull up Bridges, Wears, and Purpreſtures, building new.	Bridges, &c. §. 12.
May cut Ground in ſome Banks for making others, with Bars and Stakes.	Banks, §. 13.
Owners to paſs over any Banks with Drifts of Cattel.	Drifts of Cattel, §. 14.
None keeping Horſe-Boat to Land upon the Banks.	Horſe-Boat, §. 15.
No Swine between the Banks and Wear-Ditches.	Swine, §. 16.
Truſtees to have no Common in Remainder of Fens by Reſidence but in Allotment.	Common in Remainder, §. 17.
No Water to be taken or let out of *Glean* or *Welland* without Licence of Truſtees.	Glean, Welland, §. 18.
Pinchbeck and *Spalding* to uſe *Blewgate* Sluce.	Blewgate Sluce, §. 19.
The *Loads* under the *Dozens*, &c. to be Ditcht two hundred Foot inward more then it is.	Loads under Dozens, §. 20.
Truſtees for their Works to enjoy *Lovels* third part, and three thouſand five hundred by Decree at *Spalding*, a thouſand Acres of the Queens Improvement, and five hundred more of *Holland* and *Keſteven*, &c.	Truſtees to enjoy for their Works, §. 21.
Truſtees to Encloſe againſt all the reſt.	Encloſure, §. 22.
Not to charge Truſtees, or any other Eſtate then in the Fens.	Charge for Tax, §. 23.
Not Drayning in ſeven years, or by neglect ſurrounded, forfeits third part, *&c.*	Forfeiture, §. 24.
Eſtates made by Truſtees, to be as if hereby named.	Eſtates, §. 25.
Truſtees to pay One hundred pounds *per annum* for ſeven years, as Commiſſioners appoint, elſe Reentry.	Annuities paid by Truſtees, §. 26.
Aſſignees of Ten thouſand thirty ſix Acres, any three may meet and order as Adventurers, *&c.*	Aſſigns may meet and order, §. 27.
Any three Undertakers to Tax Owners thereof.	Tax, §. 28.
On default of payment of Tax, Adventurers to ſell.	Sale for non-payment, §. 29.
Commoners Corporated or Sole, may Improve according to their Intereſt.	Improvement, §. 30.
Bounds of Approvements to be finally ended by perſons named, or any ſeven, appeal to thirteen.	Bounds, §. 31.

Taking Oath, Seſſions, Appeals, § 32.	One Commiſſioner may take Oath before another, that he is not intereſſed, Places of Seſſions to be as any ſeven order, and their ſummons by Warrant of three, Appeals to the Chief Juſtice, *&c.*
Avon, *Cap.* 12. § 2.	Commiſſion to Undertakers to make *Avon* between *Salisbury* and *Southampton* Navigable.
Agreement with Owners, § 3.	Undertakers firſt to agree with Owners of Soyl.
Intereſts and proportion, § 4.	At charge of Undertakers, Commiſſion to Lord Chancellor, *&c.* or ſeven to judge Intereſts and proportion.
Commiſſioners, § 5.	Commiſſioners to be renewed, not to be under thirty one, to have power as Commiſſioners of Sewers.
Orders, § 6.	Undertakers by conſent of ſeven Commiſſioners, to make Orders with Penalties.
Profits and Fines, § 7.	Undertakers to have Profits of Veſſels, *&c.* and Fine Noyances.
Watermen, Winches, § 9.	Watermen, *&c.* to uſe Winches, *&c.* with Ropes and Horſes, *&c.* to draw.
Key near New Sarum, § 9.	Not to make Key within a Mile of *New Sarum*, without conſent of Biſhop, *&c.*
Rivers, Channels, &c. § 10.	All Rivers, Channels, *&c.* made in order to the Navigation, to be in power of Undertakers.
Defendants Plea, § 11.	Aſſiſtants ſued to plead General Iſſue.
Wily River, § 12.	Earl of *Pembroke* may make *Wily* River from *Harnam* to *Wilton* Navigable.
Acre-Tax in Bedford Level, 20 *Car.* 2. *c.* 8.	The grievance of Acre-Tax in 15 *Car* 2. *Cap.* 17. § 55. of Drayning the Fens.
Tax how to be, § 2.	All Taxes on the eighty three thouſand Acres, to be by a gradual Acre-Tax, as values of Land are.
§ 3.	When ſix thouſand one hundred and ten pounds ſeven ſhillings peny-half-peny, is Taxt on the ninety five thouſand Acres, then twelve thouſand to be Fifteen pence *per* Acre, and no Tax but on *Wedneſday*, *Thurſday*, or *Friday* next after the firſt *Sunday* in *April*.
Sales when, § 4.	Sales to be the ſame days, notwithſtanding 15 *Car.* 2. *Cap.* 17. § 10, and Serjeant at Mace to deliver Poſſeſſions.
Surveyors of Values, § 5.	*Edward Partridge*, &c. Surveyors of Values of Land upon Oath.
Returns, Appeals, § 6.	Returns to be into the Fen-Office in a month, and except in thirty days after, and Appeal to Sir *H. North*, &c.
Tax, § 8.	Governours may in *Whitſun* Week next, Tax ſix thouſand one hundred and ten pounds ſeven ſhillings peny-half-peny by gradual Acre-Tax, not under ſeven degrees.
Lots of E. of Bedford, § 8.	All the Lots of Indenture of *Fr.* Earl of *Bedford*, except Sir *M. Sands*, to be Taxt and Charged with Debts.
§ 9.	Sales for non-payment of Tax by Sir *M. Sands*, &c. void.
For Sands ſhare, § 10.	On non-payment by Occupiers of *Sands*'s ſhare, Governours to put him in poſſeſſion, paying, *&c.*
§ 11.	*Sands* Entituled to the Rent without Conveyance by Governours, *&c.*
§ 12.	After *Sands* is ſatisfied, then the Arrears of gradual Tax to be paid.
Rents recoverable, § 13.	Lord *Culpeper* and Truſtees to recover Rents, *&c.* without Conveyance, *&c.*
Great Yarmouth, 22 *Car.* 2. *c.* 2. § 3.	Tax for ten years on every Ship Unlading in Great *Yarmouth*, for repair thereof.
Collectors, § 4.	Bailiffs, Aldermen, *&c.* to chooſe Collectors to pay to Chamberlains.
Accompt, § 5.	Any five of eight Commiſſioners ſpecially nominated, to call Collectors to Account.
Charges, § 6.	Collectors to be allowed charges not above Two pence in twenty ſhillings.
Searching Ship, § 7.	Collectors may enter into any Ship in the Haven to ſearch.
Diſtreſs, § 8.	Ship and Tackle to be Diſtrained till ſatisfied what is Aſſeſt by Bailiff, *&c.*
Sale, § 9.	Collectors to ſell in ten days after Diſtreſs, for non-payment.
Oil, Fiſh-Livers, proviſions, § 10.	Remains of Oyl, or Fiſh-Livers, and proviſions kept for Voyage, to be diſcharged.
Repairs, § 11.	Any five of them eſpecially choſen, to eſtimate repairs, on Oath, and Contract for it, *&c.*
Ceſſer of Impoſitions, § 12.	Impoſition to ceaſe if the Pier be repaired, and Money paid in leſs time.
London, 22 & 23 *Car.* 2. *Cap.* 17. § 3.	In *London* and Liberties, to be ordered as 19 *Car.* 2. *Cap.* 3. § 20. for ever.
Yarmouth, 29 *Car.* 2. *Cap.* 10.	For Execution of powers in 20 *Car.* 2. *Cap.* 2. of *Yarmouth*.
§ 2.	Not to Revive 20 *Car.* 2. *Cap.* 2. § 12.
Great Yarmouth, 1 *Jac.* 2. *Cap.* 16.	A Tax for Fourteen years, and to end of next Seſſion, on Coals, Corn, and other Goods Imported and Unladen in Harbour of Great *Yarmouth*, or in *Yarmouth* Road, for repair of the Haven, and Piers there, *viz.* every Chaldron of Coals, Wheat, Rye, Barley, Malt, and other Grain, weight of Salt, Tun of any other Goods (Fiſh excepted) to pay ſuch ſums not exceeding One ſhilling, as Mayor, Aldermen, Burgeſs and Commonalty ſhall appoint.

Repeal of a Clauſe for dividing Commons in 15 *Car.* 2. *Cap.* 17. in *Bedford* Level.	Bedford Level, *Cap.* 21. § 4.
Not to extend to Incloſures certified into Petty Bag Office.	Incloſers certified, § 5.
Confirmation of Agreement not to divide, but feed by ſtint.	Agreement for Stint, § 7.
Decrees for Incloſure certified into Petty Bag before 24 *June*, 1686. to be good, and thoſe not certified void.	Decrees, § 8.
Explanation of 1 *Jac.* 2. *Cap.* 7.	Explan. 1 *W&M ſeſ.* 1. *c.* 11
Juſtices of Peace of *W. G. O. B.* and *B.* to be Commiſſioners, and at Quarter Seſſions to ſet prices for paſſage of Veſſels on *Thames* and *Iſis*, and to make Orders concerning Navigation, and Locks, Wears, *&c.*	W. G. O. B. B. 6 & 7 *W.* 3. *C.* 16. § 2. Thames, Iſis,
Juſtices to ſet Prices of Water Carriages, and give notice thereof to head Officers in Market Towns, and Offenders to forfeit Five pounds.	Water-carriage, § 3. Penalty.
Judge of Aſſize at *Oxford* may hear and determine Appeals made within a year.	§ 4.
Orders and Aſſeſſments (except for Water-Carriage) to be in Parchment, and ſigned and kept with Records of Seſſion, and to be of Force for ſeven years.	Orders, aſſeſſments, § 5.
Locks and Wears to be adjudged to be in that County where Taxed to Church or Poor.	Locks, &c. in what County, § 6.
Juriſdiction of Juſtices not to extend to places between *Bercot* and *Oxford*; but Commiſſioners by 21 *Jac.* 1. to act there, and on death or removal, ſurviving Commiſſioners for *Oxford* to Elect others.	Places between Bercot and Oxford, § 7.
Not to Impeach Juriſdiction of others.	Juriſd. of others, § 8.
Bargemen liable for Damage done by his Barge or Crew of Bargemen.	Bargeman liable, § 9.
To continue for nine years.	Continuance, § 10.

Sheep, ſee *Cattel.*
Ships, ſee *Admiral* and *Merchants.*
Ship-Money, ſee *Taxes.*

Sheriffs.

Bayliff, *Officer*, *Viſcount*, *Turns*, *Leet*, *Franchiſe*, *Eſcheator*.

No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bailiff ſhall hold Pleas of the Crown.	Pleas, 9 *Hen.* 3. *c.* 17. *Magna Chart.*
May in view and teſtimony of lawful Men, Attach and Inroll Goods of the Kings Debtor after his death, ſhewing Patent of ſummons, ſo that nothing be taken away.	Kings Debtor, *Cap.* 18.
Shall hold County-Court from Month to Month, the Turn or Hundred twice a year after *Eaſter* and *Michaelmas*, the View of Frank-pledge yearly after S. *Michael*, without occaſion, taking Fees as in time of *H.* 2.	County-Court, Turn, Frank-pledge, and Fees, *Cap.* 35.
No Conſtable, Caſtellain, or Bailiff ſhall hold Pleas of the Foreſt, but Foreſter in Fee ſhall Attach and preſent to the Verderor, and they to the Juſtices.	Pleas of Foreſt, 9 *H.* 3. *St.* 2. *c.* 16. *Ch. de Foreſta.*
Sheriff on *Rediſſeiſin* after Recovery in Aſſize of *Novel Diſſeiſin*, *Mortdanceſter*, or by any other Enqueſt, may Impriſon the Party, and reſtore Plaintiff.	Rediſſeiſin, Novel Diſſeiſin, Mortdanceſter, 20 *H.* 3. *c.* 3. *Merton.*
Sheriffs confeſſion of Receit is ſufficient diſcharge of the Kings Debtor, and he ſhall be puniſht that mentions not the Levying it.	Kings Debtor, 51 *H.* 3. *p.* 11. *Diſtric. Scaccar.*
Shall Account and pay Farms, Iſſues, and Rents at the *Profer* of Exchequer, on *Munday* after *Michaelmas*, and the *Utas* of *Eaſter*.	Account, 51 *H.* 3. *p.* 11. *De Scaccario.*
Bailiffs of Franchiſe ſhall then Account, or Sheriff ſhall enter.	Bailiffs of Franchiſe, § 2.
Of *Cheſter* ſhall then Account, and all Sheriffs, except *W. L. W. R.* &c. ſhall keep Wards and Eſcheats, and find Offices thereof at the Turn.	Cheſter to Account, to keeping Wards, Eſcheats, Offices, § 3.
Of *Cumberland* is Eſcheator of *Weſtmorland* and *Lancaſter*, of *Nottingham* in *Rutland*, of *Glouceſter* in *Worceſter*, and of *Devon* in *Cornwall*, who by counſel of three Surveyors, ſhall let, ſet, and improve, and Farmers be anſwerable to them, they to the Exchequer.	Eſcheators of Weſtm. Lancaſter, Rutland, Worceſter, Cornwal, § 5.
The Sheriffs, *&c.* in Arrear of Account ſhall be firſt heard, and on concealment of Charge, impriſon a year and fourty days, and pay back ill Allowance, and *Reſpondeat Superior* whether in Fee or not.	Arrear of Account, concealment of Charge, § 9.
Shall by Oath of twelve Men, take Preſentments of Bakers, Brewers and Vintners, that break the Aſſize of Ale or Bread, and puniſh with Pillory and Tumbrel.	Taking preſentments and puniſhing Offenders, 51 *H.* 3. *p.* 13. *Pillor.* & *Tumbrel.*

Rediſſeizor, 52 *H.* 3. *c.* 8. *Marlb.*	Shall not deliver a Rediſſeizor impriſon, till Fine paid, without the Kings ſpecial Command.
Religious Perſons Turn, *c.* 10.	Archbiſhop, Biſhops, Abbots, Priors, Earls, Barons, nor any Religious Men or Women, ſhall not need to come to Sheriffs Turn, nor they that have Hundreds of their own, the Turn ſhall be kept as uſed by the Great Charter.
Diſtreſs, *c.* 15.	Only the Kings Officers, and that by Special Authority, may take Diſtreſs out of Fee, in High-way, or Common Street for any Cauſe.
Delivery of Diſtreſs, *Cap.* 21.	Without, and Bayliff within Franchiſe, ſhall make Delivery of Diſtreſs on Complaint.
Sheriff Lodging with religious, 3 *Ed.* 1. *c.* 1. *W.* 1	Sheriff with five or ſix Horſe may lodge with Abbot, or other Men of Religion, but not often.
Eſcape, *c.* 3.	Shall take nothing for Eſcape of Thief or Felon, till Adjudged in Eyre, on pain to repay what is received, and as much to the King.
Wrack, *c.* 4.	Or Coroner, or the Kings Bayliff ſhall keep Wrack in the next Town, and if none claim in year and day, then its the Kings.
Default of freſh Suit, *Cap.* 9.	Shall be Fine and Impriſon on Default of freſh Suit by Hue and Cry after Felon, or on Concealment.
Keeping Counter Rolls with Coroner, *c.* 10.	Shall keep Counter Rolls with Coroner of Appeals, Enqueſts, and Attachments, and other things belonging to that Office.
Bail and Replevin, *Cap.* 15.	Shall not Bail or Replevy perſons Utlawed, Abjured, Provers, taken with the manner, Breakers of Priſon, Houſe-burners, Thieves openly defamed, Men taken for falſe Money, or for counterfeiting the Kings Seal, or for Treaſon againſt the King himſelf, or Excommunicated, but for Pety Larceny he may by the Common Writ, or without, taking no Reward.
Caſtle refuſing Diſtreſs *Cap.* 17.	Shall demoliſh Caſtle or Fortreſs that refuſe to deliver Diſtreſs on demand by power of the County.
Fines and Amerciaments, *c.* 18.	Nor Barretors ſhall not Aſſeſs Common Fines or Amerciament on the County, but the Juſtices in Eyre by Oath of Knights.
Kings Debtor, *c.* 19.	His Heir ſhall pay thrice as much as received, and Fine if the Kings Debtor be not diſcharged on Payment, and Tally thereof made in Exchequer.
Diſſeizin by Office, new Office or Aſſize, *c.* 24.	Againſt him, Eſcheator, or the Kings Bayliff, Party diſſeiſed by colour of Office without ſpecial Warrant, may have new Office or Aſſize, and double Damages.
Reward, Extortion, *Cap.* 26.	Shall take no Reward but of the King, and on Extortion yield twice as much, and be puniſht at the Kings pleaſure.
Suit, Judgment, *c.* 33.	Shall not ſuffer Barreters, Maintainers of Quarrels, nor Steward, (unleſs Attorney to his Lord) to make Suit or give Judgment, unleſs ſpecially require by Suitors.
Eſtreats, *c.* 45.	Shall take Eſtreats of Juſtices in Eyre, on Iſſues Levied on the Grand Diſtreſs, and forfeit to the King.
Treſpaſs, 6 *Edw.* 1. *c.* 8. *Glouc.*	Treſpaſs ſhall be before him, not before Juſtices, unleſs Plaintiff ſwear by his Faith the value of Fourty ſhillings at leaſt, and that Plaint of Beating is true.
Rolls in Exchequer of Farms, Debts, &c. 10 *Ed.* 1. *p.* 34. *Rutland.*	Rolls in Exchequer ſhall be for each Shire of Farms, Allowances, and Debts not Deſperate, all but new Duties.
Tallies, Receits, Debts §. 5.	Tallies ſhall be delivered to him in preſence of two Knights, and he give Receits mentioning the occaſion of the Debt.
Particular of Debts, §. 9.	Muſt firſt give particular of Debts, before he receive a Tally *De dividendis.*
Sale under Valur, 13 *Edw.* 1. *pag.* 54. *Stat. Mercht.*	His Sale under Value of Goods on Statute Merchant, is remedileſs, becauſe Debtor might have ſold before.
Replevin, 13 *Edw.* 1. *c.* 2. §. 2. *W.* 2.	*Reſpondeat Superior*, if Bayliff that Replevy Beaſts cannot anſwer them.
Eſtreat on Admeaſurement, *c.* 8.	Shall Eſtreat Value of Cattel in *Secunda ſuperoneratione*, on Admeaſurement before him, but the Juſtices give Damages Eſtreat into Exchequer.
Eſcape of Servant for Arrears, *c.* 11.	If Servant Commit for Arrears of Account Eſcape, Debt lieth againſt the Goaler, and if inſufficient, *Reſpondeat Superior* that Committed the Goal to him.
Falſe Impriſonment, Felon or Treſpaſs, *Cap.* 13.	Falſe Impriſonment lieth againſt him taking one for Felony or Treſpaſs, before found under Seal of Enqueſt, Twelve at leaſt.
Attachment, Diſtreſs, *Cap.* 14.	Shall enquire at place waſted on default of Attachment and Diſtreſs.
Aſſignment in Waſte, *Cap.* 22.	By Oath of Neighbours ſhall Aſſign in ſeveralty to one Tenant in Common that recovers in Waſte againſt another.
Diſtreſs, *c.* 36.	For malicious Solicitation of Diſtreſs, ſhall pay treble Damages and Fine.
Cap. 37.	Diſtreſs muſt be by Bayliff known and ſworn.
Return of Aſſize or Jurors, *c.* 38.	Shall pay Damage and be Amerced that returns above Twenty four in one Aſſize, or Jurors above Seventy years old, or not having Twenty ſhillings *per annum*, if within the Shire, and Fourty ſhillings out to expend.

Shall Sign a Bill of Proceſs received, and be Amerced, and pay Damages for not Returning, and Amerce if Iſſues be found too ſmall, and he muſt remove force by power of the County.	Return Iſſues, force, *Cap.* 39.
Shall keep Horſe and Armour, ſo Bayliff of Franchiſe, and Conſtable, and ſhall preſent them, if they follow not the Hue and Cry.	Horſe and Armour, Hue and Cry, 13 *Ed.* 1. *St.* 2. *c.* 6. *Winch.*
No Under-Sheriff, Bayliff of Liberty, nor Steward, ſhall put Jurors in County, unleſs worth Fourty ſhillings, nor out unleſs worth Five pounds, but before Juſtices Errant, and in Cities and Towns as accuſtomed.	Jurors, 21 *Edw.* 1. *pag.* 58.
Shall not Levy Iſſues forfeit till Eſtreat from the Exchequer, ſhall Tally all Money received, and once a year a Baron and Clerk of the Exchequer ſhall go throughout *England*, to view Debts paid by Green-wax, and all Tallies, and Enroll them.	Iſſues, Money received, Debts by Green-wax, Tallies, &c. 27 *Ed.* 1. *Cap.* 2.
Their Replevying perſons not Bailable, ſhall be Enquired of by the Juſtices of Goal-delivery in the Shire after Aſſizes taken.	Replevin, *c.* 3.
That are not of Fee, ſhall be choſen by the County if they will.	Election, 28 *Ed.* 1. *cap.* 8. *Art. ſuper. Chart.*
Shall pay double Damages if Jury be not of neareſt Neighbours, moſt ſufficient, and leaſt ſuſpicious, and not too many.	Jury, *Cap.* 9.
He ſhall not take Beaſts of Plow for the Kings Debt, if any other be, or drive the Diſtreſs too far, but on Security to pay by the day limit to him, releaſe.	Diſtreſs for Kings Debt, *Cap.* 12.
The County ſhall chooſe ſuch as ſhall not Charge them, nor Lodge too oft in one place, nor with poor perſons, or Men of Religion, not for Rewards or Bribes.	Election of Sheriff, *Cap.* 13.
Bayliwicks and Hundreds ſhall not be Let to Farm, whereby people be charged with Contributions.	Farming Bayliwicks and Hundreds, *c.* 14.
Shall be Amerced for falſe Return.	Falſe Return, *c.* 16.
Whereever he or Eſcheator Seize, and its found without cauſe, and the Kings Hand removed, Iſſues of the Land ſhall be reſtored.	Seizure without Cauſe, *c.* 19.
Shall be Aſſigned by the Chancellor, Treaſurers, and Barons of the Exchequer, and the Juſtices, and ſhall be ſufficient; no Steward to Lord or Great Man, ſhall not be Leas'd to any; ſhall Leaſe Hundred at reaſonable Rent without Extortion; Hundredors known ſhall execute Proceſs, ſaving others Franchiſe of Return.	Aſſigning Sheriff, Leaſing Hundred, &c. Executing Proceſs, 9 *Edw.* 2. *p.* 79. *Sheriffs.*
Shall make Return by Indenture between him and Bayliff of Franchiſe by proper Names, and if altered, double Damages, and he ſhall put his Name to the Return, or be Amerced.	Return between Sheriff and Bayliff, 12 *Edw.* 2. *c.* 5. *York.*
An Averment lieth againſt their Return, or againſt Bayliffs of Franchiſe of too ſmall Iſſues, as in other Caſes.	Averment againſt Return, 1 *Edw.* 3. *c.* 5.
Their Goalers and keepers of Priſons compelling Men by force to Appeal others, ſhall be Enquired of.	Forcing Appeal, *c.* 7.
And Bayliffs of Franchiſe ſhall make Roll of Indictments in Turn between them and Indictors.	Roll of Indictments in Turn of Franchiſe, *Cap.* 17.
Shall be able as by 9 *Edw.* 2. *pag.* 79. is required, and ſhall keep the County and Bayliwicks by ſuch as are able.	Power, 2 *Edw.* 3. *c.* 4.
Shall receive Writs in any part of County, and give Bill *gratis*, and pay Damages if not Return.	Writs, Bill, *c.* 5.
Their Approvers ſhall not Leaſe Hundred diſtinct, but annext to the Counties.	Leaſing Hundr. *c.* 12.
Bayliffs, Eſcheators, *&c.* ſhall have Lands ſufficient to anſwer, as 9 *Edw.* 2. *pag.* 79. So 5 *Edw.* 3. *Cap.* 4.	Lands to anſwer, 4 *Ed.* 3. *Cap.* 9.
Shall take nothing on receit of Felons.	Receit of Felons, *c.* 10.
Shall Let their Bayliwicks to Farm for the old Rent, and not above, Juſtices ſhall puniſh Defaults.	Farming Bayliwicks, 4 *Edw.* 3. *c.* 15.
None to be Sheriff, unleſs Lands ſufficient in the County to anſwer King and People.	Lands to anſwer, 5 *Edw.* 3. *c.* 4.
Shall be Choſen on the Morrow of *All-Souls* yearly by the Chancellor, Treaſurer, and Chief Baron, calling the Chief Juſtice of both Benches.	Election, when, 14 *Ed.* 3 *Cap.* 7.
Shall not Leaſe Hundred for more then ancient Farm, ſo of Bayliffs of Franchiſe, nor have but one Bayliff Errant, able or *Reſpondeat Superior.*	Leaſing Hundred, Franchiſe, &c. Bayliff Errant, *c.* 9.
Shall have the Goals, and anſwer for their Keepers of Priſons.	Goals and Keepers, *Cap.* 10.
Shall be yearly removed, and not abide the year following, nor no Commiſſion renewed.	Continuance of Sheriff 28 *Edw.* 3. *c.* 7.
Shall not have Commiſſions to deliver any before Enqueſt and Trial by the Kings Juſtices.	Commiſſion to deliver, *Cap.* 9.

Miſpriſions in London, *Cap.* 10.	On Complaints of Miſpriſions in *London*, Writs ſhall be to the Lieutenant of the Tower.
Seizure avoid, 37 *Ed.* 3. *Cap.* 2.	His Seizure of Goods of wrong perſon avoidable by *Identitate Nominis.*
Continuance in Office, 42 *Edw.* 3. *Cap.* 9.	No Sheriff, Under-Sheriff, nor Clerk, ſhall abide his Office above a year, they ſhall Account by Eſtreats Totted, and pay treble Damages, and Fine if Party be double Charged.
Pannels in Aſſize, *Cap.* 11.	Shall Array Pannels in Aſſizes four days at leaſt before Seſſions of the Juſtices, ſo that Parties may have view thereof on Demand, *&c.*
Out for 3 years, 1 *R.* 2. *Cap.* 11.	Shall not be ſo again in three years, if there be other ſufficient in the County.
Negligent Return, 5 *R.* 2. *Stat.* 2. *c.* 4.	Amerced for negligent Return, or leaving out any City or Burrough.
Hereticks, *Cap.* 5.	Shall by Commiſſion Apprehend Hereticks, and Impriſon them.
Proclaim Stat. 7 *R.* 2. *c.* 6.	In perſon ſhall Proclaim the Stat. 13 *Edw.* 1. *St.* 2. of *Wincheſter*, four times in a year, in every Hundred, and his Bailiffs in every Town.
Account of Iſſues, 1 *Hen.* 4. *Cap.* 11.	Shall account of Iſſues of the County without Extortion, and not be forced to anſwer the ancient Farm.
Bailywick, 4 *Hen.* 4. *Cap.* 5.	Shall be reſident in perſon, and ſworn, and ſhall not loſe his Bayliwick.
Frauds, 6 *Hen.* 4. *c.* 3.	Commiſſioners ſhall after their Accounts made, be ſent into every County to Enquire of Frauds and Deceits.
Return of Knights, 7 *Hen.* 4. *c.* 15.	Shall return Indenture with Names of Chooſers of Knight of Parliament under Seal.
Undue return, 11 *H.* 4. *Cap.* 1.	Shall loſe One Hundred pounds, and Knight of Parliament his Wages, if unduly return *contra* to 7 *H.* 4. *Cap.* 15.
Arreſt Riotors, &c. 13 *Hen.* 4. *c.* 7.	He and three or two Juſtices of Peace with power of County, to Arreſt Riotors, *&c.*
Sheriffs Officer, 1 *H.* 5. *Cap.* 4.	His Bailiff one year ſhall be in no ſuch Office three years after, nor Under-Sheriff, Clerk, Receiver, or Bailiff, while ſuch ſhall not be Attorneys.
Allowed things caſual, 4 *H.* 5. *Cap.* 2.	Shall be allowed things caſual (as Eſtreats) not in Farm upon Oath, but not Farms certain.
Continuance of Sheriff, 9 *Hen.* 5. *c.* 5.	Notwithſtanding 14 *Edw.* 3. *Cap.* 7. the King for a year may Aſſign them to continue above a year.
Return of Writs, &c. 4 *Hen.* 6. *c.* 1.	Shall make Return of Writs direct to them by the days of the Return, and Warn the Jurors.
Return of Knights, 6 *Hen.* 6. *c.* 4.	May Traverſe Enqueſt of undue Return of Knight to Parliament, and not be endamaged till Conviction.
Hereford, 9 *Hen.* 6. *c.* 7.	Of *Hereford* ſhall do no Extortion.
Abatement of Writ, 11 *Hen.* 6. *c.* 2.	Averment that he (named Diſſeiſor) is none, ſhall abate the VVrit, if found true.
Array, Panel, Reward, 18 *Hen.* 6. *c.* 14.	If they who make Array or Pannel take Reward, he forfeits ten times as much.
Head-pence, 23 *Hen.* 6. *Cap.* 7.	Shall not Levy Head-pence once in three or four years, on forfeit of One hundred pounds.
Confirmation of Stat. and Sheriff, &c. to continue but a year, *Cap.* 8.	A Confirmation of 14 *Edw.* 3. *Cap.* 7. and 42 *Ed.* 3. *Cap.* 9. and 1 *Rich.* 2. *Cap.* 11. And that except *London*, or where Inheritable, if any Sheriff or Clerk, *&c.* occupy *contra* to the ſaid Statute, to forfeit Two hundred pounds yearly, and Pardon to be void, and all Patents with *Non obſtante*, void.
Letting to Farm, returning Servants, taking Money, Fees, Bail, Appearance, Deputy, *Cap.* 10.	Shall not Lett to Farm, nor return Servants in Pannels, nor take Money to omit Arreſts, or to Bayl, but Twenty ſhillings for the Arreſt, Bayliff Four pence, Goaler Four pence, and for Pannels Four pence, ſhall take reaſonable Bayl, none to take Obligation, but to appear at the day, Fee Four pence; ſhall make Deputy yearly in the Courts at *Weſtminſter*, on forfeit of treble Damage, and Fourty pounds.
Precept to Mayor, &c. *Cap.* 15.	Shall make Precept to Mayor, Bailiffs, *&c.* on receit of Writ, to chooſe Members of Parliament.
Undue return, §. 2.	For undue Return ſhall forfeit One hundred pounds to the King, One hundred pounds to Party, and Debt againſt Executors in three Months, and Proceſs as in Treſpaſs.
Remove Indictment, 1 *Edw.* 4. *c.* 2.	Shall remove all Indictments in Turn, and Law-days to the Juſtices of Peace, and they to Award Proceſs, *&c.*
Executing and Returning Writ or Precept, 12 *Ed.* 4. *c.* 1.	May Execute and Return Writ or Precept, *&c.* after *6 Novemb.* which is the uſual Date of Patents, until he receive a Writ of diſcharge.
Old Sheriffs power, 17 *Edw.* 4. *c.* 6.	Old Sheriff from *6 Nov.* ſhall have full power to do and execute every thing during *Michaelmas* and *Hilary* Term, unleſs in that time lawfully diſcharged.
Seizure, 1 *Ric.* 3. *c.* 3.	Shall not Seize before party be Convict, on forfeiture of double.
Certifying Priſoners, 3 *Hen.* 7. *c.* 3.	And all other Officers of Goals ſhall certifie Names of Priſoners to the next Goal-delivery.
Entring Plaints, Summons, Eſtreats 11 *Hen.* 7. *c.* 15.	Nor his Officers ſhall not Enter Plaints in the County, but in preſence of Party or Attorney, nor but one for one Treſpaſs or Contract, on forfeit of Fourty ſhillings, Juſtice of Peace to determine; ſo of Profits of Bailiffs, and no Eſtreats till two, *Quorum unus*, do by Indenture allow them.

Of *Southampton*, *Surrey* and *Suſſex*, may Summon twenty four Jurors that have Ten ſhillings Free or Copy within their Precinct, to Turn or County.	Southampton, Surrey, Suſſex, *Cap.* 26.
Shall have the keeping of all Gaols, except, *&c.* and all Patents for Life or Years void, and he Fine for Eſcapes.	Goals, Patents, Fines, 19 *Hen.* 7. *c.* 10.
Of *Suſſex* ſhall keep the Shire-Court at *Chicheſter* and *Lewis*, *alternis vicibus* for ever.	Suſſex, *Cap.* 24.
Their Pannels that are not at Suit of Parties, ſhall be reformed by the diſcretion of the Juſtices.	Pannels, 3 *H.* 8. *c.* 12.
Sheriffs ſhall forfeit nothing for other Return of Iſſues on Jurors by 4 *H.* 8. *Cap.* 3. only at St. *Martins le Grand.*	Iſſues on Jurors, 5 *H.* 8. *Cap.* 5.
Of *Briſtol*, and all other Officers there, may continue above a year, notwithſtanding 42 *Ed.* 3. *c.* 9. and 23 *H.* 6. *c.* 8.	Briſtol continuance, 6 *Hen.* 8. *c.* 18.
Amerciaments to the King for ill Returns in Franchiſe, ſhall not be ſet upon Sheriff, but on Stewards and Bailiffs, *&c.*	Amerciaments for Return in Franchiſe, 27 *Hen.* 8. *c.* 24. §. 9.
All Statutes againſt Sheriffs and Under-Sheriffs, to be extend to Stewards and Bayliffs.	St. to extend to Steward and Bayliffs, 27 *H.* 8. *c.* 24. §. 14.
Not to extend to Stewards and Bayliffs of Franchiſe that exerciſe above a year.	Except, §. 15.
On Oath they that cannot Levy, ſhall be diſcharged of Account in Exchequer.	Diſcharge of Account, 34 *&* 35 *H.* 8. *c.* 16.
Of *Wales* and *Cheſter* to have Deputies in *Banc. Reg.* and *C. B.* &c.	Wales and Cheſter Deputies in B.R. 1 *Ed.* 6. *Cap.* 10. §. 3.
A Repeal of 34 *&* 35 *H.* 8. *Cap.* 16.	Repealer, 2 *&* 3 *Ed.* 6. *Cap.* 4. §. 2.
Sheriff to Elect to Account, have no Tally of Reward to be, as if 34 *H.* 8. continued, or as before that Statute.	Election to Account, Tally of Reward, §. 3.
Tally of Reward by this Act to be ſtriken in Exchequer, as before the Act.	Talley of Reward, §. 4.
Tallies to be delivered to Sheriff without Charge.	Delivery of Tal. §. 5.
This Act to diſcharge Treaſurer for ſtriking Tally.	Striking Tally, §. 6.
If no Tally of Reward be, Sheriffs to be allowed Bills of Charges ſworn in Petition by them or Attorney.	Bills of Charges, §. 7.
They that have no Tally, to be diſcharged of what they cannot Levy.	Diſcharge of Levy, §. 8.
Allowances on Petition to be made by Treaſurer without other Warrant out of what is Levied, *&c.*	Allowances, §. 9.
Sheriff or Deputy on Entry into Office, to be ſworn to deliver into Exchequer all Rolls, Schedules of all Levies, *&c.*	Delivering into Exchequer, Rolls, Schedules, &c. §. 10.
Treaſurer, *&c.* to Commiſſioner allow aſſign to Enquire of Farms, *&c.*	Allowance to Commiſſioners, §. 11.
Shall hold County Courts only from Month to Month.	Holding Courts, *Cap.* 25.
Court of *Northumberland* to be at *Alnwick* Caſtle.	Northumberland, §. 3.
Sheriff of *Northumberland* or Deputy, ſhall Enter Recognizance in Exchequer to Account, *&c.*	*Cap.* 34. §. 2.
Each ſhall account only for his own time.	Account, §. 3.
Of County Palatine of *Lancaſter* ſhall make Deputy in *B. R.* and *C. B.* to receive Writs, *&c.*	Lancaſter Deputy, 5 *&* 6 *Ed.* 6. *c.* 26. §. 4.
During that that Service he ſhall not be Juſtice of Peace, notwithſtanding 1 *Edw.* 6. *Cap.* 7. §. 4.	No Juſt. Peace, 1 *Mar.* *St.* 2. *c.* 8.
Shall in a Month proclaim four Deputies, not above twelve miles from each other, to make Replevies of Diſtreſs, on forfeit of Five pounds a Month.	Proclaiming Deputies for Replevies, 1 *&* 2 *Ph. & Mar. c.* 12. §. 3.
At Common Law but one for *Suſſex* and *Surrey*, one for *Eſſex* and *Hartford*, one for *Somerſet* and *Dorſet*, one for *Warwick* and *Leiceſter*, one for *Nottingham* and *Derby*, one for *Oxford* and *Berkſhire*.	Formerly one Sheriff of ſeveral Counties, 8 *Eliz.* *c.* 16.
Now each to have ſeveral Sheriffs, being more Gentry, *&c.*	Now each County one, §. 2.
Barons of Exchequer to ſever their Profits and Accounts.	Profits and Accounts ſevered, §. 3.
The Reward to enſue the Diviſion.	Reward, §. 4.
Barons to take order for Creation-Money, Fees and Annuities, *&c.*	Order for Creation-Money, &c. §. 5.
Sheriffs thus ſevered, to pay each half the former Fees.	Paying former Fees, §. 6.
A Confirmation of 8 *Eliz.* *Cap.* 16. as to all but Sheriffs of *Suſſex* and *Surrey*.	Confirm. of St. Suſſex and Surrey.
A Continuance of 23 *Hen.* 8. *Cap.* 2. and of 1 *Mar.* *Stat.* 2. *Cap.* 14. and 5 *Eliz.* *Cap.* 24. for ten years, and that they extend to making Goals in *Cambridge*, *&c.*	Continuance of Stat. Cambridge, *Cap.* 4. §. 13.
Forfeits Five pounds on taking Reward to ſpare Jurors.	Sparing Jurors, 27 *El.* *Cap.* 6. §. 4.
Forfeits double of Iſſues on falſe Return of Juror Summon.	Returning Jurors, §. 5.
Forfeits Five Marks on Levying Eſtreats on Juror without Addition, *&c.*	Levying Eſtreats on Jurors, *Cap.* 7. §. 2.

Under-Sheriff to ſwear Supremacy and not uſe Corruption, &c. *c.* 12. § 2.	Under-Sheriff to ſwear before Juſtice of Aſſize, *Cuſtos Rotulorum*, or two Juſtices of Peace, Supremacy, as 1 *Eliz. Cap.* 1. § 19. and not to uſe corruption in Office, Return, *&c.*
Bailiff, Deputy and Clerk to take ſame Oath, § 4.	Bailiff of Franchiſe, Deputy, and Clerk to Sheriff and Under-Sheriff, before he execute Proceſs, to take the ſame Oaths, on forfeit of Fourty pounds.
Offending againſt Oath § 5.	Offending *contra* to their Oaths or this Act, forfeit treble Damages.
Determining Offences, § 6.	Juſtice of Aſſize and of Peace in Seſſions to determine Offences.
Fees for Extent, 29 *El. Cap.* 4.	Shall have for Extent of Lands or Goods Twelve pence in Twenty ſhillings, under One hundred pounds, and if above, ſix pence in Twenty ſhillings.
Warrant to Arreſt, 43 *Eliz. Cap.* 6.	His Warrant to Arreſt (not having any Original Writ) forfeits Ten pounds and Damages, and Fine twenty pounds.
Proceſs after Quietus, 21 *Jac.* 1. *Cap.* 5.	Sheriff after *Quietus* is diſcharged in four years, ſender of Proceſs forfeits Fourty pounds.
Officer thrice Convict, § 2.	Officer thrice Convict diſabled to bear Office in Exchequer.
Iſſues received, 12 *Car.* 2. *Cap.* 11. § 17.	Iſſues received by Sheriff, except out of pardon.
Table at Aſſizes, Preſents, Gratuities, Servants, Liveries, 14 *Car.* 2. *Cap.* 21.	None to keep Tables at Aſſize for reſort of other then his Family, nor give Preſent to Judges, or Gratuity to ſervant, nor have above Fourty, nor under twenty Liveries, Two hundred pounds forfeit.
London, Middleſex, Weſtmerland, § 2.	Not to concern *London*, *Middleſex*, or *weſtmerland*.
Seizures on Foreign Account, § 4.	Seizures now on foreign Account to be particularly in great Roll of Exchequer, and to be certified without Copy of Commiſſion, and Examine and Engroſs before next Term after receit.
Seizures and Debts diſcharged, § 5.	Seizures and Debts before 1 *Jac.* 1. being pardoned, to be diſcharged.
Informing of Debts and Fines, § 6.	Remembrancers to inform the Ingroſſer of the great Roll of all Debts chargeable and Fines, by the next Term after Returns made, and Fines ſet.
To have Lands to anſwer, § 7.	None to be Sheriff but ſuch as have Lands in the County ſufficient to anſwer King and People.
Quietus **diſcharge** 8.	*Quietus* to be abſolute diſcharged after four years, as 21 *Jac.* 1. *Cap.* 5. though not accounted for.
Wales **or County Palatine, § 9.**	Not to extend to *wales*, or Counties Palatine.
Foreign Accounts, Inquiſitions and Attainders, &c. § 10.	Remembrancer to Tranſcribe only what is charged foreign Accounts of Sheriffs, but Inquiſitions and Attainders, *&c.* to be charged as formerly, not to exclude Proceſs.
Arreſt, 22 & 23 *Car.* 2. *Cap.* 20. § 9.	Not to carry any to Taverns on Arreſt, or take undue Fees.
Debtors and Felons, § 13.	Not to put Debtors and Felons together in the Priſon.
Rectories, Tithes, &c. 29 *Car.* 2. *c.* 3. § 10.	Shall give Execution of Truſt of Rectories, Tithes, *&c.*
Reviver, 1 *Jac.* 2. *c.* 17. § 4.	Reviver of 13 & 14 *Car.* 2. *Cap.* 21. and made perpetual.
Nominating Sheriffs for Wales, **and certifying their Names, 1 *W & M. Seſſ.* 1. *Cap.* 27. § 3.**	Juſtices of great Seſſions in *wales* to nominate Three for each Shire in their Circuits to be Sheriffs, and to certifie their names to the Privy Councll *Craſt. animarum.*
Taking on diſcharge of poor Priſoners, 2 *W & M. Seſſ.* 2. *Cap.* 15. § 3, & 4. **The Oath.**	Sheriff, *&c.* upon diſcharge of poor Priſoners to take an Oath hereby preſcribed before Juſtices of Peace on forfeiture to Priſoner, value of his Debts, and being Perjured to incur penalty for Perjury. The Oath.
Paying reward to Apprehender, &c. of Highway-man, 4 & 5 *W & M. Cap.* 8. § 2.	Sheriffs to pay Fourty pounds reward to Apprehender and Proſecutor of Highway-man on Judges Certificate, and where removal or death before payment, ſucceſſor to pay on Penalty of double the ſum.
Allowed diſburſement, § 4.	Sheriffs their Executors, *&c.* on producing Certificates and Receipts, to be allowed on account Money diſburſed, except Penalty.
Where not ſufficient in hand to reimburſe himſelf, § 5.	If Sheriff on account hath not ſufficient in his hands to Reimburſe himſelf then to be repaid out of the Revenue on Clerk of Pipes Certificate.
Paying reward to Apprehender, &c. of Clipper, Coiner, &c. 6 & 7 *W* 3. *Cap.* 17. § 9.	Sheriff to pay Apprehender and Convictor of Coiner, Clipper, *&c.* or any bringing in falſe Coin Fourty pounds, on Judges Certificate, on Penalty of double the ſum.
Reimburſement, § 10.	Sheriff to be allowed Reward on Account.
§ 11.	If not ſufficient in his hands to be Reimburſed out of Revenue.

Shoemakers, ſee *Trades.*
Silk, ſee *Drapery.*
Simony, ſee *Eccleſiaſtical perſons, Election and Preſentation.*

Slander.

News, Falſe Tales, Sedition, Prophecy.

They who utter falſe News, whereby diſcord may ariſe between King and People, ſhall be Impriſoned till the firſt Author produced.	**Uttering falſe News, 3 *Edw.* 1. *Cap.* 34. *W.* 1.**
Deviſers of falſe News and Lyes to ſet Diſcord among the King and Lords, or Lords and Commons, Impriſon till Author produced.	**Deviſers of falſe News and Lyes, 2 *R.* 2. *c.* 5.**
He that cannot find the Author, ſhall be puniſht by Advice of the Council.	**Finding Author, 12 *R.* 2. *Cap.* 11.**
Slander of the Marriage of *Hen.* 8. with *Anne Bullen*, Treaſon.	**Slander, Treaſon, 25 *Hen.* 8. *Cap.* 12.**
Diſturbing the Government thereby, Treaſon.	**Diſturbing, *c.* 22. § 9.**
Of Marriage of *H.* 8. with *Jane Seymor*, Treaſon.	**Slander Treaſon, 28 *Hen.* 8. *c.* 7. § 25.**
Felony to declare any falſe Prophecy on occaſion of Arms, Fields, Letters, *&c.*	**Declaring falſe Prophecy, Fel. 33 *H.* 8. *c.* 14.**
Falſe Prophecies on occaſion of War, *&c.* Impriſon a year, and forfeit Ten pounds.	**Falſe Prophecies, 3 & 4 *Edw.* 6. *Cap.* 15.**
A Confirmation of 3 *Ed.* 1. *Cap.* 34. and of 2 *R.* 2. *Cap.* 5. Juſtice of Peace to determine offence, Tales of the King or Queen, is Pillory, *&c.* and if Printed, *&c.* loſs of Right-hand.	**Confirm. of Stat. determine offences, Tales on K. and Q. 1 & 2. *Ph. & Mar. Cap.* 3.**
Penalty in 1 & 2 *Ph. & Mar. Cap.* 3. to extend to this Queen, *&c.*	**Penalty extent, 1 *Eliz. Cap.* 6.**
Preaching that Fiſh eating is neceſſary for the ſoul, puniſht as falſe News.	**Preaching up Fiſh-eating, 5 *Eliz. c.* 5. § 40.**
Falſe Prophecy on occaſion of Arms to raiſe Rebellion, forfeit Ten pounds, and impriſon a year.	**Falſe prophecy, 5 *Eliz. Cap.* 15.**
The ſecond Offence impriſon for life, and forfeit Chattels real and perſonal.	**Second Offence, § 3.**
All Juſtices, *&c.* may determine, *&c.*	**Determination, § 4.**
Offence to be proſecuted in ſix months.	**Proſecution, § 5.**
Adviſedly ſpeaking falſe News and Tales againſt the Queen, 1. To pay Two hundred Mark, or Ears to be cut off: 2. Felony, ſo by Defamation or Witchcraft to cauſe Rebellion.	**Falſe News and Tales againſt the Queen Defamation, Witchcraft, 23 *Eliz. Cap.* 2.**
Uſing Profanely or Jeſtingly the Name of God, *&c.* in Plays, to forfeit Ten pounds.	**Uſing Gods name in Plays, 3 *Jac.* 1. *c.* 21.**
No more Coſts then Damages where under fourty ſhillings by Virdict.	**Coſts, 21 *Jac.* 1. *c.* 16. § 6.**
Profane Swearing and Curſing, forfeits Twelve pence a time to the uſe of Poor.	**Swearing and Curſing, *Cap.* 20.**
Saying the King is an Heretick, Papiſt, *&c.* diſable Offices.	**Calling K. heret. or papiſt, &c. 13 *Car.* 2. *c.* 1 § 2**

Smiths and Sope, ſee *Trades.*
Soldiers, ſee *War.*
Southampton, ſee *Sewers.*
Spices, ſee *Merchants.*
Spiritual Laws and Perſons, ſee *Eccleſiaſtical perſons.*
Stains, ſee *Ways.*
Stannaries, ſee *Courts.*
Staple, ſee *Merchants.*
Star-Chamber, ſee *Courts.*
Statutes, ſee *Recognizance.*
Stealing, ſee *Coron.*
Steel, ſee *Mettals.*
Stillyard, ſee *Merchants.*
Stipend, ſee *Fees.*
Strangers, ſee *Aliens.*
Streets, ſee *Ways.*
Stuff, ſee *Drapery.*
Subſidies, ſee *Taxes.*

Suggeſtion.

Petition, Accuſation, Proceſs.

None ſhall be Impriſoned, diſſeiſed, or Condemned without lawful Judgment.	**Impriſonm. Diſſeiſin, 9 *H.* 3. *c.* 29. *Mag. Ch.***
None ſhall be Attacht by Accuſation, or adjudged of life againſt *Magna Charta.*	**Attached, Adjudged, 5 *Edw.* 3. *Cap.* 9.**
None ſhall be taken or diſſeized by Petition or Suggeſtion, without Preſentment of Original Writ.	**Taking diſſeiſin, 25 *Ed.* 3. *Stat.* 5. *Cap.* 4.**
None ſhall be Ouſted or Impriſoned without Anſwer by Proceſs of Law.	**Ouſter impriſonment, 28 *Edw.* 3. *Cap.* 3.**
On ſurety found in Chancery, Proceſs ſhall go thence, and none to be otherwiſe Ouſt or Impriſon by falſe ſuggeſtions to the King.	**Surety, Proceſs, falſe Suggeſtion, 37 *Ed.* 3. *Cap.* 18.**
If not proved by due Proceſs thereon, Party ſhall be Impriſon till Damages and Agreement to Party made, but not puniſht, as if the other were Attaint.	**Proof, 38 *Edw.* 3. *c.* 9.**
If any be put to anſwer without Preſentment before Juſtices or matter of Record, or due Proceſs, and Original, its void, and Error.	**Anſwering, 42 *Ed.* 3. *c.* 3.**
Chancery may give Damages, if untrue.	**Damages, 17 *R.* 2. *c.* 6.**
Muſt contain the Value of Demand, and what hath been received, elſe the King is deceived, and the Grant void.	**Demand, 1 *Hen.* 4. *c.* 6.**

Expoſ. St. 2 *H.* 4. *c.* 2.	An Expoſition of 1 *H.* 4. *Cap.* 6. Expire.
Proof, 2 & 3 *Edw.* 6. *Cap.* 13. §. 14.	Not proved in ſix Months, Conſultation and double Coſts.

Suits in Law, ſee *Taxes.*
Suit of Court, ſee *Services.*
Surgeons, ſee *Trades.*

Superſedeas.

Peace and Good behaviour, 21 *Jac.* 1. *c.* 8. §. 3.	Void of Peace and Good-behaviour, unleſs on Motion in Court, and Sureties worth Five pounds apiece.

Surety, ſee *Bayl.*

Surrender.

Deed, &c. Operation of Law, 29 *Car.* 2. *c.* 3. §. 3.	Shall not be but by Deed or Note in Writing, or by Operation of Law.

Surveyors, ſee *Meaſures.*
Swans, ſee *Fowl.*
Swearing, ſee *Oath.*

Tayl.

Formedon, *Diſcontinuance*, *Eſtates.*

Alienation, 13 *Edw.* 1. *Cap.* 1. *W.* 2.	DOnees ſhall not Alien to diſappoint Donor when Iſſue fails, Feoffment, and Fine ſhall be void.
Uſurpation, Reverſion, *Cap.* 5.	Uſurpations during Eſtate-Tayl, *&c.* ſhall not prejudice him in the Reverſion.
Crown intail'd, 7 *H.* 4. *Cap.* 2.	Of the Inheritance of the Crowns of *England* and *France*, to the Kings four Sons, and the Heirs of each of their Bodies ſucceſſively.
Leaſes, 32 *H.* 8. *c.* 28.	All Leaſes to bind Leſſors, their Heirs, *&c.* as if Seized of Fee-ſimple.
Rent, §. 2.	Iſſue in ſpecial Tayl ſhall have Rent, if Leſſor were ſo Seized.
Barr, *Cap.* 35.	Is barred by Fine and Proclamation, according to 4 *H.* 7. *Cap.* 24.
Forfeiture, §. 2.	But forfeiture by Feme Joyntreſs, by 11 *H.* 7. *c.* 20. remains.
Kings Gift, not barr'd, §. 4.	Of the Kings Gift or by Parliament, is not barred by Fine, *&c.*
Chargeable with debts, &c. 33 *H.* 8. *c.* 39. §. 26.	Is chargeable to pay the Debt by Specialty to the King.
Kings Gift, not barr'd, 34 & 35 *H.* 8. *c.* 20.	Of the Kings Gift, is not barred by Recovery with Voucher or without, where Remainder is in him when had.
Recompence in value, §. 3.	Heir not to have Recompence in Value againſt Vouchee.
Leſſee, Reverſion in the King, §. 4.	Leſſee for One and twenty years, or Three lives, *&c.* ſhall Enjoy againſt Heir in Tayl where Reverſion is in the King.
Forfeiture, 5 & 6 *Ed.* 6. *Cap.* 11. §. 5.	Is forfeit by Attainder of Treaſon, *&c.*
Recital in Q. Patent, 43 *El.* *c.* 1. §. 11.	Muſt be recited in the Queens new Patent.
Fee-farm Rents, 22 & 23 *Car.* 2. *c.* 24. §. 6.	Of Fee-Farm Rent, *&c.* cannot ſuffer Recovery.

Takers, ſee *Purveyors.*
Tales, ſee *Enqueſt.*
Tame Beaſts, ſee *Cattel.*
Tanner, ſee *Trades.*

Taxes.

Tonnage and Poundage, *Subſidies*, *Quinzim*, *Male-Toll*, *Toll*, *Exciſe*, *Impoſition*, *Cuſtoms*, *Poll-Money*, *Benevolence*, *Aſſeſſments*, *Privy-Seals*, *Ship-Money*, *Fifteens*, *Hearth-Money.*

Merchant Strangers, &c. 9 *Hen.* 3. *c.* 30. *Magna Chart.*	Merchant Strangers may freely Buy and Sell by Land or Sea, without any Manner of evil Tolls.
Fifteenth for Grants of Liberties, *Cap.* 37.	The Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, and Free-holders, and other Subjects, gave the King a Fifteenth of all their Moveables for his Grant of Liberties.
Wood-Merchant paying Toll or Chinage, 9 *H.* 3. *St.* 2. *c.* 14. *Ch. de Foreſta.*	Wood-Merchant ſhall pay Toll or Chinage to Foreſter in Fee-Farm, Two pence half yearly for Cart, and a halfpeny for a Horſe-Load, and nothing for a Mans Burden, except in the Kings Demean.
Seizure for Toll, &c. 3 *Ed.* 1. *c.* 31. *W.* 1.	Seizure of Market for outragious Toll, and of Franchiſe of Murage on taking otherwiſe then Grant.
Aids of Miniſters, &c. 25 *Ed* 1. *c.* 5. *At Lond.*	Aids, and Taſks, and Prizes taken by Miniſters towards the Kings War, ſhall not be drawn into Cuſtom.
Taking Aids without common conſent, *c.* 6.	No ſuch Aids, Taſks nor Prizes but what is ancient and accuſtomed, ſhall be taken without the Common Conſent of the Realm.

No Male-Toll of Wooll, or Toll of Fourty ſhilling a Sack, ſhall be taken without the Common Aſſent and Good will, ſaving the Cuſtoms of Wooll, Skins, and Leather.	Male-Toll of Wooll, or Toll without common Aſſent, *Cap.* 7.
No Tallage or Aid to be Levied without Aſſent of Archbiſhop, Biſhops, Earls, Barons, Knights, Burgeſſes, and other Freemen.	Tallage, &c. without Aſſent, *Temp. Ed.* 1. *p.* 71. *Cap.* 1.
Nothing ſhall be taken of Sacks of Wooll by colour of Male-Tenant.	Nothing for Sacks of Wooll, *Pag.* 72. *c.* 3.
Toll ſhall be twenty or twenty four Corns, as ſtrength of Water to Mill is, by Raſe, and not by Cantel or Heap.	Multure, *Incert. temp. p.* 85. 17 *Ed.* 2. *c.* 4.
Shall be after the old manner, and not otherwiſe; no Commiſſioners to Enquire of Defaults of Taxes after payment into Exchequer.	As uſually, no enquire of Defaults, 1 *Ed.* 3. *Cap.* 6.
Aids to make the Kings Son a Knight, and Marry Daughter, Pardon.	Aids, &c. 14 *Edw.* 3. *Cap.* 2.
Pardon of Debts, Accounts and Arrearages to 10 *Ed.* 3.	Debts, Accounts, &c. pardoned, *Cap.* 3.
A Subſidy Grant by the Lords and Commons of the Ninth Fleece, Lamb, and Sheaf, for his Pardons, Releaſe, Wars, and preſerving Rights.	Subſidy of 9th Fleece, &c. *Cap.* 20.
A Subſidy in reſpect of Wars, Grant of Wooll, Woolfells, Leather.	Subſidy of Woolls, &c. *Cap.* 21.
The Subſidies Grant ſhall be no Example nor Charge of his Wars, but all the Profits of thoſe and Wards, Marriage, Cuſtoms and Eſcheats, ſhall be ſpent for Maintenance of the War, and ſafety of the Realm.	Subſidies no Example, &c. Profits for War, &c. 14 *Ed.* 3. *St.* 2. *c.* 1.
The Conditions demanded by the Great Men and Commons, on Grant of former Subſidy.	Conditions on former Subſ. 18 *Ed.* 3. *p.* 108.
Two Quinzims by the Commonalty, and two Diſms by Cities and Burroughs payable in two years towards Wars in *France* and *Scotland.*	Quinzims and Diſms for Wars in Fr. & Scot. *Pag.* 109.
A Triennial Diſm Grant by the Clergy towards Wars in *France.*	Triennial Diſm for Wars in France, *c.* 1.
Surplus of Wages more then uſually taken, ſhall go to pay it.	Surplus of Wages, 23 *Edw.* 3. *c.* 8.
Forfeitures of Servants ſhall be employed to aid Diſm, Quinzim.	Forfeitures of Servants, 25 *Ed.* 3. *c.* 8.
Aid reaſonable to Marry the Kings eldeſt Daughter, and make his Son a Knight, of every Knights Fee Twenty ſhillings, if no Mean, and of every Twenty pounds ſo, or in Soccage Twenty ſhillings.	Aid reaſonable, 25 *Ed.* 3. *St.* 4. *c.* 11.
The King Grants all Iſſues, Fines, Forfeitures, and Amerciaments of Labourers, Artificers, Regrators, Victuallers, and Servants in aid of Diſm, and Fifteen Grant by the Commons.	Aids of Diſms and Fifteenths, 25 *Ed.* 3. *St.* 5. *p.* 122.
A ſubſidy Grant of every Cloth, or Releaſe of the Kings Forfeitures for want of Meaſure.	Cloth, 27 *Ed.* 3. *c.* 4.
A Fifteenth grant in lieu of Pardon of Eſcapes of Felons.	Fifteenth for Eſcapes, 31 *Ed.* 3. *c.* 13.
Three ſubſidies grant not to be any Example.	3 Subſidies not any example, 36 *Ed.* 3. *c.* 11.
Shall not be other then the Cuſtoms of Wooll, VVoollfels, and Leather, without Aſſent of Parliament, elſe void.	Not without Aſſent, 45 *Ed.* 3. *c.* 4.
A ſubſidy grant to be wholly employed for keeping the Sea.	Subſidy for Sea, 5 *R.* 2. *St.* 2. *c.* 3.
No Impoſition on VVoolls, *&c.* but by Parliament, ſaving the Kings ancient Right.	Impoſ. on Wooll, &c. 11 *Rich.* 2. *c.* 9.
Goods where they were taken when granted are liable, and any Place in the County may be Diſtrained, but not doubly charged.	Goods liable, &c. 9 *H.* 4. *Cap.* 7.
No Abbot nor Prior ſhall be appointed by Biſhop, Collector of Diſm out of the County.	Collector of Diſm, 9 *Hen.* 5. *c.* 9.
On every twenty Chaldron of Coals at *Newcaſtle*, Two pence.	Newcaſtle Coals, *Cap.* 10.
Collectors charged in Account, ſhall have Debt againſt their Companions.	Collectors, 9 *Hen.* 5. *Stat.* 2. *c.* 10.
A Collector of Diſm or Quinzim appoint by Citizens or Burgeſs for the Town, ſhall not be Collector for the County, unleſs he can Expend Five pounds *per annum.*	Collectors of Diſm or Quinzim, 18 *H.* 6. *c.* 5.
Sheriff ſhall not Levy Head-pence in *Northumberland*, on forfeit of One hundred pounds.	Head-pence in Northumb. 23 *H.* 6. *c.* 7.
Of VVages of Knight of Parliament, ſhall be by Sheriff in preſence of Coroners, and Conſtables on Hundreds and Towns uſed, proportionably, and deliver, and all Juſtices to determine.	Wages of Knights of Parliament, *Cap.* 11.
No new Impoſition to be on Buyers of VVine of the Kings Officers in *Gaſcoyn* or *Guyen*, on pain of Twenty pounds, and treble Damages.	Buyers of Wine in Gaſcoyn or Guyen, *Cap.* 18.
A Confirmation of a ſubſidy on VVoolls, *&c.* grant by 31 *H.* 6.	Subſidy on Woolls, 31 *Hen.* 6. *c.* 8.
Several Ordinances for true payment of Tonnage and Poundage, grant 5 *Edw.* 4. to the King during life.	Ordinances for Tonnage and Poundage, 12 *Edw.* 4. *c.* 3.
Subiect ſhall not be charged with Benevolences that hath broken up Houſe-keeping.	Benevolences, 1 *R.* 3. *Cap.* 2.
Collector of Diſm of Clergy ſhall not be charged with Actions in Exchequer, but in other Courts may.	Collector of Diſm of Clergy, *Cap.* 14.

Alien made Denizen, 1 *H.* 7. *c.* 2.	Alien made Denizen ſhall ſtill pay double Cuſtoms.
Diſcharging Spiritual perſons, 7 *H.* 7. *c.* 6.	Grant to Spiritual perſons to be diſcharged, ſhall extend no further then in time of *Edw.* 4.
Levying former Benevolence, 11 *H.* 7. *c.* 10.	A remedy to levy a former Benevolence.
Boats, &c. on Severn, 19 *H.* 7. *c.* 18.	Shall not be laid on Boats, Ships, or Troughs paſſing on the *Severn.*
Toll, &c. for Stayns Bridge, 1 *H.* 8. *c.* 9.	Chancellor to appoint two or three, or four to receive Toll of Cuſtom, and employ it to repair *Stayns* Bridge.
Tonnage and Poundage, 6 *H.* 8. *c.* 14.	That 12 *Edw.* 4. *Cap.* 3. of Tonnage and Poundage, ſhall ſtand good during the Kings life.
Plumſtead Marſh, 22 *H.* 8. *c.* 3.	For the Inning of *Plumſtead* Marſh, and Entry for non-payment.
Boats, &c. drawn up Severn, 23 *H.* 8. *c.* 12. §. 2.	Shall not be Exact, nor Bottels of Wine, of Barges, Troughs, or Boats drawn up the *Severn* a Foot and half.
Rome, 25 *H.* 8. *c.* 21. §. 2.	Shall not be paid to *Rome.*
Diſpenſation, Faculties, &c. §. 11.	Shall be ſet by Archbiſhop, Chancellor, Treaſurer, and two Chief Juſtices, for Diſpenſation, Faculties, *&c.*
Exactions at Hull, 27 *H.* 8. *c.* 3.	A Reſtraint of Exactions taken by Corporation of *Hull.*
Tenths of Abbe Lands diſcharge, 32 *H.* 8. *c.* 22. §. 5.	There being many falſe Certificates of Tenths of Abbe Lands, the Biſhop on Oath he cannot Levy them, ſhall be diſcharged.
Subſidy by Canterbury and York, *c.* 23.	A Subſidy of Four ſhillings in the Pound by *Canterbury*, what ſhall after be grant by *York* in two years, Confirmed.
Subſidy, 32 *H.* 8. *c.* 50.	Grant of a Subſidy.
Fiſher-men at Hull, 33 *H.* 8. *c.* 33.	A Repeal of 27 *H.* 8. *Cap.* 3. and that Mayor of *Hull* may take of all Fiſher-men, Two pence for Laſt of Herring Priviledge, and Two ſhillings ſix pence of thoſe not Priviledge.
Loans to K. remit. 35 *H.* 8. *c.* 12.	The Lords and Commons remit all Loans, Preſent, or Privy Seals, *&c.* borrowed by the King.
Crombe Marſhes, 37 *H.* 8. *c.* 11.	Every Owner of *Crombe* Marſhes in *Greenwich*, ſhall Contribute to Reparation, and be Diſtrained.
Subſidy by Clergy, *Cap.* 24.	A Subſidy grant by the Clergy of Six ſhillings in the Pound, to be paid in Two years, Confirmed.
Tonnage and Poundage, 1 *Ed.* 6. *c.* 13.	A Subſidy of Tonnage and Poundage granted to the King for Life.
Subſidy by Clergy, 2 & 3 *Ed.* 6. *c.* 35.	A Subſidy by Clergy of Six ſhillings in the Pound in Three years, Confirmed.
Relief by Temporality, *Cap.* 36.	A Relief by Temporality grant out of Sheep, Clothes, Goods, Debts, in Three years.
Relief, part releaſed and part continued, 3 & 4 *Ed.* 6. *c.* 23.	The Relief out of Sheep and Clothes 2 & 3 *Ed.* 6. *Cap.* 36. releaſt by the King, and continued for the Goods, a Subſidy of Twelve pence in Twenty ſhillings, for Goods, and of Aliens Two ſhillings.
Under-Collector to Enter Recognizance, 7 *Ed.* 6. *c.* 4. §. 2.	Under-Collector to Enter Recognizance in Firſt-fruits, to anſwer Tenth and yearly Duties to the King.
Subſidy, Fifteenths & Tenths by Temporality, *c.* 12.	A Subſidy and two Fifteens and Tenths by the Temporality, paid in Two years.
6 s. in 20 s. by Clergy, *Cap.* 13.	A Confirmation of Six ſhillings in Twenty ſhillings, paid in Three years by the Clergy.
Releaſe of Subſidy by Temporality reſerving Fifteens, 1 *Mar. St.* 2. *c.* 17	A Confirmation of the Queens Releaſe of a Subſidy given by Temporality to *Edw.* 6. 7 *Edw.* 6. *cap.* 12. reſerving the two Fifteens, *&c.*
Tonnage & Poundage, *Cap.* 18.	Tonnage and Poundage grant to the Queen for Life out of certain Merchandize.
Subſidy, 2 & 3 *Ph. & Mar.* *c.* 22.	A Confirmation of Six ſhillings eight pence in the Pound, Subſidy to the King and Queen in three years.
Subſidy by Temporality, *c.* 23.	Confirmation of a Subſidy grant to the King and Queen by the Temporality.
Subſidy by Clergy, 4 & 5 *Ph. & Mar.* *c.* 10.	A Subſidy of Eight ſhillings in Twenty ſhillings by Clergy paid in Four years, Confirmed.
Tonnage & Poundage, 1 *Eliz.* *c.* 20.	Tonnage and Poundage of certain Merchandize grant for Life.
Subſidy by Temporality, *c.* 21.	A Subſidy and two Fifteens by the Temporality, Confirmed.
Subſidy by Clergy, 5 *Eliz.* *c.* 29.	A Subſidy of Six ſhillings the Pound in three years, by the Clergy, Confirmed.
Fifteens by Temporality, *c.* 30.	Two Fifteens by the Temporality.
Subſidy by Clergy, 8 *Eliz.* *c.* 17.	A Subſidy of Four ſhillings in the Pound by the Clergy in three years, Confirmed.
Subſidy and Fifteenth by Temporality, *c.* 19.	One Subſidy and a Fifteenth by Temporality, Confirmed.
Subſidy by Clergy, 13 *Eliz.* *c.* 26.	Subſidy of Six ſhillings in One Pound by Clergy in three years, Confirmed.
Fifteenth, Tenth and Subſidy by Temporality, *c.* 27.	Two Fifteenths and Tenths, and one Subſidy by the Temporality, Confirmed.
Aſſeſſment for Poor, 14 *Eliz.* *c.* 5.	Aſſeſſments of Pariſhioners of every Pariſh for Relief of Poor.
§. 2.	On every Pariſh not to exceed Six pence, or eight pence the Week, to be Rated by Seſſions.
Lands of Under-Collector, *c.* 7.	Lands of Under-Collector to be ſold for non-payment, *&c.*

A Subſidy of Six ſhillings in the Pound by Clergy in three years, Confirmed.	Subſidy by Clergy, 18 *Eliz.* *c.* 22.
Three Fifteenths and Tenths, and one Subſidy by Temporality.	Fifteenth, Tenth and Subſidy by Temporality, *c.* 23.
Subſidy Six ſhillings eight pence the Pound by Clergy in three years, Confirmed.	Subſidy by Clergy, 23 *Eliz.* *c.* 14.
A Subſidy and two Fifteens by Temporality, Confirmed.	Subſidy and Fifteenths by Temporality, *c.* 15.
By Juſtice of Peace of *Norfolk*, within three Miles of Sea-Banks, *&c.* to Repair by Days-works, as of High-ways.	Sea-Banks in Norfolk, 27 *El.* *c.* 24. §. 3.
A Subſidy of Six ſhillings the Pound by the Clergy in three years.	Subſidy by Clergy, *Cap.* 28.
One entire Subſidy and two Fifteens by the Temporality.	Subſidy and Fifteens by Temporality, *c.* 29.
A Subſidy of Six ſhillings in the Pound in three years by the Clergy,	Subſidy by Clergy, 29 *Eliz.* *c.* 7.
A Subſidy and two Fifteens by Temporality.	Subſidy and Fifteens by Temporality, *c.* 8.
Confirmation of Two Subſidies of Six ſhillings in Twenty ſhillings by the Clergy, Two ſhillings in Twenty ſhillings yearly.	Subſidy by Clergy, 31 *El.* *c.* 14.
Of Two ſubſidies and Four Fifteens by Temporality to the Queen.	Subſidy, &c. by Temporality, *c.* 15.
Confirmation of Two Subſidies of Four ſhillings in Twenty ſhillings a year by the Clergy.	Subſidy by Clergy, 35 *Eliz.* *c.* 12.
Confirmation of three Subſidies and ſix Fifteens by Temporality.	Sub. and Fifteens by Temporality, *c.* 13.
For Relief of Soldiers and Mariners, not above eight pence the Week, nor under Two pence each Pariſh.	Soldiers and Mariners, 39 *El.* *c.* 21.
Of three Subſidies of Four ſhillings in Twenty ſhillings by the Clergy, paid at ſix ſeveral days.	Subſidy by Clergy, *Cap.* 26.
Of three entire Subſidies, and ſix Fifteens and Tenths by Temporality.	Subſidy, &c. by Temporality, *Ibid.*
Of Four Subſidies of Four Shillings in Twenty ſhillings, by the Clergy.	Subſidy by Clergy, 43 *Eliz.* *c.* 17.
Grant of Four entire Subſidies, and eight Fifteens and Tenths by Temporality.	Subſidies, &c. by Temporality, *c.* 18.
By Mayor, *&c.* Two Juſtices for Relief of Poor in Plague-time.	Poor in Plague-time, 1 *Jac.* 1. *c.* 31. §. 2.
On Ships of twenty Tuns for the Repair of *Dover.*	Dover, *c.* 32.
Tonnage of Three ſhillings *per* Tun of Wine Import, Aum of *Rheniſh* Twelve pence, and of Poundage every Twenty ſhillings Import or Export, Twelve pence, and of Tin and Pewter Export, Twelve pence more for Life.	Tonnage, *c.* 33.
Of Sacks of Wooll Thirty three ſhillings four pence, for Two hundred and fourty Woollfells Thirty three ſhillings four pence, for Laſt of Hydes Three pounds ſix ſhillings eight pence, of Strangers double to the King for Life.	Wooll, Woolfels, Hydes, §. 2.
Four Subſidies of Four ſhillings in Twenty ſhillings by the Clergy.	Subſidy by Clergy, 3 *Jac.* 1. *c.* 25.
Three entire Subſidies and ſix Fifteens by the Temporality.	Subſidy, &c. by Temporality, *c.* 26.
Confirmation of Subſidy by Clergy to the King.	Subſidy by Clergy, 7 *Jac.* 1. *c.* 22.
One Subſidy and one Fifteen granted by Temporality to the King.	Subſidy, &c. by Temporalty, *c.* 23.
Three entire Subſidies by Spirituality.	Subſidy by Spirituality, 18 *Jac.* 1. *c.* 1.
Two entire Subſidies grant by Temporality.	Subſidy by Temporality, *c.* 2.
Four entire Subſidies by Spiritualty.	Subſidy by Spiritualty, 21 *Jac.* 1. *c.* 23.
Three entire Subſidies, three Fifteens and Tenths, whereof Eighteen thouſand pounds to be for the Repair of decayed Towns, and the reſidue in War againſt *Spain.*	Subſidy, Fifteens and Tenths, *c.* 34.
Three entire Subſidies by Spiritualty.	Subſidy by Spiritualty, 1 *Car.* 1. *c.* 5.
Two entire Subſidies by Temporalty.	Subſidy by Temporality, *c.* 6.
That none be compelled to yield Gift, Loan, Benevolence, Tax, or ſuch like Charge, without Parliament.	None compellable without Parliament, 3 *Car.* 1. *Petition of Right* *p.* 1096. §. 10.
Five Subſidies grant by Spirituality.	Subſidy by Spiritualty, 3 *Car.* 1. *c.* 6.
Five by Temporality.	Subſidy by Temporality, *c.* 7.
Four entire Subſidies for Relief of Northern Army.	Subſidy for North. Army, 16 *Car.* 1. *c.* 2.
Miſtakes in the Grant of the Subſidies as to Commiſſioners, *&c.* Rectifie.	Miſtakes as to Commiſſioners, rectified, *c.* 3.
Two Subſidies for further Relief of Nothern Army.	Subſidy for North. Army, 17 *Car.* 1. *c.* 4.
A Subſidy of Tonnage and Poundage on Merchandize Import or Export.	Tonnage & Poundage, *Cap.* 8.
A ſpeedy Proviſion of Money for Diſbanding of Army, *&c.* charged on Perſons according to Rank,	Proviſion for Diſbanding Army, *c.* 9.

	Dignity, Office, Calling, Eſtate, and Quality, *&c.*
Tonnage and Poundage, *Cap.* 12.	A Subſidy of Tonnage and Poundage from 15 *July* to 10 *Auguſt*, 1641.
Securing Money to York and Officers, *Cap.* 13.	For ſecuring Moneys due to *York*, and Officers that forbear their Pay, according to an Order of the Commons.
Furniſhing Ships, *c.* 14.	By the Kings Writ on imminent Danger to furniſh Ships, void.
Ship-Money, § 2.	The Judge of *Extra* Judicial Opinion of Ship-Money, againſt Law.
Petition obſerved, § 3.	All prayed by the Petition 3 *Car.* 1. §. 10. ſhall be kept.
Scotland, *Cap.* 18.	Security by Publick Faith, Remainder of Friendly Aſſiſtants, and Relief of *Scots*.
Knight-hood, *Cap.* 20.	None ſhall be Fined by Writ, *&c.* to take Order of Knighthood.
Tonnage and Poundage, *Cap.* 22.	A Subſidy of Tonnage and Poundage, and other ſums, from 9 *Auguſt* to 1 *December*, 1641.
Captives in Turky, *c.* 14	To Relieve Captives taken by *Turkiſh* Pirates, One *per Cent.* on Cuſtoms.
Tonnage and poundage *Cap.* 25.	A Subſidy of Tonnage and Poundage from 30 *Nov.* to 1 *Febr.* 1641. ſo till 2 *July*, 1642.
Tonnage and poundage *Cap.* 29.	Tonnage and Poundage, a Subſidy from 31 *Jan.* 41. to 25 *March* next.
Ireland, *Cap.* 30.	A Contribution and Loan for Diſtreſs of *Ireland*.
Tonnage, &c. *c.* 31.	A Subſidy of Tunnage, *&c.* from 2 *May* to 2 *July*, 1642.
Parliament debts, &c, *Cap.* 32.	For neceſſary Defence and great Affairs of *England*, &c. and payment of Parliament Debts.
Tonnage, &c. *c.* 36.	A Subſidy of Tonnage, *&c.* from 14 *March*, 1642. to 3 *May* next.
Executing Ordinance, 12 *Car.* 2. *c.* 2.	For executing an Ordinance for ſeventy thouſand pounds *per menſem* for three Months.
Tonnage and poundage *Cap.* 4.	Tonnage four pounds ten ſhillings French Wines, ſubjects, ſix pounds, Aliens, ſweet Wines fourty ſhillings, and three pounds, *&c.* as in Book of Rates and Poundage of Goods of ſubjects, twelve pence in twenty ſhillings, and two ſhillings Alien, except as in Book of Rates.
§ 2.	Of Woollen Cloth Export, a Subſidy Three ſhillings four pence Broad and Narrow *Pro rata*, all which is grant to the King for life.
§ 13.	Wines of *France*, *Germany*, *Portugal*, and *Madera*, to pay Three pounds *per* Tun in nine months after Import, beſide Tonnage.
§ 14.	Wines Imported to be free from Exciſe.
§ 15.	Priſage, or Prize-Wines, not chargeable to Cuſtoms or Subſidies of Tonnage, *&c.*
Exciſe, *Cap.* 5.	For continuing the Exciſe until 20 *Auguſt*, 1660.
Exciſe, *Cap.* 8.	For continuing the Exciſe till 25 *December*, 1660.
Proviſion for Disbanding, Army, *c.* 9.	Proviſion of Money by Contribution, according to Ranks and Degrees, for Disbanding the Forces by Sea and Land.
Poll-Money, *c.* 10.	Explanations of 12 *Car.* 2. *Cap.* 9. of Poll-Money.
Money for Diſb. Army and Navy, *c.* 20.	Of Fourteen hundred thouſand pounds for disbanding the Army, and part of the Navy.
Preſent Supply, *c.* 21.	Of ſeventy thouſand pounds for preſent Supply of his Majeſty.
New Impoſt, *c.* 23.	New Impoſt grant to the King for life.
§ 2.	For Barrel of Ale or Beer above ſix ſhillings, by Brewer fifteen pence.
Exciſe on Liquors to the King for Life, § 3.	Of ſix ſhillings Beer, three pence the Barrel, § 4. of Syder and Perry fifteen pence the Hogſhead by retailer.
§ 5.	Of Metheglin retail every Gallon (*Ob.*)
§ 6.	Barrel of Vinegar Beer by Brewer ſix pence.
§ 7.	Gallon of *Aqua vitæ* by Maker one peny, of Barrel of Beer Import three ſhillings.
§ 9.	Every Tun of Syder Import five ſhillings.
§ 10.	Gallon of Spirits of Wine or Syder two pence.
§ 11.	Gallon of Strong-Water perfectly made, Import four pence.
§ 12.	Gallon of Coffee by Maker four pence.
§ 13.	Gallon of Chocolet, Sherbett, Tea, by Maker eight pence.
§ 27.	May be Farmed out by Commiſſioners.
§ 33.	Exciſe-Office to be kept from Eight to Twelve, and and from Two to Five.
Former Exciſe, *c.* 24. § 15	The former Exciſe given to the King in Fee, in lieu of Tenures and Purveyance.
Twelve Months Aſſeſſment, *c.* 26.	Of Twelve months Aſſeſſment from 24. *June*, 1659. and ſix months from 25. *December*, 1659.
Poll, *Cap.* 27.	Of fourty two thouſand pounds in ſix Months by Aſſeſſment at ſeventy thouſand pounds *per menſem*, for Disbanding the Army by the Poll, *&c.*
Supplying defect, *c.* 28.	For ſupplying Defects in 12 *Car.* 2. *Cap.* 27.
Further Supply, *c.* 29.	Of ſeventy thouſand pounds for further Supply of his Majeſty.
Preſent to the King, 13 *Car.* 2. *c.* 4.	Of a free and voluntary Preſent to the King, no Aids to be levied but by Parliament, *&c.*
A Grant for eighteen Months, 13 *Car.* 2. *Stat.* 2. *c.* 3.	Grant of One million two hundred ſixty thouſand pounds, by ſeventy thouſand pounds *per Menſem*, for eighteen Months.
Charging County, &c. 13 & 14 *Car.* 2. *c.* 3. § 7.	Any three Lieutenants or Deputies to charge County, not exceeding the Fourth of Months Tax of ſeventy thouſand pounds *per Menſem* in a year, for Ammunition, *&c.*

The King in three years from 25 *June*, 1662. may on Apparent danger raiſe, not exceeding ſeventy thouſand pounds in one year, *&c.*	King may raiſe Money, § 23.
For Diſtribution of ſixty thouſand pounds among Loyal Indigent Officers.	Indigent Officers, *c.* 1.
Every Dwelling-houſe, Edifice, Lodging, *&c.* in Inns of Court, Colledge, *&c.* charged with two ſhillings *per annum*, at *Michaelmas* and *Lady-Day*, for every Fire-Hearth and Stove.	Hearth-Money, *c.* 10.
Occupier in ſix days notice by Conſtable, *&c.* to deliver Account of number.	§ 2.
Conſtables, *&c.* to require Note of Occupier, and if none to enter on ſix days notice, poſted.	§ 3.
Conſtable to deliver Account next Seſſions, Quarter, *&c.* and Names of Refuſers.	§ 4.
Accounts to be Enrolled by Juſtices, *&c.* and return into Exchequer within a month.	§ 5.
Treaſurers and Officers of Inns of Courts, *&c.* to collect in ſix days of half year, and acquit.	§ 6.
Diſtreſs and Sale of Goods of Refuſer, to pay.	§ 7.
Conſtables, *&c.* in twenty days to pay to High-Conſtables, deducting two pence in twenty ſhillings.	§ 8.
High-Conſtable to pay in ten days after to Sheriff, deducting one peny in twenty ſhillings.	§ 9.
Sheriff in thirty days to return Receits and Names of Defaulters.	§ 10.
Sheriff of *London* and *Surrey*, &c. to be Collectors, except in Inns of Court, and deduct four pence in twenty ſhillings.	§ 11.
Exchequer to diſcharge Officers on payment without Fee.	§ 12.
This Duty to be anſwered into Exchequer, and not chargeable with Penſion, *&c.*	§ 13.
Party ſued to plead General iſſue, and have treble Coſts.	§ 14.
An Account to be Increaſe and Decreaſe of Hearths into Exchequer.	§ 15.
Suit for Arrears to be within two years, or Judgment within four, and levied in five years.	§ 16.
None exempt from Duties to Church and Poor, to be charged by this Act.	§ 17.
On Certificate that Houſe is not worth above twenty ſhillings *per annum*, and no Lands, to be diſcharged.	§ 18.
Acceptance of Penſion out of this Act, forfeits the Moiety.	§ 19.
Not to charge blowing Houſe, Stamp, Furnace, or Kiln, or private Oven.	§ 20.
This charge to be on Occupier, his Executors, *&c.* and not on Landlord.	§ 21.
None indebted by this Act to be Privileged as the Kings Debtor, to ſue, or aſſign, *&c.*	§ 22.
By Mayor of *London*, &c. Juſtices, on want of Stock of Corporation, not to exceed a years Relief to Poor.	Poor, *Cap.* 12. § 7.
Seſſions may raiſe under five hundred pounds *per annum* in *Northumberland*, and under two hundred pounds in *Cumberland*, againſt Moſs-Troopers, *&c.*	Moſs-Troopers in Northumberland and Cumberland, *c.* 22. § 3.
For ſeven years a Tax on Ships, as 1 *Jac.* 1. *Cap.* 32 for Repair of *Dover* Harbour to be taken and entred by Cuſtomers.	Dover Haven, *c.* 27.
Maſter, *&c.* of *Trinity* Houſe to Overſee and appoint repairs.	§ 3.
Ships of *weymouth*, *Melcom*, and *Lyn*, to be exempt on certificate, *&c.*	§ 4.
Collection to ceaſe when two and twenty thouſand pounds is raiſed.	§ 5.
For Highways in *Cambridge*, *Hartford*, and *Huntington*, Seſſions may impoſe Toll.	Highways, in Camb. *&c.* 15 *Car.* 2. *c.* 1. § 4
To ceaſe within eleven years when way is repaired, and what is borrowed repay.	§ 18.
For Explaining and ſupply of 14 *Car.* 2. *Cap.* 8. of ſixty thouſand pounds to Indigent Officers.	Supply for Indigent Officers, *c.* 3.
Any three Lieutenants to diſpoſe the fourth part of a Months Tax of ſeventy thouſand pounds to inferiour Officers.	Diſpoſition to Inferiour Officers, *c.* 4. § 12.
Four entire Subſidies by the Temporalty.	Subſid. by Temp. *c.* 3.
Confirmation of four Subſidies by Clergy.	Subſid. by Clergy, *c.* 10
For ſupply of amendment of the Statutes relating to the Exciſe.	Exciſe, *Cap.* 11.
Seſſions on notice the Sunday before, to Iſſue Warrants to Occupiers, to give names and numbers of Chimneys, *&c.*	Chimney, and Chimney-money, *c.* 13.
Untrue Account forfeits fourty ſhillings every one omit.	§ 2.
Officer making Default of Tranſmitting, or notice, or comparing, forfeits five pounds.	§ 3.
High-Conſtable not comparing, or not Tranſmitting, forfeits ten pounds.	§ 4.

§. 5.	Change of Officer no diſability to levy what was due when Officer.
§. 6.	Neglect of Collecting, paying, *&c.* forfeits twenty ſhillings *per* Week.
§. 7.	Conſtable may Enter or Diſtrain, aſſiſted by two Inhabitants.
§. 8.	Sheriff appointed may execute Collector by Deputy.
§. 9.	Treaſurer and Officers of Inns of Court, Chancery, Colledges, *&c.* to do all as Conſtables, and Occupier of Chamber to do as of Houſe, *&c.*
§. 10.	Bailiff of *Weſtminſter* to act as Sheriff, and be ſubject to the ſame Penalty.
§. 11.	Bailiff of Borough of *Southwark*, to have like powers as Sheriffs.
§. 12.	Treaſurer and Chancellor of Exchequer to give allowance to Clerk of the Peace for Writing, *&c.* not exceeding one peny in the pound yearly.
Hearth-Mony, 16 *Car*. 2. *c*. 3. §. 2.	The King by Advice of Lord Treaſurer, *&c.* to make officers to certifie and collect Hearths.
§. 3.	Officer or Deputy in an hour after demand, to levy by diſtreſs and ſale.
§. 4.	No Owners to be charged after two years Arrear to the King, violent Oppoſer Impriſon.
§. 5.	None to be Officer but on ſecurity and Oath for due Execution, to acquit, *&c.*
§. 6.	Next Occupier to be charged with Arrear where former left in middle of half year.
§. 7.	On ſeverance of Dwelling-houſe, all to pay that are not Alms-men.
§. 8.	Next Juſtice of Peace to determine difference in taking diſtreſs.
§. 9.	Collector to anſwer to Exchequer in three Months after *Lady-day* and *Michaelmas*.
§. 10.	None to be prejudiced that were Exempt till 1664.
§. 11.	Collector to ſatisfie pety Conſtable all Allowances, *&c.*
For Navy againſt the Dutch, 16 & 17 *Car*. 2. *c*. 1.	For the extraordinary Charge in Equipping a Navy againſt the *Dutch*.
Royal Aid, §. 2.	A Royal Aid of 2477500 pounds to be paid to the King in three years.
§. 3.	The ſeveral proportions of each County, §. 4. the Commiſſioners Name.
§. 5.	Majority of the firſt Meeting to Execute the Act, *&c.*
§. 6.	Majority of the firſt Meeting to divide into Hundreds and Diviſions.
§. 7.	Any two Commiſſioners of Diviſion to proportion the Charge thereon, and appoint Aſſeſſors to Act by a Pound-Rate, *&c.*
§. 8.	The times of the ſeveral Quarterly Payments by Officers into Exchequer.
§. 9.	Aſſeſſors to deliver Copy to Commiſſioners, and any two Commiſſioners to Sign and Seal two Duplicates.
§. 10.	Any two Commiſſioners of Diviſion to appoint Head-Collector.
§. 11.	Sub-Collectors to pay to Receivers-General, they to Exchequer.
§. 12.	Sub-Collectors Fee, One peny in Twenty ſhillings.
§. 13.	No Head-Collector in Towns charged, but in *London*.
§. 14.	On refuſal Diſtreſs and Sale, to break Houſe in day-time.
§. 15.	Tenants to pay and deduct out of Rent, and §. 16. to be diſcharged for ſo much.
§. 17.	Commiſſioners to ſettle Difference between Landlord and Tenant.
§. 18.	On Complaint within ſix days, one Commiſſioner that Signed the Aſſeſſment to Relieve.
§. 19.	Any three Commiſſioners to Fine Officer on willful neglect.
§. 20.	Collector, *&c.* refuſing to pay, to be Impriſon, and Eſtate ſeize, *&c.*
§. 21.	Any two Commiſſioners when time of payment expires, to examine Receits, *&c.*
§. 22.	Commiſſioner concerned in Controverſie, to withdraw.
§. 23.	None to be exempt, but priviledged, Fee-Farms, Annuities, *&c.* chargeable.
§. 24.	Not to charge Univerſities, *&c.* §. 25. Tenants of Hoſpitals to be Taxt.
§. 26.	Perſonal Eſtate chargeable where Party lives.
§. 27.	Not to abate the ſum Total.
§. 28.	If Pound-Rate prove obſtructive, Aſſeſſment to be as uſual by two Commiſſioners.
§. 29.	Not to alter Agreements between Landlord and Tenants.
§. 30.	Places to pay where uſually Aſſeſt. §. 31. Party ſued to plead General Iſſue.
§. 32.	Not to prejudice Decree between *Stafford* and *Salop*.

Spiritual Promotions, *&c.* hereby charged, to be diſcharged of the two laſt Subſidies, 15 *Car*. 2. *Cap*. 10.	§. 33.
Head-Collectors to Acquit Sub-Collectors of Hundred, and that a Diſcharge.	§. 34.
Lands void at the time, may after be Diſtrained for Arrears. §. 36. So Woods.	§. 35.
Tithes, Toll, or Profits not Diſtrainable, to be ſeized and ſold, *&c.* on non-payment.	§. 37.
Any three Commiſſioners to ſettle Proportion raiſed in *Middleſex* and *Weſtminſter* by Buildings.	§. 38.
Not to prejudice Rights of Clergy, Colledges, *&c.*	§. 39.
That the Farmers of Exciſe have the Power of Commiſſioners of Levying, not Judicial for Fining, *&c.*	Farmers of Exciſe, *Cap*. 4.
Of 1250000 pounds in two years by Quarterly Payments, for preſent Supply.	Supply, 17 *Car*. 2. *Cap*. 1.
To be Currant with the laſt two years of Royal Aid, 16 *Car*. 2. *Cap*. 1.	§. 2.
The Proportions of each County.	§. 3.
Commiſſions and Proceedings to be as by 16 *Car*. 2. *Cap*. 1. and §. 5. Meetings, *&c.*	§. 4.
Auditor of Receit of Exchequer to Regiſter Payments, and Orders of Treaſurer for Diſburſments.	§. 6.
Regiſter of Moneys paid out by the Auditor.	§. 7.
Perſons willing to lend Money, or furniſh Wares on Credit of this Act, to have acceſs to the Books, Lenders to have Tallies, and Six pounds *per Cent.* paid every ſix Months, no Fees, *&c.*	§. 8.
Tallies of the ſame Date, not material which preferred.	§. 9.
Payment of ſubſequent Orders demand before former, is no undue Preference.	§. 10.
Lenders may Aſſign Orders for payment to be Regiſtred without Fee.	§. 11.
Receiver-General to allow Intereſt on payment of Tax ſix Months beforehand.	§. 12.
To the King to beſtow on the Duke of *York* for Service againſt the *Dutch*.	To D. of York, *c*. 9.
Grant of 120902 pounds fifteen ſhillings eight pence, to be raiſed as §. 3. the Royal Aid by 16 & 17 *Car*. 2. *Cap*. 1.	§. 2.
A Months Aſſeſſment of 120902 pounds fifteen ſhillings eight pence, to begin 26 *Decemb*. 1667.	§. 5.
The Proportions of each County, §. 7. the former Commiſſioners and ways of Levying.	§. 6.
A free Gift of Poll-Money for Maintenance of the *Dutch* War, Twenty ſhillings *per Cent.* of good Debts or ready Money, above what Party owes.	Poll for Dutch War, 18 *Car*. 2. *c*. 1.
No Money lent on 17 *Car*. 2. *Cap*. 1. or by the City of *London*, on Hearth-Money, nor what is lent on this Act, to be Aſſeſt.	§. 2.
Land or Sea Souldiers, except all Officers, Deputies, *&c.* Taxt to Monthly Aſſeſſment to pay Three ſhillings in Twenty ſhillings *per annum*.	§. 3.
Annuities, Penſions, Stipends, *&c.* Three ſhillings in Twenty ſhillings *per annum*.	§. 4.
Serjeants at Law, Councellors, Advocates, Phyſicians, *&c.* Two ſhillings in Twenty ſhillings *per annum* Gains.	§. 5.
Servants Twelve pence in Twenty ſhillings Wages, except Board-Wages.	§. 6.
Every Head Twelve pence, beſide other Charges.	§. 7.
Maſter to pay for Servant, and deduct it in Wages.	§. 8.
None that take Alms, nor Children in Family under Sixteen not to be charged.	§. 9.
Aliens to pay double in every Capacity.	§. 10.
Duke Fifty pounds, Marqueſs Fourty pounds, Earl Thirty pounds, Viſcount Twenty five pounds, Barons eldeſt Son Thirty pounds, Baronet Fifteen pounds, Knight of *Bath* Fifteen pounds, Knight Ten pounds, Serjeant at Law Ten pounds, Eſquire reputed Five pounds, *&c.*	§. 11.
Gentleman of Three hundred pounds *per annum*, Twenty ſhillings for Title, §. 13. Eccleſiaſtical Dignities the like, *&c.*	§. 12.
Doctor of Divinity having no Benefice, not to be charged, nor Widow of Eccleſiaſtical Perſons.	§. 14.
The ſame Commiſſioners as in Royal Aid, 16 & 17 *Car*. 2. *Cap*. 1. and §. 16. an Addition.	§. 15.
Commiſſioners to meet at uſual Place, and divided, *&c.* to Summon and give Charge, *&c.* and allot time for payment, and to Levy, *&c.*	§. 17.
Duplicates to be returned into Exchequer, and any three Commiſſioners to Examine perſons ſuſpect of Rate.	§. 18.
Any three Commiſſioners to nominate Collector and Sub-Collector to take Two pence in Twenty ſhillings.	§. 19.
Clerks Two pence in Twenty ſhillings for Duplicates, §. 21. Collector not paying to Receiver, Seize, *&c.*	§. 20.
Officers Rate where Executed, §. 23. Certificate by	§. 22.

two Commiſſioners of one payment diſcharged.

§. 24. Commiſſioners to Tax each other, and Aſſeſſors.

§. 25. Peers Tax to be paid to Collector of their own.

§. 26. Not to extend to *Scotland* or *Ireland* for perſonal Eſtate there.

§. 27. Treaſurers of Navy to have One peny in Twenty ſhillings, and §. 28. wilful neglect of Officer Fined.

§. 29. Commiſſioners concerned in difference not to Act, Receiver to acquit Collector, *&c.*

§. 30. None to be doubly charged for Degree, but for the beſt Title.

§. 31. No Exemptions allow. §. 32. Former Receiver not Accounting, forfeits Five hundred pounds, if ſo now.

§. 33. That Thirty thouſand pounds may be Imployed for payment of the Kings Guards.

§. 34. Peers to be Taxt by certain named.

§. 36. Auditor of Receit of Exchequer to Regiſter each Branch of Revenue apart from Money lent.

§. 37. Books to be open to Lenders without Fee, §. 38. Pains recovered by Debt, *&c.*

§. 39. Preference of Tallies the ſame Date, or §. 40. Payment of later Order firſt demand no Offence.

§. 41. Creditor may Aſſign Orders Regiſtred, and §. 42. Party ſued to plead General Iſſue.

Coynage, *c.* 5. §. 6. For the Charge of Coynage, Ten ſhillings *per* Tun Wine, Vinegar, Cyder, and Beer, and Twenty ſhillings *per* Tun Brandy, *&c.*

Poll, 19 *Car.* 2. *c.* 1. The Poll 18 *Car.* 2. *Cap.* 1. to be Levied on all Ages, Sex, and Condition, not Poor, or under Sixteen, Appeal to any Two Commiſſioners diſcharged on Oath, Party liable where reſident when Executed.

London, *c.* 3. §. 36. To City for Rebuilding *London*, Twelve pence *per* Chaldron of Sea-coals Import, Twelve pence *per* Tun Scotch-coal from 24 *June*, 1667. to 24 *June*, 1677.

Aid to War, *c.* 8. A further Aid of 1256347 pounds thirteen ſhillings, during the preſent War.

§. 2. Receits 16 *&* 17 *Car.* 2. *Cap.* 1. and 17 *Car.* 2. *Cap.* 1. *&* 9. and §. 3. that this begin 26 *Jan.* 1667.

§. 4. The Proportions of Counties, *&c.* §. 5. Commiſſioners as formerly, and §. 6. Powers as formerly.

§. 7. Security for Contracts in Exchequer as before, §. 8. and Preference as before, §. 9. payment.

§. 10. That 380000 pounds for Sea-men to be paid to Treaſurer of Navy.

§. 11. Miſ-imployment by Treaſurer forfeits treble, §. 12. Treaſurers Fee One peny in Twenty ſhillings.

§. 13. No Officer that hath not Accounted for former Tax.

§. 14. Proceſs of Exchequer on Certificate of refuſal by Inhabitants of Caſtle, *&c.*

§. 15. What Iſſued out for Victualling the Navy, to be ſubject to no Charge.

§. 16. No Patents of Exemption to be allowed.

Exciſe for preſent Occaſions, 20 *Car.* 2. *Cap.* 1. For ſupply of preſent Occaſions 310000 pounds by Impoſt of Wine, *&c.* Retailed, Four pence a Quart of French Wine, Six pence Spaniſh, Brandy, *&c.* Import Twelve pence.

§. 2. All Strong-water made in *England* mixt with Lees Import, to be as Brandy.

§. 3. Importer to ſell as Retail, until Duty paid as for the whole Retailed.

§. 4. Retailer to demand of Cuſtomer this Duty above ordinary Prizes.

§. 5. Retailer to take in no new ſtore without Account to Commiſſioners, nor vend till Security.

§. 6. *Quorum* of Commiſſioners to order Search in day-time, on reſiſtance to Seize and break, *&c.*

§. 7. Receiving Wine, *&c.* without Notice, forfeits Value, and Concealment double.

§. 8. *Quorum* of Commiſſioners may ſummon Witneſſes, and on refuſal forfeit Five pounds.

§. 9. Commiſſioners to appoint Collectors, and return to Lord Treaſurer Quarterly.

§. 10. No Retailer obliged to Travel above Ten Miles.

§. 11. Retailer to be repaid for Brandy on Exportation.

§. 12. Importer ſelling above Price of Retailer, forfeits Twenty pounds.

§. 13. Forfeitures, Moiety to the King, and other to the Informer.

§. 14. Oath of Commiſſioners for due Execution. §. 15. Oath of Officers imployed by them.

§. 16. The King to Nominate Commiſſioners §. 17. Retailer to ſecure Duty, and Certificate of Commiſſioners a diſcharge.

§. 18. Forſwearing to be Perjury. §. 19. Entries to be according to true Contents of Veſſel.

§. 20. Commiſſioners to Account to Majority of ſome named Quarterly on Oath, and what this wants of 310000 pounds to be made up by Receit of Four pounds *per* Tun of Wine Import, 1667. at Cuſtom-houſe.

Commiſſioners for Additional Duty of Four pounds *per* Tun, to Account every Month. §. 21.

Fully Raiſing to be intimated by Commiſſioners, and Lord Treaſurer, in Ten days to ceaſe that Duty. §. 22.

The whole 310000 pounds Imployed and Iſſued out of Exchequer for Extraordinary Fleet, 1668. §. 23.

Regiſter of Sums lent, and Payments with Six *per Cent.* Orders to mention for the Fleet in courſe. §. 24.

Moneys lent, to be imployed to uſe of Fleet, and not otherwiſe. §. 25.

Treaſurer of Navy, *&c.* to retain only One peny in Twenty ſhillings. §. 26.

By Governours of Draining of Fens to be by Gradual Acre-Tax after the Value of the Lands. Draining Fens, *c.* 8. §. 2.

On Ships Unlading Coals, *&c.* at *Great Yarmouth*, for Ten years for Repair. Great Yarmouth, 22 *Car.* 2. *c.* 2. §. 3.

An Aid for ſupply of the Kings weighty and important Occaſions. Aid, *c.* 3.

Of every Tun of French Wine and Vinegar Import before 24 *June*, 1678. further Eight pounds, and of Spaniſh Wine Twelve pounds. §. 2.

For Rebuilding City of *London*, and Churches, Two ſhillings *per* Chaldron of Coals Import, above what is 19 *Car.* 2. *Cap.* 3. §. 36. from 1 *May*, 1670. and from 24 *June*, 1677. to 29 *Sept.* 1687. Three ſhillings. London, *c.* 11. §. 38.

Rates, Subſidies, and Aſſeſſments for the Kings extraordinary Occaſions and Debts. Subſidy for K's Debts, &c. 22 *&* 23 *Car.* 2. *c.* 3.

Bankers to pay Fifteen ſhillings every Hundred pound Debt due to them. §. 3.

Moneys lent to the King at above Six *per Cent.* Gratuity, to pay Fifteen ſhillings *per Cent.* &c. Auditors on forfeit of Places to Certifie. §. 4.

Banker to deduct Ten ſhillings for what he borroweth out of Fifteen ſhillings. §. 5.

Certificate of Two Commiſſioners to diſcharge Banker for what is double charged. §. 6.

Lender on the Act to have Seven *per Cent.* and not Aſſeſt on this Act. §. 7.

Corporation, *&c.* to pay Six ſhillings every Hundred pounds, except Debts, Stock, Money, Houſholdſtuff. §. 8.

Officers, except Muſter-Maſter to pay Two ſhillings every Twenty ſhillings of yearly Fee, *&c.* §. 9.

Lands charged by a Pound-Rate Twelve pence in Twenty ſhillings one year, and Rents proportion. §. 10.

Landlords to abate what they owe to Creditors, *&c.* Twelve pence in Twenty ſhillings. §. 11.

The King to Name Commiſſioners to Meet 10 *May*, 1671. they to command Conſtables, *&c.* §. 12.

Conſtable abſent or refuſing, forfeits Fourty ſhillings. §. 13.

Commiſſioners after Charge given, to make Aſſeſſors, Two of Inhabitants in each Diviſion. §. 14.

Neglect or refuſal of Aſſeſſor, forfeits Ten pounds. §. 15.

The Oath of Aſſeſſor before Two Commiſſioners. §. 16.

Certificates of Rates returned to Commiſſioners before 27 *May*, and §. 18. Affeerments made. §. 17.

Duplicates to be made and ſubſcribed by Commiſſioners. §. 19.

Extract of all returned into Exchequer. §. 20.

Any Two Commiſſioners to Iſſue Warrants to Sub-Collectors to Levy. §. 21.

Collectors to Levy Quarterly by certain Days, and Return to Superiour, and §. 23. another Quarter; and ſo §. 24. and ſo §. 25. another. §. 22.

Commiſſioners, Aſſeſſors, Collectors, *&c.* to uſe all Expedition. §. 26.

Collectors to pay to Head-Collectors, they to Receiver-General, Fee Three pence in Twenty ſhillings. §. 27.

Clerks for Warrants, *&c.* One peny in Twenty ſhillings. §. 28.

Collector on refuſal, to ſell Diſtreſs after Four days. §. 29.

Officers in the Day may break Houſe, Trunk, *&c.* §. 30.

Guardians to pay for Enfants. §. 31.

Officers to be Rated where uſed, perſonal Eſtate where reſident, for Money where laſt aboad, for Lands where they lie. §. 33. Certification to diſcharge as to what is doubly charged. §. 32.

Fraud in Eſcape of Tax, in Six Months charged double. §. 34.

Commiſſioners to Tax each other, and Aſſeſſors. §. 35.

Peers to Nominate their own Collector. §. 36.

Not to extend to *Scotland*, *Ireland*, *Jerſey*, or *Guernſey*, &c. as to Perſonal Eſtate. §. 37.

Any Two Commiſſioners on Oath of Party, in Ten days to affeer Aſſeſſment. §. 38.

Commiſſioners may Fine Aſſeſſors, *&c.* on neglect Five pounds; any Two Commiſſioners, §. 40. to take Account. §. 39.

Commiſſioners concerned, to withdraw on Controverſie. §. 41.

Receiver-General to give Acquittance. §. 42.

Sub Collectors to deliver Parchments of Names and Sums to Head-Collector. §. 43.

No

§ 44.	No Patent of Exemption to be allowed. § 45. None out of Corporation to be Aſſeſſor there.
§ 46.	Not to charge Colledge, Hoſpital, Alms, *&c.* as to their Rents.
§ 47.	Tenants of Colledges, *&c.* to be charged for Over-value above the Rent.
§ 48.	Inhabitant of *London* to be charged where he dwells, not where Wares are.
§ 49.	All places uſually Aſſeſſed, to pay where ſo uſe.
§ 50.	Land to be Debtor in Exchequer on Certificate that its unoccupied.
§ 51.	Commiſſioners on time expired, to take Accounts of Collectors, *&c.*
§ 52.	Auditor of Exchequer to Regiſter Orders of ſums lent and paid. § 53. Any to peruſe Books.
§ 54.	Orders of payment to be on lending, and repaid in courſe. § 55. The firſt Enter, firſt paid.
§ 56.	No Fee by Officer for Books. § 57. Receit forfeits Office.
§ 58.	Undue Preference to be Poſtponed. § 59 Clerk to pay Debt and Damages, and forfeit Office.
§ 60.	Auditor, *&c.* forfeit Office on neglect of payment.
§ 61.	Payment of the ſame date, or of later Order, firſt demand is no Preference, *&c.*
§ 63.	Party may Aſſign Orders, *Toties quoties*, without Revocation.
§ 64.	Defendant to plead General Iſſue, and have treble Coſts.
§ 65.	Rate-Tax and Aſſeſſment on Houſe of Foreign Ambaſſador, to be paid by Landlord.
§ 66.	None to be charged for Toft unbuilt of no profit, nor for empty houſe burnt.
§ 67.	Aſſeſſors to be in Places Priviledged and Extraparochial.
§ 68.	Not to prejudice ancient Rights of Lords Spiritual and Temporal, *&c.*
§ 69.	Not to void Contracts between Landlord and Tenant.
Exciſe for the Kings Debts, *Cap.* 5.	An extraordinary Supply for diſcharge of the Kings Debts for ſix years, from 24 *June*, 1671. by Additional Impoſition upon Beer, Ale, Cyder, *&c.* the Rates ſet.
§ 2.	All Retailers, *&c.* chargeable by former Acts, to be charged by this, the ſame Penalties.
§ 3.	No other allowances to be to Brewer, *&c.* thenas by this Act, three in twenty three Barrels.
§ 4.	Commiſſioners and Farmers may Compound for theſe new Duties.
§ 5.	Offences to be determined as by former Acts, § 6. Commiſſioners, Collectors, *&c.* the ſame power to levy.
§ 7.	One moiety of Fines, *&c.* to the King, the other to Informer, § 8. Commiſſioners, *&c.* may affeer.
§ 9.	No Foreign Imported Liquors to be Imported till Duty paid, or Collector preſent.
§ 10.	Brewing in Corporation, unleſs for Family, *&c.* forfeits Fifty pounds.
§ 11.	No Retailer to mix Strong and Small three Gallons, on forfeit of double Duty.
§ 12.	No Inn-keeper or Retailer, *&c.* to be Indicted for high Prices.
§ 13.	Defendant to plead General Iſſue, and have double Coſts.
§ 14.	No *Certiorari* allowed. § 15. Exciſe to be repaid to the Exporter.
§ 16.	The Powers herein to begin 24 *June*, 1671.
Aid on proceedings at Law, *Cap.* 9.	Rates and Aids on proceedings at Law, for the Kings extraordinary occaſions and debts, from 1 *May*, 1671. for nine years.
§ 2. *&c.* 77.	The particular Rates on each Record, Copy, and Proceſs, *&c.* in all Courts.
§ 78.	Receits to be by Officers in each Court, *&c.* § 85. and § 87. and 91. and 93. and 127.
§ 84.	No Declaration, Plea, Demurrer or Proceeding in Petty Bag, of effect till Copy ſigned, *&c.*
§ 86.	The Duty to be accounted for weekly to ſuch as the King appoints.
§ 92.	No Declaration, *&c.* in *B. R.* of effect till Copy ſigned, § 103. ſo in *C. B.* § 114. ſo in Exchequer.
§ 128.	Each Court to determine, who is the proper Officer.
§ 139.	Payments to General Receiver appointed by the King, to be the firſt day of *Michaelmas*, *Hilary*, and *Eaſter* Terms.
§ 140.	Every Collector from time to time to ſwear Accounts. § 141. So of all Receivers.
§ 142.	Receivers-General to acquit, § 143. Books of Receit to be kept, and § 144. reſort to it.
§ 145.	Officers to give ſecurity for Accounts as the Court Award.
§ 146.	Neglect to pay, or refuſal to keep Books, forfeits ten times the Duty loſt.

The Judges to take ſecurity, and give Rules, *&c.* for Collecting.	§ 147.
No duty in Information or Indictment, *&c.* of Felony, Treſpaſs, or Crime, or by *Pauper*.	§ 148.
To the Poor of the Kingdom, on 14 *Car.* 2. *Cap.* 12. not to exceed a fourth part of what is paid to Poor annually.	**Poor**, *Cap.* 18. § 4.
No Aſſeſſment by Corporation for Poor after 29 *September*, 1675.	§ 5.
For taking Accounts of 14 *Car.* 2. *Cap.* 8. of ſixty thouſand pounds to indigent Officers.	**Accounts of Money to indig. Officers**, *c.* 21.
Of 1280750 pounds for ſupply of the Kings Extraordinary Occaſions.	**Supply for K. occaſions**, 25 *Car.* 2. *Cap.* 1.
Of Five Hundred eighty four thouſand nine hundred ſeventy eight pounds two ſhillings two pence half-peny, for building thirty Ships.	**For building 30 Ships of War**, 29 *Car.* 2. *c.* 1.
A Poll-Bill to enable actual War againſt the *French*.	**Poll for War againſt** France, 29 & 30 *Car.* 2.
A continuance of Exciſe for three years from 24 *June*, 1677.	**Exciſe continued**, *c.* 2.
A Supply of ſix hundred and nineteen thouſand three hundred eighty eight pounds eleven ſhillings and nine pence, for Disbanding the Army, *&c.*	**Supply for Disbanding Army**, 30 *Car.* 2. *c.* 1.
An Additional duty upon Wines for three years.	**Wines**, *Cap.* 2.
A Supply of Two hundred and ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, for Paying off, and Disbanding the Forces raiſed ſince 29 *Septemb.* 1677.	**Supply for Disb. Forces**, &c. 31 *Car.* 2. *Cap.* 1.
Tonnage Poundage and Exciſe ſettled on the King for Life, which was ſettled on the late King for Life, by 12 *Car.* 2. *Cap.* 4. and 23.	**Tonnage, Poundage, and Exciſe**, 1 *Jac.* 2. *Cap.* 1. § 3.
Reviver 12 *Car.* 2. *Cap.* 19. and 13 & 14 *Car.* 2. *Cap.* 11. for the Kings Life.	**Reviver**, § 4.
An Impoſition of eight pounds by the Tun upon *French* Wine and Vinegar, and twelve pound *per* Tun on *Spaniſh* and other Wines Imported between 24. *June*, 1685. and 24. *June*, 1693. toward repairs of Navy, and providing Stores for Navy, and Ordnance. *Vide* Title *Merchants*.	**Wine, Vinegar**, *c.* 3.
Additional Impoſition on Tobbaco and Sugar, Imported between *June*, 1685. and 1693. for repairs of the Navy, *&c.* and payment of Debts due to the late Kings Servants and Family, and other the Kings occaſions. *Vide* Title *Merchants*.	**Tobacco, Sugar**, *c.* 4.
An Aid granted by an Impoſition on *French* and *Eaſt India* Linens and other Manufactures of *India*, and on all *French* wrought Silks and Stuffs and on other wrought Silks, and on Brandies Imported between *July* 1685. and 1690. for the Kings extraordinary Occaſions.	**Linen, Silks, Stuffs, Brandy and Manufactures of India**, *c.* 5.
Conſolidation of Kings Eſtates Tail and Fee in Poſt-Office and 24000 *l. per annum*, hereditary Exciſe.	**Poſt-Office, Exciſe**, *Cap.* 12. § 4.
Not to avoid the Queens Joynture.	§ 5.
An Aid of ſixty eight thouſand eight hundred twenty pounds nineteen ſhillings one peny *per* Month for ſix Months granted for extraordinary occaſions, the proportion of each County ſet.	**Aid for** 6. **Months**, 1 *W & M Seſſ.* 1. *c.* 3.
Hearth-Money grievous, a great oppreſſion to Poorer ſort, and a badge of Slavery to all.	**Hearth-money Grievous**, &c. *c.* 10.
Hearth-Money taken away and 13 & 14 *Car.* 2. *c.* 10. 15 *Car.* 2. *Cap.* 13. and 16 *Car.* 2. *Cap.* 3. Repealed.	**Taken away**, § 3.
Not to extend to Hearth-Money growing due 25. *March*, 1689. nor to any Arrears already due.	**Exception**, § 4.
Poll and other Money given for Reducing of *Ireland*.	**Poll**, *Cap.* 13.
Revenue (except Hearth-Money) granted to the late Kings, and which continued on 5. *November*, 1688 to be collected and paid to their Majeſties till 25. *Decemb.* 1689. as formerly.	**Revenue**, *Cap.* 14. § 2.
Reviver of Acts made in the late Reigns concerning the Revenue.	**Acts for Revenue**, § 3.
And of an Order of Commons for ſettling Officers Fees, dated 17. *May* 1662. till *Decemb.* 1689.	**Officers Fees**, § 4.
Collectors of Publick Revenue ſince 5. *November* laſt Indempnified.	**Publick Collectors indempnified**, § 5.
An Aid of Twelve pence in the pound granted for one year for defence of the Realm.	**Aid for one year**, *c.* 20.
Grant of an Additional Exciſe, upon Liquors for three years, *viz.* Beer or Ale above ſix ſhillings the Barrel, nine pence; of ſix ſhillings or under, three pence; *Engliſh* Vinegar ſix pence a Barrel; Foreign three ſhillings; Cyder or Perry imported four pounds the Tun; Single Brandy Imported, two ſhillings a Gallon; Double four ſhillings; Cyder and Perry retailed, fifteen pence the Hogſhead; Metheglin or Mead, three pence the Gallon, for maintenance of the War with *France*. *Vide* Tit. *Ale*.	**Exciſe on Liquors for three years**, *c.* 24.
Appropriation of Monies ariſing by 1 *Jac.* 2. *Cap.* 3, 4 & 5 and by *Cap.* 24.	**Appropriation**, *Cap.* 28.

Commiſſioners, *Cap.* 31.	An Additional Act for appointing Commiſſioners for the executing, *Cap.* 20. of this Seſſion.
Aid for one year, *Seſſ.*2. *Cap.* 1.	An Aid of Two ſhillings in the pound granted for one year, for Defence of the Realms, Reduction of *Ireland*, and proſecution of War againſt *France*.
Levying Money, *Cap.*2.	King cannot levy Money without Parliament.
Revenue, *Cap.* 3. §. 2.	Revenue (except Hearth Money) continuing on 5 *Novemb.* 1688. and all Arrears to be Collected and Paid Their Majeſties till 25 *Decemb.* 1690. as formerly.
Acts for Revenue, §. 3.	Reviver of Acts concerning that Revenue.
Officers Fees, §. 4.	And of an Order of Houſe of Commons for ſettling Officers Fees Dated 17 *May*, 1662, till 25 *Dec.* 1690.
Aid for one year, *Cap.* 5.	An Additional Aid of Twelve ſhillings in the pound granted for one year, for Defence of the Realms, Reduction of *Ireland*, and Proſecution of VVar with *France*.
Coffee, Chocolate, Tea, *Cap.* 6.	Repeal of Acts requiring Collection of Duties on Coffee, Chocolate and Tea, by way of Exciſe, as to ſuch Collection, and Additional Duties laid thereon, and how Duties ſhall be Collected and Paid. *Vide* Title *Merchant*.
Poll, *Cap.* 7.	A Review of a late Poll, and an Additional Poll granted towards reducing of *Ireland*.
Poll, 2 *W & M. Seſſ.* 1. *Cap.* 2.	Poll and other Money granted for reducing *Ireland*, and proſecuting VVar againſt *France*.
Exciſe to their Majeſties for Life, *Cap.* 3.	The Exciſe granted to King *Charles* II. for Life, by 12 *Car.* 2. *Cap.* 23. ſettled on Their preſent Majeſties for Life, to be Collected and Paid as directed by 12 *Car.* 2. *Cap.* 23. and 15 *Car.* 2. *Cap.* 11.
To be a Fond of Credit, §. 3.	To be a Fond of Credit from 1 *Novemb.* 1690. till 24 *Dec.* 1693. for Two hundred and fifty thouſand pound, and Intereſt for Reducing *Ireland*, and Carrying on the VVar againſt *France*.
Repeal, §. 11.	Repeal of 1 *Jac.* 2. *Cap.* 1.
§. 12.	Not to Extend to 1 *W & M. Seſſ.* 2. *Cap.* 3.
20000 l. per annum, to **Princeſs and Prince** of Denmark, §. 13.	Their Majeſties may grant 20000 *l. per annum* out of this Exciſe, to Princeſs of *Denmark* for Life, if Their Majeſties ſo long Live; and after her Death to Prince of *Denmark*, and Children of the Princeſs, during Their Majeſties Lives.
Tonnage, Poundage, *Cap.* 4. §. 2.	Tonnage and Poundage, and other Moneys given to K. *Charles* the 2d for Life, by 12 *Car.* 2. *Cap.* 4. granted to Their Majeſties for 4 years for Guarding the Seas, Proſecuting the War with *France*, and Reducing of *Ireland*.
Reviver, §. 3 & 4.	Reviver of 12 *Car.* 2. *Cap.* 19. 13 & 14 *Car.* 2. *Cap.* 11. and 25 *Car.* 2. *Cap.* 6. for 4 years, but not to determine perpetual Clauſes.
A Fond of Credit, §. 5.	To be a Fond of Credit for 500000 *l.* and Intereſt, &c.
Aid, *Seſſ.* 2. *c.* 1.	An Aid of 1651702 *l.* 18 *s.* granted, for reducing of *Ireland*, and carrying on a War againſt *France*.
Double Exciſe on Liquors for one year, *Cap.* 3.	Double Exciſe on Liquors, granted for one year, for Reducing *Ireland*, and Carrying on War againſt *France*.
Additional Duty on Eaſt-India **Goods, and on Silks and other Goods**, *Cap.* 4.	Additional Impoſitions upon *Eaſt-India* Goods, and upon wrought Silks and ſeveral other Goods Imported between *Decemb.* 1690. and *Nov.* 1695. granted for Reducing *Ireland*, and Carrying on the War againſt *France*; with a borrowing Clauſe. *Vide* Title *Merchant*.
Continuance, *Cap.* 5.	Continuance of 1 *Jac.* 2. *Cap.* 3. till 24 *June* 1696. and of *Cap.* 4. till ſame time (as to Tobacco only) for defence of the Kingdom, but not to alter 1 *W & M. Cap.* 24. with a borrowing Clauſe.
Wines, Spirits of firſt Extraction, *Cap.* 9.	Exciſe laid on Low Wines or Spirits of firſt Extraction from *Decemb.* 1690. till *Decemb.* 1695. *Vide* Title *wines*.
Additional Exciſe on Liquors for 4 years, *Cap.* 10.	Additional Exciſe upon Beer, Ale, and other Liquors, for four years, from expiration of an Act for doubling the Exciſe for one year, *viz.* Beer or Ale above 6 *s.* the Barrel 1 *s.* 6 *d.* Of 6 *s.* or under, 6 *d.* *Engliſh* Vinegar 3 *s.* the Barrel, Foreign 8 *s.* Beer, Ale, or Mum Imported, 6 *s.* the Barrel; Cyder or Perry Imported, 8 *l.* the Tun; Single Brandy Imported, 4 *s.* the Gallon; Double Brandy Imported, 8 *s.* the Gallon; Cyder and Perry Retailed, 2 *s.* 6 *d.* the Hogſhead; Metheglin or Mead 6 *d.* the Gallon, for maintaining War againſt *France*.
Appropriation,	Appropriation of Moneys accruing by 1 *W & M. Seſſ.* 1. *Cap.* 24. or by this or any Act of this Seſſion not Appropriated.
Fond of Credit.	Two thirds of the Duties to be a Fond of Credit for borrowing 1000000 *l.*
Publick Accounts,	Commiſſioners appointed to take publick Accounts of Kingdom. *Vide* Title *Account*.
Exciſe on Liquors for one year, 3 & 4 *W & M. Cap.* 1.	Exciſe on Liquors granted for one year, for defence of the Realms, and carrying on the War againſt *France*. *Expired*.

An Aid of 1651702 *l.* 18 *s.* granted for carrying on the VVar againſt *France*.	**Aid**, *Cap.* 5.
A Quarterly Poll granted for one year for Carrying on the VVar againſt *France*, to be Levied on all, (poor except.)	**Quarterly Poll**, *Cap.* 6.
Continuance of 2 of *W & M. Seſſ.* 2. *Cap.* 10. till *May* 1697.	**Continuance**, *Cap.* 6.
An Aid of 4 *s.* in the pound for one year, granted for Carrying on the VVar againſt *France*, and appropriated.	**Aid for one year**, 4 & 5 *W & M. Cap.* 1.
Exciſe on Beer, Ale, and other Liquors granted, for ſecuring Advantages to Perſons voluntarily Advancing 1000000 *l.* for Carrying on VVar againſt *France*.	**Act for ſettling Shares in yearly Fonds, and Annuities for Life, &c.** *Cap.* 3.
To Continue for 99 years. Beer or Ale above 6 *s.* the Barrel, 9 *d.* the Barrel; Of 6 *s.* the Barrel or under, 3 *d.* *Engliſh* Vinegar Beer, the Barrel 6 *s.* 6 *d.* Foreign Vinegar, the Barrel 4 *s.* Beer, Ale, or Mum Imported, the Barrel 3 *s.* Cyder or Perry Imported, the Tun 4 *l.* Single Brandy Imported, the Gallon 6 *d.* Double Brandy Imported, the Gallon 1 *s.* Cyder and Perry Retailed, the Hogſhead 1 *s.* 3 *d.* Metheglin or Mead made for Sale, the Gallon 3 *d.*	**Exciſe on Liquors for** 99 **years**, §. 2.
Duties to be Collected and Paid according to 12 *Car.* 2. *Cap.* 23 & 24. and 15 *Car.* 2. *Cap.* 11. and other Laws of Exciſe, and be within Receipt of Commiſſioners and Governours of Exciſe.	**Duties how to be Collected**, §. 3.
Duties to be kept apart at Head Office in *London*, and paid VVeekly into Receipt of Exchequer.	**Duties apart, and paying weekly**, §. 4.
In Auditor of Receipts Office in Exchequer, the weekly Moneys to be entred diſtinct.	**Entring Duties apart**, §. 5.
Penalty on Commiſſioners or Governours neglecting to pay the weekly ſums, or diverting the ſame.	**Penalty for non-payment or diverſion**, §. 6.
The Sums to be weekly paid to be a Fond.	**Fond**, §. 7.
Ten hundred thouſand pound may be advanced before 1 *May* 1693. on theſe Terms, *viz.* 100000 *l.* till 24 *June* 1700, and after 70000 *l.* to be yearly Fonds; Contributor to Advance a Hundred pound at leaſt, and as many Hundred pounds as he will, and name one or more Life or Lives, not exceeding diſtinct Hundred pounds.	**Sum to be advanced, and on what terms**, §. 8.
In Offices of Auditor of Receipt, and Clerk of Pells Books to be kept, and Entries made of Contributors, Sums and Nominees.	*Ibid.*
Contributor to have Talleys for dividend, and an Order for Payment.	*Ibid.*
Yearly Fonds to be equally divided amongſt Contributors their Executors, &c. during Lives of Nominees half yearly, and on Nominees Death, the ſhare falling to ſurvivors till but ſeven.	*Ibid.*
If 1000000 *l.* be not advanced by *May*, Contributors advancing to have 10 *l. per Cent. per Annum* for 7 years, and after to have 7 *l. per cent. per annum*, for Nominees Lives, with benefit of ſurvivorſhip.	*Ibid.*
Contributor to have from Payment till 24 *June* 1693. Intereſt of 10 *l. per cent. per annum*.	**Intereſt**, §. 9.
Share Aſſignable or Deviſeable, and what to be done thereupon.	**Share aſſignable, &c.** §. 10.
Guardian or Truſtee may advance 100 *l.* of Infants Moneys, naming Infant Nominee, who ſhall become a Contributor and the Guardian or Truſtee diſcharged.	**Infants Money**, §. 11.
Contributors on demand of half yearly payment, to produce a Certificate of Nominees Life (if in *England*) from Miniſter and Churchwardens.	**Certificate of Nominees Life from Miniſter, &c.** §. 12.
If Nominee in *Scotland* or beyond Sea, Certificate of Baron of Exchequer, good Warrant for payment.	**Certificate of Baron of Exchequer**, §. 13.
Contributor not demanding half yearly payment till within 20 days before next Payment, to loſe it; but to have any following Share, duly demanded.	**Not demanding Half-yearly payment**, §. 14
In the Auditors Office, an Account to be made Half yearly of Deaths of Nominees, and defaults of Contributors.	**Accounts of Deaths, defaults**, §. 15.
Half yearly Payment received after Nominees death, to be repaid on Forfeiture of treble Sum received.	**Half yearly payment Received after Nominees death**, §. 16.
Officers to do all things *gratis*, and penalty on Officers miſapplying weekly ſums, or not doing things required.	**Officers to act** gratis, **Penalty on Officers**, §. 17.
Where Colluſion between Plaintiff and Defendant, Action lieth for others.	**Colluſion**.
Officer for payment on falſe Certificate, not to incur penalty, unleſs known to him.	**Payment on falſe Certificate**.
Contributor to certify Nominees death within a Month after notice thereof, and deliver up Tally and Order within Three Months after, on forfeiture of Ten pound.	**Certifying Death, delivering up Talley, &c.** §. 18.
If Ten hundred thouſand pound be not advanced before 24 *June*, 1693. any Sum may be borrowed, not exceeding with the Money advanced Ten hundred thouſand pound, to be charged upon the	**Borrowing Clauſe**, §. 19.

the Exchequer and Tallies, and Orders Levied accordingly, and the Orders tranſferrable.

Borrowed Money and Intereſt, § 20. Money borrowed, and not repaid out of Moneys advanced, between 24 *June*, and 29 *Sept.* charged with Intereſt on the next Aid; and if none before *February*, then on their Majeſties Treaſure not appropriated.

Appropriation of money advanced between May and Sept. § 21. If Five hundred thouſand pound be not Advanced before 1. *May*, Five hundred thouſand pound may be Borrowed, to be paid out of the Money advanced between *May* and *ſeptember*, or elſe out of the next Aids, or their Majeſties Treaſure.

Money advanced between May and Sept. and on what terms, § 22. If Ten hundred thouſand pounds be not advanced before 1. *May*, then after that time and before 29. *September*, any ſum not exceeding (with what ſhall be advanced before 1. *May*) Ten hundred thouſand pounds may be advanced on theſe terms, *viz.* to have an Annuity of Fourteen pounds *per Centum*, to be paid Quarterly for Life, and Tallies and Orders for payment, Irrevocable and Aſſignable; Duties appropriated, and Books to be kept and Entries made, as above, and Intereſt of Ten pounds *per Centum per Annum* allowed from payment till 29. *September*.

Annuity for Money advanced bef. May, § 23. Contributor at Election to have an Annuity, for Money advanced before *May*.

Annual ſurplus, § 24. Annual ſurplus of Duties to be to their Majeſties.

Money diſcharged of Impoſitions, § 25. Monies Lent or payable upon this Act, diſcharged of Impoſitions.

Diſpoſition void, § 26. Diſpoſition of Monies hereby ariſing by their Majeſties, otherwiſe then as hereby appointed to be void.

Cap. 5. Grant of Additional Impoſitions on ſeveral Goods and Merchandizes, Imported between 1. *March*, 1692. and 1696. for proſecuting the War againſt *France*. *Vide* Title Merchant.

Poll, Cap. 14. A Review of the Quarterly Poll, granted laſt Seſſion for carrying on the War againſt *France*.

Reviver, Cap. 15. § 2 & 3. Reviver of 1 *Jac.* 2. *Cap.* 3. and of *Cap.* 4. (as to Tobacco) to continue till 24. *June*, 1698.

Reviver, Joint-Stocks, § 4. Reviver of 2 *W & M Seſſ.* 2. *Cap.* 4. till 10. *Novemb.* 1697. and for charging ſeveral Joynt-Stocks. *Vide* Title Merchant.

Aid for one year 5 & 6 W & M Cap. 1. An Aid of Four ſhillings in the pound granted for one year for carrying on War againſt *France*.

Repeal, Cap. 2. § 2. Repealer of 1 *W & M Seſſ.* 1. *Cap.* 34. § 8.

Supplyed, 4 & 5 W & M. Cap. 5. An Act to ſupply the Deficiency of Money raiſed by 4 & 5 *W & M Cap.* 3. and the deficiency recited.

Sum to be advanced on what terms, § 2. One hundred eighteen thouſand five hundred and ſix pounds five ſhillings and ten pence to be advanced to make up the Ten hundred thouſand pounds intended to be advanced before 1. *May*, 1694. upon theſe terms, *viz.* to have an Annuity of Fourteen pounds *per Cent.* Quarterly for Life, and Tallies and Orders irrevocable and aſſignable, Duties remaining, Appropriated to pay Annuities, and Books to be kept, and Entries made, as by former Act, under Penalty therein, and Intereſts of Ten pounds *per Cent. per Annum*, allowed for Money Advanced before *May* from payment till 24. *June*.

Diſcharge of Impoſition, Surplus of Exciſe, § 3. Moneys payable by this Act diſcharged of Impoſitions, and Annual ſurplus of Exciſe to be to their Majeſties.

Certificate of Nominees Life, Perjury, Forgery, receiving after Nominees Death, § 4. Certificate of Nominees Life to be produced on demand of payment, and Perjury or Forgery to be puniſhed as wilfull, and thoſe receiving quarterly payment after death of Nominee, to forfeit treble Money received.

Former Contributor not naming life, § 5. Contributor on former Act that did not nominate Life within time appointed, if he nominate before 1. *March*, to enjoy benefit of former Act.

Surplus, § 6. Surplus of Duties to be to their Majeſties, and not chargeable with Gift, Grant, *&c.* and Grantees accountable.

Lottery Act, Duties on Salt for four years, and on Liquors for ſixteen years, Cap. 7. Duties on Salt for four years, and on Liquors for ſixteen years, granted, for ſecuring Advantages to perſons advancing Ten hundred thouſand pounds for carrying on War againſt *France*.

Duty on Salt, § 3. Foreign Salt Imported, three pence the Gallon, Inland Salt one peny half-peny the Gallon.

Duty on Foreign Salt when payable, allowance for ready payment, § 4. Duty on Foreign Salt to be ſatisfied on Entry before Landing, on forfeiture of the Salt or the Value, but the Importer giving Security to have ſix Months for payment, or paying ready Money Ten pounds *per Centum* abatement.

Duties by whom to be managed, penalty how recoverable, § 5. Duties on Salt to be managed by Commiſſioners and Governours of Exciſe, and Officers appointed under Hand and Seal, and Penalties recoverable by 12 *Car.* 2. *Cap.* 24. and other Laws of Exciſe.

Maker entring quantity, Warr. for removal § 6. Makers and Propietors to Enter quantities of Salt and have a Warrant *gratis* for removal, for Duty of Inland Salt paid down allowance to be of Ten pound *per Centum*, and have a Warrant *gratis* for removal.

Forfeiture for Non-Entry, § 7. Salt conveyed away before Entry without Warrant, to be ſeized, and if not claimed within ten days, or if claimed, and no Entry or Licence appear, to be forfeit, and ſold, and perſon carrying, or cauſing it, to forfeit double value.

Retailer Shipping Salt, § 8. Retailer prohibited to Ship Salt for *Engliſh* Port, before Oath that Duty is paid or ſecured.

Tranſporting Salt from Port to Port, Licence gratis, § 9. Commander of Ship Tranſporting Salt from one *Engliſh* Port to another, before Landing, to deliver Certificate of Quantity, and Oath to be made that none hath been taken on Shipboard ſince departure, and where part left at one Port and part at another; Officer to certifie quantity Landed, on forfeiture of double value, Licences to be granted *gratis*.

Recompence for Exporting Fiſh, § 10. Recompences given for Exporting ſeveral ſorts of Fiſh, payable out of Duties on Salt. *Vide* Title Fiſh.

Repayment of Duty on Exportation of Salt, § 11. Upon Exportation of Salt, Certificate of Duties paid or ſecured, and Oath of Shipping, and not Relanded, a Debenture ſhall be given for repayment of Duties, or ſecurity diſcharged.

Setling price of Salt, § 12. Juſtices of Peace at *Eaſter* and *Michaelmas* Seſſions, to ſet prices of Salt, and Seller exceeding to forfeit five pound, and double value.

Foreign Salt what, Scotch ſalt, § 13. Salt Imported, what ſhall be ſaid Foreign, and *Scotch* Salt brought in by Land, to be Entred at *Carliſle*, or *Berwick*, on forfeiture of double value.

Commiſſioners taking Oaths, § 14. Chief Commiſſioners for collecting Duties, before acting to take Oaths appointed by 1 *W & M Seſſ.* 1. *Cap.* 8. and an Oath hereby appointed. The Oath.

Other Officers doing like, § 15. Other Officers to take like Oaths before capable, *mutatis mutandis*.

General Iſſue, § 16. Defendant may plead General Iſſue, *&c.*

Certiorari, § 17. *Certiorari* not to ſuperſede proceedings on Orders of Commiſſioners, or Juſtices of Peace.

Meaſure of ſalt, § 18. Salt to be meaſured, and how, and by what Meaſures, on forfeiture of double value.

Delivering ſalt, § 19. Salt not to be delivered without notice to Officer, forfeiture thereof, and pain of twenty pounds.

Salt relanded, § 20. If Salt Exported be relanded before things performed, as required, where Foreign Salt Imported, Offender to forfeit double value of the Salt Landed, and other Penalties.

Veſſel loſt or taken, § 21. *Engliſh* Owner of Salt in Veſſel periſhed or taken by Enemies, permitted to buy like quantity without paying Exciſe.

Proprietor removing Rock ſalt, § 22. Proprietor may remove Rock Salt after Entry and Warrant without paying or ſecuring Duty, till ſale and delivery.

Delivering ſalt by former Contract, § 23. None to be obliged by former Contract to deliver Salt, unleſs Buyer Reimburſe Seller Duties paid or ſecured.

Cheſhire ſalt, § 24. *Cheſhire* Salt to be Entred by Weight, and what ſhall be *Winton* Meaſure, and to be Taxed accordingly.

Rock ſalt, § 25. Rock Salt to be entred by Weight, and what ſhall be *Winton* meaſure, and to be taxed accordingly.

Refiner of Rock ſalt, § 26. Refiner of Rock Salt having paid Duty, to have Twelve pence *per* Buſhel abatement of Duty, Oath being made of quantity.

Exciſe, § 27. Exciſe laid on Liquors for ſixteen years, from *May*, 1697. *viz.* Beer or Ale above ſix ſhillings the Barrel, Ninepence. Of ſix ſhillings or under, Three pence. *Engliſh* Vinegar, the Barrel One ſhilling ſix pence; Foreign, Four ſhillings. Beer, Ale or Mum Imported, the Barrel Three ſhillings. Cyder or Perry Imported, the Tun Four pound. Single Brandy, the Gallon Two ſhillings. Double, Four ſhillings. Cyder and Perry Retail'd, the Hogſhead One ſhilling Three pence. Metheglin or Mead, the Gallon Three pence.

Exciſe how to be collected, &c. in whoſe management, § 28. Duties to be Collected and paid according to 12 *Car.* 2. *Cap.* 23. & 24. and 15 *Car.* 2. *Cap.* 11. and in Receipt of Commiſſioners of Exciſe.

Keeping duties apart, Weekly payment, § 29. Commiſſioners of Exciſe, at Head Office in *London*, to keep Duties apart, and pay them Weekly into Receipt of Exchequer.

Book for entring payments. Ibid. In Receipt of Exchequer to be kept a Book, and therein weekly payments entred apart.

Commiſſioners neglecting, &c, § 30. Penalty on Commiſſioners neglecting to pay the Money weekly, or miſapplying the ſame.

Duty appropriated, § 31. Sums to be weekly paid into the Exchequer to be a yearly Fond.

Sallaries, &c. Ibid. And to pay charges for managing Duties on Salt.

Exciſe Office where, Commiſſioners and Comptroller, § 32. Exciſe Office to be in *London*, or Ten Miles thereof, and Commiſſioners and a Comptroller appointed, and Comptroller to keep diſtinct Accounts in Books to be ſeen *gratis*, and Commiſſioners and

	Comptroller to have no further Sallary or Fee.
Yearly Fond, §. 33.	One hundred and fourty thouſand pound to be a yearly Fond and if deficient, to be ſupplied out of Their Majeſties Treaſure, or Revenue not appropriated.
Money advanced, §. 34.	Ten hundred thouſand pound to be advanced before 10 *Sept.* 1694. by Contribution of one or divers Ten pounds, and for each Ten pound, to have a dividend in the yearly Fond.
Appointing Managers and Receivers, and ordering Books, &c. §. 35, 36, 37, 38.	Managers and Receivers to be appointed; And directions for preparing Books, Printing Tickets, and ordering Books and Tickets before Drawing.
Proportioning yearly Fond if Sum not advanced, §. 39. Blank Tickets, 20 s. per annum. Ordering Tickets.	If Ten hundred thouſand pounds be not advanced before *September*, then the yearly Fond to be proportioned to the Sum advanced, and Blank Tickets to have twenty ſhillings *per Annum* for ſixteen years, with further Directions for ordering Tickets before Drawing.
Drawing Tickets, &c. §. 40, 41.	Directions for drawing the Tickets, and how to be managed after Drawn.
Adjuſting Ticket, determining Property. Forging Ticket, §. 41.	Fortunate Ticket when to be adjuſted, Property determinable by Managers, Forging Ticket Felony, and Managers may commit Offender.
Entring Names, Places, Annuities, tranſmitting Book, &c. Tickets when payable. Managers taking Oath The Oath, §. 42.	Names, Places and Annuities to be entred in a Book, to be ſigned by Managers, and tranſmitted into the Receipt, and a Duplicate into Tranſfer Office, Benefit payable half yearly, and Blank yearly, and Managers before acting to take an Oath. The Oath.
Rewarding Managers and others, §. 43.	Out of the reſidue of the yearly Fond their Majeſties may reward Managers and others imployed.
Intereſt for Money advanced before Sept. §. 44	Allowance for Money Advanced before 10 *Septemb.* from payment, till 29 *Sept.*
Transfer Office, Commiſſioner. Books for Tickets, and Tickets how diſpoſed. Examining Ticket. Falſe Tickets. Fee, §. 45.	A Tranſfer Office to be in *London*, and a Commiſſioner, *&c.* thereof, and how appointed, and Books and Tickets delivered to him, and he to deliver out Tickets for payment. Books to be Printed to contain the Tickets, Three of a ſort; one to be delivered out, another to remain, and another delivered into Exchequer: And benefits (but not Blanks) before payment to be examined, and, if true, paid. Falſe Ticket to be ſlipt, and Bearer Fined Five pound. Examination Fee one Peny.
Proving Counterfeit Ticket, §. 46.	When Counterfeit Ticket not proved within Ten days after Receipt in *London*, or Ten Miles thereof, or Thirty days elſewhere, the Seller diſcharged.
All to be done gratis. Penalty on Officer, §. 47.	All things to be done *gratis*; And Penalty on Officers taking other Fee than appointed, or not performing things required.
Forged Ticket except. §. 48.	Officer ignorant, paſſing or paying Ticket forged, not to incur penalty.
Diſcharge of Impoſitions, §. 49.	Moneys payable by this Act diſcharged of Impoſitions.
§. 50.	Diſpoſition of Moneys hereby ariſing by Their Majeſties (other then as appointed) void.
Office and Officers for paying Annuities, §. 51.	An Office to be in Exchequer, for paying Annuities, and Officers how to be appointed; Moneys to be iſſued to them, and applied as directed; and the Officers to be ſubject to Rules of Treaſury, *&c.*
Officers obſerving Orders of Treaſury, §. 52.	Tranſfer Office, how long to continue, and Managers, Officers and others, to obſerve Orders of Treaſury, *&c.*
Borrowing Clauſe, if Sum not advanced, §. 55.	If 1000000 *l.* be not advanced before 24 *June*, Money may be borrowed to make up the ſame, to be charged on the Exchequer, and Tallies and Orders given, and Orders Aſſignable.
How to be repaid, §. 54.	The Loan Money with Intereſt, to be repaid out of Money afterwards advanced, or next Aid granted before 2 *Febr.* or Their Majeſties Treaſure not appropriated.
Surplus, §. 55.	Annual Surplus to be for payment of Principal and Intereſt due for Two thirds of Exciſe granted by 2 *W & M. Seſſ.* 2. *Cap.* 10. and afterwards to Their Majeſties, for carrying on War againſt *France.*
Surplus.	If 1000000 *l.* be not advanced, the Surplus of the Fond to be diſpoſed as directed by Act of Parliament.
Officers of Salt Duty Accounting, §. 56.	Receiver and Officers of Salt Duty, yearly to Account to Auditors of Impreſt, according to Courſe of Exchequer.
Members of Houſe of Commons, §. 57.	No Member of Houſe of Commons to be concerned about Moneys granted by this or any later Act (except Commiſſioners, *&c.* and *T. N.* Eſq.)
Quarterly Poll, *c.* 14.	A Quarterly Poll given for one year for carrying on War againſt *France*, to be Levied on all Perſons (except Poor, *&c.*)
Lottery Act.	Adventurer of ſeveral Ten pounds in Lottery Act, to have Twenty ſhilling *per Annum*, for every Ten pound, not intituled to a Fortunate Lot.
Exciſe on Liquors.	Exciſe on Liquors by *Cap.* 7. of this *Seſſ.* for the laſt Three years, or the ſurplus thereof, to be diſpoſed according to act of Parliament.

Tonnage on Ships, and Exciſe on Liquors granted for Four years, for ſecuring Advantages to perſons Advancing 1500000 *l.* for Carrying on War againſt *France.*	Bank Act, Tonnage on Ships, Exciſe on Liquors for 4 years, *Cap.* 20.
Tun of Burthen of Ship Importing Goods from *Eaſt-Indies*, or Southward or Eaſtward of *Cabo bona Speranza*, 30 *s.* From *Italy* or *Turkey*, 15 *s.* From *Portugal* or *Spain* 10 *s.* From *Weſt-Indies* 10 *s.* From *Holland*, *United Provinces*, *Netherlands* or *Flanders* 3 *s.* From *Norway*, *Hamborough*, *Baltick* Sea, Eaſtland Countries and Places North of *Holland* 5 *s.* From *Ireland* or *Scotland* 2 *s.* From *Mediterranean* Sea (not herein charged) 15 *s.* From Coaſts of *Guinea* or *Affrica* without the *Streights*, 20 *s.* From *Hudſons Bay*, or Places within Companies Charter, 20 *s.* From *Canaries*, *Madera's*, or Weſtern Iſlands, 10 *s.* From *Greenland*, *Muſcovia*, or *Ruſſia*, 10 *s.* From Port to Port in *England*, 6 *d.*	
Duties to be Accounted according to Meaſure of Ships, and Ships to be Entred at Cuſtom-houſe, and before unlading, Duties to be paid, or Security given, on forfeiture of Ship, *&c.* and Maſter, *&c.* liable to Duties; and for Duties paid down, allowance of 8 *l. per Cent.*	Duties how, and when payable. Entring Ship, §. 3.
Where Goods imported from beyond Sea or *Scotland*, two thirds of Duties to be paid by Merchant Freighters; and one third by Maſter or Owner, and Duties for Coaſting Trade by Maſter or Owner.	Goods Imported, Scotland, Coaſting Trade, §. 4.
Greenland Ships to pay 10 *s. per* Tun, for Lading, and not for Shipping.	Greenland Ships, §. 5.
New-found-land Ships to pay 10 *s. per* Tun for Lading, and not for Shipping.	New-found-land Ships, §. 6.
If Peace with *France* during the Tonnage, Ships Importing Goods from *French* Territories in *Europe* without the *Streights*, to pay as from *Portugal*.	French Goods if Peace. §. 7.
Barges carrying Sand, Lime, or Slate Stone, from Port to Port, not chargeable for Lading.	Barges, §. 8.
Ships ſhall be meaſured according to the Rule Printed, with Book of Rates in 1671. And Duties Computed and Collected accordingly.	Ships how to Meaſure and Compute Duties, §. 9.
Exciſe on Liquors granted, to Commence after 17 *May*, 1697. *viz.* Barrel of Ale or Beer above 6 *s.* the Barrel, 9 *d.* of 6 *s.* the Barrel or under, 3 *d.* *Engliſh* Vinegar the Barrel, 1 *s* 6 *d.* Foreign Vinegar, 4 *s.* Beer, Ale or Mum Imported, the Barrel 3 *s.* Cyder or Perry Imported, the Tun 4 *l.* Single Brandy Imported, the Gallon 6 *d.* Double, the Gallon 1 *s.* Cyder and Perry Retailed, the Hogſhead 1 *s.* 3 *d.* Metheglin or Mead, the Gallon 3 *d.*	Exciſe on Liquors, §. 10.
To be Collected and Paid, according to 12 *Car.* 2. *Cap.* 23 & 24. and 15 *Car.* 2. *Cap.* 11.	Collecting Exciſe, §. 11.
Duties and Accounts thereof to be kept ſeparate; and Duties paid weekly into the Receipt of Exchequer.	Keeping Duties apart, weekly payment, §. 12.
Weekly Money paid into Exchequer, to be Entred diſtinct from other Money.	Entring Duties diſtinct in Exchequer, §. 13.
Penalty on Commiſſioners neglecting to pay the weekly Sums, or miſapplying the ſame, and on Comptroller not keeping Accounts.	Penalty on Commiſſioners & Officers, §. 14.
Sallaries and Charges for managing the Tonnage, payable out of the ſame Duties.	Sallaries and Charges, §. 15.
Head Office of Exciſe to be in *London*, or Ten miles thereof, and Commiſſioners and Comptroller by appointment of Their Majeſties.	Head Office, Commiſſioners, Comptroller, §. 16.
From 1 *June*, 1694. 140000 *l.* to be a yearly Fond, and deficiency ſupplied out of Their Majeſties Treaſure not appropriated.	Fond, §. 17.
The 140000 *l. per annum*, to be kept apart in Receipt of Exchequer.	Keeping Fond apart, §. 18.
Their Majeſties may Commiſſionate perſons to take Subſcriptions before 1 *Aug.* 1694. for 1200000 *l.* and 100000 *l. per annum* to be to the Subſcribers, their Heirs, *&c.* Each payment to be divided into Five ſevenths, and Two ſevenths; and the Five ſevenths to be for payment of the 100000 *l. per annum.*	Taking Subſcriptions for 1200000 l. §. 19. 100000 l. per annum how divided.
Their Majeſties may appoint how the 1200000 *l.* and the 100000 *l. per annum* may be Aſſignable, and may Incorporate the Subſcribers; and by what name, and in what manner; but to be ſubject to Redemption.	Aſſignment, Incorporation, Redemption, §. 20.
If 1200000 *l.* be not Advanced before 1 *Jan.* 1694. Subſcribers to have 8 *l. per Cent. per annum*; and on Twelve Months notice after, 1 *Aug.* 1705. and Repayment of Money Advanced, yearly Payments and Corporation to ceaſe.	Where 8 l. per Cent. allowed. Yearly payments, Corporation how to ceaſe, §. 21.
Commiſſioners of Treaſury, *&c.* to direct Warrants for yearly payment, and Auditor of Receipt, and other Exchequer Officers to Iſſue the Money *gratis*, under Penalties for diverting Money.	Iſſuing Warrants, Moneys, §. 22.

None

Subſcription and payment, how to be, §. 23.	None to Subſcribe above 20000 *l.* and One fourth to be paid at Subſcription, or Subſcription void; and reſidue as Their Majeſties ſhall direct before 1 *January*, or the One fourth paid to be forfeit.
Subſcription, §. 24.	Before 1 *July* none to Subſcribe above Ten thouſand pounds.
Powers ceaſing, §. 25. Subſcribers Transferring.	If 1200000 pounds, or a Moiety be not Subſcribed before *Auguſt*, Incorporating Powers to ceaſe; and Subſcribers may Transfer, and how; and Fond to be for no other uſe.
Corporation borrowing Money, §. 26.	Corporation not to borrow above 1200000 pounds without Act of Parliament, and for other Sums borrowed, Members to be liable as in private Capacities.
Corporation Trading, §. 27.	Corporation not to Trade, and perſons Trading, or Directing Trade, to forfeit treble Value of the Goods traded for.
For what Corporation may deal, §. 28.	In what things Corporation may Deal.
Bills Aſſignable, §. 29.	Bills under Corporation Seal Aſſignable.
Purchaſing Crown Lands, &c. Lending Money on Revenue, §. 30.	Governour or Member purchaſing Crown-Lands, or Revenue, or Advancing Money on Revenue, (except where a Loan by Parliament) and thoſe agreeing thereto, to forfeit treble the Money lent.
Amerciaments, Fines, §. 31.	Amerciaments and Fines not pardonable, and thoſe Eſtreated to be paid and deducted out of the 100000 pounds *per annum*.
Executions, §. 32.	Executions upon Judgments to be paid and detained out of the 100000 pounds *per annum*.
Members of Houſe of Commons, §. 33.	Members of Houſe of Commons may be of the Corporation.
Advancing 300000 l. and on what Terms, §. 34. Penalty on Officers.	300000 pounds may be advanced before 29 *Sept.* 1694. upon theſe Terms, *viz.* to have an Annuity (payable quarterly) of Fourteen pounds *per Cent.* for one Life, of Twelve pounds *per Cent.* for two Lives, or of Ten pounds *per Cent.* for Three Lives, Contributor to have Tallies and Orders Aſſignable; Officers to do all *gratis*; Penalty on Officers offending; Allowance for Money advanced before *September*.
Moneys diſcharge Impoſitions, §. 35.	Moneys payable by this Act diſcharged of Impoſitions.
Infants Money, §. 36.	Guardian or Truſtee may advance One hundred pounds of Infants Money, naming the Infant a Nominee, and Guardian or Truſtee diſcharged.
Certificate, §. 37. Perjury, Forgery. Receiving Money after Nominees Death.	On demand of Payment, Certificate of Nominees Life to be produced, and Falſe Oath, or Forging Certificate, puniſhable as wilful Perjury or Forgery, and for receiving Money after Nominees Death, to forfeit treble Money received.
Reſidue of the 100000 l. per annum appropriated to Annuities, §. 38.	If 1200000 pounds be not Subſcribed, reſidue of 100000 pounds *per annum* to pay Annuities for Money advanced before 1 *Febr.* according to Rates and Rules relating to the 300000 pounds.
Borrowing Clauſe, §. 39.	If 1500000 pounds be not advanced before 1 *Octob.* 1694. Money may be borrowed to make up 1500000 pounds on Credit of the Exchequer, and Tallies and Orders to be levied, and drawn accordingly, and Orders Aſſignable.
Money borrowed, how to be repaid. §. 40.	Money borrowed with Intereſt to be repaid out of Contribution Money, or next Aids granted before 2 *Febr.* or their Majeſties Treaſure not appropriated.
Appropriation, §. 41, 42, 43.	Appropriation of Moneys ariſing by any Act of this Seſſion not appropriated.
Appropriation, §. 44.	Reviver of 1 *W & M. Seſſ.* 2. *Cap.* 1. as to Money hereby appropriated.
Act on Parchment, &c. *Cap.* 21.	Duties on Velum, Parchment, and Paper, granted for Four years, for Carrying on the War againſt *France*.
Rates, §. 3.	The ſeveral Rates ſet.
Endorſing day or year, on Writ, &c. §. 4.	Officer or Clerk Signing Writ or Proceſs before Judgment, to indorſe day and year of Signing, to be Entred on Remembrance, or in Book where Abſtract Entred, on pain of Ten pounds.
Things Excepted, §. 5 & 6.	Several things, to which this Act ſhall not Extend.
Appointing Commiſſioners, &c. Head Office, Stamps to be made and publiſhed, §. 7.	Commiſſioners and Officers how to be appointed; Head Office to be in *London* or *Weſtminſter*, and Commiſſioners to appoint Stampers and Collectors, and provide ſix ſeveral Stamps, for ſeveral Duties, to be publiſhed by Proclamation, and altered at their Majeſties pleaſure.
Stamps, how contrived, §. 8.	Stamps to be ſo contrived, that the Impreſſion may be durable.
Paper &c. to be ſtampt before written, §. 9.	All Paper, *&c.* before written, to be Stampt on demand without other Fee then Duty.
Stamping before Duty paid, &c. §. 10.	Commiſſioner or Officer Stamping before Duties paid, or ſecured, to forfeit One hundred pounds.
Penalties, §. 11.	Penalty for Writing on Paper, *&c.* before Stamped, or Stamped for lower Duty, and for Fraudulent Practices; And Writing not Stamped, or Stamped for lower Duty, to pay (above Duty) Five pounds, and be Stampt before pleaded or given in Evidence, and Counterfeiting Stamp, or uttering Paper, *&c.* with Counterfeit Stamp, Felony without Clergy.

Perſons to be appointed to inſpect in Courts, and Offices, and Judges, and others, to Act for better ſecuring Duties, and Commiſſioners and others before Acting to take an Oath. The Oath.	Inſpecting Courts, Offices, Securing Duties, Commiſſioners taking an Oath, §. 12.
Orders of Commiſſioners of Treaſury or Treaſurer to be obſerved, and all parts of the Kingdom to be furniſhed with Paper, *&c.* Stampt.	Obſerving Orders of Treaſury, furniſhing Country, §. 13.
Duties not to be paid by perſons admitted in *Forma Pauperis*.	Pauper, §. 14.
All things to be Written as uſually.	Writing as uſual, §. 15.
Upon Alteration of Stamp, Blank Paper, *&c.* with old Stamp may be Exchanged for Paper, *&c.* new Stampt, and if neglected, to be as never Stampt.	Exchanging Paper, &c. Stampt, §. 16.
330000 pounds may be Lent on Credit of this Act, at Eight *per Cent. per annum*.	Lend Money, §. 17.
Separate Accounts to be kept of Duties, and Duties paid weekly into Exchequer, Penalty on Officers.	Accounts ſeparate, Weekly payment, §. 18.
Moneys to be Regiſtred apart, and Lenders to have Tallies and Orders; and Orders to be Regiſtred, and paid in Courſe; All to be done *gratis*; And Penalties for taking Fees, and for Undue Preference, *&c.*	Regiſtring Money, delivering Tallies, Orders, §. 19. Regiſtring and paying Arears in Courſe, all gratis.
What ſhall not be undue Preference.	What not undue Preference, §. 20.
Orders Aſſignable, and how.	Aſſigning Orders, §. 21.
Salaries and Charges payable out of Duties.	Salaries, charges, §. 22
Proclamation for Notice of Alteration of Stamps when and how to be, on pain of Two hundred pounds.	Proclamation for altering Stamp, §. 23.
Accounts of Duties to be exhibited yearly, and how.	Accounts, §. 24.
Tunnage, Poundage and other Moneys payable by 12 *Car.* 2. *Cap.* 4. Granted for Five years, for Guarding the Seas, and Proſecuting War againſt *France*. *Vide* Tit. *Merchant*.	Tunnage, Poundage, &c. for five years, *W & M. c.* 1. §. 2.
An Aid of Four ſhillings in the Pound granted for One year, for Carrying on War againſt *France*, with Clauſes of Appropriation and Loan.	Aid for one year, 6 & 7 *W* 3. *c.* 3.
Further time given Contributors upon 5 & 6 *W. & M. Cap.* 20. to Nominate Lives.	Nominating Lives for Annuities, §. 76.
300000 pounds *per annum*, part of Tunnage and Poundage, *&c.* by *Cap.* 1. to be ſeparately and weekly paid into Exchequer for Repayment of 1250000 pounds, and Intereſt, and Appropriation of Moneys borrowed.	Tunnage, Poundage, &c. §. 77.
Tallies and Orders to be levied and drawn; The Intereſt payable quarterly in ſeveral Proportions; Orders Aſſignable and Irrevocable, and Money lent diſcharged Impoſitions.	Sum advanced, §. 78. Tallies, Orders. Intereſt.
Payments into Exchequer, and Orders, to be Regiſtred in ſeveral Books, and Payments and Entries, *&c.* made in Courſe; All to be done *gratis*, with Penalty on Officers and Clerks, *&c.* Offending.	Regiſtry, Payment, §. 79. Penalties.
What ſhall be undue Preference in Paying, Entring, *&c.* and what not.	Undue Preference, §. 80, 81.
Nothing herein to hinder payments of Debentures, Allowances for Damaged Goods, and other Charges.	§. 82.
All concerned in Revenue to Account for Intereſt and Profit of Bank Bills, and pay the ſame into Exchequer, and Penalty of Five hundred pounds on Offender.	Accounting for Intereſt on Bank Bills, §. 88.
Perſons Intituled to Annuities by 4 & 5 *W & M. Cap.* 3. and 5 & 6 *W & M. Cap.* 5. and 20. before *July* next, may purchaſe a Term therein of Ninety ſix years, or a remainder of that Term, after Life determined, at Sixty three pounds *per Cent.* Life Eſtate to be merged, and new Tallies delivered.	Purchaſing a Term or further Intereſt in Annuities on Fonds by perſons Intituled, *Cap.* 5. §. 5.
If thoſe Intituled do not advance Money before *July*, then after *July*, and before *November*, others may purchaſe Annuities for remainder of Ninety ſix years, after Lives determined, at Seventy pounds *per Cent.* and Tallies to be delivered accordingly.	Purchaſing remainder of Term by others, §. 6.
Orders to be drawn Irrevocable and Transferrable. Duties appropriated, and not divertible, under penalty of 4 & 5 *W & M. Cap.* 3. and Officers to keep Books, and make Entries, and Act *gratis*.	Orders, §. 7. Appropriation.
Annuities diſcharged Impoſitions.	Diſcharge Impoſitions, §. 8.
Guardian or Truſtee may advance Seventy pounds of Infants Money, and be diſcharged, and Infant Contributor.	Infants Money, §. 9.

Fraud, §. 10.	Moneys fraudulently advanced forfeit, and Contributor to forfeit One hundred pounds.
Bringing in former Orders, &c. no Certificate, § 11.	Where Life Eſtate ſhall be changed into a Term for years, former Orders to be brought into Exchequer, and Contributor need not produce Certificate of Nominees Life.
Appropriation, § 12.	Appropriation of Moneys advanced.
Payment, diſtribution, account, penalty, § 13.	Reviver 1 *W & M. Seſſ.* 2. *Cap.* 1. as to Payments, Diſtribution and Accounts of Moneys, and penalties for diverſion.
Borrowing Money if none advanced, § 14.	If 618420 *l.* 6 *d.* be not advanced before *Auguſt*, Money to make the ſame up, may be borrowed on Credit of Exchequer; and Tallies and Orders to be levied and drawn accordingly, and Orders Aſſignable.
Repaying Money borrowed, § 15.	Moneys borrowed with Intereſt to be repaid out of Moneys ariſing on this Act, and deficiency ſupplied out of Aids granted before *Febr.* or his Majeſties Treaſure not appropriated.
Duties on Marriages, Births, Burials, and on Batchelors, and Widdowers, *c.* 6.	Duties on Marriages, Births, and Burials, and on Batchelors and Widowers (Poor except) granted for Five years, for Carrying on a War againſt *France*.
Burials, § 2 *&* 3.	Duties on Burials, and Rates ſet.
Burials how payable, § 4.	To be paid by Heirs, Executors, or Adminiſtrators before debts, *&c.* and in default thereof levyed on deceaſeds Lands or Goods, *&c.* Parent or Guardian, Truſtee, Executor or Adminiſtrator to pay for Infant, and Husband for Wife.
Births, § 5 *&* 6.	Duties on Births, and rates ſet.
How payable, § 7.	To be paid by Parent, or Guardian, *&c.* and they reimburſed out of Infants eſtate.
Marriages, § 8 & 9.	Duties on Marriages, and rates ſet.
How payable, § 10.	To be paid by Husband on demand.
Batchelors, Widdowers § 11, 12, 13.	Duties on Batchelors and Widowers, and rates ſet, and duties payable half yearly.
Several Degrees, &c. § 14.	None to be doubly charged for ſeveral degrees, *&c.* but only for ſuch as is higheſt rated.
Appointing Commiſſioners for firſt year, directions for Commiſſioners, Aſſeſſors, Collectors, § 15.	Commiſſioners for firſt year, to be thoſe for the laſt Aid; when and where to meet, may divide themſelves, to appoint Aſſeſſors, read rates publickly, and direct Aſſeſſors, Aſſeſſors to bring Commiſſioners Certificates of Names, Degrees, *&c.* and return Collectors, for whom Pariſh anſwerable, Aſſeſſors to be ſworn. The Oath.
Aſſeſſments when returnable and payable § 16.	Aſſeſſments or Certificates to be returned by *May*, and Commiſſioners forthwith to iſſue Warrants for levying Aſſeſſments, Duties when demandable and payable, Diſtreſs and Sale for Non-payment by Collector.
Duplicate to Receiver G. payment into Exchequer, Commiſſioners to examine, ſummon perſons, &c. § 17.	Duplicates of Aſſeſſments to be delivered to Receivers General, duties when payable into Exchequer, the Commiſſioners may examine Aſſeſſments, ſet rates, and ſummon perſons not duly rated, and for non-appearance to pay double, allowance to Receivers General, and Collectors.
Collector may diſtrain and ſell Goods, party commit appeals firſt year, § 18.	Allowance to Commiſſioners Clerks, Collectors may diſtrain for Duties, and make ſale, and how and when Conſtables to be aſſiſting, and where no diſtreſs party to be commit till payment, Commiſſioners to hear Appeals and when, and what to do thereupon.
Commiſſioners for four laſt years. § 19.	Juſtices of Peace appointed Commiſſioners for four laſt years.
Collectors delivering Aſſeſſments, *&c.* and names of Collectors, examining and altering Aſſeſſm. ſummoning, allowing Aſſeſ. appointing Collector, § 20.	Collectors for preceding year to deliver Copies of Aſſeſſments, and Collections with neceſſary alterations, and names of Collectors for enſuing year to Juſtices of Peace; Juſtices to examine and alter Aſſeſſments, and ſummon perſons not duly rated, and for non-appearance to pay double, Juſtices to allow Aſſeſſments, and appoint Collectors out of perſons nominated.
Delivering Aſſeſſment to Miniſter to be read in Church, § 21.	Collector to deliver Aſſeſſments, or Copies to the Miniſter of the Pariſh, and Miniſter next Lords day in the morning to read the ſame publickly in Church, on pain of Five pounds.
Appeals for four laſt years, § 22.	Juſtices during four laſt years to hear Appeals at Quarter Seſſions, and what to be done thereupon.
Determin. final, § 23.	Appeal determined to be final.
Miniſter to regiſter Marriages, &c. § 24.	Miniſters to keep Regiſters of Marriages, Burials, Chriſtnings, and Births, to which all ſhall have acceſs *gratis*, on penalty of one hundred pounds.
Notice of Birth, § 25.	Parent to give Collector notice of Birth of Child, and Collector to give Parent a Certificate of the Notice, and where Child Dead-born, Parent to bring a Certificate from two.
Patents of exemption, § 26.	None to be exempt from Duties by Letters Patents.
Duties for Infants, § 27.	Parents, Guardians and Tutors chargeable with duties for Infants, and to be allowed them on account.
Perſons where to be rated, § 28.	All to be rated where reſident, and thoſe without place of reſidence, and Servants to be taxed where reſident at execution hereof, and thoſe out of the Realm to be taxed where laſt abiding in the Realm.
Charged double, Eſcaping Tax, § 29.	Any doubly charged to be diſcharged by Certificate of Commiſſioners, and Oath thereof, and for eſcaping Taxation, by ſhifting reſidence or by fraud, to be charged double.
Lodgers, § 30.	Houſholders on demand to give account of Lodgers, on pain of Five pounds.
Heir paying duties, § 31.	Heir paying Duties on Anceſtors Burial, or if levied on the Lands deſcended, to recover ſo much from Executors or Adminiſtrators.
Seiſing Collectors Eſtates, *&c.* § 32.	Commiſſioners may ſeize and ſecure Eſtates of Collectors not paying or detaining Money received, and ſell and diſpoſe the ſame.
Aſſeſſing places, § 33.	All places to be aſſeſſed where uſually aſſeſſed.
Aſſeſſing Commiſſioners and Aſſeſſors, § 34.	Commiſſioners to aſſeſs each other, and alſo the Aſſeſſors, and ſums aſſeſſed on Commiſſioners to be levied as other ſums.
Aſſeſſor, § 35.	None compellable to be an Aſſeſſor out of the limits of the place where he inhabits.
Places extraparochial, § 36.	Commiſſioners to appoint Aſſeſſors and Collectors of extraparochial places.
Staying proſecution, § 37.	No ſtay of proſecution for penalties, *&c.* allowable.
Summoning perſons newly coming to reſide, § 38.	Commiſſioners to ſummon perſons coming to reſide in places where not taxed, and unleſs a Certificate produced to cauſe them to be aſſeſſed.
Aſſeſſor or Collector neglecting duty, calling Receiver Gen. to account, controverſie between Commiſſioners, Commiſſ. determining difference, Acquittance, Defaulters, § 39.	Aſſeſſor or Collector, *&c.* neglecting duty to be Fined by Commiſſioners, not exceeding twenty pounds, Commiſſioners to call Receiver General to account, and where failure, the Money to be levyed and paid into the Exchequer; Controverſie between Commiſſioners, determinable by the reſt. Commiſſioners or any three of them may finally determine differences; Receiver General or his Deputy to give Acquittances *gratis*, Collectors to deliver Receivers General, *&c.* Schedules in Parchment of names, *&c.* of defaulters, to be returned into the Exchequer.
Officers aſſiſting execution, § 40.	All Officers to be aſſiſting in execution of this Act, and obey Warrants of Commiſſioners, *&c.*
Defendants priviledge, § 41.	Priviledge of perſon ſued for things done in execution of this Act.
Collector paying to Receiver Gen. § 42.	Collector to pay Money to Receiver General or his Deputy, whereof notice to be given Commiſſioners.
Collector travelling, § 43.	Collector not obliged to travel above twelve miles from home.
Receiver Gen. returning into Exchequer, § 44.	Receiver General returning to Exchequer ſums received, to be unpaid, or cauſing any to be ſet *inſuper*, for Money received, to forfeit to perſon damaged, treble damages.
Penalties in 25 *Car.* 2. diſcharged, § 45.	Commiſſioners not to be liable to penalties in 25 *Car.* 2.
Levying, Forfeitures § 46.	Forfeitures not before appointed, how to be levied, to be levied by diſtreſs and ſale of Goods by Commiſſioners Warrant, rendring Overplus.
Collector not delivering Duplicates, &c. § 47.	Collector refuſing to deliver a Duplicate of Aſſeſſment with Names for Collectors for enſuing year to forfeit Twenty pounds.
Burial of poor, § 48.	Duty for Burial of Poor to be paid by the Churchwardens and Overſeers out of poors Money, and diſtreſs, *&c.* for non-payment.
Demand, § 49.	A demand at the houſe where the perſon died, good.
Poor Buried in Cities, &c. § 50.	In Cities and great Towns, Churchwardens and Overſeers yearly on oath to deliver a Liſt of the Poor buried the preceding year to the Magiſtrates and Officers, who ſhall cauſe ſums paid for Burials, to be taxed on the City or Town in general, and paid Churchwardens or Overſeers.
Account in Exchequer, § 51.	Receiver General and others to account yearly on Oath in the Exchequer, and how.
Marrying in places exempt, § 52.	None to be Married in place exempt from Viſitation of Biſhop without Licence, except Bans publiſhed and certified, and penalty on Miniſter marrying otherwiſe.
Exception of Members of Univerſities, § 53.	Not to extend to Fellows, Students, or Scholars of the Univerſities.
Burial of Infant, § 54.	Burial of an Infant not reſident at his death with his Parents, to be paid for by the Maſter or Miſtreſs of the houſe where he died, and they to be reimburſed, and how.
Certificate on death of Nobility and Gentry, § 55.	Upon Burial of Nobility or Gentry a Certificate to be delivered Collector by perſon liable to pay duty of deceaſeds Name, Quality, Employment, Age, *&c.* to be tranſmitted to Receiver General and delivered Officers at Arms, and Alphabetically digeſted in Books and Filed for publick uſe.

650000

650000 l. may be Lent, §. 56.	650000 pounds may be advanced on Credit of this Act at Eight pounds *per Cent. per annum* Intereſt.
Accounts Diſtinct, §. 57.	Diſtinct Accounts to be kept of Duties.
Entring Duties apart, §. 58. Tallies, Orders, Appropriation, No Fees, Penalties.	Moneys to be Entred apart in a Book to be kept in Receit Office, and Lenders to have Tallies Struck, and Orders for Repayment; Orders to be Entred, and Payments made in Courſe; Duties appropriated; All things to be done *gratis*, and penalties on Officers, *&c.* Offending.
Undue Preference, §. 59, 60.	What ſhall be undue Preference in Entry or Payment, what not.
Orders Aſſignable, §. 61	Orders Aſſignable, and how.
Charges, &c. §. 62.	Salaries and Charges payable out of Duties.
Marriages of Quakers, Papiſts, Jews and others, §. 63.	Quakers, Papiſts, Jews and others cohabiting as Man and Wife, liable to Duties for Marriages; And the Man to give Notice of Marriage within Five days on pain of Five pounds.
§. 64.	Not to make more effectual ſuch pretended Marriages.
Tranſport Ships for Reducing Ireland, *Cap.* 7.	Further Duties laid on Spices Imported between *May*, 1695. and 1698. for paying Intereſt of Five pound *per Cent. per an.* for Three years, for 330769 pounds Ten ſhillings Seven pence Principle Money, due for Tranſport-Ships for Reducing *Ireland. Vide* Tit. *Merchant.*
Publick Accounts, *Cap.* 9.	Commiſſioners appointed to Examine Publick Accounts, with Reviver of former Acts relating thereto.
Velum, Parchment, Paper, *c.* 12.	Explanation of late Act for granting Duties on Velum, Parchment and Paper.
Things Exempt, *c.* 2.	Several things Exempt from Duties.
Batchelor of Arts, *c.* 3.	Entry of Batchelor of Arts Degree Excepted.
Commiſſions of Rebellion, *c.* 4.	Commiſſions of Rebellion Exempt.
Annual Officer, *c.* 5.	Admittance of Annual Officer, where Office not worth Ten pounds *per annum*, Except.
Sea Officer, *c.* 6.	Sea Officer to pay ſame Duty as Land Officer.
Penalty reduced, *c.* 7.	Penalty of Five hundred pounds reduced to Five pounds.
Pardoned, *c.* 8.	Penalty of Five hundred pounds incurred, pardoned.
Setting prices, *c.* 9. Stamping prices ſet. Allowance on preſent payment, or for Paper bought of Commiſſioners.	Treaſurer or Commiſſioners of Treaſury yearly to ſet prices of Stampt Paper, *&c.* and prices ſet to be Stampt, and Six pounds *per Cent. per annum* for Three Months allowed on preſent payment, and for Paper, *&c.* bought of Commiſſioners, where Duty amounts to Ten pounds.
Glaſs Wares, Stone and Earthen Bottles, Coals, Culm, *Cap.* 18.	Duties on Glaſs Wares, Stone and Earthen Bottles, Coals and Culm, granted for Five years, for Carrying on War againſt *France. Vide* Tit. *Merchant.*
Appropriation of Moneys by Cap. 6. §. 25, 26.	Moneys ariſing by *Cap.* 6. appropriated, with Reviver of 1 *W. & M. Seſſ.* 2. *Cap.* 1. as to payments, Diſtribution, Accounts and Diverſion.

Templars, ſee *Abbe.*

Tenth, ſee *Tythes.*

Tender.

Marriage, 9 *H.* 3. *c.* 6. *Magna Chart.*	Of Marriage to Heir muſt be without Diſparagement.
Cont. tend. or refuſal, 20 *H.* 3. *c.* 6. *Merton.*	Marriage *contra* to it, or refuſal, forfeits double Value.
Arrears, Ceſſavit, 6 *Ed.* 1. *Cap.* 4. *Glouc.*	Muſt be of Arrears before Judgment in *Ceſſavit per Biennium*, or the Land is loſt for ever.
Amends, Treſpaſs, 21 *Jac.* 1. *c.* 16. §. 5.	May be of Amends on Diſclaimer of Involuntary Treſpaſs.

Tenants.

Tenancy, Tenures, Knights, Meſne, Capite, Services, Eſcuage, Feiſs, Soccage, Honours, Manors, Homage.

Wardſhip to the King, 9 *H.* 3. *c.* 27.	By Fee-Farm, Soccage, or Burgage of the King, ſhall not be in Ward that holds the Knights-Service of others, nor for Pety Serjeanty, to pay Arrow-Head, Knife, *&c.*
Relief and Services to the King, *c.* 31.	Tenants of Barony, or Honour of Eſcheat, ſhall pay the ſame Relief and Services to the King, as to the Lord of the Fee, unleſs the Lord held of the King.
Tenure not prejudiced by Alienation, *c.* 32.	Tenure of the Lord ſhall not be prejudiced by Alienation of the Tenant, but he ſhall leave ſufficient.
Eſcuage, *c.* 37.	By Eſcuage ſhall be taken as in time of *H.* 1.
Coparceners, 14 *H.* 3. *pag.* 7. *Stat. Hibern.*	All Coparceners hold of the Chief Lord, and not one of another, though the Eldeſt do Suit for all.
Dedi & Conceſſi, 4 *Ed.* 1. *Cap.* 6. *De Bigamis.*	*Dedi & Conceſſi* to hold of Feoffor, binds Heir to Warranty, but to hold of Chief Lord, not, but both find Feoffor.
Acquittal and forejudger, 13 *H.* 1. *c.* 9. *W.* 2.	If Mean do not acquit the Tenant by Grand Diſtreſs and Proclamation two Counties, he ſhall be forejudged if of full Age, and but one.

Shall without regard to Sex or quantity of Land, be Married by the Lord Prior in Feoffment, whether Deſcent be from Father or Mother.	Marriage, *c.* 16.
Heir of Lord ſhall have Entry againſt Heir of Tenant, and Alienee of particular Tenant.	Entry of Heir and Alienee, *c.* 21.
Setting up Croſſes under Priviledge of Templars or Hoſpitallers, Mortmain.	Croſſes, *c.* 33.
Shall not have View unleſs on Leaſe of Plaintiffs Anceſtor.	View, *c.* 48.
Feoffees ſhall hold of Chief Lords as Feoffors held.	Feoffees, 18 *Ed.* 1. *c.* 1. *Qu. empt. ter.*
On Prayer to be received, he in Reverſion, not Party to the Suit, ſhall find Surety to anſwer the Demand.	Surety to anſwer, 20 *Ed.* 1. *p.* 58. *Defenſ. Jur.*
Cauſes to excuſe a Man of Knighthood.	Knighthood, 1 *Edw.* 2. *pag.* 75. *De militibus.*
Every Coparcener ſhall do Homage, and each hold dividedly of the King.	Coparceners, 17 *Ed.* 2. *c.* 5. *Prerogat. Reg.*
Shall not Alien the more part without Licence, unleſs ſufficient be to do Service.	Alienation, *c.* 6.
Serjeanty ſhall be Rated on Alienation at reaſonable extent.	Rating Serjeanty on Alienation, *c.* 7.
Lands holden of Honour ſhall not be ſeized for Alienation, but only thoſe holden of the Crown.	Seizure for Alienation 1 *Edw.* 3. *c.* 13.
Nontenure of parcel ſhall abate Writ, but *Pro rata.*	Nontenure, 25 *Ed.* 3. *Stat.* 4. *c.* 16.
May Traverſe Office of Eſcheators Returned in Chancery.	Traverſing Office, 34 *Ed.* 3. *c.* 14.
Their Alienation without Licence confirmed, ſaving the Kings Prerogative.	Alienation confirmed, *Cap.* 15.
For Life in Dower *per* Courteſie, or *apres* Poſſibility, may Traverſe Colluſion of Recovery againſt them, after Reverſed by Error or Attaint by him in Reverſion.	Traverſing Colluſion of Recovery, 9 *R.* 2. *Cap.* 3.
Of the Freehold when Action accrue, is liable after Diſſeizors death, if Pernor when ſued.	Tenant of Freehold liable, 4 *Hen.* 4. *Cap.* 7.
Patentee of Lands of Perſon Attaint may be Diſtrained for Services, *&c.*	Patentee diſtrainable, 7 *Edw.* 4. *c.* 5.
A *Formedon* againſt Pernor of Profits, and he to have the ſame Advantage as Tenant by Age, Aid, Voucher, *&c.*	Formedon againſt Pernor, 1 *Hen.* 7. *c.* 1.
Shall not unite Farms above Ten Marks, Leſſee to chooſe, and after to forfeit Ten pounds for taking in the *Iſle of Wight.*	Uniting Farmes in the Iſle of Wight, 4 *H.* 7. *Cap.* 16.
The Manor of *Amphtil* made an Honour, and ſeveral other Manors, *&c.* annext to it.	Ampthil, 33 *H.* 8. *c.* 37.
The Manor of *Grafton* made an Honour, and ſeveral other Manors, *&c.* annext to it.	Grafton, *Cap.* 38.
Tenth and a Tenure in *Capite*, Knights Service, or Burgage, to be reſerved by the King on grant of Abbe Lands under Fourty ſhillings *per annum*, without Houſe.	Reſervation on Grant of Abbe Lands, 35 *H.* 8. *c.* 14. § 3.
The like on grant of Fee of Houſe without Lands diſſolved by 27 *H.* 8. *Cap.* 28.	Houſe diſſolved, § 4.
The King during Life, by Patent and Proclamation, may make *Weſtminſter*, *Kingſtone* upon *Hull*, *Dunnington* Caſtle, St. *Oſyth*, and as many Honours as he will.	King may make Honours, 37 *Hen.* 8. *c.* 18.
The Tenure on 35 *H.* 8. *Cap.* 14. §. 3 & 4. of Abbe Lands under Fourty ſhillings, is not meant only ſuch as came to the King by 27 *H.* 8. *Cap.* 28. but of any others.	Tenure of Abbe Lands, *Cap.* 20. § 2.
Patentee by any Tenure with Clauſe *Et non in Capite*, may Enter and ſue no *Ouſter le main*, &c.	Entry of, &c. of Patentee, § 4.
Lands held on Knights-Service as of Dukedom, Barony, Fee, or Seigniory, ſhall not by Attainder, Surrender, *&c.* to the King, be held in *Capite.*	Lands not to be held in Capite, 1 *Edw.* 6. *c.* 4.
Not to prejudice ancient Crown Lands.	Crown Lands, § 2.
They who on Record confeſs Tenure in *Capite*, ſhall ſo hold.	Confeſſing tenure in Capite, § 3.
Meſne Lords to receive Services of the King, and Heir Diſcharge, *&c.*	Services of the King, 2 & 3 *Ed.* 6. *c.* 8. § 10.
For eaſe in obtaining and pleading Licence or Pardon of Alienation.	Licence or pardon of Alination, 1 *Car.* 1. *c.* 3.
None ſhall be Fined to take Order of Knighthood.	Knighthood, 17 *Car.* 1. *Cap.* 20. § 2.
From 24 *Febr.* 1645. the Court and all Wardſhips, Liveries, *Primer-Seiſins*, *Ouſter le Mains*, Values, Forfeitures of Marriage, mean Rates, and other incident Charges; and 2. All Fines for Alienation, Seizures, Pardons, Homage, Aid *Pur File marier*, or *Pur fair Fitz Chivaler*, &c. and 3. All Tenures by Knight-Service, or Soccage in *Capite*, or of Honours held of the King, or others taken away and diſcharged.	Court, Wardſhip, Fines, Tenures, &c. diſcharge, 12 *Car.* 2. *Cap.* 24.
That all Conveyances ſince 24 *Febr.* 1645. be of the ſame effect, as if the Lands were free and common Soccage.	Conveyances, § 2.
A Repeal of 32 *H.* 8. *Cap.* 46. and of 33 *H.* 8. *Cap.* 22.	Repealer Stat. § 3.
All Tenures to be Created by the King, ſhall be free and common Soccage, and not Knights-Service, or in	Free and common Soccage, &c. § 4.

	in *Capite*, and diſcharge of Wardſhip, *&c.*
Exception of Tenures and Services, &c. §. 5.	Not to take away Rents certain, Heriots, or Suits of Court, Fealty, or Relief, *&c.*
§. 6.	Takes not away Fines for Alienation by the Cuſtom, nor of *Capite* immediate of the King.
§. 7.	Takes not away Frankalmoyn, nor alters Copyhold, nor Grand Serjeanty, *&c.*
§. 11.	Not to prejudice Title of Honour Feodal, or Peerage.

Tenants in Common.

Waſte, 13 *Ed.* 1. *c.* 22. *W.* 2.	Waſte lieth by one againſt the other, and Elect to hold in place certain, or elſe to take nothing but as his Partners take.
De partitione faciend. 31 *Hen.* 8. *c.* 1.	May have Writ *De partitione faciend.* of any Eſtate of Inheritance, to compel each other to Partition.
Diviſion, 32 *Hen.* 8. *Cap.* 32.	For life or years, or where one hath Inheritance, may compel to divide.

Teſtaments, ſee *Deviſe.*
Teſtmoyns, ſee *Witneſs.*
Threats, ſee *Dureſs.*
Thread and *Thrums*, ſee *Drapery.*
Thankſgiving, ſee *Religion.*
Timber, ſee *Woods.*
Tyn, ſee *Mettals.*
Tyles, ſee *Trades.*
Tillage, ſee *Approvement.*
Tyndal, ſee *Lieu* and *Franchiſe.*

Tythes.

Diſm, Oblation, Firſt-Fruits, Penſions, Portions, Corodies, Indicavit, Prohibition.

Frankpledge and Tything, 9 *Hen.* 3. *c.* 35. *Mag. Chart.*	The View of Frankpledge ſhall be ſo done that our Peace may be kept, and that the Tything be wholly kept as accuſtomed.
Suit to Tything, 20 *H.* 3. *c.* 10. *Merton.*	Free-man may do Suit to the Tything by Attorney.
Writ on Indicavit. 13 *Ed.* 1. *c.* 5. §. 4. *W.* 2.	On *Indicavit* againſt Parſon of the next Pariſh, the Patron ſhall have a Writ to demand the Advowſon of the Tythes.
Indicavit, 34 *Edw.* 1. *pag.* 70.	No *Indicavit* until the Matter be Recorded in the Spiritual Court.
Prohibition of Money, 9 *Ed.* 2. *c.* 1. *Art.Cleri.*	If Demand in Money, Prohibition lieth.
New Mill, *Cap.* 5.	Of new Mill ſhall not be prohibit to revoke Excommengement.
Indicavit, 9 *Ed.* 2. *c.* 2.	*Indicavit* lieth if they amount to fourth part, *&c.*
Scire facias, 18 *Ed.* 3. *Cap.* 7.	No *Sci. fac.* in Chancery ſhall be granted thereof, ſaving the Right the King and his Anceſtors were wont to have.
Prohibition of Wood, 45 *Edw.* 3. *Cap.* 3.	Prohibition, if demanded in Spiritual Court, of Wood Twenty years, as *Silva Cedua.*
Oblig. by Dureſs, and Procuror of Indictment, &c. 1 *R.* 2. *c.* 13.	Obligation by *Dureſs* not to ſue in Spiritual Court, void, and Procurors of Indictment for Suits there puniſht as on falſe Appellors.
Averment, *Cap.* 14.	Averment that Suit for Goods taken away is for Tythes, not good, unleſs ſhewed how its Lay Chattel.
Ceſtertians, 2 *H.* 4. *c.* 4.	*Ceſtertians* Diſcharge by Bull, void, and *Præmunire*, if put in Execution.
Aliens Lands, 5 *Hen.* 4. *Cap.* 11.	Shall be paid by Farmers of Aliens Lands, notwithſtanding the Seizure into the Kings hands, or any Prohibition.
Bull to diſcharge, 7 *Hen.* 4. *c.* 6.	He that purchaſeth Bull of Diſcharging, that thereby diſturbs enjoyment of them by Parſon, *&c.* ſhall incur a *Præmunire.*
Firſt-fruits, 26 *Hen.* 8. *Cap.* 17.	Leſſee ſhall not pay Firſt-Fruits thereof to the King, but the Leſſor, notwithſtanding Covenant *contra.*
Deduction from Firſt-fruits, 27 *H.* 8. *c.* 8.	Shall be deducted out of Firſt-Fruits on Spiritual Promotions.
Allowance, §. 2.	Commiſſioners for Firſt-Fruits ſhall allow them.
Encumbent, §. 3.	Encumbent being allowed Tenth, ſhall pay it the firſt year to the King, as by 26 *H.* 8. *Cap.* 3.
Succeſſor, §. 4.	Succeſſor ſhall pay if he may Diſtrain Goods of Predeceſſor, elſe Executor of Predeceſſor only is liable.
Recogn. to obey Proceſs of Court, *Cap.* 20.	Two Juſtices of Peace, one of *Quorum*, to take Obligation or Recognizance at requeſt of Ordinary, to obey Proceſs of Eccleſiaſtical Court.
Duty in London, §. 2.	Not to extend to any Duty in *London.*
Appeal, Prohibition, Defence, &c. §. 3.	Parties ſued, to have Appeal, Prohibition, or other Legal Defence.
Continuance, §. 3.	To continue till Eccleſiaſtical Laws appoint by the King and 32.
London and Suburbs, *Cap.* 21.	Payment in *London* and Suburbs, until another Law publiſhed.
Abbe Lands diſcharged, 31 *H.* 8. *c.* 13. §. 21.	The King and Patentee of Abbe Lands, ſhall hold diſcharged as Abbe held.

Lay-Owners of Parſonage, *&c.* had no Remedy at Common Law, nor in Spiritual Court.	Lay-Owners of Parſonage, 32 *Hen.* 8. *c.* 7.
Perſon Lay or Eccleſiaſtical may ſue before the Ordinary for ſubſtracting them.	Suing for Subſtraction, §. 2.
On Appeal from Ordinary Coſts to be paid, and Excommengement till pay, and ſo in all Suits for Detention.	Coſts, §. 3.
On refuſal after Sentence, two Juſtices of Peace, *Quorum* one, ſhall on Certificate of Ordinary Commit Offender till Recognizance to perform Sentence.	Sentence, §. 4.
None to pay that are by the Laws and Statutes diſcharged.	Payment, §. 5.
Not to bind City and Suburbs of *London*, but they pay as before this Act.	London, §. 6.
Of Lay-Tythes, *Precipe, Aſſize, Mortdanceſter, Quod ei deforceat*, Dower, or other Writs, may lie in the Kings Courts, Fines, Recoveries, *&c.*	Lay-Tythes, §. 7.
No Remedy in Temporal Courts for recovery of Tythes, but Suit to be in Eccleſiaſtical Court.	Remedy for Tythes, §. 8.
Erection of Court of Record of Firſt-Fruits and Tenths.	Court of Firſt-fruits, *Cap.* 45.
Notwithſtanding 26 *H.* 8. *Cap.* 3. and 27 *H.* 8. *c.* 8. Biſhop of *Norwich*, and Dean and Chapter in Vacation, ſhall be Collector of Diſme.	Collector of Diſme, *Cap.* 47.
The Court of Firſt-Fruits to order Biſhops of *Cheſter, Glouceſter, Peterborough, Briſtol,* and *Oxford,* Erect by Patent.	Tenth of New Biſhops payable ſame Court, 34 & 35 *H.* 8. *c.* 17. §. 3.
For what is reſerved by Patent, *&c.* Court of Firſt-Fruits cannot meddle.	Court reſtrained, §. 4.
Order of *Tho.* Archbiſhop of *Canterbury*, &c. as to payment in *London*, Enrolled in Chancery, to be of the force of Act of Parliament.	London, 37 *H.* 8. *c.* 12.
Every Citizen to pay of every Ten ſhilling *per an.* One ſhilling four pence *ob.* yearly, *&c.*	Rate, §. 2.
Payment according as the Houſe was laſt Lett, without Fine.	§. 3.
Payment to be by the principal Farmer.	Principal Farmer, §. 5.
Each Tenant to pay proportionable where all is Lett dividedly.	Tenants Proportionable, §. 6.
Under-Leſſee ſhall pay.	Under-Leſſee, §. 7.
Warehouſe convert to Manſion, to pay as Manſion.	Warehouſe, §. 8.
Shall be paid by Tenant of Brewhouſe, Dyehouſe, and Stock abating Third peny.	Tenant of Brewhouſe, &c. §. 9.
The Citizens to pay Tythes Quarterly.	Pay Quarterly, §. 11.
Inhabitants of above Ten ſhillings *per annum*, to pay only Two pence at *Eaſter*, for four days Offering.	Inhabitants of abov 10 s. per annum, §. 12
Owners or principal Leſſee of Houſe divided, to pay and diſcharge Under-Leſſee.	Diſcharging Under-Leſſee, §. 13.
None to be paid for Gardens of Pleaſure.	Gardens, §. 14.
Not to charge Houſes of Great men, *&c.* Unletten.	Houſes unlett, §. 16.
Not to charge Sheds, Timber-yards, *&c.* no parcel of Dwelling-houſe.	Sheds, &c. diſcharged §. 17.
Where leſs then One ſhilling four pence ob. hath uſed to be paid, no more to be exact.	Payment of leſs tha 1 s. 4 d. ob. §. 1
The Mayor to end all Controverſies about payment in two Months.	Ending Controverſie, §. 19.
If Mayor do not in two Months, Lord-Chancellor to end it.	§. 20.
Shall be only as Rent then is on Burning, Decay, or ſuch Miſfortunes.	Burning, Decay, &c. §. 21.
A Confirmation of 27 *Hen.* 8. *Cap.* 20. and of 32 *Hen.* 8. *Cap.* 7. and that every Subject pay Predial Tythes as they riſe, as within Fourty years, or of Right, and none to be taken away till divided, or agreed for, on forfeit of treble Value.	Confirmation of fo mer Statutes, P dial Tythes, 2 & *Edw.* 6. *Cap.* 13.
Parſon, *&c.* to ſee them ſet out and ſevered from the Nine parts, and he that willingly withdraws before, or hinders Parſon, *&c.* on proof before Judge, to pay double beſide Coſts, *&c.*	Setting out, withdrawing or hindri §. 2.
Owner of Cattel going in Pariſh uncertain, to pay where he dwells.	Cattel in Pariſh uncertain, §. 3.
Saving Priviledge and Preſcription to be diſcharged.	Lands diſcharged, §.
Barren Waſte or Heath not diſcharged by Parliament, ſeven years after Improvement to Arable or Meadow, ſhall pay.	Barren Waſte or Hea improved, §. 5.
If Barren uſe to pay, Improver during the ſeven years to pay only what was uſed.	Barren uſed to pay, §. 6.
Merchants, Handycrafts, and Faculties (that for fourty years paid perſonal Tythe) to pay Tenth of clear Gains, Charges, *&c.* deduct, except Day-Labourers.	Tenth of clear Gains, §. 7.
The Cuſtom of payment by Handycraft to be as uſed in fourty years.	Cuſtom for Handycraft, §. 8.
On refuſal, Ordinary to Examine Party, but not on Corporal Oath.	Examination on refuſal, §. 9.
Offerings ſhall be paid where Party dwells, at four days accuſtom, or at *Eaſter.*	Offerings, §. 10.
Not to extend to Sea-Coaſt Towns, but they to pay Tythe Fiſh as uſual.	Tythe Fiſh in Sea-Coaſts, §. 11.
Inhabitants that uſed to pay Tythes in *London* or *Canterbury*, by Houſes, to do it ſo ſtill.	Payment by Houſes in Lond. and Cant. §. 12.

Parſon

Suit by Parſon, &c. § 13.	Parſon, *&c.* may ſue in Eccleſiaſtical Court, or elſewhere, and party be Excommunicated fourty days, and then Proceſs.
Prohibition, ſuggeſtion, conſultation, double coſts, § 14.	Prohibition to be as uſed, and Suggeſtion to be proved in ſix months, or Conſultation and double Coſts.
Eccleſiaſtical Juriſdiction, § 15.	Not to give Eccleſiaſtical Juriſdiction *contra* to *W.* 2. *Cap.* 5. nor *Artic. Cleri*, *Silva Cedua*, the Treatiſe *De Regia prohibitione*, or 1 *Ed.* 3. *Cap.* 10. or 11. or where the Kings Court have Juriſdiction.
Marriage Goods in Wales or Mar. § 16.	No Tithe of Marriage Goods to be exact in *Wales*, or the Marches.
Deprivation for Non-payment, *c.* 20. § 3.	Parſon ſhall only be deprived of one Benefice on certificate of Non-payment to the King.
Encumbent not diſabled, § 4.	No Encumbent to be diſabled to take new Benefice.
Payments and penalties, § 5.	All other Payments and Penalties not herein named to the King, to ſtand.
Under-Collector of Tenth, Recognizance, 7 *Ed.* 6. *c.* 4. § 2.	Under-Collector of Tenth to enter Recognizance to the King in the Court of Firſt-fruits, to anſwer Tenth and all yearly Duties, *&c.*
Firſt-fruits and Tenths ceaſed, &c. Tithes and Livings renounced, 2 & 3 *Ph.* & *Mar. c.* 4.	Payments of Firſt-fruits and Tenths (except reſerved by Patent) to ceaſe, and employed to other Pious Uſes, Tithes and Eccleſiaſtical Livings renounced by the Queen.
Stat. Repeal'd, Reviv. of Firſt-fr. 1 *El. c.* 4. § 22	A Repeal of 2 & 3 *Ph.* & *Mar. Cap.* 4. and Reviver of payment of Firſt-fruits.
Tithes and Rents veſted in King, § 23.	Perpetual or Annual, and Rents *Nomine Decimæ* reſerved on Patents, to be Veſted in actual Poſſeſſion of the Kings.
Reviver of Statutes of Firſt-fruits and Tenths, § 24.	So much of 26 *Hen.* 8 *Cap.* 3. § 2. in § 1. and of *Cap.* 17. in § 4. and of 27 *Hen.* 8. *Cap.* 4. in § 5. and of 28 *Hen.* 8. *Cap.* 11. in § 6. and of 32 *Hen.* 8. *Cap.* 22. in § 7. and of *Cap.* 45. in § 8. and of *Cap* 47. in § 9. and of 34 *H.* 8. *Cap.* 2. in § 10. and of *Cap.* 17. in § 11. and of 37 *H.* 8. *Cap.* 21. in § 12. and of 2 *Edw.* 6. *Cap.* 20. in § 13. and of 7 *Edw.* 6. *Cap.* 4. in § 14. and of 1 *Mar. Cap.* 10. in § 15. Or of any other Statute for Order and payment of Firſt-fruits and Tenths, to ſtand, *&c.*
Penſions, Corodies, § 27.	All payments to be made in Exchequer of Penſions, Corodies.
Arrears, § 28.	Encumbents and Farmers to anſwer Arrears in Exchequer.
Parſonage, &c. diſcharged, § 29.	Parſonages, *&c.* under Ten pounds *per annum*, to be diſcharged.
Encumbent paying one fourth Firſt-fr. § 30.	If Encumbent received not half a years profit, to pay but one fourth part of Firſt-fruits.
A moiety, § 31.	If he die within the year, but Moiety.
Three fourths, all, § 32.	If he die in year and half, to pay three Quarters, if § 33. he live two years, to pay all.
Releaſe to Univerſ. § 34	Releaſe, *&c.* to the Univerſity by *H.* 8. *&c.* good.
Dean & C. Windſ. § 35.	Dean and Chapter of *windſor* excuſed.
Leaſes, § 36.	Leaſes in Reverſion above a year, or without ancient Rent, void.
Spiritual Prom. § 37.	All Spiritual Promotions remain chargeable.
Survey of Lancaſter, § 38.	Thoſe that were in Survey of *Lancaſter* 2 & 3 *Ph.* & *M.* to be ſo ſtill.
Encumbents entry, § 39	No Penalty for Encumbents Entry, ſo he compound within time.
Hoſpitals, Poor, § 40.	Not to charge Hoſpitals for Relief of Poor.
Detainer by Inhabitant, 18 *El. c.* 11. § 7.	May be detained by Inhabitant after Sentence on Leaſe void by Non-reſidence.
London, 22 & 23 *Car.* 2. *Cap.* 15.	Settlement thereof in the Pariſhes Burnt, and Rebuilt in *London*.
Ceſtui que Truſt 29 *Car.* 2. *c.* 3. § 10.	Are ſubject to Execution had againſt *Ceſtui que Truſt*.
Iriſh Clergy, 1 *W* & *M Seſſ.* 1. *c.* 29.	*Iriſh* beneficed Clergy promoted in *England*, exempted from Firſt-fruits, and Tenths.
Hemp, Flax, 3 & 4 *W* & *M c.* 3. § 2.	Sower of Hemp or Flax to pay before removal, for each Acre an annual ſums not exceeding four ſhillings.
Lands diſcharged, § 3.	Not to charge Lands diſcharged by Law.
Continuance, § 4.	To continue for ſeven years.

Tobacco, ſee *Approvement* and *Merchants*.
Toll, ſee *Market overt*.
Tongues, ſee *Treſpaſs*.
Town, ſee *Reparation*.

Trades.

Goldſmiths, *Girdlers*, *Bakers*, *Wax-Chandlers*, *Sadlers*, *Handycraft*, *Artificer*, *Labourers*, *Workmen*, *Servants*, *Apprentice*, *Journeymen*, *Shoemakers*, *Cordwayners*, *Tanners*, *Curriers*, *Plaiſterers*, *Painters*, *Bricklayers*, *Tyles*, *Brokers*, *Leather*, *Phyſicians*, *Surgeons*.

Baker, 51 *H.* 3. *p.* 11. *Pillory* & *Tumbrel.*	Baker that uſeth not Aſſize, to be Amerced, and if Offence be often, Tumbrel.
oldſmith, &c. 28 *Ed.* 1. *Cap.* 26. *Artic. ſuper Ch.*	For ordering Goldſmiths, Gravers, Jewellers, Seal-Cutters, ſaving the Kings Prerogative.
l under 60. to ſerve, 23 *Edw.* 3. *c.* 1.	All under ſixty not having to live on, ſhall ſerve on requeſt, or be commit to Gaol.
Workman or Servant departing, *Cap.* 2.	Workman or Servant departing before time agreed on, Impriſoned.
Old Wages to Servant *Cap.* 3.	The old Wages and no more ſhall be given to Servants.
Lord of Manor, *c.* 4.	Lord of Manor offending againſt this Statute of Labourers, forfeits treble damages.
Artificer or Workman taking more Wages, *Cap.* 5.	Artificer that takes more Wages then wont, commit to Gaol, ſo Workman.
Giving to Beggar able, *Cap.* 7.	Mo man ſhall give any thing to a Beggar able to labour.
Wages in husbandry, 25 *Edw.* 3. *Cap.* 1.	The year and days Wages of Servants and Labourers in Husbandry.
Departure in Summer *Cap.* 2.	Nonetſhall depart in Summer where he dwelt in Winter.
Wages, &c. *Cap.* 3.	The ſeveral Wages of Artificers and Labourers.
Boots and Shoes, *c.* 4.	Boots and Shoes ſold as 20 *Edw.* 3.
Artificers, ſworn, *c.* 5.	Artificers ſworn to uſe Crafts as 20 *Edw.* 3.
Fugitive, Labourer, *Cap.* 6.	Fugitive Labourers to be Attacht to anſwer contempts.
Servant fleeing, *c.* 8.	Servant that fleeth from one County to another, ſhall be commit to Gaol.
Impriſonment, Wages of Carpenter and Maſon, 34 *Ed.* 3. *c.* 9.	A confirmation of 23 *Edw.* 3. *Cap.* 1. and 25 *Ed.* 3. *Cap.* 1. that Lords may impriſon, and the Wages of Carpenters and Maſons.
Labourer departing, *Cap.* 10.	Labourers departing into another County, burned in Forehead.
Delivering up Fugitive *Cap.* 11.	City or Borough on requeſt ſhall deliver up Fugitive Servant or Labourer.
Commiſſion of Labourer, 36. *Ed.* 3. *p.* 12.	Commiſſions of Labourers ſhall expreſs the four Seſſions of Juſtices of Peace.
Fines and Amerciaments, *Cap.* 14.	Fines and Amerciaments ſhall be to uſe of Commons for three years.
Handycrafts-men &c. 37 *Edw.* 3. *Cap.* 6.	Handycrafts-men ſhall uſe but one Myſtery, but Handyworkmen may work as they did.
Goldſmiths, Sterling, Mark, Price, Gilding, *Cap.* 7.	Goldſmiths ſhall work Sterling, and have peculiar Mark known to the Kings Surveyors, taking Eighteen pence for two Marks *Paris* Weight, ſhall not Gild white Plate, on forfeiture of value of the Mettal.
Labourer, 42 *Ed.* 3. *c.* 6.	The Statute 25 *Edw.* 3. *Cap.* 1. ſhall be executed of Labourers, *&c.*
Labourer, 2 *R.* 2. *c.* 8.	A confirmation of 23 *Edw.* 3. *Cap.* 3. of Labourers.
Servant departing, 12 *Rich.* 2. *Cap.* 3.	Servant ſhall not depart from one Hundred to another, without a Teſtimonial, elſe ſet in Stocks.
Exceed. in Wages, *c.* 4.	The penalty of giving or taking more Wages.
Servants in husbandry *Cap.* 5.	Servants twelve years in Husbandry, ſhall ſo continue.
Cities and Boroughs, *Cap.* 9.	The Statutes of Labourers ſhall be executed in Cities and Boroughs.
Setting day Labours 15 *Rich.* 2. *c.* 8.	Juſtices of Peace ſhall ſet Day-labour of Workmen and Crafts-men, as the Dearth of Victual is.
Shoemaker, &c. *c.* 12.	Shoemaker ſhall not be a Tanner, nor *contra*.
Girdler, 15 *R.* 2. *c.* 11.	Girdlers may work with white Mettal.
Retain Labourer, 4 *H.* 4. *c.* 14.	Labourers ſhall not be retained to work by the Week.
Shoemaker, &c. Tanning Leather, *c.* 35.	Shoemakers and Cordwainers may Tan Leather, notwithſtanding 13 *R.* 2. *Cap.* 12.
Smiths, Arrow-heads 7 *Hen.* 4. *c.* 7.	Smiths ſhall make Arrow-Heads with Steel-Points, and their Marks, elſe forfeit.
Apprentice, *c.* 17.	None ſhall put his Child Apprentice, unleſs he have Twenty ſhillings Land, but may put them to School.
Exceſſive Wages, 4 *Hen.* 5. *c.* 4.	The penalty of 12 *R.* 2. *Cap.* 4. of Exceſſive Wages, ſhall be impoſed only on the Taker.
Cordwainer, 2 *H.* 6. *c.* 7	The Penalty of Cordwainer being a Tanner.
Maſons avoiding Stat. of Labourers, 2 *H.* 6. *Cap.* 1.	They who cauſe Chapters and Congregations of Maſons to avoid the Statute of Labourers, ſhall be Felons, and the Aſſemblers Impriſoned, Fined and Ranſomed.
Proclaiming Wages, 6 *H.* 6. *c.* 3.	Juſtice of Peace ſhall proclaim Wages of Artificers and Workmen.
Wages, 8 *Hen.* 6. *c.* 8.	A Confirmation of 6 *Hen.* 6. *Cap.* 3. of Wages.
London Apprentice, *Cap.* 11. § 2.	Citizens of *London* may take Apprentices that have nothing, notwithſtanding 7 *Hen.* 4. *Cap.* 17.
Wax-Chandlers rates, 11 *Hen.* 6. *c.* 12.	Wax-Chandlers ſhall ſell Candles, Images, and Figures, only three pence in the pound dearer then plain Wax.
Norwich Stuffs, 20 *H.* 6. *Cap.* 10.	Four Wardens of Worſted-Weavers of *Norwich*, to ſearch yearly the Stuffs.
Norfolk Worſted, 23 *H.* 6. *Cap.* 4.	Four Wardens in City, and four in County of *Norfolk*, ſhall order all Worſteds.
Servants in huſb. *c.* 13.	The Wages and Notice of Servants in Husbandry.
Searching deceits of Weavers, &c. 4 *Ed.* 4. *Cap.* 1. § 6.	Deceits of Weavers, Fullers, Carders, Sheer-men and Dyers, may be ſearcht by Juſtice of Peace, Wardens, *&c.*
Shoes, *Cap.* 7.	Shoes ſhall not be above two Inches Pike, nor be made on *Sunday*, or Feſtival.
Patents, *Cap.* 9.	Patents may be of Aſp, not fit for Shafts.
Tyles, 17 *Edw.* 4. *c.* 4.	The due making, meaſure, and price of Tyles, to be determined by Juſtice of Peace.
Alien 1 *R.* 3. *c.* 9. § 9.	Aliens ſhall not be Handycraft.

Trades.

Apprentice, §. 11.	Alien Handycraft ſhall ſell in Croſs, and take no Apprentice but a Subject born.
Saving, §. 12.	Not to prejudice Bookſellers, Scriveners, Alluminor, Reader, or Printer.
Cordwayner, Tanner, Currier, 1 *H.* 7. *c.* 5.	The Duties of a Cordwayner, Tanner, and Currier.
Butchers Killing, 4 *H.* 7. *c.* 3.	Butchers ſhall kill no Meat in the Scalding-houſe, nor within the Walls of *London.*
Norwich Worſted, Weaver, Apprentice, 11 *H.* 7. *c.* 11.	None ſhall be a Worſted-Sheerer in *Norwich*, unleſs Seven years an Apprentice; Mayor and Aldermen to approve their Ordinance, the Citizens of *Norwich* may take any to be Apprentice.
Selling Bedding, Quilts, Mattreſs, Cuſhions, *c.* 19.	None ſhall ſell in Fairs or Markets any Feather-Beds, Bolſters, or Pillows, except Stuft with one ſort of Stuff, dry pulled Feathers, or Down alone, and no Scalded or Fendown; ſo of Quilts, Mattreſs, and Cuſhions, on forfeit of the Wares.
Wages in Huſbandry, *Cap.* 22.	The years Wages of Servants, Bayliff, Hind, Carter, Shepherd, and Child of Fourteen years old, in Huſbandry.
Norfolk Worſted makers, Apprentice, 12 *H.* 7. *c.* 1.	The Makers of Worſted Says and Stammins in *Norfolk*, may notwithſtanding 7 *H.* 4. *Cap.* 17. take Apprentices One or Two, and no more, of what Ability ſoever.
Artificers Wages, *c.* 3.	A Repeal of 11 *H.* 7. *Cap.* 22. as to Wages of Artificers.
Braſs and Pewter, 19 *H.* 7. *c.* 6.	Braſs and Pewter ſhall be ſold at open Markets only, and Searcht by the Artificers.
By-Laws, *c.* 7.	By-laws not to be againſt Common Profit, or the Kings Prerogative, to be Surveyed and Approved by Chancellor or Treaſurer, or Chief Juſtice, *&c.* or three of them, and none to be reſtrained to ſue the King.
Worſted-Sheerers, *Cap.* 15.	A Repeal of 11 *H.* 7. *Cap.* 11. as to ſeparate Worſted-Sheerers from the Craft of Sheering, but to ſtand as to taking an Apprentice, *&c.*
Shoemaker, Currier, *Cap.* 19.	Shoemaker ſhall not be a Currier, nor *contra.*
Surveying Leather, London, 3 *H.* 8. *c.* 10.	The Wardens of the Curriers in *London* ſhall Survey Leather.
Phyſick, Surgery, London, *c.* 11.	None to Practiſe Phyſick or Surgery within Seven Miles of *London*, but ſuch as are approved by the Ordinary, and four Expert.
Oyl Imported, London, *c.* 14.	The Mayor of *London*, and the Maſter and Wardens of Tallow-Chandlers in *London*, ſhall Search and Correct Oyls Import.
Exceed in Wages, 4 *H.* 8. *c.* 5.	No Penalty on Giver of more Wages then Statute appoints.
Pewter and Braſs, *c.* 7.	A Confirmation of 19 *H.* 7. *Cap.* 6. of ſelling Pewter and Braſs in Market.
London, York, §. 3.	That none in *London* or *York*, or without, Caſt or Work Pewter, or Braſs Veſſels, but of as fine Metal.
Salts or Pots, §. 4.	Not to prejudice preſent Owners, none to make Salts or Pots of Ley-Mettal, but Marked.
Selling or Buying, §. 5.	They that Sell or Buy Pewter or Braſs, to forfeit half, and if Inſolvent, Pillory.
Searching and Determining, §. 6.	The Pewterers Head-Officers or Juſtice of Peace to Search and Determine.
Deceivable Mettal, §. 7.	All deceivable Mettal in Tyn, Pewter, or Braſs-work, to forfeit half.
Callender Worſteds, 5 *H.* 8. *c.* 4.	None ſhall dry Calender Worſteds, nor uſe the wet Calender, unleſs Apprentice Seven year.
Barber-Surgeons, *c.* 6	Barber-Surgeons Exempt from Watch, Juries, and all Offices.
Wages, Work, 6 *H.* 8. *Cap.* 3.	The ſeveral Wages of Huſbandry, Artificers, and Labourers, the Hours of Work.
Alien Artificers, 14 & 15 *H.* 8. *c.* 2.	No Alien Artificer to have above Two Apprentices, or Journey-men, unleſs *Engliſh*, nor Covenant-Servants.
Search, &c. §. 3.	Shall be ſubject to Search, and Reformation of the Warden of Handycrafts in *London*, and one Houſholder-Stranger.
Yarmouth and Lyn Worſted-Weavers, *c.* 3.	An Incorporation of the Worſted-Weavers of *Yarmouth* and *Lyn.*
Phyſicians, *c.* 5.	The Phyſicians Incorporated, Eight Elects for Life, and out of them a Preſident yearly, and Preſident and Three Elects to approve all over *England.*
Cordwayners, London, *Cap.* 9.	A Repeal of 4 *Edw.* 4. *Cap.* 7. againſt Cordwayners in *London*, Pulling on Shoes on certain days.
Apprentice Imbezelling, 21 *H.* 8. *c.* 7.	Apprentice Imbezelling above Fourty ſhillings, not Felony, Servants is, if Eighteen years old.
Burpot, *c.* 12.	None within Five Miles of *Burpot*, ſhall ſell Hemp, but in that Market.
Rope, §. 3.	None to make Rope within Five Miles of it.
Alien Artificers keeping Servants in London, *c.* 16.	No Alien Artificers ſhall keep above Two Servants in *London*, &c.
Univerſities, St. Martins, §. 9.	In Univerſities, or St. *Martins le Grand*, ſhall not have above Ten Servants.
Taking Apprentices, §. 13.	Aliens may take as many Subjects Apprentices as they pleaſe.
Search, §. 16.	Aliens being warned, ſhall go with Warden of the Craft to Search.

Trades.

Corporation ſhall take of Apprentice only Two ſhillings ſix pence Entry, and Two ſhillings four pence when his time is out, on forfeit of Fourty pounds.	Corporation, Apprentice, 22 *H.* 8. *c.* 4.
If Butcher keep a Tan-houſe, he forfeits Six ſhillings eight pence a day.	Butcher, *c.* 6.
Bakers, Brewers, Surgeons and Scriveners are no Handycrafts, or Alien Artificers within 21 *H.* 8. *Cap.* 16.	Handycrafts, *c.* 13.
Brewers ſhall not be Coopers, nor make Barrels in the Houſe.	Brewers, 23 *H.* 8. *c.* 4.
Coopers ſhall make Veſſels of ſeaſonable Wood, with Mark, and every Barrel to contain Thirty ſix Gallons, *&c.*	Coopers Veſſels, §. 2.
Shall not enhance Prices above Nine pence a Beer-Barrel.	Prices of Barrels, §. 3.
Every Beer-Barrel to hold Thirty ſix Gallons, *&c.*	Size, §. 4.
Juſtice of Peace to ſet Price of Beer and Ale.	Setting price, §. 5.
Soap-Makers ſhall make Barrels as accuſtom Thirty two Gallons, and in Weight Thirty ſix pounds, and not above, *&c.*	Soap-Makers Barrels, §. 6.
The Wardens of Coopers in *London* to Search and Correct.	Search, &c. §. 7.
Beer-Brewer may keep Cooper to Hoop, Pin, Bind, and Amend.	Beer-Brewer, Cooper, §. 10.
The Tynners or Stream-works ſhall make Tyes to waſh in Rivers, and not ſuffer Sand, Gravel, or Robel to annoy the Havens in *Devon* and *Cornwall.*	Tynners, &c. Devon and Cornwall, *c.* 8.
Curriers not to ſell Leather but in open Market, *&c.*	Currier, 24 *H.* 8. *c.* 1.
They that occupy Sixty Acres of Tillage, ſhall Sowe a Rood with Flax or Hemp, on forfeit of Three ſhillings four pence.	Flax, Hemp, *c.* 4.
They who Dye Worſteds, Stamins, or Says, ſhall not uſe Callender thereof.	Dye Calender, 25 *H.* 8. *Cap.* 5.
No Pewterer or Braſier, ſhall take Alien Apprentice.	Pewterer, Braſier, Apprentice, *c.* 9. §. 3.
None ſhall go beyond Sea to work.	Going beyond ſea, §. 4.
If they return not on Three Months requeſt by the Craft, to be Aliens.	Returning, §. 5.
A Repeal of 1 *R.* 3. *Cap.* 5. §. 12. and that none buy Books Imported to ſell again ready Bound.	Books Imported, *c.* 15.
None to buy Books Imported but in Groſs.	§. 3.
The Chancellor, Treaſurer, and two Chief Juſtices, or either of them, to Regulate the Prices.	Regulating prices, §. 4.
None Inhabitant of *Yarmouth*, or Suburbs, ſhall Weave any Worſteds, *&c.* unleſs *Engliſh*-man born, and Apprentice Seven years, *&c.*	Weaving Worſteds, &c. Yarmouth, 26 *H.* 8. *Cap.* 16.
Tanner ſhall not Tranſport Leather Tanned or Untanned, nor Salt, or untann'd Hydes, Backs, or Sole-leather.	Tanner Tranſporting Leather, 27 *H.* 8. *c.* 14. §. 5.
A Confirmation of 19 *H.* 7. *Cap.* 7. and of 22 *H.* 8. *Cap.* 4. and that By-Law not to Trade without Licence of Corporation, forfeits Fourty pounds.	Stat. Confirmed, Trading againſt By-Law, 28 *H.* 8. *c.* 5.
A Confirmation of 1 *R.* 3. *Cap.* 9. and of 14 & 15 *Hen.* 8. *Cap.* 2. and of 21 *Hen.* 8. *Cap.* 16. againſt Alien Artificers.	Stat. Confirmed, Alien Artificer, 32 *H.* 8. *Cap.* 16.
Aliens in *Oxford*, *Cambridge*, St. *Martins le Grand*, and like places, not to retain above Two Servants Aliens.	Aliens retaining Servants in Univerſities and St. Martins, §. 8.
Leaſes to Alien Artificer, void, and Taker forfeit Five pounds, and Leſſor Five pounds.	Leaſes to Alien Artificers, §. 13.
Phyſicians may practiſe Surgery.	Phyſicians, Surgery, *Cap.* 40. §. 2.
The Barbers and Surgeons united into one Corporation, called Barber Surgeons.	Barber-Surgeons, *Cap.* 42.
No Barber to uſe Surgery, but Tooth-drawing, nor any Surgeon to uſe Barbery or Shaving.	Barbers, Surgery, §. 3.
None ſhall be a Barber in *London*, unleſs a Freeman.	Barber London, §. 4.
Four Wardens, two Barbers, two Surgeons.	Wardens, §. 5.
Barbers and Surgeons ſhall pay Scot and Lot in *London.*	Scot and Lot London, §. 6.
Any may keep Servant, Barber, or Surgeon.	Servant, §. 7.
Bowyers, Fletchers, Stringers, and Arrow-head-makers, ſhall on Command of Councel Inhabit Places wanting.	Bowyers, Fletchers, Stringers, Arrow-head-makers, 33 *H.* 8. *Cap.* 9.
Only Pins Double-headed, Soldered and well Smoothed, Shaven and Filed, to be ſold, Repealed by 37 *Hen.* 8. *Cap.* 13.	Pins, 34 & 35 *H.* 8. *Cap.* 6.
The Statute 3 *H.* 8. *Cap.* 11. was made to avoid Sorcery, not to exclude any Subject from practice of known Remedy of Surgery or Phyſick.	Sorcery, *c.* 8.
None to make Coverlets for Sale but in *York* and Suburbs.	Coverlets York, *c.* 10. §. 2.
No Coverlet-maker to uſe Hawking out of City, but to ſell at Fairs, *&c.* on forfeit.	Hawking, §. 3.
Forfeits out of Franchiſe, to the King and Party.	Forfeiture, §. 4.
The Wardens and Searchers of Coverlet-makers, have Power from *Trent* Northwards to Seize.	§. 5.
Any may make Coverlet for private uſe.	Coverlet making, §. 6.
On Search Head-Officers of City, *&c.* to be preſent.	Search, §. 7.

Not

Canterbury, *Cap.* 18.	Not to be in *Canterbury* without Licence of Mayor, *&c.* on forfeit of Six ſhillings eight pence.
Coopers, 35 *Hen.* 8. *c.* 8.	Coopers to have Ten pence for Beer-Barrel, Six pence for Kilderkin.
Hat-makers, Norwich, 1 *Edw.* 6. *Cap.* 6. §. 4.	Hat-makers of *Norwich* may buy Worſted-yarn.
Tanners, &c. 2 & 3 *Ed.* 6. *c.* 9.	A Confirmation of all Statutes of Tanners, Curriers, and Cordwayners, and the Duties of them, Coblers, Sadlers, Girdlers, Leather-ſellers, *&c.*
Tanner, *Cap.* 11.	No Tanner to ſell Leather mixt with Aſhen-bark, Tap-worth, Meal, or Culver-dung, nor unleſs laid in Tan-Ozes three quarters of a year at leaſt, *&c.*
Butcher, Brewer, &c. *Cap.* 15.	Butchers, Brewers, *&c.* that conſpire to ſell at certain Price, *&c.* 1. Forfeits Ten pounds, or Twenty days Impriſonment, with Bread and Water, 2. is Twenty pounds, or Pillory, 3. is Fourty pounds, or Pillory and Ears.
Corporation, §. 2.	Corporation that conſpire in Prices or manner of Work, to be Diſſolved.
Enquiry, §. 3.	Juſtices, Leet, *&c.* to Enquire.
Working in Corporation, §. 4.	Maſons, Carpenter, Bricklayer, Plaiſterer, Joyner, Hard-hewer, Sawyer, Tyler, Painter, Glaſier, Lime-burner, Brick-maker, Tyle-maker, Plummer, or Labourer, ſhall not be hindred to work in Corporation, though not free, nor Inhabitant, on forfeit of Five pounds.
Leather-Cutter, 3 & 4 *Edw.* 6. *c.* 6.	All that uſe Cutting of Leather, may ſell Tann'd converted into made Ware.
Raw Hides, *Cap.* 9.	None to buy raw Hydes, *&c.* to ſell Untann'd.
Cap. 20. §. 3.	A Repeal of 2 & 3 *Ed.* 6. *Cap.* 15. §. 4. at Inſtance of the City of *London.*
Inholder, Victualler, *Cap.* 21. §. 3.	Inholder or Victualler may buy Butter and Cheeſe to Retail in his Houſe.
Journey-man, Huſband-men, Bargemen, *Cap.* 22.	No Cloth-maker, Fuller, *&c.* Tayler, Shoe-maker, ſhall retain Journey-man for leſs then a Quarter of a year, and one for three Apprentices; Huſband-men and Bargemen to ſerve by the year.
Huſbandmen, &c. 2 & 6 *Ed.* 6. *c.* 3. §. 6.	Huſband-men, Labourers, and Fiſhermen, may work any Feaſt-day.
Broad-Cloth, *Cap.* 8.	None to Weave Broad-Cloth, *&c.* unleſs Apprentice ſeven years.
Tann'd Leather, *Cap.* 15. §. 2.	Sadlers, Girdlers, Cordwayners, and other Artificers, may buy as much Tann'd Leather as they uſe, but not to ſell again.
Necks, Wombs, Shreds, §. 3.	They may ſell Necks, Wombs, and Shreds they uſe not.
Dreſſing Leather Lond. §. 7.	No Artificer in *London* and Suburbs that Cuts Tann'd Leather, ſhall Currey or Dreſs it.
Tinker, Pedler, &c. *Cap.* 21.	No Tinker, Pedler, or petty Chapman, to go from Town he dwells in, but by Licence of two Juſtices on fourteen days Impriſonment.
Bedding, *Cap.* 23.	Feather-Bed, Bolſter, Pillow, *&c.* to be ſtuft with dry Feathers or Down, without ſcalded Fen-down, Thiſile-Down, *&c.* corrupt Stuff.
Forfeiture, §. 2.	On Sale otherwiſe to be forfeit.
§. 3.	Moiety to the King, the reſt to Informer.
Felt Hats, Dornix, Coverlets, Norfolk, *Cap.* 24. §. 2.	None to make Felts, Thrumm'd Hats, Dornix, or Coverlets in *Norfolk*, unleſs Apprentice ſeven years, or Licence by Mayor, *&c.* four Juſtices.
Making Felts, &c. Norwich, *&c.* §. 3.	None to make Felts, *&c.* out of *Norwich*, but only in Towns Corporate.
Licence, §. 5.	If Juſtices take Reward for Licence, forfeits Five pounds.
Phyſicians, 1 *Mar.* *St.* 2. *Cap.* 9.	A Confirmation of 14 & 15 *H.* 8. *Cap.* 5. and that Phyſicians §. 4. may Commit Offenders.
Grocers Search, §. 5.	The Warden of Grocers to be joyned in Search, and Reſiſters forfeit Ten pounds.
Tann'd Leather, 1 *Mar.* *St.* 3. *c.* 8.	Reciting the Inconvenience of 5 *Edw.* 6. *Cap.* 15. §. 2. *De cetero*, Curriers, Shoe-makers, Girdlers, Sadlers, *&c.* may buy Tann'd Leather in Fairs and Markets, not to ſell to Merchant to Tranſport, on Forfeit.
Tanning, §. 3.	No Currier to uſe any Stuff but his own in Tanning.
Dipping Hides, §. 4.	No Hydes Curried for Shoe-maker but ſufficiently Dipt twice, *&c.*
Redelivering Leather Curried, §. 5.	Currier in Summer in Five days, in Winter in Ten, to redeliver Leather Curried.
Excuſe, §. 6.	Doing Endeavour is Excuſe.
Retailing, 1 & 2 *Ph.* & *Mar.* *c.* 7. §. 2.	No Inhabitant in Countrey to Retail Woollen Cloth or Linen, or Haberdaſh-Wares, or Grocery, or Mercery, in Cities, *&c.* only in Fairs.
§. 3.	Not to prejudice Wholeſale, §. 4. nor Free-men when made ſo; §. 5. nor to Retail Wares of his own making, §. 6. nor the Univerſities.
Sattin or Fuſtian making Norwich, *c.* 14. §. 5.	None to make *Norwich* Sattins or Fuſtians, unleſs Mayor, *&c.* and the Corporation of Sattin-Makers in *Norwich*, nor in Countrey, unleſs Apprentice.
Letting Woollen Loom, 2 & 3 *Ph.* & *M.* *c.* 11. §. 2.	No Cloth-maker out of City, *&c.* to have or Lett above One Woollen-Loom.
Looms, §. 3.	No Woollen-Weaver out of City, *&c.* to keep above two Looms, on forfeit of Twenty ſhillings.

No Woollen-Weaver to uſe Tucking-Mill, or to be Tucker, Fuller, or Dyer.	Woollen-Weaver, &c. §. 4.
No Tucker to have any Loom in his Houſe.	Loom in Houſe, §. 5.
None not uſed to Cloth-making, to Weave Broad white Cloth but in City, *&c.*	Weaving Broad White Cloth, §. 6.
No Weaver out of City, *&c.* to keep above two Apprentices.	Weaver Apprentice, §. 7.
The Mayor of *London*, &c. the next Court after 1 *March* yearly, to name eight Water-men to be Overſeers, *&c.* of Rowing between *Windſor* and *Graveſend.*	Overſeers, &c. of Rowing, between Windſor and Graveſend, *c.* 16. §. 3.
To ſearch all Boats, Regiſter Water-mens Names, *&c.*	Search, Regiſter, §. 9.
None to Weave or make Woollen Cloths, unleſs Apprentice ſeven years, *&c.*	Woollen-Cloths, 4 & 5 *Ph.* & *Mar.* *c.* 5. §. 33.
A Reviver of 5 & 6 *Ed.* 6. *Cap.* 15. of ſelling Leather, and 1 *Mar.* *Stat.* 3. *Cap.* 8. Repealed.	Selling Leather, 1 *El.* *Cap.* 8.
None that hath Ten pounds Land or Rent, to uſe Tanning, unleſs Apprentice, or Covenant-Servant four years.	Tanning, *Cap.* 9.
Becauſe of great contrariety and variety of Laws, and for that Wages ſhould be proportion to Advancement of Prices of things, one digeſted Law is made.	Wages, 5 *El.* *Cap.* 4.
As much of all Statutes as concern Hiring, Keeping, Departing, Working, Wages, or Order of Servants, Workmen, Artificers, *&c.* as be not hereby Repealed, to ſtand.	Servants, Workmen, Artificers, &c. §. 2.
None to retain, or be retained, *&c.* to Work leſs then a year, as Clothier, *&c.*	Retainer, §. 3.
Perſons under Thirty, and unmarried, ſhall on requeſt be retained.	§. 4.
No Servant, *&c.* to be put away or depart, unleſs for Cauſe approved by one Juſtice of Peace.	Putting away or Departing, §. 5.
Not to be put away or depart at end of Term, without a Quarters warning.	§. 6.
All of Twelve and under Sixty not retained, or Apprentice with Fiſher, Kidder, or in Huſbandry in Town-Corporate in the Sciences, *&c.* before mentioned, or *minor*, &c. nor Gentlemen born, or Student in School, nor worth Fourty ſhillings *per annum* for life, or Ten pounds Money; nor is Heir apparent, ſhall be compelled to ſerve in Huſbandry by the year.	Serving in Huſbandry, §. 7.
He that puts away without cauſe allow by Juſtice, *&c.* forfeits fourty ſhillings.	Putting away, §. 8.
Servant departing unduly, or refuſing to ſerve, to be Commit till obliged to ſerve.	Departing, §. 9.
None after Service to depart to another Town, *&c.* without Teſtimonial mentioned.	§. 10.
None to be accepted into Service without ſhewing Teſtimonial to Chief Officer.	Accepting Servant, §. 11.
Artificers and Labourers hired by the Day or Week, to Work from Five to Seven, from *Michaelmas* to *Septemb.* except two hours and half for Food, or from Morning to Night, on Forfeit.	Artificers and Labourers time to work in, §. 12.
Retained to build Church, *&c.* departing without Licence, if VVages be paid in Groſs, forfeits Five pounds.	Retain'd to build Church, §. 13.
He that departs from the Queens Service before VVork finiſht, *&c.* Impriſon a Month.	Depart. from Queens Service, §. 14.
Juſtice of Peace, *&c.* at Seſſions next after *Eaſter*, to rate VVages of Servants, Labourers, and Artificers, *&c.* and Certifie into Chancery with Reaſons, to be proclaimed by *September* after.	Rating Wages, Certifying and Proclaiming, §. 15.
Juſtices, *&c.* to continue or alter every years Rate, and Certifie to Chancery by *July.*	Altering Rate and Certifying, §. 16.
On default of Juſtice at Seſſions, *&c.* an Aſſeſſor to be choſe, a Subſidy-man worth Five pounds.	Subſidy-man, §. 17.
He that retains or gives greater VVages *contra* to the Statute, forfeits Five pounds, and Impriſon Ten days.	Retainer Cont. Stat. §. 18.
He that is retained, or takes more, *&c.* to be Impriſoned One and twenty days.	§. 19.
Contracts *contra* to the Statute, void.	Contracts Cont. Stat. §. 20.
Servant, *&c.* making Aſſault on Maſter, puniſht at diſcretion, not extending to Life.	Aſſaulting Maſter, §. 21.
He that refuſeth to ſerve in Corn or Hay Harveſt, put in Stocks two days.	Refuſing to Serve in Harveſt time, §. 22.
VVorkmen, *&c.* may reſort into other Counties for Harveſt-time, *&c.*	Reſorting in other County, &c. §. 23.
VVomen above Twelve and under Fourty unmarried, ſhall by two Juſtices be appoint to ſerve.	Women to Serve, §. 24.
He that uſeth half a Plow-Land in Tillage, may take Apprentice above Ten years old, and not Eighteen.	Taking Apprentice in Tillage, §. 25.
Houſholder Twenty four years old in Town Corporated, may take Son of Freeman to be Apprentice.	Houſholder taking Apprentice, §. 26.
No Merchant, *&c.* that puts Cloth to Sale, *&c.* to take Apprentice, unleſs his Son, or of Fourty ſhillings *per annum.*	Cloth Merchant taking Apprentice, §. 27.
Houſholder Twenty four, not occupying, Huſbandry,	Houſholder taking Apprentice, §. 28.

	ry, Labour, &c. in Town to take Apprentice, no Labourer, &c.
Merchant taking Apprentice. § 29.	Merchant in Market-Town, &c. not to take Apprentice, or Inſtruct, unleſs Servant have Three pounds *per annum*.
Smith, Wheelwright, &c. taking App, § 30.	Smith, Wheel-wright, Plaiſterer, &c. may take Apprentice of no Lands in that Occupation.
Uſing Craft not Apprentice, § 18.	None but ſuch as now do, ſhall uſe any Craft, Myſtery, or Occupation, unleſs ſeven years Apprentice.
Wollen-Cloth, Weav. of Cumberland, § 32.	No Wollen-cloth Weaver but of *Cumberland*, &c. to take Apprentice, unleſs three pounds *per annum*.
Cloth-maker, &c. Journey-man § 33.	Cloth-maker, &c. that have three Apprentices, ſhall have one Journey-man.
Worſted, Weaver, Norwich, § 34.	Not to prejudice the Worſted Weavers of *Norwich*, &c.
Maſter, Apprentice, § 35.	Juſtice of Peace may commit Refuſer to be Apprentice, until obligation to ſerve, and on the complaint of Maſter or Apprentice, to order at diſcretion, and if Maſter be obſtinate, to bind to Seſſions.
Forcing Apprentice, § 36.	None above one and twenty to be forced to be an Apprentice.
Enquiry, § 37.	Juſtice of Peace in Limits, &c. after *Michaelmas* and *Midſummer* yearly, to enquire of theſe Articles.
Wages of Juſtices of Peace, § 38.	Juſtice of Peace to have Five ſhillings a day ſitting in Commiſſion upon this Statute.
Forfeitures, § 39.	Half of Forfeitures not appoint, to be to the King, &c. the other to the Informer.
London, Norwich, Apprentices, § 40.	Not to prejudice *London* or *Norwich* as to Apprentices.
Apprenticeſhip contra Stat. § 41.	All Covenants, &c. of Apprenticeſhip *contra* to this Statute, void, and Retainer forfeits Ten pounds.
Apprenticeſerving time § 43.	Apprentice bound within Age according to Statute, ſhall ſerve his time.
Watch of Godalmin, Apprentice, § 44.	Inhabitants within the Watch of *Godalmin*, to take Apprentices, as in Market-Towns.
Forfeiture, § 45.	Forfeits in Corporation to be levied by Officer appointed.
Retainer, Covenant, § 46.	Not to extend to any Retainer or Covenant before this Statute.
Apprentice fled, § 47.	Juſtice of Peace may grant *Capias* to Sheriff to take Apprentices in another County fled.
Seſſions, § 48.	High-Conſtables, &c. to keep Petty or Statute Seſſions as uſual.
Foreign wares, *c. 6.*	All Aſſurances and Bonds for Foreign Wares ſold to any that hath not Three thouſand pounds *per annum*, not payable within twenty eight days, void.
Imported, *c.* 7. §. 3.	Girdlers, Rapiers, Horſe-Harneſs, Gloves, Points, Leather Laces, or Pins Import, being wrought beyond Sea, forfeit.
Butcher, Tanner, *c.* 8.	No Butcher to be a Tanner, the duties of Tanners, Curriers, Shoe-makers, &c. A Repeal of ſeveral Statutes, &c. concerning them.
Pelts, Stags Skins, &c. *Cap.* 22.	None to make any Pelts, or buy Skins of Stag, Hind, Goat, &c. unleſs made to Tawed or Tanned Leather or Parchment.
Shrewsbury Apprentice, 8 *Eliz. c.* 7. § 3.	No Inhabitant in *Shrewsbury*, not ſeven years Apprentice in Myſtery of Drapers, Sheer-men, Cottoners, &c. to uſe that there.
Welſh Cotton, § 6.	Buyers of *Welſh* Cotton ſhall pay ready Money to Sheer-men for work.
Hat-maker, *c.* 11. § 2.	No Hat-maker to uſe Foreign Wooll, unleſs Apprentice ſeven years.
Haberdaſhers London, ſearch, § 6.	Haberdaſhers of *London*, calling Capper and Hat-maker, to ſearch, &c.
Hat-maker, &c. continuing without ſervice, § 7.	Hat-maker, Houſholder, Apprentice, Covenant-Servant, or Journey-man that now is, to continue ſo without Service ſeven years.
Hat-maker apprentices § 8.	No Hat-maker to have above two Apprentices at once, nor for leſs then ſeven years.
Children of Hat-makers, § 9.	Not to prejudice Children of Hat-makers, to make Felts &c.
Foreign wares, 13 *El. Cap.* 25. § 17.	That 5 *Eliz. Cap.* 7. ſhall not prejudice Treaty now in force, &c. for foreign Wares.
Leather, 18 *Eliz. c.* 9.	A Repeal of 1 *Eliz Cap.* 8. and Reviver of 5 *Eliz. Cap.* 8. againſt Tranſporting Leather.
Goldſmiths, § 15.	Goldſmith to make his Plate, and forfeit on deceit found.
Mixing Wax, 25 *Eliz. Cap.* 8. § 1.	Deceit in mixture of Wax with Rozin, Tallow, forfeits two ſhillings the pound.
Stamping Wax, § 2.	Melters and Makers up of Wax, to have Stamp.
Lights, &c. corrupt, § 3.	No Lights, Staff, Torches, &c. to be forfeit on ſale, if corrupt.
Barrels of Hony, § 4.	All Barrels of Hony by makers to be Mark'd with two Letters burnt, and to contain Thirty two Gallons the Barrel, defect, forfeit Five ſhillings in Five pounds.
Marking Wax, § 5.	Not to mark Wax of his own Bees ſold in Market.
Counterfeiting Mark, § 6.	Counterfeiting any Mark, forfeits Five pounds, and if Inſolvent, Pillory.

All Logwood or Blockwood to be burnt, and Dyer forfeits the Value.	Logwood, Blockwood, *Cap.* 9. § 2.
None but Tanners, his Executors, &c. to ſell Tanned Leather unwrought, &c.	Selling Tanned Leather, &c. 27 *Eliz. c.* 6.
The Wardens, &c. of Coopers, to Gauge all Veſſels of Beer and Ale from beyond Sea, &c. taking one peny the Butt, and ſo proportionable.	Coopers Gauging Beer, and Ale Impoꝛt, 31 *Eliz. c.* 8.
Cables made of old Stuff, above ſeven Inches compaſs, forfeits four times the value, and of leſs, the treble, none to be tryed till ſold.	Cables of old ſtuff, 35 *Eliz. c.* 8. §. 3.
No Clothier, Tucker, Fuller, &c. to cut Kerſey, and offer ſale as whole, on forfeit of twenty ſhillings.	Cutting Kerſey and offering ſale as whole *Cap.* 10. § 10.
Juſtice of Peace out of Corporation to apprehend deceits of mixing Logwood, and Wood, &c.	Mixing Logwood and Wood, 39 *Eliz. c.* 11.
Juſtice of Peace to Aſſeſs Workmen or Labourers Wages.	Aſſeſſing wages of Labourers, *Cap.* 12.
Seſſions to reſtrain the number of Maltſters.	Malſters, *Cap.* 16.
Churchwardens, &c. may bind poor Apprentice where they will.	Binding poor Apprentice, 43 *Eliz. c.* 2. § 5
The Authority of Juſtice of Peace by 5 *Eliz. Cap.* 4, § 15. to rate Wages, to extend to all Labourers, Weavers, Spinſters, and Work-people whatſoever.	Rating wages, 1 *Jac.* 1. *Cap.* 6.
No Waterman but Weſtern Barges, &c. to take Apprentice, unleſs Eighteen, &c.	Watermen taking Apprentice, *c.* 16.
The Moiety of forfeitures to be to the King, § 3. None to make Felts but Apprentices ſeven years, and Journeymen, and not above two Apprentices.	Forfeiture making of Felts, *c.* 17.
No Stranger to be imployed in Hat-making.	Hat-making, § 4.
Sons of Hat-makers muſt be Apprentice till two and twenty.	Sons of Hat-makers, § 5.
Apprentice, Covenant Servant, or Journeyman Felt maker now, may ſo be.	Felt-maker, § 6.
None to be Painter-ſtainers, unleſs Apprentice ſeven years.	Painter-ſtainer, *c.* 20.
The Maſter Wardens and Succeſſors of Painter ſtainers, to ſearch deceits, and ſeize, &c.	Search, ſeizure, § 2.
No Plaiſterer to uſe Occupation of Painter-ſtainer, unleſs Apprentice to it.	Plaiſterer, § 4.
Plaiſterer may uſe Whiting, Blacking, Red-Lead, Red-Oker, &c.	Plaiſterer, § 5.
No Painter to take above ſixteen pence a day for laying flat Colours.	Flat colours, 16 *d.* per diem, § 6.
Brokers anciently were ſix approved by Lord Mayor, &c. for driving Bargains between Merchants.	Brokers between Merchants, *c.* 21.
The Counterfeit Broker, Pawn-taker, is a Friperer, no lawful Trade.	Counterfeit Broker, Pawn taker, § 3.
For repreſſing upſtart Brokers: § 5. No ſale of ſtollen Goods within two miles of *London*, ſhall not alter property.	Upſtart Broker of ſtoln Goods, London, § 4.
He that refuſeth to declare how he came by ſtollen Goods, forfeits double.	Stoln Goods, § 7.
Not to prejudice the ancient Brokers between Merchants.	Ancient Broker, § 8.
No Butcher to Gaſh Hyde, on forfeit of twenty pence, nor ſell it rotton, on forfeit of three ſhillings four pence.	Butcher, Hyde, *c.* 22. § 2.
No Butcher to be a Tanner while ſuch, on forfeit of ſix ſhillings eight pence.	Butcher, Tanner, § 4.
None to Tan unleſs Apprentice, or Covenant, or hired Servant ſeven years.	Tanning, § 5.
No Tanner to be Shoe-maker, Currier, Butcher, or Worker of Leather.	Tanner, Butcher, &c. § 6.
None but Tanners to buy rough Hydes, (unleſs ſalt for Ships) no foreſtalling, &c. on forfeit of ſix ſhillings eight pence.	Rough Hydes, foreſtalling, &c. § 7.
None to buy Tanned Leather but ſuch as convert it to ware.	Buying Tanned Leather, § 8.
Strangers and others may on Mondays at *Leaden-Hall* buy Tanned Leather for wares.	At Leaden-Hall, § 9.
Sadlers and Girdlers may ſell Necks and Shreds of Tann'd Leather.	Necks, Shreds, § 10.
Tanner not to over Lyme, nor put Skins in Tan-fat till well Lymed, nor uſe other ſtuff but Bark, Tapwort, Malt, Meal Lyme, and Hen-dug, nor freeze it, &c.	Tanner tanning, § 11.
Tanner not to raiſe Hyde with Mixtures for Backs, Bend, Sole, or Clouting Leather.	Raiſing Hyde, § 13.
None to ſell Tanned Leather but in open Market.	Sell Tanned L. § 14.
Tanner forfeits ſo much of Hyde as is not ſufficiently Tanned.	Hydes not well tanned § 15.
No Fats to be ſet in Tan-Hills, nor Leather put into hot Woozes.	Fats, hot Woozes, § 17
None to Regrate or Ingroſs Oak-Bark to ſell again on forfeiture.	Regrating, Ingroſſing Oak Bark, § 19.
None to Curry in Shoe-makers houſe, but in his own in Corporation, and uſe no Urine, nor ſcald Hydes, nor thin, or gaſh it, on forfeit of ſix ſhillings eight pence, and the value.	Currying, &c. § 22.
No Cordwayner, Shoe-maker or other within three miles of *London*, to put Leather to Curry, &c.	Putting Leather to Curry, London, § 23.

No

Trades.

Curryed Leather in Wares, § 24.	No Curried Leather till ſearcht to be put in made Wares.
Curryer, Tanner, § 25.	No Currier to be Tanner, Cordwayner, Shoe-maker, or Butcher, *&c.*
Curryer refuſing, § 26.	Currier not to refuſe Leather brought by Cutter with ſtuff to Liquor, *&c.*
Search, Seal, &c. § 27.	Wardens of Curriers, *&c.* to ſearch and ſeal, *&c.* Fee one peny for ſix Dozen of Skins.
Cordwayner uſing Leather, § 28.	Cordwayner and Shoe-maker to uſe Leather well Curried and Tanned, and Sewed, and put no Sheep-skin, Bull-Hydes, or Horſe-Hides, nor Wombs, Necks, *&c.*
Searching, § 29.	Maſter and Wardens of Cordwayners, Curriers, Girdlers, and Sadlers, forfeit fourty ſhillings not ſearching once a quarter, or oftener, and to ſeize, *&c.*
Searching, Coach-makers, § 30.	None to be ſearcht but by Myſtery, and Coach-makers to be under ſurvey of the Sadlers.
Searching at Leaded-Hall, § 31.	Mayor, *&c.* of *London*, to appoint eight free of, *&c.* one to ſeal, the reſt to ſearch at *Leaden Hall*, on forfeit of fourty pounds.
Liberties, § 32.	All Liberties beyond three miles of *London* to forfeit fourty pounds, unleſs appoint, *&c.*
Trying, § 33.	Mayor of *London* in ſix days of notice to appoint ſix, *viz.* *&c.* on Oath to try.
Liberties, § 34.	Other Liberties to do the like beyond three miles of *London*, § 35. to forfeit for default of appointing Tryers, five pounds.
Changing Searchers and Sealers, § 36.	Every year four of ſearchers and ſealers in *London* to be changed.
Searcher, Sealer, § 37.	Searcher or ſealer refuſing, forfeits fourty ſhillings, and on receit of Bribe, twenty pounds.
Searching and Sealing Red Leather, § 38.	Red Tanned Leather to be ſearcht and ſealed at *Leaden-Hall*, before houſed.
Selling Leather before Search, &c. § 39.	No Tanned Leather to be ſold till ſearcht and ſealed.
Denying Search, § 40.	Denying ſearch or entry, *&c.* forfeits five pounds.
Regiſtring bargains, &c. § 41.	Regiſter to be kept by ſearchers and ſealers of Bargains and Prices, Fee two pence, *&c.* ten Hydes.
Selling unregiſtred, § 42.	None to ſell Tanned Leather unleſs Regiſtred, on forfeit.
Buying unſearcht, § 43.	None to buy Tanned Leather till ſearcht.
Putting ill tann'd L. into Shoes, § 44.	Currying Leather inſufficiently Tanned, or putting it into Shoes, forfeits the value.
Selling Wares of cutting Leather, § 45.	None to ſell Wares of Cutting Leather but in open Shop.
Cutters under ſearch, § 46.	All Cutters of Leather *Engliſh* or Aliens in three miles of *London*, to be under ſearch.
Selling forfeited Leather, § 47.	None that hath forfeit Leather to ſell it, on forfeit of three ſhillings four pence.
Oxford, Cambridge, § 48.	Not to prejudice the Univerſities of *Oxford* and *Cambridge*.
What Hydes, &c. Leather, § 49.	Leather is Hyde and Skins of Ox, Steer, Bull, Cow, Calf, Deer, Goat and Sheep.
Enquiry, § 50.	Juſtices, Leets, *&c.* to enquire. § 51. Steward of the Kings Manor, *&c.*
Spaniſh Leather, § 52.	Dry Currying and Freezing is of the ſame manner of *Spaniſh* Leather.
Wales, § 53.	This Statute to extend to *Wales* as amply as to *England*.
Tranſporting or not diſcloſing, § 54.	Tranſporting or not diſcloſing Leather, *&c.* forfeits one hundred pounds, and ſecondly, Office.
Falſe Certificate of Leather arrived, § 55.	Falſe Certificate of Cuſtomer of Leather arrive, forfeits one hundred pounds.
Scotch Hydes, § 56.	Not to extend to *Scotch* Hydes brought to *Berwick*.
Diſpenſation, § 57.	Patent of Licence or Diſpenſation with what is hereby prohibited, void.
Repeal of Stat, § 58.	A Repeal of 5 *Eliz. Cap.* 8. and former ſtatutes thereby Repealed.
Artizan Skinner, 3 *Jac.* 1. *c.* 9. §. 4.	None to work as Artizan Skinner, unleſs Apprentice ſeven years.
Sheep-skins, 4 *Jac.* 1. *Cap.* 6.	No forfeiture by 1 *Jac.* 1. *Cap.* 22. § 29. and 39. for not ſeaching or not ſealing Sheep-skins.
Tanned Leather, § 3.	Tanned Leather not to be ſold by Weight, on forfeit of value.
Apprentice, &c. 7 *Jac.* 1. *Cap.* 3.	For bringing up Apprentices in Trades and Manual Occupations of both Sexes.
Money to bind Apprentice, § 2.	Corporation, or Parſon and Church-wardens of Town not Corporated, to employ Money given to bind Apprentices, on forfeit of three pounds ſix ſhillings eight pence for neglect.
Binding Maſter to repayment, § 3.	Maſter to become bound to Corporation to repay Money received.
For whom diſpoſed, § 4.	Moneys to be diſpoſed within three months to neareſt Apprentices fit.
Who to be bound, § 5.	The pooreſt and of meaneſt Parents under fifteen to be bound.
Account annual, § 6.	Towns not Corporated to Account yearly at *Eaſter* to two Juſtices of Peace.
Commiſſion on breach of Truſt, § 7.	Commiſſion may be taken out by any againſt Breakers of Truſt.

Trades.

No *Engliſh* Horns to be ſold to Strangers by Tanners, Butchers, *&c.*	Engliſh Horns, *c.* 14. § 4.
A Reviver of 4 *Edw.* 4. *Cap.* 8. Repeal 1 *Jac.* 1. *Cap.* 25. § 44. except power in Wardens of Horners, *&c.* to ſearch in *Sturbridge* Fair, *&c.*	Stat, revived, ſearch of Horners, Sturbridge Fair, § 3.
The Cutlers in *Hallamſhire* in *York*, &c. made a Corporation.	Curlers in Hallamſhire, *&c.* 21. *Ja.* 1. *c.* 31
Soldiers 25 *April*, 1660. may Trade without ſerving time out as Apprentice.	Soldiers trading, 12 *Car.* 2. *Cap.* 16.
None to Trade as Weaver of *Norwich*, &c. unleſs ſeven years Apprentice.	Weaver of Norwich, 14 *Car.* 2. *c.* 5. § 15.
For every two Apprentices, two Journey-men to be Imployed Weavers.	Journey-men, § 18.
Tanned Red Leather to be bought only in Fairs.	Tanned red L. *c.* 7. § 4.
Maſter, *&c.* of Cordwayners, Sadler, Girdler, and Curriers to ſearch and ſeize.	Search and ſeizure, § 7.
Tanners that Cut and Rack upper Leather all over forfeit Backs, Butts, *&c.*	Cutting & racking upper Leather, § 8.
Market of Leather in *Leaden-Hall* in *London*, to be on Tueſdays.	Leaden-Hall Market, § 9.
Cutter of Leather to give notice to Currier before day of ſale.	Notice before ſale, § 13.
Maſter and Wardens of Curriers may enter in the day to ſearch and ſeize, and the Refuſer forfeits ten pounds, as 1 *Jac.* 1. *Cap.* 22. § 24.	Entry to ſearch, &c. and refuſal, § 14.
A Repeal of 23 *Eliz. Cap.* 9. § 2. and of 39 *Eliz. Cap.* 11. and that Logwood may be Imported.	Stat. Repealed, Logwood, *c.* 11. § 26.
Maſter, Wardens, Aſſiſtants, and Commonalty of Silk-Throwers, Incorporated, 5 *Car.* 1.	Silk-throwers, *c.* 15.
None to uſe Silk-throwing unleſs Apprentice ſeven years, on forfeit of fourty ſhillings *per* Month.	Apprentice, § 2.
All within two miles of *London*, or Suburbs, to enter and be ſubject to Corporation.	Extention Corporation § 3.
By-laws to be agreeable to Laws of the Realm, and Cuſtoms of the City.	By-laws, § 4.
Maſter, Wardens, *&c.* to execute Powers of this Act within twenty miles, *&c.*	Extent of powers, § 5.
Silk-winder or Doubler purloyning what is delivered, to recompenſe Damage as Chief Officer, *&c.* allow.	Purloyning, § 6.
No more damage then what party proves, but if Inſolvent, Whipt.	Damage, § 7.
Receivers of Pawns of Silk, or Buyers, *&c.* ſubject to like Puniſhment.	Pawns of Silk, § 8.
Free-men to Imploy any number of ſubjects, though not ſerve ſeven years.	Employing Subjects, § 9.
Corporation not to ſet Rates or Prices on Silk-throwing.	Setting rates on Silk throwing, § 10.
The Supervifors, Maſters, Wardens, and Aſſiſtants, with free Clothiers in the Weſt-Riding of *Yorkſhire*, enabled to Purchaſe two hundred pounds *per annum*, and make By-laws.	Free Clothiers, Weſt-Riding Yorkſhire, purchaſing, making By-laws, *c.* 32. § 3.
ot to impoſe other or leſs wages, or Workmen, *&c.* then by Seſſions ſet.	Wages, Workmen, § 16.
No Books except, *&c.* to be Printed, unleſs Entred with Stationers, Regiſtred, *&c.*	Printing Books, *c.* 33. § 3.
None to be Printer, Book-Binder, Seller, *&c.* unleſs by Licence of Ordinary, or ſeven years Apprentice, *&c.*	Printer, Book-binder, Seller, &c. § 8.
Maſter-Printers to take care to ſet Journey-men at work.	Maſter Printer ſetting Jour. at work § 14.
The ſureſt advance of Trade is rendring it profitable to the Uſers.	Advance of Trade, 15 *Car.* 2. *Cap.* 7.
Native or Foreigner in any place may uſe Breaking, Hickling, or Dreſſing Hemp or Flax, Whitening Thread, Spinning, Weaving, Making, Whitening, or Bleeching Cloth of Hemp or Flax, or Nets of Fiſhery, or Tapeſtry-Hangings.	Hemp, Flax, Thread, Cloth, Nets, Tapeſtry-Hanging, *c.* 15. § 2
Foreigners taking Oath of Allegiance for three years, be as ſubjects.	Foreigners ſwearing Allegiance, § 3.
Foreigners to pay no more Taxes then Subjects on this Act.	Foreigners paying taxes, § 4.
Silk-Throwers diſabled to make By-laws for ſtinting of number of Utenſils.	Silk-throwers, By-laws for Utenſils, 20 *Car.* 2. *c.* 6. § 2.
Silk-winder or Doubler, on deceit, or purloyning Silk delivered, Impriſoned by Juſtice of Peace, as 14 *Car.* 2. *Cap.* 15.	Deceit, Purloyning, § 3.
No By-law to confine Free-man to take leſs then Three Apprentices.	By-law, § 4.
Any paying fourty ſhillings may be *Eaſtland* Merchant.	Eaſtland Merchant, 25 *Car.* 2. *Cap.* 7. § 6
Drover, Waggoner, Butcher, Higler, or their ſervants, Travelling on the Lords day, forfeits twenty ſhillings.	Travelling on Lords day, 29 *Car.* 2. *c.* 7. § 2.
Reviver of 20 *Car.* 2. *Cap.* 5. for three years.	Reviver, 1 *Jac.* 2. *c.* 13.
Revives 22 *&* 23 *Car.* 2. *Cap.* 26. for ſeven years.	Reviver, *c.* 17. § 13.
Reviver of 20 *Car.* 2. *Cap.* 5. and 1 *Jac.* 2. *Cap.* 13. for ſeven years.	Reviver, 1 *W & M Seſſ.* 1. *Cap.* 23.
For explaining 1 *Jac.* 1. *Cap.* 22.	Explained, 1 *Jac.* 2. *c.* 33.
Tanned Leather ſhaved and liquored, and curried according to 1 *Jac.* 1. *Cap.* 22. to be ware within that Statute.	Tanned Leather, § 3.
Maſter and Wardens of Curriers in Market, Shops,	Viſiting Leather, &c. London, § 4.

Viſiting Leather, &c. London, §. 4.	Shops, *&c.* to viſit Leather, *&c.* Dreſſed in *London*, or within Three Miles thereof.
Red Tann'd Leather, §. 5.	Dealers in Leather may buy Red tann'd Leather Sealed, in Fair or Market, and ſell it again in open Shop or Convert it.
§. 6.	Leather, Hides and Skins may be bought or ſold by Weight.
Greenland Trade, 4 *&* 5 *W & M. c.* 17.	An Act for Settling the *Greenland* Trade. *Vide* Tit. *Merchant.*
Repeal, 5 *&* 6 *W & M. Cap.* 9.	Repeal of 5 *Eliz. Cap.* 4. §. 32.
Apprentice Bound, *Cap.* 10. §. 6.	Apprentice at Binding to pay to Maſter or Warden of the Company, *&c.* Two ſhillings ſix pence, to be tranſmitted to the Chamberlain, and Name and Sirname to be Entred in Book.
6 *W & M. c.* 1. §. 3.	Reviver 25 *Car.* 2. *Cap.* 7. for Five years.
Apothecary in London, *&c.* Exempt from Office, 6 *&* 7 *W.* 3. *Cap.* 4. §. 2.	Apothecaries in *London* and Seven Miles thereof, and Free of Company, Exempt from Pariſh, Ward and Leet Offices.
Apothecaries elſewhere, §. 3.	Apothecaries elſewhere Serving Apprenticeſhip according to 5 *Eliz.* Exempt from ſame Office.
Exception, §. 4.	Not to Exempt any appointed to Office before Commencement hereof.
Continuance.	To Continue for Seven years.
Pictures, *c.* 7.	Impoſt of Twenty pounds *per Cent.* Value of Pictures Imported between *May*, 1695. and 1698. *Vide* Tit. *Merchant.*

Tranſportation, ſee *Merchants* and *Exile.*

Traverſe.

Iſſues joyn, Offices.

Office of Eſcheator, 34 *Edw.* 3. *c.* 14.	May be of Office of Eſcheator returned in Chancery by Proceſs in *B. R.*
Ward or next Friend Traverſing and Farming, 36 *Ed.* 3. *c.* 13.	Ward, or his next Friend, if within Age, may Traverſe Office of Eſcheator, and take the Lands to Farm in Chancery pending it.
Riot, 13 *H.* 4. *c.* 7. §. 3.	Of Riot Certified by Juſtices and Sheriff, ſhall be ſent in *B. R.* to be Tryed, *&c.*
Undue Return to Parliament, 6 *H.* 6. *c.* 4.	Of Enqueſt of undue Return to Parliament, may be by Knight or Sheriff, and neither endamaged till Convict.
Farming on Security, 8 *H.* 6. *c.* 16.	Of Office in a Month after Return into Chancery by Eſcheator, is ſufficient to have the Farm on Security.
Farming when, 18 *H.* 6. *Cap.* 6.	No Farm ſhall be till the Kings Title found, nor in a Month after Return, nor then, but to Traverſer if he will.
Protection, 23 *H.* 6. *Cap.* 17. §. 2.	No Protection ſhall be allowed thereon.
Traverſe when Farming, 1 *H.* 8. *c.* 10. §. 3.	Notwithſtanding 8 *H.* 6. *Cap.* 16. may be in Three Months after Office Returned, becauſe often Returned in Vacation, and on Security ſhall have Farm.
Offices by Empſon and Dudley, *c.* 12.	Of Offices unduly found by *Empſon* and *Dudley*, of Tenures in *Capite*, notwithſtanding Livery ſued.
Finding falſly, 2 *&* 3 *Edw.* 6. *c.* 8. §. 6.	By Heir or any other, if found falſly by Office.
Scire fac. and Plea, §. 13.	*Sci. fac.* againſt Patentee, and Plea thereon, as on Petition.
Judgment, §. 14.	Judgment thereon bars not the Kings former Right by Record.
Reſcous in Stannaries, 17 *Car.* 1. *c.* 15. §. 11.	May be of a Return of Reſcous in Stannaries.

Treaſon.

Ways, Tumults, Attainder, Coron.

Juſtice, 52 *H.* 3. *c.* 1. *Marlbr.*	All perſons ſhall receive Juſtice in the Kings Court, and no Revenge, as in the late Commotions by Diſtreſs of Neighbour refuſing to be juſtified by the King.
Not ſuffering Proceſs, &c. *c.* 3.	Not ſuffering Summons, Attachments, or Executions of Judgments in the Kings Court, puniſh as one that will not obey the Law.
Deforceor, *c.* 7.	If Deforceor abſents at Grand Diſtreſs renewed twice in half a year on Proclamation, and being not to be taken, he ſhall loſe the Ward as a Rebel, and ſuch a one as will not be Juſtified.
Bayl, 1 *Edw.* 1. *c.* 15. *W.* 1.	Is not Baylable by Sheriff by Common Writ, nor without Writ, if againſt the King himſelf.
Falſe News, *c.* 34.	Teller of Falſe News whereby Diſcord may ariſe between King and People, ſhall be Impriſoned till the firſt Author produced.
Reſiſting Kings Proceſs *Cap.* 39.	Reſiſters of the Kings Proceſs reſerved ſpecially to himſelf, becauſe reputed Diſturbers of his Peace, and of his Realm.
Pardon, *Temp. Edw.* 1. *Cap.* 5.	The King Pardons the Rancour and evil will againſt him of ſuch as were appoint to go over with him into *Flanders.*
Indemnity, 1 *Edw.* 3. *Cap.* 1.	None ſhall be Impeached that took part with *Ed.* 2. againſt his Father.

Clerks Convict of any Treaſons or Felonies touching other perſons then the King himſelf, or his Royal Majeſty, to have Clergy.	Clergy, 25 *Edw.* 3. *Cap.* 4.
On Difference of Opinions declared to be, Compaſſing or Imagining the Death of King, Queen, Heir, to violate the Queen, the eldeſt Daughter, or the Wife of the Kings eldeſt Son and Heir, Levying War againſt the King in the Realm, or adhere to his Enemies, or Aid them in the Realm, or out, Counterfeiting the Money, Great or Privy Seal, knowing it falſe, to pay it; to ſlay the Chancellor, Treaſurer, or Juſtices doing their Office, which extends to the Kings Royal Majeſty, all Eſcheats to the King, and in new Caſes not to proceed till declared by Parliament.	Offences Declared Treaſon, 25 *Edw.* 3. *Stat.* 5. *c.* 2.
None ſhall be Attaint, nor Heir Diſpoſſeſſed after his Death, but as *Felo de ſe.*	Forfeiture of Dead, 34 *Edw.* 3. *c.* 12.
To begin a Riot, Rout, or Rumour, is ſo.	Riot, Rout, &c. 5 *R.* 2. *c.* 6.
The Attainder of ſeveral, and Forfeitures, ſaving *Ceſtui que uſe.*	Attainder, 11 *R.* 2. *c.* 1. §. 6.
A Repeal of Commiſſion grant by the King to Noble-men, to Enquire of Abuſes, and of 10 *Rich.* 2. *Cap.* becauſe made by the King by Dureſs, 1 *Hen.* 4. *Cap.* 3. Repealed.	Repeal Commiſſion and Stat. 21. *R.* 2. *c.* 1, *&c.*
He is Traytor that purſues to Repeal Statutes, yet 1 *Hen.* 4. *Cap.* 3. Repealed.	Purſuing Repeal, 21 *R.* 2. *c.* 20.
None ſhall be Impeacht that Aſſiſted *Hen.* 4. to purſue *Rich.* 2.	Indemnity, 1 *H.* 4. *c.* 2.
Nothing ſhall be Treaſon otherwiſe then Ordained by 25 *Edw.* 3. *Stat.* 5. *Cap.* 2.	Nothing Treaſon but by 25 *Edw.* 3. *c.* 10.
Clerk Convict ſhall not make his Purgation.	Purgation, 4 *H.* 4. *c.* 3.
Clipping, Waſhing, and Filing Money of the Land, is ſo.	Clipping Money, &c. 3 *H.* 5. *Stat.* 2. *c.* 6.
Juſtices of Aſſize may Hear and Determine all Counterfeiting, Clipping, *&c.* and Juſtices of Peace may Enquire and Award *Capias* only.	Clipping, &c. *c.* 7.
Burning Houſe by Threats, and Bills caſt in, if Money be not paid, is ſo.	Burning Houſe, 8 *H.* 6. *Cap.* 6.
A Confirmation of the Attainder of *Owen Glendor*, notwithſtanding Error, not to prejudice his Heir as to Entails.	Attainder O. Glendor, 9 *H.* 6. *c.* 3.
For taking *Engliſh*-men or their Goods into *Wales*, or there withholding them.	Wales, 20 *H.* 6. *c.* 3.
John Cade Attaint of Treaſon.	J. Cade Att. 29 *H.* 6. *c.* 1.
John Cade ſhall be addjuged a Traytor, and all Indictments and Acts done by his Authority, ſhall be void.	31 *H.* 6. *c.* 1.
A Pardon of thoſe that Aſſiſted *H.* 7. againſt *R.* 3. Duke of *Glouceſter.*	Pardon, 1 *H.* 7. *c.* 6.
Convictions of the Kings Servant in Chequer Roll by other Twelve, before the Steward, Treaſurer, and Controller, or one, of Confederacy, Compaſſing, Conſpiracy, or Imagination, of Murder, or Deſtruction of the King, or any Lord or Privy Councellor, is Felony.	Kings Servant in Chequer Roll, Conſpiring, &c. againſt the King, or Privy Councellor, 3 *H.* 7. *Cap.* 14.
Forging of Foreign Coyn made Currant here, is ſo.	Forging Foreign Coyn, 4 *H.* 7. *c.* 18.
None ſhall be Attaint for Allegiance in ſerving the King and Sovereign Lord of this Land for the time being.	Allegiance, 11 *H.* 7. *Cap.* 1.
Of *Empſon* and *Dudley* Attaint, voids Aſſurance to them to others uſe, and the other Joynt-Tenants to ſtand ſeized of the whole.	Aſſurance to Empſon and Dudley, 1 *H.* 8. *Cap.* 15.
Wilful poyſoning is ſo, and to be boyl'd to Death.	Wilful Poyſoning, 22 *H.* 8. *c.* 9.
Committing Petty Treaſon, *&c.* after Sanctuary, to be pull'd out.	Petty Treaſon, &c. after Sanct. *c.* 14. §. 2.
Eliz. Barton Attaint on Impugning by falſe Miracles, *&c.* the Divorce between *Hen.* 8. and Queen *Katherine*, and to deſtroy the King, *&c.*	E. Barton Attaint, 25 *H.* 8. *c.* 12.
Malicious procuring peril of the Kings Perſon, or Slander to Diſturb or Interrupt the Crown, as limit, to be ſo.	Peril of K. Interrupting Crown, *c.* 22. §. 9.
Miſpriſion to utter any thing without Writing in prejudice to the Title of the Crown.	Uttering againſt Title to Crown, §. 10.
To wiſh or deſire by Words or Writing bodily harm to King, Queen, or Heir Apparent, to deprive of Royal Eſtate; to publiſh that the King is an Heretick, to detain Caſtle, Ships, *&c.* is ſo.	Wiſhing bodily harm to K. &c. publiſhing him Heretick, detaining Caſtle, &c. 26 *H.* 8. *Cap.* 13.
No Sanctuary to be allowed for Treaſon.	Sanctuary, §. 2.
Conſpiracy beyond Sea to Act here, may be Outlawed, *&c.*	Conſpiracy beyond ſea, §. 3.
To forfeit all Eſtate of Inheritance in Uſe, Poſſeſſion, or Right, ſaving Strangers Rights the day of Commitment.	Forfeiture, §. 4.
To Counterfeit the Kings Sign Manual, Privy Signet, Seal, *&c.*	Counterfeiting Seal, &c. 27 *H.* 8. *c.* 2.
The Attainder of *Anne Bullein*, *George Bullein*, Lord *Rochford*, *Norris*, *Weſton*, *Breerton*, and *Smeaton.*	Anne Bullein and others Attaint, 28 *H.* 8. *c.* 7. §. 11.
To uſurp the Crown in other manner then limit.	Uſurping Crown, §. 24.
By Words, Writing, or Printing, to procure peril of the Royal Perſon or Eſtate of the Crown, ſlander of Marriage with *Jane Seymour*, and to declare	Peril of K. or Crown, Kings Marriage, §. 25.

	clare Queen *Katharine*, or Queen *Anne* lawfully Marry, or Queen *Mary* or *Eliz*. Legitimate, or refuſing Oath to anſwer Interrogatories, *&c.*
Treaſon at Sea, Tryal, *Cap.* 15.	Treaſon at Sea Tried by *Quorum* of Four on Commiſſion to Admiral, *&c.* as at common Law.
Marrying Kings Children, &c. *Cap.* 18.	To Marry any of the Kings lawful or reputed Children, his Siſters or Aunts, *&c.* without the Kings Licence.
Tryal in Wales, *&c.* 32 *Hen.* 8. *c.* 4.	In *Wales*, or where the Kings Writ runs not, to be Tried in the next Shire by the Kings Commiſſion.
Marriage with Lady A. Cleve, *Cap.* 25.	By Word, *&c.* to do or procure any thing that may Repeal this Statute, that declares the Kings Marriage with Lady *Anne Cleve* void.
Kings Houſhold, 33 *H.* 8. *Cap.* 12.	Within the Kings Houſhold, to be determined by the Lord Steward or Marſhall.
Falſe Prophecy, *Cap.* 14.	Felony to declare any falſe Prophecies, on occaſion of Arms, *&c.*
Lunatick, *Cap.* 20.	Being Lunatick afterwards, and found by Commiſſion, ſhall ſuffer death.
Attainder, Forfeiture, §. 2.	Attainder by Common Law ſhall be as ſtrong as by Act of Parliament, and the King have the ſame Advantage of Forſeiture to be ſeized without Office.
Saving, §. 3.	Saving Right, *&c.* of Strangers.
Incontinence in Queen, *Cap.* 21.	Queen *Katharine* Attaint for Incontinence, and her Complices, and ſo of any Queen of the Realm.
Tryal on Suſpicion, *Cap.* 23.	On Suſpicion or Examination by three of the Kings Councel, Tryal to be by Commiſſion of Oyer Terminer.
Challenge, §. 2.	Challenge for want of Fourty ſhillings Freehold in the County to be allowed.
Peers, §. 3.	Peers to be Tryed by Peers.
Oath of Obedience, 35 *H.* 8. *c.* 1. §. 14.	To refuſe the Oath of Obedience, being Commanded.
Crown, §. 15.	By Words, Writing, *&c.* maliciouſly to prove Directly or Indirectly any thing to Interrupt, Repeal, or Adnul this Act, or the Succeſſion of the Crown.
Tryal of Treaſon, Miſpriſion, &c. out of Realm, *Cap.* 2.	Treaſon, Miſpriſion, or Concealment done out of the Realm, to be tryed in *B. R.* or where the King by Commiſſion appoints.
Peers, §. 2.	Peers to be Tryed by their Peers.
Depriving K. of Style, *Cap.* 3.	To Imagine or Attempt to deprive the King of his Style or Title.
Charging Treaſon without Name, 37 *Hen.* 8. *Cap.* 10.	Deviſe or Writing without Name, importing another hath commit or ſpoken Treaſon, caſt or left in open place, is Felony.
What to be Treaſon, 1 *Edw.* 6. *c.* 12. §. 2.	Nothing to be Treaſon, but what was ſo by 25 *Ed.* 3. *Stat.* 5. *Cap.* 2. and ſuch as are hereafter expreſſed.
Repeal of Statutes, §. 3. Religious Opinions.	A Repeal of 5 *R.* 2. *Cap.* 6. and of 2 *H.* 5. *Cap.* 7. and 25 *H.* 8. *Cap.* 14. The Stat. of the ſix Articles 31 *H.* 8. *Cap.* 14. and of 34 *H.* 8. *Cap.* 1. and of 35 *H.* 8. *Cap.* 5. of Religious Opinions, *&c.*
Felonies, §. 4.	All Felonies made ſince 23 *April*, 1 *H.* 8. void, and Statute Repealed.
Stat. Repeal'd, §. 5.	A Repeal of 31 *H.* 8. *Cap.* 8. and of 34 *H.* 8. *c.* 23.
Preaching againſt K. §. 6.	Preaching that the King ought not to be the Supream Head of the Church, *&c.* or to be King of *England*, *France* or *Ireland*, or ſeeking to deprive, 1. Forſeits Goods, and be Impriſon, 2. Forſeits Lands for Life, 3. Treaſon.
Affirming Pope Supream Head, depriving King, §. 7.	To Preach or Affirm the Biſhop of *Rome*, &c. ought to be Supream Head of the Church, or to compaſs to deprive the King, is Treaſon.
Forging Coyn, Seals, &c. §. 8.	Not to make void any Statute of Forging Coyns, nor 27 *H.* 8. *Cap.* 2. of the Great Seal, Privy Seal, *&c.*
Interrupt Succeſſion of Crown, §. 9.	To Interrupt Succeſſion of the Crown, as limit by 35 *H.* 8. *Cap.* 1. §. 15.
Traytor Convict, §. 12.	Not to benefit perſons already Convict or fled for Treaſon.
Peer, §. 15.	Peer ſhall be tryed for Treaſon by Peers.
Dower, §. 17.	Attainder ſhall not forſeit Dower, *&c.*
Impeachment, §. 19.	Offenders to be Impeacht within Thirty days after the Offence.
Concealing, §. 20.	Concealing is only Miſpriſion of Treaſon.
French King, §. 21.	Calling the *French* King, King of *France*, is none.
Confeſſion, Proof, §. 22.	Muſt be Confeſs freely, or proved by Two Witneſſes.
Sir W. S. attaint, 2 & 3 *Edw.* 6. *c.* 17.	The Attainder of Sir *William Sherington* for Counterfeiting Teſtons to 12000 pounds Value.
Sir T. Seymour, Attaint, *Cap.* 18.	Sir *Thomas Seymour* Lord Admiral, Attaint for attempting Cuſtody of the Kings Perſon, and perſwading him to take the Government, and endeavour to Marry Queen *Elizabeth*.
Aſſembly of Twelve, 3 & 4 *Edw.* 6. *c.* 5.	For Aſſembly of Twelve to attempt killing any the Kings Council, to alter Laws, to continue an hour after Command by Juſtice to depart.
Affirming K. is Heretick, &c. detaining Caſtle, 5 & 6 *Edw.* 6. *Cap.* 11.	To affirm by Writing, Printing, Painting, Carving, *&c.* that the King is an Heretick, Schiſmatick, Tyrant, Infidel, Uſurper, or to detain Caſtle, *&c.* from him.

Where-ever Commit, to be tryed where the King appoints by Commiſſion.	Tryal, §. 2.
Utlary of perſons beyond Sea, good.	Utlary, §. 3.
Within a year Party Utlaw yielding to Chief Juſtice, may Traverſe.	Utlaw Traverſing, §. 4.
Forſeits all Eſtates of Inheritance in his own Right, Uſe, or Poſſeſſion within the Realm, or the Kings Dominions, §. 8. ſaving, Strangers Rights, *&c.*	Forfeiture, §. 5.
Offence in Preaching, or Words, to be proſecuted in Three Months.	Preaching or Words, §. 6.
Concealment is only Miſpriſion.	Concealment, §. 7.
Muſt be proved by Two in perſon in preſence of Offender.	Proof, §. 8.
Of Husband continuing, ſtops Wife to demand Dower till Reverſal.	Dower, §. 9.
No Act, Deed, or Offence but what is by 25 *Ed.* 3. *Stat.* 5. *Cap.* 2. to be ſo, *&c.*	What to be Treaſon, 1 *Mar.* *Cap.* 1. §. 3.
Counterfeiting Coyn, Gold, or Silver Current by the Kings Aſſent, or of the Sign Manual, Privy Signet, or Seal, is Treaſon, and loſs of Sanctuary.	Counterfeiting Coyn, Seal, &c. *Cap.* 6. §. 2.
The Duke of *Northumberland*, *Cranmer* Archbiſhop, Marqueſs *Northampton*, Earl *Warwick*, Sir *Ambroſe Dudley*, and Sir *Andrew D.* Sir *J. Gates*, and Sir *Th. Palmer*, Attaint.	D. of Northumb. and others Attaint. 1 *Mar.* *St.* 2. *Cap.* 16.
To pray to deſire God to ſhorten the Queens days, *&c.* is ſo.	Praying to ſhorten Q's. days, 1 & 2 *Ph.* & *M.* *Cap.* 9.
To Compaſs death of King or Queen, deprive them of Style, *&c.*	Compaſſing K. or Q. death, &c. *Cap.* 10.
Bringing in falſe Money Current here, is ſo.	Falſe Money, *Cap.* 11.
Trial to be by Proof, as uſed at Common Law.	Tryal, §. 3.
The third Offence in maintenance of Foreign Authority, *&c.* is ſo.	Foreign Authority, 1 *El.* *Cap.* 1. §. 30.
Compaſſing to deprive the Queen of Style, *&c.* to Levy War againſt her, to ſay that ſhe ought not to be Queen, by Overt act, is ſo.	Depriving Q. Levying War, ſpeaking againſt her, *Cap.* 5.
Second Offence in Defence of Authority of See of *Rome*, is ſo.	Authority of Rome, 5 *El.* *Cap.* 1. §. 11.
Not to work Corruption of Blood, or Diſherit Heir.	Corruption, Diſheriſon, §. 12.
Saving Strangers Right after death of Perſon Attaint.	Saving, §. 13.
To File, Clip, Waſh or Round any Coyn of the Realm, or that by Proclamation is Current.	Coyn, *Cap.* 11. §. 2.
They who have Grants of Forſeits, *&c.* may Seize as on Attainder.	Seizing Forfeitures, §. 3.
This Act, nor any Attainder, not to Corrupt the Blood.	Corruption, §. 4.
Peer to be Tryed by Peers.	Peer, §. 5.
To intend Bodily harm to the Queen, Levy War, or Affirm ſhe is not Heir, *&c.* or that ſhe is an Heretick, *&c.*	Bodily harm to Q. Levying War, not Heir, &c. 13 *Eliz.* *Cap.* 1.
By Writing to publiſh any to be Heir to the Queen, but her Iſſue, *&c.*	Heir to Queen, §. 2.
To put in ure, or accept Abſolution, or Reconcilement from *Rome*.	Abſolution, &c. from or to Rome, *Cap.* 2. §. 2.
To ſeek to *Rome* for any Matter whatever, is Treaſon.	Seeking to Rome, §. 3.
Concealment of ſuch Abſolution received Six Weeks, is miſpriſion.	Concealing Abſolution. §. 5.
A Confirmation of Attainder of Earl *Weſtmerland*, and fifty ſeven others for Rebellion, *&c.*	Attaind. E. Weſtm. and others, *Cap.* 16.
VVithholding any Caſtle, Fort, *&c.* from the Queen, or Ships, *&c.*	Withholding from Q. 14 *Eliz.* *Cap.* 1.
Miſpriſion to enlarge Priſoner for Treaſon before Indict.	Enlarging Priſoner *Cap.* 2.
Miſpriſion to Forge Gold or Silver Coyn not Currant here.	Forging Coyn, *Cap.* 3.
By any act, *&c.* to Impair, Diminiſh, Falſifie, Scale or Lighten Moneys Proper or Currant by permiſſion, Counſellers, and Aiders, *&c.* adjudged ſo.	Impairing, &c. Money, 18 *Eliz.* *Cap.* 1.
Not to Corrupt Blood, loſe Dower.	Blood, Dower, §. 2.
Peer to be Tryed by Peers.	Peer, §. 3.
Eſtates of Inheritance, Leaſe or Rent, of *Charles* Earl of *Weſtmerland* Attainted, not already Recorded in Exchequer, to be Record in a year.	Eſtate of E. Weſtmerland, *Cap.* 4.
All that pretend Power, or any ways Abſolve, or perſwade from Obedience, or Religion Eſtabliſhed, to *Rome*, Traytors.	Pretending Power, or perſwading to Rome, 23 *Eliz.* *Cap.* 1. §. 2.
Aiding and Maintaining, *&c.* Miſpriſion.	Aiding and Maintaining, &c. §. 3.
Peer to be Tried by Peers.	Peer, §. 4.
That twenty four of Privy Council and Peers Enquire of Invaſion, Rebellion, or Attempt againſt the Queen, and on Judgment, to put to death, *&c.*	Enquiry of Invaſion, Rebellion, &c. 27 *El.* *Cap.* 1.
Jeſuit, *&c.* ſtaying in the Realm otherwiſe then by the Act, is Traytor.	Jeſuit, &c. *Cap.* 2. §. 3.
Any Educate in Colledge of Jeſuits, *&c.* not returning in ſix Months of Proclamation, and in two Months after Return, Submit and Swear, as 1 *El.* *Cap.* 1. §. 19. is ſo.	Educated in Colledge of Jeſuits, &c. §. 5.

A Con-

Paget Attaint, 29 *El.c.* 1.	A confirmation of the Attainder of Lord *Paget*,&c.
Impeachment of Attainder, *c.* 2.	No record of Attainder to be Impeach by Heir, by Plea, or Error.
Claiming from perſon attaint *c.* 3.	He that claims Eſtate from perſon Attaint, to Record it in the Exchequer in two years.
Attainder of Sir *F. E.* 35 *Eliz. c.* 5.	Attainder of Sir *Fr. Englefield* thereof, and Lands and conditions given to the Queen.
Attainder of R. Winter and others, 3 *Jac.* 1. *Cap.* 2. § 3.	An Attainder of *Rob. Winter*, *Guy Fawks*, *Ambroſe Rookwood*, *John Grant*, and *Robert Keyes*, *Tho. Bates*, and Sir *Everard Digby* convict, and of *Rob. Catesby*, *Thomas Pitrey*, *J. Wright*, and *Chr. Wright*, *Hugh Owen* and *Fr. Treſham*, dead or abſent, to forfeit all Lands, Eſtates, Goods, *&c.*
Forfeiture, § 4.	Forfeit all Uſes, *&c.* the day of Treaſon commit without Office.
Saving, § 6.	Not to prejudice Sales without fraud before 5 *November*, 1605.
Withdrawing ſubjects, reconciling to Pope, *Cap.* 4. § 22.	Practiſers on or beyond the Sea to withdraw Subjects from obedience, or reconcile them to the Pope, Traytors.
Reconcilement, § 23.	Perſons reconcile, the Procurers, Aiders, *&c.* knowing it, Traytors.
Exception, § 24.	Not to prejudice ſuch as in ſix days after Return to *England* take the Oaths.
Offender taken North of Tyne, 7 *Jac.* 1. *c.* 1. § 3.	Commit in *Scotland*, Tryed there, if Offender be taken North of *Tyne*.
Attainder of late Protector, and others, 12 *Car.* 2. *c.* 30.	Attainder of *Oliver Cromwell* deceaſed, and twenty two others, for the Murder of King *Charles* the Firſt, and twenty three before upon Tryal at Law.
Aſſurances, &c. ſaved, § 2.	No aſſurance, charge, or truſt, Copyhold, *&c.* not being Biſhops, *&c.* before 29 *Sept.* 1659. other then to Wife, *&c.* nor by others to offenders before 25 *April*, 1660. to be defeat.
Lands of Marqueſs *W.* § 3.	The Lands of Marqueſs *Worceſter*, and other *Ceſtui que uſes*, to be in them, *&c.*
Receits and Accounts, § 4.	Receit and account of Profits before 11 *Febr.* 1659. to be diſcharged.
Retainer by *R. I.* § 5.	*Rich. Ingolby* to retain Goods of Sir *Hardreſs Waller*, to ſatisfie Counter-Bond.
Bodily harm to King, Invaſion, &c. 13 *Car.* 2. *c.* 1.	During the Kings Life, to ſay by Printing, Preaching, *&c.* in compaſſing bodily harm or death, as 13 *Eliz. Cap.* 1. or ſtir up Strangers to Invade, *&c.* Treaſon.
Inciting diſlike of King or Government, § 2.	Malicious ſaying the King is an Heretick, Papiſt, or incite diſlike of his Perſon or Government, to be diſabled in Church and State.
Long Parliament, Solemn League and Covenant, § 3.	To ſay the Parliament 17 *Car.* 1. *Cap.* 7. is in being, not Diſſolved, or that any obligation lies on any by Oath of Solemn League and Covenant, or that Houſes of Parliament without the King have a Legiſlative Power, *Præmunire*.
Incurring penalty, § 4.	None to incur Penalty (unleſs Treaſon) unleſs proſecute in ſix months.
Proof, § 5.	Accuſation of Treaſon to be proved by two Witneſſes in perſon.
Parliament, § 6.	Not to deprive either Houſe of Parliament of ancient Freedom of Debate.
Peer, Commoner, § 7.	Peer to be Tryed by Peers, and convict, diſabled to ſit in Parliament till Pardoned, but if Peer or Commoner be Pardoned, to be reſtored as if never convict.
Eſtates of 27 veſted in King, *Cap.* 15. § 2.	The Eſtates in uſe and Truſt of twenty ſeven named, veſt in the King without Office, being Inſtruments of Murder of King *Charles* I.
E. Straffords Attainder, 14 *Car.* 2. *c.* 29.	A Recital of the Cauſe and Matter of obtaining a Bill of Attainder of Thomas Earl of *Strafford* in Parliament for Treaſon.
Reverſal, § 2.	A Reverſal of the Attainder, *&c.* § 3. All Records of Parliament relating to it, to be Cancelled.
Indempnity, § 4.	Not to queſtion any perſon that had hand therein, or in the Tumults, *&c.*
T. D. and others attaint 17 *Car.* 2. *c.* 5. § 2.	*Tho. Dolman*, *Joſ. Bamfield*, alias *Stepner*, and *Tho. Scot*, not rendring by 1 *Febr.* Attaint of Treaſon.
Not returning from beyond Sea, § 2.	All perſons not returning from beyond Sea by day of Proclamation, when iſſued, Traytors during the *Dutch* War.
Proclamation, § 4.	Time of Proclamation to be three Kalender months.
Serving in Holland, *&c.* § 5.	Serving *Holland* during the War in *Straights*, or *America*, Traytors.
E. Clarendon baniſht, 19 *Car.* 2. *c.* 10.	Baniſhment of Earl of *Clarendon* on Impeachment for Treaſon.
Interr. 1 *W & M Seſſ.* 1. *c.* 4.	Offences during late *Interregnum*, puniſhable.
Conſpirers againſt G. § 2. *c.* 2. *c.* 7. *c.* 19.	For detaining in cuſtody perſons commit for Conſpiracy againſt the Government.
Tranſporting arms, &c. 3 & 4 *W & M* 1. *c.* 3. § 1.	Tranſporting, *&c.* Utenſils of War into *French* Kings Dominions during War, High Treaſon.
Subjects going to France, § 3.	Voluntary going of Subjects, or Imbarking to go into *French* Kings Dominions without Licence, High Treaſon.
Offence againſt 13 *Car.* 2 5 & 6 *W & M. c.* 25.	Offences againſt 13 *Car.* 2. *Cap.* 9. tryable in Kings Bench, or before Juſtices of *Oyer* and *Terminer*.
Where may be laid, § 2.	Where done out of the Realm may be laid in County within the Realm.
None to be Tryed both in Kings Bench, and Court Martial for ſame Offence.	Not twice tryed, § 3.

Trets, ſee *Wood*.

Treſpaſſes.

Qu. Clauſum fregit, *Quarrelling*, *Noſe*, *Tongue*, *Ears*, *Battery*, *Mayhm*, *Aſſault*, *Fighting*.

In Parks or Ponds, is not to be Impriſoned by the Lords.	Parks, Ponds, 20 *H.* 3. *Cap.* 11. *Merton.*
Taking diſtreſs for damage without Award of the Kings Court, ſhall pay Fine to the King, and damage to party according to Treſpaſs.	Diſtreſs without award, 52 *H.* 3. *c.* 1. *Marlb.*
Sheriff delivering Rediſſeizor before Fine paid, without the Kings Special command, is ſo.	Delivering Rediſſeizor, *Cap.* 7.
May be continued by Succeſſor of Abbot, or other Prelate, and Treſpaſs brought by Succeſſor on late violent taking Goods of the Church in time of Predeceſſor, and of Entry in Vacation.	Succeſſors of Prelates *Cap.* 28.
By any (but Sheriff with five or ſix Horſes, and that not often) Lodging or taking Goods of Religious men without leave.	Lodging with or taking from religious, 3 *Ed.* 1. *c.* 1. *W.* 1.
For which a man ought to loſe Life or Member, is not Bailable by the Common Writ, nor without Writ by Sheriff.	Bail, *Cap.* 15.
In Parks or Ponds ſhall be three years Impriſon, and Fine, if Inſolvent, Abjured, if Fugitive, be Proclaimed and Utlawed, and if beaſts be taken coming, ſtaying, and going, puniſht as Felon for Robbery.	Parks, Ponds, *Cap.* 20.
Lieth not before Juſtices, but before Sheriff, unleſs Plaintiff ſwear by his Faith the Value of Fourty ſhillings at leaſt, and that Plaint of Beating is true.	Before whom treſpaſs lieth, 6 *Edw.* 1. *c.* 8. *Glouc.*
Attaint lieth as well of Damages, as of Principal.	Attaint, 1 *Edw.* 3. *c.* 6.
Proceſs upon it in time of *Edw.* 2.	Proceſs, 2 *Edw.* 3. *c.* 13.
Lieth by Executor of Goods taken in life of Teſtator.	Executor, 4 *Edw.* 3. *c.* 7.
Attaint lieth where damages exceed fourty ſhillings.	Attaint, 5 *Edw.* 3. *c.* 7.
Attaint lieth on Bill or Writ without regard to damages.	Attaint, 28 *Edw.* 3. *c.* 8.
Cutting out tongue, or putting out Eyes maliciouſly, is Felony.	Tongue, Eyes, cut or put out, 5 *Edw.* 4. *c.* 5.
If *Savage* who beat *Chedder* a ſervant of *Brook*, a Knight of Parliament coming thither, render not in a Quarter of a year, to pay double damage, and be Fine and Ranſomed, and ſo in like caſe to come.	Beating Servant of Knight of Parliam. *Cap.* 6.
Double damages, Fine and Ranſom, on Aſſault of Lord Spiritual or Temporal, Knight, Citizen, or Burgeſs coming to, or attending the Parliament or other Councel of the King by his command.	Aſſaulting Lord or Knight, &c. of Parl. or Councel, 11 *Hen.* 6. *Cap.* 11.
Againſt Purveyor taking under fourty ſhillings without payment.	Purveyor, 20 *Hen.* 6. *c.* 8.
Againſt Water-Bailiff, Searcher or Controller for Injury, Arreſt or Diſtreſs for a duty where none is due.	Water-Bailiff, Searcher or Controller, 28. *Hen.* 6. *c* 5.
Judgment on malicious ſtriking whereby Bloud is ſhed in the Kings Palace, is to have Right-Hand cut off, Impriſonment for life, and Fine and Ranſom to the King.	Striking in Kings Palace, 33 *H.* 8. *c.* 12. § 7.
Cutting off Ears of any Subject maliciouſly, or Burning Carts or Coals Loaded or in Heaps, Cutting out Tongues of Beaſts, Barking Trees, *&c.* forfeits ten pounds and treble damages.	Cutting off Ears, burning Cart, Coals, cutting out Tongue of beaſts, 37 *H.* 8. *c.* 6. § 4.
Cutting Corn, Woods, Fruit-Trees, or breaking Pales, *&c.* to make ſatisfaction as Juſtice of Peace Award, or be Whipt.	Cutting Corn, &c. breaking Pales, &c. 43 *Eliz. c.* 7.
Conſtable that refuſeth to execute command of Juſtice of Peace, to be commit, *&c.*	Conſtable diſobeying, § 2.
No Juſtice of Peace, *&c.* to puniſh offence done to himſelf.	Offence to Juſtice of peace, § 3.
Where negligent or involuntary, Defendant may diſclaim and tender amends.	Tender Amends, 21 *Jac.* 1. *c* 16. § 5.
Sir *Tho. Sands* returning after 10 *March*, Attaint of Felony and Robbery.	Sir T. S. attaint, 22 & 23 *Car.* 2. *c.* 1. § 4.
None that made the Attempt on Sir *John Coventry* Member of Parliament, capable of Pardon.	Attempt on Sir J. C. § 5.
Perſons not named, rendring and confeſſing, to be diſcharged.	Diſcharge, § 6.
Malicious cutting out Tongue, ſlitting Noſe, or diſabling Member, with intent of Maiming, Felony.	Cutting out Tongue, ſlitting Noſe, diſabling Member, § 7.

Tryals.

Verdict, *Enqueſt*, *Proceſs*.

Amerciament ſhall be proportionable to offence, and not be Aſſeſſed but by Oath of the Vicinage, nor on Peer, but *Per Pares*.	Amerciament, 9 *H.* 3. *c.* 14. *Magna. Chart.*

Freeman, *Cap.* 29.	No Free-man ſhall be taken, Impriſoned, or Diſſeiſed of Freehold Liberties, or Free Cuſtoms, nor be Utlawed, Exiled, nor otherwiſe deſtroyed, nor will the King paſs on him, nor Condemn him but by lawful Judgment of his Peers, or by the Law of the Land.
Felons refuſing, 3 *Ed.* 1. *Cap.* 12. *W.* 1.	Notorious Felons that refuſe it, ſhall have ſtrong and hard Impriſonment, not on light ſuſpicion.
Killing, 6 *Edw.* 1. *c.* 9. *Glouc.*	Before Juſtices in Eyre, or Gaol-delivery, ſhall be, if Killing were by Misfortune or Felony, and no Writ to Enquire.
Niſi prius, 13 *Edw.* 1. *Cap.* 30. *W.* 2.	Shall be by *Niſi prius*, unleſs the Matter require great Examination.
Oyer and Terminer, *Cap.* 29.	By Oyer and Terminer ſhall be only a hainous Treſpaſs.
Deed Dated in Franchiſe, 9 *Ed.* 3. *c.* 4.	Shall be in the County where Deed is Dated within a Franchiſe.
Bigamy, 18 *Edw.* 3. *Cap.* 2.	Of Bigamy ſhall be by the Ordinary, not by Enqueſt.
Baſtardy, 25 *Edw.* 3. *St.* 2. *p.* 113.	Of Baſtardy alledged beyond Sea, ſhall be by Ordinaries Certificate.
De medietate Linguæ, 27 *Edw.* 3. *c.* 8.	Shall be *De medietate Linguæ*, if one Merchant or Miniſter of the Staple be an Alien.
Per medietatem Linguæ, 28 *Ed.* 3. *c.* 13.	Shall be *Per medietatem Linguæ*, if Aliens can be had wherever Alien is Party.
Niſi prius, 7 *Rich.* 2. *Cap.* 7.	By *Niſi prius* ſhall be at requeſt of Jurors where Parties refuſe, as well in Exchequer as elſewhere.
Prior, 9 *Rich.* 2. *c.* 4.	Whether Prior be Dative or removeable, is by the Ordinary.
Stat. Confirm, Enqueſts, 8 *Hen.* 6. *Cap.* 29.	A Confirmation of 27 *Edw.* 3. *Cap.* 8. and of 28 *Edw.* 3. *Cap.* 13. and that 2 *H.* 5. *Cap.* 3. of Enqueſts, having Fourty ſhillings each Man, ſhall be only between Denizens.
Dutcheſs, &c. 20 *H.* 6. *Cap.* 9.	Of Dutcheſs, Counteſs, or Baroneſs, Married or ſole, ſhall be by Peers.
Foreign Plea, 23 *H.* 6. *Cap.* 12.	Of Foreign Plea by Defendant, ſhall be where the Writ is brought.
Attaint Per medietatem Linguæ, 11 *H.* 7. *c.* 21.	In Attaint to be *Per medietatem Linguæ*, as the firſt Jury was.
Foreign Pleas, 22 *H.* 8. *Cap.* 2.	Of Foreign Pleas ſhall be as 4 *H.* 8. *Cap.* 2. where Indictment is laid, ſo 22 *H.* 8. *Cap.* 14. §. 7.
Niſi prius in **Attaint**. 23 *H.* 8. *Cap.* 3. §. 8.	By *Niſi prius* may be in Attaint.
Corporation, *Cap.* 13.	In Corporation may be by any enjoying Liberties worth Fourty pounds Goods.
Treaſon beyond Sea, Murder, 26 *H.* 8. *c.* 13.	Of Treaſon beyond the Sea may be within the Realm, ſo of Murder by 33 *H.* 8. *Cap.* 22.
Felony, Murder, Robbery, &c. 27 *Hen.* 8. *Cap.* 4.	Of Felony, Murder, Robbery, or Man-ſlaughter at Sea, by Commiſſion to Lord Admiral, and three or four to Enquire at Land by Jury.
Cinque-ports, §. 5.	In Cinque Ports by Commiſſion to Lord Warden, and three or four, *&c.*
Offences on Sea, 28 *Hen.* 8. *c.* 15.	Of Offences upon the Sea to be by Commiſſion to Admiral, and three or four others.
Treaſon in Wales, 32 *Hen.* 8. *c.* 4.	Of Treaſon in *Wales*, or where the Kings Writ runs not, ſhall be in the next Shire by the Kings Commiſſion.
Tranſporting Braſs, 33 *H.* 8. *c.* 7. §. 3.	Of Tranſporting Braſs, *&c.* to be where Shipt, *&c.*
Crimes in Palace, *c.* 15.	Of Crimes within the Palace, to be by Lord Steward of the Houſhold, *&c.*
Treaſon, *Cap.* 23.	For Treaſon to be by Commiſſion of Oyer and Terminer.
Challenge, §. 2.	Challenge, or want of Fourty ſhillings, in Shire allowed.
Peers, §. 3.	Of Peers for Treaſon, to be by Peers.
Treaſon, Miſpriſion, Concealment out of Realm, 35 *H.* 8. *c.* 2.	Of Treaſon, Miſpriſion, Concealment, out of the Realm, to be in *B. R.* or where the Kings Commiſſion Aſſigns.
Peers, §. 2.	Peers to be Tryed by their Peers.
Where Stroke in another County, 2 & 3 *Ed.* 6. *Cap.* 24. §. 3.	May be in *B. R.* on Enqueſt where Party died, if Stroke where in another County.
Treaſon beyond Sea, 5 & 6 *Ed.* 6. *c.* 11.	May be by Commiſſion of Treaſon beyond Sea found in *B. R.* &c.
Egyptians, 1 & 2 *Ph.* & *Mar.* *Cap.* 4. §. 3.	Of *Egyptians* ſhall be where taken, and not *Per medietatem Linguæ*.
Peers extolling Rome, Coyning, 5 *El.* *c.* 1. §. 19	Of Peers extolling the Church of *Rome*, ſhall be by Peers. So *Cap.* 11. for Coyning.
In Middleſex **by** Niſi prius, 18 *El.* *Cap.* 12.	Chief Juſtice of *B. R.* or *C. B.* and in their abſence two Judges may Try Cauſes in *Middleſex* by *Niſi prius*, and grant *Tales* and other Proceſs.
Treaſon, &c. **in** Scotland, 7 *Jac.* 1. *c.* 1. §. 3.	Of Treaſon, *&c.* in *Scotland*, ſhall be there, if Malefactor be taken North of *Tyne*.
Offence againſt 13 Car. 2. **where triable**, 5 & 6 *W* & *M.* *c.* 25.	Offences againſt 13 *Car.* 2. *Cap.* 9. tryable in Kings Bench, and before Juſtices of Oyer and Terminer.
Not twice Tryed, §. 3.	None ſhall be Tryed both in Kings Bench, and Court Martial for ſame Offence.

Truſts, ſee *Uſes*.
Tumults, ſee *War*.
Tonnage and Poundage, ſee *Taxes*.
Turns, ſee *Sheriffs*.

Turny, ſee *France*.
Vacancy and *Vacation of Biſhops*, ſee *Eccleſiaſtical Perſons*.
Vagabonds, ſee *Poor*.

Verdict.

Enqueſt, Jurors.

The King *Ex Officio* ſhall grant Attaints on falſe Oath of Enqueſts.	**Attaint** Ex Officio, 3 *Ed.* 1. *c.* 38. *W.* 1.
Shall be by Default in Aſſize, Attaint, and *Juris utrum*, if Tenant after Appearance make no Attorney.	**Default**, *Cap.* 24.
The Juſtices ſhall not compel Jurors to ſay preciſe if Diſſeiſin or not, ſo they ſhew the Truth, and pray Aid of the Juſtices.	**Diſſeiſin or not**, 13 *Ed.* 1. *Cap.* 30. *W.* 2.
That Demandant and Anceſtors were always Seized, ſhall not be Admit againſt a Fine by Party or his Heir.	**Seizin not admit againſt Fine**, 27 *Ed.* 1. *Cap.* 1. *De fine Levat.*
Attaint lieth as well of Damages, as of principal Treſpaſs.	**Attaint of Damages**, 1 *Edw.* 3. *Cap.* 6.
Attaint lieth in Treſpaſs without Writ or with, if Damages exceed Fourty ſhillings.	**Attaint in Treſpaſs**, 5 *Edw.* 3. *Cap.* 7.
Shall be given where Jury in Foreſt are charged, without Travel.	**Foreſt**, 7 *Rich.* 2. *c.* 3.
No Nonſuit after againſt the Plaintiff.	**Nonſuit**, 2 *Hen.* 4. *c.* 7.
Damages and Coſts given in Attaint.	**Damages and Coſts in Attaint**, 11 *H.* 6. *c.* 4.
An Attaint maintainable againſt Party and pety Jury.	**Attaint againſt party**, &c. 11 *H.* 6. *c.* 24.
If Fourty pounds before Judges of Record, Attaint lieth, and Jurors worth Twenty mark, Diſtrain infinite.	**Attaint Diſtreſs**, 23 *Hen.* 8. *c.* 3. §. 2.
Pety Juror forfeits Twenty pounds, and §. 4. make Fine and Ranſom, and be diſabled, *&c.*	**Pety Juror**, §. 3.
Utlary in Plaintiff or Defendant no Plea, the ſame Proceſs as in Dower, and Grand Jurors loſe Twenty ſhillings Iſſues.	**Utlary, Proceſs, Grand Juror**, §. 5.
Attaint lieth under Fourty ſhillings, Juror to have Five mark.	**Attaint, Juror**, §. 6.
Tales may be to next Shire, if none ſufficient, *&c.* and lieth by Reverſioner.	Tales, **Reverſioner**, §. 7.
Niſi prius lieth, and pety Juror make Attorney, Moiety of Forfeits Levied by *Capias*, *Elegit*, or Debt againſt Executors, releaſe of one no prejudice to the reſt.	Niſi prius, **pety Juror, Forfeiture**, §. 8.
Teſte of Attaint to be *per* Statute continued to 23 *Hen.* 8. *&c.*	Teſte of **Attaint**, §. 9.
Not to prejudice 11 *H.* 7. *Cap.* 24. but Party may ſue in *London*, or at Common Law.	**Suit**, §. 11.

Veſtry, ſee *Churches* and *Eccleſiaſtical Perſons*.

Victual.

Salt, Fleſh, Butchers Meat, Cocks, Butter, Cheeſe, Bacon, Pork, Corn, Fiſh, Coſtermonger.

Twelve men ſhall Enquire of Butcher that ſells contagious Fleſh, of Cook that boyls unwholſom Meat, or buy Fleſh of Jews, and of Foreſtallers.	**Contagious Fleſh**, &c. 51 *H.* 3. *p.* 13. §. 3. *Pillor.* & *Tumbrel.*
Officer in City or Borough, while ſuch, forfeits Merchandize of Wine or Victual, and a Third part given to Informer.	**Officer in City or Borough**, 12 *Ed.* 2. *c.* 6. *York.*
Selling Meazled Swines-fleſh, or dead of Murrain, or bought of Jews, 1. Amerced, 2. Pillory, 3. Fine and Ranſom, 4. Forſwear the Town.	**Swines Fleſh Meazled**, &c. *Incert temp.* *p.* 85. 17 *Ed.* 2. *c.* 7. *De Piſtoribus.*
Shall be ſold by all manner of Sellers at reaſonable Prices, with regard to the Price in places adjoyning, and Gains, as brought from more diſtant places.	**Prices**, 23 *Edw.* 3. *c.* 6.
A Commiſſion to Enquire of Offenders *contra* to 23 *Edw.* 3. *Cap.* 6.	**Offender contra**, 23 *Ed.* 3. 27 *Edw.* 3. *Cap.* 3. *Proviſors.*
May be brought by Water or Land, and ſold by any freely, and the Fiſhers, Butchers, and Poulterers that interrupt them, ſhall be puniſht by the Mayor and Aldermen of *London*.	**Carriage, Sale**, 31 *Ed.* 3 *Cap.* 10.
Shall be ſold by Retail only by *Londoners*.	**Retail** Lond. 42 *Ed.* 3. *Cap.* 7.
In *London*, nor other Town, Victualler, while ſuch, ſhall not exerciſe any Judicial Office, if ſufficient be beſide.	**Office Judicial**, 6 *R.* 2. *Cap.* 9.
May be ſold by Retail, Cut, or whole by Alien Merchants.	**Sale by Alien**, *Cap.* 10.
The Stat. 5 *R.* 2. *Cap.* 4. of Vintners, and 6 *R.* 2. *Cap.* 11. of Fiſhers, and 6 *R.* 2. *Cap.* 10. of Victuallers, Repealed, and all coming to *London* in Rule of Mayor and Aldermen.	**Vintner, Fiſher, Victualler**, Lond. 7 *R.* 2. *Cap.* 11.
Prices ſhall be ſet by Juſtices of Peace, or by Mayor, Bayliffs, and Stewards of Franchiſe, with rea-	**Prices ſet, Horſe-bread**, 13 *Rich.* 2. *Cap.* 8.

	ſonable Gains; only Bakers not Hoſtlers ſhall make Horſe-Bread.
Aliens, 1 *H.* 4. *c.* 17.	A Confirmation of 11 *R.* 2. *Cap.* 7. that Aliens may Trade free with Victual, notwithſtanding Patent of Fiſhmongers.
Sheep, 3 *H.* 6. *c.* 2.	Sheep ſhall not be Tranſport without Licence, but to Victual *Calice*.
Retail Alien, 14 *H.* 6. *Cap.* 6.	A Confirmation of 6 *R.* 2. *Cap.* 10. of Sale by Retail, and 1 *Hen.* 4. *Cap.* 17. and diſturber of Aliens forfeit Ten pounds.
Offices of Search, 12 *Ed.* 4. *c.* 8.	Grant of all Offices of Search of Wine, Ale, Beer, or other Victual, ſhall be void, and none but Corporation, Franchiſe, or Leet, meddle therewith, on forfeit Fourty pounds every Default.
Butchers killing, London, 4 *H.* 7. *c.* 3.	Butcher ſhall kill no Beaſts in the Scalding-houſe, nor within the Walls of *London*.
Victualler Chief Officer, 3 *H.* 8. *c.* 8.	When Victualler is Chief Officer of Town, he ſhall have Two ſworn Aſſiſtants to Aſſeſs and ſet Prices, and then may ſell by Retail.
Killing Calf, 21 *H.* 8. *Cap.* 8.	Butcher ſhall not kill Calf between 1 *Jan.* and 1 *May*, on forfeit of Six ſhilling eight pence.
Beef, Pork, Mutton, Veal, 24 *H.* 8. *c.* 3.	Beef and Pork *Ob.* a pound, and Mutton and Veal *Ob. q.*
Killing Calf, *c.* 7.	Butcher forfeits Six ſhillings eight pence a Calf killed between 1 *Jan.* and 1 *May*.
Weanlings, *c.* 9.	Butcher to kill no Weanlings under Two years old.
Setting Prices, 25 *H.* 8. *Cap.* 2.	The Chancellor, Treaſurer, Preſident, or Privy Seal, to be one of the *Quorum*, and Chamberlain, Steward, Controller, Lord of Councel, Juſtices of either Bench, *&c.* or Seven, may ſet Prices of Victuals.
Selling at Prices, §. 2.	Farmers, Owners, Broggers, *&c.* ſhall ſell at Price Proclaimed, on the Forfeit therein expreſt.
Setting Prices, §. 3.	Not to prejudice Mayors, *&c.* to ſet Prices.
Tranſportation, §. 4.	None to be Tranſported without Licence, unleſs to Victual *Calice*, *Guiſnes*, or *Hames*, &c. or for Mariners paſſing the Seas, except Barrelled-Butter and Meal.
Butcher Selling, 27 *H.* 8. *c.* 9.	Butcher may ſell for two years, notwithſtanding 24 *Hen.* 8. *Cap.* 3. and 25 *Hen.* 8. *Cap.* 1. as they did before.
Repeal, 33 *H.* 8. *c.* 11.	A Repeal of 24 *Hen.* 8. *Cap.* 3. and of 25 *Hen.* 8. *Cap.* 1. of ſelling of Fiſh by the Pound, and at certain Prices.
Selling at Prices, 2 & 3 *Edw.* 6. *c.* 15.	Butcher, Brewer, Baker, Powlterer, Cook, Coſtermonger, conſpiring to ſell at certain Prices, to forfeit Ten pounds, or be Impriſoned Twenty days with Bread and Water, 2. Offence Twenty pounds, or Pillory, 3. Fourty pounds, or Pillory and Ears.
Corporation, §. 2.	If Corporation conſpire, *&c.* they to be diſſolved.
Enquiry, §. 3.	Juſtices, Leets, *&c.* to Enquire.
Butter, Cheeſe, 3 & 4 *Edw.* 6. *c.* 21.	Butter or Cheeſe ſhall not be Bought to Sell again, unleſs by Retail, on forfeit of double Value.
Retail, §. 2.	Retail is meant of leſs then a Weigh of Cheeſe, or Barrel of Butter.
Inholder, Victualler, §. 3.	Inholder and Victualler may utter by Retail in their Houſes.
Foreſtalling, Ingroſſing, 5 & 6 *Ed.* 6. *c.* 14.	Shall not be Foreſtall nor Ingroſs.
Tranſporting, 1 & 2 *Ph. & Mar.* *c.* 5.	Tranſported without Authority, forfeits Ship, *&c.*
Purveyor, 2 & 3 *Ph. & Mar.* *c.* 6. §. 2.	Purveyors Commiſſion to continue but Six Months, *&c.*
Eating Fleſh, 5 *Eliz.* *Cap.* 5. §. 15.	None to eat Fleſh on Fiſh-days, on forfeit of Three pounds, or Three Months Impriſonment.
Concealment, §. 16.	Concealment of eating Fleſh, forfeits Fourty ſhillings.
Licence, §. 18.	Licence to eat Fleſh void, unleſs with Condition herein mention.
Buyer, Badger, Kidder, &c. 13 *El.* *c.* 25. §. 20.	None to be Buyer, Badger, Kidder, *&c.* of Corn, Cattel, Butter, *&c.* in other Form then by 5 *Eliz.* *Cap.* 12.
Foreign Victual Foreſtall, §. 21.	The Stat. 5 & 6 *Edw.* 3. *Cap.* 14. is not meant of Foreign Victuals Foreſtall, Fiſh only except.
Licence for Fleſh Lent, 1 *Jacob.* 1. *c.* 29.	To what ſorts of Fleſh Licence to Eat in *Lent* ſhall not extend.
Cheeſe-monger, Tallow-Chandler, 21 *Jacob.* 1. *c.* 22. §. 6.	That 3 & 4 *Edw.* 6. *Cap.* 21. and 5 & 6 *Edw.* 6. *Cap.* 14. nor no Statute for Sale of Butter and Cheeſe, ſhall not extend to Cheeſe-mongers and Tallow-Chandlers of *London* and *Weſtminſter*.
Retailers, §. 7.	If Seſſions declare forbearance of Buying in the Countrey, Retailers to be ſubject to Penalties, *&c.*
Herring and Sea-fiſh, 12 *Car.* 2. *c.* 4. §. 5.	Herring and Sea Fiſh may be Tranſported Cuſtom Free.
Scotland, 12 *Car.* 2. *Cap.* 18. §. 16.	*Scotland* not to pay Alien Duties for Corn and Salt.
Butter, 14 *Car.* 2. *c.* 26.	Kilderkin of Butter to be 112 Pounds neat, of 16 Ounces beſides the Caſk, Firkin 56 Pounds neat.
Repacking, §. 4.	No Cheeſe-monger ſhall Repack to ſell the ſame, on forfeit of double.

Farmer to ſet his Mark on Caſk, *&c.* the firſt Letter of his Name, Ten ſhillings forfeit.	**Marking**, §. 5.
Potters to put the Contents of Weight, forfeit One ſhilling for want of Name.	**Weight, Name**, §. 6.
Suit to be within Four Months after Sale.	**Suit**, §. 7.
Butter, Cheeſe, *&c.* may be Tranſported.	**Tranſportation**, 22 *Car.* 2. *c.* 13. §. 4.
For Barrel of Butter One ſhilling, of One hundred Weight of Cheeſe Four pence, and no more.	**Butter**, §. 5.
Mayor of *London* forfeits Five pounds ſuffering Corn or Salt to be meaſured by any other Meaſure then 17 *Car.* 1. *Cap.* 19. §. 2.	**Meaſuring**, *c.* 8. §. 3.
No Mutton or Lamb ſhall be Imported from *Ireland* or Foreign Parts.	**Mutton, Lamb, Imported**, 32 *Car.* 2. *c.* 2. §. 8. *N.* 2.
Importers of Butter and Cheeſe, ſubject to like penalties as of Beef, *&c.*	**Importer of Butter, Cheeſe**, §. 9. *N.* 3.
An Act for preſerving Two Ships lading of Bay-Salt of the Product of *France*, taken as Prize, for the Benefit of the Navy.	**Bay-Salt**, 3 & 4 *W & M.* *c.* 4.
Beef, Pork or Hogs-Fleſh, Butter, Cheeſe or Candles Exported, free from Impoſition.	**Fleſh, Butter, Cheeſe, Candles**, &c. **Exported, freed Impoſition**, *c.* 8.
After Buyer hath contracted for Butter, and approved thereof, the Seller diſcharged of Penalties in 13 & 14 *Car.* 2. *Cap.* 26.	**Buying Butter**, 4 & 5 *W & M.* *c.* 7. §. 2.
Buyer to Seal or Mark Butter or Caſk, and Penalty on Seller afterwards committing Fraud.	**Marking Butter**, &c. §. 3.
Butter and Cheeſe for Cheeſe-mongers of *London*, to be received into Warehouſes, and taken Care of; and ſhipt in courſe in next Veſſel, *&c.* on penalty of Ten pound for every Firkin of Butter, and Five ſhillings for Weigh of Cheeſe; Carriage Two ſhillings ſix pence *per* Load.	**Receiving Butter and Cheeſe into Warehouſe**, &c. **and ſhipping ſame off, Carriage**, §. 4.
Books to be openly kept, and Entries therein made of Butter and Cheeſe, *&c.* on forfeiture of Two ſhillings ſix pence *per* Ferkin of Butter, and Weigh of Cheeſe, and Six ſhillings eight pence other Offence, penalty how to be Levied.	**Keeping Books and making Entries**, §. 5.
For refuſing to take on Board Butter or Cheeſe before ſufficiently laden, to forfeit Five ſhillings *per* Ferkin of Butter, and Two ſhillings ſix pence Weigh of Cheeſe.	**Refuſing to take on Board Butter**, &c. §. 6.
One half of penalties to be to the Poor, and the other to the Informer.	**Diſtribution of Penalties**, §. 7.
Cheeſe-mongers of *London* may ſend Veſſels for their own Goods, which may be ſhipt as formerly.	**Cheeſe-mongers ſending Veſſels**, §. 8.
Not to extend to Warehouſes in *Cheſhire* or *Lancaſhire*, nor Veſſels in the Havens thereof.	Cheſhire, Lancaſhire, §. 9.
Appeal may be from Determination of Juſtices to Quarter Seſſions, whoſe Determination ſhall be Final; The Appellor giving Appellee Twenty pounds Security for payment of Coſts, if not relieved.	**Appeal**, §. 10.
Duties on Salt for four years, granted for Securing Recompences to perſons Advancing 1000000 *l.* for Carrying on War againſt *France*, with diverſe Rules and Directions relating to Makers and Proprietors of Salt, and the Exporting and Importing thereof. *Vide* Title *Taxes*.	**Salt**, 5 & 6 *W & M.* *Cap.* 7.

View.

Shall be granted only where neceſſary, not in Dower, nor after Abatement of former Writ, by Non tenure, nor to Plaintiffs Leſſee.	**Granting**, 13 *Edw.* 1. *Cap.* 48. *W.* 2.

Viſcount, ſee *Sheriffs*.

Villainage.

Bond-men.

Shall be Amerced proportionable to Offence, ſaving his Waynage, unleſs he be the Kings.	**Amerciament**, 9 *H.* 3. *Cap.* 14. *Mag. Chart.*
Lords may alledge that Exception, and Seize them as well where a *Libertate probanda* is purchaſed, as where not.	**Seizure**, 25 *Edw.* 3. *Stat.* 4. *c.* 18.
Is no abatement, if free the day of the Writ purchaſed.	**Abatement**, 37 *Edw.* 3. *Cap.* 17.
Commiſſion to Enquire of Miſ-behaviour of Villains and Tenants in Villainage.	**Miſ-behaviour**, 1 *R.* 2. *Cap.* 6.
Lords ſhall not be barred by anſwering to Suits of ſuch fled to Towns Infranchiſe.	**Anſwering Suits**, 9 *R.* 2. *c.* 2.
He that takes Servant or Beggar idle three days, ſhall have him as Slave.	**Servant, Beggar idle**, 1 *Edw.* 6. *c.* 3.

Vinegar, ſee *Wine and Ale*.
Vintners, ſee *Wine*.
Union, ſee *Churches*.
Univerſity, ſee *Purveyors*.
Unlawful Aſſemblies, ſee *Peace*.

Void and Voidable.

Fine, Feoffment, 13 *Ed.* 1. *c.* 1. *W.* 2.	Fine or Feoffment by Donee in Tail on death without Iſſue, is void againſt Donor.
Preſentation, 25 *Ed.* 3. *St.* 3. *Cap.* 2.	That 14 *Edw.* 3. *Stat.* 3. *Cap.* 2. be holden for none as to the Kings Preſenting within three months.
Penalbonds, 38 *Ed.* 3. *c.* 4	Penal Bonds in the third perſon, void.
Statutes, 42 *Edw.* 3. *Cap.* 1.	Any Statute *contra* to the Grand Charter, ſhall be void.
Putting to any anſwer, *Cap.* 3.	If any be put to anſwer without Preſentment before Juſtices, or matter of Record, or due Proceſs and Original, its void, and Error.
Taxes without Parliament, 45 *Ed.* 3. *Cap.* 4.	Taxes on Wooll, Woolſels, or Leather, without Aſſent of Parliament, other then the Cuſtoms, void.
Feoffment, 50 *Ed.* 3. *c.* 6.	Feoffment by Colluſion to Friends, taking the Profits and fleeing to Sanctuary, void if found.
Indictment, 11 *Hen.* 4. *c.* 9.	Indictments taken by Enqueſts, not Returned by Sheriff, but denominated by others, void and revoked.
Licence, pardon from Rome, 3 *H.* 5. *St.* 2. *c.* 4.	All Licences and Pardons of Proviſions from *Rome*, void.
Exigent, award, utlary 6 *Hen.* 6. *Cap.* 1.	Exigent, Award, and Utlary thereon, before Return of *Capias* ſix weeks after Indictment, void.
Feoffment, 8 *Hen.* 6. *Cap.* 9.	Feoffment by forcible Entry for Maintenance, is void.
Pardon, 23 *H.* 6. *Cap* 8.	Pardon of Forfeiture by being Sheriff above a year, or Grant to be ſo longer with a *Non obſtante*, void.
Deeds of Goods, 3 *H.* 7. *Cap.* 4.	Deed of Goods in Truſt for Donor, is void as to Creditors.
Diſcontinuance, Warranty, &c. 11 *H.* 7. *c* 20	Diſcontinuance, Warranty, *&c.* Feme Joyntreſs, *&c.* is void.
Utlary, 6 *H.* 8. *c.* 4. § 5.	Utlary that hath no Proclamation into foreign County where party dwells, void.
Later patent, *Cap.* 15.	Later Patent not reciting former to be determined, is void.
Contract of Spiritual perſon, 21 *H.* 8. *c.* 13. § 5	Contract by Spiritual Perſon for fat Cattel to ſell again, void.
Firſt Benefice, 21 *H.* 8. *Cap.* 13. § 9.	The firſt Benefice with Cure, is void on Inſtitution and Induction to latter not qualified.
Deeds and recoveries of Abbe, 27 *H.* 8. *c.* 28. § 4.	Deeds and Recoveries of Abbe by Colluſion before diſſolution, void.
Leaſe by Abbe, &c. 31 *H.* 8 *Cap.* 13. § 5.	Leaſe of things not uſually Lett by Abbe, *&c.* within a year before Diſſolution, for life or years, is void.
Leaſe to Alien Artificer, 32 *H.* 8. *c.* 16. § 13.	Leaſe to Alien Artificer of Dwelling-houſe or Shop, void, and Taker forfeits Five pounds, and Leſſor Five pounds.
Recovery by aſſent, 32 *Hen.* 8. *Cap.* 31.	Recovery by Aſſent againſt Tenant for life, void, unleſs by Aſſent of Remainder.
Licence to Shoot, 33 *Hen.* 8. *Cap.* 6. § 17.	Licence to Shoot in Croſs-bow, Hand-gun, *&c.* *contra* to Stat. void.
Recoveries, Fines, &c. 37 *Hen.* 8 *Cap* 4. § 12.	Recoveries, Fines, *&c.* of Chantry Lands, without the Kings Aſſent, void.
Corrupt agreement, 5 *&* 6 *Ed.* 6. *c.* 6. § 3.	Corrupt Agreement is ſo to, and againſt the Maker.
Commiſſion of purveyance, 2 *&* 3 *P.* *&* *M.* *c.* 6. § 2	Commiſſion of Purveyance after ſix months, is void, whatever words be to the *contra*.
Licence for Games, *c.* 9.	Licence to keep unlawful Games, void.
Refuſers of Oath, 1 *El.* *Cap.* 1. § 23.	Refuſers of Oath of Allegiance, adjudged diſabled.
Aſſurance, Eſtate by Biſhop, 1 *El.* *Cap.* 19.	Aſſurance and Eſtate, *&c.* by Biſhop, *&c.* other then for one and twenty years, or three Lives from Commencement, with ancient Rent, void.
Contracts, 5 *El.* *c.* 4. § 20.	Contracts of Service *contra* to the Stat. void.
Covenants, &c. of Apprentice, § 41.	Covenants, *&c.* of Apprentice *contra* to the Stat. void, and Retainer forfeits ten pounds.
Aſſurance bonds for foreign wares, *c.* 6.	Aſſurances and Bonds for foreign Wares ſold to any that hath not three Thouſand pounds *per annum*, &c.
Alienation, bonds, &c. 13 *Eliz.* *Cap.* 5. § 2.	Alienation, *&c.* Bonds, *&c.* to defraud Creditors, void.
Parſon not reading articles, *Cap.* 12. § 2.	Parſon, *ipſo facto*, deprived for not Reading Articles.
Recovery, 14 *Eliz.* *c.* 8.	Recovery vouching Tenant for life, void.
Conveyance, &c. 27 *Eliz.* *Cap.* 4. § 2.	Conveyance, Charge, Leaſe, Eſtate, Uſe, Incumbrance, *&c.* void againſt Creditor.
Judgment for Leaſe, 43 *Eliz.* *Cap.* 9. § 8.	Judgments to enjoy Leaſe *contra* to 13 *Eliz.* 20. or 14 *Eliz.* 11. or againſt 18 *Eliz.* 11. void.
Kings Licence, Diſpenſation, 1 *Jac.* 1. *c.* 21. § 57	The Kings Grant of Licence or Diſpenſation *contra* to what is prohibited, void.
Contracts for uſury, 12 *Car.* 2. *Cap.* 13.	Contracts of Bonds for uſury above ſix *per Cent.* void.
Refuſer of oath, 13 *Car.* 2. *St.* 2. *Cap.* 2.	Refuſers of Oath, and declare againſt Covenant, *Ipſo facto* remove and diſplace.
Not reading Common prayer, 14 *Car.* 2. *c.* 4 § 5	Neglect a month after impediment remove, to read Common Prayer, *Ipſo facto* deprive.
Patent to Commiſ. of Exciſe, 15 *Car.* 2. *c.* 11. § 3	Patent to Farmer of Exciſe to be Commiſſioner, and *contra* void.
Refuſing Oath, Sacrament, 25 *Car.* 2. *c.* 2. § 4.	Refuſal to take Oath or Sacrament, *Ipſo facto* incapable.

Demiſe void, unleſs by Deed.	Demiſe, 29 *Car.* 2. *c.* 3. § 5.
Service of Proceſs, *&c.* on the Lords-day, void.	Proceſs, *Cap* 7. § 6.
Leaſe by Archbiſhop, *&c.* not mentioning Augmentation to Vicar or Curate, *&c.* void.	Leaſe by Archbiſhop, &c. *c.* 8. § 8.
Peers and Commons diſable to ſit until taking Oaths of Supremacy and Allegiance, and declaring againſt *Tranſubſtantiation* and the Idolatry of *Rome.*	Peers and Commons, 30 *Car.* 2. *St.* 2. *p.* 1509.
Wills of Lands, *&c.* void againſt Creditors, except for juſt Debts and Portions of younger Children, by Marriage Contract.	Wills, 3 *&* 4 *W* *&* *M* *Cap.* 14.
Makes perpetual 3 *&* 4 *W* *&* *M* *Cap.* 14.	6 *&* 7 *W* 3. *c.* 14. § 2.

Voucher.

Warranty.

Shall not be Amerced on default the firſt day in Eyre, but on ſummons the third or fourth, and if out of the Shire by fifteen days.	Amerciament, 52 *Hen.* 3 *c.* 26. *Marlb.*
Counterplead by Averment in Writs of Poſſeſſion, that the Tenant or his Anceſtors were the firſt that entred, in Writs of Degrees, that the Tenant, *&c.* were never ſeized, good, ſaving Warranty of Charters.	Counterplea, 3 *Edw.* 1 *Cap.* 39. *W.* 1.
Feoffor by *Dedi & Conceſſi*, is bound to Warranty, *&c.*	Dedi & conceſſi, 4 *Ed.* 1. *Cap.* 6. *De Bigamis.*
Of Foreigner in *London* ſhall have execution from the Juſtices.	Foreigner, London, 6 *Edw.* 1. *c.* 12. *Glouc.*
A Writ ſent to the Juſtices to obſerve the Statute though not according to the Statute of *Glouc.* *Cap.* 12. to award Pety Cape on default of Vouchee before the Juſtices, and give Judgment thereof at *Huſtings* in *London.*	Pety Cape, 9 *Edw.* 1. *p.* 33.
May be by Recoverer in a *Quod ei deforceat* by Tenant in Dower, on Judgment by default.	Quod ei deforceat, 13 *Ed.* 1. *c.* 4. *W.* 2.
The Warrantor on denial of Warranty ſhall loſe the Land to the Demandant.	Denying Warranty, *Cap.* 6.
Averment that Vouchee hath nothing, is good, whether preſent ready to Warrant or abſent.	Averment, 20 *Edw.* 1. *pag.* 57. *Of Voucher.*
The Demandant may Aver there is no ſuch Vouchee, or that he is dead.	Averment, 14 *Edw.* 3. *Cap.* 18.

Upholſters, ſee *Drapery.*

Uſes.

Pernor, Feoffment, Truſts, Confidence.

Feoffment to Heir apparent to defeat Lord of Ward, is Defeaſible.	Feoffment to Heir Apparent, 52 *H.* 3. *c.* 6. *Marlb.*
Feoffments by Colluſion to Friends taking the Profits, and fleeing into Sanctuary, void if found.	Feoffment to Friends, 50 *Edw.* 3. *c.* 6.
Feoffment to perſons unknown, or Great Men in delay of Right, void, and recovery ſhall be had againſt the firſt Feoffor where he takes the Profits.	Feoffment to perſons unknown, great men, 1 *R.* 2. *c.* 9.
Deeds to Friends of Lands or Goods by ſuch as take Sanctuary, is fraud, and Creditor ſhall have execution of them.	Deeds to Friends, 2 *R.* 2. *Stat.* 2. *c.* 3.
Saved in Attainder of Traytors ſeized to Uſes, *&c.*	Attainder of Traytor, 11 *R.* 2. *c.* 1. &c.
Are Mortmain where *Ceſtui que uſe* Corps Spiritual or Temporal, take the Profits.	Mortmain, 15 *R.* 2. *c.* 5.
Aſſize ſhall be againſt the firſt Diſſeizor during life, if Pernor when ſuit is, other Writs ſhall be within a year againſt Tenant of the Freehold when the Action accrued, if Pernor when ſued.	Aſſize againſt Pernor, 4 *H.* 4. *c.* 4.
Traytors ſeized to others uſe, ſhall not forfeit.	Traytor ſeized, 5 *H.* 4. *c.* 1
The King ſhall not have Forfeiture of Traytors ſeized to the uſe of others.	Forfeiture, 7 *H.* 4. *c.* 5. *&* 12.
Aſſize lieth by Diſſeizee or Feoffee againſt Diſſeizor, if Pernor, notwithſtanding Alienation, ſo of Writs of Diſſeiſin.	Aſſize againſt Pernor, 11 *H.* 6. *c.* 3.
Where Leſſee takes Profits to his own uſe, Waſte lieth againſt him notwithſtanding Aſſignment.	Waſte againſt Leſſee, *Cap.* 5.
All Eſtates, Feoffments, *&c* to perſons of full Age, whole mind, not in Dureſs, and all Recoveries and executions, ſhall be good to him its made, and to his uſe, againſt the Seller, Feoffor, *&c.* and all claiming only to uſe of Seller, Feoffor, *&c.* at the time of the Bargain, ſaving others Right.	Eſtates, Feoffments, &c. good, 1 *R.* 3. *c.* 1.
The Lands of which the King is ſeized to uſe of Feoffors, ſhall be in the Co-Feoffees.	Kings Seizure, *c.* 5.
A *Formedon* againſt Pernor of Profits, and he to have the ſame advantages as Tenant.	Formedon againſt Pernor, 1 *H.* 7. *c.* 1.
Deeds of Goods in Truſt for the Maker, is void againſt Creditors.	Deeds of Goods, 3 *H.* 7. *c.* 4.
A confirmation of 52 *Hen.* 3. *Cap.* 6. and Will by *Ceſtui que uſe*, ſhall not hinder Lord of Wardſhip of Heir, nor Heir of Waſte againſt Guardian, *&c.*	Stat. Confirmed, Will by Ceſtui que uſe. 4 *H.* 7. *c.* 17.
Sheriff ſhall deliver Lands of *Ceſtui que uſe* in execution, if no Will be, Lord ſhall have relief, *&c.* and ſeize for Villainage.	Lands of Ceſtui que uſe, 19 *H.* 7. *c.* 15.
Aſſurances to *Empſon* and *Dudley* Attaint of Treaſon,	Aſſurances to Empſon & Dudley, 1 *H.* 8. *c.* 15.

to

	to others uſe, void, and the other Joynt-Tenants to ſtand ſeized of the whole.
Perpetual Obiit, *&c.* 23 *H.* 3. *c.* 10.	For perpetual *Obiit* or Service of Prieſt, void as Mortmain.
Plaintiff to K's uſe, 24 *H.* 8. *c.* 8.	Plaintiff in Obligation or Contract to the Kings Uſe, ſhall not pay Coſts on Nonſuit.
Transferring Uſes into Poſſeſſion, 37 *H.* 8. *Cap.* 10.	All Seized to the Uſe, Confidence, or Truſt of any other, Sole or Corporate, by Bargain, Sale, Fine, Feoffment, Recovery, Covenant, Contract, Agreement, Will, or otherwiſe for Life or Years, *&c.* or in Remainder or Reverſion, ſhall ſtand and be ſeized, deemed, and adjudged in lawful Seiſin, Eſtate, and Poſſeſſion.
Joynt Truſt, §. 2.	Joynt-Truſtees for any of them ſo ſeized, ſhall be in actual Seiſin of *Ceſtui que uſe*, ſaving others Right, Intereſt, or Action, as before.
Saving, §. 3.	Saving to the Truſtee all former Rights.
Rent, §. 4.	Truſt for Rent to *A.* and his Heirs for Life or years, ſhall be adjudged §. 5. the Poſſeſſion and Seiſin of *A.* and his Heirs, *&c.* and they to avow Diſtreſs.
Joynture, §. 6.	Every Woman having Joynture to Bar and Feme, and Heirs of Huſband, or of both, or either, in uſe, ſhall not claim Dower.
Dower, §. 7.	Joyntreſs Evict may claim Dower of reſt.
Saving Joynture, Dower, §. 8.	Not to prejudice Feme Covert for Joynture or Dower.
Waving Joynture, §. 9.	Joyntreſs during Marriage, unleſs by Act of Parliament, may Wave at Election.
Stat. Recognizance, Bond, ſaved, §. 10.	Shall not Extinct Statute, Recognizance, or other Bond by Execution of the Eſtate to any perſon Sole or Politick.
King Barred, §. 12.	The King ſhall take no Advantage by reaſon of Execution of any Eſtate.
Fine, Relief, Heriot, §. 13.	No Fine, Relief, or Heriot to be taken by Occaſion of Executing ſuch Eſtate.
Ceſtui que uſe, §. 14.	They to whom Eſtates are Executed, may take the ſame Advantage as Truſtees.
Action not Abate, §. 15.	Action ſhall not abate by Execution of the Uſe to any.
Ward, &c. to the King, §. 16.	Execution thereof not to prejudice the King of Ward, Livery, or *Ouſter le main.*
Recognizance to King, §. 17.	All Recognizances taken to the Kings Uſe on Recoveries, to be void.
Wales, §. 18.	Not to prejudice any born in *Wales.*
Charitable Uſes, 39 *Eliz. c.* 6.	Commiſſions to Enquire of Charitable Uſes.
Creation of Truſts, 29 *Car.* 2. *c.* 3. §. 7.	All Creations, *&c.* of Truſts, *&c.* muſt be by Writing.
Truſt by a Law, §. 8.	Truſts by Implication or Extinct by Operation of Law, are at Common Law.
Grants and Aſſignment, §. 9.	Grants and Aſſignment of Truſts muſt be in Writing.
Execution, §. 10.	Execution ſhall be thereof, and Truſt to be Aſſeſt in the Heir.
Falſe Plea, §. 11.	Heir of Truſt not Chargeable in his own Eſtate by falſe Plea.
Infants Money, 4 *&* 5 *W &* *M. c.* 1. §. 11. 5 *&* 6 *W &* *M. c.* 20. §. 36.	Truſtee may advance One hundred pounds of Infants Money on Fonds hereby Settled, and to be Diſcharged.
Advancing Infants Money, 6 *&* 7 *W.* 3. *Cap.* 5. §. 9.	Truſtee may advance Seventy pounds of Infants Money on this Act, and be diſcharged, and Infant Contributor.

Uſury.

Heir within Age, 20 *H.* 3. *c.* 5. *Morton.*	Shall not run againſt an Heir while within Age, yet ſo, that what was due before death of Anceſtor, ſhall not remain.
Cheviſance and Uſury Extirpate, Penalty on Broker, 3 *H.* 7. *Cap.* 6.	All unlawful Cheviſance and Uſury Extirpate, and the Brokers of ſuch Bargains, Pillory and open ſhame, half a years Impriſonment, and pay Twenty pounds.
Repeal, Lender of Lands, Goods, 11 *H.* 7. *c.* 8.	A Repeal of 3 *Hen.* 7. *Cap.* 6. touching Uſury, the Lender of Lands or Goods ſo, to forfeit one half.
Repeal, 37 *H.* 8. *c.* 9.	A Repeal of all former Laws againſt it, being a thing unlawful, and thoſe obſcure.
Buying for leſs then ſold at, §. 2.	None ſhall in Three Months buy for leſs, what he before ſold at greater Price, knowing the Merchandize the ſame.
10 l. per Cent. allow'd, §. 3.	None ſhall corruptly receive for a years forbearance of Money above Ten pounds *per Cent.* &c.
Profit not above, §. 4.	No Mortgage or Profits of Lands to be received above that Value.
Offender, §. 5.	Offenders to forfeit treble received, and be Impriſoned, and Ranſomed.
Obligation Stat. ſaved, §. 6.	Not to prejudice Obligation or Statute for payment of leſs juſt Debt, unleſs by corrupt Cheviſance, *&c.*
Uſury, &c. permit, 5 *&* 6 *Edw* 6. *c.* 12.	Uſury and other unlawful things permit for eſchewing greater Evils.
Repeal of Stat. and Uſury forbid, *c.* 20.	A Repeal of 37 *Hen.* 8. *Cap.* 9. no manner of Uſury or Encreaſe above the Sum lent, ſhall be taken, *&c.* on Forfeiture of the whole.

For ſuppreſſion of the Vice by ſale of Wares, Shifts of Intereſt and Loans upon Uſury.	Suppreſſing Sale, &c. Shifts, 13 *El. c.* 8.
A Repeal of 5 *&* 6 *Edw.* 6. *Cap.* 12. and a Reviver of 37 *Hen.* 8. *Cap.* 9.	Repeal, Reviver, §. 2.
All Bonds, Contracts, and Aſſurances collateral, or otherwiſe for above Ten pounds *per Cent. per an.* void.	Aſſurances, &c. for above 10 l. per Cent. §. 3.
Brokers, Solicitors, *&c.* to be as Councellors, and Attorneys, *&c.* in *Præmunire.*	Brokers, Solicitors, &c. §. 4.
Being Sin deteſtable, giving day for Gain, *&c.* above Ten pounds *per Cent.* &c. forfeits the Uſury, *&c.*	Uſury forfeit, §. 5.
All Juſtices to Determine, *&c.*	Determining, §. 6.
Expoſition to be ſtrongeſt againſt the Uſury.	Expoſition, §. 7.
Not to prejudice Orphans of *London*, &c.	Orphans London, §. 8.
Where only Ten pounds *per Cent.* is received, to be diſcharged by this Act, elſe puniſht in Spiritual Court alſo.	10 l. per Cent. §. 9.
Abatement of Rents and high Rates of Money, diſables to pay Debts, or to Trade.	Abatement of Rent, Uſury, 21 *Jac.* 1. *c.* 17.
All Bonds, Contracts, *&c.* for above Eight pounds *per Cent.* a year, void.	8 l. per Cent. and Contract void, §. 2.
Scrivener, Broker, Solicitor, and Driver of Bargains, corrupt, *&c.* forfeits Twenty pounds, and Impriſon half a year.	Driver of corrupt Bargains, §. 3.
Not to allow the practice of Uſury in point of Religion or Conſcience.	Not allow Uſury in Religion, &c. §. 5.
Abatement of Intereſt advanceth Trade, and Improves Lands by good huſbandry.	Abatement of Intereſt, 12 *Car.* 2. *c.* 13.
None by Contract or Loan directly or indirectly for Money or Merchandize, to take more then Six pounds *per Cent.* for a year, all Aſſurances *contra*, void.	6 l. per Cent. Aſſurances contra, §. 2.
Scrivener, Broker, Solicitor, Driver of Bargain, taking above Twelve pence for Bond, forfeits Twenty pounds, and Impriſonment half a year.	12 d. for Bond, §. 3.

Uſurpation, ſee *Preſentation.*

Utlary.

Exile, Outlary, Exigent, Baniſhment, Wayner, Abjuration.

Shall not be of Free-man, but by lawful Judgment of Peers, or by the Law of the Land.	Legal, 9 *H.* 3. *c.* 29. *Magna Chart.*
Shall not be of Acceſſory in Appeal till Principal be ſo, or Attaint.	Acceſſory, 3 *Edw.* 1. *Cap.* 14. *W.* 1.
Shall not be let to Bayl by Sheriffs, or others.	Bayl, *c.* 15.
Shall be on Proclamation againſt Fugitive Treſpaſſer, in Parks or Ponds.	Fugitive Treſpaſſer, Parks, Ponds, *c.* 20.
For Arrears of Accountant he ſhall not be Replevied or Bayled.	Arrears of Accountant, 13 *Ed.* 1. *c.* 11. *W.* 2.
A Confirmation of Baniſhment of the *Spencers*, Father and Son, *Cap.* 2. the Repeal void.	Spencers, 1 *Edw.* 3. *c.* 1.
Pardon is of the Kings Grace, and ſhall not be granted after Judgment, but on Certificate Party that recovered is ſatisfied, nor before Appearance, but on Certificate of Render.	Pardon, 5 *Edw.* 3. *c.* 1
Avoid by Impriſonment at the time, muſt yield to Priſon till Try'd on Plaintiffs Averment *contra.*	Impriſonment, *c.* 13.
Exigent againſt the Kings Receivers of Wooll or Money, againſt Conſpirators, Rioters, Tranſporters of Wooll, or Bringing in of falſe Money.	Exigent, 28 *Edw.* 3. *pag.* 109.
No Exigent in Treſpaſs, unleſs *Contra Pacem*, or againſt Article of Statute made the laſt Parliament.	Exigent Treſpaſs, 15 *Edw.* 3. *c.* 5.
Shall go on Return of *Capias* in a *Præmunire.*	Præmunire, 27 *Ed.* 3. *Cap.* 1. *Proviſors.*
He that accepts beyond Sea or here Benefice by Proviſion of *Rome*, ſhall be Baniſht.	Proviſion of Rome, 13 *R.* 2. *Stat.* 2. *c.* 2.
Juſtices may Examine Impotent Perſons, and allow them by Attorney, but not on *Capias ad ſatisfaciend.*	Attorney, 7 *H.* 4. *c.* 13.
Void for want of Addition of Degree, Myſtery, Town, or Countrey, if excepted before pronounced, *contra* for Surpluſage.	Addition, 1 *H.* 5. *c.* 5.
In *Lancaſter* ſhall forfeit only Lands and Goods there.	Lancaſter, 9 *H.* 5. *c.* 2.
Scholars of *Oxford* Baniſht the Univerſity that Diſſeized Men, Hunt in Foreſt, or take Clerks Convict of Felony out of Priſon.	Oxford Scholars, *c.* 8.
Is not amendable before nor after Judgment.	Amendable, 4 *H.* 6. *c.* 3.
Exigent ſhall not be before *Capias*, on Indictment is Returned Six Weeks.	Exigent Indictment, 6 *H.* 6. *c.* 1.
Executors may avoid it by *Identitat. nominis*, if moleſt.	Ident. nominis, 9 *H.* 6. *Cap.* 4.
Shall not be avoid by Entry *Obtulit ſe*, without Appearance in Perſon, and Oath he is the ſame Man.	Obtulit ſe, 10 *H.* 6. *c.* 4.
A Confirmation of 9 *Hen.* 6. *Cap.* 2. of Forfeitures of Lands in *Lancaſter.*	Lancaſter, 18 *H.* 6. *c.* 13.
Utlary in *Lancaſter* forfeits only what is there, 31 *Hen.* 6. *Cap.* 6. made perpetual, but 33 *Hen.* 6. *Cap.* 2. Repealed, and Tryal to be in the County.	Lancaſter, 20 *H.* 6. *c.* 2.

Pro-

Proclamation, 4 *H.* 8. *Cap.* 4.	Proclamation to warn him that lives in one County, that is Utlawed in another, to continue to next Parliament.
4 *H.* 8. Confirmed, 6 *H.* 8. *c.* 4.	A Confirmation of 4 *Hen.* 8. *Cap.* 4. and made perpetual wherever Party is named late of another Place.
Proclamation, §. 5.	If no Proclamation be Award, the Utlary void.
Abjur'd perſons, 21 *H.* 8. *Cap.* 2.	Abjured perſons ſhall be Marked with Iron on the Thumb.
Plea, Attaint, 23 *H.* 8. *Cap.* 3. §. 5.	Utlary in Plaintiff or Defendant no Plea in Attaint.
Ayeth, *c.* 14.	Shall lie in Action *ſur* 5 *R.* 2. *Cap.* 7. as in Common Treſpaſs, ſo in Annuity and Covenant.
Certifie on Felony, 34 *&* 35 *H.* 8. *c.* 14. §. 2.	Shall be Certified in *B. R.* on Felony, and there remain Recorded for ever.
Beyond Sea, 5 *&* 6 *Ed.* 6. *c.* 11. §. 2.	Of perſons beyond Sea, good for Treaſon.
Lancaſter, *c.* 26.	Exigends to be Award to Sheriff of County Palatine of *Lancaſter*.
County Palatine, §. 3.	Of perſon in County Palatine without Proclamation there, void, and ſhall not be to next adjoyning County, as 6 *Hen.* 8. *Cap.* 4.
Proclamation, perſonal Action, 31 *Eliz. c.* 3.	Where Exigent is in perſonal Action, Proclamation ſhall be firſt in Court, then at place of Parties abode, and a Month before the *Quinto Exactus* at Church.
Bayl, Error, §. 3.	Before Allowance of Error, Bayl ſhall be to anſwer Action, and Condemnation.
County Palatine, *Cap.* 9. §. 2.	Exigent at Suit of the Queen or Subject, may be to County Palatine to the Biſhop, to Proclaim, *&c.* as to Sheriffs.
Bp. Dur. Deputy, §. 3.	Biſhop of *Durham* to have Deputy in *B. R.* and *C. B.* &c.
Proceſs to Biſhop, §. 6.	Proceſs thereon ſhall be direct to Biſhop, *&c.*
Borderers, 43 *Eliz. Cap.* 13. §. 4.	Of Borderers to be delivered to Sheriffs by Clerks of the Peace to be proclaimed.
Conference with Borderer, §. 5.	Relief of Conference with Borderers Utlawed, to be Impriſoned ſix Months.
Default Sheriff, §. 6.	Juſtice of Peace to puniſh Defaults of Sheriffs.
Lord Marcher Scotland, §. 7.	Not to prejudice Juriſdiction of Lord Marcher of *Scotland*.
E. Clarendon, 19 *Car.* 2. *Cap.* 10.	Baniſhment of *Edward* Earl of *Clarendon* for Treaſon.
Sir T. Sands, 22 *&* 23 *Car.* 2. *c.* 1. §. 2.	Baniſhment of Sir *Tho. Sands*, &c. unleſs they appear by a day.
Where Reverſable by Attorney, &c. without Bail, 4 *&* 5 *W & M. c.* 18. §. 3.	Outlaries in Kings Bench, except for Treaſon or Felony Reverſable by Attorney, *&c.* and without Bail (except where Special Bail ordered.)
Sheriff diſcharging Defendant, §. 4.	Sheriff in caſes not of Special Bail to Diſcharge Defendant upon an Attorneys Engagement to Reverſe the Utlary; and in Caſes of Special Bail to take Defendants Bond with Sureties for Appearance by Attorney, *&c.*
Diſcharging Defendant Commit, §. 5.	Defendant Commit for want of Special Bail to be diſcharged upon finding Security to appear by Attorney, *&c.* and Reverſe the Outlary, *&c.*
Proclamation an an Exigent, *c.* 22. §. 4.	Upon an Exigent in Criminal Matters before Judgment and Conviction, ſhall Iſſue a Proclamation according to 31 *Eliz. Cap.* 3. and be delivered Three Months before Return.
Continuance, §. 5.	To continue for Three years.

Wager of Law, ſee *Lee*.
Wages, ſee *Fees*.

Ways.

High-ways, Bridges, Banks, Cawſeys, Carriages, Foot paths, Paſſage, Wears, Road, Chemin, Travellers, Streets, Paving, Coaches, Carts, Waggons, Hackney-Coaches, Poſt-Office, Letters.

Bridges, Banks, 9 *H.* 3. *c.* 15. *Magna Chart.*	NO Town nor Freeman ſhall be Diſtrained to make Bridges nor Banks, but as of Right accuſtomed in time of *Hen.* 1.
Banks, *c.* 16.	No Banks ſhall be defended from henceforth, but ſuch as in time of *Hen.* 1. were in defence.
Chimage, 9 *H.* 3. *St.* 2. *Cap.* 14. *Ch. de Foreſta.*	Only Foreſter in Fee-Farm ſhall take Chimage *viz.* half yearly, Two pence of Cart, a Half-peny of Horſe-Load, of Timber-Merchants that Buy and Sell, but Bearers of Burdens pay nothing but in the Kings Demean.
Diſtreſs, 52 *H.* 3. *c.* 15. *Marlbr.*	Diſtreſs ſhall for no Cauſe be taken there, or in Common Street, but by the Kings Officers with Special Authority.
High-ways from Market to Market-Town, Robbery, Murder, 13 *Edw.* 1. *St.* 2. *c.* 5. *Winch.*	High-ways from one Market-Town to another ſhall be Two hundred Foot one ſide to the other, without Buſh, Woods, other then Aſh or great Trees, or Dyke, elſe Lord ſhall anſwer for Robbery or Murder.
High-way from Market-Town, 31 *Ed.* 1. *p.* 71. *Art. on Winch.*	If the Kings High-ways from Market-Towns be enlarged as well in his own Woods as elſewhere, ſhall be Enquired.
Diſtreſs shall not be in High-ways.	Diſtreſs, 9 *Edw.* 2. *c.* 9. *Artic. Cleri.*
Frankpledge to Enquire of Ways, and Paths opened or ſtopped.	Enquiry of Ways, &c. 18 *Ed.* 2. *p.* 84. §. 10.
Men ſhall pay no more for Fair at all Paſſages then they were wont.	Fair at Paſſages, 4 *Edw.* 2. *c.* 8.
Pilgrims ſhall paſs at *Dover* only.	Dover, 9 *Ed.* 3. *c.* 8.
A Bridge over *Burford* and *Culham* in *Oxfordſhire*.	Burford and Culham Bridge, 8 *H.* 6. *c.* 28.
Paſſage on the *Severn* free for all with Floats and Draggs, for Goods and Chattels.	Paſſage on Severn, 9 *H.* 6. *c.* 5.
What perſons ſhall Paſs and Land at *Dover*, and what not.	Dover, 4 *Edw.* 4. *c.* 10.
Toll to be Employed on Repair of *Stayns* Bridge.	Stayns Bridge, 1 *H.* 8. *Cap.* 9.
In the Weld of *Kent*, he that lays out more Commodious new Way, may have the old one.	14 *&* 15 *H.* 8. *c.* 6.
Saving to particular perſons Ways to Church, Lands, *&c.*	Saving of Ways, §. 5.
In Seſſions Four Juſtices of Peace, *Quorum* One, to Determine all Annoyance, and broken Bridges.	Determining Annoyance, &c. 22 *H.* 8. *c.* 5.
Without City or Town-Corporated to be Repaired by Shire within by them, and proportionably by both when part in, part out.	Repair by Shire, §. 3.
Juſtices of Peace, Four *Quorum*, One to Charge, Tax, Diſtrain, and Sell, by Surveyors appointed by Indenture Return at Seſſions.	Tax, Diſtreſs, Sale, §. 4.
Sheriff ſhall ſerve Proceſs of Juſtices as to each part.	Proceſs of Juſtices, §. 5.
Not to prejudice the Cinque-Ports.	§. 6.
The Street between *Charing Croſs* and *Strand Croſs* to be Paved at Owners Charge, and Maintain, on forfeit of Six pence a Yard.	Between Charing and Strond Croſs, 24 *H.* 8. *Cap.* 11.
The Paving *Holborn* to the *Bars* by the Owners, and Mayor, *&c.* to Enquire by Twelve Quarterly.	Paving Holborn, Enquiry, 25 *H.* 8. *c.* 8.
The Statute of 14 *&* 15 *Hen.* 8. *Cap.* 6. of Highways Amended, or new laid out in the Weld of *Kent*, to extend to *Suſſex*.	Weld of Kent, Suſſex, 26 *H.* 8. *c.* 7.
Aldgate to *White-Chappel*, *Holborn* to St. *Giles*, *Chancery-Lane*, *Grays Inn-Lane*, *Fetter-Lane*, *Shoe-Lane*, to be Paved, on forfeit of Six pence a Square.	Aldgate to White-Chappel, Holborn, *&c.* 32 *H.* 8. *c.* 17.
Tenants in Fee-Tail for Life, or otherwiſe, to maintain it yearly, on forfeit of Six pence every Yard Square, on Preſentment before Juſtices.	Tenants, 2.
Juſtice of Peace to Enquire in Seſſions of *Middleſex* Quarterly.	Enquiry, §. 3.
Mayor, Aldermen, and Juſtices of *London* to have the ſame power in the Seſſions there, and Juſtice of *Middleſex* may annex Fine, *&c.*	London, §. 4.
Clerk of the Peace of *Middleſex*, to Certifie Fines, *&c.* into the Exchequer.	Certifie Fines, §. 5.
Mayor, *&c.* of *London* to ſet Fines on Defaults, *&c.*	London Fines, §. 6.
The Tenant to deduct of Rent what he Expends in Paving.	Tenant deduct Rent, § 7.
White-Croſs-ſtreet, *Cheſwell-ſtreet*, *Golding-Lane*, *Grub-ſtreet*, *Goſwell-ſtreet*, *Long-Lane*, St. *John-ſtreet*, *Smithfield-Bars*, *Water-Lane*, from *Temple* to *Strand-Bridge*, *Pety-France*, *Shore-Ditch*, *Foſcue-Lane*, to be Paved by Owners, *&c.*	White Croſs-ſtreet, *&c.* 34 *&* 35 *H.* 8. *c.* 12.
Juſtice of Peace of *Middleſex*, in Seſſions to puniſh Defaults.	Defaults, §. 2.
Mayor of *London*, &c. to puniſh in *London*.	London, §. 5.
They who have Lands adjoyning, to Pave the High-ways, Streets and Lanes in *Cambridge*.	Cambridge, 35 *H.* 8. *Cap.* 15.
Huntington-Lane Two Miles and a half near *Cheſter*, to be Repaired by one to have Common for Five Kine there.	Huntington-Lane, 37 *H.* 8. *c.* 3.
Streets, Lanes, *&c.* of *Calice* to be Paved.	Calice, 2 *&* 3 *Ed.* 6. *c.* 38.
The Stone Cawſey between *Shaftsbury* and *Sherborn*, for Ten years to be Amended by Inhabitants, *&c.* and Juſtice of Peace of *Dorſet* and *Somerſet* to Aſſeſs, *&c.*	Shaftsbury and Sherborn 1 *Mar. St.* 3. *c.* 5.
The Inhabitants in the ſeveral Hundreds to be Charged with Repair between *Glouceſter* and *Briſtol*.	Between Glouceſter and Briſtol, *c.* 6.
Conſtables and Churchwardens on *Eaſter Tueſday* to chooſe Two Surveyors, to forfeit Twenty ſhillings if refuſe.	Surveyors, 2 *&* 3 *Ph. & Mar. c.* 8.
Notice of Four days in the Church next *Sunday* after *Eaſter*, that every Plow-Land find a Cart with Oxen, *&c.* Two able Men, on forfeit of Ten ſhillings; every Houſholder, Cottager, and Labourer, being no hired Servant, to find a Man, on forfeit of Twelve pence a Day, and in ſtead of Cart, two Men to work as appoint by Surveyors, *&c.* Juſtice of Peace, Leets, *&c.* to puniſh Defaults.	Notice in Church, §. 2.
Bayliff and Chief Conſtable to Account and pay Moneys, *&c.* Collect.	Account and Paying Moneys, §. 3.
All Forfeitures to be to Churchwardens for Amendment of the Ways, *&c.*	Forfeitures, §. 4.
Continues 2 *&* 3 *Phil. & Mar. Cap.* 8. for Twenty years, and to the end of next Parliament after, and adds.	2 *&* 3 *Ph. & Mar.* Continued, 5 *Eliz. Cap.* 13.

Stones, Gravel, §. 3.	Superviſors may take ſmaller Stones of every Quarry in the Pariſh, or dig for Gravel.
Digging, §. 4.	Superviſor ſhall take only Stones ready digged in Quarry, and ſhall not dig Garden, *&c.*
Turning Water-courſe, §. 6.	Superviſor may turn Water-courſe into any Ditch adjoyning.
Scowring Dykes, Cutting down Buſhes, &c. §. 7.	The Fences, Dykes adjoyning to High or Common Fairing Way, to be Scowred, and Trees and Buſhes cut down by Owner of Soyl, and Six days a year Allot to Amend.
Defaults, §. 8.	Defaults to be Preſent to Juſtice, and he to puniſh, *&c.*
Preſentment and Fine, §. 9.	Every Juſtice of Peace may in Seſſions Preſent his Knowledge, and Fine thereon.
Fines Eſtreat, §. 19.	Fines in Seſſions to be Eſtreat by Clerk of the County.
Bars without Aldgate, 13 *Eliz. Cap.* 23.	The *Bars* without *Aldgate* from *Old Cage* to *Nightingale-Lane*, and *Croſs-Mill*, Paved.
Ipſwich, *&c. Cap.* 24.	*Ipſwich* and Suburbs to be Paved, on forfeit of Eight pence a Yard, *&c.*
2 *&* 3 *Phil. & M.* 5 *El.* 18 *Eliz. Cap.* 10.	For Explanation of 2 *&* 3 *Phil. & Mar. Cap.* 8. and of 5 *Eliz. Cap.* 8.
Aſſeſſing Goods, Lands, Finding Men, §. 2.	All except in *London*, Aſſeſs'd Five pounds Goods, or Fourty ſhillings Lands to Subſidy, to find two Men yearly.
Plow-Land, §. 3.	Plow-Land in ſeveral Pariſhes is liable where Party dwells.
§. 4.	For ſeveral Plow-Lands in each Pariſh, to find Cart, Wayn, *&c.* as they lie.
Forfeiture not Scowring, Cutting, &c. §. 5.	Not Scowring Ditch adjoyning, and Cutting low Trees, to forfeit Ten ſhillings.
Drayning Water from Way, §. 6.	Owners of Lands next adjoyning, to drayn Water from the Way, or forfeit Twelve pence.
Caſting Soyl, &c. in Way, §. 7.	No Soyl, *&c.* to be caſt on Common, Fairing, High, or Market-way, on forfeit Twelve pence.
Levying Penalty, §. 8.	Surveyors of Pariſh to Levy Penalty, or on Default, Conſtables or Churchwardens.
Determination, §. 9.	Juſtice of Peace and Leets, *&c.* to Determine.
Sheppey, §. 10.	Leet of *Sheppey* to Tax not exceeding One peny an Acre, Marſh and Upland, One peny ten Acres Salt for the Ferry-Paſſage yearly.
Middleton Way, §. 11.	Inhabitants within four Miles of Iſle to Repair *Middleton* Way, *&c.*
Rocheſter Bridge, *Cap.* 17.	The Wardens and Commonalty of *Rocheſter* Bridge to meet at *Eaſter* yearly, and order Surveys and Leaſes of Lands Contributory, *&c.*
Chepſtow Bridge, *c.* 18.	*Glouceſter* and *Monmouth* to be Charged Repair *Chepſtow* Bridge for ever.
Chicheſter, *Cap.* 19.	The City of *Chicheſter* to be Paved by Owners and Inhabitants, *&c.*
Near Oxford, *Cap.* 20.	Every Inhabitant of a Yard Land, *&c.* within five Miles of *Oxford*, to ſend Cart, *&c.* and Houſeholder, Cottager, Labourer, *&c.* to Work ſix Days a Year to Repair, *&c.*
Time of doing, §. 3.	To be done between St. *John Baptiſt* and *All Saints*.
Defaulters, §. 4.	Vice-Chancellor, *&c.* to Diſtrain Defaulters.
Glamorgan and Cardiffe Bridge, 23 *El. c.* 11.	*Glamorgan* and *Cardiff* Caſtle to Repair Bridge there.
Minories, Hog Lane, *&c. Cap.* 12.	Additions to 13 *Eliz. Cap.* 23. for Paving *Minories*, *Hog-Lane*, &c. without *Aldgate*.
Occupiers of Iron-Works, 27 *El.c.*19.§.2.	Occupiers of Iron Works for every ſix Load of Coals, or Tun of Iron a Mile, to lay one Load of Gravel, *&c.* to be employed as Juſtice of Peace Directs, on forfeit of Two ſhillings ſix pence, *&c.*
2 *&* 3 *Phil. & M.* 5 *&* 18 *Eliz. Cap.* 24.	A Recital and Continuance of 2 *&* 3 *Phil. & Mar. Cap.* 8. and of 5 *Eliz.* 18. and of 18 *El. Cap.* 10.
Sea-banks, &c. Norfolk, §. 2.	The Juſtices of Peace of *Norfolk* to appoint ſuperfluous Days-Works to Amend Sea-Banks and Works.
Chargeable, Overſeers, §. 3.	All within three Miles of Sea-Banks or Works to be chargable as to Ways, and Conſtables to be Overſeers.
Rocheſter-Bridge, *c.* 25.	When Profits be not ſufficient, Corporation of *Rocheſter* Bridge may Tax the Pariſh where the Lands lie, to Repair.
From Middleton to Sheppey Ferry, *c.*26.	Juſtice of Peace, Six, Five, Four, or Three, to Tax for Repair from *Middleton* to the Kings Ferry in *Sheppey*.
18 *Eliz.* 35 *El. Cap.* 7. §. 26.	That 18 *Eliz. Cap.* 20. ſhall not Charge leſs then Yard Land, and that Four pence yearly.
Kent and Surrey, 39 *El. Cap.* 19. §. 2.	A Repeal of ſo much of 27 *Eliz. Cap.* 19. §. 2. as concerns Amendment in *Kent* and *Surrey*.
Iron-works, §. 3.	Owners or Farmers of Iron-Works, for three Loads of Coals or Tun of Iron, to pay Three ſhillings ſix pence.
§. 4.	Occupier of Iron-Work to pay Load of Coals, or Three ſhillings in eight Days of Demand for Amendment.
Aſſigning Place, §. 5.	The Surveyors on Default of the Juſtices, in twenty Days to aſſign Place, on forfeit of Fourty ſhillings.
Newport and Carlion Bridge, *Cap.* 23.	County of *Monmouth* Charged to Repair *Newport* and *Carlion* Bridge over *Uske*.
Wilton Bridge, *Cap.* 24.	A Bridge at *Wilton* upon *Wye*, and *Pontage*, *viz.* Of Cart Two pence, *&c.* taken by *Roſs*.

The County of *Cumberland* Charge to Make and Maintain *Edon* and *Preſtberk* Bridge, obſerving Order of 22 *H.* 8. *Cap.* 5.	Edon and Preſtberk Bridge, 43 *El. c.* 16.
Coachmakers to be under the Survey of the Sadlers Company.	Coachmakers, 1 *Jac.* 1. *Cap.* 22. §. 30.
Maintenance from *Kingſtone* to *Nonſuch*.	From Kingſtone to Nonſuch, 3 *Jac.* 1. *Cap.* 19.
Paſſage from *London* to *Oxford* by Water.	From Lond. to Oxf. *c.* 20
For Paving the part of the Town of St. *Giles* toward *Holborn* and of *Drury-Lane*.	St. Giles, *Cap.* 22.
Surveyors to ſet on Work, and Pay and Account, and Owners to Maintain.	Work, Paying Account Maintaining, §. 2.
A Repeal of 18 *Eliz. Cap.* 18. for Repair of *Chepſtow* Bridge.	Chepſtow Bridge, *Cap.* 23. §. 3.
Glouceſter and *Monmouth* to be Charged, Four Juſtices, *Quorum* one, to Rate each County, and make Collectors who may Diſtrain.	Glouceſter, Monmouth, §. 4.
Juſtice of Peace Reſident, neglecting Duty, forfeits Five pounds.	Juſtice of Peace, §. 5.
Seſſions may order Parſon to aſk Benevolence to Account Monthly.	Benevolence, §. 6.
Juſtice of Peace detaining Money Collected, forfeits Fourty pounds.	Detaining Money, §. 7.
Forfeitures to be divided into four parts, One to Informer, and three to making the Bridge.	Forfeiture, §. 8.
Inhabitants of *Worceſter* in three years to build Bridge over the *Severn* near *Upton*.	Worceſter, Upton Bridge, *Cap.* 24.
General Letter-Office Erect, and Poſt-Maſter General.	Letter-Office, Poſt-Maſter, 12 *Car.* 2. *c.* 35.
None but Coaches, Carriers, and Merchants, Meſſengers, *&c.* to carry any Packet.	Carrying Packet, §. 2.
Deputies of Poſt-Maſter only to provide Poſt-Horſes, *&c.*	Poſt Horſes, §. 3.
The ſeveral Prices of Inland Stage-Letters.	Inland Letters, §. 4.
The Prices of Foreign Letters to all Parts of Traffick.	Foreign Letters, §. 5.
Merchants Accounts and Covers of Letters not exceeding a quarter of a Sheet to be allowed.	Merchants Accounts, Covers of Letters, §. 6.
Merchants Letters may be Imported in Ships, and ſent by Carriers.	Merchants Letter, §. 7.
None to ſet up or Employ Foot-Poſt, Carrier-Poſt, Coach-Poſt, *&c.* on forfeit Five pounds.	Foot, Carrier, Coach, Poſt, &c. §. 8.
If Poſt-Maſters furniſh not in half an hour, Parties left at liberty for Horſes.	Furniſhing Horſes, § 9.
Poſt-Maſter forfeits Five pounds where any ſhall fail of Horſe that Rides Poſt.	Horſe failing, §. 10.
Not to extend to Carriage from Town to next Poſt-Stage, *&c.*	Carriage, §. 11.
Poſt-Maſter forfeits One hundred pounds where Packet is not Tranſport by *Engliſh* Ship.	Packet Tranſport §. 12.
None to be Poſt-Maſter or Officer till taking Oath of Allegiance and Supremacy.	Taking Oaths, §. 13.
Twice a Week Poſt by *Truro* and *Penrin* to *Marhaſion* in *Cornwall*, once by *Lancaſter*, and to *Penrith* in *Cumberland*, by *Newcaſtle*, &c.	Poſt twice a week, §. 14
Poſt to continue conſtant Carriage for all Letters out of Road.	Letters out of Road, §. 15.
Poſt-Maſter to obſerve the Kings Directions, and may be Leaſed for Life or One and twenty years.	Obſerving Kings directions, Leaſing Poſt-Maſter, §. 16.
None to ſeize Horſes for this Service without Owners conſent.	Seizing Horſes, §. 17.
Payment ſhall be where Letters are laſt delivered, but from Univerſities as uſed.	Payment, §. 18.
Commiſſioners to be Nominated by the King, not exceeding One and twenty, beſide, *&c.* to meet in *Scotland-Yard*, any Five to order new Vaults, Drayns, Sewers, or old ones Paved, and remove Nuſances, giving ſatisfaction if Thirty year old within Bill of Mortality.	Commiſſioners meeting in Scotland-yard, Ordering Sewers, and removing Nuſances, 14 *Car.* 2. *Cap.* 2.
View of any five Commiſſioners to be a Conviction, and Nuſance to be removed in a Month.	View of Commiſſioners remove Nuſance, §. 2
Pety-France, St. *James*, *Pall Mall*, *Pickadilly*, to be Paved by Inhabitants, *&c.*	Petty-France, *&c.* Paving, §. 3.
None but Stage-Coaches to Let, no Hackney-Coach without Licence of Commiſſioners, nor above four hundred.	Coaches, §. 4.
None to be Licenſed to keep Coach that hath other Trade, but ancient ſufferers for the King.	Licenſing Coach, §. 5.
Commiſſioners that Licenſe above four hundred, forfeit One hundred pounds each Coach above.	Forfeiture Commiſſioner, §. 6.
No Coachman to take above Ten ſhillings a Day, twelve Hours, or Eighteen pence the firſt Hour, and Twelve pence the next, and from *Inns-of-Court* to *Weſtminſter* or *Exchange*, Twelve pence, *&c.*	Coachmans Fair, §. 7.
Every Coach Licenſed, to pay Five pounds *per an.* to Commiſſioners, Quarterly to be paid to Commiſſioners for Paving.	5 l. Quarterly, §. 8.
Every Load of Hay ſtanding on Pavement to be ſold, pay Six pence, Straw Two pence, to Commiſſioners of Paving.	Load of Hay, §. 9.
Penalties to be Levied by Diſtreſs and Sale in fourteen Days, or Impriſonment.	Penalties, §. 10.

Any

Taking Scavengers Accounts, §. 11.	Any five Commiſſioners may appoint Treaſurer, Clerks, *&c.* to take Accounts of Scavengers.
Scavengers, &c. laying Dirt, §. 12.	Scavengers, Bakers, *&c.* to have liberty to lay Dirt, *&c.* in publick places next the Streets, for Country Carts, or paſs through Wharfs, Docks, *&c.*
Commiſſioners Accounting, § 13.	Commiſſioners to Account yearly in Exchequer.
Commiſſioners delivering Accounts, §. 14.	Commiſſioners to deliver in Accounts before *Trinity* Term.
Charing Croſs, Whitehall, §. 15.	Decree at Seſſions for Sewers at *Charing-Croſs* and *Whitehall*, Confirmed.
Sweeping Streets, §. 16.	Inhabitant to ſweep Street, *&c.* *Wedneſday* and *Saturday* weekly, forfeit Three ſhillings four pence.
Caſting Dirt before Door, §. 17.	None to caſt out Dirt, Aſhes, *&c.* before Door in Street, on forfeit of Five ſhillings.
Churchwardens, Porters, §. 18.	The Churchwardens, Porters of Noblemen, and Publick Houſes, puniſht for Neglect.
Empty Cask, Coach, Timber in Street, §. 19	None to Hoop or Cleanſe empty Caſk, ſet empty Coaches, or mend Timber, *&c.* in the Streets.
Bringing Carts weekly, §. 20.	Bakers and Scavengers every Day in the Week to bring Carts, *&c.* or forfeit Fourty ſhillings.
Open Streets, §. 21.	All open Streets to be ſufficiently Paved by Inhabitants.
Ancient Streets, §. 22.	Ancient Streets to be Paved as uſual.
Setting out Candles, §. 23.	Inhabitant every Night from *Michaelmas* to our *Lady-day*, to ſet out Candles, *&c.* next the Street.
Conviction, Penalty, §. 24.	All Juſtices may Convict, Moiety to Proſecutor or Diſcoverer, *&c.*
Scavengers, §. 25.	Two Tradeſmen to be at *Eaſter* choſen Scavengers, and Refuſer forfeits Twenty pounds.
Tax ſettle, §. 26.	Within Twenty days after Electing Scavenger, Tax to be ſettled.
Suit, §. 27.	Suit to be laid in the proper County, and Defendant to plead General Iſſue, and double Coſts.
Enlarging and Rebuilding Streets and Paſſages London, §. 28.	Lord Mayor, *&c.* and Five Commiſſioners agree with Owners to Enlarge and Rebuild the *Stocks*, *Ludgate-Hill*, *White-Hart-Inn*, *Savoy*, *St. Martins-Lane* to the *Strand*, *Jackanapes-Lane*, *Gatehouſe* of *St. Pauls* to *Cheapſide*, *St. Dunſtans-Church*, *Poultry*, and *Temple Bar*.
Refuſing Compoſition, §. 29.	Commiſſioners may Impannel Jury on refuſal of Compoſition, *&c.*
Taking Oath, §. 30.	Commiſſioners to take Oath for due and Impartial Execution of Truſt, *&c.*
Mayor, Dean of Weſtminſter, §. 31.	Lord Mayor, *&c.* to be Joynt-Commiſſioners in all the Powers by this Act, and Dean of *Weſtminſter*, &c.
Electing Surveyor, *Cap.* 6. §. 2.	The Churchwardens and Conſtables, *&c.* of Pariſh on *Eaſter Munday* by Aſſent of Majority of Inhabitants preſent, to chooſe Two or more Surveyors, on forfeit of Five pounds.
Refuſal Surveying, Aſſeſſment, §. 3.	Refuſal to be Surveyor, forfeits Five pounds, to conſider all Bridges, Cawſeys, Pavements, Repair, Enlargement, and with two Houſholders to Aſſeſs, not exceeding Six pence in Twenty ſhillings a year.
Wages Labourer, §. 4.	Surveyors to appoint Work-wages to be allowed by Juſtice, Labourers refuſing forfeit Eighteen pence the Day.
Aſſeſſing, §. 5.	No Man to be Aſſeſt both for Lands and Stock.
Enlargement, §. 6.	Surveyors by Order of Seſſions in Writing, may Enlarge, *&c.* giving Satisfaction.
Digging Gravel, §. 7.	Where is not ſufficient in Pariſh, Surveyors by Two Juſtices of Peace Order, may Dig in the next Soyl for Gravel, *&c.*
Digging Gravel, §. 8.	Surveyors where Waſte is not ſufficient, may Dig Gravel in adjoyning Lands of any.
Waggon, §. 9.	No Travelling Waggon with Burden drawn with above ſeven Horſes, ſix in pairs, and eight Oxen, whereof ſix in pairs, *&c.* nor carry above twothouſand pounds weight, from 1 *October* to 1 *May*, and three thouſand pounds from 1 *May*, &c.
Nuſance, §. 10.	That every the ſaid Offences are Common Nuſances.
Action, §. 11.	The Action againſt any, to be in proper County, and not elſewhere, Defendant to plead General Iſſue, *&c.*
Aſſeſſment, Charity, Forfeiture, §. 12.	Aſſeſſments, Charity, Forfeitures, to be to Surveyors for Repairs, *&c.*
Account, §. 13.	Surveyor to Account in a Month after Year, to give Account at Publick Meeting, *&c.*
Determining Gifts, §. 14.	All Juſtices of Peace, *&c.* to determine Charitable Gifts to Ways, *&c.*
Appeal, §. 15.	Party grieved, by Order of Juſtices may appeal to Chancery.
Certiorari, §. 16.	No *Certiorari* to remove Seſſions Orders, till Recognizance of Fourty pounds, *&c.*
Lacock Foot bridge, Rye Bridge, §. 17.	Foot-Bridge in Pariſh of *Lacock* in *Wilts*, to be Repaired, and *Rye* Bridge Demoliſh.
Iron-works, § 18.	Not to Exempt Leſſee of Iron-Works, of Contributions Charged by former Acts.
Aſſeſſment, §. 19.	Where Seſſions are ſatisfied of Repairs without, there no Aſſeſſment by this Act.
Bridge at Stratford, *&c.* §. 20.	Juſtice of Peace of *Middleſex*, may ſet up new Stone Bridge at *Stratford*, &c.

Surveyors to ſee Bridges have ſufficient Walls before *Michaelmas*, 1662.	Bridges, Walls, §. 21.
Surveyors to be Choſen in Twenty days of this Act.	Chooſing Surv. §. 22.
Occupier to bear Charge of Amendment, and not Landlord, unleſs Agreed.	Bearing Charge, §. 23.
Power to Levy Money to be but Three years from 25 *March*, 1663.	Levying Money, §. 24.
Seſſions to appoint Nine Surveyors after *Eaſter* yearly in *Cambridge*, *Hartford*, and *Huntington*, to meet in a Week after Notice of Election, to view and provide Stone, *&c.* There to appoint Collector, and appoint Waggons, and Labourers chargeable, *&c.* in Three Miles, as Occaſion is, and Refuſal Ten ſhillings.	Cambridge, Hartford, Huntington. Surveyors Duty, Refuſal, 15 *Car.* 2. *Cap.* 1.
None above Three Miles from Dwelling, or out of County, or above three days in a Week, nor in Seed-time, Hay, or Corn-Harveſt, to be Compelled or Hired, ſet by two Juſtices.	Perſons excuſable, §. 2.
Any three Surveyors may Dig Waſte of Neighbour Pariſh, without paying, on want of Stones, *&c.*	Digging, §. 3.
Surveyors by Aſſent of Juſtices to take Toll, One peny a Horſe, Six pence a Coach, One ſhilling Waggon, Cart Eight pence, *&c.* at *Wades-Mill* for *Hartford*, at *Caxton* for *Cambridge*, at *Stilton*, for *Huntington*, and Diſtreſs.	Toll at Wades-Mill, Caxton, Stilton, §. 4.
Surveyors to Account after *Eaſter* to Seſſions, and pay overplus, *&c.* Impriſonment till perfect.	Accounting, §. 5.
Seſſions may Engage Profits of Toll by Indenture, for Raiſing Stock.	Engaging Toll, §. 6.
Money borrowed to be repaid to the Towns with Intereſt.	Repayment, §. 7.
Refuſing to be Surveyor, to be Fin'd, not exceeding Ten pounds.	Surveyor Refuſing, §. 8.
Fines to be paid to the Surveyors; and §. 10. On Suit to plead General Iſſue, and double Coſts.	Fines, Plea, §. 9.
Not to pay Toll a ſecond time the ſame day at Return.	Paying Toll twice, §. 11.
Perſons Chargeable to Repair, to be ſtill liable.	Perſons liable, §. 12.
To continue for eleven years. § 14. Liberty for Paſſengers from, *&c.* with Stones, Corn, *&c.* without paying Toll.	Paſſengers, §. 13.
Collectors liable to Arrears after the eleven years.	Collectors, Arrears, §. 15.
Juſtices any four of *Huntington* to appoint other Place of Toll then *Stilton*.	Other then Stilton, §. 16.
Souldiers on March and Riders Poſt, to pay no Toll.	Soldiers, Poſters, §. 17.
Toll ceaſe when Ways are Repaired, and Moneys Repaid, *&c.*	Ceſſer, §. 18.
All Rents and Profits of Poſt-Office Veſt in the Duke of *York* by the Kings Aſſignment.	Poſt-Office to Duke of York, *c.* 14. §. 11.
During the Dukes Eſtate-Tail, no Profits to be paid into Exchequer.	Profits not to Exchequer, §. 12.
Not to void Grant of the King to *Daniel Oneale* of Poſt-Maſter.	D. O. §. 13.
The King may Charge, not exceeding 5382 pounds Ten ſhillings.	King Charging, §. 14.
The King to Nominate Poſt-Maſter, or Grant that and Rates of Portage for Life or Years, not exceeding One and twenty.	Nominating Poſt-Maſter, Granting Rates, §. 15.
Duke of *York*, or Heirs Males may Settle any part as Joynture, with power to Leaſe, *&c.*	Joynture, Leaſe, §. 16.
Not to prejudice the Univerſities.	Univerſities, §. 17.
The Toll at *Wades-Mill* for *Hartford*, 15 *Car.* 2. *Cap.* 1. §. 4. and 13. to continue for One and twenty years from the time of that Act.	Toll at Wades-Mill, 16 & 17 *Car.* 2. *Cap.* 10. §. 3.
The ſame powers give to Repair the Road at the end of *Puckeridge*.	Puckeridge Road, §. 4.
Toll for *Cambridge* 15 *Car.* 2. *Cap.* 1. § 4. removed from *Caxton* to *Arrington*.	Toll from Caxton to Arrington, §. 6.
All perſons to remain Chargeable to Repair as before.	Charged to Repair, §. 7.
Collector of Toll to Account Weekly on this and former Act.	Account, §. 8.
Toll to ceaſe on Adjudication of Repair, and repayment of what was borrowed.	Ceſſer, §. 9.
If Seſſions fail of Adjudication, Judges of Aſſize to Adjudge.	Adjudication, §. 10.
All perſons to pay Six pence in Twenty ſhillings of their Eſtates Chargeable, to Treaſurer, on Diſtreſs and Sale.	Diſtreſs and Sale, §. 12.
For Acts to be Executed, Conſtables and Surveyors Neglect, Fine Fourty ſhillings.	Neglect of Conſtable and Surveyor, 22 *Car.* 2. *c.* 1.
Truſtees to Lett at moſt Improved Value, without Fine, Juſtice of Peace to Enquire of Gifts, *&c.*	Letting, Gifts, &c. §. 2.
Repeal of 14 *Car.* 2. *Cap.* 6. §. 9. of the breadth of Tyre of Waggon, and Wheels, Reſiſter to forfeit Fourty ſhillings, Defendant ſued, to plead General Iſſue, and treble Coſts.	Waggon, 14 *Car.* 2. §. 3.
Defects of Repair to be Preſented only in the proper County, no *Certiorari*, &c	Preſentment, Certiorari, §. 4.
Occupiers, or Owners if none, ſubject to Rates for Scavenger and Pavements.	Rates, §. 5.

No

Waggon, §. 6.	No Waggon, except, *&c.* to Travel with above Five Horſe at length, unleſs in Couples.
Forfeiture, §. 7.	Owner of Waggon, Cart, *&c.* forfeits Fourty ſhillings to Surveyors, Poor, and Informer.
Carrying Stones on Horſes, §. 8.	Where its uſed to carry Stones on Horſes Backs, Inhabitants to ſend ſuch.
Inhabitants Neglect, §. 9.	Surveyors to Complain to Juſtices of Inhabitants Neglect.
Tax, §. 10.	Seſſions may Tax where not, elſe to be Repaired according to Rate to the Poor.
Tax limited, §. 11.	Tax not to exceed Six pence in twenty ſhillings a year, and none to be after 25 *March*, 1673.
Surveyor annual, §. 12.	Surveyor, *&c.* to be choſen yearly, as 2 & 3 *Phil. & Mar. Cap.* 8. at *Chriſtmas*.
Bridge in Cheſter, Lancaſter, §. 13.	For ten years, Six of Seſſions may Erect Bridge in *Cheſter* and *Lancaſter*, and Charge Parties, *&c.*
Uſk, Baſalegg, §. 14.	Any ſix Seſſions of *Monmouth*, two *Quorum*, to Tax for *Usk* and *Baſalegg*.
19 *Car.* 2. London, 22 & 23 *Car.* 2. *c.* 17.	For effecting 19 *Car.* 2. *Cap.* 3. §. 20. of Streets and Sewers in *London*.
Tax, Levying, §. 2.	Lord Mayor and ſeven, *&c.* to Tax Inhabitants, and Levy by Diſtreſs and Sale for ſeven years, *&c.*
19 *Car.* 2. Commiſſioners, §. 3.	That Clauſe 19 *Car.* 2. *Cap.* 3. §. 2. made perpetual, and no other Commiſſioners to meddle.
Cleanſing Streets, London, §. 4.	The ſole power of Cleanſing the Streets in *London* and Liberties, to be in Mayor, *&c.*
City Order, §. 5.	All Labourers and perſons employed, *&c.* to obey City Order.
Travelling Lords-day, 29 *Car.* 2. *c.* 7. §. 2.	Drover, Waggoner, Butcher, Higler, or their Servants Travelling on the Lords-day, forfeit Twenty ſhillings.
Robbery on Sunday, §. 5.	Party Robbed on *Sunday* remedileſs, but the King may Sue the Hundred.
14 *Car.* 2. Hire, 30 *Car.* 2. *c.* 5. §. 2.	A Repeal of the Words (for Hire) in 14 *Car.* 2. *Cap.* 6. §. 9.
Providing Carriages for the King or Queen, 1 *Jac.* 2. *Cap.* 10. §. 2. Hire, Refuſal.	Juſtices of Peace on Notice to provide Carriages for King or Queen on their removals, Conſiſting of, *&c.* Owner to have ſix pence *per* Mile in Hand, and for refuſal to Furniſh, to forfeit Fourty ſhillings, *&c.*
How far to Travel, §. 3. Penalties.	Carriages not to Travel above a days Journey, and Juſtice or Officer ſparing for Reward, or injuriouſly Charging, *&c.* to forfeit Ten pounds, and perſons not Impowered Impreſſing, to ſuffer as in 12 *Car.* 2. *Cap.* 24.
Servants Beds, §. 4.	Kings Servants not to pay above ſix pence *per* Night for Beds for themſelves, nor above three pence for Beds for their Servants; and where they pay for Diet or Horſe-meat, to have Lodgings without pay.
Horſe-meat, §. 5.	Juſtices of Peace to appoint Prices for Horſe-meat during Kings Stay, and cauſe Proclamation thereof, and perſons taking more, to forfeit Fourty ſhillings, *&c.*
Continuance.	To Continue to End of Firſt Seſſion.
Cart price, §. 6.	Officer to pay for each Cart with Four Horſes appearing, and not Employed Five ſhillings, on forfeiture of Fourty ſhillings.
Returning Names, §. 7.	Officers Warning Carriages, to Return to Officers of Carriages, Names and Places of Abode.
Reviver, *c.* 11.	Reviver of 13 & 14 *Car.* 2. *Cap.* 20. for Five years, *&c.*
Poſt-Office, Exciſe, *Cap.* 12. §. 4.	Conſolidation of Kings Eſtates Tail and Fee in Poſt-Office, and 24000 pounds *per aunum* Hereditary Exciſe.
§. 5.	Not to avoid the Queens Joynture.
Cleanſing Streets within Weekly Bills of Mortality, Kenſington, 2 *W. & M. Seſſ.* 2. *c.* 8. Laying Dirt in ſtreet, &c.	Inhabitants within Bills of Mortality, and *Kenſington*, on *Wedneſdays* and *Saturdays* to Cleanſe Streets, *&c.* that the Dirt may be ready for Scavenger, *&c.* on pain of Three ſhillings four pence; And none to lay Dirt, *&c.* in Streets, *&c.* on pain of Five ſhillings, nor before Houſes or Walls of others, *&c.* nor to throw Dirt, *&c.* into Sewer or High-way, but to keep it till Scavenger come, and then to carry it to him, on pain of Twenty ſhillings.
Who liable to Penalties, §. 3.	Churchwardens, Houſe-keepers, and Keepers of their Majeſties Houſes, and of Courts, and Publick Places, to be liable to like Penalties.
What may not be ſet out, nor wrought in Streets, §. 4.	None to Hoop or Cleanſe Veſſels, ſet out Soyl, *&c.* or Coaches, Timber, or Stones to be Wrought in Streets, *&c.* on pain of Twenty ſhillings.
Scavenger carrying away Dirt, §. 5.	Scavengers daily (except *Sundays* and Holidays) to bring Carts, and give Notice of their approch, and carry away Dirt, *&c.* on pain of Fourty ſhillings.
Repairing Streets fronting Empty Houſes, §. 6.	Inhabitants and Owners of Empty Houſes, to Repair Paved Streets, *&c.* fronting their Houſes, *&c.* on pain of Twenty ſhillings a Perch, and Twenty ſhillings a Week after till Repaired.
Juſtices Viewing, and certifying, §. 7. Amendment. Forfeiture.	Juſtices of Peace to View New Streets, and certifie what is fit to be amended to Quarter Seſſions, where Amendment ſhall be Ordered, and Owners and Inhabitants according to Order to Amend, on forfeiture of Fourty ſhillings a Perch, and as much Weekly till Repaired, and when Amended, like Sum as for not Repair of Open Streets, *&c.* Paved.

Ancient Streets, *&c.* to be Repaired as uſually under Penalties aforeſaid.	Ancient Streets, §. 8.
In St. *Annes* and St. *James weſtminſter*, Scavengers, *&c.* how to be Choſen, and Aſſeſſments raiſed and paid. New Houſes how to pay; In other Places, Ward and Pariſh Officers, when and how to be Choſen, and Penalty on Officer refuſing.	Chooſing Scavengers, &c. Aſſeſſment for Scavenger, chooſing Officers, Penalty for refuſing, §. 9.
Aſſeſſment by whom, and how to be made, and when payable, and how to be Levied.	Aſſeſſment, §. 10.
Account to be yearly, and Surplus paid over to ſucceeding Scavenger, on pain of Impriſonment.	Account, Surplus, §. 11.
Where Scavengers may lodge Dirt; Appeals to be to Seſſions.	Lodging Dirt, Appeals, §. 12.
Aſſeſſment for what things to be made, and how allowed, imployed, accounted for and levied.	Aſſeſſment, §. 13.
No Aſſeſſment for One year to exceed Four pence in the Pound for Lands, *&c.* nor Eight pence for Twenty pounds Perſonal Eſtate.	Aſſeſſment limited.
New Sewers ſince 12 *Car.* 2. to be ſubject to Commiſſion and Laws of Sewers.	New Sewers, §. 14.
Lights by whom, and when to be ſet out, and how placed.	Lights, §. 15.
Juſtices of Peace impowered to Convict Offenders, and Penalties how to be Diſpoſed and Levied.	Convicting Offender, Penalty diſpoſed and Levied, §. 18.
Wheels of Carriages to be ſix Inches broad in the Felley, not bound with Iron, nor Drawn with above Two Horſes, on forfeiture of Fourty ſhillings.	Wheels of Carriages, §. 19.
Not to extend to Country Carriages.	Country Carriages except.
Cleanſing Streets in *London* to be managed, *&c.* as anciently uſed.	London, §. 20.
Mayor and Aldermen of *London* in General Seſſions may preſent Offences, and Mayor and Juſtices may Aſſeſs Fines, not exceeding Twenty ſhillings, for Cities uſe.	Preſenting and Fining Offences, §. 21.
For things done purſuant to 22 & 23 *Car.* 2. *Cap.* 17. or this Act, Defendant may plead General Iſſue, *&c.*	Debts, Plea, §. 22.
High-way leading from East ſide of *Clerkenwell-Green*, to St. *Johns-ſtreet*, to be Paved as hereby Directed.	High-way from Clerkenwell-Green to St. Johns-ſtreet, §. 23.
Laws and Statutes for Amending High-ways, *&c.* to be put in Execution.	High-ways, 3 & 4 *W & M. c.* 12. §. 2.
Surveyors of High-ways to be yearly Nominated by Juſtices at Special Seſſions out of a Liſt of Able Inhabitants, to be made and returned by Officers and Inhabitants of Pariſhes, with Penalty of Five pounds for refuſing to ſerve, or not returning a Liſt.	Nominating Surveyor, §. 3.
None to lay any thing in High-ways not Twenty Foot broad, whereby ſame may be annoyed, on pain of Five ſhillings.	Annoying High-way not Twenty Foot, §. 4.
Poſſeſſors of Lands adjoyning to Ways to Clear the Ways, and Cleanſe their Ditches, *&c.* and lay Trunks, *&c.* in Cart-ways in their Grounds after Notice by Surveyors, on forfeiture of Five ſhillings.	Poſſeſſors of Lands cleaning Ways, Ditches, &c. laying Trunks, §. 5.
Owners of Soyl in High-ways not Twenty Foot broad, to cut down and carry away Shrubs, *&c.* growing therein after Notice, on pain of Five ſhillings.	Owner of Soyl in High-way not Twenty Foot, §. 6.
Poſſeſſors of Lands adjoyning to High-ways not Twenty Foot broad, ſhall keep their Hedges Pruned, *&c.* and how.	Poſſeſſor of Lands adjoyning High-way, not 20 Foot, §. 7.
Surveyor when to View High-ways, *&c.* and make preſentment thereof to Juſtice of Peace, and give Notice of Defaults and Annoyances in Pariſh-Church, and if not removed within Thirty days, to remove and diſpoſe of Annoyances for Repairs, and be reimburſed Expences by Party neglecting.	Viewing and preſenting High-way, §. 8. Notice of Defaults in Pariſh-Church. Removing Annoyance.
Juſtices of Peace once in Four Months to hold Special Seſſions, Summon Surveyors and give them a Charge, and Surveyors to make Preſentment, and before diſcharged from Office to Account on Oath, and deliver ſurpluſage to Succeſſor.	Holding Special Seſſions, §. 9. Surveyors Account.
Surveyor neglecting Duty, for each Offence to forfeit Fourty ſhillings.	Surveyor neglecting Duty, §. 10.
Juſtice of Peace neglecting Duty, to forfeit Five pounds, and how to be diſpoſed and recovered, *&c.*	Juſtice of Peace neglecting Duty, §. 11.
Surveyors may make new Drains, *&c.* in Lands adjoyning to High-ways, where old inſufficient, and keep them open, *&c.*	New Drayns, §. 12.
Juſtices at Special Seſſions to cauſe a Rate to be made to reimburſe Surveyors according to 43 *Eliz. Cap.* 2. to be allowed by Juſtices, and Collected by Surveyor, and Diſtreſs and Sale, *&c.* for nonpayment.	Reimburſing Surveyors §. 13.

Penalties

Penalties for Repairs, Reimburſing Inhabitants, Penalty, &c. Levied, §. 14.	Penalties, *&c.* to be for Repair of High-ways, and where unequally levied, Inhabitants to be reimburſed by a Rate to be made by Order of Juſtices at Special Seſſions, to be Collected and paid within a Month.
Cart-way to Market-Town, §. 15.	Surveyors to make Cart-ways leading to Market-Towns Eight Foot wide, and even, and level.
Carriages within the Bills of Mortality, §. 16.	Carriages with Wheels ſhod with Iron, and Felley narrower then ſix Inehes, and Drawn with above Two Horſes, may be uſed in Places within Bills of Mortality.
High-way not amendable without this Act, §. 17.	Where Common High-ways, *&c.* cannot be amended without help of this Act, Aſſeſſments to be made, *&c.* and Imployed as Juſtices at Quarter Seſſions ſhall direct for Repairs; and Diſtreſs and Sale, *&c.* for non-payment.
Aſſeſſing Eſtates, §. 18.	No Aſſeſſment in one year to exceed *6 d. per libr. per annum* real Eſtates; nor *6 d.* 20 *l.* perſonal.
Appeal to Quarter Seſſions, §. 19.	Juſtices at Quarter Seſſions to redreſs Grievances, *&c.* and their determination final.
Puniſhing Offender, §. 20.	Offender not puniſhable, unleſs proſecuted within ſix Months after Offence committed, and none to be twice puniſhed for ſame Offence.
Horſe Cauſey, §. 21.	Horſe Cauſey to be Three foot broad.
Kenſington, §. 22.	Juſtices of Peace of *Middleſex* at Quarter Seſſions, may make Rates for paving *Kenſington*, as directed by 2 *W & M. Seſſ.* 2. *Cap.* 8.
Matters determinable in proper County, §. 23	Matters concerning High-ways determinable in proper County, and nothing removeable by *Certiorari.*
Land-Carriage, §. 24.	Land-Carriage to be aſſeſſed yearly by Juſtices at General Seſſions, and certified to Chief Officers of Market Towns, to be publickly hung up; and none to take above ſuch Rates, on pain of 5 *l.*
Defendants priviledge, §. 25.	Defendant proſecuted for Executing this Act, may plead General Iſſue, *&c.*
Toll at Wades-Mill, Hertfordſhire, 4 & 5 *W & M. Cap.* 9.	Reviver of Toll in 15 *Car.* 2. *Cap.* 1. and 16 & 17 *Car.* 2. *Cap.* 10. at *Wades Mill* for Fifteen years, for repair of the High-ways in *Hertfordſhire.*
When the Toll may ceaſe, §. 3.	If the Highways within 15 years be in good repair, and ſo adjudged according to 16 & 17 *Car.* 2. the Toll to ceaſe.
Collecting, paying and accounting for the Toll, §. 4.	Reviver of Powers in 15 *Car.* 2. *Cap.* 1. and 16 & 17 *Car.* 2. *Cap.* 10. as to *Hertfordſhire*, and as to the Collecting, Paying, or Accounting for the ſaid Toll.
Carriages for Army on March, *Cap.* 13. §. 28.	For providing Carriages (amongſt other things) for Their Majeſties Forces in their Marches. *Vide* Title *war.*
Coaches, 5 & 6 *W & M. Cap.* 22.	An Act for the Licenſing and Regulating Hackney and Stage Coaches.
Appointing Commiſſioners, §. 2.	Commiſſioners to be appointed by Their Majeſties for Regulating and Licenſing Coaches.
Licences not to exceed 700. and how Grantable, Fine. Rent, §. 3.	Licences for Hackney Coaches not to exceed 700; 50 *l.* Fine to be paid, to be for 21 years, and not renewable, nor grantable in reverſion, and 4 *l.* Rent to be reſerved payable quarterly, *&c.*
Stage Coach, §. 4.	Licence for Stage Coach to be for one year, and 8 *l.* Rent reſerved Quarterly.
Licence aſſignable, &c.	Licences Aſſignable, or Deviſeable, Aſſignment to be Entred, *&c.* and Probate or Letters of Adminiſtration, *&c.* produced to Commiſſioners.
Driving, &c. without Licence. Horſe ſize. Marking Coach. Licenſing Coach. Ancient Coachmen, &c. §. 5.	None to drive or hire any Coach or Horſes without Licence on pain of 5 *l.* Horſes, *&c.* to be 14 Hands; Coaches ſeverally marked; none to be Licenſed above two Hackney Coaches; None to put on anothers Mark, nor alter Mark, on Forfeiture of 5 *l.* and ancient Coachmen and their Widows to be firſt Licenſed.
Licenſing above 700. or for longer time, § 6.	Commiſſioner Licenſing above 700 Hackney Coaches, or for longer time then as directed, to Forfeit 100 *l.*
Hire, §. 7.	Rates ſet for Hire of Hackney Coachmen in and about *London* and *Weſtminſter*, or within 10 Miles thereof.
Taking Fees, &c. §. 8.	Commiſſioners to appoint under Officers, *&c.* and none to take more than the Duties, nor any Fees (except Clerks 2 *s.* 6 *d. per* Licence.)
Commiſſioners and Officers Swearing, §. 9.	Commiſſioners and Officers before acting, to be Sworn, and to take the Oaths in 1 *W & M. Seſſ.* 1. *Cap.* 8.
Payment into Exchequer. Accounts, §. 10.	Moneys ariſing above Sallaries and Charges to be annually paid into Exchequer; and Commiſſioners to deliver Books of Accounts of Licences and Profits to Commiſſioners of Treaſury, *&c.*
Levying Fines, Rents, Penalties, &c. §. 11.	Fines, Rents and Penalties, *&c.* to be Levied by Diſtreſs and Sale, and overplus (Charges deducted) rendred Owner, or Offender to be commit.
Determining Offences, Diſpoſing Penalties, §. 12.	Offences (except thoſe of Commiſſioners) determinable by Commiſſioners: And Penalties how diſpoſed.

Perſons proſecuted for Executing this Act may plead General Iſſue, *&c.*	Defendants priviledge, §. 13.
Certiorari not to ſuperſede proceedings on Orders of Commiſſioners.	Certiorari, §. 14.
Commiſſioners impower'd to make By-Laws, *&c.* and annex Penalties.	Making By-Laws, §. 15.
On payment of Fine and Rents, Acquittances to be given *gratis.*	Acquittances, §. 16.
By-Laws to be allowed by Chancellor, Keeper, *&c.* Chief Juſtices, and Chief Baron, or three of them, and publiſht; and Penalty Executed by Juſtice of Peace, *&c.* But none to be twice puniſhed for ſame offence.	Allowing By-Laws, §. 17. Executing penalties.
Commiſſioners to appoint ſucceſſively 175 Hackney Coaches to ply on Lords day, within Bills of Mortality.	Coaches to ply on Lords Day, §. 18.
Owner of Hackney Coach (except appointed) plying on Lords day to forfeit 5 *l.* and Commiſſioners to publiſh a Liſt of Coaches appointed for every Lords day.	Penalty for Coach plying not appointed, &c. §. 19.
Accounts of Duties to be annually made, and Procurer or Accepter of Penſion or Grant, to Forfeit 500 *l.* and Grant to be void.	Account annual, Penſion, Grant, §. 20.
For Admeaſuring and Marking Carriages, *&c.* of Coals in *Newcaſtle* and Members. *Vide* Title *Meaſure.*	Newcaſtle, *&c.* 6 & 7 *W.* 3. *Cap.* 10.
An Act to prevent Exactions of Occupiers of Locks and Wears on River *Thames* Weſtward, and for aſcertaining Rates of Water-carriage on ſame River. *Vide* Title *Sewers.*	Locks and Wears on Thames Weſtward. Water-Carriage, *c.* 16.
Commiſſioners for Licenſing Hackney and Stage-Coaches, not impowered to make Licences to continue after *June* 1695.	Hackney and Stage Coaches, *Cap.* 18. §. 31
Licences to continue after *June*, as for time after, to be void.	*Ibid.*
None prohibited to Drive or Hire Coach or Horſes after *June*, and Commiſſioners indempnified for Granting Licence to continue after *June.*	*Ibid.*

Wales.

Bromfield and *Yale*, *Cheſter*, *Marches.*

If any Caſtle or Fortreſs refuſe to deliver Diſtreſs on Demand by the Sheriff, though the Kings Writ run not there, he will do Right as Sovereign Lord.	Caſtle, &c. refuſing Diſtreſs, 3 *Edw.* 1. *Cap.* 17. *W.* 1.
Merchants paying Cuſtoms there, may bring to the Staple Free.	Staple, 27 *Ed.* 3. *c.* 18.
The Marches ſhall be Annext to the Crown of *England*, as always, and not to the Principality of *Wales.*	Marches, 28 *Ed.* 3. *c.* 2.
Wholly born ſo reſtrain to Purchaſe, to be Officers, or bear Arms in certain Places, and to find Surety of Good-behaviour.	Natives, 2 *Hen.* 4. *c.* 12.
Unleſs they reſtore Injury in ſeven Days, *Engliſh* may do like to them.	Reſtore Injury, *Cap.* 16.
For Felony done in *England*, on Certificate he ſhall be Executed in *Wales* that flees thither.	Fugitive Felon, *Cap.* 17.
The Lords Marchers ſhall keep ſufficient Guards in Caſtles.	Lords Marchers, *Cap.* 18.
Engliſh ſhall not be Condemned in *Wales* at Suit of a *Welſhman*, but by *Engliſh* Juſtices.	Engliſh ſued in Wales, *Cap.* 19.
Welſh ſhall not Purchaſe in *England*, nor in *Engliſh* Towns in *Wales.*	Welſh purchaſing, *Cap.* 20.
Engliſh ſhall not be Convict by *Welſh* in *Wales.*	Engliſh not Convict in Wales, 4 *H.* 4. *c.* 26.
No Waſters, Vagabonds, *&c.* in *Wales.*	Waſters, &c. *Cap.* 27.
There ſhall be no Congregation.	Congregation, *Cap.* 28.
Welſhmen ſhall not be Armed.	Welſh Armed, *Cap.* 29.
No Victual nor Armour ſhall be carried thither.	Victual, Armour, *c.* 30.
A *Welſhman* ſhall not have any Houſe of Defence.	Houſe of Defence, *c.* 31.
No *Welſhman* ſhall be an Officer.	Officer, *Cap.* 32.
Caſtles and Walled Towns in *Wales* ſhall be kept by *Engliſh.*	Caſtles, Walled Towns *Cap.* 33.
No *Engliſh* that Marries a *Welſh* Woman, ſhall be in any Office in *Wales.*	Marrying Welſh Woman, *Cap.* 34.
The Countrey ſhall Anſwer for Felonies in South *Wales*, if not taken.	Felony in South Wales, 9 *Hen.* 4. *c.* 3.
Thieves ſhall be put to Anſwer where taken, without Diſclaiming in Seigniory, or by Letters of Marque.	Thieves Anſwering, *Cap.* 4.
Welſh ſhall not take Revenge againſt *Engliſh* that purſued their Friends in the late Rebellion.	Revenge, 1 *Hen.* 5. *c.* 6.
He that forcibly detains an *Engliſhman* till Ranſom, and will not Anſwer on Proceſs, the Juſtices Certifying under Seal to the Officers of the Seigniories, they ſhall do Execution.	Detaining Engliſh, 2 *Hen.* 5. *St.* 2. *c.* 5.
Of Amendments ſhall not be of Records in *Wales.*	Records, 4 *Hen.* 6. *c.* 3.
Of Amendment of Returns, Proceſs, *&c.* extends not to *Wales.*	Returns, Proceſs, 8 *H.* 6. *Cap.* 15.
Treaſon to take away *Engliſhmen*, or withhold them there.	Taking away a withholding Engliſh, 20 *Hen.* 6. *Cap.* 3.

Engliſh Merchandize, *Cap* 7.	*Engliſh* Merchandize brought from *Wales* Uncuſtomed, forfeit.
Traytor or Felon fleeing into Herefordſhire, 23 *Hen*. 6. *Cap*. 5.	*Welſh* Indict of Treaſon or Felony, that flee into *Herefordſhire*, ſhall be Arreſt, or purſued by Hue and Cry.
20 *H*. 6. 27 *H*. 6. *c*. 4.	A Confirmation of 20 *H*. 6. *Cap*. 3. for three years of taking *Engliſh*.
Diſtreſs without cauſe, 28 *Hen*. 6. *Cap*. 4.	Felony for *Welſh* or *Lancaſter* to take away Men or Goods by colour of Diſtreſs without Cauſe.
Mortuary, 21 *Hen*. 8. *Cap*. 6. § 6.	No Mortuaries in *Wales* but as accuſtomed.
Enqueſt of Crimes, 26 *Hen*. 8. *Cap*. 4.	Enqueſt in Criminal Cauſes ſhall be kept by Officer ſworn.
Verdict cont. Evidence, §. 2.	Juſtices may Fine them for Verdict againſt Evidence.
Paſſing Severn, *Cap*. 5.	None to paſs over *Severn* between Sun-ſet and Sun-riſing.
Ferry men, §. 2.	Juſtices of *Glouceſter* to puniſh the Ferry-men.
Appearance on Summons, *Cap* 6.	Every Inhabitant to appear before Juſtice on Summons.
Impriſonment without Cauſe, §. 2.	Lord Marcher to pay Six ſhillings eight pence, or more at Diſcretion, for Impriſonment without Cauſe.
Officer, Lord Marchers not appearing, §. 3.	On Officer, or Lord Marchers refuſal to appear before Commiſſioners, Fine and Impriſonment.
Coming to Seſſion or Court with Weapon, &c. §. 4.	None to come to Seſſions or Court with Bill, Long or Croſs-bow, Hand-gun, Sword, Staff, Dagger, Halberd, Moreſpike, or other Weapon or Armour, on Forfeit, Fine and Ranſom.
Levying Exactions, Commorth, Bydalls, Tenants-Ale, §. 5.	None without Licence in Writing of Commiſſioners to Levy *Commorth*, *Bydalls*, Tenants-Ale, or other Exactions for Marriage, Maſs-Prieſt, Murder, or other Felony, nor Game, no Arthel caſt into Court to diſturb Juſtice.
Keeping Courts, Enquiry, §. 6.	Courts to be kept in ſafeſt and certain Places, the Juſtices of the next *Engliſh* County to Enquire of Counterfeits, Waſhers, Clippers of Money, Felons, Murderers, and Acceſſories in Marches.
Pleas, §. 7.	Pleas of Malefactors to be there Tried.
Utlary, §. 8.	The Juſtices of next *Engliſh* County may Award Proceſs, as in *England* of Utlary, and Lord Marcher on Certificate to Apprehend, on forfeit of One hundred pounds, and ſend to the Juſtices.
Return, §. 9.	Officer ſhall return his Writ.
Surety de bono geſtu, §. 10.	Once after Conviction Lord Marcher may take Fine and Surety of Good-behaviour.
Lord Marcher, §. 11.	Not to prejudice Powers of Lord Marchers.
Felonies, &c. Merioneth §. 12.	Murders and Felonies in *Merioneth*, to be Tried in *Carnarvan* by Juſtices of North *Wales*.
Delivering Felon, &c. to Ld. Marcher, §. 13.	Officer ſhall deliver Felon or Murderer to Lord Marcher on the Confines, to be ſent to Place where Offence was.
Aſſaulting any of Glouceſter, Salop, Hereford, *Cap*. 11.	Dwellers in *Wales* or Marches that Aſſault any of *Glouceſter*, *Salop*, or *Hereford*, ſhall be Indict, and a year Impriſon.
Clerk Convict, *Cap*. 12.	Clerk Convict ſhall find Surety before Juſtices of next *Engliſh* County where he ought by 23 *H*. 8. *Cap*. 1. have had Clergy in *England*.
Juſtice of Peace, Quorum, Goal-delivery, in Cheſter, Flint, *&c.* 27 *Hen*. 8. *Cap*. 5.	Juſtice of Peace, and of *Quorum*, and of Goal-delivery, ſhall be in *Cheſter*, *Flynt*, *Angleſey*, *Caermarthen*, *Merioneth*, *Cardigan*, *Carnarvan*, *Pembrook*, and *Glamorgan*, by Commiſſion under the Great Seal, and have like power as in *England*.
Eſtreats, §. 2.	Eſtreats ſhall be Certified to Exchequer at *Cheſter*, before the Chamberlain for *Cheſter* and *Flynt*.
Angleſey, Carnarvan, Merioneth, § 3.	For *Angleſey*, *Carnarvan*, and *Merioneth*, to Exchequer, at *Carnarvan* before the Chamberlain of North *Wales*.
Glamorgan, §. 5.	Eſtreats for *Glamorgan* Returned to Exchequer, at *Cardiff Indent*.
Wages and Fees, §. 7.	The Juſtices and Clerks to have Wages and Fees, as in *England*.
Attendance by Officers, §. 8.	Sheriff, Coroners, Conſtables, and other Officers ſhall attend them.
Riding through Foreſt, out of High-ways, *Cap*. 7.	Cuſtom to Fine if one Ride through Foreſt without Token, or to have all the Gold or Money of one taken twenty Foot out of High-way, void.
Fining to Foreſter, &c. §. 2.	Cuſtom to loſe a Joynt, or make Fine to Foreſter, void.
Seizing aſtray, §. 3.	To ſeize Cattel eſcaped as Stray, void.
No Toll forfeiture, &c. §. 4.	All Subjects and Amies of *England*, may go or Ride without Toll, Forfeiture, or Exaction.
Eſcape, §. 5.	Owner paying for keeping, to have Cattel Eſcape, Redeliver, or double Value.
Uſes, *Cap*. 10. §. 18.	Not prejudiced by Execution of Uſes by Truſtees.
Tranſporting Hides, *Cap*. 14. §. 7.	Any but Tanner may Tranſport Hides of any Beaſts killed in *Wales*.
Annexed to England, *Cap*. 26.	Shall be Incorporated, United, and Annexed to *England*, and Enjoy and Inherit all Liberties, as if born in *England*.
Inheriting Tenure, §. 2.	Shall Inherit as in *England*, by the ſame Tenure without Partition, and not after the *Welſh* Laws there uſed.

The Lords Marchers to be divided into Counties of *Monmouth*, *Brecknock*, *Radnor*, *Montgomery*, and *Denbighſhire*.	Marchers divided into Counties, §. 3.
Actions above Fourty ſhillings in *Monmouth*, to be Tryed by Original Writ out of Chancery in *England*, by *Niſi prius* there, and Juſtices of *B. R.* and *C. B.* may direct all manner of Proceſs to Sheriff there, and *Replegiare* there under Fourty ſhillings, and Account in Exchequer in *England*.	Actions in Monmouth, §. 4.
The Lordſhips, Townſhips, Pariſhes, Commotes, and Cantrades of *Brecknock*, &c. to be Part and Members of the County of *Brecknock*, and Shire-Court kept there.	Brecknock, *&c.* §. 5.
That *Radnor*, &c. ſhall be taken as part of County of *Radnor*, and that the Shire-Town be one Turn, and *Rothergoney* another, *alternis vicibus*.	Radnor, *&c.* Rothergoney, §. 6.
That *Montgomery*, &c. be taken as part of County of *Montgomery*, and that the Shire-Court be once there, and another Turn at *Mghenleth*, &c.	Montgomery, *&c.* Meghenleth, *&c.* §. 7.
Denbigh Land, *&c.* to be taken as part of *Denbighſhire*, and County-Court there and at *Wrexham*, *alternis vicibus*.	Denbigh, *&c.* Wrexham, §. 8.
Chancery and Exchequer ſhall be one at *Brecknock*, the other at the Town and Caſtle of *Denbigh*, and Sheriff, *&c.* of *Brecknock*, *Radnor*, *Montgomery*, and *Denbigh* to Account there.	Brecknock, Radnor, Montgomery, Denbigh, §. 9.
Juſtice in thoſe four Counties to be according to Laws of *England*, and ſuch Cuſtoms as the King and Councel allow.	Engliſh Laws, §. 10.
That *Oſweſter*, *Wottington*, *Maſdroke*, *Knoking*, *Elleſmer*, *Down*, and *Churbury* be Guildable, parcel of County of *Salop*.	Oſweſter, *&c.* Guildable, parcel Salop, §. 11.
That *Ewyas*, *Lacy*, *Harold*, *Clifford*, *Huntington*, *Whitney*, *Wigmore*, *Logharnes*, and *Stepulton*, be parcel of the County of *Hereford*.	Ewyas, *&c.* parcel Hereford, §. 12.
That *Wollaſtone*, *Tidnam*, and *Bechley*, be parcel of the Hundred of *Weſtbery*, and of the County of *Glouceſter*.	Wollaſtone, *&c.* parcel Weſtbery, Glouceſter, §. 13.
That *Gower*, *Kylwey*, *Biſhops Town*, *Landaff*, &c. be taken as parcel of the County of *Glamorgan*.	Gower, *&c.* parcel Glamorgan, §. 14.
Juſtice in *Glamorgan* to be by *Engliſh*, not after *Welſh* Laws.	Engliſh Law, §. 15.
That *Lanem*, *Thenerey*, &c. be taken to be parcel of the County of *Caermarthen*.	Lanem, *&c.* parcel Caermarthen, §. 16.
That *Haverfordweſt*, &c. be Annext to the County of *Pembrook*, and Governed by *Engliſh* Laws.	Haverfordweſt, *&c.* annext to Pembroke, §. 17
That *Tregaron*, &c. be Annext to the County of *Cardigan*, and Governed by *Engliſh* Laws.	Tregaron, *&c.* annext to Cardigan, §. 18.
That *Monthway* be Annext to the County of *Merioneth* in North *Wales*.	Monthway annext to Merioneth, §. 19.
All Juſtices, Commiſſioners, Sheriffs, Coroners, Eſcheators, Stewards, *&c.* to keep Seſſions, Courts, give Oaths to Officers and Juries in *Engliſh* Tongue.	Seſſions, Courts, Oaths, Engliſh Tongue, §. 20.
Sheriffs of *Monmouth*, *B. R.* and *M.* may take Recognizance of perſons ſuſpect, to appear.	Sheriffs M. B. R. M. taking Recognizance, §. 21.
Sheriff of *Monmouth* to Certifie Mainprize at Seſſions.	Certify Mainprize, §. 22.
Sheriffs of *B. R. Montgomery*, and *D.* to Certifie Mainprize before Juſtices appoint by the King.	Sheriffs of B. R. M. D. Id. §. 23.
Parties bound to appear, ſhall keep days as in North *Wales*.	Appearing in N. Wales, §. 24.
Sheriffs to pay Lord Marchers one half of Forfeitures, and Account to the King of the other, ſo of Common Fines, *&c.*	Forfeitures, Fines, §. 25
On Proroguing or Diſſolution of the Parliament, the King to make Commiſſion to View each Shire, *&c.* and divide them into Hundreds.	Viewing Shire, *&c.* and dividing, §. 26.
Commiſſion to find out Uſages and Cuſtoms, and Certifie to the King and Councel, and what they think fit, to ſtand.	Uſages, Cuſtoms, §. 27.
For this and all other Parliaments, two Knights for *Monmouth-ſhire*, one for Borough of *Monmouth*, and other ancient Boroughs.	Knights and Burgeſs Monmouthſhire, §. 28.
One Knight for *B.* one for *R.* one for *Montgomery*, one for *D.* and every other Shire, and one Burgeſs for Shire-Town, except *Merioneth*.	Kt. and Burg. for B. R. M. D. §. 29.
Temporal Lords Marchers to enjoy their Poſſeſſions and Profits.	Lords Marchers, §. 30.
Not to Abrogate Laws and Cuſtoms of North *Wales*, or Dutchy of *Lancaſter*.	North Wales, Lancaſter, §. 31.
Not to prejudice or avoid Patent, or Joynt-Office, Fees, Grants, *&c.* during lives of Parties.	Patent, Joynt-Office, Fees, Grants, &c. §. 32.
Not to prejudice *H.* Earl of *Worceſter*, Juſtice of *Glamorgan*.	E. Worceſter, §. 33.
Not to derogate from any Acts for Tryal of Treaſon, *&c.* in *Marches* in next *Engliſh* County.	Tryal of Treaſon, &c. Marches, §. 34.
Lands that uſed to be Departible among Iſſues and Heirs-Males, ſhall ſo continue.	Departible Lands, §. 35.
The King for three years after this Parliament Diſſolved, may Revoke any Laws there by Patent Enrolled in Parliament.	Revoking Laws, §. 36.

The

Erecting Court of Record, §. 37.	The King for Five years after Parliament end, may Erect any Court of Record for Execution of this Act or Government of *wales*.
Pronotaries, Clerks, §. 38.	Pronotaries and Clerks of the Crown in *wales* not to be prejudiced.
Chief Juſtice of South Wales, Chamberlain, &c. §. 39.	Not to prejudice Chief Juſtice of South *wales*, or Chamberlain, or Stewardſhip of *Bealth*, or Recorderſhip of *Bath*.
Allotting new Towns, Marches, 28 *H.*8. *c.* 3.	For Three years the King may Allot new Towns or Shires in Marches.
Tryal, Treaſon, 32 *H.*8. *Cap.* 4.	Treaſon there, or where the Kings Writ runs not, ſhall be Tried by the Kings Commiſſion in the next Shire.
Reſumption, Sheriffwicks, *c.* 27.	A Reſumption of Grants of Sheriffwicks for Life there.
Fine for Redeeming Forfeitures, *c.* 37. §. 2.	Pay Fines for Redemption of all Forfeitures, ſo Executors of Leſſor have no Remedy for Arrears, *&c.*
Seſſion at Cheſter, *Cap.* 43.	Seſſions at *Cheſter* to be only twice a year, notwithſtanding 27 *Hen.* 8. *Cap.* 5. at *Michaelmas* and *Eaſter*.
County-Court at Cheſter, 33 *H.*8. *c.*13.	Sheriff of *Cheſter* ſhall hold County-Court once a Month.
§. 2.	Seſſions to be where Juſtice or Deputy appoint upon fifteen days Warning before.
Hope, *&c.* parcel Flint, §. 3.	*Hope*, *Aſſaph*, and all *Hawerden*, *Moldeſdale*, *Mereford*, and *Oſely* to be parcel of the County of *Flynt*.
Freezes, Cottons, &c. 34 *&* 35 *H.* 8. *c.* 11.	The Weight and Meaſures of *welſh* Freezes, Cottons, *&c.*
Certifying Convicts, Felony, *c.* 14. §. 5.	Shall not Certifie Convicts of Felony in *B. R.*
Divided into Shires, *Cap.* 26. §. 2.	Divided into Twelve Shires, eight ancient, and four by 27 *Hen.* 8. *Cap.* 26.
Hundreds, §. 3.	Hundreds not altered by Parliament, to be as Return by Commiſſion in Chancery.
Preſident and Councel W. and M. §. 4.	Preſident and Councel of *wales* and the Marches, to hear Cauſes, *&c.*
Seſſions, §. 5.	Seſſions twice a year in every Shire, *viz.* the Great Seſſions.
Juſtice Cheſter, §. 6.	Juſtice of *Cheſter* to have only One hundred pounds *per annum* for Seſſions.
Juſtice N. Wales, §. 7.	Juſtice of North *wales* to have Fifty pounds *per annum* for Two Seſſions.
Juſtice R. B. G. §. 8.	The King to appoint one Learned, *&c.* for Juſtice in *Radnor*, and *Brecknock*, and *Glamorgan*.
C. P. C. §. 9	Another for *Caermarthen*, *Pembroke*, and *Cardigan*.
Juſtice Patent, §. 10.	Each Juſtice to have Patent under Great Seal of *England*.
Commiſſions, §. 11.	The Commiſſions already Grant, to ſtand till the King alter them.
Pleas Crown and Aſſize, §. 12.	Each Juſtice to hold Pleas of the Crown amply as Chief Juſtice of *B. R.* and Pleas of Aſſize as Chief Juſtice of *C. B.* in *England*.
Treaſons, §. 13.	May Enquire and Determine Treaſons, *&c.* at Common Law, or againſt Statute.
Seſſions, §. 14.	Each Seſſions to be continued Six days in each Shire, and Proclamation, *&c.*
Pleas in Seſſions, §. 15.	Days of Pleas in Seſſions to be from Day to Day.
Seal N. Wales, §. 16.	Seal of North *wales* to be in Cuſtody of Chamberlain.
Seal S. Wales, §. 17.	Seal of South *wales* in Cuſtody of Chamberlain of South *wales*.
Seal Radnor, *&c.* §. 18.	Seal of *Radnor*, &c. kept by the Steward and Chamberlain of *Brecknock*.
Seal Montgomery, *&c.* §. 19.	Seal of *Montgomery*, &c. kept by Steward and Chamberlain of *Denbigh*.
Seal Cheſter, Flynt, *&c.* §. 20.	Seal of *Cheſter* for *Flynt*, &c. kept by Chamberlain.
Sealing and Accounting, §. 21.	The Stewards and Chamberlains to Seal and Account to the King.
Awarding Proceſs, §. 22.	Shall Award Proceſs only againſt Bayliffs, Farmers, and Accountants.
Leets and Court-Barons, §. 23.	Leets and Court-Barons to be held as in *England*.
Felony, §. 24.	Sheriff or Leet ſhall not Enquire of Felony.
Leets, §. 25.	Leets to be only where uſed before 26 *Hen.* 8. *Cap.* 8.
Corporation holding Pleas, §. 26.	Mayors and Officers of Corporation to hold Pleas as in *England*.
Diſſolving & renewing Corporation, §. 27.	The King for ſeven years may Diſſolve and Renew Corporation.
Fees, §. 28.	Patentee of Offices for Life, to have Fees uſed.
Judicial Seals Cheſter, N. Wales, G. P. §. 29.	Judicial Seals Four, *viz.* *Cheſter*, North *wales*, of *Glamorgan*, and *Pembroke*.
Profits of Seals, §. 30.	Each Juſtice to Anſwer the King the Profit of the Seal he keeps.
Teſte of Proceſs, §. 31.	*Teſte* of Proceſs to be in Name of Judge that Seals it.
Sealing Actions Real, Criminal, &c. §. 32.	All Actions Real, Criminal, and Mixt, and Action *ſur* Stat. to be Sealed as Original.
Sealing Perſonal Action, §. 33.	Perſonal Actions Fourty ſhillings or more, to be Sealed as Original or Judicial at Election.

Actions Perſonal may be before any Juſtices by Bill.	Perſonal Action by Bill, §. 34.
Bill to be Sealed by Judicial of Juſtice that Tries it.	Sealing Bill, §. 35.
For every Writ above Fourty ſhillings, Fee of Writing, ſix pence, Sealed ſeven pence, the King ſix pence, the Juſtice one peny.	Fees for Writ above 40 s. §. 36.
For every Proceſs above Fourty ſhillings, Fee three pence.	Fee for Proceſs above 40 s. §. 37.
Proceſs on Suggeſtion, *Sci. fac.* Good-behaviour, *Superſedeas*, ſeven pence for Indenture Seal.	Fee for Indenture, Seal of Proceſs, §. 38.
Exemplification with Indenture Seal, Twenty pence.	Exemplification, §. 39.
Recovery, Fines, and Warrant of Attorney, without *Dedimus poteſtatem*, as in *C. B.*	Recovery, Fine, Warrant Attorney, §. 40.
Fines Ingroſs and Proclamations, the ſame, and Two Seſſions next after, to be as in *C. B.*	Fine Ingroſs and Proclamation, §. 41.
For Writs in the Poſt, Covenant, Licence of Concord, Fines pay as in *C. B.*	Writs in Poſt, Covenant, Licence, §. 42.
The Kings Silver to be paid as on Fine in *C. B.* Two ſhillings.	Kings Silver, §. 43.
To be Four Pronotaries, one to Attend Juſtices, and appoint by the King.	Four Pronotaries, §. 44.
Marſhal and Crier of each Circuit to be named by the Juſtice.	Marſhal and Crier of Circuit, §. 45.
Marſhals Fee, §. 47. the Pronotaries Fee, §. 48, *&c* §. 51.	Fee of Marſhal Pronotary, §. 46.
The King to have Fines, Amerciaments, and Forfeiture in Seſſions.	Fines, Amerciaments, Forfeitures, §. 54.
Juſtices of Peace and *Quorum*, and one *Cuſtos Rotulorum* in each Shire.	Juſtices of Peace, Quorum, Cuſt. Rot. §. 53.
The King by Advice of Preſident and Councel, or Three, to appoint Juſtices, *&c.*	Appointing Juſtices, &c. §. 54.
Not to exceed Eight Juſtices in one Shire.	8 Juſt. in Shire, §. 55.
No loſs by inſufficiency of Land or Learning.	Inſufficiency of, &c §. 56.
Quorum of Two may keep Seſſions, and have Wages, *&c.* as in *England*.	Quorum of two, §. 57.
Juſtice or Clerk to take but ſix pence for Warrant, for Pledges nine pence, for every Recognizance twelve pence.	Fee to Juſtice or Clerk, §. 58.
Fines and Amerciaments to be Affeered by two Juſtices, *Quorum* one.	Affeering Fines, Amerciaments, §. 59.
Clerk of the Peace ſhall Eſtreat Fines, *&c.* into Exchequer, and Sheriffs to be allowed.	Eſtreating Fines, §. 60.
Sheriff to be of each Shire yearly, as in *England*, and §. 62. and §. 63, *&c.*	Sheriff annual, §. 61.
All Mayors, Sheriffs, and Miniſters to Attend the Preſident, and Councel and Juſtices of *wales*.	Officers attending Preſident, &c. §. 65.
Eſcheators to be of each Shire by Advice of Preſident, *&c.* and make Recognizance and Oath.	Eſcheators, §. 66.
To have Five pounds yearly, and to Account to Auditors aſſigned.	Salary Account, §. 67.
Two Coroners Elect each Shire by Writ with Authority, as in *England*.	Electing Coroners, §. 68.
Writ to chooſe Coroner of *Flint* to be direct to *Cheſter*.	Electing Coroner of Flint, §. 69.
Juſtices to name two Chief Conſtables of Hundred.	Chief Conſtable, §. 70.
Sheriffs to have Gaol where Preſident, *&c.* appoint.	Gaol, §. 71.
Conſtables of Caſtles not to be charged with Priſoners, but till place found.	Priſoners, §. 72.
County and Hundred Courts for Pleas under Fourty ſhillings to be kept Monthly.	County and Hundred Courts, §. 73.
Trials in Hundred or Court-Baron by ſix, or Wager of Law at Election.	Tryal in Hundred or Baron-Court, §. 74.
Sheriffs Turn to be at *Eaſter* and *Michaelmas* yearly.	Sheriffs Turn, §. 75.
The King to have all Fines in County, Hundred, Turn, *&c.*	Fines in County, Hundred, &c. § 76.
Eſtreats to be View and Affeered by Juſtices of Aſſize, and Levied by *Capias*, or *Fi. fac.*	Eſtreats, §. 77.
Return of Bill under Fourty ſhillings before Juſtices, Two pence, *Ven. fac.* and Diſtreſs Two pence, Execution Twelve pence.	Bill, Ven. fac. Diſtreſs, Fees, §. 78.
Fees of Sheriff for Bill above Fourty ſhillings Returned, Four pence, *Ven. Fac. Hab. Corp.* &c. Four pence.	Fees for Bill, Ven. fac. Hab. Corp. *&c.* §. 79.
Fees for Attachments, or *Capias* by Original Return, *Cepi*, Two ſhillings, *&c.*	Fees for Attachment, Capias, Cepi, *&c.* §. 80.
Sheriff to take Mainprize of perſons ſuſpect, according to 27 *Hen.* 8. *Cap.* 26. §. 21.	Mainprize, §. 81.
Fees of Mainprize to appear before Juſtices Two pence, Return at Seſſions Two ſhillings.	Fees of Mainprize, §. 82.
Fees not hereby expreſt, to be Rated by Preſident, Councel, and Juſtices.	Rating Fees, §. 83.
None to Fine for Murder, but to ſuffer as in *England*, unleſs Pardon.	Murder, §. 84.
The Stat. of 26 *Hen.* 8. *Cap.* 6. §. 6. of Clipping, Coyning, Murder, and Felony, to ſtand.	Clipping, Coyning, Murder, Felony, §. 85.
The Stat. of 26 *Hen.* 8. *Cap.* 6. to be Executed in *Angleſey*, *Carnarvan*, and *Merioneth*.	26 *H.* 8. A. C. M. §. 86.
The Town, *&c.* of *Abertanad* to be parcel of *Salop*, of the Hundred of *Oſweſter*.	Abertanad parcel Salop, Oſweſter, §. 87.
On Foreign Plea, Record. Tranſcript, to be ſent to Juſtice *ubi*, &c. to Try.	Foreign Plea, Record, Tranſcript, §. 88.

Foreign Plea, England, §. 89.	Foreign Plea in *England* to be Tried where Pleaded.
Rumours, Tumults, &c. Murders, §. 90.	No Rumours, Tumults, Outcries, or unlawful Aſſembly, but to Apprehend Murders.
Deſcents, Tenure, §. 91.	All Deſcents to hold by *Engliſh* Tenure, and not Partible as *Gavelkind*, as uſed.
Mortgage, §. 92.	No Mortgage to be admit but according to the Laws of *England*.
Alienation, §. 93.	Alienations to be as in *England*, notwithſtanding contrary Cuſtom.
Proceſs of England on Stat. &c. §. 94.	Proceſs out of *England* into *Wales* on Statute on Recognizance.
Proceſs from England on Recognizance, §. 95.	Proceſs from *C. B* in *England* upon Recognizance there to Sheriff, &c.
Writs, Bills, Proceſs, Tryals, &c. §. 96.	Writs, Bills, Proceſs, and Tryals, &c. to be as in North *Wales*, or deviſed by Preſident, &c.
Judgment on Indictment, Denbigh, §. 97.	Judgments on Indictments in *Denbigh* of Fact in place, by 33 *H.* 8. *Cap.* 13. §. 3. parcel of *Flint*, good.
Execution, §. 98.	The ſame Execution to be obſerved on all places tranſlated now or hereafter.
Trying in Pety Seſſions, §. 99.	What cannot be Tried in time of Great Seſſions, to be Tried in Pety Seſſions by Deputy.
Agreement for Murder, §. 100.	No agreement for Murder, but by privity of Preſident, &c.
Marchers Franchiſe, §. 101.	No other Franchiſe of Lords Marchers to be uſed, but what is Commanded by 27 *H.* 8. *Cap.* 26.
Poſſeſſions remove, §. 102.	Poſſeſſions five years not removeable, but by Recovery.
Tales, §. 103.	*Tales* may be Immediate, if Nine Jurors appear to make Twelve.
Sale of ſtolen Goods, §. 104.	Sale in Market Overt of Goods ſtolen, alters no property.
Bringing live Cattel out of Market, §. 105.	No live Cattel to be brought out of Fair or Market, but before credible Witneſs.
Hue and Cry, §. 106.	Hue and Cry after Felons ſhall be from Town to Town, as in *England*.
Juror, §. 107.	Tenant for any Life of Freehold may be Juror of Murder, or other Cauſe.
Juror in Attaint, §. 108.	Juror in Attaint to have Fourty ſhillings *per annum*.
Tallage by Tenant, §. 109.	Tenants to pay Tallage on change of Lords, as uſual.
Knights and Burgeſſes, Taxes, §. 110.	Shall find Knights and Burgeſſes, and be chargeable with Taxes by Parliament.
Haverfordweſt, §. 111.	*Haverfordweſt* to find one Burgeſs of Parliament.
Bona Fel. Utlag. Waif, Eſtray, Forfit. §. 112.	The King to have Goods of Felons, Utlaws, Waifs, Strays, Forfeitures, &c.
Error in Great Seſſion, §. 113.	Errors in Great Seſſions Redreſs in *B. R.* in *England*, if real, but perſonal by Preſident.
Execution in Baſe Court, §. 114.	No Execution in Baſe Court to be ſtayed by falſe Judgment.
Proceſs, §. 115.	Proceſs for urgent and weighty Cauſes to be from Chancellor of *England*, as uſed.
Bewdley parcel Worceſter, §. 116.	*Bewdley* in Pariſh of *Ribbeford*, to be parcel of *Worceſter* of *Doddington* Hundred.
Llanſtiffan, &c parcel of C. D. §. 117.	*Llanſtiffan*, *Uſterloys*, and *Langham*, to be parcel of *Caermarthen* of *Derry* Hundred.
New Radnor, P. §. 118.	County Court to be once at New *Radnor*, next at *Preſton*, *alternis vicibus*.
Altering or making Laws, §. 119.	The King at pleaſure to alter or make Laws for their Governance.
Patent, §. 120.	Patent under Great Seal to be as effectual as Law by Parliament.
Fees of Aulnager, §121	Fees of Aulnager for Sealing Woollen Cloth.
Cloth diſcharged, §. 122.	Not to Charge for Cloth not put to Sale.
Aulnager, §. 123.	Aulnager to Act and be Reſponſible as in *England*.
Haverfordweſt, §. 124.	Notwithſtanding 27 *H* 8. *Cap.* 26. §. 17. *Haverfordweſt* to be a County, and a High Juſtice there.
Severance from P. §. 125.	The ſeverance of it as diſtinct County from *Pembrook* to be only at the Kings pleaſure.
Things ſaved, §. 126.	Not to prejudice Lands, Rents, Services, Bondmen, Tolls, or other Hereditaments.
Saving to Officers, §. 127.	Not to prejudice Officers by Patent.
Deſcents, §. 128.	Deſcents to be as at Common Law in *England*, not as in *Gavelkind*.
G. Blunt, §. 129.	Not to prejudice *G. Blunt* for Offices, &c.
Lancaſter, §. 130.	Priviledge of *Lancaſter* to be as large as before.
Decayed Towns, 35 *H.* 8. *c.* 4.	For Repair of Decayed Towns, Twenty three in *Wales* and *England*.
Knights Wages, *c.* 11.	Sheriff in Two Months of Delivery of the Writ *De ſolutione feodi Militis Parliamenti*, to pay the Wages Four ſhilling *per Diem*, on forfeit of Twenty pounds.
Knights Wages, §. 2.	Mayor, &c. in two Months of Writ *De feodi Burgenſ. Parliament. ſolution*, to pay Two ſhillings *per Diem*, and like Forfeit.
Summoning Burgeſſes to Election, §. 3.	Burgeſſes to be Summoned to come to Election, though their Town ſend no Burgeſſes.
Taxing City, Borough, &c. §. 4.	Two Juſtices of Peace ſhall Aſſeſs and Tax every City, Borough, Town, &c.

Upon Exigent in *B. R. C. B.* &c. againſt Inhabitants there, or in County Palatine, Proclamation out of any Court in *London*, to go to Sheriff where party is of the ſame *Teſte*, and Return, elſe void.	Proclamation on Exigent, London, 1 *Ed.* 6. *Cap.* 10. §. 2.
Sheriffs of *Wales* and *Cheſter* ſhall have Deputy in *B. R.* and *C. B.*	Sheriffs Deputies, §. 3.
Capias utlagat. non moleſtand. &c. to be direct to Sheriff where Defendant is.	Cap. Utlagat. non moleſt. &c. § 4.
Sheriff forfeit Five pounds for not returning Proclamation.	Returning Proclamation, §. 5.
Not to prejudice other Liberties, &c. of *Wales* or *Cheſter*.	Saving Liberties, §. 6.
Not to prejudice Lord Marcher in *Wales*.	Saving to Lord Marcher, §. 7.
Overflowing of *Glamorgan* with Sea-Sand, ſhall be Remedy by Commiſſioners of Sewers, on 23 *H.* 8. *Cap.* 5.	Overflowing Glamorgan, 1 *Mar. St.* 3. *c.* 11.
That Lords Marchers Spiritual and Eccleſiaſtical, their Succeſſors, and the Heirs, &c. of Lords Temporal, enjoy the ſame Liberties and Profits as the Lords Temporal, by 27 *H.* 8. *Cap.* 26. §. 25. and 30.	Lords Marchers Spiritual, &c. 1 & 2 *Ph. & Mar.* *c.* 15. §. 5.
North *Wales* not to be prejudiced in Tranſporting Merchandize any where.	N. Wales, Trade, 1 *El.* *c.* 11. §. 12.
Strangers born may Import in Foreign Ships to *Chepſtow*, one hundred Tun.	Importing to Chepſtow 5 *El.* *c.* 5. §. 47.
Strangers of *France* in Foreign Ships may Import under One hundred Tun a year into North *VVales*, &c. of *French* Wine.	Importing to N. Wales &c. French Wine, §. 48.
Juſtice of Peace may Determine of Offences of Badgers, Drovers, &c. in Seſſions.	Offence of Badger, Drover, &c. *c.* 12. §. 8.
The Stat. 23 *H.* 8. *Cap.* 6. §. 6. Extends not to it, but henceforth *Tales* ſhall be there, and in Counties Palatine, as by that Stat. &c. at *Niſi prius*.	Tales, *c.* 25.
The *Old* and *New Teſtament*, and *Common Prayer*, to be Tranſlated into the *Britiſh* Tongue.	Tranſlating Bible, &c. *Cap.* 28.
Every Pariſh Church to have the *Bible*, and one Book of the *Common Prayer*, &c.	Church to have Bible, &c. §. 2.
The Queen may appoint two or more to be Juſtices of *Cheſter*, *Flint*, and of North *VVales*, &c. and two for *Cardigan*, &c.	Juſtices for C. F. N. Wales, C. &c. 18 *El.* *Cap.* 8. §. 3.
The Queen may grant Commiſſion of Aſſociation with any Juſtice of the ſame Juriſdiction, as one Juſtice, and take Fines, &c.	Aſſociation, §. 4.
Glamorgan and *Cardiff* Caſtle to Repair the Bridge there.	Gl. and Card. Bridge, 23 *El.* *c.* 11.
That 23 *Eliz.* *Cap.* 3. of Enrolment of Fines and Recoveries ſhall extend to the Twelve Shires, to *Haverfordweſt*, *Cheſter*. *Lancaſter*, and *Durham*.	Enrolling Fines and Recoveries, 27 *El.* *Cap.* 9.
Of Leather extends to *Wales*, as amply as to *England*.	Leather, 1 *Jac.* 1. *c.* 22. §. 53.
Of deſtroying Fry of Fiſh, &c. not to extend to *Angleſey*.	Fry of Fiſh, &c. 3 *Jac.* 1. *Cap.* 12. §. 4.
Glouceſter and *Monmouth* to Repair *Chepſtow* Bridge.	Chepſtow Bridge, *c.* 23.
All Inhabitants may buy and ſell *Welſh* Cloth, Cottons, &c.	Welſh Cloth, Cottons, &c. 21 *Jac.* 1. *c.* 9.
Welſh Cloth may be Tranſported in Ports, &c. paying Cuſtoms.	Tranſporting Cloth, §. 3.
Aliens not to Retail.	Aliens Retailing, §. 5.
A Repeal of 34 & 35 *H.* 8. *Cap.* 26. §. 119. and that the King ſhall not alter Laws.	Altering Laws, *c.* 10. §. 4.
Confirms the ſaid Statute as to the reſt.	§. 5.
Eſtates of Tenants of *Bromfield* and *Yale* in *Denbigh* Confirmed as by Compoſition with the King.	Tenants of B. and Y. 3 *Car.* 1. *c.* 5.
No Sheep, Wooll, Fullers-Earth or Clay, to be Exported thence to *Scotland*, &c.	Exporting Goods to Scotland, 12 *Car.* 2. *c.* 32.
Jurors to have Eight pounds *per annum*, and ſo *Tales* elſe Challenged.	Jurors, Tales, 16 & 17 *Car.* 2. *c.* 3.
That 17 *Car.* 2. *Cap.* 7. of Avowries extend to *Wales*, County Palatine, &c.	Avowries, 19 *Car.* 2. *Cap.* 5.
Proceedings and Decrees of Court of Preſident and Council of *Wales* a burthen to the Subject, Illegal, and a means to introduce Arbitrary Power, &c.	Proceeding in Court of Preſident and Councel, 1 *W & M. Seſſ.* 1. *Cap.* 27.
34 & 35 *H.* 8. *Cap.* 26. §. 4. Repealed.	Repeal, §. 2.
The Court of the Preſident and Councel Diſſolved.	Court diſſolved.
Juſtices of Great Seſſions to nominate Three for each Shire in their Circuits, to be Sheriffs, and Certifie their Names to Privy Council, *Craſt. Animar.*	Judges nominating Sheriffs, §. 3.
Errors in Pleas perſonal to be Redreſſed by Writ, as Errors in Pleas Real and Mixt by 34 & 35 *H.* 8. *Cap* 26.	Error in Plea perſonal, §. 4.
Judgments nor Decrees in the ſaid Courts before *June*, 1689. not to be Repealed.	Judgments and Decrees before June, 1689. §. 5.
Jurors Returned to have ſix pounds *per annum*, and *Tales* Three pounds *per annum*. *Vide* Title *Enqueſt*.	Jurors, 4 & 5 *W & M.* *Cap.* 24.
Repeal of 34 & 35 *H.* 8. *Cap.* 26. §. 55. and their Majeſties may appoint Juſtices of Peace for *Wales*	Appointing Juſtices of Peace, 5 & 6 *W & M.* *c.* 4.

Wales accordingly, as in *England*, and ſuch Juſtices Impowered to Act.

Wilſingham, ſee *Abbe.*

Wapping-Marſh, ſee *Sewers.*

Ward.

Guards, Livery, Ouſter le main, Guardian, Orphans.

Releif, 9 *H.* 3. *c.* 3. *Magna Chart.*	Shall pay no Relief for Fine when he comes to Twenty four years old, but ſhall have Inheritance free.
Homage, *Ibid.*	Heir of an Earl, Baron or Knight, ſhall firſt pay Homage before he be in Ward.
Retaining Land of Knights, *Ibid.*	Though made a Knight, the Lord ſhall retain the Land till full Age.
Committee taking Iſſues, &c. *c.* 4.	Committee ſhall take only reaſonable Iſſues, Cuſtoms, and Services without Waſte and Deſtruction of Men or Goods, on forfeiture to be Aſſigned to others.
Dignity, &c. **vacant**, *Cap.* 5.	Of Archbiſhop, Biſhop, Abbe, Pryor, Churches, and Dignities vacant, ſhall not be ſold.
Maintains, &c. **the Land of Ward**, *Ibid.*	His Land ſhall be maintained by Iſſues, and reſtore as fully as received.
Marriage, *c.* 6.	Shall be Married without Diſparagement.
King barr'd by Tenure of another, *c.* 27.	Shall not be to the King for Pety Serjeanty, paying Knife, Arrow-head, *&c.* nor for Soccage where the Heir holds of another by Knights-Service.
Abbeys void, *c.* 33.	Patrons ſhall have the Cuſtody of Abbeys where void, as Accuſtomed and Declared.
Marriage, 20 *H.* 3. *c.* 6. *Merton.*	If Parent or other withhold or Marry Enfant under Fourteen, he ſhall pay the Value of the Marriage, if the Enfant at or after Fourteen Marries *contra* to Tender, he loſeth the double Value, if the Lord Marries him under Fourteen to Villain or Burgher, he loſeth the Ward, if after by Conſent, nothing.
Refuſing Marriage, *Cap.* 7.	Loſeth Value on refuſal of Marriage, as much as any would give for the Marriage before receit of the Land.
Deforceor, 52 *H.* 3. *Cap.* 7. *Marlb.*	If Deforceor come not at Grand Diſtreſs, nor be taken in half a year after on Proclamation, he ſhall loſe the Ward as a Rebel.
Guardian, §. 2.	Guardians ſhall not on ſuch Defaults loſe the Ward belonging to the Heir in Ward.
Lord not Defeated by Feoffment, &c. *c* 6.	Lord ſhall not be Defeat by Feoffment or Leaſe to Heir, *&c.* yet cannot Enter.
Mortdanceſter againſt **Lord**, *c.* 16.	Shall have *Mortdanceſter* and Damages againſt Lord that Ouſts him of full Age, or detains Land after full Age.
Account againſt Guardian, *c.* 17.	Shall at lawful Age have Account againſt Guardian in Soccage, and not to be done to his Diſadvantage.
Marriage, 3 *Edw.* 1. *Cap.* 22. *W.* 1.	Shall be Married in Two years after Fourteen, elſe a Woman may Sue for Inheritance clear, but if refuſe, retain till One and twenty, and after till Marriage taken.
Forfeit by Feoffment, &c. **Aſſize for** Prochein Amy, *c.* 47.	Is forfeit by Feoffment of Guardian, and he a Diſſeizor againſt whom and Tenant, the *Prochein Amy* may have an Aſſize.
Aid del Roy **Dower**, 4 *Edw.* 1. *c.* 3. *De Bigamis.*	Grantee thereof ſhall have *Aid del Roy* in Dower.
Waſte by Committee, 6 *Edw.* 1. *c.* 5. *Glouc.*	Shall have Damages on Waſte by Committee, if Forfeiture of the Ward be not ſufficient.
Marriage by Priority, 13 *Edw.* 1. *c.* 16. *W.* 2.	Lord ſhall have Marriage by priority of Feoffment, whether the Land more or leſs deſcend from Father or Mother.
Raviſher, *c.* 35.	Raviſher if reſtored Unmarried, ſhall be Two years Impriſoned, if not, and he unable to ſatisfie, ſhall Abjure the Realm, or have perpetual Impriſonment, and Plea ſhall not ſtay by Death of Heir, but proceed for and againſt Heir and Executors.
To what incident, to whom appertinent, 28 *Edw.* 1. *pag.* 62. *Of Wards.* **Writ how.**	Is Incident to Relief, and *contra* both to Serjeanty, neither to Pety, nor to Sokemen: of Knights-Service, belongs to the Chief Lord: of Soccage, to the next Friend of Inheritances by Father or Mother: the Writ is of Land, and Heir, by Chief Lord of neither, by Feoffee on Poſteriority, and only of Heir where its Guard becauſe of Guard.
Waſte againſt Eſcheator, &c. 28 *Edw.* 1. *c.* 18. *Artic. ſuper Chart.*	Waſte lieth of his Land againſt Eſcheator or Sub-Eſcheator.
Seizure ſans Cauſe, Iſſues reſtore, *c.* 19.	If Seizure by Eſcheator or Sheriff be found without Cauſe, and the Kings Hands remove, Iſſues of the Lands ſhall be reſtored.
Reſeizer on Cauſe found, 29 *Edw.* 1. *p.* 66. *Of Lincoln de Eſcheator.*	If after the Kings Hands removed on Seizure without Cauſe, if Cauſe be found, a Reſeizer ſhall be *Ab initio.*
Belongs to King except, &c. 17 *R.* 2. *Cap.* 1. *Prerogat. Reg.*	Belongs to the King, except certain Fees where his Writ runs not.

The King ſhall have Marriage on Eſcheat, or Guard becauſe of Guard, whether by Priority or not.	**Marriage on Eſcheat, Guard becauſe of Guard**, *c.* 2.
King ſhall have *Primer-Seiſin* till Heir be found of Age, and do Homage.	Primer-Seiſin, *c.* 3.
If Women Marry without Licence, the King ſhall have a years Value by Diſtreſs.	**Marrying ſans Licence**, *c.* 4.
All the Heirs ſhall do Homage that Hold of him, and all Hold of him.	**Homage**, *c.* 5.
If Married, the King till *Annos nubiles* ſhall have her, till Conſent.	**Marrying before Conſent**, *c.* 6.
Dying before Homage paid to the King, gains no Freehold, nor ſhall his Wife be Endowed.	**Dying before Homage**, *Cap.* 13.
Next of Kin may Farm his Lands, and he ſhall have Waſte againſt him or Eſcheator.	**Farming Lands**, 14 *Ed.* 3. *c.* 13.
May Traverſe Office of Eſcheator in Chancery, and take the Land to Farm, pending the Suit.	**Traverſing Officer, Farming Land**, 36 *Edw.* 3. *c.* 13.
Women at Fourteen on Death of Anceſtor, ſhall ſue Livery.	**Women ſuing Livery**, 39 *H.* 6. *c.* 2.
Heir of *Ceſtui que uſe* ſhall be ſo, notwithſtanding Will of Anceſtor, and have Waſte againſt Guardian.	**Heir of** Ceſtui que uſe, **Waſte againſt Guardian**, 4 *H.* 7. *c.* 17.
Saved to the King with *Primer-Seiſin*, and Fine for Alienation, where two parts *Capite* are Aliened by Will, *&c.*	**Saving to King two parts Deviſed**, 32 *H.* 8. *Cap.* 1. §. 3.
Of Heir of *A.* Joynt-Tenant in Fee with *B.* for Life.	**Heir of Joynt-Tenant**, §. 17.
The Election of the Court of Wards, *&c.*	**Court of Wards**, *c.* 46.
The Authority of the Officers of the Court of Wards by 32 *H.* 8. *Cap.* 46. Explained, *&c.*	**Authority of the Court**, 33 *H.* 8. *c.* 22.
Limitation of Remainder to right Heirs to defeat Lord thereof, void by Colluſion.	**Limitation of Remainder to right Heir**, 34 & 35 *H.* 8. *c.* 5. §. 15.
Lords may Diſtrain ſuch Heirs in Remainder for Relief, *&c.*	**Diſtraining Heir, Remainder for Relief**, §. 16.
Saving the Title of the Donees, Feoffees, *&c.*	**Saver of Title**, §. 17.
This Statute not to extend to Will of ſeveral perſons named.	**Stat. reſtrained**, §. 18.
All from whom the King takes Lands for his Third part, ſhall have Contribution in Chancery.	**Contribution**, §. 19.
Mean Lords ſhall receive their Rents, *&c.* of the Kings Officers, and the Heir at full Age Diſcharged, *&c.*	**Lord receiving Rents**, &c. **of K's Officers**, 2 & 3 *Ed.* 6. *c.* 8. §. 10.
A Maid or Woman Child under Sixteen ſhall not be taken out of Cuſtody againſt Will of Father, *&c.*	**Taking Women out of Fathers Cuſtody**, 4 & 5 *Ph. & Mar. c.* 8.
Offices in County Palatine to be Tranſcribed into Courts of Wards.	**Offices in County Palatine**, 18 *El. c.* 13.
None ſhall be Fined for not taking Order of Knighthood.	**Knighthood**, 17 *Car.* 1. *Cap.* 20. §. 2.
From 24 *Febr.* 1645. all Courts of Wards, Liveries, *Primer-Seiſins*, *Ouſter le mains*, Values, and Forfeits of Marriage by reaſon of Tenure of the King or others, *&c.* All Fines for Alienation, Seizures, Pardons, Homage, *&c.* All Tenures by Knights-Service or in *Capite*, of the King or others, and Conſequents thereof, taken away and Diſcharged.	**Courts, Tenures**, &c. **diſcharged**, 12 *Car.* 2. *Cap.* 24.
A Repeal of 32 *H.* 8. *Cap.* 46. and of 33 *H.* 8. *Cap.* 22.	32 & 33 *H.* 8. §. 2.
May be Deviſed by Parents to any not Popiſh Recuſant.	**Deviſable**, §. 8.
Guardian to take all to uſe of the Child.	**Guardian**, §. 9.

Wares, ſee *Merchants.*

War.

Caſtles, Fortreſs, Archery, Armour, Soldiers, Peace, Tumults, Captains, Powder, Inſurrection, Battel, Rebellion, Safe Conduct, Muſters, Militia, Train-Bands, Artillery, Bows, Guns, Ammunition, Shooting, Truce-breakers, Letters of Mart, Dureſs.

Knight lead, or ſent to War, ſhall during that time be free from Caſtle Guard.	**Knight diſcharged of Caſtle-Guard**, 9 *H.* 3. *Cap.* 10. *Magna Chart.*
In the beginning of it, Merchant-Strangers ſhall be Attacht without harm of Body or Goods, till it be known how the Enemy deals with ours beyond Sea.	**Attaching Merchant-Strangers**, *c.* 30.
Driving Diſtreſs out of the County without Judgment, is Breach of the Peace.	**Driving Diſtreſs out of County**, 52 *H.* 3. *c.* 4. *Marlbr.*
Sheriff by Power of the County, ſhall Demoliſh and Enter Caſtle of Fortreſs, that refuſe to deliver up Diſtreſs on Demand.	**Fortreſs refuſing Diſtreſs**, 3 *Ed.* 1. *c.* 17. *W.* 1.
Champions Oath that he ſee the Seiſin of his Lord or his Anceſtor, being moſtly falſe, omit.	**Champions Oath**, *Cap.* 41.
The Prelates, Earls, Barons, and Commonalty in Parliament, tell the King that it belongs to his part as Sovereign Lord to Defend the Peace of Parliaments, Treaties, and other Aſſemblies, againſt all Force and Armour.	**King to Defend Peace**, &c. 7 *Edw.* 1. *p.* 33.

Services, &c. 7 *Ed.* 1. *pag.* 33. *Of Mortm.*	The Fees and other Services provided for Defence of the Realm, are withdrawn by *Mortmain*.
Reſiſtant of Proceſs, 13 *Ed.* 1. *Cap.* 39. *W.* 2.	Reſiſtants of Execution of Proceſs, is ſpecially reſerved to the King, becauſe ſuch have been Diſturbers of the Peace and of the Realm.
Aids for War, &c. not to be Cuſtomary, 25 *Ed.* 1. *c.* 7. *At Lond.*	The Aids, Taſks, and Prices, granted by the good will of the People, towards the Kings War, and other Buſineſs, ſhall not be drawn into Cuſtom.
Weapons in Houſes, 33 *Edw.* 1. *p.* 71. *Art. on Winch.*	If all have Weapons in their Houſes, according to quantity of their Lands and Goods, for Maintenance of the Peace, according to the Stat. *Winch.* ſhall be Enquired, and if Conſtable view Armour, *&c.*
Wrongfully ſlain, 1 *Edw.* 3. *Cap.* 3.	Executors of wrongfully ſlain, ſhall Sue for Teſtators Goods, and all Aſſurances made to Rebels by Dureſs, void.
Arming Marching out of Country, 1 *Edw.* 3. *Stat.* 2. *Cap.* 5.	None ſhall be charged to Arm, but as uſe, nor compel to go out of the Shire, but on neceſſity and ſuddain coming of ſtrange Enemies, and then as uſual.
Conveying Soldiers at Country Charge, *c.* 7.	No Commiſſion to Shires to prepare Men of Arms, and Convey them into *Scotland* or *Gaſcoyn*, at the Countries Charge.
Attending King, *c.* 15.	None ſhall be bound by Deed to come Armed to the King.
Purveyance, 14 *Ed.* 3. *Cap.* 19.	Purveyance for War or Caſtles ſhall be by Merchants without Commiſſion.
Paying Soldiers out of Realm, 18 *Edw.* 3. *Stat.* 2. *Cap.* 7.	Hoblers, Archers, and Men at Arms choſen to go out of *England*, ſhall be at the Kings Wages till return, and no Purveyance without Agreement.
Finding Soldiers, 25 *Ed.* 3. *St.* 4. *c.* 8.	None ſhall be conſtrained to find Men of Arms, Hoblers, or Archers, other then Hold by ſuch Services, but by Parliament Conſent.
Deeds by Compulſion, Riot, &c. 5 *Rich.* 2. *Cap.* 6.	Manumiſſions, Releaſes, and other Bonds made in the laſt Tumult by Compulſion, void, it ſhall be Treaſon to begin a Riot, Rout, or Rumour.
Treſpaſs in Inſurrection, 6 *R.* 2. *St.* 2. *c.* 2.	Suit for Treſpaſs done in the late Inſurrection, ſhall be before Fifteen St. *John*.
Compell'd to Inſurrection, *Cap.* 3.	Witneſs that parties come to Inſurrection Compelled, ſhall Diſcharge them.
Riding with Harneſs, &c. 7 *Rich.* 2. *Cap.* 13.	None ſhall Ride with Harneſs *contra* to 2 *Edw.* 3. *Cap.* 3. at *Northampton*, not with Lancegays, on forfeit of them.
Servants wearing Sword, &c. 12 *R.* 2. *c.* 6.	Servants ſhall not wear a Sword, Buckler, or Dagger.
Conuſance of Contract, 13 *Rich.* 2. *Cap.* 2.	To the Conſtable pertaineth Conuſance of Contract touching War within the Realm or without, not Triable by the Common Law.
Serjeants at Arms, *Cap.* 6.	All Serjeants at Arms Diſcharged but Thirty, without Extortion.
Lancegays, going Arm'd, &c. 20 *R.* 2. *c.* 1.	Lancegays put out, on Forfeiture, Fine, and Ranſom, none ſhall go or ride Armed with Sallet or Skull of Iron, or other Armour, but Officers.
Lords of Wales, 4 *H.* 4. *Cap.* 13.	A Confirmation of 1 *Edw.* 3. *Cap.* 5. of 18 *Edw.* 3. *Stat.* 2. *Cap.* 7. and 25 *Edw.* 3. *Stat.* 4. *Cap.* 8. but not to Excuſe the Lords of *Wales* of Service in War, or Eſcuage, Tenants or others that have Fees for Service.
Arrow-Heads, 7 *H.* 4. *Cap.* 7.	Arrow-Heads not Steel at the Points, and Markt by Smith, forfeit, and he Impriſon.
Late Riots, *Cap.* 18.	None ſhall be puniſh for Repreſſing the late Riots.
Letters of Requeſt, 10 *Hen.* 6. *Cap.* 3.	Any from whom Goods are taken by the King of *Denmark*, may have Letters of Requeſt.
Merchandize of Amies, 14 *H.* 6. *c.* 7.	Merchandize of Amies taken in Ships of Foreign Enemies, not to be reſtored.
Truce-breakers, *Cap.* 8.	A Suſpenſion of 2 *Hen.* 5. *Cap.* 6. of Truce-breakers.
Safe Conduct, 15 *H.* 6. *Cap.* 3.	Letters of ſafe Conduct ſhall not be with Clauſe *Vidimus*, but naming Maſters, Ships, and Perſons.
Safe Conduct, 18 *H.* 6. *Cap.* 8.	Merchant may take Enemies that have not Letters of ſafe Conduct on Board, if the Ships be deſcribed as in former Letters.
Withdrawing pay, beyond Sea, or in Marches, *Cap.* 18.	Captains beyond Sea, or on the Marches, ſhall withdraw of Soldiers Pay only Ten ſhillings half yearly for a Gown for a Gentleman, Six ſhillings eight pence a Yeoman, on forfeit Twenty pounds a Spear, and Ten pounds a Bow.
Soldier departing, *Cap.* 19.	Soldier receiving Wages, and departing within the term, is Felon, ſo if he return from beyond Sea, and Juſtice of Peace to Enquire and Determine.
Safe Conduct, 20 *H.* 6. *Cap.* 1. §. 2.	All Letters of ſafe Conduct to Enemies or others, to be Enrolled in Chancery.
Goods loſt, §. 3.	Goods taken from ſuch as have no Letters Enrolled, never to be reſtored.
Taker Acquit, §. 4.	On taking Enemy that hath no Letters, if when in Port it appears he hath, and Reſtitution made, the Taker not to be moleſt.
Breach of ſafe Conduct, *Cap.* 11.	A Repeal of 2 *H.* 5. *Cap.* 6. as to the Treaſon on breach of ſafe Conduct.
Truce-breaker, 29 *H.* 6. *Cap.* 2.	A Confirmation of 2 *H.* 5. *Cap.* 6. of Truce-breakers.
Robbing where ſafe Conduct, 31 *H.* 8. *c.* 4.	Proceſs in Chancery againſt ſuch as Rob thoſe that have ſafe Conduct.

Merchant ſhall Import Four Bow-ſtaves for every Tun of Merchandize of thoſe Countries.	Bow-ſtaves Import, 12 *Edw.* 4. *Cap.* 2.
That all Statutes againſt Truce-breakers not Repealed, be put in Execution.	Truce-breaker, 17 *Ed.* 4. *Cap.* 4.
A long Ewe-Bow to be price Three ſhillings four pence, and no more.	Ewe-Bow, 22 *Ed.* 4. *Cap.* 4.
Ten Bow-ſtaves to be Imported for every Butt of *Malmſey*.	Importing Bow-ſtaves, 1 *Rich.* 3. *Cap.* 11.
A Pardon of thoſe that Aſſiſted the King againſt *R.* 3. Duke of *Glouceſter*.	Pardon, 1 *Hen.* 7. *c.* 6.
Captains retained in Wars with *France*, that have not full Number, and pay full Wages, Six ſhillings eight pence a Yeoman, and Thirteen ſhillings four pence a Gentleman a year, ſhall forfeit Goods and Chattels, and be Impriſon.	Falſe Muſter, 7 *Hen.* 7. *Cap.* 1.
If Soldier depart without Licence after Retainer, its Felony, ſo the Captain ſhew his departure in ten days to the Treaſurer or Admiral.	Departure of Soldier, §. 2.
Perſons beyond Sea in the Kings Wages, ſhall be Protected.	Protection, *Cap.* 2.
They that go with the King to Wars, may Enfeoff by Colluſion to the uſe of their laſt Wills, *&c.*	Enfeoffing by Colluſion, *Cap.* 3.
None ſhall be Attaint for Allegiance, ſerving the King, or Sovereign Lord of the Land for the time being.	Attaint, 11 *H.* 7. *c.* 1.
They who Attend not the Kings Perſon therein, ſhall forfeit all Gifts, Fees, Annuities, *&c.* had of him, except the Juſtices, *&c.*	Attending King, *Cap.* 18.
All Patents to ſuch as on Proclamation Attend not the King to repreſs Enemies at home or abroad, void.	Patents, 19 *H.* 7. *c.* 1.
No Cuſtom to be paid for good Bow-ſtaves.	Bow-ſtaves, *Cap.* 2.
None to ſhoot in a Croſs-Bow but a Lord, or of Two hundred Marks Land.	Croſs-Bow, 19 *Hen.* 7. *Cap.* 4.
All ſorts under Fourty years old, ſhall have Bows and Arrows, and uſe Shooting.	Bows, Arrows, Shooting, 3 *Hen.* 8. *Cap.* 3.
Protection *Profecturus*, *Moraturus*, *Volumus*, and to Alien *Capite* without Licence, and Executors or Feoffees ſhall have Ward of him that is in the Kings War beyond Sea.	Protection, Ward, *Cap.* 4.
Soldiers to be paid in ſix days after Captain receives it.	Paying Soldiers, *c.* 5.
Felony for Soldier to depart after Preſt received.	Departure after Preſt, §. 2.
None not in Orders to have Clergy, Juſtice of Peace to Determine.	Clergy, §. 3.
Captain not to be Charged for lack of Number, ſhewing Departure in ten days, Except, *&c.*	Lacking Number, §. 4.
Captain not to prejudice by Non payment of Houſhold Servant.	Non-payment of Houſhold Servant, §. 5.
A Confirmation of 19 *H.* 7. *Cap.* 4. againſt Shooting in Croſs-Bows, and Placarts thereof void.	Shooting in Croſs-Bows, Placarts, *c.* 13.
Bulwarks, Brays, Walls, and other Fortifications on the Sea-ſide in *Cornwall*, to be by Juſtice of Peace Aſſignment.	Fortification on Sea-ſide Cornwal, 4 *H.* 8. *c.* 1.
A Confirmation of 3 *H.* 8. *Cap.* 3. and made perpetual.	3 *Hen.* 8. 6 *H.* 8. *Cap.* 2.
That 1 *R.* 3. *Cap.* 11. of bringing in Bow-ſtaves, ſhall extend to Strangers only, not to the Kings Subjects.	Bringing in Bow-ſtaves, *Cap.* 11.
Whoever keep or ſhoot in Hand-gun or Croſs-bow without Licence, forfeits it, and Ten pounds a Shoot, unleſs he have Three hundred Marks yearly.	Hand-gun, Croſs-bow, *Cap.* 13.
He that hath One hundred pounds *per annum*, may ſhoot in Croſs-bow and Hand-gun.	100 l. Allowing Croſs-Bow, Hand-Gun, 14 *&* 15 *Hen.* 8. *c.* 7.
They who ſerve the King may Alien without Licence, to uſe of Wills, and Executors, or Feoffee ſhall have Ward.	Aliening without Licence, Ward, *Cap.* 14.
None that hath not One hundred pounds *per annum*, ſhall ſhoot in Hand-gun nor Croſs-bow, nor keep them in his Houſe.	Forbidding Hand Gun, Croſs-Bow, 25 *H.* 8. *Cap.* 17.
A Recital of 25 *H.* 8. *Cap.* 17. that none under One hundred pounds *per annum*, to ſhoot in a Croſs-bow, Hand-gun, Hagbut, or Demy-hawk, on forfeit of Ten pounds.	Hand Gun, Croſs-Bow, &c. 33 *H.* 8. *c.* 6.
None to uſe Hand-gun, *&c.* but in Stock, and a yard length, and no Hagbut leſs than three quarters, on forfeit of Ten pounds, and Seizure and breaking.	Uſing in Stock, length, §. 2.
None under One hundred pounds *per annum*, to go or ride with Gun charged.	Going, &c. with Gun Charg'd, §. 3.
None to ſhoot at large within City, Borough, *&c.* except at a Butt, and for defence of his Perſon or Houſe.	Shooting at large, §. 4.
None ſhall command his Servant to ſhoot ſo, *&c.*	Commanding Servant to Shoot, §. 5.
Any may ſhoot at Butt in place convenient.	Shooting at Butt, §. 6.
In Houſes two Furlongs diſtant from Town, Hand-guns may be kept.	Hand-Gun, §. 7.
Licence to ſhoot in Croſs-bow, Hand-gun, *&c.* void.	Licence, §. 8.

Repeal, 25 *H.* 8. §. 9.	A Repeal of 25 *H.* 8. *Cap.* 17. Reſtraining uſe, and keeping of Croſs-bows, Hand-guns, *&c.*
Keeper of Kings Croſs-bows, Hand-guns, §. 11.	Not to prejudice Keeper of the Kings Croſs-bows or Hand-guns.
Makers of Croſs-bows, §. 12.	Not to extend to Makers of Croſs-bows.
Merchants, §. 13.	Not to prejudice Merchants that ſell them.
Lodger, §. 15.	Penalty to incur to Lodger that brings the Croſs-bow in, *&c.*
Arreſt, &c. §. 16.	Any perſon ſeeing Offender, may Arreſt, *&c.*
Licence, §. 17.	Licence *contra* to this Stat. void.
Recognizance, §. 18.	Licence to enter Recognizance not to ſhoot at other Fowl then permit.
Determining Offences, §. 19.	Juſtice of Peace to Determine Offences or Leet.
Concealment, §. 20.	One Jury may be ſworn to Enquire of anothers Concealment.
Penalties, §. 21.	Penalties to be Levied by Diſtreſs, *&c.*
Suit, §. 22.	Suit for Offence to be in half a year.
Saving, §. 23.	Not to prejudice Inhabitants on the Sea-Coaſts, not five Miles diſtant, nor to *Calice*, *Jerſey*, *Iſle of Wight*, *Angleſey*, &c. or Twelve Miles of *Scotland*.
Servant, § 24.	Not to prejudice Servant that Carries Gun for Maſter.
Owners of Ship, §. 25.	Not to prejudice Owner of Ships.
Archery, *c.* 9. §. 1.	The decay of Archery by Logating in the Fields, Slide, Thrift, and Shove-Groat.
Shooting in Long-bow, §. 2.	All except Spiritual Men and Juſtices, *&c.* ſhall ſhoot in Long-bow.
Shooting at Rovers, Mark, §. 4.	None under Twenty four to ſhoot but at Rovers, changing Mark every time, nor above to ſhoot Eleven ſcore yard, or under with Prickſhaft, nor with Ewe-bow, except worth Ten pounds *per annum*.
More of Aſh then Ewe, §. 5.	Four Bows of Aſh, Elm, *&c.* for one of Ewe.
Tranſporting Arrow-heads, §. 9.	No Alien to Tranſport Arrow-heads.
Aliens ſhooting, §. 10.	Aliens not to ſhoot in Croſs-bow.
Declaring falſe Prophecy, *c.* 14.	Felony to declare any falſe Prophecy on occaſion of War, *&c.*
Souldier purloyning, &c. Horſe or Harneſs, 2 *&* 3 *Ed.* 6. *c.* 2. §. 3.	If Souldier Serving the King, *&c.* ſell or purloyn, or alter Horſe or Harneſs, to be Impriſon till ſatisfaction to Party.
Loſt in Service, §. 5.	On Teſtimony that Horſe, *&c.* was loſt in Service, Souldier to be Diſcharged.
Souldier departing, §. 6.	Souldier in Enemies Countrey, or out of Garriſon departing without Licence, is Felony.
Diſcharging Souldier, §. 7.	Commiſſioner nor Captain ſhall not for Reward diſcharge Souldier retained by the Kings Command.
Letting Souldier depart, §. 8.	Captain forfeits Twenty pounds that lets Souldier depart without Lieutenants Writing.
Deceit of Lieutenant, §. 9.	Lieutenant taking more Wages then Souldiers or Days, or not delivering them to Maſter of Muſters, forfeits Five pounds, and Impriſon a Month.
Licence, §. 10.	No Captain to give Licence, but only Lieutenant.
Proclaiming Act, §. 11.	Lieutenant to proclaim the effects of this Act, on forfeit of Ten pounds.
Informer, §. 12.	Informer to have a Months Wages of Offender.
Calice Marches, §. 13.	Not to Infringe Government of *Calice* and Marches.
Detainer for Coat, §. 14.	Lieutenant may retain Six ſhillings eight pence for Coat of Yeoman, Thirteen ſhillings four pence of Gentleman.
Want of Number, §. 15.	None to be prejudiced for want of Number.
Lieut. Servants, §. 16.	Not to prejudice Lieutenants Servants.
Aid of Friends, §. 17.	Not to prejudice Aid of Friends, or by Covenant with Under-Tenant.
Retainer of Wages, §. 18.	Not to prejudice Retainer of Wages towards Souldiers, Victual, *&c.*
Shooting in Hand-gun in City, &c. 2 *&* 3 *Edw.* 6. *c.* 14.	None but a Baron of Parliament to ſhoot in Hand-gun in City, or on Church, or Dove-Coat, nor with more Pellots then one.
33 *H.* 8. Enrolling Shooters Names, §. 2.	Not to prejudice perſons enabled by 33 *H.* 8. *Cap.* 6. but as to Hail-ſhot; alſo Names of them that ſhoot, to be Enrolled by the Clerk of the Peace, as able Souldiers, *&c.*
Removing Patentee of Caſtle, &c. *c.* 16.	The King may remove Patentee of Caſtle, Fortreſs, Bulwark, *&c.*
Enquiry of decayed Caſtles, &c. 2 *&* 3 *Ph. & Mar. c.* 1.	Commiſſion to Enquire of decayed Caſtles, Fortreſs, *&c.* in *Northumberland*, *Durham*, &c.
Watermen abſconding, *Cap.* 16.	Single Men being Watermen, and abſconding in time of Preſs by the Kings Commiſſion for Sea-Service, excluded being ſo, §. 5. and alſo §. 8. Impriſon for Two Weeks.
Keeping Horſe, Armour, &c. 4 *&* 5 *Ph. & Mar. c.* 2.	So much of every Statute as concerns keeping Horſe and Armour, Repeal, and the Number, Rates, Proportion, and Cauſe to Charge each, *&c.*
Default at Muſters, *Cap.* 3. §. 2.	They which make Default at Muſters Command by the King, *&c.* or bring not beſt Furniture, to be Impriſon Ten days, or pay Fourty ſhillings.

Muſter-Maſter forfeits ten times what he takes to diſcharge, ſpare, *&c.*	Muſter-Maſter diſcharging, &c. §. 3.
Captain that takes for Diſcharge or Licence to depart, or pays not Coat and Conduct-Money in Ten days after received, to forfeit ten times ſo much, and yet pay the Souldier.	Captain diſcharging, &c. or not paying Coat-Money, &c. §. 4.
Juſtice of Aſſize, Peace and Leets to Determine, *&c.*	Determining, §. 5.
The Lord Lieutenant, or other Chieftain, to Determine in time of Service.	Determining in Service, §. 6.
Not to diſcharge Tenants of Covenant to diſcharge Landlord.	Tenants of Covenant, §. 7.
Captain puniſht on this Act, not to be again moleſt for the ſame.	Puniſhment not twice, §. 8.
That 2 *&* 3 *Edw.* 6. *Cap.* 2. §. 6. Repealed by 1 *Mar. Cap.* 1. §. 5. be Revived and of Force.	2 *&* 3 *Edw.* 6. 1 *M.* §. 9.
None by colour of 2 *&* 3 *Edw.* 6. *Cap.* 2. §. 17. to Levy Money or Armour, *&c.* other then to be Employed in Service of that War, *&c.*	Levying Money, Armour, &c. §. 10.
No Inhabitants of City, *&c.* that is County, or that have Juſtice of Peace by Charter, to go out, *&c.*	Inhabitants of City, &c. going out, §. 11.
All born under *French* Dominions, to depart during the War, *&c.*	French to depart, *c.* 6.
The Stat. 18 *H.* 6. *Cap.* 19. doth extend to every Mariner and Gunner that hath taken VVages to Serve on the Sea, and departs.	Mariner, Gunner, 5 *Eliz. c.* 5. §. 27.
Falſe Prophecy by reaſon of Arms to raiſe Rebellion, as by 3 *&* 4 *Edw.* 6. *Cap.* 15. to be Impriſon a year, and forfeit Ten pounds.	Falſe Prophecy, *c.* 15.
The ſecond Offence Impriſon for Life, and forfeit Chattels Real and Perſonal.	Second Offence, §. 3.
All Juſtices to Determine.	Determining, §. 4.
Offence to be proſecuted in Six Months.	Proſecution, § 5.
A Repeal of 22 *Edw.* 4. *Cap.* 4. and of 33 *H.* 8. *Cap.* 9. §. 5. as to prices of Bows.	Prices of Bows, 8 *El. Cap.* 10. §. 6.
Every Bowyer to have Fifty ready wrought.	Bowyer, §. 7.
Seller of the beſt Ewe-bow above Six ſhillings eight pence, *&c.* to forfeit Fourty ſhillings.	Selling Ewe-bow, §. 8.
All Merchants to Import Bow-ſtaves, on forfeit to King and Informer.	Importing Bow-ſtaves, 13 *Eliz. c.* 14.
Withholding Caſtle, *&c.* from the Queen, Treaſon.	Withholding Caſtle, 14 *Eliz. c.* 1.
The Queen by Commiſſion to Enquire what Tenancies ſince 27 *H.* 8. be decayed, and not able to ſerve Horſe or Foot, and Examine the Cauſes of Ruine.	Enquiry of Tenancies decayed, 23 *Eliz. c.* 4.
Rebellion, Invaſion, or Attempt againſt the Queen, to be Examined by 24, *&c.* and put to death, *&c.*	Rebellion, &c. Attempt againſt Q. 27 *Eliz. Cap.* 1.
Conveying away, or Imbezelling any Habiliments of War or Victuals to Value of Twenty ſhillings, is Felony.	Imbezelling Armour, Victual, 31 *Eliz. c.* 4.
Offence to be proſecuted in a year, and no forfeit of Lands, *&c.* nor corruption of Bloud.	Proſecution, Corruption, §. 2.
The third part of Forfeit on abſence from Church, to be to poor maimed Souldiers.	Third of forfeiture, 35 *Eliz. c.* 1. §. 11.
Pariſh to be charged with Weekly Sums for Relief of maimed Souldiers and Mariners.	Relieving maimed Souldiers, &c. *c.* 4.
Idle Wanderers in name of Souldiers and Mariners, Felons.	Idle Wanderer, 39 *El. Cap.* 17.
Maimed Souldiers to have Certificate of General of Camp, or Governour of Town, of his Service, and according to Hurt and Service and Seſſions give Penſion.	Maimed Souldier, 43 *Eliz. c.* 3. §. 8.
Juſtices of Peace may revoke Penſions aſſign, *&c.*	Penſion, §. 9.
Treaſurer may allow Soldier or Mariner Charges to place of Muſter.	Charges to Muſter, §. 10.
Treaſurer to keep Book of Receits and Diſburſments, and Fine on refuſal to Diſtribute.	Receipts, Diſburſements, §. 11.
Souldier or Mariner taken Begging, to loſe Annuity, and adjudge a Rogue.	Begging, §. 12.
Surplus to be to Charitable Uſes, Relief of Poor, *&c.*	Surplus, §. 13.
Juſtice of Peace in Cities, *&c.* and County, to proceed diſtinctly.	Proceeding, §. 14.
Forfeitures to be Employed for Relief of Souldiers and Mariners.	Forfeiture, §. 15.
Mayor, *&c.* of *London*, if Relief be not ſufficient, to Tax Pariſh, not exceeding Three ſhillings weekly.	Tax, London, §. 18.
He that keeps Hawks Licenſed at General Seſſions, *&c.* may ſhoot Hail-ſhot in Hand-gun or Birding-piece, at Fowl not prohibit.	Hawks Licenſed ſhooting Hail-ſhot, 1 *Jac.* 1. *Cap.* 27. §. 7.
Armour, *&c.* in Houſe of Popiſh Recuſant, to be ſeized.	Armour of Papiſt, 3 *Jac.* 1. *c.* 5. §. 27.
That no Commiſſion Iſſue to Execute perſons as by Martial Law.	Commiſſion to Execute perſon, 3 *Car.* 1. *p.* 1096. *Pet. of Right.* §. 10.
Admiral may Raiſe and Impreſs Mariners, *&c.* for preſent Guarding the Sea.	Impreſſing Mariner, &c. 17 *Car.* 1. *c.* 5.
Strangers and Subjects may Import Gunpowder, paying Cuſtoms.	Importing Gunpowder, *c.* 21. §. 2.
Subjects may ſell or Import Salt-petre, Brimſtone, *&c.*	Salt-petre, Brimſtone, §. 3.

Putting

Proclamation againſt Importing, §. 4.	Putting Proclamation againſt Importing, *&c.* in Execution, *Præmunire.*
Raiſing Mariners, &c. *Cap.* 22.	For Raiſing Mariners, Saylers, *&c.* ſo *Cap.* 26.
Raiſing Souldiers, *c.* 28.	For Raiſing Souldiers for Defence of the Realm.
Tranſporting Armour, 12 *Car.* 2. *c.* 4. §. 10.	Armour, *&c.* may be Tranſported.
Gunpowder, §. 11.	Gunpowder not exceeding Five pounds the Barrel, may be Tranſported.
Reſtraining Tranſportation of Gunpowder, &c. §. 12.	Proclamation may reſtrain Tranſportation of Gunpowder and Ammunition.
Diſbanding Army, *Cap.* 15.	For ſpeedy Diſbanding the Army and Gariſons of this Kingdom.
Souldier Apprentice Exerciſing, *c.* 16.	Souldiers 25 *April*, 1660. that have been Apprentices, may Exerciſe without Service, and on Suit plead General Iſſue.
Proof, §. 2.	Souldiers to prove by Certificate of Field-Officer, or two Commiſſion-Officers.
Falſe Certificate, §. 3.	Impriſonment ſix Months for falſe Certificate.
Bearing Office, &c. Corporation, §. 4.	Such Souldiers as uſe Trades in Corporation, ſhall bear Offices, *&c.*
Petition for altering Law, 13 *Car.* 2. *c.* 5.	Gaining Hands to Petition for alteration of Laws, the occaſion of War.
Soliciting Hands, &c. §. 2.	None to ſolicite, *&c.* Hands above Twenty, to King, or either Houſe of Parliament, unleſs firſt agree by Three Juſtices of Peace, or Grand Jury, or by Mayor, *&c.* in *London*, forfeit One hundred pounds, and Three Months Impriſon.
Delivering Petition, §. 3.	Not to hinder under the number of Ten, to deliver Petition, *&c.*
King diſpoſer of Militia, *c.* 6.	The King declared the ſole Supream Diſpoſer of Militia, and neither both nor either Houſe of Parliament can or ought to pretend to it.
To be under Lieutenants, §. 2.	Militia to continue under the power of Lieutenants, as now Exerciſed.
Acting ſince 24 *June*, 1660. §. 3.	All Acting under the Kings Commiſſion of Militia ſince 24 *June*, 1660. ſaved harmleſs.
County, &c. overcharge, §. 4.	Not to prejudice County or City overcharged beyond ancient proportion.
Tranſporting Subjects, §. 5.	Not to give power to Tranſport Subjects otherwiſe then by Law.
Lieutenant, §. 6.	None to Act as Lieutenant that hath not taken the Oath of Allegiance and Supremacy.
Navies and Sea-Forces, *c.* 9.	For the Government of the Navies and Sea-Forces.
Corporation Officer, &c. 13 *Car.* 2. *St.* 2. *c.* 1. §. 4.	Officers of Corporation to Subſcribe Declaration againſt taking Arms againſt the King.
Power of Militia in King, 14 *Car.* 2. *c.* 3.	Sole Supream power of Militia ever was the undoubted Right of the King.
Suppreſſing Rebellion, §. 2.	Commiſſions of Lieutenancy to Iſſue to Arm, Form, and Lead, to ſuppreſs Rebellion.
Charging Arms, §. 3.	Majority Three of Deputy-Lieutenants may charge perſons with Horſe or Foot-Arms, according to Eſtate, Five hundred pounds *per annum* a Horſe, or Six thouſand pounds and Houſe Furniſhed; Fifty pounds *per annum*, or Six hundred pounds, *&c.* Foot.
Not double, §. 4.	None to be Charged with the ſame Eſtate with Horſe and Foot.
Contributing to Horſe, §. 5.	None that hath not One hundred pounds *per annum*, to Contribute to Horſe, or Twelve hundred pounds perſonal Eſtate, Lieutenant to Examine on Oath, and Redreſs, *&c.*
Pay, §. 6.	Any Three Deputy-Lieutenants to direct Two ſhillings *per diem* for Troops, and Twelve pence for Foot.
Taxing County, §. 7.	Any Three Lieutenants, *&c.* may Tax County, not exceeding one quarter of a Months Aſſeſment of Seventy thouſand pounds *per menſem*, to be Levied as by 12 *Car.* 2. *Cap.* 29. none to be charged till reimburſement of Months Pay before, *&c.* advance on ſuddain Inſurrection, *&c.*
Carriage on March, §. 8.	Lieutenants, *&c.* may charge Carts, *&c.* to carry Ammunition, *&c.* on March.
Refuſer, §. 9.	Refuſer to forfeit not above Twenty pounds, to be Levied by Diſtreſs and Sale.
Imbezelment, §. 10.	Perſons Imbezelling Horſe, Arms, *&c.* to be Impriſon till ſatisfaction, not appearing, forfeits Twenty ſhillings Horſe, Ten ſhillings Foot.
Examination, §. 11.	Any Three Lieutenants, *&c.* to Examine all but Parties charged, on Oath.
Appointing Treaſurer, &c. Account, §. 12.	Lieutenants to appoint Treaſurer, Clerks, *&c.* to Account every ſix Weeks on Oath.
Deputy obſerve direction, §. 13.	Deputies to obſerve Directions of the Lieutenants, *&c.*
Searching and Seizing Arms, §. 14.	Any two Lieutenants, *&c.* to Employ Commiſſioner, Officer, and Conſtable, *&c.* to ſearch for Arms, and Seize where Damage is ſuſpect, no ſearch between Sun-ſet and Sun-riſe but in City.
Conſtable to Aid, Indemnity to Commiſſioners in 1661, &c.	Conſtable, *&c.* to be Aiding, and Commiſſioners Acts ſince 7 *May*, 1661. to 20 *May*, 1662. Indemnified, Notice to be given to chief Tenants, to provide on the Landlords default.

The Tenant to deduct out of Rent what he Expends, *&c.*	Tenant to deduct, §. 17.
No Peer to Act as Lieutenant till Oath taken, as mention.	Peer Lieutenant to take Oath, §. 18.
No perſon under the Degree of a Peer to Act till taking Oaths of Allegiance, *&c.*	Commiſſioner to take Oath, §. 19.
The Trained-Bands to continue as now Raiſed, till 25 *March*, 1663.	Continuing Trained-Bands, §. 20.
The ordinary times of Exerciſe and Muſters to be not above once a year General, ſingle Companies not above Four times but by the Kings ſpecial Command, to bring Ammunition, *&c. viz.* at General Muſter.	Exerciſe, Muſter, §. 21.
The Militia of the Iſle of *Purbeck*, to remain as it is ſeparate from *Dorſet*.	Militia of Purbeck, §. 22.
On apparent danger in three years, the King from 25 *March*, 1662. may raiſe, not exceeding Seventy thouſand pounds one year, to be Levied as by 13 *Car.* 2. *St.* 2. *Cap.* 3.	King Raiſing Money, §. 23.
Conſtables, *&c.* ſhall be Reimburſt Moneys laid out for Arms before 1660.	Reimburſing Conſtable, §. 24.
None charged with Horſe or Foot, to be compelled to ſerve in perſon, but find Souldier, who being Liſted, forfeits Twenty pounds if he deſert Service.	Finding Souldier deſerting, §. 25.
Not to put any new charge of Arms on Tinners in *Devon* and *Cornwall*.	Tinners, Devon, Cornwall, §. 26.
Lieutenants, *&c.* of *London* may Liſt Train-Bands and Auxiliaries, as uſed.	Liſting Train-Bands, London, §. 27.
None that have uſed to be Trained within Precinct, to be compelled out, *&c.*	Compelling out of Precinct, §. 28.
None to alter Agreement between the Landlord and the Tenant, *&c.*	Agreement between Landl. & Tenant, §. 29.
Not to alter the Militia of the *Iſle of Wight*.	Wight Militia, §. 30.
Conſtable or Lieutenant of the *Tower* may Levy Trained-Bands of Hamlets, as uſe.	Levying Trained-bands Tower, §. 31.
Not to give power to Tranſport any Subject otherwiſe then by Law.	Tranſporting Subject, §. 32.
Peer to be charged by ſpecial Commiſſion to Twelve, or any Five, according to former Powers, Impriſonment only except.	Chargin Peer, §. 33.
Before Admiſſion, all Eccleſiaſtical perſons to Subſcribe Declaration againſt taking Arms againſt the King.	Eccleſiaſtick ſubſcribe Declaration againſt Arming againſt K. *Cap.* 4. §. 8.
Sale of Delinquents Eſtates for Maintenance of Vicarage, Preaching Lecturers, *&c.* and Securities thereof void.	Selling Delinquents Eſtates, *c.* 25.
For Explaining 14 *Car.* 2. *Cap.* 3. Lieutenants, Deputies, or two, to Lead, Train, *&c.*	Leading, Training, 15 *Car.* 2. *c.* 4.
Party Charged forfeits Five ſhillings, if he allow not Two ſhillings ſix pence *per diem* to Trooper, and One ſhilling Foot, in ſix Weeks, *&c.*	Allowing Wages, §. 2.
Refuſal to provide Foot and Arms Charged, forfeits Five pounds.	Refuſal to provide, §. 3.
Any three Lieutenants, *&c.* to require Conſtable to furniſh Foot-Arms, on forfeit of Fourty ſhillings.	Conſtable furniſhing Foot-Arms, §. 4.
Refuſal to find Foot-Souldier, or pay for Arms, *&c.* Diſtreſs and Sale, *&c.*	Refuſal to find, §. 5.
Horſemen to pay yearly One ſhilling to Muſter-Maſter, Foot Six pence, Diſtreſs and Sale.	12 d. Horſe to Muſter-Maſter, §. 6.
At Training, Muſquet to have half a pound of Powder, and half a pound of Bullets, and Three yards of Match, Horſe one quarter of a pound each, on forfeit of Five ſhillings.	Powder, Bullet, Match for Muſquet, §. 7.
Troop or Company to be kept fourteen days in a year on Duty, and no longer.	Fourteen Days Duty, §. 8.
Commiſſioned Foot-Officer in Train-Bands or Militia, Exempt from Contribution.	Contribution, Foot-Officer, §. 9.
Conſtable, *&c.* to forfeit Fourty ſhillings on neglect in Levying Arrears, *&c.*	Levying Arrears, §. 10.
Trooper or Foot-Souldier to be liable to Penalties, as 14 *Car.* 2. *Cap.* 3.	Penalty, 14 *Car.* 2. §. 11.
Any Three Lieutenants may diſpoſe of Tax of a Fourth part of Seventy thouſand pounds a Month to Inferiour Officers.	Diſpoſing a fourth part of Tax, §. 12.
Party ſued, to plead General Iſſue, and have double Coſts.	Defendants Plea, §. 13.
Suit to be in the proper County, and within ſix Months after Cauſe.	Suit in proper County, §. 14.
That the Clauſe 13 *Car.* 2. *Cap.* 6. §. 3. do Indemnifie from 2 *Febr.* 1659. to 24 *June*, 1660.	Indemnity, §. 15.
Forfeitures to be Levied by Warrant of Three Lieutenants, *&c.* or Impriſonment.	Forfeitures, §. 16.
Demoliſhing of Walls and Fortifications of Cities, *&c.* Indemnifie ſince 25 *March*, 1662.	Demoliſhing Fortifications, &c. of Cities, Indemnified, §. 17.
None of Two hundred pounds *per annum*, or Two thouſand four hundred pounds Perſonal, to be Charged with Foot, and One hundred pounds *per annum*, or One thouſand two hundred pounds to Foot, or proportion of Horſe at pleaſure, not to alter the Charge in Corporation, *&c.*	Charge to Foot or Horſe, § 18. Not to alter Corporation.

Lord Warden Cinque-ports, §. 19.	Lord Warden of the Cinque-Ports there to Execute this Act, and none Charged to County, *&c.*
Wellend in Stamford, §. 20.	*Welland* in *Stamford Barton*, to be Charged by Lieutenants of County of *Lincoln*.
Veſtry men to ſubſcribe Declaration, *c.* 5. §. 3.	Select Veſtry-men to Subſcribe Declaration againſt taking up Arms.
Clergy taken from Imbezeller, 22 *Car.* 2. *Cap.* 5. §. 3.	Clergy taken away from Imbezellers of Stores, *contra* to 31 *Eliz.* 4.
Poll for War, &c. 29 & 30 *Car.* 2. *Cap.* 1.	A Supply by Poll to Enable the King to Enter Actual War againſt *France*.
Supply to Disband Army, 30 *Car.* 2. *c.* 1.	A Supply, *&c.* for Disbanding the Army, *&c.*
Supply to Disband Forces, 31 *Car.* 2. *c.* 1.	A Supply, *&c.* for Paying off and Disbanding the Forces Raiſed ſince 29 *Sept.* 1677.
Quartering Soldier, §. 54. *N.* 2.	No Soldier ſhall be Placed or Quartered, or Billeted on any Inhabitants without Conſent.
Importing Ammunition or Utenſils of War, 1 *Jac.* 2. *Cap.* 8. §. 2.	Importation without Licence of Ammunition or Utenſils of War, *&c.* prohibited, on Forfeiture of the Goods, and treble value thereof.
Licence for Making or Importing Ammunition or Utenſils of War, &c. §. 3.	Obtaining and Executing Licence, *&c.* for ſole Making or Importing Ammunition or Utenſils of War, *&c.* (Except Publick Stores) to incur a *Præmunire*, *&c.*
Reviver, *Cap.* 11.	Reviver of 13 & 14 *Car.* 2. *Cap.* 20. for ſeven years.
Reviver, *Cap.* 17. §. 12.	Reviver of 22 & 23 *Car.* 2. *Cap.* 23. for ſeven years.
Puniſhing Mutineers, 1 *W & M. Seſſ.* 1. *c.* 5.	An Act for puniſhing Mutineers and Deſerters from Their Majeſties Service.
Cap. 8.	Touching Military Officers taking of Oaths, *Vide* Title *Oaths*.
Standing Army, *Seſſ.* 2. *Cap.* 2.	Standing Army in time of Peace without Conſent of Parliament illegal.
Proteſtants Armed. *Ibid.*	Proteſtant Subjects to have Arms for their Defence.
Puniſhing Mutineers, Deſerters, Falſe Muſters, detaining Pay, *Seſſ.* 2. *Cap.* 4.	An Act for puniſhing Mutineers and Deſerters, Falſe-Muſters, and detaining pay, and for Regulating and Directing the Quartering Soldiers, and Paying Quarters, to continue till *Decemb.* 1690.
Quartering Soldiers, 2 *W & M. Seſſ.* 2. *c.* 6.	And accordingly is 2 *W & M. Seſſ.* 2. *Cap.* 6. to continue till *Decemb.* 1691.
Militia for 1691 & 1692. *Cap.* 12. 3 & 4 *W & M. Cap.* 7.	For Raiſing the Militia for the years 1691. and 1692. (although one or more Months pay formerly advanced be not repaid.)
Tranſporting Arms, &c. into France, *Cap.* 13.	Tranſporting, *&c.* Utenſils of War into *French* Kings Dominions during preſent VVar, High Treaſon.
Militia, 1693. 4 & 5 *W & M. Cap.* 6.	An Act for Raiſing the Militia for the year 1693. although one or more Months Pay formerly advanced be not reimburſed.
Puniſhing Mutineers, &c. *Cap.* 13.	An Act for puniſhing Mutineers and Deſerters, and Falſe Muſters and for payment of Quarters.
§. 2.	Mutineer, or Deſerter, or Soldier Liſted, Liſting himſelf in another Regiment without a Diſcharge, puniſhable by Court Marſhal.
Commiſſion for Court Marſhal, and to whom, §. 3.	Their Majeſties or General to Grant Commiſſions to Officers (not under Field Officer, or Commander in Chief of Gariſon) to call Court Marſhals.
Court, of how many, and whom to conſiſt, and Preſident who not to be, §. 4.	Court Marſhal not to conſiſt of fewer than Thirteen, none to be under Commiſſion Officer, nor Preſident not under Field Officer, or Commander in Chief of Gariſon.
Field Officer, by whom Tryable, §. 5.	Field Officer to be Tryed by none under Captain, and Courts Marſhal may Adminiſter an Oath.
None exempt from Law, §. 6.	Officer or Soldier not to be Exempt from Proceſs of Law.
Militia except, §. 7.	Not to Extend to the Militia.
Continuance, §. 8.	To continue till 1 *March* 1693.
Sentence by whom, proceedings when, §. 8. Officers Oath at Tryal.	In Capital Caſes Officers to be ſworn, and Sentence to be by Concurrence of Majority not under Nine, and proceedings to be between Eight and One. The Oath.
Untrue Certificate to Excuſe Muſter, &c. §. 10.	Making or Procuring untrue Certificate to excuſe Muſter, or other Service, forfeits 50 *l.* and Caſhiered, *&c.*
Falſe Muſter, §. 11.	Officer making Falſe Muſter, or allowing Roll containing Falſe Muſter, or Duplicate, to be Caſhiered, *&c.* and Forfeit 100 *l.*
Giving Notice to Magiſtrate of Muſter, &c. §. 12. Muſter Roll not Signed by Magiſtrate.	Notice of Muſter to be given to chief Magiſtrate of the Place, who ſhall be preſent; and neglecting Notice, or refuſing Magiſtrates Aid, forfeits 50 *l.* and diſcharged, and Muſter Roll not Signed by Magiſtrate, not to be allowed.
Perſon falſly Muſtered, or offering, §. 13. Horſes Lent.	Perſon falſly Muſtered, or offering himſelf ſo to be, ſhall be commit to Houſe of Correction, and have his Ear cut off; and Horſes lent to Muſter to be forfeit, or the Lender to Forfeit 20 *l.*
Forfeitures how Diſpoſed and Levied, §. 14.	Forfeitures to be to Informers, and paid out of Arrears of Offenders Pay; and if none, his Goods to be ſeized and ſold, rendring overplus; and if no Goods, himſelf commit; and Informer diſcharged Service if demanded.

Detaining Pay, or refuſing duly to pay Common Soldiers at certain Rates, Diſcharge, and Forfeiture of 100 *l.* and Informer diſcharged Service, if demanded. The Rates ſet.	Detaining Pay, §. 15
Commander at Muſter to certify perſons abſent, *&c.* and if falſe, to ſuffer Penalties for Falſe Muſters.	Certifying Abſenter, §. 16.
Officer Muſtering Servant, or any by a wrong Name, to ſuffer Penalties for Falſe Muſters.	Muſtering Servant, &c. §. 17.
Soldiers may be quartered in any but private Houſe; no more Billets than Soldiers; Owner of Private Houſe having Soldiers quartered without conſent, to have remedy at Law; Military Officer Quartering otherwiſe, or uſing menace or compulſion to Civil Officer, to be Caſhiered, *&c.*	Quartering Soldiers, where and how, §. 18.
Soldiers Quartered to pay Prices for Proviſions ſet by Juſtices at Quarter Seſſions, and Juſtices of Peace to ſet Rates upon March, and for firſt Night where Reſident.	Prices of Proviſions, §. 19.
Officer taking Money for excuſing Quartering, to be Caſhiered, *&c.*	Excuſing Quartering, §. 20.
No Fees to be taken, nor unuſual Deductions made, and the Twelve pence in the Pound to be diſpoſed by Their Majeſties; and the One days pay in the year for *Chelſey* Hoſpital.	Fees, Deductions out of Pay. The 12 d. in the pound. One days pay in year, §. 21.
This Act to be Read at Head of Regiment, Troop, or Company at Muſter.	Reading this Act at Muſter, §. 22.
Officer on Receipt of Pay, or Subſiſtance, to give Notice to Inn-keepers and others, to repair to his Quarters at a certain time, *&c.* and pay them off firſt.	Paying Quarters, §. 23.
Provided their Accounts exceed not certain Rates, and if no Notice, nor Payment, Pay-maſter to pay the ſame out of Officers Arrears; and if none, to deduct out of the next Pay or Subſiſtance, and Officer Caſhiered. And where Quarters cannot be paid, Officers before departure to make up Accompts, and Paymaſter to pay; All on pain of being Caſhiered. Rates ſet.	Paying Quarters.
Forces not to be Muſtered in *Weſtminſter*, or *Southwark*, but in preſence of Two Juſtices of Peace, not Officers, under penalty above.	Weſtminſter, Southwark, §. 24.
This Act to extend to *Jerſey* and *Guernſey*, as to Muſtering and Paying.	Jerſey, Guernſey, §. 25.
Cloaths, Arms and Accoutrements of War to be bought in *England*, and Offender therein Caſhiered.	Accoutrements, §. 26.
Muſter Rolls to be cloſed on the place, and one Roll returned Pay-maſter General next day, or Poſt, on forfeiture of Imployment.	Cloſing and Returning Muſter Roll, §. 27.
Juſtices of Peace upon Order to Iſſue Warrants for Carriages, and Officer to pay down certain Rates; Military Officer forcing Carriages, not diſcharging them in due time, ſuffering any to Ride (except ſick) Forcing Saddle Horſes, to Forfeit 5 *l.* The Rates ſet.	Carriages, &c. §. 28.
Officers Quartering Wives, Children, or Servants, againſt Owners Conſent, if Military, to be Caſhiered, if Civil to forfeit 20 *s.*	Quartering Wives, Children, Servants, §. 29.
For deſtroying Game, Officer to forfeit 5 *l.* and Chief Officer on the Place for his Soldiers offence 10 *s.* to the Poor, and for Non-payment. Officers Commiſſion void.	Deſtroying Game, §. 30.
Pay-maſter General and Colonel to ſtate Accompts, and each Captain to have an Account what appertaineth to him, his Troop, or Company, *&c.* and what ſhall be done thereupon, And Penalties on Offender.	Stating Accounts, §. 31.
Warrant to take off Reſpits from Muſter-Rolls not allowable, unleſs Counterſigned by Commiſſioners of Treaſury, *&c.*	Reſpits, §. 32.
Penalty on Perſons not qualified keeping Bows, *&c.* for deſtroying Game, and how to be Diſpoſed and Levied.	Deſtroying Game, *Cap.* 23. §. 3.
Reviver of 13 & 14 *Car.* 2. *Cap.* 20. for ſeven years.	Reviver, *Cap.* 24.
Reviver of 4 & 5 *W & M. Cap.* 13. till 1 *March*, 1694.	Reviver, 5 & 6 *W & M. Cap.* 15.
None to be a Liſted Land Soldier, that ſhall not before a Juſtice of Peace, *&c.* firſt have declared his Conſent to be Liſted, and Officer offending to incurr Penalty as for Falſe Muſter.	Liſting Land Soldier, §. 2.
A Certificate thereof to be given Officer *gratis*, and produced to Muſter-Maſter, and Regiſtred, *&c.* and a Duplicate delivered at Quarter Seſſions, to be Recorded without Fee.	Certificate of Liſting, §. 3.
Proof of Falſe Muſter againſt 4 & 5 *W & M. Cap.* 13. may be made before Juſtice of Peace of County, *&c.* where Offender taken, or firſt accuſed.	Proof of Falſe Muſter, §. 4.
Salt Petre may be imported from Places in Amity for one year, in Ships *Engliſh* built.	Importing SaltPetre, *Cap.* 16.
But not to be ſold at above 70 *l. per* Tun, not exceeding 18. *per Cent.* refraction, on Penalty of	Price, §. 2.

Duties.	50 *l. per* Tun; and to pay ſame Duty, as if Imported from *Eaſt-Indies*.
Mingled, §. 3.	If mingled and ſold at above Seventy pounds *per* Tun, *&c.* the Sale to be againſt this Act.
Militia for 1694. *c.* 19.	An Act for Raiſing the Militia for the year, 1694. although the One Months pay formerly advanced be not Repaid.
Tranſport-Ships for Ireland, *c.* 23. §. 4.	Commiſſioners for Publick Accounts, to adjuſt Debts due for Tranſport-Ships for *Ireland*, and prepare a Stated Account againſt next Seſſion.
Offence againſt 13 *Car.* 2. *Cap.* 25.	Offences againſt 13 *Car.* 2. *Cap.* 9. determinable in Kings Bench, or before Juſtices of Oyer and Terminer.
Where may be laid, §. 2.	Where done out of Realm, may be laid in County within the Realm.
None twice Tryed, §. 3.	None to be Tryed in both Courts for ſame Offence.
Continuance.	To Continue for Three years.
Reviver, 6 & 7 *W.* 3. *Cap.* 8. §. 2. **Computation of times.**	Reviver of 4 & 5 *W & M. Cap.* 13. for One year, and Commencement of time between certain days how to be accounted.
Reviver, §. 3.	Reviver of 5 & 6 *W & M. Cap.* 15. for One year.
Officer belonging to Preſident of Court-Marſhal, §. 4.	No Officer belonging to Preſident of General Court Marſhal to Sit or Vote in any Tryal.
Officer taking Money to Excuſe Quarters, &c. §. 5.	Officer taking Money of Innholder, Victualler, *&c.* to Excuſe Quartering, or Proviſions, to enter into Recognizance before Juſtice of Peace to appear at Kings Bench to anſwer Actions; Plaintiff to recover double Damages and Coſts, and Officer Caſhiered and incapable.
Buying and ſelling Commiſſions, §. 6.	Officer before Muſtred or Commiſſion Regiſtred, to ſwear that his Commiſſion was not bought, *&c.* the Oath preſcribed, and before whom to be taken, and a Memorandum thereof to be Entred.
Magiſtrate in L. W. or S. neglecting Muſter, §. 7.	Magiſtrate in *London*, *Weſtminſter*, or *Southwark* wilfully neglecting to be preſent at Muſter, forfeits Five pounds.
Liſting before Pety Conſtable, §. 8.	Liſting Land-Souldier before Pety Conſtable, void.
Giving Security on receit of Money from Pay-maſter, §. 9.	Paymaſter not to pay Money to Agent, Clerk, or other Authorized by Colonel or Commander, till Security given for anſwering Sums received, and due Iſſuing the ſame. A Memorandum to be Entred of the Security.
Lending Money, §. 10.	No Colonel, Officer or Agent in Account to be allowed Sums lent Officer or Soldier.
Paying Quarters, §. 11.	Pay-maſter on Juſtice of Peace's Certificate to pay Quarters out of Subſiſtance-Money.
8 d. per Night Hay in L. W. or S. §. 12.	Horſe Quartered in *L. W. S.* or Bills of Mortality, and having Pay advanced, to pay Eight pence *per* Night for Hay.
Officers in Market-Towns to have theſe Acts at 1 d. *per* Sheet, §. 13.	Chief Officers in Cities and Market-Towns to provide themſelves of this Act, and of 4 & 5 *W & M.* for which, with Marginal Notes, to pay One peny *per* Sheet.
Ibid.	Conſtable providing to be Reimburſed.
Militia, 1695. *Cap.* 13. §. 2.	An Act for Raiſing the Militia for the year, 1695.
2 & 3 *Edw.* 3. *c.* 14. **ſhooting Hail-ſhot, §. 3.**	Repeal of 2 & 3 *Edw.* 6. *Cap.* 14.

Warranty.

Guarranty, Voucher, Counter Plea de Voucher.

Counterplea, 3 *Ed.* 1. *Cap.* 39. *W.* 1.	Voucher in Writs of Poſſeſſion is Counterplead by Averment the Tenant was the firſt that Entred, in Writs of Degrees, that Tenant, nor, *&c.* were never Seized, ſaving *Warrantia Chart.* higher.
Aid del Roy, 4 *Ed.* 1. *Cap.* 1. *De Bigamis.*	By the King on Feoffment is ſufficient for *Aid Del Roy*, and Juſtices ſhall not proceed without the Kings command.
Aid del Roy, *c.* 2.	By the Kings Confirmation, Grant, or Surrender, Aid ſhall be of him, but on Advertiſement of the King, they may proceed without delay.
Dedi & Conceſſi, *c.* 6.	*Dedi & Conceſſi*, to hold of Feoffor binds Heir to it, *contra* to hold of the Chief Lord, but both bind Feoffor.
Tenant per Courteſie value reſummons, 6 *Ed.* 1. *c.* 3. *Glouc.*	Of Tenant by the Courteſie ſhall bar Heir but to the Value of the Aſſets deſcend, which on after Deſcent may be reſummoned.
Foreign Voucher, London, *c.* 12.	Execution for the Value of the Land on Foreign Voucher in *London*, ſhall be Award by the Juſtices.
Summons to Huſtings, 9 *Ed.* 1. *p.* 33.	On Default before the Juſtices, a Pety Cape ſhall be to the Mayor and Bayliffs of *London* to Summon Tenant to Huſtings, and to give Judgment on Default.

May be Vouched by Recoverer in *Quod ei deforceat*, by Tenant in Dower on Judgment againſt Huſband by Default.	**Recoverer in** Quod ei deforceat, **Tenant in Dower,** 13 *Ed.* 1. *c.* 4. *W.* 2.
On denial ſhall loſe the Land of Warrantor to the Demandant.	**Denial,** *c.* 6.
Averment that Vouchee hath nothing good, whether preſent and ready to Warrant, or abſent.	**Vouchee** nil habet, *&c.* 20 *Ed.* 1. *p.* 58. *Of Voucher.*
The Demandant may alledge there is no ſuch Vouchee, or that he is dead.	**Null till Vouchee,** &c. 14 *Ed.* 3. *c.* 18.
Archbiſhop, *&c.* that have the Kings Covenant, *&c.* to enjoy Penſions, *&c.* ſhall be Diſcharged on ſhewing the ſame in any Court, *&c.*	**Diſcharge by Kings Covenant,** 34 & 35 *H.* 8. *c.* 19. §. 6.

Warrens, ſee *Foreſt*.
Counteſs of Warwick, ſee *Deviſe*.

Waſte.

Deſtruction, Spoil, Eſtrepement.

Shall not be done by Guardian, Sheriff, or Committee of Ward to Men or Goods, but only reaſonable Iſſues, Cuſtoms, and Services taken, on Forfeiture to be Aſſigned to others.	**Guardian, Sheriff, Committee,** 9 *H.* 3. *Cap.* 4. *Magna Chart.*
The Heirs ſhall have their Houſes, Parks, Ponds, *&c.* as received, and in the mean time maintained with Iſſues; ſo of Archbiſhop, Biſhop, Abbey, Priors, Churches and Dignities Vacant that belong to the King.	**Maintaining Inheritances of Wards, Biſhopricks,** &c. *Cap.* 5.
Shall not be done by Guardian in Soccage, nor Sale, nor Deſtruction, but an Account of Iſſues at his lawful Age.	**Guardian in Soccage,** 52 *H.* 3. *c.* 17. *Marl.*
Done during term by Farmer, ſhall be grievouſly Amerced, and pay full Damage; ſo for Exile in Houſe, Woods, or Men without Licence by Deed.	**Farmer,** *c.* 23.
Lands of Ward ſhall be ſuſtained without deſtruction of any thing by Guardian, ſo of Church in Vacation.	**Suſtaining Lands of Ward, Church,** &c. 3 *Ed.* 1. *c.* 21. *W.* 1.
Againſt Tenant *per* Courteſie for Life, Years, or in Dower, and treble Damages, with Recovery of place waſte, and if loſs of Ward be not ſufficient, Guardian ſhall render Damages.	**Tenant per Courteſie for Life, Years, Dower, Guardian,** 6 *Ed.* 1. *Cap.* 5. *Glouc.*
Shall not be done by Tenant pending a Writ.	**Pending Writ,** *c.* 13.
Shall be Enquired by Sheriff at a place waſted on Default after an Attachment, and Diſtreſs, and Judgment thereon, and no Prohibition.	**Enquiry by Sheriff,** 13 *Ed.* 1. *c.* 14. *W.* 2.
By one Tenant in Common againſt the other, and Elect to take in Severalty by Aſſignment, by Oath of Neighbours, or to take as the other Partners do.	**Tenant in Common,** *Cap.* 22.
Heir ſhall have Waſte as well for what is done in Anceſters time, as in his own.	**Heir,** 20 *Ed.* 1. *p.* 57. *Stat. Waſte.*
Lieth againſt Eſcheator or Sub-eſcheator of Wards Lands.	**Eſcheator,** 28 *Ed.* 1. *c.* 18. *Artic. ſuper Chart.*
The King ſhall not do Waſte nor Deſtruction in Ideots Lands.	**Ideot,** 7 *Edw.* 2. *c.* 9. *Prerogat. Reg.*
Shall not be done by Eſcheators, Action lieth againſt Guardian; ſo 36 *Edw.* 3. *Cap.* 13.	**Eſcheator, Guardian,** 14 *Edw.* 3. *c.* 13.
Lieth againſt Leſſee that takes Profits to his own uſe, notwithſtanding Aſſignment over.	**Leſſee,** 11 *H.* 6. *c.* 5.
Againſt Guardian by Heir of *Ceſtui que uſe*.	**Guardian Heir of** Ceſtui que uſe, 4 *H.* 7. *c.* 17.
Recoverers on feigned Title may have Waſte againſt Termor, Executors, or Aſſignees.	**Recoverers on feigned Title,** 21 *H.* 8. *c.* 15. §. 3.
Lieth by Aſſignees againſt Termor, *&c.*	**Aſſignee, Termor,** 32 *H.* 8. *c.* 24.

Watch.

Lodgers, Freſh-Suit, Hoſtler.

Walled Town ſhall be ſhut all Night, Lodgers in Suburbs Enquire after every Fifteen days, from *Aſcenſion* to *Michaelmas*, Six at every Gate of the City, Twelve in Borough, Six or Four in Town all Night to Arreſt Strangers ſuſpect, and on Reſiſtance to Levy Hue and Cry.	**Walled Town, Lodgers, Strangers,** 13 *Ed.* 1. *Stat.* 2. *c.* 4. *Winch.*
If kept as in Stat. *Winch.* 13 *Edw.* 1. *St.* 2. *Cap.* 4. and all other Articles of it to be Enquired.	**Enquiry,** 3 *Ed.* 1. *p.* 71. *Art. on Winch.*
Roberdſmen, Waſters, and Draw-latches, Night-walkers, and Men of evil Suſpicion, ſhall be Arreſt Day or Night till duly delivered, and Sheriffs ſhall Enquire.	**Arreſting day or night, Enquiry,** 5 *Edw.* 3. *Cap.* 14.
Shall be on the Sea-Coaſts as at Land, and Juſtices of Peace to Enquire of and puniſh Defaults.	**Sea-Coaſt puniſhing Default,** 5 *Edw.* 4. *Cap.* 3.
Lodgers Imbezelling, *&c.* Goods they were to uſe in Lodgings, to ſuffer as Felons.	**Lodgers,** 3 & 4 *W & M.* *Cap.* 9. §. 6.

Water-men, ſee *Sewers*.
Wax, ſee *Trades*.
Weavers, ſee *Drapery*.
Wears, ſee *Sewers*.

Weights.

Meaſures, Aver du Poys, Auncel, Troy.

Weights, 9 *Hen.* 3. *c.*25. *Mag. Chart.*	It ſhall be of Weights as it is of Meaſures, one throughout the Realm.
Aſſize of Bread, &c. 51 *Hen.* 3. *pag.* 10. *Aſſ. Pan. & Cerviſ.*	The Aſſize of Bread, Waſtel, Cocket, Symnel, and Treet, may be according to the middle Price of Wheat, out of Cities and Towns Three Gallons ſell as Two do within, not to be altered, *&c.*
Engliſh Sterling, §. 2.	The *Engliſh* Sterling Peny ſhall weigh Thirty two Wheat-Corns in the middle of the Ear, and Twenty pence do make an Ounce, Twelve Ounces a pound, Eight pounds a Wine Gallon, and Eight Gallons of Wine a *London* Buſhel, which is the Eighth part of Quarter; ſo 31 *Ed.* 1. *p.* 68. *Ordin. of Meaſures.*
Aſſize on Oath, 51 *H.*3. *St.* 6. *pag.* 13. *Pillory & Tumbrel.*	Of Bread ſhall be Aſſized on Oath according to Price of Wheat, 1, 2, and 3. Rate.
Changing Aſſize, *Incert. temp. Cap.* 1. 17 *Ed.* 2. *pag.* 85. *Cap.* 8.	Aſſize of Bread ſhall not be changed above Six pence in ſale of Quarter of Wheat Increaſe or Decreaſe.
Want of Weight in Bread.	If Farthing want in Two ſhillings ſix pence, or under, ſhall be Amerced, if more, Baker ſhall ſtand in the Pillory, and not buy it off.
Selling Grain, *Cap.* 9.	No Grain ſhall be ſold by the Heap or Cantel, except Oats, Malt, and Meal.
Auncel Weight, 14 *Ed.* 3. *Cap.* 12.	The Treaſurer ſhall ſend Standards of Weights of Auncel into every County, not to Ouſt Clerks of Markets, or Lords of Franchiſe.
Commiſſions to Aſſay, 18 *Ed.* 3. *St.* 2. *c.* 4.	All Commiſſions to Aſſay them Repealed.
Auncel Weight deceitful, even Balance, Wooll, 25 *Ed.* 3. *St.* 4. *c.* 9.	The Auncel Weight deceitful, and all Buyers and Sellers to uſe even Balance, a Sack of Wooll Twenty ſix Stone, every Stone fourteen pounds, according to Standard of Exchequer, and that Beam lean not more one way then another.
Plate and Money in Mint, *Cap.* 20.	Plate ſhall be ſo received in the Mint, and Money ſo delivered out, not by number.
Throughout Land, 27 *E.* 3. *St.* 2. *Cap.* 10. *Stat. Staple.*	There ſhall be one throughout all the Land, within Staple and without, an even Balance without bowing, or touch.
Wooll, 31 *Ed.* 3. *c.* 2.	For Wooll, the Sack, half Sack, and Quarter, and Pound, half and Quarter, ſhall be according to Standard of Exchequer ſent into all Counties.
Sack of Wooll, *Cap.* 8.	A Sack of Wooll is to be Twenty ſix Stone, at ſixteen Pounds a Stone.
Enquiry, 34 *Edw.* 3. *Cap.* 5.	Keepers of Peace ſhall have power to Enquire of Meaſures and Weights, that they be according to 25 *Ed.* 3. *St.* 4. *Cap.* 9.
Same in all places, Lancaſter Wooll, Packing, 13 *R.* 2. *c.* 9.	Shall be the ſame in all Places, but *Lancaſter* Wooll but fourteen Pounds the Stone, and no Contract for good Packing, or Impriſonment and double Damages.
Statutes confirmed, 14 *Rich.* 2. *Cap.* 11.	Former Statutes Confirmed.
Signing, Marking, 16 *Rich.* 2. *Cap.* 3.	Shall be Sign'd and Mark'd by Clerk of the Market, according to the Standard of Exchequer.
Gilding Sterling, ſelling, Rate, 2 *Hen.* 5. *Stat.* 2. *Cap.* 4.	Goldſmiths ſhall Gild only Sterling, and ſell that for Two pounds ſix ſhillings eight pence a Pound *Troy* at moſt, and ſo *Pro rata.*
Gold in Mint, payment, 9 *Hen.* 5. *Cap.* 11.	Shall be of Gold at the Mint, and no other received in Payment.
Gold Weights in Cities, 9 *H.* 5. *St.* 2. *c.* 7.	Of Gold ſhall be ſent to every City.
Enquiry, *Cap.* 8.	Enquiry and puniſhment of falſifiers of Weights.
Confirmat. Statutes, Journey-Choppers, Auncel Weight, Common Balance Sealed, Preſage, Examination, 8 *Hen.* 6. *Cap.* 5.	A Confirmation of former Statutes, 13 *Rich.* 2. *Cap.* 9. and further to deſtroy the falſhood of Journey-Choppers, or Regrators of Yarn, and the Auncel Weight, a Common Balance Sealed by Standard of Exchequer, ſhall be in every City, Borough and Town, at which all ſhall weigh, taking of Foreigners, a Farthing within Fourty pounds, and a Half-peny for Draught between Fourty pounds and One hundred pounds, and between One hundred pounds and One thouſand pounds, a Peny at moſt, Juſtice of Peace to Examine on forfeit of Ten pounds a City, Five pounds a Borough, and Town that hath a Conſtable, Fourty ſhillings.
8 *Hen.* 6. Dorcheſter, 9 *Hen.* 6. *Cap.* 6.	The Stat. 8 *H.* 6. *Cap.* 5. gives no Right to any, yet the Priviledge of *Dorcheſter* ſaved twelve Miles about, ſo they weigh Standard.
Cheeſe, *Cap.* 8.	A Weigh of Cheeſe to contain thirty two Cloves, every Clove ſeven Pounds.
8 *H.* 6. London, 11 *H.* 6. *Cap.* 8.	A Confirmation of 8 *Hen.* 6. *Cap.* 5. and that Mayor of *London*, and elſewhere, be Sworn to Execute the ſaid Statute, and Account into Exchequer.
Wax, *Cap.* 12.	A pound of Wax Six pence, and Candle, Image, and Figure Three pence more, on Forfeiture by Chandler.

Gean, *Florence*, and *Venice* Gold, ſhall be twelve Ounces the Pound.	**Gold**, 4 *Hen.* 7. *Cap.* 22.
Shall be of Braſs, and ſent into every City.	**Braſs Weights**, 7 *H.* 7. *c.* 4
Sent into ſeveral Cities and Towns named as ſtandard for the reſt, Fourteen pounds a Stone of VVooll, and ſixteen Pounds a Sack, Juſtice of Peace to Determine Differences.	**Standard Wooll**, 11 *Hen.* 7. *Cap.* 4.
A Buſhel Eight Gallons, each eight Pounds *Troy*, each twelve Ounces, each twenty Sterlings, each thirty two Corns of VVheat in the midſt of the Ear, and no other VVeights.	**Buſhel, Gallon, Pound, Ounce**, &c. 12 *Hen.* 7. *Cap.* 5.
Braſs and Pewter ſhall not be ſold by uneven VVeights.	**Braſs, Pewter**, 19 *Hen.* 7. *Cap.* 6.
Of Raw Ruſſet Straits of *Devonſhire*, to be fourteen Pounds, or forfeit.	**Ruſſet Straits Devonſhire**, 6 *Hen.* 8. *c.* 8.
That Twenty pounds ſhall be account to the Sone of Cable Hemp.	**Cable-Hemp**, 21 *H.* 8. *Cap.* 12. §. 4.
Of *Welſh* Freezes, Cottons, *&c.*	Welſh **Freeze**, &c. 24 & 35 *Hen.* 8. *c.* 11.
The weight of ſeveral ſorts of Cloths and Stuffs Fulled, VVatered, Scowred, and Dried.	**Cloths, Stuffs, Fulled**, &c. 5 & 6 *Ed.* 6. *c.* 6.
Of ſeveral Cloths and Stuffs therein named.	**Cloths Stuffs**, 4 *J.* 1. *c.* 2
One according to Standard of Exchequer to be throughout *England.*	**Standard**, 17 *Car.* 1. *Cap.* 19. §. 2.
Kilderkin of Butter to be One hundred and twelve pounds neat, each ſixteen Ounces, beſide Tare of Caſk, Firkin, fifty ſix Pounds, and Pot fourteen Pounds, beſide the weight of Caſk and Pot.	**Butter**, 14 *Car.* 2. *c.* 26. §. 2.
Cheeſemonger to deliver the true Quantity and Quality.	**Cheeſemonger**, §. 3.
No Repacking of Butter to ſell again.	**Repacking**, §. 4.
Farmer to ſet Mark of Surname at length on Caſk, *&c.*	**Surname Marking**, §. 5.
Suit to be in four Months after Sale of Butter.	**Suit**, §. 7.
Of Scotch-Coal is One hundred and twelve pounds *Aver du poys* to the Hundred.	**Scotch-Coal**, 16 & 17 *Car.* 2. *Cap.* 2.
Reviver of 16 & 17 *Car.* 2. *Cap.* 2. for ſeven years.	**Reviver**, 2 *W* & *M. Seſſ.* 2. *Cap.* 7.
Truſs of Hay ſold within Bills of Mortality between *Auguſt* and *June*, to contain Fifty ſix pound, and in *Auguſt* and *June* New Hay ſixty pound, and Old Hay Fifty ſix pound, on forfeiture of eighteen ſhillings *per* Truſs.	**Hay**, *Cap.* 8. §. 16.
By whom, and how Conviction may be, and penalty Levied and Diſpoſed.	**Conviction**, §. 18.

White Aſhes, ſee *Merchants.*
Whitegate, ſee *Churches.*
Wild-Fowl, ſee *Fowl.*
Wills, ſee *Deviſe.*

Wine.

Vinegar, Malaga, Rheniſh, Stum, Muſcadel, Florence, Puntack, Oyl, Tent, Claret, Brandy, Malmſey, Sack, Canary.

There ſhall be one Meaſure of VVine throughout the Realm.	**Meaſure**, 9 *Hen.* 3. *c.* 25. *Magna Chart.*
Eight pounds do make a Gallon of VVine, and Eight Gallons of VVine make a *London* Buſhel.	**Gallon**, Lond. **Buſhel**, 51 *Hen.* 3. *pag.* 10. *Aſſ. Pan. & Cerviſ.*
Twelve Men ſhall enquire of Vintners Names that ſell corrupt VVine, or other Price then Aſſize, and how ſold *per* Gallon.	**Corrupt Wine, Price Sale**, 51 *H.* 3. *p.* 7. §. 2. *Pillory & Tumbrel.*
Coroner ſhall Enquire of Tavern-Haunters.	**Tavern-Hunters**, 4 *Ed.* 1 *pag.* 28. *De Off. Coron.*
Officer of City or Borough during that time, forfeits Merchandize of VVine or Victual in Groſs, or by Retail, and Third part to Informer.	**Officer of City, Borough**, 12 *Edw.* 2. *Cap.* 6. *York.*
If Taverner exceed Twelve pence a *Sextertium*, their Doors to be ſhut up.	Sextertium, 17 *Ed.* 2. *c.* 5. *Incert. temp. pag.* 85.
Taverns Encreaſing ſhall not ſell as they will *per* Gallon, but at reaſonable Price, ſaving Expence from Port, aſſay'd at *Eaſter* and *Michaelmas*, and corrupt Veſſels broke and poured out, and Juſtices puniſh Officers Defaults.	**Price, Aſſay, Corrupt Veſſel, Defaults**, 4 *Edw.* 3. *Cap.* 12.
Shall not be Export by Alien Merchants.	**Exporting**, 9 *Ed.* 3. *c.* 1.
The Mayor and Bayliffs of Ports ſhall Certifie the Steward and Treaſurer the Number of Tun taken by the Butler of the King by Indenture, and Butler taking more, to pay double Damage, put out of Office, Impriſon and Ranſom.	**Certifying Tuns taken by Kings Butler**, 25 *Ed.* 3. *St.* 4. *c.* 21.
Felony to Foreſtall or Ingroſs *Gaſcoyn* VVine.	Gaſcoyn **Wine**, 27 *Ed.* 3. *Cap.* 5.
Merchants-Strangers may ſell at any Port in *England*, ſaving Butlerage.	**Merchant-Stranger**, *Cap.* 6.
No *Engliſh* Merchant ſhall have Agent in *Gaſcoyn* before the common time of Vintage Paſſage, on Impriſonment.	**Agent in** Gaſcoyn, *c.* 7.
Red and VVhite that come hither to *Wales* and *Ireland* to ſell, ſhall be Gauged, Value of what is wanting to be deduct.	**Gauging**, *Cap.* 8.

The

Selling before Gauged, 31 *Edw.* 3. *c.* 5.	The Seller of a Tun or Pipe not Gauged, ſhall forfeit that or the Value to the King.
27 *Edw.* 3. Couchers in Gaſcoyn, 37 *Edw.* 3. *Cap.* 16.	The forfeit of Life in 27 *Edw.* 3. *Cap.* 5. & 7. Repeal, and in *Gaſcoyn* Enquiry ſhall be made of Couchers of *England* that lie there to buy VVines.
Statutes Confirmed, 38 *Edw.* 3. *c.* 10.	Becauſe of diverſity of Merchants Opinions, the Statutes before made ſhall ſtand in force.
Fetching from Gaſcoyn, *Cap.* 11.	Shall be fetcht by Denizens, but brought from *Gaſcoyn* by Aliens.
Engliſh Merchant forbid Gaſcoyn, 42 *Ed.* 3. *c.* 8.	*Engliſh* Merchant ſhall not go to *Gaſcoyn* to Fetch nor Buy, till Landed.
Fetching in Gaſcoyn, bringing to England, 43 *Ed.* 3. *c.* 2.	May be fetcht in *Gaſcoyn* by *Engliſh*, *Iriſh*, or *Welſh*, and brought into *England*, ſo they Buy one hundred Tun of their own.
Kings Butler or Lieutenant, *c.* 3.	The Kings Butler or Lieutenant ſhall not Buy nor Ingroſs to their own or others uſe, but for the Kings Expence within Ten days.
Alien ſelling by Veſſel, 2 *Rich.* 2. *c.* 1.	Shall be ſold by Aliens by the Veſſel to any body any where.
Gauger Sworn, 4 *R.* 2. *Cap.* 1.	All Liquors Gaugeable ſhall be Gauged by Officer Sworn.
Prices, 5 *R.* 2. *c.* 4.	The Prices of ſeveral ſorts of Wines.
Retailing Sweet Wines, 6 *R.* 2. *c.* 7.	Sweet Wines may be Retailed at the Price of the Wines of *Gaſcoyn* and the *Rhine*, and not above.
5 *R.* 2. Vintners London, 7 *R.* 2. *c.* 11.	A Repeal of 5 *R.* 2. *Cap.* 4. and that all Vintners coming to *London* ſhall be in Rule of Mayor and Aldermen.
Merchant Alien not to Export, 11 *R.* 2. *c.* 7.	Merchants Aliens ſhall carry none out of the Realm, &c.
Gauging, 14 *R.* 2. *Cap.* 8.	None to be moleſted in Exchequer for not Gauging, but as uſed.
Importing in falſe Meaſures, 2 *H.* 6. *c.* 11.	Forfeit if Import in falſe Meaſures.
Vintner dwelling at Stews, 11 *H.* 6. *c.* 1.	None ſhall keep Tavern but in *Southwark*, that live at the Stews there.
Gauger ready, 23 *H.* 6. *Cap.* 16.	Gauger or his Deputy ſhall be ready in all places when required, but to take no Gauge-Peny till done.
No new Impoſition on Buyer in Gaſcoyn or Guyen, *c.* 18.	No new Impoſition on Buyers of the Kings Officers in *Gaſcoyn* or *Guyen*, on Forfeit Twenty pounds and treble Damage.
Ships Importing from Gaſcoyn or Guyen, 1 *H.* 7. *c.* 8.	From *Gaſcoyn* or *Guyen* ſhall be Import in *Engliſh*, *Iriſh*, or *Welſh*, Ships.
Searching Oyls Imported, 3 *H.* 7. *c.* 14.	The Mayor of *London* and Tallow-Chandlers may ſearch and correct Oyls Imported.
Ships Importing from Gaſcoyn or Guyen, 4 *H.* 7. *c.* 10	From *Gaſcoyn* or *Guyen* ſhall be Import in *Engliſh* Ships.
Importing in Engliſh Ships, Retailing French Wine, 23 *H.* 8. *Cap.* 7.	A Confirmation of 5 *Rich.* 2. *Cap.* 3. of 6 *Rich.* 2. *Cap.* 7. of 4 *Hen.* 8. *Cap.* 10. Of Importing in *Engliſh* Ships, and Retail of *French* Eight pence a Gallon, *viz.* One peny a Pint, Sack and Sweet Wines Twelve pence a Gallon.
Retailing, 24 *H.* 8. *c.* 6.	Penalty and Prices of Wine that they may be Retailed, and not compelled to ſell in Groſs.
Prices of Gaſcoyn, Guyen, and French Wines, 28 *H.* 8. *c.* 14.	No *Gaſcoyn*, *Guyen* or *French*-Wine above Eight pence a Gallon, *viz.* One peny a Pint, &c. on Forfeit of Four pence every Pint. &c.
Setting Prices, §. 2.	Chancellor, Treaſurer, Preſident, Privy-Seal, and Two Chief Juſtices, or Five, Four, or Three of them, may at diſcretion ſet price of Butt, Tun, Pipe, &c. by Proclamation in Chancery.
Seller in Groſs, §. 3.	Sellers in Groſs *contra* to ſuch Proclamation, forfeits Fourty ſhillings each Veſſel.
Puniſhing Defaults, §. 4.	Juſtice of Peace, and Head-Officers of Cities, &c. to puniſh Defaults at diſcretion.
1 *R.* 2. Confirmed, Veſſel ungauged, §. 5.	A Confirmation of 1 *R.* 3. *Cap.* 13. and that no Veſſel ungauged may be ſold, on Forfeiture, &c.
Gauger Marking Contents, allowing Buyer what wants, §. 6.	Gauger to Mark on the Head the Contents of every Veſſel, on Forfeit of Four times the Value of what is wanting, and what wants to be allowed to Buyer.
Mitigating or Enhanſing Prices, 34 & 35 *H.* 8. *c.* 7.	On 28 *Hen.* 8. *Cap.* 14. the Lords may mitigate or enhanſe Prices by Retail, as time and occaſion requires.
Setting Prices Triennially, 37 *H.* 8. *Cap.* 23. §. 2.	Prices ſhall be ſet by Chancellor, Treaſurer, Preſident, Privy-Seal, and Two Chief Juſtices, or any Five, Four, or Three yearly, between 20 *Novemb.* and 31 *Decemb.* and at no other time.
Refuſal, §. 3.	The Mayor, &c. Officers on refuſal of Owner, may enter Cellars, &c. and ſell to his uſe at Prices Aſſeſt.
Ship Importing French Wines, 5 & 6 *Ed.* 6. *Cap.* 18. §. 3.	A Repeal of 4 *Hen.* 7. *Cap.* 10. And that *French*-Wines may be Import in any Ship whatever of Amy.
Retail Prices, 7 *Ed.* 6. *Cap.* 5.	None to Retail by Gallon any *Gaſcoyn*, *Guyen*, or *French*-Wines, but at Eight pence *per* Gallon at moſt, and *Rochel* Wines Four pence a Gallon, no other Wines at more then Twelve pence a Gallon, on forfeit of Five pounds.

Unleſs he have One hundred Marks yearly, or be worth One thouſand Marks, or Son of Duke, &c. to keep Veſſel above Ten Gallons, on any pretence, to forfeit Ten pounds.	Keeping Wine for private Uſe, §. 2.
None may keep Tavern and Retail, except in Cities, &c. on Forfeit of Ten pounds a Day; none to Retail in City, &c. but ſuch Aſſign by Head-Officer, &c. under Common Seal, at pleaſure, or by Majority of Juſtices of County preſent at Seſſions, under their Seals, &c. not above Two in any one City, Town, &c. except, &c. in *London* Fourty, in *York* Eight, in *Norwich* Four, *Weſtminſter* Three, *Briſtol* Six, *Lincoln* Three, *Glouceſter*, Four, &c.	Keeping Tavern, Retailing, §. 3.
None to Retail Wine in his Houſe by any Means, upon forfeit of Ten pounds.	Retailing in Houſe, §. 4.
Merchant may retain any Wines Tranſport without recompence to ſpend in his Houſe; ſo High-Sheriff, Mayor, &c. Inhabitants in Forts, &c.	Retaining to ſpend in Houſe, §. 5.
Seſſions, Leets, Turn, and Eſcheator to Enquire by Oath, and have Moiety, &c.	Enquiry, §. 6.
Offence to be proſecuted within one year.	Proſecution, §. 7.
Not to prejudice *Oxford* Univerſity, nor *Cambridge*, ſo they do not exceed Number.	Univerſities, §. 8.
Sweet Wines come all from the *Straights* of *Marrock*, or *Malaga*.	Sweet Wines, 1 *Eliz.* *Cap.* 11. §. 9.
Sweet Wines ſhall pay the ſame Cuſtoms as *Malmſey*.	Cuſtoms, §. 10.
From *France* ſhall be Import in *Engliſh* Ships, as 4 *Hen.* 7. *Cap.* 10.	Engliſh Ships Importing from France, 5 *Eliz.* *c.* 5. §. 11.
Retailers to ſell by Prices as Proclaim, as upon 28 *Hen.* 8. *Cap.* 14. §. 2. was in Groſs.	Retailer, §. 25.
Strangers born, Owner of Ship, may Import in Foreign Boat under One hundred Tun yearly of *France*, to the *Iſle of Man*, &c.	Importing in Foreign Boat to Man iſle, &c. §. 46.
To *Chepſtow*, &c. of like quantity.	To Chepſtow, §. 47.
To *North-wales* the like quantity.	To N. Wales, §. 48.
Saving the Kings Duties, &c.	Kings Duty, §. 49.
Tavern-keepers and Sellers of Wine in Houſes that keep Inns, or Victualling, ſhall be within this Statute of Tipling, and 1 *Jac.* 1. *Cap.* 9. and 4 *Jac.* 1. *Cap.* 5.	Vintner and Seller, in Stat. Tipling, 1 *Car.* 1. *c.* 4. §. 2.
A Subſidy of Four pounds ten ſhillings a Tun *French*, and Fourty ſhillings Sweet Wines, &c. Twenty ſhillings Rheniſh to the King for Life.	Tonnage, 12 *Car.* 1. *Cap.* 4.
Forfeit if Import or Export without Agreement for Cuſtoms and Subſidies.	Agreeing for Cuſtom, §. 3.
Of *France*, *Germany*, *Portugal*, and *Madera*, to pay Thirteen pounds *per* Tun in Nine Months after Importing, beſide Tonnage.	France, Germany, Portugal, Madera, §. 13.
All Wines Import to be free from Exciſe.	Exciſe Free, §. 14.
Prizage or Prize Wines to pay no Cuſtom or Subſidy.	Prize Wine, §. 15.
Of *France*, or Spirits called Brandy-Wine, &c. to be deemed Aliens, unleſs Import in *Engliſh* Veſſels.	Importing Brandy, &c. in Engliſh Veſſel, *Cap.* 18. §. 9.
None to Retail by Pint or Gallon, &c. in Manſion-houſe, on forfeit of Five pounds.	Retailing in Manſion Houſe, *c.* 25.
The King may Commiſſion Two or more to grant Licences to Retail in Houſe or without in any City, Town, or Place in *England*, *Wales*, or *Berwick*.	Licenſing Retail, §. 2.
Commiſſioners to be called Agents to Leaſe, not exceeding One and twenty years, if perſons live ſo long, Rent to be paid half yearly.	Leaſing, §. 3.
Licence to be only to perſons uſing the Trade, or Owner of Houſe where ſuch ſell.	Licence, §. 4.
The King may Conſtitute a Receiver, and Officers fit, with Salaries for the Work, not exceeding Six pence in the pound.	Officers, §. 5.
Rents to be Anſwered in Exchequer, and not chargeable with Gift or Penſion.	Rents, §. 6.
Not to prejudice the Priviledge of the Univerſities.	Univerſities, §. 7.
Not to prejudice *London*, or other City or Corporation of Liberties lawfully uſed.	London, Corporation, §. 8.
The Liberties, &c. of St. *Albans*, Confirmed.	St. Albans, §. 9.
Fees of Officers only Five ſhillings a Licence, Four pence Acquittance, Six pence for Bond under Ten pounds.	Fees, §. 10.
None Selling or Retailing to mingle *Spaniſh* with *French*, *Rheniſh*, Cyder, Perry, Honey, Sugar, Syrups, Moloſſus, nor put in Iſinglaſs, Brimſtone, Lyme, Raiſins, Water, Herbs, Fleſh, or other Ingredients, nor mix *Rheniſh* and *French*, on forfeit of Fourty pounds.	Mixing, §. 11.
No Sweet Wine above Eighteen pence the Quart, *French* Eight pence, *Engliſh* Twelve pence, forfeit Five pounds.	Sweet Wine, §. 12.
Chancellor, Treaſurer, Preſident, Privy-Seal, two Chief Juſtices or three may ſet Prices.	Setting Prices, §. 13.
None but *Rheniſh* to be Import from *Netherlands* or *Germany*, on forfeit of Ship and Goods.	Importing Rheniſh from Netherlands, Germany, 14 *Car.* 2. *c.* 11. §. 23.

Wine, Licences, &c. 13 *Car.* 2. *Cap.* 14. §. 6.	The D. of *York* to enjoy all the Powers and Profit, 12 *Car. 2. Cap.* 25. §. 2. by Aſſignment of the King.
Licenſing, §. 7.	Perſons Authorized by Duke of *York*, and Heirs-Male of his Body, may grant Licence, *&c.*
Grantee, §. 8.	Grantee may Licence for any time, not exceeding 21 years, without Fine, to ſue in Name of the Duke or the King in Exchequer, *&c.*
King Licenſing, §. 9.	The King during this Eſtate-Tail not to grant Licence.
Contracts, §. 10.	Not to void Contract with Agents of the King already made.
Vintners of London Corporation, §. 18.	Not to prejudice the Maſter, Wardens, *&c.* of Vintners, *London*, or other Corporation.
St. Albans, §. 19.	Not to prejudice St. *Albans*, Licenſing 3 Taverns, *&c.*
Impoſt, 20 *Car.* 1. *c.* 5.	Impoſt of 310000 pounds for preſent occaſion on Retailers, Four pence *per* Quart *French*, Six pence *Spaniſh*, Brandy Twelve pence Import.
Engliſh Strong-water mixt, §. 2.	All Strong-water made in *England* mixt with Lees, to pay as Brandy.
§. 20.	What this wants upon Account, to take Four pounds *per* Tun at Cuſtom houſe, till filled up.
Aid, 22 *Car.* 2. *Cap.* 3.	An Aid to ſupply the Kings Weighty and Important Occaſions.
Rate, §. 2.	Further Rate of Eight pounds *per* Tun of *French* Wine, or Vinegar Import after 24 *June* 1670. and before 24 *June* 1678. and of Twelve pounds *per* Tun *Spaniſh*, or other Wine.
Paying or ſecuring Duties, §. 3.	Importer to pay Duties in ready Money, deducting Allowance, or ſecure by Two, *&c.*
Allowance on payment, §. 4.	Allowance on ready payment to be as Ten pounds *per Cent. per annum.*
Liquors forfeit, §. 5.	Liquors Import without Payment, or Security, Forfeit, or Value.
Payment, §. 7.	No Importer to pay for greater proportion then remains next after Abatement.
Allowance, Damage, §. 8.	Importer to be Allowed at Rate of Eight pounds *per Cent.* for Damage to Wine not ſold.
Prize Wine, §. 9.	Not to charge Merchant for Prize-Wines, but to be taken of Owner of Prize.
Repayment, §. 10.	Duty to be wholly repaid on Exportation.
Search, §. 11.	Cuſtomers, *&c.* may enter Ship to Search and Collect, as by 12 *Car.* 2. *Cap.* 4.
Frauds, §. 12.	Frauds to be ſubject to Penalties of all former Acts of Cuſtoms, as if named.
Proof of Payment, §. 13.	Proof of Duties paid to lie on him that Claims Goods Import.
Security, §. 14.	Until the 310000 pounds by *Car.* 2. *Cap.* 1. be ſatisfied, all Securities thereof to be in force.
Concealments, §. 16.	The Commiſſioners on 20 *Car.* 2. *Cap.* 10. to continue till 1 *Octob.* to Examine Concealments, *&c.*
Retailer, §. 17.	Retailer to be charged for Wine Import ſince 1 *Octob.* 1668. on Oath, *&c.* on that Act.
Liquors in Cellars, §. 19.	All Liquors in Cellars, 24 *June* 1670. to be liable to Duties in the preſent Act.
Search, Account, §. 20.	The King to name perſon to Search and Account.
Brandy, *Cap.* 4. §. 2.	Of Brandy to pay 8 *d. per* Gallon, within 12 *Car.* 2. *c.* 23. §. 7. and §. 10. and *c.* 24. as a Strong-water perfectly made, and not 4 *d. per* Gallon as Spirits.
Importer, Charge, §. 3.	Importer not to be charged above Four pence before 1 *Nov.* 1666. being then firſt claimed.
Penalties, §. 4.	No Penalties for Arrears, till Default of payment after new Demand.
Exciſe to Duke, 22 & 23 *Car.* 2. *Cap.* 6.	A Recital of 15 *Car.* 2. *Cap.* 14. and §. 2. Of 20 *Car.* 2. *Cap.* 1. and 22 *Car.* 2. *Cap.* 3. and becauſe of high Prices, 24000 pounds Granted to the Duke out of Exciſe, 12 *Car.* 2. *Cap.* 24. §. 15.
Powers Reverſt, §. 3.	The Powers granted to the Duke, and the King formerly, Reverſt, §. 4. ſaving Moiety Forfeits paſt.
24000 l. to Duke, §. 5.	The Kings Patent of 24000 pounds out of *Buckingham*, &c. good to the Duke.
Powers, §. 6.	The Powers in the Dukes Patent good, §. 7. to the Duke in Tayl, without Abatement.
Payment, Suit by D. §. 8.	To be paid at four uſual Feaſts, §. 9. and Commiſſioners and Farmers of, *&c.* to be Sued by the Duke.
Penalty, §. 10.	None to be Sued for former Penalties, unleſs already Sued.
Tonnage, Poundage, Exciſe to King, 1 *Jac.* 2. *Cap.* 1.	Tonnage, Poundage and Exciſe ſettled on the King for Life, which was ſettled on the late King for Life, by 12 *Car.* 2. *Cap.* 4, and 23.
Wine Imported between *June* 1685, & 1693. *Cap.* 3.	Impoſition of 8 *l.* by the Tun upon *French* Wine and Vinegar, and of 12 *l.* the Tun on *Spaniſh* and other Wines Imported between 24 *June* 1685. and 1693.
Brandy imported between *July* 1685, & 1690. Engliſh Strong-waters, *c.* 5.	Exciſe of 8 *d. per* Gallon on Single Brandy, and 2 *s. per* Gallon Double, Imported between 1 *July* 1685, and 1690. and of 4 *d. per* Gallon *Engliſh* Strong-waters of ſecond Extraction.
Exciſe on Vinegar and Brandy for 3 years, 1 *W & M. Seſſ.* 1. *c.* 24. §. 2.	Additional Exciſe on Vinegar and Brandy for three years, *viz. Engliſh* Vinegar 1 *s.* 6 *d.* the Barrel, Foreign 4 *s.* Single Brandy Imported 2 *s.* the Gallon, Double 4 *s.*
Low Wines Gauged, §. 3.	Low Wines after Gauged not to be diſpoſed or removed till Drawn off a ſecond time, on forfeiture of Five ſhilling the Gallon.
Refuſing Gauger, §. 9.	Diſtiller of Strong-waters refuſing Gauger to enter his Houſe, *&c.* to incur Penalties of former Acts.

No Information to be proſecuted after *July* 1689. unleſs laid and entered within Three Months after Offence, and Notice given Defendant within a Week after laying, *&c.*	Information not to be proſecuted, §. 16.
Brandy or Diſtilled Waters not to be Imported, under forfeiture thereof.	Diſtill'd Waters prohibited, *Cap.* 34. §. 8.
G. H. and *A. S.* Merchants, permitted to Export *Spaniſh* Brandy.	G. H. and A. S. §. 17.
French Wines, or Wines mixt from *Septemb.* 1689. for a year, to be ſold for 12 *d. per* Quart, and after for 6 *d.* on Penalty of 5 *l.* firſt Offence, 10 *l.* ſecond and every other Offence.	Price of Wines, §. 18.
After *Septemb.* 1689. Retailer to ſell Wines by Pewter Meaſures Sealed, on pain of Five pound.	Meaſures, §. 19.
Adulterating Wine, or Selling Wine Adulterated, to Forfeit 300 *l.* and be commit for Three Months.	Adulterating Wine, §. 20.
Exciſe Granted to K. *Charles* II. for Life, by 12 *Car.* 2. *Cap.* 23. ſettled on Their Majeſties for Life.	Exciſe to their Majeſties, 2 *W & M Seſſ.* 1. *c.* 3.
Tonnage, Poundage and other Money given King *Charles* II. for Life, by 12 *Car.* 2. *Cap.* 4 granted Their Majeſties for Four years, from 24 *Decemb.* 1690.	Tonnage, Poundage, &c. *Cap.* 4.
Continuance of 1 *Jac.* 2. *Cap.* 3. till 24 *June* 1696.	Reviver, *Seſſ.* 2. *Cap.* 5.
Exciſe on Low Wines of firſt Extraction for 5 years, *viz.* Wines from Foreign Materials, or mixt, the Gallon 8 *d.* from *Engliſh* Materials (except Corn, Perry, or Cyder, the Gallon 12 *d.* from Corn, the Gallon 12 *d.* from Cyder or Perry or mixt therewith, the Gallon 3 *d.*	Exciſe on Low Wines for five years, *Cap.* 9. §. 2.
Low Wines to be drawn from Corn Drink unmixed, to be Gauged, and Viewed; and if mixed, charged Twelve pence a Gallon.	Drawing Low Wines, §. 3.
Malt Liquors to be drawn off before other Materials medled with, on Forfeiture of 5 *l. per* Barrel.	Malt Liquors, §. 4.
Penalty on Gauger or Officer for falſe Charge or Return.	Penalty for falſe Charge, &c. §. 5.
Brandy from Corn may be Exported, and allowance of 3 *d. per* Gallon to Exporter.	Exporting Brandy, §. 6.
Materials and Low Wines, to be Gauged, and Diſtiller charged for Materials miſſing.	Gauging, §. 7. Materials miſſing.
Stills not to work, nor Low VVines delivered out, till Notice given to Exciſe Officer; except from 29 *Septemb.* to 25 *March*, between 5 in Morning, and 8 in Evening, and from 25 *March* to 29 *Sept.* between 3 in Morning and 9 in Evening, on pain of 10 *l.*	Working Stills, delivering out Low Wines, §. 8.
This Exciſe to be Levied and Paid, as directed by 12 *Car.* 2. *Cap.* 24. 15 *Car.* 2. *Cap.* 11.	How Duties to be Levied, §. 9.
Penalties to be recovered by Laws of Exciſe.	Penalties, &c. §. 10.
General allowance for making Low VVines from Malt Drink.	Wines from Malt-Drink, §. 11.
Strong-waters from *G. J. S.* or *A.* before Landing, to pay 8 *s.* the Gallon, and other Exciſeable Liquors from thence (except Beer, Ale and Mum) like Duties, as like Liquors made in *England*, and Importer to make Oath that the ſame are of the Manufacture of ſame Iſlands, *&c.* otherwiſe the Liquors to be deſtroyed, *&c.*	Liquors from Guernſey, Jerſey, Sarke, Alderney, §. 12.
Importer liable to Penalties in 1 *W & M. Seſſ.* 1. *c.* 34.	Penalties on Import.
Letters Patents for ſole making Strong-waters, void.	Sole making Strong-waters, §. 13.
Additional Exciſe of 3 *s.* the Barrel on *Engliſh* Vinegar, 8 *s.* the Barrel Foreign, 4 *s.* the Gallon Single Brandy Imported, 8 *s.* the Gallon Double, for Four years.	Exciſe on Vinegar and Brandy for 4 years, *Cap.* 10.
Exciſe for one year, of 1 *s.* the Barrel on *Engliſh* Vinegar made between 25 *July* and 18 *Nov.* 1692.	On Engliſh Vinegar 1 year, 3 & 4 *W & M. c.* 1.
Diſtiller of Low VVines not to ſet up, uſe, or alter Brewing Veſſels, or uſe private Celler, *&c.* without Notice at Exciſe Office, on pain of 20 *l. per* Veſſel, and Celler, *&c.* and like Penalty to Occupiers of Houſes where concealed Veſſel found.	Brewing Veſſel, Cellar, *Cap.* 15.
Diſtiller concealing Low VVines from Gauger to forfeit 5 *s. per* Gallon, to be recovered according to 12 *Car.* 2. *Cap.* 24. and 15 *Car.* 2. *Cap.* 11. and other Laws of Exciſe.	Concealing Low Wines, §. 2.
Not to Extend to thoſe who ſhall give Notice to Exciſe Officer.	Exception, §. 3.
Exciſe on Vinegar and Brandy for 99 years, for ſecuring advantages to Perſons advancing 1000000 *l.* for carrying on War againſt *France. Vide* Title *Taxes.*	Exciſe on Vinegar and Brandy for 99 years, 4 & 5 *W & M. Cap.* 3.
Additional Duty on Brandy by 2 *W & M. Cap.* 10. taken away.	Duty on Brandy, *c.* 5.
Repealer of 1 *W & M. Seſſ.* 1. *Cap.* 34. *Sect.* 8.	Repeal, 5 & 6 *W & M. Cap.* 2. §. 2.
Duties on Brandy by 4 & 5 *W & M.* intended of Duties by Statutes then in force, and *French* Brandy to be Imported according to 4 & 5 *W & M. Cap.* 25.	Duty on Brandy, §. 3. French Brandy Imported.
Wines Imported into *London* Port to pay Four ſhillings *per* Tun for payment of Four pounds *per Cent. per annum* perpetual Intereſt to Orphans and Creditors of City of *London.*	Wines charged to Orphans London, *Cap.* 10. §. 8.
Mayor and Aldermen to appoint Collectors of Duties, to be Collected according to 12 *Car.* 2. *Cap.* 4.	Collecting Duty, §. 9.

Witches, ſee *Conjuration.*

Witneſs.

Teſtimonies, Proof, Evidence, Examination, Averment.

Summoning, 13 *Ed.* 1. *Cap.* 3. *W.* 2.	Shall be Summoned of what Value or Age ſoever, *Dum tamen potentes ad laborandum.*
Proceſs, 12 *Edw.* 2. *Cap.* 2. *York.*	Proceſs ſhall be againſt them the Day of Aſſize, and it ſhall not be Deferred for their Abſence in Franchiſe, where the Kings Original Writ lieth not.
Subornation, 32 *H.* 8. *Cap.* 9. §. 3.	Subornation by Letters or Reward in the Courts mentioned, forfeits Ten pounds.
Treaſon, 1 *Ed.* 6. *c.* 12 §22	There muſt be Two in Treaſon, or free Confeſſion.
Treaſon, 5 & 6 *Edw.* 6. *Cap.* 11. §. 8.	There muſt be Two in preſence of Party in Treaſon.
Falſe Money Import, 1 & 2 *Ph. & Mar. c.* 11.	To prove falſe Money Import, is the ſame as of Treaſons at Common Law before 1 *Ed.* 6. *Cap.* 12.
Præmunire, 5 *El. c.* 1. §. 23.	Proof of *Præmunire* may be any that Jury believe.
Suborner, *c.* 9. §. 3.	Suborner by Letters or Reward in the Courts mentioned, forfeit Fourty pounds, or §. 4. to be Impriſon half a year, and Pillory if inſufficient.
Conviction of Subornation, §. 5.	He that is Convicted of Subornation, can never be Witneſs again.
Perjury, §. 6.	He that Commits Perjury corruptly, forfeits Twenty pounds, Impriſon Six Months, and diſabled.
Pillory and Ear, §. 7.	If inſufficient, Pillory, and Ears nailed.
Eccleſiaſt. Courts, §. 11.	This Statute not to extend to Eccleſiaſtical Courts.
Not appearing, §. 12.	Not Appearing on Service of Proceſs and reaſonable Coſts, forfeits Ten pounds, and Recompence.
Death of Tenant, 19 *Car.* 2. *c.* 6. §. 2.	Abſence of Tenant ſeven years, and not proving his Life, is ſufficient Evidence he is dead.
Deviſe, 29 *Car.* 2. *c.* 3. §. 5.	Unleſs three be preſent, no Deviſe good.
Revocation of Will, §. 6.	No Revocation of Will good, unleſs Atteſt by three, *&c.*

Wooll, ſee *Drapery*.

Women.

Quod ei deforceat, Cui in vita, Rape, Coverture.

K's Widows Marriage, 9 *H.* 3. *c.* 7. *Magna Chart.*	The Kings Widow by Tenancy, ſhall not be Diſtrained to Marry, but ſhall not Marry without Licence.
K's Widows Appeal, *Cap.* 34.	She ſhall not have an Appeal but only of Death of Huſband.
Damage againſt Deforceor, 20 *H.* 3. *c.* 1. *Merton.*	Damages againſt Deforceor of Dower or Quarentine, ſhall be the Value from Death of Huſband, to the Day of the Widows Recovery.
Crop of Dower, *c.* 2.	Widows may bequeath the Crop of their Dower, and other Tenements, ſaving the Lords Services.
Religious, 52 *H.* 3. *c.* 10. *Marlbr.*	Of Religion, ſhall not need to come to Sheriffs Turn.
Warranty of Husband, 6 *Edw.* 1. *c.* 3. *Glouc.*	The Heir of the Wife ſhall not be Barred by Warranty of the Huſband without Aſſets, nor ſhe unleſs by Fine.
Rape taken by force, 3 *Edw.* 1. *c.* 18 *W.* 1.	Rape of Maid within Age, by Conſent or without, or taking Women or Wife by force againſt her Will, or Raviſhment, ſhall be two years Impriſonment, if none Sue within Fourty Days, the King will.
Marriage, *c.* 22.	If not Married within two years after fourteen years old in Ward, they may Sue for Inheritance clear, if they refuſe, the Lord to retain till One and twenty, and after till Marriage had.
Receit, Entry, Cui in vita, 13 *Edw.* 1. *c.* 3. *W.* 2.	May be received for her Land before Judgment, or have Entry *Cui in vita*, after that and Death of Huſband, and not be put to a Writ of Right.
Darr. Preſentment, Qu. Impedit, *c.* 5.	Shall have *Darr. Preſentment* or *Qu. Impedit*, on Uſurpation during the Coverture.
Tenant in Dower, *c.* 9.	Tenants in Dower, *&c.* have no remedy againſt Mean Lord to be acquitted.
Rape, *c.* 34.	Rape againſt Conſent is Death, or by Force with Conſent after.
Taking Feme Cum bonis viri, *Ibid.*	Of taking away Feme *Cum bonis viri*, the King ſhall have the Suit.
Continuing in Avow. *Ib.*	Continuing in Avowtry forfeits Dower.
Taking away Nun, *Ibid.*	Taking away a Nun by Conſent, three years Impriſonment, Satisfaction to the Houſe, and Fine to the King.
Suit on Alienation during Coverture, *c.* 40.	Her Suit on Alienation during Coverture, ſhall not be deferred for Nonage of the Heir.
Eſſoyn De Servitio Regis, 12 *Edw.* 1. *p.* 81. *Of Eſſoyn.*	An Eſſoyn *De Servitio Regis*, lieth not for Women, unleſs Nurſe or Midwife, or Command by Writ *Ad vent. inſpiciend.*
King Aſſigning Dower, &c. 17 *Ed.* 2. *c.* 4. *Prerogat. Reg.*	The King may Aſſign Dower to his Tenants, albeit Heir be of full Age, and they ſhall ſwear not to Marry without Licence, *&c.*
Conſent to Rape, 6 *R.* 2. *c.* 6.	Conſent to Rape forfeits Dower, Joynt-Feoffment, and Inheritance as if Dead, and next of Bloud may Enter, Raviſher loſeth that and Life.
Raviſher.	
Dutcheſs, Counteſs, Baroneſs, Tryal, 20 *H.* 8. *c.* 9.	Dutcheſs, Counteſs, or Baroneſs Married or Sole, ſhall for Treaſon or Felony be Tried by Peers, as her Huſband.
Obligation, &c. pretence of Marriage, &c. 31 *H.* 6. *c.* 9.	Obligation, Statute, or Recognizance obtained by pretence of Marriage, and withdrawing Parties to ſecret places, void.
Suing Livery 39 *H.* 6. *c.* 2	At Fourteen on death of Anceſtor ſhall ſue Livery.
Taking againſt Will, &c. 3 *H.* 7. *c.* 2.	Taking Maid, Widow or Wife, having Subſtance in Goods or Lands, or Heirs apparent, againſt her will unlawfully, is Felony.
The Diſcontinuance, Warranty, Recovery, *&c.* by Feme Joyntreſs, void, and if Sole bars her, if Covert not, but if Heir, or he in Reverſion Joyn of Record, its good.	Diſcontinuance, Warranty, Recovery, &c. 11 *H.* 7. *c.* 20.
Every Dutcheſs, Marchioneſs, Counteſs, Baroneſs, Widows, may have two Chaplains that may purchaſe Diſpenſation.	Dutcheſs, &c. Chaplains, 21 *H.* 8. *c.* 13. §. 18.
Joyntreſs of uſe ſhall not claim Dower.	Joyntreſs of uſe, 27 *H.* 8. *c.* 10. §. 6.
If Joyntreſs be Evict, ſhe may claim Dower of reſidue of Feoffees to uſe.	Joyntreſs Evict, §. 7.
Feme Covert ſhall not be prejudiced of Joynture or Dower in uſe.	Joynture or Dower in uſe, §. 8.
May wave Joyntreſs made during Marriage, unleſs by Act of Parliament.	Wave Joyntreſs, §. 9.
Muſt be Party, and Seal Indenture of Leaſe by Baron and Feme for Three lives, or One and Twenty years, and Rent be reſerved to them and her Heirs.	Leaſe, 32 *H.* 8. *c.* 28. §. 3.
Wife, her Heirs, *&c.* may Enter and Fine Feoffment or other Act by Huſband only to be no Diſcontinuance.	Entre Act of Husband no Diſcontinuance, §. 6.
Shall not avoid Leaſe for Three Lives, or One and twenty years, by Bar and Feme, where Rent is reſerved as within Twenty years.	Leaſe not avoid, §. 7.
If Covert, cannot Deviſe.	Deviſe, 34 & 35 *H.* 8. *Cap.* 5. §. 14.
Feme Covert by Cuſtom Examined, is barred by Recovery, Fine or Deed Inrolled, notwithſtanding 32 *H.* 8. *Cap.* 28.	Wife Examined by Cuſtom, *c.* 22.
Wife forfeits Dower on Attainder of Huſband of Treaſon till Reverſe.	Dower forfeit, 5 & 6 *Edw.* 6. *c.* 11. §. 9.
Maid or Child under Sixteen, ſhall not be taken out of Cuſtody, *&c.* againſt the will of the Father, or of his Deviſee or Aſſignee.	Taking Child out of Cuſtody, &c. 4 & 5 *Ph. & Mar. c.* 8. §. 2.
If any above Fourteen take, *&c.* to be Impriſoned two years, and Fine in Star-Chamber.	Taking by any above Fourteen, §. 3.
Taking and Deflouring without will of Father, or knowledge of Mother, to be Impriſoned Five years, and Fine in Star-Chamber.	Taking and Deflouring, §. 4.
Star-Chamber to Determine by Bill or Information, *&c.*	Determining, §. 5.
If above Twelve, and under Sixteen, ſhe Conſent, the next of Kin to take the Lands for her Life.	Conſenting, §. 6.
Not to prejudice Cuſtom of *London*, &c. of Orphans.	Orphans of London, §. 7
Any two Juſtices may appoint Women above Twelve, and under Fourty unmarried, to ſerve.	Appointing unmarried to ſerve, 5 *El. c.* 5. §. 24.
Of Rape confeſs, outlawed, or ſound by Virdict, no Clergy.	Rape, no Clergy, 18 *El. c.* 7.
Carnal knowledge of one under Ten years old is Felony, and no Clergy.	Carnal knowledge Felony, no Clergy, §. 4.
Feme Covert not bound to Abjure for Recuſancy.	Abjure for Recuſancy, 35 *El. c.* 2. §. 19.
Clergy taken away from Takers of Women *contra* to 3 *H.* 7. *Cap.* 2.	Taken contra 3 *H.* 7. no Clergy. 39 *El c.* 9.
Huſband ſhall not be charged for Wives not Receiving Sacrament, nor Feme during Marriage.	Wife not Receiving Sacrament, 3 *Jac.* 1. *c.* 4 §. 40
VVives Convict of Recuſancy forfeit Two parts of Joynture or Dower, and diſabled to be Executor to Huſband.	Convict of Recuſancy, *Cap.* 5. §. 10.
VVives not Conforming in Three Months after Convict, Commit till Conformity, unleſs Huſband pay Ten pounds a Month.	Not Conforming, 7 *Jac.* 1. *c.* 6. §. 28.
Shall be burnt in the Hand with (*T*) where Men have Clergy.	Burning in the Hand, 21 *Jac.* 1. *c.* 6.
Muſt prove by one VVitneſs Child born Dead, elſe its Murder of Baſtard.	Baſtardy, *c.* 27.
Huſband of Feme Covert Offender at Conventicles, to pay Five ſhillings, and Ten ſhillings if Cohabit.	22 *Car.* 2. *c.* 1. §. 16.
VVomen in Caſes of Felony for which Men may have Clergy, upon their Prayer to have Benefit of this Statute, not to ſuffer Death, but be Stigmatized, *&c.*	Women burnt in Hand, 3 & 4 *W & M. c.* 9. §. 7.
VVomen Convict of Felony, to have Benefit of 3 & 4 *W & M. Cap.* 9. but once, where a Man ſhall have Clergy oftner.	Women burnt but once, 4 & 5 *W & M. Cap.* 24. §. 13.
To Continue for Three years.	Continuance, *Ibid.*
Makes perpetual 3 & 4 *W & M. Cap.* 9. and 4 & 5 *W & M. Cap.* 24. §. 13.	Reviver, 6 & 7 *W.* 3. *Cap.* 14. §. 1.

Woods.

Trees, Maeriſm, Underwood, Pollings, Arbors, Coppice, Timber, Fewel, Faggots, Billets, Coals, Clapboard, Bark, Oak, Elm, Aſh, Fences, Hedges, Pales.

The King nor his Bayliffs ſhall take no Mans VVood for Caſtles, or other Neceſſaries, but by Owners Licence.	King, &c. 9 *H.* 3. *c.* 21. *Mag. Chart.*
Foreſt ſhall be of no other then what grows on the Kings Demean.	Foreſt, 9 *H.* 3. *St.* 2. *c.* 1. *Ch. de Foreſta.*
Party ſhall make no Purpreſture, VVaſte nor Aſſart in the Kings Demean Foreſt without Licence.	Waſte, &c. in Demean Foreſt, *c.* 4.
Freemen may drive Swine through the Kings Demeſn VVoods.	Driving Swine through Kings Woods, *c.* 9.
Freeman may make Mills Arable, *&c.* in his own VVoods in Foreſt.	Making Mills, &c. in Foreſt, *c.* 12.

Fee-Farm for Load of Wood, *c.* 14.	VVood-Merchant ſhall pay to Foreſter in Fee-Farm, Two pence for Cart-Load, and a Halfpeny for Horſe-Load yearly, and for a Mans Burden nothing, except in the Kings Demean
Enquiry of yearly Value of Parks, &c. 4 *Ed.* 1. *p.* 27. §. 4. *Extent. Manerii.*	It ſhall be Enquired of Parks and Demean VVoods, which the Lord may Aſſart and Improve at his pleaſure, what Acres, what the Veſture, and what the Land is worth after Felled, to Lett yearly.
Trees in High-ways, 13 *Ed.* 1. *St.* 2. *c.* 5. *winch.*	None but Aſh and great Trees ſhall be ſuffered in High-ways but two hundred Foot on each ſide, without Buſhes, VVoods, or Dyke.
Wood in Church-yard, 35 *Ed.* 1. *pag.* 75. *Ne. Rect.*	In the Church-yard is the Parſons, as the Soyl, yet not to be Cut but for Reparation of Chancel, unleſs in Charity given by Parſon to Repair the Church.
Boots, 1 *Ed.* 3. *c.* 2.	The Owner may take Boots by view of the Foreſter.
About Houſe no Purvey, 25 *Ed.* 3. *St.* 4 *c.* 6.	About a Mans Houſe ſhall not be Purveyed.
Prohibition for Tythes, 45 *Ed.* 3. *c.* 3.	A Prohibition in Suit for Tythes of VVood twenty years growth, as *Sylva Cœdua.*
No Patents of Aſp, 4 *H.* 5. *c.* 3	None ſhall make Patents of Aſp, on pain of Five pounds.
Pat. of Aſp, 4 *Ed.* 4. *c.* 9.	Patents may be of Aſp not fit for Shafts.
Incloſure in Foreſt, 22 *Edw.* 4. *c.* 7.	Cut by Owner with Licence in the Kings Foreſt, Chaſe, or Purlieu, or without in Subject, may Incloſe ſeven years without Licence.
Sale on Diſſolution of Monaſt. 31 *H.* 8. *c.* 13. §. 7	Sale within year of Diſſolution of Monaſtry, void.
Meaſure, 34 & 35 *H.* 8. *c.* 3.	The Meaſure of Coals, Talwood, Faggots, Billets, and forfeit, *&c.*
Leaving Standels or Felling Coppice, 35 *H.* 8. *c.* 17.	For every Acre of Coppice Felled under twenty four years growth, Twelve Standels or Storers of Oak to be left, or if none, of ſome other kind, Elm, Aſh, Aſp, or Beech, on forfeit Three ſhillings four pence, by Freeholder, Copyholder, or Termor.
Incloſing Coppice, §. 2.	After Felling, the Coppice to be Incloſed four years, on forfeit of Three ſhillings four pence for every Rod Unincloſed.
Converting Wood to Paſture or Tillage, §. 3.	No VVood that now is ſo, two Furlongs from the Owners Houſe, two Acres or above, ſhall be Convert to Paſture or Tillage, on forfeit of Fourty ſhillings *per* Acre.
Leaving Trees, on Cutting Trees above 24 in ſeveral woods, &c. §. 5.	Owners of ſeveral VVood or Coppice, to leave twelve Trees in Acre, on Cutting Trees above Twenty four years growth, and to Incloſe for ſeven years.
Cutting Standils, §. 6.	Owners may Cut any Standils or Timber for Building, Fencing, *&c.*
No Felling in Common till a fourth part, §. 7.	VVhere there is Common, the Lord not to Fell until a fourth part be ſet out by Agreement, or by two Juſtices not of Kin.
Leaving Standils in 4th part, §. 8.	The Twelve Standils or Trees to be left in every Acre of the fourth part, and to be Incloſed ſeven years.
Felling in Waſts, §. 9.	Owners that Cut down Trees in waſte Grounds in other manner, to forfeit Six ſhillings eight pence.
Uſing reſidue, §. 10.	Commoners may uſe Reſidue, and Exclude the Lord during the ſeven years Incloſures.
Felling in waſtes, §. 11.	VVoods, Coppice, *&c.* in waſte Grounds, to be Felled as heretofore uſed.
Not Felling in four Months after Incloſure, §. 12.	If Lord Fell not in Four Months after Incloſure, Commoners may Feed till Cutting, and Gate to be left open.
Weld of Kent, S. S. *&c.* §. 13.	Not to prejudice the VVeld of *Kent*, *Suſſex*, *Surrey*, &c.
Former Bargains, §. 14.	Not to prejudice former Bargains for VVood.
Timber near Sea, §. 15.	Not to prejudice for Timber within Two Miles of the Sea.
Breaking Coppice Fence, §. 16.	Breaker of Fence of Coppice, *&c.* to forfeit Ten ſhillings.
Hog unring'd, &c. §. 17.	Owner of Hog Unringed, or not Pegged, that Common in VVoods, forfeit Four pence.
Incloſure Coppice, §. 18.	Owner of Park, *&c.* to be chargeable with Incloſure of Coppice but Four years.
Breaking Incloſure, §. 19.	The Penalties to be incurred where Incloſure is broke without Aſſent.
Putting colts or calves into Coppice, §. 20.	After two years Fence, the Owner may put Colts or Calves into Coppice.
Barking Fruit-Trees, 37 *H.* 8. *c.* 6. §. 4.	Barking of Fruit-Trees forfeit treble Damages, and Ten pounds.
Aſſize of Coal, Faggot, 7 *Edw.* 6. *c.* 7. §. 2.	No Penalty though Aſſize be not as in 34 *H.* 8. *Cap.* 3. but hereafter Sack of four Buſhels of Coals, Talſhide four Foot length, and Carf one, to be a Foot the middle, Sixteen Inches about, two to be twenty three Inches, a third to be twenty eight Inches, a fourth to be thirty three Inches, a fifth to be thirty eight Inches about, and every Billet three Foot and four Inches ſingle, ſeven Inches and half about, Faggot bound three Foot, Band twenty four Inches.
Billet, §. 3.	Owners may make Billet of two Caſt, Marked within ſix Inches of middle, *&c.* want of Aſſize forfeits Three ſhillings four pence.
Buying or Selling again, altering mark, §. 5	None but Retailers to Buy to Sell again, nor alter Mark, on forfeit of treble.
Proſecution, Pillory, §. 6.	Offence to be proſecuted in a year, and if Inſolvent, Pillory, *&c.*
Billets, &c. for Calice, §. 7.	Billets, *&c.* for *Calice*, to be thirty Inches long as accuſtomed.

Tranſporting Wood, *&c.* forfeits all his Goods and Impriſonment, *&c.*	Tranſporting Wood, 1 & 2 *Ph.* & *Mar.* *c.* 5. §. 3.
No Timber-Trees of Oak, Beech, or Aſh, a Foot ſquare at the Stub, within fourteen Miles of the Sea, or great Rivers, *&c.* to be uſed for Coal or Iron-works.	Timber not uſed for Coal or Iron-work, 1 *Eliz.* *c.* 15.
Not to extend to *Suſſex*, the Weld of *Kent*, and *Surrey*, &c.	Suſſex, Weld of Kent, Surrey, *&c.* §. 2.
Woods and Coppice intend by 35 *H.* 8. *Cap.* 17. ſhall be Incloſed two years more then is ſeverally limit there.	Incloſing Wood, &c. 35 *H.* 8. 13 *Eliz.* *Cap.* 25. §. 18.
None to Employ or Convert to Coal or Fewel for Iron-work, any Wood or Underwood within twenty Miles of *London*, or of *Thames* from *Dorcheſter*.	Wood not for Fewel, for Iron-work, 23 *El.* *Cap.* 5.
Not to extend to Weld of *Kent*, *Suſſex*, or *Surrey*, above Eighteen Miles from *London*.	Weld of K. S. S. §. 2.
Not to extend to the Woods of *Chriſtopher Darrel.*	Woods of C. Darrel, §. 4.
No bodies of ſound Timber-Trees, Oak, Aſh, or Elm, of a Foot ſquare at the Stub, ſhall be Employed in Iron-Mills.	Timber not for Iron-Mills, 27 *El.* *c.* 19. §. 2.
For every ſix Tun of Beer Tranſport, to Import two hundred Clapboard three Foot two Inches.	Importing Clapboard, 35 *Eliz.* *c.* 11.
For every ſix Tum of Fiſh, the quantity of Clapboard to be Imported.	Importing Clapboard, §. 3.
Cutting or ſpoiling Under-woods, Fruit-Trees, *&c.* to make Satisfaction as Juſtice of Peace Award, or be Whipt.	Spoiling Under-wood, Fruit-Trees, &c. 43 *Eliz.* *c.* 7.
A Repeal of 7 *Ed.* 6. *Cap.* 7. §. 2. as to the forfeit of Three ſhillings four pence for want of Aſſize.	Want of Aſſize, *c.* 14.
On Information Mayor, *&c.* to ſwear Enquiry, and Seize for the Poor.	Enquiry, §. 2.
Taleſhide marked once round ſixteen Inches, half round nineteen and quarter, Cleſt eighteen.	Taleſhide, §. 4.
The Surpluſage of Meaſure to be to benefit of Buyer.	Surplus Meaſure, §. 5.
Single Billet to be ſeven Inches and a half round.	Single Billet, §. 6.
Faggots to be twenty four Inches beſide Band, each Stick three Foot.	Faggots, §. 7.
Where Bark is worth Two ſhillings a Load, no Oaken Trees, (Timber for Houſes, Ships, or Mills except) to be Fell'd but between 1 *April* and 30 *June*, on forfeit of double Value.	Time for felling Oaks, 1 *Jac.* 1. *c.* 22. §. 20.
No Purveyor to Fell Timber for Barking but in Barking-time, and then to take only the Body and no Lops, *&c.* on forfeit of Fourty ſhillings.	Purveyor Felling Timber for Barking, §. 21.
Conſtable to Apprehend perſons ſuſpect of Cutting Wood, Under-wood, Poles, *&c.* and if no good Account be given to Juſtice, *&c.* to be puniſht as 43 *Eliz.* *Cap.* 7.	Apprehending perſons ſuſpected for Cutting Wood, 15 *Car.* 2. *c.* 2.
Offender, 1. to ſatisfie Party, and pay under Ten ſhillings to Poor, and on default Impriſon a Month, or Whipt: 2. to Correction a Month: 3. an incorrigible Rogue.	Puniſhment, §. 3.
Juſtices to Examine ſuſpected Buyers on Oath, *&c.* and on ſuſpicion, treble Value.	Examining ſuſpected Buyers, §. 4.
None to be puniſht on this and other Law, nor after Six Weeks.	None puniſht twice, &c. §. 5.
Lord Mayor and Aldermen, and Juſtices of Peace, or Three, to ſet Prices of Coals Retailed.	Setting prices of Coals 16 & 17 *Car.* 2. *c.* 2.
That 1000 Acres Waſte of *Foreſt of Dean*, be Incloſed for Timber.	Incloſing Dean Foreſt, 20 *Car.* 2. *c.* 3. §. 2.
Any ſix Commiſſioners to ſell Trees that are not Timber, to maintain Incloſure.	Maintaining Incloſure, §. 3.
Incloſure to be within two years, §. 5. when Lord Treaſurer is ſatisfied, paſt danger to be open, *&c.*	Incloſure, §. 4.
All Incloſures to be put in regard of the Foreſt and Charters, ſince 10 *Car.* 1. of Diſafforeſting, void.	Regard, §. 6.
Patent of any Woods or Incloſure, void.	Patent, §. 7.
Stock of Deer not to exceed 800 of all ſorts.	Deer, §. 8.
Commoners to Fell Woods on their own Lands at pleaſure.	Commoners Felling, §. 9.
Former Offences againſt Foreſt Laws diſcharged.	Former Offences, §. 10.
Commoners to enjoy all freedom from *Michaelmas*, 1687. and when not Incloſed.	Commoners Freedom, §. 11.
Saving St. *Brerills* Priviledge of Cutting Woods in *Hudnais.*	St. Brerils Priviledge, §. 12.
Not to void Patent of Iron-work to Sir *J. Winter.*	Iron-works, §. 13.
Not to prejudice Leaſe to *Preſton*, &c. not §. 15. *Villers* Patent.	Preſton Leaſe, Villers Patent, §. 14.
If Commiſſioners pay not 1500 pounds to *B. Maynard*, he to enjoy Lands in Foreſt.	B. Maynard, §. 16.
Bounds of Foreſt to be as Perambulat. 20 *Jac.* 1.	Bounds, §. 17.
Leaſes for One and thirty years of Coal-Mines not Incloſed, to be as before this Act.	Coal-Mines not Incloſed, §. 18.
Deſtroying Trees, *&c.* in the Night, treble Damages.	Deſtroying Trees, &c. in Night, 22 & 23 *Car.* 2. *c.* 7. §. 5.

Wooll, ſee *Drapery.*
words, ſee *Slander.*
Worſteds, ſee *Drapery.*

Wreck.

Shall not be if Man, Dog, or Cat eſcape alive out of the Ship, if none, it ſhall be kept by Sheriff, Coroner, or Officer of the Town, and if none claim in a year and a day, the King or other Lords to take it.	Ship, 3 *Edw.* 1. *c.* 4. *W.* 1.
He that lays hands of it ſhall be Attacht by Coroner, put in Pledges, and the things Valued and Delivered to the Town.	Intermedling with Wreck, 4 *Ed.* 1. *p.* 28. *De Offic. Coron.*

To the King, 17 *Ed.* 2. *Cap.* 11. *Prerogat. Reg.*	Shall be the Kings, unleſs in Places privil[e]dged by him.
Goods broken on Sea, 27 *Edw.* 3. *Cap.* 13.	Goods broken on the Sea that are not ſo, ſhall be delivered to the Owner.
Admiral, 15 *R.* 2. *c.* 3.	Admiral hath no Juriſdiction of it.

Writs.

Brief, Abatement, Amendment, Error.

Precipe in Cap. 9 *H.* 3. *Cap.* 24. *Magna Chart.*	*Precipe in Capite* ſhall not be Award of Freehold whereby Freeman loſeth his Court.
Writ of Right, 20 *H.* 3. *Cap.* 8. *Merton.*	Deſcent in Writ of Right ſhall be Conveyed but from *H.* 2. not from *H.* 1.
Mortdanceſter, Nativis, Entre, *Ibid.*	*Montdanceſter*, **Nativis**, and *Entre* ſhall not paſs the laſt Return of K. *John* from *Ireland* into *England*.
Novel Diſſeiſin, *Ibid.*	Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *H.* 3. into *Gaſcoyn*.
Continuance, 51 *Hen.* 3. *pag.* 10.	Shall be continued from Return-days of one Term to another, according as they come in, and 51 *H.* 3. *p.* 10. the like in a Writ of Dower.
Unde nil habet, 52 *H.* 3. *Cap.* 12. *Marlbr.*	Dower *Unde nil habet*, ſhall have four days at leaſt in the Year, and five or ſix in *Darr. Preſentment*, and from Fifteen to Fifteen in *Qu. Impedit*, or from Three Weeks to Three Weeks; and 1. Summons, 2. Attachment, 3. Diſtreſs, and on Default a Writ to the Biſhop.
Mortdanceſter, *Cap.* 16.	Aſſize of *Mortdanceſter* by Heir againſt Lord, Ouſting him being of full Age, or not rendring the Inheritance when of Age.
Freeholder Diſtrained, Sworn, *Cap.* 21.	Freeholder ſhall not be Diſtrained to Anſwer for his Freehold, not to Swear againſt his will, but by the Kings Writ.
Entre en le Poſt, *c.* 29.	Of Entry on Diſſeiſin ſhall be in the Poſt, notwithſtanding never ſo many Alienations, and make no mention of Degrees.
De odio & Atia, **Replevin**, 3 *Ed.* 1. *Cap.* 11. *W.* 1.	*De Odio & Atia*, and Replevin by favourable Enqueſts, prevent by chooſing lawful Men on Oath, and two Knights.
Attaint, *Cap.* 38.	Of Attaint ſhall be grant by the King *Ex Officio*, on falſe Oath of Enqueſt in Matters touching Freehold.
Limitation of Right, Diſſeiſin, &c. *c.* 39.	Of Right are limit from *R.* 1. of Diſſeiſin, Partition, or *Nuper Obiit*, from the firſt Voyage of *H.* 3. into *Gaſcoyn*, of *Mortdanceſter*, *Ayel*, *Couſenage*, *Entry*, or *De Nativis*, from the Coronation of *H.* 3.
Counterplea of Voucher, *Cap.* 40.	Of Poſſeſſion, Voucher is Counterplead by Averment Tenant or his Anceſtor were the firſt that Entred in Writs of Degrees, by Averment, that Tenant, nor *&c.* were never Seized, ſaving Warranty of Charters.
Eſſoyn, *Cap.* 42.	No Eſſoyn in Aſſize, Attaint, or *Juris utrum*, but on Default after Appearance, if Tenant make no Attorney, Verdict.
Damages in Aſſize, Entre, &c. *6 Edw.* 1. *Cap.* 1. *Glouc.*	In Aſſize of *Novel Diſſeiſin*, Writs of *Entry*, *Mortdanceſter*, *Ayel*, *Beſayel*, *Couſenage*, and on all Intruſions, Damages ſhall be as well for Coſts of the Writ, as for Iſſues of the Land.
Reſummons on the Warranty of Tenant, &c. *Cap.* 3.	Judicial of Reſummons lieth at any time on Warranty of Tenant by the Courteſie, when Aſſets deſcend to Heir.
Ceſſavit per Biennium, *Cap.* 4.	*Ceſſavit per Biennium*, if no Diſtreſs ſufficient be on the Land in that time, recovers the Land for ever, unleſs Arrears of Rent be tendred before Judgment.
Joyn'd in Mortdanceſter, *Cap.* 6.	All Heirs near and remote, Aunt and Niece, *&c.* ſhall joyn in a *Mortdanceſter*.
Entre on Sale by Tenant in Dower, *c.* 7.	Heir may have Writ of Entry on Gift by Sale by Tenant in Dower, in Fee, or for Life.
Treſpaſs before Sheriff, &c. *Cap.* 8.	Of Treſpaſs ſhall not be before Juſtices, but before Sheriff, unleſs Plaintiff ſwear by his Faith the Goods taken were worth Fourty ſhillings at leaſt, and that his Plaint of Beating is true.
Killing, *Cap.* 9.	Shall not be grant to try if Killing were by Misfortune, but Party Impriſon till Tried by Juſtices in Eyre, or Gaol-delivery.
Waſte, Eſtrepement, *Cap.* 13.	While its depending, Tenant ſhall do no Waſte nor Eſtrepement.
Executing Pety Cape, Huſtings, London, 9 *Edw.* 1. *pag.* 33.	Sent to Juſtices to Execute Article of Pety Cape in Huſtings in *London*, on Default before the Juſtices on Foreign Voucher, albeit it did not in all accord with *6 Edw.* 1. *Cap.* 12. at *Glouc.*
Formedon in **Reverter**, 13 *Ed.* 1. *Cap.* 1. *W.* 2.	For Donor to recover Lands Aliened by Donee in Tail on Death without Iſſue, *Viz.* a *Formedon*.
Cui in vita, *Cap.* 3.	A Feme after Judgment and Death of Husband by Default, ſhall have Entry by *Cui in vita*, and not be put to Writ of Right, ſo of him in Reverſion after Death of particular Tenant.
Quod ei deforceat, *c.* 4.	Tenant in Dower, Free Marriage for Life or in Tail, may have *Quod ei deforceat* on Judgment by Default.
Secunda ſuperoneratione, **Rediſſeiſin**, *Cap.* 8.	Writs of *Secunda ſuperoneratione*, before the Juſtices or Sheriff, and Writs of Rediſſeiſin, ſhall be Enrolled and ſent into Exchequer.
Receiving Writ in Circuit, *Cap.* 10.	None ſhall be received in the Circuit after a certain Day ſet by the Juſtices, but Aſſize of *Novel Diſſeiſin* and Dower, *Darr. Preſentment*, and *Qu. Impedit*, on Deaths, ſince the firſt Summons, but Writs abate may be amend.
Amendment.	
Impriſonment, &c. *c.* 13.	Falſe Impriſonment lieth againſt Sheriff or Bailiff of Franchiſe, that take one for Felony or Treſpaſs before Enqueſt of Twelve Seals find it.

Election upon Recovery of Debt or Damages in the Kings Court, ſhall be to have *Fi. fac.* of Lands and Goods, or Delivery of all the Chattels, except Beaſts of Plow, and a Moiety of Land, until Debt Levy by reaſonable Extent.	Fi. fac. Elegit, **Election**, *Cap.* 18.
That the Plaintiff is not next Heir, ſhall be a good Plea in *Couſinage*, *Ayel* and *Beſayel*, as well as *Mortdanceſter*.	**Plaintiff not next Heir**, &c. *Cap.* 20.
Ceſſavit lieth on Ceſſor of any Services two years, and Heir of Lord againſt Heir of Tenant after Alienation may have Entry.	Ceſſavit, **Entre**, *Cap.* 21.
Caſes in which the Clerks of Chancery cannot agree, ſhall be Adjourn, or refer unto the next Parliament, that there be no failer of Juſtice.	**Caſes referable to next Parliament**, *Cap.* 24. §. 2.
Gives the Writ *De Conſimili Caſu.*	Conſimili Caſu, 13 *Ed.* 1. *Cap.* 24. §. 3.
Of Oyer and Terminer ſhall be only before Juſtices in Eyre and both Benches, unleſs for hainous Treſpaſs, nor Appeals but in ſpecial Caſes, and Bail in the mean time by *Odio & Atia*.	**Oyer and Terminer, Appeal**, Odio & Atia, *Cap.* 9.
Damages and Amerciament of Sheriff that will not make Return, and if falſe, he ſhall be Amerced on Oyer, and Averment found, that Iſſues are too ſmall; Sheriff alſo muſt by Power of County do Execution.	**Return of Sheriff, Execution by** Poſſe Com. *Cap.* 39.
Contra formam Collationis, by Subject, Founder of Abbe, Hoſpital, *&c.* on Alienations, ſo of Alms to Church, Chappel, Chantry, *&c.* and if only withdrawn two years, a *Ceſſavit*.	Contra formam Collationis, *Cap.* 41. Ceſſavit.
Upon the Caſe ſhall be grant by Juſtices, rather then any depart without Remedy.	**Caſe**, *Cap.* 50.
Shall be grant out of Chancery on purchaſing Liberties, or Amortizing Lands, to Enquire of Points accuſtom, *Ad quod damnum*, and if above 20 *s. per annum*, ſhall be Returned into Exchequer.	Ad quod Damn. 27 *Ed.* 1. *p.* 62. §. 1. *De libertat. perquirend.*
That touch the Common Law, ſhall not be under any Pety Seal.	28 *Ed.* 1. *Cap.* 6. *Artic. ſuper Chart.*
Of Summons and Attachment in Pleas of Land, ſhall have Fifteen days as at Common Law.	**Summons and Attachment**, *Cap.* 15.
Sheriff ſhall be Amerced for falſe Returns.	**Falſe Returns**, *Cap.* 16.
The Forms of *Quo warranto's* changed after the diverſity of Liberty claimed.	30 *Edw.* 1. *pag.* 67. *Quo Warranto.*
All that come to Sheriff ſhall be Executed by Hundreders ſworn and known in full County, and not by others, ſaving the Returns of ſuch as ought to have them.	9 *Edw.* 2. *pag.* 79. *Sheriffs.*
Shall be received by Sheriff in any part of the County, and Bill given *gratis*, and Damages if not Returned.	**Delivering Writ**, &c. 2 *Edw.* 3. *Cap.* 5.
Of Deceit lieth as well on Garniſhment as on Summons in Plea of Land.	**Deceit**, *Cap.* 17.
None ſhall be prejudiced by ancient Terms or Forms of Law, ſo the matter be fully contained in the Declaration and VVrit.	**Terms or Forms of Law**, 36 *Ed.* 3. *c.* 15.
Seizure of Sheriff or Eſcheator by Utlary, muſt be avoid by *Identitate nominis*.	Identitate nominis on **Seizure**, 37 *Ed.* 3. *c.* 2.
Shall be taken in their Counties, and direct to Sheriff where Contract was.	**Taking in County**, &c. 6 *Rich.* 2 *Cap.* 2.
In perſonal Actions or Endictment, ſhall have Addition of Defendants.	**Addition**, 1 *Hen.* 5. *c.* 5.
By the VVardens of *Rocheſter* Bridge good, and not abate by death or removal.	**Wardens of Rocheſter Bridge**, 9 *H.* 5. *c.* 12.
Shall be Returned by Sheriffs at the Day.	**Return at day**, 4 *Hen.* 6. *Cap.* 1.
In County Palatine and other Liberties, ſhall be only in the Kings Name.	**County Palatine**, &c. 27 *Hen.* 8. *Cap.* 24. §. 3.
Shall be directed from *B. R.* and *C. B.* &c. to Sheriff of County Palatine of *Lancaſter*.	**Direct to Sheriff**, &c. 5 & 6 *Edw.* 6. *Cap.* 26.
Right of Advowſon, *Qu. Impedit*, *Jure Patronatus*, *Darrein Preſentment*, Right and Raviſhment of VVard, are not limited by 32 *H.* 8. *Cap.* 2.	**Writs not limited by** 32 *H.* 8. 1 *Mar. St.* 2. *Cap.* 5. §. 4.
Sheriffs VVarrant to Arreſt before Receit of VVrit, forfeits 10 *l.* and Damages, and Fine 20 *l.*	**Warrant to Arreſt before Writ**, 43 *El. c.* 6.
No *Sci. fac.* where Information of Intruſion lieth for the King.	Sci. fac. 21 *Jac.* 1. *c.* 14. §. 2.
To Levy Ship-Money on imminent Danger, void.	**Levying Ship-Money**, 17 *Car.* 1. *Cap.* 14.
To Diſtrain for Fine for not taking Order of Knighthood, void.	**Knighthood**, *Cap.* 20.
Takes away the VVrit *De Hæretico Comburendo.*	De hæretico Comburendo, 29 *Car.* 2. *Cap.* 9.
VVrits returnable in *Hillary* Term 1688. revived, and Returnable in *Eaſter* Term next.	**Returnable** Hill. 1688. 1 *W & M. Seſſ.* 1. *c.* 4.
VVrits may be Sued between *Hillary* Term 1688. and 17 *April* 1689. dated when ſued out, and Returnable *Eaſter* Term following.	**Suable between** Hill. 1688. **and** April 1689.
VVrits of *Michaelmas* Term laſt Executed before returnable good.	**Of** Michaelmas **Term** 1688. **Executed.**
VVrits made out for things pardoned, void, and Officer or Clerk puniſhable.	**Pardon**, 2 *W & M. Seſſ.* 1. *Cap.* 10. §. 8.
Officer or Clerk Signing VVrit before Judgment, to Endorſe day and year of Signing, to be Entred on Remembrance, or in Book where Abſtract Entred, on pain of 10 *l.*	**Endorſing day and year of Signing**, &c. 5 & 6 *W & M. Cap.* 21. §. 4.

Yarn, ſee *Drapery*.
York, ſee *Corporation* and *Drapery*.

F I N I S.